



North Dakota House of Representatives

STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360



Representative Steve Vetter

District 18
804 South 17th Street
Grand Forks, ND 58201-4241
smvetter@ndlegis.gov

COMMITTEES:

Judiciary (Vice Chair)
Government and Veterans Affairs

Chairman Larson and Senators of the Judiciary committee,

my name is Steve Vetter from district 18 which is Grand Forks along the Red River to Manvel.

On a national level we have seen first hand the weaponization of our court system. In our current political environment it appears that making false claims is becoming common ground. It has become acceptable to lie about someone because there appears to be no consequences to this action. When someone is accused of something often this is the story the public hears without ever hearing if indeed the person was found to be not guilty or the charges were dropped or there is a story about an arrest and investigation but limited follow-up when nothing turns up. False accusations have a victim and they should have consequences.

There is a recent increase in false accusations but nobody ever seems to be punished for false accusations. This past summer, I worked with legislative counsel to get some insight in how many people are charged and/or convicted of making false accusations and/or filing a false police report. It was shocking to find out I have yet to know of any case in North Dakota. However, since this introduction of this bill, one sheriff emailed to let me know that he filed charges for false accusations several times. The reason for my inquiry is I have had two different constituents tell me they reported to a police officer a complaint of false accusations and in one case filing a false police report. You would think filing a completely untrue police report would be easy to prove. In both cases, no charges were filed.

I have also been told by some attorneys that these cases may be a hard case to get a conviction on. I'm not sure on that answer but that decision should be up to the state's attorney not the individual officer.

The bill in its current form, is a simple bill that spells out in Century code what is supposed to be the current practice of when someone brings a complaint about someone dealing with false accusations and/or filing a false police report.

All it does: if someone files a complaint for False Accusations of Filing a False Police Report, the law enforcement officer or agency will a report an affidavit to the States Attorney on that individual for filing a fraudulent report. That's it. It does not require the States Attorney to do anything as the discretion is solely with States Attorney. The discretion is for the States Attorney to decide not the individual peace officer to make that determination.

However, I would like you to add an amendment to solve an addition recent issue dealing with the same section of law about filing false police report. Sheriff Jahner from Cass county contacted me about a growing problem. There is a growing trend of people lying to the police about who they are. This amendment would help when dealing with people lying about their identity when dealing with minor crimes of an infraction, noncriminal and Class B misdemeanor crimes. These are usually property crimes. Currently, criminals are committing property crimes and then are telling the police they are someone other who they actually are. The amendment helps fix this issue. I have Sheriff Jahner testifying after me so for more detailed questions about this, he will have better answers for you.

After looking over the amendment, it would be a friendly addition to the bill so I agreed with the Sheriff that I would ask the committee to add the amendment. Please consider the amendment. In addition, it is my belief the House Judiciary committee and the House floor would agree to the amendment. If not I would just have to convince them.

Answer to objections in the house side.

- Added 'on duty' and added probable cause language.
- Already the law that it needs crimes with probable cause are to be reported to the states attorney.

I would ask you to add the amendment and then give this bill a Do Pass recommendation. I will stand for questions.

When looking to the wisdom of the Bible, a false accuser was punished rather harshly.

“The judges must investigate the case thoroughly. If the accuser has brought false charges against his fellow Israelite, you must impose on the accuser the sentence he intended for the other person.” Deuteronomy 19:16-19
in essence, those who falsely accuse others are to face consequences that mirror the harm they intended to inflict on the accused, signifying the gravity of the transgression in God's eyes.

