

HOUSE CONCURRENT RESOLUTION NO. 3002

Introduced by

Legislative Management

(Commission on Alternatives to Incarceration)

1 A concurrent resolution directing the Legislative Management to study issues related to
2 restitution for criminal acts.

3 **WHEREAS**, courts frequently order restitution for damages resulting from the commission
4 of a criminal act and condition an offender's probation upon the payment of the restitution; and

5 **WHEREAS**, because of an offender's unwillingness or inability to comply with the conditions
6 of probation relating to payment of restitution, a court may terminate the offender's probation or
7 extend the term of probation for up to five additional years; and

8 **WHEREAS**, the number of offenders on probation in the state exceeds 5,000, which
9 represents an increase of approximately 160 percent over the last two decades; and

10 **WHEREAS**, supervision of offenders on probation is resource-intensive and supervision of
11 nonviolent offenders on probation for failure to fulfill conditions of restitution orders diverts
12 correctional resources from more intensive supervision of more dangerous offenders;

13 **NOW, THEREFORE, BE IT RESOLVED BY THE** **OF NORTH**
14 **DAKOTA, THE** **CONCURRING THEREIN:**

15 That the Legislative Management study issues related to restitution for criminal acts; and

16 **BE IT FURTHER RESOLVED**, that the Legislative Management report its findings and
17 recommendations, together with any legislation required to implement the recommendations, to
18 the Sixty-fifth Legislative Assembly.