

**HOUSE JUDICIARY COMMITTEE
REPRESENTATIVE LAWRENCE KLEMIN, CHAIR
JANUARY 26, 2021**

**NORTH DAKOTA DEPARTMENT OF CORRECTIONS AND REHABILITATION
LISA BJERGAARD, DIRECTOR, DIVISION OF JUVENILE SERVICES
PRESENTING TESTIMONY IN SUPPORT OF HOUSE BILL 1427**

Chairman Klemin and members of the Judiciary Committee, my name is Lisa Bjergaard, and I am the Director of the Division of Juvenile Services for the North Dakota Department of Corrections and Rehabilitation. I am here to testify on behalf of the department in support of House Bill 1427, which will create a juvenile justice planning committee, a planning committee for children in need of services, and a planning committee for alternatives to juvenile detention.

Building on their previous work in North Dakota and armed with more than a decade of juvenile justice research, the Council of State Governments Justice Center (CSG) consultants conducted a review of current N.D.C.C. 27-20 in early 2020. They issued an instructive memo on June 1, 2020, which outlined a number of key challenges and made many recommendations for system improvements.

HB1035 strengthens North Dakota's statutory structure for responding to child in need of protection, children in need of services, and delinquent children. When the comprehensive structural improvements are in place, the next steps will be to address implementation issues, as public policy moves towards practice. Strategies for effective implementation emerged in many of the

recommendations provided by CSG. In every case, the recommendation began with a statement about the need for cross-system service planning.

HB1035 includes two specific areas of children's policy that were given delayed effectiveness dates. First, the bill requires children who are in need of services, formerly those unruly children, to be referred directly to the Human Service Zones, effective August 1, 2022. Second, children who commit infractions and low-level misdemeanor behaviors while in school will be subject to diversion. HB1427 creates a planning committee to specifically address issues related to the development of practices and to make recommendations for services for these two areas of children's policy.

HB1035 also establishes policy preferences for community-based services for moderate and higher risk delinquent youth. HB1427 creates a planning committee that will assess, identify and develop a service continuum designed to safely maintain youth in the community.

Finally, HB1427 creates a planning committee that will examine alternatives for juvenile detention.

This important implementation work will assure the successful transition to the new structure of the children's statutes and will assure that all voices that are concerned about implementation practices will have a seat at the table, a voice in the process, and an opportunity to create consensus.

As was the case with the development of HB1035, expert consultation will support the process and ensure that North Dakota's implementation is guided by research and grounded in evidence-based practice. The CSG team, Josh Weber, Jacob-Agus Kleinman, and Emily Rogers have been engaged to complete three more years of system improvement work in North Dakota.

I encourage a "do pass" on HB1427.