

SB 2174
Senate Judiciary Committee
January 19, 2021
Testimony of Travis W. Finck, Executive Director, NDCLCI

Madam Chair Larson, members of the Senate Judiciary Committee, my name is Travis Finck and I am the executive director for the North Dakota Commission on Legal Counsel for Indigents. The Commission is the state agency responsible for the delivery of indigent defense in North Dakota. I rise today to provide testimony in support of SB 2174.

Senate Bill 2174 allows the Commission on Legal Counsel for Indigents to conduct FBI, or nationwide background checks on individuals who would have access to confidential information. The Commission asked Senator Meyer, who serves on the indigent defense commission, to bring this piece of legislation. We have seen an increase in applications for employment coming from beyond the state. Currently when filing a position in our public defender offices, we are limited to BCI or state level background checks. If someone is coming from out of state, it is our understanding the state level background check would not catch any out of state criminal activity.

Our employees in our offices deal with confidential information of clients all the time. Therefore, we are requesting ability to make more informed hiring decisions.

The Commission has watched other bills related to background checks work through the legislative assembly this year. After seeing other bills, we would propose a few amendments to SB 2174. Specifically, we would propose limiting the ability to conduct nationwide background checks on final applicants for employment and volunteers at the discretion of the executive director of the commission.

Madam Chair, members of the senate judiciary, thank you for your time this morning and I stand for any comments.

Respectfully Submitted:



Travis W. Finck
Executive Director, NDCLCI