

House Bill No. 1492

House Judiciary Committee

Testimony Presented by Susan Spivey, MSW, LCSW, ACFI

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Chairman Klemin and members of the committee, my name is Susan Spivey. I am a Licensed Clinical Social Worker at Lipp, Carlson, Witucki, & Associates. Lipp, Carlson, Witucki, & Associates is a Private Mental Health Practice in Grand Forks, ND. I have worked there for the past 5 years. I am also an Advanced Child Forensic Interviewer for the Red River Children's Advocacy Center. The Red River Children's Advocacy Center is a Non-Profit Agency, which provides Forensic Interviews, Medical Exams, and Mental Health Services for children that have been victims of physical and sexual abuse, neglect, and/or have witnessed violence. I have worked as a Child Forensic Interviewer, for the past 8 years. Child Advocacy Center are located, throughout the United States. I have worked as a Licensed Clinical Social worker, for the past 25 years. They have all been in the State of North Dakota. I have held a variety of other positions working with children that have suffered abuse/neglect and have been exposed to violence, throughout my career.

I am writing in support of HB 1492, which would define and clarify the term "mental injury", as it relates to cases involving child abuse, including children witnessing domestic violence. This bill would require there to be evidence of a "substantial, lasting, and measureable" negative impact, on a child. This bill would clarify the definition, in order that all parties be better able to identify the proper course of action. It is important to distinguish incidents, where a child may have short-lived impact versus ongoing, substantial difficulties. It is important that there is a distinction between a one-time incident, where a parent loses control and may need extra support/services versus those incidents, which cause lasting, measureable, and substantial affects. It is imperative that domestic violence offenders be

held accountable when their actions causes children to suffer ongoing affects, which can and often do, result in mental and medical health issues, and behavioral issues. This bill will make it more likely for this to happen. It will also protect parents and other adults whom may occasionally yell or lose their temper, from being criminally charged versus getting resources/support to improve their behavior. This is important, as children largely prefer to remain with their loved ones and it is in their best interest, if the parent/adult are able to correct their behavior when they haven't caused substantial, lasting, and measureable damage to the children.

For the above reasons, I would encourage you to increase the likelihood for justice for abused children and the likelihood that domestic violence offenders be held accountable, by giving HB 1492 a do pass recommendation.

Sincerely,
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