

House Judiciary Public Hearing
Tuesday, February 07, 2023, 11:00 AM
Room 327B - ND State Capitol

SUPPORTING HB 1537: Relating to the data collection and reporting of bias crimes; to amend and reenact sections 12-63-04, 12.1-17-02, 12.1-17-07, and 12.1-21-05 of the North Dakota Century Code, relating to the duty of the peace officer standards and training board to provide training on bias crimes, aggravated assault, harassment, and criminal mischief; to provide for a report to the legislative management; and to provide a penalty.

Sponsors: Introduced by Rep. Schneider, Rep. Boschee, Sen. Braunberger, Rep. Conmy, Rep. Dakane, Rep. Davis, Rep. Doberovich, Rep. Finley-DeVillie, Rep. Hanson, Sen. Mathern, Sen. Piepkorn

Please include with the Committee Hearing testimony journal for public record

House Judiciary Chair Representatives Lawrence R. Klemin (District 47 | R) and Karen Karls (District 35 | R), Vice Chair Representative Landon Bahl (District 17 | R), Representatives Cole Christensen (District 24 | R), Claire Cory (District 42 | R), Donna Henderson (District 9B | R), SuAnn Olson (District 8 | R), Nico Rios (District 23 | R), Shannon Roers Jones (District 46 | R), Bernie Satrom (District 12 | R), Mary Schneider (District 21 | D), Lori VanWinkle (District 3 | R), Steve Vetter (District 18 | R), and fellow citizens of North Dakota, Greetings.

My name is Kevin R. Tengesdal. I am a citizen of North Dakota residing here in Bismarcks District 35. I am a Navy Vet and a graphic designer, and finally in my final year as a student in the MSW program through UND. My final research paper I am currently writing is an integrative review of the literature examining affirmative psychotherapy and its use with families of LGBTQ individuals. As a Christian who is gay, I resolutely request a unanimous do pass on House Bill 1537 as presented.

Varying bias policies have been put in place at various municipal levels and can be equally effective in the jurisdictions in which they operate. However, having a patchwork of municipal ordinances creates confusion, particularly for the public, whereas statewide legislation creates clarity and visibility.

GLAAD the worlds largest Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ) media advocacy organization states that research from San Francisco State University found that gay or transgender youth living in an unsafe environment, especially being targets of biased crimes involving threats, harassment, or physical harm are:

- 8.4x more likely to report having attempted suicide
- 5.9x more likely to endure high levels of depression
- 3.4x more likely to use illegal drugs
- 3.4x more likely to be at high risk of HIV and STDs

I am confident the Representatives who have introduced this bill, their constituents, and supporters of this bill do not want these statistics to be representative of North Dakotas LGBTQ youth. Bias crimes are unique because not only does the crime impact the individual targeted, but the crime impacts the entire community with which that individual identifies.

A lack of statewide bias crimes legislation impacts law enforcement because there needs to be more clarity and consistency. A statewide bias crime statute provides clarity in defining bias crime and requires the training and orientation necessary. This legislation will reassure marginalized communities of North Dakota that peace officers are adequately trained, informed, and in tune with the concerns of the safety and well-being of the communities they serve.

You and the 2023 North Dakota Legislative Assembly members must choose to stand on the right side of dignity and respect and vote in unanimous favor of this bill.

Thank you for your time and your consideration.

