

Dear Chairman Klemin and members of the Committee, thank you for this opportunity to speak today. My name is A [REDACTED] R [REDACTED]. In grade school, I remember looking out the window watching a squirrel running around on the merry-go-round and I thought that was the coolest. Suddenly, my teacher slams her hand on the podium and states, "A [REDACTED], are you stupid? I told you to open your book to page 27!" After that, my life completely changed and I was nicknamed stupid. Suddenly the girls I used to play with during recess did not want to play with me anymore and the boys started punching me and I would frequently come home with bruises.

As a result, I became very isolated. One day I was riding my bike home from school and a school official pulled up next to me in his pick-up. He leaned over, rolled his window down and said, "Hey, do you remember me? I see you at school all the time and I think you are so nice and pretty. Can I give you a ride home?" After lots of begging I got into his pickup and he put my bike in the back. He asked if I wanted to go to Patterson Lake to talk about why the kids are being mean to me. I remember thinking wow, someone finally wants to be my friend. Shortly after we parked at a very secluded area at the lake, I remember fighting to try and leave his vehicle. At that time, I had protruding eye teeth. This school official bashed my head so hard into the passenger side of his door that my eye tooth was nearly protruding from my upper lip. Next thing I remember is being pulled out of his vehicle and dragged next to a tree where I blacked out. When I finally came to again I remember he was driving away from the lake. I was not only asked for directions so he could take me home, but also threatened.

When we arrived, my mom embraced me at the door. She had been worried sick about why I was not home yet and wondering what to do next. The school official immediately made

himself out to be the hero stating he rescued me from the boys at school and my mom thanked him. My mom questioned me profusely about what happened and whether or not I had been hurt by the school official, but because I had been threatened, I stuck with the story he told my mom. I had been wearing black pants that day and I remember seeing blood in my underwear. I immediately took off my underwear and late that night threw them away in another dumpster in our alley so my mom would not find them. It was a very horrific ordeal for any ten-year-old girl to deal with. In my senior year of high school, I found myself lost, scared, broken, and in desperate need of help. As a result, my parents put me in the mental health unit at our hospital in Dickinson, ND and this is where my story really begins. As a result of a caffeine overdose from an attempted suicide, I was transferred to the Intensive Care Unit (ICU) of our same hospital.

Early that evening, I was introduced to the overnight male nursing supervisor. He asked me if I had a boyfriend to which I responded no. He asked me if I was a virgin to which I responded yes other than my rape. After I told him I had been raped, he got a grin on his face and stated, "Geez, I am really sorry to hear that." He then stated "you mean a pretty girl like yourself has never had sex before?" I felt uncomfortable with his questions and wondered how they pertained to my caffeine overdose, but he was the nurse in charge so I responded. (Read page 6 of my police interview).

At exactly 2 am, I awoke to the nurse's hand inside my underwear. He told me they needed to take my underwear off. I started crying and told him to please stop and that he was hurting me. He then left the room and a female nurse who heard my yelling entered to check.

Due to my caffeine overdose, I finally fell asleep at 1 am. I remember when the female nurse entered my room that I felt groggy and struggled to tell her to please stay with me and not let him in my room again.

The next morning when a nurse came to bring me back to the mental health unit, I trusted her, so I told her what happened. In a raised voice, the nurse stated she cannot believe I would accuse a well-respected nurse of such a heinous crime and that I was a sick girl from the mental health unit who had a bad dream. I was given no rape test kit or drug analysis. The hospital informed my parents there were allegations of a sexual assault. My parents believed me, but thought the hospital had done a thorough investigation and found no evidence.

Approximately one year and two months later, I was sitting at my parents kitchen table and read the front page of the Dickinson Press which stated, "Dickinson nurse pleads innocent." I turned to my mom and said this is the nurse that hurt me, and I need to help this girl. My mom and I met with Stewart Stenberg, the former lead detective of the case. I remember he was nice and gave me this teddy bear (Show). When Stewart asked what time I remember being sexually assaulted, he informed me that was the exact time the 14 year old victim was sexually assaulted on a different floor than the male nurse even supervised.

Stewart completed an investigation on my case and the female nurse who came into my room to check after she heard my noises and comforted me was interviewed. It was determined that her story corroborated mine and the male nurse lied in his nursing notes to cover up my sexual assault. At the time I came forth to the hospital with allegations, that female nurse, who was the only other nurse on duty that night, had not been interviewed by the hospital. Stewart told my mom and I that the 14-year-old girl and her family were going

after the hospital for civil damages and encouraged us to join suit. It was during this time that I had another mental setback as a result of my PTSD and said I cannot continue. It was not that my case was any less provable or injurious than the other victim, but due to my PTSD I was only able to provide a supporting statement. During this time, the former male nursing supervisor had been in the newspaper a total of seven times and here are some excerpts:

In court, the former male nurse stated that he entered the 14 year old girl's room because he heard, "gigling or snoring. I couldn't tell what." At first, he used his stethoscope to check for breathing sounds, he said. He then turned her on her side, he said, so he could fondle her genital area, then turned her, "a little bit more" so he could more easily fondle her. He then positioned the girl so he could make her hand fondle him

Citing the victim's vulnerability and former male nurses violation of the public trust placed in nurses, a district judge sentenced the former nursing supervisor to serve three years in the State Penitentiary. The judge said he intends the sentence to discourage others: "They must be punished" "Anytime one imposes himself on another human being. It is a serious crime..."

On the morning he was scheduled to present himself for prison time, he stabbed himself, then drove himself to the same hospital where he used to supervise and sexually assaulted women. The newspaper article stated, "Transported by air ambulance, he was in serious condition on the surgical floor with chest injuries."

During his parole hearing, he said he won't go back into nursing because of the "opportunity for (potential) victims." He also stated he should be released early because "I don't think my family should be victimized by going through another holiday without him home.

The former nursing supervisor has never been the victim. I have been the victim for the past 29 years. I am here today speaking the most horrid truths about my life for justice so I don't have to be the victim one more day. I cannot get justice for what happened to me by the school official because there is simply not enough evidence, but there is enough evidence to hold the hospital and former nursing supervisor accountable. When I found out my police report still existed, Jim Hope, former lead prosecutor of the case and the one who never threw my police report away, recommended I take it to Jared Gietzen, an attorney in Dickinson who

was not familiar with the case for an outside perspective. Jared read my entire police report pro bono and stated it does still show cause. The former male nursing supervisor is still alive, my police report includes a photo line-up where I successfully identified the former male nursing supervisor, my interview, and an interview with the doctor on duty stating I had only ingested caffeine pills and was not under the influence of narcotics. I was scared when I first arrived at the ICU and earlier that evening and had yelled out "get me out of here" upon arrival to both the male and female nurse together. The male nurse charted I made this statement at 2 am to cover up why I was yelling and crying after he entered my room to sexually assault me. My police report also includes an interview with the female nurse who stated I made that statement much earlier in the evening to both of them together showing the male nurse lied in his nursing notes. My first two sexual experiences were a rape at the age of ten and a sexual assault at the age of eighteen. I come from a middle-income family. My parents amassed a hospital bill in 1994 that was close to \$100K to try and get me the help I desperately needed. Instead, I was sexually assaulted in my sleep. Senator Sickler stated a business with new owners, new management, and new policies should not be held accountable for something that happened years ago. I said that he was only looking at one side of the coin and when you do that it falls onto the victim. And it should never fall onto the victim. The hospital is a mandatory reporter of alleged sex crimes and the police department was never notified. Paying for weekly counseling services, medications, yoga sessions all to help me sleep from being sexually assaulted while sleeping should not be my burden to pay. I often wonder what my life would have looked like if I had received the proper help I needed when I was 18. Maybe I would have a family of my own instead of living in fear every day. The hospital and former nursing

supervisor owed me civil damages for what happened 29 years ago. What difference does it matter if I receive those damages today or I did 29 years ago? What matters is that I am finally strong enough to stand up, share my truth, and receive what was owed to me all those years ago. And the \$67K my parents still owe on this hospital bill should not be a burden they have to pay anymore either. The passage of time has not made the pain of what happened to me any better, the passage of time has not made my parents hospital bill go away, the passage of time has not made my case any less provable, but what the passage of time has done is take away my right for justice. Ultimately, I wish I never met the former nursing supervisor at the hospital, but I unfortunately did and this is the only recourse I have left-to not pay for all the help I need to function everyday as a result of the sexual assault out of my own pocket anymore. Thank you. Any questions?

