

**HOUSE ENERGY AND NATURAL RESOURCES COMMITTEE
REPRESENTATIVE TODD PORTER, CHAIR
JANUARY 26, 2023**

Dave Krabbenhoft, Director, Department of Corrections and Rehabilitation
Neutral Testimony on House Bill 1483

Chairman Porter and members of the Energy and Natural Resources Committee, my name is Dave Krabbenhoft, and I am the Director of the North Dakota Department of Corrections and Rehabilitation (DOCR). I stand before you today to provide neutral testimony on House Bill 1483 on behalf of DOCR and, as a fellow cabinet agency, on behalf of the Department of Health and Human Services (DHHS).

House Bill 1483 removes the general prohibition on possessing a firearm at a publicly owned or operated building. It leaves exceptions that prohibit firearms in two types of public buildings—federal buildings and courts. However, in its current form, it would allow firearms on the grounds of and in correctional facilities, parole and probation offices, offices operated by the Division of Juvenile Services, offices operated by DHHS, and in law enforcement buildings and jails.

With respect to correctional facilities, statutory language found in Section 12-47-21 of the North Dakota Century Code would still prohibit delivery of dangerous weapons and firearms to inmates and possession of dangerous weapons and firearms by inmates. However, there is no other statute that prohibits members of the public from possessing firearms on the grounds of and in prison buildings. If firearm possession is not prohibited, there is a greater risk of dangerous interactions among DOCR employees, friends and families of inmates, and the public.

Adults on parole and probation are prohibited from possessing firearms by order of the Parole Board or court, but this bill as written would allow their family and friends and the general public to bring firearms into the seventeen (17) parole and probation offices across the state. Sometimes adults under supervision are

defiant and combative toward their supervising officers. Supervising officers also occasionally receive angry communication, including threats of violence, from supervised individuals' family and friends. It would be beneficial to consider keeping the prohibition on firearms in these offices to mitigate the risk of violence and injury. Similarly, DOCR employees in the eight (8) offices operated by the Division of Juvenile Services throughout the state often face the same contentious interactions with supervised youth and other members of the public. The Department of Health and Human Services is concerned about violent interactions between clients and employees, particularly at the North Dakota State Hospital, in human service centers, and in life skills centers. In Jamestown, DHHS' state hospital and DOCR's James River Correctional Center share a campus. The facilities often serve the same clients and face similar risks. Law enforcement across the state likely would face similar risks in their offices and jails.

It may be prudent to consider an amendment to House Bill 1483 to add language that would prohibit possession of a firearm or dangerous weapon at a publicly owned or leased building or space occupied by the department of corrections and rehabilitation; department of health and human services; or law enforcement. I have provided suggested language for proposed amendments, and I encourage you to consider the proposed amendments to support public safety. I will stand for questions. Thank you.

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1483

Page 1, line 14, remove “or”

Page 1, line 15, after “court” insert “, or

- e. A publicly owned or leased building or space occupied by the department of corrections and rehabilitation, department of health and human services, or law enforcement agency”

Renumber accordingly