



**CHILDREN'S
ADVOCACY
CENTERS**
OF NORTH DAKOTA

Senate Judiciary Committee

Testimony in support of House Bill #1492

3-14-23

Madame Chair members of the Committee, my name is Greg Kasowski, and I'm the executive director of the Children's Advocacy Centers of North Dakota. I appear today in support of House Bill 1492.

As you all know, Children's Advocacy Centers function as the centralized hub for child abuse cases. Our partners in law enforcement, human services, prosecution, medical, mental health, and victim advocacy all coordinate together in one place to help victims of child abuse.

This proposed legislation fills a needed gap by defining "mental injury." Having clarity to the definition will better aid our prosecution partners in court cases of victims of child abuse.

Furthermore, our partners in law enforcement and human services will benefit from the definition. With a definition of mental injury, law enforcement and human services are able to better identify a proper course of action in cases of child abuse. It is important to distinguish incidents where a child may have short-lived impact versus ongoing, substantial difficulties.

It will also protect parents and caregivers, who may occasionally yell or lose their temper, from being criminally charged, versus getting resources and support to improve their behavior. Children generally prefer to remain with loved ones, and it is in the best interest of the child to stay if the caregiver is able to correct their behavior when they haven't caused "observable, substantial, and nontransitory impairment to the child's mental or psychological ability to function within a normal range of performance or behavior."

For these reasons, we would encourage a do pass on HB 1492.

Thank you for your time.

Sincerely,

Greg Kasowski
Executive Director

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