

Senate Judiciary Sub Committee SB2017

Chair Paulson and Committee Members,

January 10, 2023

As the Chief of Mandan Police department I am in support of SB2017 and I am willing to work with the committee to draft a passable form of this bill.

I will breakdown how this bill if turned into law will not only help the citizens of Mandan but all communities across the Great State of North Dakota.

Currently law enforcement is experiencing a workforce shortage and in my professional opinion one of the major factors is that it's a dangerous job and individuals who may want to do the job think twice because of that reason. It's hard to recruit and retain officers when criminals can assault them, flee from them and shoot at them with very little consequences to the criminals.

I hear it from police officers all the time that the criminal gets no time or very little time for the crimes they commit. This kills morale among police officers, and in some cases as we have seen across our country cause officers to not even engage criminal acts. If we as a State take the stance that we will not let the criminals make victims of our citizens and let our officers know that if they track down those in our communities that want to do harm to others, we will send a clear message to the criminals, "Not in our State!"

SB2017 would address those concerns for most police officers and when a criminal knows that there are minimum mandatories if they assault a police officer, flee from a police officer and or use a firearm in the commission of a crime they will spend significant time in jail or prison, they may think twice before victimizing the innocent citizens and our brave police officers.

Fleeing: When a criminal flees in a vehicle from law enforcement they do it for one reason and that is to avoid capture and arrest from the police. Fleeing in a vehicle from the police is one of the most dangerous things to our communities that can happen. In many cases the fleeing criminal has committed a crime and or has an active warrant for their arrest. Our police officers know how dangerous these pursuits can be and in many cases will not pursue. The fleeing criminal does not care for anyone except themselves and continue to flee after the police cancel. These fleeing criminals do sometimes crash even after the police cancel. This is an unnecessary endangerment to our communities and a minimum of 14 days in jail could reduce fleeing incidents, and at the least would keep them off the streets for 14 days.

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In Mandan we have experienced the following increases in fleeing vehicles from the police:

2013	2014	2015	2016*	2017*	2018	2019	2020	2021	2022
3	3	19	28	12	54	42	49	53	55
0	0	+533%	+47%	-57%	+350%	-22%	+17%	+8%	+4%

*DAPL

As the above illustrates there is a consistent pattern of increasing dangerous pursuits in Mandan.

Assault: When a criminal resist arrest and or assaults an officer they do it for one reason that is to avoid arrest. This section of SB2017 should speak for itself and in my professional opinion, someone who is attempting to prevent any police officer from performing their lawful duties and or assaults them should do the minimum of 30 days in jail, if not more. If we cannot protect the protectors, then how do we expect good people to want to be police officers? Again let's send the message "Not in our State!"

Firearm: When a criminal possesses, points or fires a firearm in the commission of a crime their intent is not only to avoid arrest but to terrorize victims. With crimes becoming more violent and the belief that criminals are now victims our police officers are seeing more and more firearms on the street. In the Mandan/Bismarck Metro our agencies have a Narcotics Taskforce. Over the past three years they have seen a significant increase in firearms being seized from drug dealers. Below is a breakdown on what they have experienced:

Year	2020	2021	2022
Firearms Seized	24	50	60
Percentage +/-	N/A	+108%	+20%

This section of the bill will not affect law abiding citizens and will give the criminal elements from victimizing our citizen. If a criminal knew that if they use a firearm they would do a minimum of 3yrs to 7yrs they once again would think twice from using them.

As a Chief of one of North Dakota's larger cities I would hope that we can work together with the AG and this committee to make a passable draft of SB2017. Let's send a message "Not in our State!"

Respectfully,

Chief Jason J. Ziegler