

## Senate Bill 2216 Bill Introduction

Madam Chair Larson, Members of the Senate Judiciary Committee,

I am here today to introduce SB 2216 and ask for your favorable consideration.

Senate Bill 2216 is a bill designed to improve the personal privacy of criminal defendants while they await trial and law enforcement officers during the investigation of a “critical incident.”

It does this in two separate ways:

For criminal defendants:

- Their address and telephone number is a confidential record while the their case is pending trial or appeal
- This does not prohibit sharing their info among law enforcement or other government agencies from sharing the info for official business
- **Goal:** This was done to protect the privacy of citizens accused of offenses and so they are not subjected to unwanted solicitation.

For law enforcement officers involved in a critical incident:

- Except as otherwise provided by law, their identity and contact information is confidential until the internal investigation is complete
- Critical incident includes on or off-duty officer-involved shooting, on-duty car accident that results in death or serious injury, or any other on-duty incident resulting in death.
- **Goal:** This was done to protect the privacy and safety of officers during internal investigations involving serious situations.

In the online testimony, you will find more in-depth explanations behind both privacy provisions in this bill.

### **Amendments:**

- I have submitted an amendment to make a few minor adjustments to clarify the location of the confidential records for the criminal defendants and that the police information is confidential during an *internal* investigation.
- After feedback from the Attorney General’s office, I am preparing another amendment to make sure the changes proposed in this bill are in the correct portions of the NDCC.

I am grateful for your consideration of this bill.

Respectfully,

Senator Sean Cleary  
District 35, Bismarck