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Senate Bill No. 2131
Senate State and Local Government Committee
Testimony Presented by Seth O'Neill, JD, MSW
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Chairwoman Roers and members of the Committee. My name is Seth O'Neill and I am representing CAWS North Dakota in opposition to SB2131. CAWS North Dakota is the statewide coalition of the domestic violence and sexual assault programs located across the state. CAWS North Dakota and the agencies we represent are in opposition to this bill. Our organizations serve victims of sexual assault and other crimes in communities across the state everyday.

In 2021, we served approximately 1,139 victims of sexual assault. As you know, for the victims we serve who choose to undergo a sexual assault kit, those kits get send to the Crime Lab for testing. Recent reports have highlighted the backlog of sexual assault kit testing. However, severing the administrative separation and allowing the Crime Lab to be under BCI will not help the situation.

When the crime lab was transferred from the Department of Health to the Attorney General's Office in 2003, the implementing legislation for the creation of the office under the Attorney General's Office specifically noted that the Crime Lab must be administratively separated from BCI. At that time, not a single legislator voted against the bill and the legislative record does not indicate any argument against the administrative separation. This separation was done to ensure the crime lab maintains its independence and avoids undue pressure from law enforcement. Removing this separation is a step backwards for all crime victims.

We do believe that increasing the funding for the crime lab to ensure adequate staffing will help with backlogs. In addition, the [sexual assault tracking system](#) that the legislature passed last session is still in the process of being fully implemented. We believe that has the potential to ensure testing is

done in a timely manner. We respect the Attorney General and the bill sponsors for their attempt to increase the efficiency of services at the Crime Lab. However, putting BCI in charge of the Crime Lab is not the answer. We believe it is best to let scientists be scientists without undue influence from other entities. As such, CAWS North Dakota is in opposition to SB2131. I am happy to answer any questions you may have. Thank You.