

Senate Bill 2131
Testimony of Hope Olson
Former Office of Attorney General Crime Laboratory Director
Senate State and Local Government Committee
Thursday, January 12, 2023

Madam Chair, members of the State and Local Government Committee,

My name is Hope Olson and I was the Director for the North Dakota Crime Laboratory for approximately 13 years until 2016, when I retired and had worked at the laboratory for approximately 26 years. I am testifying in opposition of Senate Bill 2131.

In 2003, the Crime Laboratory was moved from under the Department of Health to a separate division under the Office of Attorney General. I was present in 2003 during Senate Bill 2151, which was introduced to the Senate Judiciary Committee by Former Attorney General Wayne Stenehjem. Then, Chief Deputy Attorney General Sandi Tabor, testified that the Crime Laboratory will be segregated from the Bureau of Criminal Investigation (BCI) to ensure there is no undue influence or pressure plays on the Crime Laboratory in the work that they do.

During follow up hearings for SB 2151, then Attorney General Wayne Stenehjem testified that it was important to note that this change does not propose that the Crime Laboratory become part of BCI but it was important that it be a separate division within the office. It was important to not have the argument that when the analysts from the Crime Laboratory testify, there could be a possible conflict or claim there was a conflict.

During my years at the Crime Laboratory, this point has come up several times with the staff and myself. I was asked in a high-profile murder case if I was in "cahoots" with the Attorney General and the Bureau of Criminal Investigation. I explained the divisions were separate within the Attorney General's Office and is crucial to North Dakota's Justice System. After that experience, I believe future trials could be jeopardized by this proposed change in the Century Code.

North Dakota had set up the Crime Laboratory Division under the Office of Attorney General separate from the BCI before the release of the *2009 National Academy of Sciences (NAS) Report – Strengthening Forensic Science in the United States: A Path Forward* and before the pivoting direction and blueprint for Forensic Science had been laid.

Please vote in opposition of SB 2131 to keep the Crime Laboratory administratively independent from law enforcement and to follow the NAS's recommendations for the separation.

Thank you for your consideration.