



North Dakota House of Representatives

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COMMITTEES:
Appropriations

HB 1166
Judiciary
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9 am

Good morning, Chair Klemin and Committee. I'm here to introduce HB 1166 for your consideration.

In 2017, the Supreme Court amended Administrative Rule 41 and included a provision stating, "A record of a closed criminal case for which there is no conviction may not be remotely accessed through a name search except by an attorney granted remote access to the Odyssey system."

After the last biennium, the Supreme Court rewrote this rule, and that sentence was removed. The effect of the removal has had unintended consequences, because it retroactively placed dismissed and not guilty criminal records back into the public search option on the court's website. Some of these records were thirty to forty years old. You will hear testimony this morning how this change has had negative impacts on those whose charges were dismissed, found not guilty or pardoned.

This legislation will create a process for criminal records to be sealed, much like is currently the process for successful completion of a deferred sentence or of a completed criminal sentence in Chapter 12.-60.1

I urge the committee to make a due pass recommendation on HB1166

I stand for any questions

Thank you.

Brandy L. Pyle