

**HOUSE JUDICIARY COMMITTEE
REPRESENTATIVE LAWRENCE KLEMIN, CHAIR
FEBRUARY 5, 2025**

**NORTH DAKOTA DEPARTMENT OF CORRECTIONS AND REHABILITATION
PRESENTING TESTIMONY IN SUPPORT OF HOUSE BILL 1425**

Chair Klemin and members of the House Judiciary Committee, I am Colby Braun, Director of the North Dakota Department of Corrections and Rehabilitation (DOCR). Today, I submit this verbal and written testimony in support of House Bill 1425.

During the 2023 legislative session, the North Dakota legislature passed House Concurrent Resolution (HCR) 3026, which established the North Dakota Justice Reinvestment Initiative Reentry Study Work Group. This group identified research-based strategies that would improve reentry practices and outcomes and maximize the state's resources to ensure the greatest return on taxpayer investments. Among the key findings was the importance of expanding pathways to alternatives to incarceration, which is addressed in House Bill 1425.

Section 1 of House Bill 1425 would enact a new section of chapter 11-16 of the North Dakota Century Code relating to the creation and administration of prosecution-led diversion programs. Implementation would be at the discretion of each county's state's attorney. Participation in a prosecution-led diversion program would allow eligible individuals to address the underlying issues contributing to their behavior by engaging in appropriate programs in their communities, help them retain family and community support, reduce the collateral consequences of a criminal conviction, and reduce the likelihood of them entering further into the criminal justice system. In addition, prosecution-led diversion programs would reduce the strain on court resources.

Section 4 indicates the Department of Corrections and Rehabilitation shall establish a prosecution-led supervision pilot program in three counties within the state during the 2025-2027 biennium. This Initiative would involve collaboration between the DOCR, participating counties

and other partners. The DOCR is dedicated to supporting the implementation of these pilot programs, including helping develop guidelines and procedures for their administration. Additionally, the DOCR will collaborate with the selected counties and partners on program implementation, as well as assist with data collection and reporting outcomes to legislative management.

Section 5 proposes a legislative management study of pretrial service programs during the 2025-26 interim regarding the costs and savings associated with pretrial service program operating in the state and opportunities to reinvest savings to improve reentry outcomes. Pretrial service programs were implemented in the state in 2020 and the DOCR supports this study to assess effectiveness and identify areas for improvement.

Section 7 includes an appropriation of \$55,000 for the purpose of contracting for consulting services for the pretrial service study provided in section 5.

I ask that you support this proposed bill to expand pathways to alternatives to incarceration. Thank you for your time and consideration. I stand for any questions.