



*Seek justice. Love mercy. Restore hope.*

March 21, 2025

North Dakota Legislative Council  
House Judiciary Committee  
600 East Boulevard Avenue  
Bismarck, ND 58505

Dear Chairman Klemin and House Judiciary Committee Members,

Thank you for the opportunity to provide written testimony in opposition to SB2128.

With nearly 50 years of experience encountering Jesus with men and women behind bars, Prison Fellowship® is a leading national voice shaping the public debate on justice. We mobilize Christians and equip policymakers to advocate for federal and state justice reforms that advance proportional punishment, constructive corrections culture, and second chances. Our guiding principles are rooted in the biblical call to seek justice, love mercy, and restore hope.

We are writing to express significant concerns about the proposed policies in SB2128, especially those related to the elimination of earned compliance credits for nonviolent offenses, access to prison programming, and restricted parole eligibility.

To be clear, our concerns do not mean we believe individuals should avoid accountability for their actions. On the contrary, crime demands accountability, and punishment must be proportional. However, the unintended consequences of SB2128 risk creating unnecessary barriers to successful reintegration while failing to meaningfully enhance public safety.

A correctional system that prioritizes both accountability and rehabilitation ensures individuals have the tools to successfully reintegrate into society. North Dakota has been a leader in advancing policies that promote transformation behind bars. For example, Prison Fellowship operates the Prison Fellowship Academy® in North Dakota at no expense to taxpayers. The Academy uses a targeted curriculum, compassionate coaches, and a restorative community to replace participants' criminal thinking and behaviors with renewed purpose and biblically based life principles. Graduates complete the yearlong program as change agents and good citizens inside and outside of prison. Such impactful programming is only possible because of the strong foundation this body has created for the North Dakota Department of Corrections and Rehabilitation (DOCR), focusing on accountability, victim restoration, and ensuring that individuals leave prison as better men and women than when they entered.

Justice requires us to demand outcomes that effectively reduce crime and enhance public safety. However, policies relying heavily on incarceration for nonviolent, low-risk offenses often

harden individuals, making them a greater risk to society upon release. Under SB2128, an overwhelming number of non-violent offenses would be ineligible for critical reintegration programming. One of the goals of SB 2128 is to address rising crime rates in North Dakota. According to data from the Attorney General’s *Crime in North Dakota, 2023* report, there has been a decrease in crime rates for both Group A and B offenses.<sup>1</sup> Additionally, North Dakota’s crime rate is 29% lower than the US average.<sup>2</sup> There is certainly room for improvement, and one victim is one too many. Good policy should include and incentivize rehabilitation and reintegration opportunities for those who are incarcerated, ensuring they return to society as good neighbors, rather than greater risks. Prisons serve an essential role by incapacitating dangerous individuals, but they are not the appropriate solution for every individual who has committed a crime.

SB2128 also proposes “truth in sentencing” policies that were widely adopted in the 1980s and 1990s with the goal of being tough on crime.<sup>3</sup> Yet, history and research demonstrate these policies did not achieve their intended outcomes.<sup>4</sup> By contrast, the bipartisan Federal First Step Act provides a roadmap for effective reform. This legislation, championed by President Trump in his first term, expanded good time credits, reduced recidivism, and showed that reform is not only possible but also beneficial for public safety, families, and communities.<sup>5</sup>

North Dakota has an opportunity to seek justice wisely by promoting policies that encourage personal responsibility, equip individuals for successful reentry, and respect those who have been harmed by crime. A justice system that aligns with mercy acknowledges that transformation is possible, and that helping individuals address barriers to reentry—such as housing, employment, and transportation—keeps families together and reduces recidivism.

We urge you to consider the unintended consequences of SB2128 and to pursue policies that advance proportional punishment while fostering hope and healing. True justice not only holds individuals accountable but also paves the way for them to make amends, rebuild their lives, and contribute to safer communities.

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<sup>1</sup> Drew H. Wrigley, *Crime in North Dakota, 2023*, North Dakota Office of Attorney General (2024), <https://attorneygeneral.nd.gov/wp-content/uploads/2024/06/2023-CrimeReport.pdf>.

<sup>2</sup> CSG Justice Center, *North Dakota data on violent crime and arrests*, The Council of State Governments, <https://projects.csjusticecenter.org/tools-for-states-to-address-crime/50-state-crime-data/?state=nd> (last visited March 2025).

<sup>3</sup> Ram Subramanian & Ruth Delaney, *Playbook for Change? States Reconsider Mandatory Sentences*, Vera Institute of Justice (Feb. 2014), <https://www.prisonpolicy.org/scans/vera/mandatory-sentences-policy-report-v2b.pdf>.

<sup>4</sup> FAMM, “*Truth in Sentencing*” *Paying More Money to Make Our Communities Less Safe*, Families Against Mandatory Minimums (April 2024), <https://famm.org/wp-content/uploads/2024/04/FAMM-Truth-in-Sentencing-Fact-Sheet.pdf>.

<sup>5</sup> First Step Act of 2018, S. 756, 115<sup>th</sup> Cong. (2018); DOJ, *First Step Act Annual Report*, U.S. Department of Justice (June 2024), <https://www.ojp.gov/pdffiles1/nij/309223.pdf>.



*Seek justice. Love mercy. Restore hope.*

At Prison Fellowship, we are committed to partnering with you to achieve these goals. Together, we can seek justice, love mercy, and restore hope for all North Dakotans.

Sincerely,

Scott E. Peyton  
Director, Government Affairs  
Prison Fellowship