



MINISTRY ON THE MARGINS

P.O. Box 3065

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701-223-6315 • MinistryOnTheMargins.com

Dear Chairperson Klemin and Members of House Judiciary Committee,

My name is Nathan Mickelson, the Prison Reentry Manager at Ministry on the Margins, a nonprofit with a dedicated reentry program for men and women reentering society after a period of incarceration. I was given the opportunity to provide testimony before the House Appropriations - Human Resource Division at North Dakota State Penitentiary (NDSP) on March 18th on SB 2015 on the DOCR's budget and need for continued financial support. I am in strong opposition to SB 2128. Furthermore, I would strongly recommend to the members of the committee to take [into consideration the testimony presented by several NDSP residents during SB 2015](#) which is **highly relevant** to SB 2128, in particular Mr. Nathan TeBay. These hearings at NDSP for SB 2015 were the *only platform where NDSP residents could provide in-person testimony*. Their voices, concerns, families, and lives need to be considered as many of these residents will one day be our neighbors.

As an individual integrally involved in rehabilitating ex-offenders and having gone through my own successful reentry, I have a challenging time believing this bill would be enacted or even quite frankly, even considered. SB 2128 is simply a draconian throwback to "get tough on crime" and we all know how that worked. While I certainly support incarceration when needed, swift action on violent offenses and public safety, people deserve a second chance, to have the opportunity to rebuild their lives. Briefly, SB 2128 aims to change several key aspects of our Century Code, namely by narrowing down who would be eligible for work release, education and rehabilitative programming by establishing an "eligible offender" as stated in the title of 12-48.1-01 subs 2. This new definition would deprive most of the prison population of these much-needed rehabilitation opportunities relied on for successful reentry and to maintain public safety. Several long term and productive DOCR work release programs would be severely affected and essentially shut down, including Roughrider Industries.

SB 2128 also requires a minimum time served of at least 50% for every resident before they can be considered for parole. Resident treatment, education or programming are keystones in successful reentry and rehabilitation, serving as proof to the parole board they are working on their rehabilitation. Anyone not an "eligible offender," according to the language, appears to be unable to take part in any programming prior to the 50%. The Parole board would likely not consider anyone without programming for parole.

SB 2128 also reduces good time by capping it at 5 days per month for each sentence served up to a maximum of 15% of the offender's sentence. The current statute does not cap a resident's good time or meritorious conduct. If a resident is following all DOCR's requirements for good time, why, must I ask, would we cap this individual's good time or incentive to continue being a successful, safe resident? Good time is more valuable to the residents than many of us could ever



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understand. If you take away residents' incentive and hope, I know firsthand this leads to violence, an increase in incidents and safety concerns for all the staff and residents.

Lastly, I want to say I am a full supporter of law enforcement, the job they do, the risks they take in protecting the public, and the stress imparted by such a difficult job. My brother, father and I have worked closely with all forms of first responders and law enforcement in past, present and future and will continue to do so. I support and applaud those sections about penalties and sanctions for those putting their lives at risk, especially habitual offenders. My only question would be, why would these sections be part of a bill taking aim at the DOCR? This could be a separate bill in itself.

As a successful individual with firsthand experience in the reentry process, I will continue to hold my head high, encourage those I work with and to contribute to the rehabilitative community.

I strongly urge the House Judiciary Committee for a DO NOT PASS on SB 2128.

Regards,

A handwritten signature in black ink, appearing to read "Nate Mickelson", written over a light blue curved graphic element.

Nate Mickelson

Prison Reentry Manager

Ministry on the Margins

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