

Testimony in Support of Senate Bill No. 2128
Presented to the Sixty-ninth Legislative Assembly of North Dakota
Given by Christopher Huard, Detective, Wahpeton Police Department
03/24/2025

Chairperson and Members of the Committee:

Good morning. I would like to start by extending a thank you for the opportunity to speak today in my support of Senate Bill No. 2128.

My name is Christopher Huard. I serve as a Detective for the Wahpeton Police Department here in North Dakota. In addition to being an experienced investigator, I also serve as a Field Training Officer, Instructor of Police Subjects, an International Association of Chiefs of Police Drug Recognition Expert, and a Sniper on the Southern Valley Special Response Team. I am here today to speak in strong support of Senate Bill No. 2128, which represents a crucial step forward for law enforcement, the criminal justice system, and most importantly, the victims of heinous crimes.

To law enforcement, Senate Bill No. 2128 acknowledges a reality faced every day across our great state-violence against law enforcement. When an individual assaults a law enforcement officer or flees during or after the commission of a felony, the risk to everyone escalates-officers, bystanders, and the suspects themselves.

SB 2128 sends a clear message: assaulting North Dakota peace officers, correctional staff, EMTs, and other public servants WILL NOT be tolerated. The inclusion of minimum mandatory penalties for these offenses is not about "vengeance"-it's about deterrence, accountability, and respect for the rule of law.

When suspects run from law enforcement-especially during or after committing a felony-it is not a minor offense. It is reckless and dangerous. SB 2128 rightly upgrades penalties for those who flee peace officers, especially when their driving conduct threatens lives. Furthermore, it requires that these sentences be served consecutively, ensuring that serious criminal conduct is not lumped into a single, watered-down penalty.

To our community: As law enforcement officers, we do our part to investigate crimes and apprehend offenders. All too often, we hear from victims and community members who are shocked to learn that the sentence handed down in court is not the sentence actually served. A tragic example from Wahpeton is the death of Bailey Bernstein.

On October 12, 2023, while out for a walk with her mother on 11th Avenue South in Wahpeton, Bailey Jo Bernstein was struck by the vehicle of Chad James Olson. Instead of rendering aid to Bailey, Chad drove away, leaving her to die in front of her mother. Bailey was transported to the hospital where, on October 15, 2023, she succumbed to her injuries.

Through the investigation, it was determined that Olson was under the influence of alcohol at the time of the crash. Through a plea agreement, Olson pled guilty to Criminal Vehicular Homicide and Duty in Accident Involving Death or Injury and was sentenced to a term of 10 years of confinement at the North Dakota Department of Corrections and Rehabilitation-five years to be served, with three years of supervised probation, credit for 342 days of time served, and \$10,000 in restitution. Currently, Chad Olson is NOT incarcerated, despite pleading guilty to a violent, senseless, and horrific crime that took the life of a 20-year-old Wahpeton woman. As of October 2024-less than six months after his transfer to ND DOCR-he is no longer in custody. This is, quite simply, an injustice and a failure of current practices.

Also from Wahpeton is the extensive violent criminal history of Shadrach Aho-an individual who, for years, terrorized the citizens and law enforcement officers of Wahpeton. Aho's criminal profile includes multiple counts of Patronizing a Minor for Commercial Sexual Activity - With Intent to Engage with a Minor, Solicitation of a Minor - Victim under 15, Interference with Telephone During Emergency Call, and Violation of a Domestic Violence Protection Order, which occurred while he was incarcerated at the ND DOCR.

Aho has repeatedly demonstrated extreme violence toward both law enforcement and civilians, requiring massive law enforcement responses and the activation of the Southern Valley Special Response Team. Until his most recent incarceration and subsequent admission to the North Dakota State Psychiatric Hospital, Aho's actions were a revolving door in and out of jail and the ND DOCR-allowing him to continue to recidivate in the absence of any meaningful rehabilitation.

Senate Bill 2128 addresses these frustrations by requiring violent offenders to serve at least 85% of their sentence, restoring integrity to the criminal justice system and providing peace of mind to victims and the public.

Let us be clear: Senate Bill 2128 is NOT anti-rehabilitation. In fact, SB 2128 supports structured, earned opportunities for low-risk, nonviolent offenders to participate in work release and educational programs. These tools are important and, when used appropriately, can reduce recidivism and help individuals return to society better and healthier than before. What this bill does is ensure that dangerous or high-risk offenders are not released early without proper review and safeguards.

At the end of the day, this legislation is about balance. SB 2128 balances rehabilitation with responsibility. It balances second chances with public safety. And most importantly, it gives law enforcement officers like me-and the communities we serve-greater confidence in a justice system that is working the way it should.

I urge the members of this body to pass SB 2128 to ensure justice is not only promised – but delivered – for every victim, officer, and citizen of North Dakota.

Thank you.