



Hettinger County Sheriff's Office

Sheriff Sarah D. Warner

Senate Bill N. 2037
Senate Judiciary Committee
February 3, 2025

Chairwoman Larson and Members of the Committee, I am Sarah D. Warner and I am the Sheriff of Hettinger County. I have been in Law Enforcement for 19 years and the Sheriff for 15 years. I have a concern on SB 2037.

During the Legislative Session of 2019 HB 1039 raised the age of criminal responsibility of a juvenile from seven to ten years old. During the years I have spent in law enforcement, I have seen many juveniles who have committed criminal acts, such as criminal mischief, simple assaults, and other criminal acts.

I know that as a society we want to believe in the innocence of youth, however, that innocence is lost at a much younger age. With what children are experiencing with behavioral issues, what is being seen on social media, such as tik tok, facebook, youtube and others, or what is occurring in their own homes, children younger than ten years old are committing crimes.

In 2023, in Hettinger County, we had three juveniles ages 12, 10, 9 break into a build that was cold storage and held several vehicles. These juveniles proceeded to damage property by breaking out windows on the building, and to the vehicles they spray painted, smashed windows and broke tail lights, causing over \$30,000 in damage. While the older of the juveniles were referred to the SW Juvenile court, the nine was could not be held criminally responsible for his actions. We had to tell the victims that they could proceed to go after the parents civilly for the damages.

Another incident with the same 9-year-old juvenile, he broke out a window at the Mott/Regent Public School, by throwing rocks until it shattered. Again, we had to tell the school that they could seek judgement though civil actions.

Essentially, the victims were victimized again by having them have to seek out their own means to get retribution for damages.

Other incidents include juveniles under the age of nine years old being destructive in the New England Public School by throwing things or hitting teachers.

Nationally, the youngest school shooter was a six-year-old boy who fatally shot another six-year-old classmate on February 29, 2000 in Flint Michigan. On April 19, 2011 in Houston TX, a six-year-old took a gun to school and fired it as he was showing it off to his friends. Injuring himself and two other classmates. February 23, 2012, Bremerton Washington, a 9-year-old boy had a firearm in his backpack and after slamming his backpack down on a desk the firearm discharged hitting another classmate.

At a young age we are taught and know right from wrong. I believe that children under the age of 10 should be held accountable for their actions. I would ask you to change the age of when a juveniles should be held criminally responsible back to the age of seven years old and allow the juvenile court to decide what is an appropriate outcome to a juvenile's actions.

Thank you,

Sarah D. Warner
Sheriff

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