

02/17/2025

Senate Judiciary Committee

HB 1059

Chad Kaiser Stutsman County Sheriff

Madam Chair Diane Larson and members of the Judiciary Committee, my name is Chad Kaiser I am the Sheriff of Stutsman County.

I am in opposition to HB 1059 and hope that you will give this a DO NOT PASS recommendation.

This bill at first glance doesn't seem like much, until you really think about it. Someone can get charged with a Felony and if the courts sentenced them 360 days or less, the Felony charge would be reduced to an A misdemeanor if they don't get revoked during probation. This bill is saying an A misdemeanor, the maximum the courts can give is TWO years' probation.

This bill ties the court's hands, the court should be able to have discretion and give more probation, if they get through probation the Felony goes away, you can't beat that incentive. Not to mention how many times they can violate parole before they get charged for a violation. This bill wants to give them a maximum of 2 years' probation?! For an original FELONY CHARGE.

I feel this section of law was put in place for this reason to give discretion as it doesn't specify type of felony or misdemeanor. So, could someone have a violent felony, and their probation is 5 years (typical) now the court can only give 2 years as this amendment is written?

Lots of problems with this amendment, please give this a DO NOT PASS.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chad Kaiser', with a long horizontal stroke extending to the right.

Chad Kaiser

Stutsman County Sheriff