



**North Dakota Association for Justice**  
PO Box 365  
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*The Trial Lawyers of North Dakota*

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Chairwoman Larson and members of the Senate Judiciary Committee, my name is Jaclyn Hall, and I am the Executive Director of the North Dakota Association for Justice. NDAJ is here opposed to SB 2083 as it is currently written.

SB2083 is a bill that will make certain body cam footage confidential. Our concern lies with the distribution of the exempt record 'at the discretion of the public entity' and the ability to obtain images in a civil or criminal case. Since the distribution is at the 'discretion of the entity', does that mean that in a criminal proceeding the accused may not have access to all information to provide for a fair trial?

Second, we believe that the proposed legislation is very broad as it pertains to serious bodily injury. In Chapter 12, "Serious bodily injury" means bodily injury that creates a substantial risk of death, or which causes serious permanent disfigurement, unconsciousness, extreme pain, permanent loss or impairment of the function of any bodily member or organ, a bone



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fracture, or impediment of air flow or blood flow to the brain or lungs. Is the intent that any crash photo/video that shows someone with a broken leg be exempt?

Today I ask the committee for a do not pass recommendation on SB 2083 or to hold off on any decision until changes can be made to ensure access to this footage remains available, secure and usable within the legal process. This will ensure we are protecting both the rights of the individuals and the integrity of the judicial system.

Thank you. I will stand for questions.