

SENATE WORKFORCE DEVELOPMENT COMMITTEE
SENATOR MIKE WOBBEMA, CHAIR
February 13, 2025

NORTH DAKOTA DEPARTMENT OF CORRECTIONS AND REHABILITATION
PRESENTING TESTIMONY IN OPPOSITION OF SENATE BILL 2350

Chairman Wobbema and members of the Senate Workforce Development Committee, I am Travis Engelhardt, Chief Human Resources Officer of the North Dakota Department of Corrections and Rehabilitation (DOCR). Today, I submit this verbal and written testimony in opposition of Senate Bill 2350, which among other things proposes to designate public employee performance and discipline records as exempt.

Along with law enforcement and other state agencies, it is critical that the DOCR have access to public employee performance and discipline records when we do our preemployment background checks. We are required by federal Prison Rape Elimination Act (PREA) regulations to ask specific questions about any former jail or prison employee to ensure we are not hiring individuals who could be putting inmates and juveniles in our custody at risk. Further, as the DOCR provides an important public safety function which requires public trust in our ability to keep our communities safe, we must have access to performance and discipline records to ensure we are not hiring someone with a history of inadequate performance or even discipline that could disqualify them from serving in a public safety officer role with the DOCR.

Chairman Wobbema and members of the Senate Workforce Development Committee, we ask that you oppose or amend Senate Bill 2350 to include the DOCR along with law enforcement agencies, so that we also have access to performance and discipline records of public employees for preemployment background check purposes. I will stand for questions.