

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1307

2001 HOUSE HUMAN SERVICES

HB 1307

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1307

House Human Services Committee

☐ Conference Committee

Hearing Date January 23, 2001

Tape Number	Side A	Side B	Meter #
Tape 3	X		0 to <del>450</del> 5088
Committee Clerk Signature <i>Courne Easton</i>			

Minutes:

Chairman Price, Vice Chairman Devlin, Rep. Dosch, Rep. Galvin, Rep. Klein, Rep. Pollert, Rep. Porter, Rep. Tieman, Rep. Weiler, Rep. Weisz, Rep. Cleary, Rep. Metcalf, Rep. Niemeier, Rep. Sandvig

Chairman Price: Opened hearing on HB 1307.

Rep. Mary Ekstrom: Presented support of HB 1307.

Chairman Price: We don't have fiscal note on this bill. Is this entirely state dollars?

Rep. Mary Ekstrom: Yes, Madam Chairman.

Chairman Price: On Line 9 you have bordering communities, but you have in here nine centers located in North Dakota.

Rep. Mary Ekstrom: It does include a center located in Moorhead. Both Fargo and Moorhead use these centers.

Chairman Price: So you're anticipating some of the money going to Moorhead?

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Rep. Mary Ekstrom: That is correct.

Chairman Price: How would funds be distributed?

Rep. Mary Ekstrom: Through the Health Department.

Senator Tim Mathern: Spoke in support of HB 1307. We need to provide this service for these children.

Chairman Price: Being mandated by the court - should this be in the judicial budget as opposed to the Department of Health?

Senator Tim Mathern: That would be an option.

Jody Bittrich: Rainbow Bridge Director, Rainbow Bridge Safe Exchange/Visitation Center. One of the main goals of Rainbow Bridge is to increase the number of non court ordered referrals as compared to the 95% which was currently court ordered (See testimony in support of HB 1307.)

Rep. Porter: What is your current annual budget?

Jody Bittrich: Our current budget is \$150,000. We split in half because half of our families are North Dakota and half from Minnesota. It is \$75,000 for North Dakota.

Rep. Porter: The source of that money is donations, foundations, United Way - places like that?

Jody Bittrich: Total budget we receive are from one-time grants, parent fees, and donations.

Rep. Porter: How much is the state of Minnesota putting into it?

Jody Bittrich: Approximately \$65,000.

Rep. Porter: Of this \$490,000 in appropriations, if this bill is approved, how much would be going to Rainbow Bridge in Fargo?

Jody Bittrich: Other people testifying would have that information.

Vice Chairman Devlin: What type of growth for court ordered visits are you looking at?

Jody Bittrich: Currently 95% of the families that we serve are court ordered.

Vice Chairman Devlin: Are you looking to serve another 100-200 families that aren't court ordered?

Jody Blittrich: We don't have specific numbers. In looking to expand our program we try to increase that number by 25%. That is across the board whether the court ordered or not.

Rep. Niemeier: What are your current fees? Are your fees fixed or sliding scale?

Jody Blittrich: We operate on sliding scale. Our families are paying the lower end. For safe exchange they range between \$3.00 and \$15.00. For supervised visitations we charge between \$5.00 to \$30.00 per hour.

Rep. Niemeier: You would admit families that couldn't pay?

Jody Blittrich: Yes, to keep kids safe we do what we have to do. We don't want a financial burden for the families to use Rainbow Bridge.

Cathy Ferderer: Representing North Dakota Supervised Visitation Network. (See support of HB 1307 in written testimony.) The North Dakota Supervised Network is composed of the nine providers (monitored) visitation and safe exchange. We currently offer services in 11 locations. Bismarck, Devils Lake, Dickinson, Grafton, Grand Forks, Fargo, Minot, Oakes, Valley City, Wahpeton, and Wishek.

Vice Chairman Devlin: What is the overall budget spent at these nine centers - North Dakota dollars?

Cathy Ferderer: It varies depending on if they utilize churches or some other community organization.

Vice Chairman Devlin: I was looking for the total amount for all nine centers.

Cathy Ferderer: I don't have that figure, but I can get that for you.

Rep. Niemeier: You said this could fund rural areas where service isn't being provided, how would that be accomplished?

Cathy Ferderer: Some of the money we asked for would include some monies for startup. It would be for training and for safety features. That would be available through a grant source.

Rep. Weiler: There are currently 11 centers across North Dakota now?

Cathy Ferderer: There are nine centers and 11 locations. Valley City has two satellite locations.

Rep. Weiler: Where are funds coming from?

Cathy Ferderer: Various grant sources, client fees.

Rep. Cleary: What are the safety features?

Cathy Ferderer: A breathalyzer, metal detectors, panic buttons.

Darlene Bartz: Preventive Health Section Chief for Department of Health. (See support for HB 1307 in written testimony.) \$45,000 of the requested appropriations of \$499,750 will be allocated to the Department of Health to administer grants and monitor the centers receiving funds.

Rep. Porter: It is the department's intention to hire FTE's to run this or are you absorbing this in your existing number of FTE's?

Darlene Bartz: We will absorb program into our regular staff number.

Chairman Price: Why isn't Minot requesting funds?

Cathy Ferderer: Minot didn't give the reason why they pulled out other than that they feel their funding is appropriate.

Chairman Price: The grants you are working on through STOP, what are the applicant's guidelines when they apply for grants?

Mary Ekstrom: We request a proposal in their budget indicating an estimation of how they plan to use the dollars.

Vice Chairman Devlin: I was trying to get a feel for what the current budgets were for the centers.

Mary Ekstrom: Currently we are budgeting three centers - about a \$178,000 for the total budget.

Susan Beehler: R-Kids. Susan gave her support of this bill. She said it provides an invaluable service and allows the children to see both parents in a safe place.

Cleo Fraser: Bismarek resident. Supported HB 1307 in her written testimony. She and her children have utilized this service.

Sherry Mills Moore: Bismarek Attorney in Private Practice and Lobbyist for the State Bar Association. (See support for HB 1307 in written testimony.) With the supervised visitation center as an option, the courts, lawyers, and parents have been far more willing to establish visitation with a risky parent.

Vice Chairman Devlin: Would you explain GSI to our freshman members?

Sherry Mills Moore: Gross sexual imposition.

Chairman Price: Do you see numbers of court ordered visitations growing dramatically?

Sherry Mills Moore: It is growing steadily, and if courts know this is an option, they may order visitation when otherwise they wouldn't.

Christine Hogan: Executive Director of the State Bar Association. Judges and attorneys are utilizing these centers more and more. Family law mediators are working out agreements for parents to use these facilities. It is enabling family relations to continue. Lawyers of this state feel this fills a distinct legal need.

Chairman Price: Do you see this as a continuing request for appropriations?

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Christine Hogan: I'm not in a position to speak in behalf of the appropriations. I simply wanted you to know that the courts and lawyers are using the system.

Chairman Price: Close hearing on HB 1307.



2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1307 A

House Human Services Committee

☐ Conference Committee

Hearing Date January 31, 2001

Tape Number	Side A	Side B	Meter #
Tape 3	X		2450 to 3700
Committee Clerk Signature <i>Cornie Easton</i>			

Minutes:

**COMMITTEE WORK:**

CHAIRMAN PRICE: HB 1307.

VICE CHAIRMAN DEVLIN: I will move the amendment that changes the date ending from 2002 to 2003. It was just a typo error.

REP. NIEMEIER: Second.

CHAIRMAN PRICE: All in favor signify by saying Aye (14 YES). Discussion on the bill?

REP. GALVIN: I think it is something that is totally unnecessary.

VICE CHAIRMAN DEVLIN: I see some need, but I also see a \$500,000 appropriation and see all of the centers getting by without state funding. I think we have a lot of priorities to address this session. I would oppose this bill.

REP. CLEARY: I think it really is a good bill and something that is really necessary. You get a lot of animosity from some of the testimony. Maybe we could reduce the fiscal note.

CHAIRMAN PRICE: When this bill first started, I don't remember the year, it was \$230,000 fiscal note.

REP. NIEMEIER: I do remember what we talked about that there was an increase in usage of these centers. They are also looking at expanding some of them where there are no safe centers in the smaller communities. I do support this and feel that it is important when you think of the scenario of families that have to go to the police station to visit.

REP. DOSCH: There is no doubt in my mind that these centers are good, but my feelings are two fold: One is that they are existing on their own now without another government program being put out there, and it seems like every time we turn around there is another government program. When is enough, enough. I am concerned about the user fees. The clients aren't willing to pay a lion's share of this. Why should society keep jumping in. I could see it if they were generating 80% of their funds from user fees.

REP. WEILER: I visited a lady that runs a center in Dickinson. I happen to agree with Rep. Dosch that these places are needed, but we also have a lot of churches they could go to. I spoke with the lady from Dickinson and asked how they were doing now and where they are getting their funding from. She said they were doing fine. I asked what she would do if they don't get the state funding - she said we're just going to keep going. We should continue to let them do it on their own.

REP. SANDVIG: Some of these people when going through a divorce can't see each other without conflict. A lot of these people that are using these centers fall into the low income bracket so they can't afford to pay anything.

REP. GALVIN: Some times we can do things on our own - one way or another.

VICE CHAIRMAN DEVLIN: I will for a DO NOT PASS.

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House Human Services Committee

Bill/Resolution Number HB 1307

Hearing Date January 31, 2001

REP. WEILER: Second.

CHAIRMAN PRICE: Any other discussion.

REP. NIEMBIER: This can be a real help for the rural areas that currently aren't covered. It is a huge safety factor for children to make sure that these centers are being maintained. We're seeing more and more families that are having these difficulties.

CHAIRMAN PRICE: I certainly wish that this would be something that we shouldn't have to discuss. But I do understand that we are forced to prioritize a lot of things in this committee. I also realize that these centers have to be pretty creative in how they do their financing. I am going to have to support the Do Not Pass too for reasons that I have bills we need to push a little harder. Seeing no other hands, the clerk will take the roll on a **DO NOT PASS as amended**.

**10 YES 4 NO 0 ABSENT CARRIED BY REP. WEILER**

10514.0101  
Title.0200

Prepared by the Legislative Council staff for  
Representative Ekstrom  
January 23, 2001

VR  
2/1/01

HOUSE AMENDMENTS TO HB 1307

HOUSE HS

02-01-01

Page 1, line 10, replace "2002" with "2003"

Renumber accordingly

Date: 1-31-01  
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. H B 1307

House Human Services Committee

☐ Subcommittee on \_\_\_\_\_  
or  
☐ Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken DO NOT PASS as Amended

Motion Made By Rep. Devlin Seconded By Rep. Weiler

Representatives	Yes	No	Representatives	Yes	No
Clara Sue Price - Chairman	✓		Audrey Cleary		✓
William Devlin - V. Chairman	✓		Ralph Metcalf		✓
Mark Dosch	✓		Carol Niemeier		✓
Pat Galvin	✓		Sally Sandvig		✓
Frank Klein	✓				
Chet Pollert	✓				
Todd Porter	✓				
Wayne Tieman	✓				
Dave Weiler	✓				
Robin Weisz	✓				

Total (Yes) 10 No 14

Absent \_\_\_\_\_

Floor Assignment Rep. Weiler

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE (410)**  
**February 1, 2001 12:50 p.m.**

**Module No: HR-18-2098**  
**Carrier: Weiler**  
**Insert LC: 10514.0101 Title: .0200**

**REPORT OF STANDING COMMITTEE**

**HB 1307: Human Services Committee (Rep. Price, Chairman) recommends**  
**AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS**  
**(10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING).** HB 1307 was placed on the  
Sixth order on the calendar.

Page 1, line 10, replace "2002" with "2003"

Renumber accordingly

2001 TESTIMONY

HB 1307



CHAMBERS OF  
Mary Muehlen Maring  
JUSTICE

State of North Dakota  
SUPREME COURT

600 EAST BOULEVARD AVENUE DEPT 180  
BISMARCK, ND 58505-0630  
(701) 328-4207  
FAX: (701) 328-4480  
E-MAIL: maringj@court.state.nd.us

January 22, 2001

The Honorable Clara Sue Price  
Chair  
House Human Services Committee  
N.D. Legislative Assembly  
600 East Boulevard Avenue  
Bismarck, ND 58505

RE: HB 1307

Dear Chair Price:

I am writing in support of the concept embodied in House Bill No. 1307 which will be heard on Tuesday, January 23, 2001. As a lawyer who practiced extensively in the family law field and now as a justice who reviews cases arising out of custody and visitation disputes, I am well aware of the importance of the availability of places for the safe exchange of children and supervised visitation.

When deciding custody and visitations, our trial courts must consider whether to order only supervised visitation. N.D.C.C. § 14-05-22. In order to be able to carry out an order for supervised visitation, it is necessary to have these services available. Otherwise the noncustodial parent will not be able to exercise his/her visitation. These services are also necessary to protect the child's physical and emotional well-being as well as the victim of abuse.

Thank you for your consideration.

Sincerely yours,

A handwritten signature in cursive script that reads "Mary Muehlen Maring".

Mary Muehlen Maring  
Justice

MMM:pfw



HB 1307 Monitored Visitation and Safe Exchange Centers For Children  
Testimony by: Mary Ekstrom / ND House / District 11  
January 23, 2001, Human Services Committee, Fort Union Room

Good Morning Chairwoman Price and Members of the Committee

My name is Representative Mary Ekstrom. I represent District 11 in South Fargo.

House Bill 1307 will provide some funding for the nine Child Visitation Centers located in North Dakota. The use of these centers is mandated by our court system in cases where there are custody exchange or visitation problems.

By using these centers, parents can safely exchange the custody of their children without confrontation. Additionally, parents who need supervision while visiting their children can use these centers while the children remain in a protected environment.

There are citizens here to testify on behalf of this bill. They are far more experienced in the day to day operation and use of these centers. I would be happy to answer any questions you have for me. Please consider passage of this bill. Thank you.

# North Dakota Supervised Visitation Network

Tracy Miller, Chair  
PO Box 167  
Bismarck, ND 58501

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## HB 1307

### Human Service Committee

Chairman Price and members of the House Human Service Committee, my name is Cathy Ferderer and I am here today representing the North Dakota Supervised Visitation Network. The North Dakota Supervised Visitation Network is composed of the 9 providers of supervised (monitored) visitation and safe exchange in North Dakota. Supervised visitation and safe exchange services are currently offered in 11 location throughout the state. These locations include: Bismarck, Devils Lake, Dickinson, Grafton, Grand Forks, Fargo, Minot, Oaks, Valley City, Wahpeton, and Wishek.

Supervised visitation and safe exchange is contact between a child and adult, usually a parent, that takes place in the presence of a third party in a safe, secure and neutral environment. Supervised visitation and safe exchange become necessary for a variety of reasons, the main reason being that contact may present a risk for the child or one of the adults.

As research comes out, we are continuing to see that positive relationships with each parent are important for children. Supervised visitation and safe exchange are a very important step in achieving the goal of maintaining positive child/parent relationships for many North Dakota families. Supervised visitation and safe exchange services allow children, who may not of had a positive relationship or are unable to see a parent for various reasons, to have continued contact with that parent or other adults in their life. The environment helps to support families to make the relationship a positive one.

From January to June of 2000, the eleven centers across North Dakota served 217 families, which included 273 children. These numbers continue to increase as more and more courts' order supervised visitation.

The funding in House Bill 1307 would provide a stable funding source for centers throughout the State. It would also provide funds to rural areas of the State where services are not currently being provided. In these areas families have to rely on relatives or members of the community to provide this service. This is not always a safe or positive alternative for the child, but it is all they have. Not having services available, may mean a parent is not able to see their child.

House Bill 1307 also provides guidelines for the providers of supervised visitation and safe exchange. These guidelines were developed over several years with extensive research by the North Dakota Council on Abused Women's Services. They have been reviewed by The Board of Directors of the North Dakota Council on Abused Women's Service, The Child Advocacy Committee, The North Dakota Supervised Visitation Network, The Department of Human Services and the Governors Stop Committee. The guidelines were developed to ensure the safety of all of those involved in supervised visitation, with the emphasis on the best interest of the child.

On behalf of the North Dakota Supervised Visitation Network, I urge you to support House Bill 1307. Thank you for your time and this opportunity. I will be happy to answer any questions you may have.

Cathy Ferderer

255-6240

svpc@btigate.com

# Rainbow Bridge

## Safe Exchange/Visitation Center

January 22, 2001

Jody Bittrich  
Rainbow Bridge Safe Exchange/Visitation Center  
715 11<sup>th</sup> St. N  
Moorhead, MN 56560

Dear North Dakota House of Representatives - Human Services Committee,

On behalf of the children of Cass County, I urge you to support HB 1307 which would provide funding to visitation centers across North Dakota. Since Rainbow Bridge was established in May of 1996, our service to Cass County children and parents has grown. In fact, we needed to open a satellite site in south Fargo to better serve the children in one of the fastest growing areas of North Dakota. In 2000, Rainbow Bridge completed 1951 exchanges. We also facilitated 342 supervised visitations, up from 198 in 1999 - a 75% increase. Currently, in January of 2001, we have scheduled 235 exchanges and 80 supervised visitations, already a noticeable increase.

One of the main goals of Rainbow Bridge is to increase the number of non-court ordered referrals as compared to the 95% which are currently court-ordered. We want families to use Rainbow Bridge because they want to out of concern for their children. However, the more we publicize the service, the more court ordered referrals we receive. More and more, families are being court ordered to Rainbow Bridge. We have also seen an increase in parents that were court ordered to use the center in the past and are now seeking our help. In many instances, children would not have the opportunity to build a relationship with the non-custodial parent without the services of visitation centers.

Of the 95 % of the court-ordered families using Rainbow Bridge, a majority of the parents have no-contact orders in place which prevents them from seeing one another. If families are not using the center, they have friends or relatives facilitating the exchanges or monitoring the visits. This does not always mean that they are safe or in the best interest of the children. Children are still caught in the middle, they are still witnessing the verbal/physical abuse and they are still present in a potentially unsafe environment. If parents choose not to use the center, many go without seeing their children.

Rainbow Bridge is unique in that we also provide Children of Divorce support groups for children. During these groups is when children let their guard down and share their most intimate feelings. "I hate seeing mom and dad fight." "I don't like to go over to my dad's house because it makes my mom cry." One comment said during the group, from one five year old to another, "If you don't give me that toy, I am going to sue you and you'll never see it again."

### **Safe Exchange/Visitation Center**

Another time, I was walking two children down to the group. The six year old turned to me and said, "Ya know, we come to Rainbow Bridge because my mom and dad fight a lot." I replied, "Really?" She said, "Yeah, it isn't so bad. I like it here."

The look in the child's eyes when you pick them up to see their mom for the first time in two weeks, the smile a little boy flashes to you when he knows it is time to visit with his dad, the hug a little girl gives you - because without you she may have never met her dad. These are things that you cannot put a price tag on. These are things that visitations centers across North Dakota see on a regular basis.

Children are all we have for our future. On behalf of those children, thank you for your time and support on HB 1307.

Sincerely,



Jody Bittrich  
Rainbow Bridge Director

*Testimony on HB 1307*  
Monitoring of Visitation and Safe Exchange Centers for Children  
*Before the*  
House Human Services Committee  
*by*  
Darleen Bartz, Department of Health  
January 23, 2001

Good afternoon Madam Chairwoman and members of the Committee, I am Darleen Bartz, Preventive Health Section Chief for the Department of Health. With me is Mary Dasovick, Director of the Domestic Violence/Rape Crisis Program. I will be presenting information on the Child/Family Safety Centers funded by the health department's domestic violence/rape crisis program.

The North Dakota Department of Health has administered the domestic violence/sexual assault program since 1981. The funding source for the existing visitation centers come out of the STOP Violence Against Women funds (STOP).

A maximum of 15% of the STOP funds may be used to fund various projects including the Child/Family Safety Centers. These funds are available through a competitive grant process. This past year STOP funds were awarded to the Abused Adult Resource Center, Bismarck for \$30,170, Community Violence Intervention Center, Grand Forks for \$20,000, and Three Rivers Crisis Center, Wahpeton for \$6,750 to help fund their visitation centers. The STOP funds do not cover their total budgets for the visitation centers. It is anticipated that ND's allocation for STOP funds may be reduced in FY01.

It is our understanding that \$45,000 of the requested appropriations of \$499,750 will be allocated to the ND Department of Health to administer grants and monitor the visitation centers receiving the funds. The Guidelines for the Child/Family Safety Centers are already developed and would be used to monitor the visitation centers. The remainder of these funds would be allocated to eight visitation centers statewide.

We believe Child/Family Safety Centers are necessary to provide a safe, secure, neutral environment for the supervision of visitation between non-custodial parents and their children.

Either Mary or I would be happy to respond to any questions you may have.

**January 23, 2001**

**Testimony on HB1307  
Rep. Price, Chairman**

**Chairman Price and Members of the Committee:**

**My name is Cleo Fraser, a Bismarck resident, and the mother of 3 young children. I am here today in support of HB1307, and encourage your support on this Bill to provide a safe and supervised environment for families in conflict or at risk of violence.**

**My position in this case is high, as my own children were privileged to have the security and support from the staff and employees of the Safety Center in Bismarck from March 1999 to October 2000. The visitations were ordered by the courts while the children's father was awaiting trial for GSI. I can not express enough my thankfulness for having available a safe environment for my children during that time.**

**I ask you to please ensure the safety and welfare of all children currently and in the future by your support on HB1307.**

HOUSE BILL 1307  
Human Services Committee  
Sherry Mills Moore

Chair Price, Committee Members. My name is Sherry Mills Moore, and I am an attorney in private practice here in Bismarck, focusing almost exclusively on family law – divorce, custody, adoption, and child support. I am also the volunteer lobbyist for the State Bar Association of North Dakota on family law matters. Although the recommendation of the legislative committee for support has not yet been reviewed by the Board of Governor's, because it is very important, I wanted to testify before you today.

Having worked in this area of the law for over 21 years I can tell you I remember the *good old days* of visitation, those days before supervised visitation centers. How very much better it is now, better for mom's and dad's, sometimes grandparents, but most importantly, even pivotally, for the children of divorce.

Keeping in mind that most children of parents who do not reside together are able to exchange their children, visit their children, maybe even co-parent them without the need for supervision. These are the lucky children. For many families visitation and exchange just are not safe. Whether the visiting parent is a danger to the child or to the parent, when there is abuse of either, there is danger to both. Before supervised visitation centers, we really had only a few solutions – unsupervised visitation, informally supervised visitation, or no visitation. Unsupervised visitation creates direct risk to the parent and to the child. No visitation may mean that a child loses the relationship with the parent entirely. Sometimes a volunteering family member or friend could provide sporadic supervision. Visitation with informal supervision can be an ill fit. Family members are not often comfortable to both parents-- the custodial parents family been viewed as hostile to the visiting parent and the visiting parent's family as unlikely to provide adequate protection. Courts, attorneys and parents were forced to choose the least worst alternative. Often, however, none of these worked.

Then came the supervised visitation center. My experience has been that the facility gives everybody a chance. The custodial parent can rest assured that there will be no threats, no psychological, or physical harm. The visiting parent can be assured there will be visitation with the child. This gives the visiting parent a chance to establish a healthy and safe relationship with the child and also frees that parent of unwarranted accusations. The child gets to have safe time with the visiting parent without the friction sometimes created by warring parents. Although the primary use seems to be centered



around the abusive parent, it is also a wonderful vehicle to facilitate visits between children and parents operating under other forms of parenting disability - chemical dependency, potential negligence, mental or physical illnesses. Even if the function of the center is simply a conduit for the transfer of the child, the safety for all, concerned vastly increases the options available to continue parenting relationships.

With the supervised visitation center as an option, the courts, lawyers, and parents have been far more willing to establish visitation with a risky parent. I know that you have many pulls upon our resources, but I urge you to put this one at the top of the pile. Children raised by parents who do not live together already have more on their plate than we would like to think. If you add the layer of abuse to themselves or their parent, and then a continued exposure to the parents' conflict, they really don't stand a chance. To assure them a safe way to ameliorate some of this damage just has to be a top priority. If I can answer any questions I would be happy to try to answer them. If any arise in the future you may contact me at 222-4777 or e-mail of [esther@btigate.com](mailto:esther@btigate.com). Thank you.

Regarding Support for HB 1307

Dear Chairman Price and Members of the Committees

My name is Lars Imhoff; I am a male who has primary custody of my two daughters Alexius age 8 and Mikaila age 7.

The non-custodial parent had fled the country to England with my daughters about two and a half years ago.

I highly support the use of the safety center. It provides for the girls to have a set of routine scheduled visits, which minimizes anxiety and stress.

Without the use of the safety center the children probably wouldn't be able to have any visitations with their mother, because of the fear that the children will be abducted again.

The center provides a safe, secure monitored and supervised environment for these visits. Staffed by extremely professional, caring personnel.

Thank you for your support on HB 1307

Sincerely,

Lars Imhoff  
Alexius Imhoff  
Mikaila Imhoff

CONSTANCE TRIPLETT  
TRIPLETT LAW OFFICE  
405 BRUCE AVENUE, SUITE 200  
POST OFFICE BOX 5178  
GRAND FORKS, NORTH DAKOTA 58205-5178  
(701) 746-8188  
FAX (701) 780-0788

To: State Legislators  
From: Constance Triplett *CT*  
Re: HB 1307 - Funding for Visitation Centers  
Date: January 19, 2001

I am writing to support HB 1307. Both as an attorney who does a substantial amount of family law and as a County Commissioner for Grand Forks County, I believe that visitation centers are a wise use of public funds.

There are many circumstances that give rise to the need for visitation centers, and often the families who are most in need of the service are among the least able to afford it.

We all understand that resources will be scarce in this legislative session, and I am certain that requests for new funding will be especially well scrutinized. Please think of this funding in the category of prevention. Reducing the fear and anxiety associated with visitation issues, and allowing children to develop safe, normalized relationships with absent parents will surely prevent a certain amount of juvenile delinquency, crime and mental illness in later years. While it is always difficult to quantify the value of prevention programs, I am convinced that this will be money well-spent.

Thank you for your consideration.

January 19, 2001

Chairman Price and members of House Human Services:

**House Bill 1307** will give communities the necessary funding to provide a safe environment for parents, under a variety of circumstances, to spend time with their child/children.

Children continue to be traumatized by violence in their homes, abuse and neglect, and the lack of parental involvement, due to divorce, mental illness or substance abuse issues. A child often does not understand the complex issues that surround this form of deprivation. They only know they can't see mom or dad because it is believed they are not safe when doing so. Despite the hardships these parents have experienced, children deserve to have a relationship with and experience love and support from both of their parents. Their normal growth and development depends upon it.

Please support this bill, as it will enable an exchange or visitation process between parents and their children to occur on a regular basis in a safe environment.

Kathy Wilson Mayer  
Executive Director  
Prevent Child Abuse North Dakota





# Children's Caucus

Letter of Support HB 1307

January 22, 2001

Chairman Price and members of the House Human Services Committee:

Children face many challenges in today's society. Children in families where violence and abuse occur face even greater challenges. The support of monitored visitation centers offers these children a chance to maintain a relationship with two parents in a safe and child friendly environment.

A child who wishes to interact with a parent even though parents can not interact with one another should be given a chance to maintain a healthy relationship without the stress of conflict which might exist between adults. The center concept allows these interactions to be beneficial to the child in safe and neutral environment.

The Children's Caucus urges your support of House Bill 1307 on behalf of North Dakota's children who need this service and need to have the support of both parents not only financially but emotionally too.

Sincerely,

Linda Isakson  
Executive Director Children's Caucus

Scott Sheehan  
408 Sunrise Cr. Apt. 2  
Moorhead, MN 56560

To: House Human Services Committee

This letter is regards to Bill 1307, presented to you by Rainbow Bridge Safe Exchange Center. It is my sincerest wish that you would grant funding for this program. It is very unfortunate that adults of this age act as children. When a divorce happens, it is similar to a death in your immediate family. The overwhelming emotional sadness out weighs most people's common sense, to which if there is children of the couple involved, they are ultimately the people that suffer the most. I don't know why people act the way they do, if I did I would be a better Pier Minister. So all we can do is to help people the very best we can and hope that they will have the ability to learn from life's misfortunes. This is not the case when children are involved. They are helpless individual people, who grow to become tax paying, voting, and good citizens of our great nation. They deserve our support in the matter of their up bring. It is the responsibility of mature adults to recognize this and do something about it. In granting the funding for this, you will insure the emotional health of our next generation, giving them the tools to see what divorce can do to a family structure. So when they become adults they can draw from the experience of parental love from both parents and be better prepared for life and duty.

Divorce is and always will be an open wound to our nation. To help with tax funding our legislature is sending a clear message that it is going to help with the betterment of its citizens it represents. It is my hope that these types of service will proliferate across our nation, helping the most vulnerable of all of us, the children of us all. It is true that people should be mature and act responsibly in all affairs, as we all know this is a utopian dream, which will only be achieved through all of our diligent efforts to make a brighter future for us all. I know the House Human Services Committee will act on this and I would like to thank you in advance with my most sincere gratitude God Bless You All. In my life I was told to use Rainbow Bridge Safe Exchange Center by a Judge of Cass County. This was due to my former wife's refusal to comply with the divorce Decree that states, arrange visitation by phone. I could not get her to act maturely and see that all she was doing was hurting our children. There is not to be blame on a matter such as this, when love fails we all act irrationally and make mistakes. Thank God there is a place such as this where children can see and have love from both parents without have to see the petty side of local family squabbles. For a child they learn from their parents, teachers, piers and life's experiences. So to give them the opportunity to have two role models to draw from is not only wise but also necessary for the development of a healthy person.

Thank you for your help in this matter I will keep you in my prayers always.

Sincerely, Pier Minister Scott Michael Raphael Sheehan



**Fargo Police Department**  
222 4th Street P.O. BOX 150  
Fargo, North Dakota 58107

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Chris Magnus Chief of Police

January 19, 2001

Dear Senators & Representatives:

It has been brought to our attention that the Rainbow Bridge Safe Exchange/Visitation Center of Fargo-Moorhead is seeking funding grants in order to continue their operations.

The Fargo Police Department works closely with Rainbow Bridge of Fargo-Moorhead, and we whole-heartedly endorse their efforts in securing such funding. Rainbow Bridge has always been extremely cooperative with the Fargo Police Department through its assistance in handling cases, which come to our attention.

Its value to the department and the community as a whole is unquestioned, and it would certainly be our hope that resources be found to enable the program to be continued.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Chris Magnus".

Chris Magnus  
Chief of Police

CM/plb

1-22-01  
Centers: They prove a blessing to many

FROM 1A

said. The center is good for his daughter, who gets to see her father, as well as his former wife, who doesn't have to see him, he said. Such places, he said, are needed for all parents in the state.

"Whatever the custodial or noncustodial parent does, I think it's important for the kid to have a relationship with the parent."

Whitmire said he'd like the state to provide counseling for all clients of the centers, because families are not allowed to talk about why supervision is needed. Whitmire said he'd like a professional to explain the situation

to his daughter.

Such counseling, he said, would be beneficial for custodial and noncustodial parents, as well as children. "I think those kind of services should be provided to the child," he said.

But legislators say counseling is unlikely to be included in the bill for which lawmakers will hear testimony.

Testimony will be presented at 2:30 p.m. Tuesday to the Human Services Committee of the House in the Fort Union Room at the Capitol.

Cindy, who still receives rambling telephone messages from her abusive ex-husband, said she was going to move to Fargo,

because she knew of a center there. But then she learned Bismarck has one, so she became a client.

"I thank God all the time. ... This has been a true blessing," she said.

(For more information about supervised visitation, call 222-1053. People who want to testify, but have a legitimate safety concern, should contact Highway Patrol Lt. Mark Bethke at 328-2455. Regular State Patrol security forces will be at the Capitol. Testimony in letter form may be left at the House majority leader's office. Stop at the information desk on the lower floor of the Capitol to ask directions.)

1-22-01  
Family ties hit funding knots

Hearing Tuesday on bill would provide funding for state's safety centers

(The name Cindy is used in this story, rather than the woman's real name, for her safety and her children's safety)

By JEFF HANSEL  
Bismarck Tribune

Cindy, her ex-husband and their kids (who were bundled up against the North Dakota wind) met in front of the police station, using it as a neutral location for the children to go from mom to dad.

But he would find something wrong, something that made him angry. Maybe the kids were wearing the wrong shoes or the wrong color mittens. He would ask questions and begin to scream.

"It was horrifying. Totally horrifying," Cindy said.

Often, police intervened before her husband took the children. Then she would worry until their return.

Cindy, a custodial parent, belongs to one of the hundreds of families who use nine safety centers across North Dakota. In tight financial times, center workers, clients and even some legislators are backing a bill that would provide \$490,000 in base funding for safety equipment, transfer of centers to permanent locations, start-up money and training. But the bill faces an up-hill battle.

"We've got lots more requests than we've got money," said Sen. Judy Lee, R-West Fargo. But she said the centers are valuable.

They are used when help is needed to re-establish relationships, parents use children to control a former partner, a parent has picked children up under the influence of drugs or alcohol, a parent is inconsistent in allowing visitation, children are in foster care or when out-of-town parents need a home-like atmosphere for visitation.

Clients at the Bismarck center, who have experienced domestic abuse, often fear their former abusers, even though there are cameras, supervisors and copious emergency systems.

But in other towns, equipment is lacking. Cameras and equipment to summon law enforcement is needed at some locations. At others, such as in Bismarck, secure outside meeting areas where children can feel more comfortable are needed.



Mike McCleary/Tribune

Tracy Miller, director of the Abused Adult Resource Center, sits at the front desk, while monitoring one room in the center for children and a parent to play and talk and two separate rooms that are used for one parent to wait inside while the other parent drops off the child or children in the other room.

The Bismarck Family Safety Center holds about 72 supervised visitations each week, although some are repeat clients.

"We're here for the safety of the child and protection of the child, for the child to re-establish a healthy relationship with their parent," said Safety Center Director Tracy Miller.

Rep. Mary Eckstrom, D-Fargo, said the centers are important.

"Right now these centers do not receive any state funding, although they are mandated to be used," she said. Legal agreements and rulings by judges require supervised visitation and exchanges of children. Eckstrom said if the state requires its citizens to use such centers, there ought to be funding.

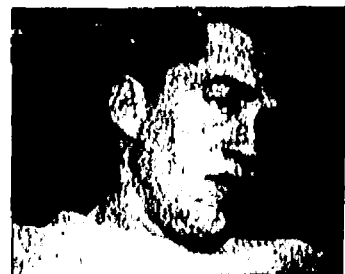
Centers, which run bare-bones sys-

tems from client fees, arrange times for children to switch parents. One parent takes a child to the center and, a few minutes later, the other parent picks her up. The parents stay in separate rooms. When a visit is supervised, the children are taken to a room, where the noncustodial mother or father is waiting. In view of video cameras.

For such parents, the service is a blessing. "Basically, this is the only way I can see my kid," said Lee Whitmire, a noncustodial parent who was arrested for abducting his daughter after picking her up from day care in 1997. Whitmire said his actions were wrong and he is thankful the center exists.

"I broke the law and this is the only solution for me, so I love this place," he

SEE CENTERS, 12A



Lee Whitmire has been in the visitation program for three years and welcomed the intervention program to rebuild his relationship with his child and ex-wife.



# Network to lobby for state supervised visitation funds

By Tammy Swift  
The Forum

Mario Meikle wants to help kids from divorced families, but it isn't easy.

Meikle runs Family Bridges, a supervised visitation center in Valley City, N.D. She acts as liaison in painful or potentially volatile custody exchanges. She also acts as a neutral third party in instances where a parent can't legally be left alone with a child.

As more judges court-order feuding families to use Family Bridges, Meikle has seen the demand for this service grow. But Family Bridges' budget allows her to work just six hours a week. That's barely enough time to get her paperwork done, much less supervise actual visits.

"Funding is a definite issue," Meikle says. "Because we're so small, we can't get the numbers to get criteria for certain grants. But without the funding, we can't really get the numbers up either."

Meikle's problem is shared by many staffers at North Dakota's 11 supervised

visitation centers. Because they rely on grants, donations and parental fees, many centers cannot afford things like safety equipment or permanent headquarters, says Cathi Ferderer, a child advocate for the North Dakota Council on Abused Women's Services in Bismarck.

Worse yet are the areas of the state without centers, Ferderer says. Families in those areas either have to drive miles to conduct a safe exchange, or kids can't visit the other parent at all.

Now the council has gathered the state's 11 center providers together to form a Supervised Visitation Network.

Members of the network will be in Bismarck Tuesday to lobby for House Bill 1307 before the House Human Services Committee. The bill calls for a \$500,000 appropriation to the state Department of Health for the state's visitation centers in Fargo, Bismarck, Wahpeton, Devils Lake, Grafton, Grand Forks, Dickinson, Valley City. Satellite centers are operated in Oakes, Wishek and Breckenridge, Minn.

"Any type of service agency will always

99

*I really do believe there are some parents who would absolutely not allow one of the parties to see their children if they didn't have supervised visitation. That's why I don't want to let this program go, because I'm afraid no one else will pick it up.*

**Mario Meikle**

Family Bridges supervised visitation center

tell you they could gain more funding and would like more staff," says Anne Mahoney, volunteer coordinator for Rainbow Bridge safe exchange center in Fargo-Moorhead. "We make it work. But our goal is we don't want kids to get stuck in the middle of mom and dad arguing."

The network also hopes to provide support in areas such as training, resource sharing and grant-writing.

But the main goal is funding.

Network members hope the state money would help support their client loads, which grow more cumbersome as more judges order safe exchanges or supervised visits. Rainbow Bridge alone oversaw 342 supervised visits in 2000 - a 75 percent increase from 1999, Mahoney says.

"I believe 95 percent of our families are court-ordered," she adds.

In some cases, the courts require supervised visitation because of domestic violence. For that reason, the centers need safety equipment such as metal detecting wands, First Alert-style alarm buttons or breathalyzers, Ferderer says.

But many of the centers simply can't afford these safety measures. Although Meikle has never felt threatened during any of her exchanges, she believes the absence of safeguards almost prevented at least one family from using the Valley

City center. "There had been an ongoing protection order," she says. "The mother was very insecure about it. She didn't feel it was very safe for her. She almost pulled the child from having visits with the other parent and broke the court order."

Regardless, Meikle tries to make the most of limited funds. "I really do believe there are some parents who would absolutely not allow one of the parties to see their children if they didn't have supervised visitation," she says. "That's why I don't want to let this program go, because I'm afraid no one else will pick it up."

Indeed, several parents who have used these services believe in them. "At first, I thought Rainbow Bridge would be a punishment administered by the court system," says Scott Sheehan, a father of three boys. "It wasn't a punishment, it was a godsend. Rainbow Bridge has allowed my children to know the love of both their parents and not have to see any kind of animosity with either one of us."

## HB 1307

### Breakdown of the funds requested

Start up money for areas of the State without services	\$ 55,751
Enhancement grants (to obtain training, secure a location or safety equipment for center that currently do not have in order to meet guidelines)	\$ 56,488
	<hr/>
	\$112,239
Estimated number of exchanges per year 3762 x \$40	\$150,480
Estimated number of supervised visits per year 2262 x \$120	\$271,440
	<hr/>
	\$421,920

$\$421,920 \times 40\% = \$168,768 \times 2 \text{ years} = \$337,536 = \text{total amount to centers to provide exchange and visitation services over 2 years}$

Administration costs of the health department  $\$499,750 \times 10\% = \$49,975$

Funds to programs currently in existence for a one year period based on projected numbers and expenses –

Family Bridges – Valley City – \$6,112

Rainbow Bridges – Fargo/Moorhead - \$46,112

Family Safety Center – Bismarck - \$37,248

Kids Konnection – Wahpeton/Breckenridge - \$9,760

SAAF Alternatives – Devils Lake - \$2,944

Tri-County Crisis Center – Grafton - \$4,160

Family Connection – Dickinson - \$23,680

Wishing Well Child Visitation Program – Grand Forks - \$38,752

# **Breakdown of Visitation Centers' Budgets**

## **Family Bridges - Valley City - 2001**

Unsecured funds	48%
United Way of Barnes County	22%
Area Social Services	22%
Fees	1%
Fund raising	7%

## **Family Safety Center - Bismarck - 2001**

Stop Funding - Federal Funds	41%
Burleigh County Social Services Foster Care \$	19%
Edward Byrnes - Federal Funds	17%
Fee from client	14%
Local grants	6%
United Way	3%

## **Rainbow Bridge - Fargo - 2001**

Unsecured funds for ND program	40%
Parent Fees Project	23%
Misc Grants (Stern, FM, United Way, VAWA, Stop, Annie Casey)	13% unsecured
Region V CSCC	10%
Donations	7% unsecured
Contracts (Cass County Social Services - Foster care, Children of Divorce, PATH)	7% unsecured

**Kids Konnection - Wahpeton/Breckenridge 2001**

Unsecured funding	44%
Stop/VAWA Federal Funds	19%
United Way	13%
Region V CSCC	13%
Richland County	11%

**Wishing Well Child Visitation Program - Grand Forks - 2000**

Capital Campaign Funding (Included one year operation)	81%
VAWA - Federal Funding	16%
Federal Access & Visitation Grant	2%
Client Fees	1%

For 2001 we expect the Access \$\$ and client fees to increase but will need to find around 50% of our revenue in other places as the Capital Campaign Fund was only for 2000.

**Family Connection - Dickinson - 7/2000- 6/2001**

Federal (Federal Family Violence, Victims of Crime Assistance)	60% Secured
Program/Service Fees	3%
Local Donations	5% - 2% of which is secured
Foundations (Briemer, MDU)	32% - 88% of which is secured

**7/2001 - 6/2002**

Federal (Federal Family Violence, Victims of Crime Assistance)	65% - 29% of which is secured
Children's Services Coordinating Committee	10% unsecured
United Way	2.5% unsecured
Program/Service Fees	10%
Donations	2.5% unsecured
Foundations - Cargill	10% unsecured

Cannot apply for additional federal funds because of requirement of non-federal , local or state match.

The two remaining programs have unique circumstances. They are providing these services as part of their domestic violence/sexual assault program. They are using staff that currently work in their program and absorbing the costs of providing this service.

**Tri Country Intervention, Inc. – Grafton – 2001**

Unsecured 100%

\* A regional Children's Services Coordination Committee grant had paid for the child advocate who coordinated the visitation program. The grant was denied for 2001. The advocate was laid off. Current staff are providing supervised visitation for court ordered cases only. Travel to the Langdon site had been suspended until funds can be secured.

A client fee system was developed, but has not been implemented because of staff lay-off. No security equipment has been purchased.

**Safe Alternatives for Abused Families – Devils Lake – 2000**

Federal (VOCA, STOP, Family Violence) 53%

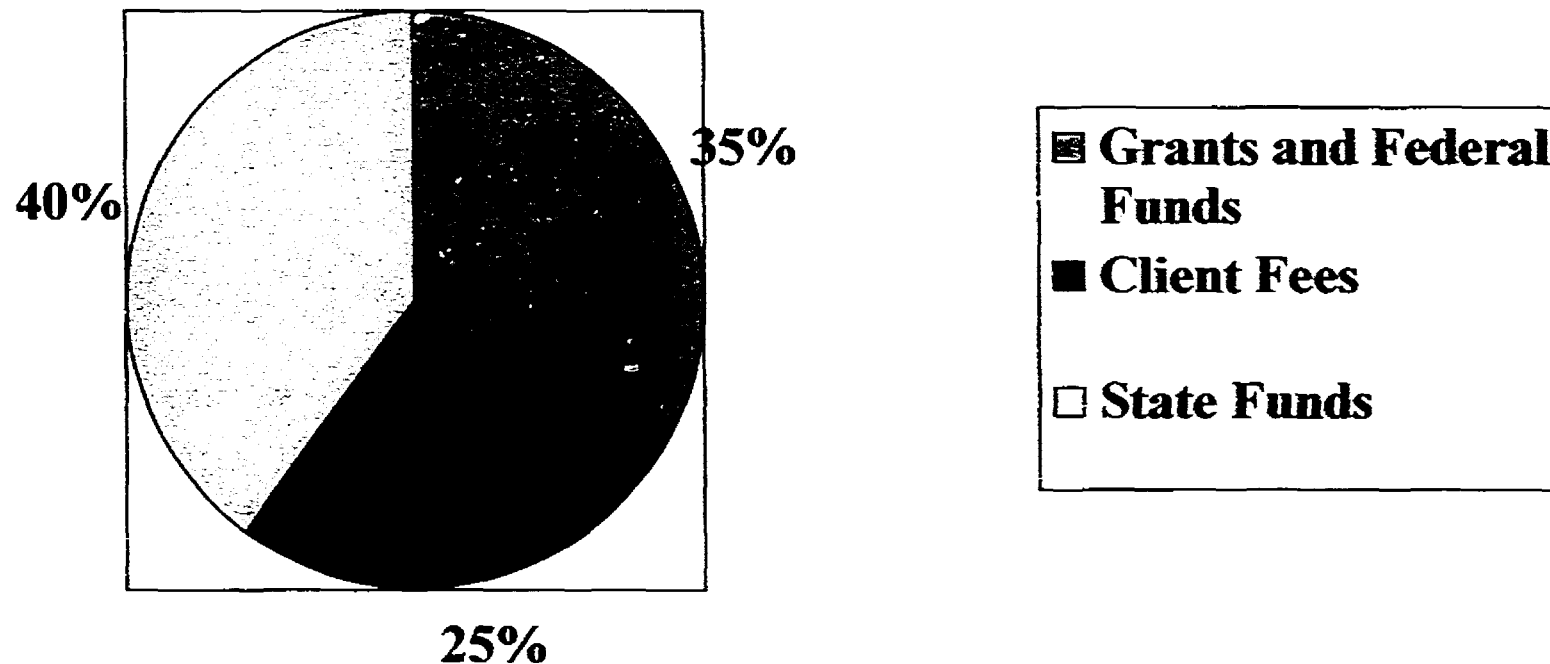
Chicago Resources Grant 41%

Briemor Foundation Grant 6%

The Federal funds will be cut during the 2001 funding cycle, we are currently not sure to what extent.

Prepared by: Cathy Ferderer – ND Supervised Visitation Network – 255-6240  
email – svpc@btigate.com

# Funding Sources for Visitation Centers



To: Clara Sue Price Chairman:  
Human Services  
Comm.

I'm writing this letter because I (Nicole and my Brother (Cody) we are going to Safe because of Abuse of Alcohol and Violence.

The thing we like about Safe is that when we go there to meet our dad there is always some one there to make sure the visits are safe and we would like to say we feel secure about going there.

I would like this program well known so it helps children and the parent being abuse so that way they can reach out to people and be a better person: parent.

Now because of this program my Dad has got the help and now he no longer drinks.

Thank-you

Nicole and Cody Korb

LABOL - Please notice towards  
the bottom where I have \* "a  
soup" In addition? THANK

I would like to give  
my support to supervised  
visitation centers. These  
places are a way for myself  
and other children to  
still see certain people  
whether it be a mom,  
dad or sibling, but it would  
be in a safe & comfortable  
environment. These centers  
are needed so that we  
can visit loved ones without  
having to worry about  
any harm coming to  
either parties. This also  
provides an opportunity  
to rebuild the relationship  
that has been hurt  
or broken. ~~These~~ <sup>In Addition</sup> these places  
~~also~~ provide a safe exchange  
program so that the  
parents will not have  
to come in contact with  
each other and risk  
another argument in



front of the children.  
Therefore making the  
situation even ~~worse~~ more  
confusing and scary for  
the child. Supervised visits  
are very important I think  
that every city should  
have one.

Carol  
Friedman

January 22, 2001

RE: HB 1307

Dear Human Service Committee:

Sixteen years ago I got married to a man whom I thought I was going to spend the rest of my life with. On my wedding night my dreams were shattered. My husband got irate and extremely violent, I couldn't believe what was happening. I had never been hit before and I didn't know what I did wrong to deserve this. I was ashamed and embarrassed and I couldn't go to my family. I didn't want them to know that I screwed up. Meanwhile, each episode only got worse.

We moved to Grand Forks for my husband to attend UND, which was three hundred miles from anyone I knew. During our marriage of ten years, we had three children together and unfortunately my children witnessed many of these episodes. I found myself completely isolated and felt there was no where to escape. The beatings only got worse and now there was no escape. One day while he was at school, I called the domestic violence crisis line and talked with an advocate. I started making plans to move out and go back home until I could get back on my feet. One week before I was to leave I called and talked to an attorney. The attorney told me not to take the children across the state line because they were now residents of North Dakota. With no other options, I contacted the admissions office at UND and enrolled for the summer session of 1995.

University of North Dakota offered family housing to us and within two weeks of moving from our home I had to get a protection order because he would not let go of our relationship. I couldn't take a step outside without him being there threatening me. My children would not sleep in their own beds because they were afraid their dad was going to come over in the middle of the night and kill me. I started meeting with a domestic violence advocate once a week and I contacted legal aide to file for a divorce. During his visits he did not appropriately supervise our then 2-year old daughter and he continually used the children to be his "spy" on their mother. My children were terrified most of the time and didn't know how to make it stop. They saw what happened to me throughout the years and I can only imagine the fear that they felt for themselves if they didn't do what he said.

The oldest daughter has modeled her father's behavior by using violence herself to solve issues. She has spent time in a psychiatric hospital and has worked with numerous professionals. There were times visits had to end between our oldest daughter and her father because of all the negative things he was saying about me and he couldn't control his temper.

A few months later we went before the judge and with the recommendations of the guardian ad litem, my children were to have supervised visits with their dad. We called everywhere and the closest place was either Thief River Falls or Moorhead; he was not agreeable to either of these places because they were too far away. At the time he was attending a church and there were a few people that were willing to supervise the visits. These people tried but found that it was too difficult for them and that they could not stop him from doing or saying things that were inappropriate. At that point the Pastor of the church was willing to be the supervisor so he was appointed through the court in our divorce.

Throughout the next three years my children had very little if any contact with their dad. The visits they did have didn't go well. Unfortunately, the Pastor did not closely supervise the conversations or contact during the visits. My children made me aware that even with these arrangements, their father was still behaving inappropriately with our children.

There were times that I would beg the pastor to stay with them at all times and he assured me that he would. However, the inappropriate visits continued. After some time had passed, we had a court date set up to see if supervised visitation was still necessary. At this hearing the judge appointed his wife as the supervisor. I felt this was not in the best interests of my children or his new wife. But, because there was not a visitation center in town I had nothing else to offer in place of his wife and at this point the Pastor no longer wanted to be involved.

Throughout the last five years my children have gone through the children's group twice and have been in counseling with Psychologists who specialize with children. Many times my children would ask me, "Why do we have to go to counseling? It's dad's behavior that's causing the problems and we're the one's doing the work to get better and we're the one's being punished."

If there had been a visitation center in town my children would not have had to experience all of the negative interactions with their dad. They could have had more positive memories and been in a safe environment.

I graduated from UND in December of 2000 and I am now working as a professional assisting with the issues of family safety. Witnessing the positive interactions between visiting adults and their children gives me hope that other children will not have to go through what my children did. I think that children growing up today have so much more to deal with that they need the positive support and interaction from their parents in order to become healthy adults. All too often children are forgotten about, they may not be the one's that the violence is directed at but they are definitely hurt by being witnesses of the violence.

Today my children are doing much better thanks to the programs and counselor's that were available in Grand Forks. My children now know they are not responsible for someone else's actions and that no one deserves to be abused. Even though my family is finding its way through this devastation, I do not wish what happened to my children on anyone. Everyone deserves the right to be in a safe environment no matter how old they are. I would ask for your support for HB 1307 that will allocate funds to visitation centers thus ensuring that services like these are available.

I thank you for your time.

Sincerely,

Julie Sigfrid, a resident of Grand Forks, ND.