

**2013 HOUSE JUDICIARY**

**HB 1155**

# 2013 HOUSE STANDING COMMITTEE MINUTES

House Judiciary Committee  
Prairie Room, State Capitol

HB 1155  
January 28, 2013  
Job 17817

Conference Committee



## Explanation or reason for introduction of bill/resolution:

Compensation for criminally injurious conduct reporting requirement.

## Minutes:

*Testimony 1*

**Chairman Koppelman:** Opens.

**Rep Delmore:** HB 1155 is a clean-up bill. The bill provides a simple change for consistency and aligns the language, I urge this committee for a do pass.

**Rep Karls:** What does this align?

**Rep Delmore:** It aligns the crime victim compensation language and statute with the current best practices for reporting guidelines and the guideline form, appendix C, which victims are required to fill out.

**Janelle Moos,** Executive Director of the CAWS North Dakota: Testimony 1.

**Chairman Koppelman:** Timeframe of evidence being captured, 96 hours?

**Janelle:** Appendix C. On top of rape kits, they have 96 hours to collect viable evidence.

**Rep Delmore:** Motions Do Pass.

**Rep Larson:** Second.

**Yes:** 14

**No:** 0

**Absent:** 0

**Carried by:** Rep Brabandt.

Date: 1-28-13  
Roll Call Vote #: 1

**2013 HOUSE STANDING COMMITTEE**  
**ROLL CALL VOTES**  
**BILL/RESOLUTION NO. HB 1155**

House Judiciary Committee

Check here for Conference Committee

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

Action Taken:  Do Pass  Do Not Pass  Amended  Adopt Amendment  
 Rerefer to Appropriations  Reconsider

Motion Made By Rep. Delmore Seconded By Rep. Larson

Representatives	Yes	No	Representatives	Yes	No
Chairman Kim Koppelman	/		Rep. Lois Delmore	/	
Vice Chairman Lawrence Klemin	/		Rep. Ben Hanson	/	
Rep. Randy Boehning	/		Rep. Kathy Hogan	/	
Rep. Roger Brabandt	/				
Rep. Karen Karls	/				
Rep. William Kretschmar	/				
Rep. Diane Larson	/				
Rep. Andrew Maragos	/				
Rep. Gary Paur	/				
Rep. Vicky Steiner	/				
Rep. Nathan Toman	/				

Total (Yes) 14 No 0

Absent 0

Floor Assignment Rep. Brabandt

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

**REPORT OF STANDING COMMITTEE**

**HB 1155: Judiciary Committee (Rep. K. Koppelman, Chairman) recommends DO PASS**  
(14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1155 was placed on the Eleventh order on the calendar.

**2013 SENATE JUDICIARY**

**HB 1155**

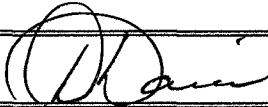
# 2013 SENATE STANDING COMMITTEE MINUTES

Senate Judiciary Committee  
Fort Lincoln Room, State Capitol

HB1155  
2/19/2013  
Job #19194

Conference Committee

Committee Clerk Signature



**Minutes:**

*Attached testimony*

**Relating to compensation for criminally injurious conduct reporting requirement**

**Senator David Hogue - Chairman**

**Representative Lois Delmore - District 43 - Introduces the bill and explains its intent.**

**Janelle Moos - Executive Director of CAWS - See written testimony (1)**

Committee asks what the victim may be compensated for. Ms. Moos replies it could be for counseling, lost wages which primarily asked for. She adds they do pay some medical but that Crime Victims Compensation is the payer of last resort. She said they have a small amount of money so it is quickly out of funds.

Opposition - none

Neutral - none

Close the hearing

Senator Armstrong moves a do pass

Senator Grabinger seconded

Vote - 7 yes, 0 no

Motion passes

Senator Armstrong will carry

Date: 2/19/13  
Roll Call Vote #: 1

2013 SENATE STANDING COMMITTEE  
ROLL CALL VOTES  
BILL/RESOLUTION NO. 1155

Senate JUDICIARY Committee

Check here for Conference Committee

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

Action Taken:  Do Pass  Do Not Pass  Amended  Adopt Amendment  
 Rerefer to Appropriations  Reconsider

Motion Made By S. Armstrong Seconded By S. Grabinger

Senators	Yes	No	Senator	Yes	No
Chairman David Hogue	X		Senator Carolyn Nelson	X	
Vice Chairman Margaret Sitte	X		Senator John Grabinger		
Senator Stanley Lyson	X				
Senator Spencer Berry	X				
Senator Kelly Armstrong	X				

Total (Yes) 7 No 0

Absent 0

Floor Assignment S. Armstrong

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

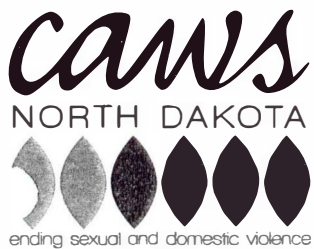
**REPORT OF STANDING COMMITTEE**

**HB 1155: Judiciary Committee (Sen. Hogue, Chairman)** recommends **DO PASS**  
(7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1155 was placed on the  
Fourteenth order on the calendar.



**2013 TESTIMONY**

**HB 1155**



HB 1155

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Testimony on HB 1155  
House Judiciary  
January 28, 2013

Chair Koppleman and Members of the Committee,

My name is Janelle Moos and I am the Executive Director of the CAWS North Dakota. Our Coalition is a membership based organization that consists of 21 domestic violence and rape crisis centers that provide services to victims of domestic violence, sexual assault, and stalking in all 53 counties and the reservations in North Dakota. I'm speaking this morning on their behalf in support of HB 1155.

Several studies indicate that few sexual assault victims report the crime and even fewer do so immediately. The National Violence Against Women Survey conducted in 1992 and again in 2006 indicated that a very small minority (16-19%) of victims reported their sexual assault to law enforcement. Of these, only ¼ reported the crime within 24 hours. In other words, most victims don't report their sexual assault to the police, and when they do, it is usually after some delay.

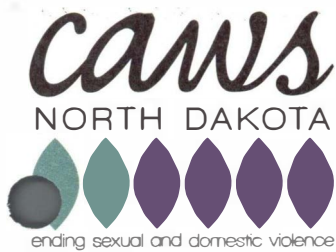
As Representative Delmore mentioned HB 1155 is a clean-up bill to align language found in subsection 4 of section 54-23.4-06 relating to the time frame victims have to report to law enforcement after a crime in order to be eligible for crime victims compensation with current best practices.

Specifically, two years ago, a statewide working group consisting of law enforcement, advocates, and nurses drafted forensic medical exam practices related to sexual assault investigations. During one work group meeting, the conversation focused on the timeframe for reporting to law enforcement and the collection of evidence after a sexual assault. Under current best practice, nurses can collect forensic evidence through the use of rape kit up to 96 hours after the assault. The group noted the inconsistency in the proscribed best practice and what's currently in statute under the crime victim compensation program that states victims have to report to law enforcement within 72 hours in order to be eligible for compensation. It was the consensus of the group that the time allowed to collect evidence and report to law enforcement should be consistent (96 hours).

As you can see in the bill draft this is the only change being made to the crime victim compensation program requirements. Victims will still only have 1 year to file a claim after the assault in order to be eligible for compensation so this minor change should not result in a dramatic increase in the number of claims. The Department of Corrections supports this change and doesn't foresee any major impact on the program or their workload.

Sexual assault victims face many challenges in reporting the time requirement to report to law enforcement shouldn't be one more that they have to overcome in order to pursue justice and healing, therefore, I urge a DO PASS on HB 1155.

Thank you.



2/19 (1)  
1155  
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Testimony on HB 1155  
Senate Judiciary  
February 19, 2013

Chair Hogue and Members of the Committee,

My name is Janelle Moos and I am the Executive Director of the CAWS North Dakota. Our Coalition is a membership based organization that consists of 21 domestic violence and rape crisis centers that provide services to victims of domestic violence, sexual assault, and stalking in all 53 counties and the reservations in North Dakota. I'm speaking this morning on their behalf in support of HB 1155.

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Thank you.