

FISCAL NOTE
Requested by Legislative Council
02/15/2019

Amendment to: HB 1262

- 1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2017-2019 Biennium		2019-2021 Biennium		2021-2023 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$0	\$0	\$0

- 1 B. **County, city, school district and township fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

	2017-2019 Biennium	2019-2021 Biennium	2021-2023 Biennium
Counties			
Cities			
School Districts			
Townships			

- 2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This bill establishes a statewide school safety and crisis hotline program in the Office of Attorney General.

- B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

Section 1 of the engrossed bill directs the Office of Attorney General to encourage and promote the use of statewide and locally-selected school safety and crisis reporting programs. The bill also directs, that if funds become available, the Office of Attorney General may expand the program to include tailored reporting mechanisms targeted to incidents of bullying and physical or sexual abuse and conduct outreach to promote awareness of statewide or locally-selected school safety and crisis reporting programs. It further allows the Office of Attorney General to accept gifts, grants and donations from any source for the purpose of carrying out these duties.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

- A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

Any revenues are unknown at this point.

- B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

The engrossed bill does not present an expenditure impact on the agency's expenditures unless funds become available.

- C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

The engrossed bill does not have a appropriations fiscal impact unless grants. gifts, etc. are received.

Name: Kathy Roll

Agency: Office of Attorney General

Telephone: 7013283622

Date Prepared: 02/16/2019

FISCAL NOTE
Requested by Legislative Council
01/10/2019

Bill/Resolution No.: HB 1262

- 1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2017-2019 Biennium		2019-2021 Biennium		2021-2023 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures	\$0	\$0	\$288,706	\$0	\$297,472	\$0
Appropriations	\$0	\$0	\$288,706	\$0	\$297,472	\$0

- 1 B. **County, city, school district and township fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

	2017-2019 Biennium	2019-2021 Biennium	2021-2023 Biennium
Counties			
Cities			
School Districts			
Townships			

- 2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This bill establishes a statewide school safety and crisis hotline program in the Office of Attorney General.

- B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

Section 1 of the bill requires the Office of Attorney General to establish and administer a statewide program for receiving reports and other information related to school and student safety, including potential self-harm and potential harm or criminal acts directed at students, school employees, or schools.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

- A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

N/A

- B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

In order to provide oversight for the program the Office of Attorney General will need \$288,706 for the 2019-21 biennium and \$297,472 for the 2021-23 biennium from the general fund for a criminal investigator.

The Office of Attorney General would likely contract with regional Department of Human Services centers. According to the Department of Human Services it would cost about \$2,800 per incident when their counseling services are provided.

Although other expenses related to the program are anticipated, the Office is unable to provide a reasonable estimate due to the inability to estimate the number of such incidents in a biennium.

Project StandUp is a South Dakota program which provides for anonymous text messages to a system which sends the information directly to school officials and local law enforcement. If North Dakota looks to use this system, the additional component(s) to the system are estimated to cost \$30,000. Private funding may be available to pay this cost, however it is not guaranteed.

- C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

In order to provide oversight for the program the Office of Attorney General will need \$288,706 for the 2019-21 biennium and \$297,472 for the 2021-23 biennium from the general fund for a criminal investigator.

The Office of Attorney General would likely contract with regional Department of Human Services centers. According to the Department of Human Services it would cost about \$2,800 per incident when their counseling services are provided.

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Project StandUp is a South Dakota program which provides for anonymous text messages to a system which sends the information directly to school officials and local law enforcement. If North Dakota looks to use this system, the additional component(s) to the system are estimated to cost \$30,000. Private funding may be available to pay this cost, however it is not guaranteed.

Neither the current budget or the executive recommendation included funding for this program.

Name: Kathy Roll

Agency: Office of Attorney General

Telephone: 7013283622

Date Prepared: 01/15/2019

2019 HOUSE EDUCATION

HB 1262

2019 HOUSE STANDING COMMITTEE MINUTES

Education Committee
Coteau A Room, State Capitol

HB1262
1/16/2019
30866

- Subcommittee
 Conference Committee

Committee Clerk: Bev Monroe

Explanation or reason for introduction of bill/resolution:

Relating to the establishment of a school safety and crisis hotline program; and to provide for a continuing appropriation.

Minutes:

Attachment 1, 2, 3

Chairman Owens: Opened the hearing on HB 1262. Sponsor of the bill is delayed; invitation for those in favor to present testimony.

Anna Frissell, Red River Children's Advocacy Center: (1:35) (See Attachment #1) (4:45)

Chairman Owens: Any questions from the committee? Are there any more recent studies about reporting child sexual abuse?

Ms. Frissell: I will check on that and email you if I find more recent studies on the reporting of it.

Chairman Owens: Any further questions?

Vice Chairman Cynthia Schreiber-Beck: When you have the number of people served (in 2018), do you have an age breakdown that we can categorize the ages you're seeing.

Ms. Frissell: We have the demographics for the 928 sexual abuse victims. We do not keep the demographics for every prevention education piece that we do. I can get you the demographics for sexual abuse in North Dakota. (6:30)

Chairman Owens: Any further questions?

Rep. Hoverson: Do you know if this has been done in other states?

Ms. Frissell: Reporting mechanisms?

Rep. Hoverson: Correct.

Ms. Frissell: There are those with better knowledge than I with testimony coming up. If I don't hear that testimony, I will add that to my email. That is a good question.

Chairman Owens: Anyone else in support of HB 1262.

Janice Bundas: (7:45) (See Attachment 2) (12:48)

Chairman Owens: Thank you for your courage to come forward. Any questions from the committee?

Rep. Satrom: (14:00) (See Attachment 3) Originally this was a bill about a hotline. In South Dakota there are some things where there is a hotline where you can text if there is a situation. As I mentioned, the hotline bill morphed into a situation where we can potentially text. There are some things in place and have some friendly amendments which would address things like bullying, abuse, drugs, concern for safety, terrorism. Any issues that could be addressed through a texting report.

Chairman Owens: Any questions from the committee?

Vice Chairman Cynthia Schreiber-Beck: The previous presenter spoke about listing a hotline where you would be able to text? Is that what your amendments address? Does it eliminate the duties of the Attorney General's Office?

Rep. Satrom: Correct. One of the issues we had would be a rather large fiscal note and it is pretty complicated to do that. In South Dakota at this time there is a program in place where people are allowed to text. The idea is that we would be able to piggyback on to that and there may be some federal funds available, too; maybe a grant. (going over Attachment 3) (19:45)

Chairman Owens: Any questions from the committee?

Chairman Owens: Any questions from the committee? Anyone else in support of HB 1262?

Jack McDonald, ND Newspaper Association and ND Broadcasters Association: (20:00) We, as a group, support this bill and this effort. With the amendments, it seems like a contradiction from the original bill and I am not sure what is left after the hearing amendments. On page 2 of the original bill, on lines 3 and 4, one of the objects was to encourage state and local media providers to promote the program by informing the public of its functions and benefits. On line 18 it says that all records are closed records. I don't know how the media is to promote the program and explain its benefits, yet everything about the program is closed records. I am not sure how the amendments affect that. I am unclear of several issues regarding this bill. (21:50)

Chairman Owens: If the amendment is accepted, the promotion portion was deleted. I'm sure the reference to the closed records were in reference to identification of the individuals.

Mr. McDonald: (22:13) At the same time I think you would want the public to know what you are doing as far as promoting safety.

Chairman Owens: Seeing no further questions, thank you. Anyone else in support of HB 1262.

Aimee Copas, NDCEL: (22:50) Some hotlines are in place. Project Standup is a project that operates in South Dakota. A number of our districts can see tremendous value in the project and a number of districts that have robust systems in place and partnerships with local law enforcement and did not want to eliminate one that was working to go to another name of another that was similar to it. We are in support of the bill.

Chairman Owens: Anyone else in favor of the bill?

Vice Chairman Cynthia Schreiber-Beck: How many districts have them in place?

Aimee Copas: Most of the larger communities do. Some of the smaller communities are where this program would be beneficial to them. I can get some information to you.

Chairman Owens: Anyone else in favor of HB 1262. Any in opposition? Any neutral testimony?

Janice Bundas: In Wyoming, they have posters in schools and it's totally funded. The call center and the posters being printed is totally funded by the federal government. It is called Wyoming Safe to Tell. It is administered out of the Attorney General's Office and is my understanding that they have assemblies for students in schools and also for the community.

Chairman Owens: Any neutral testimony? Hearing is closed on HB 1262.

2019 HOUSE STANDING COMMITTEE MINUTES

Education Committee
Coteau A Room, State Capitol

HB 1262
2/12/2019
32576

- Subcommittee
 Conference Committee

Committee Clerk: Bev Monroe

Explanation or reason for introduction of bill/resolution:

Relating to the establishment of a school safety and crisis hotline program; and to provide for a continuing appropriation

Minutes:

Chairman Owens: We have an amendment that was offered by the bill's sponsor. It changes school safety and crisis hotline to school safety and crisis reporting and it deletes the rest of lines 1-24 on page 1 and it replaces it with 'the Attorney General shall encourage and promote the use of statewide and locally selected school safety and crisis reporting programs. If funding becomes available the Attorney General may expand the statewide program to include tailored reporting mechanisms targeted to incidents of bullying and physical or sexual abuse; and conduct outreach to promote awareness of statewide or locally-selected school safety and crisis reporting programs and then it removes lines 1-17 on page 2, starting on line 18, it should be 'the programs' and then 'shall' to 'may on line 24. It changes it to a reporting requirement only.

Vice Chairman Cynthia Schreiber-Beck: From talking with Rep. Satrom, reading some emails and communication with the Attorney General's office, there may be federal dollars available for this and that is why page 1, item 2, if funding becomes available. As far as I know there may be funding that becomes available.

Rep. Mary Johnson: (inaudible)

Rep. Brandy Pyle: **Motion** to accept the amendments as proposed by the bill sponsor.

Rep. Michelle Strinden: **Seconded.**

Chairman Owens: Any further discussion?

A Roll Call Vote was taken: Yes 13, No 1, Absent 0.

2019 HOUSE STANDING COMMITTEE MINUTES

Education Committee
Coteau A Room, State Capitol

HB 1262
2/13/2019
32673

- Subcommittee
 Conference Committee

Committee Clerk: Bev Monroe

Explanation or reason for introduction of bill/resolution:

Relating to the establishment of a school safety and crisis hotline program; and to provide for a continuing appropriation

Minutes:

Chairman Owens: What you have before you is the amendment and the Christmas tree version of that amendment. Any discussion?

Rep. Mary Johnson: (inaudible)

Chairman Owens: I believe that was the discussion we heard about the amendment. The purpose was to leave in their ability to get some grants.

Rep. Ron Guggisberg: As I understand it, it would only be enacted or used if the Attorney General got a federal grant. The federal grant would probably come with some strings. I am afraid if we codify some of this it may not work with the federal grant. I think this is something the Attorney General could do if the program is available without us making another law.

Rep. Mary Johnson: Because section 1 was a new section, but now it's not, should we not (inaudible) the reference to the (inaudible).

Chairman Owens: It is referring to that.

Vice Chairman Cynthia Schreiber-Beck: A question to Rep. Guggisberg, the Attorney General may adopt rules necessary to administer the duties required to carry out this section. They are at liberty if indeed there were federal funds. This doesn't codify what they have to do.

Rep. Ron Guggisberg: They may do that now.

Chairman Owens: I appreciate your earlier comments but now that I read it over multiple times it looks like all he is doing is encouraging the development of a program and may create reporting mechanisms and then he can accept money. I don't see anything the federal

government would say if they are going to give them money in a block or program grant. Any comments or questions?

Rep. Brandy Pyle: The Attorney General has the ability and the authority to do this program without us passing a bill, yes or no?

Chairman Owens: It was my understanding that without this they couldn't accept grants and donations.

Rep. Mary Johnson: (inaudible)

Chairman Owens: Understood, and that was taken out. That was taken out by an amendment brought to us by the sponsor.

Rep. Brandy Pyle: I was looking at Chapter 54-12, which describes the duties of the Attorney General and there really isn't anything in there regarding school safety and crisis reporting programs, but we do have a human trafficking commission. My question is can he do this without us telling him to?

Vice Chairman Cynthia Schreiber-Beck: May I read an email that was forwarded to me from the bill sponsor and the email is written by Molly Goebel from the Attorney General's office. "Attached are the proposed amendments we discussed briefly yesterday which would allow us to pursue federal funding to expand and increase the awareness and effectiveness of Project Standup. If this is agreeable, Legislative Council can get it cleaned up and finalized for you. If you have any questions or changes, I'm happy to help." Those were attached to the proposed amendments, so they were proposed by the Attorney General's Office in order for them to allow to pursue federal funding to expand the increase the awareness and effectiveness of Project Standup.

Chairman Owens: I remember this giving them the ability to go after some money for this purpose.

Rep. Andrew Marschall: Is that already in there?

Chairman Owens: We did that before and I didn't want you voting on it until you could see it in context so I asked for a Christmas tree version. Any further discussion?

Rep. Mary Johnson: I will move a **Do Pass** on amended HB 1262. Is there a second?

Rep. Pat D. Heinert: **Seconded.**

A Roll Call Vote was taken: Yes 11, No 2, Absent 1. Rep. Mary Johnson will carry HB 1262.

February 12, 2019

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1262

Page 1, line 2, replace "establishment of a school safety and crisis hotline program" with "expansion of existing school safety and crisis reporting programs"

Page 1, line 7, replace "hotline program" with "reporting programs"

Page 1, remove lines 9 through 24

Page 2, replace lines 1 through 17 with:

- "1. The attorney general shall encourage and promote the use of statewide and locally-selected school safety and crisis reporting programs.
2. If funding becomes available, the attorney general may:
 - a. Expand a statewide program to include tailored reporting mechanisms targeted to incidents of bullying and physical or sexual abuse; and
 - b. Conduct outreach to promote awareness of statewide or locally-selected school safety and crisis reporting programs.

Page 2, line 18, replace "2." with "3."

Page 2, line 18, replace "this program required under" with "the programs described in"

Page 2, line 20, replace "3." with "4."

Page 2, line 24, replace "4." with "5."

Page 2, line 24, replace "shall" with "may"

Renumber accordingly

Date: 2-12-19
 Roll Call Vote #: 1

**2019 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. 1862**

House Education Committee

Subcommittee

Amendment LC# or Description: 19.0119.01001

- Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
 Other Actions: Reconsider _____

Motion Made By Rep. Pyle Seconded By Rep. Strinden

Representatives	Yes	No	Representatives	Yes	No
Chairman M. Owens	✓		Rep. Guggisberg	✓	
V. Chair. Schreiber-Beck	✓		Rep. Hager	✓	
Rep. Heinert	✓				
Rep. Hoverson		✓			
Rep. D. Johnson	✓				
Rep. M. Johnson	✓				
Rep. Johnston	✓				
Rep. Longmuir	✓				
Rep. Marschall	✓				
Rep. Pyle	✓				
Rep. Strinden	✓				
Rep. Zubke	✓				

Total (Yes) 13 No 1

Absent 0

Floor Assignment _____

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

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

**2019 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. 1262**

House Education Committee

Subcommittee

Amendment LC# or Description: 19.0119,01001

Title, 02000

- Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
 Other Actions: Reconsider

Motion Made By Rep M. Johnson Seconded By Rep. Heinert

Representatives	Yes	No	Representatives	Yes	No
Chairman M. Owens	✓		Rep. Guggisberg		✓
V. Chair. Schreiber-Beck	✓		Rep. Hager	✓	
Rep. Heinert	✓				
Rep. Hoverson		✓			
Rep. D. Johnson	A				
Rep. M. Johnson	✓				
Rep. Johnston	✓				
Rep. Longmuir	✓				
Rep. Marschall	✓				
Rep. Pyle	✓				
Rep. Strinden	✓				
Rep. Zubke	✓				

Total (Yes) 11 No 2

Absent 1

Floor Assignment Rep. M. Johnson

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

REPORT OF STANDING COMMITTEE

HB 1262: Education Committee (Rep. Owens, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1262 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "establishment of a school safety and crisis hotline program" with "expansion of existing school safety and crisis reporting programs"

Page 1, line 7, replace "hotline program" with "reporting programs"

Page 1, remove lines 9 through 24

Page 2, replace lines 1 through 17 with:

- "1. The attorney general shall encourage and promote the use of statewide and locally-selected school safety and crisis reporting programs.
2. If funding becomes available, the attorney general may:
 - a. Expand a statewide program to include tailored reporting mechanisms targeted to incidents of bullying and physical or sexual abuse; and
 - b. Conduct outreach to promote awareness of statewide or locally-selected school safety and crisis reporting programs.

Page 2, line 18, replace "2." with "3."

Page 2, line 18, replace "this program required under" with "the programs described in"

Page 2, line 20, replace "3." with "4."

Page 2, line 24, replace "4." with "5."

Page 2, line 24, replace "shall" with "may"

Renumber accordingly

2019 SENATE EDUCATION

HB 1262

2019 SENATE STANDING COMMITTEE MINUTES

Education Committee
Sheyenne River Room, State Capitol

HB 1262
3/4/2019
33082

- Subcommittee
 Conference Committee

Committee Clerk: Lynn Wolf

Explanation or reason for introduction of bill/resolution:

A bill relating to the expansion of existing school safety and crisis reporting programs; and to provide for a continuing appropriation.

Minutes:

No Attachments.

Chairman Schaible: The hearing for HB 1262 is open.

Representative Bernie Santrom, Dist. 12: The bill that you have before you today is quite simple. It would allow for a crisis and school safety hotline program, assuming that grant money might be available. It would cover issues – basically anything from terrorism to abuse or anything else that would be potentially have the opportunity where a student could text or call concerns. In some places in the state, they are already - there are some programs in place. The idea is if some money is available that this could be wide spread. I should mention that in South Dakota, I believe I am under the understanding that they have a similar program that has been quite effective. I don't have a lot of information – this program stated out – it kind of morphed from the original concept – but I think it is a good thing and I it is headed in a good direction.

(1: 18) Chairman Schaible: Do you know where the money came from for the South Dakota program funding?

Representative Bernie Santrom: I do not know. I think there was some – I believe there was a federal grant and I believe it had something to do with the – I shouldn't say.

Senator Rust: Why the Attorney General? You use the Attorney General – I was wondering is there a particular reason you use the Attorney General?

Representative Bernie Santrom: I'm not sure exactly why we would have that. I think probably because they would – particularly if it was a case of abuse – they would be maybe the most likely group to know how to process some kind of a claim.

Senator Rust: I am trying to remember; I think that schools currently report some of that information as it is to the state superintendent of public instruction. Are you aware of the things that are already forced to be reported?

Representative Bernie Santrom: I think this is – I am not familiar – I assume that they are mandatory reporters, however, this is a case where the student themselves could text or call in and

say I have a concern – I have a problem. In a lot of the issues, we are talking about would be of more of a criminal type nature most likely and so that is why I think the Attorney General might make more sense than the Department of Public Instruction

Senator Rust: Much of the bill is permissive – “shall encourage,” “may seek,” “may adopt.” Nothing is a requirement in here. Is that correct.

Representative Bernie Santrom: Yes, that is correct. I think the main intention is was that should money be available, it would happen. If it doesn't happen, then obviously – I didn't want it to die because of a fiscal note. Like I said, there are some states where things are happening where either federal or local private funds are coming in and it is happening. This would be an opportunity to take advantage of that if those funds are available.

Chairman Schaible: So would you hope that the Attorney General's office would go and solicit funds?

Representative Bernie Santrom: I think so; I think there is some – I apologize that I am not fully aware of all the nuances there. I am hopeful that they will or that they would be aware of it and this would be an obvious – great place to do it. Like I said, there are some places that are already doing that in ND, so, if we can advance this to a statewide program, I think that would be tremendous.

Chairman Schaible: Other question? Seeing none, thank you. Testimony in favor of the bill. Agency testimony? Testimony opposed to the bill? Seeing none, the hearing for HB 1262 is closed.

2019 SENATE STANDING COMMITTEE MINUTES

Education Committee
Sheyenne River Room, State Capitol

HB 1262
3/5/2019
No Recording

- Subcommittee
 Conference Committee

Committee Clerk: Lynn Wolf

Explanation or reason for introduction of bill/resolution:

A bill relating to the expansion of existing school safety and crisis reporting programs; and to provide for a continuing appropriation.

Minutes:

No Attachments.

Chairman Schaible: Committee, we will look at HB 1262.

Senator Davison: I move Do Not Pass on HB 1262.

Senator Oban: Second.

Roll Call Vote: 7 Yeas; 0 Nays; 0 Absent.

Motion Carries.

Senator Davison will carry the bill.

Date: 3-5-19
Roll Call Vote #: 1

2019 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1262

Senate Education Committee

Subcommittee

Amendment LC# or Description: _____

- Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
- Other Actions: Reconsider _____

Motion Made By Davison Seconded By Oban

Senators	Yes	No	Senators	Yes	No
Chairman Schaible:	✓		Senator Marcellais:	✓	
Vice-Chairman Fors:	✓		Senator Oban:	✓	
Senator Davison	✓				
Senator Elkin:	✓				
Senator Rust:	✓				

Total (Yes) 7 No 0

Absent 0

Floor Assignment Sen Davison

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

REPORT OF STANDING COMMITTEE

HB 1262, as engrossed: Education Committee (Sen. Schaible, Chairman) recommends DO NOT PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).
Engrossed HB 1262 was placed on the Fourteenth order on the calendar.

2019 TESTIMONY

HB 1262

HB 1262
1/16/19
#1

House Education Committee
Testimony In Support of House Bill 1262
January 16, 2019

Chairman and Members of the Committee.

For the record, my name is Anna Frissell. I am the Red River Children's Advocacy Center. I am here today to ask for your support for House Bill 1262.

The Children's Advocacy Centers of North Dakota are committed to improving the response to and prevention of child abuse, neglect and exploitation. Each of the Children's Advocacy Centers (CAC) across North Dakota works with team members from social services, law enforcement, prosecution, victim advocacy and the medical and mental health communities to provide evidence-based services to help the child and family heal and to increase successful prosecutions. We also work to establish sound relationships with schools, faith communities, organizations, clubs and the wide variety of places where we can touch lives and build awareness, all with the end goal of enhancing our services to children and families.

It is estimated there are 42 million survivors of child sexual abuse in the US and research tells us that 60% of victims never tell^{1,2}. Child abuse also happens in North Dakota. In 2018 Children's Advocacy Centers in ND served 2628 people and provided 21486 services to them, this included 924 alleged victims of sexual abuse.

House Bill 1262 provides for the statewide establishment of a school safety and crisis hotline offering children a safe opportunity to report to a trained adult who will triage the call or provide crisis management. Granted, this Bill is about the

HB 1262
1/16/19
#1

reporting of a variety of crisis, which will include child abuse, neglect and exploitation.

Unfortunately, reporting child abuse is complicated. Only about one third of child sexual abuse incidents are identified, and even fewer are reported.^{3,4} National statistics show that school personnel report about 52% of all child abuse cases, more than any other profession or organizational type, including child protective service agencies and the police.⁵

This tells us at least two things: First, that most abuse goes unreported. Secondly, that when it is reported, it will likely be in the school setting.

The North Dakota Children's Advocacy Centers play a critical role in ensuring the safety of abused children in our state. We certainly, support increasing and improving reporting means and mechanisms. This Bill provides for a new reporting option for kids to safely disclose or make a report of abuse and as such it has our support.

Chairman and Members of the Committee, thank you for allowing me the opportunity to testify before you today and I will be happy to try and answer any of your questions.

1. London, K., Bruck, M., Ceci, S., & Shuman, D. (2003) Disclosure of child sexual abuse: What does the research tell us about the ways that children tell? *Psychology, Public Policy, and Law*, 11(1), 194-226.
2. Ullman, S. E. (2007). Relationship to perpetrator, disclosure, social reactions, and PTSD symptoms in child sexual abuse survivors. *Journal of Child Sexual Abuse*, 16(1), 19-36.
3. London, K., Bruck, M., Ceci, S., & Shuman, D. (2003) Disclosure of child sexual abuse: What does the research tell us about the ways that children tell? *Psychology, Public Policy, and Law*, 11(1), 194-226.
4. Ullman, S. E. (2007). Relationship to perpetrator, disclosure, social reactions, and PTSD symptoms in child sexual abuse survivors. *Journal of Child Sexual Abuse*, 16(1), 19-36.

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#1

5. Sedlak, A.J., Mettenburg, J., Basena, M., Petta, I., McPherson, K., Greene, A., and Li, S. (2010). Fourth National Incidence Study of Child Abuse and Neglect (NIS-4): Report to Congress. Executive Summary. Washington, DC: U.S. Department of Health and Human Services, Administration for Children and Families.



**CHILDREN'S
ADVOCACY
CENTERS**
OF NORTH DAKOTA

2018 Stats

Number of People Served 2628
Number of Kids Served 1829
Total Number of Services 21486

Sessions by type of service	Forensic Interview	1023
	MDT Meeting	92
	MDT Cases Reviewed	142
	MDT Members @ case review	400
	Medical	323
	Mental Health	2850
	Victims Advocacy	17148
	Total	21486
Gender of Alleged Victim	Female	917
	Male	459
	Total	1376
Age of Alleged Victim	Age 0-6	438
	Age 7-12	556
	Age 13-18	348
	Age 19 and Older	41
	Total	1383
Race	Asian/Pacific Islander	6
	Black/African American	102
	Caucasian	954
	Hispanic/Latino	54
	Native American	280
	Bi-Racial/Multiracial	37
	Other	5
	Unknown	15
	Total	1449

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Allegation of Abuse	Drug Endangered	64
	Neglect	187
	Other	49
	Physical Abuse	277
	Sexual Abuse	924
	Witness to Violence	111
	N/A	145
	Total	1757

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Honorable Chairman Owens and Committee Members my name is Janice Bundas.

I am a child advocate working nationwide on behalf of child abuse victims who are suffering sexual abuse and remain silence because they and don't know where to go to find help.

Passing this legislation would allow North Dakota to join 35 other states that require ~~that~~ their state's hotline phone number be posted in schools.

I can speak for children who are suffering sexual abuse in silence. I was molested by my Father before I reached the age of 6 years old. While attending elementary school I was molested by my own 2 brothers and a cousin. The abuse continued up to junior high school. They acted together as a group and as individuals. I was raped. My mother and aunt knew I was being molested. And they didn't stop the abuse. They chose to protect the predators; I was warned not to tell. I watched my own mother walk through the room when I was being molested. She never once offered to help me. And when I complained to her about the pain I felt in my genitals- she told me to use Vaseline. Often times other people would be in the same room watching television when I was being molested; they ignored what was happening to me. I wanted to scream. I didn't because I knew no one cared. I knew I had no value. I didn't know where to find help.

go to I kept the family secret I didn't even tell my husband about my child hood - until my cousin my midfifties

As a child advocate, I asked myself what could have been in place- that would have helped me as a child-that would help children today. The state having their hotline number available to student in school is the solution.

Providing students with the hotline number is the perfect mechanism to accomplish 4 goals:

- ~~#~~ #1. It gives students the knowledge they are valued
- ~~#~~ #2. It empowers students with the knowledge they have the right to self report abuse to authorities
- ~~#~~ #3. It provides them the mechanism to report abuse-while in the safe environment of school-without having to look an adult in the eye to

make the initial report

- #4. It puts predators on notice

The following nationwide statistics are provided by Darkness to Light and the Center of Child Advocacy:

- Children who live in rural areas are twice as likely to be victims of child sexual abuse
- 40% of children who are sexually abused are abused by older, more powerful **children**.
- 1 in every 7 girls - 1 in every 25 boys will be sexually abused before they turn 18
- The average age of a child who is sexually abused is 9 years old

Consider the financial impact the following statistics have on North Dakota:

- 60% of Women who are incarcerated had been sexually abused
- 45% of pregnant teens report a history of child sexual abuse
- Drug and Alcohol dependency-70% preceded by sexual abused
- Sexually Transmitted Diseases including AIDS- 60% preceded by sexual abuse

Currently, students who are victims of sexual abuse in ND have 3 main options available to them to report abuse:

- 1. They can call 911 (but the thought of a police officer coming into my home would have stopped me from making that call).
- 2. They can make a report at school to a mandated reporter (personally, I never would have looked a teacher or any mandated reporter, in the eye and told them what was being done to me)
- 3. They can go online to complete a form (that is if they

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have access to a computer, and the time to complete the search and make a report without being detected)

I tried to maneuver the online reporting system and could not-it is COMPLICATED. I called spoke to an administrator, who was kind enough to walk me through the online program...but my system froze. (Which would happen to a victim).

My family intended to harm me. What they did was evil -but now that evil has been turned into something good. I am here today to give my testimony to you in order to encourage you to educate students who are being sexually abused. This can easily be done by posting a phone number that they can call or text in order to receive help.

in schools such
I encourage and urge you to vote yes to pass this legislation.

Thank you for giving me an opportunity to speak concerning this matter.

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1262

Page 1, line 2, replace "establishment of a school safety and crisis hotline" with "expansion of existing school safety and crisis reporting programs"

Page 1, line 7, replace "hotline program" with "reporting programs"

Page 1, replace lines 9 through 24 with:

1. The attorney general shall encourage and promote the use of statewide and locally-selected school safety and crisis reporting programs.
2. If funding becomes available, the attorney general may:
 - a. Expand a statewide program to include tailored reporting mechanisms targeted to incidents of bullying and physical or sexual abuse; and
 - b. Conduct outreach to promote awareness of statewide or locally-selected school safety and crisis reporting programs

Page 2, remove lines 1 through 17

Page 2, line 18, replace "this program required under" with "the programs described in"

Page 2, line 24, replace "shall" with "may"

Renumber accordingly