

2011 SENATE JUDICIARY

SB 2247

2011 SENATE STANDING COMMITTEE MINUTES

Senate Judiciary Committee
Fort Lincoln Room, State Capitol

SB2247
1/25/11
Job #13367

☐ Conference Committee

Committee Clerk Signature

Explanation or reason for introduction of bill/resolution:

Relating to a domestic violence fatality review commission

Minutes:

There is attached written testimony

Senator Nething – Chairman

Senator Olafson – District 10 – Introduces the bill

Janelle Moos – Executive Director of the ND Council on Abused Women's Services.
See written testimony

Senator Lyson – Brings the point that it can also be domestic violence against men.

Wayne Stenehjem – Attorney General – Provides a handout on ND crime statistics. He said out of 217 homicides in ND, 116 of those are determined to be domestic violence type cases. He points out the number of aggravated assaults at 300 in 2000 to 2003 then it starts to skyrocket to 800.

Senator Sitte – Asks for records on how many of the aggravated assaults were in domestic abuse situations.

Stenehjem – Said he does have that and will get it to the committee. He also gives out a homicide report.

Senator Olafson – Said it was mentioned that most other states have this in place and asks how it is working and the benefits.

Stenehjem – Responds 46 states have it. He also adds there is a child fatality panel that is not part of his office. He would like to look at other protocols, programs, other additional things that could be done to alleviate or reduce the amount of domestic violence.

JoAnne Hoesel – Director of the Division of Mental Health & Substance Abuse Services, for the Department of Human Services. See written testimony.

Senator Nelson – Co-sponsor of this bill – relates her family history related to this bill is pleased to be a sponsor of this bill.

Opposition – 0

Close the hearing 2247

2011 SENATE STANDING COMMITTEE MINUTES

Senate Judiciary Committee
Fort Lincoln Room, State Capitol

SB2247
1/26/11
Job #13498

☐ Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Relating to a domestic violence fatality review commission

Minutes:

Senator Nething – Chairman

Committee discussion

Senator Olafson moves a do pass
Senator Nelson seconds

Roll call vote – 6 yes, 0 no
Motion passes

Senator Olafson will carry

FISCAL NOTE
Requested by Legislative Council
03/17/2011

Amendment to: SB 2247

1A. 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.*

	2009-2011 Biennium		2011-2013 Biennium		2013-2015 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures			\$0	\$19,583	\$0	\$21,541
Appropriations			\$0	\$19,583	\$0	\$21,541

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

2009-2011 Biennium			2011-2013 Biennium			2013-2015 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2A. 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 provides for creation of a domestic violence fatality review commission 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 provides for the domestic violence fatality review commission to review domestic violence deaths that have occurred in the state. The commission meetings, assuming 9-10 members and travel costs for 4 meetings per biennium would cost approximately \$9,440 for the 2011-13 biennium and \$10,384 for the 2013-15 biennium.

If the office's investigative agents are required to perform investigations, overtime and travel costs for 12 investigations per biennium are estimated to cost \$10,143 in the 2011-13 biennium and \$11,157 in the 2013-15 biennium.

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.*

See section 2B Fiscal Impact section.

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 is also included in the executive budget or relates to a continuing appropriation.*

The Office of Attorney General's appropriation will need to be increased by \$19,583 from federal or other funds (grants) to pay for the costs of the domestic violence fatality review commission work. The Executive

Recommendation could not contemplate funding for this new commission.

Name:	Kathy Roll	Agency:	Office of Attorney General
Phone Number:	701-328-3622	Date Prepared:	03/21/2011

FISCAL NOTE

Requested by Legislative Council
02/07/2011

REVISION

Bill/Resolution No.: SB 2247

1A. 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.*

	2009-2011 Biennium		2011-2013 Biennium		2013-2015 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
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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 provides for the domestic violence fatality review commission to review domestic violence deaths that have occurred in the state. The commission meetings, assuming 9-10 members and travel costs for 4 meetings per biennium would cost approximately \$9,440 for the 2011-13 biennium and \$10,384 for the 2013-15 biennium.

If the office's investigative agents are required to perform investigations, overtime and travel costs for 12 investigations per biennium are estimated to cost \$10,143 in the 2011-13 biennium and \$11,157 in the 2013-15 biennium.

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.*

See section 2B Fiscal Impact section.

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 is also included in the executive budget or relates to a continuing appropriation.*

The Office of Attorney General's appropriation will need to be increased by \$19,583 from the general fund to pay for the costs of the domestic violence fatality review commission. The Executive Recommendation could not contemplate funding for this new commission.

Name:	Kathy Roll	Agency:	Office of Attorney General
Phone Number:	328-3622	Date Prepared:	02/07/2011

FISCAL NOTE

Requested by Legislative Council
01/19/2011

Bill/Resolution No.: SB 2247

1A. 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.*

	2009-2011 Biennium		2011-2013 Biennium		2013-2015 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures			\$19,583		\$21,541	
Appropriations			\$19,583		\$21,541	

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2009-2011 Biennium			2011-2013 Biennium			2013-2015 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2A. 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 provies for creation of a domestic violence fatality review commission 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 provides for the domestic violence fatality review commission to review domestic violence deaths that have occurred in the state. The commission meetings, assuming 9-10 members and travel costs for 4 meetings per biennium would cost approximately \$9,440 for the 2011-13 biennium and \$10,384 for the 2013-15 biennium.

If the office's investigative agents are required to perform investigations, overtime and travel costs for 12 investigations per biennium are estimated to cost \$19,583 in the 2011-13 biennium and \$21,541 in the 2013-15 biennium.

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.*

See section 2B Fiscal Impact section.

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 is also included in the executive budget or relates to a continuing appropriation.*

The Office of Attorney General's appropriation will need to be increased by \$19,583 from the general fund to pay for

the costs of the domestic violence fatality review commission. The Executive Recommendation did not provide funding for this commission.

Name:	Kathy Roll	Agency:	Office of Attorney General
Phone Number:	328-3622	Date Prepared:	01/21/2011

Date: 1/24
Roll Call Vote # 1

2011 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 22417

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 Senator Olafson Seconded By Senator Nelson

Senators	Yes	No	Senators	Yes	No
Dave Nething - Chairman	X		Carolyn Nelson	X	
Curtis Olafson - V. Chairman	X				
Stanley Lyson	X				
Margaret Sitte	X				
Ronald Sorvaag	X				

Total (Yes) 6 No 0

Absent _____

Floor Assignment Senator Olafson

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

REPORT OF STANDING COMMITTEE

SB 2247: Judiciary Committee (Sen. Nething, Chairman) recommends **DO PASS**
(6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2247 was placed on the
Eleventh order on the calendar.

2011 SENATE APPROPRIATIONS

SB 2247

2011 SENATE STANDING COMMITTEE MINUTES

Senate Appropriations Committee Harvest Room, State Capitol

SB 2247
02-07-2011
Job # 14077

☐ Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A BILL relating to a domestic violence fatality review commission.

Minutes:

You may make reference to "attached testimony."

Chairman Holmberg called the committee to order on Monday, February 7, 2011 in reference to SB 2247. Present: Tad H. Torgerson, OMB and Roxanne Woeste, Legislative Council. He informed the committee that the fiscal note just arrived dated 02-07 which supersedes the old one and the prime sponsor sends his apologies as he was not available to testify today.

Tom Trenbeath Chief Deputy Attorney General introduced and testified in favor of SB2247. It is not a Bill from our Department but it is one we do support. This came out of the Senate Judiciary Committee with a 6-0 DO PASS. It creates a domestic violence fatality review commission. It doesn't obligate the Attorney General to do that but it allows him to do that and he has stated his intention to follow through with it because he thinks it is a good idea. He talked about the fiscal note that reflects the projected cost of doing this activity over the course of the next biennium. It is in error and I will get the corrected one. He explained the fiscal note to the committee. (He was informed that is a corrected copy we just got). He stated about 54% of the homicides in the state are due to domestic violence. The most recent statistic we have is from 2009 which indicates that out of the 15 homicide total, 12 of them were due to domestic violence. This Bill would allow a Commission to go behind the scenes to investigate after the perpetrator is either in prison or buried, to go back and examine causes and try to come up with suggestions for how the system might be improved from a preventative point of view.

Chairman Holmberg stated they have asked other departments to consider adding some of these types of ongoing requests into their budgets, commented concerning their 8.5% and what is stopping your department from taking on this one.

Tom Trenbeath: We run a tight budget, the 8% that you see is mostly replacement of federal dollars through the absence of stimulus situation, but in all honesty on any given day I have a hard time to find the funds to pay the bills. It is not our bill, not in our budget, but we are asked to be the funding source for this commission.

V. Chair Bowman: With all the problems, why do we now have review committee? Haven't we learned anything from all the work we have done concerning domestic violence. Will it solve any problems?

Tom Trenbeath: We have in the office established several commissions over the course of the years, like open records meeting, commission on Bullying, and if and there's a bullying law that comes out of this session it will be based on the product of that commission. You are correct. There have been many ways at looking at domestic violence. This is the final step that hasn't been taken and that's after the occurrence we look to see if we can offer some services to prevent this from occurring again. I think it is worth a shot at a very limited cost. If you have policy questions, we will ask Janelle Moos to answer them.

Janelle Moos, Director of ND Council Abused Women Services: We have 21 domestic violence and rape crisis centers that are located across the state that provide services to these victims that you are referring to. Just last year alone we served 4500 victims of domestic violence in addition to another 4200 children that witnessed domestic violence. In response to your question, I think this is an opportunity we've never had a commission together that looked at fatalities so after a homicide has occurred what could we have done as a state or the community that experienced a homicide look deeply to say what could of the system done to help prevent it from

V. Chair Bowman made comments about the budget growing, and the needs that are out there, and has compassion for families going through these types of things, but felt this Bill would not make much of difference because it's after the fact

Janelle Moos: Over the last 30 years our victim service providers have looked what we have done in the past and what can we do better and different to make sure we are responding to what those victims' needs are, because they do vary across the state. We've appreciated working with the Attorney General's Office for this initiative and there is a child fatality review commission in the state and that commission has done some remarkable work over the years and has learned a lot of things about child deaths. It is also in 46 other states, look to them to ask what have they done, and how they get funding. I think it is an important initiative that the Attorney General Office does support but it is our Bill. Senator Olson is the prime sponsor and we appreciate the hard work they have done with us.

Senator Warner: Could you elaborate on specific issues relative to the Native American population and the domestic violence on the reservations and what role you would see for persons from those reservations to work with your commission to examine the causes of domestic violence?

Janelle Moos: We have 3 domestic violence programs on the reservations and they are members of our coalition but we also have a newly established tribal coalition, First Nations Women's Alliance, their director serves on our board so we do a lot of collaborative work to look at the crossovers both Native American women living on the reservation, off the reservation. Incidents of violence are much higher for women living on the reservation it would be important to include them on the beginning conversations about serving on the commission and what is going on in each of the reservations

Senator Warner made comments regarding the four murders in Minot, which sounded like they were all Native Americans and domestic related. He was told there was no determination on that matter yet.

Senator Wardner: On this money, I am concerned that we are just starting another commission. I am very familiar with domestic violence, and I think money like this could be spent at the other end, in counseling, for law enforcement to recognize the situation, to have more rooms available for spouses that are involved. As you know, it's a private thing, and until that spouse is ready to leave no one really knows. I do have sympathy because in my home we were a safe house at one time, but I don't see where this is going to do much and so that is where I am coming from.

Janelle Moos: I think both are important. Most of the funding that our programs receive is federal dollars, that's to make sure those services are available when victims do chose to leave and law enforcement can access some of those funding as well. There is a grant from the Health Department that law enforcement has to make sure they have the tools and resources they need to respond to the crime. We need to look how things can be done differently to prevent these crimes from happening.

Senator Wardner: Most people involved in domestic violence know exactly, they could get together in a half day conference and almost figure out what are some of the huge issues and what leads to things.

Janelle Moos: Although they may have those conversations there is never a place set aside that's safe to do that because we don't want to point fingers, no blame, no shame, we want them to really look at what it is and this commission would allow that.

Senator Fischer: You mentioned 4,500 cases in the past year. Is that 4,500 individual cases? She said that is correct. He asked what's the role in regarding child enforcement in this issue?

Janelle Moos: In the cases where the victims have separated out from the partner, so they were either separated or divorced and maybe still debating on custody or parenting time, it might be important to bring in child support enforcement so we could learn from that experience that that person had. So each individual on that commission might represent a different agency that had some interaction with either the offender or the victim, so it would be law enforcement victim advocates, child support visitation centers, medical even clergy look at all that might have had some interaction with the defender or victim as to what went wrong.

Chairman Holmberg asked if anyone else wanted to testify. **The subcommittee for the Attorney General's Office will be assigned this Bill. They are Senators Kilzer, Erbele, and Warner. The hearing on SB 2247 was closed.**

2011 SENATE STANDING COMMITTEE MINUTES

Senate Appropriations Committee Harvest Room, State Capitol

SB 2247
02-15-2011
Job # 14538 (Meter 14.12)

☐ Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A DO PASS ON THE BILL RELATING TO A DOMESTIC VIOLENCE FATALITY REVIEW COMMISSION.

Minutes:

You may make reference to "attached testimony."

Chairman Holmberg called the committee back to order in reference to SB 2247. All committee members were present. Joe Morrisette, OMB and Brady Larson, Legislative Council were also present. (There is a roll call vote right at the beginning of this job, no indication to what bill)

Chairman Holmberg: we have a whole bunch of bills. The report we had this morning is that it appeared that either the three day committees are done with their bills or they have other bills but they will be done by Wednesday, so they will be hitting the floor so the calendar will start getting very long. We will be starting earlier on the floor, at 12:30 today, and going later, so that later this week we will have to meet longer times. Don't know what the goal is as far as get done, but we will, because a number of the bills will depend upon what happens in Human Services, or like we have 4 bills depending on DPI, we'll be meeting this afternoon, on DPI and getting those amendments finalized so that we can have the education bills done and out of here. And then we have 4 other bills. Senator Robinson has some amendments that he is going to be submitting to our subcommittee. I've asked Alice that next half what we are going to do on the House bills where we will add the fiscal and sponsor of the bill, it helps you remember who it is and a little more about the bill. Helps you understand, not to help you understand how to vote, there is a difference.

There was discussion regarding several bills before the hearing started on SB 2247. (Meter 3.15 – 14.12)

Chairman Holmberg: Are you ready to do 2247? If you recall that was the domestic violence fatality review commission.

Senator Kilzer: I checked with the Attorney General and that's all ready with them.

Chairman Holmberg: Can we have a motion?

Senator Robinson MOVED A DO PASS ON SB 2247. SECONDED BY Senator Kilzer.

Chairman Holmberg: We don't have to make any changes in the Bill because the Bill itself doesn't have money in it. Would you call the roll on a DO PASS on 2247.

Senator Kilzer: That's the Bill that sets up the domestic violence fatality commission to kind of review all of the domestic violence fatalities and it has permissive language. It says the Attorney General may do this and his office would like to do it and there is a paragraph in there about the confidentiality which means that this is not a public record until the commission does it's work and the Attorney General releases whatever information his office wants to.

Senator Christmann: There is no money involved in this Bill.

A ROLL CALL VOTE WAS TAKEN: YEA: 11; NAY:0; ABSENT: 1. Senator Olafson from Judiciary will carry the Bill. The hearing was closed on SB 2247.

Date: 2. 15-11
Roll Call Vote # 1

2011 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB2247

Senate Appropriations 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 Sen Robinson Seconded By Sen Kilzer

Senators	Yes	No	Senators	Yes	No
Chairman Holmberg	✓		Senator Warner	✓	
Senator Bowman	✓		Senator O'Connell	✓	
Senator Grindberg	a		Senator Robinson	✓	
Senator Christmann	✓				
Senator Wardner	✓				
Senator Kilzer	✓				
Senator Fischer	✓				
Senator Krebsbach	✓				
Senator Erbele	✓				
Senator Wanzek	✓				

Total (Yes) 12 No 0

Absent 1

Floor Assignment Subcommittee (Lapport)

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

REPORT OF STANDING COMMITTEE

SB 2247: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS**
(12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2247 was placed on the
Eleventh order on the calendar.

2011 HOUSE JUDICIARY

SB 2247

2011 HOUSE STANDING COMMITTEE MINUTES

House Judiciary Committee
Prairie Room, State Capitol

SB 2247
March 14, 2011
15349

☐ Conference Committee

Committee Clerk Signature



Minutes:

Chairman DeKrey: We will open the hearing on SB 2247.

Janelle Moos, Executive Director of ND Council on Abused Women's Services: Support (see attached 1,2).

Rep. Klemin: The change made in the Senate, was that to remove the funding for this program.

Janelle Moos: Correct.

Rep. Klemin: So the Attorney General is going to have the authority to establish this Commission but has no money to pay for it.

Janelle Moos: That's correct. The fiscal note was related to covering the travel costs for the members of the Commission to come to meetings. That was removed on the Senate side, it was a \$20,000 fiscal note for the biennium. Those that serve on this Commission, most agencies feel it is part of their duty, so their time coming to meetings for the Commission would be covered by their agency. We wanted to make sure that travel costs are allowed for agencies that can't cover those costs on their own.

Chairman DeKrey: Thank you. Further testimony in support.

Jonathan Byers, Asst. Attorney General: Support. The Attorney General has participated for a number of years in a child fatality review panel, which operates similarly to the one in this bill. That child fatality review panel has done a lot of things in its investigations to suggest that three wheelers are a big contributor to child deaths and, as a consequence to that, three wheelers were outlawed in ND and other states. We look at things like the use of seat belts and its contribution to child fatalities. Because of those successes in looking at that issue of child fatalities, I think it is important given the number of homicides that occur from domestic violence that a Commission actually look at this and keep tabs on what kind of

deaths are occurring out there, make suggestions to law enforcement agencies on what things they need to do to investigate these crimes better, and whether we can look at some systemic things to actually prevent some of the domestic violence deaths from occurring. Given that the money was taken out of the bill on the Senate side, I think we're in a position where we would just have to ask the people that participate in the panel to do so at their own agencies' expense. I don't know what else to do. We ask for a Do Pass from this Committee.

Rep. Koppelman: Is any of this information tracked now by the AG's office or other entity in ND and recommendations made accordingly.

Jonathan Byers: We do track the number of deaths from occurs from domestic violence and that is probably one of the reasons that this has led to interest in this area, because there have been a large number of homicides related to domestic violence. The problem is, without looking in more detail at that crime as it has occurred, it's tough to make any suggestions. The purpose of the panel will be to take a closer look at them to be able to make those suggestions.

Rep. Klemin: I have a couple of questions about the confidentiality requirements here. If someone is charged with a crime of homicide, that results in the death of a child, and is tried and convicted of that crime, all of that evidence is going to be made in open court, isn't it.

Jonathan Byers: A number of the records would be available in open court. The law enforcement reports would subsequently become an open record, the court documents are all open records. There are some items that are not, such as the autopsy report.

Rep. Klemin: We have a separate statute on that. So why are all of the records that are being looked at by Commission going to be confidential if they are open to start with.

Jonathan Byers: It's possible that the Commission may be able to gather records that weren't even used in a prosecution. It may be a case that didn't even result in a criminal charge and prosecution. Given that this may have been a case that was never charged, there may be some records obtained that nobody's ever used in court or wouldn't become subject to open records. For instance, I know in the Child Fatality Review Panel, we gather records from a lot of different agencies, such as the FBI, the BIA, and when we are gathering other agency's records, it's nice to be able to give some kind of assurance that we aren't going to just take their confidential record and turn around and make it available to the public.

Rep. Klemin: As you know, we have different categories of records: open, confidential, and exempt. On page 2, line 13 you talk about "the confidential and other appropriate records". So these records of a department or agency would have

to be confidential under some other statute to start with before they could be preserved as confidential under this. Is that right.

Jonathan Byers: It refers to confidential and other appropriate records, so that there is more than one record referred to on line 13. But then I point down to line 24 and 25, it indicates any information, records or data collected by the Commission are an exempt record", which means being an exempt record it is in the middle ground where the Commission would have the choice whether it is appropriate to release the record or not. If it were a confidential record, they couldn't. If it's not a confidential record, it would be an exempt record and they would have the choice whether to release it.

Rep. Klemin: I'm having a hard time following this. The confidential and other appropriate records may be examined. Then the Commission shall preserve the confidentiality of any records examined. If they get a confidential record from a department or agency, they're going to preserve that confidentiality; but if they obtain another appropriate record, wouldn't that have to be confidential to start with also, before they are being required to preserve confidentiality. We've got confidential records, we have other appropriate records, which apparently aren't confidential, and now are all of those previously open records now going to be confidential by this Commission. I can see where they are going to say that everything they do is confidential.

Jonathan Byers: They may be exempt records if they are not confidential. That doesn't mean that somebody wanting the records, couldn't obtain them from the agency that they came from, but they wouldn't come from the Commission. So if we gather a record that doesn't look like it's confidential but we don't know that, the person wanting the record would go get it from that agency rather than coming from the domestic violence commission to get the record.

Rep. Klemin: Going down to line 25 then, we actually have a new term here, I think, "otherwise exempt". What does that mean, an otherwise exempt record.

Jonathan Byers: I have no idea why that word is in there. When we refer to exempt records, I am not familiar with it being otherwise.

Rep. Klemin: I've done a lot of review of these issues, and I've never seen the word "is an otherwise exempt record".

Jonathan Byers: It could be that "otherwise" belongs earlier in the sentence. It doesn't appear to be appropriate in front of exempt.

Chairman DeKrey: Thank you. Further testimony in support.

Rep. Delmore: I have a question for Mr. Byers. Does the Child Fatality Review Board get paid for their travel expenses, etc?

Jonathan Byers: I believe that their travel expenses are paid.

Chairman DeKrey: There is still a \$19,000 fiscal note on the bill; it's less than \$50,000 so it doesn't have to go to Appropriations. Section 1 provides for the domestic violence fatality review commission to review domestic violence deaths that have occurred in the State to commission meetings, assuming 9-10 members and travel costs for four meetings per biennium would cost approximately \$9,440 for the 2011-13 biennium and \$10,384 for 2013-15 biennium.

Rep. Koppelman: I think on line 25, if we invert the words "an" and "otherwise" I think it might solve his concern. I think it refers back to the except on line 24, talking about the public report that the Attorney General may issue and it's saying that other than that report, these are exempt records. I think if we were to say are "otherwise an exempt record" it might solve the problem with that.

Rep. Klemin: We could take out of the word "otherwise".

Rep. Koppelman: We can do that too.

Rep. Klemin: If we just said an exempt record.

Rep. Koppelman: That would fine, just delete the word "otherwise" would solve the problem as well.

Rep. Klemin: I don't think we need a subcommittee. I move that we delete the word "otherwise" on page 2, line 25.

Rep. Koppelman: Second the motion.

Chairman DeKrey: Voice vote, motion carried. We now have SB 2247 before us as amended.

Rep. Kretschmar: Would it be wise to put the money back into the Bill, the \$19,000 for travel.

Chairman DeKrey: Well, the \$19,000 is in here, it just doesn't have to go to Appropriations, because it's under \$50,000.

Rep. Klemin: It sounds like the money is all for travel expenses, but most of these persons who would be part of this commission are public employees, but there is nothing in here that provides that other private individuals who are on the commission are entitled to their travel expenses. We always seem to have a provision like that otherwise they don't get paid. I don't know why we have a fiscal

note that provides for payment, but we don't have any authority in the statute to pay anyone.

Rep. Delmore: The Drug Task Force works like that, so does the Child group that he mentioned and they do an estimate because they know how many people outside of government they will put on. It is a token amount because nobody is paid, except for their travel expenses.

Rep. Klemin: But in those other cases, do those statutes allow for them to be paid for their travel expenses. We see that all the time but it's not in this bill.

Rep. Delmore: But I think it is in Code that you are paid for travel expenses if you are not a public employee; they want to cover the private individual who would accept an appointment to a committee like that. Most of the time the meetings are held in Bismarck and the people that live here wouldn't need travel expenses; so there's no reason to include travel expenses.

Rep. Koppelman: This does raise interesting issues. I'm sure many of us have served on other boards and committees, I've served on a few for the Supreme Court that are either Bar Association and Supreme Court joint committees and in those cases, even though I am there because I'm a legislator, normally the Supreme Court pays for travel expenses. It might be a cleaner situation, frankly, if the agency involved, if you are a public official simply pays for it. I think that was the understanding in the bill here. I don't know if there is any overarching code or provision in Code.

Rep. Delmore: Maybe we do need the subcommittee; to take another look at this to see what needs to be done.

Chairman DeKrey: On the second page, line 5, it does say other individuals serving on an ad hoc basis. The subcommittee will consist of Rep. Klemin, Rep. Koppelman, and Rep. Delmore. If there is no further testimony we are going to close the hearing.


2011 HOUSE STANDING COMMITTEE MINUTES

House Judiciary Committee
Prairie Room, State Capitol

SB 2247
March 15, 2011
15461

☐ Conference Committee

Committee Clerk Signature



Minutes:

Chairman DeKrey: We will take a look at SB 2247.

Rep. Klemin: You had appointed a subcommittee to look at this issue and we originally met and prepared an amendment; but after discussion with the Attorney General, he wanted to include the amendment that I am handing out to you. This is his language, slightly modified by our committee. It provides that the members of this domestic violence facility review commission, if they're not a permanent, full-time state employee, they can get compensated at a rate of \$75/day, mileage and expense reimbursement, but they can only get it if funding is available from grants because the Senate already took the funding out of the Attorney General's budget, so if he can get a grant, which they seem to think they can, then he's got the money to pay compensation and expenses; but if he doesn't a grant, then they don't get it. The other amendment regarding "otherwise" was already made on the record, so on page 2, line 25 we took out the word "otherwise", which is the first part of this amendment. I move the amendment.

Rep. Delmore: Second the motion.

Rep. Koppelman: A thought just occurred to me, and I don't know if the AG's office has thought this through either, but the way the amendment reads, as I see it, is it only excludes people who are full-time state employees. That part is fine, but as I read the list, it talks about law enforcement agencies, city or county attorneys, DOCR employees, so there are some state people listed but there are also political subdivision employees listed, I'm wondering if a county/city attorney agrees to serve on this panel, if there would be funding available from the county to have them do that vs. the state.

Chairman DeKrey: You can mention it to the Attorney General and he can take it to conference committee if that's what he wants.

Rep. Klemin: It seems like if there is funding, and he wants to pay those expenses or if the local political subdivision wants to pay those expenses, either way it works. We're really trying to get at the people who don't work for the government here.

Rep. Koppelman: Well, they do, but not for state government.

Rep. Klemin: I don't know how we can, if it's appropriate for us to say that political subdivisions shall pay this too.

Rep. Hogan: You could just say "public" employees.

Rep. Klemin: Well, but I mean the state ordered the political subdivisions to cough up the money to do this, I think they can decide that on their own and they probably will.

Rep. Koppelman: I think the amendment would exclude that; that they would say if you're not a state employee, we'll fund it.

Rep. Delmore: Some of those people may not be full-time either. This is pretty clear.

Rep. Boehning: I wonder if we should amend the \$75 to \$100/day. We've been upping all the commissions and boards to at least the \$100/day level, instead of the \$75. Last session, we raised some of them to our pay level as well.

Rep. Klemin: Well this money would be coming out of grant funds to start with and this is the amount that the AG informed us that he wanted to pay, so that was why it was \$75.

Chairman DeKrey: Voice vote. Motion carried. We now have the bill before us as amended.

Rep. Koppelman: I move a Do Pass as amended on SB 2247.

Rep. Delmore: Second the motion.

11 YES 0 NO 3 ABSENT DO PASS AS AMENDED

CARRIER: Rep. Delmore

March 15, 2011

VR
3/15/11

PROPOSED AMENDMENTS TO SENATE BILL NO. 2247

Page 2, line 25, remove "otherwise"

Page 2, after line 27, insert:

- "8. Whenever funding is available from grants, a member of the domestic violence fatality review commission who is not a permanent full-time state employee is entitled to compensation at a rate of seventy-five dollars per day and mileage and expense reimbursement as provided for in sections 44-08-04 and 54-06-09. A state employee who is a member of the commission must receive that employee's regular salary and is entitled to mileage and expense reimbursement as provided for in sections 44-08-04 and 54-06-09, to be paid by the employing agency."

Renumber accordingly

Date: 3/15/11
Roll Call Vote # 1

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2247

House JUDICIARY Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 11.0692.01001 02000

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

Motion Made By Rep. Koppelman Seconded By Rep. Delmore

Representatives	Yes	No	Representatives	Yes	No
Ch. DeKrey	✓		Rep. Delmore	✓	
Rep. Klemin	✓		Rep. Guggisberg	✓	
Rep. Beadle			Rep. Hogan	✓	
Rep. Boehning	✓		Rep. Onstad		
Rep. Brabandt	✓				
Rep. Kingsbury					
Rep. Koppelman	✓				
Rep. Kretschmar	✓				
Rep. Maragos	✓				
Rep. Steiner	✓				

Total (Yes) 11 No 0

Absent 3

Floor Assignment Rep. Delmore

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

REPORT OF STANDING COMMITTEE

SB 2247: Judiciary Committee (Rep. DeKrey, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2247 was placed on the Sixth order on the calendar.

Page 2, line 25, remove "otherwise"

Page 2, after line 27, insert:

- "8. Whenever funding is available from grants, a member of the domestic violence fatality review commission who is not a permanent full-time state employee is entitled to compensation at a rate of seventy-five dollars per day and mileage and expense reimbursement as provided for in sections 44-08-04 and 54-06-09. A state employee who is a member of the commission must receive that employee's regular salary and is entitled to mileage and expense reimbursement as provided for in sections 44-08-04 and 54-06-09, to be paid by the employing agency."

Renumber accordingly

2011 SENATE JUDICIARY

CONFERENCE COMMITTEE

SB 2247

2011 SENATE STANDING COMMITTEE MINUTES

Senate Judiciary Committee
Fort Lincoln Room, State Capitol

SB 2247
4/12/11
Job # 16514

☒ Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Relating to a domestic violence fatality review commission

Minutes:

Senators:

Olafson
Sitte
Sorvaag

Representatives:

Kingsbury
Boehning
Delmore

Representative Kingsbury - Explains the changes the House made on the bill and that the funding for this commission would come through grants so no fiscal note is needed.

Senator Sitte – Asks where the grant money will come from.

Representative Delmore – Says where ever the grant money would come from this is very permissive.

Senator Olafson – Calls on Tom Trenbeth.

Tom Trenbeth – Attorney General's Office – Says their office is very supportive of this bill and like it the way it is. He mentions there are many possible grants that could come to this organization.

Rep. Boehning – Asks about the \$75 per day and thinks it is low.

Trenbeth – Said he is unsure where that amount came from but seems to be equal to other boards.

Rep. Delmore – Says there are a number boards that are still paid at this rate. She said her committee thought it was something that could be looked at down the road.

Senator Sorvaag motions that the Senate accede to the House amendments

Senator Sitte seconded

Roll call vote – 6 yes, 0 no

Senator Olafson will carry

2011 SENATE CONFERENCE COMMITTEE ROLL CALL VOTES

Committee: Judiciary

Bill/Resolution No. 2247 as (re) engrossed

Date: 4/12/11

Roll Call Vote #: 1

Action Taken

- ☒ SENATE accede to House amendments
☐ SENATE accede to House amendments and further amend
☐ HOUSE recede from House amendments
☐ HOUSE recede from House amendments and amend as follows

Senate/House Amendments on SJ/HJ page(s) 808

☐ Unable to agree, recommends that the committee be discharged and a new committee be appointed

((Re) Engrossed) _____ was placed on the Seventh order of business on the calendar

Motion Made by: Sen. Sorvaag Seconded by: Sen. Sitte

Senators	Y	N	Yes	No		Representatives	Y	N	Yes	No
Olafson	X		X			Kingsbury	X		X	
Sitte	X		X			Boehning	X		X	
Sorvaag	X		X			Delmore	X		X	

Vote Count: Yes 6 No 6 Absent _____

Senate Carrier Olafson House Carrier _____

LC Number _____ of amendment

LC Number _____ of engrossment

Emergency clause added or deleted

Statement of purpose of amendment

REPORT OF CONFERENCE COMMITTEE

SB 2247: Your conference committee (Sens. Olafson, Sitte, Sorvaag and Reps. Kingsbury, Boehning, Delmore) recommends that the **SENATE ACCEDE** to the House amendments as printed on SJ page 808 and place SB 2247 on the Seventh order.

SB 2247 was placed on the Seventh order of business on the calendar.

2011 TESTIMONY

SB 2247

NORTH DAKOTA COUNCIL ON ABUSED WOMEN'S SERVICES COALITION AGAINST SEXUAL ASSAULT IN NORTH DAKOTA

418 [REDACTED] Rosser #320 • Bismarck, ND 58501 • Phone: (701) 255-6240 • Fax 255-1904 • Toll Free 1-888-255-6240 • ndcaws@ndcaws.org

Testimony on SB 2247
Senate Judiciary Committee
January 25, 2011

Chair Nething and Members of the Committee:


My name is Janelle Moos and I am the Executive Director of the North Dakota Council on Abused Women's Services. Our Coalition is a membership based organization and consists of 21 local domestic violence and rape crisis centers located throughout the state that provide services to victims in all 53 counties and the reservations in North Dakota.

Last year, these centers assisted over 4,600 victims of domestic violence and nearly 900 victims of sexual assault, providing services such as shelter, advocacy, counseling, and assistance in obtaining court orders of protection. These centers range in size from small rural programs with one or two employees who do everything to larger programs in more urban areas with over 30 specialized staff members.

Domestic violence homicide is the most extreme form of domestic violence. Although North Dakota has a relatively low crime and homicide rate, over the last 30+ years at least ½ of all of the homicides in North Dakota have been a result of domestic violence. According to the Attorney General, in 2010, there were 10 homicides committed in North Dakota. Four (4) of those were a direct result of domestic violence.

Domestic violence fatality review involves the analysis of a death caused by, related to, or somehow traceable to domestic violence. The review creates a greater understanding of the tragedy and ideally leads to the implementation of preventive interventions. Comprehensive fatality review allows us to make sense of the death(s) by recreating the experiences of the victims, perpetrators, and other parties involved in the case, exploring the compromises and challenges parties faced in accessing services, making decisions, and exploring strategies. Cases for review can include:


- Closed cases (perpetrator has been convicted, most or all appeals have expired)
- Open cases (case is pending)
- Murder-suicide (a type of closed case, where the perpetrator is dead)
- Suicide

- 
- All deaths of women between certain ages
 - High-profile or cases deemed significant by community

While it is important that each review team determine their specific purpose for conducting reviews, most review teams share the following underlying objectives:

- Prevent future domestic violence and domestic homicide.
- Provide safer provisions for battered women and their children.
- Hold accountable both the perpetrators of domestic violence and the multiple agencies and organizations that come into contact with the parties.

Fatality review can also enhance a community's coordinated response. Fatality Review provides an opportunity for a diverse, multi-disciplinary group of professionals and community members to meet on a regular basis and discuss issues of system response and social change. Many teams have reported that the relationships developed as a result of fatality review have been invaluable and have enhanced coordination among individuals, agencies, and the community as a whole.



In closing, I would like to express my sincere thanks to Senator Olafson for initiating this bill and to the other legislators who have signed on as co-sponsors and to the Attorney General's office for their leadership on this initiative. I ask that you join them in supporting Senate Bill 2247.

Thank you.



Q&A About Domestic Violence Fatality Review

This Q&A was conducted with Neil Websdale, Ph.D. (pictured right), Director of the National Domestic Violence Fatality Review Initiative.



Q: What is domestic violence fatality review?

A: Domestic violence fatality review involves an analysis of a death caused by, related to, or somehow traceable to domestic violence. The review creates a greater understanding of the tragedy and ideally leads to the implementation of preventive interventions. Teams review many different types of cases, including serious (non-fatal) incidents, intimate partner homicides, homicide suicides, familicides (perpetrator kills former or current spouse one or more of their children and often commits suicide), suicides (especially those of battered women who exit violent, tyrannical and controlling relationships), cases where bystanders die (e.g. police officers, workplace colleagues), cases where one sexual competitor (usually a previously abusive man) kills another and indirect deaths where decedents die from causes traceable to domestic violence, including the deaths of homeless women, HIV-infected women, and drug addicts.

Q: Why is fatality review a useful tool for communities?

A: Comprehensive fatality review allows us to make sense of the death(s) by recreating the experiences of the victims, perpetrators and other parties involved in the case, exploring the compromises and challenges parties faced in accessing services, making decisions and exploring strategies. The review prioritizes the experiences of victims, giving us new ways of improving services, plugging gaps, increasing communications between those agencies typically

involved and increasing the links between services and community members. Fatality review also provides opportunities for learning how we might better serve families that lost loved ones. It sharpens our understanding, allowing us to think about the relationships between coordinated community responses to domestic violence, safety audits, safety planning, and risk assessment and management.

Q: What are the steps in reviewing domestic violence fatalities?

A: Teams gather available information by a variety of means, including the use of Freedom of Information Law (FOIL) requests, through the public record. In a limited number of cases the testimony of family members, workplace peers, neighbors, friends, and others augments this information. Members discuss confidential information in different ways, some having a facilitator, others not, some being tied to a prescriptive process defined by state statute, others not. Although the depth of review varies, most teams follow similar and interrelated steps. One common step involves constructing a timeline of important events in the case, capturing how the case changed over time and how the nature of violence, tyranny, threats, and attempts to control perhaps intensified toward the death. Teams note the warning signs that might have suggested the case was moving toward a lethal outcome. Efforts are also made to identify the parts played by various agencies and community members and the level of coordination between these entities. Finally, teams suggest a number of recommendations based on the outcomes of their review(s), the goal being to make realistic recommen-

dations that can be effectively implemented and that contribute to more effective coordinated community responses to domestic violence.

Q: How can communities structure fatality review when there is not state legislation in place?

A: State statutes enabling entities to review cases of domestic violence related deaths provide a variety of guidelines, assurances, prescriptions, and protections for teams and their members. Most teams work within the frameworks of these statutes. Reviews have taken place without statutory guidelines and protections but they are tricky. It is entirely feasible for a group of professionals to conduct thorough reviews using only public record materials, perhaps utilizing the insights of family members if the group chooses. It is also possible for surviving family members to convene reviews in combination with other supportive and interested parties, gathering information through the public record or making requests for information under the Freedom of Information Act. It is also possible for family members to access personal information, documents and records although it is important to know the difference between public, private, and confidential data. Teams may consider obtaining waivers of confidentiality from surviving family members if appropriate.

For more information on domestic violence fatality review: www.ndvfri.org/ To access the 2008 New York City Fatality Review Report: www.nyc.gov/html/ocdv/downloads/pdf/FRC_2008.pdf



NORTH DAKOTA
Office of Attorney General
Bureau of Criminal Investigation



Crime in North Dakota, 2009

Attorney General
Wayne Stenehjem

Forcible Rape

The UCR program defines Forcible Rape as “the carnal knowledge of a female forcibly and against her will.” Assaults to rape, attempts to commit rape by force or threat of force are included. Carnal abuse, statutory offenses (no force -- victim under age of consent), and other sex offenses are not included.

In 2009, 206 forcible rapes were reported to local law enforcement in North Dakota. This is a decrease of 7.2 percent from the 2008 total of 222 offenses. A total of 202 forcible rapes was reported in 2007.

Because the UCR definition states that victims of rape must be female, the rate of occurrence for reported rapes is calculated based only on the female population. The Census Bureau estimate of North Dakota’s population for 2009 is 647,000. The number of females is approximately half of that figure. The resulting rate for 2009 is 63.7 reported rapes per 100,000 females, compared with 69.2 rapes per 100,000 females in 2008. In 2007, the forcible rape rate was 63.1 per 100,000 females.

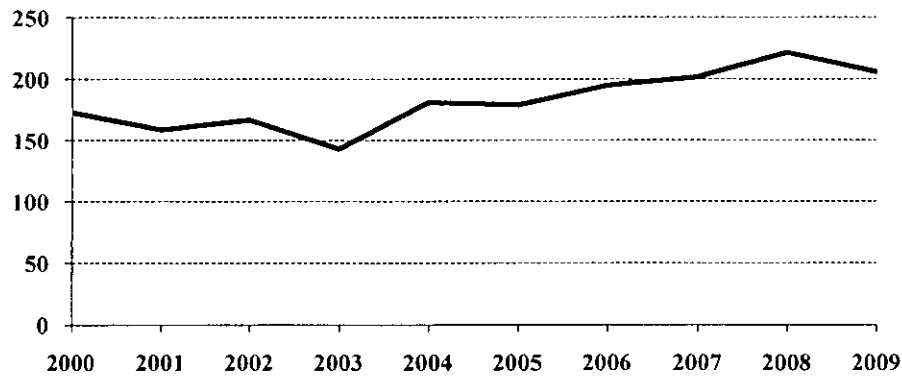
In 2009, 29.1 percent of reported rapes were cleared by arrest or exceptional means.

Twenty-six arrests for forcible rape were reported in 2009. More than 69 percent of those arrested were adults. In 2008, 45 arrests for rape were reported.

Forcible Rape Summary

Year	Population	Offense Total	% Change in Number from Previous Year	Rate per 100,000 Females	% Change in Rate from Previous Year	Percent Cleared
2000	642,200	173	17.7 %	53.9	16.2 %	30.1 %
2001	634,450	159	-8.1	50.1	-7.1	42.1
2002	634,110	167	5.0	52.7	5.2	37.7
2003	634,000	143	-14.4	45.1	-14.4	51.7
2004	634,500	181	26.6	57.1	26.6	40.3
2005	637,000	179	-1.1	56.2	-1.6	35.8
2006	636,000	195	8.9	61.3	9.1	31.8
2007	640,000	202	3.6	63.1	2.9	28.7
2008	641,500	222	9.9	69.2	9.7	29.7
2009	647,000	206	-7.2	63.7	-7.9	29.1

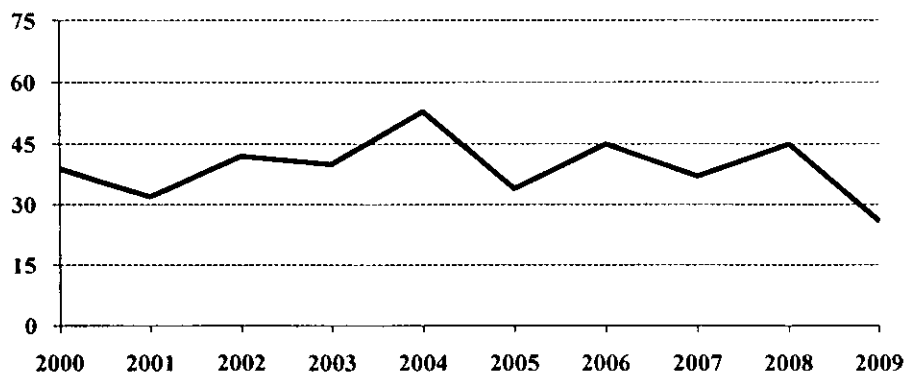
Forcible Rape Totals, 2000-2009



Arrests for Forcible Rape, 2000-2009

Year	Juvenile	Adult	Total
2000	12	27	39
2001	9	23	32
2002	18	24	42
2003	11	29	40
2004	10	43	53
2005	6	28	34
2006	4	41	45
2007	8	29	37
2008	18	27	45
2009	8	18	26

Arrests for Forcible Rape, 2000-2009



Aggravated Assault

The UCR program defines Aggravated Assault as "an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by the use of a weapon or by means likely to produce death or great bodily harm. Attempts are included because it is not necessary that an injury result when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed."

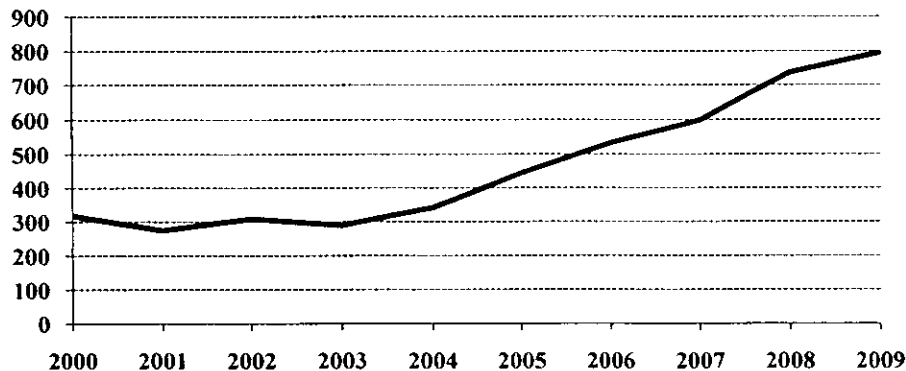
In 2009, 795 aggravated assaults were reported in North Dakota, an increase of 7.7 percent from the 738 aggravated assaults reported in 2008. In 2007, 599 aggravated assaults were reported.

The aggravated assault rate for North Dakota increased 6.9 percent from 115.0 per 100,000 population in 2008 to 122.9 per 100,000 population in 2009.

Aggravated Assault Summary

Year	Population	Offense Total	% Change in Number from Previous Year	Rate per 100,000 Population	% Change in Rate from Previous Year	Percent Cleared
2000	642,200	319	47.0 %	49.7	45.3 %	67.1 %
2001	634,450	275	-13.8	43.3	-12.9	60.0
2002	634,110	309	12.4	48.7	12.5	57.9
2003	634,000	289	-6.5	45.6	-6.4	60.9
2004	634,500	343	18.7	54.1	18.6	60.6
2005	637,000	444	29.4	69.7	28.8	59.0
2006	636,000	533	20.0	83.8	20.2	54.8
2007	640,000	599	12.4	93.6	11.7	50.3
2008	641,500	738	23.2	115.0	22.9	61.8
2009	647,000	795	7.7	122.9	6.9	59.7

Aggravated Assault Totals, 2000-2009



**STATE OF NORTH DAKOTA
OFFICE OF ATTORNEY GENERAL**

Criminal Justice Statistics Special Report

Homicide in North Dakota, 2009



**Attorney General
Wayne Stenehjem**

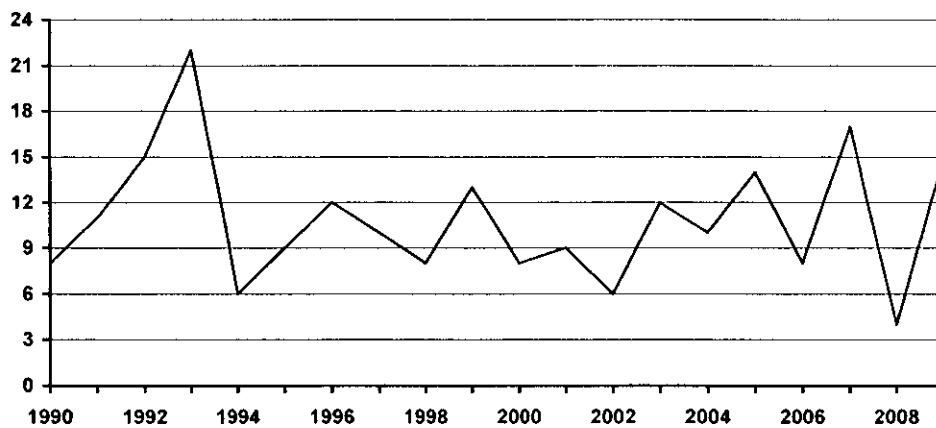
HOMICIDE TOTALS AND RATES

- Table 2 provides yearly homicide totals and homicide rate information for North Dakota during the period 1990-2009.
- The average number of homicide deaths per year during this period is 11.

Table 2
Homicide Rate
North Dakota, 1990-2009

Year	Homicide Total	Population Estimate	Rate/100,000 Population
1990	8	638,800	1.3
1991	11	635,000	1.7
1992	15	636,000	2.4
1993	22	635,000	3.5
1994	6	638,000	0.9
1995	9	641,000	1.4
1996	12	644,000	1.9
1997	10	641,000	1.6
1998	8	638,000	1.3
1999	13	634,000	2.1
2000	8	642,200	1.2
2001	9	634,450	1.4
2002	6	634,110	0.9
2003	12	634,000	1.9
2004	10	634,500	1.6
2005	14	637,000	2.2
2006	8	636,000	1.3
2007	17	640,000	2.7
2008	4	641,500	0.6
2009	15	647,000	2.3

Figure 1
Homicide in North Dakota
1990-2009



Testimony
Senate Bill 2247 – Department of Human Services
Senate Judiciary
Senator D. Nething, Chairman
January 25, 2011

Chairman Nething, members of the Senate Judiciary Committee, I am JoAnne Hoesel, Director of the Division of Mental Health & Substance Abuse Services, for the Department of Human Services. I am here today in support of Senate Bill 2247.

According to the ND Council on Abused Women's Services, 4,874 incidents of domestic violence were reported to crisis intervention centers in 2009. Of those cases, Alcohol use by abuser only, was indicated in 35% of the new cases. Alcohol use by both victim and offender was indicated in 10% of the cases. 45% of new cases involved the use of alcohol.

We recommend that your committee consider adding a licensed addiction counselor to the representatives of this commission listed in Section 1, number 2. This profession is uniquely qualified and trained in the substance abuse treatment area. Their professional experience would help shape key policy recommendations needed to prevent similar situations from reoccurring. With their added membership, a full complement of professions needed to fully analyze the situations under review would be in place.

I will answer any questions you have.



2277

NORTH DAKOTA

Office of Attorney General

Bureau of Criminal Investigation

Crime in North Dakota, 2009

Attorney General
Wayne Stenehjem

Office of Attorney General

Bureau of Criminal Investigation

Crime in North Dakota, 2009

A Summary of Uniform Crime Report Data

**Wayne Stenehjem
Attorney General**

**Prepared by
Colleen Weltz
UCR Program Manager
2010**

INTRODUCTION

The North Dakota Uniform Crime Reporting (UCR) program involves the collection, compilation, and analysis of crime and arrest statistics reported by the various local law enforcement agencies throughout the state. Forty-seven sheriffs' departments and 42 police departments reported to the UCR program in 2009.

Law enforcement agencies may report UCR data in two ways:

INCIDENT-BASED REPORTING: Law enforcement agencies use a standard incident form to collect data on each incident reported to their respective agencies. This form collects much more detailed information than is collected using summary reporting. Data collected includes: type of incident, where and when the incident took place, victim characteristics, suspect/arrestee characteristics, property involved in the incident, etc. A total of 89 police departments and sheriffs' departments reported incident data for all or part of 2009.

In order to continue the statistical time-series begun with summary reporting, computer programs were written to extract summary data from the incident data reported. Crime in North Dakota, 2009 is a report on summary data.

SUMMARY REPORTING: Law enforcement agencies use a tally system to report the number of crime index offenses and arrests for each month. Two law enforcement agencies reported summary data in 2009.

The federal counterpart of the North Dakota UCR program is the National UCR program under the direction of the Federal Bureau of Investigation (FBI). The UCR program has been used nationally and in North Dakota for many years to measure the extent, distribution and fluctuation of crime through the crime index. The crime index is not an absolute measure, but rather an indication of the amount and type of crime occurring in any given jurisdiction. The index is composed of seven crimes that are sub-classified as follows:

VIOLENT CRIME: Murder/Non-Negligent Manslaughter
 Forcible Rape
 Robbery
 Aggravated Assault

PROPERTY CRIME: Burglary
 Larceny/Theft
 Motor Vehicle Theft

A Modified Crime Index is also calculated at the federal level. This includes arson as the fourth property crime and the eighth index offense. Data on arson is not included in this report.

Prior to an offense becoming recorded in the UCR program, it must be reported to the local law enforcement officials and reported by the local agency to the UCR program. Consequently, the UCR program only reflects reported crimes. Reporting of crimes depends on several factors,

including actual perception of an act as a crime, the probability of loss of status for reporting (as in cases of rape), and the perceived probability of action on the part of the law enforcement agency contacted.

Several types of data are gathered, including:

Offense data

- Number of known crime index offenses
- Type and value of stolen property
- Additional information on homicides and arson
- Law enforcement officers killed or assaulted

Arrest and Clearance Data

- Number and type of offenses cleared
- Number and type of index offenses involving juveniles cleared
- Number of persons arrested, by offense
- Characteristics of persons arrested (age, sex, race)

To allow for comparison among several geographic or jurisdictional areas with differing populations or to allow comparisons across time in an area undergoing population fluctuations, the UCR program provides for the calculation of crime rates to remove any potential biases created by population differences. Because a rate relates the incidence of activity to population, it is possible to measure annual fluctuations in criminal activity by comparing rates of crime reported in any given year with those reported in other years. National publications report crime rates calculated based on the number of reported offenses per 100,000 population. This publication provides crime rate information calculated in the same manner.

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NORTH DAKOTA CRIME SUMMARY, 2009

In 2009, 12,822 crime index offenses were reported by local law enforcement agencies. This is a decrease of 0.2 percent from the total of 12,850 reported in 2008.

Crime index offenses include: murder/non-negligent manslaughter, forcible rape, robbery, aggravated assault, burglary, larceny/theft, and motor vehicle theft.

The Census Bureau estimate of North Dakota's population for 2009 is 647,000. The index crime rate per 100,000 population for 2009 was 1981.8. The index crime rate for 2008 was 2003.1 per 100,000 population. This is a 1.1 percent decrease in the crime rate.

The total number of reported violent index crimes (murder, rape, robbery, and aggravated assault) was 1,118. This represents an increase of 8.0 percent from the total of 1,035 reported in 2008. In 2007, 886 violent index crimes were reported.

Violent crime accounted for 8.7 percent of total index crimes reported in 2009.

Collectively, property crimes (burglary, larceny/theft and motor vehicle theft) decreased by 0.9 percent from 11,815 reported in 2008 to 11,704 reported in 2009.

Property crime accounted for 91.3 percent of total crime index offenses reported in 2009.

The 8,699 larceny/theft offenses reported in 2009 accounted for 67.9 percent of total index crimes.

More than \$11.7 million worth of property was reported stolen in 2009, with 30.9 percent of that amount reported as recovered by law enforcement officials.

North Dakota law enforcement agencies reported 28,925 arrests in 2009. A total of 29,334 arrests was reported in 2008.

In 2009, juvenile arrests accounted for 21.2 percent of the total arrests. Juvenile arrests were 35.9 percent of the total arrests of crime index offenses.

The number of reported arrests in 2009 for DUI increased to 5,819 from 5,815 reported in 2008.

Arrests for drug offenses decreased 4.4 percent from a 2008 total of 2,158 to 2,063 in 2009.

CRIME INDEX OFFENSE ANALYSIS

Crime Index Offenses

Crime index offenses include the violent crimes of murder/non-negligent manslaughter, forcible rape, robbery, and aggravated assault, and the property crimes of burglary, larceny/theft, and motor vehicle theft.

In 2009, 12,822 crime index offenses were reported by local law enforcement agencies. This is a decrease of 0.2 percent from the total of 12,850 reported in 2008.

The Census Bureau estimate of North Dakota's population for 2009 is 647,000. Based on that total, the index crime rate per 100,000 population for 2009 was 1981.8, as compared to 2003.1 for 2008. See the crime index offense summary on page 5 for crime rate information for the period 2000-2009.

More than 27 percent of crime index offenses were reported as cleared by arrest or exceptional means. The UCR program defines an offense as "cleared" by law enforcement when at least one person is arrested, charged with the commission of the offense, and turned over to the court for prosecution. Several crimes may be cleared by the arrest of one person, while the arrests of many persons may clear only one offense. Law enforcement agencies may clear a crime by exceptional means when some element beyond law enforcement control precludes the placing of formal charges against the offender. Examples of circumstances that allow such clearances are the death of the offender (suicide, justifiably killed by police or private citizen, etc.); the victim's refusal to cooperate with prosecution after the offender has been identified; or the denial of extradition.

In 2009, 3,400 arrests were reported for crime index offenses. Of that total, 35.9 percent were arrests of juveniles.

More than \$11.7 million worth of property was reported stolen in 2009, with 30.9 percent of that amount reported as recovered by law enforcement officials.

Crime Index Offenses Reported, 2009

Crime Index Offense	Number Reported	Percent of Total Index Offenses
Murder/Non-Negligent Manslaughter	15	0.1%
Forcible Rape	206	1.6
Robbery	102	0.8
Aggravated Assault	795	6.2
Violent Crime Subtotal	1,118	8.7
Burglary	2,180	17.0
Larceny/Theft	8,699	67.9
Motor Vehicle Theft	825	6.4
Property Crime Subtotal	11,704	91.3
Crime Index Offense Total	12,822	100.0

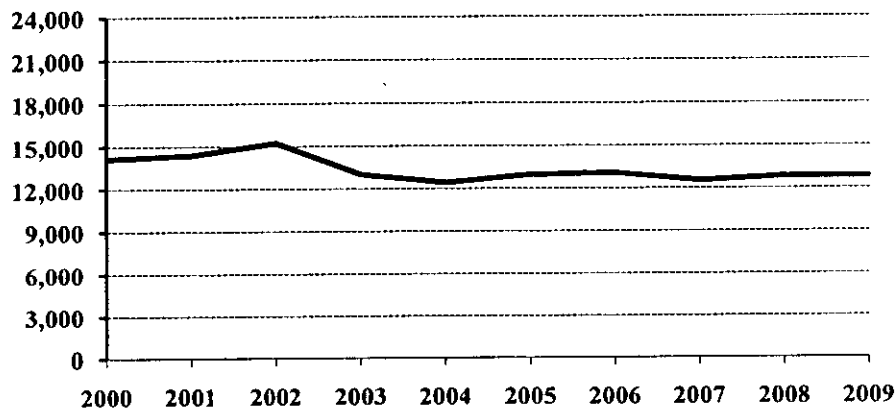
Comparison of Crime Index Offenses Reported, 2008-2009

Crime Index Offense	2008	2009	Percent Change
Murder/Non-Negligent Manslaughter	4	15	275.0 %
Forcible Rape	222	206	-7.2
Rape by Force	214	197	-7.9
Attempts to Rape	8	9	12.5
Robbery	71	102	43.7
Firearm	9	21	133.3
Knife or Cutting Instrument	10	17	70.0
Other Dangerous Weapon	17	26	52.9
Strong Arm – No Weapon	35	38	8.6
Aggravated Assault	738	795	7.7
Firearm	15	10	-33.3
Knife or Cutting Instrument	91	78	-14.3
Other Dangerous Weapon	154	165	7.1
Hands, Fists, Feet, Etc.	478	542	13.4
Violent Crime Subtotal	1,035	1,118	8.0
Burglary	2,035	2,180	7.1
Forcible Entry	966	1,041	7.8
Unlawful Entry – No Force	953	963	1.1
Attempted Forcible Entry	116	176	51.7
Larceny/Theft	8,926	8,699	-2.5
Motor Vehicle Theft	854	825	-3.4
Autos	702	668	-4.8
Trucks and Buses	54	55	1.9
Other Vehicles	98	102	4.1
Property Crime Subtotal	11,815	11,704	-0.9
Crime Index Offense Total	12,850	12,822	-0.2

Crime Index Offenses, 2000-2009

Crime Index Offense	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Murder/Non-Neg. Mansl.	8	9	6	12	10	14	9	17	4	15
Forcible Rape	173	159	167	143	181	179	195	202	222	206
Robbery	62	71	71	55	49	53	72	68	71	102
Aggravated Assault	319	275	309	289	343	444	532	599	738	795
Burglary	2004	2027	2250	1814	1953	1966	2302	2096	2035	2180
Larceny/Theft	10642	10870	11399	9700	8984	9293	9012	8672	8926	8699
Motor Vehicle Theft	942	1000	1037	1002	892	1030	977	878	854	825
Crime Index Offense Total	14150	14411	15239	13015	12412	12979	13099	12532	12850	12822

Crime Index Offense Totals, 2000-2009



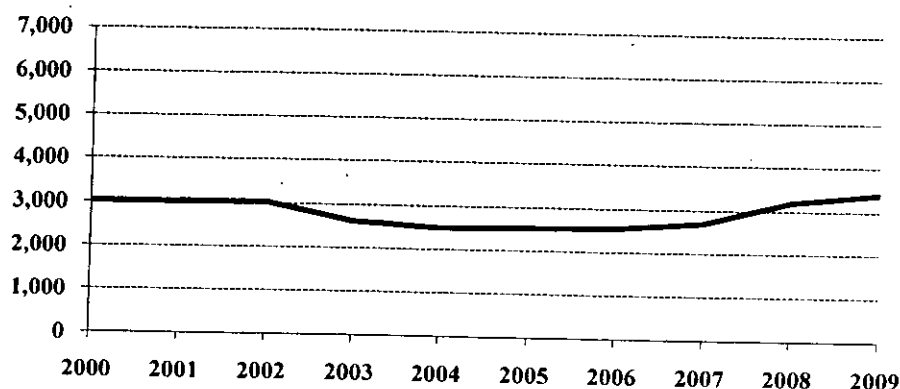
Crime Index Offense Summary

Year	Population	Crime Index Offense Total	% Change in Number from Previous Year	Crime Rate per 100,000 Population	% Change in Rate from Previous Year	Percent Cleared
2000	642,200	14,150	-3.0 %	2203.4	-4.3 %	22.9 %
2001	634,450	14,411	1.8	2271.4	3.1	21.6
2002	634,110	15,239	5.7	2403.2	5.8	21.1
2003	634,000	13,015	-14.6	2052.8	-14.6	20.8
2004	634,500	12,412	-4.6	1956.2	-4.7	20.7
2005	637,000	12,979	4.6	2037.5	4.2	20.2
2006	636,000	13,099	0.9	2059.6	1.1	21.0
2007	640,000	12,532	-4.3	1958.1	-4.9	22.2
2008	641,500	12,850	2.5	2003.1	2.3	26.1
2009	647,000	12,822	-0.2	1981.8	-1.1	27.5

Arrests for Crime Index Offenses, 2000-2009

Year	Juvenile	Adult	Age Not Reported	Total
2000	1,599	1,417	14	3,030
2001	1,479	1,551	4	3,034
2002	1,505	1,526	10	3,041
2003	1,187	1,432	1	2,620
2004	1,009	1,491	5	2,505
2005	1,009	1,524	1	2,534
2006	960	1,588	2	2,550
2007	1,090	1,610	0	2,700
2008	1,227	1,973	4	3,204
2009	1,219	2,178	3	3,400

Arrests for Crime Index Offenses, 2000-2009



Property Loss Due to Crime Index Offenses, 2000-2009

Year	Population	Total Property Loss	% Change from Previous Year	Property Loss per Capita	Percent Recovered
2000	642,200	10,308,899	-8.0 %	\$16.05	31.3 %
2001	634,450	11,420,051	10.8	18.00	33.2
2002	634,110	12,457,277	9.1	19.65	30.6
2003	634,000	11,457,228	-8.0	18.07	31.5
2004	634,500	11,397,856	-0.5	17.96	35.7
2005	637,000	12,390,920	8.7	19.45	37.7
2006	636,000	12,446,104	0.4	19.57	30.6
2007	640,000	10,730,659	-13.8	16.77	36.9
2008	641,500	12,142,441	13.2	18.93	37.6
2009	647,000	11,700,881	-3.6	18.08	30.9

Violent Crime

Violent crime includes the offenses of murder/non-negligent manslaughter, forcible rape, robbery, and aggravated assault. (See the UCR offense definitions section beginning on page 57 of this publication for definitions of these and other offenses.)

In 2009, 1,118 violent crimes were reported in North Dakota. This is an 8.0 percent increase from the 2008 total of 1,035 violent offenses reported. In 2007, 886 violent crimes were reported.

Violent crime comprised 8.7 percent of reported crime index offenses in North Dakota in 2009.

The violent crime rate for 2009 is 172.8 per 100,000, as compared to 161.3 per 100,000 in 2008. This is a 7.1 percent increase in the violent crime rate. In 2007, the violent crime rate was 138.4 per 100,000 population.

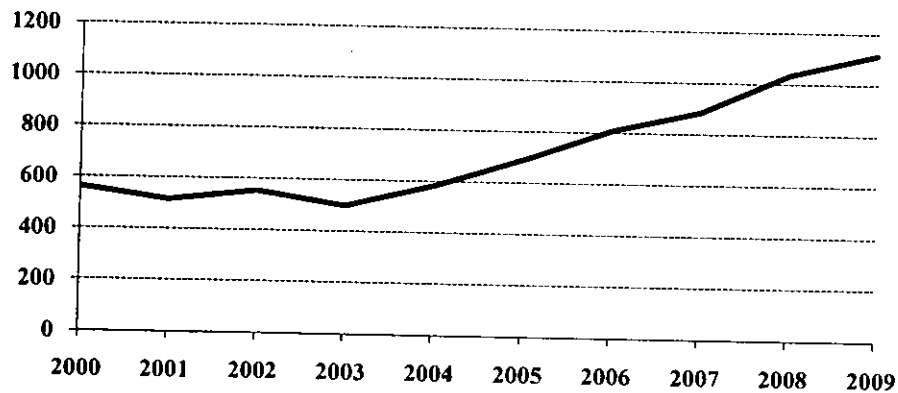
More than 52 percent of violent crimes in 2009 were reported as cleared by arrest or exceptional means.

Of the 430 total arrests reported for violent crimes, 10.5 percent were arrests of juveniles.

Violent Crime Summary

Year	Population	Violent Index Offenses	% Change in Number from Previous Year	Rate per 100,000 Population	% Change in Rate from Previous Year	Percent Cleared
2000	642,200	562	26.3 %	87.5	24.6 %	51.2 %
2001	634,450	514	-8.5	81.0	-7.4	49.4
2002	634,110	553	7.6	87.2	7.7	50.5
2003	634,000	499	-9.8	78.7	-9.7	57.3
2004	634,500	583	16.8	91.9	16.8	52.1
2005	637,000	690	18.4	108.3	17.8	51.4
2006	636,000	808	17.1	127.0	17.3	47.9
2007	640,000	886	9.7	138.4	9.0	44.6
2008	641,500	1,035	16.8	161.3	16.5	52.8
2009	647,000	1,118	8.0	172.8	7.1	52.4

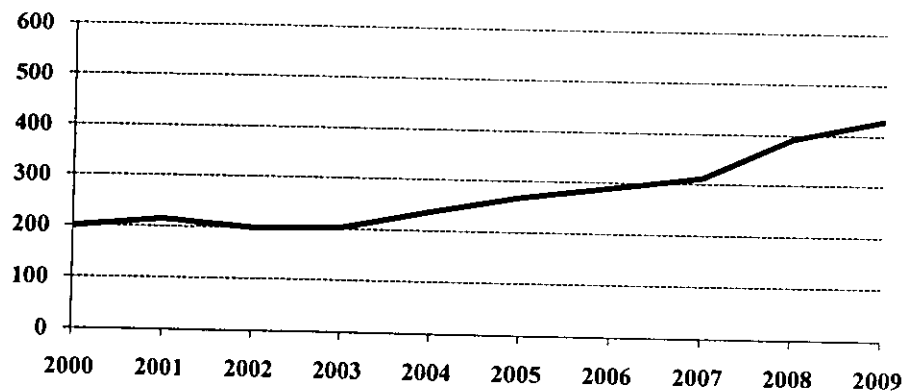
Violent Crime Totals, 2000-2009



Arrests for Violent Crimes, 2000-2009

Year	Juvenile	Adult	Age Not Reported	Total
2000	27	171	1	199
2001	40	175		215
2002	46	154		200
2003	31	172		203
2004	40	197		237
2005	57	211		268
2006	41	249		290
2007	46	266		312
2008	69	320	3	392
2009	45	385		430

Arrests for Violent Crimes, 2000-2009



Murder/Non-Negligent Manslaughter

The UCR program defines Murder/Non-Negligent Manslaughter as the "willful killing of one human being by another." Not included in this category are attempts to murder, assaults to murder, suicides, accidental deaths, justifiable homicides, and deaths caused by gross negligence.

Fifteen murder/non-negligent manslaughter deaths were known to the North Dakota UCR program in 2009.

Eleven of the fifteen victims were adults. "Adult" is defined as a person aged 18 years or older.

Seven of the victims were male.

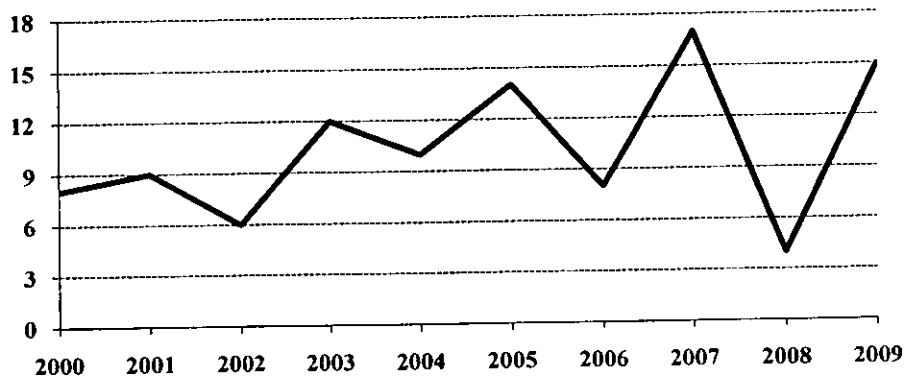
Firearms were involved in the deaths of five homicide victims. In 3 homicides, the weapon involved was personal weapons. (See the summary of homicide incidents and the weapons involved on page 10.)

The Office of Attorney General publishes a detailed report titled Homicide in North Dakota. The report provides an analysis of homicides for the period 1990-2009 and is available on our website at www.ag.nd.gov, under the News and Publications link.

Murder/Non-Negligent Manslaughter Summary

Year	Population	Offense Total	% Change in Number from Previous Year	Rate per 100,000 Population	% Change in Rate from Previous Year	Percent Cleared
2000	642,200	8	-38.5 %	1.2	-42.9 %	87.5 %
2001	634,450	9	12.5	1.4	16.7	88.9
2002	634,110	6	-33.3	0.9	-35.7	83.3
2003	634,000	12	100.0	1.9	111.1	100.0
2004	634,500	10	-16.7	1.6	-15.8	100.0
2005	637,000	14	40.0	2.2	37.5	78.6
2006	636,000	8	-42.9	1.3	-40.9	88.9
2007	640,000	17	112.5	2.7	107.7	94.1
2008	641,500	4	-76.5	0.6	-77.8	100.0
2009	647,000	15	275.0	2.3	283.3	93.3

Murder/Non-Negligent Manslaughter Totals, 2000-2009



Summary of Murder/Non-Negligent Manslaughter Incidents, 2009

Date & Location of Incident	Victim(s)		Assailant(s)		Weapons Used	Relationship of Victim to Assailant	Circumstances
	Age	Sex	Age	Sex			
1/27/2009 Spirit Lake Reservation	36	M	49	F	Knife	Boyfriend	Lover's Quarrel Domestic Violence
2/2/2009 Burleigh	NB	F	18	F	Starvation	Daughter	Baby died of malnutrition Domestic Violence
3/19/2009 Turtle Mountain Reservation	3 M	F	24	M	Personal Weapon	Daughter	Domestic Violence
3/6/2009 McHenry County	38	F	38	M	Shotgun	Girlfriend	Murder/Suicide Domestic Violence
3/26/2009 Dunn County	49	M	39 23	M M	Firearm	Acquaintance Acquaintance	Alleged Child Abuse
5/5/2009 Bismarck	74	F	78	M	Blunt Object	Wife	Unknown Domestic Violence
07/25/2009 Dickinson	19	M	20	M	Firearm	Acquaintance	Argument
07/26/2009 Fargo	47	M	20	M	Personal Weapon	Stranger	Unknown
8/16/2009 Dickinson	43	F	41	M	Blunt Object/ Firearm	Wife	Lover's Quarrel Murder/Suicide Domestic Violence
9/8/2009 Grand Forks	47	F	50	M	Handgun	Wife	Domestic Violence Murder/Suicide
10/06/2009 Bismarck	3 M	M	20	M	Personal Weapon	Son	Shaken Baby Syndrome Domestic Violence
10/16/2009 Fort Berthold Reservation	18	M	18	M	Knife	Cousins	Victim found with stab wounds Domestic Violence
10/26/2009 Fargo	49	M	41	M	Blunt Object	Acquaintance	Murder for hire
10/31/2009 Fargo	2 M	F	46	M	Asphyxiation	Babysittee	Fell asleep on top of victim.
11/26/2009 Pembina County	41	F	52	M	Handgun	Wife	Domestic Violence Murder/Suicide

Forcible Rape

The UCR program defines Forcible Rape as "the carnal knowledge of a female forcibly and against her will." Assaults to rape, attempts to commit rape by force or threat of force are included. Carnal abuse, statutory offenses (no force -- victim under age of consent), and other sex offenses are not included.

In 2009, 206 forcible rapes were reported to local law enforcement in North Dakota. This is a decrease of 7.2 percent from the 2008 total of 222 offenses. A total of 202 forcible rapes was reported in 2007.

Because the UCR definition states that victims of rape must be female, the rate of occurrence for reported rapes is calculated based only on the female population. The Census Bureau estimate of North Dakota's population for 2009 is 647,000. The number of females is approximately half of that figure. The resulting rate for 2009 is 63.7 reported rapes per 100,000 females, compared with 69.2 rapes per 100,000 females in 2008. In 2007, the forcible rape rate was 63.1 per 100,000 females.

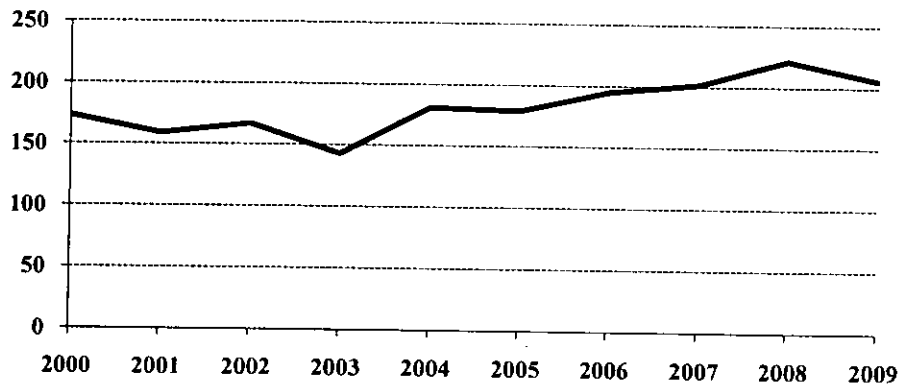
In 2009, 29.1 percent of reported rapes were cleared by arrest or exceptional means.

Twenty-six arrests for forcible rape were reported in 2009. More than 69 percent of those arrested were adults. In 2008, 45 arrests for rape were reported.

Forcible Rape Summary

Year	Population	Offense Total	% Change in Number from Previous Year	Rate per 100,000 Females	% Change in Rate from Previous Year	Percent Cleared
2000	642,200	173	17.7 %	53.9	16.2 %	30.1 %
2001	634,450	159	-8.1	50.1	-7.1	42.1
2002	634,110	167	5.0	52.7	5.2	37.7
2003	634,000	143	-14.4	45.1	-14.4	51.7
2004	634,500	181	26.6	57.1	26.6	40.3
2005	637,000	179	-1.1	56.2	-1.6	35.8
2006	636,000	195	8.9	61.3	9.1	31.8
2007	640,000	202	3.6	63.1	2.9	28.7
2008	641,500	222	9.9	69.2	9.7	29.7
2009	647,000	206	-7.2	63.7	-7.9	29.1

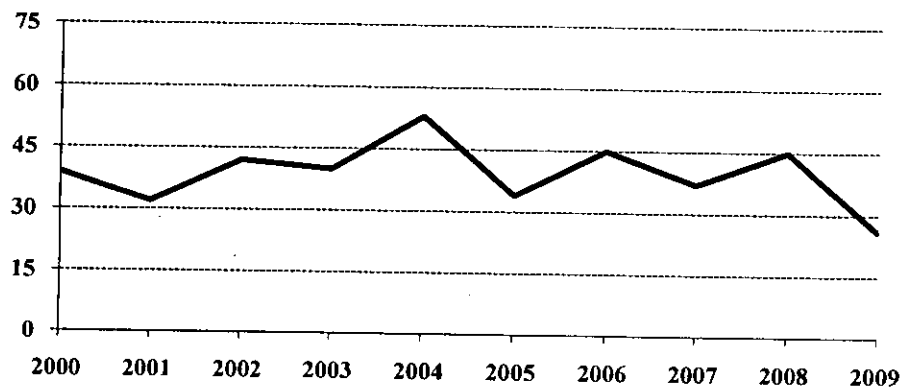
Forcible Rape Totals, 2000-2009



Arrests for Forcible Rape, 2000-2009

Year	Juvenile	Adult	Total
2000	12	27	39
2001	9	23	32
2002	18	24	42
2003	11	29	40
2004	10	43	53
2005	6	28	34
2006	4	41	45
2007	8	29	37
2008	18	27	45
2009	8	18	26

Arrests for Forcible Rape, 2000-2009



Robbery

Robbery is defined by the UCR program as "the taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear."

In 2009, there were 102 robberies reported in North Dakota. This is an increase of 43.7 percent from the total of 71 reported in 2008. A total of 68 robberies was reported in 2007.

The robbery rate for 2009 was 15.8 per 100,000 population, as compared with 11.1 per 100,000 population in 2008. This is a 42.3 percent increase in the robbery rate.

More than 36 percent of reported robberies were cleared by arrest or exceptional means.

Thirty-seven arrests for robbery were reported in 2009. Thirty-four of those arrested were adults.

Firearms were used in 21 of the reported robberies in 2009.

More than 37 percent were strong-arm robberies where no weapon was used.

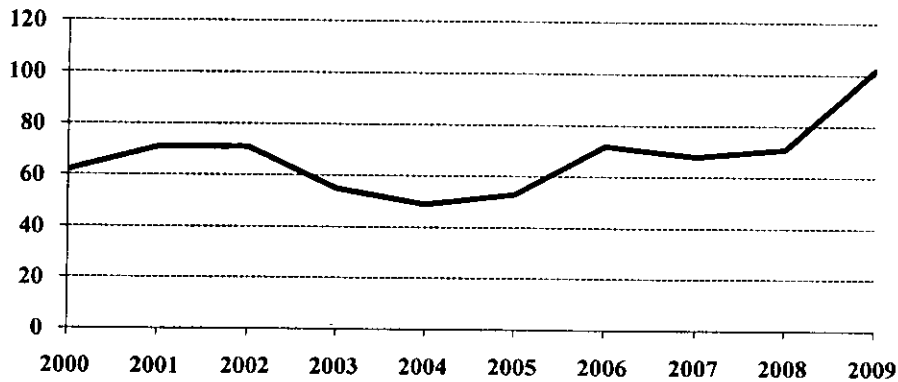
The value of property stolen in robbery incidents increased from \$66,036 in 2008 to \$141,456 in 2009.

The average robbery in 2009 involved \$1387 worth of property.

Robbery Summary

Year	Population	Offense Total	% Change in Number from Previous Year	Rate per 100,000 Population	% Change in Rate from Previous Year	Percent Cleared
2000	642,200	62	-11.4 %	9.7	-11.8 %	24.2 %
2001	634,450	71	14.5	11.2	15.5	23.9
2002	634,110	71	0.0	11.2	0.0	45.1
2003	634,000	55	-22.5	8.7	-22.3	43.6
2004	634,500	49	-10.9	7.7	-11.5	26.5
2005	637,000	53	8.2	8.3	7.8	34.0
2006	636,000	72	35.8	11.3	36.1	36.1
2007	640,000	68	-5.6	10.6	-6.2	30.9
2008	641,500	71	4.4	11.1	4.7	28.2
2009	647,000	102	43.7	15.8	42.3	36.3

Robbery Totals, 2000-2009



Robbery by Type of Weapon Involved, 2009

Type of Weapon	Number Reported	Percent of Total Offenses
Firearm	21	20.6 %
Knife or Cutting Instrument	17	16.7
Other Dangerous Weapon	26	25.5
Hands, Fists, Feet, etc.	38	37.2
Robbery Total	102	100.0

Robbery by Place of Occurrence and Value of Property, 2009

Place of Occurrence	Number Reported	Value of Property	Average Value per Robbery
Highway	21	\$2,451	\$116.71
Commercial House	22	9,893	449.68
Gas or Service Station	2	2,170	1,085.00
Convenience Store	9	10,418	1,157.56
Residence	21	12,453	593.00
Bank	4	88,423	22,105.75
Other	23	15,648	680.35
Robbery Total	102	141,456	1,386.82

Arrests for Robbery, 2000-2009

Year	Juvenile	Adult	Total
2000	0	15	15
2001	3	16	19
2002	9	16	25
2003	6	19	25
2004	8	7	15
2005	4	18	22
2006	7	18	25
2007	5	24	29
2008	4	19	23
2009	3	34	37

Property Loss Due to Robbery, 2000-2009

Year	Offense Total	Property Loss	Average Loss per Robbery
2000	62	\$12,654	\$204.10
2001	71	45,051	634.52
2002	71	24,711	348.04
2003	55	50,180	912.36
2004	49	19,915	406.43
2005	53	16,608	313.36
2006	72	62,319	865.54
2007	68	80,292	1,180.76
2008	71	66,036	930.08
2009	102	141,456	1,386.82

Aggravated Assault

The UCR program defines Aggravated Assault as "an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by the use of a weapon or by means likely to produce death or great bodily harm. Attempts are included because it is not necessary that an injury result when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed."

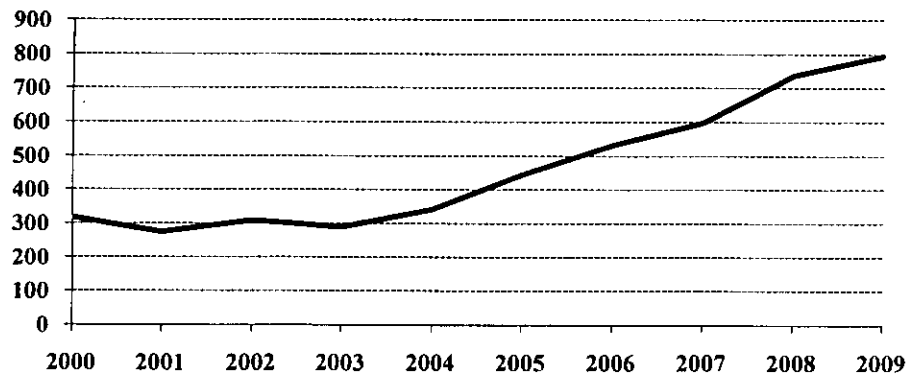
In 2009, 795 aggravated assaults were reported in North Dakota, an increase of 7.7 percent from the 738 aggravated assaults reported in 2008. In 2007, 599 aggravated assaults were reported.

The aggravated assault rate for North Dakota increased 6.9 percent from 115.0 per 100,000 population in 2008 to 122.9 per 100,000 population in 2009.

Aggravated Assault Summary

Year	Population	Offense Total	% Change in Number from Previous Year	Rate per 100,000 Population	% Change in Rate from Previous Year	Percent Cleared
2000	642,200	319	47.0 %	49.7	45.3 %	67.1 %
2001	634,450	275	-13.8	43.3	-12.9	60.0
2002	634,110	309	12.4	48.7	12.5	57.9
2003	634,000	289	-6.5	45.6	-6.4	60.9
2004	634,500	343	18.7	54.1	18.6	60.6
2005	637,000	444	29.4	69.7	28.8	59.0
2006	636,000	533	20.0	83.8	20.2	54.8
2007	640,000	599	12.4	93.6	11.7	50.3
2008	641,500	738	23.2	115.0	22.9	61.8
2009	647,000	795	7.7	122.9	6.9	59.7

Aggravated Assault Totals, 2000-2009



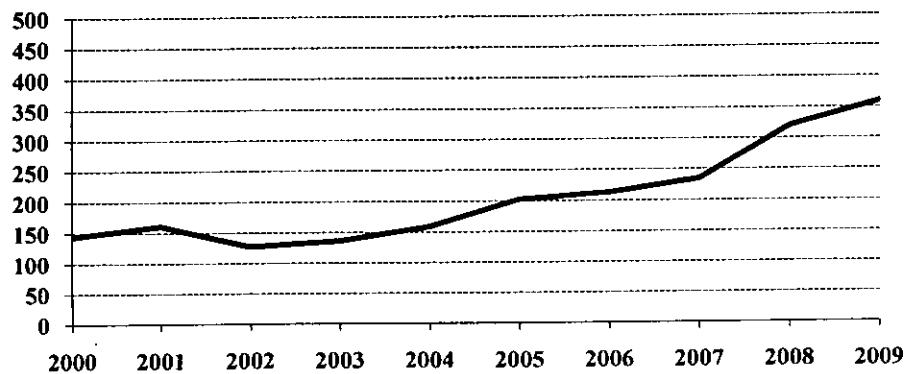
Aggravated Assault by Type of Weapon Involved, 2009

Type of Weapon	Number Reported	Percent of Total Offenses
Firearm	10	1.3 %
Knife or Cutting Instrument	78	9.8
Other Dangerous Weapon	165	20.7
Hands, Fists, Feet, etc.	542	68.2
Aggravated Assault Total	795	100.0

Arrests for Aggravated Assault, 2000-2009

Year	Juvenile	Adult	Age Not Reported	Total
2000	15	128	1	144
2001	28	133		161
2002	19	108		127
2003	14	122		136
2004	22	137		159
2005	47	156		203
2006	30	184		214
2007	31	204		235
2008	47	270	3	320
2009	34	326		360

Arrests for Aggravated Assault, 2000-2009



Property Crime

Property crime includes the offenses of burglary, larceny/theft, and motor vehicle theft.

In 2009, the total number of property crimes reported was 11,704. This is a decrease of 0.9 percent from the 2008 total of 11,815.

Property crime accounted for 91.3 percent of the index offenses reported in North Dakota.

The property crime rate decreased 1.8 percent from 1841.8 per 100,000 population in 2008, to 1809.0 per 100,000 in 2009.

More than 25 percent of property crimes were cleared by arrest or exceptional means in 2009.

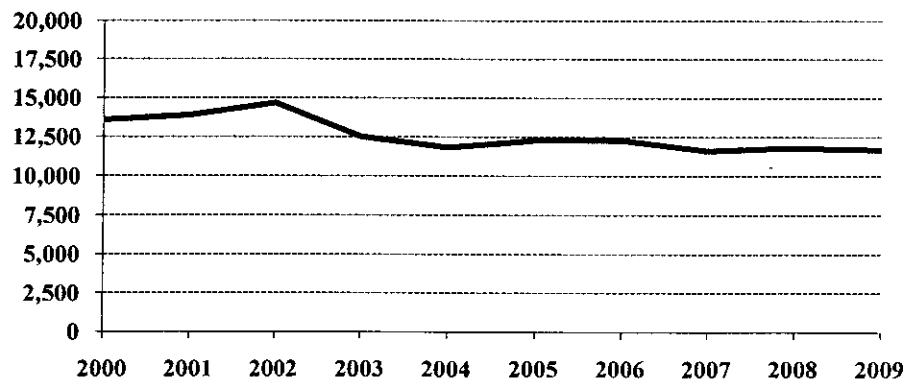
A total of 2,970 arrests were reported for property crimes. Of those, 39.5 percent were arrests of juveniles.

Property Crime Summary

Year	Population	Property Index Offenses	% Change in Number from Previous Year	Rate per 100,000 Population	% Change in Rate from Previous Year	Percent Cleared
2000	642,200	13,588	-3.9 %	2115.9	-5.2 %	21.8 %
2001	634,450	13,897	2.3	2190.4	3.5	20.6
2002	634,110	14,686	5.7	2316.0	5.7	20.0
2003	634,000	12,516	-14.8	1974.1	-14.8	19.4
2004	634,500	11,830	-5.5	1864.5	-5.6	19.2
2005	637,000	12,289	3.9	1929.2	3.5	18.5
2006	636,000	12,291	*	1932.5	0.2	19.3
2007	640,000	11,646	-5.2	1819.7	-5.8	20.5
2008	641,500	11,815	1.5	1841.8	1.2	23.8
2009	647,000	11,704	-0.9	1809.0	-1.8	25.1

* Less than 0.1 percent.

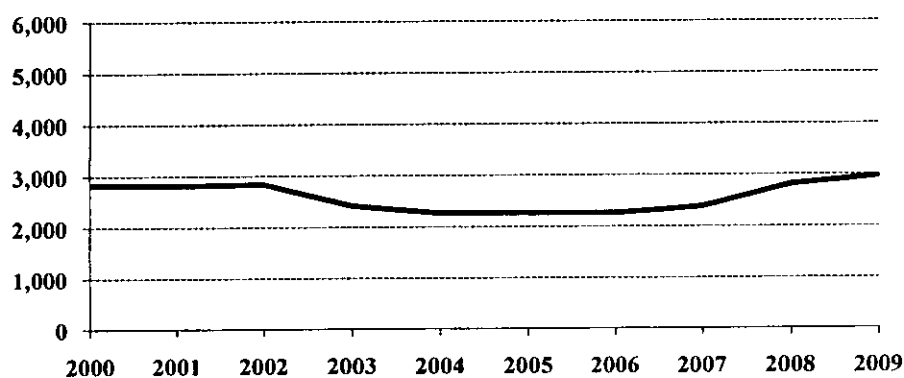
Property Crime Totals, 2000-2009



Arrests for Property Crimes, 2000-2009

Year	Juvenile	Adult	Age Not Reported	Total
2000	1,572	1,246	13	2,831
2001	1,439	1,376	4	2,819
2002	1,459	1,372	10	2,841
2003	1,156	1,260	1	2,417
2004	969	1,294	5	2,268
2005	952	1,313	1	2,266
2006	919	1,339	2	2,260
2007	1,044	1,344		2,388
2008	1,158	1,653	1	2,812
2009	1,174	1,793	3	2,970

Arrests for Property Crimes, 2000-2009



Burglary

The UCR program defines Burglary as the “unlawful entry of a structure to commit a felony or theft. The use of force to gain entry is not required to classify an offense as burglary.” Burglaries are classified into three categories: forcible entry, unlawful entry where no force is used, and attempted forcible entry.

In 2009, 2,180 burglaries were reported to the UCR program. This represents an increase of 7.1 percent from the total of 2,035 burglaries reported in 2008.

The rate of burglaries based on population was 336.9 per 100,000 inhabitants for 2009. This is a 6.2 percent increase from the rate of 317.2 per 100,000 population in 2008.

More than 15 percent of burglaries were cleared by arrest or exceptional means in 2009.

A total of 306 arrests for burglary was reported in 2009. Of these, 30.7 percent were juveniles.

The UCR program classifies burglaries by location of the incident. Nearly 53 percent were burglaries of residences.

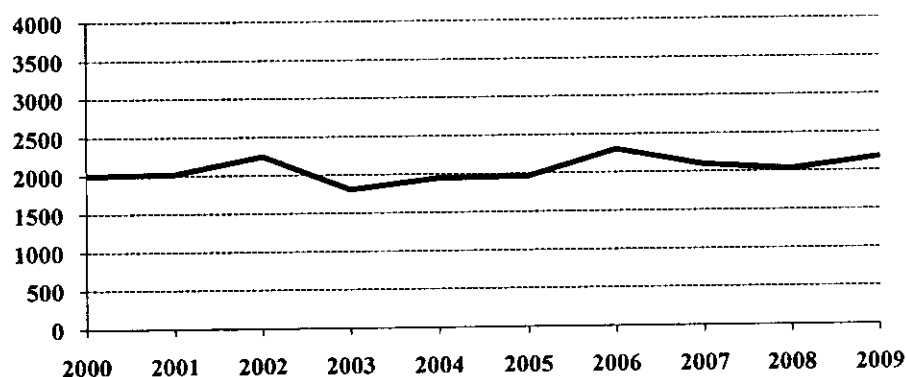
More than 47 percent of burglaries involved forcible entry.

Property loss due to burglary is substantial. More than \$2.5 million dollars worth of property was reported stolen in burglary incidents in 2009. The average burglary involved \$1,151 worth of property.

Burglary Summary

Year	Population	Offense Total	% Change in Number from Previous Year	Rate per 100,000 Population	% Change in Rate from Previous Year	Percent Cleared
2000	642,200	2,004	-8.9 %	312.1	-10.1 %	16.2 %
2001	634,450	2,027	1.1	319.5	2.4	15.1
2002	634,110	2,250	11.0	354.8	11.0	14.0
2003	634,000	1,814	-19.4	286.1	-19.4	13.8
2004	634,500	1,954	7.7	308.0	7.7	11.2
2005	637,000	1,966	0.6	308.6	0.2	11.6
2006	636,000	2,302	17.1	361.9	17.3	15.2
2007	640,000	2,096	-8.9	327.5	-9.5	12.3
2008	641,500	2,035	-2.9	317.2	-3.1	16.1
2009	647,000	2,180	7.1	336.9	6.2	15.2

Burglary Totals, 2000-2009



Burglary by Type of Entry, 2009

Type of Entry	Number Reported	Percent of Total Offenses
Forcible Entry	1,041	47.7 %
Unlawful Entry - No Force	963	44.2
Attempted Forcible Entry	176	8.1
Burglary Total	2,180	100.0

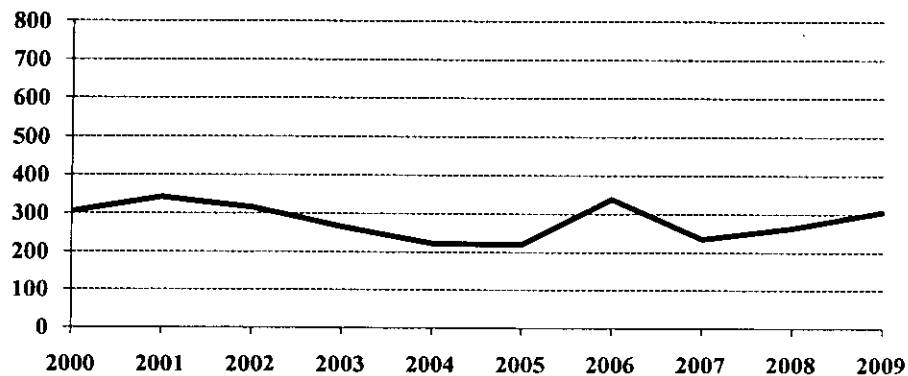
Burglary by Location and Value of Property, 2009

Location	Number Reported	Value of Property	Average Value per Burglary
Residence	1,149	\$1,201,159	\$1,045.40
Non-Residence	1,031	1,308,348	1,269.01
Burglary Total	2,180	2,509,507	1,151.15

Arrests for Burglary, 2000-2009

Year	Juvenile	Adult	Age Not Reported	Total
2000	134	166	5	305
2001	175	166	2	343
2002	166	144	6	316
2003	118	148		266
2004	99	119	5	223
2005	55	165		220
2006	115	224	1	340
2007	94	141		235
2008	97	167		264
2009	94	211	1	306

Arrests for Burglary, 2000-2009



Property Loss Due to Burglary, 2000-2009

Year	Offense Total	Property Loss	Average Loss per Burglary
2000	2,004	\$1,781,810	\$889.13
2001	2,027	1,572,709	775.88
2002	2,250	2,082,601	925.60
2003	1,814	1,562,749	861.49
2004	1,954	2,207,247	1,129.60
2005	1,966	2,057,935	1,046.76
2006	2,302	2,432,305	1,056.61
2007	2,096	1,943,995	927.48
2008	2,035	3,420,351	1,680.76
2009	2,180	2,509,507	1,151.15

Larceny/Theft

The UCR program defines Larceny/Theft as the “unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. It includes crimes such as shoplifting, pocket-picking, purse-snatching, thefts from motor vehicles, thefts of motor vehicle parts and accessories, bicycle thefts, etc., in which no use of force, violence or fraud occurs. In the Uniform Crime Reporting program, this crime category does not include embezzlement, confidence games, forgery, and worthless checks. Motor vehicle theft is also excluded from this category inasmuch as it is a separate crime index offense.”

A total of 8,699 larceny/theft offenses was reported in North Dakota in 2009. This is a 2.5 percent decrease from the 2008 total of 8,926.

The larceny/theft rate per 100,000 population was 1344.5 compared with 1391.4 in 2008, a 3.4 percent decrease in the rate.

More than 27 percent of larceny/theft offenses were cleared by arrest or exceptional means in 2009.

The number of arrests for this offense increased from 2,366 in 2008 to 2,485 in 2009. Nearly 40 percent of those arrested for larceny/theft in 2009 were juveniles.

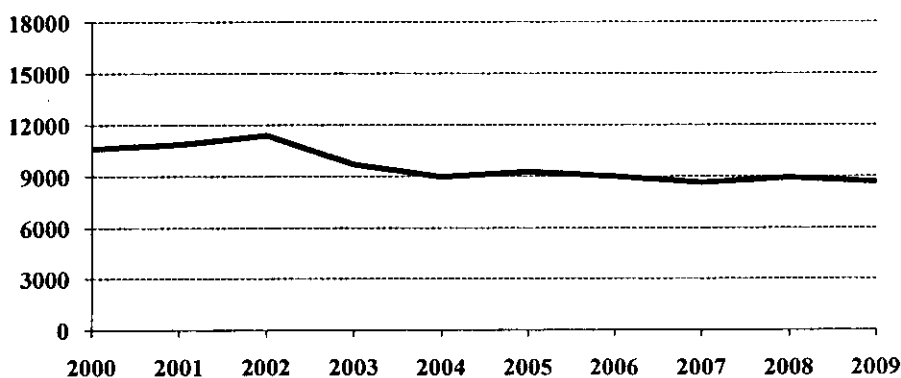
More than \$5.3 million dollars worth of property was reported stolen as the result of larceny/theft offenses in the state. The average dollar value per offense is \$618.

Larceny/theft accounted for 67.9 percent of the total index offenses reported and amounted to approximately 46 percent of the total value of stolen property.

Larceny/Theft Summary

Year	Population	Offense Total	% Change in Number from Previous Year	Rate per 100,000 Population	% Change in Rate from Previous Year	Percent Cleared
2000	642,200	10,642	-2.9 %	1657.1	-4.1 %	22.0 %
2001	634,450	10,870	2.1	1713.3	3.4	20.9
2002	634,110	11,399	4.9	1797.6	4.9	20.4
2003	634,000	9,700	-14.9	1530.0	-14.9	19.8
2004	634,500	8,984	-7.4	1415.9	-7.5	20.6
2005	637,000	9,293	3.4	1458.9	3.0	19.3
2006	636,000	9,012	-3.0	1417.0	-2.9	19.8
2007	640,000	8,672	-3.8	1355.0	-4.4	22.1
2008	641,500	8,926	2.9	1391.4	2.7	25.5
2009	647,000	8,699	-2.5	1344.5	-3.4	27.4

Larceny/Theft Totals, 2000-2009



Monetary Value of Larceny/Theft, 2009

Value of Larceny/Theft	Number Reported	Percent of Total Offenses
Under \$50	2,941	33.8 %
\$50 to \$200	2,385	27.4
Over \$200	3,373	38.8
Larceny/Theft Total	8,699	100.0

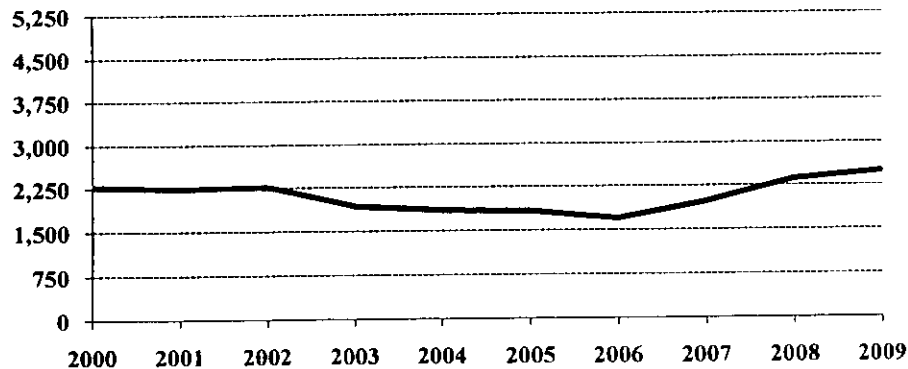
Larceny/Theft by Type and Value, 2009

Type of Larceny/Theft	Number Reported	Value of Property	Average Value per Larceny/Theft
From Motor Vehicle	1,886	\$858,549	\$455.22
Shoplifting	1,864	236,892	127.09
From Building	957	667,568	697.56
Bicycles	668	142,808	213.78
Motor Vehicle Parts, Accessories	344	216,340	628.90
From Coin-Operated Machine	16	5,587	349.19
Pocket Picking	13	1,459	112.23
Purse Snatching	13	2,818	216.77
All Other	2,938	3,242,241	1,103.55
Larceny/Theft Total	8,699	5,374,262	617.80

Arrests for Larceny/Theft, 2000-2009

Year	Juvenile	Adult	Age Not Reported	Total
2000	1,285	987	7	2,279
2001	1,134	1,102	2	2,238
2002	1,147	1,114	3	2,264
2003	919	1,004	1	1,924
2004	792	1,064		1,856
2005	794	1,035	1	1,830
2006	699	1,000	1	1,700
2007	876	1,103		1,979
2008	977	1,388	1	2,366
2009	992	1,491	2	2,485

Arrests for Larceny/Theft, 2000-2009



Property Loss Due to Larceny/Theft, 2000-2009

Year	Offense Total	Property Loss	Average Loss per Larceny/Theft
2000	10,642	\$4,627,836	\$434.87
2001	10,870	5,432,250	499.75
2002	11,399	5,701,494	500.17
2003	9,700	5,207,256	536.83
2004	8,984	4,931,853	548.96
2005	9,293	5,191,397	558.64
2006	9,012	5,425,420	602.02
2007	8,672	4,343,221	500.83
2008	8,926	4,757,988	533.05
2009	8,699	5,374,262	617.80

Motor Vehicle Theft

Motor Vehicle Theft is defined by the UCR program as "the theft or attempted theft of a motor vehicle; the offense category includes the stealing of automobiles, trucks, buses, motorcycles, motor scooters, snowmobiles, etc. The definition excludes the taking of a motor vehicle for temporary use by those persons having lawful access."

A total of 825 motor vehicle thefts was reported in 2009. This is a decrease of 3.4 percent from the 2008 total of 854.

Based on a Census Bureau population estimate of 647,000 for North Dakota, the resulting motor vehicle theft rate is 127.5 per 100,000 population.

More than 27 percent of reported motor vehicle thefts were cleared by arrest or exceptional means in 2009.

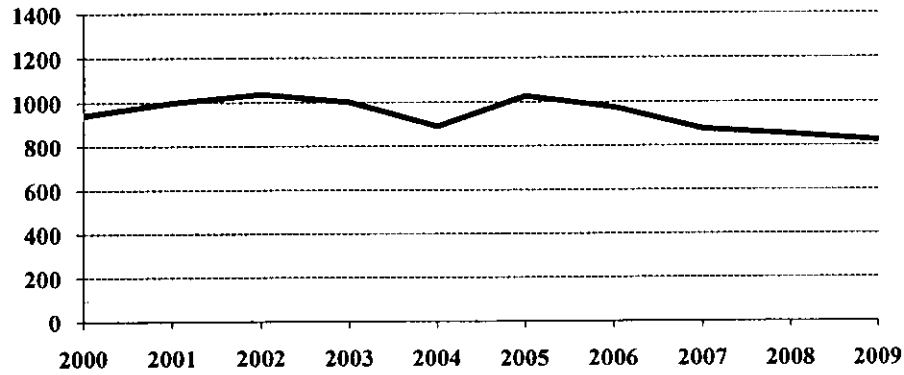
The number of arrests for motor vehicle theft decreased from 182 in 2008 to 179 in 2009.

The average value per motor vehicle theft was approximately \$4,454.

Motor Vehicle Theft Summary

Year	Population	Offense Total	% Change in Number from Previous Year	Rate per 100,000 Population	% Change in Rate from Previous Year	Percent Cleared
2000	642,200	942	-4.8 %	146.7	-6.0 %	30.9 %
2001	634,450	1,000	6.2	157.6	7.4	27.8
2002	634,110	1,037	3.7	163.5	3.7	29.0
2003	634,000	1,002	-3.4	158.0	-3.4	25.2
2004	634,500	892	-11.0	140.6	-11.0	22.2
2005	637,000	1,030	15.5	161.7	15.0	23.5
2006	636,000	977	-5.1	153.6	-5.0	23.7
2007	640,000	878	-10.1	137.2	-10.7	24.4
2008	641,500	854	-2.7	133.1	-3.0	24.6
2009	647,000	825	-3.4	127.5	-4.2	27.4

Motor Vehicle Theft Totals, 2000-2009



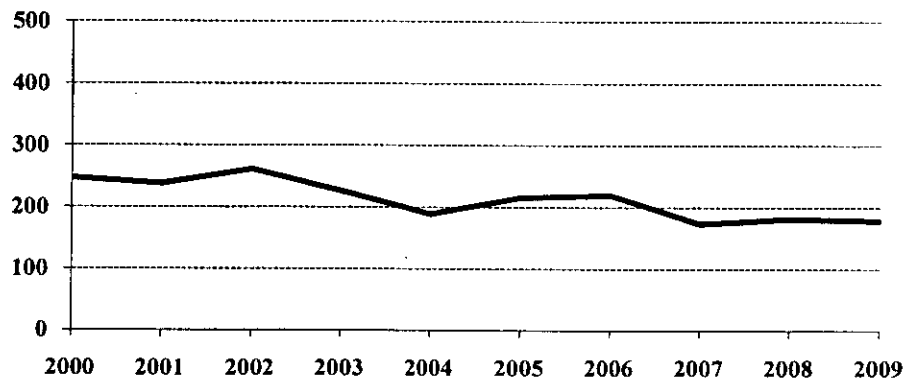
Type of Vehicle Stolen, 2009

Type of Vehicle	Number Reported	Percent of Total Offenses
Automobiles	668	81.0 %
Trucks and Buses	55	6.7
Other Vehicles	102	12.3
Motor Vehicle Theft Total	825	100.0

Arrests for Motor Vehicle Theft, 2000-2009

Year	Juvenile	Adult	Age Not Reported	Total
2000	153	93	1	247
2001	130	108		238
2002	146	114	1	261
2003	119	108		227
2004	78	111		189
2005	103	113		216
2006	105	115		220
2007	74	100		174
2008	84	98		182
2009	88	91		179

Arrests for Motor Vehicle Theft, 2000-2009



Property Loss Due to Motor Vehicle Theft, 2000-2009

Year	Offense Total	Property Loss	Average Loss per Offense
2000	942	\$3,886,274	\$4,125.56
2001	1,000	4,414,621	4,414.62
2002	1,037	4,647,821	4,481.99
2003	1,002	4,637,043	4,627.79
2004	892	4,238,662	4,751.86
2005	1,030	5,124,789	4,975.52
2006	977	4,525,628	4,632.17
2007	878	4,348,148	4,952.33
2008	854	3,897,971	4,564.37
2009	825	3,674,803	4,454.31

Crime Index Offenses by Reporting Jurisdiction

The rate per 100,000 population is shown immediately below the actual number of crime index offenses reported by each jurisdiction. A county total is also shown for each of those counties that have more than one reporting jurisdiction within its geographic boundaries. The rate is reported per 100,000 for easy comparison to national publications.

Number and Rate of Index Offenses, 2009

County	Reporting Jurisdiction	Population	Murder/ Non-Negligent Manslaughter	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny/ Theft	Motor Vehicle Theft	Total Index Offenses
Adams	County SO	2,227				2 89.8	5 224.5	2 89.8	1 44.9	10 449.0
Barnes	County SO	4,483				2 44.6	3 66.9	8 178.5	2 44.6	15 334.6
	Valley City PD	6,172		1 16.2		3 48.6	14 226.8	38 615.7	4 64.8	60 972.1
	County Total	10,655		1 9.4		5 46.9	17 159.5	46 431.7	6 56.3	75 703.9
Benson	County SO	7,006				1 14.3		1 14.3		2 28.5
Billings	County SO	810						1 123.5		1 123.5
Bottineau	County SO	6,305					11 174.5	35 555.1	4 63.4	50 793.0
Bowman	County SO	1,529						1 65.4	1 65.4	2 130.8
	Bowman PD	1,491	DID NOT REPORT IN 2009							
Burke	County SO	1,555					4 257.2	16 1028.9	1 64.3	21
	Powers Lake PD	238	DID NOT REPORT IN 2009							
Burleigh	County SO	16,590	1 6.0	2 12.1		8 48.2	41 247.1	134 807.7	15 90.4	201 1211.6
	Bismarck PD	60,923	2 3.3	17 27.9	12 19.7	127 208.5	204 334.8	1277 2096.1	102 167.4	1741 2857.7
	Lincoln PD	2,875				2 69.6	7 243.5	11 382.6	4 139.1	24 834.8
	County Total	80,388	3 3.7	19 23.6	12 14.9	137 170.4	252 313.5	1422 1768.9	121 150.5	1966 2445.6
Cass	County SO	24,258		2 8.2		3 12.4	47 193.8	120 494.7	17 70.1	189 779.1
	Fargo PD *	93,986	3 3.2	54 57.5	34 36.2	213 226.6	649 690.5	2411 2565.3	250 266.0	3614 3845.3
	West Fargo PD	24,862		12 28.3	5 20.1	46 185.0	180 724.0	339 1363.5	29 116.6	611 2457.6
	County Total	143,106	3 2.1	68 47.5	39 27.3	262 183.1	876 612.1	2870 2005.5	296 206.8	4414 3084.4
Cavalier	County SO	3,776				3 79.4	7 185.4	33 873.9	2 53.0	45 1191.7
Dickey	County SO	2,036					1 49.1	3 147.3	1 49.1	5 245.6
	Ellendale PD	1,446				1 69.2	11 760.7	4 276.6		16 1106.5
	Oakes PD	1,740				1 57.5		3 172.4	1 57.5	5 287.4
	County Total	5,222				2 38.3	12 229.8	10 191.5	2 38.3	26 497.9
Divide	County SO	1,034	DID NOT REPORT IN 2009							
	Crosby PD	939	DID NOT REPORT IN 2009							

* Includes 122 index offenses reported by NDSU PD

County	Reporting Jurisdiction	Population	Murder/ Non-Negligent Manslaughter	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny/ Theft	Motor Vehicle Theft	Total Index Offenses
Adams	County SO	3,314	DID NOT REPORT IN 2009							
	County SO	2,370				3	1	4		8
Emmons	County SO	2,326				126.6	42.2	168.8		337.6
							10	9	2	21
	Linton PD	987	DID NOT REPORT IN 2009							
Foster	County SO	1,391	DID NOT REPORT IN 2009							
	Carrington PD	2,052						3	1	4
								146.2	48.7	194.9
Golden Valley	County SO	1,624	DID NOT REPORT IN 2009							
Grand Forks	County SO	11,965		1	1	10	39	61	16	128
			8.4	8.4	83.6	326.0	509.8	133.7		1069.8
	Emerado PD	473				2	1	3		6
						422.8	211.4	634.2		1268.5
	Grand Forks PD *	51,553	1	30	28	88	278	1312	70	1807
			1.9	58.2	54.3	170.7	539.3	2545.0	135.8	3505.1
	Larimore PD	1,300				3	7	13		23
						230.8	538.5	1000.0		1769.2
Grand Forks	Northwood PD	924					4	9	1	14
							432.9	974.0	108.2	1515.2
	Thompson PD	954					2	2		4
							209.6	209.6		419.3
Grant	County Total	67,169	1	31	29	103	331	1400	87	1982
			1.5	46.2	43.2	153.3	492.8	2084.3	129.5	2950.8
	County SO	1,859					1	4	2	7
Grant	Elgin PD	532					53.8	215.2	107.6	376.5
								2	1	3
	County Total	2,391					1	6	3	10
Griggs	County SO	2,339					41.8	250.9	125.5	418.2
										0
Harrison	County SO	2,364						4	1	5
								169.2	42.3	211.5
Harrison	County SO	1,626					1	1		2
							61.5	61.5		123.0
	Steele PD	639		1		1	1	3	1	7
				156.5		156.5	156.5	469.5	156.5	1095.5
Harrison	County Total	2,265		1		1	2	4	1	9
				44.2		44.2	88.3	176.6	44.2	397.4
LaMoure	County SO	3,158				1			2	3
						31.7			63.3	95.0
LaMoure	LaMoure PD	788	DID NOT REPORT IN 2009							
Logan	County SO	1,217					1	2		3
							82.2	164.3		246.5
	Napoleon PD	705						1		1
								141.8		141.8
Logan	County Total	1,922					1	3		4
							52.0	156.1		208.1
McHenry	County SO	5,127	1	1			3	10	1	16
			19.5	19.5			58.5	195.0	19.5	312.1
McIntosh	County SO	1,735				1	2	2	1	6
						57.6	115.3	115.3	57.6	345.8
McIntosh	Wishek PD	853	DID NOT REPORT IN 2009							
McKenzie	County SO	4,331					3	25	2	30
							69.3	577.2	46.2	692.7
	Watford City PD	1,382					1	1		2
							72.4	72.4		144.7
McKenzie	County Total	5,713					4	26	2	32
							70.0	455.1	35.0	560.1

* Includes 149 index offenses reported by UND PD.

County	Reporting Jurisdiction	Population	Murder/ Non-Negligent Manslaughter	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny/ Theft	Motor Vehicle Theft	Total Index Offenses
Deer	County SO	8,305		36.1	3	36.1	252.9	53	11	91
Deer	County SO	2,820					8	30	2	
Deer	Beulah PD	2,834		4		2	6	37	1	50
Deer	Hazen PD	2,181	DID NOT REPORT IN 2009							
Deer	Reporting Agency Total	7,835		51.1	4	25.5	178.7	855.1	38.3	1148.7
Morton	County SO	8,320		12.0	1	60.1	108.2	709.1	6	80
Morton	Mandan PD	18,244		16	1	28	47	288	33	413
Morton	County Total	26,564		87.7	5.5	153.5	257.6	1578.6	180.9	2263.8
Mountrail	County SO	5,339				3	18	36	8	65
Mountrail	Stanley PD	1,212				56.2	337.1	674.3	149.8	1217.5
Mountrail	County Total	6,551				3	18	36	9	66
Nelson	County SO	3,136			1	31.9	3	4	13	25
Oliver	County SO	1,672					1	6		7
Pembina	County SO	6,058	1	16.5		4	5	9	1	21
Pembina	Cavalier PD	1,301					10	17	3	30
Pembina	County Total	7,359	1	13.6		4	15	26	4	51
Pierce	County SO	1,526			1	65.5	4	8		14
Pierce	Rugby PD	2,538		2	1	2	8	31	3	47
Pierce	County Total	4,064		2	2	3	12	39	3	61
Ramsey	County SO	4,581				3	5	11	4	23
Ramsey	Devils Lake PD	6,654		15.0		28	39	243	14	325
Ramsey	County Total	11,235		8.9		31	44	254	18	348
Ransom	County SO	3,473		57.6	2		13	11	3	29
Ransom	Lisbon PD	2,170			1	46.1	20	12	2	36
Ransom	County Total	5,643		35.4	2	17.7	33	23	5	65
Renville	County SO	2,227			1	44.9	1	12		14
Richland	County SO	6,804		29.4	2	44.1	34	52	3	94
Richland	Wahpeton PD *	9,484		21.1	2	105.4	22	160	7	201
Richland	County Total	16,288		24.6	4	79.8	56	212	10	295
Rolette	County SO	11,985				3	7	1		11
Rolette	Rolla PD	1,420					8	28		36
Rolette	St. John PD	354					1	1		2
Rolette	County Total	13,759				3	16	30		49

* Includes 27 index offenses reported by NDSCS PD.

County	Reporting Jurisdiction	Population	Murder/ Non-Negligent Manslaughter	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny/ Theft	Motor Vehicle Theft	Total Index Offenses
Adams	County SO	4,047				3 74.1	2 49.4	19 469.5	3 74.1	27 667.2
Sheridan	County SO	1,235				1 81.0	5 404.9	11 890.7		17 1376.5
Sioux	County SO	4,284	DID NOT REPORT IN 2009							
Slope	County SO	671						4 596.1		4 596.1
Stark	County SO	6,410				1 15.6	3 46.8	34 530.4	3 46.8	41 639.6
	Dickinson PD	16,043	2 12.5		2 12.5	28 174.5	34 211.9	252 1570.8	15 93.5	333 2075.7
	Belfield PD									0 0.0
	South Heart PD	297	DID NOT REPORT IN 2009							
	Reporting Agency Total	22,750	2 8.8		2 8.8	29 127.5	37 162.6	286 1257.1	18 79.1	374 1644.0
Steele	County SO	1,765	DID NOT REPORT IN 2009							
Stutsman	County SO	5,858		4 68.3		2 34.1	8 136.6	28 478.0	3 51.2	45 768.2
	Jamestown PD	14,535		7 48.2	1 6.9	11 75.7	53 364.6	226 1554.9	24 165.1	322 2215.3
	County Total	20,393		11 53.9	1 4.9	13 63.7	61 299.1	254 1245.5	27 132.4	367 1799.6
Towner	County SO	1,166					2 171.5	3 257.3	1 85.8	6 514.6
	Cando PD	989					1 101.1	9 910.0		10 1011.1
	County Total	2,155					3 139.2	12 556.8	1 46.4	16 742.5
Trail	County SO	4,601			1 21.7		5 108.7	20 434.7	3 65.2	29 630.3
	Mayville PD	1,751					3 171.3	3 171.3	2 114.2	8 456.9
	Hillsboro PD	1,459					1 68.5	3 205.6	1 68.5	5 342.7
	County Total	7,811			1 12.4		9 115.2	26 332.9	6 76.8	42 537.7
Walsh	County SO	6,886		1 14.5		1 14.5	17 246.9	52 755.2	12 174.3	83 1205.3
	Grafton PD	3,924		2 51.0	1 25.5	1 25.5	24 611.6	82 2089.7	8 203.9	118 3007.1
	County Total	10,810		3 27.8	1 9.3	2 18.5	41 379.3	134 1239.6	20 185.0	201 1859.4
Ward	County SO	19,836		6 30.2	2 10.1	10 50.4	28 141.2	100 504.1	20 100.8	166 836.9
	Minot PD	35,293		12 34.0	5 14.2	90 255.0	102 289.0	489 1385.5	52 147.3	750 2125.1
	Burlington PD	990						1 101.0		1 101.0
	County Total	56,119		18 32.1	7 12.5	100 178.2	130 231.7	590 1051.3	72 128.3	917 1634.0
Wells	County SO	2,063					2 96.9	5 242.4		7 339.3
	Harvey PD	1,583		2 126.3		2 126.3	4 252.7	29 1832.0	1 63.2	38 2400.5
	Fessenden PD	488								0 0.0
	County Total	4,134		2 48.4		2 48.4	6 145.1	34 822.4	1 24.2	45 1088.5
Williams	County SO	7,357		2 27.2		8 108.7	19 258.3	30 407.8	10 135.9	69 937.9
	Williston PD	12,662		15 118.5	4 31.6	17 134.3	37 292.2	268 2116.6	26 205.3	367 2898.4
	County Total	20,019		17 84.9	4 20.0	25 124.9	56 279.7	298 1488.6	36 179.8	436 2177.9

ARREST ANALYSIS

Arrests in 2009

Although primarily an indication of law enforcement activity, the number of arrests reported does provide a limited profile of the perpetrators of crime, especially for those crimes that have high clearance rates. Differing arrest practices, policies, and enforcement emphases among agencies influence the volume of arrests for various offenses, particularly those against public order such as vagrancy, disorderly conduct, and related violations. However, arrests for serious crimes, e.g., robbery or burglary, are more likely to be uniform throughout all jurisdictions across the state.

The UCR program requires that an arrest be counted for each separate occasion an individual is taken into custody. Although several charges may be lodged against a person at the time of the arrest, only one arrest is counted for each time the person is taken into custody.

North Dakota law enforcement agencies reported 28,925 arrests in 2009. A total of 29,334 arrests was reported in 2008.

In 2009, more than 21 percent of total arrests were arrests of juveniles.

More than 70 percent of the total was arrests of males.

Arrests for the crime index offenses of murder/non-negligent manslaughter, forcible rape, robbery, aggravated assault, burglary, larceny/theft and motor vehicle theft comprised 11.8 percent of the total reported arrests. Of the 3,400 reported arrests for crime index offenses, 35.9 percent were arrests of juveniles.

The total of 11,268 reported arrests for DUI and liquor law violations represents 39 percent of the total arrests reported in the state of North Dakota in 2009. Arrests for DUI increased from 5,815 in 2008 to 5,819 in 2009. Liquor law violation arrests decreased 2.6 percent from 5,592 in 2008 to 5,449 reported in 2009.

More than 79 percent of total arrests were white; over 16 percent were Native American.

These statistics are provided by local law enforcement agencies that contribute to the North Dakota UCR program. No arrest figures for reservations in the state are included in these totals. Tribal law enforcement agencies do not participate in the state UCR program.

Total Arrests Reported, 2009

Offense Classification	Number Reported	Percent of Total Arrests
Murder/Non-Negligent Manslaughter	7	*
Negligent Manslaughter	7	*
Forcible Rape	26	0.1 %
Robbery	37	0.1
Aggravated Assault	360	1.2
Burglary	306	1.1
Larceny/Theft	2,485	8.6
Motor Vehicle Theft	179	0.6
Other Assaults	2,047	7.1
Arson	14	0.1
Forgery and Counterfeiting	90	0.3
Fraud	709	2.5
Embezzlement	31	0.1
Stolen Property Offenses	126	0.4
Vandalism	518	1.8
Weapons Offenses	168	0.6
Prostitution	4	*
Other Sex Offenses	89	0.3
Drug Abuse Violations	2,063	7.1
Gambling	1	*
Offenses Against Family and Children	185	0.6
Driving Under the Influence	5,819	20.1
Liquor Law Violations	5,449	18.8
Disorderly Conduct	1,843	6.4
Vagrancy		
All Other Offenses	5,542	19.2
Suspicion		
Curfew and Loitering	296	1.0
Runaways	524	1.8
Arrest Total	28,925	100.0

* Less than 0.1 percent of total arrests.

Comparison of Reported Arrests, 2008-2009

Offense Classification	2008	2009	Percent Change
Murder/Non-Negligent Manslaughter	4	7	75.0
Negligent Manslaughter	6	7	16.7
Forcible Rape	45	26	-42.2
Robbery	23	37	60.9
Aggravated Assault	320	360	12.5
Burglary	264	306	15.9
Larceny/Theft	2,366	2,485	5.0
Motor Vehicle Theft	182	179	-1.6
Other Assaults	1,947	2,047	5.1
Arson	22	14	-36.4
Forgery and Counterfeiting	71	90	26.8
Fraud	646	709	9.8
Embezzlement	30	31	3.3
Stolen Property Offenses	135	126	-6.7
Vandalism	557	518	-7.0
Weapons Offenses	223	168	-24.7
Prostitution	3	4	33.3
Other Sex Offenses	82	89	8.5
Drug Abuse Violations	2,158	2,063	-4.4
Gambling	1	1	0.0
Offenses Against Family and Children	163	185	13.5
Driving Under the Influence	5,815	5,819	0.1
Liquor Law Violations	5,592	5,449	-2.6
Disorderly Conduct	1,835	1,843	0.4
Vagrancy	0	0	
All Other Offenses	5,986	5,542	-7.4
Suspicion	0	0	
Curfew and Loitering	248	296	19.4
Runaways	610	524	-14.1
Arrest Total	29,334	28,925	-1.4

Juvenile and Adult Arrests, 2009

Offense Classification	Juvenile	Adult	Age Not Reported	Total
Murder/Non-Negligent Manslaughter		7		7
Negligent Manslaughter		7		7
Forcible Rape	8	18		26
Robbery	3	34		37
Aggravated Assault	34	326		360
Burglary	94	211	1	306
Larceny/Theft	992	1,491	2	2,485
Motor Vehicle Theft	88	91		179
Other Assaults	427	1,619	1	2,047
Arson	5	9		14
Forgery and Counterfeiting	9	81		90
Fraud	11	693	5	709
Embezzlement	3	28		31
Stolen Property Offenses	51	75		126
Vandalism	254	264		518
Weapons Offenses	26	142		168
Prostitution		4		4
Other Sex Offenses	24	65		89
Drug Abuse Violations	293	1,762	8	2,063
Gambling		1		1
Offenses Against Family and Children	88	96	1	185
Driving Under the Influence	79	5,735	5	5,819
Liquor Law Violations	1,029	4,418	2	5,449
Disorderly Conduct	729	1,112	2	1,843
Vagrancy				
All Other Offenses	1,053	4,483	6	5,542
Suspicion				
Curfew and Loitering	296			296
Runaways	524			524
Arrest Total	6,120	22,772	33	28,925

Arrests by Gender, 2009

Offense Classification	Male	Female	Total
Murder/Non-Negligent Manslaughter	6	1	7
Negligent Manslaughter	4	3	7
Forcible Rape	26		26
Robbery	34	3	37
Aggravated Assault	310	50	360
Burglary	274	32	306
Larceny/Theft	1,341	1,144	2,485
Motor Vehicle Theft	138	41	179
Other Assaults	1,476	571	2,047
Arson	11	3	14
Forgery and Counterfeiting	39	51	90
Fraud	440	269	709
Embezzlement	14	17	31
Stolen Property Offenses	95	31	126
Vandalism	439	79	518
Weapons Offenses	163	5	168
Prostitution		4	4
Other Sex Offenses	85	4	89
Drug Abuse Violations	1,631	432	2,063
Gambling	1		1
Offenses Against Family and Children	109	76	185
Driving Under the Influence	4,391	1,428	5,819
Liquor Law Violations	3,561	1,888	5,449
Disorderly Conduct	1,394	449	1,843
Vagrancy			
All Other Offenses	4,017	1,525	5,542
Suspicion			
Curfew and Loitering	168	128	296
Runaways	226	298	524
Arrest Total	20,393	8,532	28,925

Arrests by Race, 2009

Offense Classification	White	Black	Native American	Asian	Total
Murder/Non-Negligent Manslaughter	7				7
Negligent Manslaughter	5		2		7
Forcible Rape	18	4	4		26
Robbery	26	3	8		37
Aggravated Assault	240	30	89	1	360
Burglary	234	16	54	2	306
Larceny/Theft	1,772	140	563	10	2,485
Motor Vehicle Theft	120	5	54		179
Other Assaults	1,461	157	419	10	2,047
Arson	9		5		14
Forgery and Counterfeiting	71	8	10	1	90
Fraud	629	15	63	2	709
Embezzlement	27	1	2	1	31
Stolen Property Offenses	83	12	31		126
Vandalism	384	23	106	5	518
Weapons Offenses	152	9	5	2	168
Prostitution	4				4
Other Sex Offenses	72	3	13	1	89
Drug Abuse Violations	1,718	100	238	7	2,063
Gambling	1				1
Offenses Against Family and Children	131	21	32	1	185
Driving Under the Influence	5,086	120	601	12	5,819
Liquor Law Violations	4,490	108	835	16	5,449
Disorderly Conduct	1,382	119	340	2	1,843
Vagrancy					
All Other Offenses	4,202	276	1,044	20	5,542
Suspicion					
Curfew and Loitering	240	8	47	1	296
Runaways	389	23	111	1	524
Arrest Total	22,955	1,201	4,674	95	28,925

Arrest Analysis by Reporting Jurisdiction

The table below contains arrest totals for each reporting agency in 2009. Juvenile and adult arrests as well as arrests reported without age information are included.

Arrests by Reporting Jurisdiction, 2009

Agency	Murder/Non-Neg. Mansl.	Negligent Manslaughter	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny/Theft	Motor Vehicle Theft	Other Assault	Arson	Forgery/Counterfeiting	Fraud	Embezzlement	Stolen Property Offenses	Vandalism	Weapons Offenses	Prostitution	Other Sex Offenses	Drug Abuse Violations	Gambling Violations	Off. Against Fam. & Children	DUI	Liquor Law Violations	Disorderly Conduct	Vagrancy	All Other Offenses	Suspicion	Curfew/Littering	Runaway	Total
Adams SO					1	1	1		1		1								2			6	2			1				16
Barnes SO					1	1								1					1			10	7							21
Valley City PD					2	5	4		17										17			70	30	7		9				161
Benson SO					1																									1
Billings SO																						1								1
Bottineau SO						3	8	3		1				1	1			1	3				99			3				123
Bowman SO																						1	7							8
Bowman PD	DID NOT REPORT IN 2009																													
Burke SO									2										4			4	1	2		2				15
Washburn Lake PD	DID NOT REPORT IN 2009																													
Washburn SO		1			5	4	24	6	49			149			12	4		6	34		4	96	177	7		142			20	740
Ward PD	2		1	2	60	20	506	16	288	2	11	43	11	24	83	18		11	194		15	473	543	319		549	94	109	3394	
Lincoln PD					2	3	1	5	7						2			1				6	12	5		5	1	11	61	
Cass SO					2	2		3	16			1		1					22		6	84	105	8		30	1	2	283	
Fargo PD	2	1	7	12	87	69	820	38	424	1	19	27		34	75	23	3	7	306		57	757	1055	389		846	44	80	5183	
West Fargo PD			1	1	21	17	38	6	157	3		7	1	9	19	6		1	99		2	147	125	34		111	22	27	854	
NDSU PD						6			1			1				1			17			37	135	6		15			219	
Cavalier SO					2	2	2		3			1			5				1			6	2	3		2			29	
Dickey SO												35			2	1		2			1	6	4			1			52	
Ellendale PD					1	2	2								1				1			4				2			13	
Oakes PD									1									1				1	1	1		4			9	
Divide SO	DID NOT REPORT IN 2009																													
Crosby PD	DID NOT REPORT IN 2009																													
Dunn SO	DID NOT REPORT IN 2009																													
Eddy SO																						12	1	2		1			16	
Emmons SO							1	2				2			2			1			4	23	3		4				42	
Linton PD	DID NOT REPORT IN 2009																													
Foster SO	DID NOT REPORT IN 2009																													
Carrington PD							2	1	1													7	5	1		1			18	
Golden Valley SO	DID NOT REPORT IN 2009																													
Grand Forks SO					5	6	5	4	25			43		2	1	1		1	15		3	98	72	6		925		7	1219	
Emerado PD							1		4						5						2	10		2		5			29	
Grand Forks PD			4	9	38	45	359	11	207	1	15	28	12	15	43	10		3	84		23	239	396	264		250	13	72	2141	
Larimore PD								10														3		3		1			17	
Woodward PD					2																					2			4	

Agency	Murder/Non-Neg. Mansl.	Negligent Manslaughter	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny/Theft	Motor Vehicle Theft	Other Assault	Arson	Forgery/Counterfeiting	Fraud	Embezzlement	Stolen Property Offenses	Vandalism	Weapons Offenses	Prostitution	Other Sex Offenses	Drug Abuse Violations	Gambling Violations	Off. Against Fam & Children	DUI	Liquor Law Violations	Disorderly Conduct	Viol. of Probation	All Other Offenses	Supervision	Curfew/Littering	Runaway	Total
Thompson PD									1					1																2
UND PD					2				7						3				14			87	262	12		19			1	407
Grant SO									3		1								9			1	3	3		2				22
Elgin PD							2		1						1				2											6
Griggs SO									2						1							5	1	2		1				12
Hettinger SO									1										2											3
Kidder SO						1	2		3			7							1			5	5	1						25
Steele PD					1		1		2													3		1		3				11
LaMoure SO					1													2												3
LaMoure PD	DID NOT REPORT IN 2009																													
Logan SO						2	1		1													4		1		7				16
Napoleon PD																							1							1
McHenry SO	1					1	2		2										1			4	3	3		1				18
McIntosh SO						3	1	1	2			7				1		1	1			9	16	2		1		1		46
Wishek PD	DID NOT REPORT IN 2009																													
McKenzie SO							1		3													12	9	4		1				30
Watford City PD						1	2		1						1				2			18	4	3				3		35
McLean SO					1	10	9	2	18	1					10	3			31			41	59	21		28		1		235
Mercer SO						4	4	2	1									1	46			19	5	3		26		1		112
Beulah PD			1			2	2		11			1										25	18	14		7		4	1	86
Don PD	DID NOT REPORT IN 2009																													
Don SO					3	1	7	1	10		1				4				9			69	38	2		44				1
Mandan PD		3			9	15	27	11	105	1	2			6	35	8		5	17		11	197	126	41		396		29		2
Mountrail SO					2	1	2	1	7						2	2						58	6	8		20				109
Stanley PD								1	1													4								6
Nelson SO					1	3	3	3	10					3	4							12	9	4		6				58
Oliver SO							1		2			1										1		3		1				9
Pembina SO					1			1	4								3		22			30	15	2		14				92
Cavalier PD						1			7								1		3			16	16	1		7				52
Pierce SO				1	1														1				7			1				11
Rugby PD					2		2		5			2			2			1	1			5	2	2		4				28
Ramsey SO	1			2	3	2	2	1	1	1	2	4		2	1		1	3	22		4	45	33	1		66		1		198
Devils Lake PD					9	6	83	6	39	1	9	1		12	27	2		7	94		6	126	202	113		233		17		993
Ransom SO						2	1		5		1	1				1			1		1	3	5	5		3				29
Lisbon PD					1	1	2		1										1			10	5							21
Renville SO									1			9			1							12	12	1		2				38
Richland SO					2	7	4		17		1	92			11	1		2	5		17	33	52	5		87		3		339
Wahpeton PD					3	4	23	1	47		1		1	4	17	3		3	9		2	49	153	21		77		8	1	427
NDSCS PD					1	2	1		2						1							3	7	4		2				23
Rollette SO															1				2			11	3	5		4				26
Rolla PD						2	24		19						7	1			1			9	25	20		2		1		111
St. John PD									3													1	4	4						12
Sargent SO					3	1	3		7		1	11					3		2	7		6	28	4		9				85
Sheridan SO					1				2									1				2	8	1		1				16
Sioux SO	DID NOT REPORT IN 2009																													
Sioux Falls SO																														0
Sioux Falls SO												134				1			6		10	56	36	18		128				89

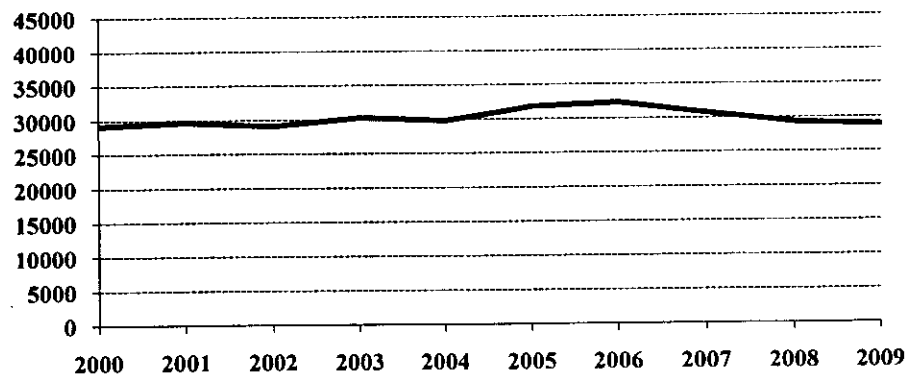
Agency	Murder/Non-Neg. Manal.	Negligent Manlaughter	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny/Theft	Motor Vehicle Theft	Other Assault	Arson	Forgery/Counterfeiting	Fraud	Embezzlement	Stolen Property Offenses	Vandalism	Weapon Offenses	Prostitution	Other Sex Offenses	Drug Abuse Violations	Gambling Violations	Off. Against Fam & Children	DUI	Liquor Law Violations	Disorderly Conduct	Vagrancy	All Other Offenses	Suspicion	Curfew/Loitering	Runaway	Total	
Dickinson PD	2			4	18	6	35	5	56		7	25	4	2	17	3		6	48			89	144	120		165			5	761	
Belfield PD									2																				2		
South Heart PD	DID NOT REPORT IN 2009																														
Steele SO	DID NOT REPORT IN 2009																														
Stutsman SO					2	4	4		4		1	1		1				1				17	25	4		14			3	81	
Jamestown PD		1			3	7	75	7	96	1	5	1	1		18	6			4	36		1	98	123	129		368		20	12	1012
Towner SO							2								1								1		1		6			11	
Cando PD							1		5						1			1				6	10	2		11		1		38	
Trail SO							5	2	3					1	2				2			19	14			3		1		52	
Mayville PD						2			2										4			7	5	1		1				22	
Hillsboro PD							1												1			2	1							5	
Walsh SO						5	8	5	17		1			1	7			1	2			32	6	6		9				100	
Grafton PD				3		2	10		18			1			9			1	19		1	50	40	18		8			2	182	
Ward SO			1	1	2	3	17	5	45		1	7			21	3		4	10			50	55	22		50			26	323	
Minot PD					39	8	189	11	129	1	4	16		6	24	16		3	158		2	338	325	102		247		1	97	1716	
Burlington PD																						7				1				8	
Wells SO								7				48				1			15		1	8	12			71				163	
Harvey PD						1	6		4						4				4			8	30	3		3		2		65	
Fessenden PD																							5			1				6	
Williams SO					5	1	5	1	12							1			7		1	21	18	2		11			1	86	
Williston PD			7	2	13	12	124	10	66		2	2	1		26	1		6	3	1	14	93	58	29		94		35	20	619	
City Patrol		4			3	1	10	8	12		1	1			8	41			331			1900	596	7		275				3198	
Task Forces							2				3					2			312		1		2			90				412	
Total	7	7	26	37	360	306	2485	179	2047	14	90	709	31	126	518	168	4	89	2063	1	185	5819	5449	1843		5542		296	524	28925	

Arrests 2000-2009

Arrest Summary

Year	Population	Arrest Total	% Change from Previous Year	Rate per 100,000 Pop.
2000	642,200	29,201	-3.5 %	4547.0
2001	634,450	29,638	1.5	4671.4
2002	634,110	29,145	-1.7	4596.2
2003	634,000	30,334	4.1	4784.5
2004	634,500	29,798	-1.8	4696.3
2005	637,000	31,835	6.8	4997.6
2006	636,000	32,343	1.6	5085.4
2007	640,000	30,780	-4.8	4809.4
2008	641,500	29,334	-4.7	4572.7
2009	647,000	28,925	-1.4	4470.6

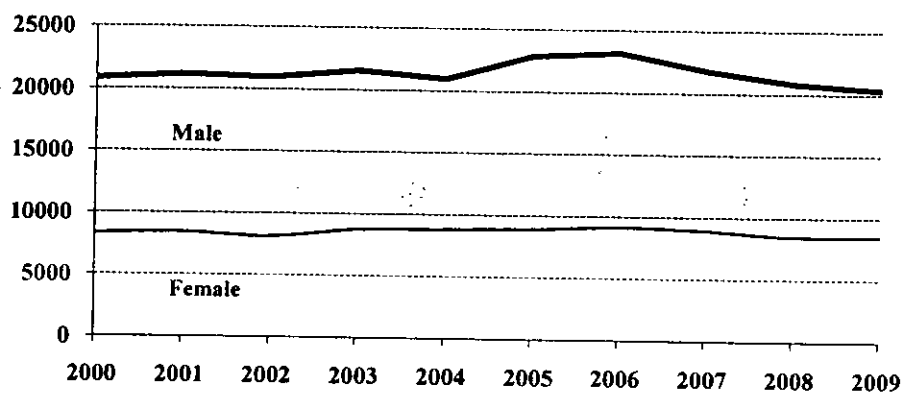
Arrest Totals, 2000-2009



Arrests by Gender, 2000-2009

Year	Male	% of Total	Female	% of Total	Total
2000	20,854	71.4 %	8,347	28.6 %	29,201
2001	21,170	71.4	8,468	28.6	29,638
2002	20,991	72.0	8,154	28.0	29,145
2003	21,580	71.1	8,754	28.9	30,334
2004	20,971	70.4	8,827	29.6	29,798
2005	22,891	71.9	8,944	28.1	31,835
2006	23,181	71.7	9,162	28.3	32,343
2007	21,829	70.9	8,951	29.1	30,780
2008	20,828	71.0	8,506	29.0	29,334
2009	20,393	70.5	8,532	29.5	28,925

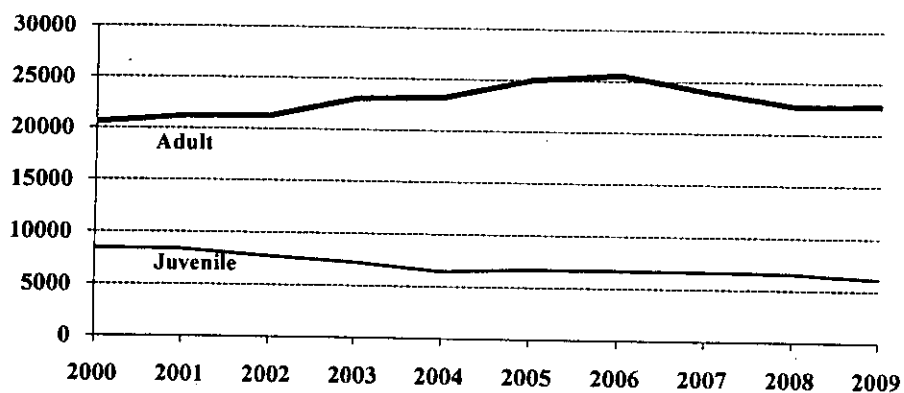
Arrests by Gender, 2000-2009



Juvenile and Adult Arrests, 2000-2009

Year	Juvenile	Percent of Total	Adult	Percent of Total	Age Not Reported	Percent of Total	Total
2000	8,435	28.9 %	20,612	70.6 %	154	0.5 %	29,201
2001	8,347	28.2	21,188	71.5	103	0.3	29,638
2002	7,742	26.6	21,279	73.0	124	0.4	29,145
2003	7,250	23.9	23,044	76.0	40	0.1	30,334
2004	6,467	21.7	23,247	78.0	84	0.3	29,798
2005	6,721	21.1	25,038	78.6	76	0.2	31,835
2006	6,703	20.7	25,601	79.2	39	0.1	32,343
2007	6,676	21.7	24,037	78.1	67	0.2	30,780
2008	6,593	22.5	22,695	77.4	46	0.1	29,334
2009	6,120	21.2	22,772	78.7	33	0.1	28,925

Juvenile and Adult Arrests, 2000-2009



Arrests by Age Group, 2000-2009

Age Group	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Under 10	203	186	168	145	108	73	120	108	106	99
10-12	708	819	638	582	580	500	579	461	465	510
13-14	1809	1686	1736	1601	1526	1411	1548	1427	1396	1185
15	1698	1629	1459	1344	1312	1394	1268	1337	1327	1243
16	1898	1943	1810	1677	1409	1630	1460	1641	1606	1585
17	2119	2084	1931	1901	1532	1713	1728	1702	1693	1498
18	2377	2501	2248	2620	2176	2300	2456	2368	2159	2059
19	2572	2845	2528	2832	2638	2647	2654	2647	2369	2371
20	2198	2565	2224	2597	2310	2602	2599	2417	2224	2268
21	1112	1220	1323	1476	1358	1405	1605	1444	1289	1236
22	957	913	1010	1174	1316	1259	1274	1268	1192	1087
23	830	817	904	958	1065	1173	1102	1018	1059	959
24	654	739	753	858	909	1045	1042	996	881	1005
25-29	2598	2397	2562	2880	2952	3549	3629	3567	3520	3441
30-34	2018	1932	1990	2021	2140	2331	2371	2100	1983	2108
35-39	1931	1926	1931	1727	1888	2095	1989	1758	1674	1719
40-44	1475	1536	1711	1731	1846	1869	1886	1612	1539	1495
45-49	908	895	1034	1065	1275	1354	1413	1312	1308	1289
50-54	483	448	550	557	696	734	814	780	769	934
55-59	250	191	261	303	367	359	414	425	365	449
60-64	81	77	110	118	165	155	183	171	199	187
65 +	168	186	140	127	146	161	170	154	165	165
Age Not Reported	154	103	124	40	84	76	39	67	46	33
Arrest Total	29201	29638	29145	30334	29798	31835	32343	30780	29334	28925

Arrests by Offense, 2000-2009

Offense Classification	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Murder/Non-Neg. Manslaughter	1	3	6	2	10	9	6	11	4	7
Negligent Manslaughter	4	1		5	4	3	5	5	6	7
Forcible Rape	39	32	42	40	53	34	45	37	45	26
Robbery	15	19	25	25	15	22	25	29	23	37
Aggravated Assault	144	161	127	136	159	203	214	235	320	360
Burglary	305	343	316	266	223	220	340	235	264	306
Larceny/Theft	2279	2238	2264	1924	1856	1830	1700	1979	2366	2485
Motor Vehicle Theft	247	238	261	227	189	216	220	174	182	179
Other Assaults	1704	1664	1798	1691	1656	2015	1989	1982	1947	2047
Arson	24	60	25	20	24	15	30	24	22	14
Forgery and Counterfeiting	137	186	192	202	170	161	159	111	71	90
Fraud	2532	1883	1777	1698	1557	1201	1243	913	646	709
Embezzlement	1	6	4	8	4	15	24	28	30	31
Stolen Property Offenses	98	113	171	148	123	137	124	126	135	126
Vandalism	671	713	802	650	592	572	657	665	557	518
Weapons Offenses	120	138	140	136	198	271	215	174	223	168
Prostitution		4		5	15	1	2	6	3	4
Other Sex Offenses	87	87	83	92	94	82	82	62	82	89
Drug Abuse Violations	1501	1658	1752	2045	2078	2343	2256	2323	2158	2063
Gambling		4	4		1	4		3	1	1
Off. Against Family & Children	250	245	228	205	221	243	199	177	163	185
Driving Under the Influence	4304	4301	4467	4854	5783	5946	6488	6085	5815	5819
Liquor Law Violations	6574	7415	6099	6969	5758	5940	6513	6118	5592	5449
Disorderly Conduct	1554	1636	1565	1691	1529	1657	1753	1586	1835	1843
Vagrancy	2	4	2	3						
All Other Offenses	5285	5338	6069	6318	6556	7686	7160	6684	5986	5542
Suspicion										
Curfew and Loitering	345	325	270	339	264	301	224	279	248	296
Runaways	978	823	656	635	666	708	670	729	610	524
Arrest Total	29201	29638	29145	30334	29798	31835	32343	30780	29334	28925

Juvenile Arrests by Offense, 2000-2009

Offense Classification	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Murder/Non-Neg. Manslaughter								2		
Negligent Manslaughter	1			1			1		1	
Forcible Rape	12	9	18	11	10	6	4	8	18	8
Robbery		3	9	6	8	4	7	5	4	3
Aggravated Assault	15	28	19	14	22	47	30	31	47	34
Burglary	134	175	166	118	99	55	115	94	97	94
Larceny/Theft	1285	1134	1147	919	792	794	699	876	977	992
Motor Vehicle Theft	153	130	146	119	78	103	105	74	84	88
Other Assaults	448	439	485	420	416	482	474	442	465	427
Arson	17	52	15	16	15	10	15	14	7	5
Forgery and Counterfeiting	41	29	35	22	17	15	9	5	2	9
Fraud	16	32	18	23	12	17	29	34	16	11
Embezzlement				2		4	4	5	8	3
Stolen Property Offenses	51	54	90	92	51	41	46	43	39	51
Vandalism	423	503	538	410	344	303	362	378	298	254
Weapons Offenses	31	40	36	22	40	41	43	28	43	26
Prostitution					10					
Other Sex Offenses	32	26	32	31	33	20	20	16	20	24
Drug Offenses	292	311	289	249	229	251	264	278	291	293
Gambling		1								
Off. Against Family/Children	66	86	77	64	84	86	107	91	88	88
Driving Under the Influence	81	90	74	90	92	92	100	66	93	79
Liquor Law Violations	2039	1890	1645	1741	1304	1255	1469	1341	1217	1029
Disorderly Conduct	699	785	672	738	652	687	714	601	761	729
Vagrancy		3								
All Other Offenses	1277	1379	1305	1168	1229	1399	1192	1236	1159	1053
Suspicion										
Curfew and Loitering	344	325	270	339	264	301	224	279	248	296
Runaways	978	823	656	635	666	708	670	729	610	524
Juvenile Arrest Total	8435	8347	7742	7250	6467	6721	6703	6676	6593	6120

Juvenile Arrests by Gender, 2000-2009

Year	Male	% of Total	Female	% of Total	Total
2000	5,387	63.9 %	3,048	36.1 %	8,435
2001	5,298	63.5	3,049	36.5	8,347
2002	5,043	65.1	2,699	34.9	7,742
2003	4,568	63.0	2,682	37.0	7,250
2004	3,909	60.4	2,558	39.6	6,467
2005	4,092	60.9	2,629	39.1	6,721
2006	4,240	63.3	2,463	36.7	6,703
2007	4,108	61.5	2,568	38.5	6,676
2008	4,061	61.6	2,532	38.4	6,593
2009	3,759	61.4	2,361	38.6	6,120

Adult Arrests by Offense, 2000-2009

Offense Classification	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Murder/Non-Neg. Manslaughter	1	3	6	2	10	9	6	9	4	7
Negligent Manslaughter	3	1		4	4	3	4	5	5	7
Forcible Rape	27	23	24	29	43	28	41	29	27	18
Robbery	15	16	16	19	7	18	18	24	19	34
Aggravated Assault	128	133	108	122	137	156	184	204	270	326
Burglary	166	166	144	148	119	165	224	141	167	211
Larceny/Theft	987	1102	1114	1004	1064	1035	1000	1103	1388	1491
Motor Vehicle Theft	93	108	114	108	111	113	115	100	98	91
Other Assaults	1249	1221	1311	1269	1237	1532	1513	1540	1480	1619
Arson	7	8	10	4	9	5	15	9	15	9
Forgery and Counterfeiting	96	157	155	180	151	145	149	106	69	81
Fraud	2482	1782	1701	1654	1507	1172	1211	845	620	693
Embezzlement	1	6	4	6	4	11	20	23	22	28
Stolen Property Offenses	46	59	80	56	72	96	78	83	96	75
Vandalism	246	204	264	240	246	269	293	287	258	264
Weapons Offenses	87	98	103	114	158	230	172	146	180	142
Prostitution		4		5	5	1	2	6	3	4
Other Sex Offenses	53	61	51	61	61	62	62	46	62	65
Drug Offenses	1206	1344	1438	1795	1846	2066	1983	2035	1857	1762
Gambling		2	4		1	4		3	1	1
Off. Against Family/Children	182	159	151	141	136	157	91	86	75	96
Driving Under the Influence	4214	4207	4390	4759	5685	5847	6384	6018	5718	5735
Liquor Law Violations	4493	5520	4449	5222	4449	4674	5038	4775	4369	4418
Disorderly Conduct	854	851	892	952	876	969	1035	984	1073	1112
Vagrancy	2	1	2	3						
All Other Offenses	3974	3952	4748	5147	5309	6271	5963	5430	4819	4483
Suspicion										
Adult Arrest Total	20612	21188	21279	23044	23247	25038	25601	24037	22695	22772

Adult Arrests by Gender, 2000-2009

Year	Male	% of Total	Female	% of Total	Total
2000	15,361	74.5 %	5,251	25.5 %	20,612
2001	15,805	74.6	5,383	25.4	21,188
2002	15,859	74.5	5,420	25.5	21,279
2003	16,987	73.7	6,057	26.3	23,044
2004	17,004	73.1	6,243	26.9	23,247
2005	18,739	74.8	6,299	25.2	25,038
2006	18,912	73.9	6,689	26.1	25,601
2007	17,677	73.5	6,360	26.5	24,037
2008	16,735	73.7	5,960	26.3	22,695
2009	16,610	72.9	6,162	27.1	22,772

Drug Arrest Analysis

Drug offense arrests decreased by 4.4 percent from a total of 2,158 in 2008 to 2,063 in 2009. The arrest totals shown should not be interpreted as the number of individuals arrested for drug offenses because it is possible that some individuals may have been arrested on more than one occasion for this offense.

Approximately 79 percent of drug arrests in 2009 were arrests of males.

Juveniles (persons under the age of 18) comprised 14.2 percent of the total in 2009.

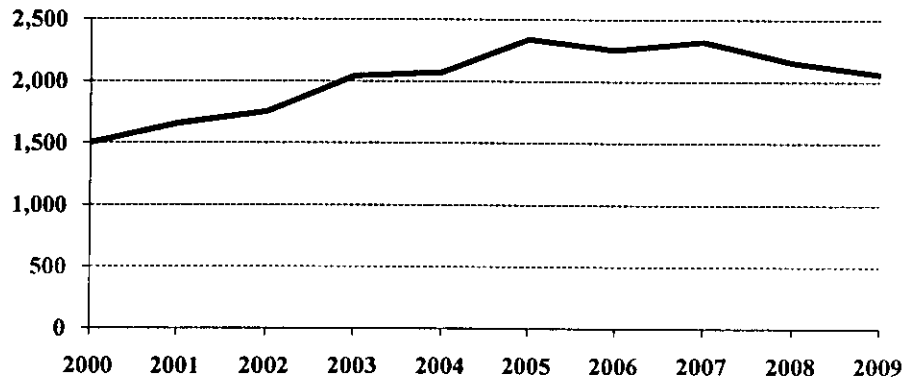
More than 89 percent of the drug arrests during the 10-year period were arrests for possession rather than sale or manufacture of drugs.

Nearly 72 percent of the arrests for drug offenses during the period 2000-2009 involved marijuana.

Arrests for Drug Offenses, 2000-2009

Year	Total	Percent Change from Previous Year
2000	1,501	3.1 %
2001	1,658	10.5
2002	1,752	5.7
2003	2,045	16.7
2004	2,078	1.6
2005	2,343	12.8
2006	2,256	-3.7
2007	2,323	3.0
2008	2,158	-7.1
2009	2,063	-4.4

Arrests for Drug Offenses, 2000-2009



Drug Arrests by Gender, 2000-2009

Year	Male	% of Total	Female	% of Total	Total
2000	1,222	81.4 %	279	18.6 %	1,501
2001	1,298	78.3	360	21.7	1,658
2002	1,340	76.5	412	23.5	1,752
2003	1,593	77.9	452	22.1	2,045
2004	1,595	76.8	483	23.2	2,078
2005	1,738	74.2	605	25.8	2,343
2006	1,762	78.1	494	21.9	2,256
2007	1,774	76.4	549	23.6	2,323
2008	1,642	76.1	516	23.9	2,158
2009	1,631	79.1	432	20.9	2,063

Drug Arrests by Age Category, 2000-2009

Year	Juvenile	Percent of Total	Adult	Percent of Total	Age Not Reported	Percent of Total	Total
2000	292	19.5 %	1,206	80.3 %	3	0.2 %	1,501
2001	311	18.7	1,344	81.1	3	0.2	1,658
2002	289	16.5	1,438	82.1	25	1.4	1,752
2003	249	12.2	1,795	87.8	1	*	2,045
2004	229	11.0	1,846	88.8	3	0.1	2,078
2005	251	10.7	2,066	88.2	26	1.1	2,343
2006	264	11.7	1,983	87.9	9	0.4	2,256
2007	278	12.0	2,035	87.6	10	0.4	2,323
2008	291	13.5	1,857	86.0	10	0.5	2,158
2009	293	14.2	1,762	85.4	8	0.4	2,063

*Less than 0.1 percent of total drug arrests.

Drug Arrests by Age Group, 2000-2009

Age Group	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Under 10										
10-12	1	3	4	3	4	5	4	2	4	3
13-14	38	36	29	33	29	20	34	39	31	31
15	51	50	43	34	40	42	38	47	60	40
16	84	95	93	66	68	90	79	92	91	97
17	118	127	120	113	88	94	109	98	105	122
18	145	151	159	195	163	195	187	209	195	170
19	130	172	152	175	186	197	169	196	175	179
20	100	143	142	157	160	193	180	182	151	161
21	73	115	105	117	117	121	132	148	141	134
22	73	75	83	115	135	124	119	136	126	107
23	50	63	58	87	111	106	98	95	100	99
24	42	42	67	75	110	107	97	106	78	113
25-29	145	155	186	272	250	326	319	385	303	258
30-34	146	131	119	151	190	203	217	155	171	164
35-39	137	133	137	158	129	153	156	136	114	113
40-44	91	103	145	159	168	163	145	111	129	84
45-49	52	43	58	85	82	109	91	87	105	89
50-54	16	12	24	38	33	45	52	59	45	55
55-59	6	3	3	8	9	18	16	22	17	26
60-64		2		1	1	1	4	3	5	7
65 +		1		2	2	5	1	5	2	3
No Age Data	3	3	25	1	3	26	9	10	10	8
Total	1501	1658	1752	2045	2078	2343	2256	2323	2158	2063

Drug Arrests by Type of Offense, 2000-2009

Year	Sale or Manufacture	% of Total	Possession	% of Total	Total
2000	188	12.5 %	1,313	87.5 %	1,501
2001	118	7.1	1,540	92.9	1,658
2002	134	7.6	1,618	92.4	1,752
2003	143	7.0	1,902	93.0	2,045
2004	318	15.3	1,760	84.7	2,078
2005	284	12.1	2,059	87.9	2,343
2006	298	13.2	1,958	86.8	2,256
2007	217	9.3	2,106	90.7	2,323
2008	250	11.6	1,908	88.4	2,158
2009	257	12.5	1,806	87.5	2,063

Drug Arrests by Age Category and Type of Offense, 2000-2009

Year	Juvenile		Adult		Age Not Reported	
	Sale or Manufacture	Possession	Sale or Manufacture	Possession	Sale or Manufacture	Possession
2000	32	260	156	1,050		3
2001	7	304	111	1,233		3
2002	20	269	110	1,328	4	21
2003	20	229	123	1,672		1
2004	28	201	289	1,557	1	2
2005	17	234	259	1,807	8	18
2006	27	237	268	1,715	3	6
2007	19	259	196	1,839	2	8
2008	33	258	217	1,640		10
2009	17	276	240	1,522		8

Drug Arrests by Type of Drug, 2000-2009

Year	Opiates, Cocaine or Derivatives	Percent of Total	Marijuana	Percent of Total	Other Drugs or Narcotics	Percent of Total	Total
2000	45	3.0 %	1,189	79.2 %	267	17.8 %	1,501
2001	33	2.0	1,221	73.6	404	24.4	1,658
2002	61	3.5	1,189	67.9	502	28.6	1,752
2003	62	3.0	1,428	69.9	555	27.1	2,045
2004	38	1.8	1,333	64.2	707	34.0	2,078
2005	53	2.3	1,516	64.7	774	33.0	2,343
2006	53	2.3	1,621	71.9	582	25.8	2,256
2007	50	2.2	1,783	76.7	490	21.1	2,323
2008	49	2.3	1,681	77.9	428	19.8	2,158
2009	44	2.1	1,533	74.3	486	23.6	2,063

Drug Arrests by Age Category and Type of Drug, 2000-2009

Year	Juvenile			Adult			Age Not Reported		
	Opiates, Cocaine or Deriv.	Marijuana	Other Drugs or Narcotics	Opiates, Cocaine or Deriv.	Marijuana	Other Drugs or Narcotics	Opiates, Cocaine or Deriv.	Marijuana	Other Drugs or Narcotics
2000	4	263	25	41	925	240		1	2
2001		269	42	33	950	361		2	1
2002	4	251	34	55	923	460	2	15	8
2003	3	206	40	59	1,221	515		1	
2004	3	162	64	35	1,170	641		1	2
2005	2	220	29	51	1,288	727		8	18
2006	1	229	34	52	1,389	542		3	6
2007	1	244	33	49	1,532	454		7	3
2008	5	237	49	44	1,438	375		6	4
2009	2	237	54	42	1,292	428		4	4

DUI Arrest Analysis

Reported DUI arrests increased 0.1 percent from 5,815 in 2008 to 5,819 in 2009. The arrest totals should not be interpreted as the number of individuals arrested for DUI offenses because it is possible that some individuals may have been arrested on more than one occasion.

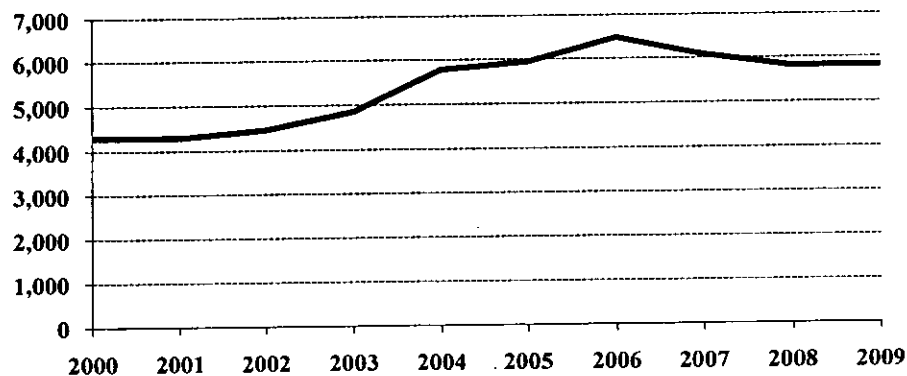
More than 75 percent of the DUI arrests in 2009 were arrests of males.

Juveniles, persons under the age of 18, made up 1.4 percent of the total in 2009.

DUI Arrests, 2000-2009

Year	DUI Arrests Reported	Percent Change from Previous Year
2000	4,304	-16.9 %
2001	4,301	-0.1
2002	4,467	3.9
2003	4,854	8.7
2004	5,783	19.1
2005	5,946	2.8
2006	6,488	9.1
2007	6,085	-6.2
2008	5,815	-4.4
2009	5,819	0.1

DUI Arrests, 2000-2009



DUI Arrests by Gender, 2000-2009

Year	Male	% of Total	Female	% of Total	Total
2000	3,437	79.9 %	867	20.1 %	4,304
2001	3,450	80.2	851	19.8	4,301
2002	3,545	79.4	922	20.6	4,467
2003	3,763	77.5	1,091	22.5	4,854
2004	4,459	77.1	1,324	22.9	5,783
2005	4,640	78.0	1,306	22.0	5,946
2006	4,956	76.4	1,532	23.6	6,488
2007	4,620	75.9	1,465	24.1	6,085
2008	4,449	76.5	1,366	23.5	5,815
2009	4,391	75.5	1,428	24.5	5,819

DUI Arrests by Age Category, 2000-2009

Year	Juvenile	Percent of Total	Adult	Percent of Total	Age Not Reported	Percent of Total	Total
2000	81	1.9 %	4,214	97.9 %	9	0.2 %	4,304
2001	90	2.1	4,207	97.8	4	0.1	4,301
2002	74	1.6	4,390	98.3	3	0.1	4,467
2003	90	1.9	4,759	98.0	5	0.1	4,854
2004	92	1.6	5,685	98.3	6	0.1	5,783
2005	92	1.6	5,847	98.3	7	0.1	5,946
2006	100	1.5	6,384	98.4	4	0.1	6,488
2007	66	1.1	6,018	98.9	1	*	6,085
2008	93	1.6	5,718	98.3	4	0.1	5,815
2009	79	1.4	5,735	98.5	5	0.1	5,819

*Less than 0.1 percent of total drug arrests.

DUI Arrests by Age Group, 2000-2009

Age Group	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Under 10										
10-12										
13-14	1	1	3	2	3	1	1	1	2	
15	3	6	6	10	8	5	10	2	8	7
16	30	35	17	25	33	31	28	17	25	27
17	47	48	48	53	48	55	61	46	58	45
18	125	112	114	161	142	121	161	127	121	110
19	146	135	155	195	212	206	187	166	158	138
20	155	145	182	219	205	219	196	166	173	169
21	251	269	276	354	362	344	431	381	340	359
22	240	232	260	300	417	372	373	381	338	300
23	205	197	238	267	305	345	357	339	314	316
24	170	209	188	260	293	278	336	336	304	292
25-29	640	641	660	775	867	1051	1060	1117	1083	1082
30-34	520	526	507	526	621	596	735	719	641	654
35-39	529	519	511	436	590	590	624	570	581	554
40-44	473	499	520	480	576	603	621	527	512	514
45-49	349	337	339	354	468	481	560	517	507	501
50-54	185	187	232	214	288	309	346	301	309	377
55-59	116	78	97	120	178	171	199	198	168	205
60-64	42	43	51	46	93	86	98	91	94	90
65 +	68	78	60	52	68	75	100	82	75	74
No Age Data	9	4	3	5	6	7	4	1	4	5
Total	4304	4301	4467	4854	5783	5946	6488	6085	5815	5819

UCR OFFENSE DEFINITIONS

UNIFORM CRIME REPORTING OFFENSE DEFINITIONS

Offenses in Uniform Crime Reporting are divided into two groups designated as Part I and Part II crimes. Information on the number of Part I offenses known to law enforcement, the number cleared by arrest or exceptional means, and the number of persons arrested is reported monthly. Arrest data are reported for Part I and Part II offenses. The Crime Index is composed of offenses 1-7 with the exception as noted in item 1 below.

NOTE: The classifications of these offenses for UCR reporting purposes are based on law enforcement investigation as opposed to determination by a court, medical examiner, jury, or other judicial hearing.

PART I OFFENSES:

1. CRIMINAL HOMICIDE

a. Murder and Non-Negligent Manslaughter

The willful (non-negligent) killing of one human being by another. Deaths caused by negligence, attempts to kill, assaults to kill, suicides, accidental deaths, and justifiable homicides are excluded. Justifiable homicides are limited to: (1) the killing of a felon by a law enforcement officer in the line of duty, and (2) the killing of a felon by a private citizen.

b. Manslaughter by Negligence

The killing of another person through gross negligence. Excludes traffic fatalities. While manslaughter by negligence is a Part I crime, it is not included in the Crime Index.

2. FORCIBLE RAPE

The carnal knowledge of a female forcibly and against her will. Included are rapes by force and attempts or assaults to rape. Statutory offenses (no force used -- victim under age of consent) are excluded.

3. ROBBERY

The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence, or putting the victim in fear.

4. AGGRAVATED ASSAULT

An unlawful act by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by a means likely to produce death or great bodily harm. Simple assaults are excluded.

5. BURGLARY

Breaking or entering. The unlawful entry of a structure to commit a felony or theft. Attempted forcible entry is included.

6. LARCENY/THEFT

The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Examples are thefts of bicycles or automobile accessories, shoplifting, pocket-picking, or the stealing of any property or article that is not taken by force and violence or by fraud. Attempted larcenies are included. Embezzlement, "con" games, forgery, worthless checks, etc., are excluded.

7. MOTOR VEHICLE THEFT

The theft or attempted theft of a motor vehicle. A motor vehicle is self-propelled and runs on the surface and not on rails. Specifically excluded from this category are motorboats, construction equipment, airplanes, and farming equipment.

8. ARSON

Any willful or malicious burning or attempting to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle, personal property of another, etc.

PART II OFFENSES:

9. OTHER ASSAULTS (SIMPLE)

Assaults or attempted assaults where no weapon was used or which did not result in serious or aggravated injury to the victim.

10. FORGERY AND COUNTERFEITING

Making, altering, uttering, or possessing, with the intent to defraud, anything false which is made to appear true. Attempts are included.

11. FRAUD

Fraudulent conversion and obtaining money or property by false pretenses. Included are larceny by bailee and bad checks except forgeries and counterfeiting. Attempts are included.

12. EMBEZZLEMENT

Misappropriation or misapplication of money or property entrusted to one's care, custody or control. Attempts are included.

13. STOLEN PROPERTY – BUYING, RECEIVING, POSSESSING

Buying, receiving, or possessing stolen property, including attempts.

14. VANDALISM

Willful or malicious destruction, injury, disfigurement, or defacement of any public or private property, real or personal, without consent of the owner or person having custody or control. Attempts are included.

15. WEAPON OFFENSES -- CARRYING, POSSESSING, ETC.

All violations of regulations or statutes controlling the carrying, using, possessing, furnishing, and manufacturing of deadly weapons or silencers. Attempts are included.

16. PROSTITUTION AND COMMERCIALIZED VICE

Sex offenses of a commercialized nature, such as prostitution, keeping a bawdy house, procuring, or transporting women for immoral purposes. Attempts are included.

17. OTHER SEX OFFENSES (except forcible rape, prostitution and commercialized vice)

Statutory rape and offenses against chastity, common decency, morals and the like. Attempts are included.

18. DRUG ABUSE VIOLATIONS

State and local offenses relating to narcotic and non-narcotic drugs, such as unlawful possession, sale, use, growing and manufacturing of narcotic and non-narcotic drugs. Attempts are included.

19. GAMBLING

Promoting, permitting, or engaging in illegal gambling.

20. OFFENSES AGAINST FAMILY AND CHILDREN

Non-support, neglect, desertion, or abuse of family and children.

21. DRIVING UNDER THE INFLUENCE

Driving or operating any vehicle or common carrier while drunk or under the influence of liquor or drugs.

22. LIQUOR LAWS

State or local liquor law violations, except "drunkenness" (offense 23) and "driving under the influence" (offense 21).

23. DRUNKENNESS

Drunkenness or intoxication. Excluded is "driving under the influence" (offense 21). This is not a crime in North Dakota, but is included in the national program.

24. DISORDERLY CONDUCT

Breach of peace.

25. VAGRANCY

Vagabondage, begging, loitering, etc.

26. ALL OTHER OFFENSES

All violations of state or local laws, except offenses 1-25 and traffic offenses.

27. SUSPICION

No specific offense; suspect released without formal charges being placed.

28. CURFEW AND LOITERING

Offenses relating to violation of local curfew and loitering ordinances where such laws exist.

29. RUNAWAYS

Limited to juveniles taken into protective custody under provisions of local statutes.

**FULL-TIME LAW
ENFORCEMENT EMPLOYEES**

**NUMBER OF FULL-TIME LAW ENFORCEMENT EMPLOYEES
REPORTED BY UCR AGENCIES
AS OF OCTOBER 31, 2009**

Agency	Law Enforcement Officers		Civilian Personnel		Total Full-Time			Population
	Male	Female	Male	Female	Male	Female	Total	
Adams SO	3				3		3	2,227
Barnes SO	5	1	4	7	9	8	17	4,483
Valley City PD	12	1		6	12	7	19	6,172
Benson SO	4				4		4	7,006
Billings SO	4				4		4	810
Medora PD	2				2		2	
Bottineau SO	10		2	2	12	2	14	6,305
Bowman SO	2	1			2	1	3	1,529
Bowman PD	3				3		3	1,491
Scranton PD	1				1		1	
Burke SO	4				4		4	1,555
Powers Lake PD	1				1		1	238
Burleigh SO	40	4	20	17	60	21	81	16,590
Bismarck PD	83	11	7	21	90	32	122	60,923
Lincoln PD	2	1			2	1	3	2,875
Cass SO	56	14	35	31	91	45	136	24,258
Fargo PD	112	21		18	112	39	151	83,986
West Fargo PD	31	2		10	31	12	43	24,862
NDSU PD	11	3	2	6	13	9	22	10,000
Cavalier SO	5		2	4	7	4	11	3,776
Dickey SO	4			1	4	1	5	2,036
Ellendale PD	2				2		2	1,446
Oakes PD	3	1			3	1	4	1,740
Divide SO	4				4		4	1,034
Crosby PD	2				2		2	939
Dunn SO	4			1	4	1	5	3,314
Killdeer PD	2				2		2	
Eddy SO	4			1	4	1	5	2,370
Emmons SO	3		1		4		4	2,326
Linton PD	2				2		2	987
Foster SO	2	1		1	2	2	4	1,391
Carrington PD	3	1			3	1	4	2,052
Golden Valley SO	4			1	4	1	5	1,624
Grand Forks SO	27			7	27	7	34	11,965
Grand Forks PD	70	12	6	10	76	22	98	41,553
Larimore PD	2				2		2	1,300
Northwood PD	2				2		2	924
Emerado PD	1				1		1	473
Thompson PD	1				1		1	954
UND PD	11	1		2	11	3	14	10,000
Grant SO	2	1			2	1	3	1,859
Elgin PD	1				1		1	532
Griggs SO	2			1	2	1	3	2,339
Hettinger SO	2	1			2	1	3	2,364
Kidder SO	3			1	3	1	4	1,626
Steele PD	1				1		1	639
LaMoure SO	4			1	4	1	5	3,158
Kulm PD	1				1		1	
LaMoure PD	1				1		1	788
Logan SO	2				2		2	1,217
Napoleon PD	1				1		1	705
McHenry SO	6	1			6	1	7	5,127
McIntosh SO	2	1			2	1	3	1,735
Wishek PD	2				2		2	853
McKenzie SO	6	9			6	9	15	4,331
Watford City PD	5				5		5	1,382
McLean SO	19	1	4	8	23	9	32	8,305
Mercer SO	14		8		22		22	2,820
Beulah PD	5			1	5	1	6	2,834
Hazen PD	4				4		4	2,181
Morton SO	20	1	6	8	26	9	35	8,320
Mandan PD	23	4	2	7	25	11	36	1,759

Agency	Law Enforcement Officers		Civilian Personnel		Total Full-Time			Population
	Male	Female	Male	Female	Male	Female	Total	
Mountrail SO	6	1		5	6	6	12	5,339
Stanley PD	3				3		3	1,212
Nelson SO	3			1	3	1	4	3,136
Oliver SO	3			1	3	1	4	1,672
Center PD	1				1		1	
Pembina SO	7		2	4	9	4	13	6,058
Cavalier PD	4				4		4	1,301
Pierce SO	3			4	3	4	7	1,526
Rugby PD	4				4		4	2,538
Ramsey SO	5	1		1	5	2	7	4,581
Devils Lake PD	15	1	1	1	16	2	18	6,654
Ransom SO	3	1	1	1	4	2	6	3,473
Lisbon PD	2	1			2	1	3	2,170
Renville SO	4	1			4	1	5	2,227
Mohall PD	1				1		1	
Sherwood PD	1				1		1	
Richland SO	12	1	7	5	19	6	25	6,804
Wahpeton PD	12	2	2		14	2	16	7,484
NDSCS PD	3				3		3	2,000
Rolette SO	7		4	4	11	4	15	11,985
Rolla PD	4				4		4	1,420
St. John PD	1				1		1	354
Sargent SO	4			1	4	1	5	4,047
Sheridan SO	3				3		3	1,235
Sioux SO	1				1		1	4,284
Slope SO	1				1		1	671
Stark SO	12		3		15		15	6,410
Dickinson PD	29	2	3	12	32	14	46	16,043
Belfield PD	1				1		1	5,917
South Heart PD		1				1	1	6,039
Steele SO	3				3		3	6,161
Stutsman SO	7	1		2	7	3	10	6,283
Jamestown PD	26	3		4	26	7	33	6,405
Towner SO	2			1	2	1	3	6,526
Cando PD	2				2		2	6,648
Traill SO	6			5	6	5	11	6,770
Hillsboro PD	1	1			1	1	2	6,892
Mayville PD	3				3		3	7,014
Walsh SO	10		4	3	14	3	17	6,886
Grafton PD	10			1	10	1	11	3,924
Ward SO	18	3	12	13	30	16	46	19,836
Kenmare PD	3				3		3	
Minot PD	53	7	6	18	59	25	84	35,293
Burlington PD	2				2		2	990
Surrey PD	1				1		1	
Wells SO	3				3		3	2,063
Harvey PD	3	1			3	1	4	1,583
Fessenden PD	1				1		1	488
Williams SO	15	3	10	2	25	5	30	7,357
Tioga PD	2				2		2	
Williston PD	22	1	2	6	24	7	31	12,662
Highway Patrol	126	6	20	31	146	37	183	
Total	1144	132	176	299	1320	431	1751	647,000

**STATE OF NORTH DAKOTA
OFFICE OF ATTORNEY GENERAL**

Criminal Justice Statistics Special Report

Homicide in North Dakota, 2009



**Attorney General
Wayne Stenehjem**

Report prepared by
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Bureau of Criminal Investigation
Information Services Section

July 2010

The term "homicide," for purposes of this report, includes the Uniform Crime Reporting (UCR) offenses of murder and non-negligent manslaughter. Homicide refers to the "willful killing of one human being by another." It does not include attempts to kill, assaults to kill, suicides, accidental deaths, justifiable homicides or deaths caused by gross negligence.

HOMICIDE IN 2009

- In 2009, fifteen homicide deaths were known to the Uniform Crime Reporting (UCR) program. Based on a state population estimate of 647,000, the resulting homicide rate for the state of North Dakota was 2.3 per 100,000 population. See Table 2 on page 3 for information regarding rates for previous years.
- **Victim Gender:** Seven of the homicide victims were male.
- **Victim Age:** Four of the fifteen victims were under the age of 3 months. Eleven of the victims were adults. "Adult" is defined as a person aged 18 or older. See Table 1 on page 2 for a summary of homicide incidents in 2009.
- **Weapons:** Firearms were involved in the deaths of six homicide victims.
- **Domestic Violence:** There were twelve homicides in 2009 resulting from domestic violence incidents. See definition on page 12.
- **Assailant Gender:** Fifteen of the seventeen identified assailants were male.
- **Assailant Age:** All of the identified assailants were adults.
- While tribal law enforcement agencies and any other federal law enforcement entities in the state do not participate in the state UCR program, every effort is made to include all homicide incidents occurring within the state's borders.

Table 1
Summary of Homicide Incidents
North Dakota, 2009

Date & Location of Incident	Victim(s)		Assailant(s)		Weapons Used	Relationship of Victim to Assailant	Circumstances
	Age	Sex	Age	Sex			
1/27/2009 Spirit Lake Reservation	36	M	49	F	Knife	Boyfriend	Lover's Quarrel Domestic Violence
2/2/2009 Burleigh County	NB	F	18	F	Starvation	Daughter	Baby died of malnutrition Domestic Violence
3/6/2009 McHenry County	38	F	38	M	Shotgun	Girlfriend	Murder/Suicide Domestic Violence
3/19/2009 Turtle Mountain Reservation	3 M	F	24	M	Personal Weapon	Daughter	Domestic Violence
3/26/2009 Dunn County	49	M	39 23	M M	Firearm	Acquaintance Acquaintance	Alleged Child Abuse Domestic Violence
5/5/2009 Bismarck	74	F	78	M	Blunt Object	Wife	Unknown Domestic Violence
07/25/2009 Dickinson	19	M	20	M	Firearm	Acquaintance	Argument
07/26/2009 Fargo	47	M	20	M	Personal Weapon	Stranger	Unknown
8/16/2009 Dickinson	43	F	41	M	Firearm /Blunt Object	Wife	Lover's Quarrel Murder/Suicide Domestic Violence
9/8/2009 Grand Forks	47	F	50	M	Handgun	Wife	Domestic Violence Murder/Suicide
10/06/2009 Bismarck	3 M	M	20	M	Personal Weapon	Son	Shaken Baby Syndrome Domestic Violence
10/16/2009 Fort Berthold Reservation	18	M	18	M	Knife	Cousins	Victim found with stab wounds Domestic Violence
10/26/2009 Fargo	49	M	41 63	M M	Blunt Object	Acquaintance Other Family Member	Murder for hire Domestic Violence
10/31/2009 Fargo	2 M	F	46	M	Asphyxiation	Babysitree	Fell asleep on top of victim.
11/26/2009 Pembina County	41	F	52	M	Handgun	Wife	Murder/Suicide Domestic Violence

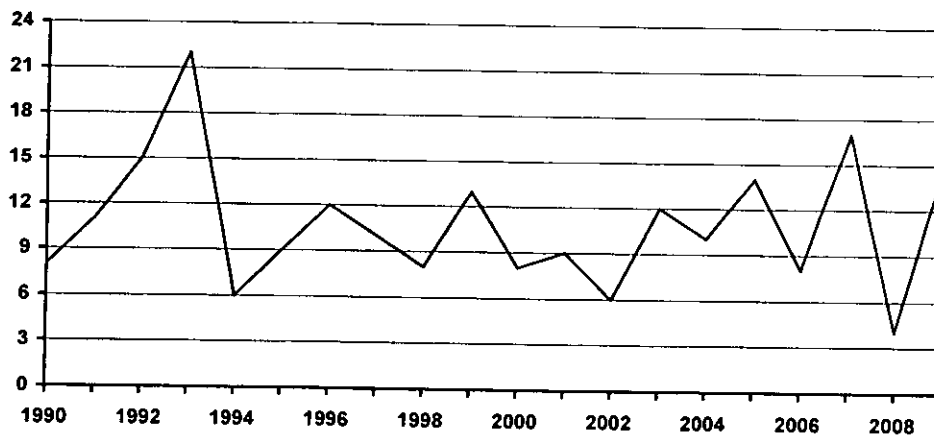
HOMICIDE TOTALS AND RATES

- Table 2 provides yearly homicide totals and homicide rate information for North Dakota during the period 1990-2009.
- The average number of homicide deaths per year during this period is 11.

Table 2
Homicide Rate
North Dakota, 1990-2009

Year	Homicide Total	Population Estimate	Rate/100,000 Population
1990	8	638,800	1.3
1991	11	635,000	1.7
1992	15	636,000	2.4
1993	22	635,000	3.5
1994	6	638,000	0.9
1995	9	641,000	1.4
1996	12	644,000	1.9
1997	10	641,000	1.6
1998	8	638,000	1.3
1999	13	634,000	2.1
2000	8	642,200	1.2
2001	9	634,450	1.4
2002	6	634,110	0.9
2003	12	634,000	1.9
2004	10	634,500	1.6
2005	14	637,000	2.2
2006	8	636,000	1.3
2007	17	640,000	2.7
2008	4	641,500	0.6
2009	15	647,000	2.3

Figure 1
Homicide in North Dakota
1990-2009



VICTIM CHARACTERISTICS - GENDER

- Fifty-seven percent of the 217 total homicide victims during the period 1990-2009 were male.

Table 3
Gender of Homicide Victims
North Dakota, 1990-2009

Year	Male	Female	Total
1990	3	5	8
1991	4	7	11
1992	10	5	15
1993	15	7	22
1994	2	4	6
1995	6	3	9
1996	6	6	12
1997	7	3	10
1998	6	2	8
1999	9	4	13
2000	4	4	8
2001	7	2	9
2002	2	4	6
2003	6	6	12
2004	7	3	10
2005	8	6	14
2006	4	4	8
2007	7	10	17
2008	3	1	4
2009	7	8	15
Total 1990-2009	123 (57%)	94 (43%)	217

VICTIM CHARACTERISTICS - AGE

- Of the 217 homicides during the period 1990-2009, 82 percent were adults. See Table 4 below.
- Thirty-nine percent of homicide victims were between the ages of 21 and 40. See Table 5 on the following page for information regarding age and gender of victims.

Table 4
Homicide Victims
Juvenile and Adult
North Dakota, 1990-2009

Year	Juvenile	Adult	Total
1990		8	8
1991	3	8	11
1992	3	12	15
1993	7	15	22
1994		6	6
1995	2	7	9
1996		12	12
1997		10	10
1998	2	6	8
1999	2	11	13
2000		8	8
2001		9	9
2002	2	4	6
2003	2	10	12
2004	3	7	10
2005	2	12	14
2006	2	6	8
2007	4	13	17
2008	2	2	4
2009	4	11	15
Total 1990-2009	40	177	217

Table 5
Homicide Victims
By Age and Gender
North Dakota, 1990-2009

Age	Male	Female	Total
Less than 1 year	11	10	21
01-05	3	2	5
06-10	1	3	4
11-15	1	1	2
16-20	13	10	23
21-25	12	3	15
26-30	15	10	25
31-35	10	8	18
36-40	15	11	26
41-45	8	10	18
46-50	13	11	24
51-55	6	2	8
56-60	2	2	4
61-65	1	2	3
Over 65	12	9	21
Total 1990-2009	123	94	217

WEAPONS AND VICTIM CHARACTERISTICS

- Forty-one percent of deaths due to homicide during the period 1990-2009 resulted from firearm use. See Table 6 below.
- In homicides involving firearms, the weapon was more likely to be a long gun than a handgun.
- Thirty-four of the 217 total homicide deaths involved the use of "personal weapons." Personal weapons include the use of hands, fists and feet as weapons.

Table 6
Weapons of Homicide
North Dakota, 1990-2009

Year	Handgun	Other Firearm	Knife	Blunt Instrument	Personal Weapon	Other or Unknown	Total
1990	3	1	2	1	1		8
1991		4	1	1		5	11
1992	2	6	4	2	1		15
1993	6	4	5	2	2	3	22
1994	1	2				3	6
1995	2	2	1	2		2	9
1996	3	4	4			1	12
1997		1	1	2	4	2	10
1998		3	2			3	8
1999	1	4	3	1		4	13
2000	2	1	2	1	2		8
2001	2	3	1	1	2		9
2002	1	1			2	2	6
2003	4	7			1		12
2004		5		1	1	3	10
2005	2	1	1	2	5	3	14
2006	1		4		2	1	8
2007	4		2	1	6	4	17
2008			2		2		4
2009	3	3	2	2	3	2	15
Total 1990-2009	37	52	37	19	34	38	217

- Firearms were used in 20 percent of the homicides of juveniles. Forty-six percent of adult deaths due to homicide involved firearms. See Table 7 below.
- Thirty-seven percent of homicides of males and 47 percent of homicides of females involved the use of firearms. See Table 8.
- Eighteen percent of homicides of males and 16 percent of homicides of females involved knives.

Table 7
Homicide Victims
By Weapon and Age Category
North Dakota, 1990-2009

Weapon	Juvenile	Adult	Total
Handgun	2	35	37
Other Firearm	6	46	52
Knife		37	37
Blunt Instrument	1	18	19
Personal Weapon	16	18	34
Other or Unknown	15	23	38
Total 1990-2009	40	177	217

Table 8
Homicide Victims
By Weapon and Gender
North Dakota, 1990-2009

Weapon	Male	Female	Total
Handgun	22	15	37
Other Firearm	23	29	52
Knife	22	15	37
Blunt Instrument	15	4	19
Personal Weapon	21	13	34
Other or Unknown	20	18	38
Total 1990-2009	123	94	217

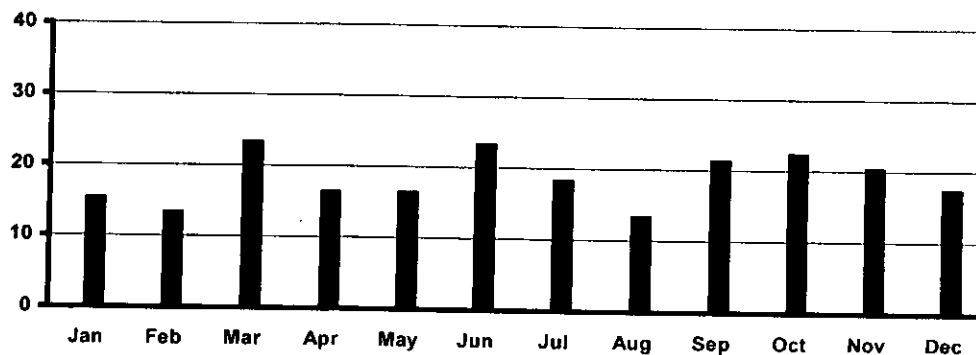
MONTH OF OCCURRENCE

- During the period 1990-2009, the months of March and June had the highest number of homicide deaths. See Table 9 below. Figure 2 illustrates this information graphically.

Table 9
Deaths Due to Homicide
By Month, 1990-2009

Month	Number	Percent of Total Homicides
January	15	6.9 %
February	13	6.0
March	23	10.6
April	16	7.4
May	16	7.4
June	23	10.6
July	18	8.3
August	13	6.0
September	21	9.7
October	22	10.1
November	20	9.2
December	17	7.8
Total 1990-2009	217	100.0

Figure 2
Homicides by Month of Occurrence
North Dakota, 1990-2009



DOMESTIC VIOLENCE DEATHS

For purposes of this report, domestic violence deaths include those involving a spouse, former spouse, parent, child, persons related by blood or marriage, persons in a present or former dating relationship, persons who are presently residing together or have resided together in the past, persons who have a child in common regardless of whether they are or have been married or have lived together at any time, other persons on premises when a domestic incident occurs, and romantic triangle situations.

- For the period 1990-2009, 54 percent of deaths due to homicide involved domestic violence.

Table 10
Domestic Violence Deaths
North Dakota, 1990-2009

Year	Domestic	Non-Domestic	No Assallant Identified	Homicide Total
1990	5	3		8
1991	5	4	2	11
1992	11	4		15
1993	11	11		22
1994	4	1	1	6
1995	3	6		9
1996	7	5		12
1997	2	8		10
1998	6	2		8
1999	7	6		13
2000	6	1	1	8
2001	2	7		9
2002	4	1	1	6
2003	8	4		12
2004	6	4		10
2005	6	7	1	14
2006	4	3	1	8
2007	7	9	1	17
2008		4		4
2009	12	3		15
Total 1990-2009	116	93	8	217

- Persons killed in domestic violence incidents were more likely to be killed with a firearm than those killed in non-domestic incidents.
- Fifty-five percent of female deaths in domestic violence incidents involved firearms, while 22 percent of female deaths in non-domestic violence incidents involved firearms.
- Seventy-three percent of female homicide victims were killed in domestic violence incidents, compared to 36 percent of males.

Table 11
Domestic Violence Deaths
By Type of Weapon and Age Category of Victim
North Dakota, 1990-2009

Weapon	Domestic		Non-Domestic	
	Juvenile	Adult	Juvenile	Adult
Handgun		18	2	17
Other Firearm	6	33		12
Knife		19		16
Blunt Instrument	1	6		13
Personal Weapon	11	5	5	11
Other or Unknown	8	6	6	12
Total 1990-2009	26	87	13	81

Table 12
Domestic Violence Deaths
By Type of Weapon and Gender of Victim
North Dakota, 1990-2009

Weapon	Domestic		Non-Domestic	
	Male	Female	Male	Female
Handgun	6	12	16	3
Other Firearm	13	26	10	2
Knife	10	9	10	6
Blunt Instrument	2	5	13	
Personal Weapon	6	10	14	2
Other or Unknown	7	7	8	10
Total 1990-2009	44	69	71	23

CLEARANCE RATES

- Cases may be "cleared by arrest" of an assailant, or "cleared exceptionally," if a physical arrest cannot be made for reasons beyond the control of law enforcement. An example of an exceptional clearance would be a case in which the assailant committed suicide after killing someone.
- "Clearances" should not be interpreted as "convictions." The information regarding clearances, collected through the Uniform Crime Reporting (UCR) program, reflects law enforcement activity. If an arrest is made, the UCR program considers the case cleared. UCR data does not reflect the results of prosecution of assailants.
- The average clearance rate for homicides in North Dakota during the period from 1990 to 2009 is 95 percent.

Table 13
Clearance Rates for Homicides
North Dakota, 1990-2009

Year	Total Cleared	Total Homicides	North Dakota Clearance Rate	National Clearance Rate*
1990	8	8	100	67
1991	9	11	82	67
1992	15	15	100	65
1993	22	22	100	66
1994	5	6	83	64
1995	9	9	100	65
1996	12	12	100	67
1997	10	10	100	66
1998	8	8	100	69
1999	13	13	100	69
2000	7	8	88	63
2001	9	9	100	63
2002	5	6	83	64
2003	12	12	100	62
2004	10	10	100	63
2005	12	14	86	62
2006	7	8	88	61
2007	16	17	94	61
2008	4	4	100	64
2009	15	15	100	Not Available

* Clearance rates reported in annual Crime in the United States reports published by the FBI.

IDENTIFIED ASSAILANT CHARACTERISTICS - GENDER

- During the period 1990-2009, 88 percent of the 225 identified homicide assailants were male.
- Eight homicides during 1990-2009 have not had an assailant identified by law enforcement.

Table 14
Identified Homicide Assailants
By Gender
North Dakota, 1990-2009

Year	Male	Female	Total
1990	4	3	7
1991	8		8 *
1992	11	3	14
1993	17	3	20
1994	4	1	5 *
1995	19		19
1996	13	2	15
1997	8	1	9
1998	5	3	8
1999	9	2	11
2000	7	1	8 *
2001	11		11
2002	5		5 *
2003	9		9
2004	13	1	14
2005	13	1	14 *
2006	6	1	7 *
2007	14	3	17 *
2008	6	1	7
2009	15	2	17
Total 1990-2009	197 (88%)	28 (12%)	225

* Indicates that at least one incident for the year does not have an identified assailant.

- Eighty-nine percent of the total 225 assailants identified by law enforcement were adults. See Table 15 below.
- Of the 225 assailants identified by law enforcement, 64 percent were between the ages of 16 and 35. See Table 16 on the following page for information on age and gender of identified assailants.

Table 15
Identified Homicide Assailants
Juvenile and Adult
North Dakota, 1990-2009

Year	Juvenile	Adult	Total
1990		7	7
1991	1	7	8 *
1992	2	12	14
1993	3	17	20
1994		5	5 *
1995	13	6	19
1996	1	14	15
1997		9	9
1998	1	7	8
1999		11	11
2000		8	8 *
2001		11	11
2002		5	5 *
2003		9	9
2004		14	14
2005		14	14 *
2006		7	7 *
2007	3	14	17 *
2008		7	7
2009		17	17
Total 1990-2009	24 (11%)	201 (89%)	225

* Indicates that at least one incident for the year does not have an identified assailant.

Table 16
Identified Homicide Assailants
By Age and Gender
North Dakota, 1990-2009

Age	Male	Female	Total
01-05			0
06-10			0
11-15	11	2	13
16-20	39	4	43
21-25	46	6	52
26-30	26	4	30
31-35	17	3	20
36-40	17	4	21
41-45	11	3	14
46-50	9	1	10
51-55	4	1	5
56-60	8		8
61-65	3		3
Over 65	6		6
Total 1990-2009	197	28	225

WEAPONS AND IDENTIFIED ASSAILANT CHARACTERISTICS

- In homicide incidents involving firearms, juvenile assailants were much more likely to use firearms other than handguns.
- Male assailants were more likely to use firearms in homicide incidents, while females were more likely to use knives.

Table 17
Identified Assailants
By Type of Weapon and Age Category
North Dakota, 1990-2009

Weapon	Juvenile	Adult	Total
Handgun	1	35	36
Other Firearm	10	40	50
Knife	3	43	46
Blunt Instrument	3	21	24
Personal Weapon	4	33	37
Other or Unknown	3	29	32
Total 1990-2009	24	201	225

Table 18
Identified Assailants
By Type of Weapon and Gender
North Dakota, 1990-2009

Weapon	Male	Female	Total
Handgun	34	2	36
Other Firearm	47	3	50
Knife	35	11	46
Blunt Instrument	24		24
Personal Weapon	33	4	37
Other or Unknown	24	8	32
Total 1990-2009	197	28	225

- Forty-nine percent of assailants identified by law enforcement were involved in domestic violence incidents. See Table 19 below.

- Assailants were more likely to use firearms in domestic incidents than in non-domestic incidents. See Table 20.
- Knives were more likely to be used by assailants in non-domestic incidents.
- Seventy-nine percent of identified female assailants were involved in domestic incidents, compared to 45 percent for males. See Table 22.

Table 19
Identified Homicide Assailants
Domestic/Non-Domestic Incidents
North Dakota, 1990-2009

Year	Domestic	Non-Domestic	Total
1990	4	3	7
1991	4	4	8 *
1992	8	6	14
1993	8	12	20
1994	4	1	5 *
1995	4	15	19
1996	7	8	15
1997	2	7	9
1998	6	2	8
1999	6	5	11
2000	6	2	8 *
2001	2	9	11
2002	4	1	5 *
2003	6	3	9
2004	6	8	14
2005	7	7	14 *
2006	4	3	7 *
2007	9	8	17 *
2008		7	7
2009	14	3	17
Total 1990-2009	111 (49%)	114 (51%)	225

* Indicates that at least one incident for the year does not have an identified assailant.

Table 20
Weapon Use by Identified Assailants
Domestic/Non-Domestic Incidents

North Dakota, 1990-2009

Weapon	Domestic	Non-Domestic	Total
Handgun	20	16	36
Other Firearm	31	19	50
Knife	20	26	46
Blunt Instrument	7	17	24
Personal Weapon	17	20	37
Other or Unknown	16	16	32
Total 1990-2009	111	114	225

Table 21
Domestic/Non-Domestic Incidents
By Type of Weapon and Age Category of Assailant
North Dakota, 1990-2009

Weapon	Domestic		Non-Domestic	
	Juvenile	Adult	Juvenile	Adult
Handgun		20	1	15
Other Firearm	1	30	9	10
Knife	2	18	1	25
Blunt Instrument		7	3	14
Personal Weapon	2	15	2	18
Other or Unknown	1	15	2	14
Total 1990-2009	6	105	18	96

Table 22
Domestic/Non-Domestic Incidents
By Type of Weapon and Gender of Assailant
North Dakota, 1990-2009

Weapon	Domestic		Non-Domestic	
	Male	Female	Male	Female
Handgun	19	1	15	1
Other Firearm	28	3	19	
Knife	11	9	24	2
Blunt Instrument	7		17	
Personal Weapon	14	3	19	1
Other or Unknown	10	6	14	2
Total 1990-2009	89	22	108	6

January 25, 2011

Good morning!

My name is Marlyce Wilder, and I am the State's Attorney in Williston, which is Williams County. I have worked as a prosecutor for the County for some six years, and was in private practice for approximately ten years prior to that time. While in private practice, I worked closely with the Family Crisis Shelter in Williston, which is the heart of the local domestic violence program. Now I prosecute the perpetrators of domestic violence.

In 2003, while still in private practice, I was fortunate enough to attend a national conference in San Diego regarding the concept of Domestic Violence Fatality Review.

Upon arrival at the conference, I realized that I was from one of the smallest venues in attendance. Being a North Dakota native, I'm not only comfortable with that designation but proud of the same, and plunged into the learning process.

What I discovered during the conference was that domestic violence fatality review teams were in place nationwide – usually in the largest cities, where the teams were more or less "permanent." The teams met regularly to choose the cases that they wanted to review from the hundreds or even thousands of domestic violence deaths that had occurred in their jurisdiction. The team administrators then called in the pertinent players, and the team took the cases apart piece by piece. Some of the largest cities had as many as six teams in place permanently.

While I realized that although such a structured, permanent team would not be feasible for most or perhaps any city in North Dakota, I also immediately recognized the need for a modified version in my home state.

This recognition came about when I realized that I absolutely agreed with the philosophy behind what the teams were doing: **What went wrong? And how can we stop it from happening again?** That sounds like a pretty simple concept, but an extremely important analysis to be made in the aftermath of a domestic violence fatality.

Recently we had a murder/suicide in Williston, where I live and work. Even after having read all the various reports generated by law enforcement, I have only vague observations and speculations about the circumstances of the deaths, and how these deaths might have been avoided. It would be nice to be able to offer more than that to the families of the two young people who died in this tragedy. It would also be powerful to be able to offer guidance to the various entities that could benefit from the review, and to know that some good came to our community out of these untimely deaths.

The process of domestic violence fatality review becomes a chance for individual and community healing. It is also a system for identifying areas where our communities can improve services and awareness, and thus improve community safety. A win-win situation emerging from a devastating event.

I whole-heartedly support this legislation, and would welcome any questions from the committee.

Testimony on SB 2247
Senate Judiciary Committee
January 25, 2011

Chairman Nething and Members of the Committee:

My name is Becky Dunker. I'm the Program Coordinator for Living On, a program under the North Dakota Council on Abused Women's Services. Living On is a support network for family and friends of victim's of domestic violence homicides. I've asked Janelle Moos, the Executive Director of the North Dakota Council on Abused Women's Services to read this testimony on my behalf.

My sister in law was killed in Cogswell on February 17, 2001. Her boyfriend of over ten years shot and killed her in front of their three small children. As a result of this domestic violence homicide, my family had many unanswered questions about how something like this happens. In 2004, Living On was created to assist families in various ways such as providing monetary support to attend trials and passing along resources, but mostly by providing comfort and helping them process what has just happened. Unfortunately there are still many unanswered questions, and the loved one of many families will be gone forever. But if we could just start digging into the stories behind the domestic violence homicides in North Dakota, maybe just one piece of information could be found to continue education in the area of domestic violence and prevent a homicide from happening at all.

The Domestic Violence Fatality Review Project is a process where the Fatality Review Team would look at personal history, police reports, homicide investigation reports, social service reports or anything else relevant to a case. This team would look for risks in areas of the case where for example maybe a law could be changed, the community at large could be educated, or law enforcement could have more training. *Reviewing these cases is not about trying to find who was at fault. It's a tool to review a domestic violence homicide to see if there are ways to prevent another loss of life.*

I'm asking that you support SB 2247 for a domestic violence fatality review so the commission may find ways to eliminate domestic violence homicides can and other families don't have to ask why.

Thank You.

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**NORTH DAKOTA COUNCIL ON ABUSED WOMEN'S SERVICES
COALITION AGAINST SEXUAL ASSAULT IN NORTH DAKOTA**

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Testimony on SB 2247
House Judiciary Committee
March 14, 2011

Chair DeKrey and Members of the Committee:

My name is Janelle Moos and I am the Executive Director of the North Dakota Council on Abused Women's Services. Our Coalition is a membership based organization and consists of 21 local domestic violence and rape crisis centers located throughout the state that provide services to victims in all 53 counties and the reservations in North Dakota.

Last year, these centers assisted over 4,600 victims of domestic violence and nearly 900 victims of sexual assault, providing services such as shelter, advocacy, counseling, and assistance in obtaining court orders of protection. These centers range in size from small rural programs with one or two employees who do everything to larger programs in more urban areas with over 30 specialized staff members.

Domestic violence homicide is the most extreme form of domestic violence. Although North Dakota has a relatively low crime and homicide rate, over the last 30+ years at least ½ of all of the homicides in North Dakota have been a result of domestic violence. According to the Attorney General, in 2010, there were 10 homicides committed in North Dakota. Four (4) of those were a direct result of domestic violence.

Domestic violence fatality review involves the analysis of a death caused by, related to, or somehow traceable to domestic violence. The review creates a greater understanding of the tragedy and ideally leads to the implementation of preventive interventions. Comprehensive fatality review allows us to make sense of the death(s) by recreating the experiences of the victims, perpetrators, and other parties involved in the case, exploring the compromises and challenges parties faced in accessing services, making decisions, and exploring strategies. Cases for review can include:

- Closed cases (perpetrator has been convicted, most or all appeals have expired)
- Open cases (case is pending)
- Murder-suicide (a type of closed case, where the perpetrator is dead)
- Suicide

- High-profile or cases deemed significant by community

While it is important that each review team determine their specific purpose for conducting reviews, most review teams share the following underlying objectives:

- Prevent future domestic violence and domestic homicide.
- Provide safer provisions for battered women and their children.
- Hold accountable both the perpetrators of domestic violence and the multiple agencies and organizations that come into contact with the parties.

Fatality review can also enhance a community's coordinated response. Fatality Review provides an opportunity for a diverse, multi-disciplinary group of professionals and community members to meet on a regular basis and discuss issues of system response and social change. Many teams have reported that the relationships developed as a result of fatality review have been invaluable and have enhanced coordination among individuals, agencies, and the community as a whole.

In closing, I would like to express my sincere thanks to Senator Olafson for initiating this bill and to the other legislators who have signed on as co-sponsors and to the Attorney General's office for their leadership on this initiative. I ask that you join them in supporting Senate Bill 2247.

Thank you.

Q&A About Domestic Violence Fatality Review

This Q&A was conducted with Neil Websdale, Ph.D. (pictured right), Director of the National Domestic Violence Fatality Review Initiative.



Q: What is domestic violence fatality review?

A: Domestic violence fatality review involves an analysis of a death caused by, related to, or somehow traceable to domestic violence. The review creates a greater understanding of the tragedy and ideally leads to the implementation of preventive interventions. Teams review many different types of cases, including serious (non-fatal) incidents, intimate partner homicides, homicide suicides, familicides (perpetrator kills former or current spouse one or more of their children and often commits suicide), suicides (especially those of battered women who exit violent, tyrannical and controlling relationships), cases where bystanders die (e.g. police officers, workplace colleagues), cases where one sexual competitor (usually a previously abusive man) kills another and indirect deaths where decedents die from causes traceable to domestic violence, including the deaths of homeless women, HIV-infected women, and drug addicts.

Q: Why is fatality review a useful tool for communities?

A: Comprehensive fatality review allows us to make sense of the death(s) by recreating the experiences of the victims, perpetrators and other parties involved in the case, exploring the compromises and challenges parties faced in accessing services, making decisions and exploring strategies. The review prioritizes the experiences of victims, giving us new ways of improving services, plugging gaps, increasing communications between those agencies typically

involved and increasing the links between services and community members. Fatality review also provides opportunities for learning how we might better serve families that lost loved ones. It sharpens our understanding, allowing us to think about the relationships between coordinated community responses to domestic violence, safety audits, safety planning, and risk assessment and management.

Q: What are the steps in reviewing domestic violence fatalities?

A: Teams gather available information by a variety of means, including the use of Freedom of Information Law (FOIL) requests, through the public record. In a limited number of cases the testimony of family members, workplace peers, neighbors, friends, and others augments this information. Members discuss confidential information in different ways, some having a facilitator, others not, some being tied to a prescriptive process defined by state statute, others not. Although the depth of review varies, most teams follow similar and interrelated steps. One common step involves constructing a timeline of important events in the case, capturing how the case changed over time and how the nature of violence, tyranny, threats, and attempts to control perhaps intensified toward the death. Teams note the warning signs that might have suggested the case was moving toward a lethal outcome. Efforts are also made to identify the parts played by various agencies and community members and the level of coordination between these entities. Finally, teams suggest a number of recommendations based on the outcomes of their review(s), the goal being to make realistic recommen-

dations that can be effectively implemented and that contribute to more effective coordinated community responses to domestic violence.

Q: How can communities structure fatality review when there is not state legislation in place?

A: State statutes enabling entities to review cases of domestic violence related deaths provide a variety of guidelines, assurances, prescriptions, and protections for teams and their members. Most teams work within the frameworks of these statutes. Reviews have taken place without statutory guidelines and protections but they are tricky. It is entirely feasible for a group of professionals to conduct thorough reviews using only public record materials, perhaps utilizing the insights of family members if the group chooses. It is also possible for surviving family members to convene reviews in combination with other supportive and interested parties, gathering information through the public record or making requests for information under the Freedom of Information Act. It is also possible for family members to access personal information, documents and records although it is important to know the difference between public, private, and confidential data. Teams may consider obtaining waivers of confidentiality from surviving family members if appropriate.

For more information on domestic violence fatality review: www.ndvfr.org/ To access the 2008 New York City Fatality Review Report: www.nyc.gov/html/ocdv/downloads/pdf/FRC_2008.pdf

March 15, 2011

PROPOSED AMENDMENTS TO SENATE BILL NO. 2247

Page 2, line 25, remove "otherwise"

Page 2, after line 27, insert:

- "8. Whenever funding is available from grants, a member of the domestic violence fatality review commission who is not a permanent full-time state employee is entitled to compensation at a rate of seventy-five dollars per day and mileage and expense reimbursement as provided for in sections 44-08-04 and 54-06-09. A state employee who is a member of the commission must receive that employee's regular salary and is entitled to mileage and expense reimbursement as provided for in sections 44-08-04 and 54-06-09, to be paid by the employing agency."

Renumber accordingly

Prepared for: House Judiciary Committee

Prepared by: Jessica Braun, Legislative Intern, House Judiciary Committee

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