



House Judiciary Committee  
Testimony on HB 1270

North Dakota Game and Fish Department  
Scott Winkelman, Chief Game Warden  
February 1, 2021

Chairman Klemin, Vice Chair Karls and members of the House Judiciary Committee, my name is Scott Winkelman, Chief Game Warden of the North Dakota Game and Fish Department. I am providing testimony today in opposition of HB 1270.

HB 1270 would add new language to existing state law regarding surreptitious intrusion that would create challenges and uncertainty for law enforcement, including state game wardens, regarding the use of any device to surveil, observe, photograph, or record by audio or video during the course of their official duties. This restriction would be an extreme hinderance for the completion of successful law enforcement actions including properly documenting evidence for criminal prosecution and would compromise the safety of law enforcement officers and the public. In certain situations, state game wardens would no longer be able to use basic equipment such as binoculars, spotting scopes, and cameras in the course of their duties for observing hunters, anglers, and trappers for the purpose of documenting violations of state law. It is vitally important that state game wardens and other law enforcement officers be able to use this equipment to enforce state laws that protect the wildlife of the State of North Dakota and provide public safety.

The Fourth Amendment to the United States Constitution and numerous other state and federal laws already protect the citizens of North Dakota from unreasonable search and seizure by law enforcement. Passing HB 1270 will only restrict the tools that law enforcement currently uses legally to enforce state laws and protect the public and create a tremendous amount of confusion for law enforcement officers, attorneys, and judges.

The Department respectfully requests a DO NOT PASS on HB 1270.