



**Testimony on HB 1287**  
**Presented to the Judiciary Committee**  
**Prepared by Bernie Dardis, West Fargo Commission President**  
**Wednesday, Jan. 27, 2021**

1 Chairman Klemin and members of the Judiciary Standing Committee: I would  
2 like to take this opportunity to submit my support for HB 1287, relating to overdose  
3 prevention and immunity; and to provide a penalty.

4 When the Good Samaritan law passed in North Dakota, it was a major step in  
5 helping to end overdose deaths in our state. However, we continue to see drugs  
6 trafficked into North Dakota and leading to overdoses. From 2019 to 2020, the amount  
7 of meth, heroin, marijuana, and fentanyl seized by the Cass County Drug Task Force  
8 increased more than 350%. This bill provides a deterrent that will work toward limiting  
9 the supply of drugs in our communities. As we know, one of the best strategies for  
10 preventing overdoses is limiting the supply of the overdose drugs.

11 This bill also correctly removes immunity from individuals selling the drugs in an  
12 overdose situation. We cannot continue to fight against overdoses without the option  
13 to prosecute those who bring them into the situation for financial gain. We must put a  
14 stop to individuals making money off tragic situations and receiving immunity through a  
15 loophole.

16 Furthermore, I am confident in supporting this bill because West Fargo Police  
17 Chief Denis Otterness, who is a former Drug Enforcement Administration Task Force  
18 Officer, supports it. He has the experience to understand laws that will effectively  
19 reduce the availability of drugs in a community and his support on this effort is  
20 significant. HB 1287 provides the necessary steps forward to reduce the terrible impact  
21 of drugs in our community by reducing the supply of drugs and maintaining protection  
22 for those seeking help or providing help in good faith.

23 For these reasons, I support HB 1287.