

Chairman Klemin, members of the House Judiciary committee, my name is Barry Nelson, I live in Fargo, North Dakota and for the past four years, I have been a community organizer for the North Dakota Human Rights Coalition. As a lifelong resident of the state of North Dakota I can attest to the resiliency, the tenacity, the community spirit of my home state. As a white male, I can also testify that I believe I have experienced nothing but respect and dignity from my fellow residents.

Sadly, in the past decade, I have been confronted over and over again that not everyone in our great state can say the same thing. And, what consistently has been the case is that some of the same people that I believe treat me with this level of dignity and respect do not afford the same amenities to our communities of color, of people from other parts of the world, to members of the lesbian, gay, bisexual and transgender community, to our neighbors with disabilities. I have heard too many stories of people being mocked, ignored, dismissed and, yes, physically attacked and injured.

I am asking that you vote do pass on HB 1443 which would provide peace officer standards and training when dealing with bias crimes, criteria around data collection and guidance on penalties for hate crimes.

Let me tell you why:

- Almost twenty years ago, two young men were brutally assaulted and beaten in the doorway of their apartment. They were assaulted by the manager of the apartment building and two of his adult children. While beating them they were using racial epithets. As a result of their injuries, one of the men had permanent damage to his vision. The police chief at that time called this an obvious hate crime, perpetrated on these two men only for the reason that they were black, originally from the Sudan. This was my first introduction to the immense impact of a hate crime. At a community forum shortly after the attack hundreds of people from communities of color and immigrant communities gathered to speak of the fear this unprovoked attack had upon every one of them. Fear that made them keep their children indoors, of not feeling safe to shop or walk the streets. It was then that I learned that North Dakota did not have hate crime laws.
- In 2017, I had the opportunity as organizer with North Dakota Human Rights Coalition to work with High Plains Fair Housing and the Afro American Development Association to develop a community response to an anticipated spike in hate crimes directed at people because of real or perceived national origin. Some learning moments for me:
 - 1) North Dakota from FBI reports was the second highest in per capita hate crimes in the whole of the United States in the years, 2014, 2015 and 2016!
 - 2) Three community forums were held in Fargo. Dozens of people, all people of color, came forward to tell of stories of attacks, verbal and physical. They told us of incidences of one, two, five years before. Stories of being harassed, of the local mosque being targeted by speeding cars and have graffiti spray painted. There was a story – verified – of a man who literally had his nose bit off. Of individuals being trailed when leaving work.
 - 3) In the spring of 2017, another man originally from Somalia was seriously beaten by two men – as he was moving into his new apartment. He was beaten, strangled, sending him to the emergency room. I personally met with him the next day after he was released.
 - 4) Not a month later, in a highly publicized incident, a middle-aged woman was videotaped threatening three young Somali women, saying that all Moslems should be killed.
 - 5) In Bismarck another videotaped incident showed several masked men surrounding two indigenous men as they were attempting to leave a hotel.

- This past summer the issue of no hate crime laws became front and center when during a peaceful march to protest the murder of George Floyd in Fargo/West Fargo, a man gunned his pickup into a group of marchers. One of the marchers in an attempt to protect a group of children jumped in front of the pickup truck, ended up being hit and injured.
- Since July of this past year a group of residents spearheaded by North Dakota Human Rights Coalition, High Plains Fair Housing and One Fargo have been working on developing a bias crime bill that can address this serious issue in North Dakota. In closing, hate or bias crime exists in North Dakota. In fact, through experience from other parts of the country, we know that bias crime is seriously under reported. North Dakota is one of four states without hate or bias crime legislation.

As I have attempted to illustrate, hate or bias crime has been around for a very long time. The time to address this is now. North Dakota must establish a high bar with the language that hate directed at any resident will not be tolerated.

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