

Engrossed Senate Bill 2174
House Judiciary Committee
March 15, 2021
Testimony of Travis W. Finck, Executive Director, NDCLCI

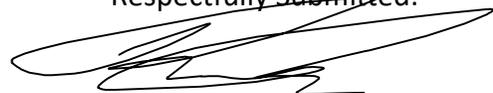
Chairman Klemin, members of the House Judiciary Committee, my name is Travis Finck and I am the executive director for the North Dakota Commission on Legal Counsel for Indigents. The Commission is the state agency responsible for the delivery of indigent defense in North Dakota. On behalf of the Commission, I rise today to provide testimony in support of SB 2174.

Senate Bill 2174 allows the Commission on Legal Counsel for Indigents to conduct FBI, or nationwide background checks on individuals who would have access to confidential information. The Commission asked Senator Meyer, who serves on the indigent defense commission, to bring this piece of legislation. We have seen an increase in applications for employment coming from beyond the state. Currently when filing a position in our public defender offices, we are limited to BCI or state level background checks. If someone is coming from out of state, it is our understanding the state level background check would not catch any out of state criminal activity.

Our employees in our offices deal with confidential information of clients all the time. Therefore, we are requesting ability to make more informed hiring decisions. The ability to conduct nationwide background checks would be at the discretion of the Director of the Commission, which should minimize unnecessary use. Further, this bill was amended in the Senate at the request of the primary sponsor to reflect the Commissions' desire more accurately.

Chairman Klemin, members of the judiciary committee, on behalf of the Commission I request you provide a favorable recommendation on SB 2174 and I thank you for your time this morning. I will stand for any comments.

Respectfully Submitted:



Travis W. Finck
Executive Director, NDCLCI