

Testimony Prepared for the  
**Senate Human Services**

January 6, 2021

By: Donnell Preskey Hushka, NDACo



**RE: Neutral Testimony for Senate Bill 2084 – involuntary treatment capacity**

I'm Donnell Preskey Hushka with the North Dakota Association of Counties. In my capacity at NDACo, I serve as the executive director for the ND Sheriffs & Deputies Association. County Sheriffs see the great need for mental health services for individuals who need the very acute care that is provided at the State Hospital. Sheriffs are concerned the changes proposed in SB 2084 will only limit the availability of those services.

This bill also brings to light the question of if an individual can not be admitted to the State Hospital, where do they go? Sheriffs already have examples of holding individuals for numerous days and weeks waiting for the State Hospital to accept them. Our jails do not have the services to meet these individual's immediate needs.

Sheriffs are also concerned with codifying "capacity issues". There was a similar action in the 2017 Legislative Session in regards to ND DOCR's capacity issues and the further approval of a prison population management plan that restricts their capacity to "operational". Once in the prioritization plan, ND DOCR denies admission of state sentenced inmates. County jails felt the effects of this in 2019 when the prioritization plan kicked in for female inmates. This resulted in a space and financial issue for counties. The cost to counties to house state sentenced inmates over the four months was \$65,000. They were not reimbursed for this cost to house state sentenced inmates.