



**CHILDREN'S
ADVOCACY
CENTERS**
OF NORTH DAKOTA

House Judiciary Committee
Neutral Testimony for House Bill #1256
1-17-23

Chairman Klemin and members of the Committee, my name is Greg Kasowski, and I'm the executive director of the Children's Advocacy Centers of North Dakota. I appear today to provide neutral testimony for House Bill 1256.

As many of you know, Children's Advocacy Centers provide services to children who are victims of sexual abuse, physical abuse, neglect, and other forms of child maltreatment. We work closely with law enforcement, human services, prosecution, mental health, victim advocacy, and medical professionals as we coordinate efforts in child abuse cases.

For the proposed legislation, we would like to alert you to a possible unintended consequence to the law as it pertains to child victims of sexual assault:

Would those who have truly been sexually harassed hesitate to come forward because they think they will go to jail or pay a fine if no one believes them and the allegation is "found to be false and frivolous"?

Most children are unaware that for a crime to be considered a class C felony, a court of law (and not an institutional board) would need to prove beyond a reasonable doubt that the person making the allegation made it and knew or should have known it was false. They may simply hear that, "My friend's sister was in jail for years and had to pay thousands of dollars because she lied about being sexually abused by her teacher," for example.

We believe that the knowledge of the threat of extended jail time or a hefty fine may cause a true victim to hesitate in their disclosure of the sexual abuse.

Please consider this potential repercussion for children as you determine your vote for or against House Bill 1256.

Thank you for your time.

Sincerely,

Greg Kasowski
Executive Director

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