

House Bill No. 1012
House Appropriations Committee – Human Resources Division
Written Testimony Presented Seth O’Neill, JD, MSW
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Chairman Nelson and Members of the House Appropriations Committee, my name is Seth O’Neill and I am representing the North Dakota Domestic & Sexual Violence Coalition in support of House Bill 1012 and more specifically the funding for domestic and sexual violence programs. Our coalition is comprised of the 19 domestic and sexual violence organizations in North Dakota. In January 2024, the Department of Health & Human Services reached out to the coalition in anticipation of our member agencies’ intention to seek additional state funds in the next biennium. The current executive budget recommendations for the 69th Legislative Assembly include a \$2.25 million increase for domestic and sexual violence. **However, this recommendation is a significant decrease from our original request of \$19 million.** We are grateful that incoming Gov. Kelly Armstrong didn’t reduce it further, and we’d like the Legislature to consider increasing funds in stronger alignment with our original request.

Currently, our programs have a \$7.9M annual gap in which they attempt to seek private funding to fulfill growing client safety, protection and educational needs. In many cases, this private funding supports programming for which our agencies are the designated service provider for state mandated regulations (see addendum below). We request that the state consider additional dollars to support services that are provided in alignment with state laws and obligations designed to protect and safeguard North Dakota families.

The following is an itemized breakdown of the request and what each component will do for the more than 7,400 survivors and their families statewide.

Domestic Violence General Funds

Current Amount: \$5,936,285 per biennium/Request: \$10,820,160 per biennium

The domestic violence general funds allow our programs to provide essential services including 24-hour crisis intervention, counseling, accountability and education for those who have used violence, sexual assault response & advocacy, prevention & outreach, shelter and transitional housing.

Safe Haven

Current Amount: \$425,000 per biennium/Request: \$2,380,435 per biennium

The Safe Haven funds provide supervised parenting time and exchanges for families. Currently, only eight of our programs are able to provide this service. These programs provide a safe place for children and families to maintain a relationship while addressing underlying concerns. The appropriation amount has not increased since at least the 2013-2015 biennium. In communities without this service, a child may be left unsupervised with a violent parent or a domestic violence victim may have to contact their abuser for child exchanges exposing them to violence and increased lethality risk. The increased budget amount will allow the programs to sustain this service and for new programs to begin this vital service.

Sexual Violence Prevention

Current Amount: \$200,000 per biennium/Request: \$4,328,064 per biennium

Sexual violence prevention is severely underfunded at the state level. Increasing the funding for sexual violence prevention would better the health and safety of North Dakota and ultimately, move toward eradicating violence and its devastating impacts to the economic standing, health, and wellbeing of our communities.

Domestic Violence Intervention Programming

Current Amount: \$1,000,000 per biennium/Request: \$1,568,923 per biennium

Domestic violence intervention programs received a healthy increase during the current biennium. This has allowed our programs to sustain these services through staff retention and expanded programming.

2023–2025 DHHS Public Health Section Domestic Violence & Sexual Assault Programs Request:

Program Category	Description of Service	Source of Funds	2023-2025 Biennium Request	2023 - 2025 Biennium Appropriation	2025-2027 Biennium Request
Domestic Violence & Sexual Assault	Crisis response, advocacy	State General Fund	\$10,000,000	\$4,596,285	\$10,820,160
		Community Health Trust Fund		1,000,000	
		Domestic Violence Prevention Fund		340,000	
Safe Haven	Supervised visitation and exchange	State General Fund	2,200,000	425,000	2,380,435
Sexual Violence Prevention	Bystander intervention program	State General Fund	4,000,000	200,000	4,328,064
Domestic Violence Intervention Programming	Intervention for domestic violence offenders	Community Health Trust Fund	1,425,000	1,000,000	1,568,923
		Total	\$17,625,000.00	\$7,561,285.00	\$19,097,582.00

Until the 2023-25 biennium, funding for domestic and sexual violence remained relatively flat throughout the past 10-12 years. In attempt to make up for increased growth in our programs, which has been significantly subsidized by private funds, we requested \$17.5 million last session. This year, we're landing in a similar place based on the above, in addition to inflationary considerations. **The current budget puts us closer, but still \$9 million shy of what is truly needed to adequately support survivors and their families.** We look forward to sharing additional data and anecdotal examples during public testimony. Please reach out if you have additional questions or thoughts you'd like us to consider.

Addendum

North Dakota Century Code Mandates:

14-09-29. Parental rights and responsibilities - Best interests and welfare of child.

2. If the court finds that a parent has perpetrated domestic violence and that parent does not have residential responsibility, and there exists one incident of domestic violence which resulted in serious bodily injury or involved the use of a dangerous weapon or there exists a pattern of domestic violence within a reasonable time proximate to the proceeding, the court shall allow only supervised parenting time with that parent unless there is a showing by clear and convincing evidence that unsupervised parenting time would not endanger the child's physical or emotional health.

12.1-17-13. Mandated intervention program for domestic violence offenders.

2. The sentence for an offense under section 12.1-17-01, 12.1-17-01.1, 12.1-17-01.2, 12.1-17-02, 12.1-17-03, 12.1-17-04, 12.1-17-05, 12.1-17-07, 12.1-17-07.1, 12.1-18-02, 12.1-18-03, 12.1-21-05, 12.1-21-06.1, 12.1-31.2-01, 12.1-31.2-02, or 14-07.1-06 against an intimate partner, must include an order to complete a domestic violence offender assessment and intervention program as determined by the court. A court may not order the offender to attend anger management classes or individual counseling unless a domestic violence offender intervention program is not reasonably available to the defendant and the court makes findings for the record explaining why an order to complete a domestic violence offender intervention program would be inappropriate.

3. If an offender who is ordered to complete a domestic violence offender assessment and intervention program is assessed and determined to be inappropriate for the program by the program provider, a court may find the order to complete a domestic violence offender assessment and intervention program to be satisfied or may order the offender to complete other appropriate programming.