



Sheriff's Department



Robert Roed
Sheriff

March 10th, 2025

Chairman Klemin and members of the committee,

For the record my name is Jason Kraft, I am a Captain at the Ward County Sheriff's Department in Minot, and I am providing testimony in opposition to SB 2186.

I would like to first acknowledge and empathize with the many supporters of this legislation. This is a highly emotional topic involving the most important thing in their life. This committee also knows child custody issues can be complex. Should parents have to abide by a custody decree? Yes, they should. However, it is not always that simple.

Section 1, subsection 2 of the bill will insert law enforcement into an issue that has been otherwise handled in civil court. It cannot be ignored that there are parents that physically and sexually abuse their children. Having law enforcement arrest a parent of an abused child because they won't release the child to the potentially abusive parent for their parenting time is not in the best interest of a child. In these circumstances, we would likely have to remove the child and contact CPS for placement. This would likely have a significant impact on the child and create further trauma.

The bill also inserts law enforcement discretion into issues of whether or not a parent is intentionally keeping a child under 18 from the other parent. For example, how does a law enforcement officer in the field handle the issue of a teenager that doesn't want to go to the other parent? If it's been 72 hours, then the evidence is sufficient to assume they're intentionally violating the law unless proven otherwise. Law enforcement would then have to arrest the parent because they won't physically deliver the teenager to the other parent.

We understand that there are parents that flagrantly violate their custody decrees and there should be accountability. The many supporters of this bill describe serious grievances with civil court, however creating criminal law is not the remedy to address those grievances. The problem should be fixed where it's alleged to be.

Sincerely,

Jason Kraft, Captain
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