

TESTIMONY OF
LIEUTENANT COLONEL JAY SHELDON
NORTH DAKOTA NATIONAL GUARD
BEFORE THE
SENATE JUDICIARY COMMITTEE
17 FEBRUARY 2025
HOUSE BILL 1033

Chair Larson and Members of the Committee my name is Jay Sheldon, Administrator of the North Dakota Military Commission. Thank you for the opportunity to provide testimony in support of House Bill 1033, which seeks to establish concurrent jurisdiction between state and federal governments over military installations in North Dakota, particularly in cases involving juvenile offenders.

Military installations subject to exclusive federal jurisdiction currently address juvenile offenses through the federal court system. However, this approach often lacks access to the specialized resources and rehabilitative programs available through state juvenile court systems. Adopting policies that allow for concurrent jurisdiction provides a unique opportunity to leverage state resources, enabling tailored interventions for juveniles. These interventions focus on rehabilitation and reducing recidivism rather than punitive measures, which aligns with both state and federal goals of fostering responsible and productive citizens.

Concurrent jurisdiction is not just a matter of procedural change; it represents a strategic enhancement to our national defense framework. The Secretary of Defense has emphasized the importance of teamwork in achieving defense objectives. This includes fostering collaboration between state and federal entities. By enabling state courts to handle juvenile cases from military installations, North Dakota can contribute to a more cohesive system that supports military families and communities.

House Bill 1033 enables North Dakota to establish the necessary legal mechanisms for concurrent jurisdiction through local agreements. These agreements would allow juvenile offenders on military installations to be adjudicated in state courts, providing them with access to local services, including counseling, education programs, and community-based alternatives to detention. These resources are often better equipped to address the unique needs of juveniles and are more readily accessible at the state level.

In conclusion, House Bill 1033 represents a critical step toward modernizing the jurisdictional framework governing military installations in North Dakota. It reflects a commitment to justice, collaboration, and the well-being of all citizens, including those in military communities. I ask the committee to support HB 1033.

Thank you for your time and consideration. I am happy to answer any questions you may have.