



# NORTH DAKOTA

## *Family Alliance* LEGISLATIVE ACTION

### Testimony in Opposition to House Bill 1231

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North Dakota Family Alliance Legislative Action  
March 10, 2025

Dear Madam Chair Larson and honorable members of the Senate Judiciary Committee,

My name is Mark Jorritsma and I am the Executive Director of North Dakota Family Alliance Legislative Action. I am testifying on behalf of our organization in opposition to House Bill 1231 and respectfully request that you render a “DO NOT PASS” on this bill.

HB 1231 is intended to allow for reductions in sex offender registration periods. Current time periods for registration are a minimum of 15 years, which is the registration period this bill addresses. The bill would permit the reduction of this period to 7 years, with court approval.

North Dakota Family Alliance Legislative Action has significant problems with this bill. The first is directly related to the inherent nature of the crime and proportionality of the punishment. The following table is taken from the North Dakota Offender Registration Procedures Manual and lists the crimes for which those found guilty must register.<sup>1</sup>

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<sup>1</sup> <https://sexoffender.nd.gov/Content/Documents/OffenderRegistrationManual.pdf>

### **APPLICABLE OFFENSES**

The following lists identify those offenses to which registration applies.

#### **SEXUAL OFFENDER STATUTES**

<b><u>NDCC Section</u></b>	<b><u>Offense</u></b>
12.1-20-03	Gross Sexual Imposition
12.1-20-03.1	Continuous Sexual Abuse
12.1-20-04	Sexual Imposition
12.1-20-05	Corruption or Solicitation of Minors
12.1-20-05.1	Luring Minors by Computer
12.1-20-06	Sexual Abuse of Wards
12.1-20-07	Sexual Assault (Class C felony and Class A misdemeanor)
12.1-20-11	Incest
12.1-20-12.1	Indecent Exposure
12.1-20-12.2	Surreptitious Intrusion
12.1-27.2	Sexual Performance by Children (All Offenses)
12.1-27.1-03.3	Creating, possession, or dissemination of sexually expressive images prohibited
12.1-40	Sex Trafficking

#### **OFFENDERS AGAINST CHILDREN STATUTES (offenses in which the victim is a child)**

<b><u>NDCC</u></b>	<b><u>Section Offense</u></b>
12.1-16	Homicide (All Offenses)
12.1-17-01.1	Assault (Felony only)
12.1-17-02	Aggravated Assault
12.1-17-04	Terrorizing
12.1-17-07.1	Stalking (Felony only)
12.1-18-01	Kidnapping
12.1-18-02	Felonious Restraint
12.1-18-05	Removal of Child from State in Violation of Custody Decree
12.1-29	Prostitution (All Offenses)
14-09-22, Subdivision a. of Criminal Child Abuse subsection 1, or subsection 2	

Note: A person must also register if that person has pled guilty or nolo contendere to, or been found guilty of, an offense in a tribal court, municipal court, or a court of another state, country, or the federal government, which is equivalent to those offenses set forth above.

At a very personal level, we fail to find any one of these offenses on a prima facia basis warranting a reduction of registration. This can be confirmed with a few simple lookups of particular crime definitions in the Century Code. We fail to see why registration reduction would be warranted, particularly for these types of crimes.

Second, the possible reduction of sentence essentially “second guesses” the initial sentencing handed down for the crime. However, we would contend that when the initial sentencing occurred, *the judge already assumed that the items in Section 1-(4) would occur (e.g., no parole violations, no felony offense, no sexual offense)*. It does not make sense to “reward” a criminal for something that was already presumed in their initial sentencing.

We also had a third objection to this bill, regarding the level of involvement potentially needed of the victim in this process. Thankfully, the House has amended this section out of the bill.

While I’m sure that the creation of this bill was based upon noble intentions, it has some significant issues. For these reasons, North Dakota Family Alliance Legislative Action requests that you render a “DO NOT PASS” on House Bill 1231. Thank you for the opportunity to provide this testimony, and feel free to contact us if you have any questions.

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