



North Dakota Association for Justice

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Madam Chair Larson and members of the Senate Judiciary Committee, my name is Jaci Hall, Executive Director of the North Dakota Association for Justice. Today I am here in support of prosecutor led diversion projects, but not in support of blanket immunity for those involved in the program or the additional groups in Representative Porter's proposed amendment.

HB1425 provides the pathway for Prosecutor-Led diversion projects in North Dakota. The purpose of these programs is to provide an alternative to traditional prosecution for individuals who commit lower-level offenses, often focusing on rehabilitation and support services to reduce recidivism.

Successful programs rely on effective coordination of support services and engagement with participants rather than immunity for employees. They do not require immunity to be successful.

How can a program be successful if all employees are given immunity and there is no recourse if they are not doing their job correctly? Why should they care about the outcome of these individuals?

The state of North Dakota provides protections for municipalities, state agencies, nonprofits and medical providers through caps and other limitations. Adding additional levels of immunity is not needed. **Through all the testimony that has been provided, the only reference to immunity is to encourage them to use deflection. Immunity is not a marketing tool and should be provided with caution.**

Recommendations by the Justice Reinvestment Initiative Reentry Study Work Group also did not include immunity for those providing services. This leads me to believe the immunity provision in HB1425 is not needed for these programs to work.

Today I ask the committee to remove lines 1-3 on page 4. This program is new and there will be tweaks and adjustments going forward. If a concern arises that requires immunity to be readdressed, so be it. Please give this project time to develop with honest, sufficient data. Immunity blurs the outcomes and can taint the success this project will have.

Thank you for your time and I will stand for questions.