2021 SENATE HUMAN SERVICES

SB 2281

2021 SENATE STANDING COMMITTEE MINUTES

Human Services Committee

Sakakawea Room, State Capitol

SB 2281 2/2/2021

A BILL for an Act to create and enact a new section to chapter 54-12 of the North Dakota Century Code, relating to a statewide sexual assault evidence collection kit tracking system; and to amend and reenact subsection 5 of section 31-13-03 of the North Dakota Century Code, relating to the collection of samples of blood or body fluids for DNA testing.

Madam Chair Lee opened the hearing on SB 2281 at 9:43 a.m. Members present: Lee, K. Roers, Hogan, Anderson, Clemens, O. Larsen.

Discussion Topics:

- CODIS (Combined DNA Index System)
- DNA kit tracking process
- DNA kit's processed in 2020
- Emergency clause

[9:43] Senator Robert Erbele. Introduced SB 2281.

[9:44] Representative Mike Brandenburg, District 28. Provided oral testimony in favor.

[9:46] Wayne Stenejhem, North Dakota Attorney General. Provided oral testimony in favor and introduced Robyn Quinn.

[9:57] Robyn Quinn, Director, Crime Lab. Provided testimony #4669 in favor.

Senator K. Roers moves to **ADOPT AMENDMENT "Emergency Clause" Senator Hogan** seconded

Voice Vote – Motion passed

Senator Anderson moves DO PASS, AS AMENDED.
Senator Clemens seconded

Senators	Vote
Senator Judy Lee	Υ
Senator Kristin Roers	Υ
Senator Howard C. Anderson, Jr.	Υ
Senator David A. Clemens	Υ
Senator Kathy Hogan	Υ
Senator Oley Larsen	Absent

The motion passed 5-0-1

Senator K. Roers will carry SB 2281.

Additional written testimony: (2)

Senate Human Services Committee SB 2281 2/2/2021 Page 2

Courtney Monroe, Abused Adult Resource Center. Provided written testimony #4605 in favor.

Tara Muhlhauser, CAWS North Dakota. Provided written testimony #4602 in favor.

Madam Chair Lee closed the hearing on SB 2281 at 10:06 a.m.

Justin Velez, Committee Clerk

Adopted by the Human Services Committee



February 2, 2021

PROPOSED AMENDMENTS TO SENATE BILL NO. 2281

Page 1, line 3, remove "and"

Page 1, line 4, after "testing" insert "; and to declare an emergency"

Page 3, after line 4, insert:

"SECTION 3. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

Module ID: s_stcomrep_18_015 Carrier: K. Roers

Insert LC: 21.1008.01001 Title: 02000

REPORT OF STANDING COMMITTEE

SB 2281: Human Services Committee (Sen. Lee, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2281 was placed on the Sixth order on the calendar.

Page 1, line 3, remove "and"

Page 1, line 4, after "testing" insert "; and to declare an emergency"

Page 3, after line 4, insert:

"SECTION 3. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

Page 1



Bureau of Justice Assistance Sexual Assault Forensic Evidence – Inventory, Tracking, and Reporting (SAFE-ITR) Program

Award Information

Awardee

ND Office of Attorney General

Award #

2019-DN-BX-0133

Funding First Awarded

2019

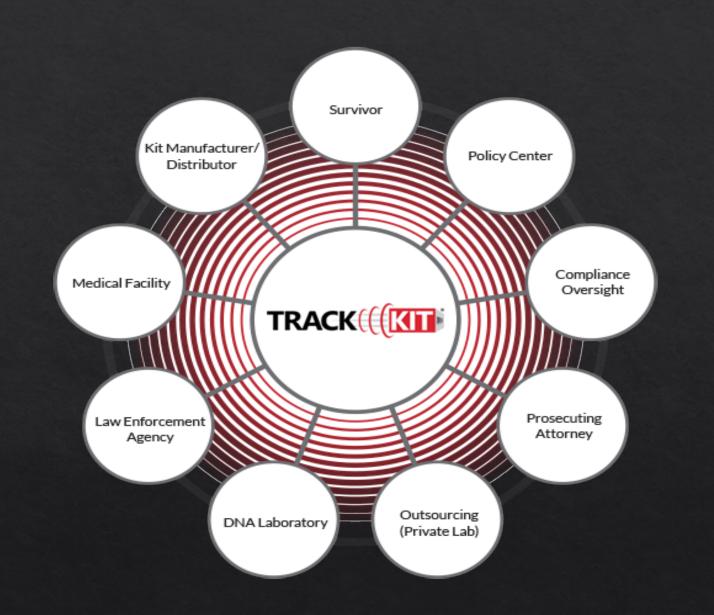
End Date: 12/31/2022

Total funding (to date)

\$442,908



- Sample Tracking System
- ♦ Track-Kit delivers:
 - Secure, easy-to-use website for each type of user
 - Kit location and status updates
 - Notification of late kit delivery
 - Global view of all incoming kits
 - Inventory management to never run out of kits
 - End-to-end audit trail of all activity





2017

State of Michigan

Arizona Department of Public Safety

Washington State Patrol

2018

State of Nevada

Texas Department of Public Safety

2019

Commonwealth of Massachusetts

Iowa Attorney General

2020

Wisconsin Department of Justice

This site tracks sexual assault kits issued by the State of Idaho



Authorizing Legislation

This website enables the tracking of sexual assault evidence kits* in the state of Idaho in compliance with Idaho Code Chapter 29, Title 67, Section 67-2919.

*"Sexual assault evidence kit" means a set of materials, such as swabs and tools for collecting blood samples, used to gather forensic evidence from a victim of reported sexual assault and the evidence obtained with such materials.

Sexual Assault Victim Notification Form



Instructions

Victims of sexual assault can view the history and current status of their sexual assault evidence kit by entering the sexual assault evidence kit tracking # in the "serial number" box above and clicking the adjacent search button with the magnifying glass icon (Q)

Authorized medical, law enforcement, county prosecutor, and lab personnel should select "Login" and enter their unique Username and Password to manage the status of sexual assault evidence kits under the jurisdiction of their agency.

Disclaimer

The IKTS system is a program designed to track all sexual assault kits collected in Idaho and provide a mechanism for victim notification of kit status. IKTS is not intended to be an official chain of custody record for legal purposes, and is not treated as such by IKTS user agencies. While great effort is made to ensure the information may be relied upon as generally accurate, the intention of this system is for tracking, victim notification and public information. ISPFS is not responsible for incorrect or inaccurate information contained in IKTS.



Track-Kit - Sign In

Please enter your Track-Kit login credentials below.

Username * ?

Password * ?

Questions or comments?

Forgot your password?

How do I get an account?

Sign In

⚠ For help, please contact MA Policy Center at 833-548-8722 or email kit_trackinginfo@mass.gov



"Restoring hope. Building futures. Changing lives."

Testimony

Senate Bill 2281 — Human Service 02/02/2021

Good morning Chairman Lee, and members of the committee. My name is Courtney Monroe Ryckman, Direct Services Supervisor at the Abused Adult Resource Center (AARC) in Bismarck. Our organization is in favor of this bill, AARC sees the tremendous value to kit tracking throughout the entire criminal justice process. I would like to raise concern around the submission of the sexual assault kits to the ND crime lab at the very beginning of the kit tracking process.

Through a previous project, the crime lab collected unsubmitted sexual assault kits around the state to test all kits that had previously been unsubmitted or may have been analyzed using older technology. This project was part of a national trend to identity any "backlog" of kits. Backlogs can occur in various parts of the criminal justice system. What was largely found in the state was that kits had not been submitted to the crime lab for testing. As a result, of the project any backlog was thought to have been resolved. However, that has not been the case. To date there is no mandate requiring law enforcement to submit kits to the crime lab. North Dakota is one of six states that has had no reforms proposed or enacted.

As an organization that provides support to sexual assault victims, we are concerned that without such legislation we have been working under the misinformation that when a victim makes a statement to law enforcement and goes through the traumatic experience of having forensic evidence collected the kit is submitted to the lab for testing. This in fact has not always been the case and has been left to the discretion of law enforcement to determine when and if a kit is sent to the lab for testing. We ask that this no longer be the case and that all kits with a participating victim; by which we mean a victim who provided a statement to law enforcement regarding a report of sexual assault as defined by 12.1-20, be submitted to the crime lab for testing within five days of the evidence being collected through an exam.

Thank you for this opportunity and if you have any questions, please let me know.

United Way
We Are A United Way
Agency



521 E. Main Ave. Suite 250, Bismarck, N.D. 58501 (P) 701.255.6240 (TF) 1.888.255.6240 (F) 701.255.1904 www.cawsnorthdakota.org facebook.com/CAWSNorthDakota •Twitter @CAWSNorthDakota

Testimony

Senate Bill 2281 — Human Service

2/2/2021

Good morning Chairman Lee, and members of the committee. My name is Tara Lea Muhlhauser, Executive Director of CAWS North Dakota (ND) (Lobbyist # 1035). I am in favor of this bill.

CAWS ND is a coalition of programs in the state providing services for victims and survivors of Domestic Violence, Sexual Assault, and Human Trafficking. I represent the 20 programs across the state of North Dakota.

CAWS North Dakota supports this bill and the benefits it has for participating agencies and victims of sexual assault. A sexual assault kit tracking system will streamline evidence collection processes and minimize or prevent a backlog from occurring. By having specific location information for each coded kit, means that kits are less likely to get lost or experience a delay in submission. The ability for victims to anonymously track their kit will greatly improve transparency and the ease of participation, likely increasing cooperation in the criminal justice process, if desired by the victim.

Sexual assault kit tracking empowers victims to access their kit status, keeping them informed throughout the process. It's important for victims to know that their kit has not been left untested or overlooked. The systems in place can be daunting and difficult to navigate for individuals who are not familiar with this process. A secure online portal will allow victims a current and more accessible platform for updates. Connections to robust wrap-around services for victims will be easier to provide with a tracking system in place.

Thank you for this opportunity and if you have any questions, please let me know.

2021 HOUSE JUDICIARY

SB 2281

2021 HOUSE STANDING COMMITTEE MINUTES

Judiciary Room JW327B, State Capitol

SB 2281 3/23/2021

Relating to the collection of samples of blood or body fluids for DNA testing; and to declare an emergency

Chairman Klemin called the hearing at 9:30 AM.

Present: Representatives Klemin, Karls, Becker, Buffalo, Christensen, Cory, K Hanson, Jones, Magrum, Paulson, Paur, Roers Jones, Satrom, and Vetter.

Discussion Topics:

- Sexual assault kits
- Tracking method
- Confidentiality of victims

Senator Erbele: Introduced the bill. 9:32

Wayne Stenehjem, State Attorney General: Verbally testified in support.

Robyn Quinn, Director of Crime Lab: Testimony #10402 9:47

Mateo Cello, Policy Implement Assoc. The Joyful Heart Foundation: Testimony # 10411

Chairman Klemin closed the hearing at 10:04.

Rep. Satrom: Do Pass Motion rerefer to Appropriations

Rep. Roers Jones: Seconded

Roll Call Vote:

Representatives	Vote
Chairman Klemin	Y
Vice Chairman Karls	Υ
Rep Becker	Υ
Rep. Christensen	Υ
Rep. Cory	Α
Rep T. Jones	Υ
Rep Magrum	Υ
Rep Paulson	Υ
Rep Paur	Υ
Rep Roers Jones	Υ
Rep B. Satrom	Υ
Rep Vetter	Y
Rep Buffalo	Y
Rep K. Hanson	Y

13-0-1 Motion carried

Carrier: Rep. Hanson

Additional written testimony: #10343, #10391

Stopped 10:40.

DeLores D. Shimek Committee Clerk

Module ID: h_stcomrep_02_163

Carrier: Hanson

REPORT OF STANDING COMMITTEE

SB 2281, as engrossed: Judiciary Committee (Rep. Klemin, Chairman) recommends

DO PASS and BE REREFERRED to the Appropriations Committee (13 YEAS, 0

NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2281 was rereferred to the **Appropriations Committee.**

#10402

Bureau of Justice Assistance Sexual Assault Forensic Evidence – Inventory, Tracking, and Reporting (SAFE-ITR) Program

Award Information

Awardee

ND Office of Attorney General

Award #

2019-DN-BX-0133

Funding First Awarded

2019

End Date: 12/31/2022

Total funding (to date)

\$442,908



- Sample Tracking System
- ♦ Track-Kit delivers:
 - Secure, easy-to-use website for each type of user
 - Kit location and status updates
 - Notification of late kit delivery
 - Global view of all incoming kits
 - Inventory management to never run out of kits
 - End-to-end audit trail of all activity





2017

State of Michigan

Arizona Department of Public Safety

Washington State Patrol

2018

State of Nevada

Texas Department of Public Safety

2019

Commonwealth of Massachusetts

Iowa Attorney General

2020

Wisconsin Department of Justice

This site tracks sexual assault kits issued by the State of Idaho



Authorizing Legislation

This website enables the tracking of sexual assault evidence kits* in the state of Idaho in compliance with Idaho Code Chapter 29, Title 67, Section 67-2919.

*"Sexual assault evidence kit" means a set of materials, such as swabs and tools for collecting blood samples, used to gather forensic evidence from a victim of reported sexual assault and the evidence obtained with such materials.

Sexual Assault Victim Notification Form



Instructions

Victims of sexual assault can view the history and current status of their sexual assault evidence kit by entering the sexual assault evidence kit tracking # in the "serial number" box above and clicking the adjacent search button with the magnifying glass icon (Q)

Authorized medical, law enforcement, county prosecutor, and lab personnel should select "Login" and enter their unique Username and Password to manage the status of sexual assault evidence kits under the jurisdiction of their agency.

Disclaimer

The IKTS system is a program designed to track all sexual assault kits collected in Idaho and provide a mechanism for victim notification of kit status. IKTS is not intended to be an official chain of custody record for legal purposes, and is not treated as such by IKTS user agencies. While great effort is made to ensure the information may be relied upon as generally accurate, the intention of this system is for tracking, victim notification and public information. ISPFS is not responsible for incorrect or inaccurate information contained in IKTS.



Track-Kit - Sign In

Please enter your Track-Kit login credentials below.

Username * ?

Password * ?

Questions or comments?

Forgot your password?

How do I get an account?

Sign In

⚠ For help, please contact MA Policy Center at 833-548-8722 or email kit_trackinginfo@mass.gov



321 7th Avenue, #161 Brooklyn, New York 11215 (212) 475-2026 joyfulheartfoundation.org

Board of Directors:

Mariska Hargitay Founder & President

Debbie Millman Chair

Beth Armstrong Vice Chair

Mark Herzlich Treasurer

Chauncey Parker Secretary

Jessica Ambrose

Lauran Bromley

Cynthia Erivo

Kathryn Gallagher

Peter Hermann

Danielle Herzlich

Valli Kalei Kanuha, Ph.D.

Andrea McTamaney

Rev. Al Miles Heather Mnuchin

Pamela Schein Murphy

Tom Nunan

Sarabeth Rees

Jennifer Rothenberg

Sophia Schrager

Amanda Stephens

Ali Wentworth

Kym Worthy

March 23, 2021

TO: The Honorable Chair Lawrence Klemin Members of the House Judiciary Committee North Dakota House of Representatives

FROM: Ilse Knecht
Director of Policy & Advocacy
Joyful Heart Foundation

RE: Testimony in Support of Senate Bill 2281

The Joyful Heart Foundation's mission is to transform society's response to sexual assault, domestic violence, and child abuse, support survivors' healing, and end this violence forever. Since 2010, Joyful Heart has made the elimination of the rape kit backlog—hundreds of thousands of untested rape kits across the nation—our top priority. We work directly with survivors, stakeholders, and jurisdictions to achieve this goal. Our staff, consultants, and partners have decades of expertise at the forefront of rape kit reform efforts. We have been instrumental in passing state-level rape kit reform legislation in 43 states including Arizona, California, Florida, Georgia, Hawai'i, Kentucky, Massachusetts, Nevada, New Mexico, New York, Texas, and Utah, and we have collaborated with local and state agencies to provide support during the implementation process. With this expertise and legislative track record, we respectfully submit testimony supporting Senate Bill 2281

The Joyful Heart Foundation strongly supports <u>Senate Bill 2281</u>, which would legally enforce the establishment of a statewide rape kit tracking system with a victim portal, as well as call for annual reports on tested and untested rape kits.

Background on Joyful Heart Foundation's Six Pillars of Reform

We measure the progress of states in enacting laws and policies embracing our six legislative pillars of comprehensive rape kit reform. These are criteria our staff of experts—in consultation with survivors, advocates, law enforcement, forensic experts, prosecutors, and policymakers—have determined are critical elements in eliminating the untested rape kit backlog once and for all.

- 1. Annual statewide inventory: Count all untested rape kits on a recurring basis, enabling stakeholders to understand the scope of the problem and monitor progress.

 2. Mandatory testing of backlogged kits: Eliminate the existing backlog by requiring law
- **2. Mandatory testing of backlogged kits:** Eliminate the existing backlog by requiring law enforcement agencies to submit all previously untested kits to the lab, and requiring that these kits be tested.

- **3. Mandatory testing of new kits:** Prevent future backlogs by requiring law enforcement agencies to promptly submit all newly collected kits to the lab, and requiring the lab to test these kits within a specific time frame.
- **4. Tracking system:** Ensure that hospitals, law enforcement, and labs are using an electronic, statewide tracking system. Build in a way for survivors to check the status of their kits throughout the process, from collection to analysis.
- **5. Victims' rights to notice:** Grant victims the right to receive information about the status and location of their rape kits.
- **6. Funding for reform:** Appropriate state funding to address these issues

This bill would achieve Joyful Heart's tracking and inventory pillars. S.B.2281 mandates the state crime lab to develop a tracking system that tracks kits from collection through destruction. Law enforcement, hospitals, and labs would be mandated to participate in the system, which must include a portal victims can anonymously access to find out the status and location of their kit. The bill also calls for annual inventory of tested and untested kits.

The Current Situation

Every 73 seconds, someone is sexually assaulted in the United States. In 2019 alone, 437 rapes were reported to law enforcement in North Dakota. In the immediate aftermath of a sexual assault, a victim may choose to undergo a medical forensic examination to collect evidence left behind during the assault. A doctor or nurse will conduct the four-to-six hour examination and will preserve this evidence in what is commonly called a "rape kit." Survivors who take the step of undergoing this exhaustive and invasive forensic exam do so because they have been told this evidence could help law enforcement hold their offender accountable.

When tested, the DNA evidence from rape kits can be a powerful tool to solve and prevent crimes. DNA evidence can identify unknown assailants, link crimes together, and exonerate the wrongfully convicted. Too often, however, these rape kits languish untested for years—even decades—in storage facilities.

North Dakota has begun to tackle this problem: In 2015 the <u>Manhattan District Attorney's Office</u> awarded The North Dakota Attorney General's Office \$341,667 to carry out an inventory and eventual testing of backlogged kits. This partial audit uncovered 500 kits. Currently the state has no procedures in statute that create a uniform policy for processing kits; given this fact, establishing a tracking system is important to achieve accountability and ensure rape kits are accounted for and tested.

Tracking Systems are Crucial for Accountability and Victims' Rights

A rape kit tracking system is a web based system that allows individuals (mainly victims, law enforcement agents, hospital staff, lab staff, and other designated individuals) to follow the path of a rape kit throughout the chain of custody: from the hospital, to local law enforcement agency, throughout the analysis process at the lab, to final disposition.

Currently, North Dakota does not have a statute that calls for the mandatory testing of all kits. This makes the tracking system mandated by S.B.2281 even more important than in most cases. First, it will hold actors such as hospitals, law enforcement, and DNA testing labs accountable, by making sure that they are handling and processing kits in the appropriate manner. Secondly, since there no uniform policies in statute

for handling kits, that tracking system can serve to notify various stakeholders if a kit gets stuck at one point in the process, thereby alerting everyone involved in the rape kit handling process, to the error. Tracking systems are good for the whole criminal justice system and make law enforcement and prosecutors' jobs easier by following crucial evidence from place to place.

Additionally, tracking systems provide for a comprehensive analysis of total rape kits in a state, showing how many are in possession of the hospital, how many law enforcement has, and the amount of rape kits at state labs that are either awaiting testing or have already been tested. Joyful Heart encourages states to include backlogged kits in the tracking system as well. All survivors deserve the same right to know the status of their kits.

Including a victim portal is important to survivors healing and well being. This feature allows survivors to control when they obtain critical information about the status and location of their kits. In half of the states, survivors have access to transparent handling of their rape kits. Sexual assault survivors in North Dakota deserve this information too.

The state is off to a good start. In 2019, the National Institute of Justice (NIJ) awarded a \$442,908 grant to the North Dakota Office of the Attorney General to implement an evidence management program to inventory, track, and report untested kits.

Currently 25 states and Washington D.C. mandate the implementation of a sexual assault kit tracking system by law. Codifying the system and mandating participation into law ensures that all the relevant agencies that handle rape kits comply with the law, helping the state achieve a fully-functioning tracking system. In addition, establishing the system in statute ensures stability when leadership or priorities shift from year to year.

Annual reports help track progress and get a true scope of the backlog

Annual inventories of untested rape kits are important because they will monitor North Dakota's progress toward eliminating the rape kit backlog, and send a message to survivors in the state that they matter. A thorough count of rape kits currently in the possession of medical facilities, law enforcement agencies, and crime laboratories provides a full picture the count of untested kits in the state and guides the legislature in appropriating and targeting resources to eliminate the backlog.

This bill is an important step to bring North Dakota in line with the <u>federal best practice</u> to inventory rape kits annually by law. Once the number of untested kits is known, the state can dedicate resources, analyze untested kits, investigate and prosecute cases, reengage survivors whose kits have languished in evidence rooms in the criminal justice process, and take dangerous offenders off the streets. The bill codifies the inventory into law, ensuring full participation by all the agencies that handle rape kits, uncovering the true extent of the backlog every year.

Currently 28 states and Washington, D.C. require an inventory of untested kits by legislative reform, 16 of which require a recurring one.

The Road Ahead

To achieve comprehensive rape kit reform and to align with national best practices, North Dakota should pass S.B.2281, which would mandate an annual inventory of rape kits and the development of a statewide tracking system for kits. Moving forward, it is important that the state calls for the mandatory testing of backlogged and newly collected kits, give victims the rights to know the status and location of their kit, and provide necessary funding to implement these changes. We encourage the legislature, in consultation with advocates, practitioners, agency leaders, and most importantly, survivors of sexual assault, to push forward with survivor-centered legislative action.

We urge you to enact this important legislation. The Joyful Heart Foundation thanks you for your efforts on this issue. We stand ready to assist you increating safer communities and offering a path to healing and justice to all sexual assault survivors in North Dakota.

With Gratitude,

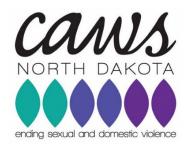
llse Knecht

Director, Policy and Advocacy Joyful Heart Foundation

Ilse Knecht

(212) 475-2026

i.knecht@joyfulheartfoundation.org



521 E. Main Ave. Suite 320, Bismarck, ND 58501 (P) 701.255.6240 (TF) 1.888.255.6240 (F) 701.255.1904 www.cawsnorthdakota.org facebook.com/CAWSNorthDakota Twitter @CAWSNorthDakota

Testimony

Senate Bill 2281 — House Judiciary 3/23/2021

Good morning Chairman Klemin, and members of the committee. My name is Tara Lea Muhlhauser, Executive Director of CAWS North Dakota (ND) (Lobbyist # 1035). I am in favor of this bill.

CAWS ND is a coalition of programs in the state providing services for victims and survivors of Domestic Violence, Sexual Assault, and Human Trafficking. I represent the 20 programs across the state of North Dakota.

CAWS North Dakota supports this bill and the benefits it has for participating agencies and victims of sexual assault. A sexual assault kit tracking system will streamline evidence collection processes and minimize or prevent a backlog from occurring. By having specific location information for each coded kit, it means that kits are less likely to get lost or experience a delay in submission. We are optimistic that this tracking system will lessen the time between kit initiation and test results for all involved parties. The ability for victims to anonymously track their kit will greatly improve transparency and the ease of participation, likely increasing cooperation in the criminal justice process, if desired by the victim.

Sexual assault kit tracking empowers victims to access their kit status, keeping them informed throughout the process. It's important for victims to know that their kit has not been left untested or overlooked. The systems in place currently can be daunting and difficult to navigate for individuals who are not familiar with this process. A secure online portal will allow victims a current and more accessible platform for updates. Connections to robust wrap-around services for victims will be easier to provide with a tracking system in place.

Thank you for this opportunity and if you have any questions, please let me know.



"Restoring hope. Building futures. Changing lives."

Testimony

Senate Bill 2281 — House Judiciary 03/23/2021

Good morning Chairman Klemin, and members of the committee. My name is Courtney Monroe Ryckman, Direct Services Supervisor at the Abused Adult Resource Center (AARC) in Bismarck. Our organization is in favor of this bill, AARC sees the tremendous value to kit tracking throughout the entire criminal justice process. I would like to raise concern around the submission of the sexual assault kits to the ND crime lab at the very beginning of the kit tracking process.

Through a previous project in 2015, the crime lab collected unsubmitted sexual assault kits around the state to test all kits that had previously been unsubmitted or may have been analyzed using older technology; approximately 210 kits. This project was part of a national movement to identity any "backlog" of kits. Backlogs can occur in various parts of the criminal justice system. What was largely found in the state was that kits had not been submitted by law enforcement to the crime lab for testing. As a result, of the project any backlog was thought to have been resolved. However, that has not been the case. To date there is no mandate requiring law enforcement to submit kits to the crime lab. North Dakota is one of six states that has had no reforms proposed or enacted.

In a recent statement made by the Attorney General he indicated there were 488 kits that had not been submitted previously to the crime lab through this current project. As an organization that provides support to sexual assault victims, we are concerned that without such legislation we have been working under the misinformation that when a victim makes a statement to law enforcement and goes through the traumatic experience of having forensic evidence collected the kit is submitted by law enforcement to the lab for testing. This in fact has not always been the case and has been left to the discretion of law enforcement to determine when and if a kit is sent to the lab for testing. We ask that this no longer be the case and that all kits with a participating victim; by which we mean a victim who provided a statement to law enforcement regarding a report of sexual assault as defined by 12.1-20, be submitted to the crime lab for testing within five days of the evidence being collected through an exam.

Thank you for this opportunity and if you have any questions, please let me know.

PO Box 5003 • Bismarck, ND 58502-5003

United Way
We Are A United Way
Agency

2021 HOUSE APPROPRIATIONS

SB 2281

2021 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee

Brynhild Haugland Room, State Capitol

SB 2281 4/1/2021

Relating to a statewide sexual assault evidence collection kit tracking system; relating to the collection of samples of blood or body fluids for DNA testing;

9:00 Chairman Delzer- Opened the meeting for SB 2281

Attendance	P/A
Representative Jeff Delzer	Р
Representative Keith Kempenich	Р
Representative Bert Anderson	Р
Representative Larry Bellew	Р
Representative Tracy Boe	Р
Representative Mike Brandenburg	Р
Representative Michael Howe	Р
Representative Gary Kreidt	Р
Representative Bob Martinson	Р
Representative Lisa Meier	Р
Representative Alisa Mitskog	Р
Representative Corey Mock	Р
Representative David Monson	Р
Representative Mike Nathe	Р
Representative Jon O. Nelson	Р
Representative Mark Sanford	Р
Representative Mike Schatz	Α
Representative Jim Schmidt	Р
Representative Randy A. Schobinger	Р
Representative Michelle Strinden	Р
Representative Don Vigesaa	Р

Discussion Topics:

- Tracking system for sex crimes
- Report on Attorney General's Public Website
- Evidence Collection Project Authority
- 9:00 Representative Hanson- Introduces the bill and its purpose
- 9:03 Committee discussion
- 9:06 Representative Brandenburg Makes a motion for a Do Pass

Representative Howe Second

9:06 Roll Call Vote was Taken;

Representatives	Vote
Representative Jeff Delzer	Ν
Representative Keith Kempenich	Α
Representative Bert Anderson	Υ
Representative Larry Bellew	Α
Representative Tracy Boe	Υ
Representative Mike Brandenburg	Υ
Representative Michael Howe	Υ
Representative Gary Kreidt	Υ
Representative Bob Martinson	Υ
Representative Lisa Meier	Υ
Representative Alisa Mitskog	Υ
Representative Corey Mock	Υ
Representative David Monson	Υ
Representative Mike Nathe	Υ
Representative Jon O. Nelson	Υ
Representative Mark Sanford	Υ
Representative Mike Schatz	N
Representative Jim Schmidt	Υ
Representative Randy A. Schobinger	Υ
Representative Michelle Strinden	Υ
Representative Don Vigesaa	Υ

Motion Carries 17-2-2 Representative Hanson will carry the bill

Additional written testimony: No Additional Testimony

9:08 Chairman Delzer- Closes the meeting for

Risa Berube,

House Appropriations Committee Clerk

Module ID: h_stcomrep_57_002

Carrier: Hanson

h_stcomrep_57_002

REPORT OF STANDING COMMITTEE

SB 2281, as engrossed: Appropriations Committee (Rep. Delzer, Chairman)
recommends DO PASS (17 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2281 was placed on the Fourteenth order on the calendar.