

**2025 HOUSE JUDICIARY**

**HB 1194**

# 2025 HOUSE STANDING COMMITTEE MINUTES

**Judiciary Committee**  
Room JW327B, State Capitol

HB 1194  
2/3/2025

A BILL for an Act to amend and reenact section 12.1-11-03 of the North Dakota Century Code, relating to false information or false reports to law enforcement; and to provide a penalty.

10:59 a.m. Chairman Klemin opened the hearing.

Members Present: Chairman Klemin, Vice-Chairman Karls, Vice-Chairman Vetter, Representatives Christianson, Henderson, Hoverson, Johnston, McLeod, Satrom, Tveit, VanWinkle, Wolff, Schneider

Members Absent: Representative S. Olson

## **Discussion Topics:**

- Frivolous and false police calls
- Definition of swatting
- False information vs false police reports

11:00 a.m. Representative Steve Vetter, North Dakota Representative for District 18, introduced the bill and provided testimony #33824.

11:11 a.m. Dustin Olson, Lieutenant with the Burleigh County Sheriffs Department, testified in opposition.

11:20 a.m. Blair Thoreson, North Dakota Peace Officers Association, testified in opposition.

11:22 a.m. Stephanie Engebretson, Chiefs of Police Association, testified in opposition.

11:26 a.m. Chairman Klemin closed the hearing.

*Wyatt Armstrong, Committee Clerk*



Legislative Assembly

# North Dakota House of Representatives

STATE CAPITOL  
600 EAST BOULEVARD  
BISMARCK, ND 58505-0360



## Representative Steve Vetter

District 18  
804 South 17th Street  
Grand Forks, ND 58201-4241  
[smvetter@ndlegis.gov](mailto:smvetter@ndlegis.gov)

## COMMITTEES:

Judiciary (Vice Chair)  
Government and Veterans Affairs

Chairman Klemin and Judiciary committee,

my name is Steve Vetter from district 18 which is Grand Forks along the Red River to Manvel.

We have seen a recent increase in false accusations but nobody ever seems to be punished for false accusations. This past summer, I worked with legislative counsel to get some insight in how many people are charged and/or convicted of making false accusations and/or filing a false police report. It was shocking to find out I have yet to know of any case in North Dakota.

The reason for my inquiry is I have had two different constituents tell me they reported to a police officer a complaint of false accusations and in one case filing a false police report. You would think filing a completely untrue police report would be easy to prove. In both cases, no charges were filed.

I have also been told by some attorneys that these cases may sometimes be a hard case to get a conviction.

When looking to the wisdom of the Bible, a false accuser was punished rather harshly.

The judges must investigate the case thoroughly. If the accuser has brought false charges against his fellow Israelite, you must impose on the accuser the sentence he intended for the other person." Deuteronomy 19:16-19  
in essence, those who falsely accuse others are to face consequences that mirror the harm they intended to inflict on the accused, signifying the gravity of the transgression in God's eyes.

However, unfortunately this bill does not solve this issue. It is just a step in the right direction.

# 2025 HOUSE STANDING COMMITTEE MINUTES

## Judiciary Committee Room JW327B, State Capitol

HB 1194  
2/3/2025

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2:59 p.m. Chairman Klemin opened the hearing.

Members Present: Chairman Klemin, Vice-Chairman Karls, Vice-Chairman Vetter, Representatives Christianson, Henderson, Hoverson, Johnston, McLeod, S. Olson, Satrom, Tveit, VanWinkle, Wolff, Schneider

### Discussion Topics:

- Difference in meaning between "shall" and "may"
- Committee Action

3:06 p.m. Representative Vetter moved to Amend and replace "a" with "an on duty" and replacing "knowledge of or reasonable" with "probable" on line 18 and strike "false information or" on line 19.

3:06 p.m. Representative Wolff seconded the motion.

Representatives	Vote
Representative Lawrence R. Klemin	Y
Representative Karen Karls	Y
Representative Steve Vetter	Y
Representative Nels Christianson	Y
Representative Donna Henderson	Y
Representative Jeff Hoverson	Y
Representative Daniel Johnston	Y
Representative Carrie McLeod	Y
Representative SuAnn Olson	Y
Representative Bernie Satrom	Y
Representative Mary Schneider	A
Representative Bill Tveit	Y
Representative Lori VanWinkle	Y
Representative Christina Wolff	Y

3:08 p.m. Motion passed 13-0-1

3:10 p.m. Representative Vetter moved a Do Pass as Amended.

3:10 p.m. Representative Christianson seconded the motion.

<b>Representatives</b>	<b>Vote</b>
Representative Lawrence R. Klemin	Y
Representative Karen Karls	Y
Representative Steve Vetter	Y
Representative Nels Christianson	Y
Representative Donna Henderson	Y
Representative Jeff Hoverson	N
Representative Daniel Johnston	Y
Representative Carrie McLeod	Y
Representative SuAnn Olson	N
Representative Bernie Satrom	N
Representative Mary Schneider	Y
Representative Bill Tveit	N
Representative Lori VanWinkle	N
Representative Christina Wolff	Y

3:13 p.m. Motion passed 9-5-0

3:13 p.m. Representative Johnston will carry the bill.

3:14 p.m. Chairman Klemin closed the hearing.

*Wyatt Armstrong, Committee Clerk*

February 3, 2025

Sixty-ninth  
Legislative Assembly  
of North Dakota

**PROPOSED AMENDMENTS TO**

**HOUSE BILL NO. 1194**

Introduced by

Representatives Vetter, Christianson, Murphy, Dockter, Hauck, D. Johnston, Koppelman,  
Jonas, Motschenbacher

Senators Paulson, Luick

2.3.25  
JB 102

- 1 A BILL for an Act to amend and reenact section 12.1-11-03 of the North Dakota Century Code,  
2 relating to false information or false reports to law enforcement; and to provide a penalty.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

- 4 **SECTION 1. AMENDMENT.** Section 12.1-11-03 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **12.1-11-03. False information or report to law enforcement officers or security**  
7 **officials.**

8 ~~A person~~

9 1. An individual is guilty of a class A misdemeanor if that ~~person~~individual:

- 10 ~~1-~~ a. Gives false information or a false report to a law enforcement officer which that  
11 ~~person~~individual knows to be false, and the information or report may interfere  
12 with an investigation or may materially mislead a law enforcement officer; or  
13 ~~2-~~ b. Falsely reports to a law enforcement officer or other security official the  
14 occurrence of a crime of violence or other incident calling for an emergency  
15 response when that ~~person~~individual knows ~~that~~ the incident did not occur.  
16 "Security official" means a public servant responsible for averting or ~~dealing~~  
17 ~~with~~handling emergencies involving public safety.

- 18 2. A~~An on duty~~ law enforcement officer having ~~knowledge of or reasonable~~probable  
19 cause to suspect an individual has provided ~~false information or a false report to a law~~

JB 202

- 1 enforcement officer or security official shall report the information to the state's
- 2 attorney of the county in which the violation occurs.

**REPORT OF STANDING COMMITTEE  
HB 1194**

**Judiciary Committee (Rep. Klemin, Chairman)** recommends **AMENDMENTS** ([25.0500.01001](#)) and when so amended, recommends **DO PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). HB 1194 was placed on the Sixth order on the calendar.



**2025 SENATE JUDICIARY**

**HB 1194**

# 2025 SENATE STANDING COMMITTEE MINUTES

## Judiciary Committee

Peace Garden Room, State Capitol

HB 1194

3/11/2025

A BILL for an Act to amend and reenact section 12.1-11-03 of the North Dakota Century Code, relating to false information or false reports to law enforcement; and to provide a penalty.

2:29 p.m. Chair Larson opened the hearing.

Members present:

Chair Larson, Vice Chairman Paulson, Senators: Castaneda, Cory, Luick, Myrdal, Braunberger.

### Discussion Topics:

- Law enforcement reporting requirements
- Reasonable suspicion standard
- Identification in law enforcement encounters

2:32 p.m. Representative Steve Vetter introduced the bill, explained amendments and submitted testimony in favor #40624, #40623, and #40622.

2:40 p.m. Jesse Jahner, Sheriff, Cass County Sheriff's Office, submitted testimony as neutral #40473.

3:02 p.m. Blair Thorson, ND Police Officers Association, testified in opposition.

3:04 p.m. Jonathan Byers, ND State Attorney's Association, testified in opposition.

3:08 p.m. Chair Larson adjourned the meeting.

*Kendra McCann, Committee Clerk*

## **Testimony in Support of House Bill 1194 as it relates to 12.1-11-03. False information or report to law enforcement officers or security officials.**

Good afternoon Madam Chair Larson and members of the Senate Judiciary Committee,

My name is Jesse Jahner, and I am the elected Sheriff in Cass County North Dakota currently serving in my second year of my second term. I have worked with the Cass County Sheriff's Office since May of 1998. During my time at the Sheriff's Office, I have worked in Corrections, Patrol, Investigations, Narcotics Investigations, Street Crime Investigations and in Special Operations. I have served as the Dakota Territories (North and South Dakota) Sheriff's Association President and currently serve as a National Sheriff's Association Board Member.

I testify before you today in favor of House Bill 1194, if the language is amended to

c) Falsely identifies or refuses to identify themselves upon request by a law enforcement officer under the following circumstances:

- i. The officer reasonably suspects the individual is committing, has committed, or is about to commit a criminal offense.
- ii. The officer reasonably suspects the individual is committing or has committed an infraction offense.
- iii. The officer reasonably suspects the individual is committing or has committed a non-criminal offense.

as it pertains to false representation of Identification and/or not providing an Identification upon request by a law enforcement officer who has a reasonable belief that an individual is committing or about to commit a criminal offense, infraction, or non-criminal offense. Recently law enforcement has struggled in some situations with identifying individuals when they provide a false identification or do not provide their identification during traffic violations or misdemeanors that do not occur in the officer's presence. There is no mechanism in place that gives law enforcement the ability to compel someone to identify themselves if there is reasonable suspicion or a reasonable belief that they have committed certain misdemeanor crimes or for individuals refusing to identify themselves during a lawful traffic stop. Law enforcement has relied on utilizing state statute 12.1-08-01 Physical Obstruction of a Governmental Function but recently some States Attorneys have stated that they do not believe the statute applies because the offender isn't physically obstructing the officer. With not being able to compel the offender to produce an identification or identify themselves the officer cannot complete their investigation. There

are potentially other statutes that could apply but they are specific to certain situations, and they do not have penalties. Adding this additional language to this bill would allow officers the ability to identify the offender and complete their investigation. If the offender refused to comply, the officer could then make an arrest because the offense happened in the officer's presence. That would allow the officer to arrest and escort that person to jail where we would have additional tools such as fingerprinting or having to gather their personal information before they are able to bond out of jail. If the offender still refused to identify themselves, they would have to visit with a judge where further probable cause could be established to hold the person until they were identified.

Madam Chair Larson and members of the Senate Judiciary Committee, please give House Bill 1194 a do pass recommendation upon the suggested language change. Thank you.

Respectfully,

Jesse Jahner  
Cass County Sheriff

25.0500.02000

Sixty-ninth  
Legislative Assembly  
of North Dakota

## FIRST ENGROSSMENT

### ENGROSSED HOUSE BILL NO. 1194

Introduced by

Representatives Vetter, Christianson, Murphy, Dockter, Hauck, D. Johnston, Koppelman,  
Jonas, Motschenbacher

Senators Paulson, Luick

1 A BILL for an Act to amend and reenact section 12.1-11-03 of the North Dakota Century Code,  
2 relating to false information or false reports to law enforcement; and to provide a penalty.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 12.1-11-03 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **12.1-11-03. False information or report to law enforcement officers or security**  
7 **officials.**

8 A person

9 1. An individual is guilty of a class A misdemeanor if that ~~person~~individual:

10 4- a. Gives false information or a false report to a law enforcement officer which that  
11 ~~person~~individual knows to be false, and the information or report may interfere  
12 with an investigation or may materially mislead a law enforcement officer; or

13 2- b. Falsely reports to a law enforcement officer or other security official the  
14 occurrence of a crime of violence or other incident calling for an emergency  
15 response when that ~~person~~individual knows that the incident did not occur.

16 "Security official" means a public servant responsible for averting or ~~dealing~~  
17 ~~with~~handling emergencies involving public safety.

c) Falsely identifies or refuses to identify themselves upon request by a law enforcement officer under the following circumstances:

- i. The officer <sup>having probable cause to suspect</sup> ~~reasonably suspects~~ the individual is committing, has committed, or is about to commit a criminal offense.
- ii. The officer <sup>having probable cause to suspect</sup> ~~reasonably suspects~~ the individual is committing or has committed an infraction offense.
- iii. The officer <sup>having probable cause to suspect</sup> ~~reasonably suspects~~ the individual is committing or has committed a non-criminal offense.

18     2. An on duty law enforcement officer having probable cause to suspect an individual has  
19     provided a false report to a law enforcement officer or security official shall report the  
20     information to the state's attorney of the county in which the violation occurs.

25.0500.02001  
Title.

Prepared by the Legislative Council  
staff for Representative Vetter  
March 5, 2025

Sixty-ninth  
Legislative Assembly  
of North Dakota

## PROPOSED AMENDMENTS TO FIRST ENGROSSMENT

### ENGROSSED HOUSE BILL NO. 1194

Introduced by

Representatives Vetter, Christianson, Murphy, Dockter, Hauck, D. Johnston, Koppelman,  
Jonas, Motschenbacher

Senators Paulson, Luick

- 1 A BILL for an Act to amend and reenact section 12.1-11-03 of the North Dakota Century Code,  
2 relating to false information or false reports to law enforcement; and to provide a penalty.

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4 **SECTION 1. AMENDMENT.** Section 12.1-11-03 of the North Dakota Century Code is  
5 amended and reenacted as follows:

#### 6 **12.1-11-03. False information or report to law enforcement officers or security** 7 **officials.**

8 ~~A person~~

9 1. An individual is guilty of a class A misdemeanor if that personindividual:

10 ~~4. a.~~ a. Gives false information or a false report to a law enforcement officer which that  
11 ~~personindividual~~ knows to be false, and the information or report may interfere  
12 with an investigation or may materially mislead a law enforcement officer; ~~or~~

13 ~~2. b.~~ b. Falsely reports to a law enforcement officer or other security official the  
14 occurrence of a crime of violence or other incident calling for an emergency  
15 response when that ~~personindividual~~ knows ~~that~~ the incident did not occur.

16 "Security official" means a public servant responsible for averting or ~~dealing-~~  
17 ~~with~~handling emergencies involving public safety; or

18 c. Gives false identifying information or refuses to provide identification upon  
19 request of a law enforcement officer under the following circumstances:

- 1                   (1) A law enforcement officer having probable cause to suspect the individual is  
2                   committing, has committed, or is about to commit a criminal offense.  
3                   (2) A law enforcement officer having probable cause to suspect the individual is  
4                   committing or has committed an infraction.  
5                   (3) A law enforcement officer having probable cause to suspect the individual is  
6                   committing or has committed a noncriminal offense.  
7        2. An on duty law enforcement officer having probable cause to suspect an individual has  
8        provided a false report to a law enforcement officer or security official shall report the  
9        information to the state's attorney of the county in which the violation occurs.





# North Dakota House of Representatives

STATE CAPITOL  
600 EAST BOULEVARD  
BISMARCK, ND 58505-0360



## Representative Steve Vetter

District 18  
804 South 17th Street  
Grand Forks, ND 58201-4241  
[smvetter@ndlegis.gov](mailto:smvetter@ndlegis.gov)

## COMMITTEES:

Judiciary (Vice Chair)  
Government and Veterans Affairs

Chairman Larson and Senators of the Judiciary committee,

my name is Steve Vetter from district 18 which is Grand Forks along the Red River to Manvel.

On a national level we have seen first hand the weaponization of our court system. In our current political environment it appears that making false claims is becoming common ground. It has become acceptable to lie about someone because there appears to be no consequences to this action. When someone is accused of something often this is the story the public hears without ever hearing if indeed the person was found to be not guilty or the charges were dropped or there is a story about an arrest and investigation but limited follow-up when nothing turns up. False accusations have a victim and they should have consequences.

There is a recent increase in false accusations but nobody ever seems to be punished for false accusations. This past summer, I worked with legislative counsel to get some insight in how many people are charged and/or convicted of making false accusations and/or filing a false police report. It was shocking to find out I have yet to know of any case in North Dakota. However, since this introduction of this bill, one sheriff emailed to let me know that he filed charges for false accusations several times. The reason for my inquiry is I have had two different constituents tell me they reported to a police officer a complaint of false accusations and in one case filing a false police report. You would think filing a completely untrue police report would be easy to prove. In both cases, no charges were filed.

I have also been told by some attorneys that these cases may be a hard case to get a conviction on. I'm not sure on that answer but that decision should be up to the state's attorney not the individual officer.

The bill in its current form, is a simple bill that spells out in Century code what is supposed to be the current practice of when someone brings a complaint about someone dealing with false accusations and/or filing a false police report.

All it does: if someone files a complaint for False Accusations of Filing a False Police Report, the law enforcement officer or agency will a report an affidavit to the States Attorney on that individual for filing a fraudulent report. That's it. It does not require the States Attorney to do anything as the discretion is solely with States Attorney. The discretion is for the States Attorney to decide not the individual peace officer to make that determination.

However, I would like you to add an amendment to solve an addition recent issue dealing with the same section of law about filing false police report. Sheriff Jahner from Cass county contacted me about a growing problem. There is a growing trend of people lying to the police about who they are. This amendment would help when dealing with people lying about their identity when dealing with minor crimes of an infraction, noncriminal and Class B misdemeanor crimes. These are usually property crimes. Currently, criminals are committing property crimes and then are telling the police they are someone other who they actually are. The amendment helps fix this issue. I have Sheriff Jahner testifying after me so for more detailed questions about this, he will have better answers for you.

After looking over the amendment, it would be a friendly addition to the bill so I agreed with the Sheriff that I would ask the committee to add the amendment. Please consider the amendment. In addition, it is my belief the House Judiciary committee and the House floor would agree to the amendment. If not I would just have to convince them.

Answer to objections in the house side.

- Added 'on duty' and added probable cause language.
- Already the law that it needs crimes with probable cause are to be reported to the states attorney.

I would ask you to add the amendment and then give this bill a Do Pass recommendation. I will stand for questions.

When looking to the wisdom of the Bible, a false accuser was punished rather harshly.

“The judges must investigate the case thoroughly. If the accuser has brought false charges against his fellow Israelite, you must impose on the accuser the sentence he intended for the other person.” Deuteronomy 19:16-19

in essence, those who falsely accuse others are to face consequences that mirror the harm they intended to inflict on the accused, signifying the gravity of the transgression in God's eyes.



# 2025 SENATE STANDING COMMITTEE MINUTES

## Judiciary Committee Peace Garden Room, State Capitol

HB 1194  
4/1/2025

A BILL for an Act to amend and reenact section 12.1-11-03 of the North Dakota Century Code, relating to false information or false reports to law enforcement; and to provide a penalty.

10:36 a.m. Chair Larson opened the hearing.

Members present:

Chair Larson, Vice Chairman Paulson, Senators: Castaneda, Cory, Luick, Myrdal, Braunberger.

### Discussion Topics:

- Definition of vexatious reporting
- Law enforcement responsibilities

10:36 a.m. Senator Castaneda introduced proposed amendment and submitted testimony #44520.

10:40 a.m. Senator Castaneda moved amendment, page 2 line 7-9, add language about an individual who has vexatiously provided a false report about another individual to a law enforcement officer or security officer.

10:40 a.m. Senator Myrdal seconded.

10:40 a.m. Voice Vote - Motion Passed.

10:41 a.m. Senator Cory moved as Do Pass as amended.

10:41 a.m. Senator Myrdal seconded the motion.

Senators	Vote
Senator Diane Larson	Y
Senator Bob Paulson	Y
Senator Ryan Braunberger	Y
Senator Jose L. Castaneda	Y
Senator Claire Cory	Y
Senator Larry Luick	Y
Senator Janne Myrdal	Y

Motion Passed 7-0-0.

10:41 a.m. Senator Castaneda will carry the bill.

10:42 a.m. Committee discussion on upcoming schedule.

10:42 a.m. Chair Larson closed the hearing.

*Kendra McCann, Committee Clerk*

April 1, 2025

Sixty-ninth  
Legislative Assembly  
of North Dakota

**PROPOSED AMENDMENTS TO  
FIRST ENGROSSMENT**

VC 4/1/25  
1 of 2

**ENGROSSED HOUSE BILL NO. 1194**

Introduced by

Representatives Vetter, Christianson, Murphy, Dockter, Hauck, D. Johnston, Koppelman,  
Jonas, Motschenbacher

Senators Paulson, Luick

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7 **officials.**

8 ~~A person~~

9 1. An individual is guilty of a class A misdemeanor if that ~~person~~individual:

10 ~~1. a.~~ a. Gives false information or a false report to a law enforcement officer which that  
11 ~~person~~individual knows to be false, and the information or report may interfere  
12 with an investigation or may materially mislead a law enforcement officer; or

13 ~~2. b.~~ b. Falsely reports to a law enforcement officer or other security official the  
14 occurrence of a crime of violence or other incident calling for an emergency  
15 response when that ~~person~~individual knows ~~that~~ the incident did not occur.

16 "Security official" means a public servant responsible for averting or ~~dealing~~  
17 ~~with~~handling emergencies involving public safety.

18 2. An on duty law enforcement officer having probable cause to suspect an individual has  
19 vexatiously provided a false report regarding another individual to a law enforcement

- 1 officer or security official shall report the information to the state's attorney of the
- 2 county in which the violation occurs.

**REPORT OF STANDING COMMITTEE  
ENGROSSED HB 1194**

**Judiciary Committee (Sen. Larson, Chairman)** recommends **AMENDMENTS** **(25.0500.02003)** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING). Engrossed HB 1194 was placed on the Sixth order on the calendar. This bill does not affect workforce development.



An on duty law enforcement officer having probable cause to suspect an individual has vexatiously provided a false report about another individual to a law enforcement officer or security official shall report the information to the state's attorney of the county in which the violation occurs.