2025 HOUSE JUDICIARY HB 1549

2025 HOUSE STANDING COMMITTEE MINUTES

Judiciary Committee Room JW327B, State Capitol

HB 1549 2/5/2025

Relating to offenders released from the department of corrections and rehabilitation; to provide for a legislative management study; and to provide an appropriation.

10:37 a.m. Vice-Chairman Vetter opened the hearing.

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

Members Absent: Representative VanWinkle

Discussion Topics:

- Criminal record sealing
- Native American reentry programs
- 10:38 a.m. Representative Lawrence Klemin, North Dakota Representative for District 47, introduced the bill and provided testimony #34369, #34886.
- 10:57 a.m. Chelsea Flory, Burleigh County Human Service Zone Director, testified in favor and provided testimony #35355.
- 11:02 a.m. Sister Kathleen Atkinson, Director of Ministry on the Margins, testified in favor and provided testimony #35357.
- 11:06 a.m. Lorraine Davis, Founder and CEO of NATIVE Inc, testified in favor and provided testimony #35360.
- 11:26 a.m. Phil Davis, Workforce Services Director at Job Service North Dakota, testified in favor and provided testimony #34694.
- 11:30 a.m. Curtiss Heidebrink, Program Director of the Akisni Warrior Lodge, testified in favor and provided testimony #35156.
- 11:33 a.m. Colby Braun, Director of the Department of Corrections and Rehabilitation, testified in favor and provided testimony #34429.
- 11:41 a.m. Sara Behrens, Staff Attorney at the State Court Administrators Office, testified in neutral and provided testimony #35460.

Additional written testimony:

Joan Bachman, West Fargo, North Dakota, submitted testimony in favor #33500 Nate Mickelson, Ministry on the Margins, submitted testimony in favor #33751

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Ashley Lies, Executive Director of the North Dakota State's Attorneys' Association, submitted testimony in favor #34476

Maria Neset, Office of the Governor, submitted testimony in favor #34861

Kimberlee Hegvik, Cass County State's Attorney's Office, submitted testimony in favor #34881

Elizabeth Loos, Lobbyist for the North Dakota Chapter of the National Association of Social Workers, submitted testimony in favor #35002

11:45 a.m. Chairman Klemin closed the hearing.

Wyatt Armstrong, Committee Clerk

HB1549

Thank you for allowing me to share my experience in support of this bill to support transition from incarceration to community living.

I have worked at mentoring a male non-violent felon (as a surrogate Grandma, no relationship) for about 10 years through 3 periods of incarceration. In large part, the second and third arrests resulted from the lack of support to re-enter society. That re-entry was harder after the second incarceration and we have yet to see the result of finishing this third trip to the penitentiary. It seems to me that the state releases prisoners with no thought about where they will live, what they will eat, who will provide the meds they may have been on during their jail time, or continuation of any services they may have been receiving. A particular need I see is training in money management, including budgeting. Perhaps assigning a representative payee for some would be a good step to legal independence.

My mentee, "D", did receive training while incarcerated the first time and held a good job for a short time after release. However, he was released with less than a week's worth of meds he had been taking, and I was not aware of any follow-up support from the state. The housing "D" was able to afford should be prohibited by the city of Fargo and was inhabited by other persons you would not like to meet any more than I liked to meet. Supportive housing services such as Redemption Road and others provide a positive way to practice communal living with shared responsibilities. Useful transportation is a major issue to successful employment and involvement with positive outside activities. "D" became active in the little church I attended when I picked him up. He was well received by members. That only took care of Sunday morning, not the rest of the week.

We need workers. Let's address that need by supporting those being released from jail the first time so can become useful members of society and not re-offend.

Collection and sharing of data regarding all activities of DOC and those for whom they are responsible would be useful in making decisions for programming and financial support. The public should have access to more specific information regarding this large part of state spending. Such information may be useful to making successful transition from jail to community a shared responsibility.

Joan Bachman, RN(ret), LNHA(ret), RHIT,(ret), BSBA



MINISTRY ON THE MARGINS

P.O. Box 3065 201 N. 24th St., Bismarck, ND 58501 701-223-6315 • MinistryOnTheMargins.com

Testimony in Favor of HB 1549

My name is Nathan Mickelson, the Prison reentry Manager at Ministry on the Margins (MOTM), a nonprofit in Bismarck - Mandan started by Sister Kathleen Atkinson who has over 30 years' experience in prison reentry. Our reentry program focuses on identifying and delivering the much-needed resources to those re-entering society after a period of incarceration. Since beginning with Ministry, I have worked synergistically with the DOCR in several aspects both inside and outside the wall from teaching classes, attending community resource fairs, pre-release planning with case workers to a reentry supper club, a Bismarck – Mandan prison Re-entry coalition and even a community reentry resource sharing event to identify and streamline organizational resources.

Having gone through my own reentry experiences, I am familiar with the challenges and barriers faced by those re-entering society. HB 1549 addresses and delivers solutions to several barriers on the "back-end" of reentry, including creating a task force focused on expanding housing opportunities for the justice involved. Landlords continue to price "gouge" justice involved, making it nearly impossible to get safe, secure housing. HB 1549 further expands on the importance of Reentry and delivers solutions such as ID's and Medicaid upon release, correctional facility program grants, improved data collection, criminal record sealing and a much-needed reentry program and partnership between the DOCR and ND's tribes.

We are building something special here in North Dakota by focusing on restorative justice and addressing the root cause rather than incarceration. HB 1549 is a step in the right direction by focusing on rehabilitation rather than incarceration and would welcome the opportunity to engage and support its actions.

Thank you.

Nate Mickelson

Prison Reentry Manager

Ministry on the Margins

701-390-4000

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North Dakota House of Representatives

STATE CAPITOL 600 EAST BOULEVARD BISMARCK, ND 58505-0360



Representative Lawrence R. Klemin

District 47 3929 Valley Drive Bismarck, ND 58503-1729 Iklemin@ndlegis.gov COMMITTEES: Judiciary, Chairman Political Subdivisions

TESTIMONY OF REP LAWRENCE R. KLEMIN HOUSE JUDICIARY COMMITTEE HOUSE BILL NO. 1549 FEBRUARY 5, 2025

Members of the House Judiciary Committee. I am Lawrence R. Klemin, Representative for District 47 in Bismarck. I am here to testify in support of House Bill No. 1549.

House Bill 1549 is the final bill completing this package of reentry-focused criminal justice reform in North Dakota. As I mentioned in my previous testimony on HB 1425 and HB 1417, these bills continue our state's journey to reform our criminal justice system – to maximize public safety, use taxpayer dollars more efficiently, and help people who are justice-involved become more productive citizens.

The proposals in HB 1549 stem from an interim study aiming to improve ND's reentry outcomes. Here's a recap of the key findings from the Reentry Work Group's Final Report:

- ND's prison population is rising while nationally it is declining.
- Admissions to prison have grown, and drug and alcohol offenses and revocations are the primary drivers of the increase.
- People of color are disproportionately represented.
- People leaving incarceration face barriers to success such as affordable housing, behavioral health care, gaps in Medicaid access, and a lack of state-issued IDs.

Overview of HB 1549

HB 1549 aims to better prepare justice-involved people for a smooth transition back to the community. This includes focusing on programming and practices inside of corrections and detention centers that promote rehabilitation, as well as bolstering the prison release and reentry process to ensure people leaving prison have the support they need to access housing, medical care, and other resources that are critical to their reentry success and reduce the likelihood that they will recidivate.

The bill includes the following proposals:

 <u>Correctional Facility Reentry Programming Grant:</u> The bill creates a grant program to support local county, regional and tribal correctional facilities in expanding access to reentry programming.

- Mitigation of Racial Disparity: This bill creates an in-prison Native reentry
 program through a partnership between DOCR, North Dakota's five tribes, and
 the Indian Affairs Commission. The bill also keeps the Legislature appraised on
 efforts to reduce racial disparities in the court system by requiring DOCR to
 report on the status of the Native American reentry program and requiring the
 Supreme Court to report on court-based efforts to mitigate disparity.
- Cross-agency Collaboration to Reduce Recidivism: The bill codifies a partnership between the DOCR and the DOT to provide people leaving incarceration with state-issued identification. It also requires coordination between DOCR and DHHS to streamline access to Medicaid services for people leaving prison. Because data collection and data sharing are critical in understanding recidivism trends and informing how our system needs to be improved, this bill also requires collaboration between DOCR, DHHS, jails, and other entities to examine the data that is being collected throughout the criminal justice system and determine what our state needs to do to improve connectivity and information sharing between these system partners.
- Housing: The bill creates a housing task force and requires an annual report
 examining housing assistance for people leaving incarceration and individuals
 with sex offenses, sober living, and other low-barrier housing availability.
- <u>Study Other Opportunities to Reduce Reentry Barriers:</u> The bill recommends an interim study examining expanded access to criminal record-sealing and any costs and benefits associated with automated processes.

Correctional Facility Reentry Programming Grant

Many provisions of this bill focus on programming and reentry practices for people leaving ND's prison system. This proposal aims to make sure jails are also equipped to provide reentry services for people who are detained.

Most people in jail will return to the community after a relatively short period of confinement. That said, even a short detention term can cause a person to lose employment, housing, miss medication, and other unintended consequences that could put them at risk for returning to criminal behavior.

Recommendation 12 of the Reentry Work Group's Final Report (page 28) highlights the finding that jail-based programming and reentry services vary throughout the state, making the reentry process more complicated and inconsistent.

Section 1 of this bill aims to improve the availability of reentry services in jails by creating a committee to oversee the administration of grants to support evidence-based reentry programming and services in jails, and outlining a process for evaluating such programs, screening applicants, and administering grant money to applicants.

Section 8 of this bill appropriates \$1,500,000 to DOCR for the purpose of administering correctional facility program grants.

Mitigation of Racial Disparities

The next portion of this proposal responds to the data finding showing the overrepresentation of Black and Native people in ND's criminal justice system. Admissions to prison have generally increased over the past decade, but the increase has been most significant for these two populations. From 2014 to 2023, prison admissions for Native people increased by over 60%, and prison admissions for Black individuals increased by 120%. You can see a pie chart demonstrating this growth on page 14 of the Reentry Work Group's Final Report.

A disproportionate increase in prison admissions for people of color could be a symptom of a variety of factors. The recommendation from the Reentry Work Group is for the ND Supreme Court to keep the Legislature informed about racial disparities evident in the court system and annually report on efforts taking place to mitigate disparities.

This recommendation is outlined in **Section 3** of the bill. There is already a body established under court rule called the Minority Justice Implementation Committee that is responsible for reporting court system findings of racial disparity and recommendations for mitigation to the state supreme court. This section adds Legislative Management as a recipient of that information.

Section 4 of this bill is related to reentry programming that is tailored to the needs of the population. According to the American Probation and Parole Association's national supervision standards, case planning, interventions, and treatment options should be chosen for individuals based on their "responsivity factors," including cultural background. Given the growth of the Native population inside of DOCR facilities, and the intention of DOCR to prepare people for release and successful reentry, the Reentry Work Group has recommended that DOCR work in partnership with the tribes to develop reentry initiatives that align with tribal culture.

The bill directs DOCR to establish this program in coordination with North Dakota's five tribes and the Indian Affairs Commission and requires an annual report to Legislative Management. This section outlines requirements including that the program assess the needs of participants with the goal of recidivism reduction, identify and provide culturally responsive training to department staff, designate a Native American liaison to operate within DOCR's Adult Parole and Probation Services, and include oversight and evaluation processes. **Section 9** of this bill appropriates \$25,000 to DOCR to facilitate the Native reentry program.

Cross-agency Collaborations to Reduce Recidivism

Several provisions included in this bill establish or formalize cross-agency partnerships to support reentry. Many partners that are referenced in the following provisions are already at the table and participating in meaningful collaboration. The purpose of codifying this collaboration in the North Dakota Century Code is to ensure longevity and solidify them as required practices regardless of future changes in agency or administration leadership.

State Identification and Access to Medicaid

Section 2 of this bill solidifies the partnership between DOCR and the Department of Transportation in their efforts to provide people leaving prison with identification. Without an ID, people leaving the system face problems with accessing housing, public benefits, employment, and banking. In 2023, 37% of people released from custody did not have a driver's license. This bill directs DOCR to coordinate with the Department of Transportation to facilitate a process for incarcerated individuals to apply for state-issued identification.

Having medical coverage is another critical element of reentry, helping to ensure people can access life-saving medication and behavioral health treatment services that keep them stable in the community. Findings from the Reentry Work Group's study revealed that there are often delays in coverage between someone's release from prison and their re-enrollment in Medicaid benefits. To strengthen this process, **Section 2** of this bill directs DOCR, in coordination with DHHS, to connect all eligible individuals with Medicaid assistance, or other health and human services programs, prior to release from incarceration. This corresponds with recommendation 21 (page 32-33) in the Reentry Work Group's Final Report.

Data-Sharing

Finally, in our efforts to be evidence-based and data-informed when we make decisions related to our criminal justice system, we need to make sure that all the partners who are involved in recidivism-reduction work are collecting good data and sharing that data to help us understand what improvements we need to make to our system.

Section 6 of this bill directs DOCR to coordinate with DHHS, regional jails, and other criminal justice entities to examine current criminal justice data collection, retention, and dissemination practices. The bill also directs DOCR to provide recommendations for improving these practices, as well as improving data connectivity between system partners, in an annual report to Legislative Management.

Housing

The next provision of HB 1549 focuses on improving access to housing for the justice-involved population. The participants interviewed during the interim study process universally identified housing as an area for North Dakota to think more critically when it comes to reentry planning.

To remain stable and law-abiding, people need to be able to access basic needs, like safe housing. The Reentry Work Group's 18th recommendation (Final Report page 31) centers around improving coordination between housing providers and expanding access to housing for individuals with sex offenses.

Section 5 of the bill directs DOCR to establish a task force that includes representation from other system stakeholder and housing providers, to examine housing for individuals leaving incarceration, housing for individuals with sex offenses, sober

housing, and processes to improve coordination between system partners. These findings will be captured in an annual report to Legislative Management.

Study Other Opportunities to Reduce Reentry Barriers

The final component of this bill, outlined in **Section 7**, relates to the continued study of criminal record sealing and opportunities that may exist to automate the sealing process, or expand the eligibility for record sealing.

North Dakota currently has a process for record sealing that certain people can apply for depending on the severity of their conviction and the amount of time that has elapsed since the conviction took place. Other states have automated this process, eliminating the need for certain individuals to submit an application and navigate the complicated court process to request a record to be sealed.

The Reentry Work Group discussed the lasting impact that a public criminal record can have on people who have turned their lives around following a conviction, specifically the complications it creates for obtaining employment and housing. The group ultimately decided that this topic is worthy of an interim study to evaluate the potential costs and benefits of automating this process in North Dakota or determine if there are other avenues to expanding record sealing opportunities that make sense for the state to pursue.

Amendment

There is one proposed amendment to this bill, which just takes the last two sentences of **Section 9** of the bill, lines 19-22, and moves those into a new **Section 10**. This language requires the DOCR to apply for federal grants for the purpose of implementing reentry programs and creating a temporary coordinator position within DOCR to help oversee elements of the reentry improvements proposed in this bill. The intention was not to limit the scope of federal grant applications to the Native American reentry program, but to use federal funding opportunities to support the implementation of any and all of the reentry policies that are included in HB 1549, HB 1417 and HB 1425.

Closing

In summary, HB 1549 aims to reduce recidivism by better preparing people who are involved in the justice system for a smooth transition back to the community.

The goals of this bill are aligned with the goal I shared for HB 1425 and HB 1417 – as a package, these proposals promote public safety through an intentional focus on reentry, recovery, and rehabilitation that will improve the lives of people exiting the justice system and reduce the likelihood that they find their way back into the system. This is a better use of our tax dollars, correctional space, and a smart approach to maintaining public safety in our state.

Like the previous bills, I'll take any questions you have. The Crime & Justice Institute is also available to answer questions about the study process and the information that led to the proposed policies in this bill.

Rep. Lawrene R. Klemin District 47, Bismarck

HOUSE JUDICIARY COMMITTEE REPRESENTATIVE LAWRENCE KLEMIN, CHAIR FEBRUARY 5, 2025

NORTH DAKOTA DEPARTMENT OF CORRECTIONS AND REHABILITATION PRESENTING TESTIMONY IN SUPPORT OF HOUSE BILL 1549

Chair Klemin and members of the House Judiciary Committee, I am Colby Braun, Director of the North Dakota Department of Corrections and Rehabilitation (DOCR). Today, I submit this verbal and written testimony in support of House Bill 1549.

Our department employs evidence-based practices tailored to the specific needs of individuals in our system to support successful reentry. This critical work is made possible by the dedication of our staff, as well as our ongoing collaboration with state agencies and community organizations. While we have made significant strides, we recognize that there are still areas requiring improvement—particularly in enhancing reentry programming at county, regional, and tribal correctional facilities, addressing racial disparities, and expanding housing availability. House Bill 1549 is designed to address these gaps and improve outcomes for those transitioning back into our communities.

Section 1 establishes a correctional facility grant program, which will allocate funding to county, regional, and tribal correctional facilities to expand access to evidence-based programming. This funding will provide vital resources to enhance programming options and strengthen reentry planning at the local level. It is essential that individuals receive support throughout the reentry process to ensure their successful reintegration into the community. **Section 8** includes an appropriation of \$1.5 million to the DOCR to administer this program.

Section 2 of the bill relates to facilitating the process of obtaining identification and Medicaid assistance prior to an individual's release. These initiatives are currently being carried out in coordination with the Department of Transportation, the Department of Health and Human

Services, and the Human Service Zones. Ensuring that individuals have identification and access to healthcare upon their release is a key step in helping them successfully reintegrate.

Section 4 proposes the creation of a Native American Reentry Program, acknowledging the racial disparities within the population sentenced to incarceration or probation under the Department of Corrections and Rehabilitation (DOCR). The DOCR recognizes the critical need for culturally responsive programming to better serve Native American individuals. In response, we have collaborated with South Central Foundation and F5 to launch the Akisni Warrior Lodge (AWL) at the James River Correctional Center. AWL is a culturally based recidivism reduction program founded on the belief that change is possible, with healing encompassing the body, mind, emotions, and spirit.

The Justice Reinvestment Initiative Reentry Study Work Group further emphasized the disproportionate representation of Native American individuals in correctional facilities, under community supervision, and among those experiencing revocation of supervision. The proposed Native American Reentry Program would offer culturally specific interventions tailored to the distinct needs of Native American individuals, building upon the foundational support provided by AWL. This initiative would be implemented through a partnership between the DOCR, representatives from each federally recognized tribe, and the Indian Affairs Commission, and would involve the appointment of a Native American liaison to operate within the department regarding parole and probation services. **Section 9** includes an appropriation of \$25,000 to support the program's development, including programming, travel, and operating expenses.

Section 5 creates a task force to address housing barriers faced by individuals on probation, parole, or those released from custody. Access to stable, affordable housing is a fundamental need, yet many individuals face significant challenges in securing housing, especially those with felony or sex offense convictions. By addressing these barriers, we can better support individuals as they reintegrate into their communities.

House Bill 1549 addresses key areas of need that will strengthen reentry efforts and enhance community reintegration. I ask that you support this proposed legislation. Thank you for your time and consideration. I stand for any questions.

North Dakota State's Attorneys' Association

February 3, 2025

To: House Judiciary Committee

Hon. Chairman Klemin

Hon. Vice-Chairs Karls and Vetter

Members of the Committee

RE: House Bill No. 1549

Chairman Klemin, Vice-Chairs Karls and Vetter, and Members of the House Judiciary Committee:

The North Dakota State's Attorneys' Association (NDSAA) is submitting this letter requesting a **DO PASS** to House Bill 1549.

The NDSAA supports the creation of a correctional facility grant committee, a housing task force, the provisions of essential assistance to provide to offenders upon release (i.e. a driver's license or ID and Medicaid assistance if necessary), and the other provisions and appropriations of this Bill.

On behalf of the North Dakota State's Attorneys:

Ashley L. Lies, Executive Director



HOUSE JUDICIARY COMMITTEE HB 1549 FEBRUARY 5, 2025

Mr. Chairman and members of the Committee, my name is Phil Davis, and I am the Workforce Services Director at Job Service North Dakota. Additionally, I am a member of the Reentry Study Workgroup that provided input to the final report that was published by the Crime and Justice Institute. I am providing this testimony in support of HB1549.

Individuals who are justice-involved were identified by the Workforce Development Council as a population who experience barriers to entering the workforce, including the lifelong impact of a criminal conviction on their record. As of 2023, North Dakota averaged 1,327 prisoner releases each year. Without a steady paycheck allowing for basic needs to be met, such as housing and food, many ex-offenders return to the prisons as indicated by North Dakota's recidivism rate of 38% in 2023.

Justice-involved individuals are a target group to fill in-demand positions in skilled trades, manufacturing, transportation, and a wide variety of other industries. Without tapping into this labor pool and preparing these individuals for the workforce, employers will continue to have difficulty filling in-demand positions.

As I mentioned, individuals with criminal records, especially the formerly incarcerated, face enormous barriers to employment. During the 68th Legislative Assembly, Job Service North Dakota requested and received a \$640,000 appropriation for two years to provide services to justice-involved individuals to help them gain and maintain employment upon release. In partnership with the Department of Corrections and Rehabilitation (DOCR), the program provides the opportunity for individuals to receive 1:1 service including access to training programs, employment services, referrals as needed, and funding for support services to ensure individuals are employment ready. The goal for the two-year pilot program was to prepare 300 individuals to re-enter the workforce. To be successful in the program, individuals must be accountable to the program requirements and obtain and retain a job for six months.

Using 18 months of data, Job Service has received 308 referrals from DOCR and completed 230 intakes for those who have been released. Currently, there are 98 active participants with an 81% employment rate. Individuals who have completed the program are earning an average of \$12,655.00 per quarter. Of those who have been referred to the program, only 5% have been reincarcerated. The reason I share these statistics is because bringing workforce services into the Reentry Phase of these discussions is an enormous part of allowing individuals to successfully transition back into the workforce, become self-sufficient, and contribute back to North Dakota's economy.

Job Service North Dakota has strong working relationships with employers and our industry partners in every region of the state. We understand the workforce challenges within the state, and we support the need for growth of serving Justice Involved individuals who can make an impact if given second or sometimes a third chance of getting back into the workforce. Job Service North Dakota does recognize the more successful we are at diversion, deflection and reentry, the better we are able to fill our open jobs in North Dakota.

In closing, Job Service North Dakota supports HB1549 and would like to thank the Reentry Study Workgroup for allowing us to be part of this important work.

Thank you for your time and consideration.

Re-Entry House Bills
Lt. Governor Michelle Strinden
House Judiciary Committee
Rep. Lawrence Klemin, chair
February 5, 2025
Room 327 B

Good morning, Chair Klemin, and members of the House Judiciary Committee. For the record, my name is Michelle Strinden, Lieutenant Governor for the State of North Dakota. I am here on behalf of the Armstrong administration to speak in support of HB 1425, HB 1417 and HB1549.

Over the interim, I had the opportunity to participate as a member of the Reentry Study Work Group, which laid the groundwork for these three bills that you will hear more about this morning. For over a year, I was at the table with a team of legislators, Department of Corrections and Rehabilitation and Department of Health and Human Service leaders, court system and county jail experts, and community reentry partners who examined data findings from our state's criminal justice system. This work group discussed the next steps our state can take toward our

longstanding goals of improving public safety through rehabilitation, reentry and recovery.

As this committee is aware, this interim study follows years of progress our state has made to ensure the people who enter our criminal justice system leave the system better than when they entered it. I am proud our state has emerged as a national leader for our commitment to recovery and reentry. When North Dakotans talk about "reentry," we aren't just talking about the process of a person leaving prison; we are talking about everything that happens before prison: coordinated efforts by law enforcement and behavioral health practitioners to respond to crises, addressing addiction and mental illness that contribute to criminal activity, and establishing a system of accountability and care that keeps our communities safe.

Our Work Group kept this in mind as we closely examined our criminal justice system data over the course of several months. It won't surprise anyone to hear our prison population has been growing, pushing our DOCR facilities and some county jails to their maximum capacities. But a finding from this study that stood out to me is that many residents continue to enter our prisons for

drug and alcohol offenses. We also found racial disparities in our system, specifically an overrepresentation of Black and Native American residents in our prisons. These are outcomes the Armstrong administration is committed to improving. Thanks to my fellow Work Group members who spent their summer diving into data, research, and examples of successful strategies from other states, I know we have a strong roadmap to help us get there.

The recommendations across these three bills support local law enforcement and prosecutors in using deflection and diversion practices – effectively interrupting misconduct early and intervening with treatment resources in cases where addiction and mental illness are the root cause. Provisions in these bills will also reduce barriers to reentry faced by people on community supervision; promote culturally responsive programming for people moving through the justice system; and support crossagency collaboration to help justice-involved people secure medical coverage and state identification. The bottom line is we want to prepare those leaving the justice system to be ready to

join our workforce, become our neighbors, attend our churches, and make our state better.

We have been on the right trajectory with our reentry and recovery focus for the past decade, and the policies included in HB 1425, HB 1417, and HB 1549 are the natural next step to improve public safety for our communities. Our administration urges the committee to support a "do pass" on all three bills. Thank you for your time and I am open to questions.



State's Attorney's Office

Kimberlee J. Hegvik State's Attorney

February 5, 2025

Testimony in Support of House Bill 1549

Chairman Klemin and members of the House Judiciary Committee,

My name is Kimberlee J. Hegvik, and I am the elected State's Attorney in Cass County. Prior to my election in 2022, I served as an Assistant Cass County State's Attorney for nearly 17 years.

I support HB 1549.

I believe that North Dakota should always strive to do better. I support funding programs to provide inmates with skills and tools that set them up for success upon release. This includes addressing behavioral health and social skills, as well as practical needs like transportation, housing, and identification documents. I support grants that encourage creative thinking and problem-solving regarding re-entry. I support evidence-based and data-driven approaches proven to improve outcomes. I support data collection and reporting. I believe sharing information is key to building and maintaining public confidence in our government and the criminal justice system.

I support HB 1549 because I believe in North Dakota's efforts to do better by improving our criminal justice system.

Thank you for your time and consideration.

Sincerely,

Kimberlee J Hegvik

Cass County State's Attorney

25.1314.01001 Title. Prepared by the Legislative Council staff for Representative Klemin February 3, 2025

Sixty-ninth Legislative Assembly of North Dakota

PROPOSED AMENDMENTS TO

HOUSE BILL NO. 1549

Introduced by

Representatives Klemin, Hanson, Stemen

Senators Larson, Davison

- 1 A BILL for an Act to create and enact a new section to chapter 12-44.1, a new section to chapter
- 2 27-02, and three new sections to chapter 54-23.3 of the North Dakota Century Code, relating to
- 3 the correctional facility grant program, Native American re-entry program, housing task force,
- 4 and criminal justice data collection; to amend and reenact section 12-47-31 of the North Dakota
- 5 Century Code, relating to offenders released from the department of corrections and
- 6 rehabilitation; to provide for a statement of legislative intent; to provide for a legislative
- 7 management study; and to provide an appropriation.

8 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

9 **SECTION 1.** A new section to chapter 12-44.1 of the North Dakota Century Code is created and enacted as follows:

Correctional facility grant committee - Correctional facility grant program - Report.

- 12 <u>1. The department of corrections and rehabilitation shall establish a correctional facility</u>
- grant committee consisting of two members appointed by the director of the
- department of corrections and rehabilitation, two members appointed by the North
- Dakota association of counties, and the director of the behavioral health division of the
- department of health and human services. The director of the department of
- 17 <u>corrections and rehabilitation shall choose one member to serve as chairman. The</u>
- 18 <u>committee shall:</u>

11

- 19 <u>a. Establish criteria for the evaluation of existing re-entry programs, including</u>
- 20 <u>educational and counseling programs used by existing re-entry programs:</u>

1		<u>b.</u>	Establish criteria for the evaluation of grant applications;
2		<u>C.</u>	Establish policies for screening and implementing grants under this section;
3		<u>d.</u>	Establish criteria and policies for evaluating programs funded under this section;
4		<u>e.</u>	Establish criteria and policies necessary for the successful administration and
5			management of the grant program;
6		<u>f.</u>	Administer grants to county, regional, or tribal correctional facilities; and
7		<u>g.</u>	Provide annual reports to the department of corrections and rehabilitation
8			regarding the status of the correctional facility grant program.
9	<u>2.</u>	The	correctional facility grant committee shall administer a grant program to expand
10		acce	ess to evidence-based programming in county, regional, and tribal correctional
11		<u>facil</u>	<u>lities.</u>
12	<u>3.</u>	<u>Gra</u>	nts awarded under this section must prioritize county, regional, or tribal
13		corr	ectional facilities with no existing re-entry, educational, counseling, or other
14		evid	lence-based programs. Grants may be awarded to support access to culturally
15		resp	oonsive treatment alternative programs.
16	SEC	OIT	2. AMENDMENT. Section 12-47-31 of the North Dakota Century Code is
17	amende	d and	d reenacted as follows:
18	12-4	1 7-31	. Discharge of offenders - Clothing - Transportation .
19	<u>1.</u>	<u>The</u>	department of corrections and rehabilitation, in coordination with the department
20		of tr	ansportation, shall facilitate a process for offenders applying for photo
21		<u>ider</u>	ntification, including a driver's license, nondriver identification card, temporary
22		driv	er's license, or temporary nondriver identification card.
23	<u>2.</u>	The	department of corrections and rehabilitation shall provide an offender released
24		from	n the department appropriate clothing and transportation to a reasonable point as
25		spe	cified in the release plan, based upon need.
26	<u>3.</u>	<u>The</u>	department of corrections and rehabilitation, in cooperation with the department of
27		<u>hea</u>	Ith and human services, shall connect all eligible offenders to Medicaid assistance
28		<u>or o</u>	ther health and human services programs before the offender is released from the
29		<u>dep</u>	artment.
30	SEC	OIT	3. A new section to chapter 27-02 of the North Dakota Century Code is created
31	and ana	cted	as follows:

I	Supreme court mitigation of racial disparity - Report to legislative management.			
2	The supreme court shall provide an annual report to the legislative management regarding			
3	efforts to mitigate racial disparities in the state court system identified by the minority justice			
4	implementation committee, and implemented by the supreme court.			
5	SECTION 4. A new section to chapter 54-23.3 of the North Dakota Century Code is created			
6	and enacted as follows:			
7	Native American re-entry program - Report to legislative management.			
8	<u>1.</u>	<u>The</u>	department of corrections and rehabilitation, in cooperation with representatives	
9		fron	n each federally recognized American Indian tribe in the state, and the Indian	
10		<u>affa</u>	irs commission, shall establish and administer a re-entry program to provide	
11		<u>re-e</u>	ntry services and support tailored to the needs of Native Americans.	
12	<u>2.</u>	<u>The</u>	Native American re-entry program shall:	
13		<u>a.</u>	Assess the needs of Native American adult offenders with the goal of reducing	
14			recidivism;	
15		<u>b.</u>	Identify culturally responsive training opportunities and provide training to	
16			department staff;	
17		<u>C.</u>	Designate a Native American liaison to operate within the department regarding	
18			parole and probation services for adult offenders;	
19		<u>d.</u>	Develop oversight and evaluation processes, including outcome-based metrics	
20			related to recidivism reduction.	
21	<u>3.</u>	The	department of correction and rehabilitation shall provide an annual report to the	
22		legi	slative management regarding the status of the Native American re-entry program.	
23	SEC	CTION	5. A new section to chapter 54-23.3 of the North Dakota Century Code is created	
24	and ena	cted	as follows:	
25	<u> Ηοι</u>	using	task force - Report to legislative management	
26	<u>1.</u>	<u>The</u>	department of corrections and rehabilitation shall establish a task force on	
27		<u>hou</u>	sing to address barriers to accessing housing for probationers, parolees, and other	
28		indi	viduals released from the custody of the department. The housing task force must	
29		inclu	ude representation from the division of adult services, including parole and	
30	probation services, the housing finance agency, the department of health and human			
31		<u>ser\</u>	rices, and community housing providers.	

1	<u>2.</u>	<u>The</u>	task force shall provide an annual report to the legislative management relating to:
2		<u>a.</u>	The implementation of a housing assistance program to provide monetary
3			assistance to eligible probationers, parolees, and other individuals released from
4			the custody of the department of corrections and rehabilitation. The program may
5			include expanding eligibility requirements for housing assistance programs to
6			include individuals released from incarceration.
7		<u>b.</u>	The implementation of a housing assistance program for eligible sexual
8			offenders, including the desirability and feasibility of using master leases to
9			improve accessibility.
10		<u>C.</u>	Procedures for improving awareness regarding available housing options and
11			improving coordination among housing providers, the department of health and
12			human services, and the department of corrections and rehabilitation.
13		<u>d.</u>	The capacity of sober housing and low barrier housing for individuals released
14			from the custody of the department of corrections and rehabilitation.
15	SEC	TIOI	N 6. A new section to chapter 54-23.3 of the North Dakota Century Code is created
16	and ena	cted	as follows:
17	<u>Crin</u>	ninal	justice data - Report to legislative management.
18	<u>1.</u>	The	department of corrections and rehabilitation, in cooperation with the behavioral
19		<u>hea</u>	lth division of the department of health and human services, representatives from
20		<u>eac</u>	h judicial district, and representatives from the adult services division, including
21		par	ole and probation services and local or regional jails, shall examine criminal justice
22		data	a, including data collection, retention, and dissemination.
23	<u>2.</u>	The	department shall provide a report to the legislative management relating to
24		pro	cedures for:
25		<u>a.</u>	Tracking uniform data points;
26		<u>b.</u>	Standardizing and automating criminal justice data collection, retention, and
27			dissemination; and
28		<u>C.</u>	Improving data connectivity between system partners, including a proposal to
29			develop a data sharing portal to alert the department of health and human
30			services of changes to the Medicaid status of offenders in custody with the
31			department of corrections and rehabilitation.

SECTION 7. LEGISLATIVE INTENT - FEDERAL GRANTS. It is the intent of the sixty-ninth legislative assembly that the department of corrections and rehabilitation apply for federal grants from the United States department of justice to fund a temporary justice reinvestment coordinator position and to support the general funds required for the implementation of re-entry programs.

SECTION 8. LEGISLATIVE MANAGEMENT STUDY - EXPANDING ACCESS TO

CRIMINAL RECORD SEALING. During the 2025-26 interim, the legislative management shall consider studying expanding access to criminal record sealing. The study must include the automation of record sealing for individuals eligible to file a petition to seal a criminal record under chapter 12-60.1-02, the expansion of eligibility for record sealing, and the potential costs and benefits of creating processes for criminal record expungement alongside, or in lieu of, avenues for criminal record sealing. The legislative management shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the seventieth legislative assembly.

SECTION 9. APPROPRIATION - DEPARTMENT OF CORRECTIONS AND REHABILITATION - CORRECTIONAL FACILITY PROGRAM GRANTS - ONE-TIME

FUNDING. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$1,500,000, or so much of the sum as may be necessary, to the department of corrections and rehabilitation for the purpose of administering correctional facility program grants, for the biennium beginning July 1, 2025, and ending June 30, 2027.

SECTION 10. APPROPRIATION - DEPARTMENT OF CORRECTIONS AND

REHABILITATION - NATIVE AMERICAN RE-ENTRY PROGRAM. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$25,000, or so much of the sum as may be necessary, to the department of corrections and rehabilitation for the purpose of facilitating the Native American re-entry program, including programming, travel, and operating expenses, for the biennium beginning July 1, 2025, and ending June 30, 2027. The department of corrections and rehabilitation shall apply for federal grants from the United States department of justice to fund a temporary justice reinvestment coordinator position and to support the general funds required for the implementation of re-entry programs.

701.557.1500 » info.naswnd@socialworkers.org » naswnd.socialworkers.org



Testimony on HB 1549 North Dakota Chapter of the National Association of Social Workers 5 February, 2025 House Judiciary Committee

Chairman Klemin and Members of the House Judiciary Committee,

The North Dakota Chapter of the National Association of Social Workers (NASW-ND) supports HB 1549 and the establishment of necessary resources to expand re-entry programs in the state of North Dakota. HB 1549 supports individuals who are incarcerated and their successful integration back into the community. These efforts require coordination, funding, and culturally competent services, all of which are included in the bill. These programs offer the individual re-entering into society further dignity and empowerment to be successful outside of the criminal justice system—values that are an important part of the NASW Code of Ethics.

This bill addresses common challenges that contribute to an individual's ability to successfully reintegrate into society. Throughout North Dakota, trends in recidivism define the need to refine the criminal justice system. While the Department of Corrections partnership with the F5 project has reduced recidivism rates, they remain fairly high at 41.2%, displaying the ongoing need for re-entry reform efforts.

Incarceration has detrimental effects on the mental health of individuals. Upon release, it is common to experience increased feelings of anxiety, isolation, and depression. Support during the reintegration process is pivotal for addressing an individual's emotional well-being. A person who was recently released can better sustain their mental health through support, leading to empowerment, resiliency, self-advocacy skills, and the ability to identify their goals or needs. Additionally, a positive state of mental health and identified support helps individuals feel a sense of belonging and support from their community, increasing their desire to contribute to their community.

When individuals who were recently released have access to necessary tools to support them, they are less likely to reoffend. These reform strategies will ultimately benefit and transform our communities by aiding in crime prevention, reducing criminal justice costs, and maintaining familial structures. NASW-ND supports legislative efforts that promote social justice for individuals within the criminal justice system.

NASW-ND urges the members of the House Judiciary Committee to vote DO PASS on HB 1549, as its favorable provisions will dismantle systemic barriers to successful re-integration for individuals who were recently released.

Respectfully,

Elizabeth Loos Lobbyist, #342 North Dakota Chapter of the National Association of Social Workers



Chair Klemin and members of the House Judiciary Committee,

My name is Curtiss Heidebrink, and I am the Program Director of the Akisni Warrior Lodge, a groundbreaking initiative of the F5 Project operating in partnership with DOCR within the James River Correctional Center (JRCC). I am here today to offer my strong support for HB 1549, specifically its provisions to create a Native American re-entry program.

Native Americans are disproportionately represented in the North Dakota Department of Corrections. Despite making up a small percentage of the state's population, Native individuals account for a significantly higher percentage of those incarcerated. This overrepresentation is not just a statistic, it is a crisis. Many Native individuals face unique barriers both during incarceration and upon re-entry into society. Too often, gaps in resources and culturally relevant support systems leave these individuals without the tools necessary for successful reintegration. HB 1549 directly addresses these disparities by establishing a Native American reentry program within the DOCR to work in collaboration with the five tribal nations of North Dakota and the Indian Affairs Commission. This designated program will serve as a bridge to close gaps in re-entry services, open lines of communication, and ensure that culturally responsive support is available for Native individuals.

The Akisni Warrior Lodge was founded to address many of these same concerns within the prison system. Providing justice-involved Native men with culturally responsive programming, healing, and preparation for life after incarceration. Many individuals fall through the cracks, returning to cycles of incarceration, addiction, and instability. HB 1549 will serve as a bridge, extending the kind of support provided in the Akisni Warrior Lodge, ensuring that Native men and women have access to re-entry programming tailored to meet their specific needs like cultural connections vital to their success.

This is not just about reducing recidivism; it is about restoring dignity, empowering individuals, and strengthening families and communities. The provisions in HB 1549 align directly with the mission of the Akisni Warrior Lodge, and we see this as a crucial step forward in creating opportunities in providing support for a population that so desperately needs the attention they deserve.

I urge this committee to support HB 1549 and take this necessary step in ensuring that Native individuals in incarceration are met with the resources and support they need to thrive. Thank you for your time and consideration. I'll take any questions you may have.

Curtiss Heidebrink

Akisni Warrior Lodge Program Director Akisni

F5 Project

Testimony Prepared for the House Judiciary Committee February 5, 2025

By: Chelsea Flory, Burleigh County Human Service Zone Director

RE: HB 1549: Relating to the Correctional Facility Grant Program

Chair Klemin, Vice Chair Karls, and members of the House Judiciary Committee, my name is Chelsea Flory. I serve as the Director of Burleigh County Human Service Zone, which includes the county of Burleigh. In addition, I am a member of the North Dakota Human Service Zone Director Association. I am here today to provide testimony in support of House Bill 1549.

Human Service Zones are responsible for helping qualified North Dakotans meet their basic needs and work towards the goal of self-sufficiency. This includes the administration of state and federally funded economic assistance programs such as Medicaid, Supplemental Nutrition Assistance Program (SNAP), Child Care Assistance Program (CCAP), Temporary Assistance for Needy Families (TANF), and Low-Income Home Energy Assistance Program (LIHEAP). While the North Dakota Department of Health and Human Services (NDHHS) determines the policy requirements for these programs, Human Service Zones help individuals determine eligibility.

Zone support of self-sufficiency goes beyond traditional economic assistance. We offer unique local services based on the needs of our communities. This can look like partnering with local agencies to provide telehealth services, serving as the local food pantry, or operating supply drives for back-to-school, holidays, and emergencies. In short, Zones have the flexibility to maximize local impact through creative, community-specific programs.

We also partner with the North Dakota Department of Corrections and Rehabilitation (ND DOCR) to ensure that returning citizens have immediate access to economic assistance benefits and continuity of care. I have personally participated in outreach efforts for the James River Correctional Center (JRCC), the North Dakota State Penitentiary (NDSP), and resource fairs for various correctional facilities in North Dakota.

Participating in these efforts allowed me to educate individuals on our programs and self-

service portal, as well as collaborate with my colleagues in corrections to identify and support residents preparing for discharge. Beyond program education and application assistance, I made referrals for other community resources in the citizen's post-discharge location.

As a result of these collaborations, DOCR and DHHS have identified areas where policy and practice can be better aligned to ensure the delivery of best-in-class, customer-centric experiences. This bill directly supports the continuance and improvement of existing efforts.

It also supports the overall mission of human service agencies in North Dakota, which is to foster positive, comprehensive outcomes by promoting economic, behavioral, and physical health, ensuring a holistic approach to individual and community well-being.

On behalf of myself and the North Dakota Human Service Zone Directors Association, I support a do pass on HB 1549.

Thank you for your time and consideration. I stand for questions from the committee.

Kathleen Atkinson, OSB 701.426.8747

Wednesday, February 5, 2025 HB 1549 House Judiciary Committee

Mister Chairman and Members of the House Judiciary Committee, Thank you for the opportunity to speak today.

My name is Sister Kathleen Atkinson. I serve as the director of *Ministry on the Margins* and have been part of the ND Reentry Study Work Group. I speak in favor of HB 1549 to strengthen collaborative and early support for men and women in reentry from prison.

We know them in the prison before and after Sunday worship...coming up to say that they are being released in the next months but have no place to go. Sometimes able to articulate the huge transition from living institutionally their entire life - often family to military to prison. Sometimes coming from an addictive and dysfunctional family, but seeing no other alternative available, especially if returning home.

We know them when they come into the Ministry – by the look of panic, the khaki pants and khaki jackets over a white T–shirt. Newly released, they have no place to go but us – less than a mile walk from the prison gates. It is not uncommon for an individual to have a one or two week wait until meeting with their PO; it's a limbo ready to be filled by old friends waiting to take advantage of someone before they can get connected to support.

HB 1549 addresses a variety of challenges which lead to failure in reentry and thus return to incarceration. HB 1549 promotes success and encourages immediacy, collaboration, and innovation through:

- Collaborating with other agencies to provide necessary documents for assistance at the earliest possible opportunity rather than beginning the process once a person is released.
- Creating relationships with housing stakeholders to provide housing for justice-involved individuals upon release rather than after months of homelessness.
- Identifying unique strengths and challenges inherent in the Native American community and implementing them collaboratively with the DOCR and ND Tribes.
- Providing grant funding avenues to encourage innovative responsiveness in local jails, reentry programs, and DOCR system partners.

Thank you for your consideration.



Native Community Development, Inc. dba NATIVE, Inc. serving urban Indians and other disproportionate populations in North Dakota.

Bismarck Office 2403 East Thayer Avenue Bismarck ND 58501 Tel: (701) 595-5181 Website: www.ndnadc.org Fargo Office 115 University Dr. North, Ste. 102 Fargo, ND 58102 Tel: (701) 412-2735 Website: www.ndnadc.org

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February 5, 2025

HB 1549 House Judiciary

Mr. Chairman Klemin and Members of the Committee,

My name is Lorraine Davis, Founder, and CEO of NATIVE, Inc. serving the urban Indian population and other disproportionate populations represented in the prison recidivism rates of North Dakota. NATIVE, Inc. is a partner with the Behavioral Health Division under the ND DHHS as a community service provider of the Free from Recovery since its inception in 2017 serving in the Bismarck and Fargo areas. NATIVE, Inc. provides culturally responsive services and programs. I created our organization to better meet the cultural needs of Native Americans living in urban areas of ND.

I am here today in support of HB 1549, the new correctional facility grant facility grant program if amended to include committee representation with two Tribal (also known as Native American) representatives: (1) Tribal service provider on a reservation (2) a Native American community-based service provider with at least five years of experience serving Native Americans re-entering off-reservation communities. Due to the disproportionate representation of Native Americans in prison and going in and out of prison, it is critical for this committee to understand the circumstances, the dynamics, the culture and values of Native Americans in these two differing geographies. This will give this committee keen insight to the varying challenges that unique to the Native American populations.

I support the Native American re-entry program if amended to include (1) Tribal service provider on a reservation (2) a Native American community-based service provider with at least five years of experience serving Native Americans re-entering off-reservation communities.

I support the Housing Taskforce if amended to include (1) Tribal Housing Authority Director or designated representative of the five Tribes of ND and (2) a Native American homeless service provider with at least five years of experience serving Native Americans re-entering off-reservation communities.

I support Criminal justice data collection as written.

Thank you for your time and commitment toward addressing human service needs within ND. I stand for any questions.

FW: HB 1549 Proposal Section 3

Klemin, Lawrence R.

-Grp-NDLA House Judiciary

Hanson, Karla R.

Wed, Feb 5, 2025, 1:52 PM

For your information.

Rep. Lawrence R. Klemin

District 47, Bismarck, ND
Chairman, House Judiciary Committee
Member, House Political Subdivisions Committee
Chairman, ND Commission on Uniform State Laws
Commissioner, National Uniform Law Commission
Speaker of the House 2018-2020
3929 Valley Drive
Bismarck, ND 58503-1729

Cell: (701) 471-5802

Email: lklemin@ndlegis.gov

From: Behrens, Sara <SBehrens@ndcourts.gov>
Sent: Wednesday, February 5, 2025 1:28 PM
To: Klemin, Lawrence R. < klemin@ndlegis.gov>

Subject: HB 1549 Proposal

Good afternoon, Rep. Klemin,

Below is our proposal for a workable Section 3.

Supreme court mitigation of racial disparity - Report to legislative management.

The supreme court shall provide an annual is encouraged to report to the legislative management regarding efforts to identify and mitigate any racial disparities in the state court system identified by the minority justice implementation committee, and implemented by the supreme court.

2025 HOUSE STANDING COMMITTEE MINUTES

Judiciary Committee Room JW327B, State Capitol

HB 1549 2/10/2025

Relating to offenders released from the department of corrections and rehabilitation; to provide for a statement of legislative intent; to provide for a legislative management study; and to provide an appropriation.

10:26 a.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:

- Separation of powers within the judicial branch
- Committee action

10:29 a.m. Representative Karls moved to Amend LC: 25.1314.01001 (proposed on February 5, 2025, in testimony #34886)

10:29 a.m. Representative Vetter seconded the motion.

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

10:36 a.m. Motion passed 11-3-0

10:38 a.m. Representative Vetter moved to further amend and strike section 3.

10:38 a.m. Representative VanWinkle seconded the motion.

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

10:40 a.m. Motion passed 14-0-0

10:40 a.m. Representative Vetter moved a Do Pass as Amended and rerefer to Appropriations.

10:40 a.m. Representative Karls seconded the motion.

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

10:43 a.m. Motion passed 8-6-0

10:43 a.m. Chairman Klemin will carry the bill.

10:44 a.m. Chairman Klemin closed the hearing.

Wyatt Armstrong, Committee Clerk

25.1314.01002 Title.02000

Sixty-ninth Legislative Assembly of North Dakota

Adopted by the Judiciary Committee

February 10, 2025

PROPOSED AMENDMENTS TO

2-10-25 AB 1085

HOUSE BILL NO. 1549

Introduced by

11

19

20

Representatives Klemin, Hanson, Stemen

Senators Larson, Davison

- 1 A BILL for an Act to create and enact a new section to chapter 12-44.1, a new section to chapter 2 27-02, and three new sections to chapter 54-23.3 of the North Dakota Century Code, relating to 3 the correctional facility grant program, Native American re-entry program, housing task force, 4 and criminal justice data collection; to amend and reenact section 12-47-31 of the North Dakota 5 Century Code, relating to offenders released from the department of corrections and 6 rehabilitation; to provide for a statement of legislative intent; to provide for a legislative
- 7 management study; and to provide an appropriation.

8 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

9 SECTION 1. A new section to chapter 12-44.1 of the North Dakota Century Code is created 10 and enacted as follows:

Correctional facility grant committee - Correctional facility grant program - Report.

- 12 The department of corrections and rehabilitation shall establish a correctional facility 1. 13 grant committee consisting of two members appointed by the director of the 14 department of corrections and rehabilitation, two members appointed by the North 15 Dakota association of counties, and the director of the behavioral health division of the 16 department of health and human services. The director of the department of 17 corrections and rehabilitation shall choose one member to serve as chairman. The 18 committee shall:
 - Establish criteria for the evaluation of existing re-entry programs, including a. educational and counseling programs used by existing re-entry programs;



1		<u>b.</u>	Establish criteria for the evaluation of grant applications;
2		<u>C.</u>	Establish policies for screening and implementing grants under this section;
3		<u>d.</u>	Establish criteria and policies for evaluating programs funded under this section;
4		<u>e.</u>	Establish criteria and policies necessary for the successful administration and
5			management of the grant program;
6		<u>f.</u>	Administer grants to county, regional, or tribal correctional facilities; and
7		<u>g.</u>	Provide annual reports to the department of corrections and rehabilitation
8			regarding the status of the correctional facility grant program.
9	<u>2.</u>	The	correctional facility grant committee shall administer a grant program to expand
10		acc	ess to evidence-based programming in county, regional, and tribal correctional
11		<u>faci</u>	lities.
12	<u>3.</u>	Gra	ints awarded under this section must prioritize county, regional, or tribal
13		cor	rectional facilities with no existing re-entry, educational, counseling, or other
14		evic	dence-based programs. Grants may be awarded to support access to culturally
15		res	ponsive treatment alternative programs.
16	SEC	TIO	N 2. AMENDMENT. Section 12-47-31 of the North Dakota Century Code is
17	amended and reenacted as follows:		
18	12-4	17-31	. Discharge of offenders - Clothing - Transportation.
19	<u>1.</u>	The	e department of corrections and rehabilitation, in coordination with the department
20		of t	ransportation, shall facilitate a process for offenders applying for photo
21		<u>ide</u> i	ntification, including a driver's license, nondriver identification card, temporary
22		driv	ver's license, or temporary nondriver identification card.
23	<u>2.</u>	The	e department of corrections and rehabilitation shall provide an offender released
24		fror	m the department appropriate clothing and transportation to a reasonable point as
25		spe	ecified in the release plan, based upon need.
26	<u>3.</u>	The	e department of corrections and rehabilitation, in cooperation with the department of
27		hea	alth and human services, shall connect all eligible offenders to Medicaid assistance
28		or o	other health and human services programs before the offender is released from the
29	r.	der	partment.
30	SECTION 3. A new section to chapter 27-02 of the North Dakota Century Code is created		
31	and enacted as follows:		

31

JBs 3015

1 Supreme court mitigation of racial disparity - Report to legislative management. 2 The supreme court shall provide an annual report to the legislative management regarding 3 efforts to mitigate racial disparities in the state court system identified by the minority justice 4 implementation committee, and implemented by the supreme court. 5 SECTION 3. A new section to chapter 54-23.3 of the North Dakota Century Code is created 6 and enacted as follows: 7 Native American re-entry program - Report to legislative management. 8 The department of corrections and rehabilitation, in cooperation with representatives 9 from each federally recognized American Indian tribe in the state, and the Indian 10 affairs commission, shall establish and administer a re-entry program to provide 11 re-entry services and support tailored to the needs of Native Americans. 12 2. The Native American re-entry program shall: 13 Assess the needs of Native American adult offenders with the goal of reducing a. 14 recidivism; 15 Identify culturally responsive training opportunities and provide training to b. 16 department staff; 17 Designate a Native American liaison to operate within the department regarding C. 18 parole and probation services for adult offenders: 19 Develop oversight and evaluation processes, including outcome-based metrics d. 20 related to recidivism reduction. 21 <u>3.</u> The department of correction and rehabilitation shall provide an annual report to the 22 legislative management regarding the status of the Native American re-entry program. 23 SECTION 4. A new section to chapter 54-23.3 of the North Dakota Century Code is created 24 and enacted as follows: 25 Housing task force - Report to legislative management 26 The department of corrections and rehabilitation shall establish a task force on 1. 27 housing to address barriers to accessing housing for probationers, parolees, and other 28 individuals released from the custody of the department. The housing task force must 29 include representation from the division of adult services, including parole and 30 probation services, the housing finance agency, the department of health and human

services, and community housing providers.



1 The task force shall provide an annual report to the legislative management relating to: 2 The implementation of a housing assistance program to provide monetary 3 assistance to eligible probationers, parolees, and other individuals released from 4 the custody of the department of corrections and rehabilitation. The program may 5 include expanding eligibility requirements for housing assistance programs to 6 include individuals released from incarceration. 7 The implementation of a housing assistance program for eligible sexual <u>b.</u> 8 offenders, including the desirability and feasibility of using master leases to 9 improve accessibility. 10 Procedures for improving awareness regarding available housing options and C. 11 improving coordination among housing providers, the department of health and 12 human services, and the department of corrections and rehabilitation. 13 The capacity of sober housing and low barrier housing for individuals released 14 from the custody of the department of corrections and rehabilitation. 15 SECTION 5. A new section to chapter 54-23.3 of the North Dakota Century Code is created 16 and enacted as follows: 17 Criminal justice data - Report to legislative management. 18 The department of corrections and rehabilitation, in cooperation with the behavioral 19 health division of the department of health and human services, representatives from 20 each judicial district, and representatives from the adult services division, including 21 parole and probation services and local or regional jails, shall examine criminal justice 22 data, including data collection, retention, and dissemination. 23 The department shall provide a report to the legislative management relating to 24 procedures for: 25 Tracking uniform data points; a. 26 Standardizing and automating criminal justice data collection, retention, and b. 27 dissemination; and 28 Improving data connectivity between system partners, including a proposal to <u>C.</u> 29 develop a data sharing portal to alert the department of health and human 30 services of changes to the Medicaid status of offenders in custody with the 31 department of corrections and rehabilitation.

SECTION 6. LEGISLATIVE INTENT - FEDERAL GRANTS. It is the intent of the sixty-ninth legislative assembly that the department of corrections and rehabilitation apply for federal grants from the United States department of justice to fund a temporary justice reinvestment coordinator position and to support the general funds required for the implementation of re-entry programs.

CRIMINAL RECORD SEALING. During the 2025-26 interim, the legislative management shall consider studying expanding access to criminal record sealing. The study must include the automation of record sealing for individuals eligible to file a petition to seal a criminal record under chapter 12-60.1-02, the expansion of eligibility for record sealing, and the potential costs and benefits of creating processes for criminal record expungement alongside, or in lieu of, avenues for criminal record sealing. The legislative management shall report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the seventieth legislative assembly.

SECTION 8. APPROPRIATION - DEPARTMENT OF CORRECTIONS AND REHABILITATION - CORRECTIONAL FACILITY PROGRAM GRANTS - ONE-TIME FUNDING. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$1,500,000, or so much of the sum as may be necessary, to the department of corrections and rehabilitation for the purpose of administering correctional facility program grants, for the biennium beginning July 1, 2025, and ending June 30, 2027.

REHABILITATION - NATIVE AMERICAN RE-ENTRY PROGRAM. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$25,000, or so much of the sum as may be necessary, to the department of corrections and rehabilitation for the purpose of facilitating the Native American re-entry program, including programming, travel, and operating expenses, for the biennium beginning July 1, 2025, and ending June 30, 2027. The department of corrections and rehabilitation shall apply for federal grants from the United States department of justice to fund a temporary justice reinvestment coordinator position and to support the general funds required for the implementation of re-entry programs.

Module ID: h_stcomrep_23_011 Carrier: Klemin Insert LC: 25.1314.01002 Title: 02000

REPORT OF STANDING COMMITTEE HB 1549

Judiciary Committee (Rep. Klemin, Chairman) recommends AMENDMENTS (25.1314.01002) and when so amended, recommends DO PASS and BE REREFERRED to the Appropriations Committee (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1549 was placed on the Sixth order on the calendar.

2025 HOUSE APPROPRIATIONS

HB 1549

2025 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee

Roughrider Room, State Capitol

HB 1549 2/19/2025

Relating to the correctional facility grant program, Native American re-entry program, housing task force, and criminal justice data collection; relating to offenders released from the department of corrections and rehabilitation.

11:49 a.m. Chairman Vigesaa-Opened the meeting.

Members present: Chairman Vigesaa, Vice Chairman Kempenich, Representatives Anderson, Berg, Bosch, Brandenburg, Fisher, Hanson, Louser, Martinson, Meier, Mitskog, Monson, Murphy, Nathe, Nelson, O'Brien, Pyle, Richter, Sanford, Stemen, Swiontek, Wagner

Discussion Topics:

- Reduce racial disparities
- Medicaid & IDs for inmates

11:49 a.m. Representative Klemin Introduced the bill and submitted testimony #38075.

12:01 p.m. Colby Braun, Director, Department of Corrections and Rehabilitation, answered questions for the committee.

12:07 p.m. Chairman Vigesaa adjourned the meeting for HB 1549.

Krystal Eberle for Risa Berube, Committee Clerk

HB 1549 House Appropriations Rep. Lawrence R. Klemin Feb. 19, 2025

House Bill 1549 is the final bill completing the package of reentry-focused criminal justice reform in North Dakota. As I mentioned about HB 1425 and HB 1417, these bills continue our state's work to reform our criminal justice system – to maximize public safety, use taxpayer dollars more efficiently, and help people who are justice-involved become more productive citizens

The proposals in HB 1549 stem from an interim study to improve ND's reentry outcomes. Here's a recap of the key findings from the Reentry Work Group's Final Report:

- ND's prison population is rising while nationally it is declining.
- Admissions to prison have grown, and drug and alcohol offenses and revocations are the primary drivers of the increase.
- People of color are disproportionately represented.
- People leaving incarceration face barriers to success such as affordable housing, behavioral healthcare, gaps in Medicaid access, and a lack of state-issued IDs.

Overview of HB 1549

HB 1549 aims to better prepare justice-involved people for a transition back to the community. This includes focusing on programming and practices inside of corrections and detention centers that promote rehabilitation, as well as bolstering the prison release and reentry process to ensure people leaving prison have the support they need to access housing, medical care, and other resources that are critical to their reentry success and reduce the likelihood that they will recidivate.

Correctional Facility Reentry Programming Grants

Most people in jail will return to the community after a relatively short period of confinement. Even a short detention term can cause a person to lose employment, housing, miss medication, and other unintended consequences that could put them at risk for returning to criminal behavior.

Section 1 of this bill aims to improve the availability of reentry services in jails by creating a committee to oversee the administration of grants to support evidence-based reentry programming and services in jails, and outlining a process for evaluating such programs, screening applicants, and administering grant money to applicants.

State Identification and Access to Medicaid

Section 2 of this bill solidifies the partnership between DOCR and the Department of Transportation in their efforts to provide people leaving prison with identification. Without an ID, people leaving the system face problems with accessing housing, public benefits, employment, and banking. In 2023, 37% of people released from custody did not have a driver's license. This bill directs DOCR to coordinate with the Department of Transportation to facilitate a process for incarcerated individuals to apply for state-issued identification.

Having medical coverage is another critical element of reentry. There are often delays in coverage between someone's release from prison and their re-enrollment for Medicaid benefits. **Section 2** of this bill directs DOCR, in coordination with DHHS, to connect all eligible individuals with Medicaid assistance, or other health and human services programs, prior to release from incarceration.

Mitigation of Racial Disparities

Data collected shows the overrepresentation of Black and Native American people in ND's criminal justice system. Admissions to prison have generally increased over the past decade, but the increase has been most significant for these two populations. From 2014 to 2023, prison admissions for Native American people increased by over 60%, and prison admissions for Black individuals increased by 120%.

Section 3 of this bill relates to reentry programming that is tailored to the needs of this population. According to the American Probation and Parole Association's national supervision standards, case planning, interventions, and treatment options should be chosen for individuals based on their "responsivity factors," including cultural background. Given the growth of the Native American population inside of DOCR facilities, and the intention of DOCR to prepare people for release and successful reentry, DOCR must work in partnership with the tribes to develop reentry initiatives that align with tribal culture.

The bill directs DOCR to establish this program in coordination with North Dakota's five tribes and the Indian Affairs Commission and requires an annual report to Legislative Management. This section outlines requirements including that the program assess the needs of participants with the goal of recidivism reduction, identify and provide culturally responsive training to department staff, designate a Native American liaison to operate within DOCR's Adult Parole and Probation Services, and include oversight and evaluation processes.

Housing

To remain stable and law-abiding, people need to be able to access basic needs, like safe housing. **Section 4** of the bill directs DOCR to establish a task force that includes representation from other system stakeholder and housing providers, to examine housing for individuals leaving incarceration, housing for individuals with sex offenses, sober housing, and processes to improve coordination between system partners. These findings will be captured in an annual report to Legislative Management.

Data-Sharing

Section 5 of this bill directs DOCR to coordinate with DHHS, regional jails, and other criminal justice entities to examine current criminal justice data collection, retention, and dissemination practices. The bill also directs DOCR to provide recommendations for improving these practices, as well as improving data connectivity between system partners, in an annual report to Legislative Management.

Legislative Intent - Federal Grants

Section 6 requires the DOCR to apply for federal grants for the purpose of implementing reentry programs and creating a temporary coordinator position within DOCR to help oversee elements of the reentry improvements proposed in this bill. The intention is to use federal funding opportunities to support the implementation of the reentry policies that are included in the three bills.

Study Other Opportunities to Reduce Reentry Barriers

Section 7 relates to a study of criminal record sealing and opportunities that may exist to automate the sealing process or expand the eligibility for record sealing. North Dakota currently has a process for record sealing that certain people can apply for depending on the severity of their conviction and the amount of time that has elapsed since the conviction took place. Other states have automated this process.

A public criminal record can have a lasting effect on people who have turned their lives around following a conviction, specifically the complications it creates for obtaining employment and housing. This section provides for an interim study to evaluate the potential costs and benefits of automating this process in North Dakota or to determine if there are other avenues to expanding record sealing opportunities.

Section 8 is the appropriation of \$1,500,000 to DOCR for the purpose of administering the correctional facility program grants described in **Section 1**. DOCR estimate.

Section 9 appropriates \$25,000 to DOCR to facilitate the Native American reentry program described in **Section 3**. DOCR estimate.

Closing

In summary, HB 1549 aims to reduce recidivism by better preparing people who are involved in the justice system for a transition back to the community.

2025 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee

Roughrider Room, State Capitol

HB 1549 2/21/2025

Relating to the correctional facility grant program, Native American re-entry program, housing task force, and criminal justice data collection; relating to offenders released from the department of corrections and rehabilitation.

5:09 p.m. Chairman Vigesaa opened the meeting.

Members present: Chairman Vigesaa, Representatives Anderson, Berg, Bosch, Brandenburg, Fisher, Hanson, Louser, Martinson, Meier, Monson, Murphy, Nathe, Nelson, O'Brien, Pyle, Richter, Stemen, Swiontek, Wagner

Members absent: Vice Chairman Kempenich, Representatives: Mitskog, Sanford

Discussion Topics:

• Committee Action

5:14 p.m. Representative J. Nelson moved to amend to strike Section 8 and 9.

5:15 p.m. Representative Stemen seconded the motion.

5:15 p.m. Roll Call Vote

Representatives	Vote
Representative Don Vigesaa	Υ
Representative Keith Kempenich	AB
Representative Bert Anderson	Υ
Representative Mike Berg	Υ
Representative Glenn Bosch	Υ
Representative Mike Brandenburg	Υ
Representative Jay Fisher	Υ
Representative Karla Rose Hanson	Υ
Representative Scott Louser	Υ
Representative Bob Martinson	N
Representative Lisa Meier	Υ
Representative Alisa Mitskog	AB
Representative David Monson	Υ
Representative Eric J. Murphy	Υ
Representative Mike Nathe	Υ
Representative Jon O. Nelson	Υ
Representative Emily O'Brien	Υ
Representative Brandy L. Pyle	Υ
Representative David Richter	Υ
Representative Mark Sanford	AB

Representative Gregory Stemen	Υ
Representative Steve Swiontek	Y
Representative Scott Wagner	Υ

- 5:15 p.m. Motion passed 19-1-3.
- 5:16 p.m. Representative Stemen moved a Do Pass as Amended.
- 5:16 p.m. Representative Hanson seconded the motion.
- 5:17 p.m. Roll Call Vote

	1
Representatives	Vote
Representative Don Vigesaa	Υ
Representative Keith Kempenich	AB
Representative Bert Anderson	Υ
Representative Mike Berg	Υ
Representative Glenn Bosch	Υ
Representative Mike Brandenburg	Υ
Representative Jay Fisher	Υ
Representative Karla Rose Hanson	Υ
Representative Scott Louser	N
Representative Bob Martinson	Υ
Representative Lisa Meier	Υ
Representative Alisa Mitskog	AB
Representative David Monson	Υ
Representative Eric J. Murphy	Υ
Representative Mike Nathe	Υ
Representative Jon O. Nelson	Υ
Representative Emily O'Brien	Υ
Representative Brandy L. Pyle	Υ
Representative David Richter	Υ
Representative Mark Sanford	AB
Representative Gregory Stemen	Υ
Representative Steve Swiontek	Υ
Representative Scott Wagner	Υ

- 5:17 p.m. Motion passed 19-1-3. Representative Klemin will carry.
- 5:18 p.m. Chairman Vigesaa closed the meeting.

Krystal Eberle for Risa Berube, Committee Clerk

25.1314.02001 Title.03000 Prepared by the Legislative Council staff for House Appropriations Committee

February 24, 2025

Sixty-ninth Legislative Assembly of North Dakota

PROPOSED AMENDMENTS TO FIRST ENGROSSMENT

12.24-25 123 (ab 5

ENGROSSED HOUSE BILL NO. 1549

Introduced by

Representatives Klemin, Hanson, Stemen

Senators Larson, Davison

- 1 A BILL for an Act to create and enact a new section to chapter 12-44.1 and three new sections
- 2 to chapter 54-23.3 of the North Dakota Century Code, relating to the correctional facility grant
- 3 program, Native American re-entry program, housing task force, and criminal justice data
- 4 collection; to amend and reenact section 12-47-31 of the North Dakota Century Code, relating
- 5 to offenders released from the department of corrections and rehabilitation; to provide for a
- 6 statement of legislative intent; and to provide for a legislative management study; and to provide
- 7 an appropriation.

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8 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

- SECTION 1. A new section to chapter 12-44.1 of the North Dakota Century Code is created
 and enacted as follows:
- 11 Correctional facility grant committee Correctional facility grant program Report.
- 1. The department of corrections and rehabilitation shall establish a correctional facility

 13 grant committee consisting of two members appointed by the director of the

 14 department of corrections and rehabilitation, two members appointed by the North

 15 Dakota association of counties, and the director of the behavioral health division of the

 16 department of health and human services. The director of the department of

 17 corrections and rehabilitation shall choose one member to serve as chairman. The

 18 committee shall:
 - <u>Establish criteria for the evaluation of existing re-entry programs, including</u>
 educational and counseling programs used by existing re-entry programs;

1		<u>b.</u>	Establish criteria for the evaluation of grant applications;
2		<u>c.</u>	Establish policies for screening and implementing grants under this section;
3		<u>d.</u>	Establish criteria and policies for evaluating programs funded under this section;
4		<u>e.</u>	Establish criteria and policies necessary for the successful administration and
5			management of the grant program;
6		<u>f.</u>	Administer grants to county, regional, or tribal correctional facilities; and
7		g.	Provide annual reports to the department of corrections and rehabilitation
8			regarding the status of the correctional facility grant program.
9	<u>2.</u>	The	correctional facility grant committee shall administer a grant program to expand
10		acc	ess to evidence-based programming in county, regional, and tribal correctional
11		<u>faci</u>	lities.
12	<u>3.</u>	Gra	ants awarded under this section must prioritize county, regional, or tribal
13		cor	rectional facilities with no existing re-entry, educational, counseling, or other
14		evic	dence-based programs. Grants may be awarded to support access to culturally
15		res	ponsive treatment alternative programs.
16	SEC	CTIO	N 2. AMENDMENT. Section 12-47-31 of the North Dakota Century Code is
17	amende	ed an	d reenacted as follows:
18	12-4	47-31	I. Discharge of offenders - Clothing - Transportation.
19	<u>1.</u>	The	e department of corrections and rehabilitation, in coordination with the department
20		of t	ransportation, shall facilitate a process for offenders applying for photo
21		<u>ide</u>	ntification, including a driver's license, nondriver identification card, temporary
22		driv	ver's license, or temporary nondriver identification card.
23	<u>2.</u>	The	e department of corrections and rehabilitation shall provide an offender released
24		fro	m the department appropriate clothing and transportation to a reasonable point as
25		spe	ecified in the release plan, based upon need.
26	<u>3.</u>	Th	e department of corrections and rehabilitation, in cooperation with the department o
27		he	alth and human services, shall connect all eligible offenders to Medicaid assistance
28		or	other health and human services programs before the offender is released from the
29		de	partment.
30	SE	СТІС	N 3. A new section to chapter 54-23.3 of the North Dakota Century Code is created
31	and enacted as follows:		

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Native American re-entry program - Report to legislative management. 1 The department of corrections and rehabilitation, in cooperation with representatives 2 from each federally recognized American Indian tribe in the state, and the Indian 3 affairs commission, shall establish and administer a re-entry program to provide 4 re-entry services and support tailored to the needs of Native Americans. 5 The Native American re-entry program shall: 6 <u>2.</u> Assess the needs of Native American adult offenders with the goal of reducing 7 8 recidivism; Identify culturally responsive training opportunities and provide training to 9 b. department staff; 10 Designate a Native American liaison to operate within the department regarding 11 C. parole and probation services for adult offenders; 12 Develop oversight and evaluation processes, including outcome-based metrics 13 d. related to recidivism reduction. 14 The department of correction and rehabilitation shall provide an annual report to the 15 3. legislative management regarding the status of the Native American re-entry program. 16 SECTION 4. A new section to chapter 54-23.3 of the North Dakota Century Code is created 17 18 and enacted as follows: Housing task force - Report to legislative management 19 The department of corrections and rehabilitation shall establish a task force on 20 1. housing to address barriers to accessing housing for probationers, parolees, and other 21 individuals released from the custody of the department. The housing task force must 22 include representation from the division of adult services, including parole and 23 probation services, the housing finance agency, the department of health and human 24 services, and community housing providers. 25 The task force shall provide an annual report to the legislative management relating to: 26 2. The implementation of a housing assistance program to provide monetary 27 assistance to eligible probationers, parolees, and other individuals released from 28

include individuals released from incarceration.

the custody of the department of corrections and rehabilitation. The program may

include expanding eligibility requirements for housing assistance programs to

1		<u>b.</u>	The implementation of a housing assistance program for eligible sexual
2			offenders, including the desirability and feasibility of using master leases to
3			improve accessibility.
4		<u>C.</u>	Procedures for improving awareness regarding available housing options and
5			improving coordination among housing providers, the department of health and
6			human services, and the department of corrections and rehabilitation.
7		<u>d.</u>	The capacity of sober housing and low barrier housing for individuals released
8			from the custody of the department of corrections and rehabilitation.
9	SEC	OIT	5. A new section to chapter 54-23.3 of the North Dakota Century Code is created
10	and ena	cted	as follows:
11	Crin	ninal	justice data - Report to legislative management.
12	<u>1.</u>	The	edepartment of corrections and rehabilitation, in cooperation with the behavioral
13		<u>hea</u>	Ith division of the department of health and human services, representatives from
14		eac	h judicial district, and representatives from the adult services division, including
15		par	ole and probation services and local or regional jails, shall examine criminal justice
16		data	a, including data collection, retention, and dissemination.
17	<u>2.</u>	The	e department shall provide a report to the legislative management relating to
18		pro	cedures for:
19		<u>a.</u>	Tracking uniform data points;
20		<u>b.</u>	Standardizing and automating criminal justice data collection, retention, and
21			dissemination; and
22		<u>c.</u>	Improving data connectivity between system partners, including a proposal to
23			develop a data sharing portal to alert the department of health and human
24			services of changes to the Medicaid status of offenders in custody with the
25			department of corrections and rehabilitation.
26	SEC	СТІО	N 6. LEGISLATIVE INTENT - FEDERAL GRANTS. It is the intent of the sixty-ninth
27	legislati	ve as	ssembly that the department of corrections and rehabilitation apply for federal
28	grants f	rom	the United States department of justice to fund a temporary justice reinvestment
29	coordin	ator _l	position and to support the general funds required for the implementation of re-entry
30	progran	ns.	

1	SECTION 7. LEGISLATIVE MANAGEMENT STUDY - EXPANDING ACCESS TO
2	CRIMINAL RECORD SEALING. During the 2025-26 interim, the legislative management shall
3	consider studying expanding access to criminal record sealing. The study must include the
4	automation of record sealing for individuals eligible to file a petition to seal a criminal record
5	under chapter 12-60.1-02, the expansion of eligibility for record sealing, and the potential costs
6	and benefits of creating processes for criminal record expungement alongside, or in lieu of,
7	avenues for criminal record sealing. The legislative management shall report its findings and
8	recommendations, together with any legislation necessary to implement the recommendations,
9	to the seventieth legislative assembly.
10	SECTION 8. APPROPRIATION - DEPARTMENT OF CORRECTIONS AND
11	REHABILITATION - CORRECTIONAL FACILITY PROGRAM GRANTS - ONE-TIME
12	FUNDING. There is appropriated out of any moneys in the general fund in the state treasury,
13	not otherwise appropriated, the sum of \$1,500,000, or so much of the sum as may be
14	necessary, to the department of corrections and rehabilitation for the purpose of administering
15	correctional facility program grants, for the biennium beginning July 1, 2025, and ending
16	June 30, 2027.
17	SECTION 9. APPROPRIATION - DEPARTMENT OF CORRECTIONS AND
18	REHABILITATION - NATIVE AMERICAN RE-ENTRY PROGRAM. There is appropriated out of
19	any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of
20	\$25,000, or so much of the sum as may be necessary, to the department of corrections and
21	rehabilitation for the purpose of facilitating the Native American re-entry program, including
22	programming, travel, and operating expenses, for the biennium beginning July 1, 2025, and
23	ending June 30, 2027.

Module ID: h_stcomrep_32_017 Carrier: Klemin Insert LC: 25.1314.02001 Title: 03000

REPORT OF STANDING COMMITTEE ENGROSSED HB 1549

Appropriations Committee (Rep. Vigesaa, Chairman) recommends **AMENDMENTS** (25.1314.02001) and when so amended, recommends **DO PASS** (19 YEAS, 1 NAY, 3 ABSENT OR EXCUSED AND NOT VOTING). HB 1549 was placed on the Sixth order on the calendar.

2025 SENATE JUDICIARY HB 1549

2025 SENATE STANDING COMMITTEE MINUTES

Judiciary Committee

Peace Garden Room, State Capitol

HB 1549 3/19/2025

Relating to the correctional facility grant program, Native American re-entry program, housing task force, and criminal justice data collection and to offenders released from the department of corrections and rehabilitation and to provide for a legislative management study.

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

Members present:

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

Discussion Topics:

- Recidivism reduction strategies
- Reentry program funding
- Housing accessibility for released individuals
- Racial disparities
- Coordination between state agencies
- 2:30 p.m. Representative Lawrence R. Klemin, NDLA, introduced the bill and submitted testimony in favor #42945.
- 2:52 p.m. Robyn Schmalenberger, Reentry Program Manager, ND Department of Corrections and Rehabilitation, testified in favor and submitted testimony #42471.
- 3:08 p.m. Sister Kathleen Atkinson, Executive Director, Ministry on the Margins, testified in favor and submitted testimony #42874.
- 3:15 p.m. Jonathan Holth, Commissioner of Recovery & Reentry, State of ND, testified in favor and submitted testimony #42936.
- 3:23 p.m. Dennis M. Meier, Director, Three Rivers Human Service Zone, testified in favor and submitted testimony #42956.
- 3:29 p.m. Phil N. Davis, Workforce Services Director, Job Service North Dakota, testified in favor and submitted testimony #42948.
- 3:37 p.m. Sara Behrens, Staff Attorney, North Dakota Supreme Court, testified as neutral.
- 3:40 p.m. Thomas Erhardt, Chief Parole and Probation Officer, ND DOCR, testified as neutral.

Additional written testimony:

Senate Judiciary Committee HB 1549 3/19/2025 Page 2

Nathan Mickelson, Prison Reentry Manager, Ministry on the Margins, submitted testimony in favor #41487.

Michelle Strinden, Lt. Governor, Office of the Governor, submitted testimony in favor #42388.

Kimberlee J. Hegvik, Cass County State's Attorney, Cass County State's Attorney's Office, submitted testimony in favor #42915.

Adam J. Martin, CEO, F5 Project, submitted testimony in favor #42951.

Curtiss M. Heidebrink, Program Director, F5 Project - Akisni Warrior Lodge, submitted testimony in favor #42962.

Lisa Finley-DeVille, Representative District 4A, submitted testimony in favor #43027.

3:50 p.m. Chair Larson adjourned the meeting.

Kendra McCann, Committee Clerk



MINISTRY ON THE MARGINS

P.O. Box 3065 201 N. 24th St., Bismarck, ND 58501 701-223-6315 • MinistryOnTheMargins.com

Madam Larson and members of the Senate Judiciary Committee,

My name is Nathan Mickelson, the Prison Reentry Manager at Ministry on the Margins (MOTM), a nonprofit in Bismarck - Mandan started by Sister Kathleen Atkinson. Our reentry program focuses on identifying and delivering the much-needed resources to those re-entering society after a period of incarceration. Since beginning with Ministry, I have worked synergistically with the DOCR in several aspects both inside and outside the walls from teaching classes, attending community resource fairs, pre-release planning with case workers to a reentry supper club, a Bismarck – Mandan prison Re-entry coalition and even a community reentry resource sharing event to identify and streamline organizational resources.

Having gone through my own reentry experiences, I am familiar with the challenges and barriers faced by those re-entering society. HB 1549 addresses and delivers solutions to these barriers on the "back-end" of reentry, including creating a task force focused on expanding housing opportunities for the justice involved. Landlords continue to price "gouge" justice involved, making it nearly impossible to get safe, secure housing. HB 1549 further expands on the importance of reentry and delivery of solutions such as ID's and Medicaid upon release, correctional facility program grants, improved data collection, criminal record sealing and a much-needed reentry program and partnership between the DOCR and ND's tribes.

We are building something special here in North Dakota by focusing on restorative justice and addressing the root cause rather than incarceration. HB 1549 is a step in the right direction by focusing on rehabilitation rather than incarceration and MOTM would welcome the opportunity to engage and support its actions.

Thank you.

Nate Mickelson

Prison Reentry Manager

Ministry on the Margins

701-390-4000

nathan@ministryonthemargins.org

Re-Entry House Bills
Lt. Governor Michelle Strinden
Senate Judiciary Committee
Sen. Diane Larson, chair
March 19, 2025
Peace Garden

Good morning, Chair Larson and members of the Senate Judiciary Committee. For the record, my name is Michelle Strinden, Lieutenant Governor for the State of North Dakota. I am here on behalf of the Armstrong administration to speak in support of HB 1425, HB 1417 and HB1549. We want to express gratitude to the legislators for leading the effort to champion these bills.

Over the interim, I had the opportunity to participate as a member of the Reentry Study Work Group, which laid the groundwork for these three bills that you will hear more about this morning. For over a year, I was at the table with a team of legislators, Department of Corrections and Rehabilitation and Department of Health and Human Service leaders, court system and county jail experts, and community reentry partners who examined data findings from our state's criminal justice system. This work group discussed the next steps our state can take toward our

longstanding goals of improving public safety through rehabilitation, reentry and recovery.

As this committee is aware, this interim study follows years of progress our state has made to ensure the people who enter our criminal justice system leave the system better than when they entered it. I am proud our state has emerged as a national leader for our commitment to recovery and reentry. When North Dakotans talk about "reentry," we aren't just talking about the process of a person leaving prison; we are talking about everything that happens before prison: coordinated efforts by law enforcement and behavioral health practitioners to respond to crises, addressing addiction and mental illness that contribute to criminal activity, and establishing a system of accountability and care that keeps our communities safe.

Our Work Group kept this in mind as we closely examined our criminal justice system data over the course of several months. It won't surprise anyone to hear our prison population has been growing, pushing our DOCR facilities and some county jails to their maximum capacities. But a finding from this study that stood out to me is that many residents continue to enter our prisons for

drug and alcohol offenses. We also found racial disparities in our system, specifically an overrepresentation of Black and Native American residents in our prisons. These are outcomes the Armstrong administration is committed to improving. Thanks to my fellow Work Group members who spent their summer diving into data, research, and examples of successful strategies from other states, I know we have a strong roadmap to help us get there.

The recommendations across these three bills support local law enforcement and prosecutors in using deflection and diversion practices – effectively interrupting misconduct early and intervening with treatment resources in cases where addiction and mental illness are the root cause. Provisions in these bills will also reduce barriers to reentry faced by people on community supervision; promote culturally responsive programming for people moving through the justice system; and support crossagency collaboration to help justice-involved people secure medical coverage and state identification. The bottom line is we want to prepare those leaving the justice system to be ready to

join our workforce, become our neighbors, attend our churches, and make our state better.

We have been on the right trajectory with our reentry and recovery focus for the past decade, and the policies included in HB 1425, HB 1417, and HB 1549 are the natural next step to improve public safety for our communities. Our administration urges the committee to support a "do pass" on all three bills. That concludes my testimony and thank you for your time.

Senate Judiciary Committee Senator Diane Larson, CHAIR March 19, 2025

NORTH DAKOTA DEPARTMENT OF CORRECTIONS AND REHABILITATION PRESENTING TESTIMONY IN SUPPORT OF HOUSE BILL 1549

Chair Larson and members of the Senate Judiciary Committee, I am Robyn Schmalenberger, Reentry Program Manager for the North Dakota Department of Corrections and Rehabilitation (DOCR). Today, I submit this verbal and written testimony in support of House Bill 1549.

The DOCR utilizes evidence-based practices tailored to the specific needs of individuals within the correctional system to support behavior change and successful community reintegration. Services are provided by committed corrections professionals, other state agencies and many community providers and organizations. Through collaborative efforts, significant progress has been made; however, there remain critical areas that require further attention. Specifically, there is a need to enhance reentry programs for individuals transitioning from county, regional, and tribal correctional facilities, address racial disparities, and expand access to stable housing options. House Bill 1549 directly targets these issues, aiming to strengthen the reintegration process for individuals returning to our communities.

Section 1 establishes a correctional facility grant committee and a correctional facility grant program that will provide funding for county, regional, and tribal correctional facilities. The primary aim is to expand access to evidence-based services and programming for people incarcerated in local correctional facilities that supports successful reentry. By strengthening programming options and reentry planning at the local level, we enhance the likelihood of successful reintegration, which ultimately contributes to greater public safety.

Section 2 of the bill emphasizes the importance of ensuring individuals obtain valid identification and have access to healthcare upon release. A valid ID is crucial for securing key elements of successful reentry, such as employment, education, and housing, all of which help

reduce recidivism. Access to healthcare is equally vital, as it supports individuals in managing chronic conditions, ensures continuity of care, improves overall well-being, and has a positive impact on public health. The DOCR is actively collaborating with the Department of Transportation, the Department of Health and Human Services, and the Human Service Zones to ensure the successful implementation of these initiatives.

Section 3 of the bill proposes the establishment of a Native American Reentry Program. Native American individuals are disproportionately represented in DOCR facilities and under community supervision, and they experience higher rates of supervision revocation. The DOCR is aware of the need for culturally relevant services and has worked collaboratively with partners such as the South-Central Foundation and F5 to implement the Akisni Warrior Lodge (AWL) at the James River Correctional Center. AWL is a culturally based recidivism reduction program founded on the belief that change is possible, with healing encompassing the body, mind, emotions, and spirit. Building on this foundation, the proposed Native American Reentry Program would provide culturally relevant interventions, fostering better outcomes for Native American individuals. This initiative would be implemented through a collaborative approach involving the DOCR, representatives from each federally recognized tribe, and the Indian Affairs Commission, along with the designation of a Native American liaison to operate within the department regarding parole and probation services.

Section 4 directs the DOCR to create a housing task force with representation from parole and probation services, the housing finance agency, the department of health and human services, and community housing providers to address housing barriers faced by individuals on probation, parole, or those released from custody. Stable and affordable housing is a critical determinant of successful reentry, yet individuals with felony or sex offense convictions often face profound challenges in securing housing. By addressing housing barriers, we can better support individuals as they reintegrate into their communities.

This bill targets key factors that improve outcomes for individuals transitioning home. These efforts will promote successful reintegration and foster safer communities. I respectfully ask for your support of House Bill 1549. Thank you for your time and consideration. I stand for any questions.

Kathleen Atkinson, OSB 701.426.8747

Wednesday, March 19, 2025 HB 1549 Senate Judiciary Committee

Madam Chair and Members of the Senate Judiciary Committee, Thank you for the opportunity to speak today.

My name is Sister Kathleen Atkinson. I serve as the director of *Ministry on the Margins* and have been part of the ND Reentry Study Work Group. I speak in favor of HB 1549 to strengthen collaborative and early support for men and women in reentry from prison.

We know them in the prison before and after Sunday worship...coming up to say that they are being released in the next months but have no place to go. Sometimes able to articulate the huge transition from living institutionally their entire life - often family to military to prison. Sometimes coming from an addictive and dysfunctional family, but seeing no other alternative available, especially if returning home.

We know them when they come into the Ministry – by the look of panic, the khaki pants and khaki jackets over a white T–shirt. Newly released, they have no place to go but us – less than a mile walk from the prison gates. It is not uncommon for an individual to have a one or two week wait until meeting with their PO; it's a limbo ready to be filled by old friends waiting to take advantage of someone before they can get connected to support.

HB 1549 addresses a variety of challenges which lead to failure in reentry and thus return to incarceration. HB 1549 promotes success and encourages **immediacy**, **collaboration**, **and innovation** through:

- Collaborating with other agencies to provide necessary documents for assistance at the earliest possible opportunity rather than beginning the process once a person is released.
- Creating relationships with housing stakeholders to provide housing for justice-involved individuals upon release rather than after months of homelessness.
- Identifying unique strengths and challenges inherent in the Native American community and implementing them collaboratively with the DOCR and ND Tribes.
- Providing grant funding avenues to encourage innovative responsiveness in local jails, reentry programs, and DOCR system partners.

Thank you for your consideration.

March 18, 2025

Testimony in Support of House Bill 1549

Chairwoman Larson and members of the Senate Judiciary Committee,

My name is Kimberlee J. Hegvik, and I am the elected State's Attorney in Cass County. Prior to my election in 2022, I served as an Assistant Cass County State's Attorney for nearly 17 years.

I support HB 1549.

I believe that North Dakota should always strive to do better. I support funding programs to provide inmates with skills and tools that set them up for success upon release. This includes addressing behavioral health and social skills, as well as practical needs like transportation, housing, and identification documents. I support grants that encourage creative thinking and problem-solving regarding re-entry. I support evidence-based and data-driven approaches proven to improve outcomes. I support data collection and reporting. I believe sharing information is key to building and maintaining public confidence in our government and the criminal justice system.

I support HB 1549 because I believe in North Dakota's efforts to do better by improving our criminal justice system.

Thank you for your time and consideration.

Sincerely,

Kimberlee J Hegvik Cass County State's Attorney

HB 1549

Commissioner Jonathan Holth

Senate Judiciary Committee Senator Diane Larson, Chair March 19th, 2025 Peace Garden Room

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

For the record, my name is Jonathan Holth, Commissioner of Recovery and Re-entry for the State of North Dakota. I am here today on behalf of the Armstrong administration to testify in support of HB 1549, the final bill in Representative Klemin's reentry package, which was born from an interim study process that included partners spanning across our state's criminal justice system.

Before getting into the details of this bill, I want to return to a point that I made in my testimony on HB 1425. The roads to recovery and reentry are ones that *should not be traveled alone*. People on their journey in reentry and recovery need support more than ever – especially if they are walking into a community that they've been removed from for weeks, months, or potentially years following a jail or prison stay. HB 1549 is all about strengthening collaboration to make sure that people have the support that they need to transition to the community **and stay there**.

To ensure those on their recovery or reentry journey are set up for successful reentry, we have to think about the barriers that individuals will likely experience long before they are released from custody and return to their community. HB 1549 aims to improve reentry outcomes by strengthening the collaboration between state agencies to set people up with medical coverage and state-issued identification before they leave prison. It may not seem like much, but if anyone here participated in the reentry simulation a couple of months ago, you know that folks leaving prison face a multitude of barriers. This bill is about the common sense ways we can remove red tape to help people focus on what comes next – their recovery, their families, their jobs, and their communities. A personal note on this particular issue.....I've been a small business owner for 20 years, and I've always been proud to be a second-chance employer and a recovery-friendly employer. We've employed a number of people at our businesses right after they are released from custody. Many of them have come to our restaurants to apply for jobs, and don't have a state-issued ID card that is necessary for the hiring process. I have personally driven multiple people to the drivers license office and paid for them to get an ID just so they can legally begin their employment journey. This is a barrier that doesn't need to exist, and one that this bill eliminates.

North Dakota's justice system is designed to hold people accountable- and nothing in this bill says otherwise- but it is also meant to help them leave better than when they entered. Programming in jails and prisons can help offenders cultivate skills necessary to help them join the workforce, become better parents, cope with mental illness or addiction, and more. HB 1549 references two policies that help with this, both of which are being absorbed into DOCR's budget bill (SB 2015). One provision creates a funding opportunity for local jails to receive assistance in implementing rehabilitative programs, and the other supports collaboration between DOCR and North Dakota's five tribes in developing a program for Native Americans in DOCR custody. We want people to successfully return home, and tailored reentry programs can help us achieve that goal.

Other aspects of HB 1549 that just make sense include studying record sealing practices to see if there are ways to automate our system and improving our criminal justice data collection and sharing practices to help us make the most informed decisions about people who are in state and local custody.

Committee members, as you know, approximately 95% of people who leave our prisons will become our neighbors again, and many will be walking out the door in need of treatment services, housing, and other forms of support to help them along the road to recovery. To quote Governor Armstrong, "we must take an all-of-government approach to the challenges of addiction and behavioral health." HB 1549, in combination with HB 1417 and HB 1425, represents this all-handson-deck approach to recovery and reentry that North Dakotans not only need, but deserve.

In closing, we recommend a "do pass" vote on HB 1549, and I thank you for your time today. I am happy to stand for any questions the committee may have.

TESTIMONY OF REP LAWRENCE R. KLEMIN SENATE JUDICIARY COMMITTEE HOUSE BILL NO. 1549 MARCH 19, 2025

Members of the Senate Judiciary Committee. I am Lawrence R. Klemin, Representative for District 47 in Bismarck. I am here to testify in support of House Bill No. 1549.

House Bill 1549 is the final bill completing the package of reentry-focused criminal justice reform in North Dakota. As I mentioned about HB 1425 and HB 1417, these three bills continue our state's work to reform our criminal justice system – to maximize public safety, use taxpayer dollars more efficiently, and help people who are justice-involved become more productive citizens. These bills are supported by the Governor, many state agencies, and other organizations and individuals.

The proposals in HB 1549 stem from the interim study to improve ND's reentry outcomes. Here's a recap of the key findings from the Reentry Work Group's Final Report:

- ND's prison population is rising while nationally it is declining.
- Admissions to prison have grown, and drug and alcohol offenses and parole and probation revocations are the primary drivers of the increase.
- People of color are disproportionately represented.
- People leaving incarceration face barriers to success such as affordable housing, behavioral healthcare, gaps in Medicaid access, and a lack of state-issued IDs.

Overview of HB 1549

HB 1549 aims to better prepare justice-involved people for a transition back to the community. This includes focusing on programming and practices inside of corrections and detention centers that promote rehabilitation, as well as bolstering the prison release and reentry process to ensure people leaving prison have the support they need to access housing, medical care, and other resources that are critical to their reentry success and reduce the likelihood that they will recidivate.

Correctional Facility Reentry Programming Grants

Most people in jail will return to the community after a period of confinement. Even a short detention term can cause a person to lose employment, housing, miss medication, and other unintended consequences that could put them at risk for returning to criminal behavior.

Section 1 of this bill aims to improve the availability of reentry services in jails by creating a committee to oversee the administration of grants to support evidence-based reentry programming and services in jails, and outlining a process for evaluating such programs, screening applicants, and administering grant money to applicants.

State Identification and Access to Medicaid

Section 2 of this bill solidifies the partnership between DOCR and the Department of Transportation in their efforts to provide people leaving prison with identification. Without an ID, people leaving the system face problems with accessing housing, public benefits, employment, and banking. In 2023, 37% of people released from custody did not have a driver's license. This bill directs DOCR to coordinate with the Department of Transportation to facilitate a process for incarcerated individuals to apply for state-issued identification.

Having medical coverage is another critical element of reentry. There are often delays in coverage between someone's release from prison and their re-enrollment for Medicaid benefits. **Section 2** of this bill directs DOCR, in coordination with DHHS, to connect all eligible individuals with Medicaid assistance, or other health and human services programs, prior to release from incarceration.

Mitigation of Racial Disparities

Data collected shows the overrepresentation of Black and Native American people in ND's criminal justice system. Admissions to prison have generally increased over the past decade, but the increase has been most significant for these two populations. From 2014 to 2023, prison admissions for Native American people increased by over 60%, and prison admissions for Black individuals increased by 120%.

Section 3 of this bill relates to reentry programming that is tailored to the needs of this population. According to the American Probation and Parole Association's national supervision standards, case planning, interventions, and treatment options should be chosen for individuals based on their "responsivity factors," including cultural background. Given the growth of the Native American population inside of DOCR facilities, and the intention of DOCR to prepare people for release and successful reentry, DOCR must work in partnership with the tribes to develop reentry initiatives that align with tribal culture.

The bill directs DOCR to establish this program in coordination with North Dakota's five tribes and the Indian Affairs Commission and requires an annual report to Legislative Management. This section outlines requirements including that the program assess the needs of participants with the goal of recidivism reduction, identify and provide culturally responsive training to department staff, designate a Native American liaison to operate within DOCR's Adult Parole and Probation Services, and include oversight and evaluation processes.

Housing

To remain stable and law-abiding, people need to be able to access basic needs, like safe housing. **Section 4** of the bill directs DOCR to establish a task force that includes representation from other system stakeholders and housing providers, to examine housing for individuals leaving incarceration, sober housing, and processes to improve coordination between system partners. These findings will be captured in an annual report to Legislative Management.

Data-Sharing

Section 5 of this bill directs DOCR to coordinate with DHHS, regional jails, and other criminal justice entities to examine current criminal justice data collection, retention, and dissemination practices. The bill also directs DOCR to provide recommendations for improving these practices, as well as improving data connectivity between system partners, in an annual report to Legislative Management.

Legislative Intent – Federal Grants

Section 6 requires the DOCR to apply for federal grants for the purpose of implementing reentry programs and creating a temporary coordinator position within DOCR to help oversee elements of the reentry improvements proposed in this bill. The intention is to use federal funding opportunities to support the implementation of the reentry policies that are included in the three bills.

Study Other Opportunities to Reduce Reentry Barriers

Section 7 relates to a study of criminal record sealing and opportunities that may exist to automate the sealing process or expand the eligibility for record sealing. North Dakota currently has a process for record sealing that certain people can apply for depending on the severity of their conviction and the amount of time that has elapsed since the conviction took place. Other states have automated this process.

A public criminal record can have a lasting effect on people who have turned their lives around following a conviction, specifically the complications it creates for obtaining employment and housing. This section provides for an interim study to evaluate the potential costs and benefits of automating this process in North Dakota or to determine if there are other avenues to expanding record sealing opportunities.

Closina

In summary, HB 1549 aims to reduce recidivism by better preparing people who are involved in the justice system.

The goals of this bill are aligned with the goal I shared for HB 1425 and HB 1417 – as a package, these proposals promote public safety through an intentional focus on reentry, recovery, and rehabilitation that will improve the lives of people exiting the justice system and reduce the likelihood that they find their way back into the system. This is a better use of our tax dollars, correctional space, and a smart approach to maintaining public safety in our state.

I'll take any questions you may have. The Crime & Justice Institute is also available to answer questions about the study process and the information that led to the proposed policies in this bill. I urge a "do pass" recommendation for HB 1549. Thank you.

Rep. Lawrnce R. Klemin District 47, Bismarck



SENATE JUDICIARY COMMITTEE HB 1549 MARCH 19, 2025

Madam Chair and members of the Committee, my name is Phil Davis, and I am the Workforce Services Director at Job Service North Dakota. Additionally, I am a member of the Reentry Study Workgroup that provided input to the final report that was published by the Crime and Justice Institute. I am providing this testimony in support of HB1549.

Individuals who are justice-involved were identified by the Workforce Development Council as a population who experience barriers to entering the workforce, including the lifelong impact of a criminal conviction on their record. As of 2023, North Dakota averaged 1,327 prisoner releases each year. Without a steady paycheck allowing for basic needs to be met, such as housing and food, many ex-offenders return to the prisons as indicated by North Dakota's recidivism rate of 38% in 2023.

Justice-involved individuals are a target group to fill in-demand positions in skilled trades, manufacturing, transportation, and a wide variety of other industries. Without tapping into this labor pool and preparing these individuals for the workforce, employers will continue to have difficulty filling in-demand positions.

As I mentioned, individuals with criminal records, especially the formerly incarcerated, face enormous barriers to employment. During the 68th Legislative Assembly, Job Service North Dakota requested and received a \$640,000 appropriation for two years to provide services to justice-involved individuals to help them gain and maintain employment upon release. In partnership with the Department of Corrections and Rehabilitation (DOCR), the program provides the opportunity for individuals to receive 1:1 service including access to training programs, employment services, referrals as needed, and funding for support services to ensure individuals are employment ready. The goal for the two-year pilot program was to prepare 300 individuals to re-enter the workforce. To be successful in the program, individuals must be accountable to the program requirements and obtain and retain a job for six months.

Using 19 months of data, Job Service has received 351 referrals from DOCR and completed 263 intakes for those who have been released. Currently, there are 112 active participants with an 81% employment rate. Individuals who have completed the program are earning an average of \$12,655.00 per quarter. Of those who have been referred to the program, only 5% have been reincarcerated. The reason I share these statistics is because bringing workforce services into the Reentry Phase of these discussions is an enormous part of allowing individuals to successfully transition back into the workforce, become self-sufficient, and contribute back to North Dakota's economy.

Job Service North Dakota has strong working relationships with employers and our industry partners in every region of the state. We understand the workforce challenges within the state, and we support the need for growth of serving Justice Involved individuals who can make an impact if given second or sometimes a third chance of getting back into the workforce. Job Service North Dakota does recognize the more successful we are at diversion, deflection and reentry, the better we are able to fill our open jobs in North Dakota.

In closing, Job Service North Dakota supports HB1549 and would like to thank the Reentry Study Workgroup for allowing us to be part of this important work.

Thank you for your time and consideration.

03/18/2025



FROM THE DESK OF ADAM MARTIN FOUNDER AND CEO OF F5 PROJECT

Chair Larson and members of the Senate Judiciary Committee,

I am writing to express my strong support for HB 1549. I believe this legislation represents a significant advancement in our criminal justice system and creates a more supportive environment for reentry, particularly for a group that has long been overlooked in our state.

There is a critical need for a dedicated reentry program for Native Americans. Currently, the F5 Project operates a program within the Juvenile Rehabilitation and Correctional Center (JRCC) that focuses on trauma recovery rooted in Native American culture, and it has demonstrated remarkable success. Establishing specific reentry programming tailored to our Native American community can lead to meaningful outcomes and support their journey toward reintegration.

Thank you for taking the time to read my testimony.

Sincerely,

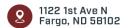
MA

Adam Martin, Founder and CEO of F5 Project











Testimony Prepared for the Senate Judiciary Committee **HB 1549** — **Relating to the Correctional Facility Grant Program**Dennis Meier, Three Rivers Human Service Zone Director

March 19, 2025

Chair Larson and members of the Senate Judiciary Committee, my name is Dennis Meier. I serve as the Director of Three Rivers Human Service Zone, which includes the counties of Morton, Sioux, and Grant. In addition, I am a member of the North Dakota Human Service Zone Director Association. I am here today to testify in support of House Bill 1549.

Human service zones are the legal designee of the North Dakota Department of Health and Human Services (NDHHS). A core responsibility of human service zones is to help North Dakotans determine their eligibility for state- and federally funded economic assistance programs such as Medicaid, Supplemental Nutrition Assistance Program (SNAP), Child Care Assistance Program (CCAP), Temporary Assistance for Needy Families (TANF), and Low-Income Home Energy Assistance Program (LIHEAP). These programs are tools that help improve access to basic needs, enhance the wellbeing of vulnerable populations, and promote financial stability for those who are experiencing economic hardship.

Beyond traditional economic assistance, zones support individuals with self-sufficiency goals through unique local services that are tailored to the needs of our communities. This can look like partnering with local agencies to provide telehealth, serving as the local food pantry, or operating supply drives for back-to-school, holidays, and emergencies. In short, zones have the flexibility to maximize local impact through creative, community-specific programs.

Incarcerated people are one of the vulnerable populations that human service zones serve. Returning citizens have a high risk of experiencing economic hardship. The reasons for this can vary. There are limitations to what research has shown us about why this happens and how prevalent these causal factors are. However, one study found that a criminal record "reduces the likelihood of a callback [from

a prospective employer] by 50%."[1,2] Another study found that 79% of formerly incarcerated individuals reported housing denial or ineligibility because of their conviction history. [3] Additionally, there are many state and federal policies that create barriers to housing access for formerly incarcerated persons.^[4] These factors, and many others, increase the likelihood that a returning citizen will experience common drivers of recidivism such as unemployment, poverty, and homelessness. Zones proactively serve this population by partnering with the North Dakota Department of Corrections and Rehabilitation (ND DOCR) to help inmates understand and apply for economic assistance benefits, which ensures that they have continuity of care upon release and promotes the stability that is necessary for a person to move forward after incarceration. House Bill 1549 plays a meaningful role in zone outreach efforts to this population, because it codifies inmate education on these programs as part of the discharge process.

However, economic assistance programs are just one aspect of human-centered, rehabilitative criminal justice practices. The collaborative relationship between DOCR and HHS has resulted in the identification of other areas where policy and practice can be better aligned, and HB 1549 catalyzes that alignment. It ensures that former inmates have support to get a photo ID, which is needed to apply for jobs and housing. To better support returning Native American citizens, this bill provides for a specific Native American reentry program and ensures that tribal leaders have a prominent voice in its development and administration. House Bill 1549 also provides funding to help DOCR cover the costs associated with executing these enhancements, including the funds for a skilled justice reinvestment coordinator. Finally, this bill will provide the legislature with data that is both local and current so that as a state, we can make informed decisions about future program enhancements and investments.

Members of the Senate Judiciary Committee, as a human service zone director, I have participated in outreach to inmates. This includes educating individuals on our public assistance programs and selfservice portal and collaborating with my colleagues at Heart River Correctional Center (HRCC) to innovate expanded support for incarcerated parents and their children. House Bill 1549 supports the overall mission of human service agencies in North Dakota, which is to foster positive, comprehensive outcomes by promoting economic, behavioral, and physical health, ensuring a holistic approach to individual and community well-being.

¹ https://scholar.harvard.edu/files/pager/files/pager_ajs.pdf

² https://www.prisonpolicy.org/reports/outofwork.html

³ https://ellabakercenter.org/wp-content/uploads/2022/09/Who-Pays-FINAL.pdf

⁴ https://niccc.nationalreentryresourcecenter.org/consequences

On behalf of myself and the North Dakota Human Service Zone Directors Association, I support a "do pass" vote on HB 1549. Thank you for your time and consideration.



Chair and members of the House Judiciary Committee,

My name is Curtiss Heidebrink, and I am the Program Director of the Akisni Warrior Lodge, a groundbreaking initiative of the F5 Project operating in partnership with DOCR within the James River Correctional Center (JRCC). I am here today to offer my strong support for HB 1549, specifically its provisions to create a Native American re-entry program.

Native Americans are disproportionately represented in the North Dakota Department of Corrections. Despite making up a small percentage of the state's population, Native individuals account for a significantly higher percentage of those incarcerated. This overrepresentation is not just a statistic, it is a crisis. Many Native individuals face unique barriers both during incarceration and upon re-entry into society. Too often, gaps in resources and culturally relevant support systems leave these individuals without the tools necessary for successful reintegration. HB 1549 directly addresses these disparities by establishing a Native American reentry program within the DOCR to work in collaboration with the five tribal nations of North Dakota and the Indian Affairs Commission. This designated program will serve as a bridge to close gaps in re-entry services, open lines of communication, and ensure that culturally responsive support is available for Native individuals.

The Akisni Warrior Lodge was founded to address many of these same concerns within the prison system. Providing justice-involved Native men with culturally responsive programming, healing, and preparation for life after incarceration. Many individuals fall through the cracks, returning to cycles of incarceration, addiction, and instability. HB 1549 will serve as a bridge, extending the kind of support provided in the Akisni Warrior Lodge, ensuring that Native men and women have access to re-entry programming tailored to meet their specific needs like cultural connections vital to their success.

This is not just about reducing recidivism; it is about restoring dignity, empowering individuals, and strengthening families and communities. The provisions in HB 1549 align directly with the mission of the Akisni Warrior Lodge, and we see this as a crucial step forward in creating opportunities in providing support for a population that so desperately needs the attention they deserve.

I urge this committee to support HB 1549 and take this necessary step in ensuring that Native individuals in incarceration are met with the resources and support they need to thrive. Thank you for your time and consideration. I'll take any questions you may have.

Curtiss Heidebrink

Akisni Warrior Lodge Program Director Akisni

F5 Project

Testimony of Representative Lisa Finley-DeVille

In support of House bill 1549 - Senate Judiciary Committee

Chairwoman Larson and members of the Senate Judiciary committee, my name is Representative Lisa Finley- DeVille, representing District 4 A, which includes the Mandan, Hidatsa, and Arikara Nation. I testify in support for I am here today to express my strong support for HB 1549, which seeks to address critical gaps in North Dakota's criminal justice system by improving re-entry services, expanding access to housing, enhancing data collection, and providing culturally responsive support for Native American individuals reintegrating into society.

This bill is a necessary step toward reducing recidivism and ensuring that individuals who have served their time are given the tools they need to successfully re-enter their communities. Native people leaving incarceration have faced systemic barriers, from obtaining identification to accessing stable housing and employment. Without a stable place to live, it is nearly impossible for someone to get back on their feet. The housing task force created by this bill will work on solutions to help those on probation or parole find housing, making it easier for them to hold jobs and stay on the right path. Expanding access to housing assistance and increasing the availability of sober and low-barrier housing will make a real difference.

Many correctional facilities, especially in tribal and rural areas, do not have strong re-entry, education, or counseling programs. This bill provides grant funding to expand these programs where they are needed most. By prioritizing facilities that currently lack services, it ensures that resources go where they will have the greatest impact.

Effective policymaking requires accurate data and HB 1549's provisions on data collection and sharing will allow policymakers to track trends, measure program outcomes, and improve coordination across agencies. The ability to analyze criminal justice data more effectively will lead to smarter investments in re-entry programs and improved public safety outcomes.

HB 1549 is a necessary approach to criminal justice reform in North Dakota. By addressing gaps in re-entry support, housing, and data collection, while also ensuring that Native American individuals have access to culturally competent services, this bill strengthens our justice system and communities alike. I ask the Senate Judiciary Committee to bring this bill across the line and give it a do pass recommendation. Thank you for your time and consideration.

2025 SENATE STANDING COMMITTEE MINUTES

Judiciary Committee

Peace Garden Room, State Capitol

HB 1549 3/25/2025

Relating to the correctional facility grant program, Native American re-entry program, housing task force, and criminal justice data collection and to offenders released from the department of corrections and rehabilitation and to provide for a legislative management study.

10:40 a.m. Chair Larson opened the hearing.

Members present:

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

Discussion Topics:

- Disproportionate incarceration rates
- Racial implications

10:40 a.m. Senator Paulson asked for committee input on section 3 whether appropriate to have a carveout in housing for one specific group of people.

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

10:43 a.m. Chair Larson closed the hearing.

Kendra McCann, Committee Clerk

2025 SENATE STANDING COMMITTEE MINUTES

Judiciary Committee

Peace Garden Room, State Capitol

HB 1549 3/26/2025

Relating to the correctional facility grant program, housing task force, and criminal justice data collection and to offenders released from the department of corrections and rehabilitation and to provide for a statement of legislative intent, legislative management study and a legislative management report.

9:37 a.m. Chair Larson opened the hearing.

Members present:

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

Discussion Topics:

- Removal of section 3
- Inclusion of recovery

9:37 a.m. Senator Paulson introduced proposed amendment LC# 25.1314.03001 and submitted testimony #44162.

- 9:39 a.m. Senator Paulson moved amendment LC# 25.1314.03001.
- 9:39 a.m. Senator Myrdal seconded.
- 9:40 a.m. Voice Vote Motion Passed.
- 9:40 a.m. Senator Paulson moved a Do Pass as amended.
- 9:40 a.m. Senator Luick seconded the motion.

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

Motion Passed 7-0-0.

- 9:43 a.m. Senator Paulson will carry the bill.
- 9:43 a.m. Committee discussion on upcoming schedule.

Senate Judiciary Committee HB 1549 3/26/2025 Page 2

9:45 a.m. Chair Larson closed the hearing.

Kendra McCann, Committee Clerk

25.1314.03001 Title.04000

Sixty-ninth Legislative Assembly of North Dakota Prepared by the Legislative Council staff for Senator Paulson
March 25, 2025

PROPOSED AMENDMENTS TO SECOND ENGROSSMENT

3 | 26 | 25 VC

REENGROSSED HOUSE BILL NO. 1549

Introduced by

3

6

9

10

11

19

20

Representatives Klemin, Hanson, Stemen

Senators Larson, Davison

1 A BILL for an Act to create and enact a new section to chapter 12-44.1 and three two new

2 sections to chapter 54-23.3 of the North Dakota Century Code, relating to the correctional

facility grant program, Native American re-entry program, housing task force, and criminal

4 justice data collection; to amend and reenact section 12-47-31 of the North Dakota Century

5 Code, relating to offenders released from the department of corrections and rehabilitation; to

provide for a statement of legislative intent; and to provide for a legislative management study;

7 and to provide for a legislative management report.

8 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 12-44.1 of the North Dakota Century Code is created and enacted as follows:

Correctional facility grant committee - Correctional facility grant program - Report.

- 1. The department of corrections and rehabilitation shall establish a correctional facility

 grant committee consisting of two members appointed by the director of the

 department of corrections and rehabilitation, two members appointed by the North

 Dakota association of counties, the commissioner of recovery and re-entry, and the

 director of the behavioral health division of the department of health and human

 services. The director of the department of corrections and rehabilitation shall choose

 one member to serve as chairman. The committee shall:
 - a. Establish criteria for the evaluation of existing re-entry programs, including educational and counseling programs used by existing re-entry programs;

1		b. Establish criteria for the evaluation of grant applications;	
2		c. Establish policies for screening and implementing grants under this section;	
3		d. Establish criteria and policies for evaluating programs funded under this section;	
4	e. Establish criteria and policies necessary for the successful administration and		
5		management of the grant program;	
6		f. Administer grants to county, regional, or tribal correctional facilities; and	
7		g. Provide annual reports to the department of corrections and rehabilitation	
8		regarding the status of the correctional facility grant program.	
9	2.	The correctional facility grant committee shall administer a grant program to expand	
10		access to evidence-based programming in county, regional, and tribal correctional	
11		facilities.	
12	<u>3.</u>	Grants awarded under this section must prioritize county, regional, or tribal	
13		correctional facilities with no existing re-entry, educational, counseling, or other	
14		evidence-based programs. Grants may be awarded to support access to culturally	
15		responsive treatment alternative programs.	
16	SECTION 2. AMENDMENT. Section 12-47-31 of the North Dakota Century Code is		
17	amended and reenacted as follows:		
18	12-4	7-31. Discharge of offenders - Clothing - Transportation.	
19	<u>1.</u>	The department of corrections and rehabilitation, in coordination with the department	
20		of transportation, shall facilitate a process for offenders applying for photo	
21		identification, including a driver's license, nondriver identification card, temporary	
22		driver's license, or temporary nondriver identification card.	
23	<u>2.</u>	The department of corrections and rehabilitation shall provide an offender released	
24		from the department appropriate clothing and transportation to a reasonable point as	
25		specified in the release plan, based upon need.	
26	<u>3.</u>	The department of corrections and rehabilitation, in cooperation with the department of	
27		health and human services, shall connect all eligible offenders to Medicaid assistance	
28		or other health and human services programs before the offender is released from the	
29		department.	
30	——SEC	CTION 3. A new section to chapter 54-23.3 of the North Dakota Century Code is created	
31	and ena	cted-as-follows:	

1	Nati	ve American re-entry program - Report to legislative management.
2	<u>-1.</u>	The department of corrections and rehabilitation, in cooperation with representatives
3		from each federally recognized American Indian tribe in the state, and the Indian
4		affairs commission, shall establish and administer a re-entry program to provide
5		re entry services and support tailored to the needs of Native Americans.
6	<u>2.</u>	The Native American re-entry program shall:
7		a. Assess the needs of Native American adult offenders with the goal of reducing
8		recidivism;
9		b. Identify culturally responsive training opportunities and provide training to
10		department staff:
11	-	c. Designate a Native American liaison to operate within the department regarding
12		parole and probation services for adult offenders:
13		d. <u>Develop oversight and evaluation processes, including outcome based metrics</u>
14		related to recidivism reduction.
15	<u> </u>	The department of correction and rehabilitation shall provide an annual report to the
16		legislative management regarding the status of the Native American re-entry program.
17	SEC	CTION 3. A new section to chapter 54-23.3 of the North Dakota Century Code is created
18	and ena	cted as follows:
19	Hou	sing task force - Report to legislative management.
20	<u>1.</u>	The department of corrections and rehabilitation shall establish a task force on
21		housing to address barriers to accessing housing for probationers, parolees, and other
22		individuals released from the custody of the department. The housing task force must
23		include representation from the division of adult services, including parole and
24		probation services, the housing finance agency, the department of health and human
25		services, and community housing providers.
26	<u>2.</u>	The task force shall provide an annual report to the legislative management relating to:
27		a. The implementation of a housing assistance program to provide monetary
28		assistance to eligible probationers, parolees, and other individuals released from
29		the custody of the department of corrections and rehabilitation. The program may
30		include expanding eligibility requirements for housing assistance programs to
31		include individuals released from incarceration.

1		<u>b.</u>	The implementation of a housing assistance program for eligible sexual
2			offenders, including the desirability and feasibility of using master leases to
3			improve accessibility.
4	c. Procedures for improving awareness regarding available housing options and		Procedures for improving awareness regarding available housing options and
5			improving coordination among housing providers, the department of health and
6			human services, and the department of corrections and rehabilitation.
7		<u>d.</u>	The capacity of sober housing and low barrier housing for individuals released
8			from the custody of the department of corrections and rehabilitation.
9	SECTION 4. A new section to chapter 54-23.3 of the North Dakota Century Code is created		
10	and ena	cted	as follows:
11	Crin	ninal	justice data - Report to legislative management.
12	<u>1.</u>	The	department of corrections and rehabilitation, in cooperation with the behavioral
13		<u>hea</u>	Ith division of the department of health and human services, representatives from
14	each judicial district, and representatives from the adult services division, including		
15		parole and probation services and local or regional jails, shall examine criminal justice	
16		data	a, including data collection, retention, and dissemination.
17	<u>2.</u>	The	e department shall provide a report to the legislative management relating to
18		pro	cedures for:
19		<u>a.</u>	Tracking uniform data points:
20		<u>b.</u>	Standardizing and automating criminal justice data collection, retention, and
21			dissemination; and
22		<u>c.</u>	Improving data connectivity between system partners, including a proposal to
23			develop a data sharing portal to alert the department of health and human
24			services of changes to the Medicaid status of offenders in custody with the
25			department of corrections and rehabilitation.
26	SEC	CTIO	N 5. LEGISLATIVE INTENT - FEDERAL GRANTS. It is the intent of the sixty-ninth
27	legislati	ve as	sembly that the department of corrections and rehabilitation apply for federal
28	grants from the United States department of justice to fund a temporary justice reinvestment		
29	coordinator position and to support the general funds required for the implementation of re-entry		
30	programs.		

1 SECTION 6. LEGISLATIVE MANAGEMENT STUDY - EXPANDING ACCESS TO

2 CRIMINAL RECORD SEALING. During the 2025-26 interim, the legislative management shall 3 consider studying expanding access to criminal record sealing. The study must include the 4 automation of record sealing for individuals eligible to file a petition to seal a criminal record 5 under chapter 12-60.1-02, the expansion of eligibility for record sealing, and the potential costs 6 and benefits of creating processes for criminal record expungement alongside, or in lieu of, 7 avenues for criminal record sealing. The legislative management shall report its findings and 8 recommendations, together with any legislation necessary to implement the recommendations, 9 to the seventieth legislative assembly.

Module ID: s_stcomrep_48_007 Carrier: Paulson Insert LC: 25.1314.03001 Title: 04000

REPORT OF STANDING COMMITTEE REENGROSSED HB 1549

Judiciary Committee (Sen. Larson, Chairman) recommends **AMENDMENTS** (25.1314.03001) and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING). HB 1549 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

25.1314.03001 Title. Prepared by the Legislative Council staff for Senator Paulson

March 25, 2025

Sixty-ninth Legislative Assembly of North Dakota

PROPOSED AMENDMENTS TO SECOND ENGROSSMENT

REENGROSSED HOUSE BILL NO. 1549

Introduced by

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Representatives Klemin, Hanson, Stemen

Senators Larson, Davison

A BILL for an Act to create and enact a new section to chapter 12-44.1 and threetwo new sections to chapter 54-23.3 of the North Dakota Century Code, relating to the correctional facility grant program, Native American re-entry program, housing task force, and criminal justice data collection; to amend and reenact section 12-47-31 of the North Dakota Century Code, relating to offenders released from the department of corrections and rehabilitation; to provide for a statement of legislative intent; native Mailto:and-to-provide for a legislative management report.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 12-44.1 of the North Dakota Century Code is created and enacted as follows:

Correctional facility grant committee - Correctional facility grant program - Report.

- 1. The department of corrections and rehabilitation shall establish a correctional facility grant committee consisting of two members appointed by the director of the department of corrections and rehabilitation, two members appointed by the North Dakota association of counties, the commissioner of recovery and re-entry, and the director of the behavioral health division of the department of health and human services. The director of the department of corrections and rehabilitation shall choose one member to serve as chairman. The committee shall:
 - a. Establish criteria for the evaluation of existing re-entry programs, including educational and counseling programs used by existing re-entry programs;

1		b. <u>Establish criteria for the evaluation of grant applications</u>	<u> </u>	
2		c. Establish policies for screening and implementing grant	s under this section;	
3		d. Establish criteria and policies for evaluating programs fu	unded under this section;	
4		e. Establish criteria and policies necessary for the success	sful administration and	
5		management of the grant program;		
6		f. Administer grants to county, regional, or tribal correction	nal facilities; and	
7		g. Provide annual reports to the department of corrections	and rehabilitation	
8		regarding the status of the correctional facility grant pro-	gram.	
9	<u>2.</u>	The correctional facility grant committee shall administer a gr	rant program to expand	
10		access to evidence-based programming in county, regional,	and tribal correctional	
11		facilities.		
12	<u>3.</u>	Grants awarded under this section must prioritize county, reg	<u>jional, or tribal</u>	
13		correctional facilities with no existing re-entry, educational, co	ounseling, or other	
14		evidence-based programs. Grants may be awarded to suppo	ort access to culturally	
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20		of transportation, shall facilitate a process for offenders apply	<u>ving for photo</u>	
21		identification, including a driver's license, nondriver identifica	tion card, temporary	
22		driver's license, or temporary nondriver identification card.		
23	<u>2.</u>	The department of corrections and rehabilitation shall provide	e an offender released	
24		from the department appropriate clothing and transportation	to a reasonable point as	
25		specified in the release plan, based upon need.		
26	<u>3.</u>	The department of corrections and rehabilitation, in cooperate	ion with the department of	
27		health and human services, shall connect all eligible offende	rs to Medicaid assistance	
28		or other health and human services programs before the offer	ender is released from the	
29	İ	department.		
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4		affairs commission, shall establish and administer a re-entry program to provide
5		re-entry services and support tailored to the needs of Native Americans.
6	<u> 2.</u>	The Native American re-entry program shall:
7		a. Assess the needs of Native American adult offenders with the goal of reducing
8		recidivism;
9		b. Identify culturally responsive training opportunities and provide training to
10		department staff;
11		c. Designate a Native American liaison to operate within the department regarding
12		parole and probation services for adult offenders;
13		d. Develop oversight and evaluation processes, including outcome-based metrics
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15	<u> 3.</u>	The department of correction and rehabilitation shall provide an annual report to the
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22		individuals released from the custody of the department. The housing task force must
23		include representation from the division of adult services, including parole and
24		probation services, the housing finance agency, the department of health and human
25		services, and community housing providers.
26	<u>2.</u>	The task force shall provide an annual report to the legislative management relating to:
27		a. The implementation of a housing assistance program to provide monetary
28		assistance to eligible probationers, parolees, and other individuals released from
29		the custody of the department of corrections and rehabilitation. The program may
30		include expanding eligibility requirements for housing assistance programs to
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2			offenders, including the desirability and feasibility of using master leases to
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4		<u>C.</u>	Procedures for improving awareness regarding available housing options and
5			improving coordination among housing providers, the department of health and
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7		<u>d.</u>	The capacity of sober housing and low barrier housing for individuals released
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11	<u>Crir</u>	ninal	justice data - Report to legislative management.
12	<u>1.</u>	The	e department of corrections and rehabilitation, in cooperation with the behavioral
13		<u>hea</u>	alth division of the department of health and human services, representatives from
14		eac	h judicial district, and representatives from the adult services division, including
15		par	ole and probation services and local or regional jails, shall examine criminal justice
16		data	a, including data collection, retention, and dissemination.
17	<u>2.</u>	<u>The</u>	e department shall provide a report to the legislative management relating to
18		pro	cedures for:
19		<u>a.</u>	Tracking uniform data points;
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21			dissemination; and
22		<u>C.</u>	Improving data connectivity between system partners, including a proposal to
23			develop a data sharing portal to alert the department of health and human
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29	coordina	ator p	osition and to support the general funds required for the implementation of re-entry
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