

**2025 SENATE JUDICIARY**

**SB 2209**

# 2025 SENATE STANDING COMMITTEE MINUTES

## Judiciary Committee Peace Garden Room, State Capitol

SB 2209  
1/27/2025

Relating to the expansion of medical examinations of victims of criminal conduct.
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10:00 a.m. Vice Chairman Paulson opened the meeting.

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

### Discussion Topics:

- Importance of forensic nursing for victims
- Enhancing forensic medical services
- Extending timeline
- Definition of neglect
- Working with law enforcement

10:01 a.m. Senator Sean Cleary, District 35, introduced the bill and submitted testimony in favor #31689.

10:07 a.m. Kristie Wolff, Communication Coordinator of CDFNE, testified in favor and submitted testimony #31526.

10:12 a.m. Jonnica Norick, Lead Forensic Nurse and Bismarck Site Manager of CDFNE, testified in favor and submitted testimony #31519.

10:20 a.m. Greg Kasowski, Executive Director, Children's Advocacy Centers of ND, testified in favor and submitted testimony #31711.

### Additional written testimony:

Seth O'Neill, Executive Director, ND Domestic & Sexual Violence Coalition, submitted testimony in favor #31455.

Michelle Locke, Jamestown Regional Medical Center, submitted testimony in favor #31509.

10:23 a.m. Vice Chairman Paulson closed the hearing.

*Kendra McCann, Committee Clerk*



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**Senate Bill No. 2209**  
**Senate Judiciary Committee**  
**Testimony Presented Seth O'Neill, JD, MSW**  
**Email: [soneill@nddsvc.org](mailto:soneill@nddsvc.org)**  
**January 27, 2025**

Chairwoman Larson and members of the Senate Judiciary Committee, my name is Seth O'Neill and I am representing the North Dakota Domestic & Sexual Violence Coalition in support of SB 2209.

This bill modify the language in the acute forensic medical examination portion of the North Dakota Century Code to include domestic violence crimes in addition to sexual violence related crimes which are already in law. Acute forensic medical examinations for domestic violence crimes can provide important evidence to be used in a criminal trial. After approving a pilot program last legislative session, we think it is important to now include domestic violence crimes in the acute forensic medical examination reimbursement program.

In addition, this bill would make an important change in allowing a provider to seek reimbursement for an exam that is conducted within 120 hours of the crime instead of the current 96 hours. Acute forensic medical examinations conducted with 120 hours of a crime can still yield valuable DNA evidence. It is important that providers be encouraged to collect DNA evidence within this timeframe. NDDSVSVC in conjunction with the North Dakota Attorney General's Office is in the process of finalizing the sixth edition of the North Dakota Sexual Assault Evidence Collection Protocol. The sixth edition of the protocol also supports the increase to timeframe for acute forensic medical examinations.

Due to these reasons, we encourage the committee to give SB 2209 a Do-Pass Recommendation. I appreciate your time and I am happy to answer any questions you may have. Thank You.



Chair Larson and members of the Senate Judiciary Committee, My name is Michelle Locke, and I serve as the Coordinator for the Sexual Assault Nurse Examiner (SANE) program at Jamestown Regional Medical Center in Jamestown, North Dakota. I am here today to express my **support for SB 2209**, which will provide critical updates to forensic medical services for victims of sexual assault, domestic violence, child abuse, and neglect throughout our state.

Our program is a hospital-based forensic nursing initiative operated by a dedicated team of 10 nurses. While we function within the framework of the hospital, we are independently managed and rely heavily on grants and external funding to sustain our services. We proudly serve Stutsman County and surrounding areas, providing vital access to care for victims of sexual and domestic violence who would otherwise face the hardship of traveling to Fargo or Bismarck for care.

Collaboration is at the heart of our work. We partner closely with the Jamestown Police Department, Central Valley Human Service Center, and the Safe Shelter in Jamestown. Together, we ensure that victims receive comprehensive, coordinated care, from medical and forensic support to social services and emotional support.

Our services encompass both in-hospital and outreach care:

- **Hospital-Based Care:** All sexual assault exams are conducted in the emergency department at JRMC, where we've recently implemented a two-nurse model. This change has significantly reduced exam times, ensuring victims spend less time in the facility while maintaining the highest standards of evidence collection and care. One nurse performs the hands-on examination while the other documents and records evidence. This approach not only improves efficiency but also enhances the integrity of the evidence chain.
- **Outreach Services:** Through collaboration with local law enforcement, we now conduct domestic violence exams at the jail. This innovation allows us to examine victims in a secure environment without the logistical challenges of transferring them out of custody. Using specially designed travel kits, two nurses—accompanied by a guard or officer—perform these exams with safety and dignity in mind. This program was made possible by the legislature's pilot program passed in 2023, demonstrating the transformative impact of the program.

Despite our progress, there are still unmet needs. For example, we currently refer approximately 15 pediatric sexual assault cases per year to Fargo or Bismarck due to a lack of local SANE-trained pediatric examiners. While I am working to have two of our nurses trained in this critical area, we lack the necessary funding for their certification. Continued funding of forensic nursing programs in our state is critical for us to continue to meet the needs of victims in our region.

The funding and resources provided by programs like the 2023 pilot project have been instrumental in enabling us to innovate and improve our services. Without this support, we would not be able to provide the level of care and expertise that our community deserves.

I urge you to give SB 2209 a "DO PASS" recommendation. This bill represents an investment in the safety, dignity, and recovery of victims across North Dakota. With your support, we can continue to provide life-changing care and ensure that no victim is left without access to the services they need.

Thank you for your time and consideration.

Sincerely,  
Michelle Locke, RN  
SANE Coordinator  
Jamestown Regional Medical Center



## **Support SB 2209**

### **North Dakota Senate Judiciary Committee**

**January 27, 2025**

Chair Larson and members of the Senate Judiciary Committee,

My name is Jonnica Norick, and I serve as the Bismarck region site manager and Lead Forensic Nurse for Central Dakota Forensic Nurse Examiners (CDFNE). I am testifying today in support of SB 2209, a bill that will continue critical forensic nursing services for victims of violence across our state.

Today I want to highlight the work forensic nurses in our state do, the survivors we serve, and why continuing this program is not just beneficial, but is essential.

What sets forensic nursing apart is the specialized one-on-one comprehensive trauma informed care we provide to individuals experiencing some of the most traumatic moments of their lives. Our nurses are trained to recognize, document, and respond to injuries caused by sexual violence, strangulation, physical assault, domestic violence, and child abuse or neglect. Our training includes specialized courses in treating adult/adolescent and pediatric patients, clinical training, and ongoing education.

In addition, through the pilot program passed by the ND legislature in 2023, CDFNE nurses completed the Interpersonal Partner Violence Nurse Examiner (IPVNE) certificate program offered by the International Association of Forensic Nurses. This advanced training enhances our ability to provide care to victims of violence and reinforces our role as essential members of multidisciplinary response teams—an evidence-based best practice in addressing violence. Research shows that forensic medical exams conducted by trained forensic nurses improve health outcomes for victims and significantly increase prosecution rates for perpetrators.

Important elements of our work include detailed charting, precise measurements, swabbing for DNA collection, collection of debris evidence, collection of clothing, individual photographs of injuries, and use of specialized equipment such as colposcopes and alternative light sources—elements that are crucial not only for medical care but also for providing tools for victims seeking justice through legal proceedings. These exams are intricate sometimes lasting 6-8 hours, as we aim to provide trauma-informed care that makes victims feel safe, seen, and supported. Forensic Nurses are also trained to testify in court.

Under the pilot program passed by the legislature, CDFNE nurses provided trauma-informed forensic medical exams to 62 individuals experiencing domestic violence, child abuse or neglect from February 1 to December 31, 2024. I've attached a breakdown of these statistics and others to the end of my testimony. These numbers represent real people—children, adults, and families—seeking care after unthinkable experiences. Behind every statistic is a story and I would like to share a few of them:

**Victim #1: Age 78** The victim was admitted to the ICU due to severe injuries after being beaten with a club for approximately 10 minutes. The exam included 149 photos documenting physical abuse injuries, including open wounds on her head that required 14 stitches and a hairline wrist fracture. The victim worked closely with our forensic nursing team and an advocate from the Abused Adult Resource Center (AARC). The pilot program enabled us to also provide follow-up care, including additional examinations to monitor healing and ongoing support through the AARC advocate.

**Victim #2: Age 16** The victim reported physical abuse in a foster family placement. He described being grabbed by the neck and experiencing difficulty breathing due to pressure applied to his chest. During our examination, we identified tenderness in his collarbone, prompting us to refer him for an X-ray. The imaging confirmed an unhealed collarbone fracture, aligning with the findings from the initial forensic examination.

**Victim #3: Age 4** The victim presented with confirmed abuse, including kicking and hitting, which resulted in bruising across her body. Our documentation included 89 photos of physical abuse. Further examination revealed that her legs had been submerged in scalding hot water, causing burns. Bruising on her neck and ears was consistent with strangulation.

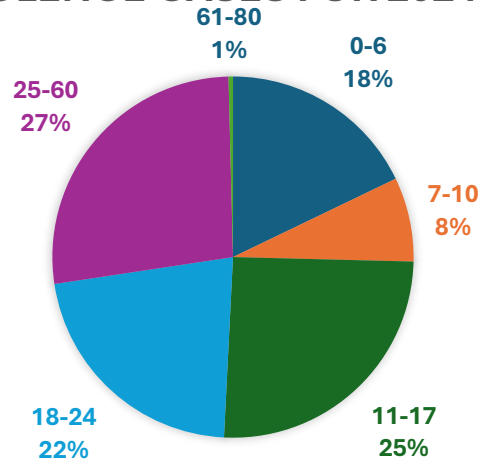
Each of these stories reinforces why continuing this program is so important. Without access to forensic nursing services, these individuals may not receive the compassionate care they need, and opportunities for justice may be lost.

Today we have an opportunity to send a clear message that victims of domestic violence, child abuse and neglect in our state matter, their stories matter, and their healing matters. I ask for a DO PASS recommendation on SB 2209.

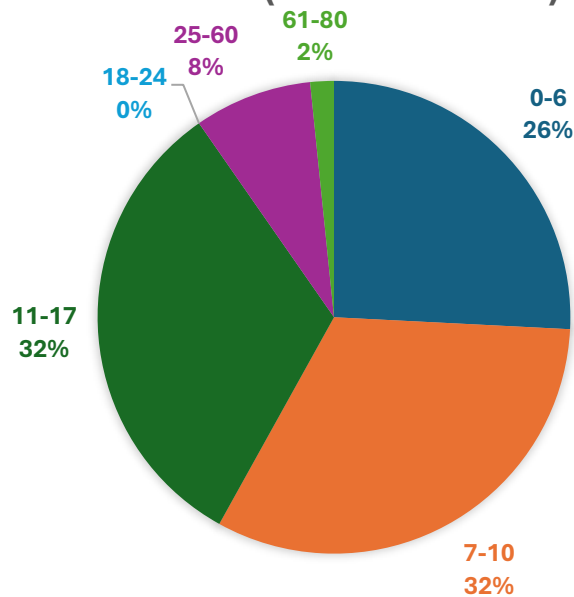
Thank you for your time, your consideration, and your commitment to supporting survivors of violence. I would be happy to answer any questions.

Jonnicka Norick  
Bismarck Site Manager and Lead Forensic Nurse  
Central Dakota Forensic Nurse Examiners

## CENTRAL DAKOTA FORENSIC NURSE EXAMINERS SEXUAL VIOLENCE CASES FOR 2024 TOTAL 252



## DV/CHILD PHYSICAL ABUSE AND NEGLECT TOTAL 62 (FEB-DEC 2024)

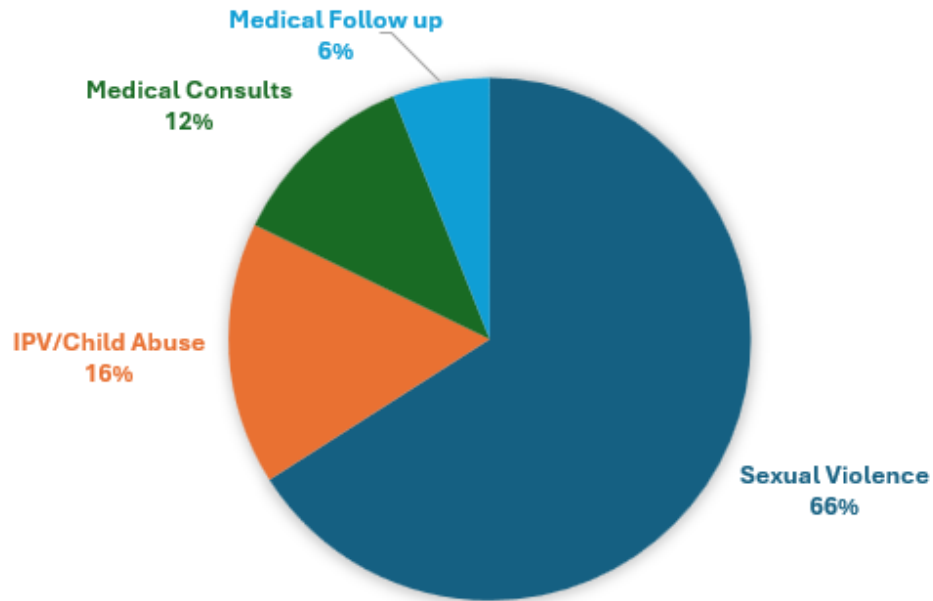


Please note:

The IPV/Child Abuse numbers are for Feb-Dec 2024 only



## CENTRAL DAKOTA FORENSIC NURSE EXAMINERS MEDICAL SERVICES PROVIDED IN 2024



Please note:

In addition to the medical services highlighted in these graphs, CDFNE also provides public education, awareness, and prevention efforts across western North Dakota.



**Kristie Wolff – Communications Coordinator,  
Central Dakota Forensic Nurse Examiners**

**Support SB 2209  
North Dakota Senate Judiciary Committee**

January 27, 2025

Chair Larson and members of the Senate Judiciary Committee, my name is Kristie Wolff, I am the Communications Coordinator for Central Dakota Forensic Nurse Examiners (CDFNE).

I am testifying today in support of SB 2209, which makes critical updates to forensic medical services for victims of sexual assault, domestic violence, child abuse, and neglect in North Dakota.

CDFNE is a North Dakota based non-profit organization providing forensic medical services to children and adult survivors of sexual violence, domestic violence, physical abuse and neglect in western North Dakota. Our organization serves 23 counties, with our headquarters in Bismarck. Our team of 23 Forensic Nurses work with a variety of partners including law enforcement, advocacy agencies, social services, children's advocacy centers, and hospitals as part of local multidisciplinary response teams. These partnerships ensure that victims receive comprehensive, coordinated care while supporting the investigation and prosecution of crimes.

Forensic nursing is a highly specialized field at the intersection of nursing, forensic science, and the legal system. At CDFNE, our nurses undergo extensive training to provide trauma-informed care tailored to the needs of survivors while also collecting evidence in a manner that meets legal standards. This dual role allows them not only to offer compassionate medical care but also to serve as expert witnesses in court when needed. Their work plays a vital role in helping victims on their path to healing, holding offenders accountable, and strengthening the safety and well-being of our communities.

**Expanding the Timeframe for Exams**

Currently, under North Dakota law, victims may access acute forensic medical exams up to 96 hours after a sexual assault. This bill would extend that window to 120 hours, a change supported by

research and aligned with best practices outlined in the National Best Practices for Sexual Assault Kits released by the US Department of Justice in 2017. (see attachment) This timeframe will also align with the newest edition of the ND Sexual Assault Response Protocol which was drafted by statewide partners in 2024.

### **Making the Pilot Program Permanent**

During the 2023 Legislative session, a pilot program was approved to expand access to forensic medical services to include victims of domestic violence, physical abuse, and neglect. Under that pilot program CDFNE expanded services in our Bismarck and Williston regions, which cover ten counties. (Burleigh, Morton, Kidder, Grant, Emmons, Sheridan, Sioux, Williams, McKenzie and Divide).

The work we accomplished under the program included development of protocols and policies, providing our nurses with additional training, and coordinating with members of our multidisciplinary teams in each region. We launched services to victims in February of 2024 and provided care to 62 victims over the 10-month period ending in December of 2024. The pilot program demonstrated the demand for these expanded services and the capacity of our forensic nurses to meet that need effectively. If SB 2209 is passed, we will be able to continue services and expand this work to our other two regions.

SB 2209 would make the pilot program a permanent part of the work we do in North Dakota to support victims on their road to healing and justice. The changes in this bill may seem simple, but the positive impact to victims and the safety of our communities is significant. By extending the timeframe for exams and making the expanded services permanent, we will ensure that no victim is left without access to care, evidence collection, or the opportunity to seek accountability. Therefore, today I am asking you to give a DO PASS recommendation on SB 2209.

Thank you for your time. I'm happy to answer any questions.

Kristie Wolff  
kristie.cdfne@midconetwork.com  
701-751-4884



# National Best Practices for Sexual Assault Kits: A Multidisciplinary Approach



- ✓ The purpose of collecting samples for the kit.
- ✓ How the kit may be used in the investigative process.
- ✓ That consent can be given or withdrawn by the victim to individual parts or the entire medical-forensic exam.
- ✓ The processes and associated time frames for testing kits.
- ✓ Victim notification of kit testing results (e.g., DNA).

## Timing of Sample Collection in Living Victims

Forensic DNA evidence deteriorates with time. Therefore, it is imperative that sexual assault evidence be collected as soon as possible.<sup>26</sup> This evidence should be collected regardless of the victim's post-assault activities (e.g., showering, urinating, douching, swimming, sexual activity, eating, or drinking). Sexual assault samples should be collected from any victim seeking care as soon as possible and up to five (5) days or longer post-assault.<sup>27</sup> Due to advancements in technology, emerging research indicates there may be potential to extend the time frame to nine (9) days post-assault in the living patient.<sup>28</sup> Regardless of the time frame, reimbursement should be provided for the medical-forensic exam.<sup>29</sup> Because laboratories have varying capabilities, the forensic laboratory designated to conduct the DNA testing should be consulted.

### **RECOMMENDATION 7:**

*Guided by the victim history, sexual assault samples should be collected from any victim seeking care as soon as possible and up to five (5) days or longer post-assault. Regardless of the time frame, reimbursement should be provided for the medical-forensic exam.*

Although the detection and characterization of body fluids in a forensic laboratory has not changed considerably over time, DNA testing has dramatically increased in sensitivity. Based on the victim's history, potential body fluids should be collected from those areas where DNA of the possible perpetrator may have been left. Each of these collection areas has a different

<sup>26</sup> It should be understood that time frames for sample collection do not extend to medical care. There is no time limit for a victim to present for medical care post-assault, for concerns related to sexually transmitted infection exposure, pregnancy, and/or other health consequences of sexual assault.

<sup>27</sup> While time frames for sample collection tend to fall between 96 and 120 hours in the majority of jurisdictions, the Department of Defense currently extends their collection period to 7 days (Victim Instructions, DD2911, p. 1). See also, *A National Protocol for Sexual Assault Medical Forensic Examinations—Adults/Adolescents* (2nd Ed.), at page 8; *SWGDAAM Recommendations for the Efficient DNA Processing of Sexual Assault Evidence Kits*.

<sup>28</sup> P. Speck and J. Ballantyne, *Post-Coital DNA Recovery* (December 2014), NIJ grant no. 2009-DN-BX-0023; available at <https://www.ncjrs.gov/pdffiles1/nij/grants/248682.pdf>.

<sup>29</sup> In some jurisdictions, legislation exists that creates limitations to the medical-forensic exam provision in that it ties reimbursement to narrower time frames than are otherwise indicated by national guidance, health care recommendations, or current research (e.g., collection of samples beyond 72 hours post-assault).

**To:** Chair Larson and Members of the Senate Judiciary Committee  
**From:** Senator Sean Cleary, District 35 — Bismarck, Bill Sponsor  
**Date:** January 27, 2025  
**Subject:** Testimony in Support of SB 2209: Enhancing Forensic Medical Services

Dear Chair Larson and Members of the Committee,

Thank you for the opportunity to present SB 2209, which improves forensic medical services for victims of sexual assault, domestic violence, child abuse, and neglect. This bill increases access to trauma-informed care, strengthens evidence collection, and supports law enforcement investigations, ensuring accountability for offenders and justice for victims.

**Key Provisions of SB 2209:**

- **Extending Timeframes for Forensic Medical Exams:**  
Expands the window for exams from 96 to 120 hours for sexual assault victims. This aligns with national best practices and ensures timely care and evidence collection.
- **Making the Pilot Program Permanent:**  
Codifies the 2023 program that expanded services to include domestic violence, physical abuse, and neglect victims. In 2024, this program served 62 victims in 10 counties, demonstrating its success and capacity for statewide expansion.

**Impact:**

SB 2209 strengthens victim care, enhances evidence integrity, and improves collaboration with law enforcement, improving public safety and ensuring victims of sexual assault and domestic violence have access to the services they need.

I respectfully request a “Do-Pass” recommendation. Thank you for your consideration, and I am happy to answer any questions.

Sincerely,

**Sean Cleary**

State Senator, District 35 — Bismarck

C: (701) 426-4618



Senate Judiciary Committee  
Testimony In Support of Senate Bill #2209  
1-27-25

Madame Chair, members of the Senate Judiciary Committee, my name is Greg Kasowski, executive director of the Children's Advocacy Centers of North Dakota. I appear today in support of Senate Bill 2209.

As many of you are aware, Children's Advocacy Centers provide critical services to families affected by child sexual abuse, physical abuse, neglect, and other forms of child maltreatment. Our core services include forensic interviews, mental health therapy, victim advocacy, and case coordination with our multidisciplinary team partners. For medical exams, we partner with several hospital-based and community-based medical agencies across the state to offer this critical service to children and families.

SB 2209 benefits victims of child abuse and their families. It will:

1. Improve the consistency and quality of evidence collection in child physical abuse cases.
2. Address service gaps by expanding access for families to forensic medical exams for child physical abuse.
3. Uphold our community's shared value that victims of physical abuse should not have to pay for their own forensic medical exams.

I respectfully ask the committee to recommend a DO PASS to SB 2209, and I will stand for any questions.

Sincerely,  
Greg Kasowski  
Executive Director

Children's Advocacy Centers of North Dakota

[www.CACND.org](http://www.CACND.org)  
[director@cacnd.org](mailto:director@cacnd.org)  
701.587-1229



# 2025 SENATE STANDING COMMITTEE MINUTES

## Judiciary Committee Peace Garden Room, State Capitol

SB 2209  
1/27/2025

Relating to the expansion of medical examinations of victims of criminal conduct.
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11:56 a.m. Vice Chairman Paulson opened the hearing.

Members present:

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

### Discussion Topics:

- Committee Action

11:56 a.m. Senator Paulson introduced Senator Cleary's proposed amendment and submitted testimony #38404.

11:57 a.m. Senator Myrdal moved amendment LC# 25.0929.01002, testimony #38404.

11:57 a.m. Senator Braunberger seconded.

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

Motion Carried 6-0-1

11:58 a.m. Senator Myrdal moved a Do Pass as amended.

11:58 a.m. Senator Braunberger seconded.

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

Motion Carried 6-0-1



11:58 a.m. Senator Myrdal will carry the bill.

12:00 p.m. Vice Chairman Paulson closed the hearing.

*Kendra McCann, Committee Clerk*

Reconsidered SB 2209 on 1/28/2025.

Sixty-ninth  
Legislative Assembly  
of North Dakota

**PROPOSED AMENDMENTS TO**

**SENATE BILL NO. 2209**

Introduced by

Senators Cleary, Larson

Representatives Hanson, O'Brien, Satrom, Schneider

*fg 1-27-25*  
*1 of 2*

1 A BILL for an Act to amend and reenact section 12.1-34-07 of the North Dakota Century Code,  
2 relating to the expansion of medical examinations of victims of criminal conduct, and to provide  
3 an appropriation.

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

5 **SECTION 1. AMENDMENT.** Section 12.1-34-07 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **12.1-34-07. Medical screening and acute forensic medical examinations costs -**  
8 **Reimbursement by attorney general - Use of evidence.**

- 9 1. An acute forensic medical examination is an examination performed on an alleged  
10 victim of criminal sexual conduct or domestic violence for the purpose of gathering  
11 evidence of an alleged crime and is performed within ~~ninety-six~~ one hundred twenty  
12 hours after the alleged crime unless good cause is shown for the delay in performing  
13 the examination. When an acute forensic medical examination is performed, the costs  
14 incurred by a health care facility or health care professional for performing the acute  
15 forensic medical examination or any preliminary medical screening examination may  
16 not be charged, either directly or through a third-party payer, to the alleged victim.
- 17 2. A child forensic medical examination is an examination performed on an alleged child  
18 victim of criminal sexual conduct, physical abuse, or neglect for the purpose of  
19 gathering evidence of an alleged crime. When a child forensic medical examination is  
20 performed, the costs incurred by a health care facility or health care professional for

1 performing the child forensic medical examination or any preliminary medical  
2 screening examination may not be charged, either directly or through a third-party  
3 payer, to the alleged child victim or the child's parent, guardian, or custodian.

4 3. Upon submission of appropriate documentation, the attorney general, within the limits  
5 of legislative appropriations, shall reimburse the health care facility or a health care  
6 professional for the reasonable costs incurred in performing the medical screening and  
7 acute forensic medical examination. The attorney general, subject to legislative  
8 appropriations, shall reimburse each accredited children's advocacy center located in  
9 the state for a forensic interview that is not reimbursable by Medicaid or crime victims  
10 compensation.

11 4. Evidence obtained during a medical examination under this section may not be used  
12 against an alleged victim for the prosecution of the alleged victim for a separate  
13 offense.

14 **SECTION 2. APPROPRIATION - ATTORNEY GENERAL - DOMESTIC VIOLENCE**

15 **FORENSIC MEDICAL EXAMINATION GRANT PROGRAM - REPORTS.** There is appropriated  
16 out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum  
17 of \$200,000, or so much of the sum as may be necessary, to the attorney general for the  
18 purpose of of providing domestic violence forensic medical examination program grants for  
19 community-based or hospital-based domestic violence examiner programs and related  
20 administrative costs, for the biennium beginning July 1, 2025, and ending June 30, 2027. Any  
21 organization that receives a grant under this section shall report to the attorney general and the  
22 appropriations committees of the seventieth legislative assembly on the use of the funds  
23 received and the outcomes of its programs. The attorney general shall report to the  
24 appropriations committees of the seventieth legislative assembly on the number of nurses  
25 trained, the number and location of nurses providing services related to domestic violence  
26 forensic medical examination programs, and documentation of collaborative efforts to assist  
27 victims, which includes nurses, the hospital or clinic, law enforcement, and state's attorneys.

25.0929.01002  
Title.02000

Prepared by the Legislative Council  
staff for Senator Cleary  
January 27, 2025

Sixty-ninth  
Legislative Assembly  
of North Dakota

## PROPOSED AMENDMENTS TO

### SENATE BILL NO. 2209

Introduced by

Senators Cleary, Larson

Representatives Hanson, O'Brien, Satrom, Schneider

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- 17 2. A child forensic medical examination is an examination performed on an alleged child  
18 victim of criminal sexual conduct, physical abuse, or neglect for the purpose of  
19 gathering evidence of an alleged crime. When a child forensic medical examination is  
20 performed, the costs incurred by a health care facility or health care professional for



performing the child forensic medical examination or any preliminary medical screening examination may not be charged, either directly or through a third-party payer, to the alleged child victim or the child's parent, guardian, or custodian.

3. Upon submission of appropriate documentation, the attorney general, within the limits of legislative appropriations, shall reimburse the health care facility or a health care professional for the reasonable costs incurred in performing the medical screening and acute forensic medical examination. The attorney general, subject to legislative appropriations, shall reimburse each accredited children's advocacy center located in the state for a forensic interview that is not reimbursable by Medicaid or crime victims compensation.

4. Evidence obtained during a medical examination under this section may not be used against an alleged victim for the prosecution of the alleged victim for a separate offense.

## **SECTION 2. APPROPRIATION - ATTORNEY GENERAL - DOMESTIC VIOLENCE**

**FORENSIC MEDICAL EXAMINATION GRANT PROGRAM - REPORTS.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$200,000, or so much of the sum as may be necessary, to the attorney general for the purpose of providing domestic violence forensic medical examination program grants for community-based or hospital-based domestic violence examiner programs and related administrative costs, for the biennium beginning July 1, 2025, and ending June 30, 2027. Any organization that receives a grant under this section shall report to the attorney general and the appropriations committees of the seventieth legislative assembly on the use of the funds received and the outcomes of its programs. The attorney general shall report to the appropriations committees of the seventieth legislative assembly on the number of nurses trained, the number and location of nurses providing services related to domestic violence forensic medical examination programs, and documentation of collaborative efforts to assist victims, which includes nurses, the hospital or clinic, law enforcement, and state's attorneys.

# 2025 SENATE STANDING COMMITTEE MINUTES

## Judiciary Committee Peace Garden Room, State Capitol

SB 2209  
1/28/2025

Relating to the expansion of medical examinations of victims of criminal conduct.
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2:50 p.m. Chair Larson opened the hearing.

Members present:

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

### Discussion Topics:

- Committee Action

2:50 p.m. Chairman Larson introduced Senator Cleary's proposed amendment LC# 25.0929.01004, testimony #38402.

2:51 p.m. Senator Myrdal moved to Reconsider.

2:51 p.m. Senator Castaneda seconded.

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

Motion Passed 7-0-0.

2:54 p.m. Senator Myrdal moved amendment LC# 25.0929.01002.

2:54 p.m. Senator Braunberger seconded.

Voice Vote - Motion Passed.

2:55 p.m. Senator Luick moved as Do Pass as amended and rerefer to Appropriation committee.

2:55 p.m. Senator Myrdal seconded the motion.

<b>Senators</b>	<b>Vote</b>
Senator Diane Larson	Y
Senator Bob Paulson	Y
Senator Ryan Braunberger	Y
Senator Jose L. Casteneda	Y
Senator Claire Cory	Y
Senator Larry Luick	Y
Senator Janne Myrdal	Y

Motion Passed 7-0-0.

2:56 p.m. Senator Myrdal will carry the bill.

2:56 p.m. Chair Larson closed the hearing.

*Kendra McCann, Committee Clerk*

25.0929.01004  
Title.

Prepared by the Legislative Council  
staff for Senator Cleary  
January 28, 2025

Sixty-ninth  
Legislative Assembly  
of North Dakota

## PROPOSED AMENDMENTS TO

### SENATE BILL NO. 2209

Introduced by

Senators Cleary, Larson

Representatives Hanson, O'Brien, Satrom, Schneider

1 A BILL for an Act to amend and reenact section 12.1-34-07 of the North Dakota Century Code,  
2 relating to the expansion of medical examinations of victims of criminal conduct, and to provide  
3 an appropriation.

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

5 **SECTION 1. AMENDMENT.** Section 12.1-34-07 of the North Dakota Century Code is  
6 amended and reenacted as follows:

7 **12.1-34-07. Medical screening and acute forensic medical examinations costs -**  
8 **Reimbursement by attorney general - Use of evidence.**

- 9 1. An acute forensic medical examination is an examination performed on an alleged  
10 victim of criminal sexual conduct or domestic violence for the purpose of gathering  
11 evidence of an alleged crime and is performed within ~~ninety-six~~ one hundred twenty  
12 hours after the alleged crime unless good cause is shown for the delay in performing  
13 the examination. When an acute forensic medical examination is performed, the costs  
14 incurred by a health care facility or health care professional for performing the acute  
15 forensic medical examination or any preliminary medical screening examination may  
16 not be charged, either directly or through a third-party payer, to the alleged victim.
- 17 2. A child forensic medical examination is an examination performed on an alleged child  
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19 gathering evidence of an alleged crime. When a child forensic medical examination is  
20 performed, the costs incurred by a health care facility or health care professional for



1 performing the child forensic medical examination or any preliminary medical  
2 screening examination may not be charged, either directly or through a third-party  
3 payer, to the alleged child victim or the child's parent, guardian, or custodian.

4 3. Upon submission of appropriate documentation, the attorney general, within the limits  
5 of legislative appropriations, shall reimburse the health care facility or a health care  
6 professional for the reasonable costs incurred in performing the medical screening and  
7 acute forensic medical examination. The attorney general, subject to legislative  
8 appropriations, shall reimburse each accredited children's advocacy center located in  
9 the state for a forensic interview that is not reimbursable by Medicaid or crime victims  
10 compensation.

11 4. Evidence obtained during a medical examination under this section may not be used  
12 against an alleged victim for the prosecution of the alleged victim for a separate  
13 offense.

14 **SECTION 2. APPROPRIATION - ATTORNEY GENERAL - DOMESTIC VIOLENCE**

15 **FORENSIC MEDICAL EXAMINATION PROGRAM - REPORTS.** There is appropriated out of  
16 any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of  
17 \$200,000, or so much of the sum as may be necessary, to the attorney general in a domestic  
18 violence examinations line item for the purpose of the domestic violence forensic medical  
19 examination program for community-based or hospital-based domestic violence examiner  
20 programs and related administrative costs, for the biennium beginning July 1, 2025, and ending  
21 June 30, 2027. Any organization that receives funding under this section shall report to the  
22 attorney general and the appropriations committees of the seventieth legislative assembly on  
23 the use of the funds received and the outcomes of its programs. The attorney general shall  
24 report to the appropriations committees of the seventieth legislative assembly on the number of  
25 victims receiving domestic violence forensic medical examinations and documentation of  
26 collaborative efforts to assist victims, which includes nurses, the hospital or clinic, law  
27 enforcement, and state's attorneys.

**REPORT OF STANDING COMMITTEE  
ENGROSSED SB 2209**

**Judiciary Committee (Sen. Larson, Chairman)** recommends **AMENDMENTS** ([25.0929.01002](#)) and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (7 YEAS, 0 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING). SB 2209 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

SB 2209

The amendment on which the Judiciary Committee voted was LC# 25.0929.01004, which amended the original, rather than the engrossed, version of SB 2209.

The Senate Appropriations Committee incorporated this amendment in its recommendation of amendment LC# 25.0929.02001.

25.0929.01004  
Title.

Prepared by the Legislative Council  
staff for Senator Cleary  
January 28, 2025

Sixty-ninth  
Legislative Assembly  
of North Dakota

## PROPOSED AMENDMENTS TO

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**2025 SENATE APPROPRIATIONS**

**SB 2209**

# 2025 SENATE STANDING COMMITTEE MINUTES

## Appropriations - Human Resources Division Harvest Room, State Capitol

SB 2209  
2/5/2025

Relating to the expansion of medical examinations of victims of criminal conduct; and to provide an appropriation.

2:23 p.m. Chairman Dever called the meeting to order.

Members Present: Chairman Dever, Senators Cleary, Davison, Magrum, and Mathern

### Discussion Topics:

- Pilot Program
- Pilot Program Statistics
- Child Forensic Medical Examination
- Evidence Collection
- Collection Time
- Domestic Violence
- Child Abuse
- Committee Action

2:23 p.m. Senator Cleary testified and submitted testimony #35384, #33839 and #33841.

2:32 p.m. Kristie Wolff, Communications Coordinator, Central Dakota Forensic Nurse Examiners, testified in favor and submitted testimony #35465.

2:40 p.m. Tisha Scheuer, Executive Director, Central Dakota Forensic Nurse Examiners, testified in favor.

2:45 p.m. Senator Cleary moved amendment LC 25.0929.02001.

2:45 p.m. Senator Mathern seconded the motion.

2:45 p.m. Voice Vote - Motion passed.

2:46 p.m. Senator Cleary moved a Do Pass as Amended.

2:46 p.m. Senator Mathern seconded the motion.

Roll Call Vote:

Senators	Vote
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Senator Dick Dever	Y
Senator Sean Cleary	Y
Senator Kyle Davison	Y
Senator Jeffery J. Magrum	Y
Senator Tim Mathern	Y

Motion passed 5-0-0.

Senator Cleary will carry the bill.

2:49 p.m. Chairman Dever closed the hearing.

*Joan Bares, Committee Clerk*



25.0929.01002  
Title.02000

Prepared by the Legislative Council  
staff for Senator Cleary  
January 27, 2025

Sixty-ninth  
Legislative Assembly  
of North Dakota

## PROPOSED AMENDMENTS TO

*Re considered*

### SENATE BILL NO. 2209

Introduced by

Senators Cleary, Larson

Representatives Hanson, O'Brien, Satrom, Schneider

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3. Upon submission of appropriate documentation, the attorney general, within the limits of legislative appropriations, shall reimburse the health care facility or a health care professional for the reasonable costs incurred in performing the medical screening and acute forensic medical examination. The attorney general, subject to legislative appropriations, shall reimburse each accredited children's advocacy center located in the state for a forensic interview that is not reimbursable by Medicaid or crime victims compensation.
4. Evidence obtained during a medical examination under this section may not be used against an alleged victim for the prosecution of the alleged victim for a separate offense.

## **SECTION 2. APPROPRIATION - ATTORNEY GENERAL - DOMESTIC VIOLENCE**

**FORENSIC MEDICAL EXAMINATION GRANT PROGRAM - REPORTS.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$200,000, or so much of the sum as may be necessary, to the attorney general for the purpose of providing domestic violence forensic medical examination program grants for community-based or hospital-based domestic violence examiner programs and related administrative costs, for the biennium beginning July 1, 2025, and ending June 30, 2027. Any organization that receives a grant under this section shall report to the attorney general and the appropriations committees of the seventieth legislative assembly on the use of the funds received and the outcomes of its programs. The attorney general shall report to the appropriations committees of the seventieth legislative assembly on the number of nurses trained, the number and location of nurses providing services related to domestic violence forensic medical examination programs, and documentation of collaborative efforts to assist victims, which includes nurses, the hospital or clinic, law enforcement, and state's attorneys.

← View All Bills

69th Legislative Assembly (2025-27)

**SB 2209**

 Amendment  
 Engrossment  
 HJ House Journal  
 SPA  
 Fiscal Note  
 SJ Senate Journal

Overview

Versions


Actions

Video

Hearings

Testimony

Search:

DATE ▾	CHAMBER ▾	DESCRIPTION ▾	VERSION ▾	ROLL CALL	JOURNAL ▾
01/15	Senate	Introduced, first reading, referred to Judiciary	25.0929.01000		SJ 169
01/27	Senate	Committee Hearing 10:00			
01/29	Senate	Reported back amended, do pass, amendment placed on calendar 601	25.0929.01002 		SJ 295
01/30	Senate	Amendment adopted			SJ 302
01/30	Senate	Rereferred to Appropriations			SJ 302

*. 01004 recommended by Judiciary Committee*

Showing 1 to 5 of 5 entries



25.0929.01004  
Title.03000

Prepared by the Legislative Council  
staff for Senator Cleary

January 28, 2025

Sixty-ninth  
Legislative Assembly  
of North Dakota

## PROPOSED AMENDMENTS TO

*Send to HS  
Division*

### SENATE BILL NO. 2209

Introduced by

Senators Cleary, Larson

Representatives Hanson, O'Brien, Satrom, Schneider

*Need to  
adopt this  
amendment  
version in  
Approps*

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25.0929.02001  
Title.

Prepared by the Legislative Council  
staff

February 3, 2025

Sixty-ninth  
Legislative Assembly  
of North Dakota

## **PROPOSED AMENDMENTS TO FIRST ENGROSSMENT**

### **ENGROSSED SENATE BILL NO. 2209**

Introduced by

Senators Cleary, Larson

Representatives Hanson, O'Brien, Satrom, Schneider

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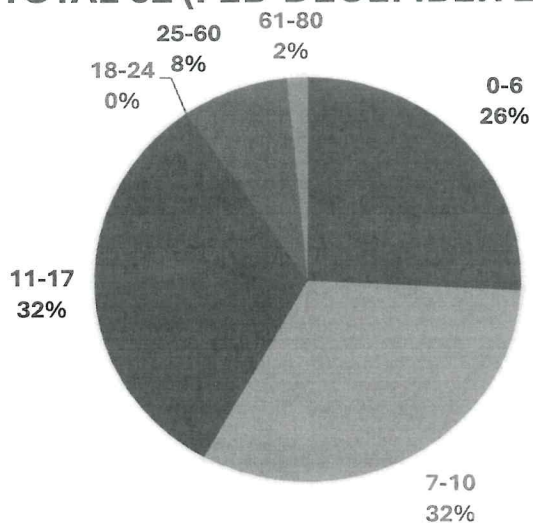
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SB2209  
2-5-25**BISMARCK DV/CHILD PHYSICAL ABUSE AND  
NEGLECT****TOTAL 62 (FEB-DECEMBER 2024)**

Please note:

The IPV/Child Abuse numbers are for Feb-December 2024 only



# 2025 SENATE STANDING COMMITTEE MINUTES

## Appropriations Committee Harvest Room, State Capitol

SB 2209  
2/10/2025

A BILL for an Act to amend and reenact section 12.1-34-07 of the North Dakota Century Code, relating to the expansion of medical examinations of victims of criminal conduct; and to provide an appropriation.

10:02 a.m. Chairman Bekkedahl opened the hearing.

Members Present: Chairman Bekkedahl, and Senators Burckhard, Cleary, Conley, Davison, Dever, Dwyer, Magrum, Mathern, Meyer, Schaible, Sickler, Sorvaag, Thomas, Wanzek.

Members Absent: Vice-Chairman Erbele.

### Discussion Topics:

- Language Clarification
- Committee Action

10:02 a.m. Senator Cleary introduced the bill, the amendment LC 25.0929.02001, and submitted testimony #36722.

10:07 a.m. Senator Cleary moved amendment LC 25.0929.02001.

10:07 a.m. Senator Dever seconded the motion.

Senators	Vote
Senator Brad Bekkedahl	Y
Senator Robert Erbele	A
Senator Randy A. Burckhard	Y
Senator Sean Cleary	Y
Senator Cole Conley	Y
Senator Kyle Davison	Y
Senator Dick Dever	Y
Senator Michael Dwyer	Y
Senator Jeffery J. Magrum	Y
Senator Tim Mathern	Y
Senator Scott Meyer	Y
Senator Donald Schaible	Y
Senator Jonathan Sickler	Y
Senator Ronald Sorvaag	Y
Senator Paul J. Thomas	Y
Senator Terry M. Wanzek	Y

Motion Passed 15-0-1.

10:08 a.m. Senator Cleary moved a Do Pass as Amended.

10:08 a.m. Senator Dever seconded the motion.

<b>Senators</b>	<b>Vote</b>
Senator Brad Bekkedahl	Y
Senator Robert Erbele	A
Senator Randy A. Burckhard	Y
Senator Sean Cleary	Y
Senator Cole Conley	Y
Senator Kyle Davison	Y
Senator Dick Dever	Y
Senator Michael Dwyer	Y
Senator Jeffery J. Magrum	Y
Senator Tim Mathern	Y
Senator Scott Meyer	Y
Senator Donald Schaible	Y
Senator Jonathan Sickler	Y
Senator Ronald Sorvaag	Y
Senator Paul J. Thomas	Y
Senator Terry M. Wanzek	Y

Motion Passed 15-0-1.

Senator Myrdal will carry the bill.

10:13 a.m. Chairman Bekkedahl adjourned the meeting.

*Elizabeth Reiten, Committee Clerk*

February 3, 2025

Sixty-ninth  
Legislative Assembly  
of North Dakota

**PROPOSED AMENDMENTS TO  
FIRST ENGROSSMENT**

**ENGROSSED SENATE BILL NO. 2209**

Introduced by

Senators Cleary, Larson

Representatives Hanson, O'Brien, Satrom, Schneider

2-10-25  
fb lob 2

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JB 2002

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**REPORT OF STANDING COMMITTEE  
ENGROSSED SB 2209**

**Appropriations Committee (Sen. Bekkedahl, Chairman)** recommends **AMENDMENTS** ([25.0929.02001](#)) and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2209 was placed on the Sixth order on the calendar. This bill does not affect workforce development.



25.0929.02001  
Title.

Prepared by the Legislative Council  
staff

February 3, 2025

Sixty-ninth  
Legislative Assembly  
of North Dakota

**PROPOSED AMENDMENTS TO  
FIRST ENGROSSMENT**

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- 17 2. A child forensic medical examination is an examination performed on an alleged child  
18 victim of criminal sexual conduct, physical abuse, or neglect for the purpose of  
19 gathering evidence of an alleged crime. When a child forensic medical examination is  
20 performed, the costs incurred by a health care facility or health care professional for

- 1 performing the child forensic medical examination or any preliminary medical  
2 screening examination may not be charged, either directly or through a third-party  
3 payer, to the alleged child victim or the child's parent, guardian, or custodian.
- 4 3. Upon submission of appropriate documentation, the attorney general, within the limits  
5 of legislative appropriations, shall reimburse the health care facility or a health care  
6 professional for the reasonable costs incurred in performing the medical screening and  
7 acute forensic medical examination. The attorney general, subject to legislative  
8 appropriations, shall reimburse each accredited children's advocacy center located in  
9 the state for a forensic interview that is not reimbursable by Medicaid or crime victims  
10 compensation.
- 11 4. Evidence obtained during a medical examination under this section may not be used  
12 against an alleged victim for the prosecution of the alleged victim for a separate  
13 offense.

14 **SECTION 2. APPROPRIATION - ATTORNEY GENERAL - DOMESTIC VIOLENCE**

15 **FORENSIC MEDICAL EXAMINATION ~~GRANT~~ PROGRAM - REPORTS.** There is appropriated  
16 out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum  
17 of \$200,000, or so much of the sum as may be necessary, to the attorney general in a domestic  
18 violence examinations line item for the purpose of ~~of providing the~~ domestic violence forensic  
19 medical examination program ~~grants~~ for community-based or hospital-based domestic violence  
20 examiner programs and related administrative costs, for the biennium beginning July 1, 2025,  
21 and ending June 30, 2027. Any organization that receives ~~a grant~~ funding under this section  
22 shall report to the attorney general and the appropriations committees of the seventieth  
23 legislative assembly on the use of the funds received and the outcomes of its programs. The  
24 attorney general shall report to the appropriations committees of the seventieth legislative  
25 assembly on the number of ~~nurses trained, the number and location of nurses providing~~  
26 ~~services related to~~ victims receiving domestic violence forensic medical ~~examination~~  
27 ~~programs,~~ examinations and documentation of collaborative efforts to assist victims, which  
28 includes nurses, the hospital or clinic, law enforcement, and state's attorneys.

**2025 HOUSE JUDICIARY**

**SB 2209**



# 2025 HOUSE STANDING COMMITTEE MINUTES

**Judiciary Committee**  
Room JW327B, State Capitol

SB 2209  
3/5/2025

A BILL for an Act to amend and reenact section 12.1-34-07 of the North Dakota Century Code, relating to the expansion of medical examinations of victims of criminal conduct; and to provide an appropriation.

11:06 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:**

- Forensic nurse training and responsibilities
- Process of contacting forensic nurses

11:06 a.m. Senator Sean Cleary, North Dakota Senator for District 35, introduced the bill and provided testimony #38492.

11:10 a.m. Kristie Wolff, Communications Coordinator at Central Dakota Forensic Nurse Examiners, testified in favor and provided testimony #38678.

11:18 a.m. Greg Kasowski, Executive Director of Children's Advocacy Centers of North Dakota, testified in favor and provided testimony #38642.

11:19 a.m. Seth O'Neill, Executive Director for North Dakota Domestic & Sexual Violence Coalition, testified in favor and provided testimony #38631.

11:20 a.m. Stephanie Engebretson, North Dakota Chiefs of Police Association, testified in favor.

11:21 a.m. Jonnica Norick, Lead Forensic Nurse and Bismarck Site Manager at Central Dakota Forensic Nurse Examiners, testified in favor and provided testimony #38677.

11:28 a.m. Chairman Klemin closed the hearing.

*Wyatt Armstrong, Committee Clerk*

**To:** Chair Klemin and Members of the House Judiciary Committee  
**From:** Senator Sean Cleary, District 35 — Bismarck, Bill Sponsor  
**Date:** February 28, 2025  
**Subject:** Testimony in Support of SB 2209: Enhancing Forensic Medical Services

Dear Chair Larson and Members of the Committee,

Thank you for the opportunity to present SB 2209, which improves forensic medical services for victims of sexual assault, domestic violence, child abuse, and neglect. This bill increases access to trauma-informed care, strengthens evidence collection, and supports law enforcement investigations, ensuring accountability for offenders and justice for victims.

**Key Provisions of SB 2209:**

- **Extending Timeframes for Forensic Medical Exams:**  
Expands the window for exams from 96 to 120 hours for sexual assault victims. This aligns with national best practices and ensures timely care and evidence collection.
- **Making the Pilot Program Permanent:**  
Codifies the 2023 program that expanded services to include domestic violence, physical abuse, and neglect victims. In 2024, this program served 62 victims in 10 counties, demonstrating its success and capacity for statewide expansion.
- This bill includes an appropriation of \$200,000. This reflects the costs that are incurred when the exams are performed and ensures victims are not paying out of pocket for these services.

**Impact:**

SB 2209 strengthens victim care, enhances evidence integrity, and improves collaboration with law enforcement, improving public safety and ensuring victims of sexual assault and domestic violence have access to the services they need.

I respectfully request a “Do-Pass” recommendation. Thank you for your consideration, and I am happy to answer any questions.

Sincerely,

**Sean Cleary**

State Senator, District 35 — Bismarck

C: (701) 426-4618



521 E Main Ave, Suite 320  
Bismarck, ND 58501

Phone: 701.255.6240  
Toll Free: 888.255.6240

[nddsvc.org](http://nddsvc.org)  
[contact@nddsvc.org](mailto:contact@nddsvc.org)

**Senate Bill No. 2209**  
**House Judiciary Committee**  
**Testimony Presented Seth O'Neill, JD, MSW**  
**Email: [soneill@nddsvc.org](mailto:soneill@nddsvc.org)**  
**March 5, 2025**

Chairman Klemin and members of the House Judiciary Committee, my name is Seth O'Neill and I am representing the North Dakota Domestic & Sexual Violence Coalition in support of SB 2209.

This bill would modify the language in the acute forensic medical examination portion of the North Dakota Century Code to include domestic violence crimes in addition to sexual violence related crimes which are already in law. Acute forensic medical examinations for domestic violence crimes can provide important evidence to be used in a criminal trial. After approving a pilot program last legislative session, we think it is important to now include domestic violence crimes in the acute forensic medical examination reimbursement program.

In addition, this bill would make an important change in allowing a provider to seek reimbursement for an exam that is conducted within 120 hours of the crime instead of the current 96 hours. Acute forensic medical examinations conducted within 120 hours of a crime can still yield valuable DNA evidence. It is important that providers be encouraged to collect DNA evidence within this timeframe. NDDSV in conjunction with the North Dakota Attorney General's Office is in the process of finalizing the sixth edition of the North Dakota Sexual Assault Evidence Collection Protocol. The sixth edition of the protocol also supports the increase to timeframe for acute forensic medical examinations.

Due to these reasons, we encourage the committee to give SB 2209 a Do-Pass Recommendation. I appreciate your time and I am happy to answer any questions you may have. Thank You.





House Judiciary Committee  
Testimony In Support of Senate Bill #2209  
3-5-25

Mr. Chairman, members of the House Judiciary Committee, my name is Greg Kasowski, executive director of the Children's Advocacy Centers of North Dakota. I appear today in support of Senate Bill 2209.

Children's Advocacy Centers provide critical services to families affected by child sexual abuse, physical abuse, neglect, and other forms of child maltreatment. Our core services include forensic interviews, mental health therapy, victim advocacy, and case coordination with our multidisciplinary team partners. For medical exams, we partner with several hospital-based and community-based medical agencies across the state to offer this critical service to children and families.

SB 2209 benefits victims of child abuse and their families. It will:

1. Improve the consistency and quality of evidence for child physical abuse cases.
2. Address service gaps by expanding access for families to forensic medical exams for child physical abuse.
3. Uphold our community's shared value that victims of physical abuse should not have to pay for their own forensic medical exams.

I respectfully ask the committee to recommend a DO PASS to SB 2209, and I will stand for any questions.

Sincerely,  
Greg Kasowski  
Executive Director

Children's Advocacy Centers of North Dakota

[www.CACND.org](http://www.CACND.org)  
[director@cacnd.org](mailto:director@cacnd.org)  
701.587-1229





## **Support SB 2209**

### **North Dakota House Judiciary Committee**

**March 5, 2025**

Chair Klemin and members of the House Judiciary Committee,

My name is Jonnica Norick, and I serve as the Bismarck region site manager and Lead Forensic Nurse for Central Dakota Forensic Nurse Examiners (CDFNE). I am testifying today in support of SB 2209, a bill that will continue critical forensic nursing services for victims of violence across our state.

Today I want to highlight the work forensic nurses in our state do, the survivors we serve, and why continuing this program is not just beneficial, but is essential.

What sets forensic nursing apart is the specialized one-on-one comprehensive trauma informed care we provide to individuals experiencing some of the most traumatic moments of their lives. Our nurses are trained to recognize, document, and respond to injuries caused by sexual violence, strangulation, physical assault, domestic violence, and child abuse or neglect. Our training includes specialized courses in treating adult/adolescent and pediatric patients, clinical training, and ongoing education.

In addition, through the pilot program passed by the ND legislature in 2023, CDFNE nurses completed the Interpersonal Partner Violence Nurse Examiner (IPVNE) certificate program offered by the International Association of Forensic Nurses. This advanced training enhances our ability to provide care to victims of violence and reinforces our role as essential members of multidisciplinary response teams—an evidence-based best practice in addressing violence. Research shows that forensic medical exams conducted by trained forensic nurses improve health outcomes for victims and significantly increase prosecution rates for perpetrators.

Important elements of our work include detailed charting, precise measurements, swabbing for DNA collection, collection of debris evidence, collection of clothing, individual photographs of injuries, and use of specialized equipment such as colposcopes and alternative light sources—elements that are crucial not only for medical care but also for providing tools for victims seeking justice through legal proceedings. These exams are intricate sometimes lasting 6-8 hours, as we aim to provide trauma-informed care that makes victims feel safe, seen, and supported. Forensic Nurses are also trained to testify in court.

Under the pilot program passed by the legislature, CDFNE nurses provided trauma-informed forensic medical exams to 62 individuals experiencing domestic violence, child abuse or neglect from February 1 to December 31, 2024. I've attached a breakdown of these statistics and others to the end of my testimony. These numbers represent real people—children, adults, and families—seeking care after unthinkable experiences. Behind every statistic is a story and I would like to share a few of them:

**Victim #1: Age 78** The victim was admitted to the ICU due to severe injuries after being beaten with a club for approximately 10 minutes. The exam included 149 photos documenting physical abuse injuries, including open wounds on her head that required 14 stitches and a hairline wrist fracture. The victim worked closely with our forensic nursing team and an advocate from their local advocacy agency. The pilot program enabled us to also provide follow-up care, including additional examinations to monitor healing and ongoing support through the advocate.

**Victim #2: Age 16** The victim reported physical abuse in a foster family placement. He described being grabbed by the neck and experiencing difficulty breathing due to pressure applied to his chest. During our examination, we identified tenderness in his collarbone, prompting us to refer him for an X-ray. The imaging confirmed an unhealed collarbone fracture, aligning with the findings from the initial forensic examination.

**Victim #3: Age 4** The victim presented with confirmed abuse, including kicking and hitting, which resulted in bruising across her body. Our documentation included 89 photos of physical abuse. Further examination revealed that her legs had been submerged in scalding hot water, causing burns. Bruising on her neck and ears was consistent with strangulation.

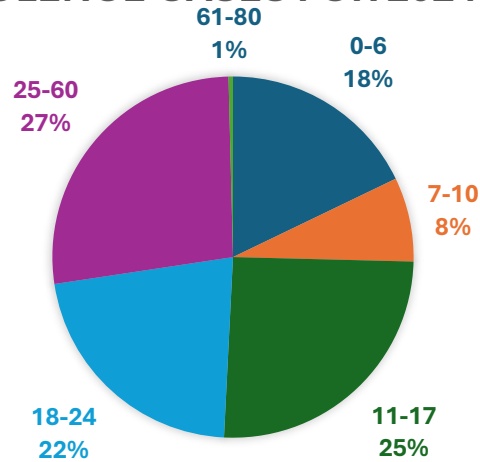
Each of these stories reinforces why continuing this program is so important. Without access to forensic nursing services, these individuals may not receive the compassionate care they need, and opportunities for justice may be lost.

Today we have an opportunity to send a clear message that victims of domestic violence, child abuse and neglect in our state matter, their stories matter, and their healing matters. I ask for a DO PASS recommendation on SB 2209.

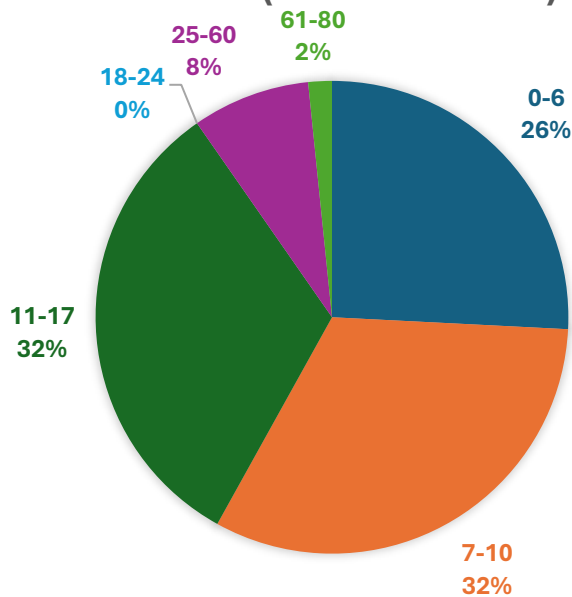
Thank you for your time, your consideration, and your commitment to supporting survivors of violence. I would be happy to answer any questions.

Jonica Norick  
Bismarck Site Manager and Lead Forensic Nurse  
Central Dakota Forensic Nurse Examiners

## CENTRAL DAKOTA FORENSIC NURSE EXAMINERS SEXUAL VIOLENCE CASES FOR 2024 TOTAL 252



## DV/CHILD PHYSICAL ABUSE AND NEGLECT TOTAL 62 (FEB-DEC 2024)

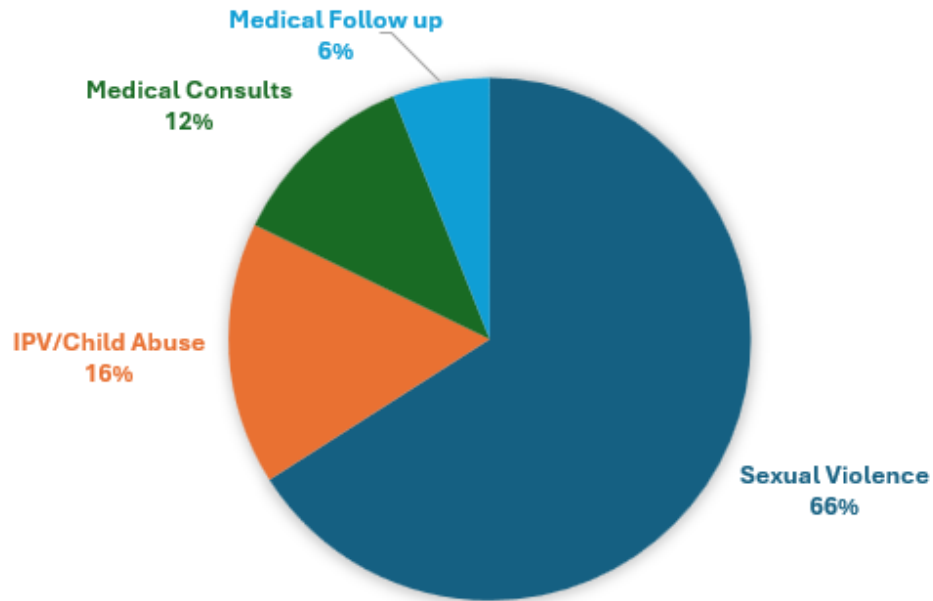


Please note:

The IPV/Child Abuse numbers are for Feb-Dec 2024 only



## CENTRAL DAKOTA FORENSIC NURSE EXAMINERS MEDICAL SERVICES PROVIDED IN 2024



Please note:

In addition to the medical services highlighted in these graphs, CDFNE also provides public education, awareness, and prevention efforts across western North Dakota.



**Kristie Wolff – Communications Coordinator,  
Central Dakota Forensic Nurse Examiners**

**Support SB 2209  
North Dakota House Judiciary Committee**

March 5, 2025

Chair Klemin and members of the House Judiciary Committee, my name is Kristie Wolff, I am the Communications Coordinator for Central Dakota Forensic Nurse Examiners (CDFNE).

I am testifying today in support of SB 2209, which makes critical updates to forensic medical services for victims of sexual assault, domestic violence, child abuse, and neglect in North Dakota.

CDFNE is a North Dakota based non-profit organization providing forensic medical services to children and adult survivors of sexual violence, domestic violence, physical abuse and neglect in western North Dakota. Our organization serves 23 counties, with our headquarters in Bismarck. Our team of 23 Forensic Nurses work with a variety of partners including law enforcement, advocacy agencies, social services, children's advocacy centers, and hospitals as part of local multidisciplinary response teams. These partnerships ensure that victims receive comprehensive, coordinated care while supporting the investigation and prosecution of crimes.

Forensic nursing is a highly specialized field at the intersection of nursing, forensic science, and the legal system. At CDFNE, our nurses undergo extensive training to provide trauma-informed care tailored to the needs of survivors while also collecting evidence in a manner that meets legal standards. This dual role allows them not only to offer compassionate medical care but also to serve as expert witnesses in court when needed. Their work plays a vital role in helping victims on their path to healing, holding offenders accountable, and strengthening the safety and well-being of our communities.

**Expanding the Timeframe for Exams**

Currently, under North Dakota law, victims may access acute forensic medical exams up to 96 hours after a sexual assault. This bill would extend that window to 120 hours, a change supported by

research and aligned with best practices outlined in the National Best Practices for Sexual Assault Kits released by the US Department of Justice in 2017. (see attachment) This timeframe will also align with the newest edition of the ND Sexual Assault Response Protocol which was drafted by statewide partners in 2024.

### **Making the Pilot Program Permanent**

During the 2023 Legislative session, a pilot program was approved to expand access to forensic medical services to include victims of domestic violence, physical abuse, and neglect. Under that pilot program CDFNE expanded services in our Bismarck and Williston regions, which cover ten counties. (Burleigh, Morton, Kidder, Grant, Emmons, Sheridan, Sioux, Williams, McKenzie and Divide).

The work we accomplished under the program included development of protocols and policies, providing our nurses with additional training, and coordinating with members of our multidisciplinary teams in each region. We launched services to victims in February of 2024 and provided care to 62 victims over the 10-month period ending in December of 2024. The pilot program demonstrated the demand for these expanded services and the capacity of our forensic nurses to meet that need effectively. If SB 2209 is passed, we will be able to continue services and expand this work to our other two regions.

SB 2209 would make the pilot program a permanent part of the work we do in North Dakota to support victims on their road to healing and justice. The changes in this bill may seem simple, but the positive impact to victims and the safety of our communities is significant. By extending the timeframe for exams and making the expanded services permanent, we will ensure that no victim is left without access to care, evidence collection, or the opportunity to seek accountability. Therefore, today I am asking you to give a DO PASS recommendation on SB 2209.

Thank you for your time. I'm happy to answer any questions.

Kristie Wolff  
kristie.cdfne@midconetwork.com  
701-751-4884



# National Best Practices for Sexual Assault Kits: A Multidisciplinary Approach



- ✓ The purpose of collecting samples for the kit.
- ✓ How the kit may be used in the investigative process.
- ✓ That consent can be given or withdrawn by the victim to individual parts or the entire medical-forensic exam.
- ✓ The processes and associated time frames for testing kits.
- ✓ Victim notification of kit testing results (e.g., DNA).

## Timing of Sample Collection in Living Victims

Forensic DNA evidence deteriorates with time. Therefore, it is imperative that sexual assault evidence be collected as soon as possible.<sup>26</sup> This evidence should be collected regardless of the victim's post-assault activities (e.g., showering, urinating, douching, swimming, sexual activity, eating, or drinking). Sexual assault samples should be collected from any victim seeking care as soon as possible and up to five (5) days or longer post-assault.<sup>27</sup> Due to advancements in technology, emerging research indicates there may be potential to extend the time frame to nine (9) days post-assault in the living patient.<sup>28</sup> Regardless of the time frame, reimbursement should be provided for the medical-forensic exam.<sup>29</sup> Because laboratories have varying capabilities, the forensic laboratory designated to conduct the DNA testing should be consulted.

### **RECOMMENDATION 7:**

*Guided by the victim history, sexual assault samples should be collected from any victim seeking care as soon as possible and up to five (5) days or longer post-assault. Regardless of the time frame, reimbursement should be provided for the medical-forensic exam.*

Although the detection and characterization of body fluids in a forensic laboratory has not changed considerably over time, DNA testing has dramatically increased in sensitivity. Based on the victim's history, potential body fluids should be collected from those areas where DNA of the possible perpetrator may have been left. Each of these collection areas has a different

<sup>26</sup> It should be understood that time frames for sample collection do not extend to medical care. There is no time limit for a victim to present for medical care post-assault, for concerns related to sexually transmitted infection exposure, pregnancy, and/or other health consequences of sexual assault.

<sup>27</sup> While time frames for sample collection tend to fall between 96 and 120 hours in the majority of jurisdictions, the Department of Defense currently extends their collection period to 7 days (Victim Instructions, DD2911, p. 1). See also, *A National Protocol for Sexual Assault Medical Forensic Examinations—Adults/Adolescents* (2nd Ed.), at page 8; *SWGDAAM Recommendations for the Efficient DNA Processing of Sexual Assault Evidence Kits*.

<sup>28</sup> P. Speck and J. Ballantyne, *Post-Coital DNA Recovery* (December 2014), NIJ grant no. 2009-DN-BX-0023; available at <https://www.ncjrs.gov/pdffiles1/nij/grants/248682.pdf>.

<sup>29</sup> In some jurisdictions, legislation exists that creates limitations to the medical-forensic exam provision in that it ties reimbursement to narrower time frames than are otherwise indicated by national guidance, health care recommendations, or current research (e.g., collection of samples beyond 72 hours post-assault).

# 2025 HOUSE STANDING COMMITTEE MINUTES

**Judiciary Committee**  
Room JW327B, State Capitol

SB 2209  
3/5/2025

A BILL for an Act to amend and reenact section 12.1-34-07 of the North Dakota Century Code, relating to the expansion of medical examinations of victims of criminal conduct; and to provide an appropriation.

1:04 p.m. Chairman Klemin opened the hearing.

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

Members Absent: Representative Hoverson

## **Discussion Topics:**

- Committee action

1:06 p.m. Representative Vetter moved a Do Pass and rerefer to Appropriations.

1:06 p.m. Representative McLeod seconded the motion.

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

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

1:08 p.m. Representative Satrom will carry the bill.

1:09 p.m. Chairman Klemin closed the hearing.

*Wyatt Armstrong, Committee Clerk*

**REPORT OF STANDING COMMITTEE**  
**REENGROSSED SB 2209 ([25.0929.04000](#))**

**Judiciary Committee (Rep. Klemin, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 0 NAYS, 1 ABSENT OR EXCUSED AND NOT VOTING). SB 2209 was rereferred to the **Appropriations Committee**.



**2025 HOUSE APPROPRIATIONS**

**SB 2209**

# 2025 HOUSE STANDING COMMITTEE MINUTES

## Appropriations Committee Roughrider Room, State Capitol

SB 2209  
3/20/2025

A BILL for an Act to amend and reenact section 12.1-34-07 of the North Dakota Century Code, relating to the expansion of medical examinations of victims of criminal conduct; and to provide an appropriation.

9:48 a.m. Chairman Vigesaa opened the meeting.

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

Members absent: Representatives Brandenburg, Nathe.

### Discussion Topics:

- Committee Action
- Forensic Kits

9:48 a.m. Representative Vetter introduced the bill and answered questions.

9:51 a.m. Kristie Wolff, Communications and Engagement Coordinator, Central Dakota Forensic Nurse Examiners answered questions.

10:01 a.m. Becky Keller, Director of Finance Division, Office of Attorney General answered questions.

10:06 a.m. Representative J. Nelson moved Do Pass.

10:06 a.m. Representative Murphy seconded the motion.

### Roll Call Vote

Representatives	Vote
Representative Don Vigesaa	Y
Representative Keith Kempenich	Y
Representative Bert Anderson	Y
Representative Mike Berg	Y
Representative Glenn Bosch	Y
Representative Mike Brandenburg	AB
Representative Jay Fisher	Y
Representative Karla Rose Hanson	Y
Representative Scott Louser	Y
Representative Bob Martinson	Y
Representative Lisa Meier	Y
Representative Alisa Mitskog	Y

Representative David Monson	Y
Representative Eric J. Murphy	Y
Representative Mike Nathe	AB
Representative Jon O. Nelson	Y
Representative Emily O'Brien	Y
Representative Brandy L. Pyle	Y
Representative David Richter	Y
Representative Mark Sanford	Y
Representative Gregory Stemen	Y
Representative Steve Swiontek	Y
Representative Scott Wagner	Y

Motion passed 21-0-2.

10:06 a.m. Representative Satrom will carry the bill.

10:08 a.m. Chairman Vigesaa closed the meeting.

*Krystal Eberle, Committee Clerk*

**REPORT OF STANDING COMMITTEE**  
**REENGROSSED SB 2209 ([25.0929.04000](#))**

**Appropriations Committee (Rep. Vigesaa, Chairman)** recommends **DO PASS** (21 YEAS, 0 NAYS, 2 ABSENT OR EXCUSED AND NOT VOTING). SB 2209 was placed on the Fourteenth order on the calendar.