



House Bill 1256  
House Judiciary Committee  
Testimony presented by Susan Stewart/Stop Abuse for Everyone  
January 17, 2023

We applaud the efforts of the bill sponsors to address the increasing problem of false allegations of sexual harassment or discrimination at public institutions, including institutions of higher education. According to Title IX for All, there have been 835 lawsuits to date against colleges and universities by students accused of sexual harassment or discrimination who claim to be the victims of false allegations or mishandling of allegations by their college or university. <https://titleixforall.com/> It is an increasing problem and must be addressed.

North Dakota Century Codes 12.1-11-02 and 12.1-11-03 only address false statements given in an official proceeding or false information or report to law enforcement officers or security officials. HB 1256 specifically addresses false and frivolous allegations made against an individual under the policy of a public institution or under Title IX law. It would be pertinent to include a new chapter to the North Dakota Century Code to address false statements, information or reports made to administrators at institutions of higher education. Adjudications of alleged sexual harassment or discrimination on campuses are governed by the federal Title IX regulations, but also often include school policy and procedures that are not “official proceedings” but rather are quasi-judicial in nature.

We appreciate the concern that the person found guilty of making an allegation of sexual harassment or discrimination found to be false and frivolous should not be charged with a Class C felony. Perhaps a Class A felony might be more appropriate and in alignment with existing North Dakota law.