

2017 SENATE JUDICIARY

SB 2191

2017 SENATE STANDING COMMITTEE MINUTES

Judiciary Committee
Fort Lincoln Room, State Capitol

SB 2191
1/23/2017
27220

- Subcommittee
 Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A BILL for an Act to provide an appropriation to the attorney general for grants.

Minutes: **Testimony attached #**

1,2,3,4,5,6,7,8,9

Chairman Larson called the committee to order on SB 2191. All committee members were present. **Chairman Armstrong** is testifying so **Senator Larson** is acting chair.

Attachments 6,7,8, and 9 were only written testimony submitted to the committee. Nobody gave verbal testimony regarding these attachments.

Senator Armstrong introduced and testified in support of the bill. No written testimony.

“Essentially, this is an appropriations bill for the nursing program. Human trafficking has become a big issue in North Dakota. This is one of those programs that keeps victims out of a court room to face scrutiny. This program deals with the emotional aspects of acquiring evidence from victims by nurses. This program makes sure victims of sexual assault have access to a nurse who understands what is going on and how to deal with the emotional and physical strain that the victim may be experiencing, as well as knowing how to collect evidence to put the bad guys behind bars.”

Senator Nelson: “On line 7, is that a name of something that presently exists in the Attorney General’s office?”

Senator Armstrong: “I’m not sure.”

Senator Myrdal: “On line 9 it says any organization; it also says clinic. Is there any provision in here that would cause clinics that support termination of unborn children that would get this funding?”

Senator Armstrong: “I don’t know but I don’t think so.”

Senator Armstrong took over as chairman for **Chairman Larson**.

Tisha Scheuer, Certified Sexual Assault Nurse Examiner, and Executive Director of the Central Dakota Forensic Nurse Examiner's Office, testified in support of bill (see attachment 1)

Senator Nelson: "Somewhere in your testimony you talked about paying nurses 24 hours, but the last part of the bill says grant funds under this bill cannot be used for salaries, could you explain what the salaries are?"

Tisha Scheuer: "The salaries that the bill is referring to are administrative costs, like for anybody who is in the program on a salary basis. The nurse's make an hourly wage, so that's the difference."

Chairman Armstrong: "Last session when we put that in we specifically added language that that couldn't be used for salaries."

Senator Myrdal: "Will any of the funds be given to any groups, clinics, or organizations that terminate pregnancy?"

Tisha Scheuer: "Not that I know of."

Senator Luick: "Do you know what the program was allotted last session?"

Tisha Scheuer: "\$250,000."

Senator Luick: "Is there any left over?"

Tisha Scheuer: "I'm not sure."

Rebecca LaFavor, Sexual Assault Nurse, Director of Patient Services. Testified in support of bill. (see attachment 2)

Senator Larson: "With this money, do you think you will maintain or expand this program?"

Rebecca LaFavor: "Both."

Senator Myrdal: "There seems to be a large area in sort of North Central around the Devils Lake and Carrington area that is not served, are there any plans to serve that area?"

Senator Myrdal was referring to the map picture in attachment 2.

Rebecca LaFlavor: "There are services in Devils Lake and around that area. On the map provided, these are the organizations that use the same bill money."

Senator Osland: "Does Sanford in Fargo have their own machinery?"

Rebecca LaFlavor: "Yes. There are two programs in Fargo."

Paula Condol, Director of the Dakota Children's Advocacy Center, testified in support of bill. (see attachment 3)

Dan Donlin, Chief of Police for the Bismarck Police Department, testified in support of the bill. (see attachment 4)

Chairman Armstrong: "Does this help put bad guys in jail?"

Chief Donlin: "Yes. It absolutely does."

Chairman Armstrong: "Does this put bad guys in jail without the need of putting the victim in front of a jury?"

Chief Donlin: "I believe it does."

Senator Osland: "Is 250 thousand enough?"

Chief Donlin: "No, it's not enough. I'd like to have 500 thousand."

Diane Zainhofsky, Executive Director of the Abused Adult Resource Center in Bismarck, testified in support of the bill. (see attachment 5)

Chairman Armstrong closed the hearing on SB 2191.

No motions were made.

2017 SENATE STANDING COMMITTEE MINUTES

Judiciary Committee
Fort Lincoln Room, State Capitol

SB 2191 Committee Work
1/24/2017
27287

- Subcommittee
 Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A BILL for an Act to provide an appropriation to the attorney general for grants.

Minutes:

Chairman Armstrong called the committee to order on SB 2191. All committee members were present.

Senator Larson moved Do Pass and rerefer to appropriations. **Senator Myrdal** seconded.

Discussion followed.

Senator Nelson expressed her approval of the bill and why she thinks it should be passed.

Senator Osland: "Did you say that last year they had 500 thousand?"

Chairman Armstrong: "No. They asked for it and it came down to 250 thousand."

Senator Osland: "Isn't 250 short of what they need?"

Chairman Armstrong: "Yes, and it was short last time too. I told them they shouldn't go asking for more since we are in a budget situation."

Senator Nelson: "I think we need to tell the rest of the story too. They asked for 500 thousand and the House took it down to 0, the conference committee got it back to 250."

Senator Myrdal: "I think these people are passionate and that's what encouraged me with this bill. This is well worth it."

Chairman Armstrong: "I think it's important to note that for 250 thousand, they are getting a 191 contacts and that's significant; for a million dollars they are getting 277 contacts. The same nursing program deals with all sexual assaults, essentially, so there is an overlap of the two, but at the end of the day this one deals with things that are outside the purview of human trafficking."

Senator Nelson: "There's still a lot of work needed to be done but there are some who are not participating as quickly as perhaps they should be."

Chairman Armstrong: "The biggest single barrier for prosecution of these cases is the victim's willingness to come forward, and even if a victim willingly comes forward, a victim does not want to tell their story to a nurse, and then the cop, then the prosecutor, then the BCI officer, then the jury. So even if they originally did come forward, the biggest bar to prosecution is testimony. It gets worse the younger they get. That's why properly trained nurses are so important because they make it easier on a victim."

A Roll Call Vote was taken for a Do Pass and to rerefer to appropriations. Yea: 6 Nay: 0
Absent: 0.

The motion carried.

Senator Larson carried the bill.

**2017 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2191**

Senate Judiciary Committee

Subcommittee

Amendment LC# or Description: _____

Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
Other Actions: Reconsider _____

Motion Made By Senator Larson Seconded By Senator Myrdal

Senators	Yes	No	Senators	Yes	No
Chairman Armstrong	X		Senator Osland	X	
Vice-Chair Larson	X				
Senator Luick	X				
Senator Myrdal	X				
Senator Nelson	X				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Senator Larson

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2191: Judiciary Committee (Sen. Armstrong, Chairman) recommends DO PASS and BE REREFERRED to the Appropriations Committee (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2191 was rereferred to the Appropriations Committee.

2017 SENATE APPROPRIATIONS

SB 2191

2017 SENATE STANDING COMMITTEE MINUTES

Appropriations Committee
Harvest Room, State Capitol

SB 2191
1/30/2017
Job # 27568

- Subcommittee
 Conference Committee

Committee Clerk Signature

Era Liebelt for Rose Penning

Explanation or reason for introduction of bill/resolution:

A BILL for an Act to provide an appropriation to the attorney general for grants.

Minutes:

Testimony Attached # 1 – 13.

Legislative Council: Chris Kadrmas
OMB: Becky Keller

Chairman Holmberg called the committee to order on SB 2191. Roll call was taken. All members were present.

Tisha Scheuer, MSN, RN, Executive Director, Central Dakota Forensic Nurse Examiner's: Testified in favor of SB 2191. Testimony Attached # 1. She also handed out letters of support they are listed at the end of the minutes. (3:40-16:19)

Chairman Holmberg: You all received an email from Carmen Bryhn and you will receive a printed copy to put in your book.

Carmen Bryhn, Executive Director, North Dakota Nurses Association:
Testimony submitted in support of SB 2191. Testimony Attached # 2

Senator Kelly Armstrong, District 36: Bill sponsor. Testified in favor of SB 2191. No written testimony. This bill would help put bad guys in jail by being properly trained at collecting forensic evidence at the time of a crime and doing it in rural areas a couple of things happen. Victims are more likely to report the events when they only have to tell someone the story once and when the forensic evidence is collected it is much easier to get a conviction. The other answer is it is much easier to get a conviction without a trial, which makes it easier for the victim to report. Forensics evidence is hard to beat in court it gets people convicted. The question is with these types of cases and this type of funding, what did they do with it the last time we gave it? You will hear testimony from a lot of people, they stretched 250,000 dollars as about as far as I have seen it stretched when we have offered that kind of money. I think we should let them continue the program because it puts bad guys in jail. (16:56-18:39)

Rebecca LaFavor, Director of Patient Services, Central Dakota Forensic Nurses Examiner Sexual Assault nurse: Testified in favor of SB 2191. Testimony Attached # 3. She also handed out a letter from **Brian Grosinger, Assistant State's Attorney, Morton County:** Testimony in support of SB 2191. Testimony Attached # 4. (18:57-33:27)

Senator Bowman: Since this oil boom, has this increased the demand for what you do?

Rebecca LaFavor: It has increased the need the need.

Senator Bowman: Those that commit the crime, how many are on drugs or alcohol?

Rebecca LaFavor: I can't commit on that.

Paula Condol, Director, Dakota Children's Advocacy Center: Testified in favor of SB 2191. Testimony Attached # 5. (34:46-40:00)

Chairman Holmberg: Is there a window in which this has to happen before the evidence could be challenged because it is too late?

Paula Condol: Yes, but I believe it is 72 hours for children, 13 & under and 96 hours for those 14 and above.

Senator Dever: We hear of so often of so many sexual abuse and child abuse cases, I wonder why are prison isn't twice as full as it is. What kind of barriers in addition to lack of evidence might stand in the way of prosecution?

Paula Condol: One of the difficulties we run into in child abuse cases is there's not a crime scene. There not going to find a bloody room that can be roped off and collect hairs for evidence. Typically, children don't tell right away. The research shows the average disclosure rate for kids is at least two years if they ever tell and 60% will never tell in their lifetime. The other thing that we see in child abuse cases is this effect called grooming. That is because offender typically groom their victims. They are preparing their victim to look better for them. They don't start out by raping the child. They start by rubbing their leg or hug them too long. If the child doesn't tell, if they touch in a gentle way and it prepares them for intimacy. You secrete hormones and their body accepts the abuse. You don't have hair or semen you only have the child's word. These are people they know and trust. 1 in 4 girls and 1 in 6 boys are abused. These people are very good at gaining trust and this child has a great relationship with this person. Child doesn't know how to relate to that. The average offender is married and about 35 years old. They are involved in church and community. They say, I would never do this and say the child has lied.

Dan Donlin, Chief of Police, Bismarck Police Department: Testified in favor of SB 2191. Testimony Attached # 6. (45:18-48:56)

Senator Mathern: Why is this funding not part of your budget or budget of other state agencies. Why doesn't the police department put it in their budget so this bill doesn't have to be introduced each time.

Dan Donlin: One is everybody's budget is tight and we also have to pull that out of the cities. It has never been a program and we don't have a CSI investigator that goes out and forensically does things like that on sexual assaults. Not to say that down the road it couldn't get there. This program has always been a program outside of the agency. Another question in that regard could be why doesn't it go to the State's Attorney's Offices as well.

Senator Mathern: Has a request been made to the city to make it part of your budget?

Dan Donlin: Not that I am aware of.

Diane Zainhofsky, Executive Director, Abused Adult Resource Center, Bismarck, ND: Testified in favor of SB 2191. Testimony Attached # 7. (51:03-54:52)

Chairman Holmberg: Closed the hearing.

Other testimony that was submitted: Kylan Klauzer, Supervisor, Criminal Investigative Division, Dickinson Police Department: Testimony submitted in support of SB 2191. Testimony Attached # 8

Dr. Gordon Leingang, Medical Director, Emergency Medical Services, CHI St. Alexius Health, Bismarck, North Dakota: Testimony submitted in support of SB 2191. Testimony Attached # 9.

Rhonda Gunderson, Assistant Nurse Manager, Trinity Health Emergency Trauma Center, Minot, North Dakota and Wade Tally, MD, Emergency Trauma Physician, Trinity Health Emergency Center, Minot, North Dakota: Testimony submitted in support of SB 2191. Testimony Attached # 10

Susan Price, Director, Emergency Services, CHI St. Alexius Health, Dickinson, North Dakota: Testimony submitted in support of SB 2191. Testimony Attached # 11.

Lori Hahn, VP Patient Care Services, CHI St. Alexius Health Williston: Testimony submitted in support of SB 2191. Testimony Attached # 12.

Katelyn Richter, RNN-BSN, SANE, Emergency Medical Nurse, CHI St. Alexius, Williston, North Dakota: Testimony submitted in support of SB 2191. Testimony Attached # 13.

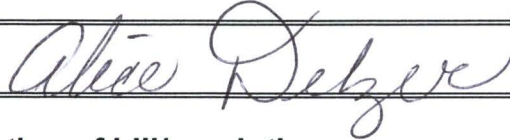
2017 SENATE STANDING COMMITTEE MINUTES

Appropriations Committee
Harvest Room, State Capitol

SB 2191
2/14/2017
JOB # 28310 (0.03.07)

- Subcommittee
 Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A DO PASS on a Bill to provide an appropriation to the attorney general for grants.

Minutes:

No attachments.

Chairman Holmberg: called the Committee to order on SB 2191. All committee members were present. Levi Kinnischtzke, Legislative Council and Lori Laschkewitsch, OMB were also present. Chairman Holmberg listed several bills they will look at today. The one that impressed him the most is 2191.

Senator Mathern: moved a Do Pass on SB 2191. 2nd by Senator Grabinger.

Chairman Holmberg: This is where Senator Armstrong said if the kit was used you don't go to trial. They plead it. We have a motion on 2191. Any discussion. Would you call the roll on a do pass on 2191.

A Roll Call vote was taken. Yea:14; Nay:0; Absent: 0. It passed and goes back to Judiciary Committee. **Senator Don Larson will carry the Bill.** The hearing was closed on 2191.

Date: 2-14-17
 Roll Call Vote #: 1

**2017 SENATE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. 2191**

Senate Appropriations Committee

Subcommittee

Amendment LC# or Description: _____

- Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
 Other Actions: Reconsider _____

Motion Made By Mathern Seconded By Grabinger

Senators	Yes	No	Senators	Yes	No
Chairman Holmberg	✓		Senator Mathern	✓	
Vice Chair Krebsbach	✓		Senator Grabinger	✓	
Vice Chair Bowman	✓		Senator Robinson	✓	
Senator Erbele	✓				
Senator Wanzek	✓				
Senator Kilzer	✓				
Senator Lee	✓				
Senator Dever	✓				
Senator Sorvaag	✓				
Senator Oehlke	✓				
Senator Hogue	✓				

Total (Yes) 14 No 0

Absent 0

Floor Assignment Judiciary D. Larson

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2191: Appropriations Committee (Sen. Holmberg, Chairman) recommends **DO PASS**
(14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2191 was placed on the
Eleventh order on the calendar.

2017 HOUSE APPROPRIATIONS

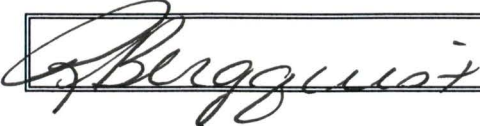
SB 2191

2017 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee
Roughrider Room, State Capitol

SB 2191
3/13/2017
29098

- Subcommittee
 Conference Committee



Explanation or reason for introduction of bill/resolution:

A BILL for an Act to provide an appropriation to the attorney general for grants.

Minutes:

Attachments 1-6

Chairman Delzer: Called the meeting to order for SB 2191,

2:10- Tisha Scheuer: Executive Director of the Central Dakota Forensic Nurse Examiners: (see attachment 1) I have brought a number of letters of testimony along with my own.

4:10 Chairman Delzer: Is this money going to the actual hospitals to help pay for the nurses?

Mrs. Scheuer: This funding we are hoping to put into a grant type of program and whoever has developed a SANE program can apply for this money to help to sustain the same services that have been developed in their community.

Chairman Delzer: But who actually receives the money? Do the hospitals get paid part of what their nurses get paid? Who gets the money from yours? Do those nurses work for the hospital?

Mrs. Scheuer: The nurses that I have hired in Minot, Dickinson and Williston. These nurses are hired by my none profit organization.

5:15 Mrs. Scheuer: Start of testimony (attachment 1 pages 1-8)

12:10 Representative Monson: How much was appropriated last session? This is just a continuation? (attachment 2)

Mrs. Scheuer: 250 thousand, that's what we're asking.

Chairman Delzer: Do these nurses have other full time jobs? Are they working when they are on call?

Mrs. Scheuer: Yes, they have other full time jobs. We pay for training as well as we pay for the nurses to be call on a contract basis. When a victim comes into the ER they are ready and able to go in and do that forensic exam, 24/7. So they are not working we pay them extra to be available and to come.

13:30 Representative J. Nelson: You help victims across the border? You do that through training of nurses in neighboring states or do the victims come into ND.

Mrs. Scheuer: They would come in to the nearest program, could be Dickinson or Williston, Mobridge sends all their victims to Bismarck.

Representative J. Nelson: What's the situation on the eastern part of the state with Minnesota?

Mrs. Scheuer: A lot of times they will send them right over to Fargo.

Chairman Delzer: What is your other funding? And how much is that?

Mrs. Scheuer: I get reimbursement funding from the attorney general's office for the examinations and also the STOP funding through the department of health. My origination got about 64 thousand dollars, that's for administrative costs and things like that in Minot and Bismarck.

15:05 Representative Streyle: What's your bottom dollar you could possibly get by with? Now that it's set up could you get by with less?

Mrs. Scheuer: In order to fund just one year of service, it's about 300 thousand dollars to fund everything that is needed. That's pretty bare bones, but my organization services all of western ND.

16:40-25:35 Rebecca LaFavor, Director of Patient Services: (see attachment 3)

Chairman Delzer: (page 2 of attachment 3) I see that you have 106 actively working, is that pretty accurate? Have some of these left?

Mrs. LaFavor: We have had some turnover, on average it costs about 5 thousand dollars to train a nurse in terms of time, materials and the program.

Chairman Delzer: How many come into the state already trained?

Mrs. LaFavor: I have only hired 1 that came into the state trained.
(page 4 of attachment 3) Shows all the programs that received that money, it's not just the Central Dakota Forensic program, it's not just the western half of the state. There's three programs on the eastern part of the state that access that money. The yellow dots are

programs that didn't use any SANE money. Green dots are where we are looking to expand services.

Chairman Delzer: The 191 that received serves, how many would be from out of state?

Mrs. Scheuer: I don't have that number

Mrs. LaFavor: I want to touch on the 19 steps of the examine and how intensely person this exam is. (page 6 of attachment 3) So right after meeting someone that has been through a traumatic event, I then ask the victim to undress and I have to touch the intimate parts of the body that where just hurt. This takes a special approach; we call this trauma influenced care. Allowing the patient to have those moments as they are dealing with what has happened. That doesn't come in your 4-year degree, doctors don't get trauma informed care training. This is an additional 40 hours of training.

22:10 (page 8 of attachment 3) This is the page of the swabs, there are 4 different vaginal swabs and this is what will collect the DNA for the crime lab. We also need to collect rectal swabs, and most people don't want these tests.

Additional aspects of additional skills that I'd like to point out is the specialized training with strangulation. (page 11 of attachment 3) Our century code 12.1-20-03 states that if a person compels the victim to submit by force or by threat or imminent death, serious bodily injury or kidnapping, to be inflicted on any human being, law enforcement can increase that from an A felony to an AA felony. The strangulation assessment can make that determination.

24:10 Forensic Photography, (page 12 of attachment 3) getting the correct pictures to prove these crimes.

25:40-28:30 Senator Armstrong: This is the type of bill that puts bad guys in jail. The single biggest thing for my success with criminal defense work is the training an experience of the people doing the work. The **less** experience and training the better chance I have to win. Properly collected DNA is very difficult to fight against. The biggest reason cases settle or go away is because victims don't cooperate, they are afraid to testify but DNA doesn't lie. This is a program that is spread out throughout the state.

29:00- Jeanne Farnsworth, Therapist at Dakota Children's Advocacy Center: (see attachment 4)

32:00 Just one story, girls can come in and think they are already pregnant and that those fluids are going to be in their bodies forever. They don't know and need to hear that their body is ok. Too many times I have to called in to explain to the families and explain that these services aren't offered in their area and we are sorry to add to their difficulty. I have made endless calls begging someone to try to do the exam, I've bought bus tickets to get them somewhere that they could get help and offered endless apologies. These are such a specialized service and requires a specialized provider. To be able to say that we now offer 24/7 coverage is one of my proudest achievements.

33:40 Chairman Deller: Where else do you receive money?

Mrs. Farnsworth: From my experience, I believe sometimes we recoup some money from insurance or like this grant and other grants that we have received, at the end of the day we write off what's not covered.

Chairman Delzer: This program just came to be in the last biennium, you were doing this before that, how where they funded then?

Mrs. Farnsworth: In the past we may not have been able to offer these services; we may not have had anyone trained to do them.

Chairman Delzer: Now you have everything covered? Do you have everything you need?

Mrs. Farnsworth: We need someone to be available and on call at all times.

Chairman Delzer: Why is this split between your group and the hospitals?

36:40 Representative J. Nelson: In a rural setting, how does that victim get to you? Say they are 60 miles out and there is no transportation?

Mrs. Farnsworth: After the fact we can offer reimbursement, sometimes social services will transport, the reality is sometimes we can't offer services in time, within that 72 hours.

38:30-43:00 Dan Donlin, Chief of Police in Bismarck: (see attachment 5)

Chairman Delzer Do you guys put any money towards this as a police department?

Chief Donlin: No I don't believe we do. This is a medical examination; I don't think we want the police force doing medical examinations. We need to just find the facts, the truth, we don't want it to look like we are invested in one side or the other.

43:10-49:25 Tamera Unterseher, Victim Services Director, Abused Adult Resource Center. (see attachment 6) I am distributing the written testimony of Diane Zainofshky, Executive Director of AARC

When I started working with rape victims there were very limited services. Victims were not provided with any type of mental health services, they did not know their options for making a report. They were not informed in general of the processes including how the examination of forensic evidence would be collected. Sometimes we waited 3-4 hours with the victim to be examined because of triage in the emergency departments. Victims had to repeat their story several times and possibly forgetting important parts because of repeating so many times.

AARC starting working with our local hospitals as well as the police department to create a coordinated response for victims so they receive the help they needed along with their family members. When the evidence is properly collected it can even save the state money, it can prevent trials.

Representative Boehning: Does the insurance company cover any of this?

Mrs. Tamara: It's very important to have specialized people, keeping it independent as possible. If the records are requested from a hospital, all of the records have gotten sent and all of a sudden they are scrutinizing the victims past, possible psychiatric records. That can be the difference of a victim testifying or not. They should be held completely separately to be sure there is no conflict of interest.

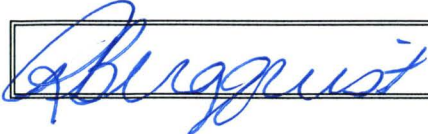
Chairman Delzer: Further testimony in favor? Any opposition? That will close this hearing.

2017 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee
Roughrider Room, State Capitol

SB 2191
3/28/2017
29765

- Subcommittee
 Conference Committee



Explanation or reason for introduction of bill/resolution:

A BILL for an Act to provide an appropriation to the attorney general for grants.

Minutes:



Chairman Delzer: This is a bill for domestic violence, rapes. I think this is a good program. I think the money comes out of the SIFF.

Representative Brandenburg: Motion to amend from 250 to 200 thousand

Representative Schatz: Second

Representative J. Nelson: Where did this bill start and what does the 200 thousand do?

Chairman Delzer: I think this bill started at 250, this bill pays some of the hospitals and extra training to have a nurse available 24/7 to deal with rape kits and things like that. I understand this is a good program I am a little concerned about the level at 200. We have a motion to amend, further discussion?

Representative Pollert: Move for a substitute motion from 200 thousand to 150 thousand

Representative Vigesaa: Second that motion

Representative Delmore: There is just a critical need for this in our state and I know the money is hard but I also know the significant changes that the nurses can make for sexual assault victims. The 200 thousand is already cutting it down and I can't support another 50 thousand cut too.

Representative Boehning: What was the funding for last biennium?

Chairman Delzer: I think it was 250 thousand, it wasn't that much and it was out of the impact dollars. Everything we did came out of the impact dollars.

Brady Larson, Legislative Council: 250 thousand and it came from the oil and gas fund.

Chairman Delzer: It's a good program and I understand what Representative Delmore is talking about but I do think we should support this substitute motion. Further discussion?

Voice vote, All in Favor? Motion Carries unless you'd like a roll call vote.

Representative Streyle: Do Pass as Amended

Representative Brandenburg: Second

Chairman Delzer: Discussion on the motion for Do Pass as Amended?

A Roll Call vote was taken. Yea: 19 Nay: 1 Absent: 1

Motion carries

Representative Brandenburg will carry the bill

3/29/17 BL

PROPOSED AMENDMENTS TO SENATE BILL NO. 2191

Page 1, line 5, replace "\$250,000" with "\$150,000"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment reduces the appropriation for grants to community-based or hospital-based sexual assault examiner programs from \$250,000 to \$150,000.

Date: 3/28/2017
 Roll Call Vote #: 1

**2017 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. SB 2191**

House Appropriations Committee

Subcommittee

Amendment LC# or Description: Change funding from 200 to 150

Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
 Other Actions: Reconsider _____

Motion Made By Representative Pollert Seconded By Representative Vigesaa

Representatives	Yes	No	Representatives	Yes	No
Chairman Delzer					
Representative Kempenich			Representative Streyle		
Representative: Boehning			Representative Vigesaa		
Representative: Brabandt					
Representative Brandenburg					
Representative Kading			Representative Boe		
Representative Kreidt			Representative Delmore		
Representative Martinson			Representative Holman		
Representative Meier					
Representative Monson					
Representative Nathe					
Representative J. Nelson					
Representative Pollert					
Representative Sanford					
Representative Schatz					
Representative Schmidt					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Motion Carries

Date: 3/28/2017
 Roll Call Vote #: 2

**2017 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. SB 2191**

House Appropriations Committee

Subcommittee

Amendment LC# or Description: _____

Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
 Other Actions: Reconsider _____

Motion Made By Representative Streyle Seconded By Representative Brandenburg

Representatives	Yes	No	Representatives	Yes	No
Chairman Delzer	X				
Representative Kempenich	X		Representative Streyle	X	
Representative: Boehning	X		Representative Vigesaa	X	
Representative: Brabandt	X				
Representative Brandenburg	X				
Representative Kading	X		Representative Boe	X	
Representative Kreidt	A		Representative Delmore		X
Representative Martinson	X		Representative Holman	X	
Representative Meier	X				
Representative Monson	X				
Representative Nathe	X				
Representative J. Nelson	X				
Representative Pollert	X				
Representative Sanford	X				
Representative Schatz	X				
Representative Schmidt	X				

Total (Yes) 19 No 1

Absent 1

Floor Assignment Representative Brandenburg

If the vote is on an amendment, briefly indicate intent:

Motion Carries

REPORT OF STANDING COMMITTEE

SB 2191: Appropriations Committee (Rep. Delzer, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (19 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). SB 2191 was placed on the Sixth order on the calendar.

Page 1, line 5, replace "\$250,000" with "\$150,000"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment reduces the appropriation for grants to community-based or hospital-based sexual assault examiner programs from \$250,000 to \$150,000.

2017 TESTIMONY

SB 2191

1

CENTRAL DAKOTA FORENSIC NURSE EXAMINERS

SB 2191

Testimony in support of ~~SB 2284~~
Before the Judiciary Committee
January 23, 2017

Good Morning, my name is Tisha Scheuer. I have been a Registered Nurse for the past 22 years, a Certified Sexual Assault Nurse Examiner (SANE) for 14 of those years, and the Executive Director of the Central Dakota Forensic Nurse Examiner's located in Bismarck, North Dakota. I want to thank the Senate Judiciary Chairman and the members of the Senate Judiciary Committee for this opportunity to speak to you today regarding Senate Bill 2191.

First, I should start by explaining what a SANE nurse is. SANE stands for sexual assault nurse examiner. A sexual assault nurse examiner or SANE is a registered nurse who has been specially trained in the care of the sexual assault victim. A SANE program primarily focuses on the care of the sexual assault victim, always striving to help those victims begin their healing process while at the same time ensuring the forensic evidence is being maintained. SANE programs are usually staffed by Registered Nurses who have had the advanced education regarding the medical-forensic examination, the psychological and emotional trauma victims experience from a sexual assault. SANE nurses may also provide expert testimony in a court of law where because of their specialized training and experience with the collection of forensic evidence they are considered experts in their field. This then allows them to be able to testify in the manner.



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CENTRAL DAKOTA FORENSIC NURSE EXAMINERS

In 2003, the Central Dakota Forensic Nurse Examiner's (CDFNE) was developed through the Abused Adult Resource Center (AARC), located in Bismarck, ND. This program was established as a grassroots community-based sexual assault program in collaboration with the Bismarck Police Department, Mandan Police Department, CHI St. Alexius Health, and Bismarck Sanford Health. The overall and on-going mission of the CDFNE is to provide professional, compassionate, and timely collection of forensic evidence for survivors of sexual assault, and now I can say, of all ages.

With the passage of the flagship bill SB 2284 in the last legislative session, that bill offered the opportunity to establish SANE programs in the state and now maintaining those services is the challenge. These new services across North Dakota ensures all victims of sexual assault receive specialized care and a forensic examination, when requested. Last legislative session I spoke about women having to driving 2 hours to receive forensic care. I can say that now in western North Dakota that is not case anymore thanks to the passing of that bill. SANE programs were developed in Minot, Williston and Dickinson with success and all victims reporting a sexual assault will now receive specialized care if they want it. Rebecca LaFavor will be testifying after me, and she will be giving you the statistics over the past 9 months of the SANE grant funding to show you how successful it has been.

This past spring the CDFNE expanded their services to the pediatric population in Bismarck, ND. This would not have been possible without the appropriated funds



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CENTRAL DAKOTA FORENSIC NURSE EXAMINERS

through the SB from last session, which is why we are asking for continued funding for these services. As forensic nurses, we provide a trauma-informed care response in the acute setting at the time of the victim reporting the sexual assault whether the victims is 35 or 5 years old. Trauma informed care is essential to preventing long-term health disparity for victims of all ages. By providing, this specialized trauma-informed service we have been able to create an environment which not only acknowledges the impact of trauma but develops a sense of safety for all patients to include male or female victims, elderly victims, strangled victims, developmentally delayed victims, victims from the jails and prisons, and child victims of rape. Without the previously stated funding opportunity that was possible through the last legislative session, the 4year old boy from Williston this summer who reported that “mommy’s boyfriend hurt me down there” would not have been able to receive the care from the specialized nurse who is now available to him because of this funding or the biological father would not have had access to the specialized nurse over the phone who talked him through the immediate trauma with his son. Another example, is that now we have an established network of forensic nurses in western North Dakota. This means that if there is not a nurse available in Williston or maybe Dickinson, the hospital or advocacy agency will now call the Bismarck program and arrange for the forensic evidence collection to be completed in Minot or Bismarck. This type of network that allows us to coordinate forensic care was not possible before the passage of the previous bill and it is now essential to maintain,



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CENTRAL DAKOTA FORENSIC NURSE EXAMINERS

and there have been many more examples I could have mentioned. For communities to be able to continue providing these SANE forensic services means a continued increase in prosecution of these crimes, continued aid in getting the victims to the appropriate services, and a continued increase in the likelihood of a stronger recovery from this trauma.

The funds from this proposed grant program will enable organizations in the state to be able to continue the programs that are already functioning (Fargo, Grand Forks, Bismarck, Williston, Dickinson, and Minot). The intentions of this funding are to pay nurses to be available 24 hours a day, train and provide ongoing training for nurses, and fund the operational costs it takes to manage a specialized nursing program. There are limited funds currently available, they are through the Attorney General's office on a reimbursement basis, and those funds are limited in their ability to fund programs and do not cover the extenuating needs of a specialized nursing program.

SB2191 is needed to ensure and continue what is considered best practice of care, for victims of sexual assault. The victims go through a lot during the examination, whether they are an adult or an infant, and they and their family expect the person collecting this evidence is trained to do so. If the evidence is not collected per forensic standards the evidence could be lost.

It is important to know that hospitals fully support the concept of SANE nurses but they just don't have the financial means to fully sustain these programs. For example; as I



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CENTRAL DAKOTA FORENSIC NURSE EXAMINERS

stated earlier the Central Dakota Forensic Nurse Examiners have had the opportunity to expand into the Minot region. Trinity Health has given full support to this process and has donated a specific room in the hospital for us to provide the SANE services and has remodeled it to fit the needs of the program. They have donated an exam table, computer, printer, filing cabinet etc. that helped start this SANE program, and now they hoping it can continue. This is the same in Williston and Dickinson. However, to continue this specialized program, outside funding is essential.

Lastly, I don't know if all of you are a parent or have nieces and nephews but I want you to think about if that child came to you and disclosed that they have been raped either by a babysitter, friend or relative and you had to say to them, "there is no one here to help you". That is what this funding means to the victims of this state. I am asking you to recognize the continued need for specialized healthcare providers for rape victims by supporting this bill, the need for the sexual assault nurse examiner's (SANE) to be called in to care for someone reporting they have been raped because they are considered the experts in their care.

In closing, I believe that everyone's goal here is to make sure victims have access to services that they have the right to have and to keep victims of violence safe in our communities, whether they are adults or children.



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CENTRAL DAKOTA FORENSIC NURSE EXAMINERS

To accomplish this huge task, we need to fill the gaps in medical care and provide a means for the medical community to not only develop but now to continue these crucial programs. I urge a Do Pass recommendation on SB2191.

Sincerely,

Tisha Scheuer, MSN, RN, SANE-A
Executive Director



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SB 2191

1/23/17

Central Dakota Forensic Nurses Examiner

Rebecca LaFavor, MSN RN
Director of Patient Services

[Handwritten signature]

SANE bill money Feb through Sept 2016

	Staffing	
	Certified SANE	Actively working
Altru	24	19
Grand Forks		
Central Dakota Forensic Examiners	3	60
Bismarck		
Minot		
Dickinson		
Williston		
Domestic Violence and Abuse Center		
Pembina County		
Family Crisis Shelter		
McKenzie County		
Jamestown Regional Medical Center		
Jamestown	10	12
Mercer County Sheriff Office		
Hazen	3	3
Sanford DCAC		
Bismarck/Mandan	12	12
Totals Feb through Sept	52	106

2

SANE bill money Feb through Sept 2016

	Events provided	# of people trained	Training # of training events attended	# of people attended training event
Altru			1	2
Grand Forks				
Central Dakota Forensic Examiners	1	12	1	12
Bismarck				
Minot				
Dickinson				
Williston				
Domestic Violence and Abuse Center				
Pembina County		3	1	3
Family Crisis Shelter				
McKenzie County				
Jamestown Regional Medical Center				
Jamestown		3	1	3
Mercer County Sheriff Office				
Hazen				
Sanford DCAC				
Bismarck/Mandan	6	4		
Totals Feb through Sept	7	22	4	20

SANE bill money Feb through Sept 2016

	Victim Information
	Exams done
Altru	
Grand Forks	64
Central Dakota Forensic Examiners	
Bismarck	38
Minot	31
Dickinson	13
Williston	15
Domestic Violence and Abuse Center	
Pembina County	
Family Crisis Shelter	
McKenzie County	
Jamestown Regional Medical Center	
Jamestown	8
Mercer County Sheriff Office	
Hazen	
Sanford DCAC	
Bismarck/Mandan	22
Totals Feb through Sept	191

Coordination of care

- ▶ Because of nurses on call in North Dakota cities, coordination of care has saved hours of driving time for victims of sexual assault
- ▶ Nurses that are SANE can assist other agencies with community planning, which improves response to these patients and is tailored to that community and it's resources.
- ▶ These nurses are trained and ready to testify should the need arise, supporting prosecution of these crimes in North Dakota
- ▶ Victim centered care reached 191 people of North Dakota and started them on the road to recovery

3

Judicial Committee
Testimony In Support of Senate Bill #2191
1-23-17

Chairman and Members of the Committee.

For the record, my name is Paula Condol. I am the Director Dakota Children's Advocacy Center, located here, in Bismarck ND. I am here today to ask for your support for Senate Bill 2191.

The Dakota Children's Advocacy Center is one of the Children's Advocacy Centers across the state committed to improving the response to child abuse. Each CAC is a community partnership that utilizes a comprehensive multidisciplinary team approach in supporting alleged victims and investigations of child abuse. Professionals from social services, law enforcement, prosecution, victim advocacy and the medical and mental health communities meet under one roof so that a child only has to tell of his or her abuse one time. Sensitivity to the needs and abilities of children is the hallmark of the children's advocacy center model which is utilized at over 800 Children's Advocacy Centers, in all 50 states across the country. Including three Children's Advocacy Centers in ND covering five regionally placed sites; one in Bismarck, Dickinson, Minot, Fargo and Grand Forks.

Child abuse happens in North Dakota. In 2016 Children's Advocacy Centers in ND served 2567 people and provided 25,411 services to them. This includes 227 medical exams across the state and 25 emergency exams here in Bismarck alone. Every year our centers see children that are sexually abused, beaten and threatened. They have witnessed violence and at times been exploited through pornography and trafficking. Children's Advocacy Centers offer comprehensive services to help these children and families through this experience and start them on the road to healing. A part of this is providing medical exams to victims to ensure that their body is okay, to provide

medical attention when it is not, and to preserve evidence of a crime. In the past two years the Dakota Children's Advocacy Center has had the pleasure to partner with the Central Dakota Forensic Nurse Examiners to provide 24/7 coverage of these victims. A partnership that was made possible through a grant to establish and provide SANE funding throughout the state. Senate Bill 2191 provides continued funding to ensure that these services remain in place and allow for the opportunity for continued expansion of services.

I have had the privilege to work with the child abuse victims for 16 years now and I have seen and heard many things that a person shouldn't have to experience. Prior to SANE funding in the state children would come into our ER's after one of the worst experiences that someone could experience. Someone violating their trust and their bodies and taking something from them that will be difficult to move on from. They come to the hospitals in hope that someone can help them and tell them that they are going to be okay. However, way too many times then I care to count in my career I have been called in to talk to the families. To explain that this service simply isn't offered in our area. That we are sorry that we are adding to their difficulty and that I would be happy to see what I can do to help them get to Fargo or Sioux Falls. I have made endless calls begging someone to try and do the exam, bought bus tickets to get somewhere they could get help and offered endless apologies. This is something that ER doctors are simply not trained for nor have the expertise to do. And these kids were simply sent away. In all of these years being able to say that we now offer 24/7 coverage for the youngest of our victims has been one of my proudest achievements and something that I had worked years to try to achieve. However, the simple reality is that without continued funding this services in many areas, including here in Bismarck will cease to exist.

We all play a critical role in ensuring the safety of victims in our state. A large part of this is ensuring that their bodies are okay and that they receive the medical attention

needed to live a full and healthy life. Unfortunately child abuse and sexual assault doesn't happen on a schedule and emergency on-call services is a necessity to serve this population. We understand and respect the tight restrictions of the budget this session. As providers in the non-profit world we are used to "making due" and "doing more with less". But we also understand the mission of the work and that work is sometimes too important to do without. This is one of those times where we as a state can stand up and say that it is not okay to do without. That is not okay to send someone who is hurting and scare away, to be told this isn't something we can help you with. We need to say that every child, woman, teen or anyone else who has experience sexual abuse or sexual assault will be afforded a comprehensive, compassionate exam when they need one. No matter the time of day or night. We have an opportunity to do what's right and I am here today to ask you for your support.

Chairman and Members of the Committee, thank you for allowing me the opportunity to testify before you today and I will be happy to try and answer any of your questions.

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11/23/17

Letter of Support for an Appropriation for SANE Funding in North Dakota
IN SUPPORT OF SB 2191,

My name is Dan Donlin, Chief of Police for the Bismarck Police Department. I am in my 29th year of law enforcement. In my career I have worked as a patrol officer and as a personal crimes investigator responsible for investigating crimes involving sexual assault and, unfortunately, I have far more experience than I ever imagined I would in working with victims of sexual assault. This letter is in support of SB 2191.

The Bismarck Police Department has been working in collaboration with the Sexual Assault Nurse Examiner Program, commonly referred to as "SANE," for the past 14 years. This partnership with SANE, along with the Abused Adult Resource Center (AARC), is all about providing the absolute best multi-disciplinary coordinated response to a sexual assault victim and ensuring the best chance at collecting the crucial, many times microscopic, forensic evidence needed to investigate and prosecute sexual assault cases successfully. This coordinated response keeps the focus on ensuring the victim of a sexual assault, who has been horrifically traumatized, is treated with the utmost compassion and providing them with the care and services they need to first, start them on their difficult path of healing, and second, to seek and obtain justice.

Having the SANE program, that is forensically trained nurses, has vastly improved the collaborative response to victims reporting a sexual assault in our community. Our department knows that the SANE program presents victims with a positive first impression of the community response, which increases the likelihood that the sexual assault victim will feel encouraged to cooperate or participate with police in the investigation and ultimately be more comfortable in going through with prosecution.

Officers know that victims are in good hands with the highly trained SANE nurses because victims will be treated with kindness and respect. Officers also recognize the increased efficiency that SANE nurses bring to the evidentiary exam process, and as a result, the time law enforcement spends waiting for evidence and waiting to interview victims can often be greatly reduced. Our detectives realize that SANE nurses can contribute to investigations by providing meticulously collected forensic evidence and extensive documentation that complement crime scene evidence and witness statements that might otherwise not be collected or obtained. SANE nurses have greatly improved the quality and consistency of collected evidence.

Due to the passage of SB 2284 last legislative session, SANE services were able to expand to additional hospitals and law enforcement agencies in the smaller communities to cover all of western North Dakota. These communities were able to have access to, and more importantly benefit from, having the specifically trained SANE nurses and to integrate them as part of the investigation process.

I encourage you to give SB 2191 a "do pass" recommendation and provide an appropriation to better assist the victims of sexual assault in our communities.

Thank you,

Dan Donlin
Chief of Police
Bismarck Police Department

Testimony in support of SB 2191

Before the Judiciary Committee

January 23, 2017

Chairman Armstrong and members of the Senate Judiciary Committee:

Good Morning, my name is Diane Zainhofsky. I am the Executive Director of the Abused Adult Resource Center located in Bismarck, North Dakota. I want to thank Chairman Armstrong and members of the Senate Judiciary Committee for the opportunity to speak today about Senate Bill 2191.

Senate Bill 2191 offers an opportunity for already established Sexual Assault Nurse Examiners programs to ensure all victims of sexual assault to receive specialized care and a forensic examination, when requested.

The Abused Adult Resource Center has strived since 1976 to provide victims of domestic violence with crisis intervention and advocacy services. In 1994 we also began providing the full spectrum of our support services to rape victims in our community.

In spite of the fact that it is the most violent crime next only to murder, rape is one of the most underreported crimes in our nation. For those that survive the initial assault, the trauma of rape leaves them facing physical and emotional devastation because someone has stripped away personal control over the most intimate aspects of their being. Many victims of rape do not survive the initial assault and I know victims who have committed suicide when they did not have enough support to cope with their emotions and the trauma of the rape.

Additionally, their loved ones; parents, partners, husbands, siblings, and friends as the secondary victims of this crime have their own host of emotions to deal with knowing someone they loved was hurt in the most intimate type of violation. They struggle to know the right things to do and say to assist their loved one with recovering from this horrific crime.

The forensic evidence collection process has been the solution for how to provide the best services possible to victims of rape.

In 2003 when our community implemented a Sexual Assault Nurse Examiner program and established a community response protocol for the team of responders working with the Sexual Assault Nurse Examiner we began ensuring that we placed the welfare of the victim foremost at all steps in the process.

Since that time our community has operated with a sexual assault nurse examiner that is the core of a response team which also includes an advocate and an investigator. I believe this is

the best response for victims of rape and their families. A specialized care team gives victims the tools they need to begin their path to healing emotionally from the scars created by this devastating crime. When victims have positive experiences it encourages reporting these crimes within our communities.

I believe that when victims of rape come forth to report this crime we are all safer because of their courage. When they only have to tell their story one time it creates a stronger case. In addition when victims feel supported from the moment they reach out for help they are more likely to stay connected with the criminal justice system from the beginning report to the end of the trial.

SANE programs are at the core of providing best response services to rape victims within the state of ND. In fact without that component the victim is left with a host of medical and forensic issues related to the crime that no other responder can provide.

When medical providers do not have the expertise to understand the dynamics of rape and the first-hand experience of collecting evidence expertly the victim suffers because justice is often unattainable and the medical provider will struggle to assist the victim in overcoming the trauma related to rape.

I believe that Sexual Assault Nurse Examiner services are essential to helping victims and their families recover from the trauma of rape. All victims in our state deserve the best response possible when they reach out for help in their community. If your family member was raped I know you would want them to have specialized care response. I am asking you to make that support available to victims in their communities across our state as responders and systems work together to maintain Sexual Assault Nurse Examiner services.

As the Executive Director of the Abused Adult Resource Center I urge a Do Pass recommendation on SB 2191.

Sincerely,

Diane Zainhofsky, LSW
Executive Director
Abused Adult Resource Center
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dianez@btinet.net

January 20, 2017

RE: In support of SB 2191- Sexual Assault Nurse Examiner Programs

Dear Senate Judiciary Committee Members,

This letter is to inform you of my support of SB 2191; relating to appropriations to the attorney general for the purpose of continuing grants monies through the domestic violence and rape crisis program for community-based or hospital-based sexual assault examiner programs. This bill would continue a grant program that would continue what is considered best practices in the care of sexual assault victims, i.e. Sexual Assault Nurse Examiner Programs (SANE) in the state of North Dakota.

I am a residency trained, board certified Emergency Trauma Physician in practice for over 25 years here in Bismarck. I am a former law enforcement officer prior to becoming a physician. I have extensive training and experience in the care of sexually and physically abused adults and children and domestic violence issues.

I have been working with our community-based SANE program in Bismarck for the past 14 years as the Medical Director and have witnessed first-hand the difference they have made in the lives of many victims I have seen in the Emergency Department (ED). There are many reasons why a trained SANE nurse should be conducting the forensic examination and I will touch on just a few:

- The victim receives a timely, competent collection of forensic evidence which reflects directly on the potential for prosecution of these crimes. Without the evidence that is collected it makes it almost impossible to prosecute.
- Prior to having a SANE program the ED staff were woefully ill-prepared by training or expertise to provide full comprehensive services to these victims.
- It had taken a staff nurse and busy physician away from other patients in the ED for approximately 4-6 hours, on average, leaving the rest of the staff shorthanded, for example, when other critically ill or injured patients arrived.
- Prior to the SANE program, victims were not getting the emotional support, understanding, or referrals to community advocacy services that are so important for victims of sexual assault.

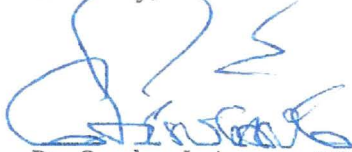
Now when the victim of an often brutal sexual assault arrives to a busy Emergency Department, they get the undivided attention of a highly trained SANE Nurse who provides care based on best practice standards. They recognize the physical, emotional, psychological, socio-economical, spiritual, and cultural well-being of the victim and give the undivided attention that cannot otherwise be provided without a SANE Program.

- The victims receive age specific treatment and services every time
- The victims receive the same standard of care regardless of the circumstances of the sexual assault. (This does not happen when medical staff are not specialized in their care)
- An environment is provided, typically out of the commotion of the ED, that promotes a victim-centered approach to all victims of sexual assault
- When the health care professional is trained in the appropriate collection of evidence and medical examination specific to victims of sexual assault they will also be prepared to help that victim connect with the community resources that are vital to the recovery from the sexual assault.

I offer my earnest support of this bill because it will help us continue and sustain the highest level of care for victims of sexual assault possible in the Bismarck region, and potentially bring the same high standards of care to the victims across our state who currently do not have access to this type of care. It is a dire and ongoing need.

Thank you for this opportunity to share my professional experience as a Medical Director in working with a SANE program. I respectfully submit this letter in support of SB 2191. Do not hesitate to contact me if I can provide further information.

Sincerely,



Dr. Gordon Leingang, DO, FACEP, FACOEP
Emergency Medical Services Medical Director
Medical Director, Central Dakota Sexual Assault Nurse Examiner (SANE) Program
N.D. Army National Guard/Senior Flight Surgeon
Colonel, Medical Corps, Senior Flight Surgeon, USA

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7

1/23/17

OFFICE OF THE STATE'S ATTORNEY
MORTON COUNTY, NORTH DAKOTA

210 SECOND AVENUE NW · MANDAN, NORTH DAKOTA, 58554 · PHONE 701-667-3350

TO: Whom it may concern

FROM: Brian D. Grosinger, Assistant State's Attorney
Brian.Grosinger@mortonnd.org
mortonsa@mortonnd.org
/s/Brian D. Grosinger

RE: Senate Bill 2191
Sexual Assault Nurse Examiner (SANE) Support

DATE: January 14, 2017

This is my testimony in support of Senate Bill 2191 that provides funding through the Attorney General's budget.

Medical testimony is essential to the prosecution of sex crimes. Since the start of the program, prosecutors now have available the testimony of specially trained nurses that conduct a thorough examination and provide documentation of the physical condition of the victim. The evidence that results consists of the professional observation of the examiner to the photographic documentation of the injuries that occur. Another essential role of the examiner is to implement the collection and preservation of physical evidence for purposes of DNA testing and the like. The entirety of the examiner's role is very valuable to the prosecution.

Since the start, I have worked with a number of SANE nurse examiners and to the last one have found them to be professional and dedicated to the preservation of evidence. At the same time, they have retained their concern and commitment to the health and well being of the victim.

Please grant your support to this bill.

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1/23/17



January 22, 2017

RE: in support of SB 2191

Dear Senate Judiciary Committee,

Thank you for this opportunity to submit a letter of support of SB 2191 to support funding for domestic violence and rape crisis programs in our state. Sexual Assault Nurse Examiner (SANE) programs in our area are a vital part of the Sexual Assault Response Team (SART) in Minot. Our SART is active and interactive and meets quarterly to assure the care given to the victims of sexual assault are the best we can offer. We strive to assure to all victims are receiving services available including prevention education, acute care and evidence collection as well as follow-up care.

The Minot SART serves a wide region of North Western North Dakota. Represented on the SART is Law Enforcement from the Sheriff's department, Local Police Departments, Minot State University and Minot Air Force Base, as well as 2 reservations. Trinity Health administration supports the community SART and is active in problem-solving, planning and support to this group and to the patients that come to the Emergency Department for care when reporting sexual assault. Central Dakota Forensic Nurse Examiner's (CDFNE) completes the evidence collection at Trinity Health. Domestic Violence Crisis Center responds with an advocate for every victim that reports sexual assault. This group is vital to the care of victims of sexual assault and SB 2191 will allow for the multidisciplinary team to continue providing services.

The care given to victims in our region is supported by legislation such as the SB 2191. As part of the management group at Trinity Health we would like to convey our support for this legislation that provides the ability to offer services to victims of violent crimes. Trinity Health Emergency Trauma Center (ETC) physicians and management support the care of victims of sexual assault by continuing to provide evidence collection and interview away from the ETC. Providing care away from the ETC provides a less chaotic environment that is more conducive to collecting details of the crime in the interview process. Having time, space and the appropriate persons respond to victims of sexual assault is the best practice and we look forward to continuing to offer a SART-based approach.

We support SB 2191 grant program and believe it will help offer a reliable and high standard of care to the victims of sexual assault in our region. Thank you for your time and we urge a yes vote on SB2191. I hope you take our thoughts into consideration.

Sincerely,

Rhonda Gunderson, RN, BSN
Assistant Nurse Manager
Trinity Health Emergency Trauma Center
Rhonda.gunderson@trinityhealth.org

Wade Talley MD, FAAFP
Emergency Trauma Physician
Trinity Health
wade.talley@trinityhealth.org

9

1/23/17



CHI St. Alexius Health

Imagine better health.™

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Dickinson, ND 58601

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chistalexiushealth.org

January 20, 2017

RE: SB 2191

Dear Senate Judiciary Committee,

Thank you for this opportunity to submit a letter of support of SB 2191 to support Sexual Assault Nurse Examiner (SANE) programs in North Dakota. I am a mastered prepared Registered Nurse that brings 21 years of nursing experience. I have been the Director-Emergency Services for the past three years, however, have experience in emergencies and trauma for my entire career. I have been involved in sexual assault examinations and cases from Pennsylvania where I have practiced over the years and I am currently certified with adult sexual assault training in North Dakota.

In 2015 we officially started a Sexual Assault Nurse Examiner (SANE) program.

Dickinson is considered a rural community located in the heart of the Bakken Region, where the discovery of an immense amount of oil has occurred. There have been many changes since the "oil boom" in western North Dakota some have been positive and some have been negative. The most visible change has been in the population. With an increase in population comes an increase in crime. Law enforcement has reported in that region there has been an increase in sexual violence by 300%.

The SANE nursing services provide the opportunity to develop a designated support for specialized victims. The work in collaboration with the SANE program and SART Team is the best practice of care for victims.

Sexual Assault Nurse Examiners (SANE) are experts at addressing the psychological trauma in combination with physical trauma associated with sexual assault, focusing strongly on patient dignity and compassionate support. The facility utilizes the team and consults with them frequently, not only with sexual assaults, but also some domestic situations and injuries.

We support this SB 2191 because it will help with continued development of the program and sustain the highest level of care for victims of sexual assault possible in the Dickinson region. I am confident this program will bring the same high standards of care to the victims in our state who currently do not have access to this type of care especially the Bakken region. Thank you for your time.

I hope you take my thoughts into consideration.

Sincerely,

Susan Price, MS, RN
Director-Emergency Services
701-456-4401

CENTRAL DAKOTA FORENSIC NURSE EXAMINERS

1-30-2017
SB 2191
#1

Testimony in support of SB 2191
Before the Senate Appropriations Committee
January 30, 2017

Good Morning, my name is Tisha Scheuer. I have been a Registered Nurse for the past 22 years, a Certified Sexual Assault Nurse Examiner (SANE) for 14 of those years, and the Executive Director of the Central Dakota Forensic Nurse Examiner's located in Bismarck, North Dakota. I want to thank the Senate Appropriations Chairman and the members of the Senate Appropriations Committee for this opportunity to speak to you today regarding Senate Bill 2191.

First, I should start by explaining what a SANE nurse is. SANE stands for sexual assault nurse examiner. A sexual assault nurse examiner or SANE is a registered nurse who has been specially trained in the care of the sexual assault victim. A SANE program primarily focuses on the care of the sexual assault victim, always striving to help those victims begin their healing process while at the same time ensuring the forensic evidence is being maintained. SANE programs are usually staffed by Registered Nurses who have had the advanced specialized education regarding the medical-forensic examination, and the psychological and emotional trauma victims experience from a sexual assault. SANE nurses may also provide expert testimony in a court of law where because of their specialized training and experience with the collection of forensic evidence they are considered experts in their field. This then allows them to be able to testify in the manner.



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CENTRAL DAKOTA FORENSIC NURSE EXAMINERS

In 2003, the Central Dakota Forensic Nurse Examiner's (CDFNE) was developed through the Abused Adult Resource Center (AARC), located in Bismarck, ND. This program was established as a grassroots community-based sexual assault program in collaboration with the Bismarck Police Department, Mandan Police Department, CHI St. Alexius Health, and Bismarck Sanford Health. The overall and on-going mission of the CDFNE is to provide professional, compassionate, and timely collection of forensic evidence for survivors of sexual assault, and now I can say, of all ages.

With the passage of the flagship bill SB 2284 in the last legislative session, that bill offered the opportunity to establish SANE programs in the state and now maintaining those services is the challenge. These new services across North Dakota ensures all victims of sexual assault receive specialized care and a forensic examination, when requested. Last legislative session I spoke about women having to driving 2 hours to receive forensic care. I can say that now in western North Dakota that is not case anymore thanks to the passing of that bill. Through that money, SANE programs were developed in Minot, Williston and Dickinson with success and all victims reporting a sexual assault now receives specialized care if they want it. Rebecca LaFavor will be testifying after me, and she will be giving you the statistics over the past 11 months of the SANE grant funding to show you how successful it has been. She will also talk about in detail the forensic examination that we have been referring to this entire time. We feel it is important for you to understand how important the continued funding of these services



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CENTRAL DAKOTA FORENSIC NURSE EXAMINERS

are not only to the victim, that goes without saying, but also to law enforcement to make sure their cases are strong.

This past spring the CDFNE expanded their services to the pediatric population in Bismarck, ND. This would not have been possible without the appropriated funds through the SB from last session, which is another reason why we are asking for continued funding for these services. As forensic nurses, we provide a trauma-informed care response in the acute setting at the time of the victim reporting the sexual assault whether the victims is 35 or 5 years old. By providing, this specialized trauma-informed service we have been able to create an environment which not only acknowledges the impact of trauma but develops a sense of safety for all patients to include male or female victims, elderly victims, strangled victims, developmentally delayed victims, victims from the jails and prisons, and child victims of rape.

The funds from this proposed grant program will enable organizations in the state to be able to continue the programs that are already functioning (Fargo, Grand Forks, Bismarck, Williston, Dickinson, and Minot). The intentions of this funding are to pay nurses to be available 24 hours a day, train and provide ongoing training for nurses, and fund the operational costs it takes to manage a specialized nursing program. There are limited funds currently available, they are through the Attorney General's office on a reimbursement basis, and those funds are limited in their ability to fund programs and do not cover the extenuating needs of a specialized nursing program.



CENTRAL DAKOTA FORENSIC NURSE EXAMINERS

SB2191 is needed to ensure and continue what is considered best practice of care, and the best standard of care for victims of sexual assault. The victims go through a lot during the examination, whether they are an adult or an infant, and they and their family expect the person collecting this evidence is trained to do so. If the evidence is not collected per forensic standards the evidence could be lost.

It is important to know that hospitals fully support the concept of SANE nurses, but they just don't have the financial means to fully sustain these programs. For example; as I stated earlier, the Central Dakota Forensic Nurse Examiners have had the opportunity to expand into the Minot region. Trinity Health has given full support to this process and has donated a specific room in the hospital for us to provide the SANE services and has remodeled it to fit the needs of the program. They have donated an exam table, computer, printer, filing cabinet etc. that helped start and maintain this SANE program, and now they hoping it can continue. This is the same in Williston and Dickinson. However, to continue this specialized program, outside funding is essential. What have we done with the fund from the last legislative session? This is what we have done:

- Develop a network of forensic nurses across western North Dakota.

This means that if there is not a nurse available in Williston or maybe Dickinson, the hospital or advocacy agency will now call the Bismarck program and arrange for the forensic evidence collection to be completed in Minot or Bismarck. This



CENTRAL DAKOTA FORENSIC NURSE EXAMINERS

type of network that allows us to coordinate forensic care was not possible before the passage of the previous bill. Also, because we were able to establish trained nurses in those communities, through that funding, we still needed community support in the form of community response teams. Even though I was not able to utilize any of the funding for my position to go to those communities such as Williston, I still went without being paid to ensure those communities did not have to reinvent the wheel, but to build on what they already had, to include the SANE nurse now. This enables the victims to have full community support and access to services. We have that now in Williston, Minot, Dickinson because of the funding from last legislative session.

We have coordinated several pediatric rape victim's forensic examinations through this network from Watford City, Williston, Dickinson and the Standing Rock reservation. One case I remember that was driving through Dickinson, where the mother was running from her abusive husband with her four children. She finally felt safe to go to the emergency room in Dickinson and reported her children had been raped by him and the emergency room was then able to call the program in Bismarck and coordinate forensic care for those four children the very next day. Otherwise they would have had to go to all the way to Fargo.



CENTRAL DAKOTA FORENSIC NURSE EXAMINERS

- Because of this funding North Dakota has been able to provide services and resources to victims that surrounding states were not able to care for.
- Provide advanced SANE training for nurses in western North Dakota.
 - We have had the opportunity to provide advanced training to a SANE nurse from Minot where she came down to Bismarck to shadow the more experienced SANE in order to make her practice better and to care for her patients more competently. This was not possible before this funding, this shared knowledge is essential for growth.
- Provided the 40 hours of SANE training to the state that is required for nurses to attend prior to caring for victims of rape as a SANE nurse.
 - Through this funding, we were able to hold the week long training May 2016 in Bismarck and are in the process of planning another training for May 2017 in Bismarck with the funding from SB 2284.
- We sent SANE nurse to national training.
 - We could send 4 SANEs (2 from Dickinson, 1 from Minot and 1 from Bismarck) to the International Association of Forensic Nursing's International conference in Denver this fall where they could network. A couple of the nurse now have national contacts that they have used back in their home communities. The nurses that attended this training was required to come back and do presentations on the information they



CENTRAL DAKOTA FORENSIC NURSE EXAMINERS

learned to those who were not able to attend. Making sure this information is shared.

- This April 2017 we will be sending 3-4 nurses to Washington D.C through a training that is being put on by the International Association of Forensic Nurses to teach us how to lobby for forensic nursing issues as well as meet with our states representatives to discuss forensic nurse issues in our state. We were never able to do that in the past, and with this exposure to national people and up to date information makes the care that we provide to Western North Dakota stronger.
- We could buy much needed supplies, resources, and will be buying four updated colposcopes for the western North Dakota programs, all through the previously appropriated funding.

As you can see, this organization did and will do everything they said they were going to do with the appropriated funds. Because of this, North Dakota is now a leader in our region as compared to Montana and South Dakota, in the services it provides to victims of rape.

Lastly, I don't know if all of you are a parent, grandparent, or have nieces and nephews, but I want you to think about if that child came to you and told you that they have been raped either by a babysitter, friend or relative, and you had to say to them, "there used to be people here that could help you but there is no one here anymore". That is what this



CENTRAL DAKOTA FORENSIC NURSE EXAMINERS

funding means to the victims of this North Dakota. I am asking you to recognize the continued need for specialized healthcare providers for rape victims by supporting this bill, the need for the sexual assault nurse examiner's (SANE) to be called in to care for someone reporting they have been raped because they are considered the experts in their care.

In closing, I believe that everyone's goal here is to make sure victims continue to have access to services they have the right to have and to keep victims of violence safe in our communities, whether they are adults or children.

I urge a Do Pass recommendation on SB2191.

Sincerely,



Tisha Scheuer, MSN, RN, SANE-A
Executive Director



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SB 2191
1-30-17
2

**Testimony in Support of SB 2191
Senate Appropriations Committee
January 30, 2017**

Chairman Holmberg and members of the committee, I am Carmen Bryhn and I serve as Executive Director & Lobbyist of the North Dakota Nurses Association.

The North Dakota Nurses Association (NDNA) is the only professional organization representing all registered nurses (RNs) in North Dakota. The mission of NDNA is to advance the nursing profession by promoting professional development of nurses, fostering high standards of nursing practice, promoting the safety and well-being of nurses in the workplace, and by advocating on health care issues affecting nurses and the public.

It is on the last point that I would like to address you today in regards to SB 2191. The passage of this bill is needed to protect the SANE program which benefits the public. The return on investment of this bill is substantial. The number of people and children being assisted by the Sexual Assault Nurse Examiners in the last 9 months has been 100 people in the areas of Dickinson, Williston, Minot & Bismarck.

Nurses in our own community are being trained to help those within our community. It is a win-win situation. The pediatric population no longer has to ride a bus to another state for assistance after sexual assault. To be taken out of a child's own environment and sent away for this is not going to help with their emotional and developmental needs, especially at this devastating point in their lives. This program has proven they are able to do a lot with a little. North Dakota would be going backwards in public health & support for its people.

We urge passage of SB 2191.

Carmen Bryhn MSN, RN
Executive Director
director@ndna.org
North Dakota Nurses Association

1

SB 2191

1-30-17

#3

Central Dakota Forensic Nurses Examiner

Rebecca LaFavor, MSN RN
Director of Patient Services

SANE bill money Feb through Dec 2016

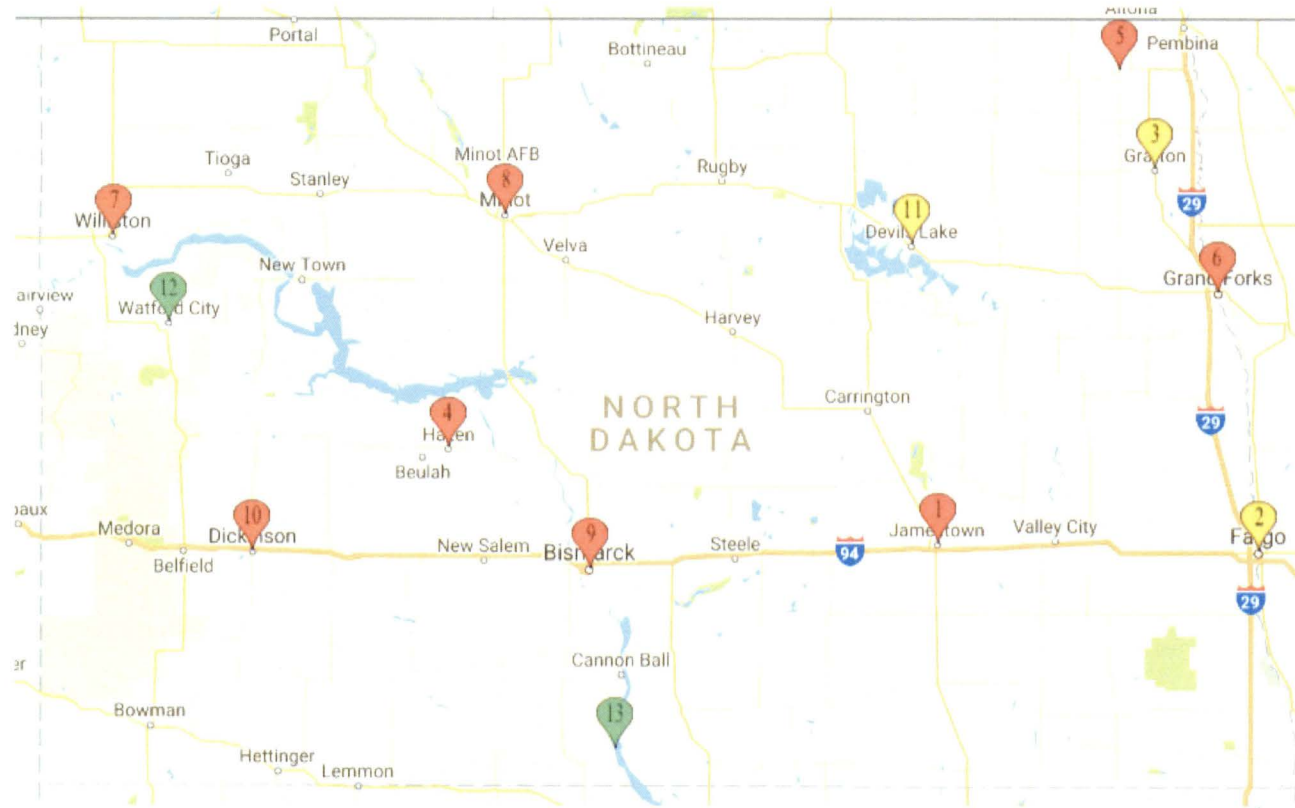
	Staffing	
	Certified SANE	Actively working
Altru	24	19
Grand Forks		
Central Dakota Forensic Examiners	3	22
Bismarck		
Minot		
Dickinson		
Williston		
Domestic Violence and Abuse Center		
Pembina County		
Family Crisis Shelter		
McKenzie County		
Jamestown Regional Medical Center		
Jamestown	10	12
Mercer County Sheriff Office		
Hazen	3	3
Sanford DCAC		
Bismarck/Mandan	1	3
Totals Feb through Sept	52	106

SANE bill money Feb through Dec 2016

	Events provided	# of people trained	Training # of training events attended	# of people attended training event
Altru			1	2
Grand Forks				
Central Dakota Forensic Examiners	1	12	1	12
Bismarck				
Minot				
Dickinson				
Williston				
Domestic Violence and Abuse Center				
Pembina County		3	1	3
Family Crisis Shelter				
McKenzie County				
Jamestown Regional Medical Center				
Jamestown		3	1	3
Mercer County Sheriff Office				
Hazen				
Sanford DCAC				
Bismarck/Mandan	6	4		
Totals Feb through Dec	7	22	4	20

3

Locations that used SANE bill Money



Red dots are the programs that used SANE bill money

Yellow dots are programs that did not use SANE bill money

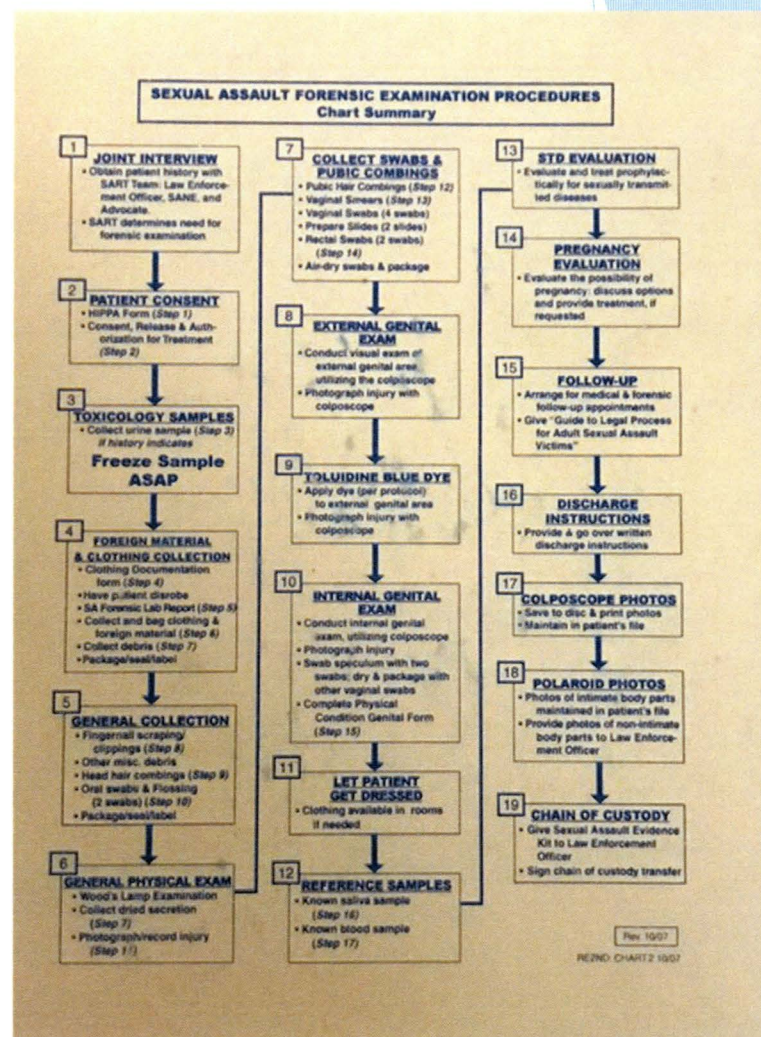
Green dots are where we would like to expand services to reach these communities.

SANE bill money Feb through Dec 2016

	Victim Information
	Exams done
Altru	
Grand Forks	64
Central Dakota Forensic Examiners	
Bismarck	38
Minot	31
Dickinson	13
Williston	15
Domestic Violence and Abuse Center	
Pembina County	
Family Crisis Shelter	
McKenzie County	
Jamestown Regional Medical Center	
Jamestown	8
Mercer County Sheriff Office	
Hazen	
Sanford DCAC	
Bismarck/Mandan	35 (May-December)
Totals Feb through Dec	191

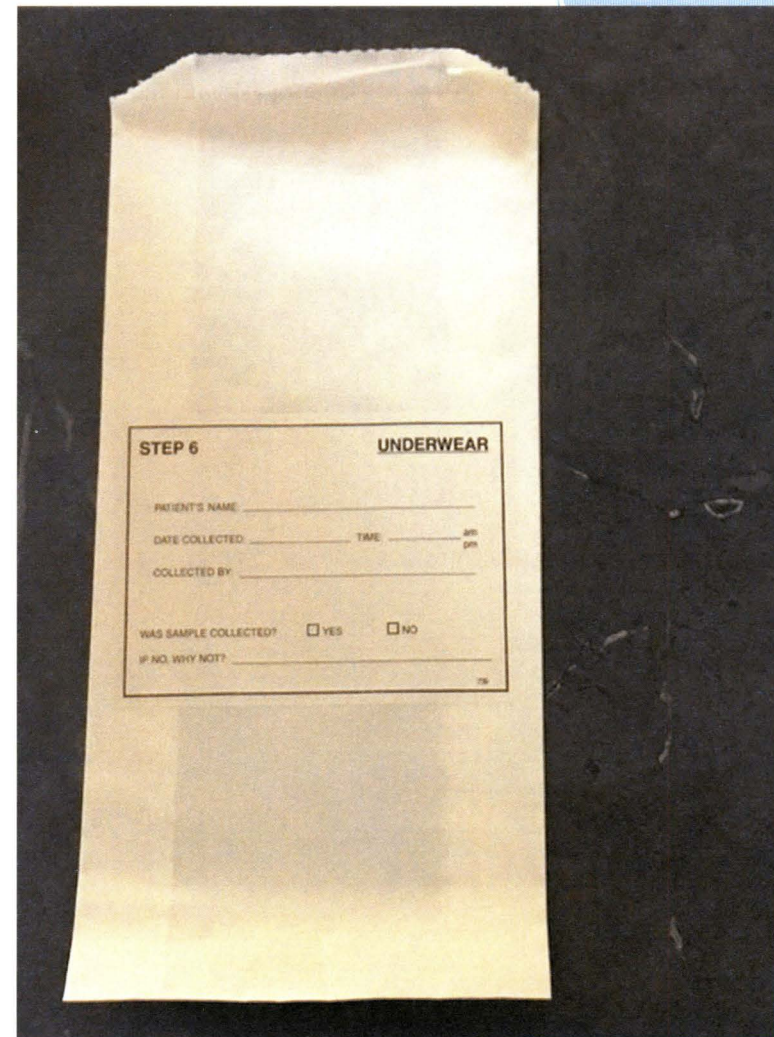
Technical Aspects of the SANE exam

- ▶ Complicated kit (19 steps) and need for evidence collection
- ▶ Pictured is the back of a SANE evidence collection kit



Technical Aspects of the SANE exam

- ▶ Collection of the clothing requires the victim to undress and relinquish their property
- ▶ The SANE nurse is then packaging up and photographing the clothing through learned forensic photography techniques



Technical Aspects of the SANE exam

- ▶ Out of the 19 steps this is the vaginal evidence collection envelope
- ▶ It contains an added level of complexity because the victim needs to submit to an internal vaginal exam with photography and swabbing
- ▶ This part of the exam can be lengthy depending on how the victim tolerates the intimacy of a unknown medical professional



J

Technical Aspects of the SANE exam

- ▶ Out of the 19 steps this is the rectal evidence collection envelope
- ▶ It contains an added level of complexity because the victim needs to submit to a external rectal exam with photography and swabbing
- ▶ This occurs after the vaginal exam
- ▶ Intimate examination of a victim's genitals needs to be handled carefully, and by a specially trained healthcare provider, in order to allow that person to start the recovery process

STEP 14 **RECTAL SWABS**
IF RECTAL ASSAULT OCCURRED

PATIENT'S NAME: _____

DATE COLLECTED: _____ TIME: _____ am
pm

COLLECTED BY: _____

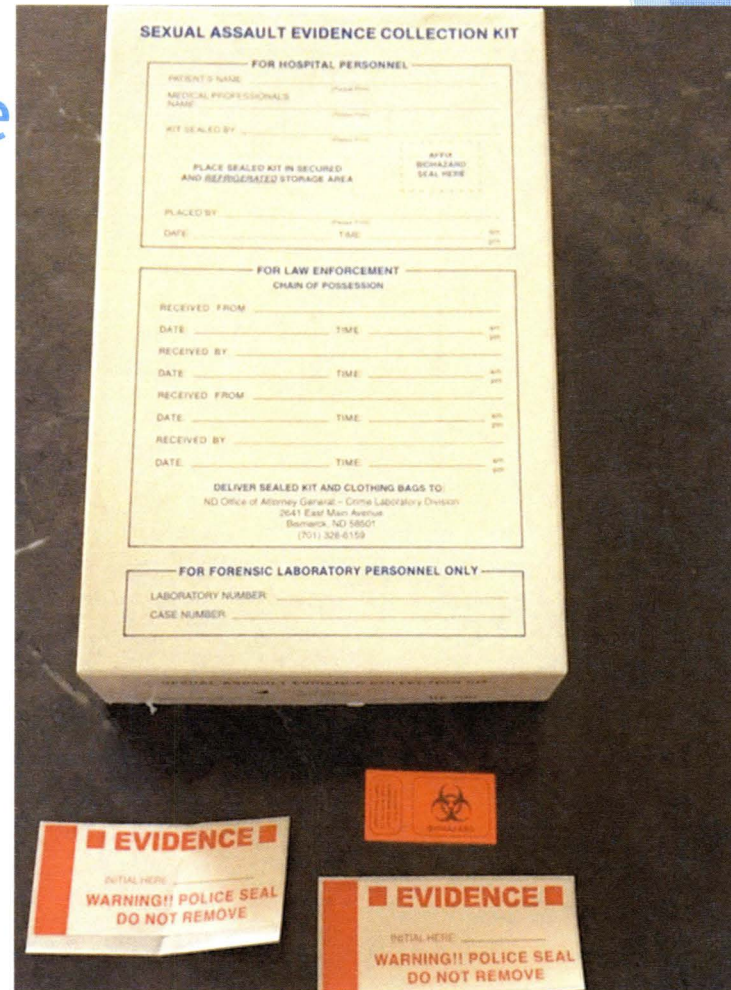
WAS SAMPLE(S) COLLECTED? YES NO

IF NO, WHY NOT? _____

9200 STEP 14.2 1007

Technical Aspects of the SANE exam

- ▶ After the exam is completed, the nurse needs to package up all the evidence, this includes the swabs, clothing, photographs, and exam summary. This needs to be completed using forensic standards learned in the SANE training. They then need to turn this information over to law enforcement
- ▶ Exams on average are between 4-6 hours, with 1/3 of the time dedicated to the documentation
- ▶ Prosecution can then use any of the information collected to build the case



The image shows a 'SEXUAL ASSAULT EVIDENCE COLLECTION KIT' form and two evidence tags. The form is divided into three main sections: 'FOR HOSPITAL PERSONNEL', 'FOR LAW ENFORCEMENT CHAIN OF POSSESSION', and 'FOR FORENSIC LABORATORY PERSONNEL ONLY'. The 'FOR HOSPITAL PERSONNEL' section includes fields for 'PATIENT'S NAME', 'MEDICAL PROFESSIONAL'S NAME', 'KIT SEALED BY', 'PLACED BY', and 'DATE'. It also contains instructions: 'PLACE SEALED KIT IN SECURED AND REFRIGERATED STORAGE AREA' and 'AFFIX BIOHAZARD SEAL HERE'. The 'FOR LAW ENFORCEMENT CHAIN OF POSSESSION' section includes three sets of 'RECEIVED FROM', 'DATE', and 'TIME' fields, and 'RECEIVED BY' fields. Below this is the address: 'DELIVER SEALED KIT AND CLOTHING BAGS TO: ND Office of Attorney General - Crime Laboratory Division, 2641 East Main Avenue, Bismarck, ND 58501, (701) 328-6159'. The 'FOR FORENSIC LABORATORY PERSONNEL ONLY' section includes fields for 'LABORATORY NUMBER' and 'CASE NUMBER'. The two evidence tags are white with orange borders and text: 'EVIDENCE', 'INITIAL HERE', 'WARNING!! POLICE SEAL DO NOT REMOVE'. One tag also features a biohazard symbol.

Additional aspects to the SANE nurse skills set.

- ▶ Recognition of strangulation cases- this is a type of injury that requires a thorough assessment
- ▶ Perpetrators only use as much force as it takes to get a victim to submit
- ▶ Strangulation is not part of the average healthcare providers education, physician or nurse. It is a standard part of the SANE nurses training
- ▶ A class A Felony of gross sexual imposition can increase to a AA felony if “That person compels the victim to submit by force or by threat of imminent death, serious bodily injury, or kidnapping, to be inflicted on any human being” under Chapter 12.1-20-03
- ▶ Signs and symptoms of strangulation can be very difficult to spot even with an experienced SANE, clearing of the throat, hoarseness, petechial or diffuse, pinpoint bruising in the eyes, behind the ears and in the mouth. Behavioral changes are also common in the strangulation victim. In severe cases death can occur, even up to two weeks later

Additional aspects to the SANE nurse skills set.

- ▶ Forensic Photography
- ▶ This is using digital media to document bodily injury and submit for evidence
- ▶ Accurately taking photos of non-intimate body parts is a skill that is taught during the SANE nurse course, as is the ability to photograph intimate areas such as genital and rectal photos
- ▶ This also translates to having the nurse explain in court what the injury is, and how it is significant to the case. Our specialized training allows us to interpret these findings, this is allowed only because of the SANE training

Additional aspects to the SANE nurse skills set.

- ▶ I have shared with you just some of the skills needed to be a SANE nurse
- ▶ It is important to the justice system and to the victims it serves, to have specially trained nurses conduct these exams
- ▶ The nurse needs to have proficient technical skills but needs excellent interpersonal skills to work with victims of violence to maintain trauma informed care
- ▶ These technical skills are not taught in a general nursing program
- ▶ This is why the funding is so important to the residents of North Dakota
- ▶ Please pass SB 2191 to allow us to continue to serve sexual violence victims in North Dakota

SB 2191

1-30-17

#4

OFFICE OF THE STATE'S ATTORNEY

MORTON COUNTY, NORTH DAKOTA

210 SECOND AVENUE NW · MANDAN, NORTH DAKOTA, 58554 · PHONE 701-667-3350

TO: Whom it may concern

FROM: Brian D. Grosinger, Assistant State's Attorney
Brian.Grosinger@mortonnd.org
mortonsa@mortonnd.org
/s/Brian D. Grosinger

RE: Senate Bill 2191
Sexual Assault Nurse Examiner (SANE) Support

DATE: January 14, 2017

This is my testimony in support of Senate Bill 2191 that provides funding through the Attorney General's budget.

Medical testimony is essential to the prosecution of sex crimes. Since the start of the program, prosecutors now have available the testimony of specially trained nurses that conduct a thorough examination and provide documentation of the physical condition of the victim. The evidence that results consists of the professional observation of the examiner to the photographic documentation of the injuries that occur. Another essential role of the examiner is to implement the collection and preservation of physical evidence for purposes of DNA testing and the like. The entirety of the examiner's role is very valuable to the prosecution.

Since the start, I have worked with a number of SANE nurse examiners and to the last one have found them to be professional and dedicated to the preservation of evidence. At the same time, they have retained their concern and commitment to the health and well being of the victim.

Please grant your support to this bill.

Appropriation
Testimony In Support of Senate Bill #2191
1-30-17

SB 2191
1-30-2017
#5

Chairman and Members of the Committee.

For the record, my name is Paula Condol. I am the Director Dakota Children's Advocacy Center, located here, in Bismarck ND. I am here today to ask for your support for Senate Bill 2191.

The Dakota Children's Advocacy Center is one of the Children's Advocacy Centers across the state committed to improving the response to child abuse. Each CAC is a community partnership that utilizes a comprehensive multidisciplinary team approach in supporting alleged victims and investigations of child abuse. Professionals from social services, law enforcement, prosecution, victim advocacy and the medical and mental health communities meet under one roof so that a child only has to tell of his or her abuse one time. Sensitivity to the needs and abilities of children is the hallmark of the children's advocacy center model which is utilized at over 800 Children's Advocacy Centers, in all 50 states across the country. Including three Children's Advocacy Centers in ND covering five regionally placed sites; one in Bismarck, Dickinson, Minot, Fargo and Grand Forks.

Child abuse happens in North Dakota. In 2016 Children's Advocacy Centers in ND served 2567 people and provided 25,411 services to them. This includes 227 medical exams across the state and 25 emergency exams here in Bismarck alone. Every year our centers see children that are sexually abused, beaten and threatened. They have witnessed violence and at times been exploited through pornography and trafficking. Children's Advocacy Centers offer comprehensive services to help these children and families through this experience and start them on the road to healing. A part of this is providing medical exams to victims to ensure that their body is okay, to provide

medical attention when it is not, and to preserve evidence of a crime. In the past two years the Dakota Children's Advocacy Center has had the pleasure to partner with the Central Dakota Forensic Nurse Examiners to provide 24/7 coverage of these victims. A partnership that was made possible through a grant to establish and provide SANE funding throughout the state. Senate Bill 2191 provides continued funding to ensure that these services remain in place and allow for the opportunity for continued expansion of services.

I have had the privilege to work with the child abuse victims for 16 years now and I have seen and heard many things that a person shouldn't have to experience. Prior to SANE funding in the state children would come into our ER's after one of the worst experiences that someone could experience. Someone violating their trust and their bodies and taking something from them that will be difficult to move on from. They come to the hospitals in hope that someone can help them and tell them that they are going to be okay. However, way too many times then I care to count in my career I have been called in to talk to the families. To explain that this service simply isn't offered in our area. That we are sorry that we are adding to their difficulty and that I would be happy to see what I can do to help them get to Fargo or Sioux Falls. I have made endless calls begging someone to try and do the exam, bought bus tickets to get somewhere they could get help and offered endless apologies. This is something that ER doctors are simply not trained for nor have the expertise to do. And these kids were simply sent away. In all of these years being able to say that we now offer 24/7 coverage for the youngest of our victims has been one of my proudest achievements and something that I had worked years to try to achieve. However, the simple reality is that without continued funding this services in many areas, including here in Bismarck will cease to exist.

We all play a critical role in ensuring the safety of victims in our state. A large part of this is ensuring that their bodies are okay and that they receive the medical attention

needed to live a full and healthy life. Unfortunately child abuse and sexual assault doesn't happen on a schedule and emergency on-call services is a necessity to serve this population. We understand and respect the tight restrictions of the budget this session. As providers in the non-profit world we are used to "making due" and "doing more with less". But we also understand the mission of the work and that work is sometimes too important to do without. This is one of those times where we as a state can stand up and say that it is not okay to do without. That is not okay to send someone who is hurting and scare away, to be told this isn't something we can help you with. We need to say that every child, woman, teen or anyone else who has experience sexual abuse or sexual assault will be afforded a comprehensive, compassionate exam when they need one. No matter the time of day or night. We have an opportunity to do what's right and I am here today to ask you for your support.

Chairman and Members of the Committee, thank you for allowing me the opportunity to testify before you today and I will be happy to try and answer any of your questions.

Testimony for an Appropriation for SANE Funding in North Dakota
IN SUPPORT OF SB 2191

SB 2191
1-30-17
#6

Chairman Holmberg, Vice-Chair Krebsbach, Vice-Chair Bowman, members of the Senate Appropriations Committee:

My name is Dan Donlin, Chief of Police for the Bismarck Police Department. I am in my 29th year of law enforcement. In my career I have worked as a patrol officer and as a personal crimes investigator responsible for investigating crimes involving sexual assault and, unfortunately, I have far more experience than I ever imagined I would in working with victims of sexual assault. This letter is in support of SB 2191.

The Bismarck Police Department has been working in collaboration with the Sexual Assault Nurse Examiner Program, commonly referred to as "SANE," for the past 14 years. This partnership with SANE, along with the Abused Adult Resource Center (AARC), is all about providing the absolute best multi-disciplinary coordinated response to a sexual assault victim and ensuring the best chance at collecting the crucial, many times microscopic, forensic evidence needed to investigate and prosecute sexual assault cases successfully. This coordinated response keeps the focus on ensuring the victim of a sexual assault, who has been horrifically traumatized, is treated with the utmost compassion and providing them with the care and services they need to first, start them on their difficult path of healing, and second, to seek and obtain justice.

Having the SANE program, that is forensically trained nurses, has vastly improved the collaborative response to victims reporting a sexual assault in our community. Our department knows that the SANE program presents victims with a positive first impression of the community response, which increases the likelihood that the sexual assault victim will feel encouraged to cooperate or participate with police in the investigation and ultimately be more comfortable in going through with prosecution.

Officers know that victims are in good hands with the highly trained SANE nurses because victims will be treated with kindness and respect. Officers also recognize the increased efficiency that SANE nurses bring to the evidentiary exam process, and as a result, the time law enforcement spends waiting for evidence and waiting to interview victims can often be greatly reduced. Our detectives realize that SANE nurses can contribute to investigations by providing meticulously collected forensic evidence and extensive documentation that complement crime scene evidence and witness statements that might otherwise not be collected or obtained. SANE nurses have greatly improved the quality and consistency of collected evidence.

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Due to the passage of SB 2284 last legislative session, SANE services were able to expand to additional hospitals and law enforcement agencies in the smaller communities to cover all of western North Dakota. These communities were able to have access to, and more importantly benefit from, having the specifically trained SANE nurses and to integrate them as part of the investigation process.

Your Senate Judiciary Committee endorsed this bill with a 6-0 "Do Pass" and I encourage you to also give SB 2191 a "do pass" recommendation and provide the requested appropriation to better assist the victims of sexual assault in ALL our ND communities.

Thank you,

Dan Donlin
Chief of Police
Bismarck Police Department

Testimony in support of SB 2191
Before the Senate Appropriations Committee

January 30, 2017

SB 2191
1-30-17
#7

Chairman Holmberg and members of the Senate Appropriations Committee:

Good Morning, my name is Diane Zainhofsky. I am the Executive Director of the Abused Adult Resource Center located in Bismarck, North Dakota. I want to thank Chairman Holmberg and members of the Senate Appropriations Committee for the opportunity to speak today about Senate Bill 2191.

Senate Bill 2191 offers an opportunity for already established Sexual Assault Nurse Examiners programs to ensure all victims of sexual assault to receive specialized care and a forensic examination, when requested.

The Abused Adult Resource Center has strived since 1976 to provide victims of domestic violence with crisis intervention and advocacy services. In 1994 we also began providing the full spectrum of our support services to rape victims in our community.

In spite of the fact that it is the most violent crime next only to murder, rape is one of the most underreported crimes in our nation. For those that survive the initial assault, the trauma of rape leaves them facing physical and emotional devastation because someone has stripped away personal control over the most intimate aspects of their being. Many victims of rape do not survive the initial assault and I know victims who have committed suicide when they did not have enough support to cope with their emotions and the trauma of the rape.

Additionally, their loved ones; parents, partners, husbands, siblings, and friends as the secondary victims of this crime have their own host of emotions to deal with knowing someone they loved was hurt in the most intimate type of violation. They struggle to know the right things to do and say to assist their loved one with recovering from this horrific crime.

The forensic evidence collection process has been the solution for how to provide the best services possible to victims of rape.

In 2003 when our community implemented a Sexual Assault Nurse Examiner program and established a community response protocol for the team of responders working with the Sexual Assault Nurse Examiner we began ensuring that we placed the welfare of the victim foremost at all steps in the process.

Since that time our community has operated with a sexual assault nurse examiner that is the core of a response team which also includes an advocate and an investigator. I believe this is

|

the best response for victims of rape and their families. A specialized care team gives victims the tools they need to begin their path to healing emotionally from the scars created by this devastating crime. When victims have positive experiences it encourages reporting these crimes within our communities.

I believe that when victims of rape come forth to report this crime we are all safer because of their courage. When they only have to tell their story one time it creates a stronger case. In addition when victims feel supported from the moment they reach out for help they are more likely to stay connected with the criminal justice system from the beginning report to the end of the trial.

SANE programs are at the core of providing best response services to rape victims within the state of ND. In fact without that component the victim is left with a host of medical and forensic issues related to the crime that no other responder can provide.

When medical providers do not have the expertise to understand the dynamics of rape and the first-hand experience of collecting evidence expertly the victim suffers because justice is often unattainable and the medical provider will struggle to assist the victim in overcoming the trauma related to rape.

I believe that Sexual Assault Nurse Examiner services are essential to helping victims and their families recover from the trauma of rape. All victims in our state deserve the best response possible when they reach out for help in their community. If your family member was raped I know you would want them to have specialized care response. I am asking you to make that support available to victims in their communities across our state as responders and systems work together to maintain Sexual Assault Nurse Examiner services.

As the Executive Director of the Abused Adult Resource Center I urge a Do Pass recommendation on SB 2191.

Sincerely,

Diane Zainhofsky, LSW
Executive Director
Abused Adult Resource Center
701-222-8370
dianez@btinet.net

2

January 27, 2017

SB 2191
1-30-17
#8

RE: SB 2191

Dear Senate Judiciary Committee,

Thank you for this opportunity to submit a letter of **support for SB 2191**. A bill designed to support Sexual Assault Nurse Examiner (SANE) programs in North Dakota.

I supervise the Criminal Investigative Division for the Dickinson Police Department. The Dickinson Police Department serves a population base of approximately 23,000 people. There are nearly 30,000 people in our area. The Dickinson Police Department employs 6 Detectives within their investigative division. I have supervised the division for 5 years and been a police officer for 11 years. Our division oversees all sexual assault cases reported to the Dickinson Police Department. My career in the investigative division has had 7 years without the SANE program and 2 years with the SANE program. In 2015 we officially partnered with the SANE program and joined our local SART team.

The SANE nursing services provide the opportunity to develop a designated support system for specialized victims. This program has been noticeably beneficial for the victims of sexual assault.

Sexual Assault Nurse Examiners (SANE) are an asset in addressing the psychological trauma, in combination with physical trauma associated with sexual assault, focusing strongly on patient dignity and compassionate support.

The Dickinson Police Department supports SB 2191 because it will help with continued development of the SANE program and help to continue to achieve the highest level of care for victims of sexual assault in the Dickinson region.

I hope you take my thoughts into consideration.

Sincerely,



Detective Sergeant
Kylan Klauzer
Dickinson Police Department
2475 N State Ave
Dickinson, ND 58601
701-456-7759

1

January 20, 2017

RE: In support of SB 2191- Sexual Assault Nurse Examiner Programs

Dear Senate Judiciary Committee Members,

This letter is to inform you of my support of SB 2191; relating to appropriations to the attorney general for the purpose of continuing grants monies through the domestic violence and rape crisis program for community-based or hospital-based sexual assault examiner programs. This bill would continue a grant program that would continue what is considered best practices in the care of sexual assault victims, i.e. Sexual Assault Nurse Examiner Programs (SANE) in the state of North Dakota.

I am a residency trained, board certified Emergency Trauma Physician in practice for over 25 years here in Bismarck. I am a former law enforcement officer prior to becoming a physician. I have extensive training and experience in the care of sexually and physically abused adults and children and domestic violence issues.

I have been working with our community-based SANE program in Bismarck for the past 14 years as the Medical Director and have witnessed first-hand the difference they have made in the lives of many victims I have seen in the Emergency Department (ED). There are many reasons why a trained SANE nurse should be conducting the forensic examination and I will touch on just a few:

- The victim receives a timely, competent collection of forensic evidence which reflects directly on the potential for prosecution of these crimes. Without the evidence that is collected it makes it almost impossible to prosecute.
- Prior to having a SANE program the ED staff were woefully ill-prepared by training or expertise to provide full comprehensive services to these victims.
- It had taken a staff nurse and busy physician away from other patients in the ED for approximately 4-6 hours, on average, leaving the rest of the staff shorthanded, for example, when other critically ill or injured patients arrived.
- Prior to the SANE program, victims were not getting the emotional support, understanding, or referrals to community advocacy services that are so important for victims of sexual assault.

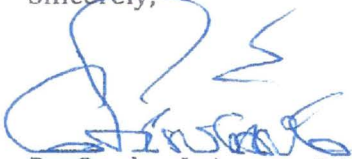
Now when the victim of an often brutal sexual assault arrives to a busy Emergency Department, they get the undivided attention of a highly trained SANE Nurse who provides care based on best practice standards. They recognize the physical, emotional, psychological, socio-economical, spiritual, and cultural well-being of the victim and give the undivided attention that cannot otherwise be provided without a SANE Program.

- The victims receive age specific treatment and services every time
- The victims receive the same standard of care regardless of the circumstances of the sexual assault. (This does not happen when medical staff are not specialized in their care)
- An environment is provided, typically out of the commotion of the ED, that promotes a victim-centered approach to all victims of sexual assault
- When the health care professional is trained in the appropriate collection of evidence and medical examination specific to victims of sexual assault they will also be prepared to help that victim connect with the community resources that are vital to the recovery from the sexual assault.

I offer my earnest support of this bill because it will help us continue and sustain the highest level of care for victims of sexual assault possible in the Bismarck region, and potentially bring the same high standards of care to the victims across our state who currently do not have access to this type of care. It is a dire and ongoing need.

Thank you for this opportunity to share my professional experience as a Medical Director in working with a SANE program. I respectfully submit this letter in support of SB 2191. Do not hesitate to contact me if I can provide further information.

Sincerely,



Dr. Gordon Leingang, DO, FACEP, FACOEP
Emergency Medical Services Medical Director
Medical Director, Central Dakota Sexual Assault Nurse Examiner (SANE) Program
N.D. Army National Guard/Senior Flight Surgeon
Colonel, Medical Corps, Senior Flight Surgeon, USA

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2



SB2191
1-30-17
#10

January 22, 2017

RE: in support of SB 2191

Dear Senate Judiciary Committee,

Thank you for this opportunity to submit a letter of **support of SB 2191** to support funding for domestic violence and rape crisis programs in our state. Sexual Assault Nurse Examiner (SANE) programs in our area are a vital part of the Sexual Assault Response Team (SART) in Minot. Our SART is active and interactive and meets quarterly to assure the care given to the victims of sexual assault are the best we can offer. We strive to assure to all victims are receiving services available including prevention education, acute care and evidence collection as well as follow-up care.

The Minot SART serves a wide region of North Western North Dakota. Represented on the SART is Law Enforcement from the Sheriff's department, Local Police Departments, Minot State University and Minot Air Force Base, as well as 2 reservations. Trinity Health administration supports the community SART and is active in problem-solving, planning and support to this group and to the patients that come to the Emergency Department for care when reporting sexual assault. Central Dakota Forensic Nurse Examiner's (CDFNE) completes the evidence collection at Trinity Health. Domestic Violence Crisis Center responds with an advocate for every victim that reports sexual assault. This group is vital to the care of victims of sexual assault and **SB 2191** will allow for the multidisciplinary team to continue providing services.

The care given to victims in our region is supported by legislation such as the **SB 2191**. As part of the management group at Trinity Health we would like to convey our support for this legislation that provides the ability to offer services to victims of violent crimes. Trinity Health Emergency Trauma Center (ETC) physicians and management support the care of victims of sexual assault by continuing to provide evidence collection and interview away from the ETC. Providing care away from the ETC provides a less chaotic environment that is more conducive to collecting details of the crime in the interview process. Having time, space and the appropriate persons respond to victims of sexual assault is the best practice and we look forward to continuing to offer a SART-based approach.

We support **SB 2191** grant program and believe it will help offer a reliable and high standard of care to the victims of sexual assault in our region. Thank you for your time and we urge a yes vote on **SB2191**. I hope you take our thoughts into consideration.

Sincerely,

Handwritten signature of Rhonda Gunderson in black ink.

Rhonda Gunderson, RN, BSN
Assistant Nurse Manager
Trinity Health Emergency Trauma Center
Rhonda.gunderson@trinityhealth.org

Handwritten signature of Wade Talley in black ink.

Wade Talley MD, FAAFP
Emergency Trauma Physician
Trinity Health
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SB 2191
1-30-2019
11



**CHI St. Alexius
Health**

Imagine better health.™

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chistalexiushealth.org

January 20, 2017

RE: SB 2191

Dear Senate Judiciary Committee,

Thank you for this opportunity to submit a letter of **support of SB 2191** to support Sexual Assault Nurse Examiner (SANE) programs in North Dakota. I am a mastered prepared Registered Nurse that brings 21 years of nursing experience. I have been the Director-Emergency Services for the past three years, however, have experience in emergencies and trauma for my entire career. I have been involved in sexual assault examinations and cases from Pennsylvania where I have practiced over the years and I am currently certified with adult sexual assault training in North Dakota.

In 2015 we officially started a Sexual Assault Nurse Examiner (SANE) program.

Dickinson is considered a rural community located in the heart of the Bakken Region, where the discovery of an immense amount of oil has occurred. There have been many changes since the "oil boom" in western North Dakota some have been positive and some have been negative. The most visible change has been in the population. With an increase in population comes an increase in crime. Law enforcement has reported in that region there has been an increase in sexual violence by 300%.

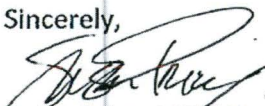
The SANE nursing services provide the opportunity to develop a designated support for specialized victims. The work in collaboration with the SANE program and SART Team is the best practice of care for victims.

Sexual Assault Nurse Examiners (SANE) are experts at addressing the psychological trauma in combination with physical trauma associated with sexual assault, focusing strongly on patient dignity and compassionate support. The facility utilizes the team and consults with them frequently, not only with sexual assaults, but also some domestic situations and injuries.

We support this SB 2191 because it will help with continued development of the program and sustain the highest level of care for victims of sexual assault possible in the Dickinson region. I am confident this program will bring the same high standards of care to the victims in our state who currently do not have access to this type of care especially the Bakken region. Thank you for your time.

I hope you take my thoughts into consideration.

Sincerely,


Susan Price, MS, RN
Director-Emergency Services
701-456-4401



Williston Medical Center
1301 15th Avenue West
Williston, ND 58801

P 701.774.7400
CHIStAlexiusHealth.org

SB 2191
1-30-17

#12

DATE: January 24, 2017
TO: Senator Nelson Armstrong
Representative Delmore Heinart
RE: Senate Bill No. 2191

Dear Sirs,

I am writing to urge your support for Senate Bill No. 2191, a BILL for an Act to provide an appropriation to the attorney general for grants. This bill would ensure continued grant funding was available for the sexual assault nurse examiner programs.

CHI St. Alexius Health Williston Medical Center has partnered with the Central Dakota Forensic Nurse Examiners to ensure that we are providing evidenced based care to our victims of sexual assault. Sexual assault victims are immediately triaged and if they do not require the services of the emergency room, the sexual assault team is activated and the patient is cared for in a private safe space. Recognizing the need in our community, many of our nurses have stepped up to be trained as Forensic Nurse Examiners and serve on the sexual response team.

Continued grant support is needed to safeguard the viability of this program. Please support us in our efforts to meet the needs of this vulnerable population and support Senate Bill No. 2191.

Thank you.

Sincerely,

Lori Hahn, VP Patient Care Services
CHI St. Alexius Health Williston

1

CENTRAL DAKOTA FORENSIC NURSE EXAMINERS

SB2191
1-30-2017
#13

DATE: January 24, 2017

TO: Senator Nelson Armstrong
Representative Delmore Heinart

RE: Senate Bill No. 2191

Dear Sirs,

Thank you for this opportunity to submit a letter. I am writing to urge your support for Senate Bill No. 2191, a BILL for an Act to provide appropriate funding for domestic violence and rape crisis programs in our state. I personally am a Sexual Assault Nurse Examiner and an emergency room nurse. Since CHI St. Alexius Williston Medical Center and Central Dakota Forensic Nurse Examiners (CDFNE) have partnered we have been able to improve the care provided sexual assault victims. With the addition of our SANE room, we are able to provide a private, quiet, and comforting room where we can collect evidence confidentially. In the past, this was done in the emergency room. This room has been a key part in the comfort and healing for the victims of a sexual assault.

Our patients are triaged immediately upon arrival to the hospital. Once they determined not to be in need of emergency services, victims are taken to our SANE room where they are introduced to an advocate and the SANE nurse. They are then provided with education about the process of collecting evidence, evidence collection is performed, they are given resources for their healing and after care, and offered prophylactic sexual transmitted infection treatment. The victim does not once have to set foot into the emergency room unless the SANE nurse feels it is medically warranted. Keeping these patients out of the high stress, chaotic, emotional emergency room truly benefits them emotionally.

Prior to CDFNE coming to Williston, the sexual assault victims would sit in the emergency room for hours and if lucky receive treatment from a SANE trained Registered Nurse. With the CDFNE program in place we are able to ALWAYS provide the victims with a SANE trained nurse.

Our SANE program is part of our community SART team which now provides a multidisciplinary sexual assault support team including law enforcement, sexual assault nurses, and advocates. We have worked hard to provide our victims the best experience possible in dealing with this highly traumatic experience.



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CENTRAL DAKOTA FORENSIC NURSE EXAMINERS

Williston SANE program covers a large portion of the western region of the state. This program is a vital piece of our community.

I support Senate Bill 2191 grant program and believe it will enable us to continue to offer a reliable and high standard of care to the victims in our region. Thank you for your time and we urge a yes vote on SB2191.

I hope you take my thoughts and personal experience into consideration.

Thank you for your time,


Katelyn Richter RN-BSN, SANE

Emergency Medicine Nurse- CHI St. Alexius Williston

Sexual Assault Nurse and Nurse Manager- Central Dakota Forensic Nurse Examiners



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2

AH 1. SB 2191

3-13-17

CENTRAL DAKOTA FORENSIC NURSE EXAMINERS

Testimony in support of SB 2191
Before the House Appropriations Committee
March 13, 2017

Good Morning, my name is Tisha Scheuer. I have been a Registered Nurse for the past 22 years, a Certified Sexual Assault Nurse Examiner (SANE) for 14 of those years, and the Executive Director of the Central Dakota Forensic Nurse Examiner's located in Bismarck, North Dakota. I want to thank the House Appropriations Chairman and the members of the House Appropriations Committee for this opportunity to speak to you today regarding Senate Bill 2191.

First, I should start by explaining what a SANE nurse is. SANE stands for sexual assault nurse examiner. A sexual assault nurse examiner or SANE is a registered nurse who has been specially trained in the care of the sexual assault victim. A SANE program primarily focuses on the care of the sexual assault victim, always striving to help those victims begin their healing process while at the same time ensuring the forensic evidence is being maintained. SANE programs are usually staffed by Registered Nurses who have had the advanced specialized education regarding the medical-forensic examination, and the psychological and emotional trauma victims experience from a sexual assault. SANE nurses may also provide expert testimony in a court of law where because of their specialized training and experience with the collection of forensic evidence they are considered experts in their field. This then allows them to be able to testify in the manner.



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CENTRAL DAKOTA FORENSIC NURSE EXAMINERS

In 2003, the Central Dakota Forensic Nurse Examiner's (CDFNE) was developed through the Abused Adult Resource Center (AARC), located in Bismarck, ND. This program was established as a grassroots community-based sexual assault program in collaboration with the Bismarck Police Department, Mandan Police Department, CHI St. Alexius Health, and Bismarck Sanford Health. The overall and on-going mission of the CDFNE is to provide professional, compassionate, and timely collection of forensic evidence for survivors of sexual assault, and now I can say, of all ages.

With the passage of the flagship bill SB 2284 in the last legislative session, that bill offered the opportunity to establish SANE programs in the state and now maintaining those services is the challenge. These new services across North Dakota ensures all victims of sexual assault receive specialized care and a forensic examination, when requested. Last legislative session I spoke about women having to driving 2 hours to receive forensic care. I can say that now in western North Dakota that is not case anymore thanks to the passing of that bill. Through that money, SANE programs were developed in Minot, Williston and Dickinson with success and all victims reporting a sexual assault now receives specialized care if they want it. Rebecca LaFavor will be testifying after me, and she will be giving you the statistics over the past 11 months of the SANE grant funding to show you how successful it has been. We feel it is important for you to understand how important the continued funding of these services



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CENTRAL DAKOTA FORENSIC NURSE EXAMINERS

are not only to the victim, that goes without saying, but also to law enforcement to make sure their cases are strong.

This past spring the CDFNE expanded their services to the pediatric population in Bismarck, ND. This would not have been possible without the appropriated funds through the SB from last session, which is another reason why we are asking for continued funding for these services. As forensic nurses, we provide a trauma-informed care response in the acute setting at the time of the victim reporting the sexual assault whether the victims is 35 or 5 years old. By providing, this specialized trauma-informed service we have been able to create an environment which not only acknowledges the impact of trauma but develops a sense of safety for all patients to include male or female victims, elderly victims, strangled victims, developmentally delayed victims, victims from the jails and prisons, and child victims of rape.

The funds from this proposed grant program will enable organizations in the state to be able to continue the programs that are already functioning (Fargo, Grand Forks, Bismarck, Williston, Dickinson, and Minot). The intentions of this funding are to pay nurses to be available 24 hours a day, train and provide ongoing training for nurses, and fund the operational costs it takes to manage a specialized nursing program. There are limited funds currently available, they are through the Attorney General's office on a reimbursement basis, and those funds are limited in their ability to fund programs and do not cover the extenuating needs of a specialized nursing program.



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CENTRAL DAKOTA FORENSIC NURSE EXAMINERS

SB2191 is needed to ensure and continue what is considered best practice of care, and the best standard of care for victims of sexual assault. The victims go through a lot during the examination, whether they are an adult or an infant, and they and their family expect the person collecting this evidence is trained to do so. If the evidence is not collected per forensic standards the evidence could be lost.

It is important to know that hospitals fully support the concept of SANE nurses, but they just don't have the financial means to fully sustain these programs. For example; as I stated earlier, the Central Dakota Forensic Nurse Examiners have had the opportunity to expand into the Minot region. Trinity Health has given full support to this process and has donated a specific room in the hospital for us to provide the SANE services and has remodeled it to fit the needs of the program. They have donated an exam table, computer, printer, filing cabinet etc. that helped start and maintain this SANE program, and now they hoping it can continue. This is the same in Williston and Dickinson. However, to continue this specialized program, outside funding is essential. What have we done with the fund from the last legislative session? This is what we have done:

- Develop a network of forensic nurses across western North Dakota.

This means that if there is not a nurse available in Williston or maybe Dickinson, the hospital or advocacy agency will now call the Bismarck program and arrange for the forensic evidence collection to be completed in Minot or Bismarck. This



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CENTRAL DAKOTA FORENSIC NURSE EXAMINERS

type of network that allows us to coordinate forensic care was not possible before the passage of the previous bill. Also, because we were able to establish trained nurses in those communities, through that funding, we still needed community support in the form of community response teams. Even though I was not able to utilize any of the funding for my position to go to those communities such as Williston, I still went without being paid to ensure those communities did not have to reinvent the wheel, but to build on what they already had, to include the SANE nurse now. This enables the victims to have full community support and access to services. We have that now in Williston, Minot, Dickinson because of the funding from last legislative session.

We have coordinated several pediatric rape victim's forensic examinations through this network from Watford City, Williston, Dickinson and the Standing Rock reservation. One case I remember that was driving through Dickinson, where the mother was running from her abusive husband with her four children. She finally felt safe to go to the emergency room in Dickinson and reported her children had been raped by him and the emergency room was then able to call the program in Bismarck and coordinate forensic care for those four children the very next day. Otherwise they would have had to go all the way to Fargo.



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CENTRAL DAKOTA FORENSIC NURSE EXAMINERS

- Because of this funding North Dakota has been able to provide services and resources to victims that surrounding states were not able to care for.
- Provide advanced SANE training for nurses in western North Dakota.
 - We have had the opportunity to provide advanced training to a SANE nurse from Minot where she came down to Bismarck to shadow the more experienced SANE in order to make her practice better and to care for her patients more competently. This was not possible before this funding, this shared knowledge is essential for growth.
- Provided the 40 hours of SANE training to the state that is required for nurses to attend prior to caring for victims of rape as a SANE nurse.
 - Through this funding, we were able to hold the week long training May 2016 in Bismarck and are in the process of planning another training for May 2017 in Bismarck with the funding from SB 2284.
- We sent SANE nurse to national training.
 - We could send 4 SANEs (2 from Dickinson, 1 from Minot and 1 from Bismarck) to the International Association of Forensic Nursing's International conference in Denver this fall where they could network. A couple of the nurse now have national contacts that they have used back in their home communities. The nurses that attended this training was required to come back and do presentations on the information they



CENTRAL DAKOTA FORENSIC NURSE EXAMINERS

learned to those who were not able to attend. Making sure this information is shared.

- This April 2017 we will be sending 3-4 nurses to Washington D.C through a training that is being put on by the International Association of Forensic Nurses to teach us how to lobby for forensic nursing issues as well as meet with our states representatives to discuss forensic nurse issues in our state. We were never able to do that in the past, and with this exposure to national people and up to date information makes the care that we provide to Western North Dakota stronger.
- We could buy much needed supplies, resources, and will be buying four updated colposcopes for the western North Dakota programs, all through the previously appropriated funding.

As you can see, this organization did and will do everything they said they were going to do with the appropriated funds. Because of this, North Dakota is now a leader in our region as compared to Montana and South Dakota, in the services it provides to victims of rape.

Lastly, I don't know if all of you are a parent, grandparent, or have nieces and nephews, but I want you to think about if that child came to you and told you that they have been raped either by a babysitter, friend or relative, and you had to say to them, "there used to be people here that could help you but there is no one here anymore". That is what this



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CENTRAL DAKOTA FORENSIC NURSE EXAMINERS

funding means to the victims of this North Dakota. I am asking you to recognize the continued need for specialized healthcare providers for rape victims by supporting this bill, the need for the sexual assault nurse examiner's (SANE) to be called in to care for someone reporting they have been raped because they are considered the experts in their care.

In closing, I believe that everyone's goal here is to make sure victims continue to have access to services they have the right to have and to keep victims of violence safe in our communities, whether they are adults or children.

I urge a Do Pass recommendation on SB2191.

Sincerely,



Tisha Scheuer, MSN, RN, SANE-A
Executive Director



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January 20, 2017

RE: SB 2191

Dear Senate Judiciary Committee,

Thank you for this opportunity to submit a letter of support of SB 2191 to support Sexual Assault Nurse Examiner (SANE) programs in North Dakota. I am a mastered prepared Registered Nurse that brings 21 years of nursing experience. I have been the Director-Emergency Services for the past three years, however, have experience in emergencies and trauma for my entire career. I have been involved in sexual assault examinations and cases from Pennsylvania where I have practiced over the years and I am currently certified with adult sexual assault training in North Dakota.

In 2015 we officially started a Sexual Assault Nurse Examiner (SANE) program.

Dickinson is considered a rural community located in the heart of the Bakken Region, where the discovery of an immense amount of oil has occurred. There have been many changes since the "oil boom" in western North Dakota some have been positive and some have been negative. The most visible change has been in the population. With an increase in population comes an increase in crime. Law enforcement has reported in that region there has been an increase in sexual violence by 300%.

The SANE nursing services provide the opportunity to develop a designated support for specialized victims. The work in collaboration with the SANE program and SART Team is the best practice of care for victims.

Sexual Assault Nurse Examiners (SANE) are experts at addressing the psychological trauma in combination with physical trauma associated with sexual assault, focusing strongly on patient dignity and compassionate support. The facility utilizes the team and consults with them frequently, not only with sexual assaults, but also some domestic situations and injuries.

We support this SB 2191 because it will help with continued development of the program and sustain the highest level of care for victims of sexual assault possible in the Dickinson region. I am confident this program will bring the same high standards of care to the victims in our state who currently do not have access to this type of care especially the Bakken region. Thank you for your time.

I hope you take my thoughts into consideration.

Sincerely,

Susan Price, MS, RN
Director-Emergency Services
701-456-4401

January 27, 2017

RE: SB 2191

Dear Senate Judiciary Committee,

Thank you for this opportunity to submit a letter of support for SB 2191. A bill designed to support Sexual Assault Nurse Examiner (SANE) programs in North Dakota.

I supervise the Criminal Investigative Division for the Dickinson Police Department. The Dickinson Police Department serves a population base of approximately 23,000 people. There are nearly 30,000 people in our area. The Dickinson Police Department employs 6 Detectives within their investigative division. I have supervised the division for 5 years and been a police officer for 11 years. Our division oversees all sexual assault cases reported to the Dickinson Police Department. My career in the investigative division has had 7 years without the SANE program and 2 years with the SANE program. In 2015 we officially partnered with the SANE program and joined our local SART team.

The SANE nursing services provide the opportunity to develop a designated support system for specialized victims. This program has been noticeably beneficial for the victims of sexual assault.

Sexual Assault Nurse Examiners (SANE) are an asset in addressing the psychological trauma, in combination with physical trauma associated with sexual assault, focusing strongly on patient dignity and compassionate support.

The Dickinson Police Department supports SB 2191 because it will help with continued development of the SANE program and help to continue to achieve the highest level of care for victims of sexual assault in the Dickinson region.

I hope you take my thoughts into consideration.

Sincerely,



Detective Sergeant
Kylan Klauzer
Dickinson Police Department
2475 N State Ave
Dickinson, ND 58601
701-456-7759



January 22, 2017

RE: In support of SB 2191

Dear Senate Judiciary Committee,

Thank you for this opportunity to submit a letter of **support of SB 2191** to support funding for domestic violence and rape crisis programs in our state. Sexual Assault Nurse Examiner (SANE) programs in our area are a vital part of the Sexual Assault Response Team (SART) in Minot. Our SART is active and interactive and meets quarterly to assure the care given to the victims of sexual assault are the best we can offer. We strive to assure to all victims are receiving services available including prevention education, acute care and evidence collection as well as follow-up care.

The Minot SART serves a wide region of North Western North Dakota. Represented on the SART is Law Enforcement from the Sheriff's department, Local Police Departments, Minot State University and Minot Air Force Base, as well as 2 reservations. Trinity Health administration supports the community SART and is active in problem-solving, planning and support to this group and to the patients that come to the Emergency Department for care when reporting sexual assault. Central Dakota Forensic Nurse Examiner's (CDFNE) completes the evidence collection at Trinity Health. Domestic Violence Crisis Center responds with an advocate for every victim that reports sexual assault. This group is vital to the care of victims of sexual assault and **SB 2191** will allow for the multidisciplinary team to continue providing services.

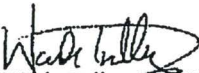
The care given to victims in our region is supported by legislation such as the **SB 2191**. As part of the management group at Trinity Health we would like to convey our support for this legislation that provides the ability to offer services to victims of violent crimes. Trinity Health Emergency Trauma Center (ETC) physicians and management support the care of victims of sexual assault by continuing to provide evidence collection and interview away from the ETC. Providing care away from the ETC provides a less chaotic environment that is more conducive to collecting details of the crime in the interview process. Having time, space and the appropriate persons respond to victims of sexual assault is the best practice and we look forward to continuing to offer a SART-based approach.

We support **SB 2191** grant program and believe it will help offer a reliable and high standard of care to the victims of sexual assault in our region. Thank you for your time and we urge a yes vote on **SB2191**.

I hope you take our thoughts into consideration.

Sincerely,


Rhonda Gunderson, RN, BSN
Assistant Nurse Manager
Trinity Health Emergency Trauma Center
Rhonda.gunderson@trinityhealth.org


Wade Talley MD, FAAFP
Emergency Trauma Physician
Trinity Health
wade.talley@trinityhealth.org

CENTRAL DAKOTA FORENSIC NURSE EXAMINERS

DATE: January 24, 2017

TO: Senator Nelson Armstrong
Representative Delmore Heinart

RE: Senate Bill No. 2191

Dear Sirs,

Thank you for this opportunity to submit a letter. I am writing to urge your support for Senate Bill No. 2191, a BILL for an Act to provide appropriate funding for domestic violence and rape crisis programs in our state. I personally am a Sexual Assault Nurse Examiner and an emergency room nurse. Since CHI St. Alexius Williston Medical Center and Central Dakota Forensic Nurse Examiners (CDFNE) have partnered we have been able to improve the care provided sexual assault victims. With the addition of our SANE room, we are able to provide a private, quiet, and comforting room where we can collect evidence confidentially. In the past, this was done in the emergency room. This room has been a key part in the comfort and healing for the victims of a sexual assault.

Our patients are triaged immediately upon arrival to the hospital. Once they determined not to be in need of emergency services, victims are taken to our SANE room where they are introduced to an advocate and the SANE nurse. They are then provided with education about the process of collecting evidence, evidence collection is performed, they are given resources for their healing and after care, and offered prophylactic sexual transmitted infection treatment. The victim does not once have to set foot into the emergency room unless the SANE nurse feels it is medically warranted. Keeping these patients out of the high stress, chaotic, emotional emergency room truly benefits them emotionally.

Prior to CDFNE coming to Williston, the sexual assault victims would sit in the emergency room for hours and if lucky receive treatment from a SANE trained Registered Nurse. With the CDFNE program in place we are able to ALWAYS provide the victims with a SANE trained nurse.

Our SANE program is part of our community SART team which now provides a multidisciplinary sexual assault support team including law enforcement, sexual assault nurses, and advocates. We have worked hard to provide our victims the best experience possible in dealing with this highly traumatic experience.



1929 North Washington Street
Bismarck, North Dakota
58501

Katelyn.cdfne@midconetwork.com

CENTRAL DAKOTA FORENSIC NURSE EXAMINERS

Williston SANE program covers a large portion of the western region of the state. This program is a vital piece of our community.

I support Senate Bill 2191 grant program and believe it will enable us to continue to offer a reliable and high standard of care to the victims in our region. Thank you for your time and we urge a yes vote on SB2191.

I hope you take my thoughts and personal experience into consideration.

Thank you for your time,



Katelyn Richter RN-BSN, SANE

Emergency Medicine Nurse- CHI St. Alexius Williston

Sexual Assault Nurse and Nurse Manager- Central Dakota Forensic Nurse Examiners



1929 North Washington Street
Bismarck, North Dakota
58501

Katelyn.cdfne@midconetwork.com



Imagine better health.™

Williston Medical Center
1301 15th Avenue West
Williston, ND 58801

P 701.774.7400
CHIStAlexiusHealth.org

DATE: January 24, 2017
TO: Senator Nelson Armstrong
Representative Delmore Heinart
RE: Senate Bill No. 2191

Dear Sirs,

I am writing to urge your support for Senate Bill No. 2191, a BILL for an Act to provide an appropriation to the attorney general for grants. This bill would ensure continued grant funding was available for the sexual assault nurse examiner programs.

CHI St. Alexius Health Williston Medical Center has partnered with the Central Dakota Forensic Nurse Examiners to ensure that we are providing evidenced based care to our victims of sexual assault. Sexual assault victims are immediately triaged and if they do not require the services of the emergency room, the sexual assault team is activated and the patient is cared for in a private safe space. Recognizing the need in our community, many of our nurses have stepped up to be trained as Forensic Nurse Examiners and serve on the sexual response team.

Continued grant support is needed to safeguard the viability of this program. Please support us in our efforts to meet the needs of this vulnerable population and support Senate Bill No. 2191.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Lori Hahn".

Lori Hahn, VP Patient Care Services
CHI St. Alexius Health Williston

January 20, 2017

RE: In support of SB 2191- Sexual Assault Nurse Examiner Programs

Dear Senate Judiciary Committee Members,

This letter is to inform you of my support of SB 2191; relating to appropriations to the attorney general for the purpose of continuing grants monies through the domestic violence and rape crisis program for community-based or hospital-based sexual assault examiner programs. This bill would continue a grant program that would continue what is considered best practices in the care of sexual assault victims, i.e. Sexual Assault Nurse Examiner Programs (SANE) in the state of North Dakota.

I am a residency trained, board certified Emergency Trauma Physician in practice for over 25 years here in Bismarck. I am a former law enforcement officer prior to becoming a physician. I have extensive training and experience in the care of sexually and physically abused adults and children and domestic violence issues.

I have been working with our community-based SANE program in Bismarck for the past 14 years as the Medical Director and have witnessed first-hand the difference they have made in the lives of many victims I have seen in the Emergency Department (ED). There are many reasons why a trained SANE nurse should be conducting the forensic examination and I will touch on just a few:

- The victim receives a timely, competent collection of forensic evidence which reflects directly on the potential for prosecution of these crimes. Without the evidence that is collected it makes it almost impossible to prosecute.
- Prior to having a SANE program the ED staff were woefully ill-prepared by training or expertise to provide full comprehensive services to these victims.
- It had taken a staff nurse and busy physician away from other patients in the ED for approximately 4-6 hours, on average, leaving the rest of the staff shorthanded, for example, when other critically ill or injured patients arrived.
- Prior to the SANE program, victims were not getting the emotional support, understanding, or referrals to community advocacy services that are so important for victims of sexual assault.

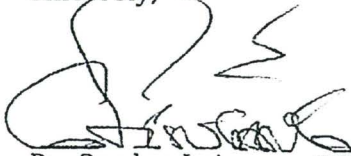
Now when the victim of an often brutal sexual assault arrives to a busy Emergency Department, they get the undivided attention of a highly trained SANE Nurse who provides care based on best practice standards. They recognize the physical, emotional, psychological, socio-economical, spiritual, and cultural well-being of the victim and give the undivided attention that cannot otherwise be provided without a SANE Program.

- The victims receive age specific treatment and services every time
- The victims receive the same standard of care regardless of the circumstances of the sexual assault. (This does not happen when medical staff are not specialized in their care)
- An environment is provided, typically out of the commotion of the ED, that promotes a victim-centered approach to all victims of sexual assault
- When the health care professional is trained in the appropriate collection of evidence and medical examination specific to victims of sexual assault they will also be prepared to help that victim connect with the community resources that are vital to the recovery from the sexual assault.

I offer my earnest support of this bill because it will help us continue and sustain the highest level of care for victims of sexual assault possible in the Bismarck region, and potentially bring the same high standards of care to the victims across our state who currently do not have access to this type of care. It is a dire and ongoing need.

Thank you for this opportunity to share my professional experience as a Medical Director in working with a SANE program. I respectfully submit this letter in support of SB 2191. Do not hesitate to contact me if I can provide further information.

Sincerely,



Dr. Gordon Leingang, DO, FACEP, FACOEP
Emergency Medical Services Medical Director
Medical Director, Central Dakota Sexual Assault Nurse Examiner (SANE) Program
N.D. Army National Guard/Senior Flight Surgeon
Colonel, Medical Corps, Senior Flight Surgeon, USA

PO Box 1476 Bismarck, ND 58502-1476

dopa@bis.midco.net

701-530-7001

AH. 2 SB 2191
3.13.17

Delzer, Jeff W.

From: Kadrmas, Chris J.
Sent: Friday, March 10, 2017 2:28 PM
To: Delzer, Jeff W.; Knudson, Allen H.
Subject: Funding for sexual assault examinations

Representative Delzer,

This email is in response to your request for information regarding the history of funding provided by the state for sexual assault examinations. During the current session, Senate Bill No. 2191 includes an appropriation of \$250,000 from the strategic investment and improvements fund for providing grants through the domestic violence and rape crisis program for community-based or hospital-based sexual assault examiner programs. The 2015 Legislative Assembly approved Senate Bill No. 2284 which designated \$250,000 from grants to law enforcement provided in 2015 House Bill No. 1176 for the purpose of providing grants through the domestic violence and rape crisis program for community-based or hospital-based sexual assault examiner programs.

The following is a schedule of grants distributed during the 2015-17 biennium for domestic violence and rape crisis program for community-based or hospital-based sexual assault examiner programs:

Applicant	Total Award
Central Dakota Forensic Nurse Examiners	\$171,805
Mercer County Sheriff's Office	10,131
Sanford Bismarck Dakota Children's Advocacy Center	28,163
Jamestown Regional Medical Center	13,529
Domestic Violence and Abuse Center, Inc.	6,886
Family Crisis Shelter, Inc.	14,486
Altru Health System's Emergency Department	5,000
Total	\$250,000

Other bills approved by the 2015 Legislative Assembly which also provided funding for similar types of programs included:

Senate Bill No. 2199 (2015) – Appropriated \$500,000 from the general fund for providing grants to organizations involved in providing prevention and treatment services related to human trafficking victims in non-oil-producing counties.

House Bill No. 1176 (2015) – Appropriated \$2 million from oil and gas impact grant fund to for grants to domestic violence sexual assault organizations.

House Bill No. 1285 (2015) – Appropriated \$650,000 from the strategic investment and improvements fund for the purpose of providing domestic violence shelter grants to domestic violence sexual assault organizations.

Thank you.

Chris Kadrmas, CPA
Fiscal Analyst
ND Legislative Council
(701) 328-3568
cjkadrmas@nd.gov



Central Dakota Forensic Nurses Examiner

Rebecca LaFavor, MSN RN
Director of Patient Services

AH 3
SB 2191
3.13.17

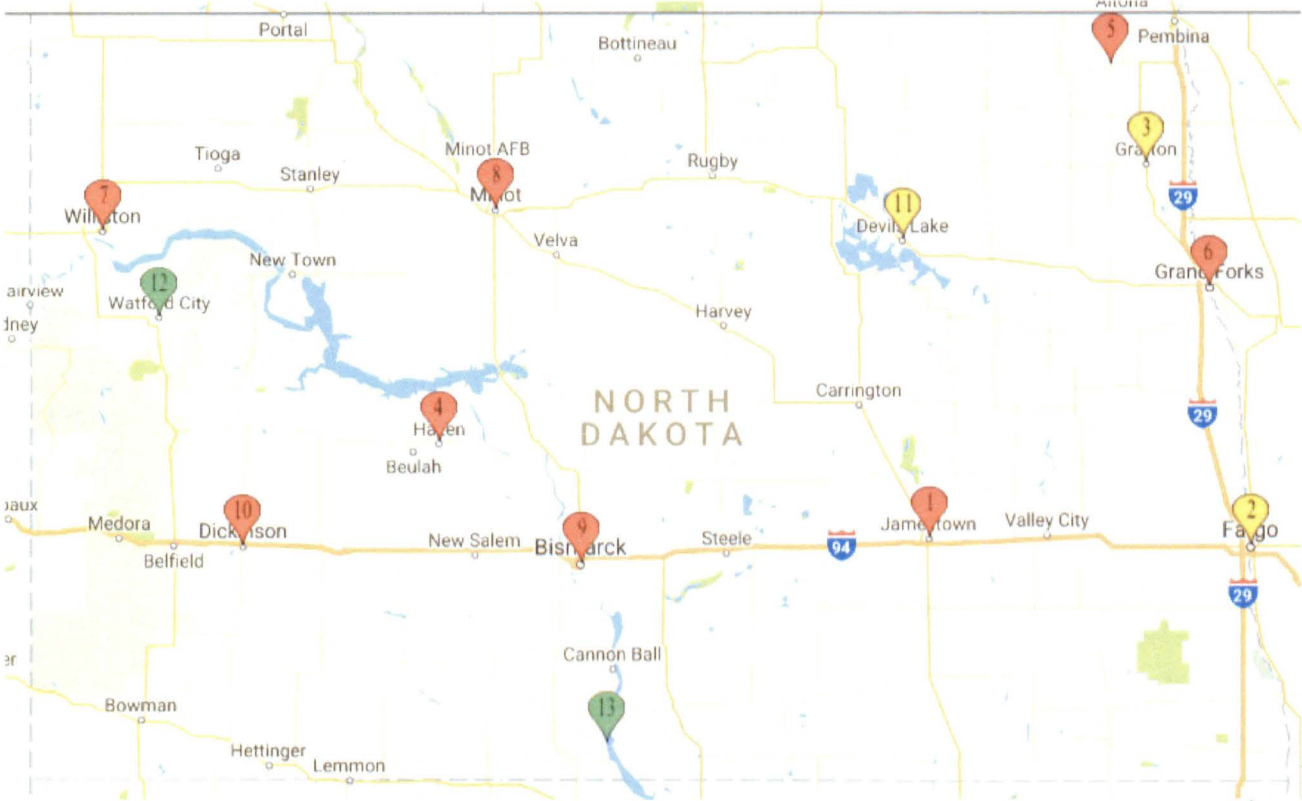
SANE bill money Feb through Dec 2016

	Staffing	
	Certified SANE	Actively working
Altru	24	19
Grand Forks		
Central Dakota Forensic Examiners	3	22
Bismarck		
Minot		
Dickinson		
Williston		
Domestic Violence and Abuse Center		
Pembina County		
Family Crisis Shelter		
McKenzie County		
Jamestown Regional Medical Center		
Jamestown	10	12
Mercer County Sheriff Office		
Hazen	3	3
Sanford DCAC		
Bismarck/Mandan	1	3
Totals Feb through Sept	52	106

SANE bill money Feb through Dec 2016

	Events provided	# of people trained	Training # of training events attended	# of people attended training event
Altru			1	2
Grand Forks				
Central Dakota Forensic Examiners	1	12	1	12
Bismarck				
Minot				
Dickinson				
Williston				
Domestic Violence and Abuse Center				
Pembina County		3	1	3
Family Crisis Shelter				
McKenzie County				
Jamestown Regional Medical Center				
Jamestown		3	1	3
Mercer County Sheriff Office				
Hazen				
Sanford DCAC				
Bismarck/Mandan	6	4		
Totals Feb through Dec	7	22	4	20

Locations that used SANE bill Money



Red dots are the programs that used SANE bill money

Yellow dots are programs that did not use SANE bill money

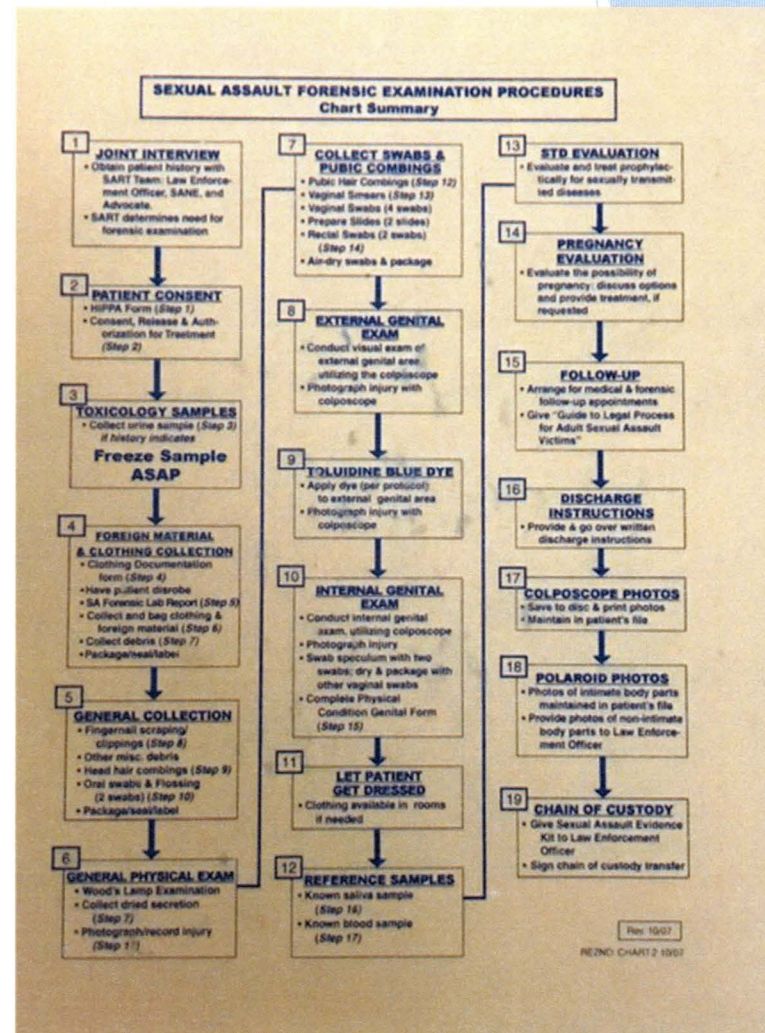
Green dots are where we would like to expand services to reach these communities. (We have one nurse trained in Watford and are working with the community contacts)

SANE bill money Feb through Dec 2016

	Victim Information
	Exams done
Altru	
Grand Forks	64
Central Dakota Forensic Examiners	
Bismarck	38
Minot	31
Dickinson	13
Williston	15
Domestic Violence and Abuse Center	
Pembina County	
Family Crisis Shelter	
McKenzie County	
Jamestown Regional Medical Center	
Jamestown	8
Mercer County Sheriff Office	
Hazen	
Sanford DCAC	
Bismarck/Mandan	35 (May-December)
Totals Feb through Dec	191

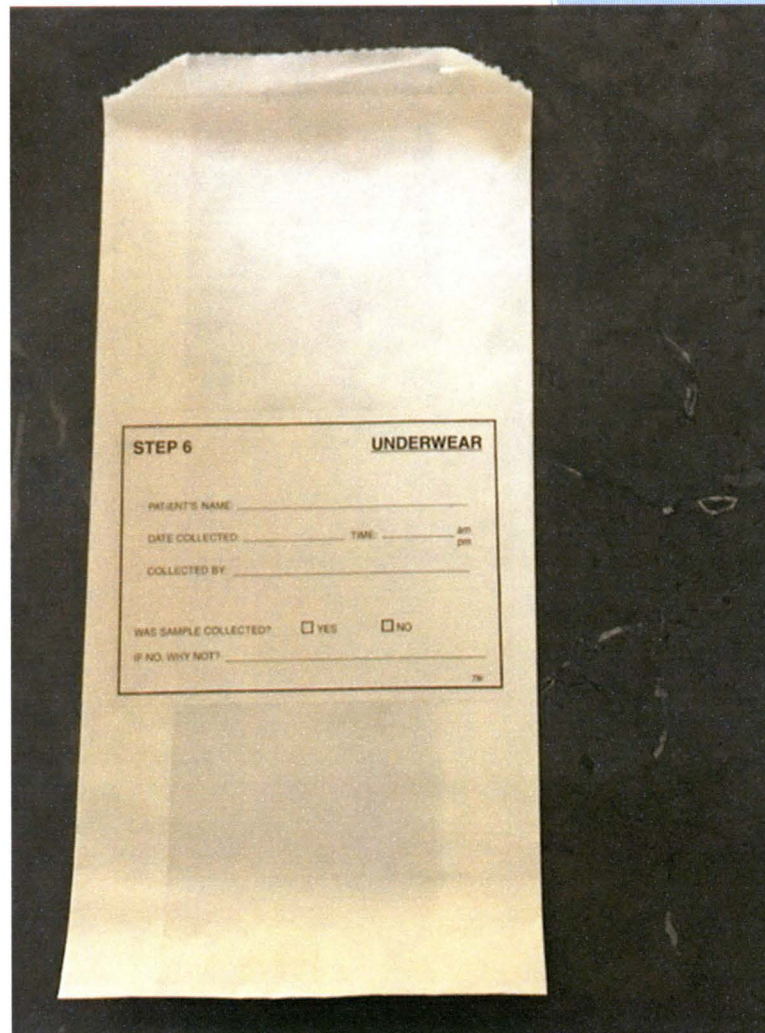
Technical Aspects of the SANE exam

- ▶ Complicated kit (19 steps) and need for evidence collection
- ▶ Pictured is the back of a SANE evidence collection kit



Technical Aspects of the SANE exam

- ▶ Collection of the clothing requires the victim to undress and relinquish their property
- ▶ The SANE nurse is then packaging up and photographing the clothing through learned forensic photography techniques



Technical Aspects of the SANE exam

- ▶ Out of the 19 steps this is the vaginal evidence collection envelope
- ▶ It contains an added level of complexity because the victim needs to submit to a internal vaginal exam with photography and swabbing
- ▶ This part of the exam can be lengthy depending on how the victim tolerates the intimacy of an unknown medical professional



Technical Aspects of the SANE exam

- ▶ Out of the 19 steps this is the rectal evidence collection envelope
- ▶ It contains an added level of complexity because the victim needs to submit to a external rectal exam with photography and swabbing
- ▶ This occurs after the vaginal exam
- ▶ Intimate examination of a victim's genitals needs to be handled carefully, and by a specially trained healthcare provider, in order to allow that person to start the recovery process

STEP 14 **RECTAL SWABS**
IF RECTAL ASSAULT OCCURRED

PATIENT'S NAME: _____

DATE COLLECTED: _____ TIME: _____ am
pm

COLLECTED BY: _____

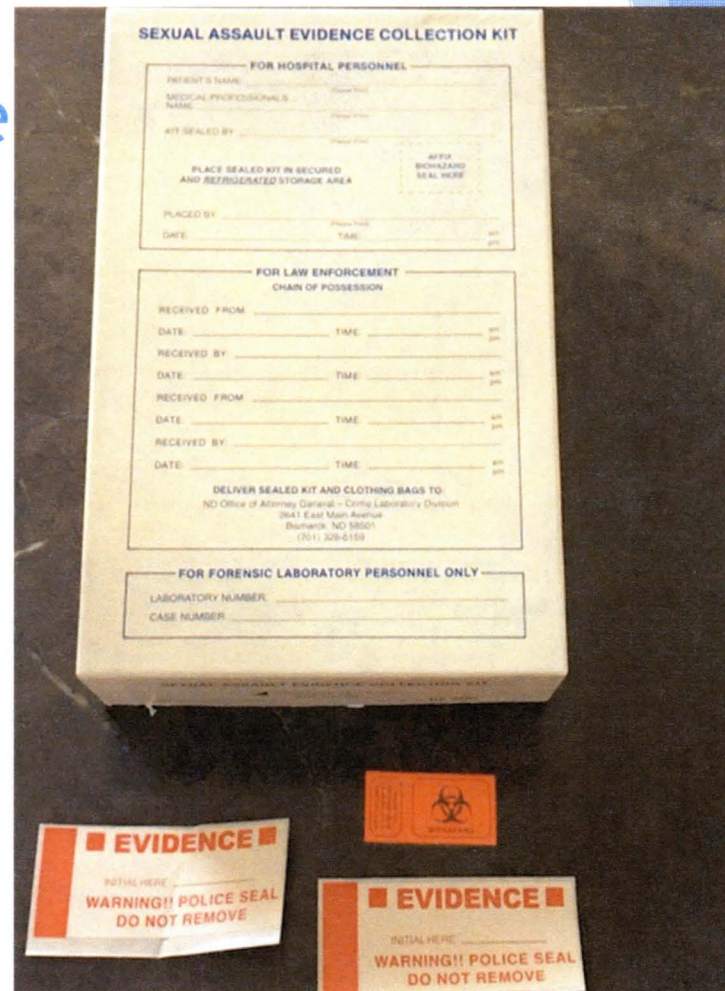
WAS SAMPLE(S) COLLECTED? YES NO

IF NO, WHY NOT? _____

NEND-STEP14.2 1007

Technical Aspects of the SANE exam

- ▶ After the exam is completed, the nurse needs to package up all the evidence, this includes the swabs, clothing, photographs, and exam summary. This needs to be completed using forensic standards learned in the SANE training. They then need to turn this information over to law enforcement
- ▶ Exams on average are between 4-6 hours, with 1/3 of the time dedicated to the documentation
- ▶ Prosecution can then use any of the information collected to build the case



Additional aspects to the SANE nurse skills set.

- ▶ Recognition of strangulation cases- this is a type of injury that requires a thorough assessment
- ▶ Perpetrators only use as much force as it takes to get a victim to submit
- ▶ Strangulation is not part of the average healthcare providers education, physician or nurse. It is a standard part of the SANE nurses training
- ▶ A class A Felony of gross sexual imposition can increase to a AA felony if “That person compels the victim to submit by force or by threat of imminent death, serious bodily injury, or kidnapping, to be inflicted on any human being” under Chapter 12.1-20-03
- ▶ Signs and symptoms of strangulation can be very difficult to spot even with an experienced SANE, clearing of the throat, hoarseness, petechial or diffuse, pinpoint bruising in the eyes, behind the ears and in the mouth. Behavioral changes are also common in the strangulation victim. In severe cases death can occur, even up to two weeks later

Additional aspects to the SANE nurse skills set.

- ▶ Forensic Photography
- ▶ This is using digital media to document bodily injury and submit for evidence
- ▶ Accurately taking photos of non-intimate body parts is a skill that is taught during the SANE nurse course, as is the ability to photograph intimate areas such as genital and rectal photos
- ▶ This also translates to having the nurse explain in court what the injury is, and how it is significant to the case. Our specialized training allows us to interpret these findings, this is allowed only because of the SANE training

Additional aspects to the SANE nurse skills set.

- ▶ I have shared with you just some of the skills needed to be a SANE nurse
- ▶ It is important to the justice system and to the victims it serves, to have specially trained nurses conduct these exams
- ▶ The nurse needs to have proficient technical skills but needs excellent interpersonal skills to work with victims of violence to maintain trauma informed care
- ▶ These technical skills are not taught in a general nursing program
- ▶ This is why the funding is so important to the residents of North Dakota
- ▶ Please pass SB 2191 to allow us to continue to serve sexual violence victims in North Dakota

Att. 4 SB 2191
3.13.17

Testimony In Support of Senate Bill #2191
House Appropriations Committee
3/13/17

Chairman and Members of the Committee:

For the record, my name is Jeanne Farnsworth. I am a therapist at Dakota Children's Advocacy Center, located here, in Bismarck ND. I am here today to ask for your support for Senate Bill 2191.

The Dakota Children's Advocacy Center is one of the Children's Advocacy Centers across the state committed to improving the response to child abuse. Each CAC is a community partnership that utilizes a comprehensive multidisciplinary team approach in supporting alleged victims and investigations of child abuse. Professionals from social services, law enforcement, prosecution, victim advocacy and the medical and mental health communities meet under one roof so that a child only has to tell of his or her abuse one time. Sensitivity to the needs and abilities of children is the hallmark of the children's advocacy center model which is utilized at over 800 Children's Advocacy Centers, in all 50 states across the country. Our centers in North Dakota include three Children's Advocacy Centers covering five regionally placed sites; one in Bismarck, Dickinson, Minot, Fargo and Grand Forks.

Child abuse happens in North Dakota. In 2016 Children's Advocacy Centers in ND served 2567 people and provided 25,411 services to them. This includes 227 medical exams across the state and 25 emergency exams here in Bismarck alone. Every year our centers see children that are sexually abused, beaten, and threatened. They have witnessed violence and at times been exploited through pornography and trafficking. Children's Advocacy Centers offer comprehensive services to help these children and families through this experience and start them on the road to

healing. A part of this is providing medical exams to victims to ensure that their body is okay, to provide medical attention when it is not, and to preserve evidence of a crime. In the past two years the Dakota Children's Advocacy Center has had the pleasure to partner with the Central Dakota Forensic Nurse Examiners to provide 24/7 coverage to these victims. This partnership was made possible through a grant to establish and provide SANE funding throughout the state. Senate Bill 2191 provides continued funding to ensure that these services remain in place and allow for the opportunity for continued expansion of services.

Prior to SANE funding in the state, children would come into our emergency rooms after one of the worst experiences of their life. The director of our office, Paula Condol, who is not able to be here today, would share the following testimony: Too many times I have been called in to talk to the families to explain that SANE exams simply aren't offered in our area, and that we are sorry that we are adding to their difficulty. I have made endless calls begging someone to try and do the exam, bought bus tickets to get somewhere they could get help, and offered endless apologies. SANE exams are such a specialized service, that require a specialized provider. Many times these children were simply sent away. In all of these years being able to say that we now offer 24/7 coverage for the youngest of our victims has been one of my proudest achievements and something that I had worked years to try to achieve. However, the simple reality is that without continued funding this services in many areas, including here in Bismarck, will cease to exist.

We all play a critical role in ensuring the safety of victims in our state. Child abuse and sexual assault doesn't happen on a schedule, and emergency on-call services are a necessity to serve this population. We understand and respect the tight restrictions of the budget this session. As providers in the non-profit world we are used to doing more with less. But we also know that the mission of this work is extremely important. We need to say that every child, woman, or man who has

experience sexual abuse or sexual assault will be afforded a comprehensive, compassionate exam when they need one, no matter the time of day or night.

Chairman and Members of the Committee, thank you for allowing me the opportunity to testify before you today and I will be happy to try and answer any of your questions.

3.13.17

Testimony for an Appropriation for SANE Funding in North Dakota
IN SUPPORT OF SB 2191

Chairman Monson, members of the House Appropriations Education & Environment Division:

My name is Dan Donlin, Chief of Police for the Bismarck Police Department. I am in my 29th year of law enforcement. In my career I have worked as a patrol officer and as a personal crimes investigator responsible for investigating crimes involving sexual assault and, unfortunately, I have far more experience than I ever imagined I would in working with victims of sexual assault. This letter is in support of SB 2191.

The Bismarck Police Department has been working in collaboration with the Sexual Assault Nurse Examiner Program, commonly referred to as "SANE," for the past 14 years. This partnership with SANE, along with the Abused Adult Resource Center (AARC), is all about providing the absolute best multi-disciplinary coordinated response to a sexual assault victim and ensuring the best chance at collecting the crucial, many times microscopic, forensic evidence needed to investigate and prosecute sexual assault cases successfully. This coordinated response keeps the focus on ensuring the victim of a sexual assault, who has been horrifically traumatized, is treated with the utmost compassion and providing them with the care and services they need to first, start them on their difficult path of healing, and second, to seek and obtain justice.

Having the SANE program, that is forensically trained nurses, has vastly improved the collaborative response to victims reporting a sexual assault in our community and now, for the past two years, across the state. BPD knows that the SANE program presents victims with a positive first impression of the community response, which increases the likelihood that the sexual assault victim will feel encouraged to cooperate or participate with police in the investigation and ultimately be more comfortable in going through with prosecution.

Officers know that victims are in good hands with the highly trained SANE nurses because victims will be treated with kindness and respect. Officers also recognize the increased efficiency that SANE nurses bring to the evidentiary exam process, and as a result, the time law enforcement spends waiting for evidence and waiting to interview victims can often be greatly reduced. Our detectives realize that SANE nurses can contribute to investigations by providing meticulously collected forensic evidence and extensive documentation that complement crime scene evidence and witness statements that might otherwise not be collected or obtained. SANE nurses have greatly improved the quality and consistency of collected evidence. When there is a DNA match, defendants tend to plead guilty, victims aren't forced to retell their story for all to hear in court, and court costs are reduced.

Due to the passage of SB 2284 last legislative session, SANE services were able to expand to additional hospitals and law enforcement agencies in the smaller communities to cover all of western North Dakota. These communities were able to have access to, and more importantly benefit from, having the specifically trained SANE nurses and to integrate them as part of the investigation process. Funding this program ensures dollars go directly to benefit victim citizens of ND.

The Senate Judiciary Committee endorsed this bill with a 6-0 "Do Pass," Senate Appropriations endorsed with a 14-0 "Do Pass" and passed on the Senate floor with a 46-0 "Do Pass" vote. I encourage you to also give SB 2191 a "do pass" recommendation and provide the requested appropriation to better assist the victims of sexual assault in ALL our ND communities.

Thank you,

Dan Donlin
Chief of Police
Bismarck Police Department

3.13.17

Testimony in support of SB 2191

Before the House Appropriations Committee

March 13, 2017

Chairman Delzer and members of the House Appropriations Committee:

Good Morning, my name is Diane Zainhofsky. I am the Executive Director of the Abused Adult Resource Center located in Bismarck, North Dakota. I want to thank Chairman Delzer and members of the House Appropriations Committee for the opportunity to speak today about Senate Bill 2191.

Senate Bill 2191 offers an opportunity for already established Sexual Assault Nurse Examiners programs to ensure all victims of sexual assault to receive specialized care and a forensic examination, when requested.

The Abused Adult Resource Center has strived since 1976 to provide victims of domestic violence with crisis intervention and advocacy services. In 1994 we also began providing the full spectrum of our support services to rape victims in our community.

In spite of the fact that it is the most violent crime next only to murder, rape is one of the most underreported crimes in our nation. For those that survive the initial assault, the trauma of rape leaves them facing physical and emotional devastation because someone has stripped away personal control over the most intimate aspects of their being. Many victims of rape do not survive the initial assault and I know victims who have committed suicide when they did not have enough support to cope with their emotions and the trauma of the rape.

Additionally, their loved ones; parents, partners, husbands, siblings, and friends as the secondary victims of this crime have their own host of emotions to deal with knowing someone they loved was hurt in the most intimate type of violation. They struggle to know the right things to do and say to assist their loved one with recovering from this horrific crime.

The forensic evidence collection process has been the solution for how to provide the best services possible to victims of rape.

In 2003 when our community implemented a Sexual Assault Nurse Examiner program and established a community response protocol for the team of responders working with the Sexual Assault Nurse Examiner we began ensuring that we placed the welfare of the victim foremost at all steps in the process.

Since that time our community has operated with a sexual assault nurse examiner that is the core of a response team which also includes an advocate and an investigator. I believe this is

the best response for victims of rape and their families. A specialized care team gives victims the tools they need to begin their path to healing emotionally from the scars created by this devastating crime. When victims have positive experiences it encourages reporting these crimes within our communities.

I believe that when victims of rape come forth to report this crime we are all safer because of their courage. When they only have to tell their story one time it creates a stronger case. In addition when victims feel supported from the moment they reach out for help they are more likely to stay connected with the criminal justice system from the beginning report to the end of the trial.

SANE programs are at the core of providing best response services to rape victims within the state of ND. In fact without that component the victim is left with a host of medical and forensic issues related to the crime that no other responder can provide.

When medical providers do not have the expertise to understand the dynamics of rape and the first-hand experience of collecting evidence expertly the victim suffers because justice is often unattainable and the medical provider will struggle to assist the victim in overcoming the trauma related to rape.

I believe that Sexual Assault Nurse Examiner services are essential to helping victims and their families recover from the trauma of rape. All victims in our state deserve the best response possible when they reach out for help in their community. If your family member was raped I know you would want them to have specialized care response. I am asking you to make that support available to victims in their communities across our state as responders and systems work together to maintain Sexual Assault Nurse Examiner services.

As the Executive Director of the Abused Adult Resource Center I urge a Do Pass recommendation on SB 2191.

Sincerely,

Diane Zainhofsky, LSW
Executive Director
Abused Adult Resource Center
701-222-8370
dianez@btinet.net