

2023 SENATE JUDICIARY

SB 2202

2023 SENATE STANDING COMMITTEE MINUTES

Judiciary Committee
Peace Garden Room, State Capitol

SB 2202
1/18/2023

A BILL for an Act to provide an appropriation to the attorney general for a domestic violence forensic medical examination grant program.

9:44 AM Madam Chair Larson called the hearing to order.

Madam Chair Larson, Senators Myrdal, Luick, Estenson, Braunberger, Sickler, Paulson present.

Discussion Topics:

- Forensic exam expenses
- Photography
- Victims
- Abuse
- Recidivism
- Training

9:44 AM Senator Cleary introduced **SB 2202** Testified. **#14286**

9:48 AM Kristie Wolff- Communications and Engagement Coordinator, Central Dakota Forensic Nurse Examiners. Testified. **#14287**

9:51 AM Tisha Scheuer Executive Director – Central Dakota Forensic Nurse Examiners. Testified. **#14288**

9:56 AM Cortney Monroe Ryckman Direct Services Supervisor- Abused Adult Resource Center. Testified. **#14002**

9:59 AM Paula Condo Executive Director-Dakota Children’s Advocacy Center. Testified. **#13976**

10:06 AM Greg Kasowski Executive Director Children’s Advocacy Centers of ND. Testified. **#14157**

10:08 AM Seth O’Neil Attorney CAWS of ND. Testified. **#13865 #13866**

10:09 AM Senator Luick motioned a **DO PASS** on **SB 2202**

10:09 AM Senator Braunberger seconded the motion.

Senators	Vote
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Senator Diane Larson	Y
Senator Bob Paulson	Y
Senator Jonathan Sickler	Y
Senator Ryan Braunberger	Y
Senator Judy Estenson	Y
Senator Larry Luick	Y
Senator Janne Myrdal	Y

Motion passed 7-0-0

Senator Braunberger will carry the bill.

This bill does not affect workforce development.

10:09 AM Madam Chair Larson adjourned the meeting.

Patricia Wilkens, Committee Clerk

REPORT OF STANDING COMMITTEE

SB 2202: Judiciary Committee (Sen. Larson, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2202 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

2023 SENATE APPROPRIATIONS

SB 2202

2023 SENATE STANDING COMMITTEE MINUTES

Appropriations Committee Roughrider Room, State Capitol

SB 2202
2/1/2023

A BILL for an Act to provide an appropriation to the attorney general for a domestic violence forensic medical examination grant program
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9:03 AM Acting Chairman Wanzek called the committee to order.

Members present: Senators Bekkedahl, Krebsbach, Burckhard, Davison, Dever, Dwyer, Erbele, Kreun, Meyer, Roers, Schaible, Sorvaag, Vedaa, Wanzek, Rust, and Mathern.

Discussion Topics:

- Sexual Assault
- Domestic Violence
- Examination availability
- Treatment and recovery
- Prosecution

9:03 AM Senator Cleary, North Dakota State Senate, District 35, introduced the bill and testified in favor, testimony #18449.

9:12 AM Kristie Wolf, Communications and Engagement Coordinator Central Dakota Forensic Nurse Examiners Program, testified in favor, testimony #18326.

9:24 AM Tisha Scheuer, Executive Director Central Dakota Forensic Nurse Examiners (CDFNE), testified in favor, testimony #18344.

9:39AM Senator Davison moved DO PASS.
Senator Vedaa seconded the motion.

(the vote was held open until all members voted)

Senators	Vote
Senator Brad Bekkedahl	Y
Senator Karen K. Krebsbach	Y
Senator Randy A. Burckhard	Y
Senator Kyle Davison	Y
Senator Dick Dever	Y
Senator Michael Dwyer	Y
Senator Robert Erbele	Y
Senator Curt Kreun	Y
Senator Tim Mathern	Y
Senator Scott Meyer	Y
Senator Jim P. Roers	Y
Senator David S. Rust	Y
Senator Donald Schaible	Y
Senator Ronald Sorvaag	Y
Senator Shawn Vedaa	Y
Senator Terry M. Wanzek	Y

Motion passed 16-0-0

Senator Braunberger will carry the bill.

Additional written testimony:

- Courtney Monroe Ryckman, Direct Services Supervisor at the Abused Adult Resource Center, in favor testimony #18276

9:43 AM Chairman Bekkedahl closed the hearing on SB 2202.

Kathleen Hall, Committee Clerk

REPORT OF STANDING COMMITTEE

SB 2202: Appropriations Committee (Sen. Bekkedahl, Chairman) recommends DO PASS (16 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2202 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

2023 HOUSE JUDICIARY

SB 2202

2023 HOUSE STANDING COMMITTEE MINUTES

Judiciary Committee
Room JW327B, State Capitol

SB 2202
3/6/2023

Act to provide an appropriation to the attorney general for a domestic violence forensic medical examination grant program.

9:30 AM Chairman Klemin opened the hearing. Members present: Chairman Klemin, Vice Chairman Karls, Rep. Christensen, Rep. Cory, Rep. Henderson, Rep. S. Olson, Rep. Rios, Rep. S. Roers Jones, Rep. Satrom, Rep. Schneider, and Rep. Vetter. Absent: Rep. VanWinkle

Discussion Topics:

- Pilot program.
- Fiscal Note.
- Statewide grant money.

Senator Cleary: Introduced the bill. Referenced Testimony #22058

Kristie Wolff, Communication & Engagement Coordinator for CDFNE. Testimony #22118

Tisha Scheuer, Executive Director of Central Dakota Forensic Nurse Examiners. Testimony # 22031

Gabriel Thomas: Hazen ND nursing student. Testimony #22168

Sarah Courure: Grant Supervisor, Attorney General's Office: No written testimony.

The hearing closed at 10:05 AM.

Rep. Henderson moved a Do Pass to rerefer to appropriations.
Seconded by Rep. Shannon Roers Jones

Representatives	Vote
Representative Lawrence R. Klemin	Y
Representative Karen Karls	Y
Representative Landon Bahl	Y
Representative Cole Christensen	Y
Representative Claire Cory	Y
Representative Donna Henderson	Y
Representative SuAnn Olson	Y
Representative Nico Rios	Y
Representative Shannon Roers Jones	Y
Representative Bernie Satrom	Y
Representative Mary Schneider	Y

House Judiciary Committee

SB 2202

March 6, 2023

Page 2

Representative Lori VanWinkle	A
Representative Steve Vetter	Y

Roll call vote: 12 Yes 0 No 1 Absent Motion carried.

Carrier: Rep. Henderson

Additional written testimony:

Seth O'Neill, CAWS ND: #22068, #22069

Meeting closed at 10:07 AM.

Delores Shimek, Committee Clerk

REPORT OF STANDING COMMITTEE

SB 2202: Judiciary Committee (Rep. Klemin, Chairman) recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2202 was rereferred to the **Appropriations Committee**.

2023 HOUSE APPROPRIATIONS

SB 2202

2023 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee
Brynhild Haugland Room, State Capitol

SB 2202
3/16/2023

BILL for an Act to provide an appropriation to the attorney general for a domestic violence forensic medical examination grant program.

8:37 AM Chairman Vigesaa Called the meeting to order and roll call was taken-

All Members Present; Chairman Vigesaa, Representative Kempenich, Representative B. Anderson, Representative Bellew, Representative Brandenburg, Representative Hanson, Representative Kreidt, Representative Martinson, Representative Mitskog, Representative Meier, Representative Mock, Representative Monson, Representative Nathe, Representative J. Nelson, Representative O'Brien, Representative Pyle, Representative Richter, Representative Sanford, Representative Schatz, Representative Schobinger, Representative Strinden, Representative G. Stemen and Representative Swiontek.

Discussion Topics:

- Forensic Exam for Evidence
- Grants for Exams
- One Time Funding

Representative Klemin- Introduces the bill and its purpose, oral testimony.

Sarah Couture, ND Bureau of Criminal Investigation Attorney General's office- Here to answer questions for the committee.

8:55 AM Chairman Vigesaa Closed the meeting for SB 2202

Risa Berube, Committee Clerk

2023 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee Brynhild Haugland Room, State Capitol

SB 2202
3/16/2023

BILL for an Act to provide an appropriation to the attorney general for a domestic violence forensic medical examination grant program.

9:28 AM Chairman Vigesaa Called the meeting to order and roll call was taken-

All Members Present; Chairman Vigesaa, Representative Kempenich, Representative B. Anderson, Representative Bellew, Representative Brandenburg, Representative Hanson, Representative Kreidt, Representative Martinson, Representative Mitskog, Representative Meier, Representative Monson, Representative Nathe, Representative J. Nelson, Representative O'Brien, Representative Pyle, Representative Richter, Representative Sanford, Representative Schobinger, Representative Strinden, Representative G. Stemen and Representative Swiontek.

Member not Present- Representative Mock Representative Schatz

Discussion Topics:

- **Pilot Study**
- **Committee Action**

Representative G. Stemen- Gave Committee some clarification on the bill

Representative G. Stemen- Move for a Do Pass

Representative Strinden- Second the motion

Committee Discussion Roll call vote-

Representatives	Vote
Representative Don Vigesaa	Y
Representative Keith Kempenich	Y
Representative Bert Anderson	Y
Representative Larry Bellew	Y
Representative Mike Brandenburg	Y
Representative Karla Rose Hanson	Y
Representative Gary Kreidt	Y
Representative Bob Martinson	Y
Representative Lisa Meier	Y
Representative Alisa Mitskog	Y
Representative Corey Mock	A
Representative David Monson	Y

Representative Mike Nathe	Y
Representative Jon O. Nelson	Y
Representative Emily O'Brien	Y
Representative Brandy Pyle	Y
Representative David Richter	Y
Representative Mark Sanford	Y
Representative Mike Schatz	A
Representative Randy A. Schobinger	Y
Representative Greg Stemen	Y
Representative Michelle Strinden	Y
Representative Steve Swiontek	Y

Motion Carries 21-0-2 Representative Henderson will carry the bill

9:32 AM Chairman Vigesaa Closed the meeting for SB 2202

Risa Berube, Committee Clerk

REPORT OF STANDING COMMITTEE

SB 2202: Appropriations Committee (Rep. Vigesaa, Chairman) recommends **DO PASS** (21 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2202 was placed on the Fourteenth order on the calendar.

TESTIMONY

SB 2202

NORTH DAKOTA

DOMESTIC VIOLENCE FACTS 2021

5,417 *New Victims

were served by **18** CRISIS INTERVENTION CENTERS throughout North Dakota.

OF THOSE CASES:



- **87%** of the victims were **women**.



- **94 women** were **pregnant** at the time they were assaulted.



- **18% of new victims** were people with **disabilities**. Of those, 10% were people with developmental disabilities, 36% had physical disabilities, and 54% were people with mental health disabilities.



- At least **3,895 children** were directly impacted by these incidents.



- At least **18%** of the victims were **under the age of 25**; 4% were under the age of 18.

*new = unduplicated for calendar year

A CLOSER LOOK

At least **66%** of victims served were physically abused.

Weapons were used in at least **13%** of the cases identified. Guns were used in **18%** of the cases and knives were used in **16%** of the cases involving weapons.

In at least **39%** of cases, the abuser had a history of abusive behavior with other adults including prior partners.

Alcohol use by abuser only was indicated in **28%** of the new cases. Alcohol use by both victim and offender was indicated in **5%** of the cases.



ADVOCACY

31% of the victims were self-referred to domestic violence programs; **22%** were referred by law enforcement.

Domestic violence programs provided victim assistance with **450** emergency protection orders.



March 2022. Domestic Violence Statistics are compiled by CAWS North Dakota for the State Health Department. CAWS North Dakota 521 E Main Ave, Suite 320, Bismarck, ND, 58501 | 701.255.6240 | www.cawsnorthdakota.org



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Senate Bill No. 2202
Senate Judiciary Committee
Testimony Presented by Seth O'Neill, JD, MSW
Email: soneill@cawsnorthdakota.org
January 18, 2023

Chairwoman Larson and members of the Committee, my name is Seth O'Neill and I am representing CAWS North Dakota in support of SB 2202. CAWS North Dakota is the statewide coalition of the domestic violence and sexual assault programs in North Dakota. Our programs serve victims of sexual assault and domestic violence across the state.

We support this bill because it would provide valuable training and support to service providers of domestic violence victims. In 2021, our member programs served 5,417 new victims of domestic violence.¹ Additionally, at least 3,895 children were directly impacted by these incidences of domestic violence. We believe that widespread use of domestic violence forensic medical examinations will allow for better evidence collection and successful prosecutions of domestic violence offenders. Additionally, having service providers specially trained to do this work will provide comfort and support for domestic violence victims during a very difficult time.

We encourage the committee to give SB 2202 a do pass recommendation. I appreciate your time and I am happy to answer any questions you may have. Thank you.

¹ See North Dakota Domestic Violence Facts 2021 (Included in Testimony).

Judicial Committee
Testimony in Support of Senate Bill #2202
1/17/23

Chairwoman and Members of the Committee.

For the record, my name is Paula Condol. I am the Executive Director of the Dakota Children's Advocacy Center, with locations in Bismarck, Dickinson, McKenzie County, Standing Rock and in a few months, Jamestown. I am here today to ask for your support for Senate Bill 2202.

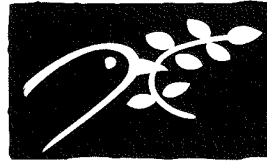
The Dakota Children's Advocacy Center is one of the Children's Advocacy Centers across the state committed to improving the response to child abuse. Each CAC is a community partnership that utilizes a comprehensive multidisciplinary team approach in supporting alleged victims and investigations of child 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 Children's Advocacy Centers all over the country.

Child abuse happens in North Dakota. In 2022 my centers alone saw nearly 582 children referred for abuse and provided over 15,000 services to them. This includes forensic interviews, advocacy services, mental health services and medical exams. Nearly 100 referrals were for physical abuse. Just to clarify, the Children's Advocacy Centers are typically only referred cases for severe physical abuse. These are cases where it is repeated ritualistic abuse, cases where there are lasting scars, bruising in areas that are difficult to bruise, broken bones and at time head trauma. These are not

referrals for in the heat of the moment poor choices or an argument gone wrong. 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. We do this through a collaboration with the Central Dakota Forensic Nurse Examiners, who provide these medical exams to these children at no charge to the family. However, less than a 1/3 of victims of physical abuse received an exam in 2022. Imagine that, having severe physical injury, yet not having access to medical care to know that you are okay. Senate Bill 2202 will provide a pilot project and funding to increase the exams of victims who are physically abused which will help start the child on the road to healing, enable referrals to further medical care when needed and preserve evidence that could keep this child safe in the future.

We all play a critical role in ensuring the safety of children and victims in our state. A large part of this is ensuring their bodies are okay and that they receive the medical attention needed to live a full and healthy life. You have an opportunity to make a big impact on the life of children today and I am here today to ask you for your support.

Chairwoman 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.



A B U S E D
A D U L T
R E S O U R C E
C E N T E R

"Restoring hope. Building futures. Changing lives."

Senate Bill No. 2202
Senate Judiciary Committee
Testimony Presented by Courtney Monroe Ryckman, LBSW
Email: courtneymr@aacnd.com
January 18, 2023

Chairwoman Larson and members of the Committee, my name is Courtney Monroe Ryckman, Direct Services Supervisor at the Abused Adult Resource Center (AARC) in Bismarck with 20 years of experience working with victims of domestic violence and sexual assault, I am here today in support of SB 2202. AARC serves a seven-county service area in south central North Dakota including the Bismarck-Mandan area and is one of 20 domestic violence and sexual assault programs in North Dakota.

Last year AARC served 889 new victims of domestic violence. At this time, it is difficult to quantify the number of those victims who might utilize this level of care from a specially trained forensic nurse because its simply not offered anywhere in the state of North Dakota. According to a similar project in another part of the country, when incorporating forensic nurses into the response for domestic violence victims, documentation and photography has let to increases in felony charges and higher rates of plea agreements. Both of these are results that can improve not only victim safety by community safety by holding violent offenders accountable.

In my experience as an advocate responding to the hospital for a domestic violence incident I have been asked by law enforcement to take pictures of female victims when there was no one else available. This is often considered a last resort for advocates and led to me having to testify in court to pictures I took six months prior, the pictures were not good, I had no training or guidance for taking these pictures for evidence collection purposes.

For the last twenty years the Bismarck-Mandan communities has offered this level of treatment and care to victims who are seeking forensic medical care following an incident of sexual assault, it is time to make the same level of care available to victims of intimate partner physical violence. Through the passage of this legislation it is my hope that we will demonstrate a consistent, caring response to domestic violence victims.

Thank you for this opportunity and if you have any questions, please let me know.

PO Box 5003 • Bismarck, ND 58502-5003

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www.abusedadultresourcecenter.com





**CHILDREN'S
ADVOCACY
CENTERS**
OF NORTH DAKOTA

Senate Judiciary Committee
Testimony In Support of Senate Bill #2202
1-18-23

Madame Chairman, members of the Senate Judiciary Committee, for the record, my name is Greg Kasowski, and I am the executive director of the Children's Advocacy Centers of North Dakota. I appear today in support of Senate Bill 2202.

As many of you know, Children's Advocacy Centers provide services to children who are victims of physical abuse, sexual abuse, neglect, and other forms of child maltreatment. One of the core services we offer is medical exams for child victims of abuse. We partner with various medical agencies across the state to provide these services to children.

The proposed legislation would benefit Children's Advocacy Centers and the children we serve in several ways.

First, our medical partners would receive training on domestic violence forensic exams and how to document findings, which fills the gap for this service in areas of North Dakota. Second, funding would be available for community-based or hospital-based domestic violence examiner programs to conduct these exams for our Children's Advocacy Centers. Third, there would be the potential for more and better evidence collection for the potential prosecution of cases of child abuse.

I respectfully ask the committee to recommend a DO PASS to SB 2202.

Thank you for your time.
Sincerely,

Greg Kasowski
Executive Director

Children's Advocacy Centers of North Dakota

www.CACND.org
director@cacnd.org
701.301.3701



Judicial Committee**Testimony in Support of Senate Bill #2202****By Senator Sean Cleary (District 35, Bismarck)****1/18/23**

Summary: This bill would establish a pilot program at the Attorney General's office to provide forensic medical examinations for victims of domestic violence and physical abuse.

Background: This is modeled after the Sexual Assault Nurse Examination (SANE) program, also funded through the AG's office. But currently, victims of domestic violence don't have the same access to forensic medical exams as victims of sexual assault. This bill would help to address that.

Goal: By providing access to examinations by highly trained forensic nurses, victims of domestic violence and physical abuse can have better access to services for their treatment and recovery.

- The examinations can also be used by law enforcement during the prosecution of those who commit domestic violence. This helps improve their ability to investigate and prosecute cases of domestic violence.

Appropriation: \$250,000 for the upcoming biennium. The funds would be used to develop the program, train nurses, and provide reimbursements for exam expenses after the program is developed.

Reporting: Data will be collected and reported to monitor progress of the program.

I ask for your favorable consideration of this bill.



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

**Support SB 2202
North Dakota Senate Judiciary Committee**

January 18, 2023

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

I am testifying today in support of SB 2202.

CDFNE is a North Dakota based non-profit organization providing forensic medical services to children and adult survivors of sexual assault in western North Dakota. Our organization serves individuals in 23 counties, with our headquarters in Bismarck. CDFNE nurses work with a variety of partners including law enforcement, advocacy agencies, and children's advocacy centers, as part of local sexual assault response teams. CDFNE currently has 22 Sexual Assault Nurse Examiners on staff who work throughout our service area.

Our state's Sexual Assault Nurse Examiners (SANE), including our team at CDFNE, are specially trained to provide trauma-informed care to victims of sexual assault. This unique medical care is an interdisciplinary specialty combining nursing, forensic science, and the legal system.

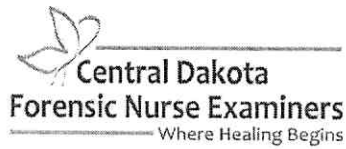
In December of 2022, CDFNE executive director Tisha Scheuer and myself, met with Attorney General Drew Wrigley and Deputy Attorney General Claire Ness. Our meeting included a discussion about the current services we provide and the lack of access to forensic medical services for victims of domestic violence and physical abuse. This discussion led to their support of our organization working with policymakers to bring forward a bill for a pilot program.

It is time to expand forensic medical services in North Dakota. SB 2202 implements a grant-based program in our state to help provide these services to victims of domestic violence and

physical abuse. These victims deserve access to the same forensic medical services as victims of sexual assault.

Therefore, today I am asking you to give a DO PASS recommendation to SB 2202.

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



**Tisha Scheuer, MSN, APRN, FNE, FNP-C – Executive Director,
Central Dakota Forensic Nurse Examiners**

**Support SB 2202
North Dakota Senate Judiciary Committee**

January 18, 2023

Chair Larson and members of the Senate Judiciary Committee, my name is Tisha Scheuer, I am the Executive Director of Central Dakota Forensic Nurse Examiners (CDFNE).

I am testifying today in support of SB 2202.

Multidisciplinary response teams are considered best evidence-based practice in responding to victims of sexual violence. Forensic medical examinations are a key part of any multidisciplinary response to victims. Studies have shown that exams performed by SANEs; results in better health outcomes and in turn leads to higher prosecution rates in their regions. However, in North Dakota our well-established multidisciplinary teams only respond to one type of victim and that is sexual assault. Over the years we have become experts in providing forensic medical services to our sexual assault victims and so we believe it is time to expand our services to all victims of violence, in particular domestic violence, and physical abuse in children.

The victims of domestic violence and physical abuse in North Dakota have not been given the opportunity to receive this high level of expertise simply due to lack of funding. I have been deeply involved in state SANE services for 20 years and during that time the funding for forensic medical services has been focused primarily on the sexual assault victim. While that is crucial, we cannot continue to ignore the other victim population that is even bigger in numbers.

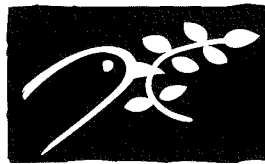
The goal for this pilot project is to utilize the already established expertise and experience the trained SANE nurse in the state have, while maintaining patient-centered, trauma-informed, and

evidence based forensic services for victims of both domestic violence and child victims of physical abuse. While this pilot study will not take the place of emergency services provided through the emergency rooms, what we can provide is: expert forensic photography of all injuries, identification of non-fatal strangulation injuries and referrals as needed, evidence collection for example: bite marks on intimate areas, as well as wrap around services, and expert testimony in court, just to name a few.

Therefore, today I am asking you to give a DO PASS recommendation to SB 2202.

Thank you,

Tisha Scheuer
tisha.cdfne@midconetwork.com
701-751-4884



A B U S E D
 A D U L T
 R E S O U R C E
 C E N T E R

"Restoring hope. Building futures. Changing lives."

Senate Bill No. 2202
Senate Appropriations Committee
Testimony Presented by Courtney Monroe Ryckman, LBSW
Email: courtneymr@aacnd.com
February 1, 2023

Chairman Bekkedahl and members of the Committee, my name is Courtney Monroe Ryckman, Direct Services Supervisor at the Abused Adult Resource Center (AARC) in Bismarck with 20 years of experience working with victims of domestic violence and sexual assault, I am here today in support of SB 2202. AARC serves a seven-county service area in south central North Dakota including the Bismarck-Mandan area and is one of 20 domestic violence and sexual assault programs in North Dakota.

Last year AARC served 889 new victims of domestic violence. At this time, it is difficult to quantify the number of those victims who might utilize this level of care from a specially trained forensic nurse because its simply not offered anywhere in the state of North Dakota. According to a similar project in another part of the country, when incorporating forensic nurses into the response for domestic violence victims, documentation and photography has let to increases in felony charges and higher rates of plea agreements. Both of these are results that can improve not only victim safety by community safety by holding violent offenders accountable.

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For the last twenty years the Bismarck-Mandan communities has offered this level of treatment and care to victims who are seeking forensic medical care following an incident of sexual assault, it is time to make the same level of care available to victims of intimate partner physical violence. Through the passage of this legislation it is my hope that we will demonstrate a consistent, caring response to domestic violence victims.

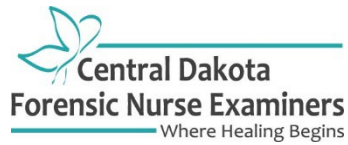
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We Are A United Way
 Agency



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

**Support SB 2202
North Dakota Senate Appropriations Committee**

February 1, 2023

Chairman Bekkedahl and members of the Senate Appropriations Committee, my name is Kristie Wolff, I am the Communications and Engagement Coordinator for Central Dakota Forensic Nurse Examiners (CDFNE).

I am testifying today in support of SB 2202.

CDFNE is a North Dakota based non-profit organization providing forensic medical services to children and adult survivors of sexual assault in western North Dakota. Our organization serves individuals in 23 counties, with our headquarters in Bismarck. CDFNE nurses work with a variety of partners including law enforcement, advocacy agencies, and children's advocacy centers, as part of local sexual assault response teams. CDFNE currently has 22 Sexual Assault Nurse Examiners on staff who work throughout our service area.

Our state's Sexual Assault Nurse Examiners (SANE), including our team at CDFNE, are specially trained to provide trauma-informed care to victims of sexual assault. This unique medical care is an interdisciplinary specialty combining nursing, forensic science, and the legal system.

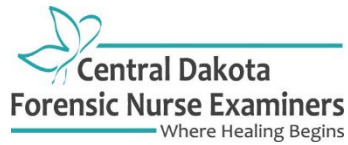
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It is time to expand forensic medical services in North Dakota. SB 2202 implements a grant-based program in our state to help provide these services to victims of domestic violence and

physical abuse. These victims deserve access to the same forensic medical services as victims of sexual assault.

Therefore, today I am asking you to give full funding and a DO PASS recommendation to SB 2202.

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



**Tisha Scheuer, MSN, APRN, FNE, FNP-C – Executive Director,
Central Dakota Forensic Nurse Examiners**

**Support SB 2202
North Dakota Senate Appropriations Committee**

February 1, 2023

Chair Bekkedahl and members of the Senate Appropriations Committee, my name is Tisha Scheuer, I am the Executive Director of Central Dakota Forensic Nurse Examiners (CDFNE).

I am testifying today in support of SB 2202.

Multidisciplinary response teams are considered best practice, based on evidence-based research, in responding to victims of violence. Forensic medical examinations are a key part of any multidisciplinary response to victims. Studies have shown that forensic exams performed by SANEs; results in better health outcomes and in turn leads to higher prosecution rates. However, in North Dakota our well-established multidisciplinary teams with whom provide the forensic medical exams and provide higher health outcomes, have only been available to the sexual assault victim. Over the years we have become experts in providing this specialized service to our sexual assault victims and so we believe it is time to expand our services to all victims of violence, in particular domestic violence, and child victims of physical abuse.

The victims of domestic violence and physical abuse in North Dakota have not been given the opportunity to receive this high level of expertise simply due to lack of funding. I have been deeply involved in state SANE services for the sexual assault victim for the past 20 years and during that time the funding for forensic medical services has been focused primarily on the sexual assault victim. While that is crucial and I am not asking that anything be taken away from that, we cannot continue to ignore the other victim population that is even bigger in numbers.

The goal for this one-time allotted grant funding is to carry out a pilot project. This pilot project will utilize the already established expertise and experience the trained SANE nurse has. We already know how to maintain a patient-centered, trauma-informed, and evidence based forensic services because we do this every day for victims of sexual violence but not for the domestic violence victim or the child victims of physical abuse. While this pilot study will not take the place of emergency services provided through the emergency rooms, what we can provide to the domestic violence and physical abuse victim is really what we are already providing for victims of sexual violence and that is: expert forensic photography of all injuries (meaning photographing at a 90 degree angle with good lighting, making sure a measuring tool is in all pictures and using the rule of 3- 5 depending on the circumstances for each and every picture), identification of non-fatal strangulation injuries (such as sore throat, swelling to throat/neck, loss of consciousness, or even something as subtle as feeling dizziness and lightheaded which can be identifiers of non-fatal strangulation and which need to be automatic referrals to the emergency department for a more in depth evaluation), collection of other evidence such as saliva from bite marks, and abrasion, or even collecting evidence for touch DNA analysis from the body of the domestic violence victim), participating in a detailed interview process where the victim many times feels more comfortable revealing their circumstances to the medical provider than to law enforcement at the time, various referral resources as needed, and expert testimony in court, just to name a few.

Therefore, today I am asking you to give a DO PASS recommendation to SB 2202.

Thank you,

Tisha Scheuer
tisha.cdfne@midconetwork.com
701-751-4884

Judicial Committee**Testimony in Support of Senate Bill #2202****By Senator Sean Cleary (District 35, Bismarck)****1/18/23**

Summary: This bill would establish a pilot program at the Attorney General's office to provide forensic medical examinations for victims of domestic violence and physical abuse.

Background: This is modeled after the Sexual Assault Nurse Examination (SANE) program, also funded through the AG's office. But currently, victims of domestic violence don't have the same access to forensic medical exams as victims of sexual assault. This bill would help to address that.

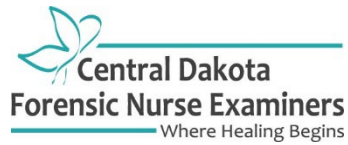
Goal: By providing access to examinations by highly trained forensic nurses, victims of domestic violence and physical abuse can have better access to services for their treatment and recovery.

- The examinations can also be used by law enforcement during the prosecution of those who commit domestic violence. This helps improve their ability to investigate and prosecute cases of domestic violence.

Appropriation: \$250,000 for the upcoming biennium. The funds would be used to develop the program, train nurses, and provide reimbursements for exam expenses after the program is developed.

Reporting: Data will be collected and reported to monitor progress of the program.

I ask for your favorable consideration of this bill.



**Tisha Scheuer, MSN, APRN, FNE, FNP-C – Executive Director,
Central Dakota Forensic Nurse Examiners**

**Support SB 2202
North Dakota House Judiciary Committee**

March 6, 2023

Chair Klemin and members of the House Judiciary Committee, my name is Tisha Scheuer, I am the Executive Director of Central Dakota Forensic Nurse Examiners (CDFNE).

I am testifying today in support of SB 2202.

Multidisciplinary response teams are considered best practice, based on evidence-based research, in responding to victims of violence. Forensic medical examinations are a key part of any multidisciplinary response to victims. Studies have shown that forensic exams performed by SANEs; results in better health outcomes and in turn leads to higher prosecution rates. However, in North Dakota our well-established multidisciplinary teams with whom provide the forensic medical exams and provide higher health outcomes, have only been available to the sexual assault victim. Over the years we have become experts in providing this specialized service to our sexual assault victims and so we believe it is time to expand our services to all victims of violence, in particular domestic violence, and child victims of physical abuse.

The victims of domestic violence and physical abuse in North Dakota have not been given the opportunity to receive this high level of expertise simply due to lack of funding. I have been deeply involved in state SANE services for the sexual assault victim for the past 20 years and during that time the funding for forensic medical services has been focused primarily on the sexual assault victim. While that is crucial and I am not asking that anything be taken away from that, we cannot continue to ignore the other victim population that is even bigger in numbers.

The goal for this one-time allotted grant funding is to carry out a pilot project. This pilot project will utilize the already established expertise and experience the trained SANE nurse has. We already know how to maintain a patient-centered, trauma-informed, and evidence based forensic services because we do this every day for victims of sexual violence but not for the domestic violence victim or the child victims of physical abuse. While this pilot study will not take the place of emergency services provided through the emergency rooms, what we can provide to the domestic violence and physical abuse victim is really what we are already providing for victims of sexual violence and that is: expert forensic photography of all injuries (meaning photographing at a 90 degree angle with good lighting, making sure a measuring tool is in all pictures and using the rule of 3- 5 depending on the circumstances for each and every picture), identification of non-fatal strangulation injuries (such as sore throat, swelling to throat/neck, loss of consciousness, or even something as subtle as feeling dizziness and lightheaded which can be identifiers of non-fatal strangulation and which need to be automatic referrals to the emergency department for a more in depth evaluation), collection of other evidence such as saliva from bite marks, and abrasion, or even collecting evidence for touch DNA analysis from the body of the domestic violence victim), participating in a detailed interview process where the victim many times feels more comfortable revealing their circumstances to the medical provider than to law enforcement at the time, various referral resources as needed, and expert testimony in court, just to name a few.

Therefore, today I am asking you to give a DO PASS recommendation to SB 2202.

Thank you,

Tisha Scheuer
tisha.cdfne@midconetwork.com
701-751-4884

Chairman Klemin and Members of the House Judiciary Committee,

I am here to introduce SB 2202 and ask for your favorable consideration. This bill would establish a pilot program at the Attorney General's office to provide forensic medical examinations for victims of domestic violence and physical abuse. This would help to investigate instances of domestic violence and provide services to victims.

Background:

- The legislation is modeled after the Sexual Assault Nurse Examination (SANE) program, also funded through the AG's office.
- Currently, victims of domestic violence do not have the same access to forensic medical exams as victims of sexual assault.

Goal:

- Provide access to highly trained forensic nurses, allowing victims of domestic violence to receive proper treatment and care, aiding in their recovery.
- Improve law enforcement's ability to investigate and prosecute cases of domestic violence.

Appropriation:

- The proposed appropriation for the pilot program is \$250,000 for the upcoming biennium.
- The funds would be used to develop the program, train nurses, and provide reimbursements for exam expenses after the program is developed.

Reporting:

- Data will be collected and reported to monitor the progress of the program.

This legislation will help to provide necessary care and resources to victims of domestic violence, and it would aid law enforcement in investigating and prosecuting cases of domestic violence.

I respectfully ask for your support. If you have any questions or concerns about the bill, please do not hesitate to contact me. Thank you for your time and consideration.

Sincerely,

Sean Cleary
North Dakota State Senate
District 35 — Bismarck

NORTH DAKOTA

DOMESTIC VIOLENCE FACTS 2021

5,417 *New Victims

were served by **18** CRISIS INTERVENTION CENTERS throughout North Dakota.

OF THOSE CASES:



- **87%** of the victims were **women**.



- **94 women** were **pregnant** at the time they were assaulted.



- **18% of new victims** were people with **disabilities**. Of those, 10% were people with developmental disabilities, 36% had physical disabilities, and 54% were people with mental health disabilities.



- At least **3,895 children** were directly impacted by these incidents.



- At least **18%** of the victims were **under the age of 25**; 4% were under the age of 18.

*new = unduplicated for calendar year

A CLOSER LOOK

At least **66%** of victims served were physically abused.

Weapons were used in at least **13%** of the cases identified. Guns were used in **18%** of the cases and knives were used in **16%** of the cases involving weapons.

In at least **39%** of cases, the abuser had a history of abusive behavior with other adults including prior partners.

Alcohol use by abuser only was indicated in **28%** of the new cases. Alcohol use by both victim and offender was indicated in **5%** of the cases.



ADVOCACY

31% of the victims were self-referred to domestic violence programs; **22%** were referred by law enforcement.

Domestic violence programs provided victim assistance with **450** emergency protection orders.



March 2022. Domestic Violence Statistics are compiled by CAWS North Dakota for the State Health Department. CAWS North Dakota 521 E Main Ave, Suite 320, Bismarck, ND, 58501 | 701.255.6240 | www.cawsnorthdakota.org



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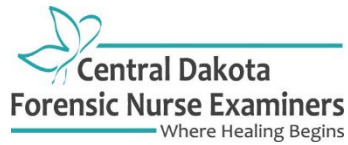
Senate Bill No. 2202
House Judiciary Committee
Testimony Presented by Seth O'Neill, JD, MSW
Email: soneill@cawsnorthdakota.org
March 6, 2023

Chairman Klemin and members of the Committee, my name is Seth O'Neill and I am representing CAWS North Dakota in support of SB 2202. CAWS North Dakota is the statewide coalition of the domestic violence and sexual assault programs in North Dakota. Our programs serve victims of sexual assault and domestic violence across the state.

We support this bill because it would provide valuable training and support to service providers of domestic violence victims. In 2021, our member programs served 5,417 new victims of domestic violence.¹ Additionally, at least 3,895 children were directly impacted by these incidences of domestic violence. Currently, there is not a uniform process in evidence collection in domestic violence cases. We believe that widespread use of domestic violence forensic medical examinations will allow for better evidence collection and successful prosecutions of domestic violence offenders. Additionally, having service providers specially trained to do this work will provide comfort and support for domestic violence victims during a very difficult time.

We encourage the committee to give SB 2202 a do pass recommendation. I appreciate your time and I am happy to answer any questions you may have. Thank you.

¹ See North Dakota Domestic Violence Facts 2021 (Included in Testimony).



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

**Support SB 2202
North Dakota House Judiciary Committee**

March 6, 2023

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

I am testifying today in support of SB 2202.

CDFNE is a North Dakota based non-profit organization providing forensic medical services to children and adult survivors of sexual assault in western North Dakota. Our organization serves individuals in 23 counties, with our headquarters in Bismarck. CDFNE nurses work with a variety of partners including law enforcement, advocacy agencies, and children's advocacy centers, as part of local sexual assault response teams. CDFNE currently has 22 Sexual Assault Nurse Examiners on staff who work throughout our service area.

Our state's Sexual Assault Nurse Examiners (SANE), including our team at CDFNE, are specially trained to provide trauma-informed care to victims of sexual assault. This unique medical care is an interdisciplinary specialty combining nursing, forensic science, and the legal system.

In December of 2022, CDFNE executive director Tisha Scheuer and myself, met with Attorney General Drew Wrigley and Deputy Attorney General Claire Ness. Our meeting included a discussion about the current services we provide and the lack of access to forensic medical services for victims of domestic violence and physical abuse. This discussion led to their support of our organization working with policymakers to bring forward a bill for a pilot program.

Currently, the Attorney General's office oversees the Sexual Assault Forensic Nurse Examiners grant program, therefore they have the mechanisms in place, including a grant review committee, to administer this program.

It is time to expand forensic medical services in North Dakota. SB 2202 implements a grant-based program in our state to help provide these services to victims of domestic violence and physical abuse. These victims deserve access to the same forensic medical services as victims of sexual assault.

Therefore, today I am asking you to give a DO PASS recommendation to SB 2202.

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

Gabriella Thomas
1037 2nd Ave NW
Hazen, ND 58545
District 33

Testimony In Support SB 2022

Thank you, Chairman Klemin, and members of the House Judiciary Committee for the opportunity to provide testimony in support of SB 2202. My name is Gabriella Thomas from District 33, Hazen, North Dakota. I am a nursing student at Bismarck State College and a survivor of domestic violence.

Passing SB 2022 will support men, women, and children in their pursuit of justice against their abusers. This bill will offer survivors the medical assistance needed to deal with their experiences. While collecting time-sensitive objective data in accordance with the chain of evidence.

On December 14, 2019, I made a decision that would not only affect my life but the lives of my children. My husband, at the time, was coming down from a combination of Adderall and vodka when the incident occurred. The acts of violence towards me had been escalating for months and my solution had always been to take myself and my children to my mothers. However, during this altercation, my husband took my vehicle's keys and cell phone while trying to escape and call 911. He then barricaded me in our bedroom while screaming profanities at me. My 5-year-old child followed us and tried to get between my husband and me. This turned his anger toward her. I told her to run to her room and shut her door while turning his attention back to me. He strangled me on our bed. While fighting back he pinned my arms to my side while yelling profanities in my face. Once he left and began yelling for me to follow and fix the window, I made him break and I made the decision to run.

I went out the back door of our trailer house and ran with no coat or shoes to our neighbors to call 911. After the police officer removed my husband he handed me a piece of paper on which to write my statement and went to get back into his patrol car. While talking to my mother she pointed out that I had a bite mark on my right lateral forearm that was already bruised and bleeding. The wound did not hurt and I was surprised to see it, at that moment all I felt was numb and cold. I went outside and flagged

the officer to take a picture of the injury. He pulled out a small digital camera and took a picture of the injury through his vehicle window.

The next day I felt moderate pain in my neck, shoulders, and arms, and spear grass was embedded into my feet. When going to put on a necklace I discovered I had bilateral fingertip bruises on my biceps and that my neck was swollen to the point I could not put on my necklace. I went to the nearest hospital and had fellow medical colleagues take pictures of the injuries for documentation.

The following day I was able to gain a 5-year protection order solely due to a compassionate judge who read my written testimony regarding the altercation on December 14, 2019. The picture the patrol officer took of the bite mark never made it to evidence. The pictures taken at the hospital could not be submitted to the court because I did not make a formal visit and the police were not notified. Without the help and support of WIC and a judge willing to listen to my story, I would never have been able to obtain a protection order. Survivors of domestic violence should not have to rely on good fortune to achieve justice and safety from their abusers.

Thank you, Chairman, and members of the Committee for the opportunity to provide testimony in support of SB 2202.