

Testimony
Senate Bill 2190
Senate Judiciary Committee
Senator Nething, Chairman
January 18, 2011

Chairman Nething and members of the Senate Judiciary Committee, I am Alex C. Schweitzer, Superintendent of the North Dakota State Hospital of the Department of Human Services. I am here today to speak in support of Senate Bill 2190.

A brief background is necessary to explain the rationale for this legislation to better manage sex offenders and to assure the safety of the citizens of the state of North Dakota.

The North Dakota State Hospital is the location for the state's inpatient evaluation and treatment program for sexually dangerous individuals. The program was established in 1997 and the current population is 64 sex offenders, 59 sex offenders located in house and 5 sex offenders on leave to the state prison. In the year 2008, the program discharged its first patient and we have discharged 16 patients from the program to date.

In order for a sex offender to successfully reintegrate to the community it is vital that certain elements be in place at the time of discharge from the program; the offender should have adequate housing, gainful employment, family and community support, the establishment of safety zones to protect the public, continued treatment on an outpatient basis and regular and routine community supervision. Most sex offenders who do not have these elements in place tend to fail.

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One of the missing elements in community reintegration for patients discharged from the inpatient program at the State Hospital has been the lack of consistent and regular community supervision. In some cases, the Hospital has voluntarily or by court appointment assumed the responsibility of supervision for sex offenders discharged from the inpatient program in order to assure their success and the safety of the community. This has proven to be problematic because of staffing, travel and time issues for Hospital staff.

The Department of Corrections and Rehabilitation (DOCR) and Department of Human Services (DHS) recognized this missing element of supervision as a serious gap in the management of sex offenders. Thus, the two state agencies are coming forward in cooperation to hopefully fill this gap with the legislation in front of you today. This legislation would allow probation and parole officers from the DOCR to supervise sexually dangerous individuals discharged to community placement on an outpatient basis. The DOCR employs probation and parole officers with specific training and expertise in supervising sex offenders. The DOCR believes they have the current resources to perform this function, without additional staffing, given the current number of sex offenders who would require this service.

Thank you. I would be happy to answer any questions.