Sixty-seventh Legislative Assembly of North Dakota

HOUSE CONCURRENT RESOLUTION NO. 3045

Introduced by

Representatives Buffalo, Sanford, Schneider, Zubke

Senator Mathern

A concurrent resolution directing the Legislative Management to consider studying the prevalence of bias-motivated crimes committed in North Dakota on the basis of actual or perceived race, color, religion, gender, disability, sexual orientation, gender identity, national origin, or ancestry.

WHEREAS, North Dakota had high occurrences of bias-motivated crimes, ranking second with the most per capita in 2012, 2014, and 2015; and

WHEREAS, North Dakota reported a five-year low of eight bias-motivated criminal offenses in 2016, which had a three percent participation rate amongst North Dakota law enforcement agencies in the hate crime statistics reporting program; and

WHEREAS, North Dakota reported seven bias-motivated criminal offenses occurring in Fargo in 2017 which were uncounted in the bias-motivated crime statistics reporting program; and

WHEREAS, North Dakota had 15 bias-motivated crimes reported in 2017, eight of which were motivated by the victims' race, five by religion, and two by sexual orientation; and

WHEREAS, North Dakota is one of five states without a bias-motivated criminal statute;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Management consider studying the prevalence of bias-motivated crimes committed in North Dakota on the basis of actual or perceived race, color, religion, gender, disability, sexual orientation, gender identity, national origin, or ancestry; and

BE IT FURTHER RESOLVED, the study must include information on the limitations of existing bias-motivated crime data and the reasons for the limitations, an assessment of bias-motivated crime state laws and related federal laws, and an examination of the extent law enforcement officers are trained on identifying, investigating, and reporting bias-motivated crimes; and
BE IT FURTHER RESOLVED, the study must address whether law enforcement agencies throughout the state are required to report bias-motivated crime data to the state and the Federal Bureau of Investigation for inclusion in the annual bias-motivated crime statistics report along with the protected characteristics for which the data currently is collected and transmitted; and

BE IT FURTHER RESOLVED, the study must include the number and percentage of law enforcement agencies in the state which collect and report bias-motivated crime data; and

BE IT FURTHER RESOLVED, the study must assess how many accredited police departments versus non-accredited police departments there are in the state and evaluate and compare the required training standards between the two types of departments; and

BE IT FURTHER RESOLVED, the study must examine the prosecution rates for bias-motivated crimes in North Dakota; and

BE IT FURTHER RESOLVED, the study must include consultation with the Attorney General, local law enforcement agencies, and nongovernmental organizations working to address the issue of bias-motivated crimes in North Dakota; and

BE IT FURTHER RESOLVED, that the Legislative Management report its findings and recommendations, together with any legislation required to implement the recommendations, to the Sixty-eighth Legislative Assembly.