

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

3067

2001 HOUSE JUDICIARY

HCR 3067

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3067

House Judiciary Committee

Conference Committee

Hearing Date 02-28-01

Tape Number	Side A	Side B	Meter #
TAPE I	x		796 to 4308
Committee Clerk Signature <i>Joan Davis</i>			

Minutes: Chairman DeKrey opened the hearing on HCR 3067. A resolution directing the Legislative Council to study the feasibility and desirability of establishing a behavior modification academy for certain adult and juvenile offenders.

Rep M Boucher: District 9. This resolution would develop a study towards developing a behavior modification academy (boot camp). This is an alternative to YCC and prison. This would be a structured program for first time offenders. We have to take a look at first time offenders. This would be a short term basis. It would help first time offenders to develop a daily discipline of work, education and counseling. We will take a look at those people who have been convicted of a DUI, n's checks and non violent crimes come because of their life style. This is also complicated with alcohol and drugs. The reason that a lot of them have come is that they are lacking in structure in their lives. Now these can be either adult or juvenile offenders. We are not addressing the life issue for these people. They need to develop structure in their lives. Explains

why "boot camp" is not being used, referring to the problems of South Dakota. We as tax payers will be better served with alternative methods of sentencing.

Rep Eekre: Is this a boot camp situation?

Rep Boucher: It is patterned after the boot camp.

Rep Eekre: When our committee went out the youth correctional facility outside of Mandan, they showed us the series, it wasn't just the employees, the whole system was flawed.

Chairman DeKrey: Our system is the best in the nation as far as the people are concerned. In fact other states come here to see how we do it.

Rep Eekre: There were some people out of control, but also their system was bad. They didn't know who reported to whom.

Rep Delmore: Do you have static's of success of some of the camps that have been set up.

Rep Boucher: I don't have those in front of me. It is hard to measure success. Concrete data is difficult.

Rep Grande: This study is looking for a program, are we also looking toward parental input?

Rep Boucher: He talks about his job involving juveniles. As we assess the problem of youth and then go thru a program, a common occurrence is that the person would get a clean bill of health and come back to the community and within six months they would be back to their old habits. There was no follow up and no family involvement.

Vice Chr Kretschmar: How do you envision this program to be different?

Rep Boucher: I envision this program to be something more intense.

Rep Disrud: A two part question, 1) where have you seen such a facility, and 2) if North Dakota had one would it be in concert with something already in place or would it be separate.

Rep Boucher: A separate facility would be the best approach. But it can be done in many different ways. The facilities across the nation have mixed reviews, there are some problems such as staff and not being properly structured.

Rep Wrangham: I am not familiar with this type of academy, but I like the idea of the jobs, would these be in house or in the public sector?

Rep Boucher: My vision would be that a person would be there for six months. It would be structured routine, getting them healthy mentally and physically.

Rep Wrangham: The job at the academy would be improving themselves, isn't that what the facilities that we have now supposed to be doing.

Rep Boucher: Yes, but now we take a person who does the crime off the street and make them pay. Some people that is where they belong, while others do not. This would be an alternative.

Chairman DeKrey: If there are no further questions, thank you for appearing. Is there anyone who wishes to testify in support, opposition or is neutral on HCR 3067.

Rep Mahoney: District 33 co-sponsor of HCR 3067. In my real life I am a states attorney and deal with the youth. It is difficult putting people in the right spot. This is a positive step in behavior modification. Look at job corp, that is a positive action for adults. Juveniles have a lack of respect and aren't grounded as they should be. There are some private institutions, named the one in Fargo. I would like to see a program such as this for all juvenile crimes.

Rep Wrangham: During the study would they look at private care facility also.

Rep Mahoney: Yes, I would. There is already a mix of that. It is important to involve the private sector.

Rep Delmore: How would you decide which offender would go in which program.

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Rep Mahoney: Juvenile Court would decide where they would go through an assessment.

Chairman DeKrey: If there are no further questions, thank you for appearing. We will close the hearing on HCR 3067. What are the wishes of the committee.

COMMITTEE ACTION

Rep Maragos moved a DO PASS and Rep Delmore seconded the motion

DISCUSSION

Chairman DeKrey: the clerk will call the roll on a DO PASS motion on HCR 3067. The motion passes with 13 YES, 0 NO and 2 ABSENT. Carrier Rep Mahoney. The resolution will be placed on the consent calendar.

Date: 02-28-01
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HR 3067

House JUDICIARY Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Rep Maragos Seconded By Rep Delmore

Representatives	Yes	No	Representatives	Yes	No
CHR - Duane DeKrey	✓				
VICE CHR --Wm E Kretschmar	✓				
Rep Curtis E Brekke	✓				
Rep Lois Delmore	✓				
Rep Rachael Disrud	✓				
Rep Bruce Eckre	✓				
Rep April Fairfield					
Rep Bette Grande	✓				
Rep G. Jane Gunter	✓				
Rep Joyce Kingsbury	✓				
Rep Lawrence R. Klemm					
Rep John Mahoney	✓				
Rep Andrew G Maragos	✓				
Rep Kenton Onstad	✓				
Rep Dwight Wrangham	✓				

Total (Yes) 13 No 0

Absent 2

Floor Assignment Rep Mahoney

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

Consent

REPORT OF STANDING COMMITTEE (410)
February 28, 2001 12:12 p.m.

Module No: HR-34-4438
Carrier: Mahoney
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HCR 3067: Judiciary Committee (Rep. DeKrey, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HCR 3067 was placed on the Tenth order on the calendar.

2001 SENATE JUDICIARY

HCR 3067

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 3067

Senate Judiciary Committee

Conference Committee

Hearing Date March 20th, 2001

Tape Number	Side A	Side B	Meter #
1	X		7.1-30
Committee Clerk Signature			

Minutes: **Senator Traynor**, opened the hearing on HCR 3067.

Rep. Boucher, District 9, testimony attached. Supports the bill.

Senator Watne, this is strictly for those charged with a crime. Why adults?

Rep. Boucher, I would leave that up to the committee.

Senator Nelson, years ago we would commit kids to "the home on the range" or "boys ranch" are they not fulfilling their duty?

Senator Traynor, closed the hearing on HCR 3067.

**SENATOR WATNE MOTIONED TO DO PASS, SECONDED BY SENATOR NELSON.
VOTE INDICATED 6 YEAS, 0 NAYS AND 1 ABSENT AND NOT VOTING. SENATOR
DEVER VOLUNTEERED TO CARRY THE BILL.**

Date: 3/20/01
Roll Call Vote #: 1

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 3067

Senate Judiciary Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Watne Seconded By Nelson

Senators	Yes	No	Senators	Yes	No
Traynor, J. Chairman	X		Bercier, D.		
Watne, D. Vice Chairman	X		Nelson, C.	X	
Dever, D.	X				
Lyson, S.	X				
Trenbeath, T.	X	X			

Total (Yes) 6 No 0

Absent 1

Floor Assignment Dever

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

REPORT OF STANDING COMMITTEE (410)
March 22, 2001 9:03 a.m.

Module No: SR-50-6360
Carrier: Dever
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HCR 3067: Judiciary Committee (Sen. Traynor, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3067 was placed on the Tenth order on the calendar.

2001 TESTIMONY

HCR 3067

TESTIMONY IN SUPPORT OF HCR 3067
Senate Judiciary Committee
Senator John Traynor, Chairman

Chairman Traynor, and members of the Senate Judiciary Committee, my name is Merle Boucher Representative from District 9. I come before you today in support of HCR 3067 a proposal to study the feasibility of a behavior modification academy.

As we are all aware, crimes and criminals vary, and our approach to their deterrence and rehabilitation must also strive to meet those needs. An academy of this type could address the needs of nonviolent first time offenders whose criminal activity is often related to emotional or financial problems. It provides another option for rehabilitation. Proper guidance within a strict framework of discipline would be a real opportunity for rehabilitation not just incarceration. It helps address the greater source of criminal activity instead of simply trying to hide it.

In the interest of the safety and productivity of the state, I ask for your support this opportunity to improve our correctional system.

Respectfully Submitted,



Merle Boucher