



JUDICIARY COMMITTEE

Tuesday, November 7, 2023
Roughrider Room, State Capitol
Bismarck, North Dakota

- 9:00 a.m. Call to order
Roll call
Consideration of the [minutes of the August 31, 2023, meeting](#)
- FIREARM AND DANGEROUS WEAPONS STUDY**
- 9:05 a.m. Presentation by the Legislative Council staff of a [background memorandum](#) regarding the firearm and dangerous weapons study
- 9:15 a.m. [Presentation](#) by Ms. Claire Ness, Deputy Attorney General, regarding *New York State Rifle & Pistol Association Inc. v. Bruen* and subsequent Second Amendment caselaw
- 9:35 a.m. Presentation by Mr. Casey Miller, Special Agent, Bureau of Criminal Investigation and North Dakota Peace Officers Association, regarding the state's firearm and weapon regulations, prohibitions, and restrictions
- 9:55 a.m. [Presentation](#) by Ms. Sally Holewa, State Court Administrator, North Dakota Supreme Court, regarding the court's input and historical interpretation of the state's firearm and weapon possession prohibitions and restrictions
- 10:15 a.m. [Presentation](#) by Mr. Brian Gosch, State Director, National Rifle Association, regarding input on and the constitutionality of the state's firearm and weapon possession prohibitions and restrictions, and whether the definition of a dangerous weapon should be maintained, narrowed, or expanded
- 10:30 a.m. [Presentation](#) by a representative from the Commission on Legal Counsel for Indigents, regarding the criminal justice issues and challenges with the state's firearm and weapon possession prohibitions, and whether the definition of a dangerous weapon should be maintained, narrowed, or expanded
- 10:45 a.m. Presentation by a representative from the North Dakota State's Attorneys' Association regarding prosecutorial issues, challenges, and considerations regarding the state's firearm and weapon possession prohibitions, and whether the definition of a dangerous weapon should be maintained, narrowed, or expanded
- 11:00 a.m. [Presentation](#) by Mr. Stanley Schauer, Director of Assessment, Department of Public Instruction, regarding the state's definition, criteria, and report for persistently dangerous schools, the state's suspension and expulsion data, and the armed first responder criteria and status
- 11:15 a.m. [Presentation](#) by Ms. Katie Fitzsimmons, Director of Student Affairs, North Dakota University System, regarding the University System's input on the state's firearm and weapon possession prohibitions and restrictions
- 11:30 a.m. Presentation by Mr. Aaron Birst, Executive Director, North Dakota Association of Counties, regarding county input on the state's firearm and weapon possession prohibitions and restrictions

- 11:45 a.m. Presentation by Ms. Stephanie Dassinger Engebretson, Deputy Director, North Dakota League of Cities, regarding input on the state's firearm and weapon possession prohibitions and restrictions
- 12:00 noon Recess
- 1:00 p.m. Comments by interested persons
- 1:10 p.m. Committee discussion

CUSTODIAL INTERROGATIONS STUDY

- 1:20 p.m. Presentation by the Legislative Council staff of a [background memorandum](#) regarding the recording practices of local and state law enforcement during custodial interrogations study
- 1:30 p.m. [Presentation](#) by Mr. Patrick Lenertz, Supervisory Special Agent, Mr. Lonnie Grabowska, Director, Bureau of Criminal Investigation, and [Mr. Jeremy Ensrud](#), Criminal Division Director, Attorney General's office, regarding the number of law enforcement agencies recording custodial interrogations, custodial interrogation recording practices, policies, requirements, costs, equipment, storage and retention, and barriers to uniform implementation of the recording of custodial interrogations
- 1:50 p.m. [Presentation](#) by a representative from the Commission on Legal Counsel for Indigents, regarding the recording practices of local and state law enforcement during custodial interrogations and whether the state should adopt the Uniform Electronic Recordation of Custodial Interrogations Act
- 2:10 p.m. Presentation by a representative from the North Dakota State's Attorneys' Association regarding the recording practices of local and state law enforcement during custodial interrogations and whether the state should adopt the Uniform Electronic Recordation of Custodial Interrogations Act
- 2:30 p.m. Comments by interested persons
- 2:40 p.m. Committee discussion

REPORT

- 2:50 p.m. [Presentation](#) by Ms. Sarah Couture, Grants Supervisor, Attorney General's office, of a report summarizing activity regarding any civilly forfeited property in the state for the preceding fiscal year
- 3:00 p.m. Committee discussion
- 3:10 p.m. Adjourn

A livestream of the meeting will be available to the public at: <https://video.ndlegis.gov>.

Committee Members

Senators: Janne Myrdal (Chairman), Ryan Braunberger, Michael Dwyer, Judy Estenson, Diane Larson, Bob Paulson, Jonathan Sickler

Representatives: Claire Cory, Matt Heilman, Pat D. Heinert, Karen Karls, Jim Kasper, Lawrence R. Klemin, Ben Koppelman, Nico Rios, Shannon Roers Jones, Bernie Satrom, Kelby Timmons, Lori VanWinkle

Staff Contact: Christopher S. Joseph, Senior Counsel