

HB 1289

My name is Kristen Kiemele. I am a probation and drug court officer for the Department of Corrections and Rehabilitation. I have been a licensed peace officer and probation officer for over six years. I have been a drug court officer for almost four years. The drug court I work with is based in Cass County.

Drug court's mission is to keep the community safe by holding clients accountable, providing opportunities for positive change, and reducing recidivism. The drug court team is made up of a district court judge, an assistant state's attorney, defense attorney, licensed addiction counselor, mental health coordinator and me, the probation/drug court officer.

Drug court is considered an intensive supervision program lasting a minimum of one year. Individuals in drug court are supervised at a greater extent than any other probationer in the state. Participants in drug court are placed under the following requirements in order to graduate: participate in and successfully complete intensive outpatient treatment and aftercare totaling around nine hours per week at first and then decreasing level of care as the client progresses through the program; meet with the probation officer once a week; attend two community support groups per week; provide a minimum of two drug and/or alcohol tests per week, even if those participants are on 24/7 monitoring; obtain and maintain full-time employment; and obtain and maintain suitable housing.

Throughout their time in the program, clients are also required to participate in Thinking for a Change, which is a cognitive restructuring class that educates on social skills, cognitive self-change and problem solving. It allows clients to identify risk and then develop and practice healthy coping skills when dealing with risk.

Costs related to court fines/fees, supervision fees and 24/7 requirements add up quickly and become a financial burden for clients on supervision and especially those in drug court. The difference is that drug court is voluntary, and clients choose to apply and participate in the program. Many would say prison is easier than drug court because clients are held to a certain standard and are given many responsibilities they would not have if incarcerated. So, if a client chooses to participate in drug court, they are already taking that first step toward positively changing their lives.

Court fines and fees, aside from restitution on a case, usually cost a client about \$2,500 to \$3,000. Supervision (or probation) fees costs clients \$55/month, or \$1,320/two years. If the client is a DUI offender, 24/7 is a financial stressor to the clients as it costs \$2/day for the breathalyzers, \$25 for hookup/disconnect and \$6/day for the alcohol monitoring scam bracelet, and \$60 per drug patch (totaling between \$1,440-\$2,210/two years).

We also have to remember that most of these clients are fresh out of jail or prison. They have no job or income to start from, but we expect them to pay an approximate total of \$5,000 to \$10,000 in two years. Clients are spending hundreds to thousands of dollars each month just to stay afloat with their criminal judgment conditions, and this is in addition to the simple cost of living, child support, other state fines/fees, DOT fees, and regular life necessities, especially if they have children.

We are focused on reducing recidivism in drug court and helping clients make better choices so they can live a clean and sober lifestyle post-graduation. However, burdening a client with extensive court fines and fees does not deter someone from committing new crimes, instead it promotes new charges for failure to pay, etc., which often puts someone back in jail – the exact opposite effect we're trying to create.

Clients are responsible for enough obligations and requirements that promote positive change while participating in drug court. Waiving unpaid fines and fees upon successful completion of the program would not only be an incentive to do better, but also a reward for those who put the work into positive change throughout their time in the system.