

ADAPT

Electronic Monitoring, LLC

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Subject: Opposition Letter for SB 2128

Chair Larson and members of the Senate Judiciary Committee,

My name is Brad Brekke and I am the Owner and CEO of ADAPT Electronic Monitoring. I have been involved with electronic monitoring as an EMS officer for 20 years and have owned this company since ADAPT Inc. dissolved in late 2023. I am testifying against SB 2128 and have some reasons to inform you why I am strongly against this bill.

Every individual and every case that a court deals with are different. Crimes are different and so are the individuals that are involved. The Judges in North Dakota have done a great job of doing what is fair and what is right for each individual case that they preside over. Having mandatory almost maximum sentences that each individual would have to be incarcerated would not allow the judges to do what is best for that individual to help keep them out of the system in the future.

Allowing the Judges to make decisions on sentencing and doing what is best for the safety of the community and for the individual that has committed a crime is of the utmost importance. There is not one type of sentencing that fits every individual. Incarceration is a necessity and for some is the only option to keep our communities safe and the people of our communities safe. Limiting the Judges to only incarceration options will be extremely hard on the detention centers that house these individuals. The detention centers in the state are already full and past capacity in many areas, imposing incarceration for every individual is only going to make that worse for the detention centers. The court system needs to have other options, there are other options that are out there now, whether it be a transition center or electronic monitoring or other means. If this bill passes, I think a lot of these options will disappear with it.

Electronic Monitoring allows the individuals to keep their jobs, keep their families together, and allows them to continue on with their lives. The individual has made a mistake and if they are still able to keep their jobs and keep their families, they are going to be less likely to commit another crime and stay in the system. The very structured system of electronic monitoring allows the individual to go to work to maintain their employment, and allows them to continue with other effective programming in the community that has proven to help them be successful. While on electronic monitoring, they are able to attend religious activities, AA/NA meetings, treatment and various other court ordered items such as 24/7 or other community services that can help them in their lives. Outside of those things and necessities, they are required to be home where they can still have the support of their families.

Electronic monitoring also saves the taxpayers and the state of North Dakota money. Every individual that is on electronic monitoring pays for the cost of the monitoring. The individual that is convicted of

the crime pays for the sentence that was imposed on them by the courts. The individual is still working and with their family and is paying for the service that is provided, which saves the state a lot of money for each day that they are not in the detention centers. Adapt Inc. and Adapt Electronic Monitoring LLC, have monitored over 12,000 individuals on electronic monitoring since 2007. Adapt has had over 96 percent of its individuals complete their sentence successfully. Conservatively, daily incarceration costs are at \$150 per day, Adapt worked with roughly 1,000 individuals in 2024, this program has saved North Dakota Counties and tax payers nearly \$1.5 million dollars in incarceration costs in 2024.

- ADAPT has monitored over 12,000 Clients since 2007, each client averaging about 23 days per case for a total of 276,000 days of monitoring since 2007. In these past 18 years, this program has saved close to \$41.4 Million in incarceration costs to Cities, Counties and State and Federal Entities

I do agree that some people need to be incarcerated in order to keep people and communities safe. However, I feel that this bill, restricts the judgment of the tremendous Judges that we have in North Dakota that try to do what is right for the individual that is convicted of a crime. Every individual is different and the Judges do a great job of ensuring public safety; while also trying to make sure an individual is able to move on with their lives in a positive manner.

I am unfortunately unable to be there tomorrow for the hearing, however, Perry Smith, who is cosigning this letter with me is available and will be there. Perry is the former owner of ADAPT Inc., that provided this service to the communities in North Dakota for over two decades. Thank you for considering the implications and restrictions that this bill may cause on the people that live in our state.

Brad Brekke

Perry Smith

Brad Brekke

Perry Smith

Owner/CEO of Adapt Electronic Monitoring LLC

Former Owner/CEO of Adapt Inc.