

**HOUSE APPROPRIATIONS EDUCATION AND ENVIRONMENT DIVISION
COMMITTEE
REPRESENTATIVE MIKE NATHE CHAIR
MARCH 6, 2025**

**TOM ERHARDT, CHIEF PAROLE AND PROBATION OFFICER
PRESENTING TESTIMONY IN SUPPORT OF SENATE BILL 2002**

Chairman Nathe and members of the Committee, my name is Tom Erhardt, and I am the Chief Parole and Probation Officer of North Dakota Parole, Probation and Pretrial Services, a division of the North Dakota Department of Corrections and Rehabilitation (DOCR). The Parole, Probation and Pretrial Services Division is responsible for delivering correctional supervision to over seven thousand adults serving their sentences on parole granted by the authority of the North Dakota Parole Board, sentenced to supervised by probation or ordered to pretrial supervision by district courts, and transferred to North Dakota via the Interstate Compact for Adult Offender Supervision. Our staff of approximately one hundred fifty work out of seventeen district offices throughout the state. I write to you today to provide testimony in support of Senate Bill 2002, specifically the appropriation for specialized court dockets.

The DOCR supports six specialized dockets (also known as treatment courts) in North Dakota with program management and staff specifically assigned to supervise participants in the program. Over the past two years we have been collaborating with judges from the South Central and East Central Judicial Districts to develop Mental Health Treatment (South Central) and Veteran's Treatment Courts (East Central), respectively. The plan in place, if funded, was

to assign currently employed probation officers to supervise the participants and be a formal member of each team.

Treatment courts have been shown to be an effective tool to reduce recidivism. A 2022 outcome and evidence-based process evaluation on North Dakota adult drug courts showed that participating in a drug court in North Dakota reduces one-year and two-year recidivism rates by 10% on average. Successful graduation from drug court reduces one-year recidivism across the state by 18% and two-year recidivism by 23%.

Recent DOCR data shows that approximately 2/3 of the adults sentenced to prison have a substance use disorder diagnosis. Approximately 1/3 have a serious mental illness such as bipolar disorder, schizophrenia, or major depression. Currently in Bismarck/Mandan two probation officers are assigned clients who meet the criteria for seriously mentally ill and supervise 42 individuals between them. These 42 individuals would be appropriate candidates for a Mental Health Court.

In Fargo there are 69 individuals who report veteran status who are currently on parole or probation and 19 who are incarcerated at the DOCR with a Cass County case. Many of these individuals have had contact with law enforcement and subsequent sentences to the DOCR for substance-use related crimes such as possession of methamphetamine, DUI, or possession of drug paraphernalia. Veterans face a variety of challenges after serving in the military including increased risk for substance use disorders, mental illness, suicide, chronic pain, trauma, and unstable housing. Veterans' treatment courts can

improve outcomes for those who served our country by helping them address the underlying issues that is causing their involvement with the criminal justice system.

To put into fiscal perspective from only the DOCR point of view, it costs the state \$148.00 per day (\$54,020 per year) to incarcerate an individual in the state's prison system. It costs \$7.67 per day (\$2,800 per year) for an individual to be supervised in the community by a probation officer. There are additional costs for participants in treatment court than just the supervision; however, if this diversion opportunity experienced just seven individuals who were successful in these treatment courts, it saves the state money by avoiding costly incarceration. The long-term benefits of avoidance of future crime, contribution to society, and less victimization are immeasurable. The DOCR supports the appropriation for these treatment courts as an effective public safety strategy.

Please consider these factors as you continue your work on SB 2002.

Thank you. I will stand to answer questions.