



BURLEIGH COUNTY SHERIFF'S DEPARTMENT

KELLY LEBEN
SHERIFF

Testimony provided for: House Judiciary
By: Dustin Olson, Lieutenant
Date: March 10, 2025

Chairman Klemin and members of the House Judiciary Committee;

My name is Dustin Olson and I am a Lieutenant with the Burleigh County Sheriff's Department. I oversee the Operations Division which involves the day to day operations at the Courthouse. In addition, I am the current President of the North Dakota Peace Officer Association (NDPOA).

One of my current roles within the Sheriff's Department is supervising the staff that administer the 24/7 program. The Burleigh County Sheriff's Department is in support of Senate Bill (SB) 2365 which aims to address the issue of 24/7 fees being waived. While the Burleigh County Sheriff's Department has not had this occur, it came to our attention that other jurisdictions within the State are seeing the 24/7 fees being waived by the district court judge or judicial referee. SB 2365 will clear up any ambiguity to NDCC 54-12-30 in regards to district court judges being allowed to waive the 24/7 fees.

The programs main functions are to give defendants the opportunity to stay out of jail as long as they remain alcohol and/or drug free. There are participants that are on the program as part of their pre-trial release conditions and participants that are post-conviction. The types of testing offered include Twice a Day Breath Test, SCRAM monitoring (ankle bracelet), Drug Patches, and Remote Breath Testing. Since the program's inception in 2008, the intent was to create a program that helped reduce jail populations, ensured accountability of alcohol and drug related offenders, provide immediate sanctions to those that violate and was designed to be self-funded with law violators paying to be on the program.

The fees collected from the participants are as follows;

- Twice a Day Breath Test - \$1.00 per test
- SCRAM Monitoring - \$140 start up (\$50 activation fee, plus \$6 per day)
- Drug Patch - \$60 every 7-14 days
- Remote Breath Testing - \$120 Start Up (\$50 activation fee, plus \$5 per day)

Of the total fees collected, agencies are required to reimburse the Attorney General's Office for expenses they incur by supplying our agency with the SCRAM bracelets and remote breath testing machines. The fees collected by the Burleigh County Sheriff's Department in 2023 were;

COURTHOUSE

514 E. Thayer • PO Box 1416
Bismarck, ND 58502-1416
P 701-222-6651 • F 701-221-6899

www.facebook.com/BurleighCountySheriffsDepartment

BURLEIGH MORTON DETENTION CENTER

4000 Apple Creek Road • PO Box 2499
Bismarck, ND 58502-2499
P 701-255-3113 • F 701-258-5319

Total fees Collected - \$369,134
Fees Sent to the Attorney General - \$209,136
Refunds to Participants - \$4382
Fees Allocated to BCSD - \$155,616

The Burleigh County Sheriff's Department spends approximately fifty two thousand dollars (\$52,000) per year on supplies and expenses and also incurs the cost of two full-time employees that administer the program. The fees collected as part of this program are important to the overall administration of the program and help create buy-in and accountability for participants.

The Burleigh County Sheriff's Department believes the 24/7 program has shown positive results overall, but without the associated fees, the program will become a financial burden on the Sheriff's Department and its citizens.

I ask that the Committee give a Do Pass recommendation on SB 2365.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dustin Olson".

Dustin Olson, Lieutenant