

**2025 SENATE JUDICIARY**

**SB 2365**

# 2025 SENATE STANDING COMMITTEE MINUTES

**Judiciary Committee**  
Peace Garden Room, State Capitol

SB 2365  
2/3/2025

Relating to twenty-four seven sobriety program fees.
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11:01 a.m. Chair Larson opened the hearing.

Members present:

Chair Larson, Vice Chairman Paulson, Senators: Castaneda, Cory, Luick, Myrdal, Braunberger.

## **Discussion Topics:**

- Judicial wavers
- Routing of the funds
- Participant fee
- Mandated program for 2<sup>nd</sup> offense

11:01 a.m. Senator Braunberger introduced the bill.

11:03 a.m. Denele Presky, ND Association of counties, submitted testimony in favor #33614.

11:07 a.m. Kelly J. Leben, Sheriff of Burleigh County Sheriff's Department, testified in favor and submitted testimony #33463.

11:26 a.m. Chad Violet, Lieutenant of Cass County Sheriff's Office, testified in favor.

11:33 a.m. Sally Holewa, State Court Administrator, testified as neutral.

11:41 a.m. Sara Behrens, Staff Attorney Court Administrators Office, ND Courts, testified as neutral.

11:42 a.m. Chad Violet, Lieutenant of Cass County Sheriff's Office, testified in favor.

11:44 a.m. Chair Larson closed the hearing.

*Kendra McCann, Committee Clerk*



# BURLEIGH COUNTY SHERIFF'S DEPARTMENT

**KELLY LEBEN**  
SHERIFF

Testimony Prepared for the  
**Senate Judiciary Committee**

February 2, 2025

By: Kelly Leben, Sheriff

**RE: Supportive Testimony for Senate Bill 2365- 24/7 Sobriety Program Fees**

My name is Kelly Leben and I currently serve as the elected Sheriff of Burleigh County. In my role as Sheriff, one of the programs our department administers is the 24/7 Sobriety Program. The 24/7 Program was started in the State of North Dakota, by then, Attorney General Wayne Stenehjem, in 2008. The programs main functions are to give people the opportunity to stay out of jail and remain alcohol and/or drug-free. There are participants that are pre-adjudication and are on the program as part of their pre-trial release and participants that are post-conviction and are on the program as part of their sentence. There are many different testing groups as part of the program. The testing programs offered are Twice a Day Breath Test, SCRAM monitoring, which is commonly referred to as the ankle bracelet, Drug Patches, and Remote Breath Testing. Since inception, the intent of the program was to create a program that helped reduce jail populations, ensured accountability of alcohol and drug related offenders, provided for immediate sanctions for violations, 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- \$140.00 start-up (\$50.00 activation fee, \$6.00 per day= \$84.00 for 2 weeks.)

Drug Patch- \$60.00 7-14 days

Remote Breath Testing- \$120 Start-up (\$50.00 activation fee, \$5.00 per day= \$70.00 for two weeks.

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.

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**COURTHOUSE**

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The fees collected by the Burleigh County Sheriff's Department in 2023 is as follows;

Total Fees Collected- \$267,379.00

Fees Sent to Attorney General- \$139,290.00

Refunds to Participants- \$4,398.00

Fees Allocated to BCSD- \$128,089

Of the fees allocated to our agency, we are responsible to administer the program with testing devices, analysis of tests, record-keeping, and personnel. Our agency spends approximately \$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.

I am speaking here today a bit preemptively, as Burleigh County has not experienced any issue with the collection of fees for the program, as it is my understanding other jurisdictions have. I come here today to support this change to NDCC 54-12-30 to clear up any ambiguity in regards to fees collected for the program and the purpose of those fees. The 24/7 Sobriety Program truly has shown positive results overall, but without the associated fees collected, the program could become a financial burden on Sheriff's Departments and ultimately the citizens.

Thank you for your time and consideration!

Sincerely,



Kelly Leben, Sheriff  
Burleigh County

## **Testimony in Support of Senate Bill 2365 as it relates to twenty-four seven sobriety program fees.**

The Cass County Sheriff's Office participates in the state mandated 24/7 program including twice per day breath alcohol testing, urine testing, drug patch testing installation, and remote electronic alcohol monitoring. The 24/7 program was designed to be maintained financially by the participants paying the associated fees to cover the costs to run the program and pay the salary of the 24/7 coordinator. The fees collected and expenses incurred are maintained in an exclusive account to pay costs associated with this program. The 24/7 program budget is separate from the regular county and department budget funds. We can only use 24/7 funds to cover expenses directly in support of the program. The program was created, designed, and intended to be administered locally but funded by expenses paid by the participants. The Sheriff's Office is required to pay all the vendors that provide equipment and process lab results.

Recently we have had a Judge in the East Central Judicial District (Cass County) begin to occasionally waive the fees of those being ordered to the 24/7 program. When a Judge waives these fees, the cost for the participant is taken out of the Sheriff's budget with no way for the Sheriff to seek reimbursement. Due to the size of the program in Cass, we already spend more annually supporting and running the program than is collected in fees. If a Judge/s waives these fees and it becomes more frequent the program will not be able to be self-maintained. Any program costs waived by a Judge are paid out of the dedicated funds, which further reduces the balance and increases the amount that the county pays (money taken out of the Sheriff's budget) to subsidize the program.

There is state statute that provides guidance on who is responsible for the program fees. It states in North Dakota Century Code 19-03.1-46 (bail, additional conditions of release) that the testing must be at the individual's own cost. We (myself and the Attorney General's Office) have visited with the Judge who was waiving the fees, and she has indicated she is going to continue the practice of waiving the fees. With not knowing exactly how many of these fees will be waived and how many participants will be ordered to the program it is nearly impossible for Sheriff's who are state mandated to run this program to budget for these types of costs. Sheriff's Budgets are prepared and requested based on the needs for public safety not to pay fees as a result of what the State Court Judges decide to waive in court fees. In a County as big as Cass that has approximately 225 participants if more and more fees began to be waived by additional judges it could be a substantial hit to our Sheriff's budgets. The 24/7 program is a state mandated program not a county mandated program. We as Sheriff's and Sheriff's Offices need to be able to recover these fees costs so we can be prudent with our budgeting processes and utilize our budgets for public

safety efforts. Senate Bill 2365 would add language to section 54-12-30 of the North Dakota Century Code that would allow a criminal justice agency the ability to ask for reimbursement from the clerk of district court to recover fees that have been waived by a district court judge or judicial referee. I respectfully ask the committee to support Senate Bill 2365. I want to thank the committee for their consideration and Senator Braunberger and bill sponsors for their support of our efforts.

Respectfully,

Jesse Jahner  
Cass County Sheriff

# 2025 SENATE STANDING COMMITTEE MINUTES

**Judiciary Committee**  
Peace Garden Room, State Capitol

SB 2365  
2/4/2025

Relating to twenty-four seven sobriety program fees.
--

11:04 a.m. Chair Larson opened the hearing.

Members present: Chair Larson, Vice Chairman Paulson, Senators: Castaneda, Cory, Luick, Myrdal, Braunberger.

## **Discussion Topics:**

- Proposed amendment
- Fee reduction or waiver

11:10 a.m. Committee discussion on clarifying amendments.

11:13 a.m. Chair Larson closed the hearing.

*Kendra McCann, Committee Clerk*

# 2025 SENATE STANDING COMMITTEE MINUTES

## Judiciary Committee Peace Garden Room, State Capitol

SB 2365  
2/11/2025

A BILL for an Act to amend and reenact section 54-12-30 of the North Dakota Century Code, relating to twenty-four seven sobriety program fees.

3:15 p.m. Chair Larson opened the hearing.

Members present:

Chair Larson, Vice Chairman Paulson, Senators: Castaneda, Cory, Luick, Braunberger.  
Senator Myrdal absent.

### Discussion Topics:

- Fee waiver policies
- Mandatory judgments
- Pretrial cost considerations
- Jurisdictional differences in fee management

3:21 p.m. Senator Braunberger moved amendment LC# 25.1351.01001, testimony #38364.

3:21 p.m. Senator Luick seconded.

3:21 p.m. Voice Vote - Motion Passed.

3:26 p.m. Senator Castaneda moved a Do Pass as amended.

3:26 p.m. Senator Luick seconded the motion.

Senators	Vote
Senator Diane Larson	Y
Senator Bob Paulson	Y
Senator Ryan Braunberger	Y
Senator Jose L. Castaneda	Y
Senator Claire Cory	Y
Senator Larry Luick	Y
Senator Janne Myrdal	A

Motion Passed 6-0-1.

3:26 p.m. Senator Braunberger will carry the bill.

3:26 a.m. Chair Larson closed the hearing.

*Kendra McCann, Committee Clerk*



Sixty-ninth  
Legislative Assembly  
of North Dakota

## PROPOSED AMENDMENTS TO

### SENATE BILL NO. 2365

Introduced by

Senators Braunberger, Roers, Sorvaag

Representatives Dobervich, Schauer

- 1 A BILL for an Act to amend and reenact section 54-12-30 of the North Dakota Century Code,  
2 relating to twenty-four seven sobriety program fees.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 54-12-30 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **54-12-30. Twenty-four seven sobriety program fees.**

7 A criminal justice agency may collect program fees from offenders participating in the  
8 twenty-four seven sobriety program, including fees for twice per day breath alcohol testing,  
9 urine testing, drug patch testing, installation and deactivation fees for remote electronic alcohol  
10 monitoring devices, and remote electronic alcohol monitoring daily fees. ~~If program fees are~~  
11 ~~reduced or waived by a~~ A district court judge or judicial referee, ~~the clerk of district court shall~~  
12 ~~provide full reimbursement of the program fees upon request from the criminal justice agency~~  
13 may not waive program fees for offenders participating in the twenty-four seven sobriety  
14 program. The criminal justice agency shall pay all program fees into the general fund of the  
15 governing body. The fees may only be applied to twenty-four seven sobriety program support  
16 services, equipment maintenance and replacement, and compliance with the program. The  
17 governing body shall pay any daily fees collected for remote electronic alcohol monitoring to the  
18 twenty-four seven sobriety program fund.

**REPORT OF STANDING COMMITTEE  
SB 2365**

**Judiciary Committee (Sen. Larson, Chairman)** recommends **AMENDMENTS** ([25.1351.01001](#)) and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2365 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

25.1351.01001  
Title.

Sixty-ninth  
Legislative Assembly  
of North Dakota

Prepared by the Legislative Council  
staff for Senator Braunberger  
February 4, 2025

## PROPOSED AMENDMENTS TO

### SENATE BILL NO. 2365

Introduced by

Senators Braunberger, Roers, Sorvaag

Representatives Dobervich, Schauer

1 A BILL for an Act to amend and reenact section 54-12-30 of the North Dakota Century Code,  
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11 ~~reduced or waived by a~~ A district court judge or judicial referee, ~~the clerk of district court shall~~  
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13 ~~may not waive program fees for offenders participating in the twenty-four seven sobriety~~  
14 ~~program.~~ The criminal justice agency shall pay all program fees into the general fund of the  
15 governing body. The fees may only be applied to twenty-four seven sobriety program support  
16 services, equipment maintenance and replacement, and compliance with the program. The  
17 governing body shall pay any daily fees collected for remote electronic alcohol monitoring to the  
18 twenty-four seven sobriety program fund.

**2025 HOUSE JUDICIARY**

**SB 2365**

# 2025 HOUSE STANDING COMMITTEE MINUTES

**Judiciary Committee**  
Room JW327B, State Capitol

SB 2365  
3/10/2025

A BILL for an Act to amend and reenact section 54-12-30 of the North Dakota Century Code, relating to twenty-four seven sobriety program fees.

11:46 a.m. Chairman Klemin opened the hearing.

Members Present: Chairman Klemin, Vice-Chairman Vetter, Representatives Christianson, Henderson, Hoverson, Johnston, S. Olson, Satrom, Tveit, VanWinkle, Wolff, Schneider

Members Absent: Vice-Chairman Karls, Representative McLeod

**Discussion Topics:**

- Requirements to enter the sobriety program
- North Dakota sobriety program fees
- Judge discretion

11:46 a.m. Senator Ryan Braunberger, North Dakota Senator for District 10, introduced the bill.

11:54 a.m. Sherriff Jesse Jahner, Cass County Sheriff's Office, testified in favor and provided testimony #39776.

12:11 p.m. Lieutenant Dustin Olson, Lieutenant with the Burleigh County Sherriff's Department, testified in favor and provided testimony #40031.

**Additional written testimony:**

Amanda Engelstad, Stark County State's Attorney, submitted testimony in opposition #39541.

Travis Finck, Executive Director of North Dakota Commission on Legal Counsel for Indigents, submitted testimony in opposition #39804.

12:20 p.m. Chairman Klemin closed the hearing.

*Wyatt Armstrong, Committee Clerk*

March 7, 2025

Dear Chairman Klemin and the House Judiciary Committee:

I am currently the State's Attorney in Stark County. I have been with my office for just under ten years. I practice in the Southwest Judicial District (SWJD) which encompasses Stark, Billings, Golden Valley, Dunn, Bowman, Hettinger, Slope and Adams Counties. Judges in the SWJD have been waiving 24/7 testing fees for years. The waivers are not given across the board, nor are they arbitrary.

In pre-sentence cases only, the defendants are allowed to fill out a form requesting a waiver of the fees due to financial hardship. The Judges review these requests. My understanding is that the reviewing Judge follows the same guidelines for waiving 24/7 testing fees as would qualify someone for indigent defense. Once that waiver is granted, there is no leniency. If the individual fails a test, the first request from the State Attorney to the Judge is that the fee waiver be revoked. The obvious thought process is if the defendant has money to continue to use drugs or alcohol, they have money to pay for the 24/7 testing.

This process has worked quite well in the SWJD for years. Without the ability of the Judges to waive fees based on financial criteria, many more people would be sitting in jail.

For example, if an individual shows up to receive their drug patch and does not have the \$60.00 every ten days to pay for the drug patch, they are placed in jail. A bond hearing is set, and bond is asked for. That individual who now could not afford \$60.00 every ten days has an even more unattainable bond amount and so will likely sit in jail until a resolution to their case is reached. The daily inmate rate at the Southwest Multi-County Correctional Center is \$150.00. This is a direct cost to the county. I understand and fully appreciate that some sheriffs are concerned about their budgets, but at the end of the day, the money being paid – whether in the form of a fee waiver, or incarceration, comes from the citizens of the county. It just costs a lot more to keep people incarcerated, not only financially, but at a societal level.

The other alternative to not waiving 24/7 testing fees, is not incarcerating anyone that cannot afford testing. There again, the sheriff's budgets, and ultimately the counties, are still taking the hit for unfunded testing.

Completely foreclosing judges from making a case-by-case decision on who may need or deserve a fee waiver should be a decision for the local judicial districts based on the needs and wants of their communities, budgets, and jail space. Prohibiting any waiver of 24/7 fees across the board will end up costing some counties more money, it will contribute to the overcrowding of jails we are currently facing, and it takes local control away from the individuals who best know the needs of their communities. My colleagues and I in the SWJD strongly urge a DO NOT PASS on SB 2365.

If you have any questions for me, please feel free to reach out.

Sincerely,

*Amanda R. Engelstad*

Amanda R. Engelstad  
Stark County State's Attorney  
P.O. Box 130  
Dickinson, ND 58601  
(701)-456-7647  
[AEngelstad@Starkcountynd.gov](mailto:AEngelstad@Starkcountynd.gov)

Endorsed:

Aaron Roseland, Adams County State's Attorney  
Erin Melling, Slope County State's Attorney  
David Crane, Hettinger County State's Attorney  
Pat Merriman, Hettinger County Assistant State's Attorney  
Christina Kissinger, Dunn County State's Attorney  
Christina Wenko, Golden Valley State's Attorney  
Andrew Weiss, Bowman County State's Attorney  
Amy Pikovsky, Stark County Assistant State's Attorney  
Peter Morowski, Stark County Assistant State's Attorney  
Stephanie Pretzer, Stark County Assistant State's Attorney  
Jared Gietzen, Billings County Assistant State's Attorney  
Pat Weir, Billings County State's Attorney

## **Testimony in Support of Senate Bill 2365 as it relates to twenty-four seven sobriety program fees.**

The Cass County Sheriff's Office participates in the state mandated 24/7 program including breath alcohol testing, urine testing, drug patch testing installation, and remote electronic alcohol monitoring. The 24/7 program was designed to be maintained financially by the participants paying the associated fees to cover the costs to run the program and pay the salary of the 24/7 coordinator. The fees collected and expenses incurred are maintained in an exclusive account to pay costs associated with this program. The 24/7 program budget is separate from the regular county and department budget funds. We can only use 24/7 funds to cover expenses directly in support of the program. The program was created, designed, and intended to be administered locally but funded by expenses paid by the participants. The Sheriff's Office is required to pay all the vendors that provide equipment and process lab results.

Recently we have had a Judge in the East Central Judicial District (Cass County) begin to occasionally waive the fees of those being ordered to the 24/7 program. When a Judge waives these fees, the cost for the participant is taken out of the Sheriff's budget with no way for the Sheriff to seek reimbursement. Due to the size of the program in Cass, we already spend more annually supporting and running the program than is collected in fees. If a Judge/s waives these fees and it becomes more frequent the program will not be able to be self-maintained. Any program costs waived by a Judge are paid out of the dedicated funds, which further reduces the balance and increases the amount that the county pays (money taken out of the Sheriff's budget) to subsidize the program.

There is state statute that provides guidance on who is responsible for the program fees. It states in North Dakota Century Code 19-03.1-46 (bail, additional conditions of release) that the testing must be at the individual's own cost. We (myself and the Attorney General's Office) visited with the Judge who was waving the fees, and she has indicated she is going to continue the practice of waiving the fees. With not knowing exactly how many of these fees will be waived and how many participants will be ordered to the program it is nearly impossible for Sheriff's who are state mandated to run this program to budget for these types of costs. Sheriff's Budgets are prepared and requested based on the need for public safety not to pay fees as a result of what the State Court Judges decide to waive in court fees. In a County as big as Cass that has approximately 225 participants if more and more fees began to be waived by additional judges it could be a substantial hit to our Sheriff's budgets. The 24/7 program is a state mandated program not a county mandated program. We as Sheriff's and Sheriff's Offices need to be able to recover these fees costs so we can be prudent with our budgeting processes and utilize our budgets for public safety efforts.



Senate Bill 2365 would add language to section 54-12-30 of the North Dakota Century Code that states that a district court judge or judicial referee may not waive program fees for offenders participating in the twenty-four seven sobriety program.” This language is needed until an alternative funding source can be implementing for a Sheriff’s Office to recover the costs if judges decide to waive the fees. I would respectfully ask the committee to support Senate Bill 2365. I want to thank the committee for their consideration and Senator Braunberger and bill sponsors for their support of our efforts.

Respectfully,

Jesse Jahner  
Cass County Sheriff

Testimony in Opposition to SB 2365  
69<sup>th</sup> Legislative Assembly  
Senate Judiciary Committee  
March 10, 2025  
Testimony of Travis W. Finck, Executive Director, NDCLCI

Chairman Klemin, members of the House Judiciary Committee, my name is Travis Finck and I am the Executive Director for the North Dakota Commission on Legal Counsel for Indigents. The Commission is the state agency responsible for the delivery of indigent defense services in North Dakota. I rise today on behalf of the Commission to provide testimony in opposition to Senate Bill 2365. Senate Bill 2365 provides district court judges cannot waive fees for a defendant participating in the 24/7 sobriety program. This changes the rules of the 24/7 program which currently allows for the Court to make the determination. The 24/7 sobriety program manual provides “A municipal court or district court may only waive the fees, or part of the fees upon a finding of hardship when participation in the 24/7 Sobriety Program is a condition of bond or pretrial release. A municipal court or district court may not waive the 24/7 Sobriety Program fees in whole or in part if the offender is participating in the 24/7 Sobriety Program as a condition of probation or as a condition of a temporary restricted driver’s license. See N.D.C.C. § 39-08-01(7) (24/7 Program Manual as provided by the Attorney General’s Website)<sup>1</sup>

The reason for allowing waiver of fees currently within in the program on a pre-trial status, is to protect the program from constitutional challenges. If the fee is not allowed to be waived, and the defendant were found to be not guilty and the fees not returned, the program equates to a pre-trial punishment. See generally Bell v. Wolfish, 441 U.S. 520 (1979). The Commission believes by removing the ability to waive the fees, you are limiting due process of the defendant and changing the calculation of the program from a pre-trial program with a legitimate government interest to a pretrial punishment. Further, this elimination of the waiver condition could be challenged on the grounds of equal protection as well. This would allow those with means to be out on bond because they can afford the

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<sup>1</sup> <https://attorneygeneral.nd.gov/wp-content/uploads/2023/02/24-7-Sobriety-Program-Guidelines.pdf>

program where those who are indigent, our clients, would be left to be in jail for inability to pay the fees.

The Commission has tried to work with one of the sheriff's pushing this bill to try and find an alternate payee source. I do believe there are other sources/grants available to help cover some of the costs of the program. If the impetus of this legislation is to hold those running the program harmless, then we should be looking at an appropriation. Not a statutory change effecting the due process and equal protection rights of North Dakotans.

For the reasons states herein, the Commission is in opposition to SB 2365 and respectfully requests a do not pass recommendation.

Respectfully Submitted:

A handwritten signature in black ink, appearing to read 'Travis W. Finck', with a stylized flourish at the end.

Travis W. Finck  
Executive Director, NDCLCI



# 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

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## BURLEIGH MORTON

DETENTION CENTER

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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

# 2025 HOUSE STANDING COMMITTEE MINUTES

**Judiciary Committee**  
Room JW327B, State Capitol

SB 2365  
3/10/2025

A BILL for an Act to amend and reenact section 54-12-30 of the North Dakota Century Code, relating to twenty-four seven sobriety program fees.

3:25 p.m. Chairman Klemin opened the hearing.

Members Present: Chairman Klemin, Vice-Chairman Vetter, Representatives Henderson, Hoverson, Johnston, McLeod, S. Olson, Satrom, Tveit, VanWinkle, Wolff, Schneider

Members Absent: Vice-Chairman Karls, Representative Christianson

## **Discussion Topics:**

- Alternatives to the sobriety program
- Program fees for indigents

3:25 p.m. Travis Finck, Executive Director of North Dakota Commission on Legal Counsel for Indigents, testified in opposition and provided testimony #39804. (submitted for the March 10, 2025, 11:30 a.m. meeting)

3:48 p.m. Representative Satrom moved a Do Not Pass.

3:48 p.m. Representative Tveit Seconded the motion.

<b>Representatives</b>	<b>Vote</b>
Representative Lawrence R. Klemin	Y
Representative Karen Karls	A
Representative Steve Vetter	A
Representative Nels Christianson	A
Representative Donna Henderson	Y
Representative Jeff Hoverson	Y
Representative Daniel Johnston	N
Representative Carrie McLeod	N
Representative SuAnn Olson	Y
Representative Bernie Satrom	Y
Representative Mary Schneider	N
Representative Bill Tveit	Y
Representative Lori VanWinkle	N
Representative Christina Wolff	Y

3:50 p.m. Motion passed 7-4-3.

3:51 p.m. Representative Tveit will carry the bill.

3:51 p.m. Chairman Klemin closed the hearing.

*Wyatt Armstrong, Committee Clerk*

**REPORT OF STANDING COMMITTEE  
ENGROSSED SB 2365 ([25.1351.02000](#))**

**Judiciary Committee (Rep. Klemin, Chairman)** recommends **DO NOT PASS** (7 YEAS, 4 NAYS, 3 ABSENT OR EXCUSED AND NOT VOTING). SB 2365 was placed on the Fourteenth order on the calendar.