

35th District Court, Judge Gerou's Cost of Sentencing Report

Introduction

The purpose of this report is to gather and analyze data that would show the total financial cost of sentences to defendants imposed by Judge Gerou from 2010 to 2015 on a variety of the most common misdemeanors. This will provide information to allow Judge Gerou to impose sentences more proportional to the offense and to be more cost effective in administering justice. For each offense we have an average cost, a range, and the most common cost. Each total cost includes money paid to the court, as well as money paid to 3rd party service providers as the results of sentences, but does not include the potential additional costs added by violations of probation or a high SALCE Test score. Since the majority of the data was collected before 2015, court costs for defendants per the state formula have increased. Data has been adjusted to show the difference in cost historically with those currently imposed per SCAO formula, which will soon be adjusted again pursuant to our annual audit.

Money paid to the court includes fines, costs, victims right fund fees, judgment fees, and probation oversight fees. Money paid to 3rd party services include fees for testing, monitoring, and counseling.

Common Charges

Retail Fraud 3rd Degree:

The total money paid to the court average is \$550.33, with a range of \$125 to \$785, and a mode of \$575. When adjusted for the new court costs, the average cost increased by \$122.33. The typical 3rd party service required for retail fraud 3rd degree is an economic crime program which requires 1 to 9 sessions at a cost range of \$90 to \$250. This makes the combined **total cost range \$215 - \$1,035.**

Operating While Visibly Impaired:

The total money paid to the court average is \$601.43, with a range of \$510-\$638, and a mode of \$638. When adjusted for new court costs, the average cost increased by \$36.57. The typical 3rd party services required for OWVI is alcohol testing at a cost of \$4 to \$5 for a standard PBT test and \$25 to \$35 for an ETG test, and alcohol education which requires 3 to 10 sessions at a cost range of \$120 to \$300. Testing may not be scheduled at all, or can be required as much as once a week plus holiday testing for the duration of a 12 month probation. This makes the combined **total cost range \$630 - \$1,233.**

Operating While Impaired Sobriety Court:

The total money paid to the court average is \$2,126.36, with a range of \$1,855-\$2,395, and a mode of \$2,008, and \$2,095. The typical 3rd party services required for OWI Sobriety Court are: drug testing at a \$20-\$30 registration fee, \$6-\$10 per test ranging from two times a month to multiple times a week, house arrest services of either Soberlink at a \$50 enrollment fee, and \$6.50 a day, or a Scram Tether at a \$100 enrollment fee, and \$11 a day, Smart Start for the defendant's vehicle at a cost range of \$3,510-\$4,680, vehicle immobilization at a cost range of \$220-\$350, Interlock device at a cost range of \$1,500-\$2,174, and drug treatment at a cost range of \$0-\$11,520 depending on the agency and insurance. This makes for a **total estimated cost range of \$7,231-\$12,384.**

Drug Paraphernalia:

The total money paid to the court average is \$574.78, with a range of \$425-\$1,005, and a mode of \$575. When adjusted for new court costs, the average cost increased by \$82.67. The typical 3rd party services required for Drug Paraphernalia are drug education which requires 2 to 8 sessions at a cost

range of \$150 to \$250, and drug testing at a cost range of \$9 to \$10. Testing may not be scheduled at all, or can be required as much as once a week plus holiday testing for the duration of a 12 month probation. This makes the combined **total cost range \$872- \$1,845.**

Minor in Possession:

The total money paid to the court average is \$516.36, with a range of \$325-\$905, and a mode of \$475. MIP does not have any difference in cost when adjusted for new state costs. The typical 3rd party services required for MIP are a MIP education course at the cost of \$150, and PBT testing at a cost range of \$4 to \$5. Testing may not be required at all, or may be required as much as weekly plus holiday testing for the duration of a 6 month probation. This makes for a **total cost range of \$475-\$1,220.**

Possession of Marijuana:

The total money paid to the court average is \$762.30, with a range of \$675-\$1,005, and a mode of \$675. When adjusted for new court costs the average increased by \$62.70. The typical 3rd party services required for Possession of Marijuana are drug education at a cost range of \$150-\$250, and drug testing at a cost range of \$9-\$10. Testing may not be required at all, or may be required as much as weekly plus holiday testing for the duration of a 12 month probation. This makes for a **total cost range of \$825-\$1,845.**

Domestic Violence:

The total money paid to the court average is \$1,205, with a range of \$855-\$1,785, and no mode. When adjusted for new court costs the average decreased by \$55.89. The typical 3rd party services required for Domestic Violence are a 26 or 52 week domestic violence program with weekly meetings at cost of \$25 a week. This makes for a 3rd party cost range of \$650-\$1,300, and a **total cost range of \$1,505-\$3,085**