

Survey to Chief APOs

Issue: Electronic Monitoring Fees

Question (from Allegheny County):

- 1) What are your current rates for Electronic Monitoring per day?
- 2) Do you use a sliding scale based on income or charge a flat fee?
- 3) If you use a sliding scale, would you mind sharing the levels?
- 4) What do you do with offenders who do not pay or do not have the ability to pay i.e.: unemployed or disabled?
- 5) Do you use a separate scale for offenders who are in DUI or Drug Courts?

Adams County

- 1) What are your current rates for Electronic Monitoring per day? \$10.00 per day
- 2) Do you use a sliding scale based on income or charge a flat fee? Adams County charges a flat fee for offenders
- 3) If you use a sliding scale, would you mind sharing the levels? n/a
- 4) What do you do with offenders who do not pay or do not have the ability to pay i.e.: unemployed or disabled? The supervising Officer will request the EM fees added to the Offenders fines/costs. In the event that the Offender has an inability to pay the Officer has the ability to submit request to the Court to waive the fees.
- 5) Do you use a separate scale for offenders who are in DUI or Drug Courts? We do not

Bucks County

- 1) \$5/day
- 2) Do you use a sliding scale based on income or charge a flat fee? – Flat fee
- 3) If you use a sliding scale, would you mind sharing the levels? – N/A
- 4) What do you do with offenders who do not pay or do not have the ability to pay i.e.: unemployed or disabled? – If an offender has an inability to pay and is involved in one of our grant programs (Drug Court, CIP) then the grant would fund the EM. If they are not in a grant program and the Court has declared them indigent, EM costs would be placed on the County. This has been done only on very rare occasions in Bucks.
- 5) Do you use a separate scale for offenders who are in DUI or Drug Courts? – No.

Carbon County

Carbon County is the same as Columbia County.

Columbia County

Columbia charges \$15/day for either GPS or Alcohol monitoring. If a person is truly indigent and the Judge wants EM it is covered by the county.

Erie County

- 1) What are your current rates for Electronic Monitoring per day? \$ 10.00 per day

- 2) Do you use a sliding scale based on income or charge a flat fee? No. Not specifically for EM fees
- 3) If you use a sliding scale, would you mind sharing the levels? N/A
- 4) What do you do with offenders who do not pay or do not have the ability to pay i.e.: unemployed or disabled? Either the Sentencing judge will determine indigence or if an offender fails to pay it can be addressed at a Contempt hearing.
- 5) Do you use a separate scale for offenders who are in DUI or Drug Courts? No

Lackawanna County

- 1) What are your current rates for Electronic Monitoring per day?

County House Arrest operated program:

- \$15 per day
- \$ 25 for offenders residing in contiguous counties of Wayne, Susquehanna, and Luzerne.
- \$50 for a one-time supervision fee
- Two \$35 urinalysis fees
- Damage fees-----\$450 for the bracelet \$2,100 for the monitor
- All fees set by the Lackawanna County Prison Board.

SCRAM House Arrest Program operated by Vigilnet, INC.:

- Hook-up fee \$79.50
- Daily landline fee \$11.66
- Daily Ethernet fee via WIFI \$12.72

SCRAM Alcohol monitoring:

- Remote Breath --- \$7. 42 per day

SMART MOBILE device for alcohol monitoring:

- Monthly device fee of \$129.

- 2) Do you use a sliding scale based on income or charge a flat fee? We do not use a sliding fee. Fees for the SCRAM/Vigilnet services are contractually guaranteed by Lackawanna County via the Probation Department's budget. Any fees paid to SCRAM/Vigilnet are recouped via a Court ordered adjustment to an offender's court costs.
- 3) If you use a sliding.....NA
- 4) What do you do withsee above
- 5) Do you use a separate scale for offenders who are in DUI or Drug Courts? No. we have various grants that allow our Department to assist indigent pretrial defendants and offenders in our Mental Health Court.

Should you have any questions regarding the above please call me @ 570-963-6876.

Lancaster County

- 1) \$10 per day regardless of the type of EM equipment.
- 2) Do you use a sliding scale based on income or charge a flat fee? No sliding scale, no flat fee. However, offenders' billable days are added to their fines and costs balance to which they can create a payment plan.

- 3) If you use a sliding scale, would you mind sharing the levels? N/A
- 4) What do you do with offenders who do not pay or do not have the ability to pay i.e.: unemployed or disabled? Since these billable days are added on to fines and costs, enforcement action would be taken by our collections enforcement unit if offenders do not comply with their payment plan. Our Collections Enforcement Unit works with offender to determine ability to pay and adjusts payment plan accordingly.
- 5) Do you use a separate scale for offenders who are in DUI or Drug Courts? No, everyone is charged the same.

Lebanon County (see Appendix)

Please refer to the attached Administrative Order pertaining to alcohol monitoring and EM fees.

We do not use a separate pay scale for DUI Court participants.

An offender's ability to pay is determined by review of the offender's completed ability to pay form.

Montgomery County

- 1) What are your current rates for Electronic Monitoring per day? \$12 per day for GPS, we rarely use an RF system.
- 2) Do you use a sliding scale based on income or charge a flat fee? Flat fee of \$12 per day, we do reduce the fee if there is an issue on ability to pay and/or waive the fee entirely.
- 3) If you use a sliding scale, would you mind sharing the levels? NA
- 4) What do you do with offenders who do not pay or do not have the ability to pay i.e.: unemployed or disabled? If they are deemed indigent, we waive the fees.
- 5) Do you use a separate scale for offenders who are in DUI or Drug Courts? If they are under RIP, our grant covers the cost; If they graduate drug court – fees are waived, If they fail drug court they owe the costs.

Snyder County

Offenders pay \$5.75/day for gps, \$9.85/day for alcohol monitoring.

Policy is they pay one month in advance. they must agree they have income to pay prior to being placed on device. in instances where defendant is indigent, court orders it be applied to costs and made part of monthly payment agreement.

Westmoreland County

- 1) What are your current rates for Electronic Monitoring per day? \$12.00
- 2) Do you use a sliding scale based on income or charge a flat fee? Flat fee for all individuals.
- 3) If you use a sliding scale, would you mind sharing the levels? N/A
- 4) What do you do with offenders who do not pay or do not have the ability to pay i.e.: unemployed or disabled? Generally, the individual would be placed on electronic monitoring. If all fees haven't been paid prior to the expiration date of the case, the

Court would either sign an order to close the case (civil judgment entered) or instruct the PO to file a violation. In Westmoreland County, the Judges usually close the cases if monies are owed and there aren't any victim complaints.

- 5) Do you use a separate scale for offenders who are in DUI or Drug Courts? Individuals in Drug Court also pay \$12.00 per day for electronic monitoring.

NOTE: In Westmoreland County, there is a \$100.00 hookup fee for each individual being placed on electronic monitoring.

York County

- 1) What are your current rates for Electronic Monitoring per day? \$12.00 per day flat rate for ALL types of monitoring (alcohol, GPS and EM). This rate pays for full service monitoring for us.
- 2) Do you use a sliding scale based on income or charge a flat fee? Flat Fee
- 3) If you use a sliding scale, would you mind sharing the levels? We receive 20 free spots per day that we can utilize any way we like. We can either have the defendant pay a reduced rate (co-pay) or pay nothing at all.
- 4) What do you do with offenders who do not pay or do not have the ability to pay i.e.: unemployed or disabled? We have 20 free spots daily for indigent clients.
- 5) Do you use a separate scale for offenders who are in DUI or Drug Courts? Yes, \$9.00 per day.

Court of Common Pleas



Lebanon County
Fifty-second Judicial District
400 South Eighth Street
Lebanon, PA 17042
(717) 228-4433

May 10, 2012

PRESIDENT JUDGE
JOHN C. TYLWALK

ASSOCIATE JUDGES
SAMUEL A. KLINE
BRADFORD H. CHARLES
CHARLES T. JONES, JR

SENIOR JUDGE
ROBERT J. EBY

Mrs. Sally Barry, Chief Adult Probation Officer
Lebanon County Adult Probation Department
508 Oak Street
Lebanon, PS 17042

**Re: Secure Continuous Remote Alcohol and/or Electronic
Monitoring (SCRAMX) and GPS Electric Monitoring Fees**

Dear Mrs. Barry:

Please be advised that effective May 15, 2012, a daily fee shall be charged to any individual on probation and/or parole and subject to monitoring by the SCRAMX System to be calculated as follows:

- (1) 1.5 times the individual's hourly salary rate through his/her employment (with a minimum of \$12.00 per day)

Additionally, a daily fee shall be charged to an individual on probation and/or and subject to house arrest by the GPS Electronic Monitoring System to be calculated as follows:

- (1) 1.5 times the individual's hourly salary rate through his/her employment (with a minimum of \$10.00 per day).

These fees shall apply to all individuals assigned to the SCRAMX or GPS Monitoring Systems as a condition of their supervision unless specifically waived by Order of the Court.

Very truly yours,

A handwritten signature in black ink, appearing to read "John C. Tylwalk".

John C. Tylwalk, President Judge

JCT:apa
CC: Lisa Arnold
CDU