

# ADULT COURT SERVICES 2014 ANNUAL REPORT



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## HISTORY OF ADULT COURT SERVICES

In 1981 state Probation and Parole eliminated pre-trial bond investigation and supervision services for Boone County. At the same time a Jail Study Task Force was established to study the jail overcrowding problem and make recommendations concerning alternatives to incarceration. Recognizing the importance of pre-trial release services, and upon recommendations of the Jail Study Task Force, Boone County provided funds to the Circuit Court to establish the Adult Court Services (ACS) office and employ a full time Court Services Officer (CSO) to conduct Bond Investigations and Bond Supervision. In 1982, a second CSO was added to assist in performing these services and to implement the Community Service Work program.

In 1988, a federal court limited inmate census at the Boone County Jail, which required excess jail inmates to be housed at other jails. This situation was costly for Boone County. An electronically monitored Home Detention program was created to provide another alternative to jail incarceration and a third CSO was added to administer this program.

In 1990, the home detention program saw significant growth. ACS also began supervising the collection of fines, costs and restitution for those defendants not under the supervision of state Probation and Parole. A dedicated supervisor position was established for the office.

In 1992, the RCR program (now known as the Victim Impact Panel, or VIP) was implemented in Boone County with ACS designated to track and assist that program. In 1997 the jail administered Work and Education program was established with ACS providing reports to assist the court in determining participation. The court also approved the creation of a dedicated video link between the courthouse and jail to be used in certain associate court proceedings, which was first utilized in 1998. ACS provided staff support for these hearings and began using the video system to interview jail inmates for investigation purposes.

The beginning of the 21<sup>st</sup> century saw significant growth and change for the office. In 2001 ACS began providing reports to the court to assist in determining participation in the Reality House administered Work Search/Work Release program. With passage of the Law Enforcement Sales Tax in 2002, the Boone County Commission funded a fourth and fifth CSO in 2003 and 2004 to work with an expanded home detention program, which included the new technologies of alcohol monitoring (adopted in 2002), and GPS (adopted in 2004), as well as the ACS supervised probation and ACS supervised judicial parole programs, created in 2003 and 2004, respectively.

In 2013, ACS assumed primary responsibility for a new program facilitating the use of video by the circuit court for hearings involving inmates housed in the Department of Corrections. In 2014 this program was expanded to include certain circuit hearings for inmates at the jail.

Since 2004, ACS has experienced level staffing with five court services officers, two secretaries and the supervisor.

## **OBJECTIVES OF ADULT COURT SERVICES**

The establishment of ACS was a direct result of a jail overcrowding problem. The development of ACS was the result of changing needs of the court.

ACS administers alternatives to incarceration. Toward that end, the objectives of ACS are:

1. Recommend pretrial release for defendants who cannot post initial bond, who pose little or no danger to themselves or to the community, and who are likely to appear in court.
2. Supervise defendants who are released from jail under ACS supervision as a condition of bond.
3. Supervise defendants who are placed under ACS supervision as a condition of probation.
4. Supervise defendants who are placed under ACS supervision as a condition of judicial parole.
5. Provide an electronically monitored home detention program for intensive supervision of defendants. Participants include pretrial, pre-sentence, and sentenced defendants.
6. Provide supervision, monitoring, and collection efforts for defendants placed under ACS supervision who owe fines and related costs.
7. Provide information to defendants on programs required as a condition of probation, such as VIP, STOP, MEND and SATOP.
8. Evaluate incarcerated defendants for the Work and Education program which can include participation in Alcoholics Anonymous and Narcotics Anonymous meetings, religious services, education, and trustee work. Successful participants receive a reduced sentence and prepare for release from jail.
9. Evaluate current and future Boone County Jail inmates for participation in the Work Search/Work Release program. Successful participants obtain and maintain employment, pay their confinement costs and earn income which can be used for other debts.
10. Supervise defendants ordered to perform community service work under ACS supervision.
11. Provide staff support, planning, and scheduling for videoconference hearings involving defendants housed in the Boone County Jail, the Department of Corrections, or other facilities.

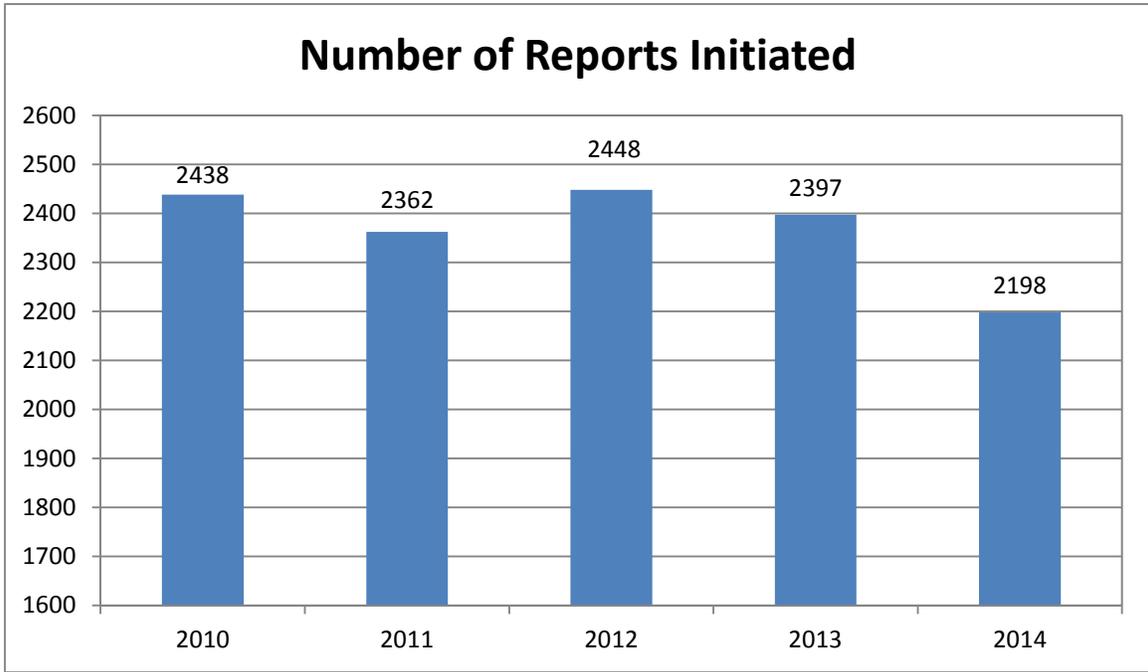
## FORWARD

2014 saw significant changes to two ACS programs: Fines Collections and Video Conferencing. In July, the court modified its collections policy to place costs supervision responsibility with ACS in cases that ACS already has responsibility to supervise payment of fines. In August, the circuit video program was expanded to include certain proceedings for Boone County Jail inmates; previously the circuit video docket was limited to proceedings involving Department of Corrections inmates.

2014 also saw the creation and testing of a new ACS database. In 2012, it was determined the previous database, adopted in 2004, would have support and compatibility issues in the near future. The purpose of the database is to track reports ordered and completed, work assignments, fines and costs balances for defendants, supervision caseloads and make statistical calculations about various aspects of the office's work. The old version possessed several shortcomings: certain aspects were archaic and not user friendly, it suffered from several functionality problems, it was limited in its ability to gather and generate certain types of data and it did not cover all aspects of ACS programs. Planning for replacement of this database began in early 2013 with an emphasis on solving the shortcomings of its predecessor by creating new reports and data gathering strategies. A key aspect was emphasizing efficiency by using software that incorporates an ability to gather certain data directly from JIS. Initial beta versions were deployed and began near the end of 2013 with limited testing. In early 2014 beta testing began in earnest, which lasted most of the year and involved all ACS staff.

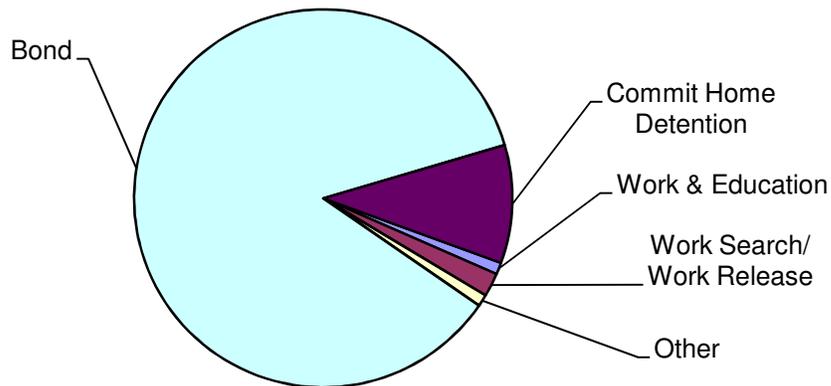
On January 1, 2015, the new database was formally adopted and is now in regular use. It is believed this database is a significant improvement that will provide more accurate, relevant data.

## 2014 STATISTICAL OVERVIEW



In 2014, ACS initiated reports in at least 2,198 cases, 199 (8 percent) less than 2013's 2,397 cases. Of the 2,198 cases, 1,883 (86 percent) were bond investigations; 227 (10 percent) were home detention/sentencing reports; 41 (2 percent) were work search/ work release reports; 30 (1 percent) were work and education reports; and the remaining 17 (>1 percent) were judicial parole and other types of reports. Due to database limitations, these figures do not include all report types initiated such as violation reports, completion notices and certain informational reports. With the adoption of the new ACS database, it is anticipated that future annual reports will provide more exact, inclusive figures.

### Investigations Initiated by Type

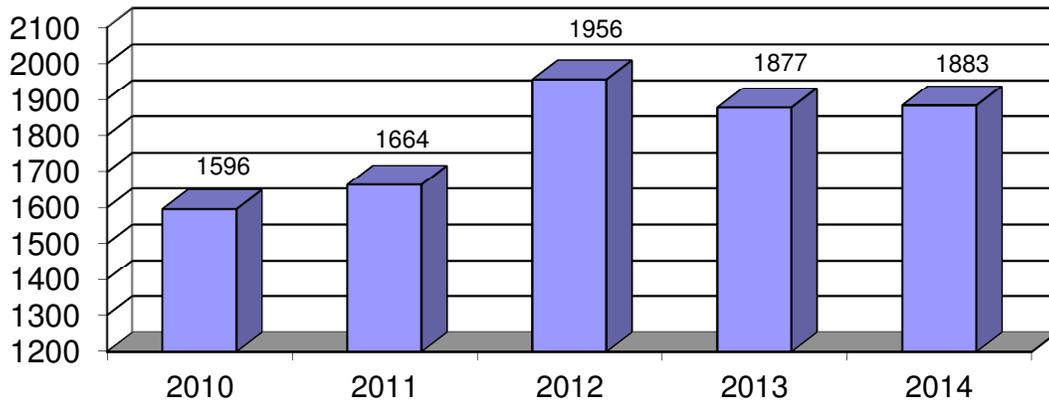


## BOND INVESTIGATIONS

The court orders a bond investigation for defendants at the Boone County Jail who cannot post the initial bond set. ACS officers provide a thorough criminal history check and the defendant is interviewed about ties to the community, employment history, and other factors. Information is also obtained from third parties. The report completed by this office presents the facts and recommends a course of action to the court based on the subject's suitability for release from custody.

Recommendations regarding bond can include no reduction, posting a percentage of the bond in cash, reduction in bond, home detention, or release on own recognizance (“ROR”). Bond investigations are initiated as soon as possible after incarceration and completed within policy guidelines.

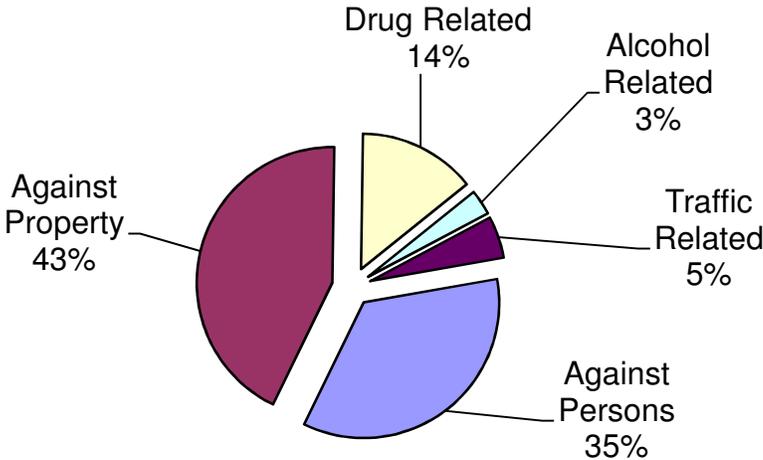
### Bond Investigations: Reports Initiated



In 2014, ACS initiated bond investigations in 1,883 cases and completed or closed bond investigations in 1,878 cases. This compares to 2013's 1,877 and 1,883 respective figures. 285 of 2014's initiated bond investigation cases resulted in bond being posted or the matter being resolved prior to the completion of the bond investigation report. Of the remaining cases, ACS recommended no reduction in 68 percent, ROR in 16 percent, a reduced bond/percentage of bond in 13 percent and home detention in 3 percent. This compares with 2013 recommendation rates of no reduction in 71 percent, ROR in 14 percent, a reduced bond/percentage of bond in 10 percent and home detention in 5 percent.

Of the bond investigations reviewed by the court in 2014, an order for no reduction was entered in 82 percent of the cases, ROR in 8 percent, reduced bond/ percentage of bond in 8 percent and home detention in 2 percent. This compares with 2013 disposition rates of no reduction in 82 percent of the cases, release on own recognizance in 10 percent, reduced bond/ percentage of bond in 6 percent and home detention in 2 percent.

### Bond Investigations By Offense



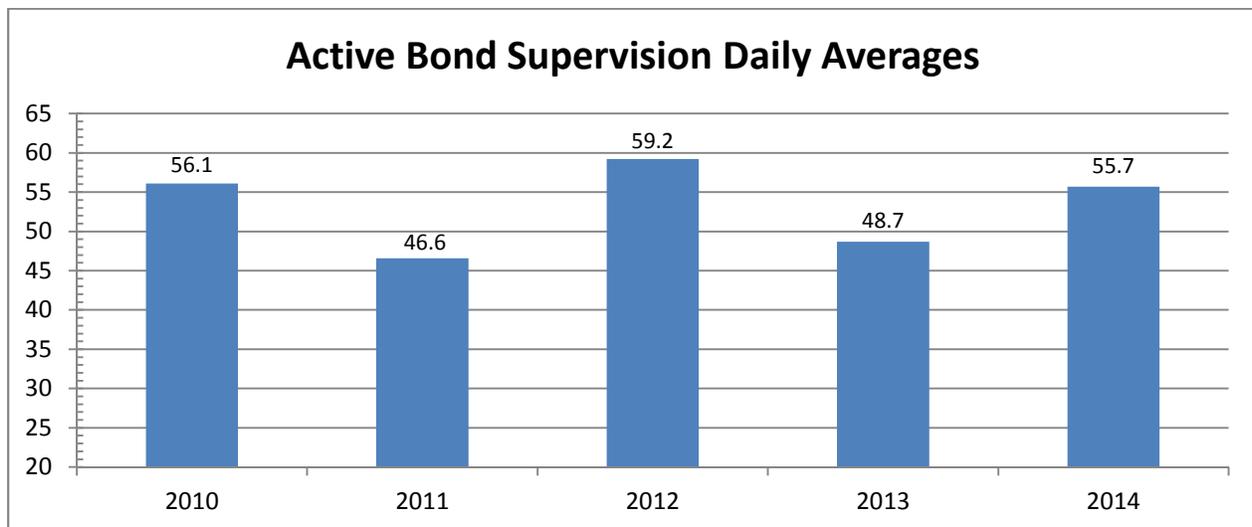
In 2014, 35 percent of the bond investigations initiated were for charges of crimes against persons, 43 percent for charges of crimes against property, 14 percent for drug-related charges, 3 percent for alcohol-related charges and 5 percent for traffic-related charges. This compares to 2013's 34 percent for crimes against persons, 39 percent for crimes against property, 11 percent for drug-related charges, 10 percent for alcohol related charges and 6 percent for traffic-related charges.

## BOND SUPERVISION

Defendants released from custody pursuant to a bond investigation are typically subject to ACS supervision until disposition of the case. These defendants report at least once per week to ACS and provide updated information regarding employment, contact information (telephone number and address), attorney status, activities, and next court appearance date. Conditions may be applied to a defendant's release such as participating in treatment or counseling programs, restriction from visiting certain places, and having no contact with alleged victims or co-defendants. Defendants who do not report as directed or who are found to be in violation of their bond conditions are reported by ACS to the court and are subject to revocation.

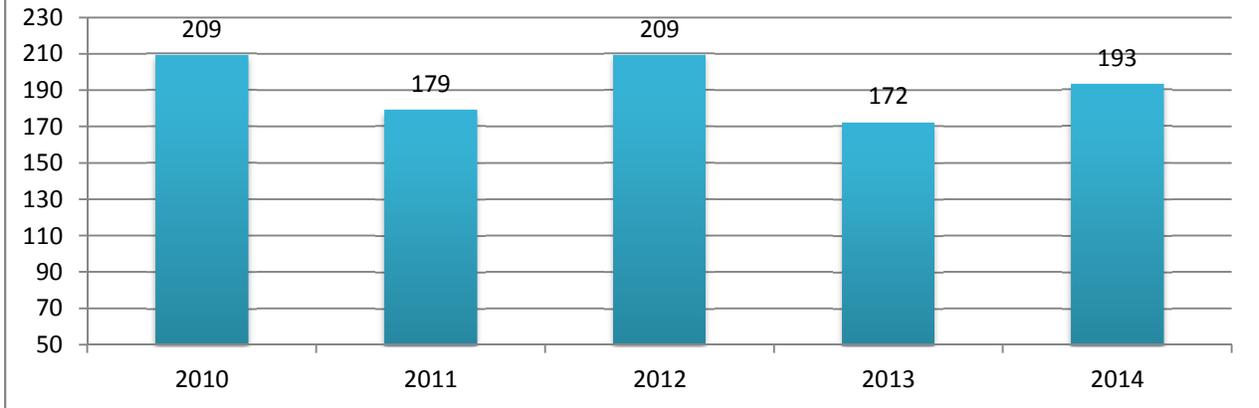
Defendants spent 19,816 days under bond supervision by case in 2014, a 9 percent increase from 2013's 18,211 days. Due to database limitations these figures are by case number, not person, and are not reflective of actual jail days saved. With the adoption of the new database, future annual reports will provide figures by person.

In 2014, the average daily inmate population at the Boone County Jail was 203. This equates to a total Boone County Jail days figure of 74,095, a slight increase of 365 (less than 1 percent) from 2013's 73,730 days. Estimates for 2014 housing costs based on optimum capacity are approximately \$66 per inmate per day, of which \$60 is fixed and \$6 is variable. For inmates housed at other facilities the costs are approximately \$35, which does not include transport costs. This report will base estimates for monetary savings on the \$35 figure.



The pre-disposition bond supervision program averaged 55.7 active participants per day in 2014, equating to 20,330.5 total days for the year. This is an increase from 2013's 48.7 participant average and 17,775.5 total days. At a daily cost of \$35 for housing in other facilities, the 2014 figures represent a savings of \$711,567. Due to database limitations, the bond supervision active participation figures begin counting supervision days only when a defendant first reports to ACS, not when they are released from jail; therefore active supervision averages do not entirely equate to potential jail days saved. With the adoption of the new database, future annual reports will provide more exact supervision figures by both jail release date and the first report date.

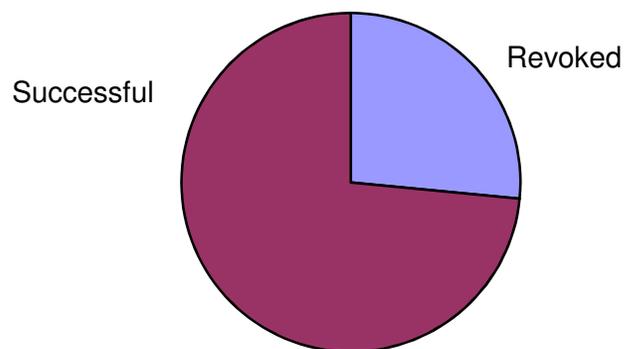
## Bond Supervision: Cases Completed



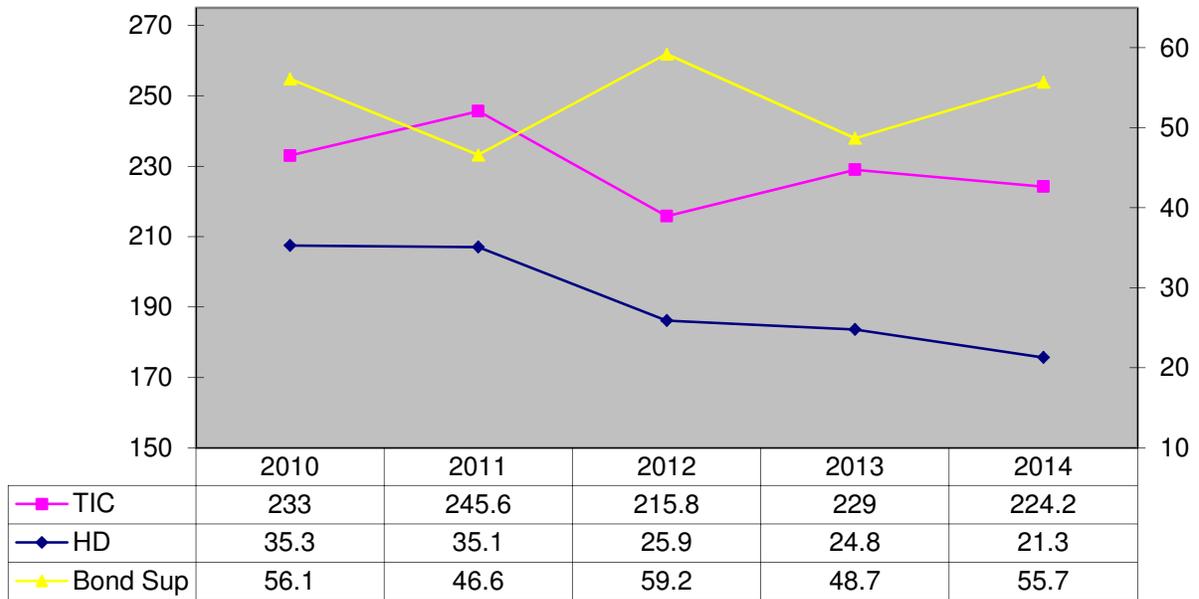
In 2014, defendants in 193 cases completed ACS bond supervision, a 12 percent increase from 2013's 172 completed cases.

Seventy two percent of bond supervision case completions were successful and the remaining 28 percent were revoked due to a violation of conditions. Of the 28 percent revoked, 11 percent failed to appear, 9 percent committed a technical violation and 8 percent committed a new offense. Due to database limitations, this data reflects separate cases, not individual persons. With the adoption of the new ACS database, future annual reports will provide more individual specific data.

## Bond Supervision: Case Outcomes



### Total In Custody, Home Detention and Bond Supervision



The above chart compares the annual trends of the total in custody (“TIC”) jail population with the ACS supervised home detention population (“HD”) and the active bond supervision (“Bond Sup”) populations. Total in custody numbers are obtained from an internal report generated weekly. These figures include Boone County Jail inmates, inmates Boone County is housing in other facilities or other counties, the ACS supervised home detention population and the work release population. Total in custody numbers do not include the bond supervision, judicial parole or third party supervised home detention populations.

## HOME DETENTION PROGRAM

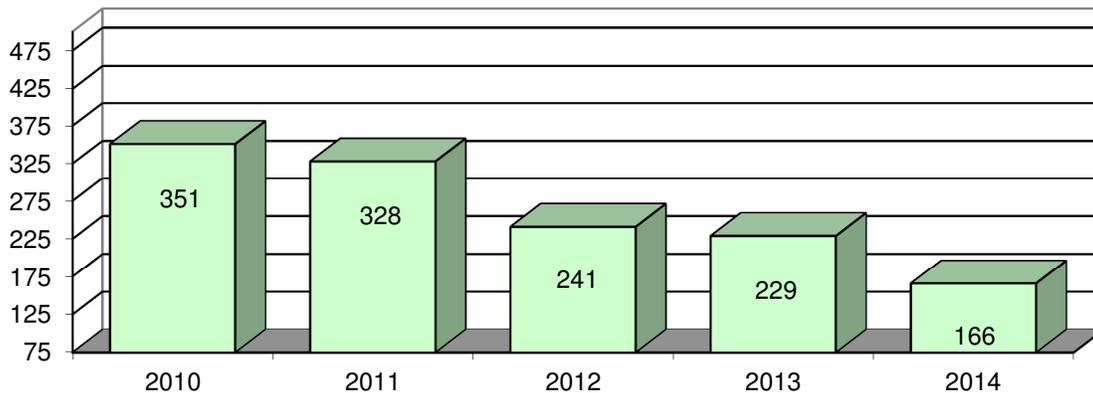
ACS supervised home detention is an intensive supervision program that utilizes electronic monitoring equipment to assist in ensuring compliance. ACS determines the defendant's eligibility for the program and makes a recommendation to the court. Public safety and program integrity are reflected in the screening, selection, and supervision of program participants. Defendants can participate in lieu of serving a jail sentence or as a condition of bond.

Each program participant is electronically monitored 24 hours a day and follows a pre-set schedule. The electronic equipment reports when the defendant leaves and returns home and can determine whether certain conditions (e.g., banned places, no alcohol consumption) are being followed.

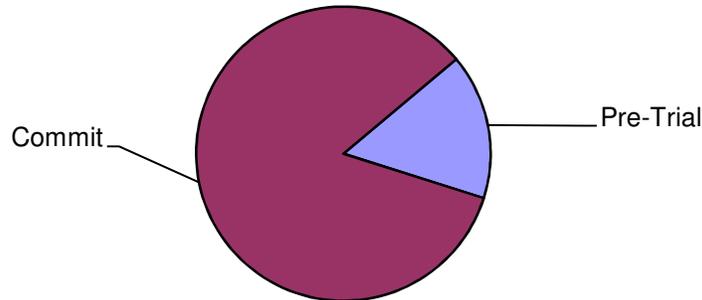
In 2014, ACS completed home detention reports in 229 cases, down 32 percent from 2013's 339 cases. The court granted ACS supervised home detention in 65 percent of 2014's cases compared with 2013's 69 percent. Twenty one percent of 2014 cases were denied home detention by the court. The remaining 14 percent were non-Boone County residents granted home detention with primary supervision conducted by a third party.

In 2014, defendants in 166 separate cases participated in the ACS supervised home detention program, a 28 percent decrease from 2013's 229 figure.

**Home Detention Program: Yearly Participant Total By Case**



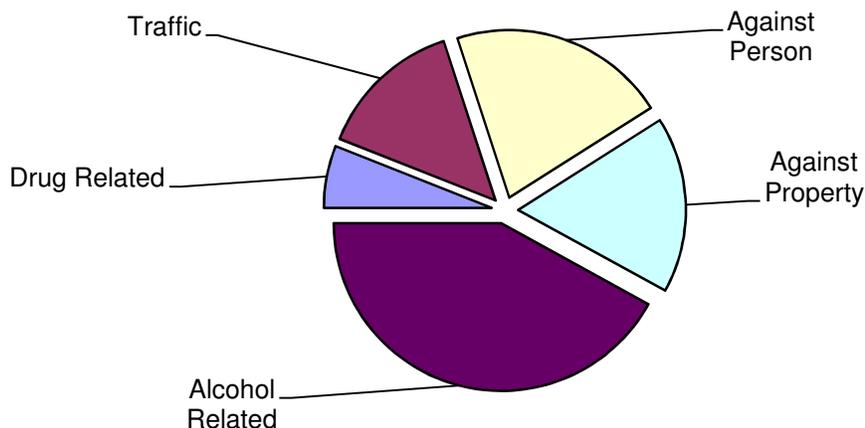
### Home Detention Program: Sentence Status By Case



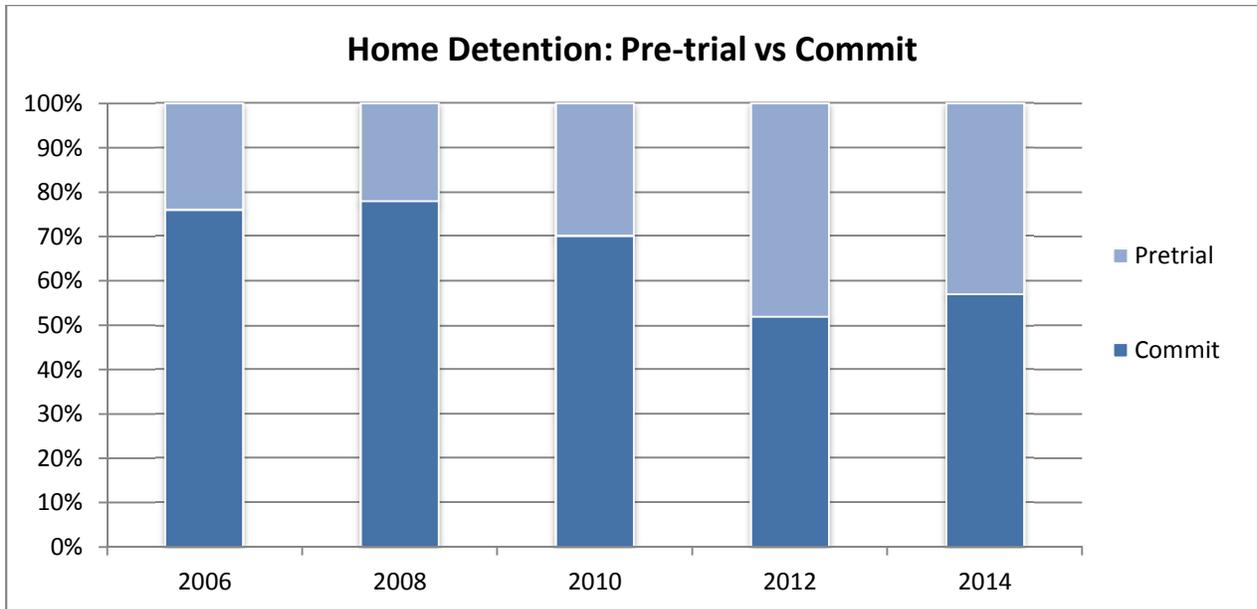
Of the 2014 ACS-supervised home detention cases, 16 percent were in pre-trial status and 84 percent were post-sentence (commit). Eighty two percent successfully completed the program and 18 percent were revoked. There were 24 revoked cases representing 19 separate defendants. Three defendants were revoked for committing new offenses and 16 for technical violations of the program. These technical violations included testing positive for drug or alcohol use (6), failing to abide by program rules such as the set curfew, not reporting as directed, or engaging in unapproved activity (6), having contact with a victim (1) and absconding from the program (3).

Forty-two percent of 2014's home detention admissions by case had been charged with or convicted of alcohol related offenses, 21 percent for crimes against persons, 17 percent for crimes against property, 14 percent for traffic-related offenses (such as driving while suspended or revoked), and 6 percent for drug-related offenses.

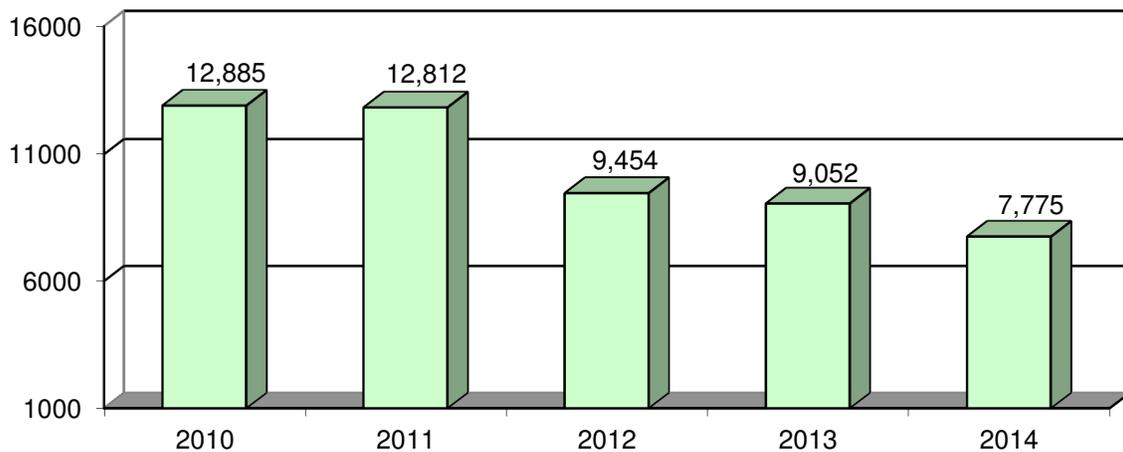
### Home Detention Program: Offense Types



Pre-trial participants are fewer in number when compared to their commit counterparts but they average a longer period of participation in the program. The following graph illustrates the historical change in the daily representation of those defendant types.



### Home Detention: Days In Lieu of Jail



The ACS supervised home detention program averaged 21.3 participants per day in 2014, equating to 7,774.5 days for the year. At a \$35 other facilities cost this represents a savings of \$272,107.

ACS supervised home detention defendants can be required to pay fees to offset the cost of the program. Per Administrative Order 03-10, the daily cost is the greatest of the following: the

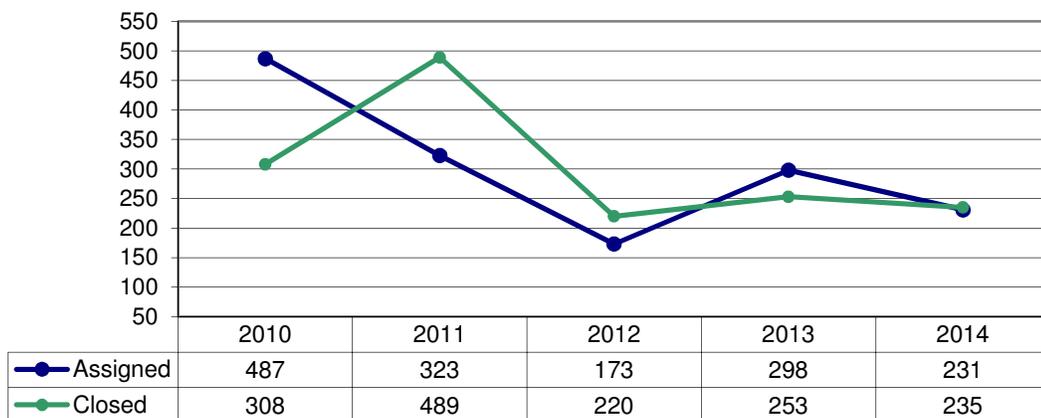
state or federal minimum wage, the defendant's hourly salary, or the cost of the equipment to Boone County. In 2014 defendants paid the court \$64,580 to participate in the program. The court paid \$31,605 to its equipment vendor. The \$32,975 difference helped offset personnel and administrative costs of the program and helped to fund equipment for defendants who were truly unable to pay.

Per policy, ACS does not directly supervise home detention participants who reside outside of Boone County. However, individuals with out of county residences are still eligible for consideration; ACS submits a report to the court assessing eligibility and providing a recommendation, and for those candidates approved ACS verifies placement into and completion of electronically monitored home detention by an approved third party. In 2014, 561 days were served in home detention programs monitored by third party entities. At a \$35 other facilities cost this represents a savings of \$19,635.

## ADULT COURT SERVICES SUPERVISED PROBATION

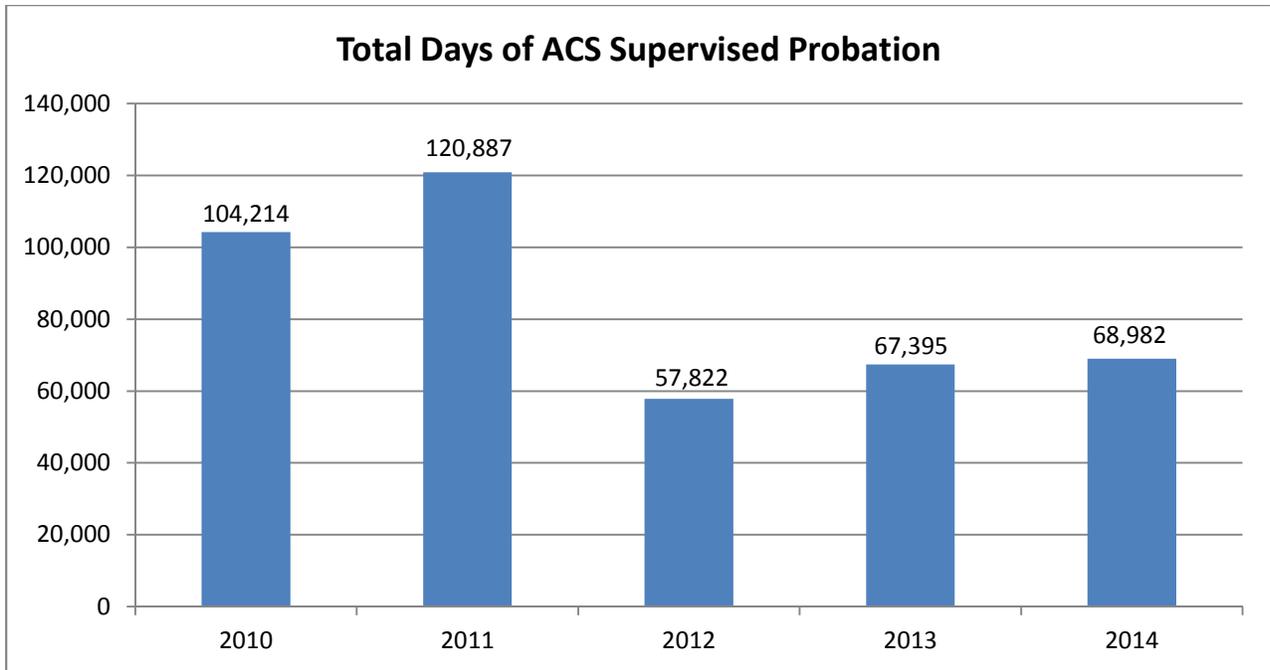
The ACS supervised probation program began in 2003 in response to statutory changes removing certain Class A misdemeanors from state Probation and Parole supervision. Defendants who meet certain specific probation conditions are removed from active supervision and their cases are converted to unsupervised probation.

**Adult Court Services Supervised Probation Annual Cases Assigned vs Closed**



In 2010 the number of defendants on ACS supervised probation exceeded program capacity. An effort was made to improve compliance with the parameters of probation set forth in Administrative Order 11-09, which resulted in supervision caseloads returning to manageable levels.

During 2014, individuals in 231 cases were assigned to ACS supervised probation in addition to the 191 cases already on probation from 2013. The 2014 new cases reflect a 22 percent decrease from 2013's 298 cases. Throughout 2014, 235 cases were released from probation. Of those released cases, 184 (78 percent) were successful completions, meaning all specific conditions were met and the supervision status was amended to unsupervised. Fifty-one (22 percent) were unsuccessful, meaning probation was revoked or removed from ACS supervision without having met all the required specific probation conditions.

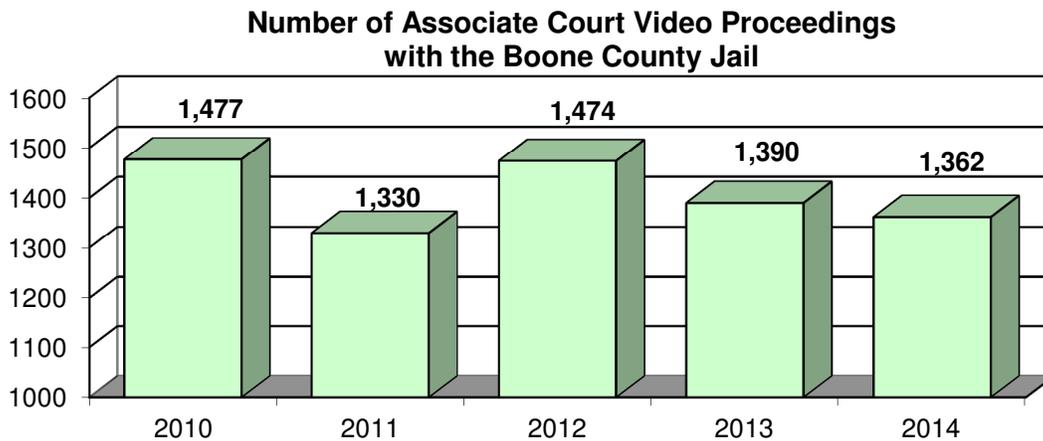


Boone County defendants served 68,982 days on ACS-supervised probation by case in 2014, a 2 percent increase from 2013's 67,395 days. While this number is about half the ACS-supervised probation days in 2011, it is reflective of an intended decline in the number of defendants assigned to allow for more effective and efficient supervision.

## VIDEO CONFERENCING

Defendants incarcerated at the jail who have active cases in the court may attend hearings by video conference between the jail and the court. Boone County cases eligible to be heard by video conference include initial arraignments, bond reduction hearings, counsel status hearings, first appearance on warrants issued for probation violation hearings, and returns on warrants issued for failure to appear.

In 2014, the associate circuit court dockets utilized video conferencing with the jail in 1,362 proceedings, a 2 percent decrease from 2013's 1,390 proceedings. The 1,362 video proceedings conducted in 2014 represent an average of 5.4 such proceedings per business day, a slight decrease from 2013's 5.6 per business day.

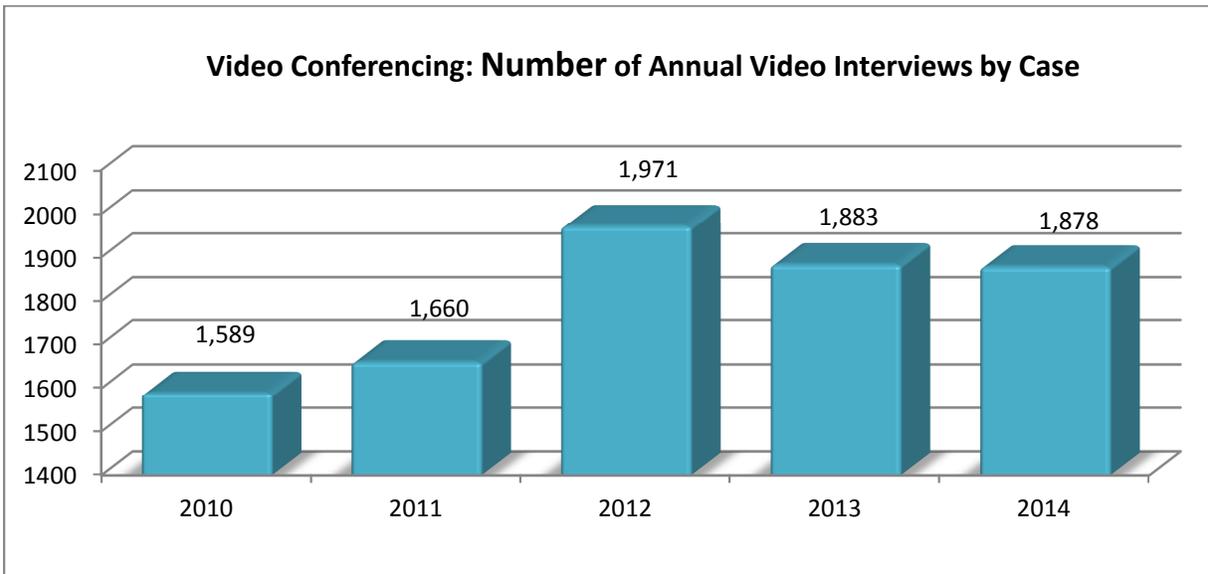


In August 2014, jail video conferencing was expanded to include certain circuit court proceedings. From August 15 to December 19, 127 proceedings representing 104 defendants were heard.

In July 2013, the court implemented policies and procedures to create a weekly circuit video conferencing docket with inmates housed in the Department of Corrections ("DOC"). The circuit judges rotate responsibility for this docket. ACS has primary responsibility for preparing video writs, scheduling and supporting this docket in collaboration with the prosecuting attorney's office.

In 2014, 258 cases representing 212 DOC housed defendants were heard in circuit court via video dockets. At a vehicle transportation cost estimate of 56.5 cents per mile and accompanying personnel cost estimate of \$15 per hour, 2014 DOC video use represents an estimated savings of \$19,045 in transport costs, \$8,493 in personnel costs, and 388 days of jail avoided which, at \$35 per day, is \$13,580. These figures combine for a total of \$41,118 in savings, which reflects only savings to Boone County, not any saving incurred by the state or DOC.

In addition to court proceedings which are conducted using video communications, every defendant arrested and held in the Boone County Jail who cannot post bond is interviewed by a CSO using video conference equipment. These interviews enable the CSO to obtain material information from the defendant to better evaluate the defendant's potential for pre-trial release and to answer any questions the defendant might have. In 2014, ACS completed bond investigations on Boone County Jail inmates in 1,878 cases. This represents an average of 7.6 video interviews by case each business day.

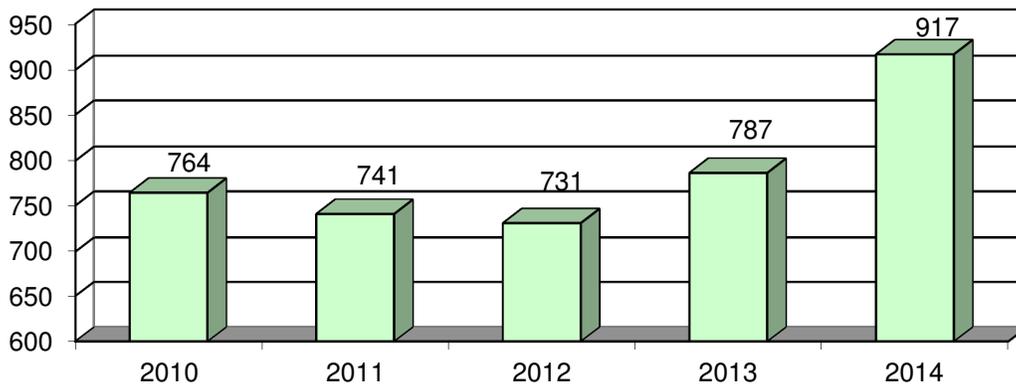


## FINES & COSTS PROGRAM

In 1990, ACS began supervising the collection of fines, costs and restitution balances in cases not supervised by state Probation and Parole. In August 2013, statutory changes placed the responsibility of restitution collection with the prosecutor's office. At the same time the court enacted a policy removing costs collection supervision from ACS responsibility. In July 2014, the court returned costs supervision responsibility to ACS but only for those cases in which ACS supervises fines collection. In cases in which ACS does not have collection responsibility, costs are collected through other programs including collections by the circuit clerk's office, the tax intercept program, and the judiciary's third-party debt collection agency.

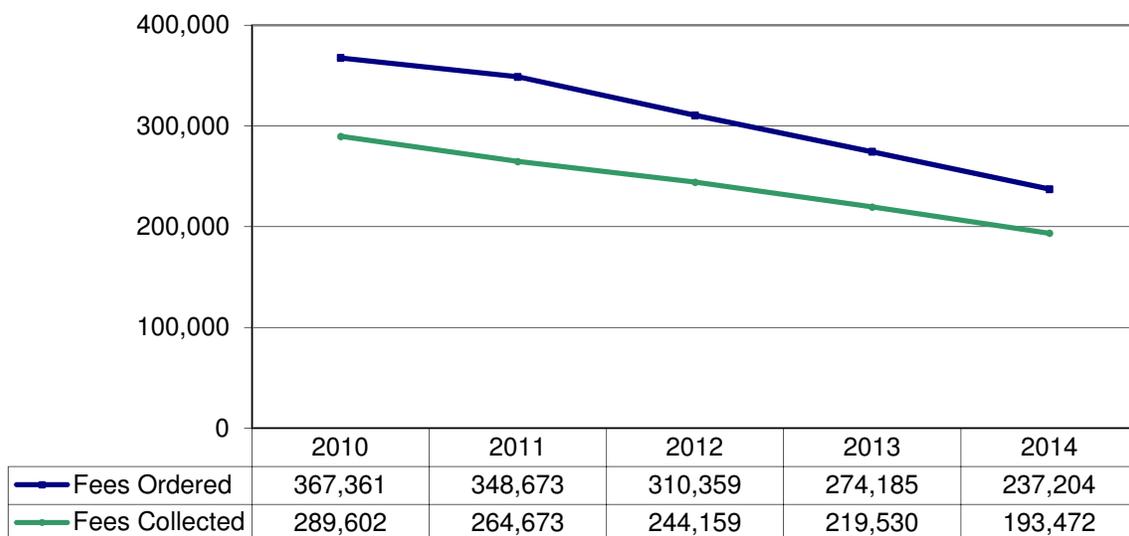
ACS supervises defendants who cannot pay their full fines and related costs on the day they are sentenced. Under the formal administrative plan for collection of court debt, defendants have 90 days in which to pay. Defendants unable to pay within 90 days are given the opportunity to negotiate a payment plan with ACS which is then submitted to the court for approval. These plans are formulated with the goal of achieving a positive outcome and can include the option of performing Community Service Work in lieu of paying the fine. Once approved by the court, ACS monitors payments, recommends extension requests for defendants who genuinely attempt to meet their financial obligations, sends out overdue notices, and submits warrant requests to the court for those who do not pay or perform community service work as directed.

**Payment Monitoring: Number of Annual Cases**



ACS was responsible for monitoring payment compliance in 917 cases in 2014 compared to 2013's 787 cases.

### ACS Supervised Payments Ordered and Collected



Court-ordered amounts in 2014’s 917 cases totaled \$237,204, a 13 percent decrease from 2013’s \$274,185. Collections totaled \$193,472 in 2014, a 12 percent decrease from 2013’s \$219,530. Collections in 2014 were 82 percent of case totals, an increase from 2013’s 80 percent.

Due to the statutory and policy changes in 2013 and 2014 as noted on the previous page, amounts ordered and collected are not entirely comparable to one another, or prior years.

## **ADULT COURT SERVICES SUPERVISED JUDICIAL PAROLE**

The ACS judicial parole program was established to provide a program of structured, supervised release as an alternative to Boone County Jail incarceration. Jail inmates who meet certain criteria are eligible for consideration. The court may order a report to be submitted or ACS may initiate a report. Each day served on judicial parole counts as a jail day served in determining a defendant's release date.

In 2014, ACS completed judicial parole reports in 16 cases, a 54 percent decrease from 2013's 35 cases. The court granted 25 percent of the 2014 requests for Judicial Parole by case, an increase from 2013's 9 percent rate.

Eight defendants represented by 10 cases participated in ACS-supervised judicial parole in 2014, compared with 5 defendants represented by 6 cases in 2013. In 2014, ACS supervised 560 judicial parole days compared with 373 judicial parole days in 2013. At a \$35 a day cost for housing in another facility, 2014's 560 judicial parole days represent \$19,600 in savings.

## **WORK SEARCH / WORK RELEASE**

Work search/work release is a Reality House administered program that provides Boone County Jail inmates the opportunity to obtain or maintain employment while serving a sentence. Jail inmates may petition the court to participate in this program. If ordered, ACS provides the court with a report and recommendation for or against participation.

In 2014, ACS completed work search/work release reports in 40 cases, a 37 percent decrease from 2013's 63 cases. The court granted 20 percent of the 2014 petitions, a decrease from 2013's rate of 25 percent.

## **WORK & EDUCATION**

"Work and Education" is a Boone County Jail administered program that provides inmates with experience, training and an opportunity for service. Inmates receive a one-day (24 hour) reduction in their sentence for every eight hours of approved program participation. With sheriff approval, inmates can petition the court to participate in this program. In response to this petition, ACS provides the court with a report and recommendation for or against participation.

In 2014, ACS completed work and education reports in 31 cases, a 56 percent decrease from 2013's 71 cases. The court granted 23 percent of the 2014 petitions, a decrease from 2013's rate of 34 percent.

## **COMMUNITY SERVICE WORK**

Community service work (CSW) recompenses the community for the harm caused to it by criminal acts. ACS supervises two types of CSW: (1) CSW ordered as a condition of ACS supervised probation, and (2) CSW allowed by the court upon ACS's recommendation in lieu of paying a fine.

CSW may only be performed at a qualified, not-for-profit agency. Not-for-profit means the agency has either an IRS tax exemption letter or a Missouri sales tax exemption letter. This and all other CSW policies are explained at the outset to each program participant. ACS's goal is to maximize successful outcomes.

In 2014, ACS supervised defendants completed 1,570 hours of CSW. At the standardized \$10 per hour used by the court to value CSW hours, the 1,570 program hours completed in 2014 represent a \$15,700 return to the community through participating not-for-profit agencies.

## **VICTIM IMPACT PANEL**

Certain traffic offenders are ordered by the court to attend the Victim Impact Panel (VIP) as a condition of probation. During this program, panelists share their experiences with serious traffic accidents in a non-judgmental way. Most drivers realize that serious traffic accidents impact victims, their families and those who care about them. The VIP program gives names and faces to victims and increases awareness of how events impact real people.

In 2014, 457 defendants attended the VIP program at the Boone County Courthouse. Defendants are required to pay a fee to attend the program, a portion of which is provided to the court. Revenue from this fee totaled \$2,285.

Defendants who live a distance from the Boone County Courthouse, or who cannot attend this program on the first Monday of each month, can request approval from the court to attend a more convenient program, provided it offers the same teaching format and substantive content.

## MONETARY SAVINGS ESTIMATES

The list below represents a cumulative view of estimated minimum savings due to the work of ACS. These numbers are based on the information provided in this report, and correspond to potential transport costs, fees collected and days defendants would otherwise have been at the jail or housed out of county.

### JAIL DAYS SAVED

Active bond supervision:	20,330.5	
ACS supervised home detention:	7,774.5	
3 <sup>rd</sup> Party home detention:	561	
ACS supervised judicial parole:	560	
 Total:	 29,226 @ \$35/day=	 \$1,022,910

### FEES COLLECTED

ACS supervised home detention:	\$ 32,975
VIP:	\$ 2,285

### DOC VIDEO SAVINGS

\$ 41,118

**TOTAL ESTIMATED SAVINGS** **\$1,099,288**