

# Supreme Court: pretrial alcohol monitoring can't top \$150

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OLYMPIA — The Washington Supreme Court has unanimously ruled that the costs of pretrial electronic alcohol monitoring ordered by a trial court cannot exceed the \$150 limit that is set in statute for pretrial supervision.

In a Thursday order, the nine-member court said that the costs for an electronic alcohol monitoring bracelet fit under the statutory meaning of "pretrial supervision."

The case involved a San Juan County man, Frederick Hardtke, who had several charges of rape, assault and malicious mischief that stemmed from a domestic violence incident in which Hardtke claimed he was blacked out from alcohol abuse. He eventually pleaded guilty to amended charges, but appealed a part of his sentence that required him to reimburse the county for nearly \$4,000 for the costs related to an alcohol monitoring bracelet that he was also required to wear.

The Court of Appeals affirmed the cost, but the state Supreme Court reversed and remanded the case to the trial court to resentence for "costs consistent with the statute."