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**IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF FREMONT**

STATE OF IDAHO,

Plaintiff,

v.

CHAD GUY DAYBELL,

Defendant.

Case No.: CR22-21-1623

**UPDATED SUPPLEMENT AND
DISCLOSURE FOR THE STATE'S
MOTION FOR THE COURT TO
ALLOW ADDITIONAL EVIDENCE &
FOLLOW IDAHO CODE §19-1816 BY
TRANSPORTING A JURY**

The State of Idaho, by and through the Fremont County Prosecutor's Office in the matters pending against Chad Daybell and Lori Vallow Daybell, discloses witnesses, proposed exhibits and supplements its request to reconsider a change of venue and/or to transport the jury. Such disclosure and request are made under Idaho Code §19-1816 as follows:

WITNESSES

The State intends to call the following individuals at the hearing on the State's Motion for Additional Evidence on Venue and for the Court to follow Idaho Code §19-1816:

Sheriff Len Humphries (Updated Exhibit 2 attached)

Fremont County Clerk Abbie Mace (Exhibit 4 attached)

Chief Thurman -- Rexburg Police Department

Ada County Sheriff Department -- Lt. Travis Ruby

RESPECTFULLY DATED this 1st day of April, 2022

/s/ Lindsey A. Blake

Lindsey A. Blake
Fremont County Prosecuting Attorney

/s/ Rob H. Wood

Rob H. Wood
Madison County Prosecuting Attorney

CERTIFICATE

I HEREBY CERTIFY that on this 1st day of April, 2022, that a copy of the foregoing Supplement and Disclosure was served as follows:

John Prior
john@jpriorlaw.com

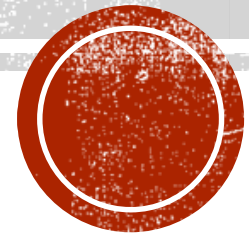
- Overnight Mail
- Hand Delivered
- Courthouse Box
- Facsimile:
- File & serve
- Email

Jim Archibald
jimarchibald@gmail.com

- Overnight Mail
- Hand Delivered
- Courthouse Box
- Facsimile:
- File & serve
- Email

By: /s/ Jodi L. Thurber

**FREMONT COUNTY SHERIFF'S COSTS -
CHANGE OF VENUE TO ADA CO.:
DAYBELL TRIAL**



Sheriff
Humphries

ESTIMATE'S LOGIC AND LIMITATIONS

- Best estimate based on current case status and personnel needs
- Estimates based on Ada Co costs – subject to change
- Estimates based on current staffing needs – subject to change
- Estimates based on limited assistance from Ada Co – subject to change
- Estimates do not factor in inflation of prices/costs
- Estimates will change based on length of sequestration
- Will need to incorporate radio system alterations to be compatible with Ada Co.
- Does not include estimates for unexpected/miscellaneous expenses



ADA CO. SHERIFF BILL TO FREMONT:

- Bailiffs in courtroom: unknown – Lt. Ruby
- Transportation to and from jail: unknown – Lt. Ruby
- Transportation/security of witnesses: unknown – Lt. Ruby
- Assisting in courtroom door security: unknown – Lt. Ruby
- If Sequestration ordered in Ada County: unknown – Lt. Ruby
 - Jury transportation, security and sequestration



FREMONT COUNTY SHERIFF: TRIAL RESPONSIBILITIES IN ADA CO.

- **Staffing Considerations:**
 - 14 personnel will have to go to Ada Co. to cover trial*
 - Personnel Duties include:
 - Bailiffs in courtroom
 - Transportation to and from jail
 - Transportation/security of witnesses
 - Assisting in courtroom door security
 - Jury transportation, security and sequestration

* If not covered



FREMONT CO. SHERIFF COST COMPARISON

FULL CHANGE VS. VOIR DIRE ONLY

Full Change of Venue to Ada County	Jury Selection only in Ada County
\$269,430	\$53,444
Cost Difference to Fremont County (Sheriff's costs only):	\$215,986



COST CATEGORIES FOR DAYBELL TRIAL IN ADA COUNTY:

- **Lodging**
- **Travel Costs (parking, gas and car)**
- **Meals/Food**
- **Overtime**
- **Jail Costs**



LODGING COSTS:

- Hotel— \$60,000/per month
 - 14 staff x \$147 rate/night/room x 30 days x 4 weeks
- (For Sequestration in Ada Co. Would need to hire secondary females to provide support in Ada county. Unknown amount)
- **Optional: 2 large rentals 30000/40000 per month for the number people involved if large enough can be reserved**



TRAVEL COSTS:

- Parking costs
 - \$10/day per vehicle
 - 3 cars x 5 days x 10 weeks x \$10 = \$1,500 parking fees
- Gas/transportation cost –
 - 340 miles to Boise at 20 miles/mpg = 17 gals/car
 - \$3.66/gal = \$62.00/per trip/per vehicle
 - \$186/each way for 3 cars
 - 2 trips a week/group = \$373.32
 - 3 cars over there for 10 weeks
 - Costs for fuel = \$3,733 fuel



MEALS/FOOD COSTS:

- Meals – \$51,800 10 weeks
- 14 people x \$74 (per diem) X 5 days = \$5,180 weekly amount
- Weekly amount x 10 weeks = \$51,800



OVERTIME / STAFFING COSTS:

- **Overtime Calculation:**

- $\$750/\text{ee}/\text{week} \times 14 = \$10,500$ per pay period

Average labor rates \$25/hr.

Average overtime rate \$37.50 average/hr.

- **Estimated OT hours/ee/week = 20 hours**

-- must pay them OT for travel

(($\$37.50 \times 20$) $\times 14 = \$10,500$ /pay period)

2 pay periods a month = \$21,000/month in OT.

- **Estimated Cost of Overtime for Trial in Ada Co :**

\$63,000 (three months)

\$52,500 (10 weeks)



ADA CO. JAIL COSTS:

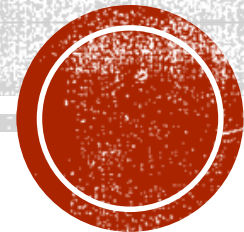
TRANSFER OF CHAD AND LORI VALLOW DAYBELL

- Fixed rate \$55/day in other counties:
- Cost by Month/Defendant:
 - -- January 31 days, \$1,705
 - -- February 28 days \$1,540
 - -- March 31 days \$1,705
- \$4,950/Defendant for 3 months
(\$9,900 for both defendants)



Lodging:	\$150,000
Parking costs:	\$1,500
Fuel costs:	\$3,730
Meals/food:	\$51,800
Overtime:	\$52,500
Jail costs CD:	\$4,950
Jail costs LVD:	\$4,950
Sheriff 's costs for Ada Co. trial:	\$269,430

**SUMMARY
SHERIFF'S COSTS:
PROJECTIONS FOR FULL
CHANGE OF VENUE TO
ADA CO.**



Lodging:	\$30,000
Parking costs:	\$300
Fuel costs:	\$744
Meals/food:	\$10,360
Overtime:	\$10,500
Jail costs CD:	\$770
Jail costs LVD:	\$770
Total Sheriff's costs for Ada Co. jury selection:	\$53,444

**SUMMARY
SHERIFF'S
COSTS:
CHANGE OF
VENUE JURY
SELECTION ONLY
(2 WEEK
ESTIMATE)**



FREMONT CO. SHERIFF COST COMPARISON

FULL CHANGE VS. VOIR DIRE ONLY


Full Change of Venue to Ada County	Jury Selection only in Ada County
\$269,430	\$53,444
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Fremont County
Court Clerk's
Estimated Cost for
Change of Venue:
Daybell
trial

Abbie Mace

Clerk of the Court –
Fremont County



Clerk's Calculation Logic



Rate difference between Ada County and Fremont County



Type of Costs



Long-term functions of the Court Clerk

Per Diem Rates:

- *2022 IRS and GSA per diem rates for Fremont County, Idaho:*


- Lodging Rate per night: \$96.00
- Meals/Food Rate per day: \$59.00 per day per individual
- Mileage: n/a

- *2022 IRS and GSA per diem rates for Ada County, Idaho:*

- Lodging Rate per night: \$147.00
- Meals/Food Rate per day: \$74.00 per day per individual

- Mileage:

- Two-way travel—Fremont Co. to Boise Idaho = 740 miles.
 - 2022 IRS Per mile rate = 58.5 cents per mile



Seven
Types of
Additional
Costs for
Trial in
Ada
County:

- Personnel
- Mileage
- Lodging
- Food/Meals
- Overtime
- Added Juror Costs
- Costs for Public Defense

Prosecuting Attorney Office Staffing Costs

- ▶ Fremont County will have to cover costs for an additional ADA while DA and ADA in Boise



Clerk Personnel

- ▶ Judicial choice: Use Ada Co. or Fremont Co. Personnel?
 - ▶ If use Ada Co. Clerks – Anticipate Bill from Ada Co. To Fremont Co.:
 - ▶ Bill for Clerk Services from Ada County: \$20,000.00
 - ▶ If use Fremont Co. Clerks:
 - ▶ Mileage -- \$8,658.00
 - ▶ Lodging -- \$14,700.00
 - ▶ Meals -- \$7,400.00
 - ▶ Overtime -- \$14,508.00
- Added Costs for Fremont Co. Clerks: \$45,266.00



Public Defense

- Costs paid by Fremont Co. for capital qualified dense
- Added Costs for Trial in Ada Co:
 - Mileage: \$8,658.00
 - Lodging: \$14,700.00
 - Meals: \$7,400.00
 - Office Space: \$7,500.00/mon.

Jury Sequestration Costs - 8 weeks:

Ada County Costs:

- ▶ Transportation: \$29,000.00
- ▶ Lodging: \$185,220.00
- ▶ Meals: \$93,240.00

Total: \$307,460.00

Fremont County Costs:

- ▶ Transportation: \$31,600.00
- ▶ Lodging: \$96,768.00
- ▶ Contracts for meals: \$59,472.00

Total: \$187,840.00

DAYBELL JURY TRIAL EXPENSES ESTIMATES 10 WEEK TRIAL IN ADA COUNTY

COURT CLERK EXPENSES FOR 2 CLERKS: USING GSA RATES FOR ADA COUNTY				
MILEAGE	LODGING	MEALS	OVERTIME	TOTAL
CURRENT RATE \$.585 MILE	CURRENT RATE \$147 DAY	CURRENT RATE OF \$74 DAY	PROJECTED RATE OF \$36.27 HR	PROJECTED
740 MILES PER WEEK	5 DAYS PER WEEK	5 DAYS PER WEEK	20 HRS PER WEEK	COSTS
\$ 8,658.00	\$ 14,700.00	\$ 7,400.00	\$ 14,508.00	\$ 45,266.00

OR

COURT CLERKS FROM ADA COUNTY				
WAGES FOR 2 CLERKS AT \$25.00 PER HR FOR 10 WEEKS				
\$ 20,000.00				\$ 20,000.00

JURY COSTS FOR 18 JURORS 10 WEEKS IN ADA COUNTY

TRANSPORTATION (BUS)	LODGING	MEALS		
\$145 HR/AVE 4 HRS PER DAY	CURRENT RATE \$147 DAY	CURRENT RATE OF \$74 DAY		
\$ 29,000.00	\$ 185,220.00	\$ 93,240.00		\$ 307,460.00

JURY COSTS FOR 18 JURORS FOR 8 WEEKS IN FREMONT COUNTY

TRANSPORTATION (BUS)	LODGING	MEALS		
\$790 PER DAY	CURRENT RATE \$96	CURRENT RATE \$59		
\$ 31,600.00	\$ 96,768.00	\$ 59,472.00		\$ 187,840.00

PUBLIC DEFENSE FOR 2 ATTORNEYS TRIAL IN ADA COUNTY

MILEAGE	LODGING	MEALS	OFFICE SPACE	
CURRENT RATE \$.585 MILE	CURRENT RATE \$147 DAY	CURRENT RATE OF \$74 DAY	\$7500 PER MONTH	
740 MILES PER WEEK	5 DAYS PER WEEK	5 DAYS PER WEEK		
\$ 8,658.00	\$ 14,700.00	\$ 7,400.00	\$ 22,500.00	\$ 53,258.00

PUBLIC DEFENSE REIMBURSEMENT FROM CAPITAL CRIMES DEFENSE FUND COST OF ONE ATTORNEY AND EXPENSES TRIAL IN ADA COUNTY

MILEAGE	LODGING	MEALS	OFFICE SPACE	
CURRENT RATE \$.585 MILE	CURRENT RATE \$147 DAY	CURRENT RATE OF \$74 DAY	\$7500 PER MONTH	
370 MILES PER WEEK	5 DAYS PER WEEK	5 DAYS PER WEEK		
\$ 4,329.00	\$ 7,350.00	\$ 3,700.00	\$ 11,250.00	\$ 26,629.00

TOTAL PROJECTED COSTS				\$ 379,355.00
TOTAL PROJECTED COSTS USING ADA COUNTY CLERKS				\$ 354,089.00
TOTAL PROJECTED COSTS OF TRIAL BEING HELD IN FREMONT COUNTY				\$ 187,840.00

*THIS DOES NOT INCLUDE COSTS FOR DEFENSE WITNESSES