



Tucson City Court Administrative Directive

SUBJECT <b>HOME DETENTION FOR VIOLATIONS OTHER THAN DUI</b>	NUMBER 260-31	PAGE 1 of 2
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**I. PURPOSE**

To reduce jail costs by establishing and operating a Home Detention Program (HDP) for use in appropriate cases other than Driving Under the Influence cases.

A city or town may establish a prisoner work, community restitution work and home detention program for eligible sentenced prisoners, which shall be treated the same as confinement in jail. The presiding judge of the city or town municipal court shall approve the program before its implementation.

**II. POLICY**

When appropriate defendants may be sentenced to the HDP which shall be credited the same as confinement in jail.

**III. REFERENCE**

Arizona Revised Statute § 9-499.07. Prisoner work, community restitution and home detention program; eligibility; monitoring; procedures; continuous alcohol monitoring program; home detention for persons sentenced for driving under the influence of alcohol or drugs.

**IV. IMPLEMENTING INSTRUCTIONS**

A. A prisoner is not eligible for a prisoner work, community restitution work and home detention program or a continuous alcohol monitoring program if any of the following applies:

1. The prisoner is found by the court to constitute a risk to either himself or other members of the community.
2. The prisoner has a past history of violent behavior as determined by the sentencing judge.
3. The sentencing judge states at the time of the sentence that the prisoner may not be eligible for a prisoner work, community restitution



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work and home detention program or a continuous alcohol monitoring program.

- B. Persons being considered for a prisoner work, community restitution work and home detention program or a continuous alcohol monitoring program will be screened for eligibility in the program and a recommendation provided to the sentencing magistrate.
- C. Electronic monitoring is the preferred method of control and compliance with sentencing orders to a HDP, prisoner work, community restitution work or a continuous alcohol monitoring program. The Court may order the prisoner to pay the screening fee, set up fee and electronic monitoring fee while on electronic monitoring unless, after determining the inability of the defendant to pay these fees, a lesser amount is ordered as part of the sentence. Any fees collected as a result of sentencing to a prisoner work, community restitution work and HPD or a continuous alcohol monitoring program shall be used to offset the operational costs of the program.

**REVIEW RESPONSIBILITY:** The Court Administrator or designee will review this Court Administrative Directive for revision or deletion every two years or as needed.

  
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PRESIDING MAGISTRATE

1/8/16  
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DATE