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H.503

Representative Emmons of Springfield moves that the bill be amended by adding a new Sec. 4 as follows:

Sec. 4. 13 V.S.A. § 7554b is amended to read:

§ 7554b. HOME DETENTION PROGRAM

(a) Definition. As used in this section, “home detention” means a program of confinement and supervision that restricts a defendant to a preapproved residence continuously, except for authorized absences, and is enforced by appropriate means of surveillance and electronic monitoring by the Department of Corrections. The court may authorize scheduled absences such as work, school, or treatment. Any changes in the schedule shall be solely at the discretion of the Department of Corrections. A defendant who is on home detention shall remain in the custody of the Commissioner of Corrections with conditions set by the Court.

(b) Procedure. ~~The~~ At the request of the Court, the Department of Corrections, or the defendant, the status of a defendant who is detained pretrial ~~for more than seven days~~ in a correctional facility for lack of bail may be reviewed by the Court to determine whether the defendant is appropriate for home detention. ~~The request for review may be made by either the Department of Corrections or the defendant. After~~ At arraignment or after a hearing, the court may order that the defendant be released to the Home

1 Detention Program, providing that the Court finds placing the defendant on
2 home detention will reasonably assure his or her appearance in Court when
3 required and the proposed residence is appropriate for home detention. In
4 making such a determination, the court shall consider:

5 * * *

6 (d) A defendant shall receive credit for a sentence of imprisonment for time
7 served in the Home Detention Program.

8 and by renumbering the remaining section to be numerically correct