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Home Detention Program

H. 503, as passed by House

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~~ 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~~ 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 Detention Program, providing that the ~~Court~~ court finds placing the defendant on home detention will reasonably assure his or her appearance in ~~Court~~ court

Rebecca Wasserman
Home Detention and Electronic Monitoring Language
Senate Judiciary
April 9, 2017

1 when required and the proposed residence is appropriate for home detention.

2 In making such a determination, the court shall consider:

3 * * *

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

6 **Electronic Monitoring**

7 *H. 518, as passed by House*

8 Sec. E.335 ELECTRONIC MONITORING

9 (a) The Commissioner of Corrections shall establish an active electronic
10 monitoring program with real-time enforcement. The program shall result in
11 monitoring and not incarcerating in a correctional facility the equivalent of at
12 least 100 people under the custody of the Commissioner each year.

13 (b) The target population for the program described in subsection (a) of this
14 section shall include:

15 (1) offenders who are eligible for the Home Detention Program;

16 (2) nonlisted offenders who are past their minimum and have been
17 deemed a low, low-to-moderate, or moderate risk for reoffending by the
18 Commissioner of Corrections; or

19 (3) nonlisted offenders who are eligible for reintegration furlough.