

**CITY OF GOODYEAR
CITY COUNCIL ACTION FORM**

SUBJECT: Adopt Resolution 17-1797 authorizing the continuation of a Home Detention program for the City of Goodyear Municipal Court.

STAFF PRESENTER: Crystal McCreery,
Court Administrator

CASE NUMBER: none

OTHER PRESENTER: none

PROPOSED ACTION:

ADOPT RESOLUTION NO. 17-1797 AUTHORIZING THE CITY TO ESTABLISH A HOME DETENTION PROGRAM PURSUANT TO THE REQUIREMENTS OF ARIZONA REVISED STATUTE 9-499.07 FOR PERSONS SENTENCED TO CONFINEMENT IN QUALIFYING MISDEMEANOR CASES INCLUDING THOSE RELATED TO DUI OFFENSES.

BACKGROUND AND PREVIOUS ACTIONS:

The City Council previously authorized a home detention program for five years through Resolution 10-1402 approved on October 4, 2010, which has now expired. The home detention program has been successful in mitigating increasing jail costs assessed by Maricopa County for defendants sentenced by the Goodyear Municipal Court, and also allowing eligible defendants to continue to participate in work release programs during their home confinement.

STAFF ANALYSIS:

The current policy on Home Detention falls within the guidelines as set forth in ARS 9-499.07 for qualifying defendants and cases within the statute. The statute establishes eligibility, monitoring procedures, and specific criteria for home detention associated with cases involving driving under the influence of alcohol and drugs. Home detention involves the use of two technologies: location monitoring via ankle bracelet monitoring movement and location, and secondly, additional technology is used in conjunction with location monitoring to ensure the offender does not consume alcohol. If eligible pursuant to state law, and if authorized by the Court, the offender may be allowed to leave their residence for court-ordered counseling, court-ordered community restitution (aka community service), medical treatment, and religious service. Additional review and consideration is also given to establish an approved work release program for eligible offenders.

Since the inception of the program within the City of Goodyear Municipal Court, the program has been successful at mitigating the challenges associated with pre-qualifying defendants, and has a significant cost-savings effect on incarceration costs to the City.

The primary benefits of home detention include:

1. Reduced demand on resources associated with medically pre-qualifying defendants for jail
2. A significant reduction in associated jail costs
3. Expedited execution of sentences involving incarceration

4. The ability for offenders to receive alcohol and substance abuse treatment simultaneous to incarceration
5. The ability for offenders to maintain employment while completing their confinement through approved work release hours

RECOMMENDATION:

When comparing the cost of home detention versus traditional incarceration in jail, it is estimated the City saved roughly \$106,962 in booking fees for the calendar year 2016 alone, based upon the MCSO jail per diem rates for the associated year. In addition to this cost savings data, an overall preference of eligible offenders to complete required confinement through home detention versus traditional jail confinement is apparent at the time of sentencing on applicable cases. Home Detention agency reports confirm that in 2016, 66 defendants completed a total of 1,107 days in home confinement through the Goodyear Municipal Court Home Detention program. The cost of home detention paid by the offender is also significantly less than the fees associated with jail confinement. Due to the data supporting a 94% overall program success rate and the overall fiscal savings to the City, it is recommended that once again a Resolution of the Mayor and Council be authorized to allow the City to establish a standing Home Detention program, pursuant to the requirements of Arizona Revised Statute 9-499.07 for persons sentenced to confinement in qualifying misdemeanor cases, including those related to DUI offenses.

ATTACHMENTS:

- #1 - Resolution 17-1797
- #2 –ARS 9-499.07