

- **Sec. 14-67. - Home detention.**

(a)

The manager of safety shall implement a program of home detention for violators of Denver municipal ordinances, rules and/or regulations and shall have power and authority, and is hereby empowered and authorized, to adopt rules and regulations for the management and operation of this home detention program.

(b)

The manager of safety shall have power and authority, and is hereby empowered and authorized, to adopt rules and regulations for the management, supervision and operation of a home detention program for persons released from the Denver County Jail to home detention pursuant to the provisions of C.R.S. 17-26-128 or C.R.S. 16-11-204.

(c)

The manager of safety is hereby authorized to contract for the services necessary to implement these programs from monies generated by these programs or payable from other community corrections funding sources.

(d)

Any county judge may impose home detention as a condition of probation or as an alternative sentence whenever any person shall be adjudged guilty or has entered a plea of guilty or nolo contendere to a criminal violation of any ordinance of the city or rule or regulation promulgated thereunder, for non payment of any fine or forfeiture, for contempt of court or pursuant to the provisions of C.R.S. § 17-26-128 or C.R.S. § 16-11-204. Additionally, any judge may impose home detention as a condition of bond for purposes of pre trial release pursuant to C.R.S. § 16-4-105. When placing a defendant on home detention, the judge shall designate whether the placement is an alternative sentence, a condition of probation, or a condition of bond.

(e)

For the purposes of this section, "home detention" means a program that provides supervision by the department of safety wherein a defendant is allowed to serve his sentence or term of supervision, or a portion thereof, within his home or other approved residence. Such sentence or term of supervision shall cause the defendant to remain within his approved residence at all times except for approved employment, court-ordered activities and medical needs. Supervision of the defendant shall include personal monitoring by an agent or designee of the department of safety and monitoring by electronic devices which are capable of detecting and reporting the defendant's absence or presence.

(f)

The manager of safety shall determine the fee charged to defendants placed on the home detention program. This fee shall be on a sliding fee scale, based on the defendant's ability to pay. The manager of safety may waive fees for those defendants who are determined to be indigent.

(g)

Every person placed on home detention shall pay the fee for the supervision and administrative services for the home detention, unless they are determined by the court to be indigent, in which case this payment shall be waived.

(h)

Any defendant may petition the court for placement on home detention at the time of the setting of bond, at the time of sentencing or thereafter and, in the discretion of the court, may renew his petition. The court may withdraw this placement on home detention at any time by order entered with the defendant being given notice and an opportunity to be heard. If the defendant is placed on home detention as a condition of probation, the notice and hearing given shall be consistent with the provisions of [section 14-65](#) of this Code.

(Ord. No. 295-92, § 1, 5-26-92; Ord. No. 183-01, §§ 1, 2, 3-5-01)