

DISTRICT COURT, WELD COUNTY, STATE OF COLORADO Court Address: 901 9 th Avenue, Greeley, Colorado Mailing Address: P.O. Box 2038, Greeley CO 80632-2038 <hr/> ADMINISTRATIVE ORDER NO. 04-02	<table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <td style="text-align: center;"> FILED IN DISTRICT COURT March 15, 2004 WELD COUNTY, COLORADO </td> </tr> </table> <hr/> <p style="text-align: center;">▲ COURT USE ONLY ▲</p> <hr/> Case No. 2004 CR 01 Division: 1	FILED IN DISTRICT COURT March 15, 2004 WELD COUNTY, COLORADO
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ORDER APPROVING WELD COUNTY JAIL SENTENCING MANAGEMENT PLAN		

Introduction: The Weld County Sheriff's Office maintains staff-secure residential and electronic home monitoring programs as Weld County Jail sentencing alternatives pursuant to C.R.S §18-1.3-106. The residential program is primarily available to employed offenders for work release. The residential program has also been available to offenders for seeking employment within 7 days of admission.

The residential program is limited to 102 men and 24 women. The electronic home monitoring program has unlimited capacity.

Offenders sentenced to the residential and electronic home monitoring programs are given a date to report for orientation when sentenced. At orientation, offenders receive a date and time to report for admission. Because demand for the residential program has exceeded the program's capacity, admissions have backlogged as long as 120 days. This delay causes sentenced offenders to remain in the community for extended time periods without any type of supervision or oversight. The delay also increases the likelihood offenders will fail to enter the program when scheduled. When this occurs, cases are not closed efficiently only overburdening the local system even more.

Purpose: To expand overall alternative sentencing capacity and increase community supervision of sentenced offenders awaiting placement in the residential program.

Guidelines: Offenders sentenced to the residential program will be confined as sentenced unless the residential admission backlog exceeds 30 days. When the backlog exceeds 30 days, offenders sentenced to the residential program may be moved to electronic home monitoring following these guidelines--

- Offender behavior in the residential program. Offenders are ineligible for consideration when there has been a breach of discipline or other violation of residential program regulations.
- Ineligible Offenders. As provided in C.R.S. § 18-1.3-106 (11), offenders who have been convicted of a crime of violence, offenders who have been convicted of a sex offense, offenders who have been convicted of a crime, the underlying factual basis of which was found by the court to include an act of domestic violence, and offenders who have been convicted of a class 1 misdemeanor in which a deadly weapon is used shall not be eligible for home detention under this program.

- Time served. Offenders are considered in highest-percentage-of-sentence served order.
- Victim Rights Amendment cases. Offenders sentenced to the residential program for offenses outlined in C.R.S. § 24-4.1-302 who are otherwise eligible to participate are considered last.
- Admission backlog. Only the number of offenders necessary to reduce the backlog to no more than 30 days will be moved to the electronic home monitoring program.

Procedure: The Director of Weld County Jail Alternative Programs, hereinafter “the Director,” reviews the backlog of offenders awaiting admission to the residential program weekly. When the wait exceeds 30 days, the Director prepares a list of offenders to be moved from the residential program to the electronic home monitoring program. The list shall include the number of offenders necessary to limit the admission backlog to no more than a 30 days. The list shall be organized by sentencing court and include the offender’s name, court case number, charge, sentenced days and percent of sentence served.

Offenders on the list who have been sentenced to work release by a mittimus expressly granting the privilege of “work release with electronic home monitoring authorized” will be moved to electronic home monitoring. The Director will forward the list of all other offenders to the Weld County Sheriff, or Sheriff’s appointee.

The Sheriff, or Sheriff’s appointee, shall make written request of the sentencing court to grant the listed offenders the privilege of being moved from the residential program to electronic home monitoring in accordance to this Management Plan. The Sheriff’s request and list of offenders will be returned to the Director.

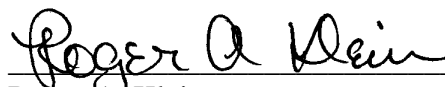
The Director shall provide the Sheriff’s request and the list of offenders to each sentencing court. Offenders will be moved to the electronic home monitoring program only after the sentencing court expressly authorizes the sentence modification.

The Director shall provide a report the Chief Judge and Sheriff weekly. The report will document these activities for the previous week—

- ❑ The number of offenders moved to electronic home monitoring from the residential program,
- ❑ The average weekly program census, current available capacity, and any backlogs for all jail alternative programs including residential, electronic home monitoring and pre-trial services.

Review and Revision: The Weld County Criminal Justice Advisory Committee shall be responsible for ensuring this Management Plan is reviewed annually. Recommended Management Plan revisions shall be presented to the 19th Judicial District Chief Judge or his/her assigned designee for final approval.

Dated: March 15, 2004



Roger A. Klein,
Chief Judge, 19th Judicial District