



Electronic Monitoring IN TUCSON, ARIZONA

BACKGROUND

Jurisdiction: Pima County, County | Population: 1.052 million (2021)

Pima County has been using electronic monitoring (EM) since at least 2015, when officials first approved using EM in DUI cases. However, the issue remained somewhat dormant for several years. While most of Arizona has maintained a traditional law and order stance, Pima County and its county seat Tucson are outliers in Arizona— a Democrat-dominated political entity within a highly Red state. In the mid-2010s, Pima County opted for a criminal justice reform agenda. Key to the unfolding of that agenda was the county's inclusion in the MacArthur Safety and Justice Challenge in 2017. This program targeted 20 cities, providing them with support to engage in pretrial reform.

While expansion of EM has been a key component of change in most Safety and Justice Challenge sites, AZ state legislation [A.R.S. 11-251.15](#) only allows counties to use EM as part of a nonviolent misdemeanor sentence. Even use of EM in sentencing has been scarce, with only ten people on the county's home detention program as of November 2018.¹ According to the EM [white paper](#) for Pima County, this use of monitoring saved the county

¹ By comparison, the White Paper stated that Maricopa County where Phoenix is located, had over 1300 individuals on EM.

2026 jail bed days and \$139,879 in 2018. The white paper also notes that three people charged with misdemeanors were on pretrial EM.

Context is Key

In 2019, advocates affiliated with Pima County Safety and Justice Challenge put forward a measure to revise the state legislation on EM to include its use in pretrial cases. The bill did not pass.

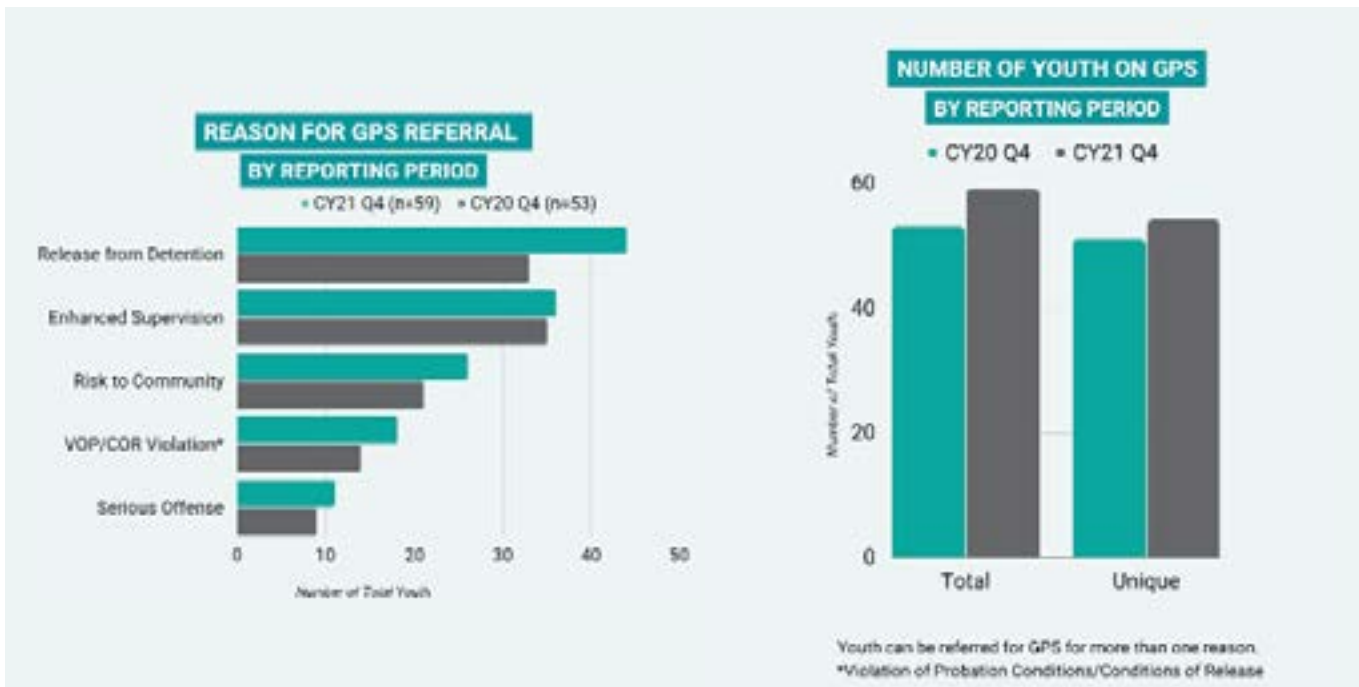
- **Had it passed, up to 75% of those held in Pima County jail would have been eligible for release on EM.** However, the MacArthur authorities did take credit for reducing the jail population by about 8% from 2017 until 2022.
- **The jail population took its biggest dip in 2020 during the pandemic falling to 1,375 from a high of 1,923 in August of 2019. However, by the first quarter of 2022 it had risen back to 1,724, nearly equal to the Feb 2020 figure of 1,775.**
- While Pima county authorities did release people from jail during the pandemic they did not use EM as part of their decarceration strategy.

JUVENILE COURTS

While the use of **EM remains scarce for adults**, juvenile courts frequently use electronic monitoring. Also, the juvenile courts make more data on EM available. In 2020 and 2021 the population, program outcomes, racial breakdowns and average length of time on EM were published in a GPS report available from the Court via a Freedom of Information Act request.

In the fourth quarter of 2020, 53 juveniles were on EM. For the fourth quarter of 2021 the total was 59. Youth classified as “Hispanic” were the majority, comprising 66 of the 112 juveniles on EM during that time.

As the virulence of the pandemic waned, a stronger law and order message began to dominate local media in Pima County. Local news station KOLD launched a series called “Free to



Kill" in 2021.

It was an explicit attack on pretrial reform, highlighting a number of violent crimes committed by individuals who had been freed on pretrial bond. This made the use of EM even less likely as a general fear arose among law-and-order folks about any kind of pretrial release.

Tiera Rainey, Director of the Bond Fund, said that this backlash prompted a re-think within the organization and within the local forces of Black liberation more broadly. She

described the local media as "copaganda 24/7."

She wanted to join forces with other progressive forces locally but said "anti-Blackness" within those groups was an obstacle. She sought alliances with immigrant rights groups but noted that these were dominated by white church people who often had a hesitancy to work with more radical, Black led groups.

Thanks to Tiera Rainey of the Second Chance Community Bail Fund for comments and edits.



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STRUGGLES OVER PRETRIAL JUSTICE

EM and pretrial reform have been the target of much struggle around racial justice in Tucson. As in many jurisdictions, the national backlash to the uprisings in response to the murders of George Floyd and Breonna Taylor have manifested around money bail in Pima County.

The Tucson Second Chance Community Bail Fund, which grew out of the Black Lives Matter - Tucson chapter, has led this struggle and pressed for more radical pretrial analysis than what the Safety and Justice Challenge project has championed.

The Bail Fund especially focused on the racial disparities in the Pima County Jail where **Black people make up 15% of the incarcerated population in a county where they only make-up 4% of the total population.** The Bail Fund mainly focuses on providing free bail relief assistance to those facing felony charges, with \$5,000 being their average posted bond. This is a population that would be excluded

from EM expansion under current state law. The Pima County Sheriff, Chris Nanos (elected in 2020) has been advocating increased use of electronic monitoring to tackle decarceration and eliminate cash bail.

However, the numbers on his EM program during the last 2 years have not been made public.

