

Department of State's Attorneys and Sheriffs (SAS) Caseload & Data Analysis of 12/10/23 (Pending Criminal Data)

The information below is shared in response to a request from the Chair of the House Committee on Judiciary, Representative Martin LaLonde; Representative Barbara Rachelson, a member of the House Committee on Judiciary; and Representative Trevor Squirrel, a member of the House Committee on Appropriations.¹

SAS attorneys handle 99% of criminal-justice and family/juvenile-justice cases in Vermont. Current staffing levels at the county-level and at the central office are insufficient to support, review, prosecute, or otherwise dispose of the over 20,000 pending criminal cases (*in addition to family and juvenile cases, PCRs, appeals, investigative work, and other legal matters not accounted for in this document*).

The ability to prudently and thoughtfully process and review pending and incoming criminal cases requires adequate staffing and resources (*deputy state's attorneys, victim advocates, administrative staff, and other prosecutorial resources*). Adequate staffing and resources will result in more attention and care in each case. The time that it takes to prosecute or otherwise manage or dispose of each case varies depending on the facts and circumstances (*misdemeanor, felony, multiple victims, multiple witness, expert testimony etc.*) but each defendant and each victim deserves to know that Vermont prosecutors will have the time, resources, and staff to carefully review each case ***in the interest of justice***.

As detailed below, Vermont is grappling with a surge in violent crime² as well as community-level criminal activity. It is SAS prosecutors, SAS victim advocates, and SAS administrative staff who are on the frontlines.

SAS is currently prosecuting over 80 murder/attempted murder cases in Vermont courts—murder and attempted murder cases have been filed and are pending in every county except Essex and Grand Isle. The complexity and seriousness of pending crimes in Vermont courts as well as the ongoing investigations relating to unsolved cases and cases yet to be charged are stretching SAS resources thin.

SAS is responding to multiple points of community crisis: a housing emergency leaving many people unhoused; community level crimes against property, businesses, cars, and persons; drug-related crime; increasing crime amongst younger offenders; domestic violence; child abuse; sexual assault; an overdose/opioid epidemic; increasing gun violence; and repeat offenders across the State who refuse to abide by court orders. Both low-level and serious crime are on the rise and it is taking too long for cases to reach final disposition.

AVERAGE # OF CASES PER SAS ATTORNEY STATEWIDE

- ❖ As of 12/10/23 there were 63 SAS attorneys with criminal cases assigned in Vermont's court system (*actively appearing in criminal court*). The focus of this analysis, based on available judiciary data, is pending criminal cases; however, SAS attorney and SAS victim advocate caseloads also include other case types (*family and juvenile cases, appeals, and PCRS, etc.*).
- ❖ The total number of "pending criminal cases" assigned to SAS attorneys is **20974**.³
- ❖ **20974**.divided by 63 SAS attorneys (20974/63) results in an average of **332.92** pending criminal cases per SAS attorney.

¹ Data summarized in this document was obtained from the Vermont Judiciary.

² According to FBI crime data (further noted at the bottom of this document).

³ The total number of "pending criminal cases" is = 21054. But if you subtract the 80 criminal cases to account for those assigned to AAGs in the AGO, the total number of pending criminal cases is 20974 (20974 SAS-assigned pending criminal cases).

❖ Further Notes on Caseload:

- 99% of criminal cases are staffed by SAS attorneys.
- As further detailed below, pending criminal case data does not account for family division and juvenile cases (*direct-filed YOs, CHINS, JDs*), PCRs, ERPOS, and other case types that require SAS staffing and resources (*pending data also fails to account for most appeals currently awaiting argument or disposition at the Supreme Court*).
- Pending criminal case data also fails to account for the active and resource intensive work for unsolved cases and investigation-related activities. SAS assists in many thousands of investigation-related requests each year: (*Search Warrants, Inquests, Subpoena Duces Tecum, and NTOs*). SAS also provides legal advice to law enforcement concerning case review and legal questions that arise roadside, during criminal investigations, and calls for service. SAS has on-call prosecutors 24/7 who provide support 365 days each year at all hours of the day and night to law enforcement officers in the field. 99% of the investigation-related prosecutorial workload and on-call support is staffed and resourced by SAS (not captured by pending criminal data).
- The emphasis during recent legislative discussions has been to aim for 200 cases per SAS attorney. However, it is important to note research concerning national best practices suggesting that “prosecutors should not handle more than 150 felonies or 400 misdemeanors per year.”⁴ Understaffing harms defendants, victims, and the community at large.
- SAS attorneys continue to heavily utilize restorative justice and court diversion. In 2023:
 - 1,531 Adult Diversion Referrals and 357 Tamarack Referrals Occurred in the Criminal Division (20% of all new Misd Charges);
 - 244 Delinquencies were sent to Diversion (35% of delinquency filings were to sent to diversion);
 - 87 YO cases were sent to Diversion (28% of YO filings were sent to diversion).
 - Countless hundreds of cases are declined and deflected each year by SAS attorneys and also referred to pre-charge programming.⁵

PENDING CRIMINAL CASES FOR SAS ATTORNEYS W/OVER 150 PENDING CASES

“Pending criminal cases” – there are 53 SAS ATTORNEYS with over 150 cases.

Count of Case Number	Column Labels			Grand Total
	Felony	Misdemeanor	Fish and Game	
1 Leyva, Farzana K. (<u>Orleans</u>)	263	465	3	731
2 Shove, Todd A. (<u>Lamoille</u>)	165	495	6	666
3 Plunkett, Robert F. (<u>Bennington</u>)	259	382		641
4 Battey, Nicholas R. (<u>Rutland</u>)	116	478	3	597
5 Richards, Ryan (<u>Chittenden</u>)	153	420		573
6 Zaleski, Jessica E. (<u>Caledonia</u>)	189	377	6	572
7 Gartenstein, David W. (<u>Windham</u>)	172	369		541

⁴ Northwestern University School of Law. “THE STATE (NEVER) RESTS: HOW EXCESSIVE PROSECUTORIAL CASELOADS HARM CRIMINAL DEFENDANTS.” 2011. This recommendation is now over ten years old.

⁵ Current DOC data concerning pre-charge referrals is unvetted due to data reporting issues by CJs.

8 Byford, Maria L. (Orleans)	204	307	2	513
9 Olney, Kelton D. (Chittenden)	135	342	10	487
10 Wheeler, Diane C. (Franklin)	205	260	5	470
11 Bevacqua, Andrew P. (Bennington)	81	367		448
12 Raleigh, Daron (Rutland)	183	251		434
13 Shriver, Tracy Kelly (Windham)	95	338		433
14 Novick-Smith, Eliza Z (Chittenden)	129	289		418
15 Bevere, Peter M. (Rutland)	122	279	2	403
16 Paul, Thomas Ryan (Caledonia)	106	274		380
17 Hughes, James A. (Retired) (Franklin)	67	296	15	378
18 Goodenough, Ward Hunt (Windsor)	117	257	1	375
19 Olteanu, Corina (Washington)	81	283	8	372
20 Donnelly, Michelle (Washington)	143	225		368
21 Brown, Arthur O. (Rutland)	97	257	4	358
22 Burke, Alexander N. (departed SAS, now a Judge) (Bennington)	137	216	1	354
23 Sturges, Alexandra D. (Chittenden)	77	271		348
24 Shane, Patricia C. (Washington)	32	295	2	329
25 Baker, Sarah A. (Orleans)	70	249	2	321
26 Sullivan, Ian C. (Rutland)	117	203		320
27 Pijanowski, Emily Page (Chittenden)	92	225		317
28 George, Sarah F. (Chittenden)	99	209		308
29 Hartley, Kristin (Chittenden)	27	271		298
30 Brown, Steven M. (Windham)	109	185	4	298
31 McFarlin, Andrew D. F. (Chittenden)	155	134		289
32 Nevins, Dana J. (Windham)	100	189		289
33 Congdon, Johns H., III (Windham)	43	243		286
34 Illuzzi, Vincent (Essex)	113	171	2	286
35 Weight, Zachery David (Washington)	126	157		283
36 Gerhard, Aliena J. (Lamoille)	100	181	1	282
37 McLellan, Charlotte (Windsor)	51	225		276
38 Weaver, Travis W. (Windsor)	147	123		270
39 Bianchi, Jared Christopher (Bennington)	132	117		249
40 Dowling, Juliet (Franklin)	38	204		242
41 Adams, Sally (Chittenden)	73	156		229
42 Zukauskas, Emily E. (Windsor)	84	140	1	225
43 Vekos, Eva P. (Addison)	65	156	1	222
44 Seaman, Colin (Orange)	75	141	1	217
45 Burns, Claire E. (Caledonia)	61	152		213
46 Dietz, Matthew (Windsor)	38	170		208
47 Finnerty, Paul (Orange)	54	153		207
48 Celis, Deborah A. (Franklin)	71	133		204

49 Olson, Kayley N. (Rutland)	54	142	196	
50 King, Harriet Hults (Caledonia)	50	137	187	
51 Lavoie, John T. (resigned) (Franklin)	55	131	186	
52 King, Benjamin Weems (Caledonia)	43	138	181	
53 Bamrick, Anthony L. (Addison)	38	125	4	167

TOTAL PENDING CRIMINAL CASES BY COUNTY

Row Labels	Misdemeanor		Felony		Fish and Game		Total Count of Case Number	Total As Percentage
	Count of Case Number	As Percentage	Count of Case Number	As Percentage	Count of Case Number	As Percentage		
Chittenden Unit	2,552	12.12%	1,147	5.45%	11	0.05%	3,710	17.62%
Rutland Unit	1,705	8.10%	789	3.75%	9	0.04%	2,503	11.89%
Windham Unit	1,412	6.71%	531	2.52%	4	0.02%	1,947	9.25%
Bennington Unit	1,190	5.65%	682	3.24%	1	0.00%	1,873	8.90%
Orleans Unit	1,149	5.46%	600	2.85%	15	0.07%	1,764	8.38%
Franklin Unit	1,204	5.72%	511	2.43%	21	0.10%	1,736	8.25%
Washington Unit	1,163	5.52%	498	2.37%	9	0.04%	1,670	7.93%
Caledonia Unit	1,170	5.56%	486	2.31%	7	0.03%	1,663	7.90%
Windsor Unit	983	4.67%	494	2.35%	2	0.01%	1,479	7.03%
Lamoille Unit	689	3.27%	280	1.33%	7	0.03%	976	4.64%
Addison Unit	527	2.50%	204	0.97%	7	0.03%	738	3.51%
Orange Unit	399	1.90%	175	0.83%	2	0.01%	576	2.74%
Essex Unit	171	0.81%	114	0.54%	2	0.01%	287	1.36%
Grand Isle Unit	94	0.45%	35	0.17%	2	0.01%	131	0.62%
Grand Total	14408	68.44%	6546	31.09%	99	0.47%	21053	100.00%

"ACTIVE" CRIMINAL CASES FOR SAS ATTORNEYS W/OVER 150 PENDING CASES

Row Labels	Column Labels			Grand Total
	Felony	Misdemeanor	Fish and Game	
1 Leyva, Farzana K. (Orleans)	199	348	3	550
2 Byford, Maria L. (Orleans)	176	277	2	455
3 Plunkett, Robert F. (Bennington)	145	264		409
4 Battey, Nicholas R. (Rutland)	71	287		358
5 Raleigh, Daron (Rutland)	138	202		340
6 Bevacqua, Andrew P. (Bennington)	61	258		319
7 Zaleski, Jessica E. (Caledonia)	97	209	6	312
8 Paul, Thomas Ryan (Caledonia)	80	219		299
9 Richards, Ryan (Chittenden)	59	227		286
10 Shove, Todd A. (Lamoille)	73	195	4	272
11 Bevere, Peter M. (Rutland)	84	184		268
12 Wheeler, Diane C. (Franklin)	123	134	4	261
13 Olney, Kelton D. (Chittenden)	83	158	9	250
14 Baker, Sarah A. (Orleans)	52	185	2	239
15 Gartenstein, David W. (Windham)	101	129		230
16 Novick-Smith, Eliza Z (Chittenden)	83	125		208

17 Donnelly, Michelle (Washington)	75	131		206
18 Gerhard, Aliena J. (Lamoille)	81	117	1	199
19 Burke, Alexander N. (departed SAS, now a Judge) (Bennington)	77	115		192
20 Brown, Steven M. (Windham)	66	119	2	187
21 Bianchi, Jared Christopher (Bennington)	97	90		187
22 Olteanu, Corina (Washington)	36	137	8	181
23 Brown, Arthur O. (Rutland)	42	134	4	180
24 Hartley, Kristin (Chittenden)	18	159		177
25 Nevins, Dana J. (Windham)	71	105		176
26 Weight, Zachery David (Washington)	83	90		173
27 Pijanowski, Emily Page (Chittenden)	47	124		171
28 Burns, Claire E. (Caledonia)	49	118		167
29 Illuzzi, Vincent (Essex)	55	97	2	154
30 Sullivan, Ian C. (Rutland)	67	85		152
31 Finnerty, Paul (Orange)	41	111		152
32 King, Harriet Hults (Caledonia)	42	110		152

NOTE: "Active" criminal case data is misleading because it does not include numerous case types where active management could or does occur. Even under narrower "active" lens 32 SAS attorneys have over 150 cases pending.

"ACTIVE" CRIMINAL CASES BY COUNTY AND YEAR OF FILING

Count of Case Number	Column Labels																
Row Labels	2023	2022	2021	2020	2019	2018	2017	2016	2015	2013	2012	2011	2009	2007	2000	1989	Grand Total
Addison Unit	189	61	23	12	3	1	2										291
Bennington Unit	578	339	148	78	31	3			1								1,178
Caledonia Unit	384	330	182	109	42	17	3	5	1		1				1		1,075
Chittenden Unit	1,127	396	110	83	38	3											1,757
Essex Unit	47	53	29	9	10	3	2			1	1						155
Franklin Unit	376	92	45	13	2	2				1							531
Grand Isle Unit	45	8	1														54
Lamoille Unit	257	115	50	30	21	1											474
Orange Unit	195	69	35	5	3												307
Orleans Unit	414	432	256	161	91	20	7	1	3								1,385
Rutland Unit	713	351	194	115	55	20	2	1		1							1,452
Washington Unit	585	113	38	3	6	1						1	2	1		1	751
Windham Unit	491	210	110	58	33	7	1										910
Windsor Unit	323	103	61	29	18	9	4										547
Grand Total	5,724	2,672	1,282	705	353	87	21	7	5	3	2	1	2	1	1	1	10,867

Note: This table shows the year of filing for all active cases. Inactive cases of any type are excluded. ONLY includes Criminal and FW - not other case types.

VICTIM ADVOCATE CASELOAD ESTIMATES

Estimate of average VA caseload = **691/per Victim Advocate** and **17,975 pending victim-related criminal cases staffed by SAS Victim Advocates.**

VA	CASELOAD*	COUNTY
Addison - Dutton	410	ADDISON
Addison - Bowdish	100	ADDISON (Assigned to Addison SAO, works for WomenSafe)
Bennington - Loveland	560	BENNINGTON
Bennington - Kalinowski	475	BENNINGTON
Caledonia - Gould	660	CALEDONIA
Caledonia - Colby	445	CALEDONIA
Chittenden - Dziobek	300	CHITTENDEN (Assigned to CUSI)
Chittenden - Burns	1375	CHITTENDEN
Chittenden - Ferrer	900	CHITTENDEN
Chittenden - Panagoulis	1290	CHITTENDEN
Essex - Thibault	165	ESSEX
Franklin - Woodward	1630	FRANKLIN
Franklin - Boyce	825	FRANKLIN
Grand Isle - Sicard	310	GRAND ISLE
Lamoille - Rooney / Jones EQUAL SHARE	750	LAMOILLE
Orange - Bickelman	350	ORANGE
Orleans - Vos / Visa EQUAL SHARE	855	ORLEANS
Rutland - Gaiotti	1,100	RUTLAND
Rutland - Kennedy	740	RUTLAND
Washington - Leach	650	WASHINGTON
Washington - Vacant	650	WASHINGTON
Windham - Scott	575	WINDHAM
Windham - Lukasik	700	WINDHAM
Windham - Sell-Knapp	360	WINDHAM
Windsor - King-Childs	900	WINDSOR
Windsor - Place	900	WINDSOR
TOTAL	17975	TOTAL
	691/per VA	AVERAGE
Roughly 18,000 victim-related cases of the roughly 21000 cases pending in the criminal division.		

ACTIVE “COMPLETED MURDER” AND “ATTEMPTED MURDER” CASES PENDING (83)

COUNTY	“attempted murder” and “completed murder” charges (extracted from Odyssey)
Chittenden	20
Washington	4
Franklin	4
Orange	2
Addison	3
Caledonia	9
Windsor	3
Essex	0
Lamoille	3
Rutland	5
Grand Isle	0
Bennington	16
Windham	6
Orleans	8
TOTAL as of 12/10/23	83 This data was produced by filtering Odyssey data for the literal charge to include murder. As a result, it captures attempted murder and completed murder charges. This is important because the difference between an aggravated assault charge and an attempted murder charge can boil down to prosecutorial discretion. Some counties seem to charge very few attempted murders. Others seem to charge more. Numbers below are from the court data information system as of 12/10/23 and do not include incredibly resource-intensive investigations (search warrants, reviews, inquests).

ACTIVE/SERIOUS MAJOR VIOLENCE CASES (211)

Offense types: active homicide/murder related cases (homicide, all forms of murder and attempts, including 1st, 2nd), including manslaughter and attempts, all forms of death resulting, and agg assaults). Excludes sexual assault cases and other violent offense types. See endnotes for screenshots of offense type by count.

ACTIVE MANSLAUGHTER CASES (10)

Count of Case Number	Column Labels						Grand Total
Row Labels	Addison Unit	Chittenden Unit	Orange Unit	Orleans Unit	Rutland Unit	Washington Unit	Grand Total
MANSLAUGHTER (01/24/2019); CRUELTY TO CHILD-DEATH, SERIOUS BODILY INJURY OR SUBJECTED TO SEXUAL CONDUCT (01/24/2019)					1		1
MANSLAUGHTER (01/28/2023); ASSAULT - AGGRAVATED WITH WEAPON (01/28/2023)					1		1
MANSLAUGHTER (02/05/2023)			1				1
MANSLAUGHTER (04/03/2021)					1		1
MANSLAUGHTER (05/20/2022); CRUELTY TO A CHILD - DEATH, SERIOUS BODILY INJURY, OR SUBJECTED TO SEXUAL CONDUCT (05/20/2022)						2	2
MANSLAUGHTER (11/10/2022)		1					1
(05/12/2023); MANSLAUGHTER (05/12/2023); ASSAULT - AGGRAVATED WITH WEAPON (05/12/2023)			1				1
MURDER - 2ND DEGREE (10/20/2021); MANSLAUGHTER (10/20/2021)					1		1
MURDER - 2ND DEGREE (10/30/2023); MANSLAUGHTER (10/30/2023); ASSAULT - AGGRAVATED (10/30/2023)	1						1
Grand Total	1	1	2	1	3	2	10

ACTIVE FATAL CRASHES (18)

Count of Case Number	Column Labels							Grand Total	
Row Labels	Addison Unit	Bennington U	Chittenden U	Franklin U	Orange U	Orleans U	Rutland U	Windsor U	Grand Total
DUI #1 - DRUG OR BOTH - FATAL (05/06/2022)				1					1
GROSS NEGLIGENCE - FATAL (08/16/2022); DUI #1-DRUG OR BOTH - INJURY (08/16/2022); VEHICLE OPERATION - GROSS NEGLIGENCE - GROSS NEGLIGENCE - FATAL (08/14/2021); DUI #1> LEGAL LIMIT - FATAL (08/14/2021)					1				1
DUI #1 - INFLUENCE - FATAL (08/26/2022); DUI #1> LEGAL LIMIT - FATAL (08/26/2022)		1							1
(11/17/2022); VEHICLE OPERATION - GROSS NEGLIGENCE - FATAL (11/17/2022); VEHICLE OPERATION - GROSS NEGLIGENCE - SERIOUS LEAVING SCENE OF CRASH-FATAL (04/22/2016); VEHICLE OPERATION-GROSS NEGLIGENCE/ FATAL (04/22/2016)							1		1
VEHICLE OPERATION - GROSS NEGLIGENCE - FATAL (02/02/2021)							1		1
VEHICLE OPERATION - GROSS NEGLIGENCE - FATAL (02/16/2022); VEHICLE OPERATION - NEGLIGENCE - FATAL (02/16/2020); VEHICLE							1		1
VEHICLE OPERATION - GROSS NEGLIGENCE - FATAL (06/12/2023)		1							1
VEHICLE OPERATION - ATTEMPT TO ELUDE LE OFFICER - FATAL (07/07/2023)							1		1
VEHICLE OPERATION - GROSS NEGLIGENCE - FATAL (07/24/2023)			1						1
VEHICLE OPERATION - GROSS NEGLIGENCE - FATAL (08/27/2022); VEHICLE OPERATION - EXCESSIVE SPEED (08/27/2022)							1		1
VEHICLE OPERATION - GROSS NEGLIGENCE - FATAL (10/15/2022)			1						1
OPERATION - NEGLIGENCE - SERIOUS INJURY (07/09/2020); VEHICLE OPERATION - NEGLIGENCE - SERIOUS INJURY (07/09/2020)							1		1
VEHICLE OPERATION - NEGLIGENCE - FATAL (10/03/2022)							1		1
VEHICLE OPERATION - NEGLIGENCE - FATAL (10/20/2021)							2		2
VEHICLE OPERATION-GROSS NEGLIGENCE/ SERIOUS INJURY (07/25/2020); DUI #3 - DRUG OR BOTH - DEATH RESULTING	1								1
Grand Total	1	2	2	1	1	4	6	1	18

CRIMINAL CLEARANCE RATES (LAST 12 MONTHS)

	2022 December	2023 January	2023 February	2023 March	2023 April	2023 May	2023 June	2023 July	2023 August	2023 September	2023 October	2023 November
Addison	207%	69%	133%	300%	91%	75%	98%	89%	62%	76%	111%	86%
Bennington	59%	97%	132%	62%	92%	111%	65%	95%	88%	88%	128%	101%
Caledonia	93%	63%	85%	200%	197%	179%	71%	72%	99%	130%	94%	98%
Chittenden	75%	114%	67%	105%	122%	83%	80%	107%	69%	118%	88%	78%
Essex	114%	85%	136%	325%	94%	125%	65%	78%	77%	108%	100%	183%
Franklin	128%	101%	91%	217%	105%	62%	135%	111%	89%	80%	99%	140%
Grand Isle	100%	120%	110%	85%	64%	72%	130%	263%	67%	75%	55%	240%
Lamoille	74%	57%	95%	85%	191%	239%	119%	154%	113%	102%	179%	166%
Orange	83%	65%	94%	86%	88%	90%	94%	58%	56%	90%	122%	161%
Orleans	59%	75%	75%	147%	101%	83%	114%	68%	115%	109%	145%	96%
Rutland	142%	108%	106%	114%	153%	117%	109%	105%	138%	160%	115%	123%
Washington	124%	147%	122%	114%	83%	107%	91%	64%	109%	97%	98%	87%
Windham	124%	101%	112%	275%	117%	104%	64%	92%	93%	97%	108%	119%
Windsor	121%	84%	130%	136%	111%	129%	73%	98%	111%	109%	102%	122%

CRIMINAL				
StartOf	ClearanceRate	Total Incoming	Total Outgoing	
2022-12	110%	1,539	1,696	
2023-01	112%	1,919	2,142	
2023-02	110%	1,674	1,840	
2023-03	107%	1,956	2,101	
2023-04	119%	1,627	1,939	
2023-05	111%	1,852	2,051	
2023-06	94%	1,914	1,797	
2023-07	102%	1,640	1,666	
2023-08	95%	2,072	1,969	
2023-09	107%	1,793	1,924	
2023-10	107%	2,027	2,161	
2023-11	100%	1,361	1,366	
Average	106%			

JUVENILE				
StartOf	ClearanceRate	Total Incoming	Total Outgoing	
2022-12	79%	165	131	
2023-01	123%	152	187	
2023-02	113%	125	141	
2023-03	85%	163	138	
2023-04	99%	142	140	
2023-05	92%	165	151	
2023-06	79%	172	136	
2023-07	90%	121	109	
2023-08	87%	128	111	
2023-09	112%	124	139	
2023-10	85%	171	146	
2023-11	103%	100	103	
Average	96%			

ACTIVE PENDING CASES DECEMBER 2023

(note, family division data is not accounted for above)

CRIMINAL		FAMILY	
COUNTY	Total	COUNTY	Total
Addison	475	Addison	167
Bennington	1580	Bennington	213
Caledonia	1452	Caledonia	316
Chittenden	3250	Chittenden	896
Essex	243	Essex	60
Franklin	1106	Franklin	620
Grand Isle	100	Grand Isle	54
Lamoille	711	Lamoille	205
Orange	435	Orange	160
Orleans	1649	Orleans	264
Rutland	2174	Rutland	431
Washington	1422	Washington	411
Windham	1607	Windham	336
Windsor	922	Windsor	305

ENDNOTES

- ❖ **Increase in SAS staffing** (attorneys, victim advocates, and administrative staff) will lead to more prudent outcomes and heightened pursuit of administration of justice. More time to allocate to each case per/staff will result in a more thorough approach and review of each case. Each defendant and each victim deserves to know that Vermont prosecutors will have the time, resources, and staff to carefully review each case **in the interest of justice**.
- ❖ **Appeals and PCRs and other legal and administration work:**
 - Appeals and PCRS: SAS EDO has 1 current fulltime Appellate Attorney handling the majority of appeals relating to SAS cases, which often involves review of hundreds and sometimes thousands of pages of documents. The Defender General's Office (DGO)⁶ has an appellate division, consisting of 5 attorneys, a juvenile division, consisting of 2 attorneys, who also occasionally handle appeals, as well as contract attorneys that handle appeals. DGO has a prisoners' rights office with 4 full time attorneys who handle postconviction relief cases (PCRs).
 - SAS has no dedicated PCR staff and only 1 full time appellate attorney.
 - Public Records: SAS is the largest custodian of digital records in State Government. This amongst other reasons has resulted in complex records management and supervision of records practices as well as increasingly time-intensive legal and administrative burdens concerning SAS records and media (complexity is increased given that SAS has 14 county offices).
 - Training: noted increased importance of training for SAS staff given that SAS is staffing 99% of criminal and juvenile justice matters. The quality of justice is an essential and important point of emphasis. Training = increases quality of justice.

⁶ [Home Page | Office of the Defender General \(vermont.gov\)](https://www.vermont.gov).

- ❖ **Criminal trials** took place in 12 of the 14 counties by SAS attorneys over the past year.⁷
- ❖ **PENDING CRIMINAL CASE DATA DOES NOT INCLUDE:**
 - PCRS (Postconviction Relief) (civil division),
 - SEARCH WARRANTS, INQUESTS, NTOS, SUBPOENAS DT,
 - ERPOS (family division) (over the past 3 years 95 ERPOs have been filed by SAS attorneys, 35 during 2023, not accounted for in pending criminal data),
 - CHINS (family division),
 - JUVENILE DELINQUENCIES (family division),
 - SOME YO CASES, (family division),
 - JUVENILE DIVERSION CASES,
 - PRE-CHARGE CASES BEING MONITORED OR PENDING,
 - MOST CRIMINAL AND JUVENILE APPEALS (THOSE APPEALS PENDING AT THE SUPREME COURT).
- ❖ **PENDING CRIMINAL CASE DATA DOES INCLUDE:**
 - ADULT DIVERSION CASES,
 - ADULT TAMARACK CASES,
 - ADULT PENDING EVALS (COMP),
 - ONH CASES and OH CASES,
 - VOPs,
 - SOME PRE-CHARGE CASES,
 - ARREST WARRANTS,
 - ACTIVE / ACTIVE PRETRIAL / ACTIVE READY FOR TRIAL / ACTIVE UNDER ADVISEMENT / ACTIVE READY FOR SENTENCE,
 - TREATMENT COURT CASES,
 - PRE-ARRAINGMENT,
 - LIKELY ONLY SOME PORTION OF PENDING YOS APPEARS IN THE DATA,⁸
 - SOME POST-JUDGMENT CASES,⁹
 - PERHAPS NOT ALL APPEALS (MAY NOT ACCOUNT FOR APPEALS PENDING AT THE SUPREME COURT).¹⁰

⁷ Awaiting on Judiciary on data concerning dispositions.

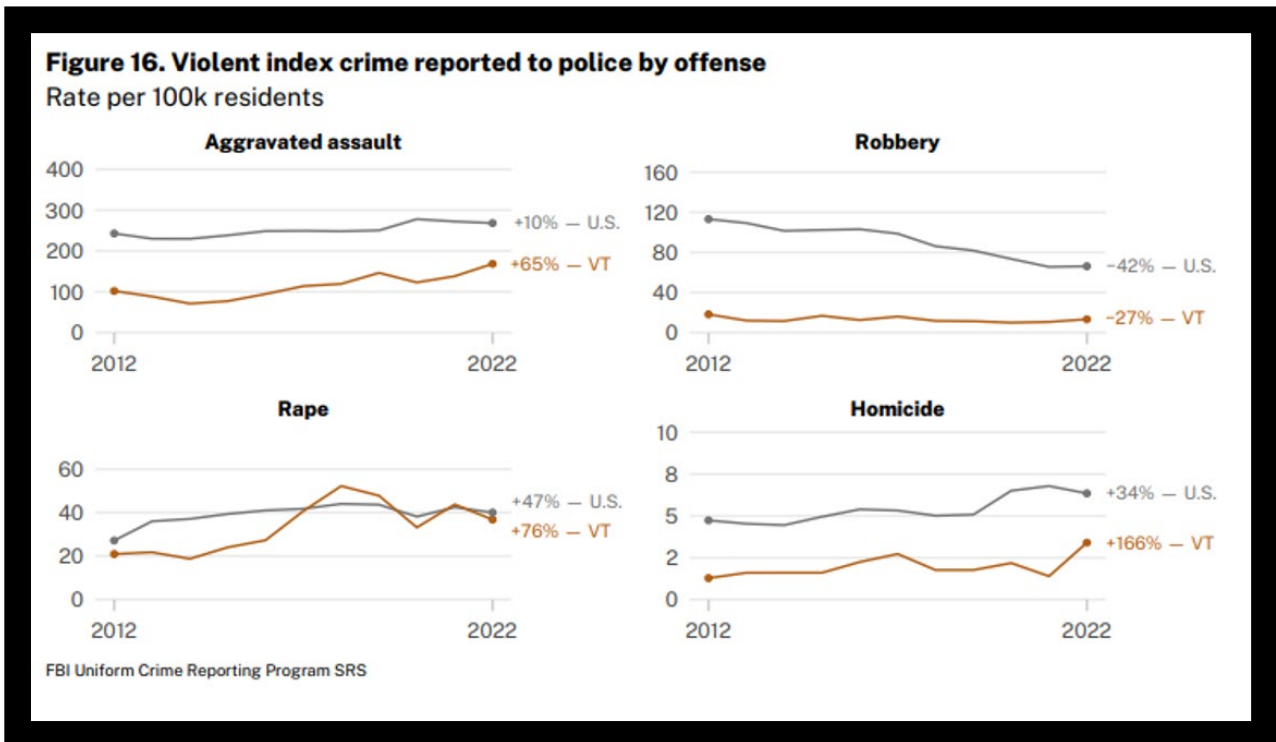
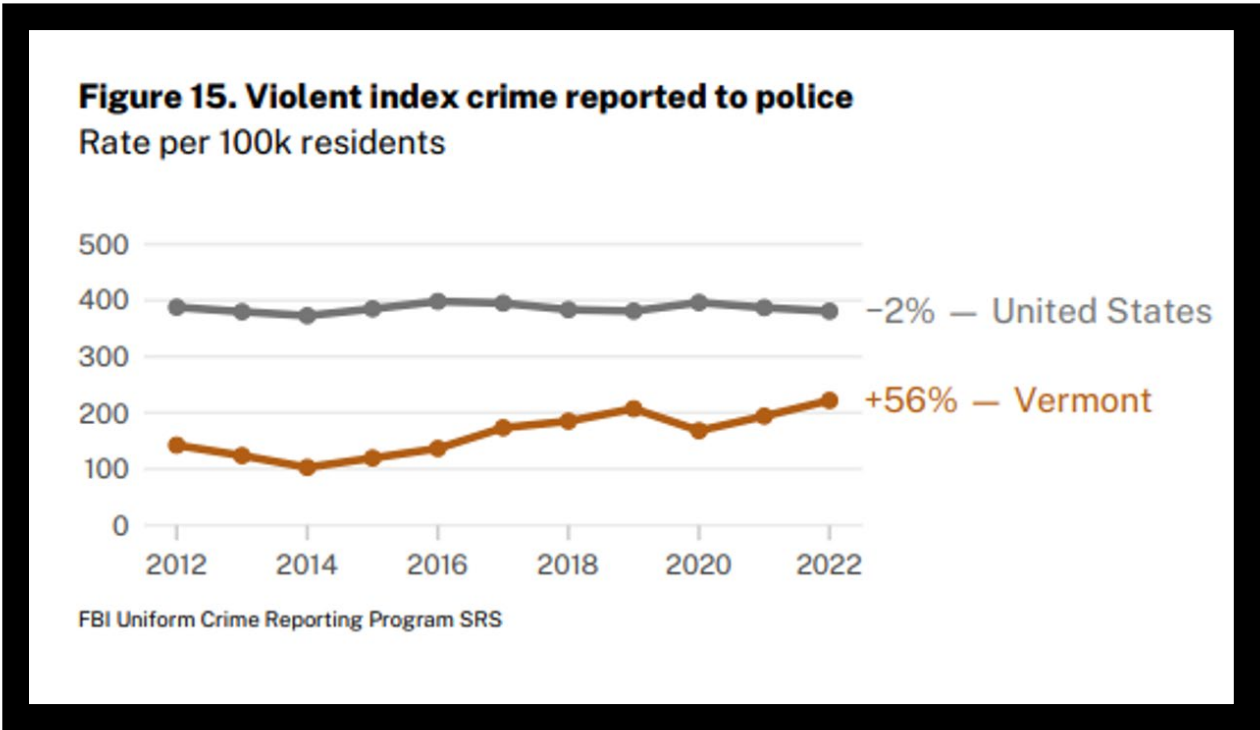
⁸ It is unclear if YO data pulled from the criminal division represents only those cases that were filed in criminal division and were then transferred into the family division (many YOs are direct filed to the family division and may never appear in the criminal division).

⁹ Where there is still restitution owed or there is early/midpoint discharge from probation or other issues or activity in an otherwise disposed matter (some VOPs may be in this dataset and some cases could appear in the pending list relating to PCRs, including those that have come back into criminal court or where a pro-se defendant requests a case be expunged but the court denies the request.)

¹⁰ Awaiting Judiciary data.

SEE BELOW FOR VERMONT FBI VIOLENT CRIME DATA, TRENDING UPWARDS

(FBI DATA AS OF 2022 – NOT INCLUDING 2023 CONTINUED UPTICK)



(SEE BELOW) ACTIVE/SERIOUS MAJOR VIOLENCE CASES BY COUNTY (211)

Offense types: active homicide/murder related cases (homicide, all forms of murder and attempts, including 1st, 2nd), including manslaughter and attempts, all forms of death resulting, and agg assaults). Excludes sexual assault cases and other violent offense types.

Addison Unit		
Offense Code	Offense Description	Cases
153	AGGRAVATED ASSAULT ON A LAW ENFORCEMENT OFFICER - THREATEN WITH DEADLY WEAPON	1
2309	DUI #3 - DRUG OR BOTH - DEATH RESULTING	1
369	MANSLAUGHTER	2
364	MURDER - 2ND DEGREE	2
365	MURDER - 2ND DEGREE - ATTEMPT	3
Sub-Total Count:		9
Bennington Unit		
Offense Code	Offense Description	Cases
2409	ACCESSORY - ATTEMPT - MURDER - 1ST DEG	1
2281	ACCESSORY AIDING IN THE COMMISSION - AGGRAVATED ASSAULT WITH DEADLY WEAPON	3
2245	ACCESSORY BEFORE THE FACT - AGGRAVATED ASSAULT	1
149	AGGRAVATED ASSAULT ON A LAW ENFORCEMENT OFFICER - PREVENT EXERCISE OF LAWFUL DUTY	1
2257	ATTEMPTED AGGRAVATED ASSAULT ON A LAW ENFORCEMENT OFFICER - PREVENT EXERCISE OF LAWFUL DUTY	3
2145	DISPENSING HEROIN - DEATH RESULTING	1
369	MANSLAUGHTER	1
367	MURDER - 1ST DEGREE	2
2295	MURDER - 1ST DEGREE - AIDING IN THE COMMISSION	1
364	MURDER - 2ND DEGREE	2
365	MURDER - 2ND DEGREE - ATTEMPT	17
850	SELLING OR DISPENSING A REGULATED DRUG W/ DEATH RESULTING	5
18V4250AD	SELLING OR DISPENSING A REGULATED DRUG WITH DEATH RESULTING	1
Sub-Total Count:		39

Caledonia Unit		
Offense Code	Offense Description	Cases
2245	ACCESSORY BEFORE THE FACT - AGGRAVATED ASSAULT	1
149	AGGRAVATED ASSAULT ON A LAW ENFORCEMENT OFFICER - PREVENT EXERCISE OF LAWFUL DUTY	1
137	AGGRAVATED ASSAULT ON A LAW ENFORCEMENT OFFICER - SERIOUS BODILY INJURY	2
153	AGGRAVATED ASSAULT ON A LAW ENFORCEMENT OFFICER - THREATEN WITH DEADLY WEAPON	3
13V1024A41028A1	AGGRAVATED ASSAULT ON A LAW ENFORCEMENT OFFICER-PREVENT EXERCISE OF LAWFUL DUTY	1

Offense Code	Offense Description	Cases
2275	AIDING IN THE COMMISSION - AGGRAVATED ASSAULT	1
367	MURDER - 1ST DEGREE	1
2295	MURDER - 1ST DEGREE - AIDING IN THE COMMISSION	4
366	MURDER - 1ST DEGREE - ATTEMPT	1
364	MURDER - 2ND DEGREE	1
365	MURDER - 2ND DEGREE - ATTEMPT	2
13V23011D	MURDER-1ST DEG	1
850	SELLING OR DISPENSING A REGULATED DRUG W/ DEATH RESULTING	2
18V4250AD	SELLING OR DISPENSING A REGULATED DRUG WITH DEATH RESULTING	1
Sub-Total Count:		22

Chittenden Unit		
Offense Code	Offense Description	Cases
2409	ACCESSORY - ATTEMPT - MURDER - 1ST DEG	1
2281	ACCESSORY AIDING IN THE COMMISSION - AGGRAVATED ASSAULT WITH DEADLY WEAPON	1
AA	AGGRAVATED ASSAULT	1
149	AGGRAVATED ASSAULT ON A LAW ENFORCEMENT OFFICER - PREVENT EXERCISE OF LAWFUL DUTY	1
2402	CONSPIRACY - MURDER - 1ST DEGREE	2
2145	DISPENSING HEROIN - DEATH RESULTING	1
369	MANSLAUGHTER	1
MUR	MURDER	2
367	MURDER - 1ST DEGREE	3
13V23011D3	MURDER - 1ST DEGREE - AIDING IN THE COMMISSION	1
366	MURDER - 1ST DEGREE - ATTEMPT	2
364	MURDER - 2ND DEGREE	5
365	MURDER - 2ND DEGREE - ATTEMPT	10
13V23011D	MURDER-1ST DEG	2
13V23012D	MURDER-2ND DEG	1
13V23012D9	MURDER-2ND DEG/ATTEMPT	1
850	SELLING OR DISPENSING A REGULATED DRUG W/ DEATH RESULTING	1
Sub-Total Count:		36

Franklin Unit

Offense Code	Offense Description	Cases
AA	AGGRAVATED ASSAULT	3
139	AGGRAVATED ASSAULT ON A CORRECTIONS OFFICER - SERIOUS BODILY INJURY	2
13V1024A11028AA1	AGGRAVATED ASSAULT ON A CORRECTIONS OFFICER-SERIOUS BODILY INJURY	2
137	AGGRAVATED ASSAULT ON A LAW ENFORCEMENT OFFICER - SERIOUS BODILY INJURY	2
153	AGGRAVATED ASSAULT ON A LAW ENFORCEMENT OFFICER - THREATEN WITH DEADLY WEAPON	2
367	MURDER - 1ST DEGREE	1
366	MURDER - 1ST DEGREE - ATTEMPT	1
364	MURDER - 2ND DEGREE	1
365	MURDER - 2ND DEGREE - ATTEMPT	1
13V23012D9	MURDER-2ND DEG/ATTEMPT	1
850	SELLING OR DISPENSING A REGULATED DRUG W/ DEATH RESULTING	1
Sub-Total Count:		17

Lamoille Unit

Offense Code	Offense Description	Cases
AA	AGGRAVATED ASSAULT	2
364	MURDER - 2ND DEGREE	2
365	MURDER - 2ND DEGREE - ATTEMPT	1
13V23012D	MURDER-2ND DEG	1
Sub-Total Count:		6

Orange Unit

Offense Code	Offense Description	Cases
2281	ACCESSORY AIDING IN THE COMMISSION - AGGRAVATED ASSAULT WITH DEADLY WEAPON	1
153	AGGRAVATED ASSAULT ON A LAW ENFORCEMENT OFFICER - THREATEN WITH DEADLY WEAPON	1
369	MANSLAUGHTER	2
364	MURDER - 2ND DEGREE	2
365	MURDER - 2ND DEGREE - ATTEMPT	1
Sub-Total Count:		7

Orleans Unit

Offense Code	Offense Description	Cases
2281	ACCESSORY AIDING IN THE COMMISSION - AGGRAVATED ASSAULT WITH DEADLY WEAPON	4
137	AGGRAVATED ASSAULT ON A LAW ENFORCEMENT OFFICER - SERIOUS BODILY INJURY	1
153	AGGRAVATED ASSAULT ON A LAW ENFORCEMENT OFFICER - THREATEN WITH DEADLY WEAPON	1
369	MANSLAUGHTER	1
366	MURDER - 1ST DEGREE - ATTEMPT	4
364	MURDER - 2ND DEGREE	1
365	MURDER - 2ND DEGREE - ATTEMPT	4
13V23012D9	MURDER-2ND DEG/ATTEMPT	2
Sub-Total Count:		18

Rutland Unit

Offense Code	Offense Description	Cases
AA	AGGRAVATED ASSAULT	3
141	AGGRAVATED ASSAULT ON A LAW ENFORCEMENT OFFICER - BODILY INJURY WITH A DEADLY WEAPON	2
149	AGGRAVATED ASSAULT ON A LAW ENFORCEMENT OFFICER - PREVENT EXERCISE OF LAWFUL DUTY	2
137	AGGRAVATED ASSAULT ON A LAW ENFORCEMENT OFFICER - SERIOUS BODILY INJURY	2
13V2304	MANSLAUGHTER	1
369	MANSLAUGHTER	2
MUR	MURDER	1
367	MURDER - 1ST DEGREE	1
364	MURDER - 2ND DEGREE	3
13V23012D	MURDER-2ND DEG	2
13V23012D9	MURDER-2ND DEG/ATTEMPT	1
Sub-Total Count:		20

Washington Unit			
Offense Code	Offense Description		Cases
153	AGGRAVATED ASSAULT ON A LAW ENFORCEMENT OFFICER - THREATEN WITH DEADLY WEAPON		1
13V1024A51028A1	AGGRAVATED ASSAULT ON A LAW ENFORCEMENT OFFICER-THREATEN WITH DEADLY WEAPON		1
369	MANSLAUGHTER		2
364	MURDER - 2ND DEGREE		1

Washington Unit			
Offense Code	Offense Description		Cases
365	MURDER - 2ND DEGREE - ATTEMPT		4
372	MURDER - AGGRAVATED		2
13V23012D	MURDER-2ND DEG		1
13V23119	MURDER-AGG/ATTEMPT		1
850	SELLING OR DISPENSING A REGULATED DRUG W/ DEATH RESULTING		1
Sub-Total Count:			14

Windham Unit		
Offense Code	Offense Description	Cases
AA	AGGRAVATED ASSAULT	2
AA1	AGGRAVATED ASSAULT 1ST DEGREE	1
367	MURDER - 1ST DEGREE	1
364	MURDER - 2ND DEGREE	5
365	MURDER - 2ND DEGREE - ATTEMPT	1
372	MURDER - AGGRAVATED	2
18V4250AD	SELLING OR DISPENSING A REGULATED DRUG WITH DEATH RESULTING	1
Sub-Total Count:		13
Windsor Unit		
Offense Code	Offense Description	Cases
139	AGGRAVATED ASSAULT ON A CORRECTIONS OFFICER - SERIOUS BODILY INJURY	1
137	AGGRAVATED ASSAULT ON A LAW ENFORCEMENT OFFICER - SERIOUS BODILY INJURY	1
MUR	MURDER	1
364	MURDER - 2ND DEGREE	1
365	MURDER - 2ND DEGREE - ATTEMPT	3
850	SELLING OR DISPENSING A REGULATED DRUG W/ DEATH RESULTING	1
18V4250AD	SELLING OR DISPENSING A REGULATED DRUG WITH DEATH RESULTING	2
Sub-Total Count:		10

Total Count: (211)