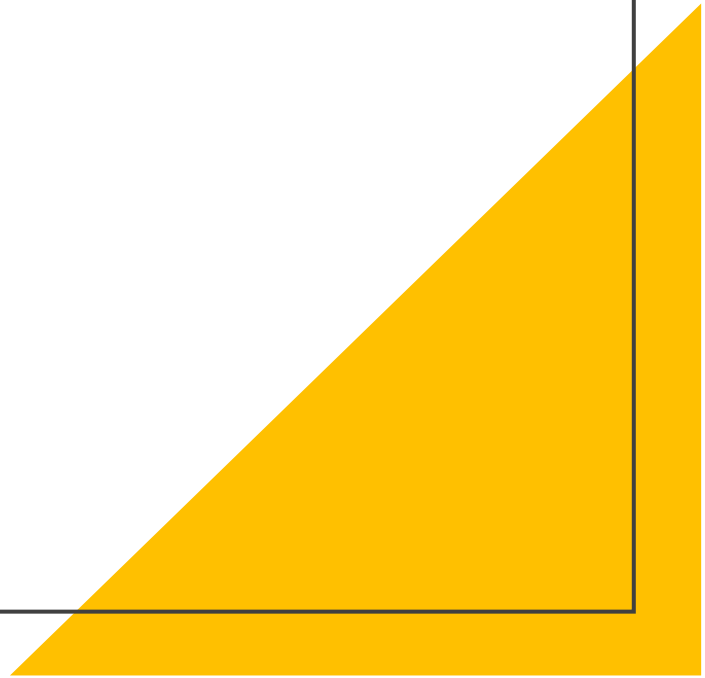


HCI

1/25/23

H408



Medical Furlough 28 V.S.A. § 808

- (e) The Commissioner may place on medical furlough any offender who is serving a sentence, including an offender who has not yet served the minimum term of the sentence, who is diagnosed with a terminal or serious medical condition so as to render the offender unlikely to be physically capable of presenting a danger to society. The Commissioner shall develop a policy regarding the application for, standards for eligibility of, and supervision of persons on medical furlough. The offender may be released to a hospital, hospice, other licensed inpatient facility, or other housing accommodation deemed suitable by the Commissioner. As used in this subsection, a “serious medical condition” does not mean a condition caused by noncompliance with a medical treatment plan

Medical Parole 28 V.S.A. § 502a

- (d) Notwithstanding subsection (a) or (e) of this section, or any other provision of law to the contrary, any inmate who is serving a sentence, including an inmate who has not yet served the minimum term of the sentence, who is diagnosed as having a terminal or serious medical condition so as to render the inmate unlikely to be physically capable of presenting a danger to society, may be released on medical parole to a hospital, hospice, other licensed inpatient facility, or suitable housing accommodation as specified by the Parole Board. Provided the inmate has authorized the release of his or her personal health information, the Department shall promptly notify the Parole Board upon receipt of medical information of an inmate's diagnosis of a terminal or serious medical condition. As used in this subsection, a "serious medical condition" does not mean a condition caused by noncompliance with a medical treatment plan.

Icare

	Legal Status	Pre/Post Min	Release Mechanism	Highest Charge/Conviction	Notes
1	Detained	N/A	Court	Aggravated Sexual Assault - R	
2	Detained	N/A	Court	Murder	
3	Sentenced	Post	Furlough	Vulnerable Adult - Abuse	
4	Sentenced	Post	Furlough	LLC	
5	Sentenced	Post	Furlough	LLC	
6	Sentenced	Post	Furlough	Agg. Sex. Ass.	
7	Sentenced	Post	Furlough	Murder	
8	Sentenced	Post	Furlough	Agg. Sex. Ass.	
9	Sentenced	Post - Program Refusal	Medical Furlough (as it would require waiver of VTPSA.)	Aggravated Sexual Assault	
10	Sentenced/Detained	S/D	Court & Medical Furlough	LLC	
11	Sentenced	Pre	Medical Furlough	Murder	
12	Sentenced	Pre	Medical Furlough	Agg. Sex. Ass. - R	
13	Sentenced	Pre	Medical Furlough	Aggravated Sexual Assault - R	High Risk S/O
14	Sentenced	Pre	Medical Furlough	Agg. Sex. Ass.	High Risk S/O

H408 – Tentative Review

	Legal Status	Pre/Post Min	Release Mechanism	Highest Charge/Conviction	Note
1	Detained	N/A	Court	Agg Sex Ass. Child - Repeated	
2	Detained	N/A	Court	Agg. Sex Assault - Repeated	
3	S/D	Post/D	Court/Furlough	LLC	
4	Sentenced	Post	Furlough	Agg Sex Ass.	
5	Sentenced	Post	Furlough	LLC	
6	Sentenced	Post	Furlough	LLC	
7	Sentenced	Post	Furlough	Murder	Previous Placement
8	Sentenced	Post	Furlough	Vulnerable Adult - Abuse	
9	Sentenced	Post	Med Furlough (program refusal)	Aggravated Sexual Assault	
10	Sentenced	Pre	Medical Furlough	Fentanyl Trafficking	55-65, convictions from 2023
11	Sentenced	Pre	Medical Furlough	Aggravated Sexual Assault	
12	Sentenced	Pre	Medical Furlough	Aggravated Sexual Assault - R	High Risk S/O
13	Sentenced	Pre	Medical Furlough	Fentanyl Trafficking	Conviction from 2023

Nursing Home Declined

1/8 – Staff Assault

1/8 – Staff Assault

1/15 – Sexual Proposals

3/28 – Sexual Proposals

4/8 – Conduct which Disrupts

4/8 – Staff Assault

4/24 – Indecent Exposure

5/2 – Staff Assault

8/29 – Staff Assault

9/2 – Staff Assault

9/26 – Indecent Exposure

9/27 – Conduct which Disrupts

(d) If the court grants the petition, it may reduce the term of imprisonment and may impose a term of probation or supervised release with or without conditions that does not exceed the original term of imprisonment.

Parole Criteria 55 - 64

18 have served at least 10 years

17 of these appear to have a programming requirement

18th is an outlier but has a criminal history beginning in 1978 – appears court considered that in imposing sentence

Parole Criteria 65+

44 Sentenced individuals

41 appear to have a programming requirement

Of the three that do not, longest sentence is 31 months