

CONTEXT AND SAS DRAFT DISCUSSION NOTES CONCERNING RETAIL THEFT

Broader Data Context: Of the 21,619 pending criminal cases (as of 12/10/23):

- **Misdemeanors: 14,772** (note VT is one of the only states where the misdemeanor cut-off is the 2-year penalty, most states have the 1-year cut-off).
- **Felonies: 6,748** (83 pending murder cases, including attempt).
- **Retail theft: 1,596** pending “retail” dockets. See below for all the pending dockets that include “retail” in the literal charge. Note, as with any filed information, a docket may have multiple counts, meaning that there may be many more counts of retail theft (e.g., you could have a 5-count information with 5 counts of retail theft in a single docket/case). Likely most retail theft cases are charged as a misdemeanor.
- **Failure to Appear Arrest Warrants (FTA Aws): 5,023** (1/1/23-12/29/23).

	Addison	Bennington	Caledonia	Chittenden	Essex	Franklin	Grand Isle	Lamoille	Orange	Orleans	Rutland	Washington	Windham	Windsor	Grand Total
Grand Total Retail Theft Dockets	35	69	41	608	4	117	1	59	12	98	270	144	94	44	1,596
Docket total as % of Statewide total	2.19%	4.32%	2.57%	38.10%	0.25%	7.33%	0.06%	3.70%	0.75%	6.14%	16.92%	9.02%	5.89%	2.76%	100%
2020 Census population	37,363	37,347	30,233	168,323	5,920	49,946	7,293	25,945	29,277	27,393	60,572	59,807	45,905	57,753	643,077
Population as % of State population	5.81%	5.81%	4.70%	26.17%	0.92%	7.77%	1.13%	4.03%	4.55%	4.26%	9.42%	9.30%	7.14%	8.98%	100%
Difference between % of RT dockets and % of population	-3.62%	-1.48%	-2.13%	11.92%	-0.67%	-0.44%	-1.07%	-0.34%	-3.80%	1.88%	7.50%	-0.28%	-1.25%	-6.22%	0%

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.

FTAs (Failure to Appear)

➤ From 1/1/23 to 12/29/23 – there were **5023 FTA ARREST WARRANTS (AW)**.

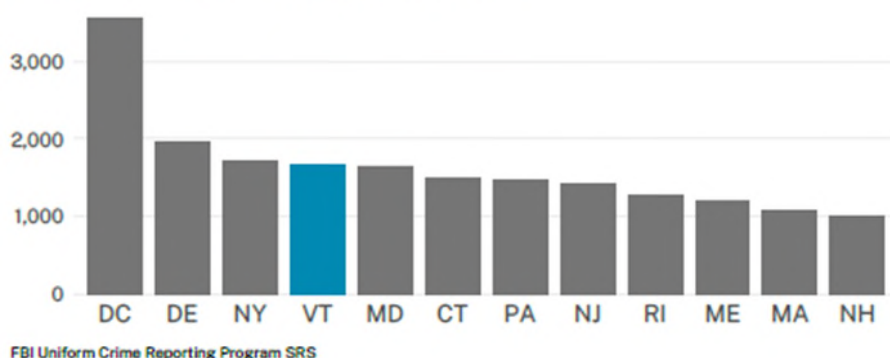
✓ Note: Sometimes Judges may not issue a FTA warrant even when someone fails to appear (e.g., a Judge may wish reschedule the person for another arraignment date or provides defense attorney further time to locate client). Or a Judge will intend to issue a FTA AW but then the defendant eventually appears prior to COB and the warrant never issues (sometimes a person who FTAs may become aware of the potential for an AW and in response appear in court after hearing time. Or def appears after learning that they had missed the appearance by other means and as such FTA AW is never issued).

- Per Rep. Martin LaLonde’s December 19, 2023¹ presentation to the House Committee on Appropriations and the Governor’s State of the State on January 4, 2024, upon a review of FBI Data (current through 2022) presented by CSG, **crime is on the rise in Vermont.**
- 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 who fail 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.

There were 10,813 property index crime incidents reported to police in Vermont in 2022.

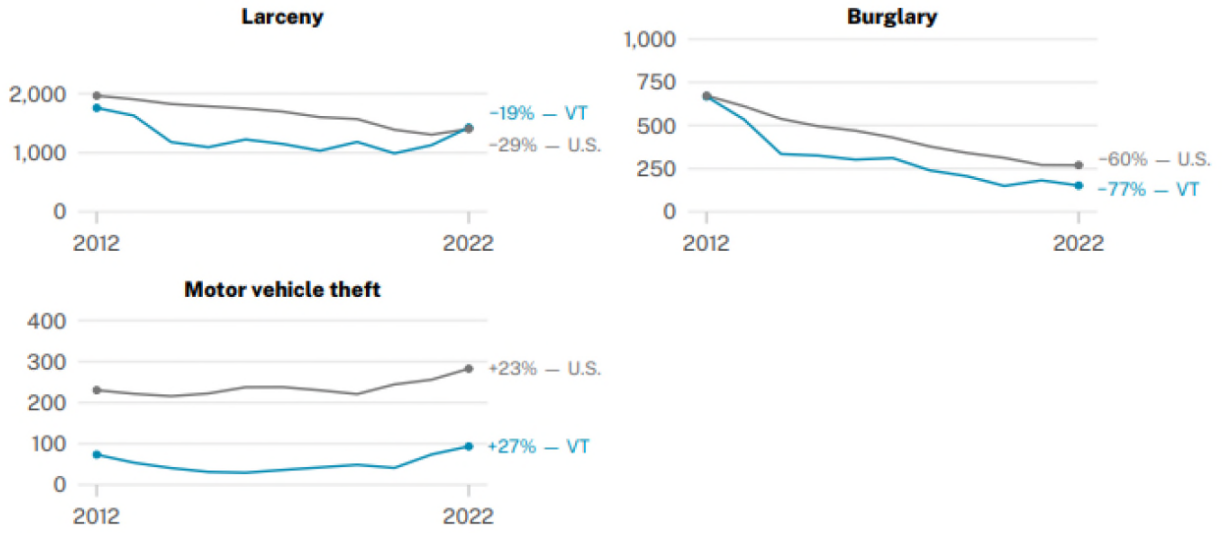
Vermont had the 4th-highest property crime rate in the region and the 18th-lowest property crime rate in the country.

Figure 11. Property index crime reported to police
Rate per 100k residents, Eastern Region, 2022



¹ See weblink here: [Appropriations Public Safety Presentation](#) (Rep. Martin LaLonde, 12/19/23).

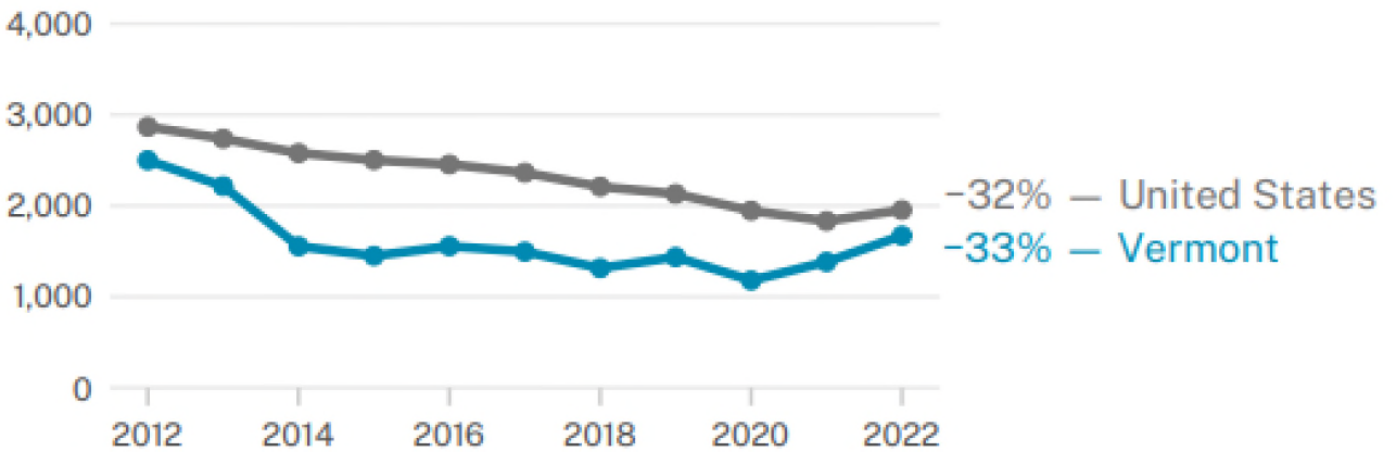
Figure 14. Property index crime reported to police by offense
Rate per 100k residents



FBI Uniform Crime Reporting Program SRS

Source. Rep. LaLonde 12/19/2023 Presentation to House Appropriations Committee.

Figure 13. Property index crime reported to police
Rate per 100k residents



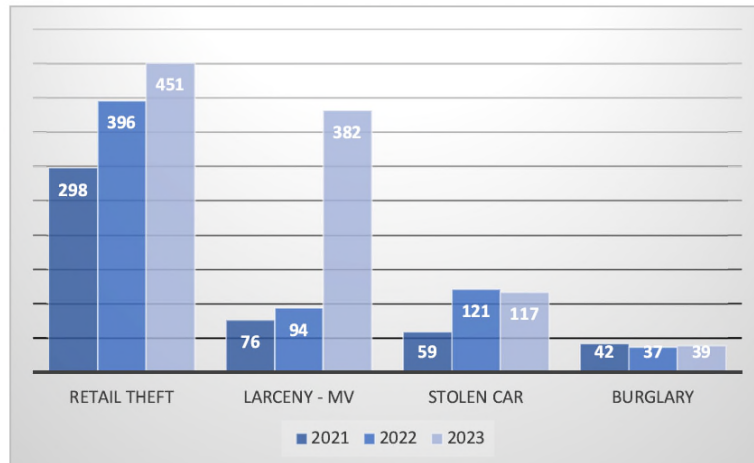
FBI Uniform Crime Reporting Program SRS

Source. Rep. LaLonde 12/19/2023 Presentation to House Appropriations Committee.

south**bur**lington

P O L I C E

Reported Incidents of Various Crimes - South Burlington



Source. Rep. LaLonde 12/19/2023 Presentation to House Appropriations Committee.