



Department of  
State's Attorneys  
and Sheriffs

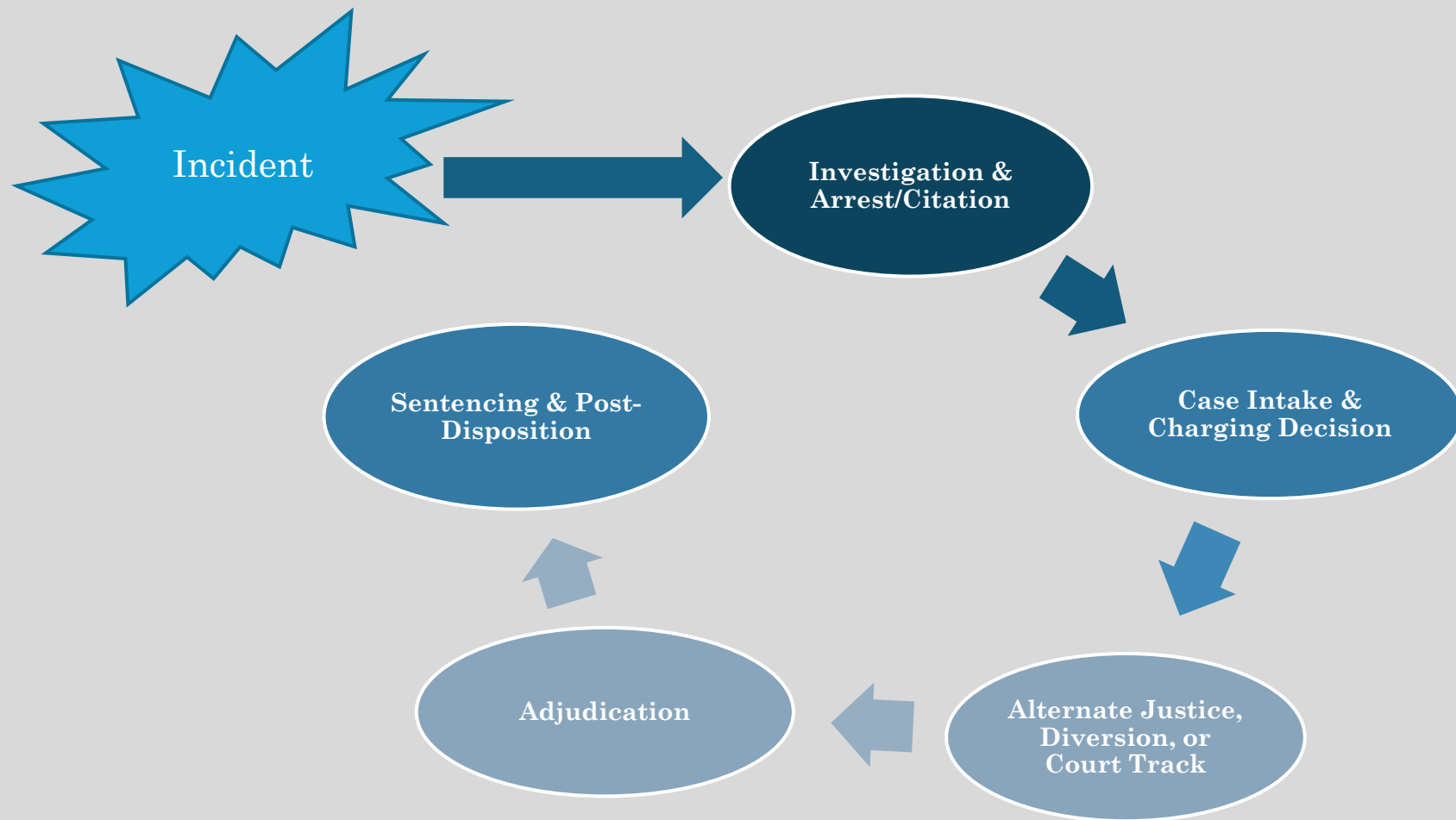
*4/12/24 draft for discussion purposes*

# Pending Caseload Data & Docket Pressures

Information derived from monthly judiciary clearance rates, backlog snapshots, and a December 2024 and March 2024 statewide datasets.

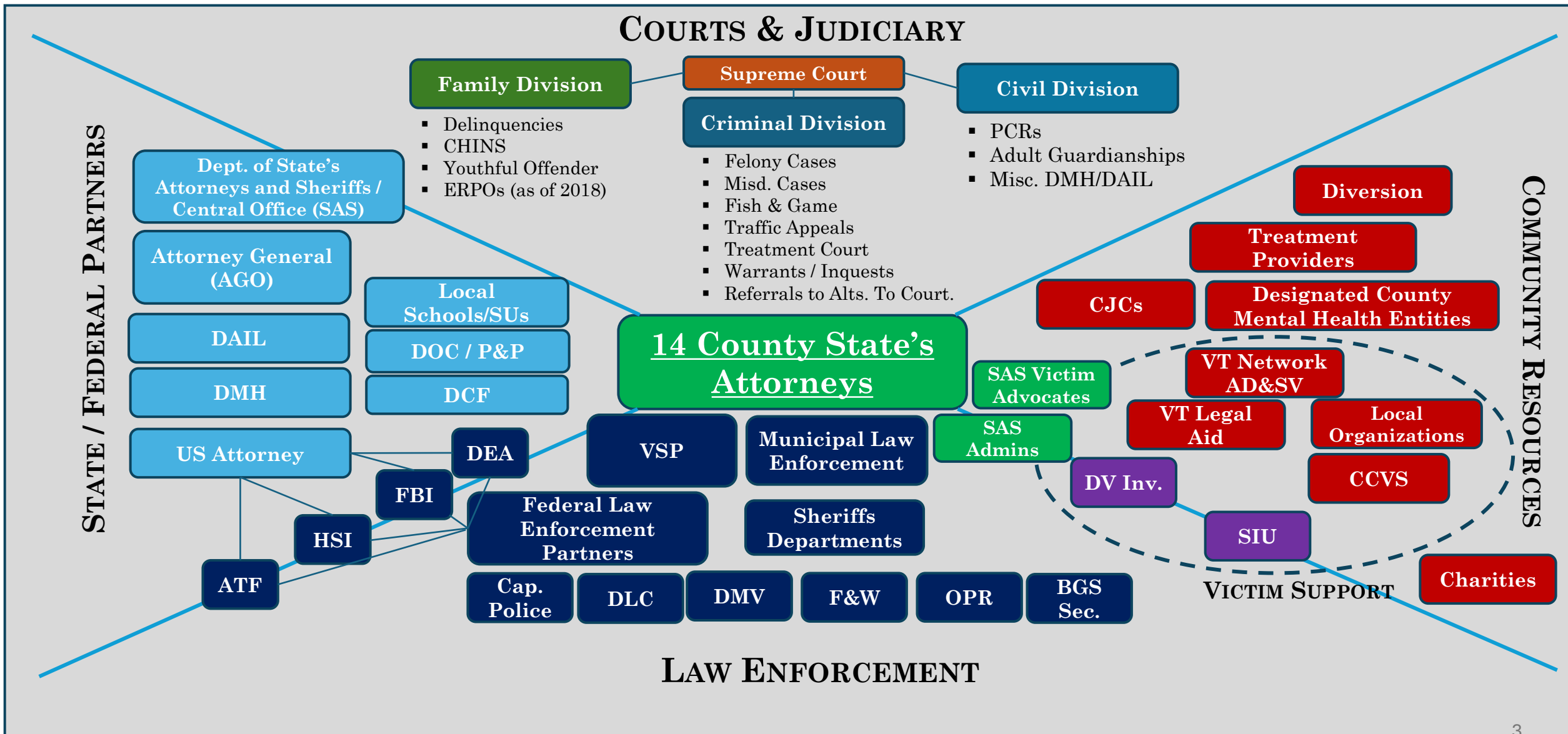


# CRIMINAL JUSTICE PROCESS





# ORGANIZATIONAL STRUCTURE AND JURISDICTION





# Topics Covered

- Relevant Definitions
- Data perspectives from December 2023 & March 2024 - Judiciary Data
  - Pending cases in each category
  - Pending Case breakdown (March 2024)
  - Attempts and completed Murder and Manslaughter cases
  - Sexual Assault Cases
  - People with more than 1 open docket
  - Investigative requests
- Trial date usage
- Monthly criminal court backlog snapshots - Judiciary Data
- Summary of clearance rates – Judiciary Data



# Relevant Definitions / Notes

- Charge: a charge is each allegation of the commission of a crime. Crimes are categorized at the most general level as felonies and misdemeanors.
- Felony: a crime punishable by two or more years in jail.
- Misdemeanor: A crime punishable by less than two years in jail.
- Docket or docket number: The court assigns a docket number to every case filed. A case can include a single charge or multiple charges.
- Assigned Prosecutor: The judiciary dataset only includes the lead prosecutor. If the SAO and AGO both have attorneys prosecuting a case, only the lead attorney will be displayed in the data.
- NOTE: Pending “criminal” data does not include cases in the Family Division (CHINS, ERPOS, Juvenile Delinquency, Youthful Offender) or the Civil Division (e.g., PCRs), assigned to SAS ATTYS. Pending criminal data also does not include appeals or investigation-related workload. As such, a better metric of workload must include “all” case types, including “family” and “civil” cases currently pending.
- SAS believes that the best metric for the current workload and caseload is the number of “pending” cases – rather than the differentiation between “active” and “inactive.”
- Active: While the judiciary does not offer a specific definition, an active case is one that is on a “routine” path towards trial disposition and, if a conviction occurs, towards sentencing: Post-arraignment cases; Active Pre-Trial and Ready for Trial; Active Under Advisement; Active Ready for Sentence.
- Inactive: “Inactive” is a misnomer because it includes any status that is something other than an active case. It could include:
  - Cases in treatment court.
  - Cases pending a court-ordered evaluation for competence to stand trial.
  - Cases with an order of hospitalization (following a determination the defendant is not competent to stand trial or was not guilty by reason of insanity) or order of non-hospitalization.
  - Cases on arrest warrant status.
  - Diversion / Tamarack Cases that are pending.
  - VOPs (Probation Cases).
  - Arrest Warrants. ARREST WARRANTS.
  - Pre-arraignment (docketed but not yet arraigned).
  - Other post-judgment cases still being litigated.



# Relevant Definitions

- Clearance Rate: Measurement of cases resolved against cases filed. (e.g., in a month where 100 cases are filed, resolving 100 cases would result in a 100% clearance rate.)



# Judicial Dispositional Guidelines

## Criminal Case Disposition Guidelines

- a. Misdemeanors
  - Track I (standard track): 120 days
  - Track II (complex track): 180 days
  
- b. Felonies and Other Misdemeanors:
  - Track I (standard track): 180 days
  - Track II (complex track): 365 days
  - Track III (super complex track): 455 days

- Administrative Directive 24, dated November 23, 2010, provided guidelines for case disposition but not definitive deadlines or an actionable date for bringing of the case to trial.
- The guideline ranges themselves are, however, largely aspirational – assuming disposition of misdemeanors in 120-days and complex felonies within 15-months. The Supreme Court may be interested in revising this, in lieu of a legislative solution – and appears to have authority to do so.



# Data Perspectives from the December 2023 & March 2024 Statewide Judiciary Datasets



**(DECEMBER 2023) 12/10/23 STATEWIDE<sup>3</sup> PENDING SAS CASELOAD CHART FOR ALL CASE TYPES: RANKED BY AVERAGE CASELOAD BY COUNTY**

(Criminal, Family (excluding ERPOS), and Civil cases (excluding Appeals))

COUNTY (SAS ATTY POSITIONS IN SAO)	STATE'S ATTORNEY	DEPUTY STATE'S ATTORNEYS (DSAS)	AVERAGE CASELOAD PER SAS ATTY AS OF 12/10/23	TOTAL PENDING CASES AS OF 12/10/23 (INCLUDES SAS FAMILY, CRIMINAL, AND CIVIL CASE TYPES, EXCLUDING APPEALS, ERPOS, AND INVESTIGATION RELATED WORKLOAD)	PENDING CASELOAD BY RANK ACCORDING TO AVERAGE ATTY CASELOAD	NOTES: 83 pending murder, manslaughter (including attempts)
Lamoille (2 SAS ATTYS)	1	1	573.5	1,147	1	3
Windham (6 SAS ATTYS)	1	5	476.33	2,858	2	6
Franklin (6 SAS ATTYS)	1	5	450	2,705	3	4
Rutland (7 SAS ATTYS)	1	6	424.42	2,971	4	5
Orleans (5 SAS ATTYS)	1	4	402	2,010	5	8
Caledonia (5 SAS ATTYS)	1	4	388.2	1,941	6	9
Bennington (6 SAS ATTYS)	1	5	357.66	2,146	7	16
Addison (3 SAS ATTYS)	1	2	354	1,062	8	3
Orange (2 SAS ATTYS)	1	1	333	666	9	2
Essex (1 SAS ATTY)	1	0	322	322	10	Part time SA.
Washington (7 SAS ATTYS)	1	6	296.85	2,078	11	4
Chittenden (15 SAS ATTYS)	1	14	290.9	4,364	12	20
Windsor (6 SAS ATTYS)	1	5	277.833	1,667	13	3
Grand Isle (1 SAS ATTY)	1	0	182	182	14	Part time SA.

**(MARCH 2024) 3/1/24 STATEWIDE<sup>4</sup> PENDING SAS CASELOAD CHART FOR ALL CASE TYPES: RANKED BY AVERAGE CASELOAD BY COUNTY**

(Criminal, Family, and Civil cases (excluding Appeals and Investigation-Related Work)) (But now including 5 pending ERPOS)



COUNTY (SAS ATTY POSITIONS IN SAO)	STATE'S ATTORNEY	DEPUTY STATE'S ATTORNEYS (DSAS)	AVERAGE CASELOAD PER SAS ATTY AS OF 3/1/24	TOTAL PENDING CASES AS OF 12/10/23 (INCLUDES SAS FAMILY, CRIMINAL, AND CIVIL CASE TYPES, EXCLUDING APPEAL AND INVESTIGATION RELATED WORKLOAD, but now includes 5 pending ERPOS)	PENDING CASELOAD BY RANK ACCORDING TO AVERAGE ATTY CASELOAD	NOTES: 91 pending murder, manslaughter (including attempts)
Lamoille (2 SAS ATTYS)	1	1	530.5	1,061	1	3
Windham (6 SAS ATTYS)	1	5	450.833	2,705	2	6
Franklin (6 SAS ATTYS)	1	5	389.33	2,336	4	3
Rutland (7 SAS ATTYS)	1	6	397.42	2,782	3	5
Orleans (5 SAS ATTYS)	1	4	385	1,925	5 & 6 (tie)	8
Caledonia (5 SAS ATTYS)	1	4	385	1,925	5 & 6 (tie)	10
Bennington (6 SAS ATTYS)	1	5	352.833	2,117	7	21
Addison (3 SAS ATTYS)	1	2	326	978	8	3
Essex (1 SAS ATTY)	1	0	318	318	9	Part time SA.
Chittenden (15 SAS ATTYS)	1	14	294.46	4,417	10	19
Washington (7 SAS ATTYS)	1	6	290.4	2,033	11	7
Windsor (6 SAS ATTYS)	1	5	282	1,692	12	3
Orange (2 SAS ATTYS)	1	1	280.5	561	13	3
Grand Isle (1 SAS ATTY)	1	0	148	148	14	Part time SA.

<sup>3</sup> Excluding appeals, ERPOS, and investigations workload.

<sup>4</sup> Excluding appeals and investigations workload (now includes ERPOS).



# SAS Caseload Snapshots

## December 2023 and

## March 2024

- **12/10/23 SAS Attorney Caseload Average.** As of 12/10/23 for most SAS case types (*excluding Appeals, ERPOs, and investigation related work*), there were 26,039 pending cases. There is a distinction between SAS criminal-only cases and SAS cases for all case types. As of 12/10/23 for most pending SAS case types, the statewide SAS attorney average was:
  - **361.652 per SAS Attorney**
  
- **3/1/24 SAS Attorney Caseload Average.** As of 4/1/24 for most SAS case types (*excluding Appeals and investigation related work, [but now including 5 pending ERPOs]*), there were 24,968 pending cases. As of 3/1/24 for most pending SAS case types, the statewide SAS attorney average was:
  - **346.77 per SAS Attorney**
  
- It is estimated that the SAS Victim Advocate Caseload Average is over **600 cases per Victim Advocate** based on a survey of Victim Advocates in **December 2023**.
  
- **Roughly 99% of all cases are staffed by SAS Attorneys & 100% of the homicide related cases are staffed by SAS Attorneys.**
  
- **14 State's Attorneys** and **58 Deputy State's Attorneys** make up a total of 72 total SAS Attorneys in SAOs.



# December 2023

Row Label	Felony	Misdemeanor	Fish and Game	Civil Suspension	Youthful Offender	Juvenile Delinquency	CHINS A	CHINS B	CHINS C	CHINS D	Civil Misc.	JBA	Ordinance	PCR	Grand Total
Addison	204	527	7	18	31	85	2	166	11	6	4			1	1,062
Bennington	682	1,190	1	56	32	44	2	85	15	24				15	2,146
Caledonia	486	1,170	7	82	40	47		87	1	13	6	1	1		1,941
Chittenden	1,147	2,552	11	79	83	187	29	209	13	21	18	8	1	6	4,364
Essex	114	171	2	3	3	4	1	17			4			3	322
Franklin	511	1,204	21	61	162	306	9	327	50	43	6			5	2,705
Grand Isle	35	94	2	4	5	5	3	24	1	5	3	1			182
Lamoille	280	689	7	50	6	48	3	47	3	11	1			2	1,147
Orange	175	399	2	22	8	17		26		10	7				666
Orleans	600	1,149	15	55	18	46	19	74	12	1	10			11	2,010
Rutland	789	1,705	9	69	26	136	3	169	26	21	4	2		12	2,971
Washington	498	1,163	9	50	64	169	5	88	4	6	12		6	4	2,078
Windham	733	1,776	4	53	25	141	1	101	7	6	6			5	2,858
Windsor	494	983	2	36	13	38	7	64	4	5	8	1		12	1,667
<b>Grand Total</b>	<b>6,748</b>	<b>14,772</b>	<b>99</b>	<b>638</b>	<b>516</b>	<b>1,273</b>	<b>84</b>	<b>1,484</b>	<b>147</b>	<b>172</b>	<b>89</b>	<b>13</b>	<b>8</b>	<b>76</b>	<b>26,119</b>

26,119 Pending Cases



# March 2024

Count of Case	Column															
Row Labels	Felony	Misdemeanor	Fish and Game	Civil Susp.	Youthful Offender	Juv. Delinq.	CHINSA	CHINS B	CHINSC	CHINS D	Civil Misc.	ERPO	JBA	Ordinance	PCR	Grand Total
Addison	200	524	4	16	32	72	4	84	7	3	1				1	948
Bennington	689	1,152	1	58	22	47	2	75	14	26	12	2		1	16	2,117
Caledonia	500	1,198	7	74	32	38	1	51	2	14	5		1	1	1	1,925
Chittenden	1,166	2,649	7	70	80	179	28	179	12	22	12		7		6	4,417
Essex	120	160	2	4	2	5	1	16		1	4				3	318
Franklin	477	1,081	21	38	145	296	9	193	26	35	11				4	2,336
Grand Isle	30	74	2	4	6	5	2	15	1	5	3		1			148
Lamoille	261	640	5	53	5	40	2	39	4	10					2	1,061
Orange	147	326	5	22	7	22		19		10	3					561
Orleans	566	1,093	13	49	15	66	20	67	12	1	9	1			13	1,925
Rutland	775	1,571	7	66	23	123	2	147	20	29	2		3		14	2,782
Washington	507	1,129	10	43	52	152	10	83	5	14	14		2	6	6	2,033
Windham	725	1,758	4	63	6	32	2	89	5	6	8		3		4	2,705
Windsor	495	1,013	2	36	15	33	8	57	4	4	11	2	4		8	1,692
<b>Grand Total</b>	<b>6,658</b>	<b>14,368</b>	<b>90</b>	<b>596</b>	<b>442</b>	<b>1,110</b>	<b>91</b>	<b>1,114</b>	<b>112</b>	<b>180</b>	<b>95</b>	<b>5</b>	<b>21</b>	<b>8</b>	<b>78</b>	<b>24,968</b>

24,968 Pending Cases



# All Cases Comparison December 2023 to March 2024

	Felony	Misdemeanor	Fish and Game	Civil Susp.	Youthful Offender	Juv. Delinq.	CHINS A	CHINS B	CHINS C	CHINS D	Civil Misc.	JBA	Ordinance	PCR	Grand Total
Addison	-4	-3	-3	-2	1	-13	2	-82	-4	-3	-3	0	0	0	-114
Bennington	7	-38	0	2	-10	3	0	-10	-1	2	12	0	1	1	-31
Caledonia	14	28	0	-8	-8	-9	1	-36	1	1	-1	0	0	1	-16
Chittenden	19	97	-4	-9	-3	-8	-1	-30	-1	1	-6	-1	-1	0	53
Essex	6	-11	0	1	-1	1	0	-1	0	1	0	0	0	0	-4
Franklin	-34	-123	0	-23	-17	-10	0	-134	-24	-8	5	0	0	-1	-369
Grand Isle	-5	-20	0	0	1	0	-1	-9	0	0	0	0	0	0	-34
Lamoille	-19	-49	-2	3	-1	-8	-1	-8	1	-1	-1	0	0	0	-86
Orange	-28	-73	3	0	-1	5	0	-7	0	0	-4	0	0	0	-105
Orleans	-34	-56	-2	-6	-3	20	1	-7	0	0	-1	0	0	2	-86
Rutland	-14	-134	-2	-3	-3	-13	-1	-22	-6	8	-2	1	0	2	-189
Washington	9	-34	1	-7	-12	-17	5	-5	1	8	2	2	0	2	-45
Windham	-8	-18	0	10	-19	-109	1	-12	-2	0	2	3	0	-1	-153
Windsor	1	30	0	0	2	-5	1	-7	0	-1	3	3	0	-4	23
<b>Grand Total</b>	<b>-90</b>	<b>-404</b>	<b>-9</b>	<b>-42</b>	<b>-74</b>	<b>-163</b>	<b>7</b>	<b>-370</b>	<b>-35</b>	<b>8</b>	<b>6</b>	<b>8</b>	<b>0</b>	<b>2</b>	<b>-1156</b>
% Reduction in volume from December to March	-1.33%	-2.73%	-9.09%	-6.58%	-14.34%	-12.80%	8.33%	-24.93%	-23.81%	4.65%	6.74%	61.54%	0.00%	2.63%	-4.43%



# All Pending “Criminal” Cases Sorted by County, as of March 1, 2024, Judiciary Data Set

County <input type="text"/>	Felony		Misdemeanor		Fish and Game		Total Count	Total % of VT Pending
	Count	% of VT Pending	Count	% of VT Pending	Count	% of VT Pending		
Addison	200	3.00%	524	3.65%	4	4.44%	728	3.45%
Bennington	689	10.35%	1,152	8.02%	1	1.11%	1,842	8.72%
Caledonia	500	7.51%	1,198	8.34%	7	7.78%	1,705	8.07%
Chittenden	1,166	17.51%	2,649	18.44%	7	7.78%	3,822	18.10%
Essex	120	1.80%	160	1.11%	2	2.22%	282	1.34%
Franklin	477	7.16%	1,081	7.52%	21	23.33%	1,579	7.48%
Grand Isle	30	0.45%	74	0.52%	2	2.22%	106	0.50%
Lamoille	261	3.92%	640	4.45%	5	5.56%	906	4.29%
Orange	147	2.21%	326	2.27%	5	5.56%	478	2.26%
Orleans	566	8.50%	1,093	7.61%	13	14.44%	1,672	7.92%
Rutland	775	11.64%	1,571	10.93%	7	7.78%	2,353	11.14%
Washington	507	7.61%	1,129	7.86%	10	11.11%	1,646	7.80%
Windham	725	10.89%	1,758	12.24%	4	4.44%	2,487	11.78%
Windsor	495	7.43%	1,013	7.05%	2	2.22%	1,510	7.15%
<b>Grand Total</b>	<b>6,658</b>	<b>100.00%</b>	<b>14,368</b>	<b>100.00%</b>	<b>90</b>	<b>100.00%</b>	<b>21,116</b>	<b>100.00%</b>

# March 2024

Active Murder or Manslaughter Prosecutions.

**100% staffed by SAOs.**

	+ 2024	+ 2023	+ 2022	+ 2021	+ 2020	+ 2019	+ 2018	+ 2000	Grand Total
Row Labels <input type="button" value="v↓"/>									
+ Bennington	3	9	7	1					20
+ Chittenden		7	7	1	1	3			19
+ Caledonia	1	5	2	1				1	10
+ Orleans		2	2	3	1				8
+ Washington		3	3	1					7
+ Rutland		1	2			1	2		6
+ Windham		4	1	1					6
+ Orange		2		1					3
+ Windsor		1	1				1		3
+ Franklin		1	1		1				3
+ Addison		2	1						3
+ Lamoille		1	2						3
Grand Total	4	38	29	9	3	4	3	1	91



# March 2024

## Active Sexual Assault Prosecutions by County.

97.8% staffed by SAOs

	⊕ 2024	⊕ 2023	⊕ 2022	⊕ 2021	⊕ 2020	⊕ 2019	⊕ 2018	⊕ 2017	⊕ 2013	Grand Total
<b>Row Labels</b>										
⊕ Rutland	2	7	9	7	6	4		1	1	37
⊕ Windsor		9	7	4	1	3	3	4		31
⊕ Chittenden		10	7	2	3	3				25
⊕ Washington		9	8	4			1			22
⊕ Windham	1	9	4	1	2	3				20
⊕ Caledonia	1	3	6	1	4	2	1			18
⊕ Orleans	1	6	5	1	1	2		1		17
⊕ Franklin		5	1	9						15
⊕ Bennington	2	4	3		2					11
⊕ Lamoille		2	5	1	1	1				10
⊕ Addison		5	1	1	1			2		10
⊕ Essex	1	1	1	1		2		1		7
⊕ Orange		1	2		1					4
⊕ Grand Isle		1								1
<b>Grand Total</b>	<b>8</b>	<b>72</b>	<b>59</b>	<b>32</b>	<b>22</b>	<b>20</b>	<b>5</b>	<b>9</b>	<b>1</b>	<b>228</b>





# People with Multiple Open Criminal Dockets

## December 2023

# of people with	_____ or more open dockets	Representing _____ total dockets
8	25	297
20	20	558
59	15	1,198
157	10	2,287
689	5	5,587

## March 2024

# of people with	_____ or more open dockets	Representing _____ total dockets
6	25	237
22	20	579
53	15	1,098
152	10	2,236
706	5	5,723



# December 2023 - Snapshot

**Repeat Offenses:** Of those persons with pending cases, **3,485 defendants had two or more criminal dockets and represented 12,688 pending criminal dockets** (of the total pending 21,619 dockets). Meaning, nearly 60% (58.68%) of pending criminal dockets involve persons with two or more dockets—alleged to have committed repeated criminal conduct (a docket may, typically, include multiple individual counts).

**Total Persons with a pending case:** As of 12/10/23 there were **12,416 persons with at least one pending criminal docket (total pending criminal dockets = 21,619)**.

**Failure to Appear Arrest Warrants** (FTA Aws): **5,023** (between 1/1/23-12/29/23).

**VCRs:** Total filed counts for Violations of Conditions of Release (VCRs) (as of 1/9/24): **4,605**.

**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/attempted murder cases as of 12/10/23 and more than 90 as of 3/1/24).

**Retail theft:** **1,596** pending “retail” dockets. 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.

Draft for discussion purposes

## Repeat Offenses

As of 12/10/23 there were **3,485 people with 12,688 pending dockets**. As of 12/10/23 there was 21,619 pending criminal cases. As such, 58.68% of all pending criminal cases were alleged *repeat offenders* (two or more pending criminal dockets).

- 8 people with 25 or more open dockets, representing 297 pending dockets.
- 20 people with 20 or more open dockets, representing 558 pending dockets.
- 59 people with 15 or more open dockets, representing 1,198 pending dockets.
- 157 people with 10 or more open dockets, representing 2,287 pending dockets.
- **689 people with 5 or more open dockets, representing 5,587 pending dockets.**

(Data Source, Vermont Judiciary 12/10/23)

Row Labels	Addison Unit	Bennington Unit	Caledonia Unit	Chittenden Unit	Essex Unit	Franklin Unit	Grand Isle Unit	Lamoille Unit	Orange Unit	Orleans Unit	Rutland Unit	Washington Unit	Windham Unit	Windsor Unit	Grand Total
Count of Defendants	136	341	339	740	71	399	40	201	147	372	454	376	374	278	
															<b>Grand To</b>
															<b>Count</b>
															<b>12,688</b>
															<b>3,485</b>

Data in chart above represents defendants *with two or more* pending dockets. Note a docket may include multiple counts.

As noted above, the 3,485 people with 12,688 pending dockets are those defendants with *two or more* pending dockets. Meaning of the 21,619 pending criminal dockets – 12,688 relate to 3,485 persons. As such, nearly 60% of pending cases are persons alleged to have committed repeated criminal conduct.



# December 2023 – Snapshot Cont.

This chart is snapshot, as of 12/10/23, of the top 20 persons with multiple pending dockets (pending dockets are in the column on the right and represent a total of 558 dockets amongst 20 persons).

- A defendant in Windham had 74 pending dockets.
- A defendant in Bennington had 47 pending dockets.
- A defendant in Chittenden had 41 pending dockets.
- A defendant had 13 pending dockets in Washington, 9 in Chittenden, and 7 in Caledonia.
- A defendant had 27 pending dockets in Rutland and one pending docket in Addison.
- In Rutland there were three defendants with over 20 pending dockets.
- In Windham there were five defendants with 20 or more pending dockets.

B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
Addison Unit	Bennington Unit	Caledonia Unit	Chittenden Unit	Essex Unit	Franklin Unit	Grand Isle Unit	Lamoille Unit	Orange Unit	Orleans Unit	Rutland Unit	Washington Unit	Windham Unit	Windsor Unit	Grand Total
												74		74
	47													47
			41											41
		7	9								13			29
1										27				28
4	1									22				27
												26		26
			25											25
												24		24
												24		24
										23				23
			22											22
		7							15					22
										22				22
21														21
			21											21
								1			20			21
	21													21
												20		20
		20												20

➤ **As of 12/10/23 there were 12,416 persons with at least one pending criminal docket (total pending criminal dockets as of 12/10/23 = 21,619).**



# March 2024 – Snapshot.

Column Labels	Felony	Misdemeanor	Fish and Game	Grand Total
	8	66		74
	9	40		49
	1	30		31
	10	21		31
	2	25		27
	4	21		25
	1	23		24
	2	21		23
	3	20		23
	12	10		22
	1	21		22
	6	16		22
	4	17		21
	2	19		21
	5	16		21
	1	20		21
	7	14		21
	5	16		21
	1	19		20
	4	16		20
	1	19		20
	10	10		20

- **This chart provides a snapshot of those persons, as of 3/1/2024, with 20 or more pending criminal dockets** (22 persons attached to 579 pending dockets).
- Note: as of 3/1/2024, **3,437 persons had two or more pending criminal dockets.**
- The 3,437 persons, with two or more pending criminal dockets, were attached to 12,650 pending criminal dockets, from a total of 21,116 pending 3/1/24 criminal dockets. **In sum, 59.9% of all pending 3/1/24 criminal dockets were attached to persons with two or more pending criminal dockets.**
- As such, **nearly 60% of all pending criminal cases, as of 3/1/24, relate to persons accused of repeated criminal conduct.**
- **As of 3/1/2024, 11,978 persons were related to at least one pending criminal docket and a total of 21,116 pending criminal dockets.**



# FTAs (Failures to Appear)

- From 1/1/23 to 12/29/23 – there were **5,023 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*).



# Retail Theft Data (12/10/23)

**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

	Addison	Bennington	Caledonia	Chittenden	Essex	Franklin	Grand Isle	Lamoille	Orange	Orleans	Rutland	Washington	Windham	Windsor	Grand Total
<b>Grand Total Retail Theft Dockets</b>	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%



# Trial Date Usage

## 2023 Data as of December

	2023 Trial Days
Addison	0
Bennington	17
Caledonia	7
Chittenden	3
Essex	5
Franklin	6
Grand Isle	0
Lamoille	3
Orange	6
Orleans	10
Rutland	25
Washington	9
Windham	37
Windsor	16
<b>Grand Total</b>	<b>144</b>



# Investigative Requests as of March 2024

- Includes: Search Warrants and Inquest Proceedings
  - **3,154 Pending**





# Backlog Snapshots

In March of 2023, the Judiciary started distributing monthly backlog snapshots. That data and the change over time is instructive.



# March 2023

## CRIMINAL BACKLOG INFORMATION

3.1.23

Pending cases by county:

COUNTY	Under dispo guidelines	Near dispo guideline *	Over dispo guideline	N/A**	Total Pending Cases
Addison	111	22	194	111	438
Bennington	267	89	955	295	1606
Caledonia	195	45	1067	291	1598
Chittenden	838	227	1521	577	2893
Essex	26	8	164	70	268
Franklin	301	72	475	356	1204
Grand Isle	20	5	70	21	116
Lamoille	202	51	775	134	1162
Orange	105	17	198	102	422
Orleans	226	72	1308	221	1827
Rutland	378	119	1747	446	2690
Washington	296	72	689	477	1534
Windham	262	87	922	459	1732
Windsor	252	57	583	320	1212



# April 2024

## CRIMINAL BACKLOG INFORMATION

4.1.24

Pending cases by county:

COUNTY	NEW FELONIES FILED	NEW MISD FILED	TOTAL CASES FILED	Under dispo guidelines	Near dispo guideline *	Over dispo guideline	N/A**	Total Pending Cases	Clearance rate For past month
Addison	7	26	33	151	38	110	91	390	143%
Bennington	31	53	84	445	85	561	252	1343	139%
Caledonia	11	28	39	244	64	696	171	1175	241%
Chittenden	55	228	283	1,321	189	887	547	2944	109%
Essex	4	9	13	50	5	100	66	221	59%
Franklin	10	96	106	501	67	173	361	1102	84%
Grand Isle	0	1	1	17	12	22	16	67	160%
Lamoille	15	25	40	198	35	211	137	581	68%
Orange	8	37	45	120	26	132	89	367	65%
Orleans	14	62	76	274	78	924	159	1435	110%
Rutland	44	96	140	509	123	777	212	1621	122%
Washington	27	63	90	471	106	255	448	1280	96%
Windham	23	88	111	439	104	574	232	1349	73%
Windsor	16	39	55	306	56	259	135	756	105%



# Criminal Backlog Snapshots

## March 2023 to April 2024

COUNTY	Under dispo guidelines	Near dispo guideline *	Over dispo guideline	N/A**	Total Pending (per judiciary)
Addison	40	16	-84	-20	-48
Bennington	178	-4	-394	-43	-263
Caledonia	49	19	-371	-120	-423
Chittenden	483	-38	-634	-30	51
Essex	24	-3	-64	-4	-47
Franklin	200	-5	-302	5	-102
Grand Isle	-3	7	-48	-5	-49
Lamoille	-4	-16	-564	3	-581
Orange	15	9	-66	-13	-55
Orleans	48	6	-384	-62	-392
Rutland	131	4	-970	-234	-1,069
Washington	175	34	-434	-29	-254
Windham	177	17	-348	-227	-383
Windsor	54	-1	-324	-185	-456
Total	1,567	45	-4,987	-964	-4,071



# Clearance Rates



# Summary of Clearance Rates

	# of months over 100% Clearance Rate	2022	2023	2023	2023	2023	2023	2023	2023	2023	2023	2023	2023	2023	2024	2024	2024
		December	January	February	March	April	May	June	July	August	September	October	November	December	January	February	April
Addison	7	207%	69%	133%	300%	91%	75%	98%	89%	62%	76%	111%	86%	85%	131%	105%	143%
Bennington	7	59%	97%	132%	62%	92%	111%	65%	95%	88%	88%	128%	101%	130%	95%	129%	139%
Caledonia	5	93%	63%	85%	200%	197%	179%	71%	72%	99%	130%	94%	98%	75%	97%	100%	241%
Chittenden	7	75%	114%	67%	105%	122%	83%	80%	107%	69%	118%	88%	78%	95%	114%	86%	109%
Essex	8	114%	85%	136%	325%	94%	125%	65%	78%	77%	108%	100%	183%	150%	75%	147%	59%
Franklin	7	128%	101%	91%	217%	105%	62%	135%	111%	89%	80%	99%	140%	85%	71%	84%	84%
Grand Isle	9	100%	120%	110%	85%	64%	72%	130%	263%	67%	75%	55%	240%	113%	138%	267%	160%
Lamoille	10	74%	57%	95%	85%	191%	239%	119%	154%	113%	102%	179%	166%	87%	134%	157%	68%
Orange	5	83%	65%	94%	86%	88%	90%	94%	58%	56%	90%	122%	161%	178%	138%	103%	65%
Orleans	9	59%	75%	75%	147%	101%	83%	114%	68%	115%	109%	145%	96%	110%	93%	173%	110%
Rutland	16	142%	108%	106%	114%	153%	117%	109%	105%	138%	160%	115%	123%	136%	133%	145%	122%
Washington	8	124%	147%	122%	114%	83%	107%	91%	64%	109%	97%	98%	87%	90%	115%	107%	96%
Windham	9	124%	101%	112%	275%	117%	104%	64%	92%	93%	97%	108%	119%	93%	99%	113%	73%
Windsor	11	121%	84%	130%	136%	111%	129%	73%	98%	111%	109%	102%	122%	79%	102%	99%	105%
Counties over 100% Clearance Rate		7	6	8	10	8	8	5	5	5	7	8	9	6	8	10	8



# Roles of the Criminal Justice System

- Retribution, rehabilitation, incapacitation, and deterrence
- Deterrence: Probability and Severity of Consequences
- Many studies find that the probability of consequences deters more than the severity of punishment.
- Probability of Consequences
  - Chances of Being Caught
  - Certainty and Expediency of Consequences
- [Rubb, T., Meta Analysis of Crime and Deterrence: A Comprehensive Review of Literature \(2008\)](#)



# Conclusion