



Vermont Department of State's Attorneys and Sheriffs

110 State St., Montpelier, VT 05633

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TO: Representative Trevor Squirrel, House Committee on Appropriations  
FROM: Annie Noonan, Labor Relations and Operations Manager, Department of State's Attorneys and Sheriffs ("SAS" or "the Department"); Timothy Lueders-Dumont, Esq.  
DATE: December 29, 2023  
RE: SAS Caseload Analysis  
CC: Representative Diane Lanpher, Chair, House Committee on Appropriations; Representative Martin LaLonde, Chair, House Committee on Judiciary

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The focus of the analysis<sup>1</sup> below is to provide information concerning the caseloads of SAS staff and the work occurring at the county level by SAS attorneys, victim advocates, and administrative staff.

Research concerning national best practices suggests that "prosecutors should not handle more than 150 felonies or 400 misdemeanors per year."<sup>2</sup> While national research concerning best practices is helpful, it does not consider local practices. For example, Vermont SAS prosecutors handle much more than criminal cases. SAS Attorneys are assigned to handle 99% of cases in the Criminal Division (*Felonies, Fish and Wildlife, and Misdemeanors*) and the Family Division (*e.g., CHINS, Juvenile Delinquencies, YO cases, and ERPOs*), as well as complex case types in the Civil Division (*e.g., PCRs*).<sup>3</sup> Further SAS also handles the majority of criminal division appeals and a number of family division appeals.

During the 2023 legislative session, and in discussions with legislators in preparation for the 2024 legislative session, SAS staff and legislators have discussed increasing staffing to reduce the average caseload of SAS attorneys and SAS victim advocates. During a hearing of the House Committee on Appropriations held on December 19, 2023, legislators expressed concern for SAS staff burnout.<sup>4</sup>

SAS recommends that lawmakers provide resources to allow the Department to reduce the workload amongst SAS attorneys, victim advocates, and administrative staff.

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<sup>1</sup> Data summarized in this document was obtained from the Vermont Judiciary. Analysis is prepared for discussion purposes and may be subject to change or future alteration. Note, Vermont Department of Labor population data may also be relevant: <http://www.vtlni.info/profile2023.pdf>.

<sup>2</sup> See Northwestern University School of Law. "THE STATE (NEVER) RESTS: HOW EXCESSIVE PROSECUTORIAL CASELOADS HARM CRIMINAL DEFENDANTS." 2011 (emphasis added); see also [Prosecutor Workload Report \(centerforjusticeresearch.org\)](http://centerforjusticeresearch.org).

<sup>3</sup> Glossary: CHINS = Children in Need of Care or Supervision; YO = Youthful Offender; PCR = Post-Conviction Relief; ERPO = Extreme Risk Protection Order.

<sup>4</sup> [Documents & Handouts | House Committee on Appropriations \(vermont.gov\)](http://vermont.gov).

# Chart 1. SNAPSHOT OF STATEWIDE<sup>5</sup> PENDING SAS CASE TYPES

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

Case Status	(All)															
Count of Case Nu	Column															
Row Labels	Abandoned or Abused by Parent/Guardian/Custodian	CHINS A - Neglect	CHINS B - Parental Care or Subsistence (Neglect)	CHINS C - Without or Beyond the Control of P/G/C	CHINS D - Habitually and Without Justification	Civil Miscellaneous	Civil Suspension	Felony	Fish and Game	Judicial Bureau Appeal	Juvenile Delinquency	Misdemeanor	Ordinance	Prisoner Case - Post Conviction Relief	Youthful Offender	Grand Total
Addison Unit	2	166	11	6	4	18	204	7			85	527			31	1,062
Bennington Unit	2	85	15	24		56	682	1			44	1,190		15	32	2,146
Caledonia Unit		87	1	13	6	82	486	7	1		47	1,170	1		40	1,941
Chittenden Unit	29	209	13	21	18	79	1,147	11	8		187	2,552	1	6	83	4,364
Essex Unit	1	17		4	3	114		2			4	171		3	3	322
Franklin Unit	9	327	50	43	6	61	511	21			306	1,204		5	162	2,705
Grand Isle Unit	3	24	1	5	3	4	35	2	1		5	94			5	182
Lamoille Unit	3	47	3	11	1	50	280	7			48	689		2	6	1,147
Orange Unit		26		10	7	22	175	2			17	399			8	666
Orleans Unit	19	74	12	1	10	55	600	15			46	1,149		11	18	2,010
Rutland Unit	3	169	26	21	4	69	789	9	2		136	1,705		12	26	2,971
Washington Unit	5	88	4	6	12	50	498	9			169	1,163	6	4	64	2,078
Windham Unit	1	101	7	6	6	53	733	4			141	1,776		5	25	2,858
Windsor Unit	7	64	4	5	8	36	494	2	1		38	983		12	13	1,667
<b>Grand Total</b>	<b>84</b>	<b>1,484</b>	<b>147</b>	<b>172</b>	<b>89</b>	<b>638</b>	<b>6,748</b>	<b>99</b>	<b>13</b>	<b>1,273</b>	<b>14,772</b>	<b>8</b>	<b>76</b>	<b>516</b>	<b>26,119</b>	

Currently, the case status is set to all.

- **Takeaways concerning SAS case types as of 12/10/23: 26,000 pending SAS-related cases and of that 21,500 are criminal cases:**
  - **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: 6748**;
  - **Murders: 83** (includes attempts);
  - **Civil Suspension: 638**.
  - **PCRs: 76**;
  - **Juvenile Delinquencies: 1,273**;
  - **YO: 517**;
  - **CHINS D (truancy): 172**;
  - **CHINS C (without or beyond control of the p/g/c): 147**;
  - **CHINS B (neglect): 1,484**; and,
  - **CHINS A: 85** (abandoned or abused by p/g/c).

<sup>5</sup> Data does not include appeals and investigation related workload.

## SAS STATEWIDE AVERAGE CASELOAD

- The total number of pending SAS-related cases, as of 12/10/23, was **26,039**.<sup>6</sup> At present, there are **72** SAS attorney positions (SAS ATTYS) allocated in the fourteen State's Attorneys' Offices (SAO).
- For pending SAS case types, excluding appeals, ERPOs, and investigation related work, the statewide SAS attorney average is: **361.652** (26,039/72).
  - To achieve an average caseload of 250 cases per SAS attorney: using the current pending SAS-related pending case count of 26,039, there would need to be 104 SAS attorney positions ( $26,039 / 104 = 250.375$ ). As such, 32 new attorneys would need to be hired to achieve an average caseload of 250 cases per SAS attorney.
  - To achieve an average caseload of 230 cases per SAS attorney: using the current pending SAS-related pending case count of 26,039, there would need to be 113 SAS attorneys ( $26,039 / 113 = 230.433$ ). As such, 41 new attorneys would need to be hired to achieve an average caseload of 230 cases per SAS attorney.
- In lieu of funding to hire 32 to 41 new attorneys, as well as victim advocates and administrative positions, particularly in those counties with heavy and complex caseloads, from both a resource perspective and a labor perspective, the Department recommends allocation of positions to assist counties with the highest average caseloads, noted below.
- The snapshot above, and two charts directly below, includes most Family Division matters (CHINS, Juvenile Delinquency, Youthful Offender, excluding ERPOS); some Civil Division matters assigned to SAS (including PCRs); and Criminal Division matters (Felonies, Fish and Wildlife, and Misdemeanors).
- **CURRENT SA / DSA ATTORNEY STAFFING BY COUNTY AS OF 12/28/23.**
  - Addison: 3
  - Bennington: 6
  - Caledonia: 5
  - Chittenden: 15
  - Essex: 1
  - Franklin: 6
  - Grand Isle: 1
  - Lamoille: 2
  - Orange: 2
  - Orleans: 5
  - Rutland: 7
  - Washington: 7
  - Windham: 6
  - Windsor: 6

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<sup>6</sup> It is estimated that SAS staff are assigned to 99% of the cases in the Criminal and Family Division and to the majority of PCRs in the Civil Division. As of 12/10/23, 80 Criminal Cases were assigned to AGO. Note, data obtained from the Judiciary does not include TPR cases, staffed by AGO. 26,039 is the total if you remove the criminal cases assigned to AGO. Pending cases, obtained from Judiciary data includes Criminal division, Family division, and Civil division case types where SAS attorneys are likely to be assigned in the Vermont Superior Court. Again, data obtained from the Judiciary does not include appeals, ERPOS, and investigation related work.

**Chart 2. STATEWIDE<sup>7</sup> PENDING SAS CASELOAD CHART: BY ALPHABETICAL ORDER** (Criminal, Family (excluding ERPOS), and Civil cases)

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 <i>(INCLUDES SAS FAMILY, CRIMINAL, AND CIVIL CASE TYPES, EXCLUDING APPEALS, ERPOS, AND INVESTIGATION RELATED WORKLOAD)</i>	PENDING CASELOAD BY RANK ACCORDING TO AVERAGE ATTY CASELOAD	NOTES:
<b>Addison</b> (3 SAS ATTYS)	1	2	<b>354</b>	1,062	8	3 pending murder cases.
<b>Bennington</b> (6 SAS ATTYS)	1	5	<b>357.66</b>	2,146	7	<b>16</b> pending murder cases.
<b>Caledonia</b> (5 SAS ATTYS)	1	4	<b>388.2</b>	1,941	6	9 pending murder cases.
<b>Chittenden</b> (15 SAS ATTYS)	1	14	<b>290.9</b>	4,364	12	<b>20</b> pending murder cases.
<b>Essex</b> (1 SAS ATTY)	1	0	<b>322</b>	322	10	Part time SA.
<b>Franklin</b> (6 SAS ATTYS)	1	5	<b>450</b>	2,705	3	4 pending murder cases.
<b>Grand Isle</b> (1 SAS ATTY)	1	0	<b>182</b>	182	14	Part time SA.
<b>Lamoille</b> (2 SAS ATTYS)	1	1	<b>573.5</b>	1,147	1	3 pending murder cases.
<b>Orange</b> (2 SAS ATTYS)	1	1	<b>333</b>	666	9	2 pending murder cases.
<b>Orleans</b> (5 SAS ATTYS)	1	4	<b>402</b>	2,010	5	8 pending murder cases.
<b>Rutland</b> (7 SAS ATTYS)	1	6	<b>424.42</b>	2,971	4	5 pending murder cases.
<b>Washington</b> (7 SAS ATTYS)	1	6	<b>296.85</b>	2,078	11	4 pending murder cases.
<b>Windham</b> (6 SAS ATTYS)	1	5	<b>476.33</b>	2,858	2	6 pending murder cases.
<b>Windsor</b> (6 SAS ATTYS)	1	5	<b>277.833</b>	1,667	13	3 pending murder cases.

<sup>7</sup> Data does not include appeals and investigation related workload.

**Chart 3. STATEWIDE <sup>8</sup> PENDING SAS CASELOAD CHART: RANKED BY AVERAGE CASELOAD BY COUNTY** (Criminal, Family (excluding ERPOS), and Civil cases)

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 <i>(INCLUDES SAS FAMILY, CRIMINAL, AND CIVIL CASE TYPES, EXCLUDING APPEALS, ERPOS, AND INVESTIGATION RELATED WORKLOAD)</i>	PENDING CASELOAD <b>BY RANK</b> ACCORDING TO AVERAGE ATTY CASELOAD	NOTES:
<b>Lamoille</b> (2 SAS ATTYS)	1	1	<b>573.5</b>	1,147	1	3 pending murder cases.
<b>Windham</b> (6 SAS ATTYS)	1	5	<b>476.33</b>	2,858	2	6 pending murder cases.
<b>Franklin</b> (6 SAS ATTYS)	1	5	<b>450</b>	2,705	3	4 pending murder cases.
<b>Rutland</b> (7 SAS ATTYS)	1	6	<b>424.42</b>	2,971	4	5 pending murder cases.
<b>Orleans</b> (5 SAS ATTYS)	1	4	<b>402</b>	2,010	5	8 pending murder cases.
<b>Caledonia</b> (5 SAS ATTYS)	1	4	<b>388.2</b>	1,941	6	9 pending murder cases.
<b>Bennington</b> (6 SAS ATTYS)	1	5	<b>357.66</b>	2,146	7	<b>16</b> pending murder cases.
<b>Addison</b> (3 SAS ATTYS)	1	2	<b>354</b>	1,062	8	3 pending murder cases.
<b>Orange</b> (2 SAS ATTYS)	1	1	<b>333</b>	666	9	2 pending murder cases.
<b>Essex</b> (1 SAS ATTY)	1	0	<b>322</b>	322	10	Part time SA.
<b>Washington</b> (7 SAS ATTYS)	1	6	<b>296.85</b>	2,078	11	4 pending murder cases.
<b>Chittenden</b> (15 SAS ATTYS)	1	14	<b>290.9</b>	4,364	12	<b>20</b> pending murder cases.
<b>Windsor</b> (6 SAS ATTYS)	1	5	<b>277.833</b>	1,667	13	3 pending murder cases.
<b>Grand Isle</b> (1 SAS ATTY)	1	0	<b>182</b>	182	14	Part time SA.

<sup>8</sup> Excluding appeals and investigations workload.

## Chart 4. SNAPSHOT OF PENDING CRIMINAL-ONLY CASES ASSIGNED TO SAS ATTORNEYS

- As of 12/10/23 there were 21,539 pending SAS-related “criminal” cases.<sup>9</sup> 21,539 divided by 72 SAS attorneys results in an average criminal caseload of 299.15.
- To achieve an average caseload of 250 “criminal” cases per SAS attorney: using the current SAS-related pending criminal cases of 21,539, there would need to be 86 SAS attorney positions (21,539 / 86 = 250.45). As such, 14 new attorneys would need to be hired to achieve a caseload of 250 criminal cases per SAS attorney.
- To achieve an average caseload of 230 “criminal” cases per SAS attorney: using the current SAS-related pending case count of 21,539, there would need to be 93 SAS attorney positions (21,539 / 92 = 231.601). As such, 21 new attorneys would need to be hired to achieve a caseload of 230 criminal cases per SAS attorney.

Case Status	(All)									
Column Labels	Felony									
Row Labels	Misdemeanor		Fish and Game		Total Count of Case Number		Total Percent			
	Count of Case Number	Percent	Count of Case Number	Percent	Count of Case Number	Percent	Count of Case Number	Percent	Count of Case Number	Percent
Chittenden Unit	1,147	17.00%	2,552	17.28%	11	11.11%	3,710	17.16%		
Windham Unit	733	10.86%	1,776	12.02%	4	4.04%	2,513	11.62%		
Rutland Unit	789	11.69%	1,705	11.54%	9	9.09%	2,503	11.58%		
Bennington Unit	682	10.11%	1,190	8.06%	1	1.01%	1,873	8.66%		
Orleans Unit	600	8.89%	1,149	7.78%	15	15.15%	1,764	8.16%		
Franklin Unit	511	7.57%	1,204	8.15%	21	21.21%	1,736	8.03%		
Washington Unit	498	7.38%	1,163	7.87%	9	9.09%	1,670	7.72%		
Caledonia Unit	486	7.20%	1,170	7.92%	7	7.07%	1,663	7.69%		
Windsor Unit	494	7.32%	983	6.65%	2	2.02%	1,479	6.84%		
Lamoille Unit	280	4.15%	689	4.66%	7	7.07%	976	4.51%		
Addison Unit	204	3.02%	527	3.57%	7	7.07%	738	3.41%		
Orange Unit	175	2.59%	399	2.70%	2	2.02%	576	2.66%		
Essex Unit	114	1.69%	171	1.16%	2	2.02%	287	1.33%		
Grand Isle Unit	35	0.52%	94	0.64%	2	2.02%	131	0.61%		
<b>Grand Total</b>	<b>6,748</b>	<b>100.00%</b>	<b>14,772</b>	<b>100.00%</b>	<b>99</b>	<b>100.00%</b>	<b>21,619</b>	<b>100.00%</b>		

❖ **PENDING CRIMINAL CASE DATA DOES NOT INCLUDE:**

- PCRS (Postconviction Relief) (civil division),
- SEARCH WARRANTS, INQUESTS, INTOS, 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).

<sup>9</sup> 21,539 is the total of pending criminal division cases likely assigned to SAS attorneys, which excludes the criminal cases known to be assigned to known to be assigned to AGO attorneys. 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.

**Chart 5. PENDING “CRIMINAL-ONLY” SAS CASELOAD CHART: RANKED BY ORDER OF AVERAGE CRIMINAL CASELOAD BY COUNTY**

- PENDING “CRIMINAL ONLY” CASES: 21,539.<sup>10</sup> Data in the charts below DOES NOT include Appeals, Family Division matters (CHINS, Juvenile Delinquency, Youthful Offender, ERPOs), or Civil Division matters assigned to SAS (e.g., PCRs).

COUNTY (SAS ATTY POSITIONS IN SAO)	STATE’S ATTORNEY	DEPUTY STATE’S ATTORNEYS (DSAS)	PENDING CRIMINAL CASELOAD AVERAGE AS OF 12/10/23	TOTAL PENDING CRIMINAL CASES AS OF 12/10/23	PENDING CRIMINAL CASELOAD RANK ACCORDING TO AVERAGE ATTY CASELOAD	NOTES:
<b>Lamoille</b> (2 SAS ATTYS)	<b>1</b>	<b>1</b>	<b>488</b>	976	1	<b><u>3 pending murder cases.</u></b>
<b>Windham</b> (6 SAS ATTYS)	<b>1</b>	<b>5</b>	<b>418.833</b>	2513	2	<b><u>6 pending murder cases.</u></b>
<b>Rutland</b> (7 SAS ATTYS)	<b>1</b>	<b>6</b>	<b>357.6</b>	2503	3	<b><u>5 pending murder cases.</u></b>
<b>Orleans</b> (5 SAS ATTYS)	<b>1</b>	<b>4</b>	<b>352.8</b>	1764	4	<b><u>8 pending murder cases.</u></b>
<b>Caledonia</b> (5 SAS ATTYS)	<b>1</b>	<b>4</b>	<b>332.6</b>	1663	5	<b><u>9 pending murder cases.</u></b>
<b>Bennington</b> (6 SAS ATTYS)	<b>1</b>	<b>5</b>	<b>312.2</b>	1873	6	<b><u>16 pending murder cases.</u></b>
<b>Franklin</b> (6 SAS ATTYS)	<b>1</b>	<b>5</b>	<b>289.3</b>	1736	7	<b><u>4 pending murder cases.</u></b>
<b>Orange</b> (2 SAS ATTYS)	<b>1</b>	<b>1</b>	<b>288</b>	576	8	<b><u>2 pending murder cases.</u></b>
<b>Essex</b> (1 SAS ATTY)	<b>1</b>	<b>0</b>	<b>287</b>	287	9	Part time SA. No pending murder cases.
<b>Chittenden</b> (15 SAS ATTYS)	<b>1</b>	<b>14</b>	<b>247.3</b>	3710	10	<b><u>20 pending murder cases.</u></b>
<b>Windsor</b> (6 SAS ATTYS)	<b>1</b>	<b>5</b>	<b>246.5</b>	1479	11	<b><u>3 pending murder cases.</u></b>
<b>Addison</b> (3 SAS ATTYS)	<b>1</b>	<b>2</b>	<b>246</b>	738	12	<b><u>3 pending murder cases.</u></b>
<b>Washington</b> (7 SAS ATTYS)	<b>1</b>	<b>6</b>	<b>238.6</b>	1670	13	<b><u>Note: 4 pending murder cases.</u></b>
<b>Grand Isle</b> (1 SAS ATTY)	<b>1</b>	<b>0</b>	<b>131</b>	131	14	Part time SA. No pending murder cases.

<sup>10</sup> 21,539 is the total of pending criminal division cases assigned to SAS attorneys, which excludes the criminal cases known to be assigned to known to be assigned to AGO attorneys.

## **Chart 6. SAS VICTIM ADVOCATE AVERAGE CASELOAD ESTIMATES**

SAS Victim Advocates are critical positions in Vermont’s efforts to ensure that victims’ rights are protected, and services are accounted for.<sup>11</sup> It should be noted that some advocates in Vermont carry a caseload far greater than 700. Because Vermont has legislated that SAS Victim Advocates have a substantial amount of responsibility; our state must invest in adequate staffing of 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 JOB SHARE	750	LAMOILLE
Orange - Bickelman	350	ORANGE
Orleans - Vos SPLIT	427.5	ORLEANS
Orleans - Visan SPLIT	427.5	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
<b>TOTAL</b>	<b>17975</b>	<b>TOTAL</b>
	<b>665/per VA</b>	<b>AVERAGE</b>

<sup>11</sup> See “System-based victim advocates identify resources and barriers to supporting crime victims,” (weblink <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC9837801/pdf/nihms-1860998.pdf>) (“Frequently advocates carry a caseload between 400 and 700 cases a year, making it impossible to provide the level of relationship building and care needed.”).



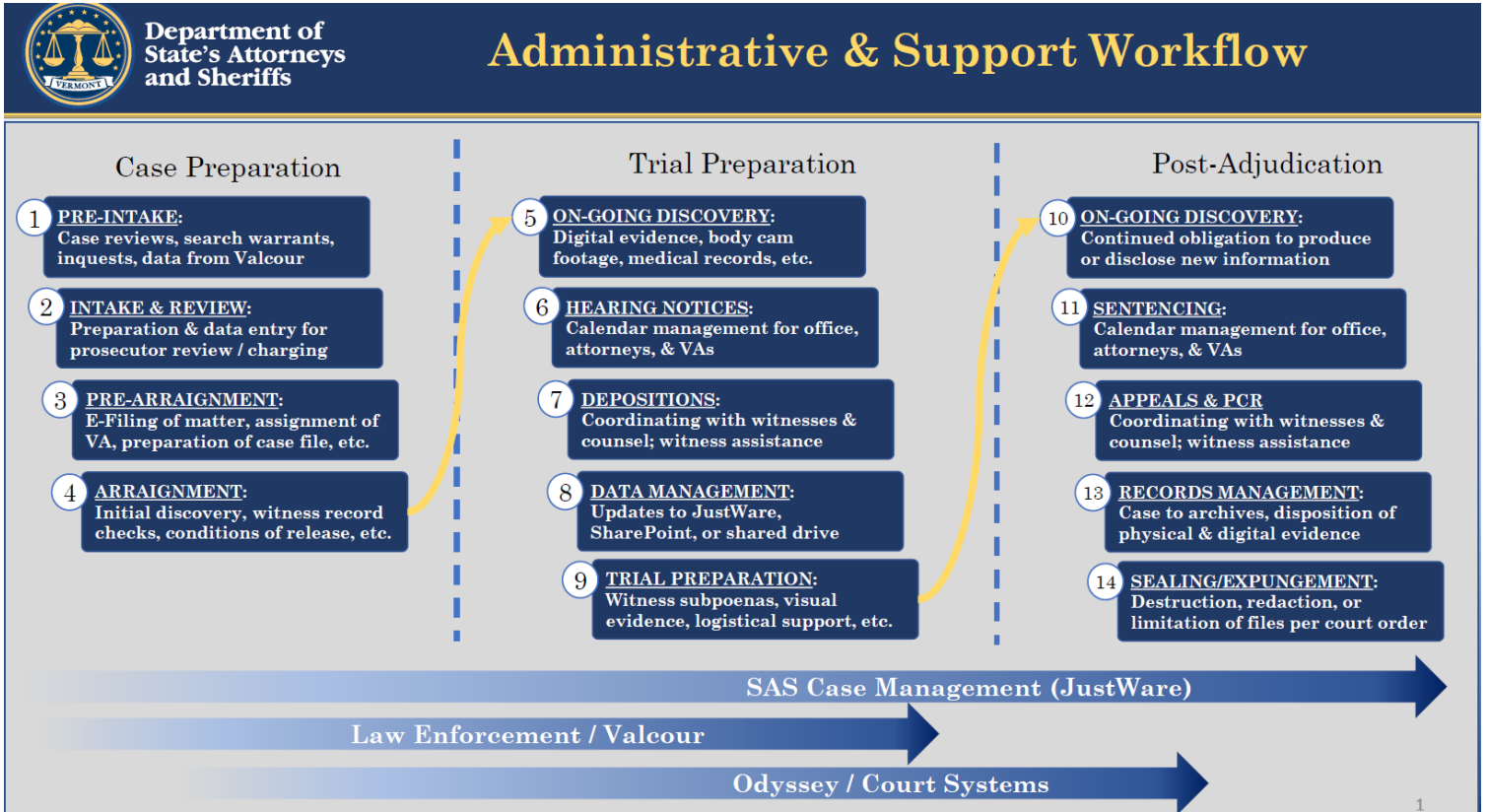
## SAS BIG PICTURE & TAKEAWAYS

- 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.
- There are roughly 26,000 pending SAS-related cases and of that 21,500 are criminal cases. In response to a request from Representative Squirrell on December 22, 2023 SAS recommended a 230 to 250 average per SAS attorney. That said, any increase in staffing will assist in better addressing the many thousands of pending cases assigned to SAS staff.
- Pending data 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).
- Beyond the need for SAS attorney positions to prosecute and manage cases in Superior Court, there is also a need for an increase in victim advocate staffing (see estimates above). At present, based on a survey of SAS victim advocates, the average number of cases being managed by SAS victim advocates is 665.
- Likewise, there is an ongoing need for administrative staff support (see workflow graphic below), particularly in those counties with heavy and complex caseloads. If increases in SAS attorney positions or victim advocate positions are to occur, increased administrative support will be necessary as well.
- There is a large volume of pending murder cases (in 12 of the 14 counties) assigned to SAS staff.
- **Appeals, PCRs, and other legal and administrative work:**
  - **Appeals and PCRS:** SAS EDO has 1 current 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)<sup>12</sup> 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. 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 likely 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 and transition to a new CMS).
  - **Training:** There is increased focus on training for SAS staff given that SAS is staffing 99% of criminal and juvenile justice matters. The quality of justice is an essential and an important point of emphasis. Increased emphasis on training will increase the quality of justice.

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<sup>12</sup> [Home Page | Office of the Defender General \(vermont.gov\)](https://www.vermont.gov/homepage).

**APPENDIX 1 (SAS ADMIN WORKFLOW)**



**Department of State's Attorneys and Sheriffs**

## Administrative & Support Workflow

### SAS Administrative Assistants & Support Secretaries are Integral to Our Mission

- Play a role in every aspect of case progression – from initial intake to case disposition.
- Must be proficient and rely upon multiple case management or filing systems – JustWare, Odyssey eFile, Valcour, and other modern methodologies for transfer of data from law enforcement.
- Administrative and support staff are on the front line of emergencies and critical filings – frequently only hours to prepare emergency cases for court (homicides/attempted homicides, complex domestic assaults, etc.)
- Digital era has increased workload – paperless case management and filing means more preparation time – formatting and redacting information, etc. Disparate case management systems between all parties generates significant inefficiencies in processes.
- Obligations to support reception, case preparation, on-going discovery, attorney calendars, and other office events requires significant knowledge, experience within the system, and flexibility to meet our public safety mission – many matters cannot wait.

**APPENDIX 2 (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.

<b>Addison Unit</b>		
<b>Offense Code</b>	<b>Offense Description</b>	<b>Cases</b>
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
<b>Sub-Total Count:</b>		<b>9</b>
<b>Bennington Unit</b>		
<b>Offense Code</b>	<b>Offense Description</b>	<b>Cases</b>
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
<b>Sub-Total Count:</b>		<b>39</b>

<b>Caledonia Unit</b>		
<b>Offense Code</b>	<b>Offense Description</b>	<b>Cases</b>
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
<b>Sub-Total Count:</b>		<b>22</b>

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
<b>Sub-Total Count:</b>		<b>36</b>

**Franklin Unit**

<b>Offense Code</b>	<b>Offense Description</b>	<b>Cases</b>
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
<b>Sub-Total Count:</b>		<b>17</b>

**Lamoille Unit**

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

**Orange Unit**

<b>Offense Code</b>	<b>Offense Description</b>	<b>Cases</b>
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
<b>Sub-Total Count:</b>		<b>7</b>

**Orleans Unit**

<b>Offense Code</b>	<b>Offense Description</b>	<b>Cases</b>
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
<b>Sub-Total Count:</b>		<b>18</b>

**Rutland Unit**

<b>Offense Code</b>	<b>Offense Description</b>	<b>Cases</b>
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
<b>Sub-Total Count:</b>		<b>20</b>

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
<b>Sub-Total Count:</b>		<b>14</b>

**Windham Unit**

<b>Offense Code</b>	<b>Offense Description</b>	<b>Cases</b>
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
<b>Sub-Total Count:</b>		<b>13</b>

**Windsor Unit**

<b>Offense Code</b>	<b>Offense Description</b>	<b>Cases</b>
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
<b>Sub-Total Count:</b>		<b>10</b>

**Total Count: (211)**