

1 S.1

2 Introduced by Senator Ashe

3 Referred to Committee on

4 Date:

5 Subject: Crimes and criminal procedure; judgment, sentence, and execution;
6 sentencing alternatives; financial cost

7 Statement of purpose: This bill proposes to require judges to consider the
8 approximate financial cost of available sentences prior to issuing a sentence.

9 An act relating to consideration of financial cost of criminal sentencing
10 options

11 It is hereby enacted by the General Assembly of the State of Vermont:

12 Sec. 1. 13 V.S.A. § 7030 is amended to read:

13 § 7030. SENTENCING ALTERNATIVES

14 (a) In determining which of the following should be ordered, the court shall
15 consider the nature and circumstances of the crime, the history and character of
16 the defendant, the need for treatment, the approximate financial cost of
17 available sentences, and the risk to self, others, and the community at large
18 presented by the defendant:

19 (1) A deferred sentence pursuant to section 7041 of this title.

1 (2) Referral to a community reparative board pursuant to 28 V.S.A.
2 chapter 12 in the case of an offender who has pled guilty to a nonviolent
3 felony, a nonviolent misdemeanor, or a misdemeanor that does not involve the
4 subject areas prohibited for referral to a community justice center under
5 24 V.S.A. § 1967. Referral to a community reparative board pursuant to this
6 subdivision does not require the court to place the offender on probation. The
7 offender shall return to court for further sentencing if the reparative board does
8 not accept the case or if the offender fails to complete the reparative board
9 program to the satisfaction of the board in a time deemed reasonable by the
10 board.

11 (3) Probation pursuant to 28 V.S.A. § 205.

12 (4) Supervised community sentence pursuant to 28 V.S.A. § 352.

13 (5) Sentence of imprisonment.

14 (b) When ordering a sentence of probation, the court may require
15 participation in the restorative justice program established by 28 V.S.A.
16 chapter 12 as a condition of the sentence.

17 (c) The Department of Corrections shall develop and maintain a database
18 on the approximate daily, monthly, and annual costs of individual sentences,
19 including incarceration, probation, deferred sentence, supervised community
20 sentence, participation in the restorative justice program, and any other

1 possible sentence. The database information shall be made available to the
2 courts for the purposes of subsection (a) of this section.

3 Sec. 2. EFFECTIVE DATE

4 This act shall take effect on July 1, 2013.