

To: Justice Oversight Committee  
From: Annie Ramniceanu Director of Pretrial Services, Department of Corrections  
Date: October 2015  
Re: Act 195 Mandates and Directives

---

What follows is a list of all of the mandates, directives, and recommendations contained in Act 195. The overall effective date for each section is listed as are any internal due dates.

Directives and mandates related to Pretrial Service implementation are in **bold**.  
Pretrial Director's response to completing the directives and mandates is in *italics and underlined* after each section.

Section 1 (whole section takes effect on passage)

- (b) Law enforcement officials and criminal justice professionals develop and maintain programs at every stage of the criminal justice system to provide alternatives to a traditional criminal justice response for people who, consistent with public safety, can effectively and justly benefit from those alternative responses. (no date specified)
- (h) General Assembly urges Administration to prioritize efforts to ensure that people with opiate addictions are provided access to necessary medication while taking measures to prevent diversion and misuse (no date specified)

Section 2 (whole section takes effect on January 1, 2015)

- **(6) (A) Administrative Judge and Court Administrator, in consultation with AHS, and DOC shall develop statewide phased rollout plan of specified groups. Plan to be submitted to Corrections Oversight Committee on or before October 15, 2014. (felonies, excluding listed crimes cited into court; persons cited or arrested for an offense that is not a listed crime who are identified as having a substantial substance use or mental health issue; misdemeanor and felony drug offenses, excluding trafficking, cited into court; personas arrested and lodged and unable to post bail excluding persons whose offense will result in sex offender registry or an offense is punishable by life imprisonment) *Completed on or before date.***
- **(6) (B) Full rollout of groups by October 15, 2015.** Criminal justice professionals charged with implementation shall adhere to the plan. *Pretrial services offered statewide before or by October 15, 2015.*
- (3) Vermont Supreme Court to develop rules related to custody of screening information
- **(3) DOC to develop rules related to custody, control and preservation of information consistent with the confidentiality requirements. *Completed on or before date.***

Section 3 (whole section takes effect on passage)

- **(a) ( b) (c) DOC to select screening instruments and have them available by September 1, 2014. Completed.**
- **(c) DOC, Judiciary, Defender General, State’s Attorneys shall train on the instruments before December 15, 2014. Completed on or before date.**  
  
**(d) ( e) DOC shall contract for or otherwise provide pretrial services including performance of risk assessments, needs screenings, and pretrial monitoring which may include reporting compliance with conditions of release; supporting the person meeting the conditions of release; identifying community based treatment, rehabilitative and recovery services and alternative justice programs; supporting a prosecutor’s Precharge program. Contract in place; all Pretrial Service activities being offered.**
- **(f) (1) DOC, with judiciary and Crime Research Group, shall develop and implement a system to evaluate goals and performance of pretrial services and report to legislature by December 15, 2014 (presumably as year not specified) on the evaluation plan. Contract and system in place; report made on or before date. Data collection and evaluation ongoing.**
- (f)(2) AHS, with judiciary, to ensure that a study is conducted to include an outcome study, process evaluation, and cost benefit analysis (no date specified).
- (g) AHS, with staff and administrative support from the Criminal Justice Capable Core Team, to map services and assess the impact of court referrals and the capacity of the current service provision system in each region (no date specified)
- (g) AHS and the Criminal Justice Capable Core Team to develop recommendations for a system for referral based on level of need, identifying existing gaps to optimize outcomes.

Section 4 (whole section takes effect on passage)

- (a) State’s Attorneys in consult with judiciary and the Attorney General to develop guidelines for precharge programs
- (b) State’s Attorneys to report to General Assembly on alternative justice programs that exist in each county together with protocols for each program, the annual number of persons served by the program, and a plan for how a sequential intercept model can be deployed in the county by October 1, 2014 and annually thereafter.