



VERMONT  
NETWORK

Bail Reform Proposed Amendments  
House Committee on Judiciary  
February 24, 2017  
Auburn Watersong  
Policy Director

Section 1. 13 V.S.A. § 7551. APPEARANCE BONDS; GENERALLY

(b) No bond may be imposed at the initial appearance of a person charged with a misdemeanor, other than a misdemeanor violation of subchapters 6 and 7 of chapter 19 of this title or 13 V.S.A. § 5409, if the person was cited for the offense in accordance with Rule 3 of the Vermont Rules of Criminal Procedure.

(b) No bond may be imposed at the initial appearance of a person charged with a misdemeanor, other than a misdemeanor violation of subchapters 6 and 7 of chapter 19 of this title or 13 V.S.A. § 5409, or **subchapter 1 of chapter 72 of 13 V.S.A., subchapter 1 of 59 of 13 VSA**, if the person was cited for the offense in accordance with Rule 3 of the Vermont Rules of Criminal Procedure.

Sec. 2. 28 V.S.A. § 301 SUMMONS OR ARREST OF PROBATIONER

(2) ... In lieu of arrest, a correctional officer may issue a probationer a citation to appear for arraignment. **In deciding whether to arrest or issue a citation, the office shall consider whether a citation will**

**(A) reasonably ensure the appearance of the defendant as required and**  
**(B) protect public safety and the safety of any victims of the crime for which the probationer was convicted and any victims of the alleged probation violation.**

(5)(A) At arraignment, if the court finds that bail and conditions of release will reasonably assure the probationer's appearance at future proceedings and reasonably protect the public, the court:

(i) shall release a probationer who is on probation for a nonviolent misdemeanor or nonviolent felony; and

(ii) may release a probationer who is on probation for a violent misdemeanor or violent felony **if the court makes findings that release of the probationer will**

**(A) reasonably ensure the appearance of the defendant as required and**  
**(B) protect public safety and the safety of any victims of the crime for which the probationer was convicted and any victims of the alleged probation violation.**

.