

Vermont Pretrial Services
Act 195 (13 V.S.A. § 7554c)

Pretrial Intervention

Risk Assessments & Needs Screenings

Pretrial Monitors offer risk assessments and needs screenings to those cited or arrested. Results are provided to the person screened, Defense Attorney, Prosecutor, and Court.

Screening for needs:

- Mental health
- Substance use

Assessing for risk:

- Nonappearance
- Risk of re-offense

May inform:

- if clinical assessment is recommended
- Prosecutor’s decision to refer to a pretrial intervention
- all parties to determine if bail or conditions of release are required
- Court decision to order Pretrial Monitoring

Between 10/1/15 – 9/30/16, Pretrial Monitors screened and assessed 1,246 individuals throughout all counties.

Prosecutor Referral

Pretrial Monitors provide a pretrial intervention for those

- cited or arrested
- for whom the underlying cause of criminal behavior is substance use or mental health problems
- willing to engage in treatment supports and repair harm when appropriate
- referred by the Prosecutor

Typically, these are individuals who are not eligible for Court Diversion, because of their criminal history, and whose repeated convictions have not led to any behavior change.

Pretrial monitors report to the Prosecutor on the individual’s compliance and the Prosecutor decides whether to file a charge.

Between 10/1/15 – 9/30/16, prosecutors in Essex, Lamoille, Rutland, Windham, and Windsor Counties referred 80 individuals. Two-thirds of these cases have closed; of those, 75% closed following full compliance of the individual and no charge being filed.

Court Referral Monitoring

Pretrial Monitors support defendants to follow these conditions of release as ordered by the Court:

- Meet with the Pretrial Monitor for a needs screening or risk assessment
- Meet with the Pretrial Monitor on a schedule set by the Court
- Follow the recommendations of the Pretrial Monitor
- Participate in a clinical assessment by a substance use or mental health treatment provider

Pretrial Monitors provide case management support and help defendants address other unmet needs, connecting them to services when appropriate.

Judges in many counties, and consistently in Addison, Chittenden, Franklin, Lamoille, Orleans, Washington, Windham, and Windsor, have ordered conditions of release involving support by Pretrial Monitors.

*As of January 2017 – State’s Attorneys in Addison, Bennington, Caledonia, Chittenden (RICC), Essex, Lamoille, Orleans, Rutland, Windham and Windsor have established diversionary programs (pre- or post-charge.)