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Date: Tuesday, October 17, 2017 at 10:49:48 AM

To: "Richard Sears" <RSEARS@leg.state.vt.us>, "Tim Ashe" <timashe@burlingtontelecom.net>

Subject: November Memo/Supplement to Testimony

Good Morning Senators Sears and Ashe,

In preparation for the November 2, 2017 phone call with the Senate Committee on Judiciary I wrote up the trends we outlined a couple weeks ago. I do want to stress, my plan is not to sit and read 6 pages of information over the phone, but did want to give an annotated guide to where we are coming from in discussing the advancements and/or changes in pretrial in the last two years. The only thing in this document we didn't discuss is an exploration of outside actors (MacArthur's Safety + Justice Grant, NaCo/Justice Center/APF Stepping Up Initiative, and the Harris/Paul bill on pretrial initiatives introduced in Congress over the summer), but I think it adds value and shows a lot of people are interested in this topic. I did incorporate Senator Ashe's request to say how jurisdictions responded to the lawsuits. And, I made some suggestions for Vermont in the conclusion incorporating what we discussed via phone/email, but please send reactions if they are outside the state's political comfort zone.

We have some time before the call, so feel free to send your reactions via email or give me a call at 512 470 4071 and we can discuss via phone – whichever is easiest for you guys.

Also of note, but not included in the write up, is this comparison of other unified systems. Senator Sears noted Vermont was running at about 25% detainees in the population to Carl a couple weeks ago. This is not the best comparison, because it isn't the same time period for each of these states, but does give a sense of where Vermont falls comparatively. Optimistically, we could say "in the middle" though pessimistically, it is the second highest. If this is helpful, I would prefer to get some real numbers in there for the state, but do realize the is probably used to seeing 25%.

State	Pretrial	Not Pretrial	Total	Proportion Pretrial	When
Alaska	2,018	3,064	5,082	10%	June 30, 2014
Delaware		1,248	5,184	6,432	19% 6/30/2016
Connecticut		3,435	10,673	14,108	24% 10/1/2017

Hawaii	1,181	2,593	3,774	31%	8/31/2017	
Rhode Island	About 548		2,520	3,068	18%	End of FY 2016
Vermont				About 25%		October 2017

Thanks,

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