Sec. #	As passed by Senate	House Judiciary Report	House Corrections Report
Sec. 1	(2) In the event the court	(2) In the event the court finds that	N/A
	finds that imposing bail is	imposing bail is necessary to mitigate	
	necessary to mitigate the risk	the risk of flight from prosecution for	
	of flight from prosecution for	a person charged with a violation of a	
	a person charged with a	misdemeanor offense that is eligible	
	violation of a misdemeanor	for expungement pursuant to	
	offense that is eligible for	subdivision 7601(4)(A) of this title,	
13 V.S.A. § 7551	expungement pursuant to	the court may impose bail in a	
	subdivision 7601(4)(A) of this	maximum amount of \$200.00. The	
	title, the court may impose	\$200.00 limit shall not apply to a	
	bail in a maximum amount of	person who the court determines has	
	\$200.00. The \$200.00 limit	engaged in flight from prosecution in	
	shall not apply to an offense	accordance with subdivision 7576(9)	
	allegedly committed by a	or subdivision 7554(a)(1) of this title.	
	defendant who has been		
	released on personal		
	recognizance or conditions of		
	release pending trial for		
	another offense.		
Sec. 2	(1) The defendant shall be	(1) The defendant shall be ordered	N/A
	ordered released on personal	released on personal recognizance or	
	recognizance or upon the	upon the execution of an unsecured	
	execution of an unsecured	appearance bond in an amount	
	appearance bond in an amount	specified by the judicial officer unless	
	specified by the judicial	the judicial officer determines that	
13 V.S.A. § 7554(a)(1)	officer unless the judicial	such a release will not reasonably	
	officer determines that such a	mitigate the risk of flight from	
	release will not reasonably	prosecution as required. In	
	mitigate the risk of flight from	determining whether the defendant	
	prosecution as required. In	presents a risk of flight from	
	determining whether the	prosecution, the judicial officer shall	
	defendant presents a risk of	consider, in addition to any other	

	flight from prosecution, the judicial officer shall consider, in addition to any other factors, the seriousness of the offense charged and the number of offenses with which the person is charged.	factors, the seriousness of the offense charged; the number of offenses with which the person is charged; whether, at the time of the current offense or arrest, the defendant was released on conditions or personal recognizance, on probation, furlough, parole, or other release pending trial, sentencing, appeal, or completion of a sentence for an offense under federal	
		or state law; and whether, in connection with a criminal prosecution, the defendant is compliant with court orders or has failed to appear at a court hearing.	N/A
Sec. 2 13 V.S.A. § 7554(a)(1)(H)	(H) Place the defendant in the electronic monitoring program pursuant to section 7554f of this title.	(H) Place the defendant in the pretrial supervision program pursuant to section 7555 of this title, provided that the defendant meets the criteria identified in subdivision 7551(c)(1) of this title.	N/A
Sec. 2 13 V.S.A. § 7554(a)(2)(G)	(G) Place the defendant in the electronic monitoring program pursuant to section 7554f of this title.	(G) Place the defendant in the pretrial supervision program pursuant to section 7555 of this title, provided that the defendant meets the criteria identified in subdivision 7551(c)(1) of this title.	N/A
Sec. 2 13 V.S.A. § 7554(b)(2)	(2) In subdivision (a)(2) of this section, the judicial officer, on the basis of available information, shall take into account the nature and circumstances of the	(2) In subdivision (a)(2) of this section, the judicial officer, on the basis of available information, shall take into account the nature and circumstances of the offense charged; the weight of the evidence against the	N/A

offense charged; the weight of the evidence against the accused; the number of offenses with which the accused is charged; whether the accused is subject to release on personal recognizance or subject to conditions of release related to protecting the public in another case pending before federal or state court; whether the accused is subject to conditions related to protecting the public for probation, parole, furlough, or another form of community supervision; whether the accused is currently compliant with any court orders; and the accused's family ties, employment, character and mental condition, length of residence in the community, record of convictions, and record of appearance at court proceedings or of flight to avoid prosecution or failure to appear at court proceedings.

accused; the accused's family ties, employment, character and mental condition, length of residence in the community, record of convictions, and record of appearance at court proceedings or of flight to avoid prosecution or failure to appear at court proceedings; whether, at the time of the current offense or arrest, the defendant was released on conditions or personal recognizance, on probation, furlough, parole, or other release pending trial, sentencing, appeal, or completion of a sentence for an offense under federal or state law; and whether, in connection with a criminal prosecution, the defendant is compliant with court orders or has failed to appear at a court hearing.

Sec. 3	(b) Procedure. At the request	N/A	(b) Procedure Defendants with
	of the court, the Department		the inability to pay bail.
	of Corrections, the prosecutor,		(1) Procedure. At the request of
	or the defendant, the status of		the court, the Department of
	a defendant who is detained		Corrections, the prosecutor, or
13 V.S.A. § 7554b(b)	pretrial in a correctional		the defendant, the status of a
	facility for inability to pay		defendant who is detained
	bail after bail has been set by		pretrial in a correctional facility
	the court, or the status of a		for inability to pay bail after bail
	defendant who has allegedly		has been set by the court may be
	violated conditions of release		reviewed by the court to
	or of personal recognizance,		determine whether the defendant
	may be reviewed by the court		is appropriate for home
	to determine whether the		detention. The review shall be
	defendant is appropriate for		scheduled upon the court's
	home detention. The review		receipt of a report from the
	shall be scheduled upon the		Department determining that the
	court's receipt of a report		proposed residence is suitable for
	from the Department		the use of electronic monitoring.
	determining that the proposed		A defendant held without bail
	residence is suitable for the		pursuant to section 7553 or
	use of electronic monitoring.		7553a of this title shall not be
	A defendant held without bail		eligible for release to the Home
	pursuant to section 7553 or		Detention Program on or after
	7553a of this title shall not be		June 1, 2018. At arraignment or
	eligible for release to the		after a hearing, the court may
	Home Detention Program on		order that the defendant be
	or after June 1, 2018. At		released to the Home Detention
	arraignment or after a hearing,		Program, provided that the court
	the court may order that the		finds placing the defendant on
	defendant be released to the		home detention will reasonably
	Home Detention Program,		assure his or her appearance in
	provided that the court finds		court when required mitigate the

	placing the defendant on home detention will reasonably assure his or her appearance in court when required mitigate the defendant's risk of flight and the proposed residence is appropriate for home detention. In making such a determination, the court shall consider:		defendant's risk of flight and the proposed residence is appropriate for home detention. In making such a determination, the court shall consider:
Sec. 3 13 V.S.A. § 7554b(b)(2)	N/A	N/A	(e)(2) Failure to comply. The Department of Corrections may revoke a defendant's home detention status for an unauthorized absence or failure to comply with any other condition of the Program and shall return the defendant to a correctional facility.
Sec. 3 13 V.S.A. § 7554b(c)	(c) Failure to comply. The Department of Corrections may revoke report a defendant's home detention status for an unauthorized absence or failure to comply with any other condition of the Program and shall return the defendant to a correctional facility to the prosecutor and the defendant, provided that a	N/A	(c) Defendants who violate conditions of release. (1) Procedure. At the request of the court, the prosecutor, or the defendant, the status of a defendant who has allegedly violated conditions of release may be reviewed by the court to determine whether the defendant is appropriate for home detention. The review shall be

defendant's failure to comply with any condition of the Program for a reason other than fault on the part of the defendant shall not be reported violation, the prosecutor may initiate: (1) a review of conditions pursuant to section 7554 of this title; (2) a violation of conditions proceeding pursuant to section 7554 of this title; (3) a prosecution for contempt pursuant to section 7559 of this title; or cleased to the Home Detention Program, provided that the court contempt pursuant to section 7575 of this title. (4) a bail revocation hearing pursuant to section 7575 of this title. (5) Get a bail revocation hearing pursuant to section 7575 of this title. (6) The program of the thorse pursuant to section 7575 of this title. (7) The program of the total pursuant to section 7575 of this title. (8) The program of the pursuant to section 7575 of this title. (9) The program of the pursuant to section 7575 of this title. (10) The pursuant to section 7575 of this title. (11) The pursuant to section 7575 of this title. (12) The pursuant to section 7575 of this title. (13) The pursuant to section 7575 of this title. (14) The pursuant to section 7575 of this title. (15) The pursuant to section 7575 of this title. (16) The pursuant to section 7575 of this title. (17) The pursuant to section 7575 of this title to comply mitigate the defendant on the pursuant to section 7575 of this title. (18) The pursuant to section 7575 of this title to comply and the proposed residence is appropriate for home detention. In making such a determination, the court shall consider the factors listed in subdivisions (b)(1)(A)—(C) of this section. (2) Failure to comply. The Department of Corrections may report a defendant's unauthorized absence or failure to comply with any other condition of the Program to the prosecutor and the proposed residence is appropriate to the Program to the prosecutor and the proposed residence is appropriate to comply with any other condition of the Program to the proposed residence is appropriate t		
Program for a reason other than fault on the part of the defendant shall not be reportable. To address a reported violation, the prosecutor may initiate: (1) a review of conditions pursuant to section 7554 of this title; (2) a violation of conditions proceeding pursuant to section 7554 of this title; (3) a prosecution for contempt pursuant to section 7559 of this title; (3) a prosecution for contempt pursuant to section 7559 of this title; (4) a bail revocation hearing pursuant to section 7575 of this title. (5) This title the defendant be released to the Home Detention 7559 of this title; (6) This title; (7) This title than 10 This placing the defendant on home detention will reasonably mitigate the defendant's risk of flight, the risk of nonappearance, or reasonably ensure protection of the public, and the proposed residence is appropriate for home detention. In making such a determination, the court shall consider the factors listed in subdivisions (b)(1)(A)—(C) of this section. (2) Failure to comply. The Department of Corrections may report a defendant's unauthorized absence or failure to comply with any other condition of the	defendant's failure to comply	
than fault on the part of the defendant shall not be reportable. To address a reported violation, the prosecutor may initiate: (1) a review of conditions pursuant to section 7553 of this title shall not be eligible for release to the Home pursuant to section 7554 of this title: (2) a violation of conditions proceeding pursuant to section 7554 of this title: (3) a prosecution for contempt pursuant to section 7559 of this title; or contempt pursuant to section 7559 of this title; or contempt pursuant to section 7575 of this title. (4) a bail revocation hearing pursuant to section 7575 of this title. (5) The provided that the court finds placing the defendant on home detention will reasonably mitigate the defendant's risk of flight, the risk of nonappearance or reasonably ensure protection of the public, and the proposed residence is appropriate for home detention. In making such a determination, the court shall consider the factors listed in subdivisions (b)(1)(A)—(C) of this section. (2) Failure to comply. The Department of Corrections may report a defendant's unauthorized absence or failure to comply with any other condition of the	with any condition of the	receipt of a report from the
defendant shall not be reportable. To address a reported violation, the prosecutor may initiate: (1) a review of conditions pursuant to section 7554 of this title; (2) a violation of conditions proceeding pursuant to section 7554 of this title; (3) a prosecution for conditions proceeding pursuant to section 7554 of this title; (4) a bail revocation hearing pursuant to section 7559 of this title; (4) a bail revocation hearing pursuant to section 7575 of this title. (5) This title the defendant to pursuant to section 7575 of this title. (6) This title the defendant on home detention will reasonably mitigate the defendant on 1575 of this title. (7) This title the defendant on 1575 of this title. (8) This title the defendant on 1575 of this title. (9) This title the defendant on 1575 of this title. (1) This title the defendant on 1575 of this title this title. (1) This title the defendant on 1575 of this title this title. (1) This title the defendant on 1575 of this title this title. (2) This title the defendant on 1575 of this title this title this title. (2) This title t	Program for a reason other	Department determining that the
reportable. To address a reported violation, the prosecutor may initiate: (1) a review of conditions pursuant to section 7554 of this title; (2) a violation of conditions proceeding pursuant to section 7554 of this title; (3) a prosecution for contempt pursuant to section 7559 of this title; (4) a bail revocation hearing pursuant to section 7575 of this title. (4) a bail revocation hearing pursuant to section 7575 of this title. (5) This title, or reasonably ensure protection of the public, and the proposed residence is appropriate for home detention. In making such a determination, the court shall consider the factors listed in subdivisions (b)(1)(A)—(C) of this section. (2) Failure to comply. The Department of Corrections may report a defendant's unauthorized absence or failure to comply with any other condition of the	than fault on the part of the	proposed residence is suitable for
reported violation, the prosecutor may initiate: (1) a review of conditions pursuant to section 7554 of this title; (2) a violation of conditions proceeding pursuant to section 7554 of this title; (3) a prosecution for contempt pursuant to section 7559 of this title; or (4) a bail revocation hearing pursuant to section 7575 of this title. (5) this title; (6) a bail revocation hearing pursuant to section (7) this title; (8) a prosecution for contempt pursuant to section (9) this title; or (10) a prosecution for contempt pursuant to section (11) a bail revocation hearing pursuant to section (12) a bail revocation hearing pursuant to section (13) a prosecution for contempt pursuant to section (14) a bail revocation hearing pursuant to section (15) of this title. (16) or reasonably ensure protection of the public, and the proposed residence is appropriate for home detention. In making such a determination, the court shall consider the factors listed in subdivisions (b)(1)(A)-(C) of this section. (15) Failure to comply. The Department of Corrections may report a defendant's unauthorized absence or failure to comply with any other condition of the	defendant shall not be	the use of electronic monitoring.
prosecutor may initiate: (1) a review of conditions pursuant to section 7554 of this title; (2) a violation of conditions proceeding pursuant to section 7554e of this title; (3) a prosecution for contempt pursuant to section 7559 of this title; or (4) a bail revocation hearing pursuant to section 7575 of this title. (3) a prosecution for contempt pursuant to section 7559 of this title; or (4) a bail revocation hearing pursuant to section 7575 of this title. (5) The pursuant to section (6) The public, and the proposed residence is appropriate for home determination, the court shall consider the factors listed in subdivisions (b)(1)(A)—(C) of this section. (6) Failure to comply. The Department of Corrections may report a defendant's unauthorized absence or failure to comply with any other condition of the	reportable. To address a	A defendant held without bail
eligible for release to the Home Detention Program on or after June 1, 2024. At arraignment or after a hearing, the court may order that the defendant be released to the Home Detention Program, provided that the court contempt pursuant to section 7559 of this title; or contempt pursuant to section 7559 of this title; or defendant on 4 pursuant to section 7559 of this title. (3) a prosecution for contempt pursuant to section 7559 of this title; or defendant on 4 pursuant to section 7559 of this title. (4) a bail revocation hearing pursuant to section 7575 of flight, the risk of nonappearance, or reasonably ensure protection of the public, and the proposed residence is appropriate for home determination, the court shall consider the factors listed in subdivisions (b)(1)(A)—(C) of this section. (2) Failure to comply. The Department of Corrections may report a defendant's unauthorized absence or failure to comply with any other condition of the	reported violation, the	pursuant to section 7553 or
pursuant to section 7554 of this title; (2) a violation of conditions proceeding pursuant to section 7554e of this title; (3) a prosecution for contempt pursuant to section 7559 of this title; or (4) a bail revocation hearing pursuant to section 7575 of this title. (4) a bail revocation hearing pursuant to section 7575 of this title. (5) In this title is or (5) In this title is or (6) In this title is or (7) In this title is or (7	prosecutor may initiate:	7553a of this title shall not be
this title: (2) a violation of conditions proceeding pursuant to section 7554e of this title; (3) a prosecution for contempt pursuant to section 7559 of this title; or contempt pursuant to section 7575 of this title. (4) a bail revocation hearing pursuant to section 7575 of this title. (5) This title is contempt pursuant to section 7575 of this title. (6) This title is contempt pursuant to section 7575 of this title. (7) The public, and the proposed residence is appropriate for home detention. In making such a determination, the court shall consider the factors listed in subdivisions (b)(1)(A)—(C) of this section. (7) Failure to comply. The Department of Corrections may report a defendant's unauthorized absence or failure to comply with any other condition of the	(1) a review of conditions	eligible for release to the Home
(2) a violation of conditions proceeding pursuant to section 7554e of this title: (3) a prosecution for contempt pursuant to section 7559 of this title; or (4) a bail revocation hearing pursuant to section 7575 of this title. (5) of this title. (6) a bail revocation hearing pursuant to section 7575 of this title. (7) of the public, and the proposed residence is appropriate for home detention. In making such a determination, the court shall consider the factors listed in subdivisions (b)(1)(A)—(C) of this section. (7) Failure to comply. The Department of Corrections may report a defendant's unauthorized absence or failure to comply with any other condition of the	pursuant to section 7554 of	Detention Program on or after
proceeding pursuant to section 7554e of this title; (3) a prosecution for contempt pursuant to section 7559 of this title; or (4) a bail revocation hearing pursuant to section 7575 of this title. (5) This title is a pursuant to section (6) This title is a pursuant to section 7575 of this title. (6) This title is a pursuant to section 7575 of this title is appropriate for home detention. In making such a determination, the court shall consider the factors listed in subdivisions (b)(1)(A)–(C) of this section. (7) Failure to comply. The Department of Corrections may report a defendant's unauthorized absence or failure to comply with any other condition of the	this title;	June 1, 2024. At arraignment or
7554e of this title: (3) a prosecution for contempt pursuant to section 7559 of this title; or (4) a bail revocation hearing pursuant to section 7575 of this title. (5) This title is a bail revocation hearing pursuant to section 7575 of this title. (6) This title is a bail revocation hearing pursuant to section 7575 of this title. (7) This title is a bail revocation hearing pursuant to section 7575 of this title. (8) This title is a bail revocation hearing pursuant to section 7575 of this title. (9) The public, and the proposed residence is appropriate for home detention. In making such a determination, the court shall consider the factors listed in subdivisions (b)(1)(A)—(C) of this section. (9) Failure to comply. The Department of Corrections may report a defendant's unauthorized absence or failure to comply with any other condition of the	(2) a violation of conditions	after a hearing, the court may
(3) a prosecution for contempt pursuant to section 7559 of this title; or (4) a bail revocation hearing pursuant to section 7575 of this title. (5) It is title to section 7575 of this title. (6) The public, and the proposed residence is appropriate for home detention. In making such a determination, the court shall consider the factors listed in subdivisions (b)(1)(A)—(C) of this section. (6) Failure to comply. The Department of Corrections may report a defendant's unauthorized absence or failure to comply with any other condition of the	proceeding pursuant to section	order that the defendant be
contempt pursuant to section 7559 of this title; or (4) a bail revocation hearing pursuant to section 7575 of this title. (5) this title. (6) a bail revocation hearing pursuant to section 7575 of this title. (8) this title. (8) this title. (9) reasonably ensure protection of the public, and the proposed residence is appropriate for home detention. In making such a determination, the court shall consider the factors listed in subdivisions (b)(1)(A)–(C) of this section. (9) Failure to comply. The Department of Corrections may report a defendant's unauthorized absence or failure to comply with any other condition of the	7554e of this title;	released to the Home Detention
home detention will reasonably mitigate the defendant's risk of flight, the risk of nonappearance, or reasonably ensure protection of the public, and the proposed residence is appropriate for home determination, the court shall consider the factors listed in subdivisions (b)(1)(A)–(C) of this section. (2) Failure to comply. The Department of Corrections may report a defendant's unauthorized absence or failure to comply with any other condition of the	(3) a prosecution for	Program, provided that the court
(4) a bail revocation hearing pursuant to section 7575 of this title. mitigate the defendant's risk of flight, the risk of nonappearance, or reasonably ensure protection of the public, and the proposed residence is appropriate for home detention. In making such a determination, the court shall consider the factors listed in subdivisions (b)(1)(A)–(C) of this section. (2) Failure to comply. The Department of Corrections may report a defendant's unauthorized absence or failure to comply with any other condition of the	contempt pursuant to section	finds placing the defendant on
pursuant to section 7575 of this title. flight, the risk of nonappearance, or reasonably ensure protection of the public, and the proposed residence is appropriate for home detention. In making such a determination, the court shall consider the factors listed in subdivisions (b)(1)(A)–(C) of this section. (2) Failure to comply. The Department of Corrections may report a defendant's unauthorized absence or failure to comply with any other condition of the	7559 of this title; or	home detention will reasonably
this title. or reasonably ensure protection of the public, and the proposed residence is appropriate for home detention. In making such a determination, the court shall consider the factors listed in subdivisions (b)(1)(A)–(C) of this section. (2) Failure to comply. The Department of Corrections may report a defendant's unauthorized absence or failure to comply with any other condition of the	(4) a bail revocation hearing	mitigate the defendant's risk of
of the public, and the proposed residence is appropriate for home detention. In making such a determination, the court shall consider the factors listed in subdivisions (b)(1)(A)–(C) of this section. (2) Failure to comply. The Department of Corrections may report a defendant's unauthorized absence or failure to comply with any other condition of the	pursuant to section 7575 of	flight, the risk of nonappearance,
residence is appropriate for home detention. In making such a determination, the court shall consider the factors listed in subdivisions (b)(1)(A)–(C) of this section. (2) Failure to comply. The Department of Corrections may report a defendant's unauthorized absence or failure to comply with any other condition of the	this title.	or reasonably ensure protection
determination, the court shall consider the factors listed in subdivisions (b)(1)(A)–(C) of this section. (2) Failure to comply. The Department of Corrections may report a defendant's unauthorized absence or failure to comply with any other condition of the		of the public, and the proposed
determination, the court shall consider the factors listed in subdivisions (b)(1)(A)–(C) of this section. (2) Failure to comply. The Department of Corrections may report a defendant's unauthorized absence or failure to comply with any other condition of the		residence is appropriate for home
consider the factors listed in subdivisions (b)(1)(A)–(C) of this section. (2) Failure to comply. The Department of Corrections may report a defendant's unauthorized absence or failure to comply with any other condition of the		detention. In making such a
subdivisions (b)(1)(A)–(C) of this section. (2) Failure to comply. The Department of Corrections may report a defendant's unauthorized absence or failure to comply with any other condition of the		determination, the court shall
this section. (2) Failure to comply. The Department of Corrections may report a defendant's unauthorized absence or failure to comply with any other condition of the		consider the factors listed in
this section. (2) Failure to comply. The Department of Corrections may report a defendant's unauthorized absence or failure to comply with any other condition of the		subdivisions $(b)(1)(A)-(C)$ of
Department of Corrections may report a defendant's unauthorized absence or failure to comply with any other condition of the		
report a defendant's unauthorized absence or failure to comply with any other condition of the		(2) Failure to comply. The
absence or failure to comply with any other condition of the		Department of Corrections may
any other condition of the		report a defendant's unauthorized
any other condition of the		absence or failure to comply with
Program to the prosecutor and		
		Program to the prosecutor and

			the defendant, provided that a defendant's failure to comply with any condition of the Program for a reason other than fault on the part of the defendant shall not be reportable. To address a reported violation, the prosecutor may request: (A) a review of conditions pursuant to section 7554 of this title; (B) a prosecution for contempt pursuant to section 7559 of this title; or (C) a bail revocation hearing pursuant to section 7575 of this title.
Sec. 3 13 V.S.A. § 7554b(e)	(e) Program support. The Department may support the operation of the Program through grants of financial assistance to, or contracts for services with, any public or nonprofit entity that meets the Department's requirements.	N/A	(e) Program support. The Department may support the monitoring operations of the Program through grants of financial assistance to, or contracts for services with, any public entity that meets the Department's requirements.
Sec. 3 13 V.S.A. § 7554b(f)	N/A	N/A	(f) Policies and procedures. The Department of Corrections shall establish written policies and procedures for the Home Detention Program to be used by the Department, any contractors or grantees that the Department

			engages with to assist with the monitoring operations of the program, and to assist the courts in understanding the Program.
Sec. 4		Struck from bill	N/A
13 V.S.A. § 7554e			
Sec. 5 13 V.S.A. § 7554f		Struck from bill (Rolled into Pre-Trial Supervision Program)	N/A
Sec. 6/4/4 13 V.S.A. § 7554g(a) / 7555(a)	(a) Purpose. The purpose of the Pre-Trial Supervision Program is to assist eligible people through the use of evidence-based strategies to improve pre-trial compliance with conditions of release, to coordinate and support the provision of pre-trial services when appropriate, to ensure attendance at court appearances, and to decrease the potential to recidivate while awaiting trial.	No change	No change

Sec. 6/4/4 13 V.S.A. § 7554g(b) / 7555(b)	(b) Definition. As used in this section, "Absconding" has the same meaning as defined in 28 V.S.A. § 722(1).	(b) Definition. As used in this section, "absconded" has the same meaning as "absconding" as defined in 28 V.S.A. § 722(1)(B)–(C).	(b) Definition. As used in this section, "absconded" has the same meaning as "absconding" as defined in 28 V.S.A. § 722(1)(B)–(C).
Sec. 6/4/4 13 V.S.A. § 7554g(c)(1) / 7555(c)(1)	(1) The Pre-Trial Supervision Program shall supervise defendants who violate conditions of release pursuant to section 7554e or 7559 of this title, have not fewer than five pending dockets, pose a risk of nonappearance at court proceedings, pose a risk of flight from prosecution, or pose a risk to public safety.	(1) Beginning on January 1, 2025, the Pretrial Supervision Program shall, if ordered by the court pursuant to subsection (d) of this section, supervise defendants who have been charged with violating a condition of release pursuant to section 7559 of this title or have not fewer than five pending dockets and pose a risk of nonappearance at court hearings, a risk of flight, or a risk of endangering the public.	(1) Except as provided in subsection (g) of this section, beginning on January 1, 2025, the Pretrial Supervision Program shall, if ordered by the court pursuant to subsection (d) of this section, monitor defendants who have been charged with violating a condition of release pursuant to section 7559 of this title or have not fewer than five pending dockets and pose a risk of nonappearance at court hearings, a risk of flight, or a risk of endangering the public.
Sec. 6/4/4	(2) The Department of Corrections shall be responsible for supervising defendants who are placed in the Pre-Trial Supervision	(2) The Department shall assign a pretrial supervisor to monitor defendants in a designated region of Vermont and help coordinate any pretrial services needed by the	(2) The Department shall assign a pretrial supervision officer to monitor defendants in a designated region of Vermont and help coordinate any pretrial

	Program. The Department	defendant. The Department shall	services needed by the defendant.
	shall assign a pre-trial	determine the appropriate level of	The Department shall determine
	supervisor to monitor	supervision using evidence-based	the appropriate level of
	defendants in a designated	screenings of those defendants	supervision using evidence-based
	region of Vermont and help	eligible to be placed in the Program.	screenings of those defendants
	coordinate any pre-trial	The Department's supervision levels	eligible to be placed in the
13 V.S.A. § 7554g(c)(2) /	services needed by the	may include use of:	Program. The Department's
7555(c)(2)	defendant. The Department	(A) the Department's	supervision levels may include
	shall determine the	telephone monitoring system;	use of:
	appropriate level of	(B) telephonic meetings	(A) the Department's
	supervision based on	with a pretrial supervisor;	telephone monitoring system;
	evidence-based screenings of	(C) in-person meetings with	(B) telephonic meetings
	those defendants eligible to be	a pretrial supervisor;	with a pretrial supervisor;
	placed in the Program. The	(D) electronic monitoring;	(C) in-person meetings
	Department's supervision	or or	with a pretrial supervisor;
	methods may include use of:	(E) any other means of	(D) electronic
	<u>(A) the</u>	contact deemed appropriate.	monitoring; or
	Department's telephone		(E) any other means of
	monitoring system;		contact deemed appropriate.
	(B) telephonic		
	meetings with a pre-trial		
	supervisor;		
	(C) in-person		
	meetings with a pre-trial		
	supervisor; or		
	(D) any other means		
	of contact deemed		
	appropriate.		

Sec. 6/4/4	(2) If the count determines	(2) When alsoins a defendant into	No change from House Indiciona
Sec. 6/4/4	(3) If the court determines	(3) When placing a defendant into	No change from House Judiciary
	that the defendant is	the Program pursuant to subsection	
	appropriate for the Pre-Trial	(d) of this section, the court shall	
12 11 6 1 8 7774 ()(2) /	Supervision Program, the	issue an order that sets the	
13 V.S.A. § 7554g(c)(3) /	court shall issue an order	defendant's level of supervision	
7555(c)(3)	placing the defendant in the	based on the recommendations	
	Program and setting the	submitted by the Department of	
	defendant's conditions of	Corrections.	
	supervision.		
Sec. 6/4/4	(1) At the request of the	(1) At arraignment or at a subsequent	(1) At arraignment or at a
	court, the prosecutor, or the	hearing, the prosecutor or the	subsequent hearing, the
	defendant, the defendant may	defendant may move, or on the	prosecutor or the defendant may
	be reviewed by the court to	court's own motion, that the	move, or on the court's own
13 V.S.A. § 7554g(d)(1)	<u>determine whether the</u>	<u>defendant be reviewed by the court to</u>	motion, that the defendant be
/7555(d)(1)	defendant is appropriate for	<u>determine</u> whether the defendant is	reviewed by the court to
	pre-trial supervision. The	appropriate for pretrial supervision.	<u>determine whether the defendant</u>
	review shall be scheduled	The review shall be scheduled upon	is appropriate for pretrial
	upon the court's receipt of a	the court's receipt of a report from	supervision. The review shall be
	report from the Department of	the Department of Corrections	scheduled upon the court's
	Corrections determining that	containing recommendations	receipt of a report from the
	the defendant is eligible for	pertaining to the defendant's	Department of Corrections
	pre-trial supervision. A	supervision level. A defendant held	containing recommendations
	defendant held without bail	without bail pursuant to section 7553	pertaining to the defendant's
	pursuant to section 7553 or	or 7553a shall not be eligible for	supervision level.
	7553a shall not be eligible for	pretrial supervision.	
	pre-trial supervision.		
Sec. 6/4/4	(2) A defendant is eligible for	(2) A defendant is eligible for	No change from House Judiciary
	pre-trial supervision if the	pretrial supervision if the person has:	
	person:	(A) violated conditions of	
13 V.S.A. § 7554g(d)(2)	(A) has violated	release pursuant to section 7559 of	
/ 7555(d)(2)	conditions of release pursuant	this title; or	
	L		

to section 7554e or 7559 of this title; (B) has not fewer than five pending court dockets. (C) poses a risk of nonappearance at court proceedings; (D) poses a risk to flight from prosecution, or (E) poses a risk to public safety. Sec. 6/4/4 (3) After a hearing, the court may order that the defendant be released to the Pre-Trial Supervision Program, provided that the court finds placing the defendant under pre-trial supervision will reasonably ensure the person's risk of flight, or reasonably ensure the person's risk of flight, or reasonably ensure the person's risk of flight, or reasonably ensure protection of the public. In making such a determination, the court shall consider any of the following: (A) the nature of the violation of conditions of release pursuant to section 7554e or 7559 of this title; (B) not fewer than five pending court dockets.		to section 7554e on 7550 of	(D) not former than five	
(B) has not fewer than five pending court dockets: (C) poses a risk of nonappearance at court proceedings: (D) poses a risk to public safety. Sec. 6/4/4 (3) After a hearing, the court may order that the defendant be released to the Pre-Trial Supervision Program, provided that the court finds placing the defendant under pre-trial supervision will reasonable pushed that the court finds placing the defendant under pre-trial supervision will reasonably ensure the person's appearance in court when required, mitigate the person's appearance in court when required, mitigate the person's risk of flight, or reasonably ensure protection of the public. In making such a determination, the court shall consider any of the following: (A) the nature of the violation of conditions of release pursuant to section 7554 or 7559 of this title; (B) the nature and				
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dockets; (C) poses a risk of nonappearance at court proceedings; (D) poses a risk of flight from prosecution; or (E) poses a risk to public safety. (3) After a hearing and review of the public safety. (3) After a hearing and review of the public safety. (3) After a hearing and review of the Department of Corrections' report containing the defendant's supervision Program, provided that the court finds placing the defendant under pre-trial supervision will reasonably ensure the person's appearance in court when required, mitigate the person's risk of flight, or reasonable ensure protection of the public. In making such a determination, the court shall consider any of the following: (A) the nature of the violation of conditions of release pursuant to section 7559 of this title; (B) the nature and				
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13 V.S.A. § 7554g(d)(3) reasonable ensure protection of the public. In making such a determination, the court shall consider any of the following: (A) the nature of the violation of conditions of release pursuant to section (B) the nature and (B) the nature and (B) the nature and (B) the nature and (C) the public. In making such a determination, the court shall consider the following: (A) the nature of the violation of conditions of release pursuant to section 7559 of this title;			<u> </u>	
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7554e or 7559 of this title; (B) the nature and				
CHECHISTAILES OF THE UNDERLYING			circumstances of the underlying	

	(B) the nature and	offense or offenses with which the	
	circumstances of the	defendant is charged;	
	underlying offense with which	(C) the defendant's prior	
	the defendant is charged;	convictions, history of violence,	
	(C) the defendant's	medical and mental health needs,	
	prior convictions, history of	history of supervision, and risk of	
	violence, medical and mental	flight;	
	health needs, history of	(D) any risk or undue	
	supervision, and risk of flight;	burden to third parties or risk to	
	or	public safety that may result from the	
	(D) any other factors	placement; or	
	that the court deems	(E) any other factors that	
	appropriate.	the court deems appropriate.	
Sec. 6/4/4	(1) Pre-trial supervisors	(1) Pretrial supervisors shall	(1) Pretrial supervision
	shall notify the prosecutor and	notify the prosecutor and use	officers shall notify the
	use reasonable efforts to	reasonable efforts to notify the	prosecutor and use reasonable
	notify the defendant of any	defendant of any violations of	efforts to notify the defendant of
	violations of Program	<u>Program supervision requirements</u>	any violations of court-imposed
	supervision requirements	committed by the defendant.	<u>Program conditions committed</u>
	committed by the defendant.	(2) Upon the motion of the	by the defendant.
	(A) Upon	prosecutor or the defendant, or on the	(2) Pretrial supervision
	submission of the pre-trial	court's own motion, a defendant's	officers may notify the
	supervisor's sworn affidavit	compliance with pretrial supervision	prosecutor and use reasonable
13 V.S.A. § 7554g(e) /	by the prosecutor, the court	conditions may be reviewed by the	efforts to notify the defendant of
7555(e)	may issue a warrant for the	court.	any violations of Department-
	arrest of a defendant who fails	(3) Upon submission of the	imposed administrative
	to report to the pre-trial	pretrial supervisor's sworn affidavit	conditions committed by the
	supervisor, commits multiple	by the prosecutor, the court may issue	defendant.
	violations of supervision	a warrant for the arrest of a defendant	(3) Upon the motion of the
	requirements, or is suspected	who fails to report to the pretrial	prosecutor or the defendant, or on
	of absconding.	supervisor, commits multiple	the court's own motion, a
	(B) The defendant	violations of supervision	defendant's compliance with
	may appear before the court	requirements, or has absconded.	

		_	
<u>no</u>	ot later than the next		pretrial supervision conditions
<u>bu</u>	siness day following the		may be reviewed by the court.
arr	rest to modify the		(4) Upon submission of
de	fendant's conditions.		the pretrial supervision officer's
	(2) At the request of the		sworn affidavit by the prosecutor,
<u>co</u>	ourt, the prosecutor, or the		the court may issue a warrant for
<u>de</u> :	<mark>fendant, a defendant's</mark>		the arrest of a defendant who
<u>co</u> :	mpliance with pre-trial		fails to report to the pretrial
suj	pervision conditions may be		supervision officer, commits
rev	viewed by the court. The		multiple violations of supervision
<u>co</u>	ourt may issue an appropriate		requirements, or has absconded.
ord	der in accordance with the		_
fol (llowing:		
	(A) A defendant		
wh	no complies with all		
<u>co</u> :	nditions of the Pre-Trial		
<u>Su</u>	pervision Program for not		
les	ss than 90 days may receive		
a r	eduction in supervision		
<u>lev</u>	vel or may be removed from		
the the	<mark>e Program altogether.</mark>		
	(B) A defendant		
<u>w</u> h	no violates a condition of		
the contract of the contract o	e Pre-Trial Supervision		
Pro	<mark>ogram may receive an</mark>		
inc	crease in supervision level		
<u>or</u>	other sanction permitted by		
<u>lav</u>	<u>w.</u>		

Sec. 6/4/4	NT/A	(f) M1 O1-f	(f) D-1;-;1
Sec. 6/4/4	N/A	(f) Manual. On or before	(f) Policies and procedures.
		November 1, 2024, the Department of	(1) On or before
		Corrections shall establish a written	November 1, 2024, the
		policies and procedures manual for	Department of Corrections shall
		Pretrial Supervision Program to be	establish written policies and
		used by the Department, any	procedures for the Pretrial
13 V.S.A. § 7555(f)		contractors or grantees that the	Supervision Program to be used
		Department engages with to assist in	by the Department and any
		operating the Program, and the	contractors or grantees that the
		courts.	Department engages with to
			assist in the monitoring
			operations of the Program and to
			assist the courts in understanding
			the Program.
			(2) The Department shall
			develop policies and procedures
			concerning supervision levels,
			evidence-based criteria for each
			supervision level, and the means
			of contact that is appropriate for
			each supervision level.
Sec. 6/4/4	(f) Contingent on funding.	No change from Senate	(g) Contingent on funding.
Sec. 6/ 1/ 1	The Pre-Trial Supervision	Two change from Schace	The Pretrial Supervision Program
	Program established in this		established in this section shall
	section shall operate only to		operate only to the extent funds
13 V.S.A. § 7554g(f) /	the extent funds are		are appropriated for its operation.
7555(e)	appropriated for its operation.		
/333(e)	appropriated for its operation.		If the Program is not operating in
			a particular county, the courts
			shall not order pretrial
			supervision as a condition of
			release in accordance with
			section 7554 of this title.

Sec. 6/4/4	N/A	(h) Program support. The	(h) Program support. The
		Department may support the	Department may support the
		operation of the Program through	operation of the Program through
13 V.S.A. § 7554g(f) /		grants of financial assistance to, or	grants of financial assistance to,
7555(h)		contracts for services with, any public	or contracts for services with, any
		or nonprofit entity that meets the	public entity that meets the
		Department's requirements.	Department's requirements.
Sec. 5 (HJ only)	N/A	(a) The officer in charge of a	N/A
		facility under the control of the	
		department of corrections, county jail	
13 V.S.A. § 7559(a)		or a local lockup shall discharge any	
		person held by him or her upon	
		receipt of an order for release issued	
		by a judicial officer pursuant to	
		section 7554 of this title,	
		accompanied by the full amount of	
		any bond or cash bail_fixed by the	
		judicial officer. The officer in	
		charge, or a person designated by the	
		Court Administrator, shall issue a	
		receipt for such bond or cash bail,	
		and shall account for and turn over	
		such bond or cash bail to the court	
		having jurisdiction The State's	
		Attorney may commence a	
		prosecution for criminal contempt	
		under Rule 42 of the Vermont Rules	
		of Criminal Procedure against a	
		person who violates a condition of	
		release imposed under section 7554	
		of this title. The maximum penalty	
		that may be imposed under this	

		section shall be a fine of \$1,000.00 or imprisonment for six months, or both.	
Sec. 5 (HJ only)	N/A	(b) The Court Administrator shall designate persons to set bail for any person under arrest prior to arraignment when the offense charged provides for a penalty of less than two years imprisonment or a fine of less than \$1,000.00 or both. Such	N/A
13 V.S.A. § 7559(b)		persons designated by the Court Administrator shall be considered judicial officers for the purposes of sections 7554 and 7556 of this title Upon commencement of a prosecution for criminal contempt, including when considering an afterhours request to set temporary conditions or impose bail for criminal contempt, or upon the initial appearance of the person to answer such offense, in accordance with section 7553, 7553a, 7554, or 7575 of this title, a judicial officer may continue or modify existing conditions of release or terminate release of the person.	

Sec. 5 (HJ only)	N/A	(c) Any person who is designated	N/A
		by the Court Administrator under	
		subsection (b) of this section, may	
		refuse the designation by so notifying	
		the Court Administrator in writing	
		within seven days of the designation	
		A person who has been released	
13 V.S.A. § 7559(c)		pursuant to section 7554 of this title	
		with or without bail on condition that	
		the person appear at a specified time	
		and place in connection with a	
		prosecution for an offense and who	
		without just cause fails to appear	
		shall be imprisoned not more than	
		two years or fined not more than	
		\$5,000.00, or both.	
Sec. 5 (HJ only)	N/A	(d) A person who has been	N/A
		released pursuant to section 7554 of	
		this title with or without bail on	
		condition that he or she appear at a	
13 V.S.A. § 7559(d)		specified time and place in	
		connection with a prosecution for an	
		offense and who without just cause	
		fails to appear shall be imprisoned	
		not more than two years or fined not	
		more than \$5,000.00, or both	
		Notwithstanding Rule 3 of the	
		Vermont Rules of Criminal	
		Procedure, a law enforcement officer	
		may arrest a person without a warrant	
		when the officer has probable cause	
		to believe the person without just	
		cause has failed to appear at a	

		specified time and place in	
		connection with a prosecution for an	
		offense or has violated a condition of	
		release relating to a restriction on	
		travel or a condition of release that	
		the person not directly contact,	
		harass, or cause to be harassed a	
		victim or potential witness.	
Sec. 6 (HJ only)	N/A	(a) The officer in charge of a	N/A
``		facility under the control of the	
		department of corrections shall	
		discharge any person held by the	
		officer upon receipt of an order for	
13 V.S.A. § 7559a(a)		release issued by a judicial officer	
		pursuant to section 7554 of this title,	
		accompanied by the full amount of	
		any bond or cash bail fixed by the	
		judicial officer. The officer in	
		charge, or a person designated by the	
		Court Administrator, shall issue a	
		receipt for such bond or cash bail and	
		shall account for and turn over such	
		bond or cash bail to the court having	
		jurisdiction.	
Sec. 6 (HJ only)	N/A	(b) The Court Administrator shall	N/A
		designate persons to set bail for any	
		person under arrest prior to	
13 V.S.A. § 7559a(b)		arraignment when the offense	
		charged provides for a penalty of less	
		than two years imprisonment or a fine	
		of not more than \$1,000.00, or both.	
		Such persons designated by the Court	
		Administrator shall be considered	

		judicial officers for the purposes of sections 7554 and 7556 of this title.	
Sec. 6 (HJ only) 13 V.S.A. § 7559a(c)	N/A	(c) Any person who is designated by the Court Administrator under subsection (b) of this section, may refuse the designation by so notifying the Court Administrator in writing within seven days of the designation.	N/A
Sec. 7 (SJ only) 13 V.S.A. § 7575	N/A	Struck from bill	N/A
Sec. 7 (HJ only) COMMUNITY RESTITUTION; INTENT	N/A	It is the intent of the General Assembly that the Department of Corrections reinstitute the Community Restitution Program and ensure that it is appropriately staffed and resourced so that it may be offered in all 14 counties as a sentencing alternative.	N/A
Sec. 8 13 V.S.A. § 7576		Struck from bill	N/A

Sec. 9/8	(a) In determining which of	(a) In determining which of the	N/A
	the following should be	following should be ordered, the	
	ordered, the court shall	court shall consider the nature and	
	consider the nature and	circumstances of the crime; the	
	circumstances of the crime;	history and character of the	
	the history and character of	defendant; the defendant's family	
	the defendant; the defendant's	circumstances and relationships; the	
	family circumstances and	impact of any sentence upon the	
	relationships; the impact of	defendant's minor children; the need	
	any sentence upon the	for treatment; any noncompliance	
	defendant's minor children;	with court orders or failures to appear	
	the need for treatment; any	in connection in connection with a	
13 V.S.A. § 7030	violations of conditions of	criminal prosecution; and the risk to	
	release by the defendant that	self, others, and the community at	
	are established by reliable	large presented by the defendant:	
	evidence; and the risk to self,	(1) A deferred sentence	
	others, and the community at	pursuant to section 7041 of this title.	
	large presented by the	(2) Referral to a community	
	defendant:	reparative board pursuant to 28	
	(1) A deferred sentence	V.S.A. chapter 12 in the case of an	
	pursuant to section 7041 of	offender who has pled guilty to a	
	this title.	nonviolent felony, a nonviolent	
	(2) Referral to a community	misdemeanor, or a misdemeanor that	
	reparative board pursuant to	does not involve the subject areas	
	28 V.S.A. chapter 12 in the	prohibited for referral to a community	
	case of an offender who has	justice center under 24 V.S.A. §	
	pled guilty to a nonviolent	1967. Referral to a community	
	felony, a nonviolent	reparative board pursuant to this	
	misdemeanor, or a	subdivision does not require the court	
	misdemeanor that does not	to place the offender on probation.	
	involve the subject areas	The offender shall return to court for	
	prohibited for referral to a	further sentencing if the reparative	
	community justice center	board does not accept the case or if	

imprisonment.

under 24 V.S.A. § 1967.
Referral to a community reparative board pursuant to this subdivision does not require the court to place the offender on probation. The offender shall return to court for further sentencing if the reparative board does not accept the case or if the offender fails to complete the reparative board program to the satisfaction of the board in a time deemed reasonable by the board.

- (3) Probation pursuant to 28 V.S.A. § 205.
- (4) Supervised community sentence pursuant to 28 V.S.A. § 352.
- (5) Sentence of imprisonment.
- (b) When ordering a sentence of probation, the court may require participation in the Restorative Justice Program established by 28 V.S.A. chapter 12 as a condition of the sentence.

the offender fails to complete the reparative board program to the satisfaction of the board in a time deemed reasonable by the board.

- (3) Community restitution pursuant to a policy adopted by the Commissioner of Corrections.
- (4) Probation pursuant to 28 V.S.A. § 205.

(4)(5) Supervised community sentence pursuant to 28 V.S.A. § 352. (5)(6) Sentence of

Sec. 10/9 18 V.S.A. § 4253(c)	(c) For purposes of this section, "use of a firearm" shall include includes: (1) using a firearm while selling or trafficking a regulated drug; and (2) the exchange of firearms for drugs, and this section shall apply to the person who trades a firearm	No change	N/A
	for a drug and the person who trades a drug for a firearm. (d) Conduct constituting the offense of using a firearm while selling or trafficking a regulated drug shall be considered a violent act for the purposes of determining bail.		
JOINT LEGISLATIVE JUSTICE OVERSIGHT COMMITTEE; PRETRIAL SUPERVISION PROGRAM; RECOMMENDATION; REPORT	N/A	N/A	(a) The Joint Legislative Justice Oversight Committee shall review the PreTrial Supervision Program established pursuant to 13 V.S.A. § 7555. The Committee shall review and provide recommendations to the Department of Corrections for the most prudent use of any funds appropriated to the Department to operate the Program. The review shall also include recommendations concerning the geographic areas that the

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			Department may first implement
			the Program and future funding
			mechanisms for the Program.
			(b) The Committee's
			recommendations pursuant to
			subsection (a) of this section
			shall be submitted to the
			Department on or before
			September 1, 2024 and to the
			General Assembly on or before
			November 15, 2024.
Sec. 11 (HCI only)	N/A	N/A	(a) On or before January 1,
			2025, the Corrections Monitoring
			Commission shall conduct a
			review to identify what the
			Commission's needs are to
			operate, including its structural
			challenges; recommendations of
			changes to the membership of the
			Commission; the training
CORRECTIONS			necessary for members to operate
MONITORING			effectively as a Commission; and
COMMISSION;			the resources necessary given its
DEFICIENCIES			mandates pursuant to 28 V.S.A.
RECONSTITUTION;			<u>§ 123.</u>
REPORT			(b) On or before January 15,
			2025, the Commission shall
			present the results of the review
			to the Senate Committee on
			Judiciary and the House
			Committee on Corrections and
			<u>Institutions.</u>

Sec. 12 (HCI only)		13 V.S.A. § 7555 shall be
PROSPECTIVE REPEAL (pretrial supervision program)		repealed on December 31, 2026.