

1 H.382

2 Introduced by Representative Christie of Hartford

3 Referred to Committee on

4 Date:

5 Subject: Criminal justice data collection

6 Statement of purpose of bill as introduced: This bill proposes to require the  
7 Judiciary, the Vermont Crime Information Center, the Department of State's  
8 Attorneys and Sheriffs, and the Department of Corrections to collect and  
9 publicly post criminal justice data.

10 An act relating to data collection in the criminal justice system

11 It is hereby enacted by the General Assembly of the State of Vermont:

12 Sec. 1. SHORT TITLE

13 This act may be cited as "The Vermont Justice Transparency Act."

14 Sec. 2. 4 V.S.A. § 42 is added to read:

15 § 42. DATA REPORTING

16 (a)(1) Beginning on August 1, 2028 and quarterly thereafter, the Judiciary  
17 shall issue a report on all of the following data from the previous year relating  
18 to:

1           (A) pretrial release determination for individuals, including the  
2           amount of bail set and nonmonetary conditions of release, if any;

3           (B) sentence type and length imposed by the court, including  
4           minimum and maximum sentence imposed, and conditions of probation or  
5           other supervision or resolution; and

6           (C) the number of cases diverted from prosecution.

7           (2) All data required by subdivision (1) of this subsection shall identify  
8           the county of the proceeding, the presiding judge, the charge or charges, and  
9           the individual's age, race, gender, and state of last residence.

10          (b) The Judiciary shall post the report electronically on its website in a  
11          manner that is easily understandable and accessible to the public.

12          Sec. 3. 20 V.S.A. § 2057 is amended to read:

13          § 2057. INFORMATION

14          (a) From time to time but at least annually, the ~~center~~ Center shall publish  
15          information relating to criminal activity, arrests, convictions, and such other  
16          information as the ~~commissioner~~ Commissioner deems relevant. At a  
17          minimum, the Center shall issue a report on arrest data from each State,  
18          county, and municipal law enforcement agency from the previous year relating  
19          to:

20                 (1) the age, race, gender, and state of residence of individuals who  
21                 are arrested;

1           (2) reported incidents of use of force, identified by type of force  
2 used;

3           (3) arrests categorized by legal basis for the arrest; and

4           (4) results of searches conducted pursuant to arrests.

5           (b) Each State, county, and municipal law enforcement agency shall  
6 provide the information required in subsection (a) of this section to the Center  
7 in a time frame and manner established by the Center.

8           Sec. 4. 24 V.S.A. § 368 is added to read:

9           § 368. REPORTING DATA

10           (a) Beginning on January 31, 2026 and annually thereafter, the Department  
11 of State's Attorneys and Sheriffs shall issue a report consisting of data from  
12 each of the State's Attorneys on the following:

13           (1) the number and percentage of cases a State's Attorney declines to  
14 prosecute; the rationale for declining to prosecute in each instance; the alleged  
15 criminal violation; and the age, race, gender, and state of last residence of the  
16 individual referred for prosecution;

17           (2) the number and percentage of cases that result in accepted pleas to  
18 lesser charges, identified by original charge and charge pled to by the  
19 individual, and the age, race, gender, and state of last residence of the  
20 individual;

1           (3) the number and percentage of cases in which a State’s Attorney  
2           sought the maximum sentence, identified by the charge, and the age, race,  
3           gender, and state of last residence of the individual;

4           (4) the number and percentage of cases recommended by a State’s  
5           Attorney for the individual to be released on the individual’s own recognizance  
6           and cash bail or no bail, identified by charge; bail amount; and the age, race,  
7           gender, and state of last residence of the individual; and

8           (5) the number and percentage of cases in which a State’s Attorney  
9           sought an alternative to incarceration; the types of alternatives chosen; the  
10           charges in each case in which an alternative was sought; and the age, race,  
11           gender, and state of last residence of the individual.

12           (b) Each State’s Attorney shall provide the information required in  
13           subsection (a) of this section to the Center in a time frame and manner  
14           established by the Center.

15           (c) The Department shall post the reports created electronically in a manner  
16           that is accessible to the public on the Department’s website.

17           Sec 5. 28 V.S.A. § 123 is added to read:

18           § 123. REPORTING DATA

19           (a) Beginning on August 5, 2026, and on the first Monday of every month  
20           thereafter, the Department shall issue a report on Vermont’s incarcerated

1 population on the provisions identified in subdivisions (1)–(2) of this  
2 subsection.

3 (1) Inmate data as follows:

4 (A) The number and characteristics of the inmate population. Data  
5 shall include offenses; length of longest sentence; and an inmate’s age, race,  
6 gender, county of sentencing, and state of last residence.

7 (B) The number and percentage of inmates held past their minimum  
8 release date. Data shall include offenses and the inmate’s age, race, gender,  
9 state of last residence and the reason why the inmate was held beyond the  
10 minimum release date.

11 (C) The number and percentage of inmates who have been held in  
12 solitary confinement in the previous month and the number of days of that  
13 confinement. Data shall include the inmate’s age, race, and gender; the reason  
14 for segregation; and whether or not the inmate is classified as having a serious  
15 functional impairment.

16 (D) The number and percentage of inmates who have screened  
17 positive for opioid use disorder, have requested medication for opioid use  
18 disorder, and are receiving such medication. Data shall include the inmate’s  
19 age, race, gender, county of sentencing, and state of last residence.

20 (2) Detainee data as follows:

1           (A) A monthly update of Vermont’s detainee population. The update  
2           shall include data on offenses charged; the county where charges are filed; the  
3           length of detention if the detainee is held for more than one day; bail amount;  
4           and the inmate’s age, race, gender, and state of last residence.

5           (B) The number and percentage of detainees who have screened  
6           positive for opioid use disorder, who have requested medication-assisted  
7           treatment (MAT), and who are receiving MAT. Data shall include the county  
8           where charges are filed and the inmate’s age, race, gender, and state of last  
9           residence.

10          (b) Beginning on January 31, 2026, and annually thereafter, the  
11          Department shall issue a report on the incarcerated population as follows:

12           (1) Data from the previous year on the total number of people  
13           incarcerated. Data shall include offenses and length of longest sentence by the  
14           inmate’s age, race, gender, county of sentencing, and state of last residence.

15           (2) Data from the previous year on the 12 most frequent charges. Data  
16           shall include the offenses and the inmate’s age, race, gender, county of  
17           sentencing, and state of last residence.

18           (3) Data from the previous year on mean and median sentence length for  
19           the 12 most frequent charges. Data shall include the offenses and the inmate’s  
20           age, race, gender, county of sentencing, and state of last residence.

1           (4) Data from the previous year on revocation of probation, parole,  
2           furlough, or other community supervision. Data shall include the original  
3           offenses; violations; the county where the person was supervised and the  
4           violation occurred; whether the person was reincarcerated; and the person's  
5           age, race, gender, and state of last residence.

6           (5) Data on the recidivism rate, as defined in 28 V.S.A. § 4, identified  
7           by the new offense charged and the county in which it was charged and the  
8           person's age, race, and gender.

9           (6) Data from the previous year on the number and percentage of  
10          inmates who have been screened for developmental disabilities, mental health  
11          conditions, and substance use disorders.

12          (c) The Department shall post the report electronically on its website in a  
13          manner that is easily understandable and accessible to the public.

14          Sec. 6. EFFECTIVE DATE

15          This act shall take effect July 1, 2025.