

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Judiciary to which was referred House Bill No. 410
3 entitled “An act relating to the calculation of recidivism and other related
4 criminology measures” respectfully reports that it has considered the same and
5 recommends that the bill be amended by striking out all after the enacting
6 clause and inserting in lieu thereof the following:

7 Sec. 1. 13 V.S.A. chapter 233 is added to read:

8 CHAPTER 233. CRIMINOLOGY MEASURES

9 § 8121. DEFINITION

10 As used in this chapter, “recidivism” means a relapse into criminal activity
11 as evidenced by an individual who is convicted of a criminal offense after
12 receiving a criminal conviction for a previous crime. The date of the recidivism
13 event is the date of arraignment for the subsequent offense. The arraignment
14 date is used as a proxy for when the subsequent offense was committed. The
15 clock for calculating recidivism shall begin on the date an individual is
16 released from incarceration or the date when an individual is sentenced to a
17 non-custodial sentence.

18 § 8122. VERMONT STATISTICAL ANALYSIS CENTER ANNUAL
19 REPORTS

20 (a) Annual reports. Annually, on or before April 1, the Vermont Statistical
21 Analysis Center (SAC) shall submit the following reports to the House and

1 Senate Committees on Judiciary, the House Committee on Corrections and
2 Institutions, and the Senate Committee on Institutions:

3 (1) Bail rates. An annualized report on bail rates, including hold
4 without bail, monetary amounts, and bail posting information aggregated by
5 county. The report shall include data on pretrial detainees held in Vermont
6 correctional facilities, including the crime type and jurisdiction for which they
7 are held.

8 (2) Recidivism. A report on the annual recidivism rate that measures
9 individuals who are convicted of a criminal offense after receiving a criminal
10 conviction for a previous crime. The recidivism rate shall be calculated using
11 a three-year and five-year period.

12 (3) Arrests and clearance rates. An annualized report on arrests and
13 clearance rates. Arrests shall be organized by crime according to data from the
14 National Incident-Based Reporting System.

15 (4) Most convicted crimes.

16 (A) A report detailing aggregated information on the number, type,
17 and length of sentences, including fines, for the 20 crimes with the highest
18 number of convictions.

19 (B) A report detailing the total combined years of probation and
20 incarceration sentenced by the court in the prior year. The report shall include

1 an analysis of which crimes and counties contributed most significantly to the
2 sentences imposed.

3 (b) Demographic variables. The information required pursuant to
4 subsection (a) of this section shall include race, gender, age, and other
5 demographic variables whenever possible.

6 (c) Data sharing. Notwithstanding any provision of law to the contrary, all
7 State and local agencies and departments that possess the data necessary to
8 compile the reports required pursuant to this section shall, upon request,
9 provide the SAC with any data that it determines is relevant to the report. The
10 obligation to disclose shall supersede any other legal obligation with respect to
11 the data required pursuant to this section, and a department, agency, or other
12 entity shall not decline to disclose data required based on any other purported
13 legal obligation. Prior to submission of the reports required by this section, the
14 SAC shall provide copies of drafts of the reports to State and local agencies
15 and departments that provided the SAC with data to compile the reports and
16 allow a reasonable time period for comment from such State and local
17 agencies.

18 Sec. 2. 28 V.S.A. § 4 is amended to read:

19 ~~§ 4. STANDARD MEASURE OF RECIDIVISM~~

20 ~~The Department shall calculate the rate of recidivism based upon offenders~~
21 ~~who are sentenced to more than one year of incarceration who, after release~~

1 ~~from incarceration, return to prison within three years for a conviction for a~~
2 ~~new offense or a violation of supervision resulting, and the new incarceration~~
3 ~~sentence or time served on the violation is at least 90 days. [Repealed.]~~

4 Sec. 3. 28 V.S.A. § 125 is amended to read:

5 § 125. CRIMINAL JUSTICE INVESTMENTS AND TRENDS; REPORT

6 * * *

7 (b) Definitions. As used in this section:

8 * * *

9 (5) ~~“Recidivism” has the same meaning as in section 4 of this title.~~

10 [Repealed.]

11 * * *

12 (c) Report.

13 * * *

14 (2) The report required pursuant to subdivision (1) of this subsection
15 shall include data showing:

16 (A) ~~recidivism rates;~~ [Repealed.]

17 * * *

18 Sec. 4. VERMONT STATISTICAL ANALYSIS CENTER;

19 APPROPRIATIONS

20 In fiscal year 2027, the following monies are appropriated from the General
21 Fund to the Vermont Statistical Analysis Center:

1 (1) \$10,000.00 for the annual bail rates report required by 13 V.S.A.

2 § 8122(a)(1).

3 (2) \$10,000.00 for the annual recidivism report required by 13 V.S.A.

4 § 8122(a)(2).

5 (3) \$1,000.00 for the annual arrests and clearance rates report required

6 by 13 V.S.A. § 8122(a)(3).

7 (4) \$4,000.00 for the annual sentencing reports required by 13 V.S.A.

8 § 8122(a)(4).

9 Sec. 5. EFFECTIVE DATE

10 This act shall take effect July 1, 2026.

11

12

13

14

15 (Committee vote: _____)

16

17

18

Representative _____

FOR THE COMMITTEE