



TO: House Committee on Judiciary
FROM: Haley Sommer, Communications Director, Department of Corrections
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DATE: February 26, 2026
SUBJECT: DOC H.382 Written Comments

The [Vermont Department of Corrections \(VT DOC\) Research & Data Unit](#) provides, analyzes, and publishes data on Vermont's incarcerated population, DOC staffing, health services, annual reports, and research & data partnerships. The Research & Data Unit strives to provide accurate, timely, and comprehensive data to inform the Department's decision making, achieve transparency, and provide accessible data to members of the public.

H.382 contains many provisions that encompass information already available to the public and lawmakers on DOC's website. Below, you will find DOC's comments on provisions of H.382, including data DOC currently provides, does not yet provide, and feasibility of the bill's provisions:

Sec 5. 28 V.S.A. § 123:

Page. 5, lines 4-6:

Bill Text: The number and characteristics of the inmate population. Data shall include offenses; length of longest sentence; and an inmate's age, race, gender, county of sentencing, and state of last residence.

DOC Comments: DOC's Incarcerated Population Dashboard includes offenses (broken down by misdemeanor and felony type), race, and gender. County of sentencing, age and state of last residence are not included. DOC can include additional disaggregation by age, but state of last residence is not feasible. This data is provided voluntarily and is not always accurate.

Page 5, lines 7-9:

Bill Text: (B) The number and percentage of inmates held past their minimum release date. Data shall include offenses and the inmate's age, race, gender, state of last residence and the reason why the inmate was held beyond the minimum release date.

DOC Comments: DOC's Incarcerated Population Dashboard includes the number of incarcerated people held past their minimum release date, including race, gender, and why they are being held. Inclusion of age and state of last residence is addressed above.

Page 5, lines 11-15

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

DOC Comments: DOC does not use the term 'solitary confinement' and refers to periods of administrative or behavioral housing segregation as restrictive housing. DOC already publishes a report to the legislature every month including race, gender, reason for segregation, and whether the individual is classified as having a serious functional impairment. The report does not include age, though DOC does publish an annual report on its website that does.

Page 5, lines 16-19:

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

DOC Comments: DOC already publishes an annual report including the number of individuals who are prescribed medication for opioid use disorder with demographic information of age, race, and gender. The report does not state county of sentencing or state of last residence, for the reasons outlined above.

Page 6, lines 1-4:

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

DOC Comments: DOC's incarcerated population dashboard contains information on detainees and their offense type, age, gender, and race. It does not include county of sentencing, length of detention, or bail amount. Longitudinal bail amount data is most appropriate to come from the Judiciary.

Page 6, lines 5-9:

Bill Text: (B) The number and percentage of detainees who have screened positive for opioid use disorder, who have requested medication-assisted treatment (MAT), and who are receiving

MAT. Data shall include the county where charges are filed and the inmate's age, race, gender, and state of last residence

DOC Comments: DOC's annual MAT report does not distinguish patients by their legal statuses, though this is feasible to provide.

Page 6, Lines 12-14:

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

DOC Comments: This provision is directing DOC to provide annual 'flow data', which DOC does not provide currently. Data outlined in this section of text is currently pulled point in time, and it would take significant operational changes to produce this type of report.

Page 6, Lines 15-20

Bill Text: (2) Data from the previous year on the most frequent charges. Data shall include the offenses and the inmate's age, race, gender, county of sentencing, and state of last residence

DOC Comments: DOC's incarcerated population dashboard includes charge type for the most severe charge but does not list charges or those that are most frequent. DOC also does not currently publish data on median and mean length of sentence for most frequent charges.

Page 7, lines 1-5:

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

DOC Comments: DOC does not currently provide data on revocations—this would be feasible but would require significant operational investment.

Page 7, lines 6-8:

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

DOC Comments: DOC does currently publish recidivism data that includes race, gender, and risk to reoffend. It does not currently include data on age or the county of the original charge. Data is published every three years due to the statutory definition of how recidivism should be calculated.

Page 7, lines 9-11:

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

DOC Comments: DOC does not currently publish data on the number of incarcerated people who have been screened for developmental disabilities, mental health conditions, and substance use disorders.