

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. DEFINITIONS

10 As used in this chapter, “recidivism” means a relapse into a habit of
11 criminal activity as evidenced by an individual who is convicted of a criminal
12 offense after receiving a criminal conviction for a previous crime. Recidivism
13 shall be calculated from the date of the prior conviction to the date of the
14 arraignment and finding of probable cause for the subsequent conviction.

15 § 8122. VERMONT STATISTICAL ANALYSIS CENTER ANNUAL

16 REPORTS

17 (a) Annual reports. Annually, on or before [XYZ], the Vermont Statistical
18 Analysis Center (SAC) shall submit the following reports to the House and
19 Senate Committees on Judiciary, the House Committee on Corrections and
20 Institutions, and the Senate Committee on Institutions:

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

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

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

12 (4) Most adjudicated crimes.

13 (A) A report detailing aggregated information on the number, type,
14 and length of sentences, including fines, for the top 10 crimes adjudicated in
15 the Criminal Division of the Superior Court.

16 (B) A report detailing the total combined years of probation and
17 incarceration sentenced by the court in the prior year. The report shall include
18 an analysis of which crimes and counties contributed most significantly to the
19 sentences imposed.

20 (b) Data sharing. Notwithstanding any provision of law to the contrary, all
21 State and local agencies and departments that possess the data necessary to

1 compile the reports required pursuant to this section shall, upon request,
2 provide SAC with any data that it determines is relevant to the report. The
3 obligation to disclose shall supersede any other legal obligation with respect to
4 the data required pursuant to this section, and a department, agency, or other
5 entity shall not decline to disclose data required based on any other purported
6 legal obligation.

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

8 § 4. STANDARD MEASURE OF RECIDIVISM

9 ~~The Department shall calculate the rate of recidivism based upon offenders~~
10 ~~who are sentenced to more than one year of incarceration who, after release~~
11 ~~from incarceration, return to prison within three years for a conviction for a~~
12 ~~new offense or a violation of supervision resulting, and the new incarceration~~
13 ~~sentence or time served on the violation is at least 90 days. [Repealed.]~~

14 Sec. 3. VERMONT STATISTICAL ANALYSIS CENTER;

15 APPROPRIATIONS

16 In fiscal year 2027, the following monies are appropriated from [??] to the
17 Vermont Statistical Analysis Center:

18 (1) \$10,000.00 for the annual bail rates report required by 13 V.S.A.

19 § 8122(a)(1).

20 (2) \$10,000.00 for the annual recidivism report required by 13 V.S.A.

21 § 8122(a)(2).

1 (3) \$1,000.00 for the annual arrests and clearance rates report required
2 by 13 V.S.A. § 8122(a)(3).

3 (4) \$4,000.00 for the annual sentencing reports required by 13 V.S.A.
4 § 8122(a)(4).

5 (5) \$2,500.00 for providing administrative and technical assistance to
6 the working group established pursuant to Sec. 2 of this act.

7 Sec. 4. EFFECTIVE DATE

8 This act shall take effect July 1, 2026.

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13 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE