

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 convicted subsequent offense. The  
14 arraignment date is used as a proxy for when the subsequent offense was  
15 committed. The recidivism rate shall be calculated using a three-year and five-  
16 year period.

17 § 8122. VERMONT STATISTICAL ANALYSIS CENTER ANNUAL

18 REPORTS

19 (a) Annual reports. Annually, on or before April 1, the Vermont Statistical  
20 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.

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

14 (4) Most convicted crimes.

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

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

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

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

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

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

18       ~~The Department shall calculate the rate of recidivism based upon offenders~~  
19       ~~who are sentenced to more than one year of incarceration who, after release~~  
20       ~~from incarceration, return to prison within three years for a conviction for a~~

1 ~~new offense or a violation of supervision resulting, and the new incarceration~~  
2 ~~sentence or time served on the violation is at least 90 days. [Repealed.]~~

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

4 § 125. CRIMINAL JUSTICE INVESTMENTS AND TRENDS; REPORT

5 \* \* \*

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

7 \* \* \*

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

9 [Repealed.]

10 \* \* \*

11 (c) Report.

12 \* \* \*

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

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

16 \* \* \*

17 Sec. 4. VERMONT STATISTICAL ANALYSIS CENTER;

18 APPROPRIATIONS

19 In fiscal year 2027, the following monies are appropriated from the General

20 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

Representative \_\_\_\_\_

18

FOR THE COMMITTEE