



# Department of State's Attorneys and Sheriffs

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## Vermont Criminal and Juvenile Justice System Data (SAS Context, December 2024)

NOTE: This contents of this document are subject to change. This document was drafted for discussion purposes only.

NOTE: Data provided by the Vermont Judiciary.



# December 2023

Row Label	Felony	Misdemeanor	Fish and Game	Civil Suspension	Youthful Offender	Juvenile Delinquency	CHINS A	CHINS B	CHINS C	CHINS D	Civil Misc.	JBA	Ordinance	PCR	Grand Total
Addison	204	527	7	18	31	85	2	166	11	6	4			1	1,062
Bennington	682	1,190	1	56	32	44	2	85	15	24				15	2,146
Caledonia	486	1,170	7	82	40	47		87	1	13	6	1	1		1,941
Chittenden	1,147	2,552	11	79	83	187	29	209	13	21	18	8	1	6	4,364
Essex	114	171	2	3	3	4	1	17			4			3	322
Franklin	511	1,204	21	61	162	306	9	327	50	43	6			5	2,705
Grand Isle	35	94	2	4	5	5	3	24	1	5	3	1			182
Lamoille	280	689	7	50	6	48	3	47	3	11	1			2	1,147
Orange	175	399	2	22	8	17		26		10	7				666
Orleans	600	1,149	15	55	18	46	19	74	12	1	10			11	2,010
Rutland	789	1,705	9	69	26	136	3	169	26	21	4	2		12	2,971
Washington	498	1,163	9	50	64	169	5	88	4	6	12		6	4	2,078
Windham	733	1,776	4	53	25	141	1	101	7	6	6			5	2,858
Windsor	494	983	2	36	13	38	7	64	4	5	8	1		12	1,667
<b>Grand Total</b>	<b>6,748</b>	<b>14,772</b>	<b>99</b>	<b>638</b>	<b>516</b>	<b>1,273</b>	<b>84</b>	<b>1,484</b>	<b>147</b>	<b>172</b>	<b>89</b>	<b>13</b>	<b>8</b>	<b>76</b>	<b>26,119</b>

26,119 Pending Cases



# December 10, 2024

Row Labels	Juv.															
	Felony	Misdemeanor	F&W	Civil Susp.	YO	Delinq.	CHINSA	CHINS B	CHINSC	CHINS D	Civil Misc	ERPO	JBA	Ord.	PCR	Grand Total
Addison	196	499	2	16	21	28	1	61	1	1	2				1	829
Bennington	616	1,007	1	40	19	72	7	81	10	9	2		3	1	11	1,879
Caledonia	379	987	5	47	25	29	4	51	1	2	4			1	5	1,540
Chittenden	1,059	2,324	4	76	62	137	34	125	9	25	24	1	3		7	3,890
Essex	122	142		3	3	5		7	1		5				3	291
Franklin	486	1,242	19	27	139	294	5	117	14	5	4	1			3	2,356
Grand Isle	30	57	6	1	4	4		12		3						117
Lamoille	249	550	9	38	4	39	1	34	5	9	1				3	942
Orange	167	331	4	18	16	31	1	23	3	7	4		1		3	609
Orleans	466	872	3	28	19	53	22	50	7		2				14	1,536
Rutland	733	1,380	6	42	21	88	3	118	16	18	2	1	1		14	2,443
Washington	547	1,206	8	37	42	139	7	73	6	8	12		2	6	5	2,098
Windham	779	1,855	3	68	8	29	1	78	5	2	7		3		7	2,845
Windsor	519	1,030	2	45	16	52	8	56	2	9	14		1		5	1,759
<b>Grand Total</b>	<b>6,348</b>	<b>13,482</b>	<b>72</b>	<b>486</b>	<b>399</b>	<b>1,000</b>	<b>94</b>	<b>886</b>	<b>80</b>	<b>98</b>	<b>83</b>	<b>3</b>	<b>14</b>	<b>8</b>	<b>81</b>	<b>23,134</b>

23,134 Pending Cases



# December 2023 to December 10, 2024

	Fish and		Civil	Youthful	Juv.	Civil							Grand Total		
	Felony	Misdemeanor	Game	Susp.	Offender	Delinq.	CHINSA	CHINSB	CHINSC	CHINSD	Misc.	JBA		Ordinance	PCR
Addison	-8	-28	-5	-2	-10	-57	-1	-105	-10	-5	-2	0	0	0	-233
Bennington	-66	-183	0	-16	-13	28	5	-4	-5	-15	2	3	1	-4	-267
Caledonia	-107	-183	-2	-35	-15	-18	4	-36	0	-11	-2	-1	0	5	-401
Chittenden	-88	-228	-7	-3	-21	-50	5	-84	-4	4	6	-5	-1	1	-475
Essex	8	-29	-2	0	0	1	-1	-10	1	0	1	0	0	0	-31
Franklin	-25	38	-2	-34	-23	-12	-4	-210	-36	-38	-2	0	0	-2	-350
Grand Isle	-5	-37	4	-3	-1	-1	-3	-12	-1	-2	-3	-1	0	0	-65
Lamoille	-31	-139	2	-12	-2	-9	-2	-13	2	-2	0	0	0	1	-205
Orange	-8	-68	2	-4	8	14	1	-3	3	-3	-3	1	0	3	-57
Orleans	-134	-277	-12	-27	1	7	3	-24	-5	-1	-8	0	0	3	-474
Rutland	-56	-325	-3	-27	-5	-48	0	-51	-10	-3	-2	-1	0	2	-529
Washington	49	43	-1	-13	-22	-30	2	-15	2	2	0	2	0	1	20
Windham	46	79	-1	15	-17	-112	0	-23	-2	-4	1	3	0	2	-13
Windsor	25	47	0	9	3	14	1	-8	-2	4	6	0	0	-7	92
<b>Grand Total</b>	<b>-400</b>	<b>-1290</b>	<b>-27</b>	<b>-152</b>	<b>-117</b>	<b>-273</b>	<b>10</b>	<b>-598</b>	<b>-67</b>	<b>-74</b>	<b>-6</b>	<b>1</b>	<b>0</b>	<b>5</b>	<b>-2988</b>
% Reduction in volume (Dec 2023 to Dec 2024)	-5.93%	-8.73%	-27.27%	-23.82%	-22.67%	-21.45%	11.90%	-40.30%	-45.58%	-43.02%	-6.74%	7.69%	0.00%	6.58%	-11.44%

# Pending Homicide Dockets

As of December 10, 2023

	+ 2023	+ 2022	+ 2021	+ 2020	+ 2019	+ 2018	+ 2000	Grand Total
<b>Row Labels</b>								
Chittenden Unit	7	8	2	1	3			21
Bennington Unit	9	6	1					16
Caledonia Unit	5	2	1				1	9
Orleans Unit	2	2	3	1				8
Rutland Unit	2	2	1		1	2		8
Windham Unit	4	1	1					6
Washington Unit	3	3						6
Franklin Unit	1	2		1				4
Windsor Unit	1	1				1		3
Orange Unit	2		1					3
Addison Unit	2	1						3
Lamoille Unit	1	2						3
<b>Grand Total</b>	<b>39</b>	<b>30</b>	<b>10</b>	<b>3</b>	<b>4</b>	<b>3</b>	<b>1</b>	<b>90</b>



# Pending Homicide Dockets

As of December 10, 2024

Row Labels	2024	2023	2022	2021	2020	2019	2018	Grand Total
Chittenden	10	3	6	1	1	2		23
Bennington	3	8	4	1				16
Rutland	4	2	2				2	10
Windham	2	5	1	1				9
Orleans	4	1	1	2				8
Caledonia	2	3	1					6
Franklin	2	2	1		1			6
Windsor	1	1	2				1	5
Lamoille	2	1	2					5
Orange		3		1				4
Washington	2	1						3
Addison	1							1
<b>Grand Total</b>	<b>33</b>	<b>30</b>	<b>20</b>	<b>6</b>	<b>2</b>	<b>2</b>	<b>3</b>	<b>96</b>



# 2024 Inactive Felony Arrest Warrants

from ___ or before	# Felony AW
2024	1,738
2020	892
2015	426
2010	285
2000	84

As of December 10, 2024



# 2024 Inactive Misdemeanor Arrest Warrants

from ___ or before	# Misdemeanor AW
2024	3,570
2020	1552
2015	620
2010	320
2000	99

As of December 10, 2024





# People With Multiple Open Dockets

## All Case Status

Row Labels	Felony	Misdemeanor	Fish and Game	Grand Total
Name of defendants have been removed.	8	66		74
	11	52		63
	6	21		27
	1	23		24
	2	22		24
	4	19		23
	3	20		23
	6	17		23
	6	16		22
	4	18		22
	4	18		22
	1	21		22
			21	21
	4	17		21
	14	7		21
1	20		21	
2	18		20	

149 people have 10 or more open dockets, representing a total of 2,135 open dockets

As of December 10, 2024



# December 10, 2024

## SAS Attorney Caseload Average

- Current 12/10/24 SAS Attorney Caseload Average. 14 SAs plus 58 DSAs = 72 SAS Attorneys. As of December 10, 2024, there were 23,134 pending cases.
- 23,134 divided by 72 SAS Attorneys = **321 per SAS Attorney.**

See Northwestern University School of Law. "THE STATE (NEVER) RESTS: HOW EXCESSIVE PROSECUTORIAL CASELOADS HARM CRIMINAL DEFENDANTS." 2011 (emphasis added); see also [Prosecutor Workload Report \(centerforjusticeresearch.org\)](#) ("[P]rosecutors should not handle more than 150 felonies or 400 misdemeanors per year." Vermont SAS prosecutors often handle much more on both fronts and handle more than criminal cases (Criminal -Felonies, Fish and Wildlife, and Misdemeanors) (Family-CHINS, Juvenile Delinquencies, YO cases, and ERPOs) (Appeals) (Civil-PCRs). SAS also handles the majority of criminal division appeals and a number of family division appeals.)



# 2024 Criminal Filing Data

COUNTY	2024 January	2024 February	2024 March	2024 April	2024 May	2024 June	2024 July	2024 August	2024 September	2024 October	2024 November	2024 December
Addison	30	28	33	26	46	22	43	40	40	45	48	49
Bennington	128	101	84	96	126	97	130	118	147	123	73	68
Caledonia	67	48	39	48	43	31	36	45	57	38	47	48
Chittenden	312	220	283	261	227	257	203	272	242	295	220	237
Essex	7	8	13	12	12	8	6	6	6	6	4	7
Franklin	116	102	106	97	123	115	132	112	126	155	94	133
Grand Isle	1	2	1	6	5	7	4	7	2	3	3	1
Lamoille	54	38	40	41	51	40	45	55	45	30	59	40
Orange	28	31	45	30	43	23	35	30	33	32	77	22
Orleans	85	59	76	69	91	72	78	74	96	86	86	53
Rutland	122	116	140	134	119	124	146	128	133	109	89	103
Washington	121	105	90	121	110	70	135	146	154	123	120	136
Windham	90	84	111	103	109	111	135	85	142	142	85	104
Windsor	74	48	55	58	77	77	79	87	94	76	50	74
<b>Monthly Total</b>	1,235	990	1,116	1,102	1,182	1,054	1,207	1,205	1,317	1,263	1,055	1,075
<b>2024 Total</b>	1,235	2,225	3,341	4,443	5,625	6,679	7,886	9,091	10,408	11,671	12,726	13,801



# 2024 Criminal Filing Data

- In 2024, the statewide monthly average for criminal filings was 1,150 cases,
- The minimum was 990 (February), and
- The maximum was 1,317 (September).
- In sum, there were 13,801 criminal cases filed in 2024.
- These cases are spread out among SAS 72 prosecutors.



# Clearance Rate Data

## December 2022 through December 2024

	# of months over 100% Clearance Rate	2022	2023	2023	2023	2023	2023	2023	2023	2023	2023	2023	2023	2023	2024	2024	2024	2024	2024	2024	2024	2024	2024	2024	
		December	January	February	March	April	May	June	July	August	September	October	November	December	January	February	March	April	May	June	July	August	September	October	November
Addison	9	207%	69%	133%	300%	91%	75%	98%	89%	62%	76%	111%	86%	85%	131%	105%	143%	202%	85%	87%	90%	84%	133%	79%	69%
Bennington	11	59%	97%	132%	62%	92%	111%	65%	95%	88%	88%	128%	101%	130%	95%	129%	139%	128%	126%	98%	97%	77%	91%	144%	150%
Caledonia	11	93%	63%	85%	200%	197%	179%	71%	72%	99%	130%	94%	98%	75%	97%	100%	241%	152%	145%	131%	75%	91%	105%	124%	117%
Chittenden	13	75%	114%	67%	105%	122%	83%	80%	107%	69%	118%	88%	78%	95%	114%	86%	109%	104%	126%	104%	126%	85%	127%	100%	78%
Essex	11	114%	85%	136%	325%	94%	125%	65%	78%	77%	108%	100%	183%	150%	75%	147%	59%	70%	70%	94%	60%	95%	129%	159%	213%
Franklin	8	128%	101%	91%	217%	105%	62%	135%	111%	89%	80%	99%	140%	85%	71%	84%	84%	114%	98%	85%	65%	90%	66%	79%	97%
Grand Isle	13	100%	120%	110%	85%	64%	72%	130%	263%	67%	75%	55%	240%	113%	138%	267%	160%	171%	163%	44%	25%	130%	129%	90%	100%
Lamoille	14	74%	57%	95%	85%	191%	239%	119%	154%	113%	102%	179%	166%	87%	134%	157%	68%	147%	96%	76%	112%	78%	135%	117%	58%
Orange	10	83%	65%	94%	86%	88%	90%	94%	58%	56%	90%	122%	161%	178%	138%	103%	65%	106%	127%	115%	111%	48%	102%	96%	80%
Orleans	16	59%	75%	75%	147%	101%	83%	114%	68%	115%	109%	145%	96%	110%	93%	173%	110%	117%	112%	126%	180%	114%	166%	91%	124%
Rutland	22	142%	108%	106%	114%	153%	117%	109%	105%	138%	160%	115%	123%	136%	133%	145%	122%	123%	111%	121%	96%	78%	123%	113%	157%
Washington	11	124%	147%	122%	114%	83%	107%	91%	64%	109%	97%	98%	87%	90%	115%	107%	96%	103%	121%	129%	93%	85%	63%	91%	71%
Windham	12	124%	101%	112%	275%	117%	104%	64%	92%	93%	97%	108%	119%	93%	99%	113%	73%	105%	73%	89%	88%	130%	77%	92%	120%
Windsor	13	121%	84%	130%	136%	111%	129%	73%	98%	111%	109%	102%	122%	79%	102%	99%	105%	83%	88%	90%	74%	70%	102%	98%	110%
Counties over 100% Clearance Rate		7	6	8	10	8	8	5	5	5	7	8	9	6	8	10	8	12	8	6	4	3	10	6	7



# Trial date utilization

## 2023 (Jan. 1 to December 10)

Count of CaseNumber	Column Labels	Felony	Misdemeanor	Grand Total
<b>Windham Unit</b>		<b>26</b>	<b>11</b>	<b>37</b>
Jury Trial		26	10	36
Bench Trial			1	1
<b>Rutland Unit</b>		<b>16</b>	<b>9</b>	<b>25</b>
Jury Trial		16	9	25
<b>Windsor Unit</b>		<b>15</b>	<b>1</b>	<b>16</b>
Jury Trial		15	1	16
<b>Bennington Unit</b>		<b>11</b>	<b>5</b>	<b>16</b>
Jury Trial		11	3	14
Bench Trial			2	2
<b>Orleans Unit</b>		<b>7</b>	<b>3</b>	<b>10</b>
Jury Trial		7	3	10
<b>Washington Unit</b>		<b>4</b>	<b>5</b>	<b>9</b>
Jury Trial		3	3	6
Bench Trial		1	2	3
<b>Caledonia Unit</b>		<b>7</b>		<b>7</b>
Jury Trial		7		7
<b>Orange Unit</b>			<b>6</b>	<b>6</b>
Jury Trial			6	6
<b>Franklin Unit</b>		<b>3</b>	<b>3</b>	<b>6</b>
Jury Trial		3	2	5
Bench Trial			1	1
<b>Essex Unit</b>		<b>2</b>	<b>3</b>	<b>5</b>
Jury Trial		2	2	4
Bench Trial			1	1
<b>Chittenden Unit</b>			<b>3</b>	<b>3</b>
Jury Trial			3	3
<b>Lamoille Unit</b>			<b>3</b>	<b>3</b>
Jury Trial			3	3
<b>Grand Total</b>		<b>91</b>	<b>52</b>	<b>143</b>

## 2024 (Jan. 1 to December 10)

Count of CaseNumber	Column Labels	Felony	Misdemeanor	Grand Total
<b>Windham Unit</b>		<b>27</b>	<b>6</b>	<b>33</b>
Jury Trial		27	6	33
<b>Rutland Unit</b>		<b>14</b>	<b>18</b>	<b>32</b>
Jury Trial		13	15	28
Bench Trial		1	3	4
<b>Essex Unit</b>		<b>15</b>	<b>10</b>	<b>25</b>
Jury Trial		15	10	25
<b>Orleans Unit</b>		<b>20</b>	<b>3</b>	<b>23</b>
Jury Trial		19	1	20
Bench Trial		1	2	3
<b>Chittenden Unit</b>		<b>15</b>	<b>7</b>	<b>22</b>
Jury Trial		15	5	20
Bench Trial			2	2
<b>Washington Unit</b>		<b>11</b>	<b>7</b>	<b>18</b>
Jury Trial		9	7	16
Bench Trial		2		2
<b>Bennington Unit</b>		<b>12</b>	<b>5</b>	<b>17</b>
Jury Trial		10	4	14
Bench Trial		2	1	3
<b>Franklin Unit</b>		<b>12</b>	<b>1</b>	<b>13</b>
Jury Trial		12	1	13
<b>Lamoille Unit</b>		<b>8</b>		<b>8</b>
Jury Trial		8		8
<b>Grand Isle Unit</b>			<b>8</b>	<b>8</b>
Jury Trial			8	8
<b>Orange Unit</b>		<b>5</b>	<b>2</b>	<b>7</b>
Jury Trial		5	2	7
<b>Caledonia Unit</b>			<b>5</b>	<b>5</b>
Jury Trial			5	5
<b>Addison Unit</b>		<b>3</b>	<b>2</b>	<b>5</b>
Jury Trial		3	2	5
<b>Windsor Unit</b>			<b>3</b>	<b>3</b>
Jury Trial			3	3
<b>Grand Total</b>		<b>142</b>	<b>77</b>	<b>219</b>

Trial date usage increased by approximately 65% from 2023 data pull through the 2024 data pull.

2023 saw trials in 12 counties.

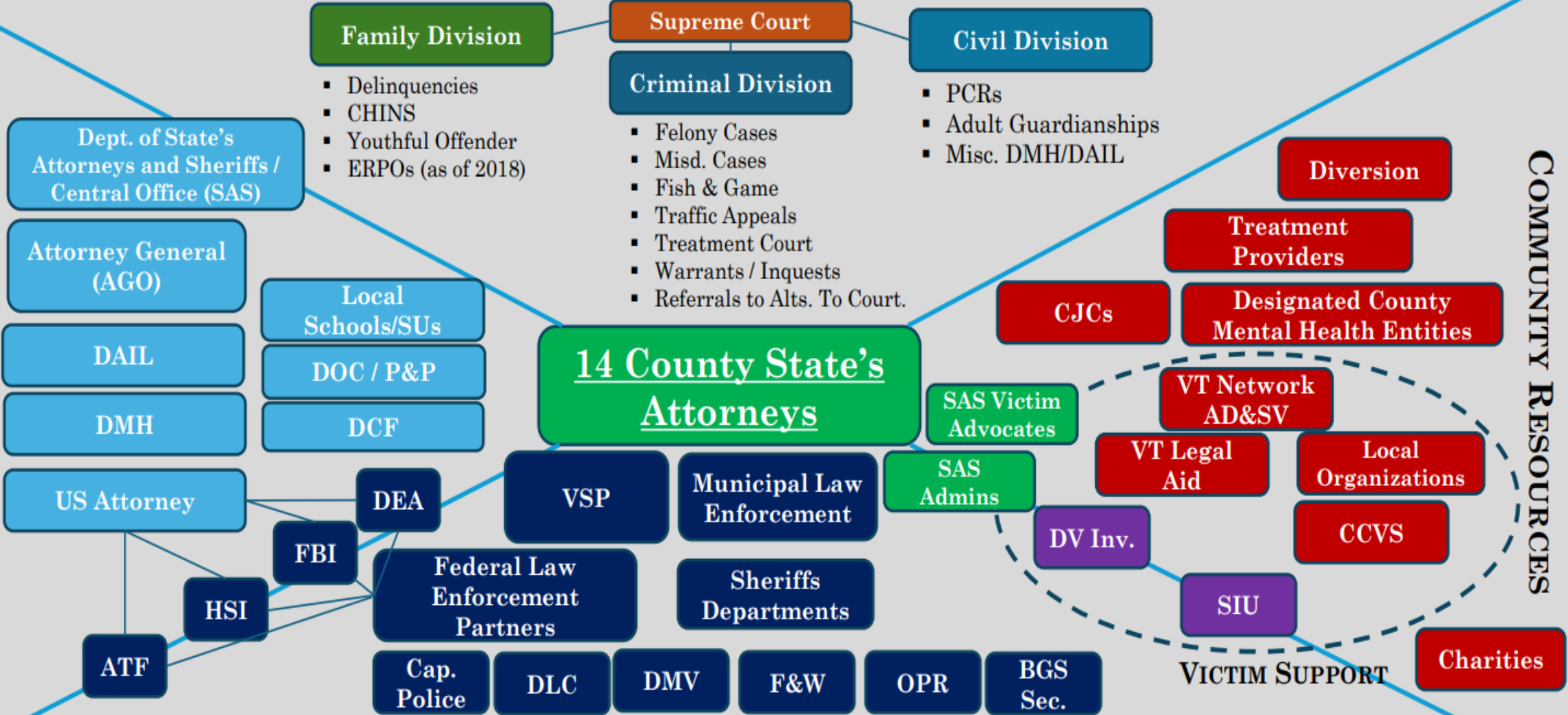
2024 saw trials in every county.



# COURTS & JUDICIARY

STATE / FEDERAL PARTNERS

COMMUNITY RESOURCES



# LAW ENFORCEMENT





# Vermont Crime Data

## ➤ 2012-2024 Context.

- ❖ In 2022 Vermont saw a 185% increase in firearm-related crime. Vermont’s homicide rate in 2022 was about 3.9 per 100,000, “compared with Los Angeles at 3.1 and New York City at 2.3 per 100,000... Burlington’s rate was 11.2 per 100,000, exceeding the rates in Philadelphia, Phoenix and Springfield, Massachusetts...”
- ❖ [FBI Data from 2012-2022 shows an increase in “Violent Crime” in Vermont across multiple categories.](#) SAS has experienced this increase in violent crime and believes that the trend has continued through 2023 and 2024.
  - In December 2023, Representative Martin LaLonde presented FBI data showing that “Violent Crime” in Vermont was on the rise over the past decade:
    - 56% increase in violent crime between 2012 and 2022
    - 65% increase in aggravated assault between 2012 and 2022
    - 166% increase in homicide<sup>7</sup>
    - 6% increase in sexual assault between 2012 and 2022
    - 27% increase in motor vehicle theft between 2012 and 2022).
- ❖ Recent crime data reported by the Department of Public Safety and the National Incident-Based Reporting System (NIBRS) shows a continuation of the 2012-2022 Vermont crime data trajectory.
  - Reports of certain property crimes in Vermont, including thefts from motor vehicles, thefts of motor vehicles, identify theft, and shoplifting have each more than doubled from 2018 to 2023. Reports of shoplifting alone have increased 40% from 2022 to 2023 (from 2416 reports to 3388 reports).
  - Reports of aggravated assaults in Vermont have increased 42% between 2018 and 2023.
  - According to NIBRS data, 2024 will be the third consecutive year with more than 20 homicide victims in Vermont.

Data sourcing: FBI, CSG, DPS/VSP, VIC, NIBRS, CRG, Representative LaLonde, CRG.

See [Vermont, usually one of the safest states, saw a 185% rise in firearms homicides last year | AP News](#). AP, December 15, 2023 (“Overall the country had a 6% decrease in national firearms homicides between 2021 and 2022, but Vermont saw a 185% jump, according to Vermont State Police Capt. Shawn Loan. “So we went from seven firearms deaths in 2021 to 20 in 2022,” he said, adding that he did not have the current total for this year. About half of the homicides in Vermont involved a firearm between 2017 and 2021, he said. Last year that rose to 86%, Loan said).

See [Vermont, usually one of the safest states, saw a 185% rise in firearms homicides last year | AP News](#). AP, December 15, 2023.

Source, Vermont Department of Public Safety, 2024 ([S.58~Tucker Jones~Vermont Criminal Justice Data Snapshot ~1-11-2024.pdf](#)).

Source: House Appropriations Committee, 2023 ([W~Martin LaLonde~Appropriations Public Safety Presentation~12-19-2023.pdf](#)).

Source: Vermont Department of Public Safety, 2024.





# Vermont Crime Data

See charts below for Vermont Intelligence Center, preliminary gun violence and homicide data, dated 12/6/2024. Source: Vermont Department of Public Safety, 2024.

<b>(U//FOUO) Vermont Homicide Victims</b>		
Year	Number of Homicide Victims	Number of Gunfire Homicide Victims
2014	11	8
2015	16	13
2016	20	9
2017	16	6
2018	17	12
2019	18	10
2020	15	8
2021	11	9
2022	24	20
2023	26	17
2024 <small>(Year to Date)</small>	22	12

*(U//FOUO) Source Note: This data is derived from the Vermont State Police (VSP) Major Crimes Unit (MCU)*  
*(U//FOUO) Caveats: The number of gunfire homicide victims differs between VSP MCU and the Vermont Gun Violence Log as cases of self-defense are excluded from the gun violence log.*

<b>(U//FOUO) Vermont Gunfire Incidents</b>						
Year	Threat with a Firearm	Witnessed Gunfire Incident	Non-Lethal Shooting Incidents	Non-lethal Shooting Victim	Gunfire Homicide Incidents	Gunfire Homicide Victim
2022	259	185	22	22	21	21
2023	238	149	20	27	17	19
2024 <small>(January-November)</small>	209	116	13	14	9	11



# Vermont Driving Related Fatalities

(current as of 12/16/24)

As of **December 16** in each calendar year shown:

Year	Fatalities (People)	Fatal Crashes
2024	56	51
2023	67	61
2022	76	73
2021	72	67
2020	62	58

Fatal Crash Data	2024*	2023	2022	2021	2020	2019
Total Fatal Crashes	51	63	73	69	58	44
Total Fatalities (People)	56	69	76	74	62	47
Double Fatality Crashes	3	4	3	5	4	3
Triple Fatality Crashes	1	1	0	0	0	0
Quadruple Fatality Crashes	0	0	0	0	0	0
Operators Suspected as Driving under the Influence of Alcohol Only	4	10	11	10	11	5
Operators Suspected as Driving under the Influence of Drugs Only	11	23	20	18	14	15
Operators Suspected as Driving under the Influence of both Alcohol & Drugs	13	8	13	12	6	2
Active Cannabis - Delta 9 THC Confirmed**	17	14	15	25	14	13
Operators Suspected of Speeding	19	18	21	33	15	14
Operators with Suspended License/ No License	10	14	12	7	13	5
Junior License Operators involved in fatal crashes	3	1	2	5	2	1
"Older Drivers" involved in fatal Crashes (Older Driver is defined as any person age 65 or older.)	6	24	25	19	15	16
Crashes involving a Large Truck/Bus	2	5	11	4	3	10
Motorcyclist Fatalities	6	18	14	16	10	8

\*2024 data is as of the date of this report. These numbers are subject to change.

\*\*Active Cannabis - Delta-9 THC Confirmed is counted in the number of operators that had drugs only or alcohol & drugs.

\*\*\*None of the identified groups above are implicated as being "at fault"

## Adult Court Diversion and Tamarack – Prosecutor Referrals

	FY 2024				FY 2023				FY 2022			
	New Misd Charges	Diversion Referrals Criminal Division	Tamarack Referrals	Diversion & Tamarack as % of New Misd Charges	New Misd Charges	Diversion Referrals Criminal Division	Tamarack Referrals	Diversion & Tamarack as % of New Misd Charges	New Misd Charges	Diversion Referrals Criminal Division	Tamarack Referrals	Diversion & Tamarack as % of New Misd Charges
Addison	323	79	23	32%	285	60	19	28%	302	68	16	28%
Bennington	797	114	9	15%	776	140	11	19%	668	139	34	26%
Caledonia	481	74	14	18%	483	40	14	11%	524	58	15	14%
Chittenden	2353	263	144	17%	2,027	248	66	15%	1558	98	54	10%
Essex	73	11	1	16%	74	10	0	14%	66	5	0	8%
Franklin	958	198	116	33%	877	197	120	36%	921	96	24	13%
Grand Isle	57	17	1	32%	78	17	2	24%	48	9	0	19%
Lamoille	413	167	20	45%	571	144	18	28%	365	108	28	37%
Orange	272	53	7	22%	290	54	5	20%	234	79	3	35%
Orleans	617	134	10	23%	584	104	15	20%	451	86	15	22%
Rutland	1027	166	27	19%	995	168	27	20%	755	85	13	13%
Washington	1053	174	56	22%	1,135	191	24	19%	1163	236	44	24%
Windham	945	44	14	6%	808	41	4	6%	851	55	10	8%
Windsor	586	133	21	26%	575	117	32	26%	713	235	71	43%
<b>Total/Avg. %</b>	<b>9,955</b>	<b>1,627</b>	<b>463</b>	<b>21%</b>	<b>9,558</b>	<b>1,531</b>	<b>357</b>	<b>20%</b>	<b>8,619</b>	<b>1,357</b>	<b>327</b>	<b>20%</b>

*New Misdemeanor Charges - data provided by Vt. Judiciary*

*Other data gathered by AGO from county programs*



# Relevant Definitions

- Charge: a charge is each allegation of the commission of a crime. Crimes are categorized at the most general level as felonies and misdemeanors.
- Felony: a crime punishable by two or more years in jail.
- Misdemeanor: A crime punishable by less than two years in jail.
- Docket or docket number: The court assigns a docket number to every case filed. A case can include a single charge or multiple charges.
- Assigned Prosecutor: The judiciary dataset only includes the lead prosecutor. If the SAO and AGO both have attorneys prosecuting a case, only the lead attorney will be displayed in the data.
- NOTE: Pending “criminal” data does not include cases in the Family Division (CHINS, ERPOS, Juvenile Delinquency, Youthful Offender) or the Civil Division (e.g., PCRs), assigned to SAS ATTYS. Pending criminal data also does not include appeals or investigation-related workload. As such, a better metric of workload must include “all” case types, including “family” and “civil” cases currently pending.
- SAS believes that the best metric for the current workload and caseload is the number of “pending” cases – rather than the differentiation between “active” and “inactive.”
- Active: While the judiciary does not offer a specific definition, an active case is one that is on a “routine” path towards trial disposition and, if a conviction occurs, towards sentencing: Post-arraignment cases; Active Pre-Trial and Ready for Trial; Active Under Advisement; Active Ready for Sentence.
- Inactive: “Inactive” is a misnomer because it includes any status that is something other than an active case. It could include:
  - Cases in treatment court.
  - Cases pending a court-ordered evaluation for competence to stand trial.
  - Cases with an order of hospitalization (following a determination the defendant is not competent to stand trial or was not guilty by reason of insanity) or order of non-hospitalization.
  - Cases on arrest warrant status.
  - Diversion / Tamarack Cases that are pending.
  - VOPs (Probation Cases).
  - Arrest Warrants. ARREST WARRANTS.
  - Pre-arraignment (docketed but not yet arraigned).
  - Other post-judgment cases still being litigated.





# Relevant Definitions

## Criminal Case Disposition Guidelines

- a. Misdemeanors
  - Track I (standard track): 120 days
  - Track II (complex track): 180 days
- b. Felonies and Other Misdemeanors:
  - Track I (standard track): 180 days
  - Track II (complex track): 365 days
  - Track III (super complex track): 455 days

- Administrative Directive 24, dated November 23, 2010, provided guidelines for case disposition but not definitive deadlines or an actionable date for bringing of the case to trial.
- The guideline ranges themselves are, however, largely aspirational – assuming disposition of misdemeanors in 120-days and complex felonies within 15-months. The Supreme Court may be interested in revising this in lieu of a legislative solution – and appears to

- Clearance Rate: Measurement of cases resolved against cases filed. (e.g., in a month where 100 cases are filed, resolving 100 cases would result in a 100% clearance rate.)



STATE OF VERMONT  
VERMONT SUPREME COURT  
DECEMBER TERM, 2024

Order Abrogating Administrative Order No. 5  
PROMPT DISPOSITION OF CRIMINAL CASES

Pursuant to the Vermont Constitution, Chapter II, § 30, it is hereby ordered:

1. That Administrative Order No. 5, promulgated January 10, 1972, and subsequently amended, be abrogated.

**Reporter’s Notes—2024 Amendment**

Administrative Order No. 5 is abrogated in its entirety.

This order was promulgated in 1972 to promote the prompt and efficient disposition of criminal causes. The order established priorities for scheduling of criminal cases and set time periods within which a trial should proceed depending on whether a defendant was in custody and absent exceptional circumstances. The time frames are discretionary, however, and do not bind trial courts or entitle defendants to dismissal for noncompliance. See State v. Snide, 144 Vt. 436, 441, 479 A.2d 139, 143 (1984) (explaining that A.O. 5 “is entirely discretionary, and it is for the trial court to determine, in each case, whether dismissal shall result”). Moreover, the time frames are not realistic, particularly for complex felony cases. State v. Reynolds, 2014 VT 16, ¶ 13, 196 Vt. 113, 95 A.3d 973 (explaining that A.O. 5 “proved to set impossibly short deadlines for the pretrial preparation of serious felony cases”).

In addition, the time periods are confusing in that they conflict with the disposition guidelines for criminal cases, which are separately established in Administrative Directive 24. Therefore, A.O. 5 is abrogated.

2. That this Order be effective immediately. The Reporter’s Notes are advisory.
3. That the Chief Justice is authorized to report these amendments to the General Assembly in accordance with the provisions of 12 V.S.A. § 1, as amended.

Dated in Chambers at Montpelier, Vermont, this 16<sup>th</sup> day of December, 2024.

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Paul L. Reiber, Chief Justice

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Harold E. Eaton, Jr., Associate Justice

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Karen R. Carroll, Associate Justice



Signed by the Vermont Supreme Court

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