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2026 Legislative Priorities¹

Vermont deserves a criminal justice system that delivers accountability and safety in a fair and timely manner. In the last dozen years, we've seen a rising tide of violent crime, complex mental health issues, and a proliferation of technologically complex evidence in our cases. Our legislative priorities for 2026 aim to reverse that tide with a mix of pragmatic solutions that address acute public safety issues now and legislative proposals that lay the groundwork for longer term solutions for our more complex criminal justice issues.

I. Juvenile Justice Proceedings

- Objective: Increase accountability measures for older delinquents and youthful offenders so that the child or youth recognizes that there are firm boundaries and consequences in place that protect the public, including victims of crime, while providing the child or youth the rehabilitative care ordered by the court.
 - Move more 18+ delinquency cases to Y.O.
 - Increase the felony offenses that are required to start in criminal court or direct file to Y.O for 18+ offender such as aggravated domestic assault, aggravated stalking, sexual assault charges not currently incorporated in Big 14.
 - Create a mechanism to revoke Y.O. and transfer case back to criminal court even without the appearance of the youth if the youth fails to appear at Y.O. hearing(s).
 - Clarify the victim's right to be heard at Y.O. consideration hearing. 33 V.S.A. § 5288(b)
 - Full repeal of RTA Phase 2 prior to 2027.
- Objective: Balance a prosecutor's Brady-discovery obligation and law enforcement's ability to enforce juvenile conditions of release with Juvenile Records confidentiality requirements.

¹ This Document was prepared by the Office of the Executive Director of the Department of State's Attorneys and Sheriffs. It should be noted that the following list of priorities is not exhaustive, is subject to change, and will remain in draft form.

- Amend 33 V.S.A. § 5117 so that prosecutors meet their Brady-discovery obligation while not violating 33 V.S.A. § 5117.
- Allow LEO access to conditions of release for juvenile delinquency and Y.O cases so that juvenile CORS can be properly monitored and enforced. 33 V.S.A. § 5117

II. Mental Health and the Criminal Justice System

- Objective: Create a forensic facility within the Department of Corrections.
 - This facility would provide competency restoration; and
 - a secure setting for a person acquitted by reason of insanity who does not qualify for a hospitalization order but who has been found to pose a substantial risk to the public due to the person suffering from a mental disease or defect; and
 - only individuals charged with a crime that carries a potential life offense penalty would be eligible for the facility

- Current Bills:

[S.193](#) - An act relating to establishing a forensic facility for certain criminal justice-involved persons

[H.530](#) - An act relating to establishing a forensic facility

[H.535](#) - An act relating to establishing a competency restoration program

[H.544](#) - An act relating to crime victim's rights in competency discharge proceedings

III. Organized Crime

- Objective: Create a Vermont RICO statute that will allow law enforcement and prosecutors to hold accountable the organizations and persons who have established criminal organizations in Vermont.

- Current Bill:

[H.612](#) - An act relating to the Vermont Racketeer Influenced and Corrupt Organizations Act

IV. Firearms

- Objective: Remove firearms from persons who have been found by the court to need mental health treatment as well as those found to be incompetent or deemed insane, or where insanity has been raised in court.

- Current Bills:

[H.606](#) - An act relating to firearms procedures

- [H. 200](#) – an act relating to persons prohibited from possessing firearms

Amends 13 V.S.A. §4017a to add:

(a) A person shall not possess a firearm if the person:

(5)(A)(i) has been found by the court to be a person in need of treatment pursuant to section 4822 of this title; or

(ii) has been the subject of a hospitalization order issued by the court pursuant to 18 V.S.A. § 7617(b)(1) or (2) or a nonhospitalization order issued by the court pursuant to 18 V.S.A. § 7617(b)(3).

- Objective: Increase the criminal liability for the theft of a firearm to a felony offense.
- [H.19](#) - An act relating to grand larceny of a firearm

Adds to 13 V.S.A. 2501(a) (Grand Larceny)

(2) the property stolen is a firearm of any value.

V. DUI Drug Enforcement

- Objective: Address the increase in drug use contributing to impaired driving and update our laws accordingly so that law enforcement and prosecutors can effectively enforce driving under the influence violations.
- Current Bill:
[H.637](#) - An act relating to operating a vehicle under the influence of alcohol or other substances

VI. Victim Centered Justice

- Objective: Pursue reforms to midpoint review
 - Such as add a violation of an abuse prevention order (13 V.S.A. § 1030) to the list of crimes ineligible for midpoint review. 28 V.S.A. § 252(d)(1)(B).
- Continue to advocate for a robust notification system for victims for offenders in DOC custody. (VINES)

VII. Bail Revocation

- Clarify the State's ability to appeal a trial court's decision to deny a motion to revoke bail. 13 V.S.A. § 7556(c).
- Current Bill:
[H. 409](#) – voted out of House Judiciary on January 6, 2026.

VIII. Hearsay Exception Expansion

- Support the following legislation:

- [H.5](#), an act relating to hearsay exception for a child under 16 years of age to build off work completed during the 2024 legislative session.

IX. Recidivism and Data Collection

- Objective: Fix the definition of recidivism.
 - The immediate and crucial objective is to remedy the current statutory definition of recidivism in order to standardize and clarify this essential criminal justice metric. This foundational fix is the first step toward building a more transparent and effective justice system. With clear, consistent data, we can accurately assess which programs successfully rehabilitate individuals and reduce crime, allowing for evidence-based decisions that enhance public safety and wisely allocate state resources.
 - [H.410](#) An act relating to the calculation of recidivism and other related criminology measures
 - [S.96](#) An act relating to the calculation of recidivism and other related criminology measures

X. Enhance Accountability and Reduce Backlog in our Criminal Courts

- SAS remains committed to advancing legislative and administrative initiatives, as well as targeted resource allocation, to swiftly address pending cases (see e.g., Burlington Accountability Docket with a focus on rapid intervention, with a stated focus on timely resolution of cases to ensure meaningful and immediate accountability).

[SAS Vermont Criminal and Juvenile Justice System Data \(2025\)](#) If hyperlink is unavailable, you can find the data report at <https://prosecutors.vermont.gov/resources/category/legislative-reports>.