



**Report to
The Vermont Legislature**

Diversion Program Administration

In Accordance with Section 7 of [Act 180](#)

Submitted to: Senate Committee on Judiciary
House Committee on Judiciary

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Introduction

This report has been prepared in accordance with Sec. 7 of Act 180 (2024), which directed the Office of the Attorney General to report as follows:

In counties where there is more than one pre-charge and post-charge diversion provider, the Community Justice Unit of the Office of the Attorney General shall collaborate with each county’s juvenile and adult pre-charge and post-charge providers and each county’s State’s Attorney or designee to develop a plan to streamline the administration and provision of juvenile and adult pre-charge and post-charge diversion programs on or before April 1, 2025. The Community Justice Unit shall report on such plan to the Senate and House Committees on Judiciary on or before April 1, 2025.

Identifying Providers & Counties

Currently and for many years, the Attorney General’s Office (AGO) has funded 12 organizations to provide post-charge court diversion in Vermont’s 14 counties. Of those 12 organizations, 10 provide services for one county, and two provide services for two counties. Many of these organizations also receive funding from the Department of Corrections (DOC).

Through FY 2025, DOC grants to Community Justice Centers (CJCs) included funding for referrals made directly from law enforcement, also known as “pre-charge.” As of FY 2026, DOC grants will no longer support pre-charge, following the codification of pre-charge diversion in Act 180.

Under current grant agreements with DOC, CJCs report to DOC the number of pre-charge referrals they received from law enforcement. From these data, the AGO identified seven CJCs that received pre-charge referrals **and** do not provide post-charge diversion under AGO grants. These CJCs, located in Chittenden, Washington, Windham, and Windsor Counties, are listed in the table below along with the post-charge diversion providers in their counties. Note that some post-charge diversion providers in these counties also provide pre-charge. Pursuant to Act 180, this report summarizes the plan to streamline the administration and provision of pre-charge and post-charge diversion programs in these four counties.

County	Post-charge Diversion provider	Pre-charge providers
Chittenden	Burlington CJC (<i>also provides pre-charge</i>)	<ul style="list-style-type: none">• Burlington CJC• Essex CJC• So. Burlington CJC• Williston CJC
Washington	Washington Court Diversion Program	<ul style="list-style-type: none">• Greater Barre CJC• Montpelier CJC
Windham	Interaction (<i>also provide pre-charge</i>)	<ul style="list-style-type: none">• Interaction• Greater Falls CJC (Bellows Falls location)

Windsor	Valley Court Diversion	<ul style="list-style-type: none"> • Greater Falls CJC (Springfield location) • Hartford CJC
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In the remaining 10 counties, the post-charge diversion provider is either also the pre-charge provider or there is no pre-charge program. These counties are Addison, Bennington, Caledonia, Essex, Franklin, Grand Isle, Lamoille, Orange, Orleans, and Rutland.

It is worth mentioning that the Brandon Police Department (Rutland County) has a pre-charge program led by two volunteers who work with a few youth a year. DOC data indicate that its Rutland County grantee, the Bennington/Rutland Opportunity Council (BROC), has not received any pre-charge referrals.

Process and Considerations

The AGO contacted the State’s Attorneys and CJC directors in the four counties identified as having more than one pre-charge and post-charge diversion provider (Chittenden, Washington, Windham, and Windsor) and held meetings to discuss the legislative mandate to develop a plan to streamline the administration and provision of pre- and post-charge diversion.

Based on meetings, information provided by stakeholders, and data, the AGO developed a plan tailored to the unique situation in each county. Key considerations underlying these plans are: (1) the number of pre-charge referrals relative to the number of post-charge diversion referrals, and (2) the geographic location of providers. The AGO’s goal, consistent with the legislative mandate, is to ensure efficient, accessible, and effective delivery of pre-charge and post-charge diversion.

Plans

Chittenden County

Robust pre-charge services exist in Chittenden County, provided by four municipally-based CJCs. One of these CJCs, the Burlington CJC, is the county-wide post-charge diversion provider. During recent years, annual pre-charge referrals to the four CJCs averaged 455 referrals and post-charge diversion referrals averaged 341. Pre-charge referrals represent the majority of services provided by the South Burlington and Williston CJCs.

Staff of the county’s four CJCs, town managers, a representative of the Burlington mayor, and chiefs of police departments (encompassing seven municipalities) participated in multiple meetings with the AGO. The AGO also communicated with Chittenden County State’s Attorney Sarah George. All agree on the value of pre-charge diversion as a quick response to low-level crime. County stakeholders also stressed the importance of a strong connection between providers and law enforcement agencies for effective delivery of pre-charge diversion. The AGO and these stakeholders discussed various funding models, including sub-granting by

the Burlington CJC to the other CJs, as well as the AGO funding one, two, or four sites in Chittenden County. Smaller groups discussed centralized intake and other programming issues.

It should be noted that the changes created by Act 180, the predominance of pre-charge within CJs' work, and funding uncertainty made these discussions challenging.

Throughout the planning process, the AGO focused on the three goals of: (1) a coordinated and efficient system, (2) local delivery of services, and (3) maintaining robust ties with law enforcement. Consistent with these goals, in March the AGO announced to the CJs by letter the following plan:

For FY 2026, the AGO will award grants to all four CJs for pre-charge Diversion in Chittenden County, provided the Legislature appropriates funds for this work. In FY 2027, the AGO will incorporate pre-charge Diversion into the full array of AGO-funded services to one grantee for the county. Because Burlington CJC is the current provider of Court Diversion and Pretrial Services, as well as a pre-charge provider, the AGO anticipates that Burlington CJC will be that grantee. During FY 2026, the AGO will work with representatives of the county's municipalities to ensure a transition to one grantee in FY 2027. The transition plan will address embedding staff in police departments and county-wide representation on an advisory board.

Washington County

The AGO funds the Washington Court Diversion Program (WCDP) to provide post-charge diversion in Washington County, and through FY 2025 DOC issues grants to two CJs in the county—Greater Barre CJC and the Montpelier CJC—for pre-charge diversion. Both the Greater Barre CJC and the Montpelier CJC received on average, respectively, 24 and 33 referrals from law enforcement each year based on FY 2022 – 2024 DOC data. During this same time period, prosecutors referred on average 300 people a year to the Washington Court Diversion Program for post-charge diversion.

Following enactment of Act 180, the AGO met with Washington County State's Attorney Michelle Donnelly and the executive directors of the WCDP, Greater Barre CJC, and the Montpelier CJC. After subsequent discussions, a review of the data, and learning that the Greater Barre CJC and the WCDP plan to merge during FY 2026, the AGO decided to include pre-charge diversion in the grant to the WCDP for that fiscal year.

The executive director of the Montpelier CJC has named the challenge represented by this change as well as the importance of focusing on the people using pre-charge services and the community-at-large. The executive director has committed to help with the transition including scheduling and participating in meetings with law enforcement agencies and volunteers.

Windham County

In Windham County, Interaction, based in Brattleboro, is the county-wide post-charge diversion provider and, under its DOC grant, provides pre-charge services in the southern portion

of the county. On average, prosecutors refer 65 people each year to post-charge Court Diversion at Interaction and the organization typically receives 33 pre-charge referrals annually. The Greater Falls CJC provides pre-charge in northern Windham County from its Bellows Falls office. DOC data show approximately six pre-charge referrals a year to that location; updates from Greater Falls CJC indicate an average of 18 referrals annually. This CJC also has an office in Springfield, serving southern Windsor County.

The AGO met with the executive directors and staff of Interaction and the Greater Falls CJC in December. Representatives of both organizations described close collaboration, including referral of cases between Interaction and Greater Falls CJC — and noted the geographic distance between their offices. Following discussion of different options, the group landed on a proposal that the AGO include pre-charge diversion in the FY 2026 grant to Interaction and allow that organization to sub-grant to Greater Falls CJC for pre-charge diversion.

The AGO has reservations about sub-granting and emphasized to Interaction that Interaction would be responsible for the work of a subgrantee, in this case the Greater Falls CJC. The AGO will continue to discuss with these organizations the plan to streamline the provision and administration of pre- and post-charge diversion.

Windham County State's Attorney Steven Brown informed the AGO that he supports having a pre-charge Diversion provider in the Bellows Falls area given geographic considerations and the need that exists in the community.

Windsor County

Three community-based restorative-justice organizations provide services in Windsor County. Valley Court Diversion and Hartford CJC are located in White River Junction, and as noted above, the Greater Falls CJC has an office in Springfield serving southern Windsor County.

Windsor County prosecutors refer on average over 300 post-charge diversion referrals a year to Valley Court Diversion. Law enforcement officers make few direct referrals to CJCs in this county. DOC data indicate that during FY 2022 – FY 2024, on average the Hartford CJC receives three referrals, and the Greater Falls' CJC Springfield location, 16 referrals.

Because the Hartford CJC's pre-charge referral numbers represent a very small portion of cases diverted from the courts compared to post-charge diversion, and because the agency is located less than a mile from Valley Court Diversion, the AGO informed both organizations that the FY 2026 grant to Valley Court Diversion would include pre-charge and post-charge diversion, provided the Legislature appropriates funds for pre-charge diversion.

The AGO invited the executive director of Valley Court Diversion to the December meeting with Interaction and Greater Falls CJC (see Windham County section above) based on DOC data regarding pre-charge referrals to the Springfield office of the Greater Falls CJC. During the meeting, Greater Falls CJC staff updated their pre-charge data and stated that there have been no Springfield area pre-charge referrals in recent years, noting that discussions with

the Springfield Police Department and Windsor County State’s Attorney Ward Goodenough regarding pre-charge were underway.

Representatives of Greater Falls CJC reported similar strong collaboration between their Springfield staff and Valley Court Diversion and interest in providing pre-charge services in the Springfield area. Building upon the idea of the Windham County post-charge diversion provider, Interaction, sub granting with Greater Falls CJC, Valley Court Diversion indicated openness to sub-granting to Greater Falls CJC for provision of pre-charge diversion services.

As previously noted, the AGO has reservations about sub-granting and emphasized to Valley Court Diversion that it would be responsible for the work of a subgrantee, in this case the Greater Falls CJC. The AGO will continue to discuss with these organizations the plan to streamline the provision and administration of pre- and post-charge diversion. The AGO has also discussed these plans with Windsor County State’s Attorney Ward Goodenough.

Conclusion

This report reflects the current status of streamlining the administration and provision of pre-charge and post-charge diversion; the AGO will continue to work on these plans with its community partners. As funding allows, the AGO will also promote the development of pre-charge diversion statewide expanding pre-charge programming in areas of the state with limited access and create policies and procedures pursuant to Act 180. The AGO will continue to provide updates to the legislature in testimony and in the annual Court Diversion and Pretrial Services report due December 1, 2025.