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**STATE OF VERMONT
OFFICE OF THE CHITTENDEN COUNTY STATE'S ATTORNEY**

BAIL POLICY

Guiding
Principle

- Prosecutors can and should eliminate the use of cash bail as a condition of release.
- Imposing cash bail penalizes individuals based on their financial status rather than on their flight or public safety risk.
- Cash bail is discriminatory and undermines public safety due to the risk of violence within jails and the enormous pressure to accept plea offers just to return home.
- When bail leads to pretrial detention it further drives mass incarceration and, in function, disregards the presumption of innocence.

Elimination
of Cash
Bail as a
Condition
of Release

- For all non-detention eligible cases under 13 V.S.A. §7553, 7553a, and 7575, Deputy State's Attorneys *shall* support releasing individuals on the least restrictive conditions necessary to protect the public and mitigate the risk of flight.
- Deputy State's Attorneys *shall not* seek bail as a condition of release for *any* criminal charge.
- If the Court imposes bail over the objection of the State, the State will join any motions to strike bail.
- When law enforcement request arrest warrants, Deputy State's Attorneys may request a HWOB warrant, a cite and release warrant, or a court business hour warrant.
- When an individual fails to appear for Court, Deputy State's Attorneys may request a judicial summons, a cite and release warrant, or a court business hour warrant.