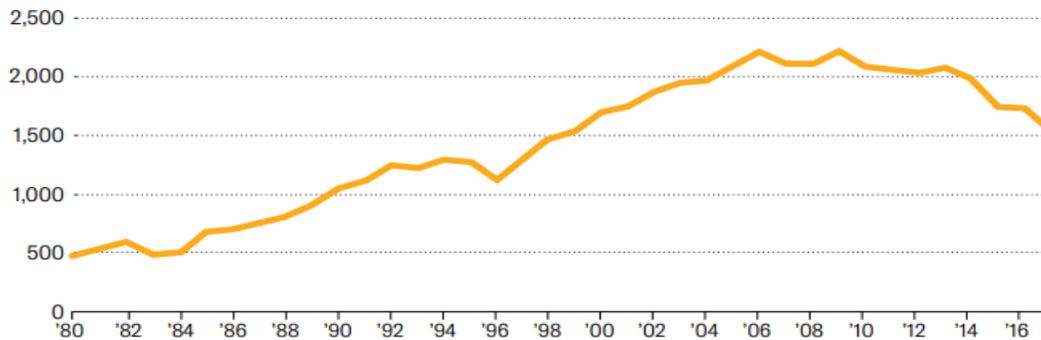


# Creating a Smarter Criminal Legal System

For too long, Vermont has relied on the criminal legal system as a way to respond to substance-use disorder, mental health conditions, and poverty.

VERMONT INCARCERATED POPULATION (1980–2016)



We have both the opportunity and a responsibility to eliminate our overreliance on incarceration and address underlying disparities at every point in the system – from someone’s first interaction with law enforcement to the moment they return to their communities.

## DID YOU KNOW?

More than **8,000 Vermonters** are under some form of correctional control.

**1 in 4** people incarcerated in Vermont are held pretrial and have not been convicted of a crime.

**4 in 5 admissions** to correctional facilities are for violations of community supervision, 80% of them technical violations, including lack of housing.

**6,000 children** each year are impacted by having at least one parent incarcerated.

The rate of incarceration for Black adults is **seven times** higher than white adults, one of the highest racial disparities in the country.

## A smarter criminal legal system is...



EQUITABLE



COMMUNITY-BASED



HUMANIZING



TRANSPARENT



RESTORATIVE



INVESTS IN PEOPLE

**supported by 7  
in 10 Vermonters.**

Vermont has committed to creating a smarter criminal legal system – and it’s working. With continued innovation, we can build on this success and invest in people, not prisons.

# When prisons are a last resort...



## END MONEY BAIL

Too often, people who can't afford bail end up in jail before being sentenced – leaving the difficult choice to take a plea deal or fight the case behind bars and risk losing their job or children while they await trial. One in four people incarcerated in Vermont are held pretrial, half of them on money bail. We should eliminate our use of cash bail, limiting pretrial incarceration to the rare case where a person poses a serious, clear threat to another person.



## DECRIMINALIZE BEHAVIOR

Building a smarter criminal legal system starts with reducing the number of people who are justice-involved in the first place. Too often, our laws criminalize behaviors that should not involve police, prosecutors, or prison. We must provide treatment for people with mental health conditions and substance-use disorder in their community, and expand alternatives to incarceration by investing more in diversion and restorative justice programs.



## ELIMINATE DISPARITIES

Vermonters deserve the same access to justice no matter their race, ethnicity, or zip code – and right now, that's not the reality. Vermont's prisons have some of the worst racial disparities in the country. In order to identify and address those disparities, Vermont needs more robust and easily accessible criminal justice data that allows policymakers to develop solutions to overincarceration.

# families stay together



## REFORM SUPERVISION

Community supervision is intended to be an alternative to incarceration, yet four in five people are incarcerated for violations of supervision, many of which are not crimes. Currently, Vermont reincarcerates people for violations of supervision at the highest rate in the country. To reduce our reliance on prisons, we should reduce barriers to re-entering the community, provide more transitional housing, and prohibit incarceration for technical violations.



## PROSECUTOR ACCOUNTABILITY

Vermont's elected State's Attorneys have enormous power over the lives of Vermonters entangled in the criminal legal system. In Vermont, 99% of criminal cases are resolved by a plea deal, offered by State's Attorneys, who decide what conditions – prison time, fines, community service, rehabilitation programs – they will offer in exchange for a guilty plea. State's Attorneys need to be more transparent by collecting and releasing data on the critical decisions they make.



## SENTENCING REFORM

Much of the growth in our prisons can be attributed to excessive criminal sentences. In response, Vermont has established a sentencing commission to overhaul its sentencing laws. Vermont should review the length of sentences imposed for all offenses with the goal of using prison as a last resort. If we eliminate laws that mandate increased prison time, shorten sentencing ranges, and adopt other reforms, we can reduce the amount of time served and number of people in prison.

# and our communities are stronger.