VT Department of Corrections:

Sentenced Only Population- Minimum Release Report 10/31/2021

This report contains point-in-time analyses that are up-to-date as of 10pm on the date listed. The information in this report *includes incarcerated individuals who were sentenced for their crime(s), without detained or hold status(es), in Vermont in-state and out-of-state facilities*. See below and the next two pages for an explanation of the information contained in this report.

Incarcerating Individuals Past Minimum Release Reasons:

Convicted offenders are sentenced to serve a minimum and maximum term by the court for each crime they commit. Individuals may be housed past their minimum release date but must be released by their maximum release date. Individuals with a "sentenced only" booking status (without detained, hold status) are eligible for release by the authority of the Commissioner of Corrections. All other booking statuses require action by another authority (such as the court) for release. See below for explanations/examples of reasons why someone might be housed past their minimum release date.

Furlough Violation/Inappropriate for Furlough: Returned from community supervision for a fixed length of time due to a technical violation, or "interrupting" release to furlough due to individual's behavior/risk to community

Graduated Sanction: Short term incarceration in response to technical violations that allow for continuation in completing community sentence

Hold for US Marshals/Other State: Held in VT facilities until under appropriate federal/state jurisdiction

Incomplete Programming: Required programming in progress, pending start, or termination/suspension due to behavior issues

Lack of Housing: No appropriate housing upon entry into the community

Pending Other Charge(s): Ex: Violation of supervision that results in new charge

Refusing Furlough/Mandated Services: Refusing services required by sentence or furlough placement

Scheduled for Release at Max Date: Due to concerns for safety of community, scheduled to release at maximum end date

Violent Crime/Inappropriate for Release: Offenders who committed violent crime(s) and are unsafe for release to community

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Booking Statuses:

The following list describes the booking status for individuals incarcerated in VT correctional facilities (either in-state or out-of-state). Booking Status indicates the individual's circumstance relative to their court case.

Sentenced Statuses:

-Sentenced: convicted of crime(s)
-Sentenced/Detained: convicted of crime(s) and held pre-trial for other crime(s)
-Sentenced W/Hold: convicted of crime(s) and held for US Marshals or other jurisdiction
-Sentenced/Detained W/Hold: (rare) convicted of crime(s), held pre-trial for other crime(s), and held for US Marshals or other jurisdiction

Detained Statuses:

-Detained: awaiting conviction for crime(s)
-Detained W/Hold: awaiting conviction for crime(s) and held for US Marshals or other jurisdiction

Hold Status:

Hold: being held for US Marshals or other jurisdiction

NOTE: Individuals in each booking status are considered in the custody of the Commissioner of Corrections. The Commissioner has authority to make release decisions for incarcerated individuals with a "sentenced only" booking status consistent with the law and taking public safety into consideration. All other booking statuses require action by another authority (e.g. the court), to release a person from incarceration.

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Risk to Reoffend:

The VT DOC utilizes the Ohio Risk Assessment System (ORAS) to determine an offender's risk to reoffend or commit another crime. This measure is used for individuals being housed in correctional facilities and those under community supervision. The department uses the following instruments:

Prison Intake Tool (PIT):

Provided to all incarcerated individuals sentenced to a year or longer in a correctional facility. Informs risk reduction programming (RRP) eligibility. 4 levels of risk, with scores varying by gender: Low, Moderate, High, Very High

Community Supervision Tool (CST):

Administered to offenders under community supervision: within 2 weeks of intake, 3 months after release from incarceration to community supervision, and/or annually and/or upon significant changes in community status. 4 levels of risk, with scores varying by gender: Low, Moderate, High, Very High

Reentry Tools:

Administered to incarcerated individuals sentenced to a year or longer. Provided within 6-8 weeks before being released to the community. 3 levels of risk, with scores varying by gender: Low, Moderate, High

Crime Types:

Incarcerated individuals are classified into different Crime Types based on the most serious crime for which they are sentenced, detained, or held. For example, 01:Fel./Serious. The number (e.g., 01) indicates the severity of the crime ranked from 01-11 from most severe to least severe. Next, the Crime Type displays whether the most serious crime was a felony (Fel.) or misdemeanor (Misd.). Finally, the category of crime is provided (e.g., Serious). See below for examples of each Crime Type. Each individual is counted once in the crime type data.

Crime Type Examples:

01:Fel./Serious: Aggravated Assault, Aggravated Sexual Assault, Murder
02:Fel./Person: Assault and Robbery, Lewd and Lascivious
03:Fel./Property: Burglary Occupied, Grand Larceny, Arson
04:Fel./Drug: Dealing, Trafficking, Possession and Sale
05:Fel./MotorV: DUI 3 or more
06:Fel./Other: Obstruction of Justice, Fugitive
07:Misd./Person: Domestic Assault, Simple Assault
08:Misd./Property: Unlawful Trespass, Retail Theft
09:Misd./Drug: Possession of drugs
10:Misd./MotorV: Careless and Negligent Operation
11:Misd./Other: Violations Conditions of Release

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Race Data:

In this report, race data are categorized as follows:
-American Indian/ Alaskan Native: "AmerIndian/ AlaskanNative"
-Asian/ Pacific Islander: "Asian/ PacIslander"
-Black or African American: "Black"
-White: "White"
-Some Other Race/ Unknown: "Other/ Unknown"

Some race categories are combined due to the low number of individuals who identify with these races. In some instances, individuals who identify as American Indian/Alaskan Native, Asian, Black or African American, and/or Pacific Islander were combined and indicated by the acronym "BIPOC", which means Black, Indigenous, and people of color. Some Other Race and Unknown were collapsed as neither provide information of the race with which the individual identifies.

Hispanic, Latinx, or Spanish Identification is captured with a separate yes/no identification.

Both Race and Hispanic, Latinx, or Spanish Identification require a selection.

Gender Data:

In this report, gender data are categorized as follows:
-Cisgender Female: Sex female, identifies female ("Female")
-Cisgender Male: Sex male, identifies male ("Male")
-Transgender Female: Sex male, identifies female ("Transgender")
-Transgender Male: Sex female, identifies male ("Transgender")
-Intersex: A term referring to people who have physical markers that differ from the medical definitions of male or female ("Intersex")
-Other: Individuals who do not identify with any of the above gender categories ("Other")

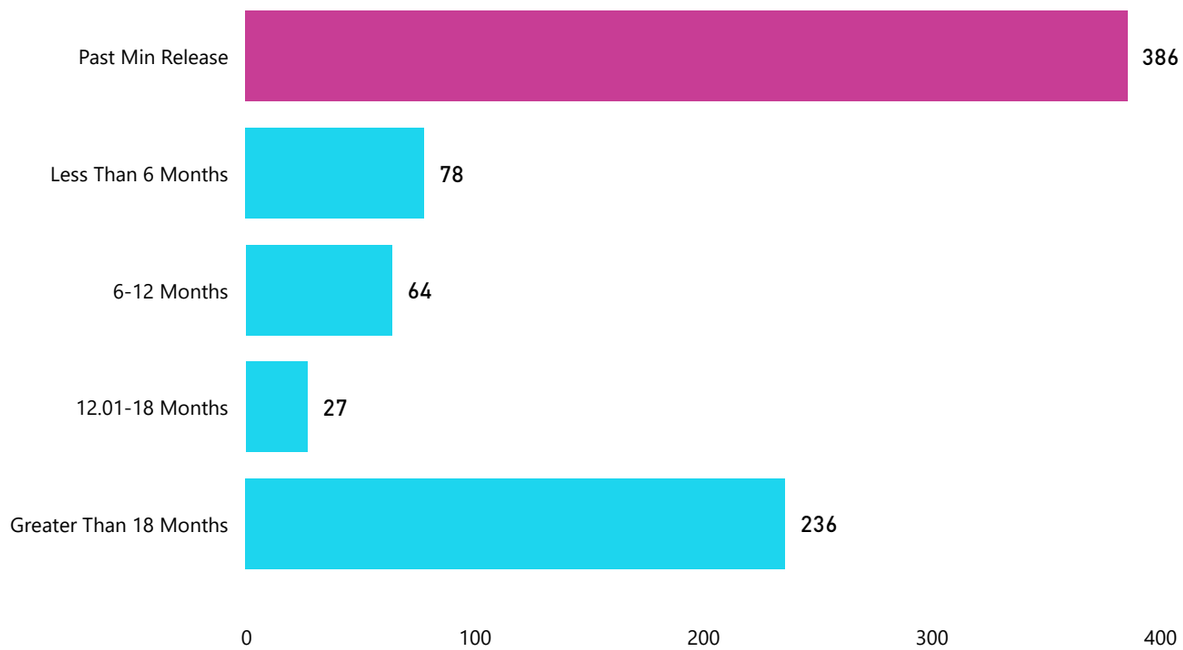
NOTE: Transgender Female, Transgender Male, and Other were combined into one category: "Transgender/Other" for this report due to low numbers of individuals who identify with these genders. For more information regarding Gender Identification, Care, and Custody for all Vermont incarcerated individuals (in-state and out-of-state), see DOC Directive 423.01: Gender Identification, Care, and Custody (hyperlinked here).

VT Department of Corrections:
Sentenced Only Population Minimum Release Report 10/31/2021*

791

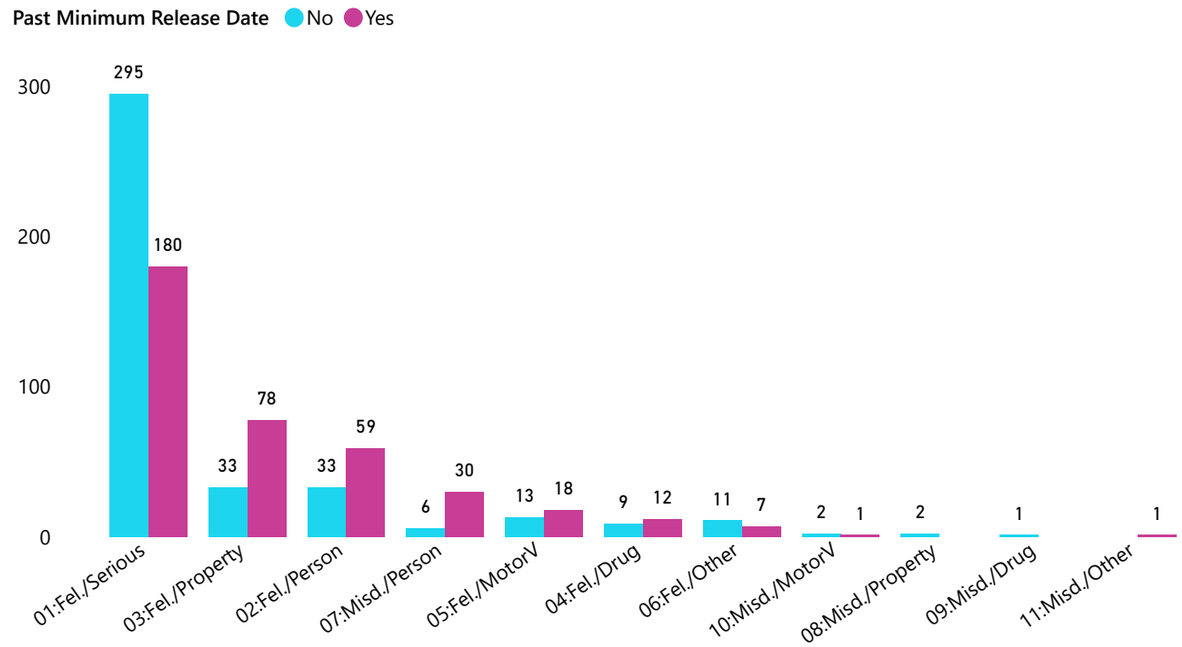
Sentenced ONLY Incarcerated Individuals (No Detained, Hold Status)

Sentenced Only Population: Time to Minimum Release Date (N=791)



*Note: Daily Counts are accurate as of 10pm on the date listed.

Sentenced Only Population: Crime Type by Past Minimum Release Status (N=791)



<u>Crime Type Examples:</u>

01:Fel./Serious: Aggravated Assault, Aggravated Sexual Assault, Murder
02:Fel./Person: Assault and Robbery, Lewd and Lascivious
03:Fel./Property: Burglary Occupied, Grand Larceny, Arson
04:Fel./Drug: Dealing, Trafficking, Possession and Sale
05:Fel./MotorV: DUI3 or more
06:Fel./Other: Obstruction of Justice, Fugitive
07:Misd./Person: Domestic Assault, Simple Assault
08:Misd./Property: Unlawful Trespass, Retail Theft
09:Misd./Drug: Possession of drugs
10:Misd./MotorV: Careless and Negligent Operation
11:Misd./Other: Violations Conditions of Release

VT Department of Corrections:
Sentenced Only Population Minimum Release Report 10/31/2021*

50%

Of sentenced only (no detained, hold status) individuals housed past minimum release was due to Furlough Violation/ Inappropriate for Furlough

Sentenced Only Population: Reason for Incarceration Past Minimum Release Date (N=386)

Reason	Count	Percent
Furlough Violation/Inappropriate for Furlough	194	50.3%
Incomplete Programming	71	18.4%
Lack of Housing	59	15.3%
Pending Other Charge(s)	22	5.7%
Refusing Furlough/Mandated Services	28	7.3%
Scheduled for Release at Max Date	6	1.6%
Violent Crime- Inappropriate for Release	6	1.6%
Total	**386**	**100.0%**

This table contains reasons for incarceration past minimum release date. For definitions/examples of these reasons, please see page 1 of this report.

386

Sentenced only (no detained, hold status) individuals were incarcerated past their minimum release date

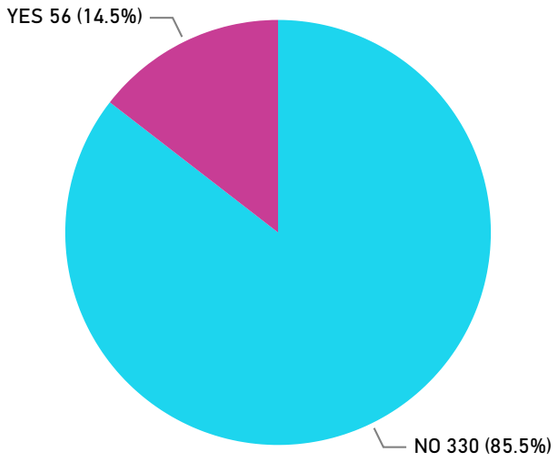
These were derived from:

1315 Total incarcerated population (includes in-state & out-of-state)
913 Total individuals with a sentenced status
791 Sentenced only individuals (no detained, hold status)
386 Sentenced only individuals housed past minimum release

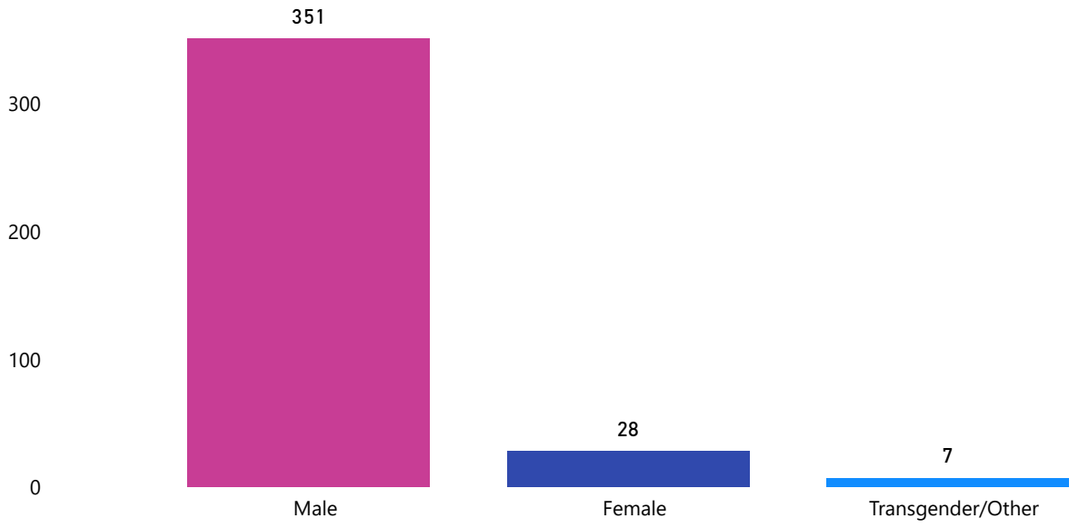
*Note: Daily Counts are accurate as of 10pm on the date listed.

VT Department of Corrections: Sentenced Only Population Minimum Release Report 10/31/2021*

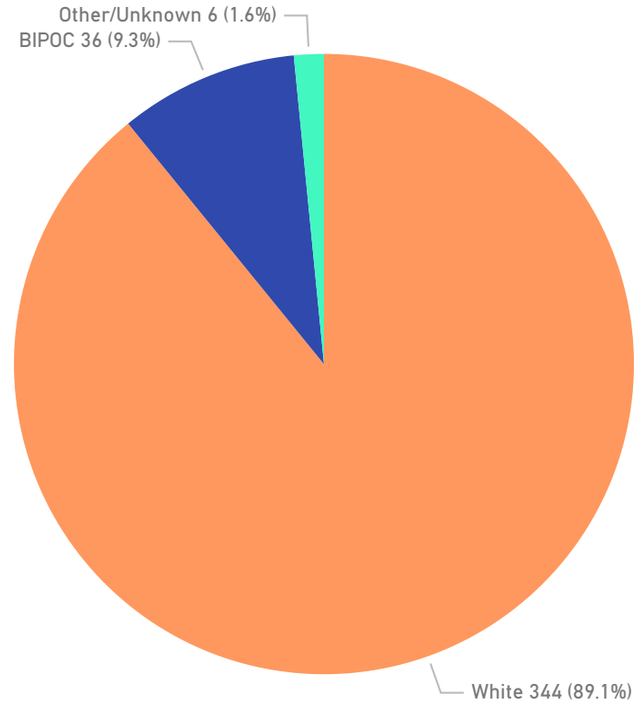
Sentenced Only Population: Housed Past Minimum Release by Hispanic/Latinx/Spanish Identification (N=386)



Sentenced Only Population: Housed Past Minimum Release by Gender (N=386)



Sentenced Only Population: Housed Past Minimum Release by Race (N=386)



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VT Department of Corrections:
Sentenced Only Population Minimum Release Report 10/31/2021*

53%

Sentenced only (no detained, hold status) individuals housed past their minimum release date have a High or Very High Risk to Reoffend

Sentenced Only Population: Crime Type by Risk to Reoffend Level (N=386)

ORAS Score	Low/Moderate		High/Very High		No Score Available		**Total**	
Crime Type	Count	Percent	Count	Percent	Count	Percent	**Count**	**Percent**
01:Fel./Serious	87	48.3%	91	50.6%	2	1.1%	**180**	**100.0%**
02:Fel./Person	27	45.8%	32	54.2%			**59**	**100.0%**
03:Fel./Property	30	38.5%	48	61.5%			**78**	**100.0%**
Fel./Drug, MotorV, Other	20	54.1%	17	45.9%			**37**	**100.0%**
Misdemeanor Crime	16	50.0%	15	46.9%	1	3.1%	**32**	**100.0%**
Total	**180**	**46.6%**	**203**	**52.6%**	**3**	**0.8%**	**386**	**100.0%**

Crime Type Examples:

01:Fel./Serious: Aggravated Assault, Aggravated Sexual Assault, Murder
02:Fel./Person: Assault and Robbery, Lewd and Lascivious
03:Fel./Property: Burglary Occupied, Grand Larceny, Arson
04:Fel./Drug: Dealing, Trafficking, Possession and Sale
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09:Misd./Drug: Possession of drugs
10:Misd./MotorV: Careless and Negligent Operation
11:Misd./Other: Violations Conditions of Release

Risk to Reoffend (ORAS Score):

Risk to Reoffend information includes sentenced only individuals who have a risk assessment completed for their current arrest. *High* and *Very High* categories were combined for cohesion across risk assessment tools. Individuals with No Score either do not qualify to be tested or do not yet have one due to the timing of their incarceration. See page 3 of this report for a description of Risk to Reoffend measures utilized by the DOC.

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