

CONFIDENTIAL
LEGISLATIVE BILL REVIEW FORM: 2015

Bill Number: S.7 Name of Bill: Crime and criminal procedure, Lewdness and prostitution; bail and recognizances

Agency/Dept: VT State Police Author of Bill Review: Lt. Brian Miller

Date of Bill Review: 05/19/15 Related Bills and Key Players: _____

Status of Bill: (check one)

☐ Upon Introduction ☐ As passed by 1st body ☒ As passed by both bodies

Recommended Position:

☒ Support ☐ Oppose ☐ Remain Neutral ☐ Support with modifications identified in # 8 below

Analysis of Bill

1. **Summary of bill and issue it addresses.** *This bill will categorize conduct constituting the offense of Lewd and lascivious conduct with a child as a violent offense for the purpose of determining bail.*
2. **Is there a need for this bill?** *Yes, currently this offense is not considered a violent offense when determining bail.*
3. **What are likely to be the fiscal and programmatic implications of this bill for this Department?** *None*
4. **What might be the fiscal and programmatic implications of this bill for other departments in state government, and what is likely to be their perspective on it?** *More persons charged with this offense will receive higher bail which could mean more people will be held in correctional centers than occurs now.*
5. **What might be the fiscal and programmatic implications of this bill for others, and what is likely to be their perspective on it?** *none*
6. **Other Stakeholders:**
 - 6.1 **Who else is likely to support the proposal and why?** *Crime victim groups, prosecutors*
 - 6.2 **Who else is likely to oppose the proposal and why?** *Defense attorneys, corrections staff*
7. **Rationale for recommendation:** *When bail is considered now for those charged with L and L with a child it is not considered a violent offense and therefore higher bail cannot be granted based on the type of offense. The judge will still have some leeway but this gives them the option to place bail higher if they deem it to be appropriate*
8. **Specific modifications that would be needed to recommend support of this bill:** *None*

9. **Gubernatorial appointments to board or commission?**

Please return this bill review as a Microsoft Word or PDF document to laura.gray@state.vt.us and Jessica.mishaan@state.vt.us

Secretary/Commissioner has reviewed this document

A handwritten signature in cursive script, reading "Francis J. Aumand III". The signature is written in dark ink on a light background.

Date: 5/19/15