

1 S.282

2 Introduced by Senator Sears

3 Referred to Committee on

4 Date:

5 Subject: Crimes and criminal procedure; bail and recognizances

6 Statement of purpose of bill as introduced: This bill proposes to permit the
7 court to order as a condition of release that the defendant be released into the
8 custody of a responsible adult only if the defendant is under 18 years of age.

9 An act relating to bail condition related to release

10 It is hereby enacted by the General Assembly of the State of Vermont:

11 Sec. 1. 13 V.S.A. § 7554 is amended to read:

12 § 7554. RELEASE PRIOR TO TRIAL

13 (a) Any person charged with an offense, other than a person held without
14 bail under section 7553 or 7553a of this title, shall at his or her appearance
15 before a judicial officer be ordered released pending trial in accordance with
16 this section.

17 (1) The person shall be ordered released on personal recognizance or
18 upon the execution of an unsecured appearance bond in an amount specified by
19 the judicial officer unless the judicial officer determines that such a release will
20 not reasonably assure the appearance of the person as required. In determining

1 whether the person presents a risk of nonappearance, the judicial officer shall
2 consider, in addition to any other factors, the seriousness of the offense
3 charged and the number of offenses with which the person is charged. If the
4 officer determines that such a release will not reasonably assure the appearance
5 of the person as required, the officer shall, either in lieu of or in addition to the
6 above methods of release, impose the least restrictive of the following
7 conditions or the least restrictive combination of the following conditions
8 which will reasonably assure the appearance of the person as required:

9 (A) Place the person in the custody of a designated person or
10 organization agreeing to supervise him or her if the person is under 18 years
11 of age.

12 * * *

13 (2) If the judicial officer determines that conditions of release imposed
14 to assure appearance will not reasonably protect the public, the judicial officer
15 may in addition impose the least restrictive of the following conditions or the
16 least restrictive combination of the following conditions which will reasonably
17 assure protection of the public:

18 (A) Place the person in the custody of a designated person or
19 organization agreeing to supervise him or her if the person is under 18 years
20 of age.

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1 Sec. 2. EFFECTIVE DATE

2 This act shall take effect on July 1, 2014.