

Representative Eric Maguire

Rutland City – 5

Testimony to House Judiciary Committee

Amendment to H.937

Vermont now has clear, compelling evidence that the Community Accountability Court model delivers exactly what our justice system needs: faster case resolution, increased accountability, improved public safety, and meaningful access to treatment and stabilization services. The Chittenden County pilot proved this model works — and works at a level unmatched by traditional criminal dockets.

When the Accountability Court launched in Chittenden County, it faced roughly 900 cases involving about 100 repeat offenders with five or more dockets. Within months, even as the docket expanded to nearly 1,000 total cases, more than 700 were resolved, producing a clearance rate roughly three times higher than typical courts. Judiciary testimony confirmed an over 300% clearance rate, a remarkable outcome that no other Vermont court model has come close to achieving during this backlog crisis.

This success was not limited to clearing cases. The pilot connected defendants directly to services: AHS staff, mental health workers, and community providers were physically present in the courtroom, arranging treatment placements, housing, and stabilization supports in real time. Judiciary leaders emphasized that these warm handoffs — immediate, in-person connections to supports — were central to the docket's effectiveness. The court balanced accountability with meaningful help, rather than relying solely on jail as the default intervention.

The pilot succeeded across stakeholder groups. Governor Scott, the Chittenden County State's Attorney, the Special Prosecutor, Agency of Human Services, Community Providers and the Public Defender all publicly supported the model and acknowledged its impact. When you have endorsement from all mentioned, you are looking at a consensus approach that works.

The Need to Strengthen and Replicate This Model — Especially for Counties Like Rutland

Other counties with documented need — especially Rutland County — should have access to the same functioning model that Chittenden received. The problem is clear:

1. Rutland Has Not Been Given Anything Close to the Chittenden Model

The Chittenden Accountability Court operated five days a week, with consistent judicial presence, prosecutor continuity, defense consistency, and constant access to human services. That is the formula that produced exceptional results.

By comparison, Rutland has been given only Mondays and every other Tuesday — about 18 total court days over a three-month period. That is not an Accountability Court. That is calendar triage. Staff in Rutland have been forced to prioritize clearing cases as quickly as possible, connecting individuals to services only when they can, because the necessary structure and resources simply are not there.

If Vermont wants to replicate Chittenden's outcomes, it must replicate Chittenden's model — not a diluted version of it.

2. The Judiciary Has the Staff to Do This — But Not the Structure

Over the past three fiscal years, the Judiciary has received significant staffing increases:

- FY24: 5 Judicial Assistants, 1 Superior Judge, 1 Law Clerk
- FY25: 3 Superior Court Judges, 10 Judicial Assistants, 11 Judicial Officers II, plus IT and administrative support

Despite more staff than pre-pandemic levels, the system ended 2024 with over 19,000 pending cases, compared with roughly 7,580 pending cases in 2019, before pandemic disruptions.

In other words, the backlog is not a staffing problem — it's a structural problem. The Accountability Court model is the structure that works.

3. A Small Group Is Driving a Large Portion of the Backlog

Statewide, 44% of pending cases involve individuals with three or more open dockets — the people most likely to benefit from Accountability Court intervention. In Rutland County, 55 individuals are responsible for nearly 370 open cases. Targeting this population efficiently would clear space for the rest of the system to function properly.

The amendment directly targets this group — the same group that the Chittenden model successfully stabilized, monitored, and processed with unprecedented speed.

Why the Amendment Is Necessary

The amendment to H.937 does not impose a mandate on any county. What it does is:

- Guarantee dedicated judicial time, rather than fractured calendar scheduling.
- Require a Special Prosecutor or designated deputy to ensure prosecutorial continuity.
- Require a lead public defender, stabilizing defense participation.
- Codify daily court operations during the designated 60–90-day periods — the key feature identified by Chittenden's judge, prosecutor, and lead defender as essential.
- Mandate AHS presence, so services are available instantly — not after weeks or months.
- Ensure cross-agency coordination with DOC, DMH, law enforcement, and DHS, replicating the full Chittenden team that enabled warm handoffs and rapid intervention.
- Require outcome tracking on service connection, case resolution, and recidivism.

These are not theoretical provisions — they are the exact elements that produced success in Chittenden County.

They are also the elements Rutland County did not receive, resulting in a partial, weakened version of the model that cannot achieve the results seen elsewhere.

Conclusion: The Committee Should Support the Amendment

The Chittenden pilot worked. The data is clear. The professionals who ran it agree. And counties like Rutland — where need is acute, backlogs are heavy, and the Judiciary has not implemented the model faithfully — deserve the same tool.

Supporting this amendment means:

- Faster justice for victims
- Accountability and stabilization for defendants
- Reduced backlog system-wide
- A consistent, proven framework available statewide
- A fair and equitable opportunity for counties requesting this resource

This amendment strengthens what has already worked and ensures Vermont can replicate success where it is most needed.

It deserves the full support of the Judiciary Committee and should be incorporated into H.937.