

**Office of the Vermont Secretary of State**  
**Vermont State Archives**

**1991: Proposal 2**

**Subject: Bail, imprisonment for debt prohibited**

PROPOSAL 2

Sec. 1. Section 40 of Chapter II of the Vermont Constitution is amended to read:

[§40. EXCESSIVE BAIL RESTRICTED; PRISONERS BAILABLE; IMPRISONMENT FOR DEBT PROHIBITED]

Excessive bail shall not be exacted for bailable offenses. All persons \*[, unless sentenced, or unless committed for offenses punishable by death or life imprisonment when the evidence of guilt is great, shall be bailable by sufficient sureties. Persons committed for offenses punishable by death or life imprisonment, when the evidence of guilt is great, shall not be bailable as a matter of right.]\* shall be bailable by sufficient sureties, except that:

(1) a person may be held without bail when sentenced;

(2) a person accused of an offense punishable by death or life imprisonment may be held without bail when the evidence of guilt is great;

(3) a person accused of a felony may be held without bail when there is a finding, after evidentiary hearing, that evidence of guilt is great, that the accused poses a great threat of physical violence to another person, and that no conditions of release will reasonably prevent the accused from committing a physical act of violence against any person.

No person shall be imprisoned for debt.