

STATE OF VERMONT

SUPERIOR COURT
Franklin Unit

CRIMINAL DIVISION
Docket No. 371-4-18 FrCr

State vs. Cosgrove, Kevin C. Sr.

ENTRY REGARDING MOTION

Count 1, AGGRAVATED CRUELTY TO ANIMALS-UNDUE PAIN (371-4-18 FrCr)

Title: Motion to Review Bail (Motion 7)
Filer: Kevin C. Cosgrove
Attorney: Paul J. Groce
Filed Date: March 24, 2020

No response filed

The defendant has moved to review his bail. Bail was set at \$2,000 on February 5, 2020, when defendant voluntarily surrendered on an arrest warrant that was issued on July 26, 2018. He has been lodged since as he is unable to pay the cash bail. After consultation with Judge Hoar who held a hearing on this motion on March 25, 2020, the court does intend to strike the cash bail set and rather impose a \$500 unsecured personal recognizance bond. The court is aware that the defendant was on warrant status for a year and a half but he did self-surrender, knowing the risks, and there is no evidence he was involved in criminal behavior between the date of the warrant and his surrender on the warrant. He also has now been incarcerated for almost 2 months on a charge that may well be resolvable quickly. The court is also unaware of any information that he left the Franklin County area during his time on warrant status. The court has also considered the particular strain on the correctional centers and the risks to those who are in them presented by the COVID 19 health crisis. A correctional institution is very vulnerable to an outbreak of the virus and safely reducing the detainee population where risk of flight concerns can be mitigated benefits not only the defendant but all those in the institution. The court also trusts that Mr. Cosgrove will have added incentive to appear in court when required given the concerns presented by the virus lest he wish to return to the correctional setting, The court will delay issuing amended conditions of release for 24 hours to permit either party to weigh in on any additional conditions of release it requests. The court specifically wants to know the residence where Mr. Cosgrove will reside.

So ordered.

Electronically signed on April 01, 2020 at 02:56 PM pursuant to V.R.E.F. 7(d).

A handwritten signature in black ink, appearing to read "John 2.1.2020", is written over the electronic signature line.

John L. Pacht
Superior Court Judge

Notifications:

Paul J. Groce (ERN 8566), Attorney for Defendant Kevin C. Cosgrove

John T. Lavoie (ERN 2054), Attorney for Plaintiff State

Probation Officer Probation and Parole