



**Report of the
Special Investigations Unit Funding Study Committee**

December 2014

Representative Mitzi Johnson, Chair

Senator John F. Campbell, Vice Chair

Representative Carolyn Branagan

Senator Timothy R. Ashe

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I. EXECUTIVE SUMMARY

The Committee is committed to helping SIUs meet their financial challenges and considers it a high priority to support SIUs in their efforts to prevent and solve serious crimes in Vermont. The evidence heard by the Committee clearly establishes that SIUs are an important and effective tool for providing access to justice, combatting violent crimes, and aiding crime victims.

The evidence also makes clear, however, that the current SIU funding mechanism is neither stable nor equitable. This problem is likely to increase as the results of the Study Committee on Child Protection are finalized. While there may be a cogent historical explanation for how this funding system came to be, its flaws should be corrected by the General Assembly. Summarized below are the steps the Committee recommends to remedy the current problems.

1. The Committee unanimously agreed on the following measures to aid in the financing of SIUs:

- The SIU should be encouraged to continue their efforts to increase efficiency of operation and adopt best practices, and a working group of SIU representatives and other stakeholders should be formed to assist with these goals.
- The SIUs need to develop both performance measures and the ability to determine weighted caseloads to facilitate better funding allocations and distribution. Current grant resources should be allocated using a formula that is based in part on weighted caseloads and in part on a flat amount per SIU, a structure that acknowledges both equality of responsibility and differences in scale between communities.
- The Legislature and the SIUs should work to identify the hurdles to accreditation to improve program quality.
- Fee-for-space subsidies should not be part of the financing system due to the impact on overall fee-for-space program operations.
- The Legislature should consider the overall number of SIUs needed to achieve quality State coverage. Potentially, fewer programs may result in greater efficiencies and use of funding dollars.
- The Legislature needs to think carefully about the committee jurisdiction for SIU oversight. Their functions span the work of numerous committees, and they impact human services, judiciary, and the money committee decisions.

2. Some Committee members supported the following measures to assist SIU funding:

- If the position does not already exist, the State should hire a central SIU grant writer to help SIU maximize their receipt of grant funding. This would be a revenue neutral position offset with a portion of the grants received.
- Some Committee members felt that funding SIUs is a matter of equality in access to justice and that SIU functions are a State public safety and criminal justice issue, the responsibility for which should be managed on a statewide basis. In their view, the local funding system has resulted in a lack of fairness and an unequal burden among different Vermont municipalities. These members supported recommending that the General Assembly prioritize the full State funding of SIUs during the legislative budget process.

- Some Committee members felt that, while the State should continue its role as the primary source of SIU funding, the success of SIUs has been due, in large part, to the cooperation of the various components of State and local law enforcement and human services systems. According to this view, it is necessary to maintain a role for local communities in order to keep their participation and buy-in with the SIU program. These members supported exploring the possibility of authorizing counties to redistribute the existing county share of SIU financing more equitably among towns through an assessment, bill, or county tax. Such a system would reallocate the existing funds that counties already have rather than raise new revenue, but might, nevertheless, place more pressure on property taxes eventually.
- Some Committee members raised the concept of State reimbursement to local jurisdictions as an alternative to ensure continued local participation in the context of moving toward greater State SIU funding.

II. THE COMMITTEE

The Special Investigations Unit Funding Study Committee was established by 2014 Acts and Resolves No. 179, Sec. E.206.

The Committee consisted of six members:

(1) One member of the House who is a member of the Joint Fiscal Committee, appointed by the Speaker of the House: Representative Mitzi Johnson, *Chair*.

(2) One member of the Senate who is a member of the Joint Fiscal Committee, appointed by the Committee on Committees: Senator Tim Ashe.

(3) Two members of the House appointed by the Speaker of the House: Representative Carolyn Branagan and Representative Chip Conquest.

(4) Two members of the Senate appointed by the Committee on Committees: Senator John Campbell, *Vice Chair*, and Senator Alice Nitka.

The Committee was staffed by: Steve Klein, Chief Fiscal Officer; Maria Belliveau, Associate Fiscal Officer and Neil Schickner, Senior Fiscal Analyst, Joint Fiscal Office; Erik FitzPatrick, Legislative Counsel; and Gabrielle Malina, Committee Assistant, Office of Legislative Council.

III. THE COMMITTEE'S CHARGE

2014 Acts and Resolves No. 179, Sec. E.206 (H.885) created the Special Investigations Unit Funding Study Committee “for the purpose of identifying and recommending equitable and sustainable funding options for specialized investigative units.” The Committee was directed to “identify all possible funding sources for special investigation units and . . . consider the

sustainability and equitability of each possible source on local, county, and State levels.” The Committee was authorized to meet as many times as necessary and to file a report of its recommendations with the General Assembly.

IV. MEETINGS AND WITNESSES

The Committee met three times in 2014: September 10, October 8, and December 12. The following witnesses appeared before the Committee:

Marc Metayer, SIU Grants Program Manager, Department of State’s Attorneys and Sheriffs

William Sorrell, Vermont Attorney General

Kristine Bickford, Executive Director, Chittenden Unit for Special Investigations

Michael Warren, Director, Chittenden Unit for Special Investigations

Peter Chapman, Detective, Chittenden Unit for Special Investigations

Jennifer Poehlmann, Director, Vermont Children’s Alliance

Judy Rex, Executive Director, Vermont Center for Crime Victims Services

James Colvin, President, Vermont Association of County Judges

Senator Jane Kitchel

Matt Riven, Chief of Finance and Administration, Office of Court Administrator

Michael Obuchowski, Commissioner, Department of Buildings and General Services

Allen Palmer, Property Management Supervisor, Department of Buildings and General Services

Max Schleuter, Executive Director, Vermont Crime Research Group

Stephen Klein, Chief Legislative Fiscal Officer, Joint Fiscal Office

Neil Schickner, Senior Fiscal Analyst, Joint Fiscal Office

Erik FitzPatrick, Legislative Counsel, Office of Legislative Council

V. FINDINGS AND RECOMMENDATIONS

A. Specialized Investigative Units play a vital role in protecting the safety of Vermonters by assisting in preventing, investigating, and solving the most serious crimes that occur in this State.

A Specialized Investigative Unit (SIU) is a multidisciplinary collaboration between law enforcement agencies, investigative agencies, victim advocates, and social service providers formed to investigate the most serious crimes that occur in the State. By statute, SIUs investigate “sex crimes, child abuse, domestic violence, or crimes against those with physical or developmental disabilities,” 24 V.S.A. § 1940(a), as well as violations of the Sex Offender Registry, for which SIUs are authorized to conduct in-person compliance checks. 13 V.S.A. § 5415. As their jurisdiction makes clear, SIUs are charged with handling the most serious and violent crimes in Vermont. SIUs are premised upon the principle, which has proven true over time, that the complex and challenging prosecutions of these crimes are more successful if they are conducted by subject-matter experts with substantial experience. By finding and prosecuting the worst offenders in the criminal justice system, SIUs bring justice to crime victims and protect the most vulnerable people in our State from further victimization. The Committee recognizes the invaluable role that SIUs have in combatting serious crimes, and the rich history of success in identifying perpetrators and protecting Vermonters that SIUs have had since they began their work nearly 40 years ago.

In Vermont, the concept of a multidisciplinary team approach to crimes of sexual violence and domestic violence began to develop during the 1980s and 1990s. This approach had been used successfully elsewhere in the country, and federal funding availability at the time prompted a number of communities around Vermont to establish multidisciplinary teams to address these serious crimes. The ability to form investigative task force operations to permit cross-jurisdictional law enforcement duties was already established in Vermont law at 24 V.S.A. § 1938, although the statute did not provide funding for operational support. The teams were typically composed of State and local resources such as State’s Attorneys and other law enforcement agencies, victim support programs, and child protective services (formerly SRS, now DCF). The success they enjoyed was based upon the exceptional commitment and dedication of the partners involved and their commitment to the multidisciplinary team concept.

Since their inception, best practice models for multidisciplinary teams included the collocation of the primary team partners as well as the establishment of a victim-safe facility for the provision of coordinated services. In Vermont, many communities struggled to provide such physical space and continually found it challenging to coordinate the team’s activities. This was often because the teams were composed of professionals with subject-matter expertise who were willing to work together but did not have the time or resources to serve as central coordinators responsible for meeting the organizational and administrative needs of a Specialized Investigative Unit.

The General Assembly first established a State-funded process to support and sustain the efforts of Specialized Investigative Units in 2005 when it established and funded the

Specialized Investigative Units Grant Board in 24 V.S.A. § 1940. Previous efforts to expand SIUs throughout the State often had mixed results in large part due to the absence of funding for core administrative operations such as retaining a team coordinator and finding a suitable location for team colocation. The enactment of 24 V.S.A. § 1940 provided a funding mechanism, and the Department of State's Attorneys & Sheriffs was tasked with coordinating the efforts utilizing existing community resources (State, county, local, and nonprofits). The funding provided by the State was a critically important addition to this process, and the Grant Board awarded the first grants in FY 2007, apportioning them to six SIUs established along county lines.

In 2009, the General Assembly reemphasized its commitment to expanding SIUs statewide by amending 24 V.S.A. § 1940 to provide that it intended "that access to special investigative units be available to all Vermonters as soon as reasonably possible, but not later than July 1, 2009." Later that year, a multicounty unit was formed as the Northeast Kingdom SIU, comprising Orleans, Essex, Caledonia, and Orange counties. The goal was to consolidate, in one office, the administrative functions of multiple counties, but in practice the unit struggled to successfully coordinate teams and locations over such a large geographic district. In FY 2012, this SIU was divided into three individual units: Orleans and Caledonia became separate units that shared coverage for Essex County, and Orange County established a separate unit under the guidance of the Orange County Sheriff's Department.

By 2013, Vermont had 12 county-based SIUs receiving program support grants. The two counties without their own SIUs, Essex and Grand Isle, are directly supported by neighboring county SIUs and also receive reimbursement grants for law enforcement services through their respective sheriff's departments. In this fashion, the General Assembly's goal of statewide SIU coverage has been achieved.

FY 2013 also marked the establishment of a clearly defined and budgeted law enforcement support grant process. Testimony by police chiefs and sheriffs during the FY 2013 budget process had indicated that the level of funding support received in prior years (a maximum of \$40,000.00, as available) was not sufficient to maintain the staffing of police investigators in the SIUs. As a result, the General Assembly raised the maximum to \$60,000.00 per award, an increase that stabilized law enforcement positions and encouraged participation by departments previously unable to do so. The law enforcement positions supported by these grant funds (eight in FY 2013 and FY 2014, and ten in FY 2015) are from local or county agencies and augment the investigators assigned by the Vermont State Police.

Of the 12 established SIUs, all but one (Lamoille) are either part of, or closely affiliated with, a Child Advocacy Center (CAC). Since the vast majority of their cases involve children, this affiliation has been a force multiplier for the SIUs. In most cases, the executive director for the SIU fulfills that same role for the CAC which has served to streamline the administrative functions for both entities. National level service accreditation is available through the National Children's Alliance (NCA) which provides performance benchmarks and a scheduled program of reviews conducted by outside professionals. SIUs have benefitted from this affiliation by receiving access to nationally recognized professional development training and performance data measurement tools, all with a significant cost savings for the State. The

NCA accreditation process has also become a useful tool for determining the extent to which SIUs are available to all Vermonters as is required under 24 V.S.A. § 1940. Currently, five SIUs have full NCA accreditation and six are associate members.

As the history of SIUs in Vermont illustrates, the General Assembly has supported SIUs since their inception in any way that it could. SIUs were authorized throughout the State, their jurisdiction was expanded whenever necessary, and the Grant Board was established to facilitate funding. The Committee is committed to continuing this support.

B. Currently, SIUs are funded on a county-by-county basis through a variety of differing sources, resulting in a funding system that varies significantly from one SIU to another.

The 12 Vermont SIUs are currently funded from a wide variety of sources that may be organized into six categories:

- State general funds;
- Center for Crime Victims Services grants for Child Advocacy Centers;
- Local town funding;
- In-kind contributions from law enforcement, the Department for Children and Families, State's Attorneys, and victim advocates;
- Federal grants; and
- Fund-raising.

In fiscal year 2015, the total amount of all funding received by SIUs from these sources is \$5,346,915.00. See Appendix B. Although the average funding level for each of the SIUs is \$445,576.00, there is a tremendous variance between the actual amounts received by each one: individual SIU funding ranges from \$914,453.00 in Chittenden County to \$264,647.00 in Caledonia County. There is also no uniformity with respect to funding sources; the extent to which each SIU receives support from one of the above categories varies widely from one SIU to another.

Attached Appendices A and B provide a summary of the total funds that support each of the SIUs and illustrate how the funding amounts and sources differ significantly among SIUs. Attached Appendix C provides a table showing State support for the SIUs. Given the differences in funding support and the challenges they create for future SIU development, it is critical to understand each funding source in more detail.

(1) GENERAL APPROPRIATION STATE FUNDS

The State budget contains an appropriation of general funds to be granted for three purposes that support SIUs. The appropriation is divided into the following three grants:

1. Program Support Grants. These grants fund SIU administrative and operational expenses to support the structure of the units. Each SIU has at least a part-time executive director and may also have an administrative assistant. This staff manages the caseload and facilitates interaction with crime victims. According to 24 V.S.A.

§ 1940, these grants may only be used to fund up to 50 percent of the salaries and benefit costs for each SIU. Each SIU does not receive the same level of Program Support Grant from the State. Rather, they range from a low of \$64,000.00 to a high of \$111,600.00, depending upon the SIU and its structure.

2. **Law Enforcement Grants.** These grants are intended for ten law enforcement investigators around the State from a municipal or county law enforcement department. The grants allow local law enforcement to dedicate investigators to the SIUs and make it possible for smaller departments that do not have adequate staffing to participate. Combined with services of the Vermont State Police, this funding represents the core of the specialized law enforcement investigators for the SIUs. According to the FY 2015 budget submitted by the Governor, the goal is to increase the number of Law Enforcement Grants from 10 in FY 2015 to 12 in FY 2016, if funding is available to do so. As is the case with the Program Support Grants, the Law Enforcement Grants may only be used for up to 50 percent of the total salary expense under 24 V.S.A. § 1940.
3. **Law Enforcement Reimbursement Grants -** These grants are awarded to Essex and Grand Isle Counties pursuant to 24 V.S.A. § 1940, which provides that “a sheriff’s department in a county with a population of less than 8,000 residents shall upon application receive a grant of up to \$20,000.00 for 50 percent of the yearly salary and employee benefits costs of a part-time specialized investigative unit investigator.” The grants reimburse the Essex County Sheriff’s Department, which provides investigative services to support the Caledonia and Orleans SIU, and the Grand Isle Sheriff’s Department, which provides services to the Franklin County SIU. A 50 percent match is required, which the respective counties pay.

SIUs’ State grants are offset by the “SIU Surcharge” established by 13 V.S.A. § 7282(c), which imposes a surcharge, in addition to any penalty or fine imposed by the court or judicial bureau for a criminal offense committed after July 1, 2009, of \$100.00 to be deposited into the General Fund to support the SIUs. This surcharge has never yielded enough revenue to fully support the SIUs, which was anticipated when the surcharge was put in place. In fiscal year 2014, the most recent year for which there is data, the SIU surcharge raised \$393,670.00. For purposes of comparison, the General Fund appropriation in FY 2015 was \$1,674,838.00. Appendix G provides a five-year history of the surcharge revenue.

The Chittenden County SIU (CUSI) receives another type of State support in the form of below-market leased space. The Committee heard testimony that the \$1,000.00 per year annual rent that CUSI is paying for its space is substantially less than either fair market value or other fee-for-space arrangements. According to the testimony, CUSI and the Department of Buildings and General Services have agreed that the rent will remain at \$1,000.00 per year through FY 2015, after which it may increase gradually over the next three years.

(2) FUNDING THROUGH THE CENTER FOR CRIME VICTIM'S SERVICES GRANTS FOR CHILD ADVOCACY CENTERS

11 of the 12 SIUs are associated with, or are part of, a Child Advocacy Center (CAC). The total appropriation of State funds to support the operation of the Vermont Child Advocacy Centers is \$270,000.00 in FY 2015, less a rescission of \$3,600.00. All of this money flows through the budget of the Vermont Center for Crime Victims Services.

The funding formula adopted in June 2013 is as follows:

- \$30,000 per fully accredited CAC x 5 programs = \$150,000
 - \$18,000 per associate level CAC x 6 programs = \$108,000
 - \$ 3,000 per developing CAC x 1 program = \$ 3,000
 - \$ 9,000 to support accredited Chapter (VCA) = \$ 9,000
- \$270,000

The CACs have either full National Child Advocacy (NCA) accreditation, in which case they are eligible for a \$30,000.00 State and \$9,000.00 federal grant, or are associate members of NCA, in which case they are eligible for \$18,000.00 State CAC funds. There are five SIUs that have full NCA accreditation and six that are associate members of NCA. There is one SIU that is recognized as a developing member and is eligible to receive a \$3,000.00 State CAC grant. This formula refers to the allowable distribution, not the actual distribution.

Although funds may be distributed according to the established formula, not all SIUs receive the allowable funds. For instance, in FY 2015, Orleans County did not receive any funding during the first half of the year because the SIU did not apply for the funds. It is anticipated that an application will be submitted for funding during the second half of FY 2015. Additionally, Windsor County has two CACs but one SIU. One of the CACs in Windsor receives \$30,000.00 (The Family Place) and the other receives \$18,000.00 (Springfield Area Parent Child Center). There is no CAC in Lamoille County, so the SIU does not receive a grant. Appendix D contains the details of the CAC and federal Victims of Crime Act grants to each of the SIUs.

(3) LOCAL AND IN-KIND SUPPORT

Many SIUs receive support from their participating communities through the donation of in-kind services such as office space, dedicated law enforcement personnel, and administrative services. Some SIUs also receive direct financial support from their communities. The Franklin, Lamoille, and Windsor SIUs receive funding from their member municipalities, while the Chittenden SIU direct bills some of its participants. Appendices E and F detail the in-kind contributions and rent/lease expenses for each SIU during FY 2015.

(4) FEDERAL FUNDING

Some of the SIUs receive federal funding, although not all of them do. The National Children's Alliance provides a \$9,000.00 grant to each of the five fully accredited SIUs in

Vermont. In addition, STOP Violence Against Women Grants are received by the Franklin (\$20,000.00) and Lamoille County (\$109,491.00) SIUs, and the Franklin County SIU also receives a Rural Justice Grant of \$58,868.00.

(5) FUND-RAISING

Fund-raising is only a minimal and sporadic source of funding for SIUs. So, while it is certainly always an option, it cannot be relied upon as a consistent method of support.

C. The localized nature of the SIUs' funding structure has created a number of challenges for their long-term financial stability.

The lack of a uniform or consistent funding structure for SIUs has resulted in unpredictability and budgetary pressures as they move forward. These issues must be addressed in order to maintain the future financial health of SIUs.

First, as the description of SIU financing in Section B demonstrates, there are substantial disparities among communities and counties with respect to the level of payments and contributions made to support the SIUs. Some municipalities within a county contribute more than other county municipalities, and some counties receive more State assistance than others. For instance, in FY 2015, the Chittenden County SIU receives 8.7 percent of its total funding from the State Support Grant, whereas the Caledonia, Orleans, and Lamoille SIUs all receive over 41 percent of their funding from the Grant (the Orange County SIU receives 53.7 percent). Similarly, CUSI receives 6.2 percent of its budget from local funds, while the other two SIUs that receive local funding are Franklin at 2.3 percent of the budget and Lamoille at 1.9 percent. All of the SIUs receive in-kind funding from either the State or local and county funds, and all but three receive in-kind funding from both sources. The total value of in-kind funding to all of the SIUs is \$3,169,481.00. As with the other funding sources, there is wide variation in the value of in-kind services received by each SIU. Appendices A and B illustrate these differences in detail. These disparities create difficulties for SIUs, which often are in the position of requesting member communities to contribute support. Some communities are reluctant because of a reasonable perception that others are not paying their fair share, and others are reluctant because of a belief that their low crime rate makes SIUs unnecessary for them. There does not appear to be the necessary understanding that the existence of the SIUs could be characterized as providing an insurance function that should be shared by all communities, any one of which could ultimately need the crucial services that SIUs provide when serious crimes occur.

Additional pressures on SIUs' budgets are created by the fact that Vermont law explicitly requires that access to SIUs be provided throughout the State. 24 V.S.A. § 1940(a). National accreditation is now seen as the measure for whether this statewide mandate has been met, and currently only five out of 12 SIUs are nationally accredited. Achieving this accreditation, and thereby complying with the statutory requirement for statewide SIU coverage, means that non-accredited SIUs will have to increase their staffing and training and enhance the physical colocation of their units. Some SIUs will take longer than others to gain accreditation because they have only recently been organized and have not yet have developed levels of

expertise comparable to more long-standing units. All of these compliance measures will take time and financial support, and the Committee recognizes the importance of finding both.

Finally, the pressure on SIUs' budgets has increased due to the fact that SIU caseloads are increasing. Each year tends to show growth in the number of complex and serious cases that are handled by SIUs. Additionally, there is discussion of expanding SIUs' jurisdiction to include a broader range of cases. As the demands on SIUs continue to increase, of course, so will the costs.

After hearing extensive testimony on the nature of the problems, the Committee recognizes that the funding challenges faced by SIUs are serious. Nevertheless, several possible approaches are discussed below which merit discussion for purposes of stabilizing SIU finances into the future.

D. Due to the county-based structure of SIUs, there are clear disparities among communities in paying for SIU services. The Legislature should consider whether equity and fairness would be better served with an alternative model based on a statewide structure or including a county funding option.

As a result of being organized county-by-county throughout the State, each SIU has developed its own individual arrangement for the provision of resources from its member municipalities and other entities. As demonstrated in Appendices A and B, the variances among counties are considerable. Some of the variability among counties is historically based: it developed as a result of the resources that were available to each individual SIU at the time it was established. For example, the Chittenden County SIU was the State's first and was established initially as a pilot project through the Chittenden County State's Attorneys' Office. It drew upon several of the participating towns for financial support, in-kind contributions, and the provision of local and State law enforcement services. The State of Vermont provided startup operational costs and the Center for Crime Victims Services provided funds for a Victim Advocate. Other counties developed different methods of organizing and funding their SIUs that were particular to the local circumstances and resources available when the SIU was established.

Regardless of its historical basis, the current funding structure has led to an imbalance among municipalities and at least a perception that taxpayers in some areas are paying more than their fair share to support SIU services. The Committee heard testimony that in some counties there are municipalities that contribute significant levels of staff time and resources to the SIU, while other municipalities in the county contribute virtually nothing at all. Similarly, some counties provide a much higher percentage of support to their SIUs and receive a correspondingly lower level of State support for them. It may be that some communities may not know about SIUs and have not been asked to contribute, in which case an educational and outreach program for municipalities could improve participation substantially. Under the current circumstances, however, the frustration expressed by some communities is understandable, and the Committee believes that the General Assembly should consider how to address these inequities.

A natural response to the difficulty of local community funding would be the creation of a statewide SIU system. A statewide structure would have the advantage of uniformity and consistency in both financial and policy matters. Funding discrepancies among counties could be resolved, and each SIU would operate according to legislatively developed standards and criteria. Establishing a completely statewide SIU, however, would require a budgetary allocation to create a new bureaucratic infrastructure that is likely impractical at this time. Additionally, creating a uniform funding system for the SIUs poses some challenges because there is not currently a means of measuring the effectiveness and caseloads of each individual SIU in order to determine the appropriate allocation of resources. If steps are taken to begin performance measurement and needs analysis work, though, some financially manageable features of a statewide system could be implemented, either as stand-alone measures or in conjunction with other funding initiatives.

Another possible approach to the funding imbalance, which has the added advantage of potentially strengthening long-term funding for the system, is to create a limited county funding option. There are two possible approaches: an authorization to charge and a contingent charge. The first would simply authorize a county to use the county budget process to bill for SIU services. The second would permit a county to bill a member community that was not willing to pay its share to support the SIU. Neither approach is mandatory; it simply creates an option which may be considered on a county by county basis. The SIU would be obligated to participate in the county budget preparation process and defend any budget request.

Both county funding options could share such features as being limited to operational expenses only (such as physical space, utilities, etc.) and not permitting any increase in the existing tax limit for the county budget (.05 cents). A threshold should likely be set, such as ½ cent, so the charge would not exceed that fixed number. County funding would not be permitted to exceed a certain percentage, such as 20 percent, of the overall SIU budget. These limits could be designed to ensure that a county funding option did not entirely supplant State funding, and SIUs would be fully able to continue using any other public and private funding resources to sustain their operations.

The Committee acknowledges that some parties oppose funding SIUs through a county funding source due to its relative lack of accountability and the belief that serious crimes investigated by SIUs are statewide matters that should be part of a statewide system. These concerns must be addressed if a county funding source is to be a viable option. If such concerns are resolved, it is conceivable that the elements of a statewide system could be combined with a limited county funding source. For example, statewide minimum performance criteria and equalized county funding could be established in the legislature, while counties could be authorized to raise additional revenues independently. Another area of interest for long-term development would be a fund distribution system analogous to the public transit funding system that funds specific activities and has specific match requirements. The Committee recommends that these options be pursued by the General Assembly, municipalities, county officials, and the SIU community as a means to address the funding inequalities that are currently so problematic.

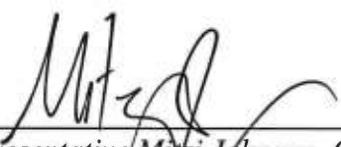
E. There is no connection between the contributions a community makes to an SIU and the workload for the SIU in the community or the services the community receives. The General Assembly should consider more fairly allocating existing resources to reflect community needs.

As explained in Part C, the county-based SIU model relies on municipalities and other entities in the county to contribute the necessary operational resources. Some municipalities contribute much more than others within a county, and some counties receive much more State financial assistance than others to support their SIUs. Despite these substantial differences in the level of support each municipality provides, there is no difference in the number of SIU services the municipality receives. In one sense, this is as it should be: SIUs should investigate crimes wherever they occur, regardless of whether the crime occurred in a community that failed to contribute to its county SIU. But, at the very least, there should be a correlation between the level of SIU support asked from a community and the SIU services it generally utilizes. The impediment to establishing this funding relationship is the lack of available data that would support how it should be structured and implemented. While SIUs are a national model, there do not appear to have been any extensive evaluations of the financial structure of their operations. In Vermont, the Center for Justice Research conducted an evaluation in 2011, "An Outcome Evaluation of the Special Investigation Units established Under the Sexual Violence Prevention Act of 2006," but this report primarily addressed policy rather than financial issues.

The Committee is interested in developing a method of connecting regular and dependable SIU funding with an appropriate allocation formula that recognizes the value of the national accreditation process. The Committee believes it is likely that there are ways to divide more fairly existing resources from the State to reflect workloads and needs, recognizing that any formula for payments must reflect the seriousness of the cases and the service needs faced by SIUs. Consistent with the recent statewide movement toward performance budgeting, it may also be that considered performance measures should be developed to review SIUs for their effectiveness. In particular, weighted caseload information would provide a very useful basis for determining funding adequacy and need. A weighted caseload study could categorize and record SIU activities in each community and provide data for determining that community's use of SIU services and the appropriate level of support it should be asked to provide for them. Unfortunately, there do not appear to be any such studies currently available, though CUSI may have done some preliminary work in the area. The Committee, therefore, recommends that the SIU community, with General Assembly support, develop measurable criteria and standards, including weighted caseload analysis, for use in allocating SIU funding in a more fair and equitable manner between Vermont communities.

VI. CONCLUSION

The evidence demonstrates clearly that Specialized Investigative Units face a number of challenges connected to sources of their future funding. However, after careful study, the Committee believes that some combination of the steps identified in this report would stabilize finances of SIUs significantly. As a result, the Committee recommends that the General Assembly consider and pass a package of measures during the 2015 legislative session that secures the necessary funding for SIUs to accomplish their mission of investigating and preventing serious crime in Vermont.



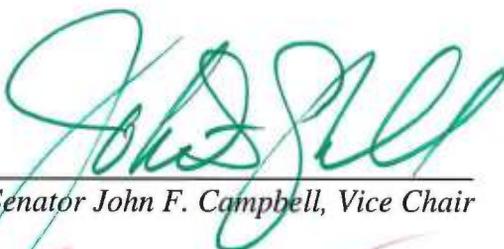
 Representative Mitzi Johnson, Chair



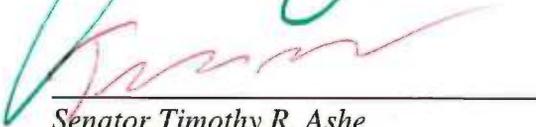
 Representative Carolyn Branagan



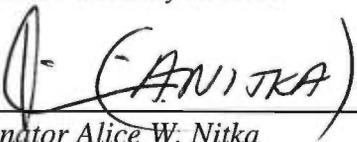
 Representative Chip Conquest



 Senator John F. Campbell, Vice Chair



 Senator Timothy R. Ashe



 Senator Alice W. Nitka

Appendix A p.1

County:	Addison	Bennington	Caledonia	Chittenden	Franklin	Lamoille	Orange	Orleans	Rutland	Washington	Windham	Windsor	TOTALS:
Fund Source:													
SIU Grant	\$70,013.00	\$81,119.00	\$64,744.00	\$79,526.00	\$88,020.00	\$77,314.00	\$71,993.00	\$0.00	\$92,273.00	\$89,249.00	\$96,995.00	\$111,160.00	\$922,406.00
CAC/VOCA	\$0.00	\$30,000.00	\$0.00	\$30,000.00	\$30,000.00	\$0.00	\$0.00	\$0.00	\$30,000.00	\$0.00	\$18,000.00	\$0.00	\$138,000.00
NCA	\$0.00	\$9,000.00	\$0.00	\$9,000.00	\$9,000.00	\$0.00	\$0.00	\$0.00	\$9,000.00	\$0.00	\$0.00	\$0.00	\$36,000.00
STOP Grant	\$0.00	\$0.00	\$0.00	\$0.00	\$20,000.00	\$109,491.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$129,491.00
Rural Justice Grant	\$0.00	\$0.00	\$0.00	\$0.00	\$58,868.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$58,868.00
Other Grant	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$15,491.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$15,491.00
Town Contributions	\$0.00	\$0.00	\$0.00	\$56,880.00	\$12,000.00	\$6,278.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$75,158.00
Town/State LE In-kind	\$168,750.00	\$129,823.00	\$85,203.00	\$465,072.00	\$164,184.00	\$65,833.00	\$34,000.00	\$100,203.00	\$143,754.00	\$111,741.00	\$117,441.00	\$89,437.00	\$1,675,441.00
State In-kind	\$40,000.00	\$241,521.00	\$51,700.00	\$258,485.00	\$134,799.00	\$0.00	\$113,595.00	\$44,287.00	\$122,760.00	\$123,302.00	\$139,401.00	\$220,700.00	\$1,490,550.00
Fundraising	\$0.00	\$7,800.00	\$0.00	\$12,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$7,500.00	\$0.00	\$27,300.00
FTE - SIU Grant	0.5	2	0.5	1	1.75	1	1.5	1	1.5	1.5	1.3	2	
FTE - Total	5	7	4	13	5.75	5	5	5	7	6.5	5.3	7.5	
LE Grant	\$60,000.00	\$60,000.00	\$45,000.00	\$0.00	\$0.00	\$60,000.00	\$120,000.00	\$60,000.00	\$60,000.00	\$0.00	\$60,000.00	\$60,000.00	\$585,000.00

FY15 Information

Appendix A p.2

County:	Addison	Bennington	Caledonia	Chittenden	Franklin	Lamoille	Orange	Orleans	Rutland	Washington	Windham	Windsor	TOTALS:
Fund Source:													
SIU Grant	\$78,658.00	\$77,685.00	\$70,227.00	\$71,426.00	\$81,295.00	\$59,190.00	\$68,196.00	\$75,720.00	\$74,890.00	\$76,588.00	\$84,792.00	\$111,160.00	\$929,827.00
CAC/VOCA		\$30,000.00		\$30,000.00	\$30,000.00				\$30,000.00		\$18,000.00		\$138,000.00
NCA		\$9,000.00		\$9,000.00	\$9,000.00				\$9,000.00				\$36,000.00
STOP Grant				\$6,983.00	\$29,400.00	\$126,037.00							\$162,420.00
Rural Justice Grant					\$10,003.00								\$10,003.00
Other Grant						\$17,971.00						\$20,000.00	\$37,971.00
Town Contributions				\$70,726.00	\$12,000.00								\$82,726.00
Town/State LE In-kind	\$193,750.00	\$127,277.00	\$145,203.00	\$689,272.00	\$141,298.00		\$36,316.00	\$155,203.00	\$203,754.00	\$111,741.00	\$107,707.00	\$90,483.00	\$2,002,004.00
State In-kind	\$61,000.00	\$237,952.00	\$51,669.00	\$217,754.00	\$131,659.00		\$99,847.00	\$44,287.00	\$122,760.00	\$114,053.00	\$106,217.00	\$204,000.00	\$1,391,198.00
Fundraising		\$4,850.00		\$7,800.00					\$8,200.00		\$12,223.00		\$33,073.00
FTE - SIU Grant	0.5	2	0.5	1	1.75	1	1	1	1.5	1.5	1.3	2	
FTE - Total	5	7	4	13	5.75	5	5	5	7	6.5	5.3	7.5	
LE Grant	\$60,000.00	\$60,000.00	\$45,000.00	\$0.00	\$0.00	\$25,000.00	\$120,000.00	\$60,000.00	\$60,000.00	\$0.00	\$60,000.00	\$30,000.00	\$520,000.00

FY14 Information

Appendix A p.3

County:	Addison	Bennington	Caledonia	Chittenden	Franklin	Lamoille	Orange	Orleans	Rutland	Washington	Windham	Windsor	TOTALS:
Fund Source:													
SIU Grant	\$93,790.00	\$72,364.00	\$64,631.00	\$72,426.00	\$83,291.00	\$54,300.00	\$71,406.00	\$76,500.00	\$88,528.00	\$76,588.00	\$79,933.00	\$97,160.00	\$930,917.00
CAC/VOCA		\$30,000.00		\$30,000.00	\$30,000.00				\$30,000.00	\$30,000.00	\$14,888.00		\$164,888.00
NCA		\$10,000.00		\$10,000.00	\$10,000.00				\$10,000.00				\$40,000.00
STOP Grant					\$29,400.00	\$128,527.00							\$157,927.00
Rural Justice Grant					\$62,106.00								\$62,106.00
Other Grant								\$15,000.00	\$3,400.00			\$35,000.00	\$53,400.00
Town Contributions				\$58,104.00									\$58,104.00
Town/State LE In-kind		\$135,307.00	\$134,053.00	\$689,272.00	\$135,832.00	\$182,760.00	\$37,424.00	\$124,563.00	\$132,554.00	\$111,741.00	\$107,707.00	\$77,483.00	\$1,868,696.00
State In-kind		\$141,167.00	\$51,669.00	\$217,754.00	\$113,803.00	\$78,951.00	\$83,288.00	\$45,287.00	\$122,760.00	\$123,304.00	\$86,486.00	\$215,735.00	\$1,280,204.00
Fundraising		\$5,573.00		\$6,000.00		\$7,416.00				\$11,640.00			\$30,629.00
FTE - SIU Grant	1	2	0.5	1	1.75	1	1	1	1.5	1.5	1	1.5	
FTE - Total	1	7	4	13	5.75	5	5	5	7	6.5	4	6	
LE Grant	In PS award	\$50,000.00	\$25,000.00	\$0.00	\$0.00	\$0.00	\$100,000.00	\$50,000.00	\$50,000.00	\$0.00	\$50,000.00	\$0.00	\$325,000.00

FY13 Information

Appendix B

FY15

SIU Funding Contributions by Source

SIU by County	Year Established	Year Funded by SIU	SIU Funding %	CAC Funding %	Local Funding %	Fund Raising %	In-Kind %	Fed Grants %	TOTAL FUNDING
Addison	2013 (2010)	2010	36.4%	5.0%	0.0%	0.0%	58.5%	0.0%	\$356,763.00
Bennington	1989	2007	25.2%	5.4%	0.0%	1.4%	66.4%	1.6%	\$559,263.00
Caledonia	2008/2011	2008	41.5%	6.8%	0.0%	0.0%	55.5%	0.0%	\$264,647.00
Chittenden	1992	2007	8.7%	3.3%	6.2%	1.3%	79.4%	1.0%	\$914,453.00
Franklin	1995	2007	17.0%	5.8%	2.3%	0.0%	57.8%	17.0%	\$516,871.00
Lamoille	2007	2008	41.0%	0.0%	1.9%	0.0%	19.7%	37.4%	\$334,407.00
Orange	2008/2011	2008	53.7%	5.0%	0.0%	0.0%	41.3%	0.0%	\$357,588.00
Orleans	2008/2011	2008	47.9%	1.0%	0.0%	0.0%	51.0%	0.0%	\$283,210.00
Rutland	1998	2007	33.3%	6.6%	0.0%	0.0%	58.2%	1.9%	\$457,787.00
Washington	2008 (1989)	2008	26.0%	5.3%	0.0%	0.0%	68.7%	0.0%	\$342,292.00
Windham	2007	2007	35.7%	4.1%	0.0%	1.7%	58.5%	0.0%	\$439,337.00
Windsor	2008 (1999)	2007	32.9%	5.8%	0.0%	0.0%	59.6%	1.7%	\$520,297.00
AVERAGE:			29.6%	4.5%	1.4%	0.5%	59.3%	4.7%	\$445,576.25
TOTAL FUNDING:			\$1,583,126.00	\$243,000.00	\$75,158.00	\$27,300.00	\$3,169,481.00	\$248,850.00	\$5,346,915.00

% In-Kind Contribution by Source				Funding Source - Definitions	
SIU by County	STATE	LOCAL/COUNTY	TOTAL by \$\$\$		
Addison	70.0%	30.0%	\$208,750.00	SIU:	State funding awarded thru Program Support and Law Enforcement Grants - annual application required. SIU Grants Board approval.
Bennington	81.3%	18.7%	\$402,300.00	CAC:	State funding awarded thru the Center for Crime Victim Services to established child advocacy centers. \$30K/\$18K/\$3K increments
Caledonia	100.0%	0.0%	\$136,872.00	LOCAL:	Local funding provided thru direct billing or local budget requests approved thru town meetings - annual requests required.
Chittenden	45.4%	54.6%	\$723,557.00	FUND RAISING:	Initiated by individual SIU/CAC - 501(c) (3) / variety of fund raising events conducted as charity benefits.
Franklin	100.0%	0.0%	\$298,983.00	IN-KIND:	Salary and operational expenses of contributing partners. Predominantly LE/DCF/Prosecutors/Victim Advocates
Lamoille	100.0%	0.0%	\$65,833.00	FED GRANTS:	National Children's Alliance - fully accredited CAC -\$9K per CAC (Bennington/Chittenden/Franklin/Rutland/Windsor); STOP Grants (Franklin/Lamoille); Rural Justice Grant (Franklin)
Orange	38.9%	61.1%	\$113,595.00		
Orleans	89.6%	10.4%	\$144,490.00		
Rutland	81.5%	18.5%	\$266,514.00		
Washington	78.8%	21.2%	\$235,044.00		
Windham	83.9%	16.1%	\$262,842.00		
Windsor	90.6%	9.4%	\$310,701.00		
TOTAL:			\$3,169,481.00		
AVERAGE:	80.0%	20.0%	\$264,123.42		

Appendix C

STATE SUPPORT FOR SPECIAL INVESTIGATIVE UNITS

County	Program Support	Law Enforcement	Total Grant Awards
Addison	\$70,013.00	\$60,000.00	\$130,013.00
Bennington	\$81,119.00	\$60,000.00	\$141,119.00
Caledonia	\$64,744.00	\$49,250.00	\$113,994.00
Chittenden	\$79,526.00	\$0.00	\$79,526.00
Essex	\$0.00	\$20,000.00	\$20,000.00
Franklin	\$88,020.00	\$0.00	\$88,020.00
Grand Isle	\$0.00	\$20,000.00	\$20,000.00
Lamoille	\$77,314.00	\$60,000.00	\$137,314.00
Orange	\$71,993.00	\$120,000.00	\$191,993.00
Orleans	\$0.00	\$60,000.00	\$60,000.00
Rutland	\$92,273.00	\$60,000.00	\$152,273.00
Washington	\$89,249.00	\$0.00	\$89,249.00
Windham	\$96,995.00	\$60,000.00	\$156,995.00
Windsor	<u>\$111,160.00</u>	<u>\$60,000.00</u>	<u>\$171,160.00</u>
Total Awards	\$922,406.00	\$629,250.00	\$1,551,656.00

Essex & Grand Isle - reimbursement grants for LE service
 Orleans PS Grant Award pending re-application - December 2014

Appendix D

SFY15 CAC Grant- VCCVS				
County	SubgranteeName	GrantName	GrantAmt	SFY/FFY
Addison	Addison County Unit for Special Investigations	CAC	18,000.00	FFY 2014
Bennington	Bennington County Child Advocacy Center & Special Investigations Unit	CAC	30,000.00	SFY 2015
Caledonia	Caledonia/ S Essex Special Investigations Unit, Inc	CAC	18,000.00	SFY 2015
Rutland	Child First Advocacy Center	CAC	30,000.00	SFY 2015
Chittenden	Chittenden Children's Advocacy Center	CAC	30,000.00	SFY 2015
Windsor	The Family Place	CAC	30,000.00	SFY 2015
Franklin	Northwest Unit for Special Investigation/Child Advocacy Center	CAC	30,000.00	SFY 2015
Orange	Orange County Special Investigations Unit	CAC	18,000.00	SFY 2015
Windham	Windham County Safe Place CAC/SUSI	CAC	18,000.00	SFY 2015
Windsor	Springfield Area Parent Child Center	CAC	18,000.00	SFY 2015
Chittenden	Vermont Children's Allaince	CAC	9,000.00	SFY 2015
Washington	OUR House of Center VT	CAC	18,000.00	SFY 2015
Orleans	Orleans County Child Advocacy Center	CAC	3,000.00	
			270,000.00	
	Recission Cut		-3,600.00	
	SFY15 Budget		266,400.00	

**FTE
In-kind Contributions**

SIU by County	TOTAL FTE	VSP	Prosecutor	DCF	Victim Advocate	Local/County LE	
Addison	4.50	1.00	1.00	1.00	0.25	1.25	1.00
Bennington	4.50	1.00	1.00	1.00	0.50	1.00	1.00
Caledonia	3.75	1.00	0.50	1.00	0.50	0.75	0.00
Chittenden	11.00	1.00	1.00	1.00	1.00	7.00	7.00
Franklin	4.80	2.00	0.50	1.00	0.50	0.80	0.80
Lamoille	4.75	1.00	0.75	1.00	1.00	1.00	1.00
Orange	4.00	0.00	0.50	1.00	0.50	2.00	2.00
Orleans	4.50	1.00	1.00	1.00	0.50	1.00	1.00
Rutland	5.00	1.00	1.00	1.00	0.50	1.50	1.50
Washington	4.00	1.00	0.50	1.00	0.50	1.00	0.00
Windham	5.40	1.00	1.00	1.00	0.40	2.00	1.00
Windsor	6.50	1.00	1.00	2.00	0.50	2.00	1.00
TOTALS:	62.70	12.00	9.75	13.00	6.65	21.30	17.30

Positions that are co-located at SIU/CAC facility - state employees only

Positions that receive supplemental SIU grant funding to support LE participation

Sub-total of Local/County LE positions co-located with SIU/CAC - already counted in FTE

VSP/Pros/DCF may use multiple employees to provide the FTE coverage due to multiple work districts and/or limited staffing availability - commitment to providing the resource is made without the ability to provide a co-located staff position. DCF co-location in Franklin County is pending space expansion currently underway.

SIU Rent/Lease Expense - FY15

SIU by County	Rent/Lease/Own	Private Rental	State Fee For Space	SIU Grant Funds	Other Funding
Addison	\$22,800.00	\$22,800.00		\$22,800.00	
Bennington	\$16,000.00	\$16,000.00		\$9,400.00	\$6,600.00
Caledonia	\$16,496.00	\$16,496.00		\$16,496.00	
Chittenden	\$2,000.00		\$50,674.00	\$2,000.00	
Franklin	\$32,004.00	\$32,004.00	\$27,204.00	\$4,800.00	
Lamoille	\$7,500.00	\$7,500.00		\$7,500.00	
Orange	\$16,800.00	\$16,800.00		\$16,800.00	
Orleans	\$12,000.00	\$12,000.00		\$12,000.00	
Rutland	\$22,800.00	\$22,800.00		\$18,230.00	\$4,570.00
Washington	\$4,524.00			\$4,524.00	
Windham	\$23,400.00	\$23,400.00		\$18,000.00	\$5,400.00
Windsor	\$9,600.00	\$9,600.00		\$9,600.00	
TOTALS:	\$185,924.00	\$179,400.00	\$77,878.00	\$142,150.00	\$16,570.00



Chittenden - based upon BGS testimony to committee; Franklin - FFS thru State's Attorneys budget w/SIU contributing additional rent support for expanded space; Lamoille - SA's budget covers utilities in shared facility but SIU funding pays rent for space used; Washington - mortgage expense covered by SIU funds; Addison & Orange located in Sheriff Dept facilities - rent paid by SIU

Appendix G

Title 13: Crimes and Criminal Procedure
Chapter 223: FINES, COSTS, AND PENALTIES
Sub-Chapter 004: Assessment And Collection Of Additional Surcharges
13 V.S.A. § 7282. Surcharge (9) c

	FY10 Receipts	FY 11 Receipts	FY 12 Receipts	FY 13 Receipts	FY 14 Receipts
Addison	\$26,555	\$33,361	\$23,934	\$29,942	\$26,417
Bennington	\$30,140	\$33,620	\$30,582	\$33,186	\$34,082
Caledonia	\$27,587	\$35,617	\$20,548	\$21,730	\$20,551
Chittenden	\$94,724	\$144,745	\$97,439	\$81,820	\$73,951
Essex	\$1,400	\$4,583	\$5,120	\$3,729	\$3,582
Franklin	\$30,604	\$58,240	\$31,769	\$29,315	\$28,452
Grand Isle	\$3,810	\$3,599	\$3,200	\$2,661	\$3,333
Lamoille	\$24,662	\$28,626	\$21,955	\$23,066	\$14,554
Orange	\$13,593	\$18,374	\$15,701	\$17,783	\$17,288
Orleans	\$17,703	\$28,594	\$16,129	\$21,580	\$18,678
Rutland	\$18,375	\$31,863	\$28,418	\$32,721	\$35,373
Washington	\$37,291	\$52,604	\$39,951	\$39,329	\$31,859
Windham	\$27,444	\$42,964	\$37,541	\$40,262	\$38,562
Windsor	\$44,575	\$50,560	\$45,378	\$41,729	\$46,988
Total	\$398,463	\$567,350	\$417,665	\$418,853	\$393,670