



STATE OF VERMONT
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JOINT LEGISLATIVE JUSTICE
OVERSIGHT COMMITTEE

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August 23, 2016

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Karen Richards, Executive Director, Vermont Human Rights Commission
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Dave Bellini, Chair, DOC VSEA Bargaining Unit, VSEA
John Campbell, Executive Director, Department of State's Attorneys & Sheriffs
Julie Tessler, Executive Director, Vermont Care Partners

[Addresses omitted]

Dear Sirs and Madams:

The Joint Legislative Justice Oversight Committee met on Friday, July 29, and discussed the use of administrative segregation for inmates and detainees with mental illness. Many of you were present at this meeting; this letter is to follow up on that group discussion. It is the intent of the Justice Oversight Committee to establish a "Commission on Offenders with Mental Illness" to address the acute and complex set of issues arising from treating and housing offenders with mental illness within the correctional system. This Commission shall be specifically tasked with:

1. Gathering information regarding the incarcerated population with mental illness, including:

- What percentage of Vermont's incarcerated population has a mental illness?

What percentage has a severe developmental disability? What percentage has a

- traumatic brain injury? What percentage has a mental illness, severe developmental disability, or traumatic brain injury and a co-occurring substance abuse disorder?
- What percentage of inmates with a mental illness, severe developmental disability, or traumatic brain injury have spent any length of time in segregation? What is the average length of stay in segregation for inmates identified as having a mental illness, developmental disability, or traumatic brain injury? How is their mental health monitored? How and when are decisions made about returning the person to the general prison population?
 - What steps are taken to prepare people with mental illnesses (and any co-occurring substance abuse disorders) for release from prison? How does their experience in segregation inform release decisions, conditions of release, and connections to community-based systems of care and housing?
2. Identifying how to divert more people with mental illnesses, severe developmental disabilities, and traumatic brain injuries away from the correctional system to reduce admissions to correctional facilities.
 3. Identifying how to shorten the length of stay for people with mental illnesses, severe developmental disabilities, and traumatic brain injuries once incarcerated.
 4. Identifying how best to finance the housing and treatment of offenders with mental illnesses, severe developmental disabilities, and traumatic brain injuries.
 5. Developing best practices for identifying and meeting the needs of Vermonters with mental illnesses, severe developmental disabilities, and traumatic brain injuries who are incarcerated or detained in the correctional system.
 6. Considering whether “serious functional impairment” as defined in subdivision 906(a) of Title 28 should be amended to encompass individuals with any developmental disability, traumatic brain injury, or clinical diagnosis of mental illness.

The Justice Oversight Committee would like to hear a report on the findings made by the Commission by November 15, 2016.

Sincerely,

Richard Sears, Chair

Alice Emmons, Vice-Chair