
**Report to
The Vermont Legislature**

Transportation of Children in State Custody

**In Accordance with Act 172 of 2006:
Transportation of Individuals in the Custody of the State**

Submitted to: General Assembly

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AGENCY OF HUMAN SERVICES

Department For Children And Families

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Summary of Act 180

In 2006, the General Assembly passed Act 180 into law. That act directed the Commissioner of the Department for Children and Families (DCF) to ensure that all reasonable and appropriate measures consistent with public safety are made to transport or escort a child subject to this chapter in a manner which:

- (1) prevents physical and psychological trauma;
- (2) respects the privacy of the individual; and
- (3) represents the least restrictive means necessary for the safety of the child.

The act requires that any professional who decides that secure transportation with mechanical restraints is necessary, documents the reasons for that determination in writing.

Further, the act requires the Commissioner to submit data by January 31, 2007 and January 31, 2008 regarding the transportation of children in the DCF custody by a sheriff or deputy sheriff, to include the number and gender of children transported to various locations and geographic distribution of the use of such transports. As part of Act 172, enacted on May 27, 2007, this reporting requirement was extended through January 2011. Further in 2011, Act 19 Sec 3a requires two more reports, due January 31 of 2013 and 2015.

Policy Framework

DCF policy and procedure effective 1/17/2006, states that:

“Children and youth in DCF custody will be transported using the least secure method that can reasonably assure safety. In evaluating the most appropriate level of security, staff will consider:

- Immediate risk to run away or history of serious behavior on previous runaway;
- Other demonstrated behavior that the child may risk his or her own safety, or the safety of another person.

In most situations, children experiencing significant transitions should be transported by or under the supervision of a person they know and trust. In all cases, reasonable and appropriate efforts will be made to respect the privacy of the child and prevent physical and psychological trauma. Children will not be transported securely unless necessary to protect the child’s health and safety, or the safety of another person.”

Documentation

All requests for secure transport are justified on a form that describes the child’s behavior. The supervisor may approve secure transports only when there is:

- Immediate risk of run away or history of serious behavior on previous runaway;
- Other behavior where the child may risk his or her own safety, or the safety of another person.

Impact on Numbers

DCF policy was promulgated effective 1/17/06. The following table shows impact on monthly numbers of transports utilizing restraints, during the years that followed. Figures for 2005 are shown for comparison purposes.

Year	# Secure Transports
2005 Baseline	728
2006	589
2007	376
2008	386
2009	277
2010	231
2012	294
2014	267

Note that December data is not yet 100% complete for any year except the baseline year. The numbers of secure transports have continued to be much lower than they were before DCF Family Services implemented policy revision in 2006.

2014 Geographic Distribution

District	# Transports
Barre	30
Bennington	21
Brattleboro	15
Burlington	43
Hartford	3
Middlebury	18
Morrisville	7
Newport	13
Rutland	29
Springfield	2
St. Albans	68
St. Johnsbury	7
No District Identified	11
Total	267

Gender of Youth Transported

Males are more often transported securely.

Gender	2007	2008	2009	2010	2012	2014
Male	54%	68.39%	82%	78%	66%	62%
Female	46%	31.61%	18%	22%	34%	38%

Summary

Following the passage of Act 180, DCF has taken a variety of steps to establish policy and procedure and ensure smooth and appropriate implementation of the act. These steps include:

- Consistent messages to internal managers and staff about the importance of this issue;
- Development of policy and documentation requirements;
- Attention to youth and staff safety;
- Expansion of transportation options, including new contracts and new agreements with sheriff's departments;
- Monthly compilation and reporting of data.

The number of secure transports continues to be much lower than it was in 2005, our baseline year.