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Testimony on HR 221

Thank you for giving me the opportunity to talk to you about HR 221. I was sentenced to 90 days of community work crew for bad check charges in 2008. My car was repossessed so I had to use a cab to get from Waterbury to the work crew site in Barre which cost me \$100.00 per week of my unemployment check. (I lost my job when my charges were published in the police log...) I was incarcerated in January 2009 for failure to complete the last 38 days of that 90 day community work crew sentence because I could no longer afford the \$100.00 cab fare from Waterbury to the site in Barre and back.

Unfortunately 38 days turned into nearly 4 months due to a lack of residence. DOC must approve where someone on conditional release lives. If you are a felon, you cannot live where there are firearms no one on conditional release is supposed to be in the presence of alcohol. This means whoever you live with can't have firearms or alcohol in the house. I finally was able to be released when I found a friend to stay with. The living arrangement was less than ideal.. One night, I had dinner with a friend and I made the decision to stay at his house just to get away from the tension. He had arranged for me to meet with his parents the following day and look at one of their rental units.

Unfortunately, staying out all night was a violation of my conditions of release and I knew this. My roommate was angry and called my probation officer. FSU arrived that morning to take me to see my PO which I knew was not good. I did confess to staying out all night. I was breath tested and blew a "0". I didn't drink while I was out, and I'm not a drug user. My PO decided I was taking advantage of my roommate (I was paying her \$50 a week to stay there, providing my own food and she owed me \$700 for a few years.)

My PO revoked my conditional release and re-incarcerated for another 3 and ½ months. Therefore, I missed out on continuing to search for work, meeting with my Voc Rehab counselor, and the therapist I started to work with. I sat for 3 and ½ months doing nothing in jail because at 49 years old, I stayed out all night.

The whole time I was incarcerated, women would come in on petty violations of conditions like being out past curfew, being out of "place"- not sticking to their schedule, driving to an

appointment without permission, staying overnight with a significant other to be intimate, having a friend over past curfew, or having a beer. This meant that women would lose residences, jobs, or progress in reunifying with their children

I could have been sanctioned and given a 4:00 curfew or I could have had to serve a couple of days on the weekend of something. What complicates re-incarceration for these minor violations is the loss of residence. I finally got out after my local community action agency was able to find me an apartment which I still live in 5 and ½ years later.

This reincarceration for minor violations can have a snowball effect, costing the State tens of thousands of dollars and it can derail an offender's progress in re-entering his or her community. When I worked with inmates after jail, I had clients lose jobs because they were sent back to jail for minor violations where a weekend or two in jail as a sanction could have kept them employed.

The truly frustrating thing is violations depend on the individual probation and parole officers. I knew a woman who had a urinalysis test come back positive for marijuana and her probation officer didn't send her back to jail. Another man I worked with was caught driving past his curfew to buy a pack of cigarettes and he was not sent back to jail, but a woman I worked with walked to the store past her 7:00 curfew to buy them and was sent back to jail where she sat for 2 months. Too much of the examination of violations of conditions of release is left to the discretion of the P.O. or his or her supervisor.

Housing and transportation are two of the biggest challenges people with disabilities face in Vermont. My current employer, the Vermont Center for Independent Living works to remove these barriers, and recognizes that people with disabilities— especially people with mental health conditions and substance abuse issues- get caught up in the judicial system at higher rates.

We urge you to consider HR 221, not only for what it will save the state financially, but what it will do to improve our communities by allowing offenders to more easily become productive members of them.

Thank you again for your time this morning.