

Written Testimony of John W. Vorder Bruegge (Hearing held February 9, 2015)

I am John W. Vorder Bruegge, a resident of Windsor County. I have lived in Vermont for more than 25 years. I educate inmates as a Correctional Instructor for the Community High School of Vermont at the Southern State Correctional Facility (or "SSCF"). Before becoming a teacher, I spent all but one year of my 17 years practicing law in the Twin States prosecuting or defending criminal cases in state courts in the Upper Valley. From 1993 to 2000, I served as a Deputy State's Attorney for Windsor County. Subsequently, I served in New Hampshire as an Assistant County Attorney (at the Grafton County Attorney's Office and later at the Cheshire County Attorney's Office), and as a Regional Prosecutor in Keene, and also in Hanover. In 2004 - 2005, I represented indigent clients as a Windham County Public Defender. I know about crime and punishment in the Upper Connecticut River Valley.

In my testimony before House Appropriations Committee Chair Mitzi Johnson and Senate Appropriations Committee Chair Jane Kitchel via Vermont Interactive Television on Monday, February 9, 2015, I noted the main reason why the Community High School of Vermont (CHSVT) should not have its budget cut for FY 2015-2016: CHSVT is an under-utilized resource that is crucial to the effort to reduce recidivism in the Green Mountain State.

As you are aware, 28 V.S.A §120(a) authorizes a DOC education program, noting: "An education program is established within the department of corrections for the education of **persons who have not completed secondary education** and who are committed to the custody of the commissioner of corrections." Emphasis added. Review of the "Department of Corrections Alphabetic Headcount Report for Southern State CF" database on February 16, 2015, showed 347 inmates who were incarcerated at SSCF. A narrower search revealed that only 23 of those 347 inmates had yet to reach their twenty-third birthday. Consistent with the so-called "U-23 law" (28 V.S.A §120(h)), only those 23 inmates would be *required* to attend and participate in the educational programs offered by CHSVT at the Springfield jail.

However, more closely reviewing the records of the remaining 324 inmates (those too old to be subject to the U-23 law), I located at least 112 inmates who had not completed their secondary education. I use the phrase "at least" since there were another 27 offenders for whom the database included no educational information. Nearly one-third of the entire population incarcerated at SSCF, over the age of 23, each of whom has an educational need: a need that Community High School of Vermont is designed to address and meet. If these numbers reflect the overall percentage of older (23 and up) incarcerated Vermont offenders (housed in or out of state), who are not participating in CHSVT's programs, the Governor's budget proposal ignores an enormous need for the services provided by the Community High School of Vermont. If that budget proposal were to be implemented, those 112 inmates would receive no educational services.

The need for secondary education is a persistent one for a significant percentage of all offenders in DOC custody, a need that certainly cannot be met by reducing CHSVT's budget or sites (in, or outside of, correctional facilities). Study after study demonstrates that the one factor that has a meaningful impact on reducing recidivism is education.

Governor Shumlin and Commissioner Pallito should be asked how this overwhelming amount of offender need – particularly for incarcerated offenders – is going to be met by decimating the CHSVT staff and programs, if their proposed cuts for FY 2015-2016 are imposed. How is it that there are at least one-third of incarcerated offenders at SSCF in need of, but not accessing, CHSVT's educational services, yet the commissioner and the governor propose cuts in excess of one-third of CHSVT's budget? A budget that was cut by \$600,000 the last time state revenues fell short.

Neither the logic nor the math add up. Commissioner Pallito seems ill-informed about the significant amount of educational need that is NOT being addressed under his watch, even though each offender should have a Case Plan that addresses his/her educational needs. See Offender Case Planning, Directive #371.05, dated 11/21/07 (http://doc.vermont.gov/about/policies/rpd/correctional-services-301-550/corr_services).

Please do not allow short-sighted, budget-bludgeoning of the sort proposed by this administration to compromise the valuable long-term benefit of reduced recidivism that results from the work every school day by educators from the Community High School of Vermont. I would be glad to assist further in any way I might, should either of your committees see fit to invite me to do so in the future. Thank you.