CSG | **Justice Center**
THE COUNCIL OF STATE GOVERNMENTS

Vermont Justice Reinvestment II Working Group Meeting

January 22, 2020

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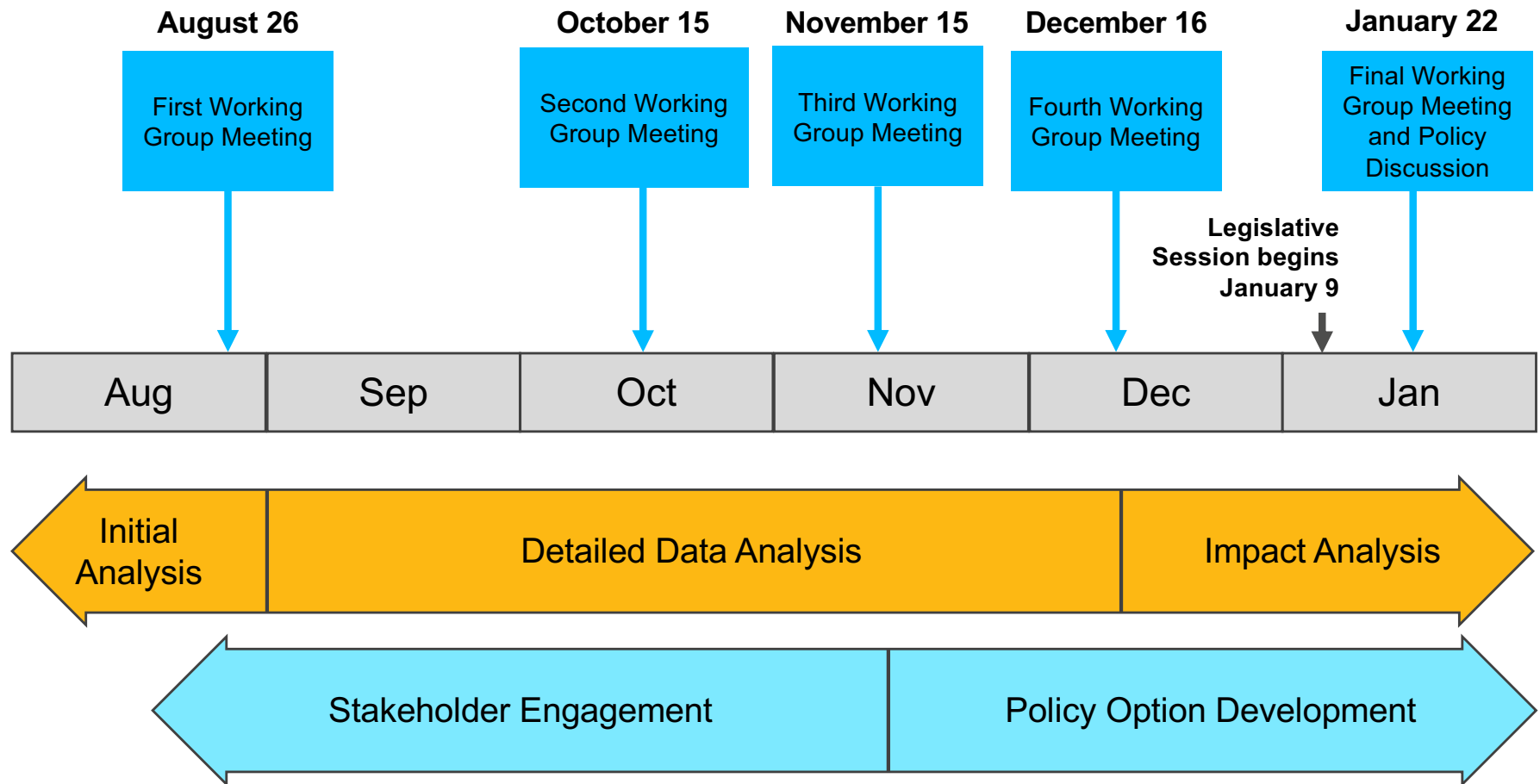**Ellen Whelan-Wuest**
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JUSTICE REINVESTMENT

A data-driven approach to identify and respond to public safety challenges.

Supported by funding from the U.S. Department of Justice's Bureau of Justice Assistance (BJA) and The Pew Charitable Trusts.

Almost 5 months after starting, today's meeting will conclude the analysis and assessment phase of Justice Reinvestment II.

Aug	Sep	Oct	Nov	Dec	Jan

August 26 — First Working Group Meeting

October 15 — Second Working Group Meeting

November 15 — Third Working Group Meeting

December 16 — Fourth Working Group Meeting

January 22 — Final Working Group Meeting and Policy Discussion

Legislative Session begins January 9

Initial Analysis | Detailed Data Analysis | Impact Analysis

Stakeholder Engagement | Policy Option Development

All Justice Reinvestment II data analyses have been completed.

Data Type	Source	Status
Crime/Arrests	Department of Public Safety	NIBRS data accessed
Pretrial Detention	Department of Corrections	Admissions and release data received
Court Dispositions/ Diversions	Vermont Judiciary	Disposition data received; some diversion information accessed
Criminal Histories	Vermont Judiciary/ Department of Public Safety	Process to access data identified but analysis not undertaken
Furlough Supervision	Department of Corrections	Snapshot, admissions, and release data received
Prison	Department of Corrections	Snapshot, admissions, and release data received
Probation/Parole Supervision	Department of Corrections	Snapshot, admissions, and release data received
Victim Services	Vermont Center for Crime Victim Services	Summary data accessed
Behavioral Health	Department of Corrections/ Department of Health	Some DOC data received

The CSG Justice Center team met and spoke with stakeholders to deepen our understanding of policy and practice.

Front-End System Pressures

- ✓ Law enforcement officers and leadership
- ✓ Victim advocates
- ✓ People with lived experience
- ✓ Diversion program and pretrial services administrators
- ✓ Court officials, including judges
- ✓ State's attorneys
- ✓ Criminal defense attorneys

Incarcerated Populations

- ✓ Department of Corrections leadership and staff, including supervision officers
- ✓ Court officials, including judges
- ✓ Parole officials
- ✓ Housing experts and leadership
- ✓ Victim advocates
- ✓ People with lived experience

Behavioral Health

- ✓ Agency staff implementing behavioral health programs for criminal justice populations and tracking data and outcomes across both systems
- ✓ Community-based providers and treatment experts
- ✓ Law enforcement officers and leadership
- ✓ Victim advocates
- ✓ People with lived experience

Meeting Agenda

1. Review of key data and challenges facing Vermont	**12:15 p.m.–12:30 p.m.**
2. Recommendations to reduce recidivism and revocations to prison	12:30 p.m.–1:15 p.m.
3. Recommendations to achieve a more equitable system across race and geography	1:15 p.m.–1:45 p.m.
Break	1:45 p.m.–2:00 p.m.
4. Recommendations to improve data and reporting to inform decision-making	2:00 p.m.–2:20 p.m.
5. Reinvestments to support individual success on supervision and effective policy implementation	2:20 p.m.–2:45p.m.
6. Projected impacts of policy recommendations	2:45 p.m.–3:00 p.m.

Justice Reinvestment II analyses and working group discussions have focused on critical issues in Vermont's criminal justice system.

October

- Strong efforts to divert people who are lower risk and with less criminal history away from the criminal justice system, but with varying degrees of success and adoption across the state

- An extremely complex community supervision system, complicated by the many and varied legal statuses by which a person may be supervised by DOC staff in the community

November

- Increases in some serious reported crimes that will drive more people convicted of these offenses into the corrections system

- It appears that over one-quarter of all misdemeanor dispositions receive incarceration sentences of some kind, and felony convictions have grown, primarily due to increases in convictions for assault, domestic violence, and sexual assault.

- Best practices and approaches state systems and agencies must use to guide policy and practice to address people's criminogenic and behavioral health needs and lower recidivism

December

- The driving force of supervision revocations on prison admissions and populations, particularly for revocations from furlough for technical violations

- Challenges in how effective supervision and recidivism-reduction programming is administered across the state and various populations of people, due to limited resources

- Gaps in how behavioral health needs are identified and addressed as people move through the criminal justice system

Despite foundational strengths and progress to improve criminal justice outcomes, Vermont faces challenges in continuing to safely reduce corrections populations.

✓ Vermont has a long and robust history of enacting effective criminal justice reform policies.

✓ DOC has invested in the adoption of evidence-based policies throughout its supervision system.

✓ Similarly, DOC uses evidence-based programs for higher-risk people as much as possible.

✓ The Parole Board has undergone extensive training to incorporate best practices into Board processes and decision-making.

✗ Existing resources do not fully support the implementation of evidence-based practices and programming for all higher-risk people.

✗ Current space and funding limit DOC's ability to provide adequate gender-responsive programming to women who are incarcerated.

✗ Access to and the quality of alternative justice programs varies by county, and there are clear racial disparities in sentencing outcomes across the state.

✗ There are wide variations in the quality and access of non-DOC provided community-based programs available to people on supervision.

✗ Gaps in access to the appropriate level of behavioral health care are likely contributing to recidivism.

✗ Current department budgets and capacity are unable to support more robust data analyses and reporting.

Vermont has many strengths that enable the state to work with and address the higher risks and needs of people who move through the corrections system, **but limited resources and current policies have held the state back from fully implementing evidence-based approaches that may better support people and enable them to remain in their communities.**

Justice Reinvestment II has aimed to improve public safety in Vermont, while focusing on immediate opportunities to reduce recidivism and achieve long-term savings.

At the outset of the project, the working group identified that Justice Reinvestment II would primarily seek to:

- Analyze how increases in some categories of crime may be impacting other parts of the state's criminal justice system.
- Explain the connection between supervision revocations and incarceration.
- Assess how individuals' behavioral health challenges, such as serious mental illnesses and substance addictions, play a role in their movement through and their reentry from the criminal justice system.
- Identify where Vermont's data tracking and analytics must be strengthened to provide lawmakers with sustainable information to guide safe policymaking in future legislative sessions.

Achieving systemic change that increases public safety will require incremental and impactful changes that must be measured and monitored to know where additional changes can build on what works and improve on what doesn't.
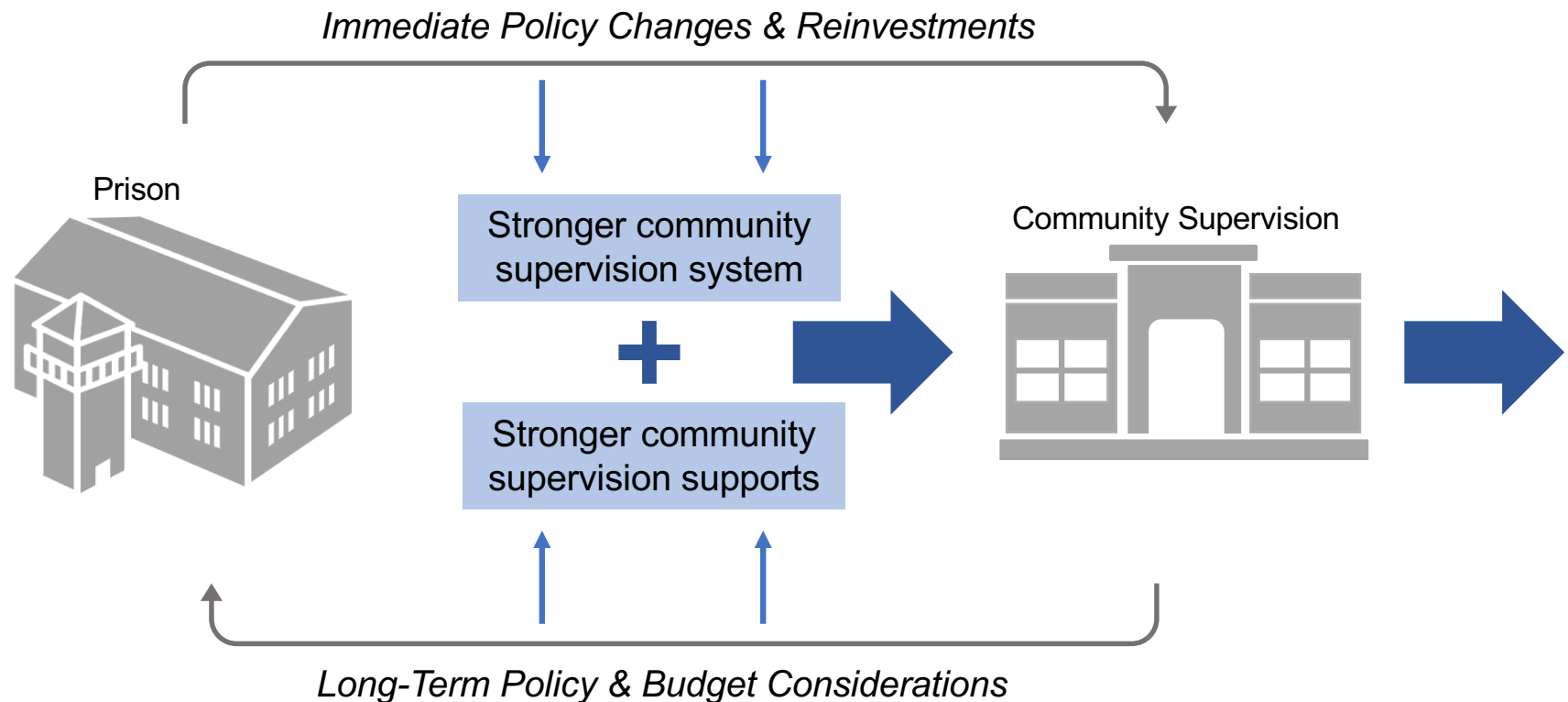
In December, the working group discussed a framework to guide policy recommendation development.

1.   **Reduce recidivism and revocations to prison.**

2.   **Achieve a more equitable system across race and geography.**

3.   **Improve data and reporting to inform decision-making.**

4.   **Reinvest to support individual success on supervision and effective policy implementation.**

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Interrupting Vermont's cycle of returns to prison from community supervision will require immediate and long-term changes and investments to ensure that people are successful in the community.
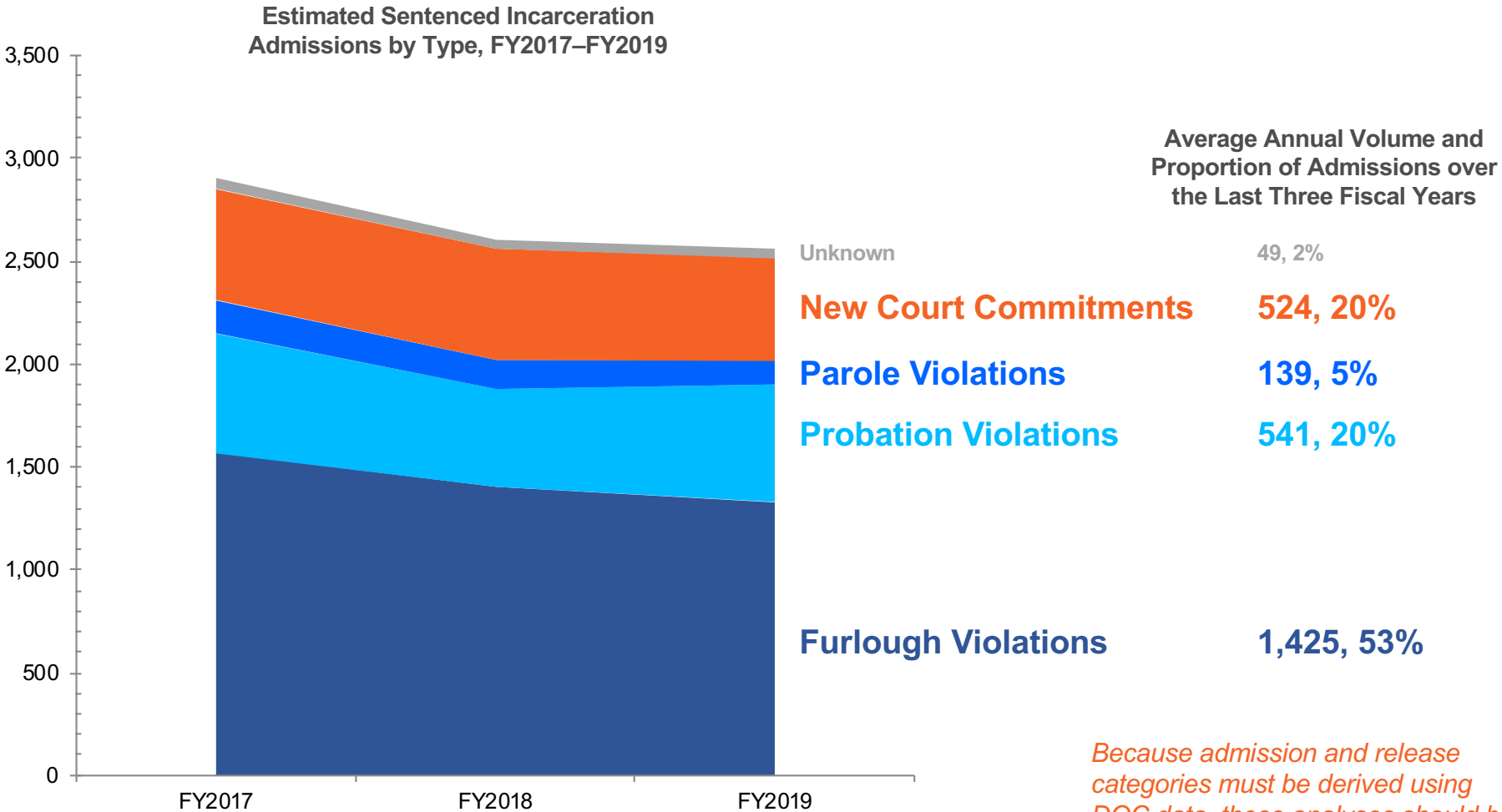

Immediate Policy Changes & Reinvestments

Prison

Stronger community supervision system

+

Stronger community supervision supports

Community Supervision

Long-Term Policy & Budget Considerations

1. **Reduce recidivism and revocations to prison.**

The following recommendations aim to immediately strengthen community supervision, improve outcomes for people who are supervised in the community, and reduce recidivism statewide.

A	Restructure and consolidate furlough legal statuses.
B	Establish presumptive parole for people convicted and incarcerated for unlisted offenses.
C	Strengthen current policy that allows people to earn time off their sentences for good behavior.
D	Ensure more consistency and due process in responses to community supervision violations.
E	Require more information for certain cases at sentencing.
F	Strengthen connections to appropriate behavioral health treatments and services.
G	Quantify the reentry housing needs for corrections populations.

Almost 80 percent of sentenced DOC admissions are for people returned or revoked from furlough, parole, and probation, primarily driven by people returned or revoked from furlough.
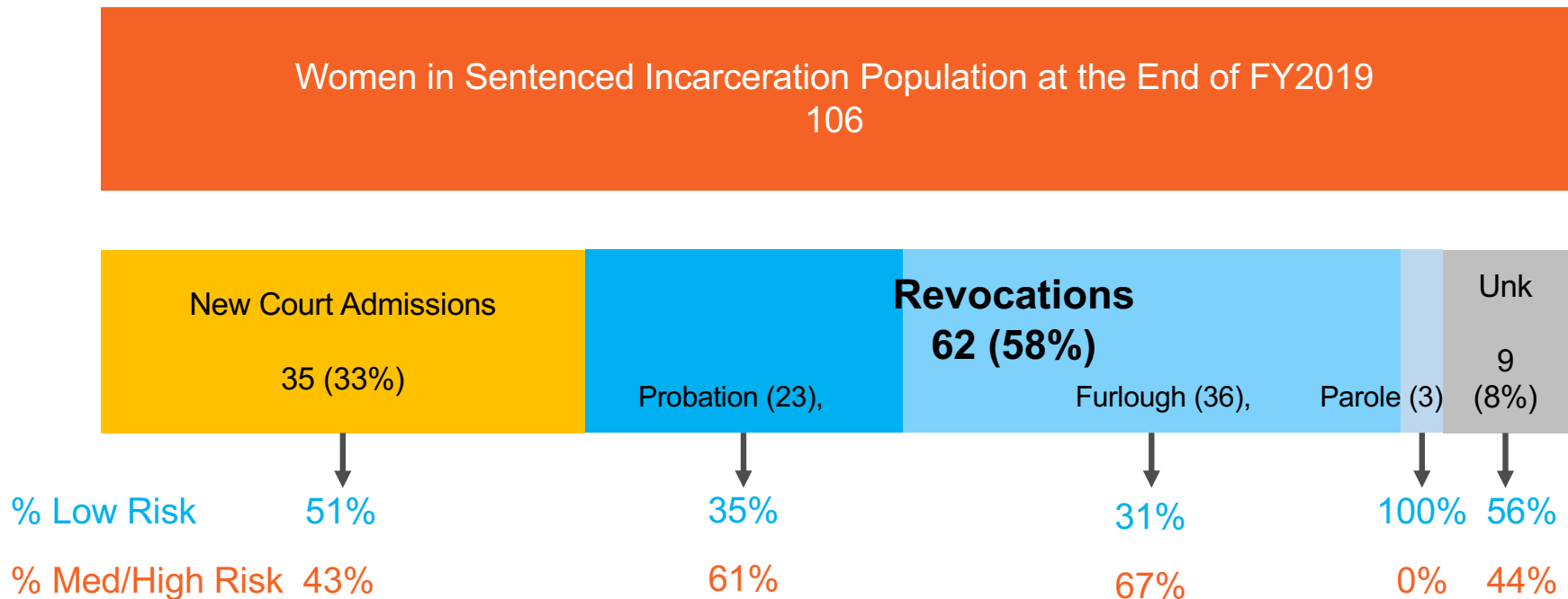
Estimated Sentenced Incarceration Admissions by Type, FY2017–FY2019

Average Annual Volume and Proportion of Admissions over the Last Three Fiscal Years

Unknown	49, 2%
New Court Commitments	**524, 20%**
Parole Violations	**139, 5%**
Probation Violations	**541, 20%**
Furlough Violations	**1,425, 53%**

Because admission and release categories must be derived using DOC data, these analyses should be considered strong estimates.

Sources: The Council of State Governments Justice Center analysis of data from the Vermont Department of Corrections.

Prison returns and revocations account for more than half of the female incarcerated population, with nearly all returns and revocations for those on furlough or probation.

Women in Sentenced Incarceration Population at the End of FY2019
106

New Court Admissions	Revocations		Parole (3)	Unk
35 (33%)	**62 (58%)**			9 (8%)
	Probation (23),	Furlough (36),		

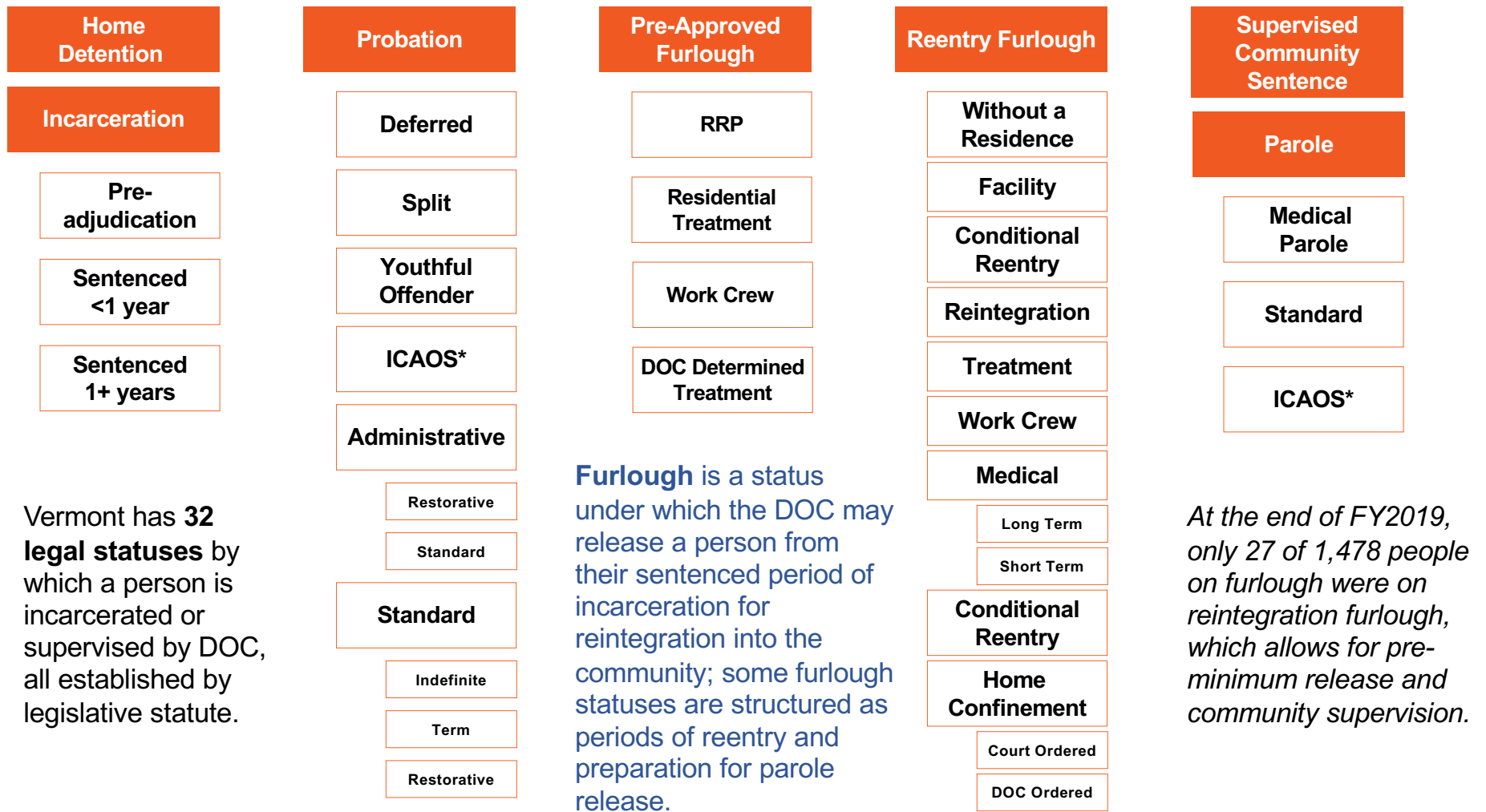|	New Court Admissions	Probation	Furlough	Parole	Unk
% Low Risk	51%	35%	31%	100%	56%
% Med/High Risk	43%	61%	67%	0%	44%

Women returning for probation and furlough violations have higher criminogenic risk than new court admissions, underscoring the importance of targeting supervision programming and treatment for people based on risk rather than offense.

Sources: The Council of State Governments Justice Center analysis of data from the Vermont Department of Corrections.

Vermont's legal system for incarcerating and supervising people in the community is undermined by its complexity and the definition of furlough as an extension of incarceration.

Home Detention

Incarceration

- Pre-adjudication
- Sentenced <1 year
- Sentenced 1+ years

Vermont has **32 legal statuses** by which a person is incarcerated or supervised by DOC, all established by legislative statute.

Probation

- Deferred
- Split
- Youthful Offender
- ICAOS*
- Administrative
  - Restorative
  - Standard
- Standard
  - Indefinite
  - Term
  - Restorative

Pre-Approved Furlough

- RRP
- Residential Treatment
- Work Crew
- DOC Determined Treatment

Furlough is a status under which the DOC may release a person from their sentenced period of incarceration for reintegration into the community; some furlough statuses are structured as periods of reentry and preparation for parole release.

Reentry Furlough

- Without a Residence
- Facility
- Conditional Reentry
- Reintegration
- Treatment
- Work Crew
- Medical
  - Long Term
  - Short Term
- Conditional Reentry
- Home Confinement
  - Court Ordered
  - DOC Ordered

Supervised Community Sentence

Parole

- Medical Parole
- Standard
- ICAOS*

At the end of FY2019, only 27 of 1,478 people on furlough were on reintegration furlough, which allows for pre-minimum release and community supervision.

Restructure and simplify community supervision by consolidating current supervised release furlough statuses.

POLICY RECOMMENDATIONS

- Consolidate most supervised release furlough statuses into a single status, "Supervised Community Release," for people who are not eligible for presumptive parole or who were returned or revoked to prison for technical violations of parole.
- Redefine this status as a supervision rather than incarceration legal status.
- Revise current policy to allow for less restrictive definitions of approved housing for release onto Supervised Community Release.
- Connect people on Supervised Community Release to intensive supervision and community-based services as appropriate for their risk and needs.
- Allow people who are successful on furlough for a period of 4–6 months to receive presumptive parole, with conditions set by the Parole Board.

REASONING

Consolidating community supervision furlough statuses will allow DOC to continue releasing people at or near their minimum sentence onto community supervision, while ensuring that people who are at a high risk of recidivating or failing on supervision can connect with appropriate and effective programming and services in the community.
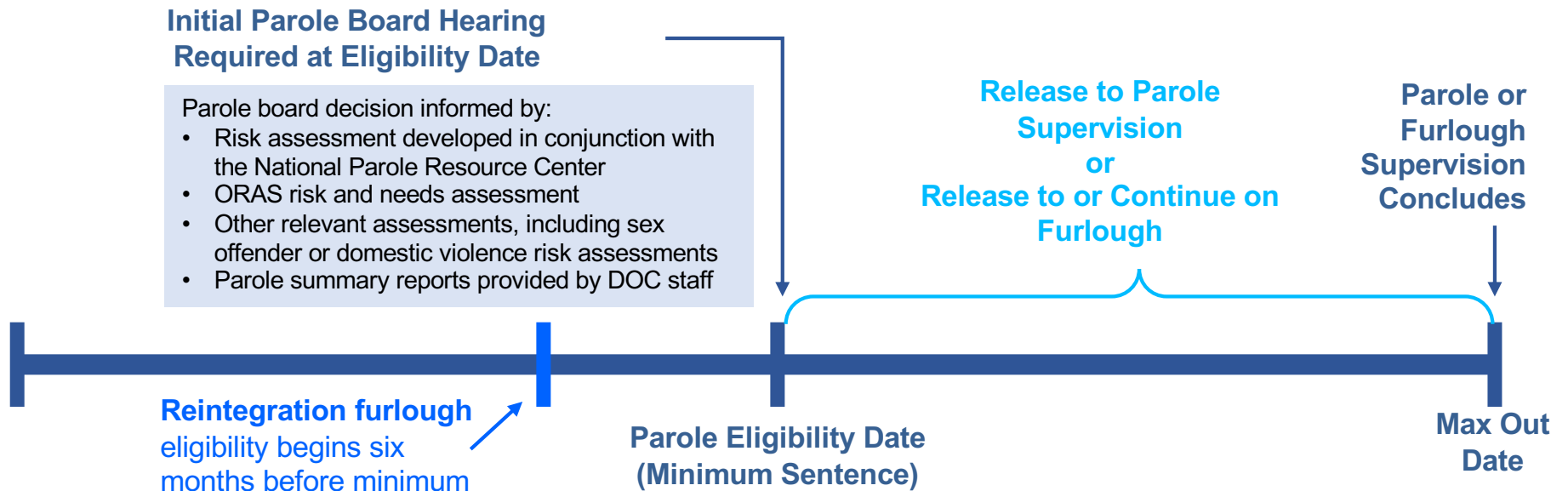
ADDITIONAL CONSIDERATIONS

- Should sentenced furlough statuses, such as reintegration, home detention, home confinement, and pre-approved furlough, be eliminated or repurposed (i.e., pre-approved furlough may become "intensive probation")?
- Can the information DOC provides the Parole Board for people recommended for parole be consolidated to reduce the administrative burden on supervision staff while still providing the Board with critical information to inform parole conditions?

The Vermont Parole Board considers and grants parole for people who are incarcerated or already furloughed in the community.

Initial Parole Board Hearing Required at Eligibility Date

Parole board decision informed by:
- Risk assessment developed in conjunction with the National Parole Resource Center
- ORAS risk and needs assessment
- Other relevant assessments, including sex offender or domestic violence risk assessments
- Parole summary reports provided by DOC staff

Release to Parole Supervision or Release to or Continue on Furlough

Parole or Furlough Supervision Concludes

Reintegration furlough eligibility begins six months before minimum

Parole Eligibility Date (Minimum Sentence)

Max Out Date

Only an estimated 10% of parole grants are among people in the sentenced incarceration population, while 90% of people who are granted parole have already been in the community on furlough.

Using a sample of ~500 people placed on furlough whose next legal status was parole supervision, the average period spent on furlough before parole approval was 7 to 8 months.

Establish presumptive parole for people convicted of unlisted offenses.

POLICY RECOMMENDATIONS

- Establish that a person may qualify for presumptive parole if:
  - Their underlying offense is not a listed crime.
  - They have completed risk-reduction programming if they are assessed as having medium to high criminogenic risk and are sentenced to 1+ years incarceration.
  - They are case-plan compliant for at least 30 days prior to release.
- Connect people released on parole to intensive supervision and community-based services as appropriate for their risk and needs.
- Ensure those on presumptive parole are subject to the Parole Board's revocation hearing process.

REASONING

- Most people are already released from prison at their minimum sentence, and the supervising agency (DOC) would remain the same under this policy.
- Presumptive parole would mean more people have access to stronger due process when facing revocations to prison, and would reduce the administrative burdens supervision staff currently experience in preparing lengthy parole reports for people who have already been supervised in the community on furlough.
- Requirements for higher-risk people to complete risk-reduction programming can incentivize participation.
- Stronger connections to intensive supervision services based on risk will help reduce recidivism and parole failures in the community.

KEY CONSIDERATIONS

- Because there are fewer people convicted of unlisted offenses currently incarcerated in DOC facilities, the addition of this population to the parole system is unlikely to immediately overwhelm the Parole Board, which is currently staffed by part-time volunteers.
- Considerations of extended presumptions of parole for more populations must also take into account how the Parole Board staffing model can or cannot support a larger workload, and whether a full-time, professional board would function better for the state.

Strengthen legislation that allows people to earn time off their sentence for compliant behavior.

POLICY RECOMMENDATIONS

Revise and implement the enacted good time bill to allow sentenced incarcerated people to earn time off their minimum sentence for good behavior while incarcerated, with two key changes:

- Remove the requirement that people participate in DOC recommended programming to earn time off, and instead require that eligibility for furlough and presumptive parole release include participation and completion of programming.
- Consider increasing the amount of time a person may earn to 7 days off the minimum sentence for every 30-day period they serve without a major disciplinary rule violation (DRV).

REASONING

- Connecting earned good time to programming completion will make good time extremely difficult to calculate and track, while the incentives for programming can come from release eligibility criteria.
- The current statute allows a person to earn 5 days off their minimum for 30 days without a DRV, but in the past, Vermont offered people as much as 10 days off their minimum for 30 days without a DRV. Additional time may further incentivize good behavior while achieving more savings that can be reinvested in supervision programming and treatment.

KEY CONSIDERSATIONS

- The state may also consider allowing people to earn time off their sentences based on time served in the community on supervision by including probation time served in the overall suspended sentence a person receives if they are revoked to prison and updating statute to reflect new Parole Board policies that allow people to petition for early termination from their maximum sentence if they have served between 2 years (for unlisted convictions) and 8 years (for listed convictions).

The data indicates that people who fail on furlough are committing technical violations within a short period of time, resulting in multiple returns to prison.

Furlough Returns

Technical **New Crime**

77%

22%

Among 668 furlough returns with technical violations only:
46% included program or work failures
42% included a loss of housing
35% included drug or alcohol issues
22% included OOP or curfew violations
7% included violent or threatening behavior
4% included a sex offender condition violation
3% included a DV condition violation

The average technical return had 1.6 violation categories flagged.

2,929 estimated individuals had furlough returns over the past four years for a total of over 5,800 furlough return events*

The average person had two furlough returns within these four years alone.

228 people (8%) had five or more furlough returns over the course of their time with DOC.

1,288 people (44%) had two or more furlough returns within the period

The median length of time spent on furlough before returning to sentenced incarceration was four months.

* A small number of individuals had furlough returns associated with different criminal sentencing events within the four-year period (145).

Because admission and release categories must be derived using DOC data, these analyses should be considered strong estimates.

Strengthen the effectiveness of violation responses for people on community supervision.

POLICY RECOMMENDATIONS

- Identify where short-term incarceration sanctions in response to supervision violations can be safely reduced to better achieve behavior change.
- Improve the quality and consistency of graduated sanctions information that DOC collects in its case management system.
- Formalize the use of incentives in supervision practices, and formally track their implementation.
- Explore establishing revocation caseloads as an alternative to revocation for technical violations.
- Explore establishing presumptions that certain types of technical violations should not result in revocations or returns to prison.
- Ensure stronger due process for people supervised on furlough who are facing revocations to prison.

REASONING

- Research shows that the use of short-term sanctions to incarceration, while necessary for public safety in some cases, does not achieve behavior change and can undermine or disrupt a person's ability to obtain and maintain treatment, housing, and employment.
- Supervision officers indicated inconsistent use of the case management system to track how graduated sanctions are used in practice, making it impossible for DOC to currently assess the use and effectiveness of this policy.
- Incentives and sanctions must be used at a 4:1 ratio to successfully change behavior, which requires the same structure and guidance for the use of incentives as exists for sanctions.

KEY CONSIDERSATIONS

- A violation response and revocation hearing process for people on furlough must be fundamentally different from what currently exists, but also take into account the staffing model that limits how many revocation hearings the Parole Board and defense counsel or the Prisoner's Rights representatives could reasonably accommodate.
- Establishing the presumption that certain technical violations will not result in a violation or revocation to prison will require strong engagement with data and stakeholders, including people supervised on furlough.

Provide more information at sentencing to better guide program and treatment supervision planning.

POLICY RECOMMENDATIONS

- Expand the use of presentence investigation reports (PSIs) to inform sentencing and programming decisions, possibly to include all domestic violence cases.
  - o Explore how the current PSIs may be redesigned to emphasize a more efficient information collection and report format that specifically focuses on risk assessments and behavioral health.
- Consider refocusing current community-based staff to write and deliver PSIs in a timely manner, and to ensure that supervising officers are able to provide home visits for clients in accordance with best practices.
  - o This may be possible by repositioning community corrections officers (CCOs) as supervision officers with a focus on developing PSIs and lower-risk supervision caseloads.

REASONING

- When efficiently designed and delivered, PSIs can provide critical information regarding a person's risk and needs that may then inform supervision conditions.
  - PSIs are rarely ordered outside of cases for which they are required, but a survey of Vermont judges found that 94 percent of respondents identified PSIs as helpful in determining final sentencing decisions.*
- Focusing an expansion of PSIs on cases that involve intensive supervision, such as Pre-Approved Furlough and domestic violence cases, can connect people immediately and appropriately to programs and services that meet their individual risks and needs.
- Community corrections officers were originally established to conduct home visits for people sentenced to home confinement furlough, but their current function undermines best practice by disconnecting supervision officers from observing clients outside of the office setting.

KEY CONSIDERATIONS

- Increasing the use of PSIs would inherently require a reconsideration of the current PSI format and process, as well as DOC staffing, to avoid slowing down or overwhelming the sentencing process.

CSG Justice Center survey of judges, December 2019

There are critical gaps in how people within the corrections system with behavioral health needs are identified and connected to resources.

→ DOC facilities have worked hard to develop mechanisms for behavioral health screening and assessment, but there are still gaps in identifying people with co-occurring disorders and mental health needs that do not rise to serious mental illness (SMI).

→ Despite case planning policies aimed at ensuring behavioral health information guides treatment and programming referrals, information sharing challenges prevent this information from being appropriately shared in a way that would best support effective reentry planning.

→ Mental health and substance use counseling resources are limited within DOC facilities and in the community, requiring the department to use a "triage" approach focused primarily on SMI and MAT populations.

→ Current cross-system mental health training does not adequately focus on training for responding to people with addictions or co-occurring disorders.

→ Appropriate housing is a significant challenge for people with behavioral health needs in the criminal justice system. DOC does not currently have resources to screen for housing needs among detainee and sentenced populations.

Substance Addiction Treatment · Psychiatric Care · Transportation · Supported Housing · Specialized Supervision · Certified Peer Supports · Recovery Support Services · Correctional Programming · Case Management

Identifying people with co-occurring disorders, non-SMI, and housing needs; sharing information more effectively; and connecting them to community services, will all require expanding existing partnerships and resources.

Develop more robust identification and connections for people with behavioral health needs who move through the corrections system.

POLICY RECOMMENDATIONS

- Use nationally validated behavioral health screening tools for all people who are sentenced to incarceration for any period of time, and add mental health screening questions to the Supervision Level Assessment (SLA) tool for people on probation.
- Strengthen the impacts of DOC case managers by establishing an appropriate caseload and defined role that will enable them to immediately connect people with appropriate and effective services upon their release to community supervision.
- Standardize behavioral health and reentry information policy and procedures between DOC contracted health care staff, case managers, reentry officers, hubs and spokes, designated mental health agencies, and other community service providers.
- Develop care coordination and case management protocols for executive agencies that serve people with behavioral health needs who are under DOC custody.
- Pursue opportunities to expand access to substance use counseling services for people in the criminal justice system who receive MAT inside DOC facilities and within community settings.

REASONING

- The ORAS-CST includes a domain for behavioral health needs but is not a validated behavioral health screening tool. The Supervision Level Assessment (SLA) tool screens for substance use but not mental health needs for people on probation.
- Due to information sharing inconsistencies, supervision officers do not always have consistent or comprehensive knowledge of clients' behavioral health needs.
- Counseling is offered to clients in the community-based hub and spokes, and DOC offers medical supports, such as MAT, inside facilities; however, due to resource and workforce challenges, DOC is more limited in its ability to offer clinical supports to reach best practices in clinical intervention.

Assess and quantify the specific housing needs for people who are on community supervision or incarcerated in Vermont.

POLICY RECOMMENDATIONS

- Develop and implement a DOC facility homeless screening tool to track reports of homelessness.
- Establish data match partnerships to identify and quantify high utilizers across DOC, the Department of Mental Health (DMH), and the Department of Health's Division of Alcohol and Drug Programs (DVH).
- Explore establishing a partnership between DOC, DMH, and DVH to contract with housing providers to coordinate responses for shared clients and identify where and how the state can better leverage local and federal housing vouchers.
- Explore how DOC's community-based grantees (i.e., Pathways) may be able to identify appropriate housing vouchers or other funding, as well as directly bill Medicaid for clinical services.
- Establish evidence-based norms and expectations for housing grants and certifications for sober and recovery housing providers, including allowing the use of medications and restricting evictions due to relapse.
- Explore opportunities to release people who are held in prison past their minimum due to lack of approved housing by revising housing requirements for furlough release.

REASONING

- A housing needs screening assessment combined with a data match across AHS departments can quantify the scope of DOC housing needs and shared high utilizers of homeless and behavioral health services, and while DOC, DMH, and the DVH have shared clients, each department contracts separately with housing providers.
- Under DOC's transitional housing program, approximately 20 percent of beds at any given time go unused and some DOC clients are denied entry based on past violations of program agreements, resulting in vacant beds that cannot be filled.

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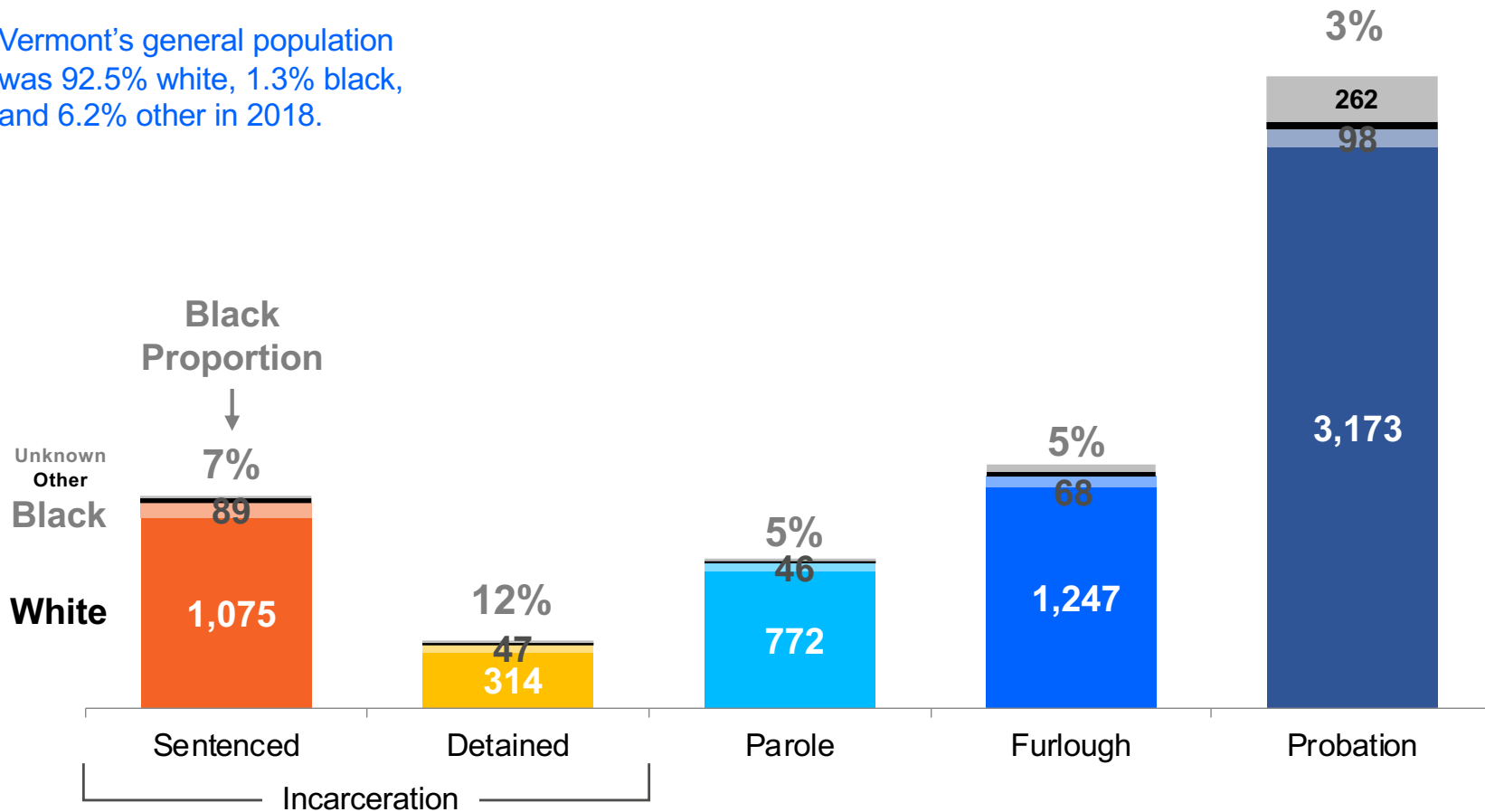## 2. Achieve a more equitable system across race and geography.

The following changes in policy and practice will help Vermont have a more equitable system across race and geography.

A	Explore opportunities to better analyze and reduce racial disparities in the criminal justice system.
B	Ensure greater consistency in the access to and quality of alternative justice programs across all Vermont counties.
C	Strengthen statewide law enforcement and behavioral health responses to crisis calls.

Black Vermonters are disproportionately represented in all corrections populations, particularly among people who are incarcerated.

Vermont DOC Snapshot Populations by Type and Race, FY2019

Vermont's general population was 92.5% white, 1.3% black, and 6.2% other in 2018.

Sentenced — 7% — Unknown / Other / Black / White — 89 — 1,075

Detained — 12% — 47 — 314

Parole — 5% — 46 — 772

Furlough — 5% — 68 — 1,247

Probation — 3% — 262 — 98 — 3,173

Incarceration

Black people who are identified as residents of other states make up a small number but a larger proportion of non-residents within Vermont corrections populations.

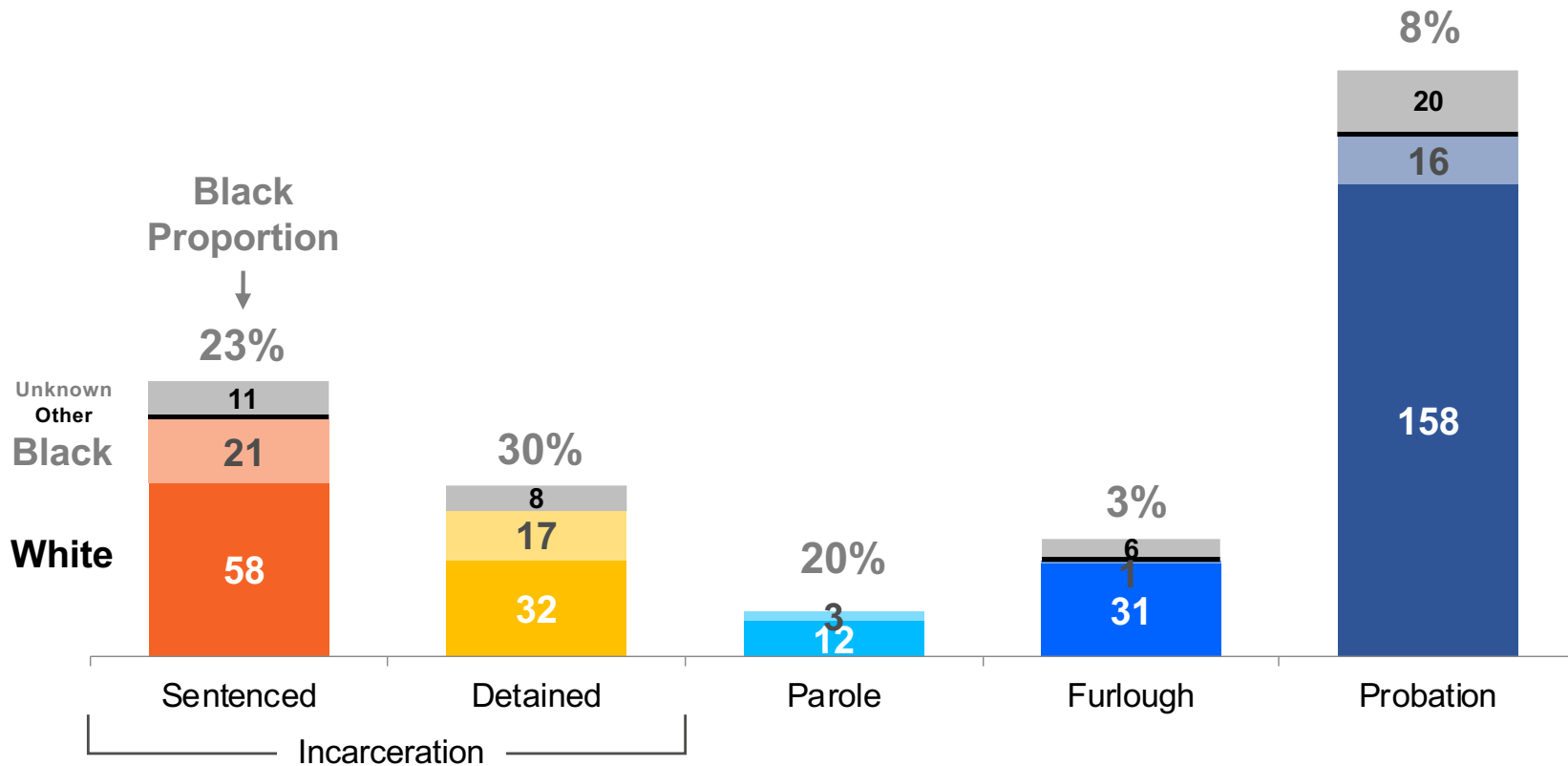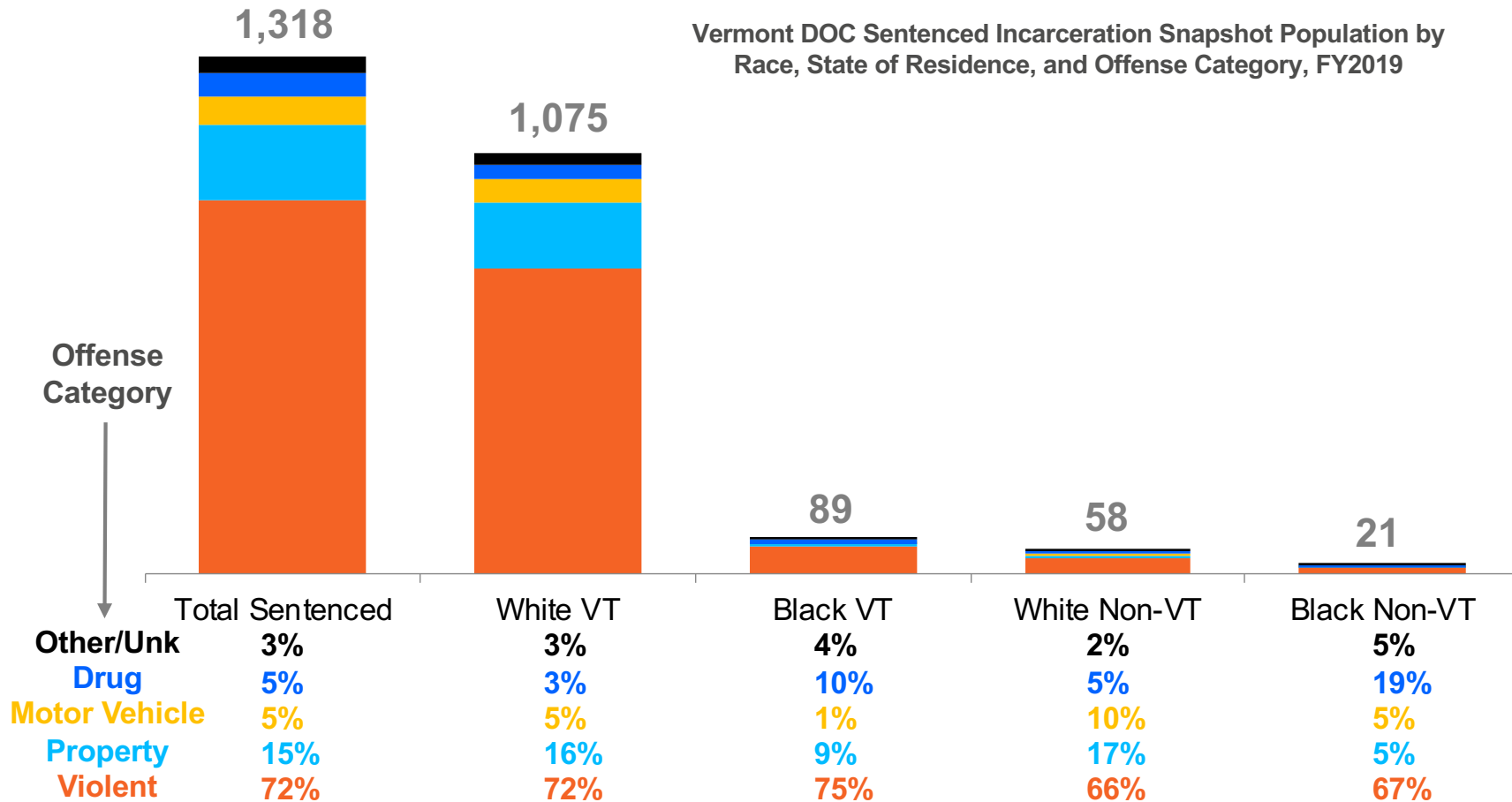**Vermont DOC Snapshot Populations Among Out-of-state Residents by Type and Race, FY2019**

Sources: The Council of State Governments Justice Center analysis of data from the Vermont Department of Corrections. U.S. Census Bureau, Annual Estimates of the Resident Population by Sex, Age, Race, and Hispanic Origin, April 1, 2010 to July 1, 2018.

There are differences across offense types by race and state of residency, and additional analyses will be necessary to examine why.

Vermont DOC Sentenced Incarceration Snapshot Population by Race, State of Residence, and Offense Category, FY2019

1,318

1,075

89

58

21

Offense Category

	Total Sentenced	White VT	Black VT	White Non-VT	Black Non-VT
Other/Unk	3%	3%	4%	2%	5%
Drug	5%	3%	10%	5%	19%
Motor Vehicle	5%	5%	1%	10%	5%
Property	15%	16%	9%	17%	5%
Violent	72%	72%	75%	66%	67%

Sources: The Council of State Governments Justice Center analysis of data from the Vermont Department of Corrections.

The dominance of plea agreements in felony and misdemeanor conviction dispositions underscores the role of non-judicial decision-making in criminal sentencing.

Method of Disposition Among Disposed Cases Filed as Felonies and Misdemeanors, FY2015–FY2019 combined

Transferred — Misdemeanors: 1%, Felonies: 1%

Dismissed — Misdemeanors: 41%, Felonies: 25%

Judge/Jury — Misdemeanors: 1%, Felonies: 2%

Plea — Misdemeanors: 58%, Felonies: 72%

Misdemeanors ~58,000

Felonies ~16,000

Roughly 20 percent of misdemeanor case dismissals and 10 percent of felony dismissals result from the successful completion of a diversion program.

Pleas are the method of disposition in 99 percent of felony and misdemeanor convictions in Vermont.

Sources: The Council of State Governments Justice Center analysis of disposition data from the Vermont Judiciary.
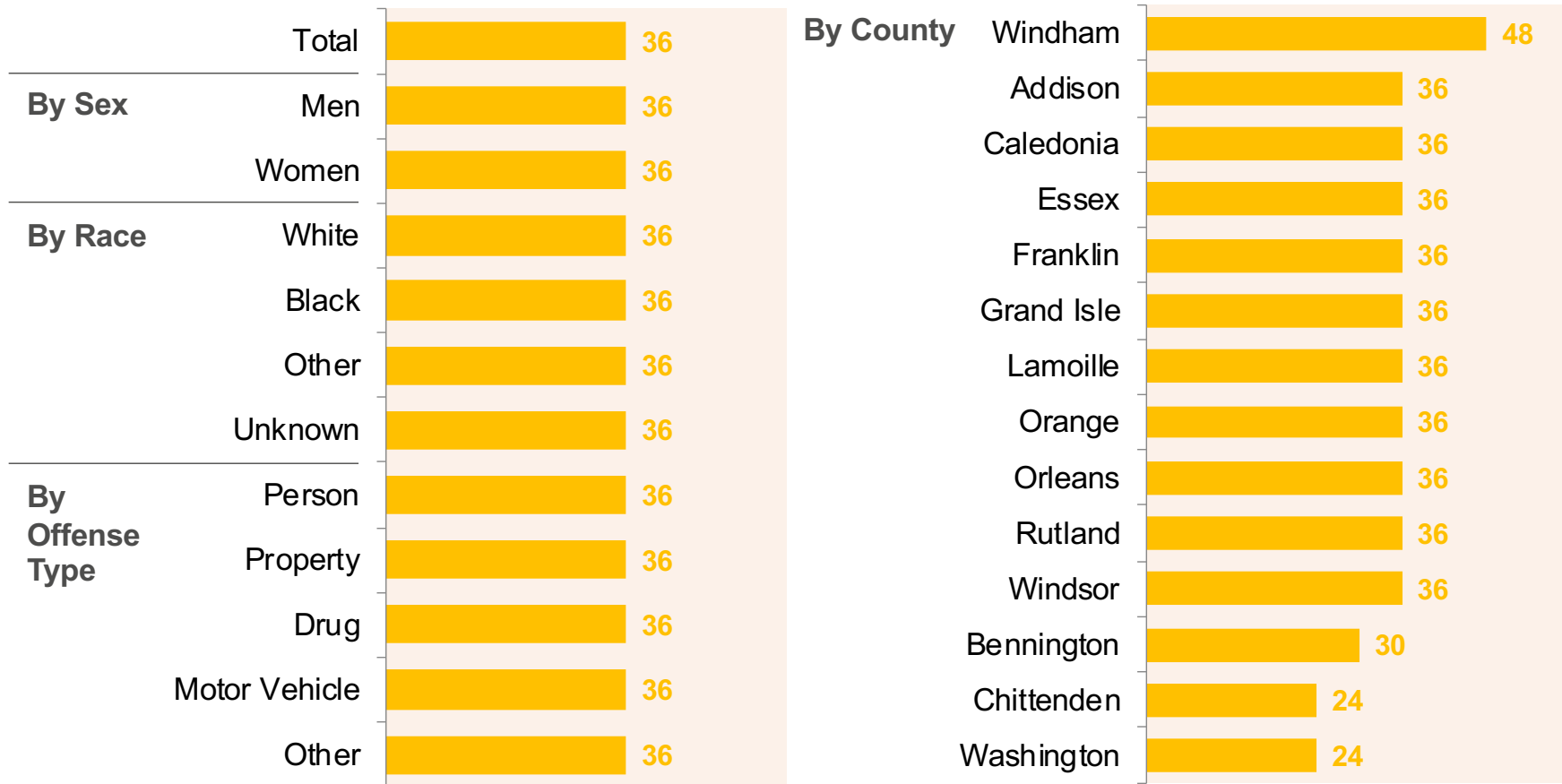
The consistency in average felony probation lengths demonstrates the power of statutory sentencing guidance in at least one area.

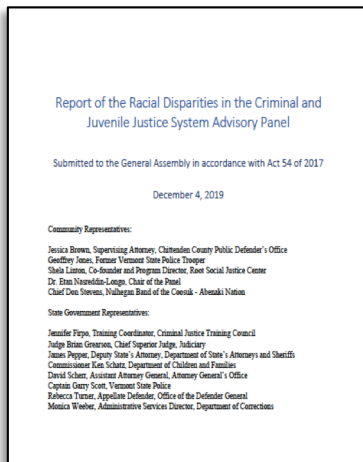Note that this analysis does not control for factors that might explain the sentencing pattern, such as the severity of the crimes or the criminal history of the people being sentenced.

Probation term lengths (in months) among ~2,700 felony cases with a probation sentence over the last 5 years:

		Months
Total		36
By Sex	Men	36
	Women	36
By Race	White	36
	Black	36
	Other	36
	Unknown	36
By Offense Type	Person	36
	Property	36
	Drug	36
	Motor Vehicle	36
	Other	36

By County

County	Months
Windham	48
Addison	36
Caledonia	36
Essex	36
Franklin	36
Grand Isle	36
Lamoille	36
Orange	36
Orleans	36
Rutland	36
Windsor	36
Bennington	30
Chittenden	24
Washington	24

Sources: The Council of State Governments Justice Center analysis of disposition data from the Vermont Judiciary. 28 V.S.A. § 205

In December, the Racial Disparities in the Criminal and Juvenile Justice System Advisory Panel made recommendations to better understand and reduce racial disparities in the criminal and juvenile justice systems.

Report of the Racial Disparities in the Criminal and Juvenile Justice System Advisory Panel

Submitted to the General Assembly in accordance with Act 54 of 2017

December 4, 2019

Community Representatives:

Jessica Brown, Supervising Attorney, Chittenden County Public Defender's Office
Geoffrey Jones, Former Vermont State Police Trooper
Shela Linton, Co-founder and Program Director, Root Social Justice Center
Dr. Etan Nasreddin-Longo, Chair of the Panel
Chief Don Stevens, Nulhegan Band of the Coosuk - Abenaki Nation

State Government Representatives:

Jennifer Firpo, Training Coordinator, Criminal Justice Training Council
Judge Brian Grearson, Chief Superior Judge, Judiciary
James Pepper, Deputy State's Attorney, Department of State's Attorneys and Sheriffs
Commissioner Ken Schatz, Department of Children and Families
David Scherr, Assistant Attorney General, Attorney General's Office
Captain Garry Scott, Vermont State Police
Rebecca Turner, Appellate Defender, Office of the Defender General
Monica Weeber, Administrative Services Director, Department of Corrections

The panel outlined several key conclusions and recommendations for how Vermont can better track and reduce racial disparities within the adult and juvenile justice systems:

- Establish a public complaint process within the state's Human Rights Commission (HRC) with adequate staffing and resources.
- Fund the state's 211 service to be available beyond business hours.
- Track federal requirements with respect to due process for people with limited English proficiency.
- Support efforts to train first responders, including 911 operators, in behavioral health screening.
- Implement and expand law enforcement training.
- Expand and support the use of community policing in law enforcement practices across the state.
- Increase data collection, particularly in areas of "high-impact and high discretion."
- Expand and improve on current law enforcement data collection.
- Commit to staffing and provide adequate data resources, namely by creating centralized, statewide staffing to assist with data collection and compilation from police agencies across the state.

"Racial minorities are oftentimes in the position of defending themselves against the practice not only of intentional racism, but also of biases that are so embedded in our common ways of being that many people… are absolutely unaware of the exercise of these selfsame biases."

Sources: Vermont Racial Disparities in the Criminal and Juvenile Justice System Advisory Panel, Report to the General Assembly (Montpelier, Vermont Racial Disparities in the Criminal and Juvenile Justice System Advisory Panel , December 4, 2019).

Vermont can better analyze and explore statutory changes that may counteract disparities in sentencing outcomes.

POLICY RECOMMENDATIONS

- Analyze sentencing patterns to identify where the use and length of incarceration may result in or exacerbate racial disparities.
- Direct the Sentencing Commission to work with the Racial Advisory Panel in exploring where Vermont can establish standardized sentencing guidance in statute for certain types of offenses that may contribute to racial and geographic disparities.
- Request and review existing data from key stakeholders, including law enforcement, state's attorneys, the defender general's office, the attorney general's office, the judiciary and the DOC, related to race and ethnicity with respect to plea agreements, sentence types and length, criminal history, offense severity, and other key metrics that may further identify differences in how people are charged and sentenced by county, race, and gender.
  - Identify where current data systems and collections are insufficient for additional analyses and what staffing or resources are needed to support more robust reporting.
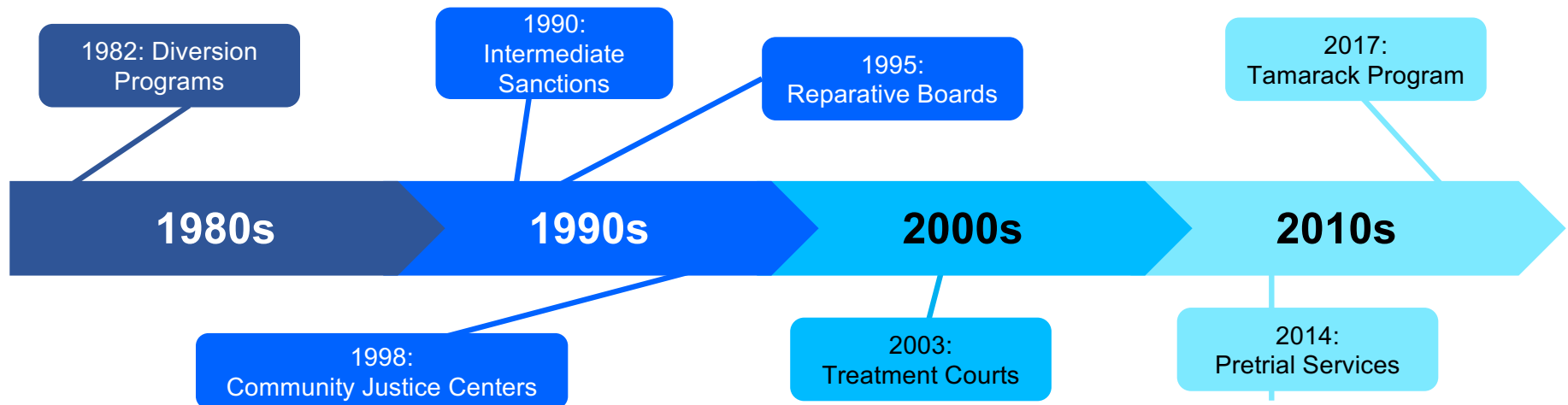
REASONING

- The role and focus of both the Racial Disparities Advisory Panel and the Sentencing Commission offer the potential for two existing entities to analyze and consider where and how statutes might guide criminal justice actors toward more consistent and equal treatment of individuals.
- In its final report, the Racial Disparities Advisory Panel identified areas for data improvement and necessary resources and staffing to ensure that data is accurately and consistently collected and measured to reflect racial biases and disparities throughout the criminal justice system.

KEY CONSIDERATIONS

- Better data is critical but can be resource-intensive to acquire and analyze. The recommendations of the Racial Disparities Advisory Panel identify the need for more staffing to support its recommendations and the Panel's recommendations can guide additional conversations about data collection and systems improvements.

Vermont has an array of "off ramps" at the front end of the system for people with limited criminal history, which means it is likely that higher-risk people will progress into corrections populations.

1982: Diversion Programs

1990: Intermediate Sanctions

1995: Reparative Boards

2017: Tamarack Program

1980s → **1990s** → **2000s** → **2010s**

1998: Community Justice Centers

2003: Treatment Courts

2014: Pretrial Services

- Most of these opportunities are available across the state, but the consistency in the types and quality of the services that are offered likely varies by county.
- Referrals to most of these programs rely on local actors, principally state's attorneys, which will lead to variances in who is able to receive or participate in these programs.
- Only one of these diversion programs (Tamarack) has broad enough eligibility criteria to allow for people with more extensive criminal histories or who are charged with more serious offenses to participate.

Diversion and alternative justice programs can vary in referrals and quality across the state, and many counties lack the resources to replicate successful behavioral health crisis call partnerships.

Diversion, pretrial, and alternative justice programs often vary in access and quality by county.

✕ Diversion opportunities and alternative justice programs are available across the state, but the consistency in the types and quality of the services that are offered varies by county.

- Court diversion programs, the Tamarack program, and pretrial services are overseen by the Community Justice Division of the AG's office (AGO). Currently, the AGO contracts with one provider who offers all AGO-funded programs for each county or counties served.

- Reparative boards were established through legislation that required DOC to ensure boards exist throughout the state. While they are administered by 20 local community justice centers, funding for the boards comes from discretionary grants administered and funded by DOC.

✕ Data collection and outcome reports are inconsistent, and some programs may be duplicating efforts depending on their structures and target populations.

✕ Referrals to most of these programs rely on local actors, principally state's attorneys, which will also lead to variations in who is able to receive or participate in these programs depending on the level of confidence that state's attorneys, judges, or defense counsel have in the programs available in their county.

Coordination between behavioral health providers and law enforcement can be stronger.

✕ Existing crisis training for state police and local law enforcement includes a strong focus on understanding mental illness but does not include sufficient information on substance addiction and co-occurring disorders.

✕ Law enforcement agencies have varied access to community-based resources when responding to behavioral health crisis calls, including case management and embedded social workers.

2B & C *Ensure greater consistency in access to and quality of alternative justice programs & Strengthen statewide law enforcement and behavioral health responses to crisis calls.*

The state should explore opportunities to centralize alternative justice programs for greater efficiency and expand partnerships between law enforcement and behavioral health agencies and experts.

2B POLICY RECOMMENDATIONS

- Explore opportunities to consolidate the administration of reparative panels, court-ordered diversion, Tamarack, and Pretrial Services into shared regional locations managed by central nonprofits and establish performance measures for funding these programs.
- Explore the potential to expand types of cases and offenses that may be referred to diversion programs, including reparative boards.

REASONING

- Stakeholders have varying levels of confidence in the quality and outcomes of alternative justice programs and highlighted those counties with more centralized services under consolidated management as a strong model.
- Performance-based contracting can ensure greater consistency in what people can receive and access statewide.

2C POLICY RECOMMENDATIONS

- Explore how the Department of Health's Division of Alcohol and Drug Abuse Programs can participate in crisis training for law enforcement to ensure that this training includes information on substance addiction and co-occurring disorders.
- Expand the Community Outreach program, currently operating only in Chittenden County, embedding social workers within local law enforcement agencies across all Vermont counties to respond to behavioral health crisis calls.

REASONING

- Existing law enforcement crisis training does not include sufficient information on substance addiction and co-occurring disorders.
- When responding to behavioral health crisis calls, law enforcement has varied access to community-based resources, including embedded social workers and case management.

Meeting Agenda

1. Review of key data and challenges facing Vermont	12:15 p.m.–12:30 p.m.
2. Recommendations to reduce recidivism and revocations to prison	12:30 p.m.–1:15 p.m.
3. Recommendations to achieve a more equitable system across race and geography	1:15 p.m.–1:45 p.m.
Break	**1:45 p.m.–2:00 p.m.**
4. Recommendations to improve data and reporting to inform decision-making	2:00 p.m.–2:20 p.m.
5. Reinvestments to support individual success on supervision and effective policy implementation	2:20 p.m.–2:45p.m.
6. Projected impacts of policy recommendations	2:45 p.m.–3:00 p.m.

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3. **Improve data and reporting to inform decision-making**

The following changes in policy and practice will address data gaps and provide lawmakers with information they require to make more data-informed policy decisions in the future.

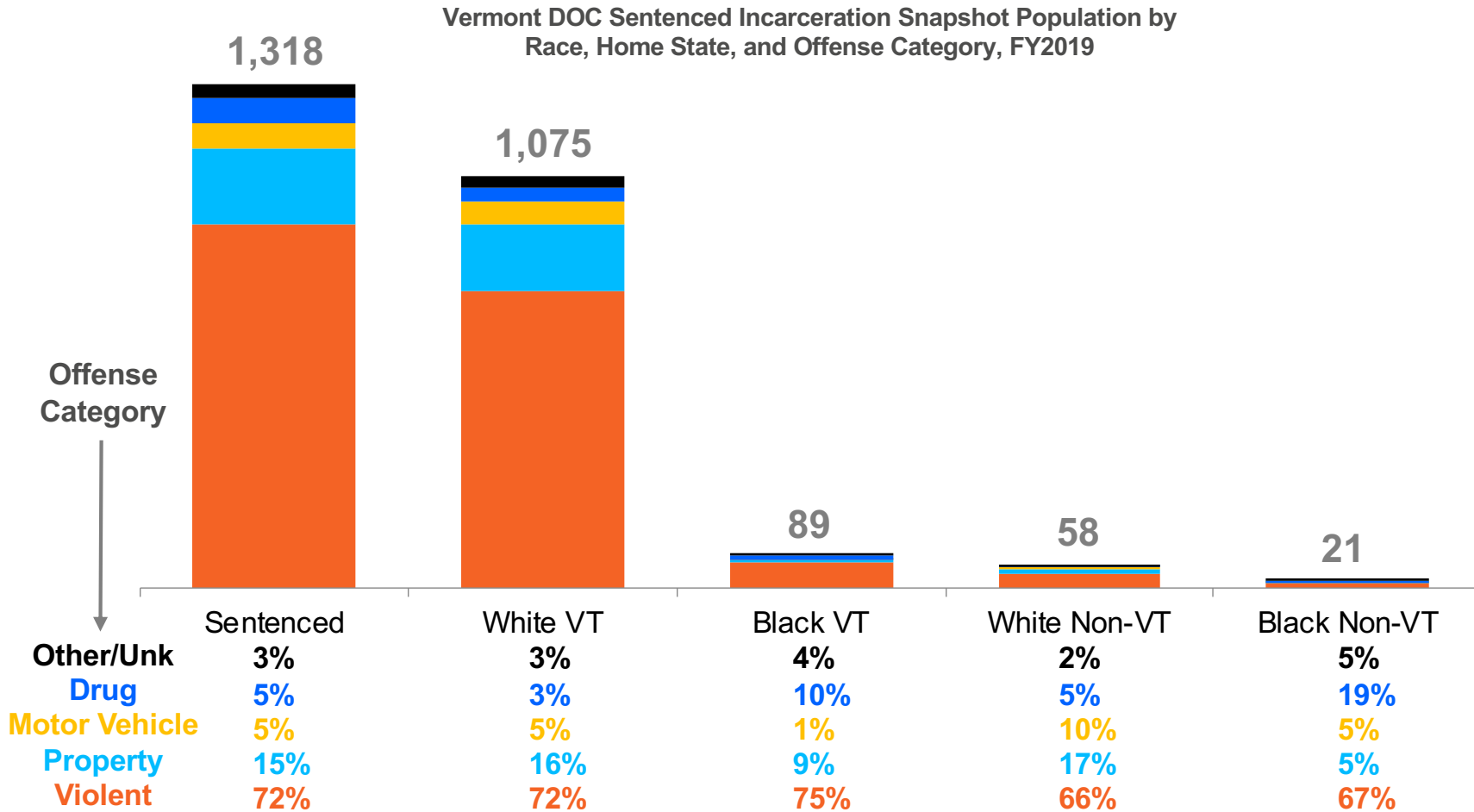|	
A	Invest in and strengthen DOC's analytical staff capacity to provide lawmakers and the public with information to inform policy decisions.
B	Explore opportunities to partner with other data researchers, including academics, for more detailed analyses of race, sentencing, and other areas unexamined through Justice Reinvestment II.

To become data-driven, Vermont must invest in data capacity.

✕   DOC lacks the necessary resources and internal capacity to regularly extract data, clean and maintain data files for analysis and potential data sharing, develop a set of key metrics including critical information such as supervision outcomes, and publish them regularly in dashboards or annual reports to better inform agency and legislative decision-making.

✕   Field staff do not yet consistently receive coaching and quality assurance to ensure they are using the system effectively, and supervision officers report wide variation in the way they enter and retrieve information, which undermines the quality of that data to monitor how critical areas of policy, such as graduated sanctions, are implemented across the state.

✕   Without stronger and sustained data capacity, policymakers, DOC leadership and staff, and the public will remain blind as to how any improvements in policy or practice are effectively implemented to achieve their projected outcomes.

What gets measured, gets managed.

Justice Reinvestment II analyses have only scratched the surface of critical issues such as racial disparities in sentencing outcomes.

Vermont DOC Sentenced Incarceration Snapshot Population by Race, Home State, and Offense Category, FY2019

1,318

1,075

Offense
Category

89

58

21

	Sentenced	White VT	Black VT	White Non-VT	Black Non-VT
Other/Unk	**3%**	**3%**	**4%**	**2%**	**5%**
Drug	**5%**	**3%**	**10%**	**5%**	**19%**
Motor Vehicle	**5%**	**5%**	**1%**	**10%**	**5%**
Property	**15%**	**16%**	**9%**	**17%**	**5%**
Violent	**72%**	**72%**	**75%**	**66%**	**67%**

Sources: The Council of State Governments Justice Center analysis of data from the Vermont Department of Corrections.

Vermont must invest in sustained, agency analytic capacity.

3A   POLICY RECOMMENDATIONS

- Fund the DOC to enable adequate staffing for data and research needs, including conducting data extracts and providing consistent oversight to the quality and input of data in the case management system.
- Require the DOC to provide the legislature with an annual report—to include a defined set of key measures and updates regarding corrections funding, populations, and outcomes—in addition to special reports the legislature may request of the DOC.

REASONING

- Current staffing within DOC limits the department's ability to maintain and analyze current data systems and case management information that would better inform policymaking.
- More consistent reporting on key corrections measures would provide policymakers, the public, and DOC staff with more information to guide decision-making and understanding of current challenges and progress.

3B   *Explore partnerships for additional, specific analyses beyond Justice Reinvestment II.*

Vermont should explore where additional research partnerships may prove helpful in the future.

3B   POLICY RECOMMENDATIONS

- Request and review data from key stakeholders related to race and ethnicity with respect to key metrics that may further refine and identify where differences exist in how people are charged and sentenced by county, race, and gender. Important considerations for this recommendation include an understanding of what data is currently collected and should be collected, as well as resources that are available for extraction, analysis, and reporting.
- Support partnerships between the DOC and local universities and other research organizations to conduct specific research projects, similar to the partnership and agreements between DOC and the CSG Justice Center.

REASONING

- Current data can be improved and analyzed further to provide more information regarding the role that race and geography play in how people interact with and move through the criminal justice system.
- A productive partnership between DOC and research organizations may provide helpful capacity for specific research projects, including further analyses of racial and geographic disparities.
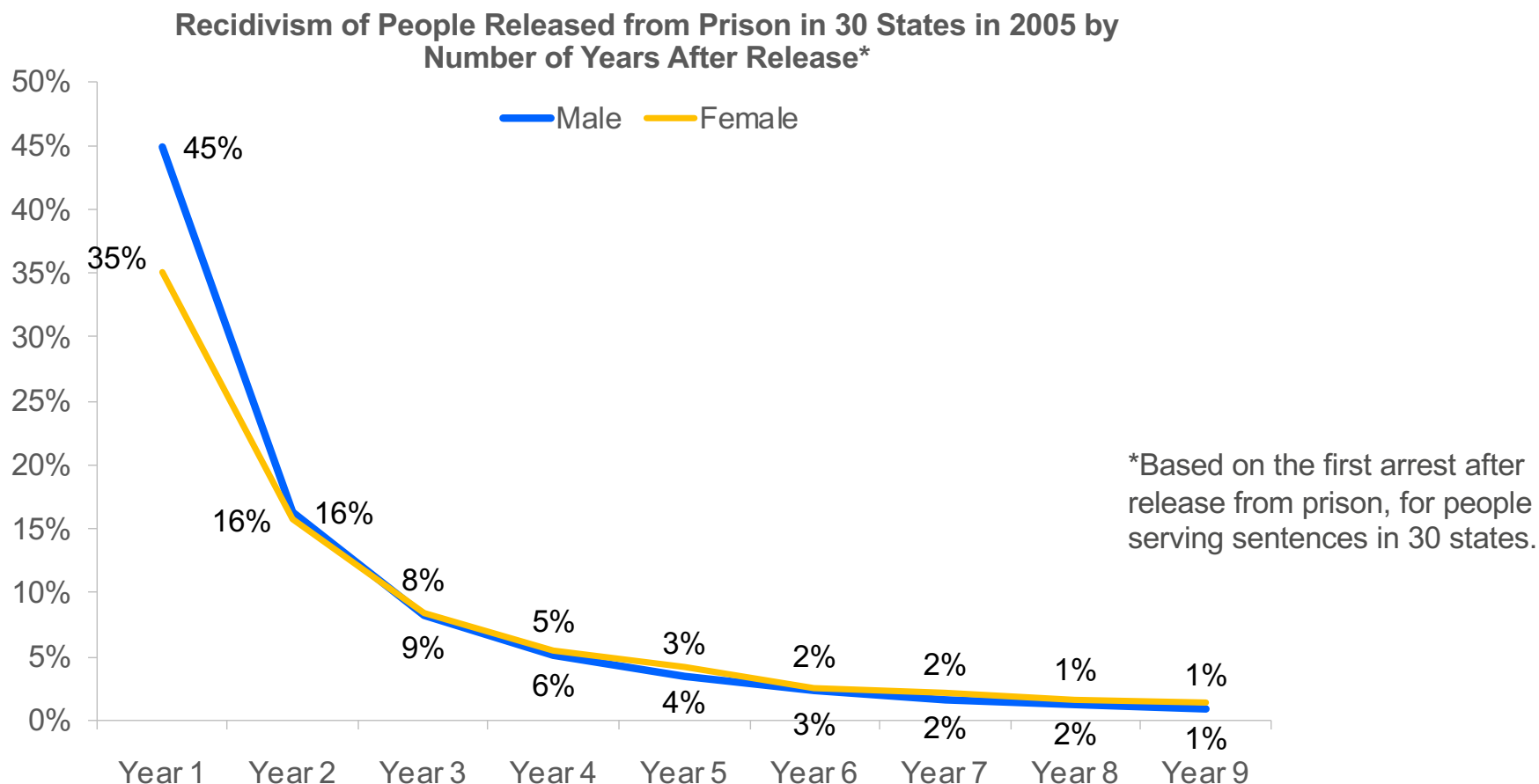
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4. Reinvest to reduce recidivism, improve behavioral health, and sustain progress.

The following reinvestments would add and protect funding to provide more access to and expanded options for programming and services that can reduce recidivism and improve behavioral health outcomes across Vermont.
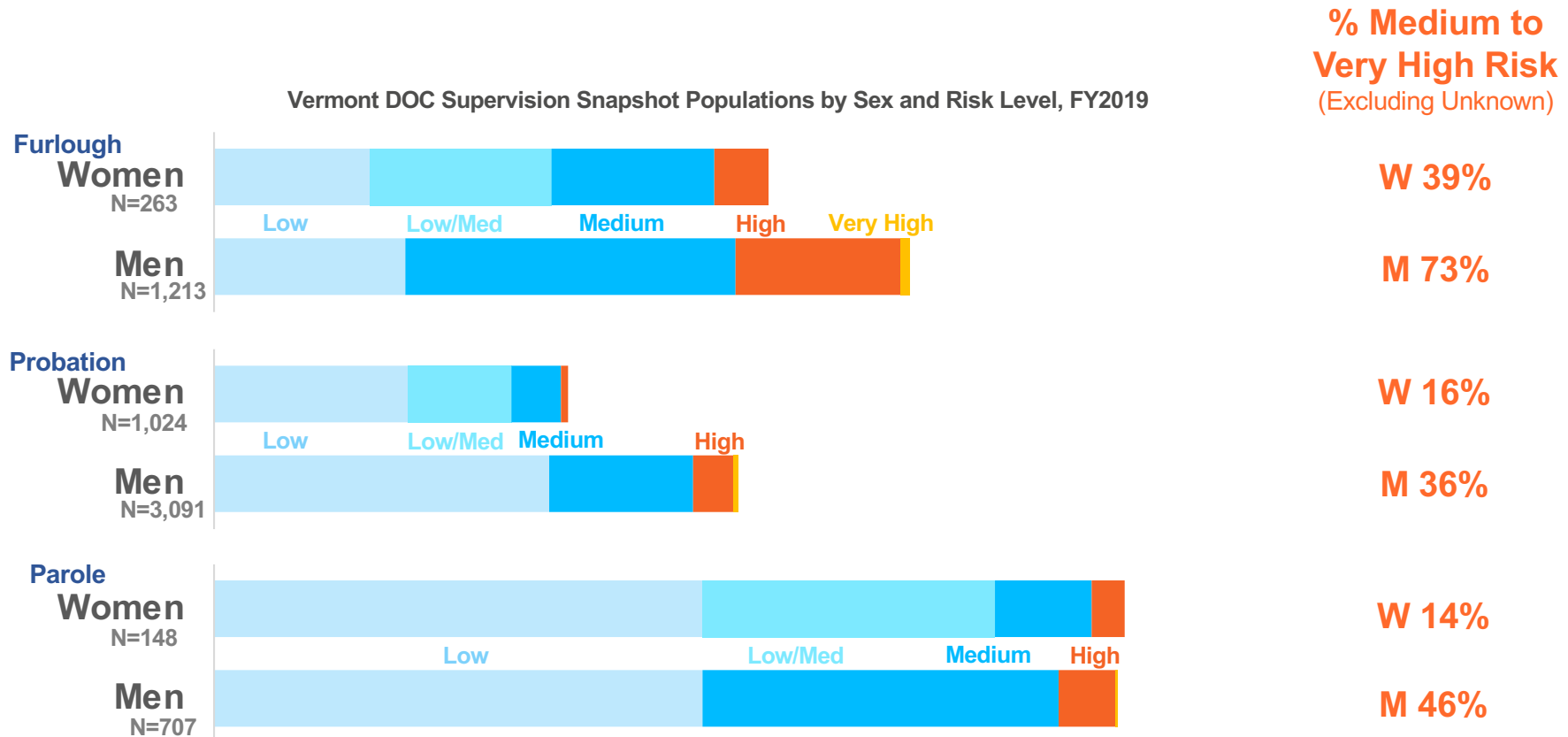
A	Establish a protected and specific Justice Reinvestment fund.
B	Expand DOC's risk-reduction programming (RRP).
C	Strengthen and sustain domestic violence treatment programs.
D	Increase access to gender-responsive programming for incarcerated women.
E	Increase mental health and substance use services.
F	Identify opportunities for additional reentry housing supports.
G	Expand DOC data capacity.

The principle of frontloading involves focusing supervision and supports on people during the first year after release when they are most likely to reoffend.

Recidivism of People Released from Prison in 30 States in 2005 by Number of Years After Release*

— Male — Female

45%

35%

16% 16%

8%

9%

5%

6%

3%

4%

2%

3%

2%

2%

1%

2%

1%

1%

Year 1 Year 2 Year 3 Year 4 Year 5 Year 6 Year 7 Year 8 Year 9

*Based on the first arrest after release from prison, for people serving sentences in 30 states.

Sources: Matthew R. Durose, Alexia D. Cooper, Ph.D., and Howard N. Snyder, Ph.D Recidivism of Prisoners Released in 30 States in 2005: Patterns from 2005 to 2010 (Washington DC: Bureau of Justice Statistics, April 2014).

In Vermont, people on furlough are a higher risk group and are facing the most vulnerable period immediately following release from prison.
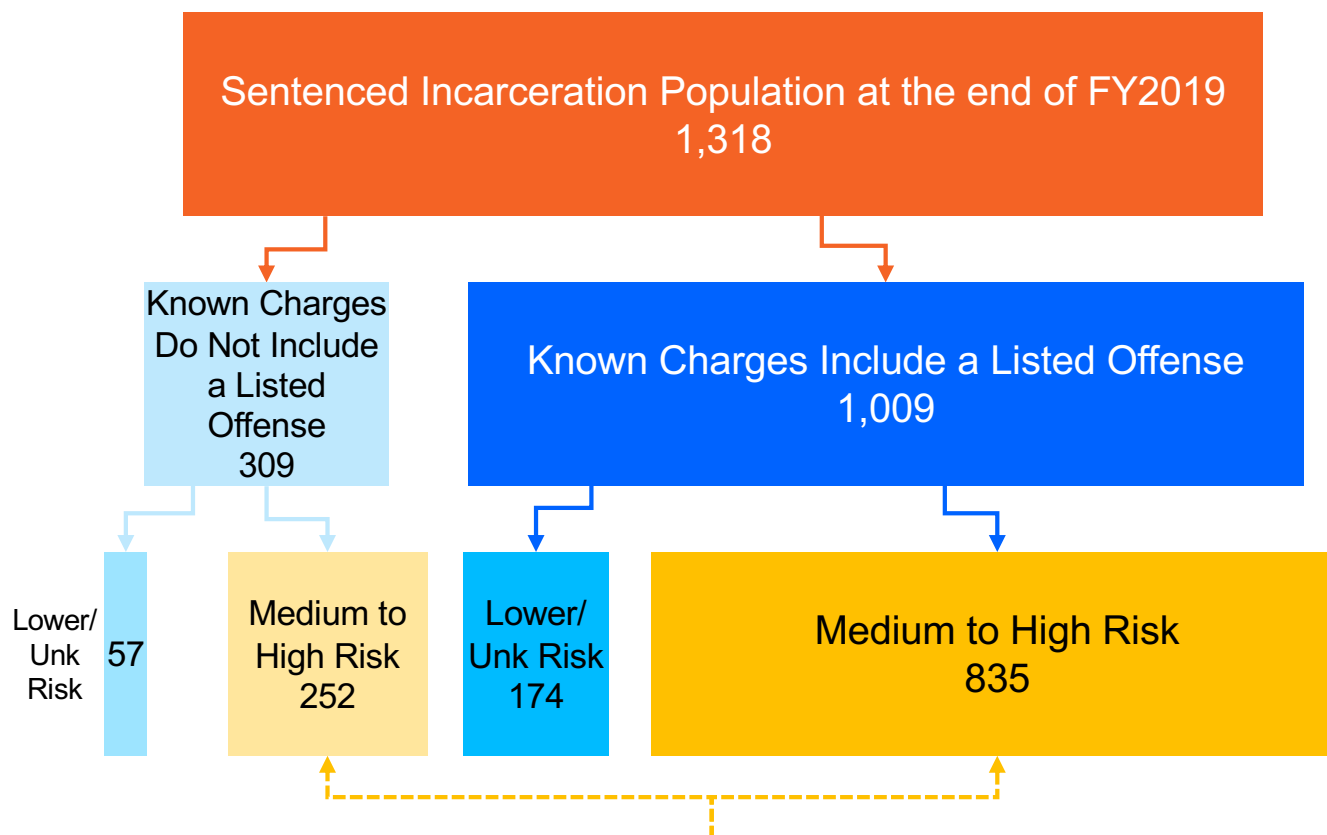

Vermont DOC Supervision Snapshot Populations by Sex and Risk Level, FY2019

% Medium to Very High Risk (Excluding Unknown)

Furlough
Women N=263 — W 39%
Low | Low/Med | Medium | High | Very High
Men N=1,213 — M 73%

Probation
Women N=1,024 — W 16%
Low | Low/Med | Medium | High
Men N=3,091 — M 36%

Parole
Women N=148 — W 14%
Low | Low/Med | Medium | High
Men N=707 — M 46%

The large percentages of unknown risk assessments in probation populations are due to the use of an initial risk tool by DOC to screen out lower-risk people who do not receive the more involved ORAS assessment.

The ORAS risk assessment instrument used in Vermont yields different risk level categories for men's and women's populations. The women's risk levels are low, low/med, medium and high, while the men have low, medium, high and very high risk levels.
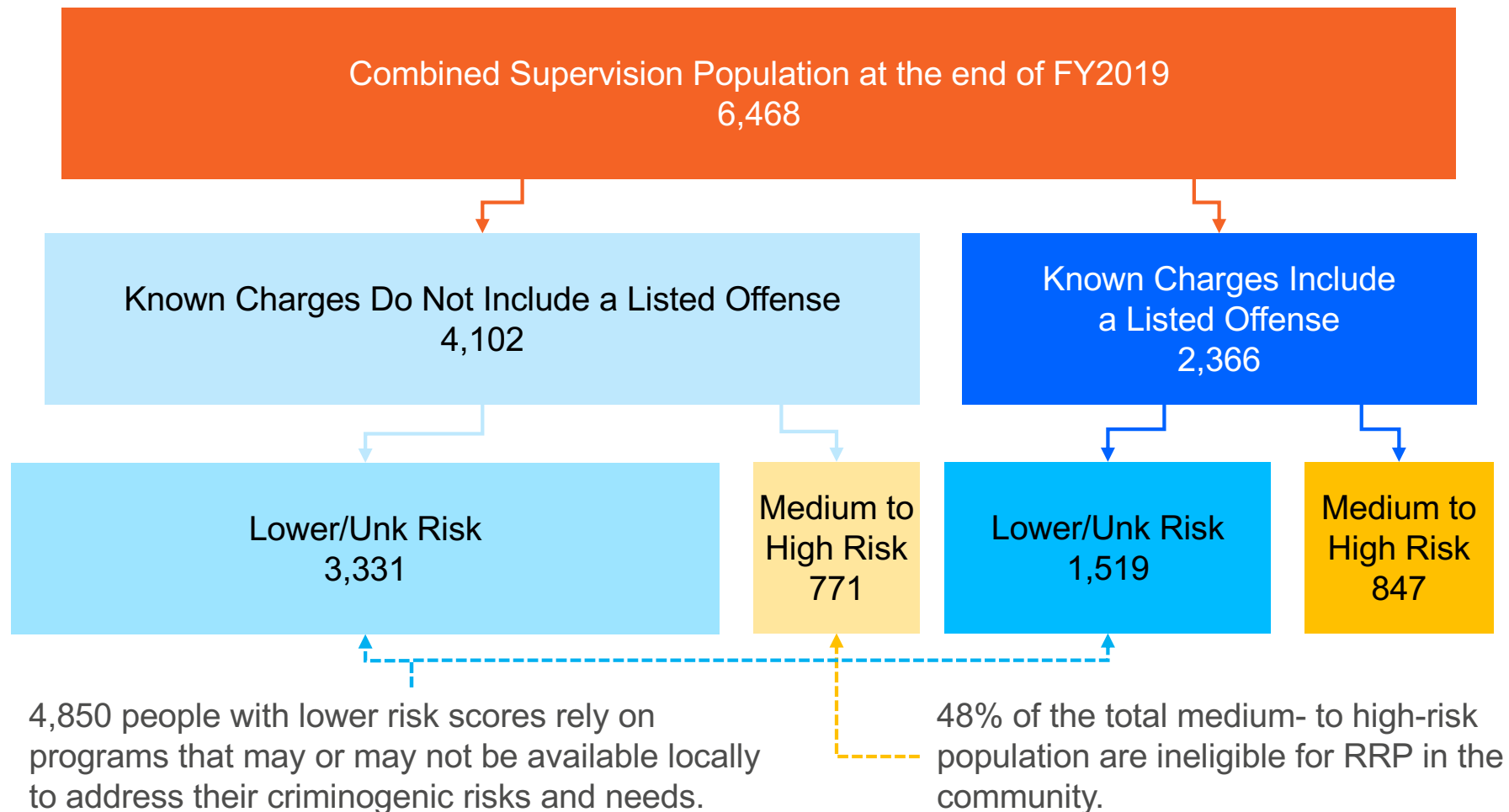
Sources: The Council of State Governments Justice Center analysis of data from the Vermont Department of Corrections.

Without additional funding, almost one-quarter of people assessed as medium to high risk will not receive risk-reduction programming while incarcerated.

23% of the total medium- to high-risk population with incarceration sentences are not eligible to participate in RRP because they were not convicted of listed offenses.

Sources: The Council of State Governments Justice Center analysis of data from the Vermont Department of Corrections.

And, almost half of all people who would most benefit from risk-reduction programming in the community will go without this resource unless funding increases to expand participation.
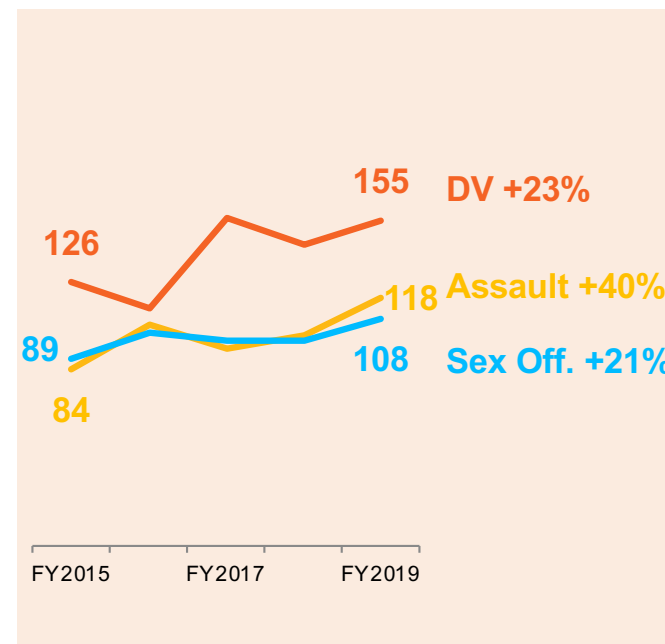

Combined Supervision Population at the end of FY2019
6,468

Known Charges Do Not Include a Listed Offense
4,102

Known Charges Include a Listed Offense
2,366

Lower/Unk Risk
3,331

Medium to High Risk
771

Lower/Unk Risk
1,519

Medium to High Risk
847

4,850 people with lower risk scores rely on programs that may or may not be available locally to address their criminogenic risks and needs.

48% of the total medium- to high-risk population are ineligible for RRP in the community.

Sources: The Council of State Governments Justice Center analysis of data from the Vermont Department of Corrections.

Vermont's domestic violence community programming is weakened by the current funding model and lack of state investment and support.

✕ Sentencing data shows that sentencing for domestic violence-related felonies has increased significantly in recent years, indicating the likelihood of more people in need of domestic violence programming and treatment moving through the system and on to community supervision.

✕ The community programming available for people convicted of domestic violence is a "one-size-fits-all" approach that does not target people based on their risk and needs, undermining the efficacy of the programming for different people.

✕ Funding for these programs comes entirely from participant fees, which can be prohibitively expensive for individuals and undermine their ability to complete or benefit from these programs.

   • In the past, Vermont blended state investment into the programs with a slide fee-for-service scale, which ensured consistency in programmatic funding while also holding people accountable to "buying in" to their treatment.

Felony Conviction Volume by Offense Type, FY2015–FY2019

155   **DV +23%**
126
118   **Assault +40%**
89
108   **Sex Off. +21%**
84

FY2015   FY2017   FY2019

✕ At the same time, current funding inadequately supports many of these programs, which often do not have sufficient resources to provide their staff with the training required to meet statewide standards.

   • In some cases, counties are facing the possibility of losing programming all together.

✕ Vermont no longer has a statewide domestic violence program coordinator, a position that formerly worked to ensure consistency in access, quality, and compliance across all counties while also providing critical support to programs across the state.

To lower recidivism and improve behavioral health, Vermont must consider up-front investments that will fund immediate improvements, with cost savings and reinvestments to follow.

Establish a protected, dedicated fund to support evidence-based programs and services that reduce recidivism and improve behavioral health among criminal justice populations.

Expand access to risk-reduction programming for all medium- to high-risk people, regardless of offense.

Increase access to gender-responsive programming.

Strengthen and sustain domestic violence programming.
- Reduce reliance on fee-for-service funding.
- Invest in statewide coordination of current programs and allow for more types of programming based on risk.

Target gaps in behavioral health services.
- Expand mental health services for the non-Serious Mental Illness (SMI) population.
- Create more services for people with co-occurring disorders.
- Explore providing counseling services for people receiving MAT.

Identify housing needs and provide additional supports.
- Use information from housing assessment tools to identify needs among people incarcerated and supervised in the community.
- Explore the potential for data matching that may support a gap analysis for housing and behavioral health needs and resources.

Expand DOC data capacity to monitor progress and provide more consistent information and guide decision-making.
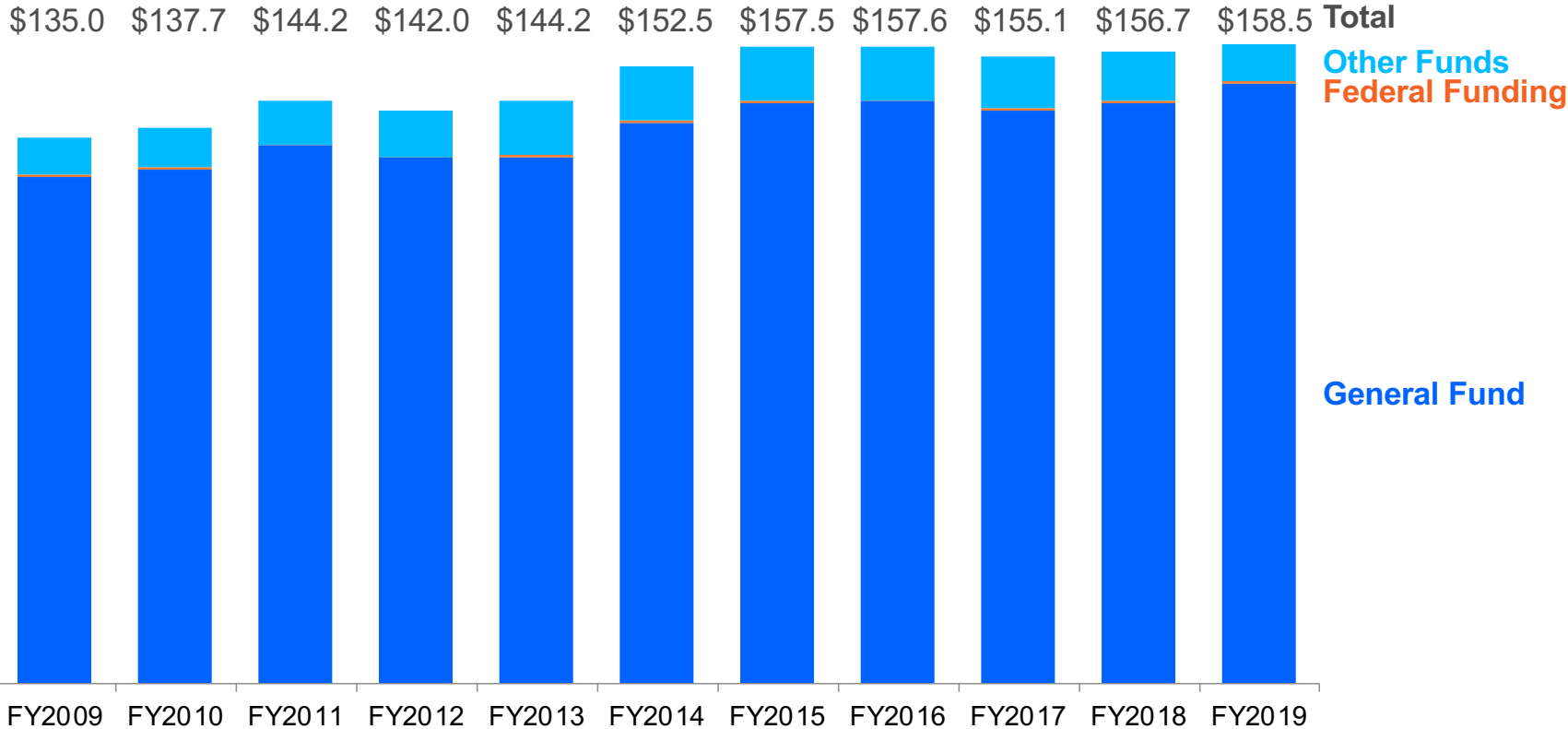
Expand the Community Outreach Program to embed social workers with law enforcement agencies statewide.

Meeting Agenda

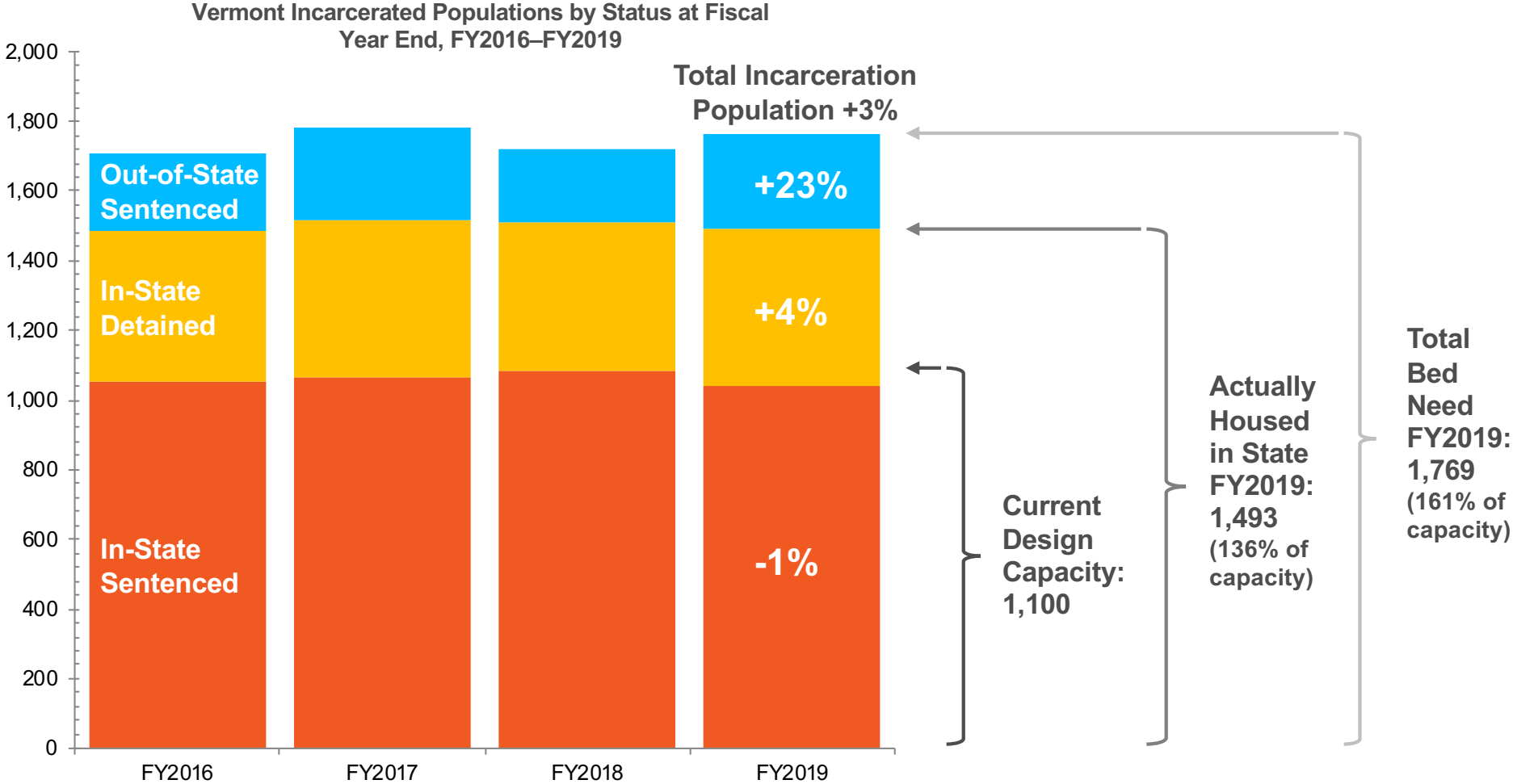|	
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Critical staffing, programming, and grants have been reduced or eliminated as a result of DOC level funding, including reentry coordinators and reductions in community CJC grants.

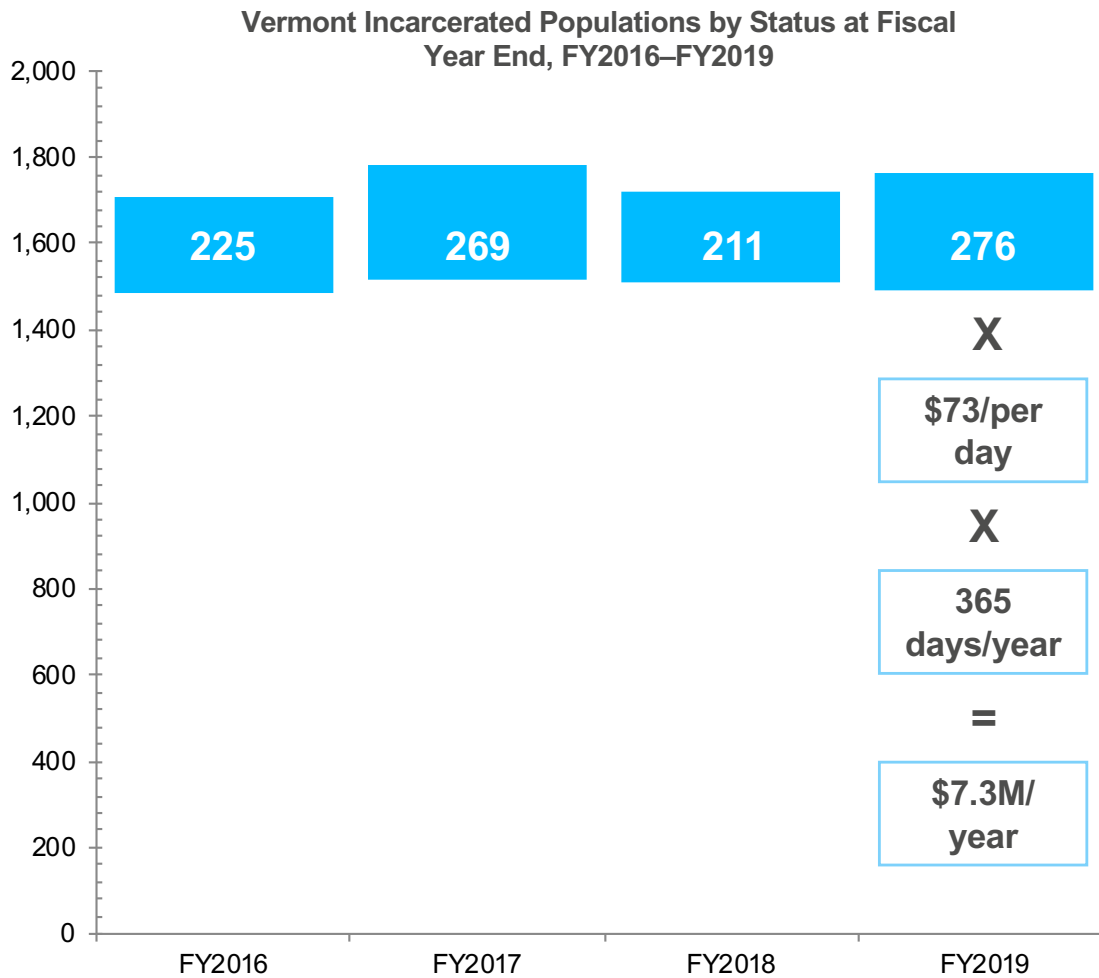**Department of Corrections Budget Appropriations by Funding Source in Millions of Dollars, FY2009–FY2019**

$135.0	$137.7	$144.2	$142.0	$144.2	$152.5	$157.5	$157.6	$155.1	$156.7	$158.5 **Total**

Other Funds
Federal Funding

General Fund

FY2009 FY2010 FY2011 FY2012 FY2013 FY2014 FY2015 FY2016 FY2017 FY2018 FY2019

Sources: Data from the Vermont Department of Corrections.

It is important to remember that Vermont incarcerates more people than current facilities can accommodate, and the incarcerated population is growing.

Vermont Incarcerated Populations by Status at Fiscal Year End, FY2016–FY2019

Total Incarceration Population +3%

Out-of-State Sentenced

In-State Detained

In-State Sentenced

+23%

+4%

-1%

Current Design Capacity: 1,100

Actually Housed in State FY2019: 1,493 (136% of capacity)

Total Bed Need FY2019: 1,769 (161% of capacity)

Sources: The Council of State Governments Justice Center analysis of data from the Vermont Department of Corrections.

The current cost of housing nearly 300 people out of state is over $7 million per year and could increase.

Vermont Incarcerated Populations by Status at Fiscal Year End, FY2016–FY2019

An Out-of-State Sentenced population of 276 people at $73/day per person costs Vermont over $7M per year.

If the sentenced incarceration population continues to grow at an average rate of nearly 1 percent per year as it has for the last three years, the cost of contract beds from FY2021 to FY2025 would total roughly $43M, and **this assumes the contract rate would remain the same, which is potentially unlikely**.

276

X

$73/per day

X

365 days/year

=

$7.3M/ year

Sources: The Council of State Governments Justice Center analysis of data from the Vermont Department of Corrections.

The CSG Justice Center modeled projected impacts based on the entire policy package, with key assumptions and information included.

A five-year (FY2021–FY2025) impact projection was created using historical data to simulate the status quo trajectory of specific DOC sentenced incarceration subpopulations and compare them to assumed changes predicated on the implementation of the **entire policy package** as described in this document. The model assumes recent trends in sentenced incarceration admission volumes, sentence lengths, and length of stay will remain consistent throughout the impact period.

Impacts to the sentenced incarceration population are derived primarily from the combined effects of policy recommendations:

- **Policy 1B** – Establish presumptive parole for people convicted and incarcerated for unlisted offenses.

- **Policy 1C** – Strengthen current policy that allows people to earn time off their sentences for good behavior.

- **Policy 1D** – Ensure more consistency and due process in responses to community supervision violations.

- **Policy 4A–G** – Reinvest to reduce recidivism, improve behavioral health, and sustain progress.
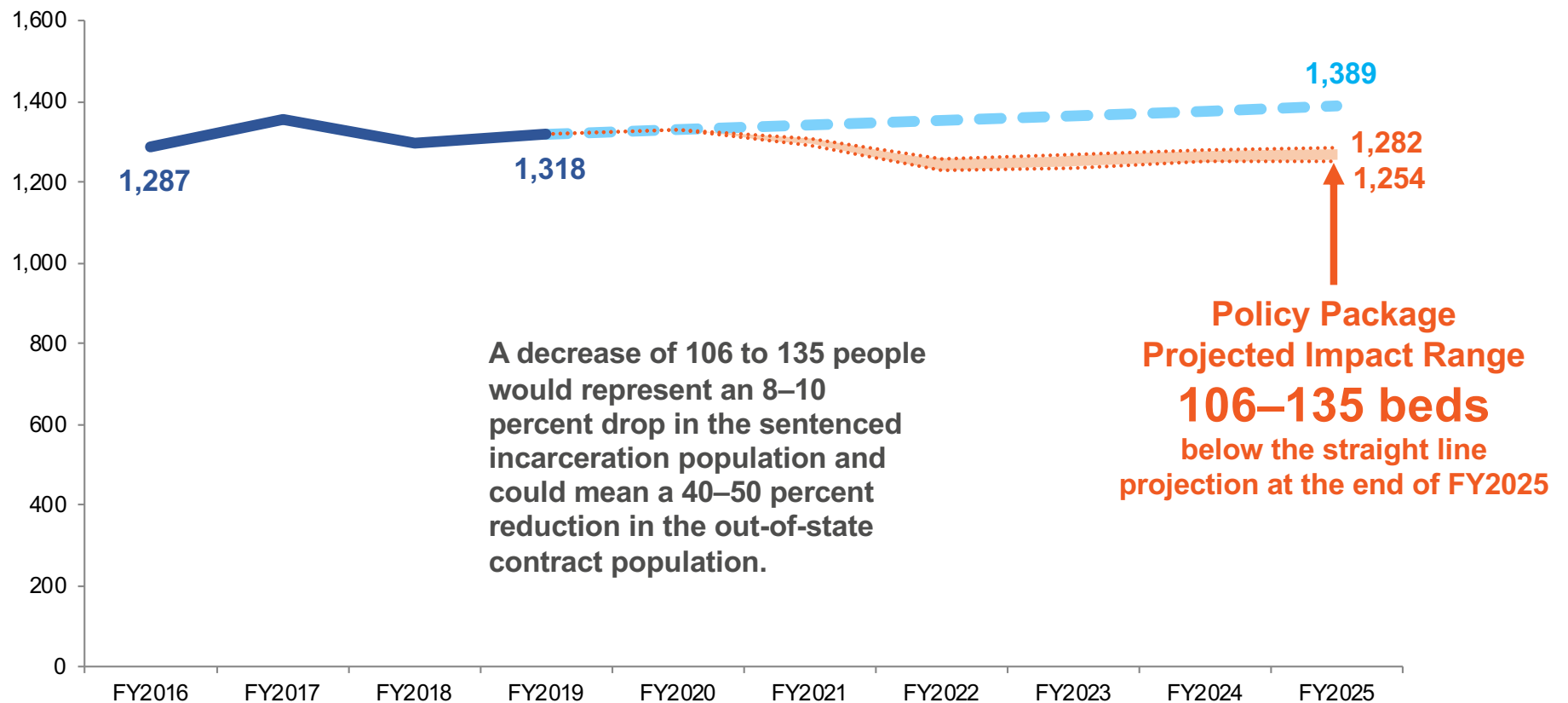
The impact model includes a range of potential impacts based on the percent reduction in revocations from supervision that Vermont is able to achieve (5–20 percent reduction).

Assumed Effective Date – January 1, 2021.

Impact assumptions, drivers, and results vetted with the Vermont DOC.

As drafted, the current policy package could begin to shift the sentenced population trajectory and reduce contract bed needs significantly.

**Vermont Sentenced Incarceration Populations
at Fiscal Year End and Projected Impacts**

A decrease of 106 to 135 people would represent an 8–10 percent drop in the sentenced incarceration population and could mean a 40–50 percent reduction in the out-of-state contract population.

**Policy Package
Projected Impact Range
106–135 beds**
below the straight line
projection at the end of FY2025

Sources: The Council of State Governments Justice Center analysis of data from the Vermont Department of Corrections.

A projected decrease of 106 to 135 people in the prison population by the end of FY2025 would generate $11 to $14 million in averted contract bed costs.*

The impact model includes a range of potential impacts based on the percent reduction in revocations from supervision that Vermont is able to achieve (5–20 percent reduction)

	Range	FY2021	FY2022	FY2023	FY2024	FY2025
Potential Bed Savings at Fiscal Year End	Low End	-35 beds	-96 beds	-99 beds	-97 beds	-106 beds
	High End	-49 beds	-124 beds	-127 beds	-125 beds	-135 beds
Potential Averted Cost per Year	Low End	$0.2M	$2.3M	$2.9M	$2.9M	$2.8M
	High End	$0.2M	$3.0M	$3.6M	$3.6M	$3.5M

5-year potential averted cost totals range from **$11M to $14M**

* Averted costs are calculated on the current contract rate per person per day of $73. If that rate were raised, averted costs would increase.

To increase public safety and meet recidivism-reduction goals, Vermont must consider key priority areas for immediate investment as well as longer-term reinvestment of savings that may be achieved.

Immediate priority investment areas should include:
- Establishing a protected and specific Justice Reinvestment fund that directs state funding toward programs and initiatives that will work to reduce recidivism and improve behavioral health outcomes for people in the corrections system
- Funding expansions to make DOC's risk-reduction programming (RRP) available to all people assessed as medium to high criminogenic risk regardless of their offense
- Strengthening and restructuring domestic violence treatment programs to ensure a more sustainable funding model and provide more risk-informed programming options for people convicted of domestic violence offenses
- Providing more gender-responsive programming to women who are incarcerated to address unique issues facing women in the criminal justice system
- Targeting behavioral health treatment and service reinvestments for those programs and areas that may best provide additional mental health services to people who do not rise to the level of Serious Mental Illness (SMI), those who receive MAT but cannot currently access substance addiction counseling services inside DOC facilities or in the community, and those who have co-occurring mental health and substance use needs and are not currently served by existing services
- Targeting reinvestment funds toward additional reentry housing supports once a more comprehensive assessment of needs and availability is completed
- Expanding DOC data capacity

These recommendations do not represent the sum total of what Vermont may consider in the years to come as the state works to achieve a more safe, equitable, and efficient criminal justice system.

Immediate Policy Changes & Reinvestments

- Simplified and strengthened community supervision system focused on consolidated furlough statuses, presumptive parole for some people, and earned good time off minimum sentences
- Investments in expanded programming and better identification and coordination of behavioral health and housing needs
- Additional data capacity and reporting within DOC to inform continued improvements

Long-Term Policy & Budget Considerations

- Continued expansion of presumptive parole for more populations and further consolidation of furlough statuses, as appropriate
- Possible expansion of the Parole Board to full-time, professional membership to support greater responsibilities and workloads
- Additional sentencing analyses and statutory guidance
- Expanded resources for people with behavioral health and housing needs to fill existing gaps in service and regions
- Continued collection of data from more stakeholders and identification of where current data is insufficient to support robust reporting

Vermont can build on its successful record of changing policy and investing in effective, systemic improvements that hold people accountable, safely reduce corrections populations, and ensure that more people are successful, healthy, and contributing members of their community.

Thank You

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