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**Report to  
The Vermont Legislature**

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**Report on  
Department of Corrections Utilization of One-Time CARES Act  
Appropriations**

**In Accordance with Act 120 Sec. A.49**

**Submitted to:** Joint Legislative Justice Oversight Committee

**Submitted by:** James Baker, Interim Commissioner  
Department of Corrections

**Report Date:** November 11, 2020



**AGENCY OF HUMAN SERVICES**

Department of Corrections

## Executive Summary

The Vermont Department of Corrections (VTDOC) is utilizing CARES Act appropriations to reduce the incarcerated population in ways that address physical health, mental health, and lay the foundation for successful community reentry. In addition to funding COVID mitigation resources, the CARES Act appropriations are establishing new programs aimed at decreasing the incarcerated population. The multi-year initiatives started with CARES Act funding require continued budgetary commitments to be successful.

Two items included as part of the CARES Act appropriations do not have any type of continued funding going into Fiscal Year 2021: focused deterrence work and facility Wi-Fi.

The ability to assess the effectiveness of any newly implemented programs at this time is minimal. There has not been sufficient time, number of participants, or data to say with any certainty what is working well with these initiatives as it relates to reducing the inmate population.

## Background

*Act 120 Sec. A.49.(10)(F): The Commissioner of Corrections shall report to the Joint Legislative Justice Oversight Committee in November 2020 if the funding in this section and in Sec. 36(a)(8) of H.953 of 2020 as passed by the House and Senate for rental assistance; changes in community supervision; reentry and community programming support or pilot programs provided through community service partner organizations; and domestic violence offender reentry programs and victim support programs have decreased incarceration and if the impact is sufficient to continue to provide funding in the future for these programs. Specifically, the Commissioner shall identify if any of these programs should continue to be funded after the pandemic emergency because of their continued potential to further reduce overall incarceration rates.*

In Sec. A.49.(10)(F) of Act 120, \$2.5M was appropriated to the Department of Corrections (DOC) to address the health and safety of persons under the custody of the Commissioner of Corrections and Department of Corrections staff due to the COVID-19 emergency. These allocations must be used on or before December 30, 2020, or they may be reallocated to other eligible COVID-19 cost categories.

While reallocations between the individual DOC allocations are permitted, these shall be reported to the Joint Legislative Justice Oversight Committee, the Commissioner of Finance and Management and the Joint Fiscal Office.

## Update on CARES Act Appropriations

(A) \$760,000 for temperature scanners and six full body scanners at State correctional facilities, temperature scanners at field service offices, and personal protective equipment (PPE) at State correctional facilities and field service offices for COVID-19 mitigation.

- DOC is working with BGS and ADS to procure six body scanners for the correctional facilities. After a review of various models of the body scanners, a decision was

made to move forward with the acquisition of this equipment which also scans for temperature. The state contract for this is being done through the BGS Office of Procurement and Contracting. If these body scanners can be delivered prior to December 30, this allocation will be fully expended. DOC would also use funds from Sec. A 49 (10)(B) for this purchase.

(B) \$700,000 for technology upgrades to support the COVID-19 necessitated transition from in-person programs and services to remote on-line access across facilities including Wi-Fi heating mapping in the facilities, the Community High School of Vermont learning management system, as well as devices, applications, and video conferencing services.

- In addition to the funding (approximately \$100,000) that would be used for the facility body scanners, DOC is in the process of procuring telecommunications equipment for the facilities as well as devices for remote access needs. Due to the time constraints related to this funding, it is not feasible to pursue any of the larger-scale projects that this funding could be used for (heat mapping and/or facility Wi-Fi). Unfortunately, there is not funding identified for these larger facility projects in the future.

(C) \$363,000 to be granted to community justice centers (CJCs), of which \$252,000 is the estimated amount for direct costs incurred at the centers as a result of COVID-19. The remainder is to provide increased program capacity at the transitional housing programs operated by some CJCs for individuals reentering into the community to reduce the risk of spreading COVID-19 in State correctional facilities.

- The CJC grants have been amended to include funding for the direct COVID costs as well as increasing transitional housing program capacity at the sites where this is offered. DOC anticipates that approximately half of this funding will be utilized by the CJCs.

(D) \$350,000 to for the Department to increase rental housing and supporting program capacity in the community. Of this amount \$200,000 is the estimated amount for direct rental assistance for first and last month for individuals reentering the community to reduce the risk of spreading COVID-19 in State correctional facilities. The remaining amount is to increase and provide domestic violence and batterer intervention programs in the community required for COVID-19 reentering individuals.

- DOC is working with community partners to increase housing capacity in the community. This has proven difficult, as these funds are short-term and are one-time. Many of the partners would require multi-year commitments in order to sign long-term agreements for additional housing units and/or to increase staff capacity.
- A portion of the funding will be directed to the Vermont Network Against Domestic Violence to update standards and the certification process for the Domestic Violence Accountability Program.

(E) \$327,000 to be granted to Vermont Network Against Domestic Violence. \$130,000 to provide \$10,000 grants for each of the 13 Domestic Violence Offender Accountability Programs to immediately transition to remote access. The remaining funds to support victims of domestic and sexual violence who are incarcerated and reentering the community by remote contact systems and more extensive use of support personnel to ameliorate the impact of COVID-19 that has required the department to isolate some incarcerated individuals and to limit the in-person contacts of these re-entering individuals.

- These funds are for the Vermont Network and will be used exactly as described in the language for this allocation. The Domestic Violence Accountability Program funding is for remote access and the remaining \$197,000 is being used to support incarcerated women being released from CRCF to reintegrate in their communities. The goal with this is to move women into stable housing and ensure that their immediate needs are met (clothing, food, etc.) and to connect them to treatment and support and ultimately increase their successful reentry in to the community.

### Other Referenced Appropriations

Act 109, Sec. 36(a)(8) Department of Corrections:

(A) \$600,000 is appropriated to the Department of Corrections for support of necessary changes in community supervision and community programming resulting from COVID-19 impacts. This may include transfers or grant funding to diversion or community justice programs to maintain these programs to meet increased demand following reduced judicial operations due to the pandemic.

- VTDOC has contracted with the National Network for Safe Communities (NNSC) to implement an Intimate Partner Violence Intervention (IPVI) focused deterrence program. Through the CARES Act funds, NNSC will prepare for the quantitative and qualitative analysis of intimate partner violence in two pilot sites in Vermont. This will also include strategic advising related to IPVI implementation. While these CARES Act funds will be used for this preliminary work, this is a multi-year effort aimed at providing increased community support services and ultimately decreasing the incarcerated population.