
**Report to
The Vermont Legislature**

Woodside Juvenile Rehabilitation Center Report

In Accordance with 2020 Act 120 (H.961), Sec. A.29 and Sec. A. 31

Submitted to: House Committee on Appropriations
House Committee on Judiciary
House Committee on Human Services
Senate Committee on Appropriations
Senate Committee on Judiciary
Senate Committee on Health and Welfare

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Executive Summary

The Agency of Human Services (AHS) and the Department for Children and Families (DCF) are proposing to close the Woodside Juvenile Rehabilitation Center (Woodside) effective October 1, 2020. This report provides an overview of the different placement options being considered by DCF including contracting with a private, nonprofit organization to operate a 5-bed secure facility at a Vermont location. A breakdown of costs to operate Woodside for three months in FY 21 and the associated costs to contract for alternative placements for justice-involved youth in both FY 21 and FY 22 are included at the end of this report.

Part I: Background

Sec A.29 of Act 120 anticipates the closure of the Woodside Juvenile Rehabilitation Center contingent upon the General Assembly's approval of the AHS plan to:

- (1) adequately fund alternative programs and placements for youths served by Woodside, including those programs and placements that currently accept justice-involved youths who present a risk of injury to themselves, to others, or to property; and
- (2) provide placements for all youths under 18 years of age who are in the custody of the Department of Corrections, and who have historically been placed at Woodside Juvenile Rehabilitation Center instead of a Department of Corrections facility pursuant to the memorandum of understanding between the two departments.

Sec. A.31 of Act 120, requires the Secretary of Administration or designee to provide legislative committees with the following funding analysis:

- (1) Cost of operating Woodside in FY 21
- (2) The projected cost to provide short- and long-term residential placements and treatment services for justice-involved youth in the custody of DCF and DOC in FY 21 and the projected annualized cost of providing such placements and treatment services.

The purpose of this report is to provide an overview of the alternative placements being explored by AHS and DCF to replace the Woodside facility and the projected costs in fiscal years 2021 and 2022.

Part II: Current Status of Woodside

The Woodside facility has been challenged by a combination of recent factors including loss of staff due to its pending closure and three de-stabilizing moves in a short period of time stemming from the state's COVID-19 response. All of this has contributed to the facility's current state of instability, despite DCF's commitment to change the culture and practice at Woodside.

For these reasons, the Family Services Division (FSD) of DCF has found alternative placements for 4 of the 5-youth residing at Woodside. FSD is actively pursuing an alternative placement for the one remaining youth at Woodside which requires Court approval. AHS/DCF do not plan to utilize the Woodside facility for youth placements moving forward. FSD is actively working to ensure that any new youth requiring secure placement can be placed in an appropriate in-state or out-of-state residential treatment program rather than be placed in Woodside.

In addition to programmatic challenges at Woodside, the physical plant remains challenging and is a major factor in our decision not to use Woodside. Woodside was built in 1984 as a juvenile detention center to serve up to 30 youth. The building is too large for our current capacity with the Woodside census staying between 1-5 youth. It is an old, jail-like, inefficient structure. Almost everything about

the appearance and function of the building works against the trauma-informed, therapeutic treatment model of rehabilitation that DCF seeks to implement. These deficiencies promote unsafe and non-therapeutic behaviors by youth.

DCF did ask Buildings and General Services (BGS) to cost out the construction of a new 5-bed secure facility. BGS estimated the cost to be approximately \$3.5 million dollars. This figure includes only construction cost. It does not include costs associated with design, permitting and land purchase. At this time, BGS does not have any state buildings or property available to use.

Part III: Alternative Programs and Placements for Justice-Involved Youth

AHS and DCF are committed to the closure of Woodside and sustainable solutions to house the historic Woodside populations, including those youth in the custody of the Department of Corrections (DOC) pursuant to DCF's Memorandum of Understanding with DOC. We are currently exploring a number of alternatives for the Woodside Juvenile Rehabilitation Center.

DCF is actively working with a nonprofit organization interested in operating a secure facility with the capacity to serve up to five youth at a Vermont location. DCF is currently reviewing the details of this proposal, both the facility's physical plant and the type of programming needed. This program would accept youth pursuant to 33 V.S.A §5291(a) – (d).

<https://legislature.vermont.gov/statutes/section/33/052/05291>

DCF is using the consulting services of Mike Dempsey, CEO of the Council of Juvenile Justice Administrators (CJJA), to help evaluate this proposal. A site visit of the Vermont property took place on 8/13/2020. Both Mr. Dempsey and DCF feel the site has great potential. We were also encouraged by the organization's commitment to work with DCF, CJJA and consultant, Penny Sampson, to design the programmatic aspects of the facility. The next step is to bring in an architect/engineer to do a structural assessment of the site and do a preliminary design to upgrade the facility to a secure residential for the state to review.

In the event of a contractual agreement, this organization will be required to meet two key provisions. First, they will accept all justice-involved youth in DCF custody that need a secure placement and will not reject or eject youth from the program (unless ordered by the court). They will also need to adhere to an evidence-based de-escalation and restraint model. DCF has discussed these requirements with the organization and is confident that they understand and will be able to comply.

It is anticipated it will take approximately 12 months to complete the necessary renovations of the physical plant and execute a contract. During this interim period, Vermont will utilize its continuum of in-state and out-of-state residential treatment programs and Psychiatric Residential Treatment Facilities for Vermont youth, continue to leverage in state and out of state therapeutic programs and are pursuing potential inter-state partnerships such as Massachusetts and New Hampshire's Sununu Youth Services Center to serve Vermont youth and prevent new Woodside admissions.

Also, during this interim period, DCF is in discussion with two entities who have the experience and expertise to manage state residential treatment programs. These entities would bring in their own management team, operation, and clinical staff to operate the Woodside facility at its current site or at an alternative site, if necessary while the 12-month renovation period takes place. These entities are often used by other states as a result of bed shortages or a lack of access to care, litigation, and other types of public concerns.

In the event a youth comes into DCF custody during the evening or on a weekend and a placement is not available immediately, DCF is also are pursuing an agreement with the Lamoille Sheriff's Department to provide short-term secure supervision of youth as other placement opportunities are explored. A

combination of FSD staff and deputy sheriffs will provide programming and secure staffing at Yellow House, a residential facility in Hyde Park, VT owned by the Lamoille Sheriff's Department. The Yellow House placement will be short term while another placement is being secured unless it is needed through a weekend or beyond 24 hours for exigent circumstances. It will be secured through a Staff Safety Manager in conjunction with the Specialized Service Unit and Operations. This will only be done after the Specialized Service Unit and/or CIES have confirmed that there are no alternative safe placements. Any youth staying at Yellow House will need to be staffed 24/7 by DCF/FSD and may include respite providers or case aides only upon specific approval from Operations and Staff Safety Manager.

Part IV: Woodside Budget

In FY21 Restatement, DCF proposes a reduction of the Woodside base budget to align with the current census of youth, and the phasedown and replacement plan outlined above. Specifically, DCF intends to leave 4.6 Million Dollars of Funding available in the base Woodside budget. Below is an outline of how we anticipate these funds will be utilized in FY21 and FY22.

Description	FY21	FY22 (Anticipated)
Continued Operations at Woodside (1 Quarter)	\$1,470,029	
Contractual Arrangements for Woodside Youth	\$1,526,704	Subject to Contract Negotiations
One-Time Costs for New Secure Location	\$1,200,000	
Misc. Contracts and Grants	\$407,679	
Total	\$4,604,412	

It is anticipated that in FY22 the costs associated with Woodside will be to contract with a 3rd party. The finalized cost is yet to be determined and will be subject to contract negotiations from proposals received. It is anticipated that the cost will be between \$3.6-\$4.1M with additional staffing costs associated with placement.

Conclusion

While Vermont has made progress in utilizing in-state and out-of-state residential treatment programs for placing youth in DCF custody, there is still a need for a small 5-bed secure facility for those situations that require a secure placement due to public safety concerns and to comply with the federal requirements of the Interstate Compact on Juveniles (ICJ). While DCF works with a nonprofit to start up a 5-bed secure facility in Vermont, we will continue to identify residential placement opportunities in Vermont and in other states to ensure that the youth are placed in appropriate settings.