
**Report to
The Vermont Legislature**

Woodside Juvenile Rehabilitation Center Report

In Accordance with Sec. E.327 of Act 72 (2019)

Submitted to: House Committee on Appropriations

House Committee on Corrections and Institutions

House Committee on Human Services

House Committee on Judiciary

Senate Committee on Appropriations

Senate Committee on Health & Welfare

Senate Committee on Institutions

Senate Committee on Judiciary

Submitted by:

Michael K. Smith, Secretary, Agency of Human Services

Ken Schatz, Commissioner, Department for Children and Families

Christine Johnson, Deputy Commissioner, Family Services Division

Prepared by:

Leslie Wisdom, General Counsel, Department for Children and Families

Report Date: January 15, 2020



**AGENCY OF HUMAN SERVICES
Department for Children and Families**

Table of Contents

Executive Summary 3

Part I: Background 3

Part II: Data and Information 3

Part III: Impact of the Closure of Woodside 5

Part IV: Next Steps 6

Conclusion 7

Appendix 8

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 July 1, 2020. This report to the General Assembly provides information about the declining need in Vermont for serving justice-involved youth in secure settings. This report also explains the impact that the closure of Woodside will have and details the alternative placements for youth that have already been developed as well as the plan for additional placement options.

AHS and DCF would like to take the opportunity to acknowledge the role that Woodside has played in Vermont for over 30 years. Woodside has served a critical role in Vermont's continuum of care. Many people over the past 34 years have dedicated their time and careers to caring for youth at Woodside and their service is appreciated. At the same time, the declining need for secure placement for justice-involved youth is a cause for celebration. Historically, on November 21, 2019, Woodside had a census of zero for the first time. This event mirrors the trending decline in justice-involved youth in DCF custody. As the needs of youth are changing, Vermont's system of care must also evolve.

Part I: Background

On April 15, 2019, the Agency of Human Services (AHS) and the Department for Children and Families (DCF) submitted a Woodside report to the General Assembly¹. This report provided a detailed explanation of the role of Woodside in Vermont and the youth served at the program. This report also examined the question of whether Woodside was still a necessary component in the system of care for youth.

Following the submission of the Woodside legislative report, language was included in Sec. E.327 of the State Fiscal Year 2020 Big Bill, Act 72 (2019), which provided:

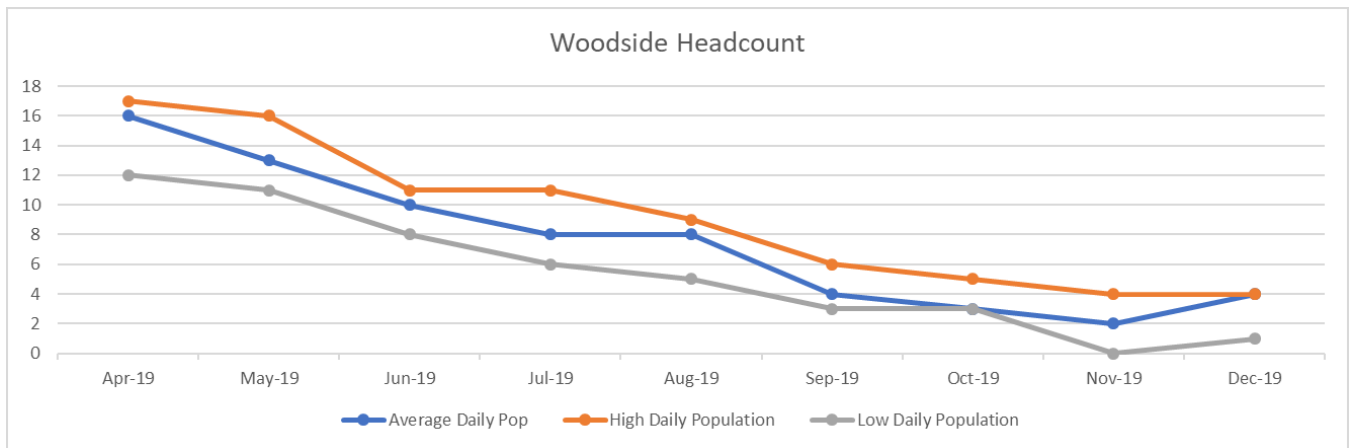
- (a) The Secretary of Human Services shall develop an alternative proposal for long-term secure beds for delinquent youth. The proposal shall take into account the report required pursuant to 2018 Acts and Resolves No. 201, Sec. 12 and how therapeutic needs can be met.
- (b) On or before January 15, 2020, the Secretary of Human Services shall submit a copy of the proposal to the House Committees on Appropriations, Corrections and Institutions, Human Services, and Judiciary, and the Senate Committees on Appropriations, Health and Welfare and Judiciary.

In order to inform the report due on January 15, 2020, AHS issued a Request For Information (RFI) on September 6, 2019. The RFI closed on September 27th. The Agency received one response to the RFI. On November 25, 2019, AHS and DCF announced the decision to propose the closure of Woodside, which is the subject of this report.

Part II: Data and Information

Since the April 15, 2019 Woodside legislative report, the census at Woodside has been steadily decreasing.

¹ <https://legislature.vermont.gov/assets/Legislative-Reports/Woodside-legislative-report-4.15.2019.pdf>.



At the time of the April 2019 legislative report, the Department’s position was that Woodside was a necessary piece of the continuum of care. The high cost to run the facility (approximately \$5.8 million in general fund annually), declining Woodside census, decrease in the number of youth in custody because of delinquency, and the development of less restrictive alternatives to Woodside has resulted in a change in the Department’s position.

Point in Time Data for Number of Youth in DCF Custody because of Delinquency	
June 9, 2016	124
May 31, 2017	107
June 7, 2018	100
August 7, 2018	94
October 9, 2018	85
December 4, 2018	84
February 6, 2019	77
April 1, 2019	78
May 29, 2019	78
August 1, 2019	76
October 1, 2019	59

DCF has been in the process of enhancing the current system of care to address the needs of youth, including:

- Expanding the capacity of the SEALL Depot Street program, approximately a year ago, from 12 to 18 beds. One of the beds is called Horizon and is a small apartment that can be staffed at a ratio of 2:1 or 1:1.
- Establishing Washington County Mental Health capacity of two beds dedicated to support DCF’s high acuity youth. One bed came on-line at the beginning of December 2019. The second bed is expected to be available in February 2020.
- Establishing Vermont School for Girls enhanced residential treatment options, with the addition of four new acute level beds to serve young women. These four beds have been available since November 1, 2019.

The current in-state system of care for DCF youth includes:

- 2 assessment resources
- 1 hospital diversion program
- 6 crisis stabilization programs
- 12 community-based group homes
- 7 intensive residential programs

DCF currently uses 19 out-of-state residential programs:

- 9 located in New England
- 2 in New York and Pennsylvania
- 8 in Arkansas, Florida, Indiana, Tennessee and Virginia

Please see the appendix of residential placement options for more detail about these programs at the end of this report.

Part III: Impact of the Closure of Woodside

In our current residential system of care for youth, programs have a variety of levels of security ranging from staff secure (doors to the program are not locked, program is secured by staff), to programs with delayed locks (the building can be entered from the street by a key or key fob; exiting the building is possible after a 30 second delay after the door bar is pushed, except when the fire alarm goes off, then all the doors are able to open with no delay). While delinquency filings and violent crimes committed by youth have been decreasing, DCF understands that there may still be a need for a small number of secure beds at any given time when Woodside closes.

DCF and Woodside serve youth who are justice-involved². The Department has a responsibility to serve youth in the delinquency system as well as youth pursuant to the Interstate Compact on Juveniles (ICJ). The ICJ requires states to safely care for youth who are on run from other jurisdictions outside of Vermont. Sometimes it is necessary to hold a youth “securely” pursuant to the ICJ until the youth can safely be returned to another jurisdiction. The ICJ defines a “secure facility” as either staff-secured or locked in order to prohibit a youth from leaving. While the ICJ provides flexibility in what a “secure” program means, there may be times when DCF is required to hold a youth under the ICJ in a locked facility.

DCF currently has a Memorandum Of Understanding with the Department of Corrections (DOC) to house and care for youth who are charged or convicted criminally as an adult. When Woodside closes, DOC would have the responsibility of caring for and holding these youth in adult facilities with sight and sound separation from adult inmates, unless and until DCF and DOC identify alternative appropriate settings for youth in the criminal justice system. Please note that youth in the juvenile delinquency system generally may not be placed in adult facilities, so any youth in the juvenile delinquency system continues to be a DCF responsibility.

² see the April 2019 legislative report for more detailed information:

<https://legislature.vermont.gov/assets/Legislative-Reports/Woodside-legislative-report-4.15.2019.pdf>

Finally, it is important to acknowledge that Woodside has provided placement capacity for youth who have had escalating behaviors in other programs. When Woodside closes, this need must also be considered.

Part IV: Next Steps

DCF estimates the current need for secure capacity for youth ranges from three to five beds total, noting there may not be a need every single day in the state for secure capacity.

DCF issued a request for proposal (RFP) on January 9, 2020: <http://www.vermontbusinessregistry.com/BidPreview.aspx?BidID=41120>. This RFP requests proposals for in-state short-term and/or long-term residential services and/or wrap around community-based service packages for youth with serious emotional, behavioral or mental health needs, including youth in the custody of DCF who have been charged with or adjudicated as having committed a delinquent act. The RFP closes February 28, 2020 and DCF is scheduled to notify selected bidders by March 5, 2020. The RFP requests that any proposals for residential programs address the question of what level of staffing and security is needed to meet the needs of the youth served. The goal of this RFP is to build additional in-state capacity for residential programming and/or intensive community-based interventions to serve the populations that Woodside has historically served in addition to other youth served by DCF in-state and out-of-state with similar acute needs. This RFP includes youth through age 18 in order to address the needs of youth when Vermont raises the age of juvenile jurisdiction to age 18 effective July 1, 2020.

In order to further improve the State's response to youth, the Agency of Human Services has also issued an RFP for a consultant to analyze Vermont's residential system of care and address the question of what planning steps Vermont can take beginning in State Fiscal Year 2021 and over the next five years to:

- increase community-based supports and services (wraparound supports for children in their biological or foster home, mobile response, therapeutic foster homes);
- increase the ability of families to care for their children while they receive the necessary therapeutic treatment;
- provide necessary treatment within family like settings, thus decreasing the need to receive treatment within a residential setting;
- ensure youth only reside within residential settings when the treatment provided is necessary and prescribed, and only for the duration of that need.

This RFP, which closes January 17, 2020, can be found at <http://www.vermontbusinessregistry.com/BidPreview.aspx?BidID=40059>. The results of this analysis will, in the long term, further ensure that residential care is reserved for youth with needs that cannot be met in less restrictive and more normalized family-like settings.

Finally, in order to effectively close Woodside, the statute that directs DCF to operate Woodside would need to be repealed or amended. Please see 33 V.S.A. § 5801, which directs DCF to operate the Woodside facility:

§ 5801. Woodside Juvenile Rehabilitation Center

(a) The Woodside Juvenile Rehabilitation Center in the town of Essex shall be operated by the Department for Children and Families as a residential treatment facility that provides in-patient psychiatric, mental health, and substance abuse services in a secure setting for adolescents who have been adjudicated or charged with a delinquency or criminal act.

(b) The total capacity of the facility shall not exceed 30 beds.

(c) The purpose or capacity of the Woodside Juvenile Rehabilitation Center shall not be altered except by act of the General Assembly following a study recommending any change of use by the Agency of Human Services.

(d) No person who has reached his or her 18th birthday may be placed at Woodside. Notwithstanding any other provision of law, a person under 18 years of age may be placed at Woodside, provided that he or she meets the admissions criteria for treatment as established by the Department for Children and Families. Any person already placed at Woodside may voluntarily continue receiving treatment at Woodside beyond his or her 18th birthday, provided that he or she continues to meet the criteria established by the Department for continued treatment. The Commissioner shall ensure that a child placed at Woodside has the same or equivalent due process rights as a child placed at Woodside in its previous role as a detention facility.

Conclusion

Youth needs are changing and as a result, Vermont's system of care must also change. Woodside has historically served an important function in Vermont. However, the State's need for placing youth in secure facilities is decreasing, which is a milestone worth celebrating. We look forward to working with legislators on the proposal to close the Woodside facility.

Appendix

Vermont Residential Placements

Program	Age/ Gender	Location
Hospital Diversion		
NFI Hospital Diversion Program	10 up to 18, M/F	So. Burlington
Crisis Stabilization		
Howard Center- Crisis beds, Jarrett House	5 up to 14, M/F	Burlington
Seall - Depot Gap	13 up to 18, F	Bennington
Seall- Depot Street	13 up to 18, M	Bennington
Seall – Horizon	10-18, M/F	Bennington
Windsor Co. YSB- 20 Mile Stream	13 up to 22, F	Proctorsville
Windsor Co. YSB- Mountainside	13 up to 22, M	Proctorsville
Assessment		
Community House	6 up to 12, M/F	Brattleboro
VT Assess- Newbury	11 up to 18, M	Newbury
Community Based Group Home		
Howard Center Transition House	16 up to 22, M	Burlington
Laraway (Foote Brook)	12 up to 19, M	Johnson
NFI Allenbrook	12 up to 18, M/F	So. Burlington
NFI- DBT House	10 up to 18, F	Brattleboro
Onion River Crossroads	12 up to 21, F	Montpelier
WCMH- Skyline	12 up to 20, M	Barre
WCMH- Crescent	6 up to 17, M	E. Montpelier
WCMH- Evergreen	13 up to 20, F	Berlin
WCMH- Oden	13 up to 20, F	Berlin
NFI Group Home	14 up to 18	Burlington

Out-Of-State Residential Placements

Placement Name
Becket (NH)
Conway Behavioral Health (AR)
Cornell Abraxas Group Inc. (FL)
Cornell Abraxas Group Inc. (FL)
Devereux Foundation (MA)
Fall River Deaconess Home (MA)
Foundations Behavioral Health (PA)
Harbor Point Behavioral (VA)
Hillcrest Educational Centers (MA)
Justice Resource Ins. (MA)
Manhattan Children's Center (NY)
Millcreek of Arkansas (AR)
Mountain Youth Academy (Keystone) (TN)
Pine Haven Boys Center (NH)
Resolute Acquisition Corp (IN)
Sandy Pines (SP Behavioral LLC) (FL)
Stetson School (MA)
Stevens Children's Home, Inc. (MA)
Whitney Academy, Inc. (MA)