



**January 30<sup>th</sup>, 2020**

**Senate Judiciary Committee: Justice Reinvestment**

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Thank you for the opportunity today to testify on Justice Reinvestment II. The Vermont Network Against Domestic and Sexual Violence is Vermont's leading voice on domestic and sexual violence in our state. We represent 15 independent, non-profit Member Organizations throughout the state<sup>1</sup> which provide advocacy and support to victims of domestic and sexual violence. Together these organizations provide 24-hour access to crisis hotlines, emergency shelter, legal and medical advocacy and support and serve every square mile of Vermont. In 2019, these organizations served 8,760 individuals and answered 18,921 hotline calls.

The Vermont Network was pleased to serve on the Justice Reinvestment Working Group, and provide input and feedback to the Center for State Governments and Working Group members throughout the process. We are grateful that the Legislature, Administration and Judiciary committed to engaging in this process at this important moment to ensure that we are directing our public resources effectively and create healthier and safer communities for all Vermonters. We would be remiss not to mention how extraordinarily impressed we have been with the Center for State Government's staff and analysis and believe this has been a strong process leading to actionable and important policy recommendations.

The Vermont Network Against Domestic and Sexual Violence is engaged in these conversations from two unique vantage points. First and foremost, we represent the interests of victims and survivors of domestic and sexual violence. Survivors across the state have a vested interest in ensuring that our system of accountability, treatment and support will support their safety and wellbeing. As Vermont makes investments in justice reforms, it is essential that we ensure victims and survivors receive commensurate focus. Second, we have a unique perspective to offer as one of the most longtime providers offering services to incarcerated women in Vermont. For nearly two decades, we have watched as various justice reform efforts have had an impact on incarcerated women in Vermont. Today, I would like to focus on two primary issues highlighted in the Justice Reinvestment process – incarcerated women and domestic violence treatment programming.

### **Incarcerated Women in Vermont**

The Vermont Network has operated with DIVAS program in the women's correctional facility for nearly two decades. DIVAS provides in-person, trauma informed advocacy to women at the Chittenden Regional Correctional Facility who identify as victims of domestic and sexual violence. In addition to providing support and advocacy to incarcerated women, the DIVAS program also provides voluntary trainings on trauma-informed practice to correctional officers. These trainings are voluntary and attendance rates are very low.

Research indicates that the vast majority of incarcerated women have experienced some form of violence resulting in trauma in their lifetime. Experiences of physical or sexual violence in childhood are

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<sup>1</sup> <https://vtnetwork.org/member-program/>



reported by approximately 60-70% of incarcerated women or girls. Experiences of adulthood intimate partner violence are reported by approximately 70-80% of incarcerated women. The complex trauma experienced by incarcerated women is significant and often lifelong and once an individual has experienced sexual assault it leaves them more vulnerable, statistically, to future abuse. This lifelong experience of trauma can sometimes include women being coerced to commit crimes as a result of their abuse as well as engaging in independent criminogenic behavior. In other words for women and, parenthetically, for many men, there is a trauma to prison pipeline. Across the country, justice reform efforts are considering the differences between men and women and looking at gender-informed interventions. It is critical that Vermont continue to use a gendered lens to understand the differential impact of reform efforts on men and women in our state. Research indicates that in localities where reforms focus on female incarceration, those reforms positively impact males who are incarcerated. These studies indicate that the reverse is not true.

Data presented by the Council on State Governments is supported by our decades of experience working with incarcerated women in Vermont. The advocates at our DIVAS program report that many of the incarcerated victims they work with return again and again to the facility after being revoked from community supervision for challenges such as housing and substance use disorder. These repeated revocations result in women losing all of the progress they have made towards stability, sobriety or reestablishing the critical bonds with their families or community members. Repeated revocations have an especially devastating impact on women who are parents, and can lead to termination of their parental rights and the devastating loss of losing custody of their children. The Center for State Governments has highlighted that 77% of the women incarcerated in Vermont are deemed low or medium risk. It is essential that reforms ensure that community supervision is tailored to risk level, rather than offense. Community supervision and supports such as housing and substance abuse treatment must be available to women across Vermont and tailored to their needs – especially in the first few tenuous months after leaving the facility. If adequate community supports are in place for low to medium risk women transitioning out of incarceration, we believe that we will have fewer women incarcerated in Vermont.

### **Domestic Violence Treatment**

The Center for State Government highlighted a critical need to invest in domestic violence treatment programming in Vermont. Vermont used to be the envy of the nation with our domestic violence treatment programming, which at one point offered a multi-tiered approach to treatment both in the community and in the incarcerative setting. There was a part-time statewide coordinator to support and innovate treatment offerings, and a set of comprehensive standards for certified programs was developed by the Vermont Council on Domestic Violence. The Council certified treatment providers following comprehensive reviews. After Justice Reinvestment I, the state transitioned to a general cognitive behavioral risk reduction model. Due to limited resources, the Department of Corrections decided to discontinue its investment in domestic violence treatment programming and focus instead on general risk reduction programming.

This discontinuation of funding left the network of domestic violence treatment providers with no state or federal funding to support their efforts. Several programs, including one provider who was serving more than half of the state, discontinued services leaving a skeletal network of treatment providers



throughout the state who offer programming funded solely through participant fees. Criminal justice reform efforts across the country are focused on reducing financial barriers to treatment for offenders, but Vermont has moved in the opposite direction with this critically important programming. The part-time position which was based at the Network and supported the certification process for domestic violence accountability programs was also eliminated when the funding was cut. As a result of this lack of funding, these treatment providers also offer a one-size-fits-all approach that is not responsive to participant risk levels. In addition, they are unable to come into compliance with the robust standards that we have developed as a state to ensure adequacy of programming.

Despite these serious challenges, the Vermont Network has continued to support this work without any funding, and we continue to collaboratively partner with the Department of Corrections to innovate the treatment offerings by domestic violence treatment providers. In the past 5 years, the Vermont Network has partnered with the DOC to import the ACTV curriculum which is an evidence-based accountability approach developed in Iowa. ACTV is now being offered in several communities and in an incarcerated setting.

We sincerely hope that the Justice Reinvestment package will include an investment in domestic violence accountability programming to create a system of treatment that is based on risk level, is not funded solely on participant fees and is offered at the most impactful time for incarcerated individuals and those reintegrating into the community after incarceration. This robust system of care is essential to supporting victims of violence and those who cause harm - and it cannot be effective without statewide coordination. We believe this coordination is best seated in the Vermont Council on Domestic Violence, which is statutorily charged with oversight of domestic violence accountability.

Thank you for the opportunity to testify and for your deep commitment to victims of domestic and sexual violence.