

May 19th, 2020

Dear Members of the Senate Judiciary Committee,

I am writing regarding my testimony on CARES Act budget priorities from May 13th. As you consider the appropriation of funds to mitigate impacts caused by the pandemic, we ask that the following areas be addressed and prioritized.



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Executive Director

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- **Protecting the health and safety of the people who live and work in Vermont's prisons.**
 - Protective equipment and sanitation products for people who live and work in Vermont's prisons: The COVID 19 pandemic has created the need for the Department of Corrections to procure large amounts of personal protective equipment and sanitary products that were not envisioned before the start of the crisis. With the duration of the crisis unknown, these expenses are likely to be ongoing and it is essential that the people that live and work in our prisons have the tools necessary to protect themselves against this deadly virus.
 - Access to free video and telephone visitation: On March 13th, the Department of Corrections suspended all in person visitation for people incarcerated in our prisons. People are now being allowed one free 25-minute video call a week in lieu of their previously allowed 90 minute in person visitations. We appreciate the need to restrict visitation, but ask the committee to support the appropriation of the funds necessary to allow for people incarcerated by the state to have unlimited contact with their friends, families and loved ones outside of the facility. This is especially important during this time of heightened anxiety and isolation.
 - Expenses related to staffing needs: This crisis has created unforeseen expenses related to staffing to protect the health and safety of all the people who live and work in our prisons. This includes alternative housing options for correctional officers who wish to self-isolate as well as overtime to account for staffing shortages. We support the appropriation of funds to cover these additional expenses.

- **Offering necessary programing within the facilities:** Since the declaration of emergency on March 13th, we have been hearing from people in our prisons that they can't access the programing they need to be eligible for their release. This is especially troubling since many of these people are past their minimum sentence, and are being held in close quarters amid a deadly global pandemic because the Department is not providing the programing necessary for their release. We support the appropriation of funds necessary to adapt and provide programming through the duration of the crisis so that

people are not incarcerated for any longer than is necessary to ensure public safety.

- **Community based services and supports:** Since March 13th we have seen our prison population drop by nearly 300 people. These reductions have come both from the number of people being detained pretrial, and the number of sentenced people being held past their minimum release date. These reductions show that Vermont can safely reduce our prison population by utilizing the discretionary tools already in place in our system. These reductions also necessitate an investment in the community based supports that people need to safely reenter their communities. This includes housing, counseling, and job training programs that give people the security and support they need successfully transition from incarceration. When deciding where these resources are most needed, we suggest the committee look specifically to the priority areas outlined by the Council of State Governments in their Justice Reinvestment II recommendations.
- **Data collection and analysis:** The Council of State Governments identified the Department of Corrections lack of capacity to collect and analyze data as one of the primary areas of needed investment in their Justice Reinvestment II recommendations. That need has only increased during the COVID 19 crisis. Now, more than ever, it is essential for the Department to be able to accurately capture and share information about who is incarcerated in our facilities and for what reasons. As we work to safely reduce the number of people who are incarcerated and vulnerable to an outbreak in our facilities it is essential to have better information available to decision makers and the public. Without better information the legislature and advocates are left trying to put together a puzzle without all the pieces and are deprived of the ability to engage in data driven decision making.

Sincerely,

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