

Vermont Legislative Joint Fiscal Office

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ISSUE BRIEF

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Justice Reinvestment II – Fiscal Summary FY21 and Proposed FY22

This issue brief provides the state funding related to Vermont's Justice Reinvestment II (JR II) initiative for Fiscal Years 2021 and 2022. The JR II effort followed from discussions during the 2018 and 2019 legislative sessions that resulted in a report from the [CSG Justice Center Report in January 2020](#) and the passage of [Act 148 in the 2020 session](#). JR II encompasses both policy and fiscal elements in the effort to achieve the purposes of Act 148

(b) The purpose of this act is to:

(1) Improve public safety in Vermont, while creating immediate opportunities to reduce recidivism and achieve long-term savings by reducing contract bed needs significantly.

(2) Make evidence-based programming available to individuals transitioning back into the community in order to support their transition and reduce violations, revocations, and reincarceration.

(3) Streamline the furlough system to eliminate multiple furlough statuses without limiting the availability of supervision within the community for inmates.

The state funding elements of the JR II initiative are evolving, the initiative envisions that as savings, mostly likely in the form of reduced need for out-of-state beds, are realized as a result of JR II policy and practice changes these savings are in turn reinvested in housing and community based social services to continue to increase and maintain successful reentry and reduced recidivism. JR II efforts are not solely dependent on new funding in these areas but also need to be aligned with existing base funding in the Dept. of Corrections budget related to housing and community grants, as well as federal or other grants available to partner organizations.

Clarification: Prior to the C19 pandemic in March 2020, there were initial legislative conversations to try to find and apply \$2 million of onetime state GF funds in FY2021 to provide 'up front' funding that would be able to be made ongoing as bed savings were realized. However, \$2 million of onetime funding was **not** ultimately appropriated. One-time CRF funding was provided to DOC in FY20 and FY21 which can be considered JR II adjacent (not direct) to maintain and support existing services and capacity; these appropriations are summarized in the endnote on this brief.

FY21 JR II Funding

Department of Corrections GF: Act 154 the FY21 Appropriations Bill included a direct JR II funding increase of **\$360,140**. This amount was derived from a reduction in out-of-state beds that was initially proposed to be reduced from the base DOC budget. As of Feb 2021, these funds are not yet deployed, these funds will be deployed when planning is completed for community-based services including intimate partner violence intervention and prevention programming. These funds are a base addition and continue to be available in FY22 for JR II investment.

Act 54 also added language that requires that any unexpended FY21 out-of-state bed appropriation be held for JR II reinvestment, it will be known if any additional JR II funds are available after the close of the fiscal year in late July 2021.

In FY2021 there is also **\$250,000** of capital funding available to DOC for facility related needs for the JR II initiative. These capital funds have not been deployed as of Feb. 2021 primarily due to the pandemic impacts on the ability to address facility needs as DOC manages the incarcerated population during the fall and winter C19 surge.

FY22 JR II Funding: \$1.26 million

The budget as proposed by Governor includes the **\$360,140** dedicated JR II funding that was added in FY21 and adds additional GF items totaling **\$900,000** for JR II as follows:

Dept. of Corrections GF: The budget proposes to dedicate **\$500,000** of GF within the DOC budget for JR II investment grants, specifically \$200,000 for grants for domestic violence intervention programming and \$300,000 for transitional housing capacity. The department has issued an RFP statewide for transitional housing and, while the results of the RFP and the added JR II funding may not result in significant increase in total units available, this should result in services that more closely meet the current needs of the population. With this increased JR II funding, the total transitional housing budget within DOC is \$6,283,859

Mental Health GF: The budget proposes to dedicate **\$400,000** of GF within the DMH budget for JR II investments, specifically these funds target gaps in mental health and substance use community services for individuals on DOC supervision. The recommendation is that funding would be split between the Department of Mental Health and the Division of Alcohol and Drug Abuse Program to support community-based mental health and substance use services.

Note: The DMH budget also provides increased funding of \$600k for the MH mobile response initiatives intending to address crisis needs at the front end lessening the impacts on the Hospital Emergency Room, MH and Justice systems of the state.

Endnote

DOC CRF Allocations in FY20 and FY21	Act 109 FY20 BAA2	Act 120 FY21 Qtr1 Bill	Funding Reversions Fall 2020	Net CRF
Changes in community supervision & programming	\$600,000		(\$410,000)	\$190,000
PPE, temp and body scanning field & facilities		\$760,000		\$760,000
Tech upgrades, wifi heat map and CHSVT etc		\$700,000	(\$458,000)	\$242,000
Rental assistance at CJC based progs		\$350,000	(\$180,000)	\$170,000
CJC - C19 cost reimbursement		\$363,000	(\$150,000)	\$213,000
DV Network \$10k/prog to go remote		\$130,000		\$130,000
Support reentering victims of domestic & sexual violence		\$197,000		\$197,000
Total	\$600,000	\$2,500,000	(\$1,198,000)	\$1,902,000