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STATE OF VERMONT
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DEPARTMENT OF STATE'S ATTORNEYS & SHERIFFS

July 13, 2021

VIA ELECTRONIC MAIL

Joint Legislative Child Protection Oversight Committee

Attn: Sen. Virginia "Ginny" Lyons Rep. Ann Pugh Sen. Dick Sears, Jr.
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Sen. Richard Westman Rep. Kelly Pajala Rep. Kimberly Jessup
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Re: Woodside Replacement/Impact on the System.

Dear Senators and Representatives:

On June 30, 2021, the Joint Legislative Child Protection Oversight Committee held a hearing regarding the closure of the Woodside Juvenile Rehabilitation Facility, the impact of that closure on the juvenile justice system, and the resulting potential need for a replacement facility.

During the hearing, Senators Lyons and Sears asked me the following three questions:

1. How frequently are Sheriffs being asked by the Department of Children and Families to assist with supervising juveniles while the Department locates a placement for them?
2. How much do those requests cost?
3. What training, if any, do Sheriffs and their deputies receive regarding interactions with juveniles?

The purpose of this letter is to answer these questions.

Questions 1 and 2

Answering the first two questions is difficult because the Sheriffs' Offices' bills to DCF do not segregate *solely* supervisory services from transport services.¹ Nonetheless, by working with DCF and the Sheriffs' Offices, I can provide the following information:

¹ Sheriffs send these bills to DCF directly. They are different than the court-related transport bills, which go through the Department of State's Attorneys and Sheriffs.

1. DCF's Family Services Division procures the services of Sheriffs' Offices in accordance with its policy for secure transports (Policy 150) and its policy regarding the Interstate Compact on the Placement of Children (Policy 182), as well as in situations where supervising youth has the potential to create a risk to staff safety.
2. When DCF utilizes the services of a Sheriff's Office, it does so pursuant to a state-wide contract between the Sheriffs' Offices and the Agency of Human Services. According to this contract, Sheriffs may charge DCF an hourly rate of \$65.00 per hour per deputy. When a juvenile presents a substantial risk because the juvenile has either exhibited acute, generalized violence across settings or committed a serious violent offense involving a weapon or serious bodily injury, DCF often requests the services of two deputies.
3. Occasionally, the wait time for an in-state placement or a placement at the Sununu Youth Services Center in New Hampshire can last up to 24-48 hours. This equates to between \$1,560-\$3,120 for one deputy and \$3,120-\$6,240 for two deputies.
4. The table attached to this letter contains the amount DCF has paid to Sheriffs' Offices for transport services, which sometimes have included supervisory services. In fiscal year 2021, which is not yet complete, the Lamoille, Windham, and Bennington County Sheriffs' Offices have been the offices providing DCF with supervisory services.

When considering this information, it is important to note that it may be inaccurate to conclude that the costs of supervisory services could have been avoided had Woodside not closed or had a replacement for Woodside already opened. This is because there were occasions when Sheriffs were called to assist at Woodside.

Question 3

Sheriffs and their deputies receive training relevant to interactions with juveniles from the Vermont Criminal Justice Council. Some Sheriffs have also independently procured training for themselves and their deputies. For example, Windham County Sheriff Mark Anderson has procured training for his deputies regarding transports of non-justice involved individuals, interactions with persons with autism, de-escalation, interpersonal communication, soft restraint and no-restraint transports, cultural diversity, and implicit bias. When reviewing this training information, it is important to note that, whenever possible, a DCF social worker is present when a Sheriff is providing supervisory services.

All trainings offered by the Council have some relevancy to interactions with juveniles. The following components of Level III Basic Training are illustrative:

1. Scenario-based training pertaining to dealing with a juvenile who has committed an offense. This involves a live scenario with teenage role players.
2. Training regarding dealing with underage drinking, which includes a liquor laws training from the Department of Liquor Control and a live scenario with teenage role players.

3. Mental health response training, which includes a component regarding interacting with juveniles.
4. Eight hours of de-escalation training, which includes scenario-based training.
5. Trauma training in the context of trainings specific to sexual assault, child abuse, victim assistance, domestic violence, children of arrested parents, and mental health.
6. Two hours of developmental disability training.

However, in recognition of the unique issues confronting juveniles engaged in the criminal justice system, the Council also offers the following juvenile specific trainings:

1. Vermont Juvenile Law – 8 hours – Included in Basic Training for Level III Officers. The learning objectives of this training include:
 - a. Provide care, custody, and discipline of a child as nearly as the parents would with removal of the child from the family available only as a last resort.
 - b. Address delinquent children through reformation and accountability rather than punishment as a criminal, to encourage them to become responsible and productive members of the community.
 - c. Provide fair and legal judicial procedures for dealing with children.
 - d. Establish an understanding of the Amber Alert system.
2. Vermont Juvenile Law – 4 hours – Included in Basic Training for Level II Officers. The learning objectives of this training are the same as the learning objectives for the 8-hour basic training for Level III officers. The difference is that less time is spent delving into case studies and there is no testing component.
3. Sexual Violence and Child Abuse Investigations – 24 hours – Included in Basic Training for Level III Officers. The learning objectives of this training include:
 - a. Understand the role of Vermont’s Special Investigation Units (“SIUs”).
 - b. Understand the role of first responders in these cases.
 - c. Understand the emotional, investigative, and legal aspects of sexual assault and child abuse investigations.
 - d. Appreciate the need for rapport building, the importance of considering the victim’s needs, and the dynamics that the first responding officer must consider.
 - e. Learn the value of a multi-disciplinary approach to sexual assault and child abuse.
 - f. Understand the trauma associated with sexual abuse.
 - g. Recognize the varied nature of victims’ reactions, and how those reactions might impact investigations.
 - h. Recognize the elements of the offenses and how they should be considered throughout the investigation.
 - i. Identify major categories from which information and evidence are collected.
 - j. Demonstrate proper techniques for interviewing victims.
 - k. Understand the progression of sexual assault and child abuse cases.
 - l. Understand the injuries associated with child abuse, abusive head trauma, and other issues surrounding child abuse.
 - m. Identify human trafficking and the issues associated with it.

4. Children of Arrested Parents – 1 hour – Basic Training for Level III Officers. The learning objectives of this training include:
 - a. Demonstrate the need for a deeper understanding of the impact of parental arrest on children, how to approach an arrest when children are likely to be present, and how to identify children at the time of an arrest.
 - b. Consider ways of talking with an arrestee about their children, planning for a child's care, and how to minimize disruption to children by providing the most supportive environment possible during and after an arrest.
 - c. Detail ways of minimizing unnecessary trauma resulting from the arrest of a parent.
 - d. Learn the benefits of approaching arrest in a child-friendly manner.

In addition, the Council has offered the following in-service trainings about interactions with juveniles:

1. Basic School Resource Officer Training – 40 hours – offered as needed and approximately every 2-3 years.
2. Advanced School Resource Officer Training – 24 hours – offered as needed and approximately every 4-5 years.
3. Juvenile Law Updates Training – 2 hours – offered as needed.
4. Juvenile Law Updates Training for School Resource Officers – 8 hours – last offered in 2017 and included topics such as searches and seizures in schools, dynamics around interviewing children in schools, strategies for how to assist with truancy, and CHINS proceedings.
5. Mental Health Response Training – 8 hours.
6. Domestic Violence Trauma Training – 1.5 to 4 hours – offered every 2 years.

The Council is also developing an in-service training specific to de-escalation. As part of this effort, the Council is partnering with Roger Williams University on a project that may include components such as community policing and autism awareness.

In addition to these formalized trainings, Sheriffs and their deputies also receive valuable on-the-job training.

If the Committee has any follow up questions, please let me know and I will do my best to answer them. The Committee may also wish to consult with Shannon Morton from DCF, Windham County Sheriff Mark Anderson, and Cindy Taylor-Patch from the Vermont Police Academy all of whom assisted me in preparing the answers to the Committee's questions.

Sincerely,



Evan Meenan

Deputy State's Attorney

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Transport Cost Table

Transport Organization Name	FY2020		FY2021*		Total Paid Amount	Total # Transports
	Paid Amount	# Transports	Paid Amount	# Transports		
Addison County Sheriff's Dept	\$ 8,127.06	18	\$ 2,600.00	4	\$ 10,727.06	22
Bennington County Sheriff's Dept	\$ 28,943.31	47	\$ 13,975.00	24	\$ 42,918.31	71
Caledonia County Sheriff's Department	\$ 8,287.50	10			\$ 8,287.50	10
Franklin County Sheriffs Dept	\$ 1,040.00	1	\$ 2,689.91	3	\$ 3,729.91	4
Lamoille County Sheriff's Dept	\$ 28,527.50	28	\$ 23,432.50	20	\$ 51,960.00	48
Orange County Sheriff's Dept	\$ 909.45	3			\$ 909.45	3
Orleans County Sheriff	\$ 3,802.50	4	\$ 5,037.50	5	\$ 8,840.00	9
Rutland County Sheriff's Dept	\$ 8,222.50	14	\$ 3,705.00	7	\$ 11,927.50	21
Washington County Sheriff's Dept	\$ 6,881.49	11	\$ 6,846.50	10	\$ 13,727.99	21
Windham County Sheriff's Department	\$ 12,463.75	23	\$ 22,339.69	30	\$ 34,803.44	53
Windsor County Sheriff's Dept	\$ 2,925.00	4	\$ 4,030.00	6	\$ 6,955.00	10
Grand Total	\$ 110,130.06	163	\$ 84,656.10	109	\$ 194,786.16	272