

March 30, 2022

Dear Senators,

We understand the enormous pressures you are all under and the timing of this request is tight, however, we need your help. We are in critical need for a **\$1M funding increase** in order to fulfill our obligations to DCF, Vermont's Juvenile Justice System and the state's most at-risk youth.

We write to you as directors of agencies who hold the Balanced and Restorative Justice (BARJ) contracts with the Department of Children and Families (DCF). BARJ works with youth who are currently involved in the criminal justice system, or at risk of becoming so, and relies on screenings, case management, skill development, and restorative practices to help make amends for past criminal behavior as well as invest in prevention efforts for the future. BARJ programs (run by municipal and non-profit restorative justice agencies) have been an integral part of Vermont's juvenile justice system for over 20 years and are valued community partners relied on by DCF, schools, law enforcement, and the courts. The BARJ program currently has eleven different providers covering all of the 12 DCF-Family Service Division district offices. In FY21, we served 667 at risk, truant and adjudicated youth.

The adult restorative justice equivalent has more than doubled its revenue over the last decade to \$2.7M, while BARJ has been flat at less than \$1M for nearly two decades. Without an increase in revenue, we will be forced to cut services. Many of these services are required by statute.

We appreciate that DCF has recognized BARJ as an essential partner in the juvenile justice system and is exploring alternative funding sources and models to increase the program's revenue. However, moving BARJ to a Medicaid-funded model, as DCF is suggesting, is not the direction that we, as BARJ providers, feel will best serve Vermont's justice-involved youth.

BARJ programs are seeking a **\$1M increase in General Fund support** to double our staffing, which is very much needed in order to provide the services required by our DCF contracts, the juvenile justice system, and our state's most at-risk youth.

Currently, only twelve case managers are serving almost 700 youth annually, with increasingly complex needs ranging from severe mental health issues brought on by the pandemic to opioid addiction to increased gang activity. This increase is essential for us to maintain BARJ's high quality level of services. We feel strongly that BARJ should not move toward a Medicaid-Funded model (Global Commitment) for the following reasons:

- **Ethical:** BARJ services are not voluntary for many justice-involved youth. In the Medicaid-funded model, these youth would be forced into the health care system to receive a diagnosis so the BARJ programs can get paid. We question the ethics of forcing youth into a medical system for delinquent behaviors or committing a crime, labeling with a diagnosis that will follow them for a lifetime.
- **Equity:** in the proposed Medicaid-funded model, two youth who committed the same offense would be treated very differently based on socio-economic factors. A young person on Medicaid would be forced into a medical model of funding with clinical assessments, diagnoses, etc., while youth with private insurance would not.

- **Counter to accepted best practices:** Effective restorative justice interventions must be prompt, brief and right-sized, with youth at lowest-risk for reoffending receiving minimal intervention. The process for making a youth eligible for Medicaid billing (assessment, diagnosis, plan development and billing) would require BARJ staff to over-involve themselves in youths' lives, increasing their likelihood of continued justice system involvement.
- **Timing:** The House Corrections & Institutions committee is forming a subcommittee to review the RJ system (adult and youth) this summer. Moving BARJ to a Medicaid-funded service before recommendations are made regarding Vermont's system of community restorative justice programs (of which BARJ is a major component) would not be prudent.

We find ourselves in a time-sensitive situation where an increase of funding is desperately needed by the state's BARJ providers to meet the complex and demanding needs of our youth. The Medicaid-funded proposal is an inappropriate match that is not keeping the end-users (the youth!) in mind and should not be pursued. Thank you for your support of these critical services.

Signed,

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Russell Bradbury-Carlin, Youth Services (Brattleboro)
Leitha Cipriano, Center for Restorative Justice
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