

Offender Reintegration

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Powers and Responsibilities of the Commissioner

- Governed by 28 V.S.A. § 102
 - (a)(14) To delegate to locally established boards or justice centers, the authority to assist, through the use of community resources, in developing and implementing restorative justice programs for offenders, victims of crime, and members of the community
 - (b)(3) To establish and maintain at each correctional facility a program of treatment designed as far as practicable to prepare and assist each inmate to assume his or her responsibilities and to participate as a citizen of the State and community.
 - (b)(4) To establish facilities and develop programs to provide inmates at correctional facilities with such educational and vocational training deemed to be appropriate to the treatment of the inmates.
- Reentry is largely administered through DOC policies due to the general powers and responsibilities of the Commissioner
- Reentry is also administered through the services provided by community justice centers and other community-based restorative justice providers
 - Scope of reentry work and requirements are dictated by the terms of the grants awarded to the providers

State Policy on Offender Reintegration

- Offender reintegration is located in 28 V.S.A. chapter 11, subchapter 1A
 - This is community supervision furlough
- 28 V.S.A. § 721
 - The Department shall establish an offender reintegration process that requires offenders to be held accountable to their victims and the community. This process shall provide opportunities for victims of crime and other members of the community to participate in reentry programs under section 2a of this title and to allow for victims and members of the communities to provide input to the Department as provided for in subsection 104(a) of this title. Such input shall include the nature of the planned supervision, the offender's work and education needs, the potential impact to the victim(s) of the offender's presence in the community, and the opportunities to make use of the offender's abilities within the community. An offender who participates in the reintegration process provided for in this subchapter may be placed in the community under the Department's supervision for the remainder of the sentence if the Department is satisfied that the offender is demonstrating progress in his or her reentry programs and that the offender does not present an unreasonable risk to his or her victims or to the community at large.

Conditional Reentry

- 28 V.S.A. § 722(2) – “Conditional reentry” definition
 - The process by which a sentenced offender is released into a community for supervision while participating in programs that assist with the reintegration process. The offender’s ability to remain in the community under supervision is conditioned on the offender’s progress in reentry programs.

Community Supervision Furlough

- Governed by 28 V.S.A. § 723
- Offenders may participate in a reentry program while serving the offender's remaining sentence in the community if:
 - Served minimum term of person's total effective sentence;
 - Is ineligible or refuses to participate in presumptive parole or has been returned/revoked to prison for violation of parole, furlough, or probation; and
 - Agrees to comply with conditions of supervision that the Department deems appropriate
- Department screens each felony drug and property offender for substance abuse treatment needs to determine reentry plan
 - DOC attempts to identify and work with offender to make connections to necessary services so offender can begin receiving services immediately upon release

Employment of Inmates

- Governed by 28 V.S.A. chapter 11, subchapter 2
- 28 V.S.A. § 751b – General provisions governing offender work
 - (h) The Commissioner shall consult and collaborate with the Commissioner of Labor at least annually to seek funding and support for vocational training for offenders *to help offenders achieve a successful transition from the custody of the Commissioner to private life. . . .* (emphasis added).

Care of Inmates

- Housed in 28 V.S.A. chapter 11, subchapter 3
 - Includes medical care of inmates, among other rights and privileges
 - Medical care is largely governed third-party medical provider contracts, e.g., WellPath
- 28 V.S.A. § 801(f) – Medical care of inmates
 - Any contract between the Department and a provider of physical or mental health services shall establish policies and procedures for continuation and provision of medication *at the time of admission and thereafter*, as determined by an appropriate evaluation, which will protect the mental and physical health of inmates. (emphasis added).
- 28 V.S.A. § 801b – Medication-assisted treatment in correctional facilities
 - Reentry planning requires the Department to commence MAT prior to release if inmate has opioid use disorder, MAT is medically necessary, and inmate chooses to commence treatment
 - If MAT cannot commence prior to release, DOC ensures comprehensive care coordination with community-based provider

Identification Cards

- Under 23 V.S.A. § 115(m), an inmate sentenced to six months or more under the custody of the Commissioner of Corrections who is eligible for a nondriver identification card will receive the card at no cost upon proper application and in advance of release
- Must be a Vermont resident and must submit application

Questions?