



Justice Involved Women
Replacement of the Chittenden Regional Correctional Facility
Sarah Robinson, Deputy Director
February 14, 2024

Introduction and Background

Thank you for your ongoing work on improving our justice responses in Vermont. We appreciate the Committee's consideration and attention to issues related to justice-involved women and how policy decisions influence trends related to incarcerated women in Vermont. Justice-involved women in Vermont deserve a robust system of support, rehabilitation and healing. The wellbeing of justice-involved women in Vermont is reflective and indicative of the wellbeing of our communities. As Vermont contemplates major changes in the approach to serving justice-involved women, and the planned replacement of Vermont's only women's prison, the Chittenden Regional Correctional Facility, the State's approach to incarceration must be integrated with broader justice reform efforts to improve outcomes and interrupt pathways to incarceration.

The Vermont Network serves as the primary voice on issues related to domestic and sexual violence in Vermont. Last year, the 15 Member Organizations of the Vermont Network answered 23,300 hotline/chatline calls and provided in-person advocacy to 8,494 survivors of domestic and sexual violence. In addition to supporting our 15 Member Organizations, the Vermont Network also operates several statewide direct services programs for survivors of domestic and sexual violence. One of these programs is the Discussing Intimate Violence and Accessing Support (DIVAS) Program. Through a small contract with the Department of Corrections, DIVAS provides in-person, trauma informed advocacy and support to incarcerated women who identify as victims of domestic violence, sexual violence and trafficking. The Vermont Network has operated the DIVAS program for two decades. In addition to providing support and advocacy to incarcerated women, the DIVAS program also works to promote trauma-informed practices within corrections and advocate for improved support and services for women as they exit incarceration.

Trauma to Prison Pipeline

Across the United States, and here in Vermont there is a clear relationship between lifetime experience of domestic or sexual violence and risk for incarceration among women. Research indicates that the vast majority of incarcerated women have experienced some form of interpersonal trauma in their lifetimes prior to their incarceration. Experiences of physical or sexual violence in childhood are reported by approximately 60-70% of incarcerated women or girls. Experiences of adulthood intimate partner violence are reported by approximately 70-80% of incarcerated women¹. The complex trauma experienced by incarcerated women is significant and often lifelong. Once an individual has experienced sexual assault it leaves them more vulnerable, statistically, to future abuse. The relationship between justice involved women and abuse can also include women being coerced to commit crimes as part of

¹ Dichter and Ostoff, Women's Experiences of Abuse as a Risk Factor for Incarceration: A Research Update.



their abuse. There is also a significant relationship between the trauma of intimate partner and sexual violence and substance use disorder. Experiencing intimate partner violence or sexual assault is a risk factor for substance use disorder.² We refer to these complex relationships as the trauma to prison pipeline.

Policy Areas for Consideration

As the State considers various policy options related to incarcerated women, the corrections system must be viewed as one part of the justice system. While policy choices related to corrections are undoubtedly impactful, the policies and practices related to the courts, prosecution, and community-based services also drive trends in incarceration. The following are key areas for policy consideration:

Pretrial Detention

The COVID-19 pandemic provided an unprecedented opportunity for Vermont to reduce the population of incarcerated people. Pre-pandemic it was common for there to be 130-150 women incarcerated in Vermont. During the pandemic, this number fell to below 100, as the Department of Corrections took extraordinary efforts to reduce the overall corrections population. Since the start of the pandemic the number of people held at CRCF has never risen above 130. As of February 14th, the population at CRCF was 115 with a large portion of individuals incarcerated there being detainees. On a daily basis, pretrial detainees may account for more than 50% of the population held at CRCF. This number is very high when compared to both the men's population and national averages where pretrial detainees only account for approximately 30% of the population. Further, one third of the pretrial detainees at CRCF are being held by the federal government on accusations of criminal conduct and immigration violations.

In some cases pretrial detention is warranted and necessary. However, this recent and significant rise in the detained population indicate a shift in practice that is concerning. Pretrial detention is most often the result of prosecutorial requests of the court. Current data indicates that significant geographic variations exist in prosecutors' use of pretrial detention. This leads to significant geographic inequities depending on prosecutorial discretion (see attached chart). Pretrial detention is problematic for several reasons. Pretrial detention significantly interrupts the natural supports that assist people in navigating involvement with the justice system. Pretrial detention results in loss of employment, housing and parental custody for many women.

Access to Services During Incarceration

It is essential that services provided in the women's correction facility serve a dual purpose of rehabilitation and healing and of preventing return to incarceration following incarceration. The programming and services currently available to justice-involved women in Vermont are insufficient and inequitable. Systemic and historical underfunding of community-based services in the facility contribute to a lack of integrated and evidence-informed services. A contributing factor is also the limited

² Mehr et al, Intimate partner violence, substance use, and health comorbidities among women: A research review



programming space at Chittenden Regional Correctional Facility. While there are a few programs that are available only for incarcerated women in Vermont, more broadly women lack the programming and economic opportunities available to incarcerated men in Vermont. Women need comprehensive, gender-responsive programming that addresses all aspects of their lives. This includes pro-social programming, spiritual services, child and family services and trauma responsive programming. While more and enhanced services are undoubtedly needed for incarcerated women, it would be a mistake to concentrate services within institutional settings without comparable investment in our communities. Without commensurate investment in community-based services, enhancing services in institutional settings will lead to increased rates of incarceration.

Re-entry

A comprehensive approach to re-entry is a critical piece of preventing re-incarceration for justice-involved women. Vermont must ensure that justice-involved women are provided adequate resources and continuity in their services from the facility to the community. Improving community reentry support and vocational training must be resourced in order for the policy goals of the proposed new facility to be met. Currently most service providers who are contracted by the Department of Corrections to provide services to incarcerated women are not funded to provide re-entry services. This leads to significant gaps between service providers offering services within the facility and those providing resources in the community. Funding providers to offer services inside and outside the facility would contribute to the continuity of services and supports that women need as they re-enter.

Prevention and Victim Services

Ultimately the most impactful and long-term investment in reducing the population of incarcerated women in Vermont is the prevention of risk factors for incarceration. This includes the prevention of domestic and sexual violence. Policy options to achieve this aim include funding prevention services in the community and funding services for victims of domestic and sexual violence.

Thank you for your work on these issues – we look forward to continued dialogue with the committees of jurisdiction throughout the session.