

Joint Legislative Justice Oversight Committee

Testimony of Timothy Burgess

Regarding H. 326

Members,

My name is Timothy Burgess, I am a formerly incarcerated Advocate, and the Director of the Vermont chapter for Citizens United for the Rehabilitation of Errant (VTCURE). Having been in Vermont's correctional facilities, including 2 years in the Lee 'Adjustment' center, a privately owned facility in Kentucky run by CCA, now called CoreCivic, I am addressing the current bill H. 326, introduced by Representative Rachelson.

I will start with some history. Joe Patrissi, a former commissioner of Corrections wrote an article in 2020, "Vermont's out of State prisoners' placement was originally a last resort". While the practice began in 1975 to house maximum with the Federal Bureau of Prisons, it has become a system that the State now depends on. Using predatory entities such as Core Civic, entities that contribute nothing but profiteering to our State.

In the past 10 years there have been over 5 pieces of legislation that seek to end the practice of sending Vermonters out of State for lengthy periods. There have been few, if any hearing on the past legislative efforts, and all the proposals have yet to make it out of committee for consideration of the Vermont House and Senate. This current bill should be given the opportunity to be considered by the full house and Senate. As Commissioner Patrissi so eloquently stated in his 2020 article, sending inmates out of State equates to a banishment. In Vermont, when a serious felony is committed, and one is sentenced, the State now sends people over 1300 miles from the community that was harmed allowing for no opportunity to repair those harms.

The discussion generally revolves around the cost of using these alternatives. In reality, the cost to the justice impacted people, the State of Vermont and recidivism ends up being costlier. When the State sends people to these facilities with underpaid staff, the impact is seen when Vermonters are exposed to gang related activities, which is not as prevalent at State facilities. If the direction for Vermont is to not only send those impacted by the justice systems away, but to send Vermont jobs out of State, we, as a community may want to reconsider our focus. Dr. Fox provided you with the data on the impact on families and reentry. Part of the discussion that is rarely discussed is economics. While it costs approximately \$50,000 a year for instate prisoners and about \$24,000 dollars for the Out of State housing of inmates, the time has come to look into all alternatives to not only change the in state costs, but to eliminate the use of out of State facilities. This body, the Legislature can change not only the economics, but the way in which we treat those impacted by the justice system, both offenders and victims alike.

Finally, with the Federal Government ending their reliance on for profit prisons, the question becomes where will Vermont go? Will we be a leader, and as Governor Weeks said, "Vermont will take care of its own"? Or shall the state continue to take part in a practice that is a proven failure? I sincerely hope you'll consider moving this legislation, and others like it, in the best interest of our State and its residents.