

## Summary of House Committee on Corrections and Institutions (HCI) Position on S.193

- (1) HCI does not agree with the Senate that a forensic facility should be operated by the Department of Corrections (DOC).
  - HCI does not believe that:
    - DOC or its contractor have the clinical expertise to operate a forensic facility; and
    - a correctional setting is the appropriate placement for individuals eligible for services at a forensic facility.
  - HCI recommends that a forensic facility be operated by AHS or jointly by departments with specific knowledge of the qualifying conditions that may lead a person to being placed at a forensic facility.
  - HCI recommends the development of a forensic facility in a community-based setting or alternatively in a separate facility on the grounds of a correctional facility.
  - In the interim, before a forensic facility building can be developed, HCI recommends consideration be given to out-of-state placements for individuals requiring competency restoration services or care that can only be provided at a forensic facility.
  
- (2) HCI recommends requiring AHS to submit a forensic facility feasibility plan by January 2027, addressing the following:
  - the proposed location and size of a forensic facility;
  - entity responsible for operating and providing services in a forensic facility; and
  - timeline and estimated cost for the development of a forensic facility.
  
- (3) HCI recommends using a definition of “forensic facility” aligned with [2025 Acts and Resolves No. 27, Sec. 6](#):
  - “Forensic facility’ means a residential facility, licensed as a therapeutic community residence as defined in 33 V.S.A. § 7102(11), for an individual:
    - (A) with a mental health condition or intellectual disability, if the General Assembly determines that commitment to a forensic facility is appropriate for an individual with an intellectual disability;
    - (B) who is charged with a crime of violence against another person and the individual is assessed not competent to stand trial or was adjudicated not guilty by reason of insanity; and
    - (C) who requires treatment or programming within a secure setting for an extended period of time.”