

**Office of the Child, Youth & Family Advocate
Senate Health & Welfare - H.657 Testimony
Submitted by Lauren Higbee, Deputy Advocate
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Introduction

I did not write this bill. But it feels like my bill. I sit here with many identities, as a regular Vermonter, as consumer of Reach Up as a child, and as a social worker practicing in Vermont for the last 11 years. I've held the roles of Director of Youth Development, overseeing youth shelters, DCF Family Services Worker and Supervisor, and now Deputy Advocate. When reviewing testimony in this Committee from Wednesday, I appreciated the frame of What is the problem we are trying to solve and who will this help? Here are my answers.

Section 1: Reach Up Asset Limit

For Section 1, I sit here as a child of a single mother who was on Reach Up as she worked her way through college to become a teacher. The benefits were never enough to cover food or housing. Our basic needs were subsidized by family members and their crucial support.

- So the problem we are trying to solve, we want Vermonters to have a chance to build up savings, to create their own safety net. This is very hard to do. There has not been a cost of living increase for Reach Up in 5 years. Our systems are rebuilding and readjusting to the impacts of inflation from Covid.
- Let us not forget, that the main beneficiaries of Reach Up, 70% in fact, are Vermont children.

Sections 2 & 3: Social Security Benefits for Children in DCF Custody

For Sections 2 & 3, I sit here as a social worker and Deputy Advocate for the Office of Child, Youth and Family Advocate. The problem is that DCF claims the funds of those children in custody who are eligible federal social security benefits. They use these benefits to off-set the children's foster care costs. This means, children who have a deceased parent or receive disability, pay a portion or all of their cost of foster care while other children in custody do not. This practice is not unique to Vermont but it's clearly unfair and unjust, and most states are changing course.

- Scope: This impacts 70 – 80 total children in foster care eligible for both types of social security benefits (survivor and disability)
- \$700,000 for all social security benefits per the Joint Fiscal Office note
- Vermont is lagging behind (Reference MAP handout) statute change and implementation, while Vermont is usually trailblazing, we are behind in this practice.
- In December of 2025, Governor Scott and his administration received a letter from the federal government's Administration for Children and Families (ACF) that there are resources and technical support to end this practice.
- I want to note as well, this section already represents significant compromise by delaying its implementation by two years.

Sections 4, 5, 6, 7 & 8: Certifying Unaccompanied Youth

For Sections 4, 5, 6, 7 & 8, I sit here as a former Director of Youth Development in Brattleboro which had the responsibility of overseeing two youth shelters in Brattleboro and Bellows Falls. Programs serving this population need more tools in their toolbox. That is the problem this bill tries to solve.

- This does not negate mandated reporting or the responsibilities of DCF to respond to allegations of abuse or neglect of adolescents.

- Unaccompanied youth need access to their vital records to enter school, access transportation and medical care, obtain employment and housing.
 - The certification is not immediate. It comes after attempts for parental consent, working with the youth is well-established.
 - Many agencies serving this population are governed by commissioner-designated shelters and Federal Youth Services Bureau requirements, the reporting and connection to law enforcement is already in process.
- [CDS-Regs.pdf](#)

Sections 9, 10 & 11: Transportation of Child

- Adults have protections during secure transports. Children do not. This bill aligns the protections for children and adults experiencing secure transports.
- Considering Wednesday’s testimony, the scope is important:

Secure Transports for Youth in Custody, Calendar Years 2021-2025						
Transportation Agency	2021	2022	2023	2024	2025	Grand Total
Addison County Sheriff's Dept	5		4	4	5	18
Bennington County Sheriff's Dept	11	18		4	16	49
Caledonia County Sheriff's Department	1	3				4
Chittenden County Sheriff's Dept			1		6	7
Essex County Sheriff's Dept				1		1
Franklin County Sheriffs Dept	3		1	1		5
Lamoille County Sheriff's Dept	18	6	2	5	5	36
Orange County Sheriff's Office			1			1
Orleans County Sheriff	5	2	4	1		12
Rutland County Sheriff's Dept	5		4		2	11
South Burlington City Treasurer		1				1
Washington County Sheriff's Dept		3	1		4	8
Windham County Sheriff's Department	63	27	18	21	32	161
Windsor County Sheriff's Dept	4		15	10	19	48
Youth Transit Authority, LLC		71	191	142	440	844
Grand Total	115	131	242	189	529	1206

Data Source: AHS Report Catalog, Secure Transport List Report; Transport Dates Between 1/1/2021 and 12/31/2025

Secure Transports for Youth in Custody, Mechanical Restraint Use, Calendar Years 2021-2025						
Mechanical Restraints Used	2021	2022	2023	2024	2025	Grand Total
Anklet	19	4	1	1	5	30
Hand & Anklet					8	8
Handcuffs	1	7	6		2	16
Not Applicable	70	116	232	184	506	1108
Waist Chain	25	4	3	4	8	44
Grand Total	115	131	242	189	529	1206
Data Source: AHS Report Catalog, Secure Transport List Report; Transport Dates Between 1/1/2021 and 12/31/2025						

- 98 to report on.

Secure Transports for Youth in Custody, Where Mechanical Restraints Were Used, Calendar Years 2021-2025						
Mechanical Restraints	2021	2022	2023	2024	2025	Grand Total
Anklet	19	4	1	1	5	30
Hand & Anklet					8	8
Handcuffs	1	7	6		2	16
Waist Chain	25	4	3	4	8	44
Grand Total	45	15	10	5	23	98
Data Source: AHS Report Catalog, Secure Transport List Report; Transport Dates Between 1/1/2021 and 12/31/2025						

Sections 12, 13, and 14: Non-Transport Related Restraint and Seclusion (Sections 12, 13, 14)

For Sections 12, 13, and 14, I am here as a former worker and supervisor with DCF’s Residential Licensing and Special Investigations (RLSI) Unit. Sections 12 through 14 may be the most crucial parts of this bill. Within that unit, is a small team that licenses and regulates residential treatment programs in Vermont. I was a member of that team responsible for regulating Woodside. It has been 8 years since the Residential Licensing and Special Investigations (RLSI) Unit released 11 reports demonstrating how Vermont law and regulation on restraint and seclusion is significantly inadequate to protect Vermont children from harm.

- Strip searching of children is allowed under current law in Vermont. It is allowable in DCF regulation. It is allowed in in-state and out-of-state programs.
- In Vermont, the practice occurs in locked facilities or detention facilities. It can be part of the admissions process, moving from building

to building on one campus, or responding to concerns of contraband [RTP-Regs.pdf](#)

- I have interviewed children who have been strip searched. I have reviewed videos of strip searches and restraints of naked children. Children and young adults have consistently reported their bodies remember restraints, seclusion, and any time adults hands are put on their bodies.
- It is also important to note the out-of-state implications since those are significant barriers from DCF's perspective.
- In 2024, the United States Senate Committee on Finance released a report, *Warehouses of Neglect: How Taxpayers are Funding Systemic Abuse in Youth Residential Treatment Facilities*. The following excerpt is of an experience suffered by a Vermont youth. TRIGGER WARNING – hard to hear

Another child, 817 miles away at Millcreek Behavioral Health (Acadia; Arkansas), required monitoring for suicidal ideation following multiple suicide attempts.⁹ She was regularly strip searched and, at least twice, subjected to a vaginal cavity search.¹⁰ In 2018, the child was restrained by four staffers after she refused a strip search. During the restraint, a staffer touched her breast and made her squat naked in the shower for a forced vaginal cavity search.¹¹ Even though she endured the indignity of nightly strip searches, staff failed to notice evidence of new self-harm on the child's body (scars and wounds) until Disability Rights Arkansas alerted staff to their existence.¹² Years later, finally out of RTFs, she gave birth to two boys.¹³ Following an overdose, she lost custody of her sons and, two months later, died by overdose.¹⁴

- This awful story touches not just the restraint and seclusion parts of this bill but also the social security issues. As a reminder, DCF would off-set the cost of the two sons' time in care.
- Children's ages 0-10yo: The recommendations of OCYFA are rooted in the collection and analysis of preliminary data and DCF continues to report instances of restraint and seclusion in residential programming. DCF is equally as concerned as OCYFA as we begin to uncover the rate that children ages 0-10 years old are restrained and secluded in residential programs. I am optimistic about tackling that trend together.

Resources: [RTP-Regs.pdf](#), [rtf_report_warehouses_of_neglect1.pdf](#), [2025-2026 OCYFA Annual Report](#), [Millcreek Behavioral Health / Habilitation Center, Inc. - Disability Rights Arkansas](#)

Section 15: Extended Care

We must continue to support extended care resources for children exiting DCF custody.

Section 16: Prenatal Support Work Group

Lastly, I am my whole being for Section 6, a social worker, provider, advocate, and person who has been pregnant. Establishing a working group is a very large compromise to requiring DCF to immediately change the practice of surveilling pregnant bodies.