

# **Vermont Department of Corrections**

*SFY 2013 Governor's Budget*

*Mission, Description of Appropriations, Divisions and Programs & Key Budget Issues*

## **Mission Statement:**

The Vermont Department of Corrections supports community safety by ensuring offenders serve their sentence, take responsibility for their crimes and have the opportunity to make amends to their victims. The department partners with Vermont communities to manage offender risk and assure accountability. It provides disciplined preparation of offenders to become productive citizens. The vision statement for the Department states it more broadly: To be valued by the citizens of Vermont as a partner in the prevention, research, control and treatment of criminal behavior.

## **Description of Appropriations, Divisions and Programs:**

### **ADMINISTRATION**

The Department of Corrections has five basic goals: to involve the community; to address the needs of victims; to restore the community; to ensure that offenders are held responsible; and to keep offenders safely in custody.

The administration of the Department consists of the commissioner, deputy commissioner and the supporting divisions of finance, and a legal division staffed by the attorney general. Information technology support is provided at the agency level overseen by DOC personnel.

### **PAROLE BOARD**

The Parole Board is an autonomous body that is included in the Corrections appropriation for administrative purposes. The board reviews recommendations made by the department to grant or revoke parole status, revoke or release offenders from Supervised Community Service (SCS) status, and also reviews requests for condition modifications, reprimands, and for early termination of parole. The Parole Board reviews all inmates in statutory reviews, and makes site visits to all facilities to perform parole hearings as required by law.

### **EDUCATION**

The purpose of the Community High School of Vermont (CHSVT) is to provide an accredited, coordinated and personalized education that assists students in their academic, social and vocational successes. Through education, students in the custody of the Vermont DOC obtain knowledge and job skills that they can utilize to become contributing members of their communities upon their release. These skills support the reduction of recidivism and add to the economic health of our state upon release.

The Community High School of Vermont awarded 107 High School Diplomas and 410 Industry Approved Trades Certifications during Fiscal Year 2011.

## **CORRECTIONAL SERVICES**

Correctional Services administers for the courts eight Legal Sanctions:

**Probation:** An offender found guilty of a crime upon verdict or plea, is released by the court without confinement, subject to the conditions and supervision by the Commissioner of Corrections. This is a contract between the offender and the court, to abide by conditions in return for the court not imposing the sentence. Violation of this sanction requires due process, with a court hearing, counsel, and proof beyond reasonable doubt. Within the probation sanction is the reparative probation program, which allows citizens on community panels to determine the quality of restitution made to the victim and repair of harm to the community, consistent with 28 VSA Chapter 12.

**Supervised Community Sentence:** Based on a law passed in 1990 that provides the legal framework for the intermediate sanctions program. The judge sentences, with prior approval of the Commissioner, to a set of conditions, minimum and maximum time frames and an intermediate sanctions programs. The offender is under the supervision of the Department of Corrections. The Parole Board is the appointed authority and violations are resolved through a Parole Hearing. When the offender reaches his minimum sentence the Parole Board may continue on SCS, convert to Parole, or discharge from supervision completely.

**Pre-approved Furlough:** The offender is sentenced to a term of confinement, but with prior approval of the Commissioner, for immediate release on furlough. Furlough status is a community placement, but the revocation is administrative, and the rules for behavior more stringent.

**Home Confinement:** A type of Pre-Approved Furlough that is determined either by the court at sentencing or the Commissioner of Corrections that restricts the offender to a pre-approved place of residence continuously, except for authorized absences, enforced by appropriate means of supervision, including electronic monitoring and other conditions.

**Incarceration:** The sentence is confinement to a correctional facility, under the care and custody of the Commissioner. Release is by the Parole Board, upon completion of the minimum term or placement on conditional reentry by the Commissioner.

**Conditional Reentry:** At the completion of the minimum term of sentence, the inmate may be released to the community, still under confinement, subject to conditions of furlough.

**Reintegration Furlough Reentry:** Up to 180 days prior to completion of the minimum term of sentence, the inmate may be released to the community, still under confinement, subject to conditions of furlough.

**Parole:** On completion of Conditional Reentry, or during the term of incarceration, on petition of the State or the inmate, the Parole Board may release the inmate on Parole, subject to the rules of the Board, supervised by Corrections.

**Home Detention:** A program of confinement and supervision that restricts a defendant to a pre-approved residence continuously, except for authorized absences, and is enforced by appropriate means of surveillance and electronic monitoring by the Department of Corrections.

## **PROGRAMS:**

### **Correctional Facilities:**

**Central Correctional Facilities:** Northern State [Newport], Northwest State [Swanton] and Southern State [Springfield] hold and treat violent and sexual offenders serving long sentences.

**Regional Correctional Facilities:** Northeast Regional [St. Johnsbury] and Marble Valley Regional [Rutland] serve courts and law enforcement agencies by providing detention, classification and short sentence housing, though this distinction has become less defined as a result of increased incarceration.

**Work Camp:** The Caledonia Community Work Camp [St. Johnsbury] and the Windsor Community Work Camp [Windsor] provides less expensive incarceration for appropriate offenders working in the community.

**Facilities for Female Offenders:** Chittenden Regional Correctional Facility [South Burlington] provides incarceration for women offenders.

Key outcomes include public safety, rehabilitation/reentry and quality assurance. Programs in facilities include sex offender treatment, the violent offender program, an intensive domestic violence program, a federally funded substance abuse program, Community High School of Vermont, vocational training, and offender work programs. Offenders are entitled to standards of care such as nutrition, sanitation, recreation, education, religion, basic safety, medical, dental, and mental health care. More detailed data is presented in Facts and Figures, the Department's annual report on statistics and outcomes.

### **Probation & Parole Offices:**

Eleven Probation and Parole Offices manage offenders in the community who need supervision, treatment, and surveillance. The Vermont DOC partners with community-based organizations and treatment providers to offer programs in domestic violence, intensive substance abuse, cognitive skills training and education (through Community High School of Vermont), sex offender treatment and women's programs.

Probation & Parole Offices provide information to the courts at sentencing and eligibility determinations for program placement, while assisting Community Justice Centers and Reparative Boards in creating appropriate reparative sanctions to low risk offenders. These services can also include restitution and community service.

Key outcomes include community and victim reparation, and community involvement/reintegration.

There are currently 13 Community Justice Centers and 4 restorative programs that assist 71 reparative boards operating in 31 different Vermont communities. In the last year, these groups have included over 700 citizen volunteers who developed sanctions and restorative plans for 1,450 offenders under DOC probation supervision, and a large number who were diverted from prosecution in Community Justice Centers. These offices also monitor probation conditions for some 7,194 offenders.

In FY 12, there are 33 transitional housing programs across the state, with a total of 194 beds. Additionally, there are 6 programs (77 beds) in various stages of development. In FY 11, a total of 737 offenders were housed in transitional housing for over 50,000 bed nights (saving costly prison bed space).

### **Other Outcomes:**

There were no escapes from custody last year. Failures to return under field supervision remained level at about 5% of the number of furlougees supervised during the fiscal year (about 100 of about 2,000 each year). New charges filed against persons under supervision remain at about 17.4% of all charges in Vermont during FY 2011 versus 17.2% in FY 2010. Recidivism: Three year follow-up recidivism for the 2007 cohort is 49%, down slightly from the 52% measured in the two previous cohorts (2005 and 2006).

Reparation to community: Community based workcrews provided 238,064 hours in FY2010 and 213,600 hours in FY2011 (-10.2%); Workcamp hours were 130,300 in FY2010 (the first full year of operation, opened January 2009) and 152,700 in FY2011 (+17.2%). VCI/OWP hours were 77,400 in FY2010 and up to 106,919 in FY2011 (+38.1%). The total in FY2010 was 445,800, so the 473,200 in FY2011 is +6.1%.

For the CY2007 cohort of released prisoners, 40.9% of them returned to prison to serve at least 90 days for a new crime or violation of conditions; this is lowest rate seen in the last eight cohort years studied which averaged 43.8%.

## **CORRECTION FACILITIES - RECREATION**

The recreation fund is funded by the receipts from inmate commissaries and the inmate telephone system. The recreation fund is managed by both the Department of Corrections and inmate committees for inmate recreational opportunities. In addition, several of the inmate boards have decided to make substantive donations to victims' activities. The Recreation fund is also used to pay for inmate postage and to provide for support for reentry after release including housing.

## **CORRECTIONAL SERVICES-OUT OF STATE BEDS**

Due to the current size of the sentenced and detainee populations in Vermont, additional space to house inmates is provided by correctional facilities outside the state. The Out of State population (at this time, 521+/- inmates) is currently managed by the Out of State Unit. This office coordinates the classification and movement of appropriate offenders between Vermont DOC facilities and out of state facilities located currently in Kentucky, Arizona, and Massachusetts

## **VERMONT OFFENDER WORK PROGRAMS (VOWP)**

Vermont Offender Work Programs provides industrial and vocational training programs as well as work opportunities through three divisions. The Vermont Correctional Industry (VCI) shops include a print shop, a furniture manufacture and assembly shop, a license plate and sheet metal working shop, and smaller correctional industries. The program also works with the Caledonia and Windsor Community Work Camps, providing many surrounding communities with work service crews that perform a wide variety of reparative services.

The majority of Vermont DOC Probation and Parole Offices host Community Restitution Service Units (CRSU'S) that provide work crews composed of offenders on probation and intermediate sanctions. These crews provide work service to communities across Vermont. Among many other projects, correctional community work service crews maintain all 110 fishing access areas managed by the Department of Fish and Wildlife, while also providing support to the Vermont State Parks and several forest projects. Crews work for nearly every town in Vermont, and many of the non-profit agencies ranging from food shelves to public libraries.

## **Key Budget Issues:**

### **Corrections – Administration:**

The Administration of the Department of Corrections continues to face serious fiscal, programmatic and infrastructure challenges in the next fiscal year. In an environment of reduced budget funding, the Department continues to reevaluate its mission and the sustainability of all of its operations. Of particular concern, is the Department's continuing struggles related to an out-dated and often, unreliable offender database. Other ongoing challenges include population growth, aging facilities and increasing demands from advocates for both victims and offenders.

### **Corrections – Parole Board:**

The Parole board is an autonomous entity, funded under the Department of Corrections for administrative purposes. The population served by the parole board continues to increase as the incarcerated population grows and is released to the community. The Parole Board is also reviewing an increasing number of offenders on parole after serving a sentence on supervised community sentence status. Although the expenditures for periodic review of inmates serving sentences in out of state facilities was reduced, the board must still travel throughout the State of Vermont to conduct its work. Controlling expenditures related to board member per-diem payments, as well as mileage and lodging expenditures continues to pose a challenge to the Department

### **Corrections – Education:**

The VT DOC is statutorily mandated to provide education services for offenders in custody who are under the age of 23 and have not achieved a high school diploma. The Community High School of Vermont serves as the vehicle for offenders to obtain their high school diplomas, through academic, social and vocational training. As an accredited independent high school, there are mandated services that the educational program must provide to students including vocational education, special education and Title 1. Critical issues facing the education program include the provision of appropriate levels of educational services to the offenders. This includes students who require a traditional academic course as well as those who are in need of special education in order for the school to provide a free and appropriate education. Other concerns include the ability to provide quality programs in the facilities and probation and parole campuses as dictated by statute as enrollment fluctuates.

### **Corrections – Correctional Services:**

The Department of Corrections continues to face staffing challenge. The department continues to review current facility roles and operations to maximize their potential; this budget includes role adjustments for our Chittenden and Northwest facilities. On any given day, DOC averages 50 temporary Correctional Officers on duty, it is our desire to

convert the majority of these positions to classified service in a manageable fashion, and will continue with 16 conversions in this fiscal year. Also included in this request are the normal increases related to regular inflationary items which impact facility operations (food and utilities), normal internal service fund and employee fringe benefit adjustments.

**Corrections – Recreation Fund:**

This fund/program continues to benefit from a renegotiated commission structure related to commissary items. To ensure that the inmate recreation fund can continue to be self supportive, internal allocations are limited to annual fund receipts.

**Corrections – Out-of-State Beds:**

Presently there are +/-521 male inmates incarcerated outside of Vermont in private correctional facilities. This is a decrease from a high of 685 in Fiscal Year 2011. This decrease is the result of our implementation of program adjustments within the Challenge for Change initiative, working closely with our partners with the judiciary community and the hard work of our staff. Currently Vermont houses male inmates in Arizona, Kentucky and Massachusetts. While out-of-state providers are significantly less costly than Vermont DOC prisons, these funds flow out of the state with no positive impact on the local economy.

**VOWP:**

The VOWP is a self-funded operation, providing offender work and vocational training at no cost to the general fund. All three divisions of VOWP (Correctional Industries, Community Restitution Service Units and Work Camps) expect stable revenues in the coming year and the Department has worked to minimize unnecessary to continue increasing the solvency of the VOWP fund.

***VOWP Service Impacts:***

In addition to the programmatic value of preparing offenders for the work force, the VOWP adds value in several other ways. The majority of this money is spent in Vermont. All raw materials are purchased in the private sector, as are many services. Wages to offenders and VOWP staff are also spent mostly in the Vermont economy. Essentially, nearly all VOWP revenues represent an equal amount of money put into the local economy in the form of operating expenses.

