

280 State Drive - Center  
Building  
Waterbury, VT 05671-1000



OFFICE OF THE SECRETARY  
TEL: (802) 241-0440  
FAX: (802) 241-0450

MICHAEL K. SMITH,  
SECRETARY  
MARTHA MAKSYM, DEPUTY  
SECRETARY

STATE OF VERMONT  
AGENCY OF HUMAN SERVICES

MEMORANDUM

**TO:** The Honorable Phil Scott, Governor

**CC:** Judy Henkin, Acting Commissioner, Department of Corrections  
Jason Gibbs, Chief of Staff  
Ethan Latour, Assistant Director of Policy and Communications

**FROM:** Michael K. Smith, AHS Secretary *MKS*

**DATE:** December 20, 2019

**SUBJECT:** Department of Corrections Review and Recommended Next Steps

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**Background:**

On Wednesday, December 4, 2019, *Seven Days* published an article entitled "Guarded Secrets: Claims of Sexual Misconduct, Drug Use Plague a Vermont Prison for Women." The article included allegations of sexual misconduct, harassment and many other unacceptable activities at the Chittenden Regional Correctional Facility (CRCF). There have been additional media reports as well.

Immediately upon reviewing the article, you asked me to thoroughly review the situation and provide recommendations regarding next steps for the Department of Corrections (DOC).

**Action Steps to Date:**

1. Issued three memos to Agency of Human Services (AHS) staff that there will be no retribution or retaliation of any type, at any time, against someone who reports cases of misconduct. I have asked for any concerns about retaliation to be shared directly to me or the Department of Human Resources (DHR).
2. Assigned Deputy Commissioner Judy Henkin responsibility for the day-to-day operations of CRCF and placed in the Secretary's Office. This allows for the Secretary's Office to have a more direct role in monitoring the specific cases arising out of CRCF.
3. Worked with DHR to develop additional sexual harassment and misconduct prevention training with an emphasis on how to report.

4. Established a new employee reporting “hotline” directly to the DHR Commissioner office. This allows employees (current or former) of DOC to report outside of the Agency and DOC.
5. Coordinated with the Attorney General’s Office regarding the next steps in the ongoing criminal investigation and to ensure we do not do anything to interfere with the ongoing criminal investigation.
6. Consulted with the U.S. Attorney’s Office to determine what role, if any, they may decide to play in this ongoing investigation and to offer full support for any independent assessments or investigations she may elect to begin.
7. Met with Chittenden County State’s Attorney to review the pending criminal case regarding Correctional Officer Zorzi.

DOC has been working to develop a culture of continuous improvement. Clearly, these cases indicate the state must do more, faster and better, to support the work and hold people fully accountable. We cannot shirk our responsibility to address culture change.

This report is not a thorough investigation of what has transpired, but it does provide steps we propose to begin to correct the challenges our corrections system faces.

### **Background on Corrections**

The Vermont Department of Corrections is one of the six departments that make up the Agency of Human Services (AHS). DOC operates six correctional facilities and has 11 probation and parole offices throughout Vermont. Additionally, some inmates are housed out-of-state due to lack of capacity in Vermont’s facilities.

Among the six facilities operated by DOC, there is one facility for women – the Chittenden Regional Correctional Facility (CRCF). The total incarcerated population<sup>1</sup> is 1,729, and the incarcerated female population (all housed at CRCF) is currently 135.

Allegations of misconduct at correctional facilities are not unique to Vermont. In 2003, Congress passed the Prison Rape Elimination Act (PREA) to “provide for the analysis of the incidence and effects of prison rape in Federal, State, and local institutions and to provide information, resources, recommendations and funding to protect individuals from prison rape.”<sup>2</sup>

The federal PREA commission crafted PREA audit standards, which included a provision requiring states to commit to participate or incur a 5% penalty to all agencies in a state receiving DOJ grant funds. Since the finalization of these standards in 2012, Vermont has full compliance in every facility in the state.<sup>3</sup>

As outlined in the *Seven Days* article, and also from our observations, the culture within DOC is a challenging one. During his tenure, then Commissioner Touchette applied for a grant from the Urban Institute/Arnold Ventures Prison Research and Innovation Network. This grant is designed to assist DOC by providing the necessary resources to develop methodologies to improve prison culture, operations, and

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<sup>1</sup> As of December 5, 2019

<sup>2</sup> Prison Rape Elimination Act, 2003

<sup>3</sup> <https://doc.vermont.gov/programs/prea/prison-rape-elimination-act-prea/>

design with a focus on creating more humane and rehabilitative correctional environments. The lead researcher for this project is the University of Vermont, and it has support from many stakeholders and advocacy groups. The letter of support can be found in Appendix A.

### **Leadership of DOC**

On December 16, 2019, Commissioner Touchette tendered his resignation with a request to return to classified service. Deputy Commissioner Judy Henkin has been named the acting commissioner of DOC. It is my hope to identify an interim commissioner to oversee the department during the investigation. I will have this recommendation to you as soon as possible. Following the investigation, a permanent Commissioner will be appointed to lead the Department moving forward.

CRCF will continue to report directly to Acting Commissioner Henkin, and not through the Facilities Director until the Interim Commissioner is appointed.

### **Chittenden Regional Correctional Facility (CRCF)**

In 2011, the decision was made to move incarcerated women in Vermont to CRCF. Advocates sounded alarm about this decision: From inadequate facilities to a lack of meaningful vocational training, concerns are regularly raised about the impact of the facility on the health, rehabilitation and reintegration to the community of the women who are incarcerated there.<sup>4</sup>

In 2018, the Vermont Women's Legislative Caucus raised specific concerns about the conditions at CRCF. These concerns focused on much of what was raised in the 2012 white paper (referenced above):

1. An ailing physical plan and crowded conditions that compromise physical health, personal safety, and human dignity
2. Limited opportunities to work and build marketable skills
3. Fewer caseworkers and high staff turnover
4. Medical/Mental Health services struggle to meet inmate needs

These concerns are shared by the Administration and have, for several years, been a driving force behind the proposed capital investment plan. In addition to the physical plant concerns, DOC leadership provided a full response to the Vermont Women's Legislative Caucus (Appendix B). In addition to the summary provided to the Vermont Women's Legislative Caucus, Superintendent Stone, at the direction of then Commissioner Touchette, provided a complete summary of the work done to improve conditions for women at CRCF since the publication of the 2012 white paper (Appendix C).

The *Seven Days* story also alleged shortcomings in how CRCF handles grievances. During a DOC town hall with those in their custody in April 2019, inmates raised concerns about how grievances were addressed, asserting there was often no follow-up on issues they raised. Heeding this feedback, Superintendent Theresa Stone tasked her Assistant Superintendent, Lori Perkins, to personally manage the grievance process to better ensure inmate grievances were not lost or mishandled, or that responses to the grievances were not forthcoming. While this change was implemented prior to the story's publication, it occurred after many of the cases reported in the story.

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<sup>4</sup>[https://www.prisonlegalnews.org/media/publications/onderwvzzer et al report on vermont womens prison 2012.pdf](https://www.prisonlegalnews.org/media/publications/onderwvzzer%20et%20al%20report%20on%20vermont%20womens%20prison%202012.pdf)

While these changes are important to fostering a better culture for inmates and employees at CRCF, it is clear we have more work to do. Following the reporting, I authorized the temporary assignment of Amy Jacobs, a DOC caseworker from St. Albans Probation & Parole, as a second assistant superintendent at the facility to assist in day-to-day operations, personnel matters, and to help ensure that no retaliatory actions were threatened or taken by or against staff or inmates.

### **Reporting Hotline for Inmates**

There is a current hotline for inmate grievances (referred to as the “55” line) that goes directly to DOC. While we have not yet identified an outside entity to take on inmate hotline, we remain committed to identifying a long-term solution that is outside of DOC and AHS. It is imperative that inmates have confidence in the reporting system so that claims of sexual abuse and misconduct do not go unreported.

For the interim, DOC is working to enter into an agreement with Just Detention International (JDI) to provide an additional crisis support line for survivors of sexual abuse and sexual harassment who are housed in any of Vermont’s correctional facilities. This is not a general reporting hotline. JDI’s services are grant-funded by the federal Office for Victims of Crime, and when operational, will provide inmates, as well as staff, with anonymous, unmonitored, and unrecorded access to rape crisis counselors. There is no charge to the inmate for the call, and no charge to the state for the service. Importantly, JDI is only one of a number of available avenues for inmates to receive needed support and services.

### **DHR Personnel Policies and Misconduct Investigations Practices**

Preliminarily we have determined that procedures are followed by DOC when allegations are made of misconduct by either inmates or staff – criminal allegations are forwarded to the Vermont State Police and personnel matters are sent to DHR. In addition to where the reporting happens, ensuring the reporting mechanisms have the trust of both employees and inmates requires that the follow up is transparent and timely.

The current personnel system does not promote transparency, which protects poor performance and hides misconduct behind policy. The system has not transformed to the modern era of transparency. This is not just a DOC issue – it’s an issue across state government. This paradigm is not fair to employees filing the complaint, nor is it fair to supervisors as the lack of transparency gives the appearance that nothing happens after a complaint is made. The inability to comment on the status implies guilt.

Confidentiality of Personnel Records is currently governed by Policy 5.4 (Personnel Records) issued by the Department of Human Resources (Effective date: September 13, 2015). That policy lists specific employee information that is public. Public information is limited to the following:

- Department where employed;
- Title and pay grade of position;
- Salary range for the paygrade;
- Gross salary and gross salary history;
- Employment category (full-time, part-time, temporary, exempt, classified); and,
- The length of employment with dates and titles of positions held

The policy then creates a presumption that all other information pertaining to a particular employee is **confidential**.<sup>5</sup> Thus, when media outlets, members of the public, or other employees request any information outside of the “public” information listed above (i.e. whether someone has ever been disciplined for particular conduct) the information cannot be provided.

The Department of Human Resources investigates complaints of misconduct for all State agencies and Departments.<sup>6</sup> Other than allegations of sexual harassment or discrimination, where the complaining employee is provided a letter acknowledging the complaint and a closeout letter, there is no formal process for notifying the complaining employee.

For example, if an employee makes a complaint about another employee’s misconduct, beyond potentially meeting with an HR investigator for an interview, the complaining employee may not be aware if the complaint was investigated or substantiated. Similarly, no notice is provided about any steps taken to address the behavior that was reported.

We must balance the right to privacy with transparency for those who are accused of misconduct until an investigation confirms the allegations are credible. Further, it is important to protect the identity of those employees filing complaints, so we do not hinder the reporting of accusations.

We must also find a way to provide confidence in the system – that when someone reports something, they believe it will be investigated and appropriately resolved. We should consider providing a reporting employee with the option to be kept apprised of the status of the investigation. This would not include revealing the specifics of any findings but could include updates on the status as it progresses towards a resolution, including whether the report was substantiated.

Questions have been asked during our review of the situation at CRCF that warrant further discussion. These questions include: Should we treat substantiated cases different than unsubstantiated in terms of being able to disclose the outcome of an investigation? Should employees in leadership positions be treated differently than other employees? Should the presumption of confidentiality be changed to build in a case-by-case review? Whatever the answer to the questions, we must side on more transparency.

Most importantly we must change the pattern as it relates to responding to substantiated claims of misconduct. We should no longer agree to confidential, stipulated agreements or move people to different positions while maintaining higher rates of pay. While a settlement may be more expedient or limit financial liability to the state, there are clearly deeper repercussions. This practice needs to stop.

### **Recommended Policy/Systems Changes**

When a report of misconduct is filed, if criminal behavior is alleged, it proceeds down parallel paths: a State Police investigation and a DHR investigation. In addition to continuing to find a long-term solution that moves inmate reporting outside the Agency, we observe some necessary changes to consider from a

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<sup>5</sup> 12 V.S.A §1691a also provides that an employee’s personnel records should not be discovered by a party in a civil action without first giving the employee notice and an opportunity to object to the discovery of the records.

<sup>6</sup> Misconduct complaints involving Vermont state police sworn law enforcement officers are not conducted by DHR.

criminal perspective and within the laws and guidelines surrounding DOC and our employees.

#### *Law Governing Sexual Assault of an Inmate*

The allegations described in the *Seven Days* report outline various incidents that should be criminal in nature. However, the law around the sexual assault of an inmate is incredibly narrow. 13 V.S.A. § 3257 details the elements of the crime of “sexual exploitation of an inmate.”

“(a) No correctional employee, contractor, or other person providing services to offenders on behalf of the Department of Corrections or pursuant to a court order or in accordance with a condition of parole, probation, supervised community sentence, or furlough shall engage in a sexual act with a person who the employee, contractor, or other person providing services knows:

- (1) is confined to a correctional facility; or
- (2) is being supervised by the Department of Corrections while on parole, probation, supervised community sentence, or furlough, where the employee, contractor, or other service provider is **currently** engaged in a **direct supervisory relationship with the person being supervised**. For purposes of this subdivision, a person is engaged in a **direct supervisory relationship with a supervisee if the supervisee is assigned to the caseload of that person.**” (Emphasis added)

The statute requires the individual to be “currently” engaged in a “direct supervisory relationship” in order to be found liable. A direct supervisory relationship is then defined as being assigned to the “caseload” of that person. This is very limiting language and potentially inhibits the ability to prosecute a DOC employee for engaging in the exact conduct the public policy behind the statute is designed to protect against. For example, a correctional officer (CO) could engage in a sexual relationship with an individual who the CO met while the individual was in the correctional facility but who was currently out of the facility on probation. The individual would still be under the supervision of DOC while out on probation but would not be on the CO’s caseload and, therefore, the CO could not be charged under this statute.

The language in this provision should be amended to make its application broader by changing the way “direct supervisory relationship” is defined and changing the use of the word “currently”.

In the case of Correctional Officer Zorzi, the Chittenden County State’s Attorney has not yet contacted us on whether criminal charges will be filed.

#### *Drug Testing for Correctional Officers*

Some of the allegations made in the *Seven Days* story outline a history of drug use by Correctional Officers. In the case of credible allegations of drug use, current law generally prohibits random drug testing unless required by law. 21 V.S.A. § 513(b).

Requiring drug testing for current employees would be considered a “change in working conditions” requiring bargaining under the Collective Bargaining Agreement (the CBA only currently addresses drug testing for CDL licenses and maritime licenses).

A more expeditious route to implement drug testing would be if the legislature were to pass legislation requiring it for correctional officers. If such legislation were to pass, the State would then be in a situation where they would be bargaining the impact only – meaning they would bargain what would happen to an employee upon a positive test result.

#### *DOC Policies Around Recruitment and Retention*

Recruitment and retention have been challenges for DOC for quite some time. The impact on this can be seen in the ever-growing amount of overtime being paid each year. However, we believe a discussion about the minimum standards and training required for Correctional Officers is warranted. But more importantly, our recruitment efforts must focus on diversifying our workforce to make sure that it more accurately reflects the population incarcerated.

#### *CRCF-Specific Recommendations*

We must reinstate the Incarcerated Women’s Initiative.<sup>7</sup> Vermont is unique in having Corrections a part of its Agency of Human Services. The reasons surrounding women being incarcerated show that this is not just a Department of Corrections issue; we must use the full agency to assist the women who are being incarcerated. Upon their release we have to develop better systems of support to prevent the constant reentry into the correctional facilities.

Other suggestions that have been considered by advocates and warrant further discussion include:

- Creation of a Correctional Ombudsmen
- Board or Advisory Panel for Incarcerated Women
- Better coordination about transitional housing for women

Lastly, the physical plant is old and does not create a rehabilitative environment. We continue to support the replacement of CRCF with a modern, scalable facility.

#### **Investigation Process/Timeline**

AHS has developed a plan for the third-party investigation. We need the investigation to be transparent and expeditious. Therefore, I have determined that this investigation will be completed by an investigative team within a law firm. I am currently conducting a simplified bid contracting process and hope to have a selection made by the end of next week.

The investigation team will report directly to the AHS Secretary and will be able to work in any correctional facility in Vermont, but will be focused mainly on CRCF. We have also asked for the investigation team that is selected to have an expert in federal prisons be a part of the investigation team.

The simplified request for proposals asks the contractor to perform an investigation of pertinent facts related to the incidents of alleged sexual abuse and misconduct perpetrated by state employees on women inmates and employees. The goal is to conclude the investigation within 120 days from the start date. Periodic updates will be given to me by the contractor over the course of the investigation.

If the Department of Justice chooses to open its own investigation, the Agency's investigation will coordinate information and resources as appropriate.

### **Conclusion**

There is much work to be done to enact the changes necessary within our correctional facilities to make sure they are safe environments for our staff and the inmates in their care and custody.

Here are the recommendations and timeline for next steps:

1. Finalize selection process for the investigation entity by December 27
2. Start investigation by January 1
3. Choose Interim Commissioner for Corrections during the time of the investigation by January 4
4. Continue CRCF reporting directly to the Acting Commissioner until the Interim Commissioner is appointed
5. Identify a long-term solution for an external hotline by January 15
6. Introduce legislation in the 2020 session to broaden 13 V.S.A. § 3257 to protect former inmates and/or current individuals on probation from sexual assault by officers
7. Introduce legislation in the 2020 session to require drug testing for Correctional Officers
8. Updating the minimum standards for a correctional officer
9. Reinstitute the Incarcerated Women's Initiative

Finally, thank you for supporting the women and men of DOC who are committed to this mission and the values of the State. Their integrity and commitment are what makes rehabilitating inmates possible.

Thank you.

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<sup>7</sup> <https://www.uvm.edu/~jeffords/reports/pdfs/Incarcerated%20Women%27s%20Initiative.pdf>



Appendix A

PHILIP B. SCOTT  
Governor



State of Vermont  
OFFICE OF THE GOVERNOR

September 30, 2019

Nancy La Vigne, Ph.D.  
Vice President for Justice Policy  
Urban Institute  
500 L'Enfant Plaza SW  
Washington, DC 20024

Dear Dr. La Vigne:

We are writing in strong support of Vermont's application to the Urban Institute/Arnold Ventures Prison Research and Innovation Network. While Vermont has been a leader in correctional practices for decades, we continue to seek out opportunities to improve our system. Access to the framework and support of the Network will provide our state with the resources and assistance to develop the local capacity and infrastructure needed to enhance the future of Vermont's correctional system.

We are interested in moving towards a more humane correctional system culture that improves the health and well-being for both inmates and staff. Over time, we expect this project to reduce reincarcerations and recidivism, and eliminate the need to send inmates to out of state facilities. We know that change of this magnitude requires a systems approach and are fortunate to have enthusiastic support for these efforts from across state government, local researchers and community partners who are all committed to and interested in researching and improving prison culture, operations and design in the interests of creating more humane and rehabilitative correctional environments. We have begun exploring alternative models to implement in Vermont, having recently visited Cheshire, Connecticut's restorative T.R.U.E. program for the 18-25-year-old population.

Many of Vermont's correctional facilities are old and were built to serve the purposes of punishment and containment. These facilities were designed under the assumption that Vermont would place more people in restricted housing units. Given our substantial shift away from restricted housing, and the way non-compliant behavior is addressed in correctional facilities, Vermont no longer needs or uses these beds for their intended purpose. Moreover, Vermont facilities operate over their design capacity. Some facilities use sled beds (hard plastic beds on the floor) to house inmates, or house inmates in booking or restrictive housing units while they await placement in a general population bed. To accommodate the excess capacity, between 250 – 270 inmates are housed out of state at a privately-run correctional facility. Operating over capacity contributes to stress for both inmates and staff and can increase incidents of violence.

We recognize that changing the culture of prisons must address how operations impact front-line Correctional Officers. Corrections staff must be provided with opportunities and resources to help improve their well-being and manage their stress. In 2018, DOC spent \$7M in overtime for 159,000 staff

Nancy La Vigne, Ph.D.  
September 30, 2019  
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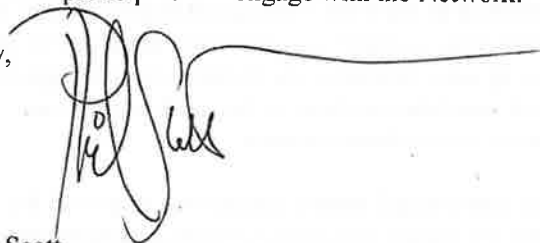
hours and the equivalent of 76.5 full-time positions. Including their overtime, many Corrections Officers regularly work 12 to 16-hour days.

This application solidifies and furthers our ongoing conversations around Vermont on how to most effectively prepare individuals for successful re-entry, improve the working conditions of our staff and enhance public safety, while supporting victims of crime.

By partnering with the University of Vermont, our state's premier research institution and land grant University, we hope to build a long-term relationship. Leveraging their expertise in prison and community-based participatory research, study design, data collection, statistical analysis and dissemination we anticipate building sustainable research capacity. Our desire for evidence-based practice and assessment of our innovations demonstrates our commitment to transparency and accountability within prison environments and to our constituents.

As signatories on this letter we affirm our support for this initiative as well as our enthusiasm and willingness to participate and engage with the Network.

Sincerely,

A handwritten signature in black ink, appearing to read 'P. B. Scott', with a long horizontal line extending to the right.

Philip B. Scott  
Governor

T.J. Donovan  
Attorney General

Mike Touchette  
Commissioner, Department of Corrections

Tim Ashe  
Senate President Pro Tempore

Mike Lyon  
Superintendent, Southern State Correctional  
Facility

Monica Hutt  
Acting Deputy Secretary, Agency of Human  
Services

Tom Dalton  
Vermonters for Criminal Justice Reform on  
behalf on currently and formerly incarcerated  
individuals



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**State of Vermont**  
**Department of Corrections**  
NOB 2 South, 280 State Drive  
Waterbury, VT 05671-2000  
[www.doc.vermont.gov](http://www.doc.vermont.gov)

[phone] 802-241-2442  
[phone] 802-241-0000  
[fax] 802-241-0020

*Agency of Human Services*

Members of the Legislative Women's Caucus  
The Vermont State House  
115 State Street  
Montpelier, Vermont 05633

April 5, 2019

Honorable Senators and Representatives:

First, we'd like to thank you for affording us the time out of your busy schedules to discuss with you about issues relating to the Chittenden Regional Correctional Facility, the needs of the women who are housed there, as well as the concerns of the state employees that work there. We are certainly aware of and have not ignored the recent media coverage decrying the condition of the facility, the treatment of the population, and their limited access to needed programs and services. Having not been contacted by the ACLU or their colleagues about any of the serious issues that were raised, however, Deputy Commissioner Judy Henkin, Facilities Executive Al Cormier, Superintendent Theresa Stone and Assistant Superintendent Lori Perkins joined me in a Town Meeting at the facility on March 21<sup>st</sup> to hear directly from both inmates and staff and learn more about living, working, and providing and receiving services at what we know is an outdated and inadequate correctional facility. I think there was consensus that our time was well-spent at the facility and the direct dialogue productive, and our conversations with the inmates and staff allowed us to clarify and evaluate their valid concerns in real-time, and together explore ways to address some of those concerns.

As a result of our meeting, we discovered there was a lot of low-hanging fruit that required simple changes to our practices that would make life better for all at the facility. These were generally related to recreation, commissary and facility operations. Some of these changes had recently been made or were in the works; others are now being implemented. Larger issues, however, were not so easily resolved nor voiced by consensus, but will be monitored as we go forward; for example, when one inmate said that all staff were cruel, several other others jumped in and rattled off a list of names of staff who they believed are fair and respectful, while others nodded affirmatively. While we hope that the inmate's singular statement is not objectively correct, we have not dismissed it out of hand, and will take the opportunity to instill in our staff, and in the inmates, the importance acting with civility and respect of one another.



Following the meeting, we reviewed the issues raised and developed an action plan to address them. In those instances where we decided that the requests for change will not be made – for example, we will not allow the inmates to keep tweezers in their cells – we will provide the rationale as to why (tweezers are a security concern because they can be used to open locks or as weapons). The information below highlights the issues raised, and the DOC's responses, and should provide a useful backdrop to our discussions on Friday:

**Commissary/Property:**

The inmates complained that certain food and beauty items are not available from the commissary, and that inmates were limited in the amount of property they could retain in their cells. On March 27<sup>th</sup>, inmates met with Facility Operation Manager Bob Arnell, reviewed the currently available commissary items, and provided him a list of items they would like to add. The Department will evaluate the requests, and if appropriate to do so, will ask our vendor to make the items available from the commissary.

If the vendor is unable to carry any of the approved items, the Facility Management Team will explore whether it is feasible for the recreation department to purchase the items and make them available as part of an incentive program that is currently under development at the facility. Based on our discussions concerning the limits on the personal property allowed in inmates' cells, the facility management team is reviewing the current allowable property matrix and will make recommendations of personal property allowances that are specific to a female population.

**Recreational Opportunities:**

Many inmates complained that there are limited opportunities for recreation. In fact, at the time of our meeting, the facility had been without a recreation coordinator for several months, as the former employee left state service.

A new recreation coordinator has been hired and started April 1<sup>st</sup>. She has a fitness background and will offer increased access to the gym times and use of the fitness equipment, as well as more arts and craft activities such as scrap booking, crocheting, and card-making classes. The facility will add recreation time in the evenings for the women to be outside (now that the snow is cleared).

Other group activities have occurred or are in the planning stages. The facility also hosted a workers' appreciation night featuring pizza and soda for all inmate workers with 30 days or more of facility employment. For Women's History Month, many women participated in a Mural Celebration in which the women painted a mural in the facility celebrating Women's History Month. The CRCF Volunteer Coordinator has met with Flynn Theatre representatives to explore the possibility of offering artistic events at the facility and discussed offering events to children as part of the Kids-A-Part (KAP) visit.

**Garden:**

Another concern brought to our attention was the lack of a garden that had previously been in place at CRCF. A new garden has been planned and Vermont Correctional Industries in St. Albans is building new garden beds for the facility. There will be eight vegetable garden beds in the large yard, two flower beds in Bravo bullpen (the mental health unit), and three flower beds outside of ECHO unit. NWSCF has already begun growing some of the vegetables and flowers, and the women that have completed the master gardening program—most of whom are housed at the facility long-term—will be planting and keeping up the gardens.

### **Grievances:**

To ensure that grievances are timely logged into the Offender Management System (OMS), appropriately assigned to an officer for review and investigation, and that the inmate's stated concerns are timely addressed, Assistant Superintendent Lori Perkins is personally managing the grievance process. This new practice should mitigate or eliminate many of the inmates' concerns that their grievances were being lost or that responses to the grievances were not forthcoming.

### **Inmate Pay:**

We heard from the Women's Caucus that there were perceived disparities in pay based on gender. After reviewing the inmates' pay from all Vermont facilities, we found there are disparities in pay across the facilities for inmates doing identical tasks, and that in some instances women were paid less than men performing the same job, and more in others. As a result of this finding we are reviewing all facility jobs across the State to ensure that like jobs are paid at the same rate, regardless of facility or gender.

### **Phoenix House/MH:**

**Phoenix House:** There is currently a 41-person waiting list to get into Phoenix House, impeding inmate access to needed services. We learned that Phoenix House had a vacant position that was under recruitment for a period of time that caused some of the backlog, and that it has hired a new full-time employee. Phoenix House anticipates it can reduce the backlog in assessments by the end of April.

In February 2019, Phoenix House's three full-time (FTE) mental health professionals\* provided 184 hours of direct service time. The services included:

- 25 case management sessions. During these sessions, caseworkers may connect clients with access to community resources, (*i.e.* AA/NA meetings), review treatment plans, and allow time to check-in on problems the client may be facing with addiction, mental health, medical, legal, social, educational, or vocational issues.
- 10 recreational groups
- 49 relapse prevention groups
- 7 relational trauma repair groups
- 43 engagement groups. The engagement groups are held on a drop-in basis, and there are specific engagement groups for patients new to the program. The groups discuss topics including a roadmap to recovery, straight ahead, seeking safety, and getting motivated to change.
- 2 assessments (Addiction Severity Index)
- 56 individual therapy sessions

**Mental Health:** Centurion, the DOC's health services contractor, employed two FTEs and one part-time Mental Health Professional (MHP) in February 2019. The two MHPs covered the facility from Monday through Friday on staggered shifts (5:30am to 4:15pm). Centurion also had

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\* During January and February 2019 Phoenix House had a vacancy of one FTE, as mentioned above.

two part-time MHPs covering the facility on Saturday and Sunday and see all patients requiring mental health checks and any newly-admitted patients. Centurion provides 24/7 on-call coverage.

### **Educational and Employment Services:**

**Educational Services:** Community High School of Vermont (CHSVT) currently has one full-time Licensed Teacher on-site one to two days per week. (It should be noted that we heard high praise of this teacher from several inmates.) Next quarter there will be two full-time Licensed Teachers on-site enabling the facility to expand educational offerings. Currently there are 57 female inmates enrolled in CHSVT services and 13 that are dually enrolled in classes for their High School Diploma and the Workforce Readiness program.

The University of Vermont also offers classes at CRCF. In the Spring of 2018, six students at the facility completed *Classics 042: Classical Literature/Mythology*. In the Fall of 2018, six students completed *English 001: Written Expression*; ten students are currently enrolled in the Spring 2019 course, *Statistics 051: Probability with Statistics*.

### **Employment Training:**

#### **Vocational Rehabilitation (VR)**

Counselors are meeting women at CRCF weekly to sign them up for vocational rehabilitation, assist them with obtaining identification if needed, and connect them with assistance in accessing continuing job training and other services as they return to their communities. In addition, VR has facilitated employer interviews with 65 eligible women over the past 12 months.

#### **Vermont Works for Women**

Twenty-eight women participated in three Build Your Skills classes in February. Thirty-one participated in Employment Enrichment classes. VWW, in collaboration with St. Albans CCV has developed a Step Into Work program, and is planning Trailblazers Electrical Pre Apprenticeship training at the facility during May and June.

#### **Adult Reentry Employment Strategy (ARES) Grant**

The DOC is negotiating with Howard Fisher for culinary skills training consultation, with CRCF as one of the primary sites for the training. There is also work being done, in collaboration with Career Technology Education Centers, to provide inmates with training in welding, utilizing a welding simulator.

### **Food Services:**

Facility Operations Manager Bob Arnell has met with the Food Service Supervisor at CRCF and our food services contractor from Trinity. Their review found that all meals currently being served at CRCF meet the nutritional guidelines and portions outlined in the food services contract. Given inmate complaints, however, we will continue to review the kitchen operations and monitor whether the current portions or menus should be adjusted.

We also learned of the inmates' request that the powdered milk now served be replaced with fresh milk. The DOC has worked with the Agency of Agriculture for several years with the goal of making this a reality. However, there are two significant barriers to doing this:

- **Storage:** National standards require that we maintain a full, ten-day supply of meals on hand. Each facility has extremely limited refrigeration space. Meeting this requirement alone consumes most if not all the existing cooler space.
- **Cost:** Powdered milk costs \$127 per 50-pound bag, and each bag yields 62.5 gallons. Our most recent (3/21/19) best price quote for real milk is \$2.65 per gallon. We estimate a total annual need for milk of approximately 70,000 gallons. The comparison is below:

Powdered Milk:

1 bag = 62 gallons  
\$127 per bag = approximately \$2.05 per gallon  
70,000 gallons  
 $70,000 \times \$2.05 = \$143,500$  annually

Liquid Milk:

1 gallon @ \$2.65 per gallon  
70,000 gallons annually  
 $70,000 \times \$2.65 = \$185,500$  annually  
It would cost the DOC approximately \$42k more annually to switch from powdered to fresh milk

**Health Services:**

We have reviewed the timeliness of response to requests for healthcare visits at the facility and have found that the facility complies with applicable state and national standards. The DOC adheres to standards set by the National Commission on Correctional Healthcare (NCCHC), which also accredits its health services program. In February 2019, 98 percent of non-urgent sick calls on weekdays were "seen" within NCCHC-required timeframes, while 95 percent of weekend non-urgent sick calls met the NCCHC standard. For urgent sick calls, staff responded to 100 percent within the NCCHC requirement for timeliness. The DOC has included these requirements in its contract for comprehensive healthcare services as well as in our performance-based metrics.

We heard from one inmate who said she routinely shows up for her medications but that they often are not kept in stock. She also told us that there are times when the timeliness of receiving her medications vary, and that some medications require that the dosing be completed on a consistent time basis; for example, every 24-hours. We asked that our health services division review these claims, and found no incidents where her prescriptions were not available, and that her Electronic Health Records (EHR) indicated that she frequently does attend the regularly-scheduled med line. Again, we have taken note of these issues and will continue to monitor our performance.

In closing, I'd like to thank you again for your time and for your interest in these important issues. We will be available to answer your questions and discuss your concerns in person when we meet tomorrow, and in continuing and future dialogues.

Sincerely, -

A handwritten signature in black ink, appearing to read "Mike Touchette", with a long horizontal line extending to the right.

Mike Touchette  
Vermont Commissioner of Corrections

cc: Cary Brown, Executive Director, Vermont Commission on Women



## Appendix C

**To: Facilities Executive, Al Cormier.**  
**From: Superintendent Theresa Stone**

At the request of Commissioner Touchette, I have summarized the efforts and changes implemented by both by the leadership, and the workforce employed at CRCF since 2011. I'm confident you'll find this document to be a plentiful outline of the many efforts and changes made to serve the needs of Vermont's justice involved women, more specifically the women at CRCF.

Understanding the White Paper was a call to action, the DOC embedded this document into an already established plan to strategically address the multifaceted assessments of all DOC facilities ensuring the health, safety, and dignity of justice involved women in VT. The DOC depended on a robust body of knowledge, and national subject matter experts. Since 2001, much of this has been leveraged, and supported by the National Institute of Corrections. Additionally, the Prison Rape Elimination ACT, and the Federal Prison Rape Commission were responsible for over one hundred mandated national standards guiding best practices for safe facilities. Vermont took full advantage of all resources, and research that resulted from the Prison Rape Elimination Act, enacted by congress in 2003. The federal PREA commission crafted the PREA audit standards, forcing states to either commit to participating in the national audit process or forgo a 5% penalty, across the board, to all agencies participating in DOJ, JAG, and other related DOJ grant sources. DOC staff across the state attended extensive training in preparation for population transitions, audits, policy changes, investigations, and employee support. There have been a number of operational and program improvements in efforts to support these policy and culture shifts, as well as address the fiscal planning necessary for the state to **prioritize** the specific needs of incarcerated women. **CRCF has completed two successful PREA Audits in both required audit cycles in the last four years, and Vermont is one of only a few states that have full compliance in every facility in the state.** These standards address all corrections best practices; and included a ten year statewide training initiative, messaging a "top down" accountability plan.

We have worked with the National Institute of Corrections as well as the nationally recognized criminal justice firm, the Moss Group, under cooperative agreement with NIC, and BJA PREA grants. In 2009 the Moss Group completed a full management and safety assessment that resulted in a comprehensive list of recommendations, and strategies exceeding the White Paper analysis, (See attached). In 2015 the Moss group conducted a full Investigative mapping, and gap assessment, to address all avenues potentially interrupting the identification, detection, reporting and accountability in support of inmates needing to report any sexual abuse. These efforts were in collaboration with representatives from Vermont State Police, States Attorneys, Agency of Human of Services Investigations Unit, Department of Human Resources, and Victim's advocacy. This group of experts specialized in investigating sexual abuse, and sexual assault in prisons. This resulted in continued training, a statewide PREA leadership symposium, and the implementation of the VT DOC PREA Directive. ASCA also completed a facility violence assessment. They later returned to assist DOC with a staffing analysis that identified barriers to successful operations, as result of too few caseworkers and correctional officers.

CRCF has been managing a nearly impossible situation. Regardless of a dilapidated building, and often harsh criticism from advocacy and the public, the committed CRCF employees, contractors, and volunteers have diligently stood up program services, work, treatment, and case planning. Additionally, our hiring and prescreening process allows for more careful consideration to the professionals we hire. The DOC and DHR mandated hiring practices requiring each candidate to confirm, they have not engaged in any sexual harassment, sexually abusive, or assaultive behavior. Recruits attend five weeks of pre-service training at the DOC Academy, as well a post academy facility training officer program (FTO). DOC graduates have been trained, and tested in competencies regarding women's pathway to crime, relational theory, PREA, professional boundaries, pat searches, cross gender supervision, trauma informed language and communication to name a few.

There have been challenges along the way, not the least of which is a multitude of CRCF leadership changes. This is an undeniable indicator the constant, and often misinformed public scrutiny, can be daunting. It is also an indicator of the need for committed leaders, fluent in best practices for women. In spite of leadership changes, and staffing challenges, there are many committed CRCF staff, who have endured and stepped up throughout. They will attest to their personal commitment to the mission, the department, and the successful re-entry of the women.

Though I've been Superintendent for a short period, I worked at CRCF in many capacities, and held several positions in the department. I have an informed appreciation that planning for safety, and security is critical, as is providing a strength-based culture, rich in programs and opportunities. I have firsthand knowledge of the unpredictable nature of a prison environment, and the potential for violence. Like many of my colleagues, I have experienced, and seen more than most members of the public can appreciate. My experience, skills, and trust in my leadership allows for me to continue to lead thoughtfully, and in the best interests of the staff and residents at CRCF. I am privileged to be supported by my male colleagues, and leadership who also appreciate the need for thoughtful planning, and a wholistic approach to the unique distinctions of a women's prison. I understand the importance of advocacy, prisoner's rights, media scrutiny, accountability and transparency. The conditions endured by the women residents at CRCF has also taken a toll on our committed staff who have little control over legislative and administrative decisions, and yet are supporting the women every day. It is my hope we acknowledge the CRCF staff, as the most informed and, greatest advocates for Vermont's incarcerated women.

Please see attached summary of improvements, and activities since 2011. While, I know we will not be able to address every area, or ascertain all resources, I am committed to working with my leadership in identifying creative solutions.

DOC White Paper Response:  
Improvements-Activities-Challenges  
2019

**I. Women's Safety; Sexual Safety and Trauma Informed Practices**

**a. PREA**

- i. A healthy, safe correctional culture that prioritizes prevention, reporting, and swift response is the cornerstone of any organized effort to eliminate sexual abuse in confinement. While the individual standards do not set specific requirements for culture change, the adoption and implementation of the standards will assist greatly in developing such a culture by requiring agencies and facilities to institutionalize a set of policies and practices that, among other things, will elevate the importance of agency and facility responsibilities to protect against sexual abuse.

**b. PREA Audits**

- i. National data correlates sexual safety with inmate safety, positive culture, and a healthy environment; if folks are free from victimization then they feel and are safe. The federal PREA Standards require audits to measure agencies institutional safety. CRCF has been audited, and passed, in both 2014 and 2017.
- ii. 2014: Key points from auditor's final report
  1. There are multiple mechanisms for inmate reporting. Inmates can report to an outside entity via the Prisoner's Rights telephone number. Policy dictates that all incidents will be investigated. Reports are accepted verbally, in writing, anonymously or from third parties. Additionally, staff can privately report incidents of sexual abuse or sexual harassment.
  2. No inmates were involuntarily in segregation because of a report of sexual violence.
  3. Inmates were, "well versed" in the agencies zero-tolerance policy as well as all reporting options.
  4. Inmates reported being oriented upon arrival to the zero-tolerance policy and reporting options.
  5. Sexual violence investigations are completed to the full extent required and concluded in required time frames.
  6. *"The Incident Review Team at Chittenden review each offense that involves any sexual activity, regardless if the sex is consensual or coerced. Each case is treated as a PREA incident regardless if force was used or not. While this level of review is not mandated by PREA, it is an excellent practice and should allow for some additional insight into inmate behaviors."*

iii. 2017: Key points from the auditor's final report

1. *"The auditor was impressed by how knowledgeable the correctional officers and other staff were about PREA, first response, evidence collection, etc. Also impressive was the testing that was done to measure the level of understanding staff have following PREA Training."*
2. *"The majority of facility staff members have been trained to conduct cross-gender pat-down searches and searches of transgender and intersex inmates in a professional and respectful manner, consistent with security needs. In interviews with staff, I asked staff to explain the process of conducting a cross-gender pat search as well as a search of transgender and intersex inmates. Staff were well versed in conducting searches in a professional and respectful manner."*
3. **For the 2014 audit, CRCF exceeded expectations in 1 category; this grew to 5 in 2017**
  - a. **PREA 115.22** Policies to ensure referrals of allegations for investigations, *"the agency ensures that an Administrative and Criminal investigation is conducted for all allegations of sexual abuse and sexual harassment."*
  - b. **115.31** Employee training, *"during the interviews with a random selection of staff, I quizzed staff members on a variety of these topics and staff were able to respond appropriately. The training provided is specific to the gender of inmates the staff will supervise. If a staff member is transferred from another facility, the staff member would be appropriately be retrained."*
  - c. **115.32** Volunteer and contractor training, *"all Contractors and Volunteers receive extensive training regarding PREA to include testing which far exceeds standard requirements. The agency should be commended for this high level of professionalism and regard for sexual safety in their prisons."*
  - d. **115.33** Inmate education, *"caseworkers provide a more in-depth training with the offenders within 72 hours of arrival at the facility. This far exceeds the 30-day requirement imposed by this standard. The facility provides education through a variety of mechanisms in order to connect with a broader range of learners. All offenders receive the required training regardless of where they came from being the streets, court or another facility."*

- e. **115.42 Use of screening information**, “CRCF goes a step beyond when considering placement of the offenders in that they hold a multi-disciplinary team meeting Monday-Friday to discuss the housing and placement of inmates who they perceive to be vulnerable or predatory in order to house them most appropriately. This individualized determination helps to ensure the safety of each inmate. When deciding whether to assign a transgender or intersex inmate to a facility for male or female inmates, and in making other housing and programming assignments, the agency considers on a case-by-case basis whether the placement would ensure the inmate’s health and safety, and whether the placement would present management or security problems.”

**c. Gender Responsive DOC -CRCF Staff Training**

i. Management of Women’s Prisons

- 1. Management, security and case management regularly attend the National Institute of Corrections (NIC) training for facility managers. To date, 7 staff members have attended and implemented recommended changes.
- 2. Staff member for the Department is on the training team as a content expert and delivers the training across the county.

ii. Boundaries

- 1. Delivered curriculum written by The Moss Group, nationally recognized as training leaders in sexual safety, boundaries, investigations and reporting.

iii. Human Trafficking

- 1. Training delivered by members of the Vermont taskforce to inform staff on what to look for when identifying potential victims of human trafficking.

iv. Trauma Informed Practices

- 1. Training delivered by advocates from the DIVAs program covering trauma informed practices, gender responsive strategies, women’s pathways, sexual and domestic violence.

**II. Physical Plant – Realities and challenges**

a. Sewer flies and Drain Cleaning

- i. Per the BGS Pest Control Expert, steam cleaning has been reduced to once or twice a year; sewer flies being reduced significantly. CRCF Staff are still treating the drain each week with chemicals from BGS.

b. Heating System

- i. Several upgrades to the HVAC system and the controls. This includes several new points for controls, new air handlers, a building management system.

- ii. Heating controls ratio was upgraded from 1 thermostat to 1.5 living units, to 1 thermostat to 3- 5 rooms; ensuring more accurate temperatures.
- iii. BGS has requested the entire control system be looked into for further upgrades being that we have reached capacity for our controls within the facility.
- c. Hot water
  - i. The metering valves were replaced long ago in the showers throughout the facility. Issues are reported and addressed as needed.
- d. Toilet Ratio
  - i. CRCF exceeds the national American Corrections Association standard (ACA 4-4137) for toilet to female inmate ratio of 1:4. The current ratio is 1:4.6 inmates.

### III. Programs and Services

#### a. Programs

##### i. Kids-A-Part (KAP)- **Parenting**

1. Offering parent, caregiver and child support for CRCF. Include community outreach and support to caregivers; parenting support and education to moms; visitation, and activities to children; partnership with CLIF to provide books, audio of moms reading books and events; support through the pregnancy, birth, court proceedings and termination of rights processes; and assistance and access to DCF as needed.
2. KAP has presented at the AJFO national conference as a recognized model of an inclusive family centered program.

##### ii. Vermont Works for Women (VWW)- **employment skills**

###### 1. Opening Doors:

- a. For women who want to find direction, purpose and fulfillment in their lives covering; goal setting Strategies, managing expectations, navigating obstacles, assertive communication, and giving and receiving feedback.

###### 2. Step In to Work:

- a. For those being released to Chittenden County, a six to ten-week program called Step In to Work offering; life skills and job readiness classes, career assessments and job coaching, assistance in creating and updating cover letters/resumes, supervision and support through On-the-Job work experiences, assistance in finding and keeping a job, and support during the interview process

3. Monthly Enrichment Night: Primarily female employers attend to present and answer questions regarding employability, strategies, skills, and wisdom to aid women on their path to employment discovery.
- iii. Mercy Connections: **Mentoring Program**
    1. Collaborative partnership among Mercy Connections, Vermont Works for Women and the Vermont Department of Corrections.
    2. Services:
      - a. Assigned mentors for women in Chittenden County.
      - b. Mentors work side-by-side with their mentees while incarcerated and upon release in order to provide services and connections.
      - c. Fostering Hope and Strength group
      - d. Annual harvest dinner and summer picnic connect mentors and mentees. The women are not only able to eat homemade food, but able bring a dish, of their choosing, to share. This has also been a great opportunity for staff as well to experience a pro-social event with the women in the community.
  - iv. DIVAs: **sexual and domestic violence advocacy**
    1. Confidentiality
      - a. DIVAs staff are crisis workers, meaning they can have confidential conversations about sexual assault, dating or domestic violence, and safety.
      - b. Only department staff that are absolved of reporting responsibilities under federal PREA standards in order to provide services to victims of sexual violence without the pressure of reporting.
      - c. Protected under state advocate law
      - d. National Model- Presented at the national AJFO conference as a trailblazer in providing advocacy services to incarcerated folks.
    2. Groups
      - a. Drop-In Group, **Healing Trauma**, Change Group, art therapy, Buti yoga, yoga and topic groups. Using gender responsive, female specific and trauma informed curriculums for anyone who needs occasional support related to domestic and sexual violence.

3. **Individual Education & Support**
  - a. One-on-one meetings to talk about needs and to make an individual plan. Including; personal safety plans, relationship safety plans, connect with community-based domestic violence and sexual assault programs in every county in Vermont.
  - b. Facility incident support
    - i. Referrals made for reports received in the facility of sexual violence
    - ii. Coordinate with Hope Works for external support needed for facility incidents
- v. **Phoenix House of New England- substance abuse**
  1. Substance Abuse and Co-Occurring Disorders Program is a voluntary, outpatient substance abuse treatment program provided through the collaboration of the department and Phoenix Houses of New England.
  2. Group and individualized treatment services designed to help clients gain and sustain recovery. Phoenix House works to assist in a goal of recovery, and to build a healthy and satisfying life.
  3. Groups offer education and practice of coping skills; relapse prevention; cognitive behavioral therapy, addressing substance abuse, criminal conduct, and the effects of trauma; relationship and communication skills; and anger management.
- vi. **UVM College Course**
  1. Initiated by UVM to bring inmates and college students together in a classroom setting.
  2. Started with a non-credit class that mixed UVM students and incarcerated students in Spring 2017 that included 10 UVM students, and 9 incarcerated students; all completed.
  3. Spring 2018—Classics 042: Classical Literature/Mythology; 6 incarcerated students completed.
  4. Fall 2018—English 001: Written Expression; 6 incarcerated students completed.
  5. Spring 2019—Statistics 051: Probability with Statistics; 10 incarcerated students currently enrolled.
- vii. **Mandatory Programming**
  1. **RRP:**
    - a. The department offers an opportunity to learn and develop prosocial skills to reduce recidivism. **The Risk Reduction Program** is an evidence-based intervention that reduces criminogenic risk through a structured program design, based upon risk assessment.
  2. Sex Offender programming:
    - a. Due to the small number of women, a group is not offered but individual programming is required for all convicted of identified sexual offences.



## **b. Employment**

### **i. Facility Jobs**

1. Increased the paid jobs from 50 to 55.
2. All worker applications have been updated to make the process easier and more fluid.
3. The pay system has been updated and the wages are equal to and above that of the males. This was done intentionally as we know that the value of a dollar for a woman is less than that of a man.
4. Percentage of women employed is higher than that of male counterparts.
5. Monthly worker incentive dinner.

### **ii. Apprenticeship**

1. Vermont Works for Women (VWW) will be starting an electrician pre-apprenticeship program lasting 6-9 weeks.
2. CRCF is developing an employment and apprenticeship program in collaboration with Voc Rehab called the, "Pre-Apprenticeship Training Initiative: Building Links between Facility Training and Outside Employment." Partnering with representatives from the Dept. of Labor, Vermont Business Roundtable, Community College of Vermont, Vermont Works for Women, Mercy Connections, University of Vermont, and inmates several key objectives were identified including a need for more work-based learning inside the facility and greater collaboration with employers willing to hire women soon after their release.
3. Voc Rehab at CRCF weekly to provide vocational counseling; 65 women served to date.

### **iii. Work Camp**

1. Delta is not an isolated unit and inmates are able to participate in all activities.
2. Currently, we do not have a work crew leader to bring the women into the community for work. The women are therefore working in the facility and have more access to programs and services.

### **iv. VCI**

1. The department has been awarded a grant and is exploring the feasibility of a kitchen management program. This will include certification in QuickBooks. This program would focus on kitchen enhancements, inventories, ordering and budget.
2. All inmates employed by VCI, and meeting set criteria, are eligible to have their savings matched up to \$4000. We are working hard to bring VCI opportunities to CRCF so they women can take advantage of this program.

**c. Recreation**

**i. Gym Equipment**

1. The women were commissioned to paint a mural on the wall in front of the treadmills in order to provide a more engaging and therapeutic space. It is hard for women to be motivated in a correctional facility and finishing touches do not go unnoticed.
2. Electrical work was completed to allow for more treadmills and elliptical to include the replacement of those broken and worn out.
3. Gym modified to meet the fitness preferences of women. General weight equipment removed to allow for more cardio equipment. Equipment includes:
  - a. 2 Treadmills
  - b. 2 Long stride Elliptical
  - c. 2 Short stride Elliptical (Stair master style)
  - d. 1 Recumbent Bike
  - e. 1 Up right (spin style) bike
  - f. 1 Multi Leg Pulley Machine (10-205 lbs. of weight)
  - g. 1 Multi-Press Machine (10-205 lbs. of weight)
  - h. 1 Multi Pull Machine (10-205 lbs. of weight)
  - i. 1 standard set of elastic resistance bands
  - j. 2 ab roller wheels
4. Phoenix House and DIVAS programming includes recreation as part of their programming services. The gym is utilized for therapeutic recreational activities.
5. Minor construction was done to remove the equipment cage that was taking up part of the gym floor allowing for a better experience.
6. Approximately 15-20 college students from St. Michael's become registered volunteers every year to play volleyball with the women once a week. This is a very popular night with the women and a great chance for the students to experience the facility in a pro-social way.

**ii. Outside Recreation**

1. Changes made to the recreation allowing closed custody more access to recreation.
2. CRCF is following the same process as others are with the men, outside recreation is not offered when the weather is 0 degrees or below which has been a significant issue this winter. With the Volunteer Coordinator and the reacquired Recreation Coordinator position, more inside open gym time was offered to include night time open gym. The facility works hard to ensure that recreation is offered to keep the women active and decrease negativity and even depression.
3. This summer we will be installing a garden in the Bravo recreation yard and enhancing the garden in the main rec yard.
4. During the summer, CRCF adds evening outside recreation understanding the importance of activity as well as the outdoors.

**iii. Incentives**

1. The UVM, working with the Department, conducted research into the effectiveness of incentives. After countless interviews with staff and inmates, the data shows that incentives are a useful tool in activity and program effectiveness. This is often this with signing, year-end, or holiday bonuses. We include things such as snacks, healthy food items not able to get from commissary, extra recreation time, extra social events, etc.
2. Current system is being enhanced by Volunteer and Recreation Services in collaboration with management.
3. Monthly incentive events based on inmate request to include, bingo, coffee socials, pizza parties, card tournaments, dance tournaments, and karaoke just to name a few.
4. Opportunities for women to participate in community building events.
  - a. Made and decorated holiday cookies that were delivered to all DV/SV shelters in the state for women and their children.
  - b. Made and donated cakes to Burlington Food Shelf.
  - c. Made crocheted items for UVMC for the children in the hospital.

#### **d. Medical/Mental Health**

##### **i. Medication Assisted Treatment (MAT)**

1. Substance abuse is one the major components of the Pathways Perspective, making sobriety and programming more integral to her success. The State and the Department recognized the significant impact that drug addiction has on the inmates that are in our custody. The Department implemented the use of MAT and approximately 65% of the women are currently engaged in MAT services.
2. With over half of the population, and the numbers steadily increasing receiving MAT, this has meant an increased number for both medical and security staff needed to administer MAT. This has put a strain on the, "day-today" service deliveries of both security and medical staff with the significant number of recipients. This has also meant an increase in inmate medication diversion as a way of currency, fulfill addiction needs, and trade property which increases antisocial behavior.

##### **ii. Infirmary: Houses women short term for medical issues that would could put the individual or others in the unit at risk of infection, contagion or harm.**

##### **iii. Booking Intake**

1. Significant movement and intake numbers due to Chittenden County Court, colleges, and the population of Burlington
2. Intake medical care is administered to all folks in Booking, both men and women. Women receive required intake care and are then quickly moved to the inside of the building where required care is administered in the clinic. Males remain in Booking only so all medical care is administered there. There are only 3 cells in Booking, with limited room and even less privacy. The mean are predominantly housed in 1 cell. The high number of intakes and releases, limited privacy, and limited space make administering medical care challenging.
3. Women are moved from booking to living units as fast as possible to provide more stable care and housing.

##### **iv. Physical Therapy**

1. Within the last 2 years a Physical Therapist was added and is on site for 16 hours a week

##### **v. Care options**

1. Since arriving at CRCF, we have added in house x-rays, ultrasound, and OBGYN needs. This decreases the need for transports therefore decreasing the amount of strip searches providing a more trauma informed environment.

vi. Multidisciplinary Approach

1. Best practice with women offenders, acknowledges that her, crime is embedded in the style of her life,” meaning that a holistic model is best. We can’t just look at addiction without looking at relationships, or job history without looking at medical and mental health needs, or employment without looking at family/marital needs. Knowing this, CRCF supports a multidisciplinary approach. When discussing the women, we ensure that representative from case management, security, management, mental health, and medical and any involved program staff.
2. Meetings every morning involving security, case management, mental health, medical, management and other program providers. Discussing patients on MAT, DPP/SFI, mental health need, roster of folks on special observations, pregnant and/or pumping inmates, vulnerable and predatory inmates, and any special cases.

vii. Transgender

1. Transgender inmates experience enhanced vulnerabilities in a correctional setting. All transgender inmates are reviewed and assessed in compliance with department and PREA standards. All transgender/intersex cases are staffed using a multidisciplinary approach to ensure proper care and housing.

viii. Planned Parenthood

1. Provides services 4 hours a week in reproductive health, safe sexual practices, STIs and topics requested by the women.

IV. Operational Practices

a. Staffing

i. Security

1. At the drafting of this report, all permanent spots filled
2. Current attrition rate is 18.5% with the desired being 10%. This is the closest we have been to the nationally accepted, “perfect” in the last decade.
3. Full time staff member assigned to the Field Training Officer (FTO) Program, on the job training to ensure that new and potential staff are receiving all services necessary.
4. Department recently instituted the use of, “Gap hiring” to provide an expanded on the job training experience and increase the efficiency of hiring in order to fill the gaps.

5. All new employees receive an FTO manual upon arrival. The purpose, to provide necessary procedural, policy, and best practice in doing the job. Our manual is currently being updated to include more GR content and a more reader friendly format to ensure more informed and better prepared staff.
  6. Market analysis completed to ensure job ads, placements and descriptions are geared towards women to increase in female correctional officer numbers.
  7. Orientation for new staff includes meeting with KAP, DIVAS, Phoenix House and VWW staff so that new staff fully understand the experience and needs of the women, the effects of trauma and the need for services. It also helps educate the staff to ensure that women are referred and recommended to programming.
- ii. Case management
    1. 6 CSS staff; average ratio 1:25
    2. Video Court was added to the facility, allowing inmates to appear before the judge without the need of a transport. This takes approximately 20 of 40 hours in the assigned CSSs' day. Video court is not just for the women and involves the males in Booking as well. This has meant that one staff was cut to half time working with the women.
- b. Policy and Procedure
    - i. Searches
      1. No policy mandating strip searches upon going to, or coming from, the recreation yard.
      2. The local procedure has been updated to include relational, gender responsive, and trauma informed principles
- c. Population
    - i. In conducting a, "point in time" headcount review;
      1. Approximately 80% of the sentenced population is between <1 year and 5 years
      2. Approximately 20% of the sentenced population is 5 years or more
      3. Largest percentage of the sentenced population is between 3-5 years.

d. Uniforms

- i. The same uniforms are being distributed to the general population.
- ii. Inside worker uniforms: As stated earlier, one of the founding relational principles in working with women, is the chance to be heard. Using the inmate request forms and meetings with the women, they were able to identify compelling reasons for worker shirts. The supervising staff were then charged with getting input from the women on design and color and they were ordered.
  1. All current kitchen worker pants that were only available in men's sizes were disposed of and new pants were ordered in women sizes to include length alterations made at NWSCF to match the height/length needs of women.
  2. Hallway, Heavy and Booking cleaners, as well as Laundry Workers receive T-shirts.
- iii. The facility took input from the women and recognized the need for larger and more supportive bras for the women. Initially, the state did not have a contract and we were purchasing bras from a local business in order to fill the need. We have since established a contract and can provide these items upon entry.

e. Housing

- i. *"At NWSCF, women were housed 1-2 to a cell; at CRCF, 2-4 women share a cell."* This is a reality of our physical plant. Windsor and Dale also used four-person cells to house female inmates (or sometimes more than four).