

1 H.796

2 Introduced by Representatives Cina of Burlington, Cole of Hartford, Headrick
3 of Burlington, Logan of Burlington, Priestley of Bradford, and
4 Sammis of Castleton

5 Referred to Committee on

6 Date:

7 Subject: Corrections; decarceration; rehabilitation

8 Statement of purpose of bill as introduced: This bill proposes to assess the
9 current and future needs of secure residential recovery facilities for justice-
10 involved individuals along the continuum of community care provided by the
11 State so that they can provide the highest level of care to these individuals
12 through curated community-based services. This bill proposes to achieve this
13 goal by first creating a pilot project to integrate community-based services into
14 a new secure recovery residence for justice-involved individuals in need of
15 specialized care for co-occurring disorders. This bill also proposes to charge
16 the Coordinated Justice Reform Advisory Council to examine replacing
17 correctional facilities with a continuum of short-term and long-term residential
18 facilities that employ evidence-based approaches to rehabilitate justice-
19 involved individuals.

1 An act relating to promoting recovery in residential facilities for justice-
2 involved individuals

3 It is hereby enacted by the General Assembly of the State of Vermont:

4 Sec. 1. FINDINGS

5 The General Assembly finds that:

6 (1) The social determinants of health affect public health and the social
7 determinants of crime impact public safety, and these social determinants are
8 intertwined.

9 (2) Harsh social and physical environments in Vermont’s correctional
10 facilities lead to recidivism, trauma, and harm.

11 (3) Pursuant to 18 V.S.A. § 7620(e)(2), a secure residential recovery
12 facility is a licensed therapeutic community residence for justice-involved
13 individuals “in need of treatment within a secure setting for an extended period
14 of time.”

15 (4) Vermont can reduce criminal behavior by investing in a continuum
16 of housing and community-based services for all persons by reallocating
17 correctional appropriations to fund increased access to housing and
18 community-based services for justice-involved individuals, including new
19 secure residential recovery facilities to treat mental health conditions and
20 substance use disorders of justice-involved individuals within secure settings
21 for extended periods of time.

1 Sec. 2. PURPOSE AND INTENT

2 (a) Purpose. The purpose of this act is to build community safety,
3 empower recovery, improve health, promote equity, and serve justice for all
4 persons, including justice-involved individuals, while reducing harm,
5 disparities, crime, recidivism, trauma, and violence. The further purpose of
6 this act is to provide opportunities for recovery and rehabilitation in secure
7 residential recovery settings to justice-involved individuals detained, ordered,
8 or sentenced to incarceration who are struggling with mental health conditions,
9 substance use disorders, and criminogenic behavior so that they can achieve a
10 just transition from incarceration to community care.

11 (b) Intent. It is the intent of the General Assembly to:

12 (1) offer secure residential recovery facilities to justice-involved
13 individuals requiring the highest-level of care, wrapped in community-based
14 services that follow individuals along the continuum of care from the most-
15 restrictive to the least-restrictive settings;

16 (2) create a pilot project to integrate community-based services into a
17 new secure recovery residence for justice-involved individuals in need of
18 specialized care for co-occurring disorders;

19 (3) assess and meet the current and future needs for secure residential
20 recovery facilities for justice-involved individuals in the continuum of
21 community care; and

1 (4) develop a just transition from incarceration to community care.

2 Sec. 3. PILOT PROJECT; SECURE RECOVERY RESIDENCE FOR
3 JUSTICE-INVOLVED INDIVIDUALS WITH CO-OCCURRING
4 DISORDERS; REPORT

5 (a) Pilot project. The Agency of Human Services, in partnership with
6 stakeholders with lived experience in the criminal justice system, shall design a
7 pilot project to create a 16-bed secure recovery residence for justice-involved
8 individuals who have been sentenced to incarceration and are in need of
9 specialized care for co-occurring disorders.

10 (b) Report. On or before January 15, 2025, the Agency of Human Services
11 and the Department of Buildings and General Services shall jointly submit a
12 written report to the House Committees on Human Services, on Health Care,
13 on Judiciary, and on Corrections and Institutions; to the Senate Committees on
14 Health and Welfare, on Judiciary, and on Institutions; to the Joint Legislative
15 Justice Oversight Committee; and to the Coordinated Justice Reform Advisory
16 Council. The report shall examine the current and future needs for secure
17 residential recovery facilities for all justice-involved individuals in Vermont.

18 The report shall provide data and information, including:

19 (1) current needs of all justice-involved individuals for community-
20 based services that improve social determinants of health and promote
21 recovery;

1 (2) barriers to access to community-based services for justice-involved
2 individuals in correctional facilities;

3 (3) disparities between justice-involved individuals in correctional
4 facilities, justice-involved individuals in the community, and the general
5 population;

6 (4) recent numbers of justice-involved individuals in correctional
7 facilities in need of secure residential recovery facilities;

8 (5) an assessment of potential locations for secure residential recovery
9 facilities in every region of Vermont;

10 (6) design proposals that create physical and social environments
11 promoting recovery, grounded in evidence-based practices and transformative
12 justice principles;

13 (7) estimated costs and expenses, including a cost-benefit analysis that
14 considers long-term impact on social determinants of health through
15 investments in secure residential recovery facilities in comparison to
16 correctional facilities;

17 (8) projected needs of justice-involved individuals for community-based
18 services that improve social determinants of health and promote recovery;

19 (9) recommended strategies to provide community-based services and
20 specialized treatments for justice-involved individuals in secure residential
21 recovery facilities;

1 (10) proposed methods to integrate secure residential recovery facilities
2 for justice-involved individuals into systems of community care and justice
3 across regions of Vermont; and

4 (11) avenues to expand the use of peer-based services in secure
5 residential recovery facilities.

6 Sec. 4. DECARCERATION AND REHABILITATION; COORDINATED
7 JUSTICE REFORM ADVISORY COUNCIL; REPORT

8 (a) The Coordinated Justice Reform Advisory Council, in collaboration
9 with stakeholders with lived experience in the criminal justice system, shall
10 examine the process and needs attendant to eliminating correctional facilities
11 in Vermont. To achieve this goal, the Council shall explore establishing a
12 continuum of short-term and long-term residential options for justice-involved
13 individuals to replace correctional facilities that employ evidence-based
14 approaches to rehabilitation, including peer support, harm reduction, and
15 contingency management techniques.

16 (b) On or before November 15, 2024, the Council shall submit any
17 recommendations pursuant to subsection (a) of this section to the Joint
18 Legislative Justice Oversight Committee; the Senate Committees on Judiciary
19 and on Health and Welfare; and the House Committees on Corrections and
20 Institutions, on Health Care, on Human Services, and on Judiciary. Any
21 recommendations shall be in the form of proposed legislation.

1 Sec. 5. EFFECTIVE DATE

2 This act shall take effect on July 1, 2024.