

Justice Reinvestment Initiative: Reducing Violent Crime by Improving Justice System Performance in Vermont

First Presentation to the Domestic Violence Response
Justice Reinvestment Working Group
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Justice Center
THE COUNCIL OF STATE GOVERNMENTS



**Justice
Reinvestment
Initiative**
Vermont

Overview

1 Introductions

2 Trends

3 Process



Justice Reinvestment Initiative

A data-driven approach to improve public safety, reduce corrections and related criminal justice spending, and reinvest savings in strategies that can decrease crime and reduce recidivism

The Justice Reinvestment Initiative is supported by funding from the U.S. Department of Justice's Bureau of Justice Assistance (BJA).

How We Work

The statutory purpose of the Department of Public Safety is to promote the detection and prevention of crime, to participate in searches for lost and missing persons, and to assist in cases of statewide or local disasters or emergencies.

Our Goals

Providing leadership in law enforcement responses relating to domestic violence as well as established relationships with state personnel in the field of criminal justice.



State of Vermont

Department of Public Safety

How We Work

- We grow changemakers
- We connect communities
- We elevate voices
- We support the margins

Our Goals

Providing leadership in historical and current domestic and sexual violence policies and practices in the state of Vermont as well as established relationships with entities working in the realm of domestic and sexual violence.



The Vermont Network is Vermont's leading voice on domestic and sexual violence. The Network is a statewide non-profit 501c3 membership organization which was founded in 1986. Our members are 15 independent, non-profit organizations which provide domestic and sexual violence advocacy to survivors of violence in Vermont.



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We are a national nonprofit, nonpartisan organization that combines the power of a membership association, serving state officials in all three branches of government, with policy and research expertise to develop strategies that increase public safety and strengthen communities.

How We Work

- We bring people together
- We drive the criminal justice field forward with original research
- We build momentum for policy change
- We provide expert assistance

Our Goals

- Break the cycle of incarceration
- Advance health, opportunity, and equity
- Use data to improve safety and justice

This Executive Working Group is composed of Vermont state leaders whose work intersects with issues of domestic violence.

Lance Burnham

Captain and Emergency
Communications
Commander, Vermont
State Police

Xusana Davis

Executive Director of
Racial Equity,
Governor's Office

Kelly Dougherty

Deputy Commissioner,
Department of Mental
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Brian Grearson

Chief Superior Judge,
Vermont Judiciary

Emily Hawes

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Heather Holter

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Council on Domestic
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Gary Marvel

Field Operations Director,
Department of
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Executive Director,
Vermont Human Rights
Commission



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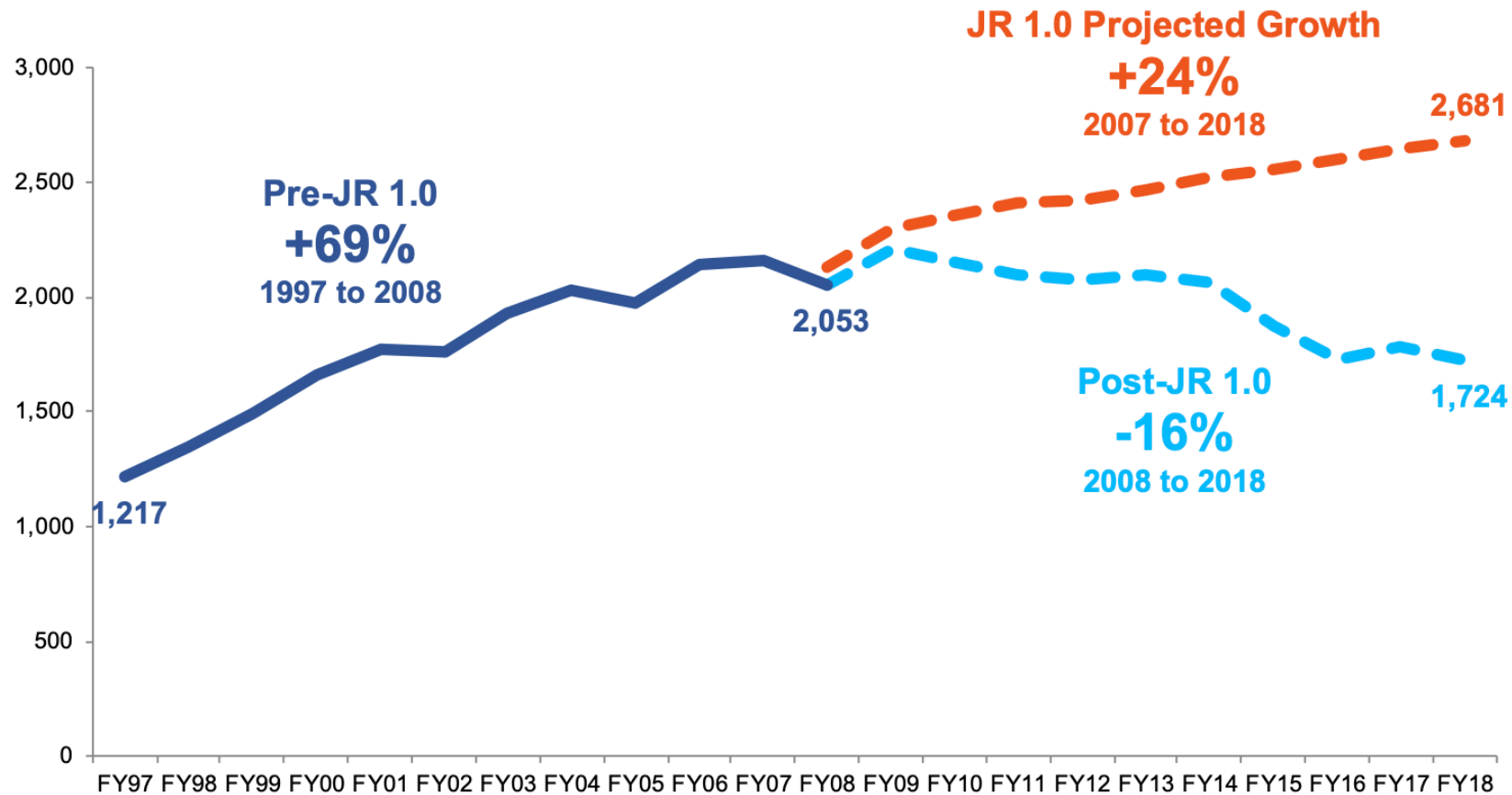
3 Process

Since 2008, Vermont has made strides in innovating policies and practices to address criminal justice challenges.

- Approximately 6.3 million state dollars have been reinvested in housing, substance use treatment in correctional facilities and communities, and electronic monitoring.
- The state established a Court Diversion and Pretrial Services Program and mandated pretrial screenings to inform bail decisions. The state has also defined recidivism and emphasized evidence-informed practices in reducing recidivism.
- Medically-assisted treatment has been expanded for individuals who are incarcerated and have substance use needs.

Following the first Justice Reinvestment Initiative in 2009, Vermont avoided projected prison population growth.

Vermont Fiscal Year-End Incarceration Population, FY1997–FY2018

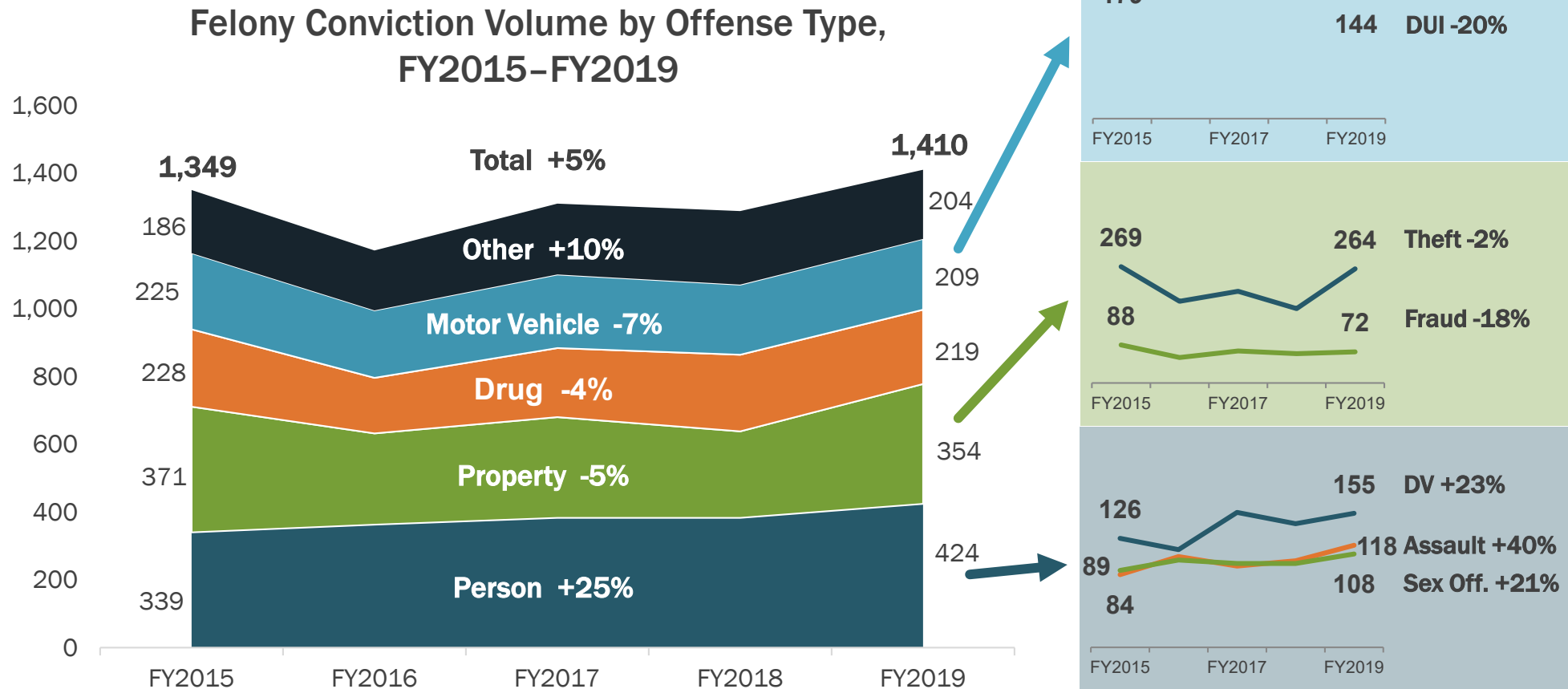


Vermont is implementing policy recommendations passed in the 2020 legislative session as a result of a 2019 Justice Reinvestment Initiative.

Policy recommendations aim to:

- 1 Reduce recidivism and revocations to prison.
- 2 Achieve a more equitable system across race and geography.
- 3 Improve data and reporting to inform decision-making.
- 4 Reinvest to support individual success on supervision.

Over the past five years, person felony convictions have grown, driven by increases in assault, domestic violence, and sex offense convictions.



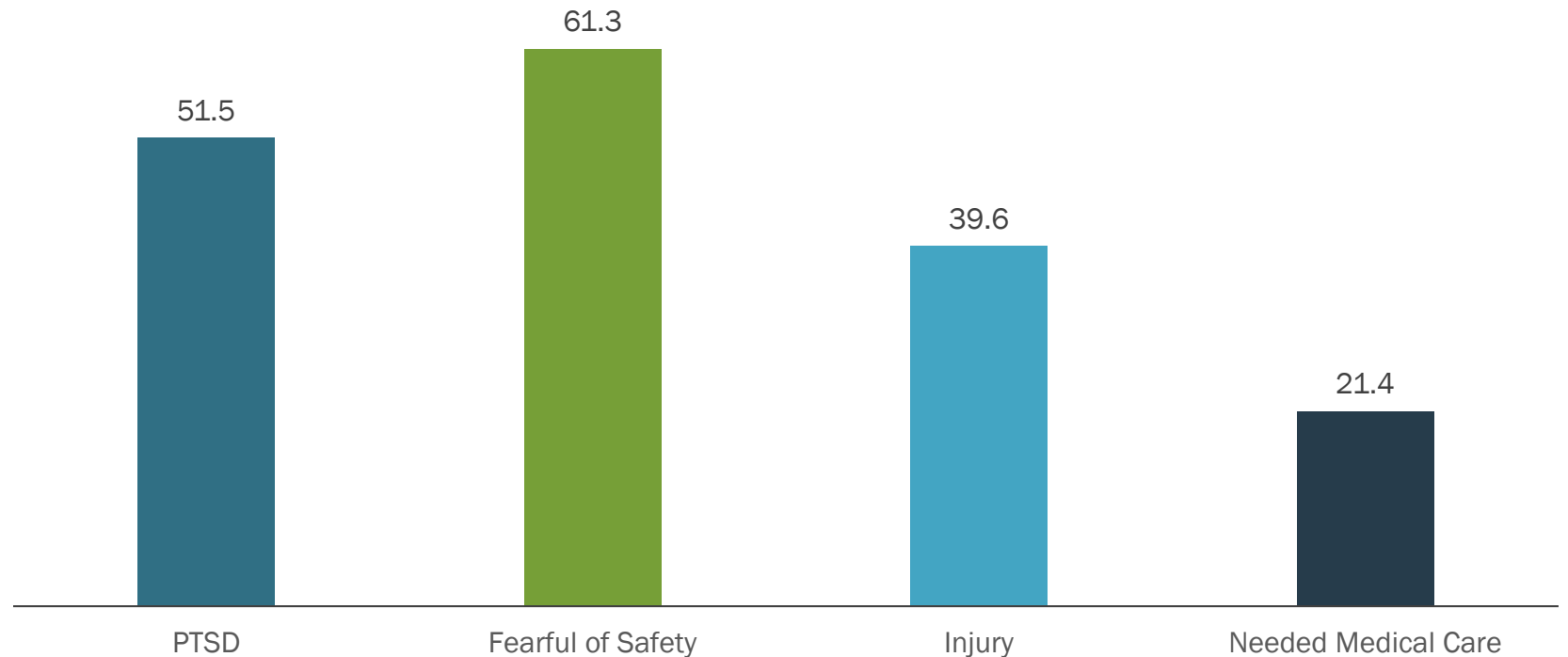
Despite experiencing overall low rates of crime, Vermonters continue to be impacted by domestic violence.

- In 2020, domestic assault was the second most common offense in Vermont with over 700 charges filed. Violation of an abuse prevention order was the fifth most common offense, with 364 charges filed.
- The most recent data on domestic violence and incarceration reveals that in 2017, 389 people were incarcerated for a domestic violence offense. In probation and parole offices, 1,298 individuals were convicted of at least one domestic violence offense.
- Survey data from 2017 reveals that 20 percent of adult women and 8 percent of adult men in Vermont reported that an intimate partner ever physically hurt, threatened, or used controlling behavior with them.
- That same year, the 15 member agencies of the Vermont Network served nearly 8,000 people.

Data on the consequences of domestic violence, though limited in scope, are stark.

Survey results reflect women in Vermont who experienced violence by an intimate partner and reported at least one negative impact.

Percentage of Vermont Women Reporting Domestic Violence Impact by Type, 2010–2012

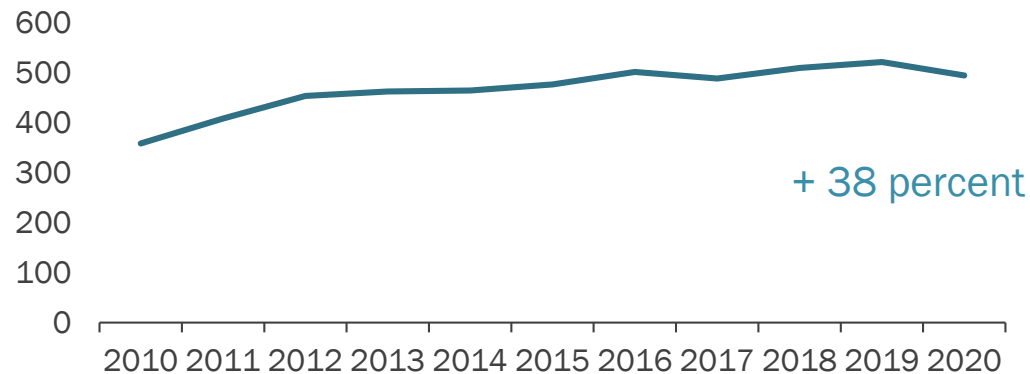


Due to limited publicly available data, the true prevalence of domestic violence in Vermont remains unknown.

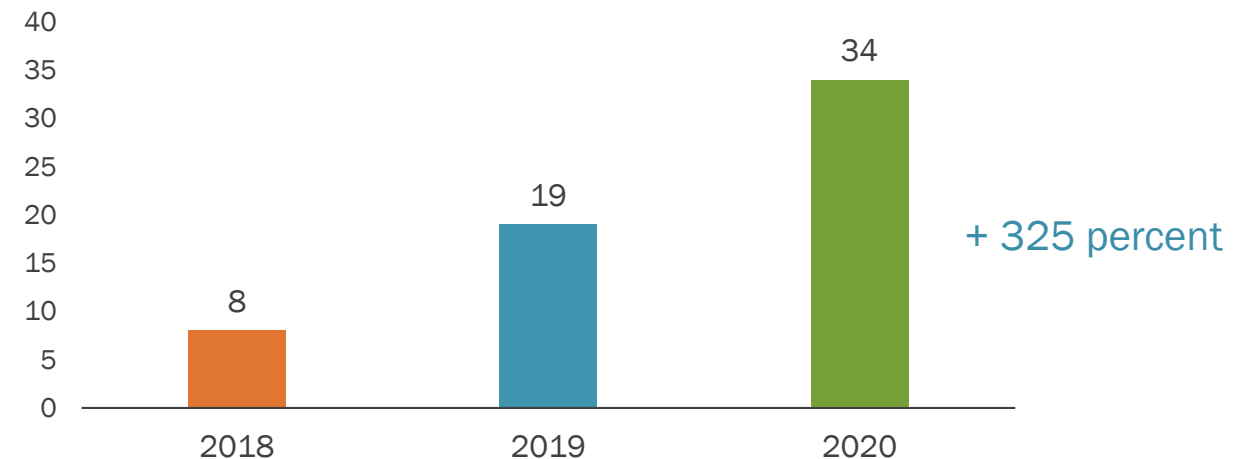
- Cases of domestic violence are often reflected in rates of service utilization, arrest, court filings, and incarceration or community supervision; however, discrepancies in reporting make it difficult to ascertain prevalence.
- The complex nature of domestic violence also challenges data collection and prevalence estimation. Research does not consistently measure all types of domestic violence, including psychological, emotional, or economic violence. Victims and survivors may also not conceptualize their experiences as violent.
- Prevalence estimates also do not reflect those who do not engage law enforcement, which national data suggests to be approximately half of victims.
- Domestic violence can intersect with other violent victimization, such as sexual violence, stalking, and human trafficking. In these cases, experiences of domestic violence may not be isolated or recorded.

In recent years, there has been an increase in cases of both domestic violence felonies as well as protective orders.

Vermont's Domestic Violence Felony Filings, 2010-2020

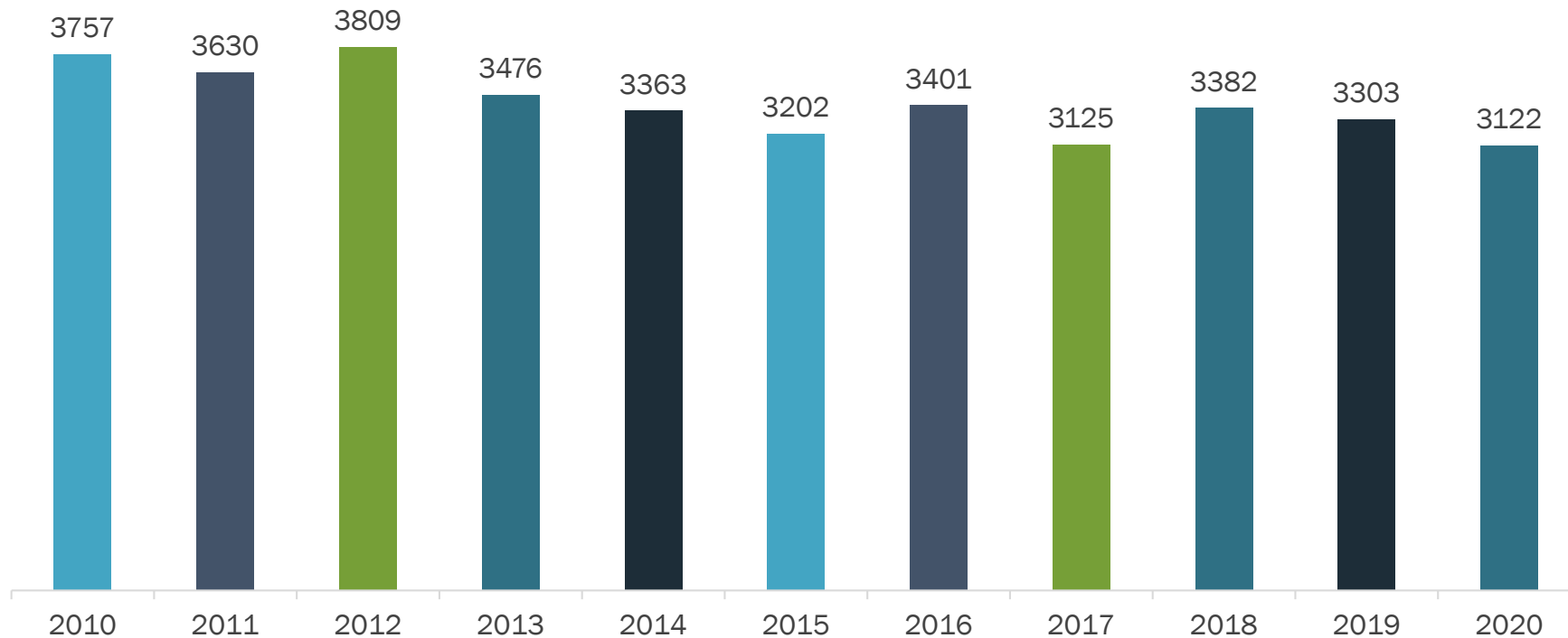


Vermont's Extreme Risk Protection Order Filings, 2018-2020



Though there has been a slight decline in the number of Relief from Abuse (RFA) Protection Order cases filed in the last decade, thousands of individuals apply for RFA Protection Orders each year.

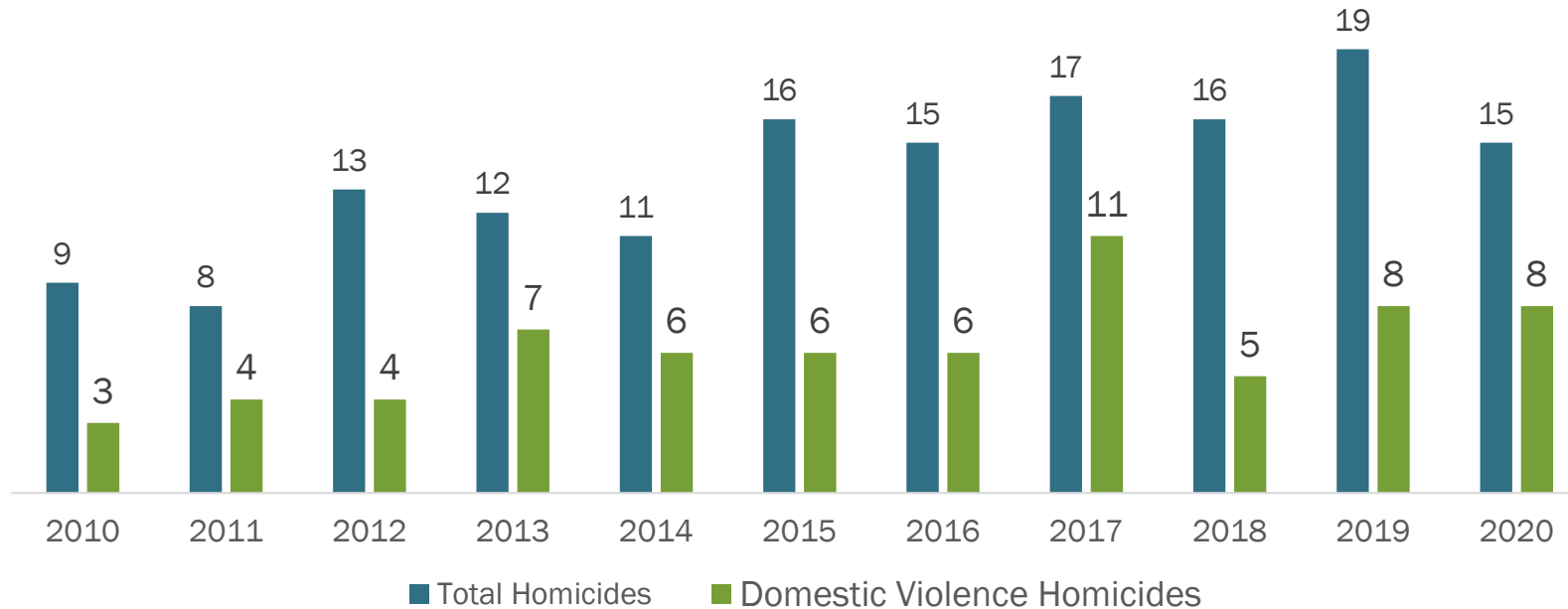
Relief from Abuse Order Filings in Vermont,
2010–2020



Vermont Judiciary, *Appendix I Judiciary Statistics FY20 – Statewide*; Vermont Judiciary, *Annual Report for FY2015* (Montpelier: Vermont Judiciary, 2015); Vermont Judiciary, *Annual Report for FY 2014* (Montpelier: Vermont Judiciary, 2014).

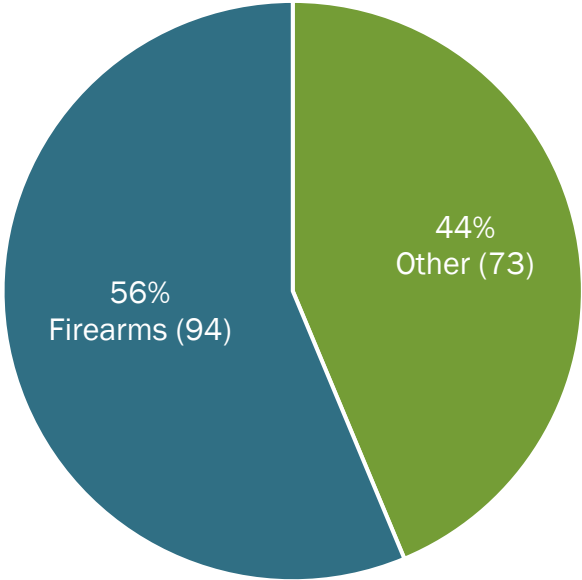
Domestic violence homicides comprise nearly half of all state homicides.

Vermont's Annual Domestic Violence Homicides
2010-2020



Since 1994, 56 percent of the 167 domestic violence related deaths have been caused by firearms.

Cause of Death in Vermont's Domestic Violence Homicides, 1994-2020



Domestic Violence Fatality Review Commission, *Domestic Violence Fatality Review Commission Report 2020* (Montpelier: State of Vermont, 2021); Vermont Attorney General's Office, *State of Vermont Domestic Violence Fatality Review Commission: 2018 Report* (Montpelier: Vermont Attorney General's Office, 2018).

Following decades of innovative policies and practices, Vermont is experiencing disinvestment related to domestic violence funding and programming.

- Vermont piloted two domestic violence specific courts in 2013 and 2007, and evaluations noted successes in terms of recidivism and case processing. However, lack of investment led to the end of this programming.
- Budget cuts have eliminated the state's \$50,000 allocation for statewide Domestic Violence Accountability Programming. These cuts have led to a fee-for-service model, elimination of the Domestic Violence Accountability Programming Coordinator position, and the closure of several sites. Disinvestment has also impacted programming content, staff training, and program accessibility.
- While disinvestment in domestic violence programming continues across the state, domestic and sexual violence cost Vermont an estimated \$111 million annually.

Key barriers remain in providing people convicted of domestic offenses with consistent access to high-quality and effective domestic violence programs.

- Domestic violence programs currently have a “one-size-fits-all” approach and cannot offer different types and intensity of treatment to match the person’s level of risk and need.
- Participants are required to pay for the treatment out-of-pocket, which can be prohibitively expensive for clients, and at the same time leaves program providers underfunded due to the limited government financial support.
- Treatment and service providers are rarely able to offer childcare during appointments, and parents experiencing domestic violence often will not discuss this if their children are present.
- Vermont’s former network of treatment programs for people convicted of sex offenses has diminished considerably in recent years, and some counties have no programs available. Given the correlation between physical and sexual assault, this has been devastating for victims and survivors.



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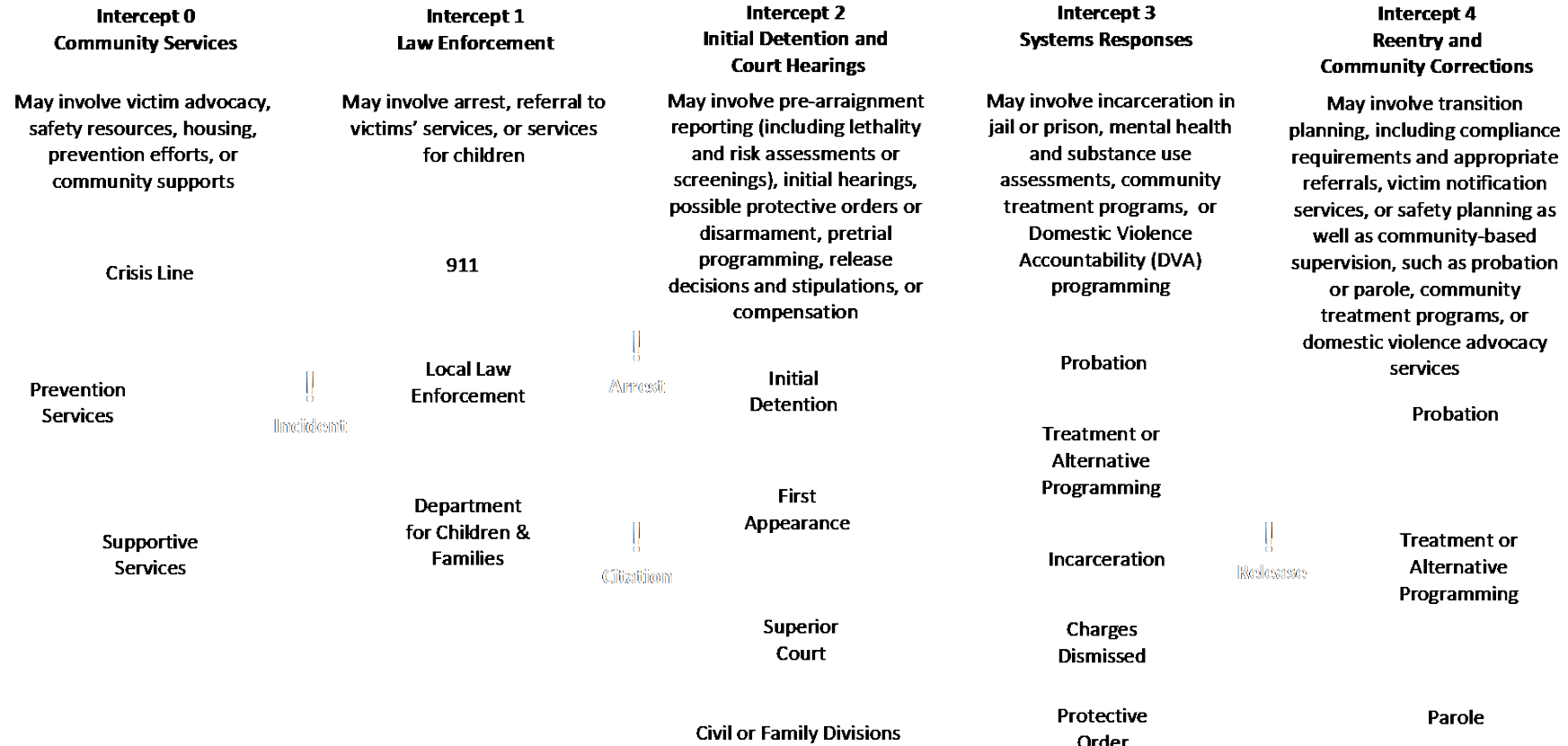
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Justice Reinvestment utilizes a multifaceted approach to understand domestic violence in Vermont.



A systems-wide analysis will be conducted using Sequential Intercept Mapping.



The CSG Justice Center's quantitative analysis has three major objectives.

A high-level summary of victim service provider data

- Examine the volume of domestic violence reported to victim service providers, as well as the volume of services received by survivors.
- Methods: Descriptive statistics (e.g., frequencies, means, proportions)

An in-depth analysis of the criminal justice response to domestic violence

- Examine trends in domestic violence reported to police, criminal case processing, relief from abuse orders, and incarceration/community supervision.
- Methods: Descriptive statistics, regression analysis

An assessment of data quality

- If data gaps are identified, we'll make recommendations for data refinement.

The analysis plan will rely primarily on data from the following sources.

Data Source	VT Network Against Domestic & Sexual Violence	FBI National Incident-Based Reporting System (NIBRS)	VT Judiciary	VT Department of Corrections (DOC)
Year(s)	2016–2019	2016–2019	2016–2019	2016–2019
Status	Data obtained	Data obtained	Court case data obtained Working with court staff to obtain relief from abuse order data	Working with Dept. of Public Safety and DOC to process a data sharing agreement

Engaging diverse stakeholders across the state is crucial to understanding domestic violence responses.



Members of the Executive Working Group were invited to contribute their unique expertise in guiding domestic violence reform.

Working group members will utilize their past experiences and insights to

- Provide feedback to analysis presentations;
- Assist in promoting awareness of and support for the project's priorities;
- Provide strategic direction in the development of policy and programming options; and
- Approve policy and programming options.

The Executive Working Group will meet through September 2022.

Policy and programmatic options developed by project partners and approved by the Executive Working Group will seek to:

Increase public safety

Reinvest in evidence-informed strategies to reduce domestic violence

Address identified system gaps

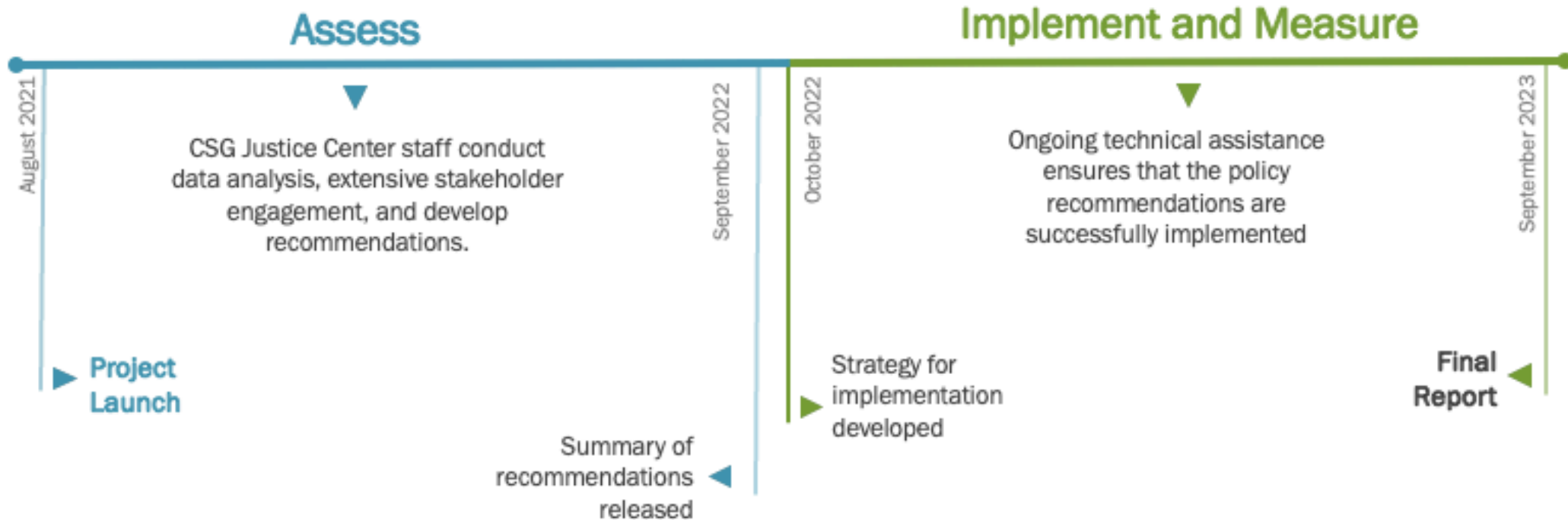
Reduce the burden on correctional and court systems

Improve outcomes for victims and survivors, including those who don't seek formalized services

Improve and expand domestic violence service provision

Address the needs of those who use harm

The project will incorporate an assessment period followed by concurrent evaluation and implementation.



Thank You!

Join our distribution list to receive updates and announcements:

<https://csgjusticecenter.org/resources/newsletters/>

For more information, please contact Carly Murray cmurray@csg.org

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