

# RECLAIMING LOST-GROUND FOR VERMONT'S INCARCERATED WOMEN: The Disturbing Conditions at Chittenden Regional Correctional Facility

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This white paper is the collaborative effort of a consortium of organizations that work with women prisoners, and state and community leaders, many of whom have labored in the field of corrections for more than 20 years. The content herein reflects familiarity with best practice in the field and the direct and observable experience by members of this consortium at CRCF. It is the product of meetings facilitated by the United Way of Chittenden County and is informed by a listening session conducted by the VT Commission on Women with prisoners housed at CRCF as well as a session conducted with facility staff. Our paper is intended as an invitation to work in collaborative partnership to improve current conditions at the facility and to forge a new approach to working with women in corrections.

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## THE DECISION TO RELOCATE INCARCERATED WOMEN

A year ago, Governor Peter Shumlin announced his intention to relocate approximately 160 incarcerated women at the state's prison facility in Swanton (NWSCF) to the state's regional detention center in Chittenden County (CRCF). The proposal was introduced as a means of saving the state money during a budget shortfall and reducing recidivism by bringing women closer to their children, re-entry supports, and transitional programming in the Burlington area. The physical constraints of CRCF and the deteriorating condition of the facility were acknowledged at that time, and Administration officials committed to several capital improvements, among them the creation of a welcoming family visitation center, as well as a special transition unit to enable significant numbers of inmates to leave the facility to find work or pursue education and training programs that the facility could not accommodate.

It was argued that the prison's limitations, and the small number of women in custody, gave the Vermont Department of Corrections, in collaboration with various contract providers and community organizations working with women offenders, an opportunity **to create a new correctional paradigm**. It was hoped that the new paradigm could reduce the 50 percent recidivism rate among the state's incarcerated women (mirroring national trends) and send women back into the community as productive mothers, workers and citizens.

Vermont has long been recognized as a leader in correctional reform and innovation. We endorsed early the concept that gender matters in shaping correctional policy and practice. In 2005, we focused an entire agency—the Agency of Human Services—on “bending the curve” of women entering Corrections (and, for the years in which the Incarcerated Women's Initiative was a priority, it did). The Department of Corrections has funded vocational, parenting, domestic abuse, and mentoring programs for women that have attracted national attention.

Since the relocation of Vermont's incarcerated women to CRCF in August 2011, an interim parent/child visitation center has been completed. Certain policies that had been regular practice at CRCF when it served as a detention center – mandatory strip searches after visits to the yard and pat-downs after meals -- have been relaxed. It is clear to those of us who work with the Department that DOC central office and facility personnel have worked hard to anticipate and address the myriad issues involved in changing a prison's mission. **However, six months into the transition, there are disturbing signs that we're not only falling short of the Governor's vision, but are on track to erode a decade's worth of progress in our work with incarcerated women.** We must face this reality squarely and address the conditions at CRCF before policy and practice are fully formed, before we forget that the move was to be so much more than a cost-saving measure. Immediate steps must be taken to ensure the health, safety and human dignity of Vermont's incarcerated women.

## PREVIOUS CONCERNS ABOUT CRCF CONDITIONS FOR SENTENCED POPULATIONS

When the women's move from NWSCF to CRCF was announced, no one tried to equate the Chittenden facility to its counterparts in Swanton or Windsor; by the Department's own analysis, the facilities do not compare. A 2007 DOC report to the Legislature's Corrections Oversight Committee advised against transitioning CRCF to a women's facility on several counts, among them, limited bed capacity to accommodate future population growth and a physical plant in "relatively poor shape" that was originally designed, not as a prison, but to meet the temporary needs of up to 88 detainees.

"While women inmates pose a lower escape and security level than men, several of them have long sentences, and loss of the program opportunities currently available at SESCOF (Windsor) for extended periods would have deleterious effects...This facility has an inadequate medical and mental health space and limited work and program space." (*Plan to Reduce Correctional Costs and Achieve Savings for Reinvestment*, VT Department of Corrections, December 2007, pp. 30-31)

## WHY THE SITUATION AT CRCF IS SO PROBLEMATIC

This is the state's fourth relocation of its incarcerated women in 11 years; the third in the past 8 years. Much has been made of the fact that the average length of stay of the 1,200+ women per year who cycle in and out of custody is 65 days. **But over half of the women in prison on any given day are serving sentences of a year or more (see attached table).** While a short sentence could perhaps be tolerable in a detention center, the conditions described below are inappropriate in a prison.

CRCF differs from NWSCF and SESCOF in a number of critical ways detailed below. It's clear from these comparisons that Vermont's incarcerated women have lost significant ground in terms of the facilities, services and programs that were once available to them to facilitate successful transitions back to their communities:

1. *An ailing physical plant and crowded conditions that compromise physical health, personal safety, and human dignity.*
  - Most of the state's correctional facilities are in need of repair – but Chittenden is in especially poor condition. Women report that:
    - There are recurring worms and sewer flies in the shower drains.
    - Hot water is not always available, or is too hot.
    - The heating system is uneven or shuts down periodically, leaving the women without adequate warmth during winter months.
    - The electrical system is insufficient to meet basic needs. Some four-person cells have just one electrical outlet, limiting access to fans in

hot weather in a prison with no air conditioning and few windows that open.

- General population pods at NWSCF had a 1:2 ratio of toilets to inmates. The ratio for inmates within CRCF's H units is 3:40 (or 1:13). National prison standards set by the American Corrections Association suggest a ratio for women of at least 1:8.
- Women at CRCF are not issued uniforms as they were at NWSCF and, as a result, do not always have either enough clothing or have clothes and footwear that are appropriate for varied weather conditions.
- At NWSCF, women were housed 1-2 to a cell; at CRCF, 2-4 women share a cell.
- Women at NWSCF and SESCOF were allowed access to the yard three times a day most of the year, where they were able to garden and take long mile-walks around the facility; at CRCF women have access to far less space an average of three times a week. Moreover, access to the yard is not easily accessible by wheelchair, which has limited one inmate to a single visit outside since August.
- The gym is crowded and does not offer enough aerobic options, which are especially critical given the lack of yard space and the link between depression and lack of exercise.

2. *Limited opportunities to work and build marketable skills.*

- Women report not having enough to do. NWSCF had approximately 80 full-time facility jobs and an additional 31 training positions through which inmates could earn money to save or use for phone calls or commissary purchases. Prior to the move, there were only 30 CRCF full-time jobs. To enable more women to work, more jobs were created by splitting up full-time positions. The truncated shifts, and the fact that CRCF has many fewer opportunities overall for day-long work or training has limited opportunities to earn money and resulted in unstructured time with little to do.
- While work crew provides job experience, it is not like the automotive, construction, or print shop programs at Northwest -- designed to develop employability and technical skills that are transferable, nor are these jobs in fields for which there is a ready market. Other opportunities, such as Harley Time and Servsafe workshops, which certainly provide women with valuable

exposure to the fields of motorcycle maintenance and food service, are too brief or infrequent to be considered job training.

- Plans are underway to establish a new correctional industry for six to eight workers in sewing, a field in which there are dwindling employment opportunities.

3. *Transitional, or Delta, unit members are isolated from regular prison programs*

- Those who participated in work programs at NWSCF lived throughout the prison and had access to all facility programs. The 22 women who serve on work camp crews or who are on work furlough in the community must live in the small, segregated Delta unit, in isolation from the rest of the facility, which limits their participation in a number of programming activities available to the general population. It is impossible for many providers to offer programs in both sections of the prison because they do not have the additional resources to essentially double their offerings and because separate space in the transitional unit for programming is almost nonexistent. While CRCF has hired two community service work crew leaders, crews do not go out every day because there is a lack of work. As a result, Delta unit residents spend many hours each day with little to do. This runs counter to the original vision; Delta was supposed to have provided a healthy range of transitional supports to the women it housed, ensuring the adequate preparation and transition of these women back to their myriad Vermont communities..

4. *Fewer caseworkers and high staff turnover.*

- In spite of an average daily population that is comparable to that at Windsor or Northwest, the number of caseworkers available to women has been reduced over four years from 7 to 5. As a result, the women have fewer opportunities (and less time per session) to meet with their caseworkers in order to map out strategies for successful re-entry. Inmates tell us that several of the caseworkers refrain from making trips to individual units due to the overwhelming crush of women who have questions, need to be advised, etc.
- Retaining Correctional Officers (CO) at CRCF appears to be a significant challenge. This is in part because of the facility's comparably higher number of part-time positions. CRCF has eighteen part-time Correctional Officer positions out of 77; NWSCF has 6 part-time CO positions out of 86. Moving from part-time to regular status with benefits often requires that an officer leave CRCF since there are fewer regular positions there. The situation is

exacerbated by the fact that CO's at CRCF are reported to be asked to work overtime routinely. These conditions can seriously compromise consistency in practice and limit a prison's knowledge base. While this may not be as much of an issue for a detention center, it has significant consequences for a prison.

5. *Medical/Mental Health services struggle to meet inmate needs*

Our initial discussions with facility personnel indicate that mental health and medical services at CRCF are compromised by the prison's size, its role as a receiving facility, and demand for services that is significant and constant. While we have not attempted a thorough comparison of mental and medical services at NWSCF and CRCF, we feel it important to share the following:

- Those who work with this population for some time describe inmates at CRCF as particularly depressed and expressing little hope. "The women are bored," one person noted, "with increased anxiety. The meds are causing them to sleep all the time, which increases their depression." Inmates report that while they complete mental health referral forms upon their arrival, it can take weeks to receive services. There is no mental health staffing at the facility at certain periods of each day/evening. A new infirmary, which is slated for construction soon, will reduce the size of the already-crowded mental health unit.
- Medical personnel, with whom our group met recently, reported that because CRCF is a receiving facility, and must respond immediately to conduct medical intakes of newly-arrested individuals, their availability to inmates is more limited than was true at NWSCF. This is compounded by the fact that a large share of their time is simply spent dispensing medications to 90% of the inmates three times a day, consuming approximately 2 ½ hours of staff time at each round. Staff projected that the creation of an infirmary (as opposed to sending individuals to Fletcher Allen, which is the current practice) is likely to put additional pressure on medical services at CRCF if no additional staff are hired to treat infirmary patients.

These conditions run counter to the assurance local service providers were given by Commissioner Pallito in March 2011 that substance abuse and mental health services available at NW "will move with the women. There will be no cuts to those services."

The idea that a significant number of women will spend a year or more at Chittenden should be of concern on any number of levels, but *especially* in light of a September 2011 report submitted by the New Hampshire Advisory Committee to the U.S. Commission on Civil Rights. In it, the Committee found a lack of parity between men and women in that state's prisons and recommended immediate action. A description of conditions,

services, and programming at NH State Prison for Women in Goffstown is eerily familiar to the conditions, services and programming being offered to women at Chittenden.

“Designed only for short-term detention, the women’s facility is a maze of small meeting rooms and offices joined by narrow hallways. Extremely overcrowded with inmates and staff, common spaces are cramped and noisy. Many rooms serve multiple purposes...This creates a scheduling dilemma for the staff and inmates alike...

“The space devoted to industry is a small portion of a single room for a handful of sewing machines. There is no space for vocational training beyond limited computer access for basic training in word processing and data entry...This lack of space makes it difficult to impossible to provide essential services to address the needs of the prison population.”

Vermont is historically creative, resourceful, and collaborative. We can *leverage* CRCF’s limitations to forge an approach to corrections that is consistent with best practice, responsive to the needs of women under correctional custody, and achieve our ultimate aim: to staunch the flow of nonviolent offenders cycling in and out of this state’s prisons. Women may well represent a small percentage of the state’s prison population – but their incarceration is disproportionately expensive in light of their exponential growth in number (600% since 1995), if viewed from the perspective of their frequent role as single parents, and if one considers the significant collateral costs that flow from their imprisonment (*Lengyel 2006*).

Members of the consortium listed at the beginning of this paper, a diverse group of organizations addressing and funding issues related to housing, education, domestic violence, job training, substance abuse, and mental health services, have developed a set of recommendations -- some immediate, others that we acknowledge will require changes in policy or statute – that are critical to incarcerating fewer nonviolent offenders, save taxpayer dollars, ensure equal treatment of men and women in Vermont prisons and assert our standing as an innovative leader in the field of corrections.

## RECOMMENDATIONS

**We must take immediate steps to ensure inmate health, safety and human dignity:**

- ✓ Make facility improvements to shower drains and provide consistent access to heat and hot water
- ✓ Install additional toilets to bring their ratio to inmates in line with those in state prisons
- ✓ Provide inmates with uniforms to ensure their access to clothes that are clean and appropriate to varied weather conditions.
- ✓ Equip the gym with aerobic machines that will contribute to better mental and physical health.

**We must align programming with best practice and gender-responsive principles:**

- ✓ If we cannot create a number of full-time jobs comparable to that available at men's facilities, increase the rate of pay for such jobs so that women have an equal opportunity to earn money while in prison and develop new opportunities for employment outside the facility.
- ✓ Develop a system of meaningful incentives that will reward positive behavior and participation in programs.
- ✓ Provide a range of programs that address individual needs and optimize transitional skills. Provide training to staff in gender-responsive principles and the impact of incarceration on trauma survivors.
- ✓ Allow women in the segregated unit greater access to facility-based parenting and education programs and the opportunity to participate in off-site community-based programs.
- ✓ Take immediate and long-term steps to reduce staff turnover at CRCF to provide continuity of service, ensure consistency in gender-responsive practice, and foster consistent relationships among inmates and DOC staff.
- ✓ Restore the two caseworker positions we have lost since 2008.

**We must institutionalize our commitment to addressing the needs of women under correctional supervision so that it remains a consistent priority:**

- ✓ Create in statute a state Commission on Women Offenders that can serve as both resource and advisor in shaping correctional policy and practice for women in state custody. The Commission will report regularly and make annual



recommendations to the Commissioner of Corrections, and the House Institutions, Senate Judiciary, and Corrections Oversight Committees and will work with state partners to help forge a long-term vision for women in state custody.

We are at a critical juncture. If we do nothing to address the conditions identified in this paper, we can be assured that the investments we have made over the past decade will have been squandered. We must be clear: this is not a problem for the Department of Corrections to solve alone. It is a problem that all of us – courts, police departments, legislators, corrections personnel, advocates, educators, caseworkers, service providers, and the Administration – must shoulder together, in concert, without blame and with compassion. Only then shall we realize our goal of a different corrections paradigm.

**Length of Stay for Released Female Inmates - CY2000 to CY2011**

<b>Length of stay</b>	<b>Average Beds Utilized</b>											
	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>
1-2 days	1.59	1.57	1.93	1.92	2.22	2.14	2.35	2.17	2.15	1.96	2.30	2.07
Week	1.32	1.62	2.43	2.44	2.90	2.95	2.69	2.80	2.56	2.75	2.64	2.85
Month	4.79	5.51	8.16	7.88	7.22	8.44	7.47	7.78	10.55	7.62	7.97	7.78
Qtr	17.75	17.59	16.77	20.38	24.99	25.32	22.52	24.49	24.16	30.08	24.66	27.78
HY	15.16	18.49	22.56	26.26	27.37	27.00	28.48	24.41	29.96	29.22	24.78	32.92
1 year	18.49	20.71	18.49	31.81	28.11	36.99	42.90	45.86	39.95	22.19	38.47	35.51
1-2yrs	5.92	4.44	16.27	26.63	31.07	22.19	26.63	41.42	28.11	25.15	32.55	26.63
2-5yrs	6.99	13.97	13.97	10.48	6.99	27.95	24.45	24.45	38.42	17.47	13.97	10.48
5+yrs	0.00	0.00	0.00	0.00	5.00	5.00	0.00	0.00	5.00	5.00	0.00	0.00
<b>Total</b>	<b>72.01</b>	<b>83.91</b>	<b>100.59</b>	<b>127.79</b>	<b>135.85</b>	<b>157.97</b>	<b>157.49</b>	<b>173.40</b>	<b>180.88</b>	<b>141.44</b>	<b>147.33</b>	<b>146.01</b>

**Releases from Incarceration involving serving a sentence - CY2000 to CY2011**

<b>Length of stay</b>	<b>Average Beds Utilized</b>											
	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>
1-2 days	0.39	0.35	0.46	0.46	0.78	0.66	0.75	0.56	0.72	0.34	0.68	0.51
Week	0.73	0.72	1.42	1.05	1.17	1.29	1.42	1.49	1.31	1.37	1.43	1.28
Month	4.00	4.10	5.61	6.27	4.66	5.67	4.79	5.23	6.11	5.29	5.61	5.55
Qtr	14.79	14.14	10.03	12.82	18.58	19.73	16.77	19.07	18.08	21.21	17.92	19.89
HY	12.95	16.64	18.49	20.71	19.97	23.30	24.04	22.56	25.89	25.15	20.71	27.74
1 year	15.53	17.75	16.27	27.37	24.41	34.03	42.16	43.64	36.25	20.71	34.77	32.55
1-2yrs	5.92	4.44	16.27	26.63	29.59	20.71	26.63	41.42	28.11	25.15	31.07	23.67
2-5yrs	6.99	13.97	13.97	10.48	6.99	27.95	20.96	24.45	34.93	17.47	13.97	10.48
5+yrs	0.00	0.00	0.00	0.00	5.00	5.00	0.00	0.00	0.00	5.00	0.00	0.00
<b>Total</b>	<b>61.30</b>	<b>72.10</b>	<b>82.53</b>	<b>105.80</b>	<b>111.15</b>	<b>138.34</b>	<b>137.52</b>	<b>158.43</b>	<b>151.40</b>	<b>121.69</b>	<b>126.16</b>	<b>121.67</b>

Source: VT Department of Corrections