



WOODSIDE JUVENILE REHABILITATION CENTER

Department for Children and Families
Presentation to Senate Judiciary
February 20, 2020

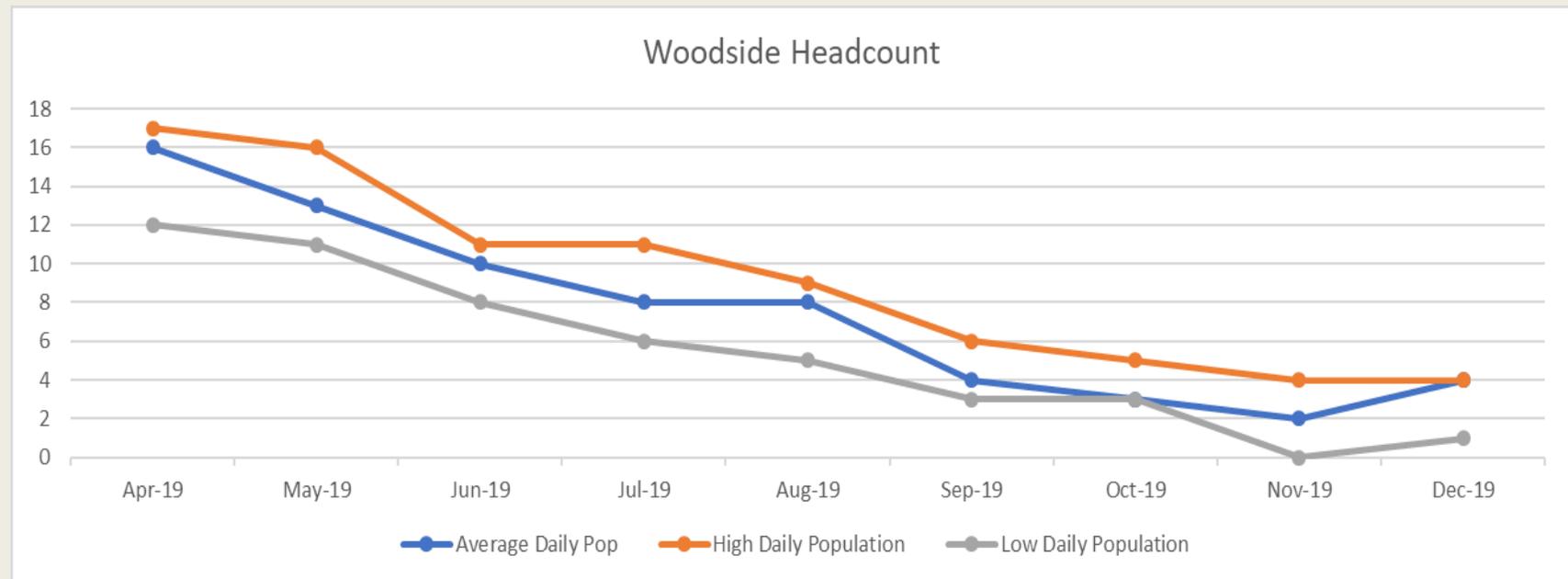


Legislative Report

- Dated January 15
- Provided to this and other interested committees
- Recommends the closure of Woodside

Declining Woodside Census

- Since the last legislative report in April 2019, the Woodside census has been steadily declining
- Woodside has had five or fewer youth in the program for the past six months



DCF System of Care Enhancements

- Recent enhancements to the system of care for youth, including youth with significant behavioral and/or mental health issues:
 - *Expanding the capacity of the SEALL Depot Street program approximately a year ago from 12 to 18 beds. One of the beds is called Horizon and is a small apartment that can be staffed at a ratio of 2:1 or 1:1.*
 - *Establishing Washington County Mental Health capacity of two beds dedicated to support DCF's high acuity youth. One bed came on-line at the beginning of December 2019. The second bed is expected to be available in February 2020.*
 - *Establishing Vermont School for Girls enhanced residential treatment options, with the addition of four new acute level beds to serve young women. These four beds have been available since November 1, 2019.*

Who are the youth at Woodside?

- Woodside serves only justice-involved youth through
 1. *Delinquency System and in the custody of DCF*
 2. *Interstate Compact on Juveniles*
 3. *Department of Corrections (youth charged/convicted criminally as adults)*

Door 1: Delinquency System

- What is a delinquency?
 - *A delinquency is an offense that would be considered a crime if committed by an adult*
- What is the delinquency system?
 - *Cases are heard in the confidential Family Division rather than the Criminal Division*
 - *Purpose of the delinquency system is to provide rehabilitation (instead of punishment) during these particularly malleable and formative years*
 - Some risky and even criminal behavior is normal during adolescence and emerging adulthood
 - Nearly all youth mature and age out of crime when given the opportunity to do so

Door 1: Delinquency System

Age	Types of Cases in Delinquency System (Family Court)
10 & 11	All cases (misdemeanors, felonies and Big 12)
12 & 13	All cases <ul style="list-style-type: none">• Exception - Big 12 offenses can be transferred to criminal court
14 & 15	All misdemeanors and felonies (except Big 12) are in family court <ul style="list-style-type: none">• Exception - Big 12 offenses start in criminal court
16 & 17	<ul style="list-style-type: none">• All misdemeanors are in family court• Felonies (except Big 12) start in family, but can be transferred to criminal• Big 12 start in criminal court
18	Will be treated similar to 16 & 17-year-olds on 7.1.2020
19	7.1.2022

Big 12 Offenses – 33 VSA 5204(a)

- (1) arson causing death as defined in 13 V.S.A. § 501;
- (2) assault and robbery with a dangerous weapon as defined in 13 V.S.A. § 608(b);
- (3) assault and robbery causing bodily injury as defined in 13 V.S.A. § 608(c);
- (4) aggravated assault as defined in 13 V.S.A. § 1024;
- (5) murder as defined in 13 V.S.A. § 2301;
- (6) manslaughter as defined in 13 V.S.A. § 2304;
- (7) kidnapping as defined in 13 V.S.A. § 2405;
- (8) unlawful restraint as defined in 13 V.S.A. § 2406 or 2407;
- (9) maiming as defined in 13 V.S.A. § 2701;
- (10) sexual assault as defined in 13 V.S.A. § 3252(a)(1) or (a)(2);
- (11) aggravated sexual assault as defined in 13 V.S.A. § 3253; or
- (12) burglary into an occupied dwelling as defined in 13 V.S.A. § 1201(c).

Door 1: Delinquency System

- Most youth in the delinquency system never go to Woodside

- Youth in the delinquency system are referred to Woodside:
 - *By Courts, with recommendation from DCF that Woodside placement is necessary when*
 - no other suitable placement is available, and
 - the youth presents a risk of injury to himself or herself, to others or to property. See 33 V.S.A. §5291.
 - *BY DCF, applying the same standard as above*

- Woodside has historically provided placement capacity for youth who have had escalating behaviors in other programs and who meet the standards for referrals to Woodside

Door 1: Delinquency System

- The number of youth in the delinquency system that could potentially be referred to Woodside has been declining

Point in Time Data for Number of Youth in DCF Custody because of Delinquency	
June 9, 2016	124
May 31, 2017	107
June 7, 2018	100
August 7, 2018	94
October 9, 2018	85
December 4, 2018	84
February 6, 2019	77
April 1, 2019	78
May 29, 2019	78
August 1, 2019	76
October 1, 2019	59

Door 2: Interstate Compact on Juveniles (ICJ)

- The ICJ requires states to safely care for youth who are on run from other jurisdictions outside of Vermont
- Sometimes, it is necessary to hold a youth “securely” pursuant to the ICJ until the youth can be safely returned to another jurisdiction
 - *The ICJ defines a “secure facility” as either staff-secured or locked in order to prohibit a youth from leaving*
- While the ICJ provides flexibility in what a “secure” program means, there may be times when DCF is required to hold a youth under the ICJ in a locked facility

Door 3: Department of Corrections

- DCF currently has an MOU with DOC to house and care for youth who are charged criminally as an adult or have been convicted as an adult for committing a criminal offense
- If Woodside closes, DOC would have the responsibility of caring for and holding youth in adult facilities who have been charged criminally, with sight and sound separation from adult inmates
 - *DCF and DOC may in the future identify alternative settings and enter into a new MOU*
 - *Please note that youth in the juvenile delinquency system generally may not be placed in adult facilities*

Why are youth out-of-state and who are they?

DCF Residential Placement Data (point-in-time 1.13.20)

Program	Contracted Beds	Number of DCF Youth Placed	CHINS	Delinquent	Purpose
In-State					
NFI Allenbrook	8	4	4	0	community based program for youth w/mental health needs
Brookhaven	8	8	8	0	serves boys ages 6 -12 w/behavioral issues
Community House	8	7	7	0	co-ed assessment program for children ages 6-12
Laraway Foote Brook	4	4	3	1	community based program for boys w/high-end behavioral issues
Brattleboro Retreat Linden Street	8	2	1	1	co-ed mental health program
NFI Group Home	6	2	2	0	community based mental health treatment
NFI Shelburne House	3	2	1	1	community based mental health treatment - Individualized
Onion River	8	8	7	1	community based program for girls
Howard Center Park Street	8	7	4	3	treatment for sexually harmful behaviors
Brattleboro Retreat Abigail Rockwell	8	3	2	1	co-ed mental health program for ages 6-13
Howard Center T-House	4	3	0	3	behavioral program for adolescent boys
VT Assessment Center Newbury	8	8	7	1	assessment program for adolescent boys
VT School for Girls	21	17	13	4	intensive residential program for adolescent girls
WCMH Micro Residential Programs	14	5	4	1	community based high end mental health treatment program
SEALL Programs (Depot Street)	18	15	9	6	short term crisis stabilization program for adolescents ages 12-18
Windsor County Youth Services	14	12	9	3	shelter program & reunification program & transitional living program
Total In-State	148	107	81	26	
Out-of-State					
Abraxas, PA	4	3	1	2	substance use treatment
Becket School, NH	25	10	7	3	intensive residential program for adolescent boys w/aggression
JRI Centerpoint	2	1	0	1	program for boys with mental health issues & aggression
Devereux, MA	10	3	3	0	serves youth w/mental health issues or youth on the autism spectrum
Easter Seals, NH	4	3	2	1	serves youth with aggression or developmental disabilities or autism spectrum
Fall River Deaconess Home, MA	3	3	2	1	high end behavioral program for girls age 12 -18
Foundations Behavioral Health, PA	4	2	1	1	mental health treatment program for girls
Hillcrest, MA	10	9	8	1	provides high end mental health treatment
JRI Littleton Academy, MA	6	3	3	0	mental health treatment for children ages 6-13
Millcreek, AR	3	3	2	1	mental health treatment, including suicidal ideation or attempts
Millcreek, MS	1	1	1	0	mental health treatment, including suicidal ideation or attempts
Natchez Trace, TN	3	1	0	1	program serving aggressive and assaultive adolescent boys
Mountain Lake Academy, NY	5	1	0	1	outdoor based treatment
Pine Haven Home for Boys, NH	8	5	5	0	serves boys ages 6-12 with fire setting and/or sexually reactive behaviors
Resource Treatment Center, IN	1	1	1	0	high end mental health treatment with various levels of care
Stetson School, MA	10	10	7	3	serves youth w/sexually harmful and/or aggressive behavior
Whitney Academy, MA	3	3	3	0	serves lower functioning or cognitively delayed youth with sexually harmful behavior
Total Out-of-State	102	62	46	16	
Total In- and Out-of-State	250	169	127	42	

What will be the impact of raising the age?

- DCF does not anticipate placing a large number of youth over 18 in residential care
 - *Majority of offenses committed by 18 & 19-year-olds are misdemeanors*
 - *There are some DCF programs currently serving this age group*
 - *S.232 includes language to allow DCF custody of 18 and 19-year-olds for the purposes of placement, including residential care*

- DCF issued a request for proposal (RFP) on January 9, 2020
 - *<http://www.vermontbusinessregistry.com/BidPreview.aspx?BidID=41120>*
 - *Responses to the RFP are due on February 28*
 - *Includes serving 18-year-olds*

- DCF estimates that the current need for secure capacity, including when we add 18-year-olds, ranges from three to five beds total
 - *BUT, noting that there may not be a need every single day in the state for secure capacity*

Next Steps

- As part of longer-term work, AHS has also issued an RFP for a consultant to analyze Vermont's residential system of care
 - <http://www.vermontbusinessregistry.com/BidPreview.aspx?BidID=40059>
 - *Responses were due January 17*
- In order to close Woodside, 33 VSA 5801, which directs DCF to operate Woodside needs to be repealed

Acknowledgements

- DCF would like to take the opportunity to acknowledge Woodside staff who have dedicated their careers to caring for youth
 - *Their service has been greatly appreciated*
 - *DCF understands that the proposal to close Woodside is difficult for staff*
- At the same time, the State's need for placing youth in secure facilities is decreasing, which is a milestone worth celebrating

Questions and Thank You