

## Facility Planning for Justice-Involved Youth: Stakeholder Working Group

March 18, 2024, 4:00 p.m. - 5:00 p.m.

Virtually on teams or In Person at the Waterbury State Office Complex, 280 State Drive, Waterbury, VT 05671

### Meeting Notes

#### Quick Introductions

1. Tyler Allen, Adolescent Services Director at FSD/DCF
2. Elizabeth Morris, Juvenile Justice Coordinator at FSD/DCF
3. Matthew Bernstein, Child Youth and Family Advocate, Member of the Group
4. Xusana Davis, Racial Equity Director for the State of Vermont, Member of the Group
5. Lauren Higbee, OCYFA, Proxy for Matthew Bernstein.
6. Anthony O'Meara, Member of the public, resident of Newbury.
7. Dana Robson, Operations Chief at the Children's Unit, Department of Mental Health, Member of the Group.
8. Karen Vastine, Chair of the Council of Equitable Youth Justice, Member of the Group.
9. Jennifer Garabedian, Development Disabilities Division Director at DAIL
10. Tabrena Karish, Design and Construction with the Department of Buildings and General Services
11. Mike Maughan, member of the public with lived experience. Spent 14 years as a ward of the state. Has been through programs, foster homes, secure facilities. From ages 15-17 was in a secure facility when cursed at a DCF case worker. Very passionate about these facilities and concerned about under representation for youth.
12. Cheryle Wilcox, Mental Health Collaboration Director, DMH
13. Geoffrey Pippenger, Director of policy and planning for DCF
14. Tim Lueders-Dumont, Dept of State's Attorney's and Sheriffs, Member of the Group.
15. State Representative Anne Donahue
16. Rachel Edens, Director of Race, Gender, Equity, and Accessibility at DCF
17. Jennifer Herbert, Clinical Director at DCF

#### Public Comment

- Mike – my language as to what good things happened at Woodside weren't in the notes from last month. While the notes are not supposed to be a word for word record of the conversation, but a description of any decisions that were made, it is important to add that information into those notes.

- Tony listened to some testimony regarding the subject of fencing, and we got to wondering if you knew the details of the fencing that was planned for Newbury - half inch horizontal fencing that is 15 feet tall. If I was at the facility, I'd be under no illusions of the sort of place I was in
- Tyler: The facility design that I was speaking about is conceptual because we had to put together some design elements. What we have is a design concept for the type of facility, but it's not concrete at this point. The design we proposed had more building secure structure than fencing.
- Marshall: Everything still seems to be happening quickly. What is the criteria for admission into this facility, what is the length of stay? In looking through the list of people who are on this committee, we have a lot of expertise in Vermont, but we don't have expertise with building a secure juvenile facility, and I was wondering what we could do to get outside consultant in who has the experience with building the facility. At one point this group included Lael Chester, I hadn't realized that Vinny from her organization had been the one who really had worked on facility design, but Vinny doesn't work there anymore. Also, they could talk to us about what the direction is all across the country, so we're not just relying on our past experiences in Vermont. Hoping we can bring in somebody who can bring in that level of experience.

Tyler: The criteria for admission as one of our discussion points for that part of the agenda. We had a robust discussion last time about partnering with CEYJ. I'd like to resurrect that with you in the room, I appreciate that you brought that up. More to come on both points that you brought up.

Mike: Fences even without locked doors still mean you are caged in, plus it gives the opinion to the public that those inside are dangerous. I do reviews for the human services review board, I frequently see issues with statements of service denied, but it doesn't make any mention of the service not being humane, or that the conditions weren't humane. Programs won't meet expectations and provide safety of the individuals, and then they were told that the service was denied. It tells agencies to continue with services, regardless of what the services are like. The outcomes of the programs are important.

Karen: CEYJ has some money that they could spend on a consultant. I serve as the chair for the CEYJ, and we operate independently, we receive money from the DOJ to support compliance with federal requirements around the juvenile justice system. We have funds that we need to spend specifically to ensure that youth don't end up in adult facilities. We wanted to put the offer on the table, although needs approval from various levels before actually releasing it.

Marshall: That sounds fantastic to me, I'm worried about the pace that we're moving forward without a lot of expertise. I have a lot of expertise with Woodside and how it was used, what happened there, Juvenile law and Vermont. I know next to nothing about

what the cutting edge of HESOC design is, and I'd love to have somebody involved in the conversation who has that expertise. I think that would be incredibly helpful.

Sandi Yandow joined at this time.

Tyler: There were some concerns mentioned at our last meeting, any thoughts about that?

Mike: I shared concerns about what the accolades are of the person who would be the consultant, but I think that Marshall explained those accolades. I often say, "why not just Waldorf school these people?" My main concern was not keeping up what hasn't worked but finding someone who can contribute to the group. For example, I don't understand what you mean by using buildings to create a secure perimeter.

Karen: To be clear, I'm in the same line with Marshall and his comments about the consultant.

Mike: I do have concerns about us surging forward with this.

Tyler: We believe that youth are currently being placed in settings that are not beneficial to them, it's not addressing their needs. There is some urgency to develop something, but we understand that there is a process involved. Even though it appears that there is a rush, we're still setting us out a couple of years before an operating facility. It's just that if we take years to have those conversations before the building processes, I have concerns that there will be more youth in adult facilities or staffed by DCF in alternative staffing. And to be clear, we have an opportunity to weigh into what that consultant looks like.

Lauren: I appreciate all our expertise in the room, and finding the common ground of why we are here, and that is the common intent to better serve VT children and youth, but I would plainly say that if we look at the terrible outcomes with a locked facility, it's cutting edge to not have a locked facility. I just want to reframe the conversation. It's the lack of services in the lower end HESOC that is impacting our HESOC crisis.

Mike: This urgency that the agency has is a feedback loop that is going to continue.

Tyler: What is our intention around designing a secure facility? There are folks who realize that need. One of the things that's not on our list to talk about, but we should be talking about what oversight looks like of the program. I really appreciate what you're looking at regarding prevention. There's a lot of work happening there, including the HESOC workgroup that is more focused on that issue – i.e. looking at foster care options and prevention. There are arenas where we can have that conversation.

Mike: What is the prospected timeline until opening?

Tyler: Summer of 2026. What are the next steps?

Karen: Approval from the Council on Thursday. The Facilities planning group is a big group to discuss the specific scope of work, I'd like a small group to discuss those specifications.

Matthew: It makes sense to have a consultant. I wanted to add that I think youth voice and organizations and consultation from entities that hold the voice of the children and families as well. There's a real optics problem with spending a lot of money on consultants from out of state, I would just say that adding a youth voice in some way makes sense. One organization we met with last week is credible messengers, and they're training folks to be youth voice centered.

Karen: I think we define that we want to work with those with lived experience; advocates and system players.

Matthew: We've been hearing a lot that youth voice hasn't been centered in this.

Karen: I think that can be centered in the RFP.

Mike: Youth voice should be centered, creating a home and stable environment. I have concerns because a lot of the programs will use a level structure. This is where level one is two five-minute phone calls to your family, etc., etc. Why is family interaction used as a reward or penalty system?

Rep. Anne Donahue: I think it is important to remember that the design of this facility is only one small part of the input that DCF is supposed to be seeking from this group. It includes, for example, the discussion of the long-term planning for the system of "high end" care, not just this one facility. Folks should go back and look at the language in the statute.

Tyler: One of the things we've learned is focus groups is a way to engage this feedback through the consultant.

Marshall: Not sure I understand why there is a hesitation to an outside consultant, we keep making the same mistakes repeatedly. When we're talking about the physical structure it sounds so much like Woodside, so it really firms up my belief that we need someone outside of the state so we can have them tell us if we're squarely in line with youth facilities, or lagging way behind the nation, or perhaps you're being too cutting edge and need to scale it back. I want to hear it from someone who has more than our Vermont experience.

Rep. Anne Donahue: I think it is important to remember that the design of this facility is only one small part of the input that DCF is supposed to be seeking from this group. It includes, for example, the discussion of the long-term planning for the system of "high end" care, not just this one facility. Folks should go back and look at the language in the statute. The requested report on preventing disproportionality in the new system was

also supposed to have wider input, and should be discussed here, but is well behind the deadline in being delivered to the legislature.

Tyler: Next time we will absolutely talk about the disproportionately report, and I know there's been a lot of work on it so I will check in as to what the next steps are.

Matthew: I think my comment regarding out of state funding was distracting and I should not have said that. The echo chamber piece is interesting. I think it's more about the status quo piece about who we turn to. Consultant puts a big burden on Vermont youth by bringing folks into meetings. I think it's powerful to spend money on bringing youth voice in and revamp their perspective.

## Updates

Tyler: The Commissioner has reached out to folks in Newbury. FSD no longer has an interest in developing a facility on the property there, of course, that is a residential provider, they may have other interest in the property/the state may have other interest in that property. I think Tony, you already knew about that. The state has turned its attention away from building a secure facility there.

The state has identified a preferred builder for a secure facility at a different location, as far as I know that is what I can talk about. They're talking it through with that provider. There are architects involved in it, we asked in our proposal for the capacity to bring in external expertise on that type of building. We want experts on what therapeutic design looks like in our facility.

Going forward, we will meet on the third Monday of every month from 4-5 p.m.