



Juvenile Justice and Delinquency Prevention Three-Year Plan

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Analysis of Juvenile Delinquency Problems and Needs

Overview of Vermont’s Juvenile Court Jurisdiction & System

The Vermont State legislature has made sweeping changes to the juvenile jurisdiction system to align our system more closely with brain development research and evidence-based practices for serving youth. Studies have shown that youth are much more amenable to treatment and rehabilitation, and as such should be treated differently than adults. Vermont’s Act 201 (the “Raise the Age” law (RTA)) raised the age of Juvenile Court jurisdiction. This means that on July 1, 2020, most young people accused of breaking the law at age 18 (excluding the more

Juvenile Jurisdiction (Delinquency) Chart		
AGE at time of alleged offense	OFFENSE	
	OFFENSES other than BIG ELEVEN	BIG ELEVEN and other exceptions
10-11	Proceedings start in Family; NO Transfer 33 VSA 5201(d)	Proceedings start in Family; NO Transfer 33 VSA 5201(c)
12-13		Proceedings start in Family (5201(c)); Transfer to Criminal is an option (5204(a))
14-15		Proceedings start in Crim. (5201(c)); Transfer to Family as a delinquency is an option (5203(b)) or as YO (see chart below)
16-18*	All Proceedings start in Family (5201(d)) Misdemeanors: NO Transfer Felonies: Transfer to Criminal upon motion (5204(a))	Proceedings start in Crim. (5201(c) and 33 V.S.A. § 5201(c)(2) or (3)) Transfer to Family as a delinquency is an option (5203(b)) or as YO (see chart below)
* 19-year-olds will be treated as delinquents on 4/1/25.		
19-21	Only juvenile jurisdiction now is through Youthful Offender	

Figure 1: Vermont Juvenile Jurisdiction Chart

serious “Big 11” offenses) were charged in the Family Division of the Superior Court (rather than the adult Criminal Division), with supervision and coordination of services provided by the Department for Children and Families (DCF), Family Services Division (FSD), rather than the Department of Corrections. Starting on April 1, 2025, most youth accused of breaking the law at

age 19 will be similarly included in the juvenile justice system, making the 20th birthday the upper age of juvenile jurisdiction in the state. Please see the Juvenile Court Jurisdiction above

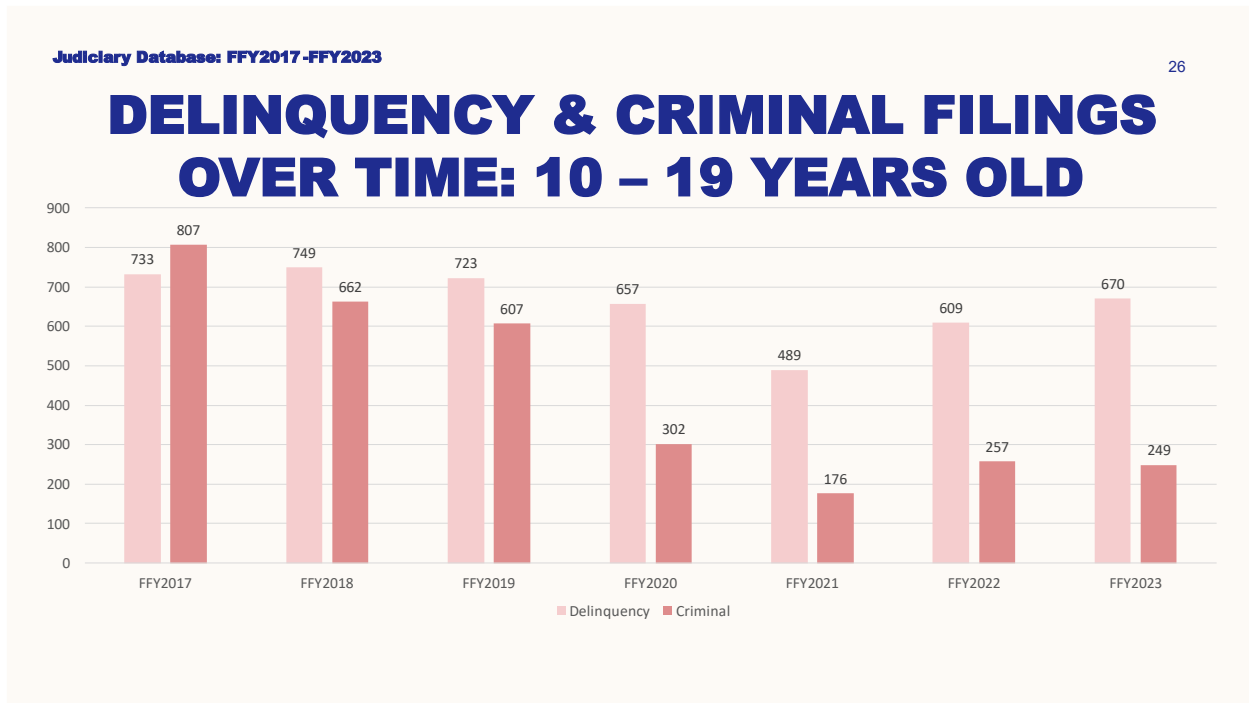


Figure 2: Youthful Judiciary Filings, FFY2017-FFY2023

reviewing the latest legislative changes. Vermont was the first state in the nation to expand the jurisdiction of the juvenile court beyond 17. Vermont monitors juveniles 18 and under for the core requirements of the Juvenile Justice and Delinquency Prevention Act. Based on the Vermont Judiciary’s database, we have seen a decrease over time of both delinquency and criminal filings of youth ages 10-19 years old. Below you will find data from three years before

COVID first hit, and the three years following. It is important to note that Vermont also serves “Youthful Offender” case types; a hybrid approach where DCF and the Department for Corrections (DOC) are jointly responsible for coordinating treatment, housing, and

Youth Justice Flowchart

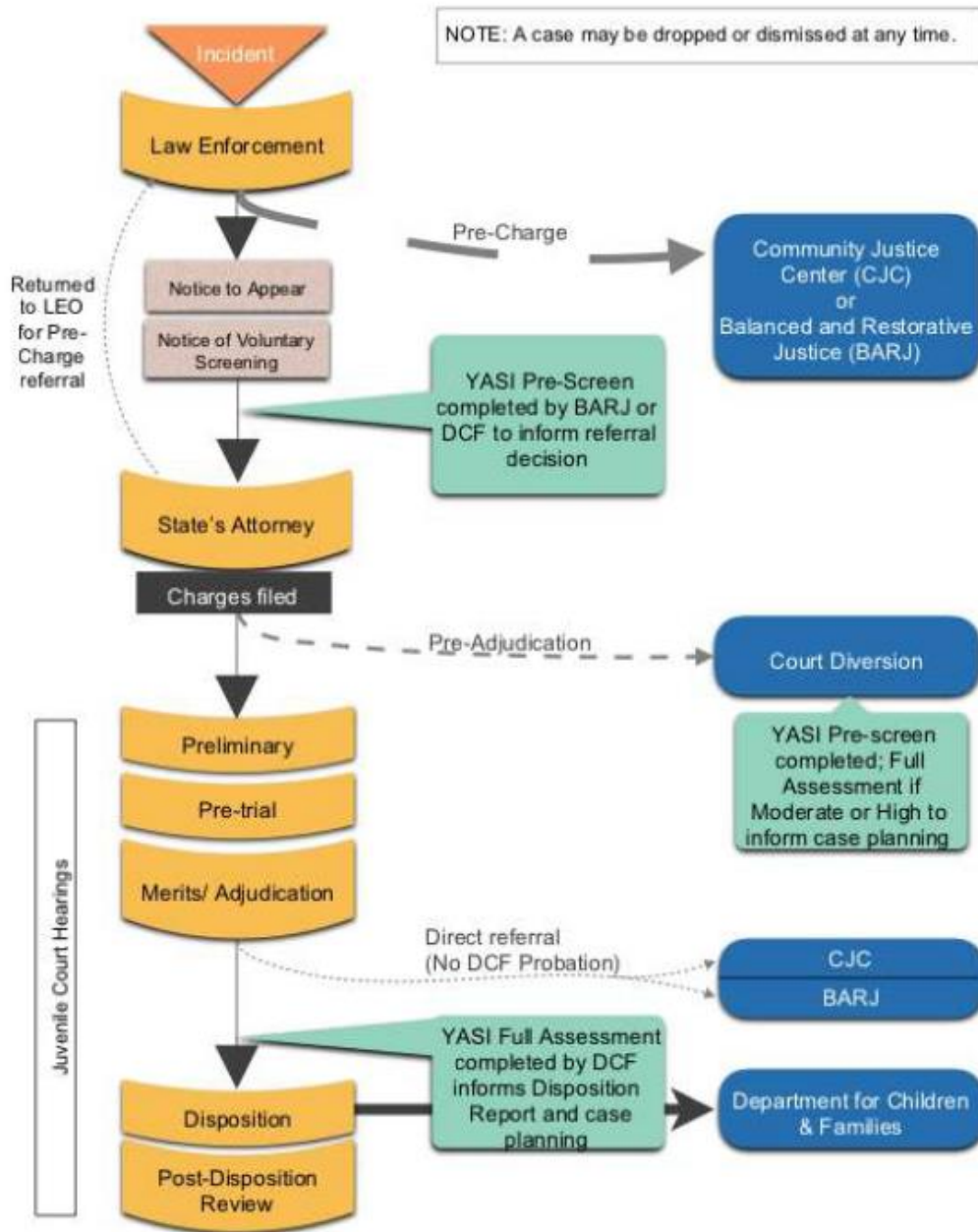


Figure 3. Youth Justice Flowchart. From report to the Vermont Legislature, "Report on Act 201 Implementation Plan Report & Recommendations" by Karen Vastine, 2019, p. 7.

accountability for the youthful offender population. These youth are 16-22 years old, typically have complex treatment or supervision needs, and are assigned to the Family Court. If a youth fails to abide by the youthful offender probation conditions, youthful offender status may be

Family Services Caseload Data (point-in-time data updated 6/3/24)																		
Type of Case	Aug 2021	Oct 2021	Dec 2021	Feb 2022	Apr 2022	Jun 2022	Aug 2022	Oct 2022	Dec 2022	Feb 2023	Apr 2023	Jun 2023	Aug 2023	Oct 2023	Dec 2023	Feb 2024	Apr 2024	Jun 2024
Family Support Cases (families)	349	339	327	278	249	185	181	189	189	170	162	179	171	150	153	150	158	146
In DCF Custody (children)	1,074	1,085	1,094	1,068	1,077	1,069	1,079	1,087	1,093	1,074	1,059	1,052	1,021	985	986	942	936	952
Conditional Custody Orders (children)	533	504	471	472	492	502	501	508	487	437	426	441	470	467	438	415	402	387
Youth on Probation/ Delinquent No Custody (children)	247	242	262	265	233	237	239	227	223	238	225	244	25	258	262	277	289	269
Child Behavior – No Custody	24	22	20	21	21	21	18	19	18	17	11	17	19	24	22	20	24	27
Total Caseload	2,227	2,192	2,174	2,104	2,072	2,014	2,018	2,030	2,010	1,936	1,883	1,933	1,936	1,884	1,861	1,804	1,809	1,781

Data Source: FSD Caseload Report—Fam Workload Additional TRENDS tab.

Data Note: Data is point-in-time as of the date the Caseload Report is/was created. May not reflect the 1st of the month.

Figure 4: Family Services Caseload Data, August 2021-June 2024

revoked, and their case may be moved to the Criminal Court for prosecution. Vermont’s formal youth justice response system is placed within the state child welfare system, and the Family Division of the Vermont Superior Court. DCF FSD has 12 district offices covering 14 counties. The courts’ jurisdictions are divided by county, where elected State Attorneys have discretion around what charges they choose to file against a child. DCF FSD oversees all delinquency, status offense, and child protection cases in Vermont. Family Service Workers also serve as probation officers for delinquent youth. Youth are served by staff who have mixed caseloads which also include child welfare cases. The table above is an overview of all the youth and families served by the DSA served over the past three years.

There are three case-types that describe the populations of youth with delinquency statuses. “DC” describes youth with delinquencies who are in Department custody. “DP” describes youth with delinquencies who are on probation only (not in Department custody), and

“DY” describes youth who had pending delinquency matters during the time frame referenced.

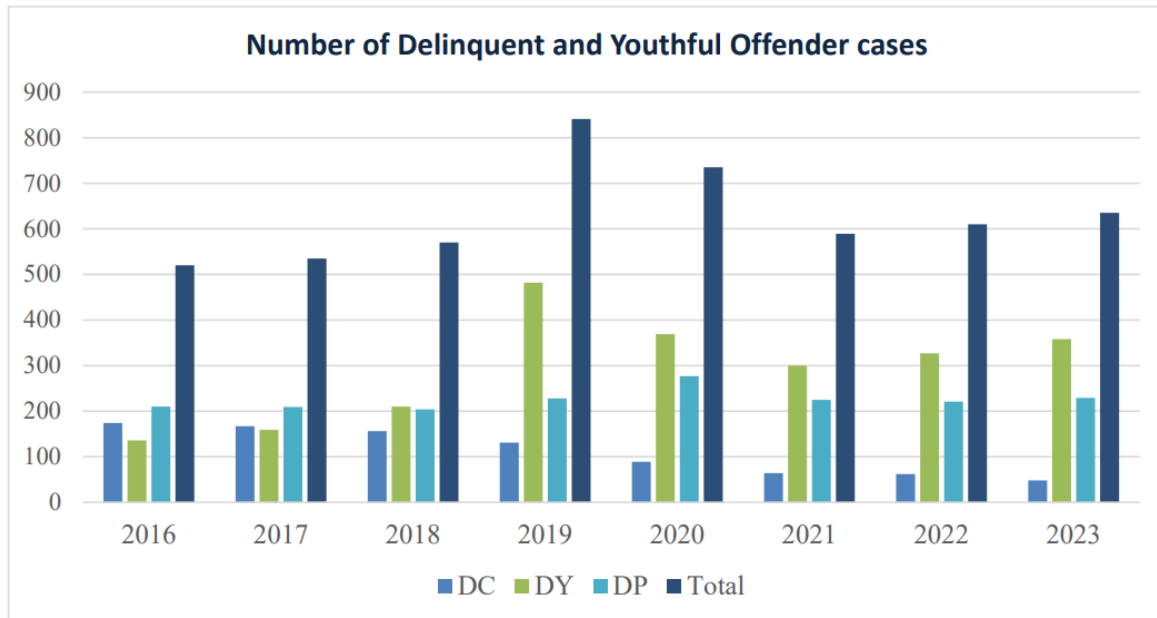


Figure 5: Vermont DCF-FSD youth with justice involvement, 2016-2023

The data above is reflective of youth who have delinquency and youthful offender status. While we have seen a decline of overall youth who are involved with the justice system and DCF in some way, we have seen a decrease of youth who are in our custody (and thus those who might be eligible for placement in a facility). Youthful Offender laws also were expanded during this timeframe, which would explain the rise in youth who had pending matters in the middle of the time frame.

Race & Gender:

Youth of color are brought into our justice system at higher rates than their counterparts.

YOUTH CRIMINAL FILINGS BY RACE: 12-19 YEAR OLDS

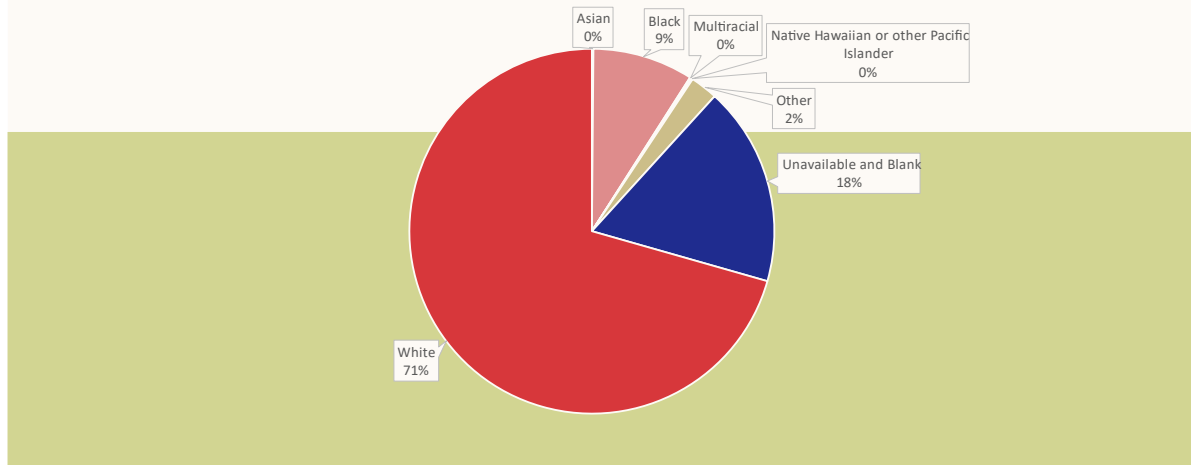


Figure 6: Judiciary Criminal Filings, 10–19-year-olds, FFY2021-FFY2023

Juveniles charged as adults make up nine percent of youth criminal filings but are only approximately three percent of that age population. While black youth make up three percent of juveniles charged with delinquencies, it is important to note the large percentage of unavailable and blank race and ethnicity data. Some speculate that the youth who are not identified are most likely youth of color, and that a true depiction of our data would show more significant disparities. This has been a consistent barrier and is identified in the goals and objectives for the next three years.

DELINQUENCY FILINGS BY RACE: 10-18 YEAR OLDS

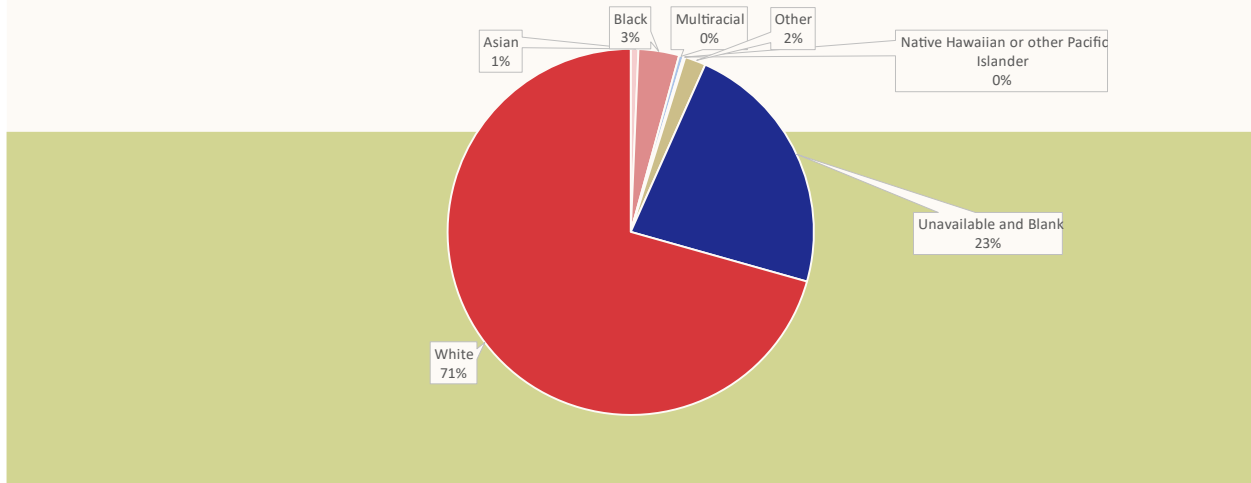


Figure 7: Judiciary Delinquency Filings, 10-18 years old, FFY2021-2023

Overwhelmingly, Vermont sees male involvement over female involvement in the juvenile justice system. Approximately three-fourths of delinquency and criminal filings for youth 19 years of age and under are male. We see far better documentation of gender than race in the court system, with only 5% of filings labeled as unknown or blank.

DELINQUENCY & CRIMINAL FILINGS BY GENDER: 10-19 YEAR OLDS

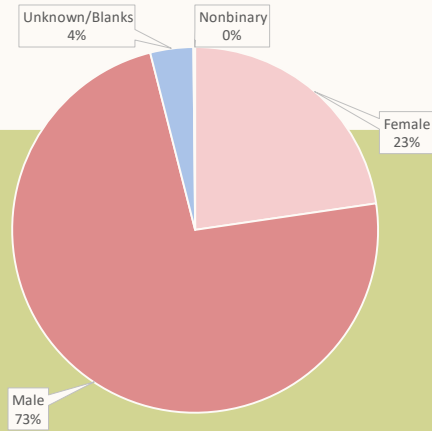


Figure 8: Judiciary Delinquency and Criminal Filings by Gender, FFY2021-2023

DCF Custody and Services

Vermont's system of care is grounded in the belief that youth should reside and receive treatment in the least restrictive setting possible. As such, we must maintain a continuum of residential treatment placements that includes an architecturally secure treatment program for youth who need this level of care but maintains the flexibility to move youth to a less restrictive placement when they are ready. Vermont maintains contracts with a number of staff-secure residential treatment programs, non-secure treatment programs, and foster homes. Youth are maintained in their own communities with their family, fictive kin, or a foster home whenever possible. When placed in foster care outside of their community, it is the policy of the Department to maintain the school placement whenever possible. [Policy 60: Juvenile Proceedings Act – CHINS \(C\) and \(D\) Assessments](#) dictates that the DSA will engage in the least-intrusive way possible and make appropriate referrals to community agencies. Per 33 V.S.A. § 5101, children coming within the provision of the juvenile judicial proceedings should be, whenever possible, cared for in a family environment.

However, the current system of care is operating at reduced capacity. DCF maintained a secure youth treatment facility (Woodside Juvenile Rehabilitation Center) from 1986 to Fall of 2020. The last youth left Woodside on August 27, 2020, with no further admissions to the

Capacity of In-State Contracted Residential Programs as of 11/17/2023, Statewide

Level of Care	Pre- Pandemic Contracted Capacity	Current Licensed Capacity	Actual Capacity- November 17, 2023	Actual Capacity (Percent of Pre-pandemic Contract)	Actual Capacity (Percent of Current Licensed Capacity)
Secure Programming	16	0	0	0%	0%
Crisis Stabilization	20	19	13	65%	68%
Mental Health Emergency Beds	16	18	13	81%	72%
Short Term Stabilization	14	16	6	43%	38%
Intensive residential	75	46	44	59%	96%
Community Based Residential	55	58	31	56%	53%
Total	196	157	107	55%	68%

Figure 8: DCF Raise the Age, High-End System of Care Status Update, December 2023

facility. Act 154 authorized the Agency of Human Services (AHS) to cease operations and the facility permanently closed on October 17, 2020. Currently, residential capacity is currently running at 68% of the licensed capacity. When compared with pre-pandemic levels, the system is running at 55% of the previously contracted capacity. The table describes the capacity within Vermont’s in-state contracted youth system of care. The system described here serves the youth needs of both the Departments for Children and Families and Mental Health. The levels of care in the table above are ordered from highest to lowest acuity. A more detailed table of the current programming is found on the following page. Services specific to females are highlighted in yellow, and details about those programs are found below.

Gender-Specific Residential Programming:

- The Girls Assessment Program serves up to five female-identified youth with unmanageable or delinquent behaviors and is a staff-secure stabilization program. The primary goal of the program is to help the residents recognize the behaviors that contributed to their need for placement and to provide them with the skills they that will need for their next placement. The Program has an on-site tutorial program certified by AOE.
- Vermont School for Girls serves students aged 11 through 21, including those with special needs including but not limited to emotional disturbance, intellectual disability, hearing loss, multi-disability, other health impairment, specific learning disability, and speech or language impairment. Their programming also addresses the mental health needs of students who are dealing with symptoms of anxiety, mood disorders such as depression and bi-polar disorder, deficits of attention and hyperactivity, disordered attachment, posttraumatic stress disorder and developmental trauma, including symptoms of dissociation, and oppositional defiant and conduct disorders.
- NFI's DBT House is a community- based, therapeutic staffed home utilizing a Dialectical Behavior Therapy treatment model (DBT). DBT house provides therapeutic support for up to four adolescent girls in an intensive, supportive, residential program. DBT House clients frequently have histories of severe emotional, behavioral, and mental health challenges. Many have struggled in current or previous treatments when they arrive at the program. The program is well known and regarded for its quality of service and success

in working with this specialized population. Treatment is based on current knowledge of best practices and is individualized to provide a safe and effective therapeutic environment for each individual that enters our program.

- Capital Meadows Residential Services Program is a values-based program using community experiences and relationships as a therapeutic tool. The clinical side of the program includes ARC, Attachment theory, Developmental trauma theory, RPC+ for residential staff, and Handle with Care crisis de-escalation. Daily life is consistent, structured routines and an incentive system.
- At Lund, pregnant or parenting persons and their children share bedrooms at their residential treatment facility. They are situated in groups of three to six bedrooms with a shared living space, bathrooms, and laundry facilities. Families eat together in a communal dining room, and everyone participates in chores to strengthen daily living skills and actively participate as a member of the community.

Program	Number of licensed beds	Age/ Gender	Town/City	Additional Info
Hospital Diversion				
NFI South Hospital Diversion Program	6	10 up to 18, M/F	Brattleboro	10 days
NFI Hospital Diversion Program	6	10 up to 18, M/F	So. Burlington	10 days
Crisis Stabilization				
Howard Center-Crisis beds, Jarrett House	6	5 up to 14, M/F	Burlington	10 days
Seall - 206 Depot	3	13 to 18; All	Bennington	10 days

Seall - Depot GAP	5	13 up to 18, F	Bennington	Up to 30 days
Seall- Depot Street	5	13 up to 18, M	Bennington	Up to 30 days
WCMH ICAP	3	5 up to 18	Berlin	Up to 30 days
WCMH Turtle Rock	2	5 up to 18	Barre	Up to 45 days
Windsor Co. YSB- 20 Mile Stream	6	13 up to 22, Coed	Proctorsville	14- 30 days
Windsor Co. YSB- Mountainside	0	13 up to 22, M	Proctorsville	14 - 30 days
Assessment				
Community House	6	6 up to 12, M/F	Brattleboro	90 days
Community Based Group Home				
Howard Center Transition House	4	16 up to 22, M	Essex	Primarily for older youth transitioning from higher end residential
Laraway (Foote Brook)	4	12 up to 19, M	Johnson	A step-down from residential care or prevents res. Care
NFI Allenbrook	7	12 up to 18, M/F	So. Burlington	Family Teaching Model
NFI- DBT House	4	10 up to 18, F	Brattleboro	DBT Skills Work
Laraway Capital Meadows	3	12 up to 21, F	Montpelier	Group Home with Community based services
WCMH- Skyview	8	13 up to 20; Coed	Barre	SHB or MH Issues
WCMH- Crescent	3	7 to 13; Coed	Berlin	Very Individualized
WCMH- Highland	4	13 up to 20; Coed	Berlin	High-End MH needs
NFI Group Home	6	13 up to 18	Burlington	High-End MH needs
Return House	5	16 up to 21; Males	Barre	Transitional Living program for males aging out
Seall 208/New Beginnings	N/A	17+ to 21	Bennington	Transitional Living program for youth aging out
Village House	3	17+ to 22	Burlington	High-End MH for youth 18 or

				almost 18
NFI- Shelburne House	3	12 up to 18, M	Williston	Very Individualized
VT School for Girls	14	11 up to 22, F	Bennington	Aggressive Girls
Brookhaven	8	6 up to 14, M	Chelsea	Agg/MH Boys
Howard Center- Park Street	8	12 up to 18, M	Rutland	Sexually Harmful Behaviors
Lund	26	No age limit, F	Burlington	Pregnant or Parenting Teens
Retreat- Abigail Rockwell	8	6 up to 14, M/F	Brattleboro	High-End MH needs

Figure 9: DCF Residential Programs, July 2024

Often Out-of-State Residential care is utilized because of the lack of capacity within the state.

Instate and Out-of-State Residential Count Through FY22 Q4

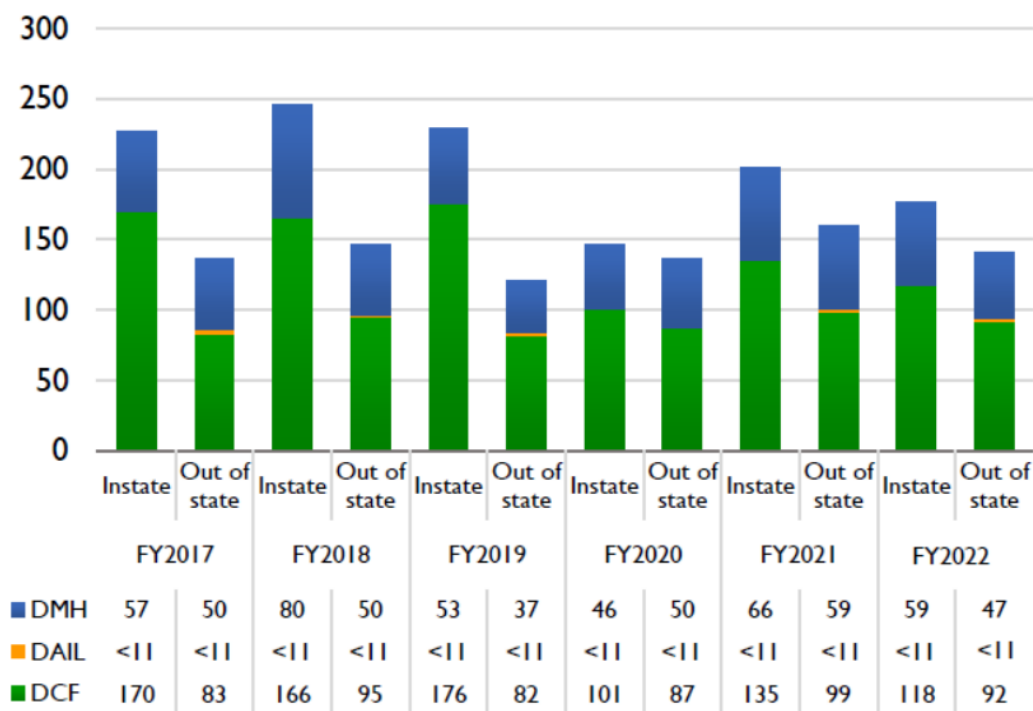


Figure 10: [Vermont's System of Care for Children](#), Youth & Families Report, DMH. January 26, 2023

Vermont has identified four levels of care most critically needed to stabilize the placement system of care. These four levels of programming include: secure stabilization, secure

treatment, community-based stabilization and psychiatric residential treatment.

Short-Term Hardware Secure Stabilization and Treatment Programs

For the long-term plan to serve justice-involved youth who need secure treatment, AHS/DCF is developing a new secure residential treatment program for Vermont youth who are in the custody of DCF, are adjudicated or charged with a delinquent or criminal act, and who require secure placement. Vermont policy prohibits status offenders from being held in secure detention or correctional facilities.

The intent is for this secure program to contain both short term stabilization and longer-term treatment programs. Both programs will be served by a common core space that houses education, recreation, wellness, and administration components. The goal is for the program to facilitate positive behavioral change through engagement of youth in programming that includes structured academic learning, recreation and play, individual and group connection, family engagement and mediation (when appropriate), opportunities for positive community engagement, and access to medical, mental health, and substance use intervention and treatment services. The campus will include an eight-bed stabilization program and a six-bed treatment program for youth of all genders and ages ranging from 12-18. Conversations are occurring related to the feasibility of serving 19-year-olds as well. The department has selected a project developer and potential building site in Vergennes, Vermont and has begun community engagement and stakeholder feedback activities for facilities permitting, design, oversight, and operations. Construction is anticipated to commence in the summer of 2025, with a goal of program operations commencing in the summer of 2026.

While progressing on the timeline for a permanent secure campus, the state has continued the development of a temporary secure crisis stabilization program. The Red Clover treatment program is in Middlesex, VT, and is set to begin operations as early as September 2024. Previously framed as “temporary short term crisis stabilization,” this small facility will be able to temporarily house and serve justice-involved youth until such a time as they may be safely maintained in their homes or within a community setting. The program will operate in the building formerly used as the Middlesex Therapeutic Community Residence, and will be run by a contracted independent provider, Sentinel Group, LLC. This provider shares its origin with the Becket Family of Services and Vermont Permanency Initiative, Inc. programs, which has a long-standing relationship with DCF as a trusted partner in running programs such as the Vermont School for Girls in Bennington and Vermont Support & Stabilization (VTSS) specialized and intensive family-based services, which provides wraparound services to keep struggling youth in their homes.

Renovations to the structure were completed through a Buildings and General Services (BGS) contract in January 2024. The program will have locked doors and an enclosed, fenced outdoor recreational area. It may serve up to four (4) youth at any time, all genders, age ranges of 12-18. The small program capacity and intensity of service will require daily utilization meetings with DCF’s Specialized Services Unit (SSU), to triage capacity and ensure appropriate youth care.

During the past several months, DCF has worked with Sentinel Group, LLC. on the execution of a contract for services, utilizing existing general funds as appropriated for secure facility development and operation. DCF is currently working with Sentinel Group, LLC to finalize the program’s policies, as required of all residential treatment programs. The program is working

to prepare the building for residents, including updating an emergency preparedness plan for the intended population.

While all policies are still in draft form for the temporary facility in Middlesex, it is known that the educational program is going to be a tutorial program, which means that education is maintained within the existing local education system. Since this program is intended to be very short term for youth, this means that a youth's education will not be broken, and they will continue to accrue credits. There will not be a need to transfer credits. De-escalation strategies will be utilized as much as possible when assisting a youth in managing their behavior, and restrictive interventions may only be used as a last resort due to immediate physical safety due to serious and imminent threat of bodily harm. Currently, [Policy 96: Qualified Residential Treatment Programs \(non-secure\)](#) states that a QRTP provides discharge planning and family-based aftercare support for at least 6 months post-discharge, [Policy 154: Children and Youth in DCF Custody Requiring Mental Health Screening, Mental Health Placement, or Psychiatric Hospitalization](#) describes our procedures for mental health screening and treatment, and [Policy 122: Case Plan Reviews and Permanency Hearings for Children and Youth in Custody](#) also details case plan reviews for children and youth in custody. Case plans are reviewed every six months.

Staff are aware of the educational, restraint, mental health, and reentry requirements in the JJDPa and will be discussed and taken into consideration when developing policy for the permanent secure facility over the course of the next few years.

As part of the contract, Sentinel Group, LLC will participate in all design elements of a permanent secure youth campus. Presently, DCF is working closely with BGS and ReArch Company, Inc., whose proposal was chosen to develop the Green Mountain Youth Campus in

Vergennes, VT. The design team has been working with the City of Vergennes to advance the proposed project in a way that will best meet the needs of DCF, the city, and the youth to be served.

Staff-Secure Crisis Stabilization Beds:

DCF has continued to work with BGS and the Windham County Sheriff Department to develop a two-bed crisis stabilization program in Brattleboro, VT. This program is not a locked facility and will be operated by an independent treatment provider. Architecture and engineering work took longer than originally expected; however, construction bids were just received, and details of the lease are being finalized. An RFP for programming and a provider is in development and will be issued soon. It is anticipated that the program will be operational by the end of 2024.

Psychiatric Residential Treatment Facility (PRTF):

This in-state option will serve Vermont children with emotional, behavioral, developmental disabilities, and/or mental health needs. The Brattleboro Retreat was the successful bidder for the PRTF, which will serve 15 youth ages 12 up to 21, if they were placed by their 18th birthday. AHS is actively working on contract negotiations for an anticipated ability to begin serving youth by late fall/early winter 2024. AHS departments, including DAIL, DCF, and DMH, will be able to make referrals to this level of care.

Juvenile Risk Assessments & Case Planning

As outlined earlier, the youth justice process outcomes are guided by the results of the Youth Assessment and Screening Instrument (YASI). Youth who have committed delinquent acts, who are at-risk (CHINS C), or truant (CHINS D) will complete the YASI, which is an evidenced-based risk/needs assessment and case planning tool that ensures youth receive appropriate-level services matched to an individual's risk of recidivism.

Referral to Court Diversion is statutorily presumed for all youth in the Family Court who, prior to a preliminary hearing, are pre-screened by DCF Family Services Workers or a Balanced and Restorative Justice (BARJ) provider and determined to be low or moderate risk on the YASI screening tool, "unless the State's Attorney states on the record why a referral to court diversion would not serve the ends of justice." For youth who are not referred to court diversion, the full YASI assessment is completed, consisting of ten domains that drive the DCF's case plan and probation terms. The assessment ensures sound and consistent decision-making and the creation of an individualized plan that reduces problem behavior.

and violent history domains are not factored into the youth’s overall risk but are “flagged” in order to alert FSD-DCF that youth need further evaluation and support in the area.

Family			School			Community / Peer			Aggression		
H	206	20.7%	H	193	19.4%	H	468	47.0%	H	131	13.2%
M	357	35.9%	M	205	20.6%	M	334	33.6%	M	246	24.7%
L	338	34.0%	L	322	32.4%	L	132	13.3%	L	142	14.3%
N	94	9.4%	N	275	27.6%	N	61	6.1%	N	476	47.8%
995			995			995			995		

Attitudes			Skills			Employment / Free Time		
H	96	9.6%	H	193	19.4%	H	733	73.7%
M	363	36.5%	M	214	21.5%	M	0	0
L	349	35.1%	L	344	34.6%	L	199	20.0%
N	187	18.8%	N	244	24.5%	N	63	6.3%
995			995			995		

Figure 12. June 2021 – June 2024. Full Assessment Protective Factors for all youth who completed a full YASI assessment.

It is also worth noting that many of the dynamic risk domains that the DSA utilizes to assess risk of recidivating correlate with skills that the SAG is working to enhance in youth supports in their 3-year plan. For example, almost 43% of the youth who have taken the YASI since 2021 report a moderate risk related to their community. The SAG’s three-year plan includes enhancing youth connection to the community.

The Department for Children and Families [Policy 69: Family Support Cases – Case Planning, Reassessment, Case Plan Updates, and Closure](#) details requirements for children and youth who are not in custody. According to the policy, the family services worker will complete an initial case plan with the family within sixty days of the initial Structured Decision Making (SDM) Risk Assessment and to be completed every 90 days thereafter. [Policy 122: Case Plan](#)

Reviews and Permanency Hearings for Children and Youth in Custody details case plan reviews for children and youth in custody. Case plans are reviewed every six months.

DCF's [Policy 76](#): Supporting and Affirming LGBTQ Children + Youth states that exploration of gender identity, sexual orientation, and gender expression is a normal and healthy part of adolescent and human development. Policy 76 stipulates the "DCF Commissioner's Committee on LGBTQ Issues." The Committee provides support to staff and shall be consulted about legal name and gender marker changes, situations where a young person feels unsafe, uncomfortable, or disagrees with a placement because of their identity, and medical treatment decisions, or any other related concern.

The Committee has provided over 80 consultations in the seven years since its inception. Consultations are primarily on behalf of transgender-identified youth and focused on gender-affirming medical care, gender-affirming placement, mental health, parent acceptance, and access to community and peer support. The committee has also provided feedback on appropriate language for case planning and affidavits. This empaneled committee always includes a representative from Outright Vermont, a statewide organization focused on the health and well-being of LGBTQ+ youth and community. Outright Vermont's mission is to "build a Vermont where all LGBTQ+ youth have hope, equality, and power." DCF contracts with Outright Vermont to provide consultation on individual cases and policy and practice.

Diversion

The state of Vermont has a variety of response options for juvenile delinquency. In Vermont, the pre-charge programs are offered mainly through Vermont’s Community Justice Centers (CJCs) and Balanced and Restorative Justice (BARJ) programs. Post-charge court diversion programs are by the Vermont Attorney General’s Office and have county-wide jurisdictions corresponding with the courts. These services are part of the formal justice system in that a charge is filed with the court before a referral is made to a Diversion program. While referral to Court Diversion is statutorily presumed for all youth who have a low or moderate risk on YASI, each local State’s Attorney uses their own referral system and guidelines for referral decisions to court diversion.

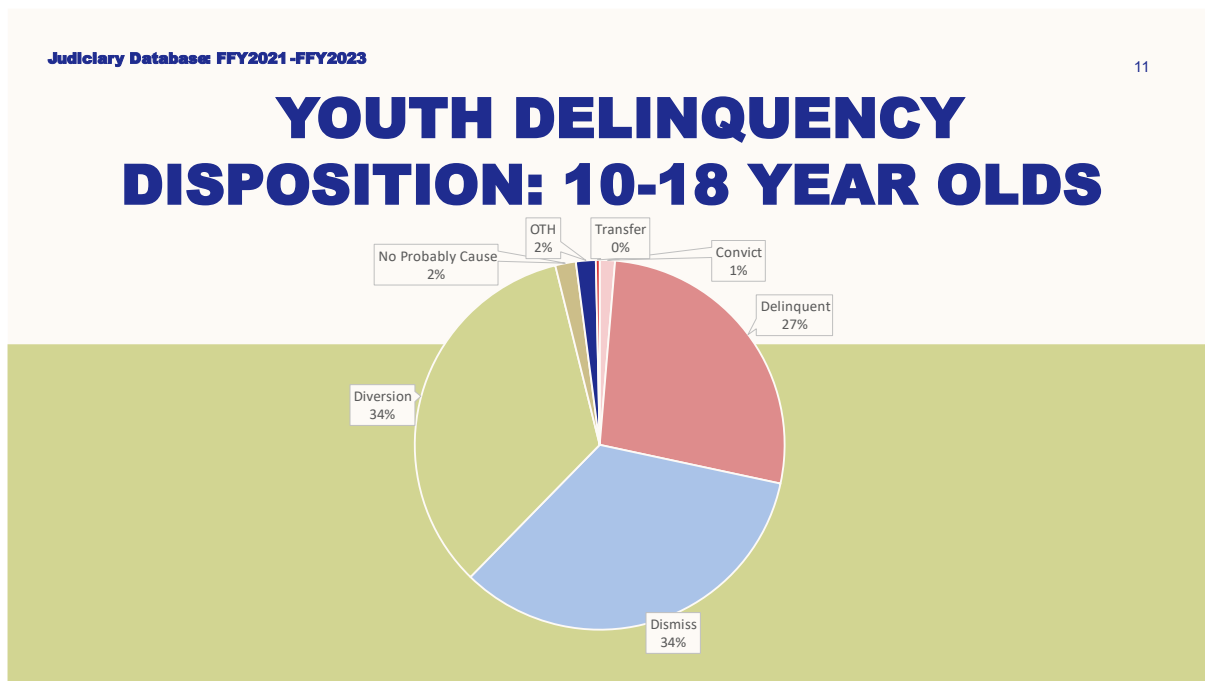


Figure 13: Judiciary Delinquency Disposition, FFY2021-FFY2023.

Diversion, (BARJ), and Community Justice programs throughout the state successfully divert juveniles and young adults, especially first-time offenders, from the justice system. Most of these programs are made available after a charge has been filed. Pre-charge diversion programs are less common. They tend to be concentrated geographically in areas with larger local police departments such as in Burlington and Winooski. Unlike post-charge restorative justice programs, the decision to send juveniles to pre-charge programs is usually made by a law enforcement officer as opposed to the State's Attorney but is often based on parameters given by the State's Attorney. If law enforcement is familiar with the benefits of the program, pre-charge diversion is a useful tool to deal with non-violent offenses. It provides an immediate opportunity for the youth to take responsibility for their conduct while at the same time providing a voice for victims if applicable. Successful completion means that no charges are filed.

Another formal diversion option is available through the 'rapid response' mechanisms when offenses are related to drug and alcohol use and require a defendant to enter treatment early in case processing. The Youth Substance Abuse Safety Program (YSASP), operated out of the county Diversion programs (also state-funded), provides a diversion response that requires screening, assessment, and treatment for alcohol or substance use disorders as indicated. It prevents court cases while holding youth accountable for possession of alcohol and marijuana. Participants pay a fee, meet with a licensed or certified substance abuse counselor for a screening or assessment, and may participate in an educational program and perform community service.

Accurately responding to youth based on their risk and needs is a priority area of the Council and means increasing access to diversion. Supporting the development of age-appropriate, offense-specific diversion programming for youth who are referred to these programs either through the courts or pre-charge from law enforcement is crucial. Due to the

nature of Vermont's justice system and the 14 elected state prosecutors, there is a striking geographical variance in the availability of diversion programs for youth living in different areas of the state. This is attributed to a variety reasons, such as the quality of their local programming or local perspectives on restorative justice practices.

In the last three years, 34% of juvenile delinquency dispositions were diverted, and 34% were dismissed entirely.

Education, Mental Health Services, Community Connection

The Vermont Agency of Education (AOE) tracks attendance and truancy rates statewide. The attendance rate is the average percentage of days that students attended school, and the truancy rate is defined as the percentage of students in a school having 10 or more unexcused absences during the school year. As you'll note from the below figure, there was a large spike in 2021 of truancy, but it decreased down to 2020 rates. Notably, there's a steady decrease in attendance rates as well.

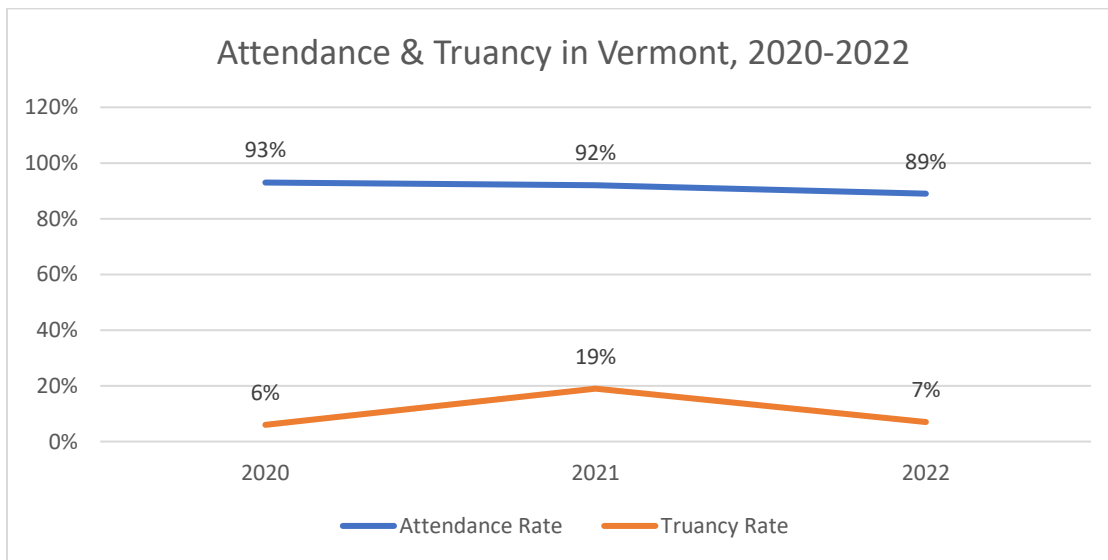


Figure 14. School Year 2020-2022. Data from [VERMONT EDUCATION DASHBOARD: STUDENT INFORMATION](#).

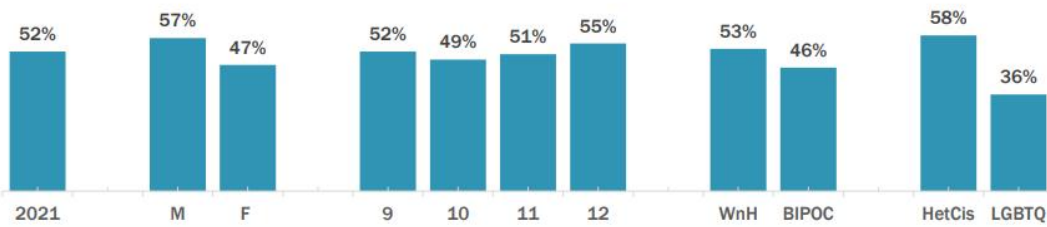
The Vermont Department of Health and the Agency of Education administer the Youth Risk Behavior Survey together. It is typically conducted every two years. The most recent year of data was collected from students in Vermont between September and December 2021. Both High School and Middle School results indicate that only about half of youth feel valued in their community.

Community Connectedness: Matter to Others

Just over half of all high school students agree or strongly agree that in their community they matter to people; 16% do not believe they matter to the people in their community (disagree or strongly disagree).

- Males are significantly more likely to feel they matter to people in their community compared to female students.
- 12th grade students are significantly more likely than 10th and 11th grade students to feel that they matter to people in their community.
- White, non-Hispanic students are significantly more likely than BIPOC students to feel like they matter to people in their community.
- Heterosexual cisgender students are significantly more likely than LGBTQ+ students to feel like they matter to people in their community.

High School Students who Feel Valued in the Community

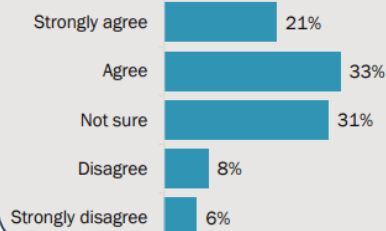


Community Connectedness: Matter

Just over half of all middle school students agree or strongly agree that they matter to people in their community; three in ten were not sure.

- Male students are significantly more likely to believe they matter to people in their community compared to female students.
- 8th grade students are significantly less likely than 6th and 7th grade students to think they matter to people in their community.
- White, non-Hispanic students are significantly more likely than BIPOC students to think they matter to people in their community.
- Heterosexual cisgender students are significantly more likely than LGBTQ+ students to feel like they matter to people in their community.

Matter to People in Their Community



Middle School Students who Agree or Strongly Agree They Matter to People in Their Community

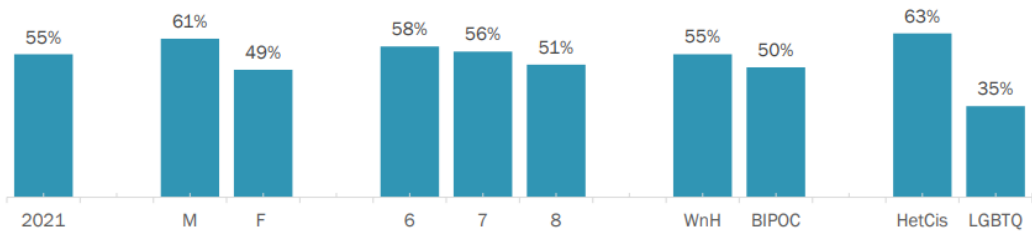


Figure 15: Community Connectedness, Youth Risk Behavior Survey, 2021

The Vermont Department of Mental Health works with nonprofit organizations through providing mental-health care, referred to as “designated agencies.” Other than the DA’s, DMH also works with the Northeastern Family Institute to serve children and families.

The below figure depicts the number of children and youth who were served over the course of the state fiscal year. Interestingly, in the state Fiscal Year 2023 child, youth and family mental health programs served 9,799 children and youth.

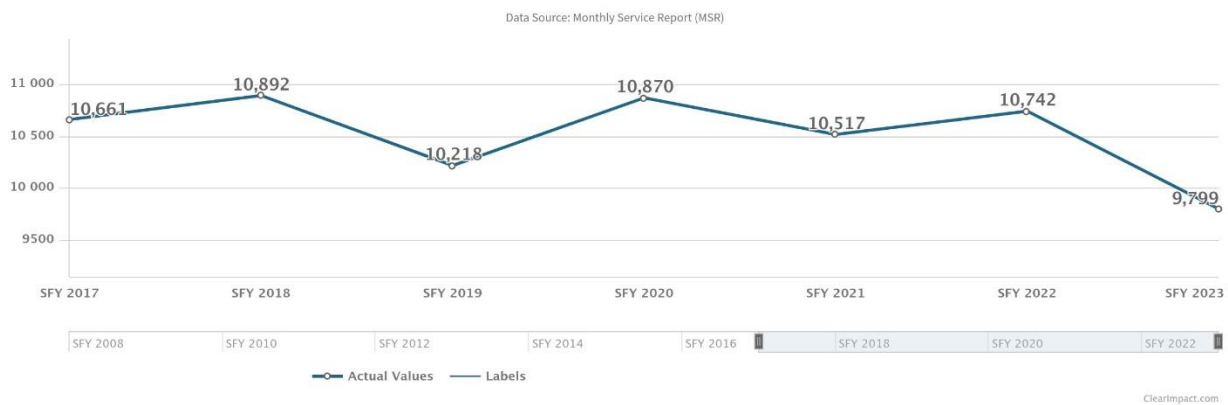


Figure 16. [The Department of Mental Health System Snapshot Dashboard](#), SFY2017-2023.

Conclusions

Overall, there are significant needs for youth services across the state, particularly youth involved with the system and in need of a residential setting. This has been exasperated since the COVID-19 pandemic and we have continued to see the impact. In reviewing the above needs, the SAG noted a clear increased need for focus on racial disparities, youth engagement and appropriate and responsive services to support at-risk and delinquent youth.

Project Goals and Objectives

Project Goals and Objectives

The SAG has identified three overarching goals to be addressed from FFY2024-FFY2026, which are ranked in order of priority below.

1. **Ethnic and Racial Disparities: Eliminate Ethnic and Racial Disparities (ERD) within the juvenile justice system in the State of Vermont by initiating and acting as a catalyst for a combination of direct intervention and primary prevention strategies that achieve this goal.**
2. **System Improvement: Ensure that Vermont’s justice system has an appropriate and equitable response for youth.**
3. **Youth Services: Youth are actively engaged in their communities—participating in initiatives and programs that promote civic participation, social responsibility, and community development.**

Ethnic and Racial Disparities: Eliminate Ethnic and Racial Disparities (ERD) within the juvenile justice system in the State of Vermont by initiating and acting as a catalyst for a combination of direct intervention and primary prevention strategies that achieve this goal.

Ethnic and Racial Disparity work fits into multiple OJJDP program areas.

1. Racial and Ethnic Disparities (RED): Programs, research, or other initiatives primarily to address the disproportionate number of youth members of minority groups who come into contact with the juvenile justice system,
2. Comprehensive juvenile justice and delinquency prevention programs that meet the needs of youth through the collaboration of the many local systems before which a youth may appear, including schools, courts, law enforcement agencies, child protection agencies, mental health agencies, welfare services, healthcare agencies, and private nonprofit agencies offering youth services.

Addressing Ethnic and Racial Disparities is not only a core requirement of the Juvenile Justice and Delinquency Prevention Act but is also a prominent problem based on available judiciary data. For example, only three percent of juveniles (aged 10-18) are black in Vermont, but nine percent of criminal filings (juveniles charged as adults) were black youth. In addition, 23% of the filings had incomplete or blank race/ethnicity data. This raises the question about whether our ethnic and racial disparities are even worse than the data depicts.

Proposing anything less than the complete elimination of ethnic and racial disparities within the juvenile justice system fuels the continuation and acceptance of systemic racism and inequity. In addressing these disparities, the Vermont SAG's Ethnic and Racial Disparity

committee members have concluded it is important not just to address the result of disparities within the system, but also to provide prevention services and supports specifically targeting youth of color. The objectives listed below represent both intervention in the system and support and services to assist juveniles.

ERD Objectives for the Three-Year Plan:

1. Commit to reaching a shared understanding of anti-racism and identifying white supremacy culture and systemic racism to ensure that eliminating racial and ethnic disparities is primary. Some potential examples may include but are not limited to:
 - a. Recruit three new members of the global majority as members of the Council’s ERD Committee.
 - b. Fund a racial equity trainer and ensure all Council members actively participate in anti-racism trainings conducted.
2. Improve accuracy of Vermont’s race data collection of delinquency filings by the courts and juvenile arrests by law enforcement. This is a crucial gap in our current data, as identified in the crime analysis. Two of the Council’s committees are engaged in supporting data needs and the below are specifically identified as potential race and ethnicity projects.
 - a. Work with relevant partners to educate the Legislature on the importance of law enforcement consistently including race data information on delinquency charging documents (Vermont Judiciary Form 101) provided to the state’s attorney.
 - b. Assess and monitor trends and types of violence in Vermont and the impact it has on youth, including the impact on youth when there is family involvement in the

justice or foster system.

3. Fund community-based programs designed to reduce racial and ethnic disparities in the Juvenile Justice System and ensure opportunities for youth to provide feedback. As identified in the Council's last three-year plan, there was a substantial amount of funding allocated to organizations focused on reducing disparities in school suspensions and expulsions as a tactic to reduce arrests. Some potential examples of this may include but are not limited to:
 - a. Provide funding for programs that focus on eliminating disparities in school suspensions and expulsions especially of youth of the global majority.
 - b. Any program funded by the Committee will provide opportunities for youth of the global majority to give feedback.

System Improvement: Ensure that Vermont’s justice system has an appropriate and equitable response for youth.

System Improvement work fits into multiple OJJDP program areas.

1. Comprehensive juvenile justice and delinquency prevention programs that meet the needs of youth through the collaboration of the many local systems before which a youth may appear, including schools, courts, law enforcement agencies, child protection agencies, mental health agencies, welfare services, healthcare agencies, and private nonprofit agencies offering youth services.
2. Juvenile Justice System Improvement. Programs, research, and other initiatives to examine issues or improve practices, policies, or procedures on a systemwide basis (e.g., examining problems affecting decisions from arrest to disposition and detention to corrections).

Research demonstrates that adolescence is a distinct age when, to some degree, risky and even illegal conduct is normative for adolescents and emerging adults. This developmental period requires adolescents and emerging adults to be served by the juvenile justice system’s rehabilitative approach. However, there are many times when less or no formal intervention is best, and research has shown that the justice system can unintentionally negatively impact youth, and result in a higher likelihood of recidivism. Vermont’s youth justice system must be based on practices that properly commensurate the degree of intervention with the risk of re-offense. In fact, if youth interact with the system at all, the justice system must connect youths and young adults to age-appropriate services or risk level. Vermont’s youth justice system must shield youths and emerging adults from the adverse impact of a criminal record and include pre-charge options that keep low-risk offenders out of the system altogether. Any services provided to youth should be appropriately responsive to gender, race and ethnicity, trauma informed, and avoid

replicating the deleterious effects of systemic racism, sexism and other inequities. The Council seeks to identify currently available services that embody the values stated above and fill in any gaps to meet those needs.

As detailed in the analysis of juvenile delinquency problems and needs, Vermont does not have a secure juvenile facility, and there has been a significant reduction in Vermont's overall system of care. As stated of December 2023, when compared with pre-pandemic levels, the system is running at 55% of the previously contracted capacity. Given that, ensuring that the services and response to youth is appropriate is even more crucial at this time. The objectives listed below represent both the Council's work on programming, but also education.

System Improvement Objectives for the Three-Year Plan:

1. Support development of innovative programming. Ensure current programming is in compliance with OJJDP requirements and provide appropriate services that help youth thrive. *Appropriate services* are responsive to the youth's needs; including being gender-specific, inclusive, and culturally responsive. Some potential examples of this include but are not limited to:
 - a. Monitoring hardware-secure and staff-secure residential placement availability in Vermont and enhance post-placement community-based services. An example action step could be funding a consultant to assist with the High-End System of Care, particularly the development of a new secure juvenile facility in the state.
 - b. Provide training to system players on emerging adult brain development research, key sociological differences, and the detrimental impact on youth of being housed with adults in correctional facilities.

- c. Identify gaps in services for youth and make recommendations for piloting innovative pre- and post-disposition options for juvenile delinquency and youthful offender cases. One example is the development and implementation of a Juvenile Domestic Violence Accountability Program (DVAP), but there are many other services as well.
 - d. Educate professionals attached to the justice system on alternatives to delinquency/youthful offender proceedings and post-disposition secure placements.
- 2. The data in Vermont's juvenile justice system accurately portrays both the youth involved and contact points in the system so that it is possible to monitor progress towards a more equitable system. Data is a crucial aspect of identifying and tracking systemic issues. It needs to identify not just ethnic and racial disparities but also provide accurate information for the full Council to use to fulfill its goals. Given that, two of the Council's subcommittees are focusing on this work. Some potential projects may include but are not limited to:
 - a. Educate law enforcement and judiciary partners on best practices surrounding data collection related to youth's demographic information.
 - b. Educate judiciary partners on the importance of clear data collection and reporting strategies for Pre-Charge, Court Diversion, Disposition Outcomes, and Placement amongst the Court, DCF, and Law Enforcement. Assisting with gathering clear data, may include a recidivism review of 18-year-olds after their implementation into juvenile jurisdiction in 2020.

- c. Improve data collection and reporting so that data easily integrates with other agencies' and organizations' data.
- 3. Educate legislators on research, best/promising practices, and public policy that can best ensure the justice system will help youth thrive. As identified in the juvenile problems and needs, the juvenile justice system has changed drastically over the last decade in Vermont. It is important that the Council continue to educate system players on brain development, risk/need, and appropriate services for youth. Potential activities around this may include but are not limited to:
 - a. Monitor legislative activity affecting youth and young adults, specifically changes proposed to Title 33, the Vermont Statute setting policy for family court law and DCF.
 - b. Education on the science and value of raising the minimum age of delinquency jurisdiction to 12 years old.
 - c. Education on right-sizing agency/organization personnel of the available programming to youth.
 - d. Support implementation of public policy change through research-supported education.
 - e. Foster relationships with legislators interested in juvenile justice reform.

Youth Engagement: Youth are actively engaged in their communities—participating in initiatives and programs that promote civic participation, social responsibility, and community development.

Youth engagement work fits into multiple OJJDP program areas.

1. Programs for positive youth development that assist delinquent and other at-risk youth in obtaining— (i) a sense of safety and structure; (ii) a sense of belonging and membership; (iii) a sense of self-worth and social contribution; (iv) a sense of independence and control over one’s life; and (v) a sense of closeness in interpersonal relationships.
2. Comprehensive juvenile justice and delinquency prevention programs that meet the needs of youth through the collaboration of the many local systems before which a youth may appear, including schools, courts, law enforcement agencies, child protection agencies, mental health agencies, welfare services, healthcare agencies, and private nonprofit agencies offering youth services.

Youth engagement in Vermont is a crucial delinquency prevention tactic and is an area of growth. Vermont students are surveyed in middle and high school through the Youth Risk Behavior Survey, and only approximately 50% of youth feel valued by their community. White, non-Hispanic, heterosexual, cisgender youth are more likely to feel connected to the community. By supporting prevention and intervention programs in schools, community-based, and state agencies that increase youth engagement in their community, the Council will be targeting crucial protective factors and could be an effective way to increase the percentage of youth feeling connected to their community. Research tells us that youth who have high protective factors and fewer risk factors will naturally stop engaging in behaviors that may result in delinquencies. Peers & community play an important role in protective and risk factors, aspects

such as being involved in the community, feeling safe, involvement in organized activities, and supportive relationships with non-parental adults can bolster this in youth. As stated in the overview of juvenile delinquency problems and needs, the YASI reviews risk and protective factors in Vermont for at-risk and delinquent youth, and we are looking at increasing those protective values with this work.

We also know it is crucial that programming is responsive to the lived experience of youth and believe creating a consistent structure to actively engage youth about the system is an instrumental next step.

Youth Engagement Objectives for the Three-Year Plan:

1. Justice system-involved youth and youth at risk of justice system involvement have the tools to develop meaningful relationships with their communities. Some potential activities may include but are not limited to:
 - a. Creating leadership opportunities for youth
 - b. Developing a statewide Youth Leadership Summit.
 - c. Creating online programming to establish connections between youth and community.
2. Create a structure for youth who are justice system-involved to provide the Council and other youth justice decision-making entities with youth perspective.
 - a. The Council will determine whether this objective should be accomplished by a youth committee, youth focus group, or other youth centric processes.

- b. Through a RFP process the Council would share administration with an organization that can be more nimble about youth reimbursement and support.
 - c. Create a process for youth to give feedback to the Council, DCF and relevant decision-making bodies about policy and practice changes that impact youth.
 - d. Ensure that youth who enter the system are aware of this opportunity to provide feedback.
3. Provide Vermont communities with tools to strengthen youth engagement and voice. By engaging other entities on best practices, the Council can leverage its minimum allotment formula grant and membership to amplify the impact. Some activities may include but are not limited to:
- a. Educate local municipalities, school districts, and other stakeholders on the benefits of youth involvement and best practices for working with youth.
 - b. Create an “adult” track for the youth Leadership summit that allows for those working with youth.
 - c. Publicly respond to inaccurate public statements related to increases in youth crime and violence.
 - d. Celebrate/amplify the impact of youth engagement initiatives statewide.

Appendix 1: Council for Equitable Youth Justice Goals and Objectives Grid FFY2024-FFY2026

Youth Engagement Goals: broad statements that identify the proposed plan’s intended short- and long-term results, are derived from the crime analysis, and respond to the identified needs and problems.	Youth Engagement Objectives: specific, actionable, and quantifiable statements that further define each goal and specify the means to measure program performance.	Youth Engagement Activities and Programs: describe the activities, services, and projects proposed over the course of the 3-year plan to attain each goal and its subsidiary objectives.
Youth are actively engaged in their communities— participating in initiatives and programs that promote civic participation, social responsibility, and community development.	Justice system-involved youth and youth at risk of justice system involvement have the tools to develop meaningful relationships with their communities.	Potential Projects: <ul style="list-style-type: none"> • Leadership Opportunities for Youth • Youth Leadership Summit • Online programming to establish connection between youth and community. • Re-entry
	Create a structure for youth who are justice system-involved to provide the Council and other youth justice decision-making entities with youth perspective.	Potential Projects: <ul style="list-style-type: none"> • Council determines whether this objective should be accomplished by a youth committee, youth focus group, or other youth centric process. • Through a RFP process the Council would share administration with an organization that can be more nimble about youth reimbursement and support. • Create a process for youth to give feedback to the

		<p>Council , DCF and relevant decision making bodies about policy and practice changes that impact youth.</p> <ul style="list-style-type: none"> • Ensure that youth who enter the system are aware of this opportunity to provide feedback.
	<p>Provide Vermont communities with tools to strengthen youth engagement and voice.</p>	<p>Potential Projects:</p> <ul style="list-style-type: none"> • Educate local municipalities, school districts, and other stakeholders on the benefits of youth involvement and best practices for working with youth • Create an “Adult” track for the youth Leadership summit. • Publicly respond to inaccurate public statements related to increases in youth crime and violence. • Celebrate/amplify the impact of youth engagement initiatives.

Ethnic and Racial Disparities Goals: broad statements that identify the proposed plan’s intended short- and long-term results, are derived from the crime analysis, and respond to the identified needs and problems.	Ethnic and Racial Disparities Objectives: specific, actionable, and quantifiable statements that further define each goal and specify the means to measure program performance.	Ethnic and Racial Disparities Activities and Programs: describe the activities, services, and projects proposed over the course of the 3-year plan to attain each goal and its subsidiary objectives.
Eliminate Ethnic and Racial Disparities (ERD) within the juvenile justice system in the State of Vermont by initiating and acting as a catalyst for a combination of direct intervention and primary prevention strategies that achieve this goal.	Commit to reaching a shared understanding of anti-racism and identifying white supremacy culture and system racism to ensure that eliminating racial and ethnic disparities is primary.	<ol style="list-style-type: none"> 1. Recruit three new members of the global majority as members of the ERD Committee. The ERD Committee will conduct community partner outreach to find prospective members outside of Chittenden County. 2. Fund a racial equity trainer and actively participate in anti-racism trainings conducted by them.
	Improve accuracy of Vermont’s race data collection of delinquency filings by the courts and juvenile arrests by law enforcement.	<ol style="list-style-type: none"> 1. Work with relevant partners to educate the Legislature on the need to require law enforcement to consistently include race data information on delinquency charging documents (Form 101) provided to the state’s attorney. 2. Work on this objective will be aligned and coordinated with the work on the Systems Improvement Committee on a similar objective. 3. Assess and monitor trends and types of

		<p>violence in Vermont and the impact it has on all youth, including the impact on a youth when there is family involvement in the justice or foster system.</p>
	<p>Fund community-based programs designed to reduce racial and ethnic disparities in the Juvenile Justice System and ensure opportunities for youth to provide feedback.</p>	<ol style="list-style-type: none"> 1. Provide funding for programs that focus on eliminating disparities in school suspensions and expulsions especially of youth of the global majority. (E.g. Burlington school district project was a main project last year) 2. Any program funded by the Committee will provide opportunities for youth of the global majority to give feedback.

System Improvement Goal: broad statements that identify the proposed plan’s intended short- and long-term results, are derived from the crime analysis, and respond to the identified needs and problems.	System Improvement Objectives: specific, actionable, and quantifiable statements that further define each goal and specify the means to measure program performance.	System Improvement Activities and Programs: describe the activities, services, and projects proposed over the course of the 3-year plan to attain each goal and its subsidiary objectives.
<p>Ensure that Vermont’s justice system has an appropriate and equitable response for youth.</p>	<p>Support development of innovative programming and ensure current programming is in compliance with OJJDP requirements and provide appropriate services that help youth thrive.</p>	<p>a. Monitor hardware-secure/staff-secure residential placement availability in Vermont and enhance post-placement community-based services.</p> <p>i. An example action step: Consultant for High End System of Care Committee.</p> <p>b. Provide training to system players on emerging adult brain development research, and the detrimental impact on youth of being housed with adults in correctional facilities.</p> <p>i. An example action step: Department of Corrections Training</p> <p>c. Identify gaps in services for youth and make recommendations for piloting innovative pre- and post-disposition options for juvenile delinquency and youthful offender cases.</p> <p>i. An example action Step: Development and Implementation of Juvenile Domestic Violence Accountability Program (DVAP).</p>

		d. Educate professionals attached to the justice system on alternatives to delinquency/youthful offender proceedings and post-disposition secure placements.
	The data in Vermont’s juvenile justice system better reflects the system and the youth that are involved in the system so that it is possible to monitor progress towards a more equitable system.	<p>a. Educate law enforcement and judiciary partners on best practices surrounding data collection related to youth’s demographic information.</p> <p>b. Educate judiciary partners on the need for clear data collection and reporting strategies for Pre-Charge, Court Diversion, Disposition Outcomes, and Placement amongst the Court, DCF, and Law Enforcement.</p> <p>i. An example action step: Recidivism Review</p> <p>c. Improve data collection and reporting so that data easily integrates with other agencies’ and organizations’ data.</p>
	Educate legislators on research, best/promising practices, and public policy that can best serve youth involved in the justice system to help youth thrive.	<p>a. Monitor legislative activity affecting youth and young adults, specifically changes proposed to Title 33 of the Vermont Statutes.</p> <p>b. Education on the science and value of raising the minimum age of delinquency jurisdiction to 12 years old.</p> <p>c. Education on right-sizing agency/organization personnel of the available programming to youth.</p>

		<p>d. Support implementation of public policy change through research-supported education.</p> <p>e. Foster relationships with legislators interested in juvenile justice reform.</p>
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