



State of Vermont
Vermont Commission on Women
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Vermont Commission on Women
Meeting Minutes
Wednesday, February 10th 2020 | 9:30 a.m. – 12:30 p.m.
Remote Meeting via video and teleconferencing

Commissioners present:

Lisa Senecal (Chair), Ed Adrian, Nancy Brooks, Kellie Campbell,
Lisa Carlson, Mary Daly, Kerin Durfee, Erica Hare, Wendy
Knight (Panton), Kim Nolan, Sarah Mell, Ashley Messier, Kiah
Morris, Heidi Tringe, Lisa Ryan

Commissioners absent:

Advisors present:

Meredith Roberts of ANA Vermont
Jen Horwitz of Let's Grow Kids
Katarina Lisaius of the Office of Senator Sanders
Karen Tronsgard-Scott of the Vermont Network Against Domestic and Sexual Violence
Kaitie Armstrong of Vermont Women in Law Enforcement
Alison Lamagna of Vermont Works for Women
Joanne Nelson & Lisa Falcone of Mercy Connections
Thea Wurzburg of the Office of Congressman Peter Welch

Guests:

Interim Commissioner James Baker, Department of Corrections
Al Johnson-Kurts & Jessica Nordhaus of Change The Story Vermont
Sharyl Green, Volunteer Mentor with Mercy Connections
Hanna Johnson, Operations Manager, Women's Justice & Freedom Initiative
Jayna Ahsaf, Grassroots Organizer, Women's Justice & Freedom Initiative

Staff: Cary Brown, Hannah Lane, Lilly Talbert

Presiding: Lisa Senecal

Recording: Hannah Lane

1. Welcome/Introductions

Meeting called to order at 9:33 a.m.

Lisa welcomed our new Commissioner, Wendy Knight, and asked everyone to introduce themselves.

2. Approve minutes of January 2021

MOTION made by Lisa Ryan, seconded by Sarah Mell:

To approve the January 2021 minutes as submitted.

Hearing no nays, the motion is unanimously passed.

3. CRCF Discussion

Commissioners discussed the Downs Rachlin Martin [Report of Investigation](#), concerning sexual misconduct at the Chittenden Regional Correctional Facility.

Commissioner Baker will join us at 10:30. This is an opportunity for us to ask specific questions of Commissioner Baker and asked the Commission to discuss the report and share our thoughts in advance of the conversation.

Discussion points included:

- we need to ground ourselves in the reality that these are real people who are in our custody and are our responsibility. One of the most important pieces of this investigation (WJFI has been working with the stakeholders), is that the investigation has confirmed that these incidents did happen, and in fact that there are more incidents that they uncovered. That's bittersweet because it's given credibility to the allegations.
- The 17 recommendations outlined in the report are going to be the focus going forward. Women were distrustful of the process; women have been screaming this for a long time and it hasn't mattered before. This is important, it does matter, it should matter. Ashley is interested in hearing people's reactions to the report and is happy to answer any questions about the process of the report.
- A commissioner shared that they appreciated the recommendations, but believes it's clear that DOC will rely on policy and procedure over prevention. Training can look like so many things. Policy and procedures aren't enough. Who will be doing the training, how in-depth will that be? The idea that employees at other facilities don't get gender-responsive training, as though only women have a gender, and there are only to. The position that resignation is accountable is troublesome. Wondering about the conversation are being had with community justice centers across the state, and ideas about what we do instead of building new cages.
- Even if we do build a new prison, the problems will follow. We need to think about who are the folks incarcerated, why they are there, what are the issues that lead up to them being incarcerated? One of the recommendations is a push for community-based alternatives. Many of the recommendations are staff focused, so this recommendation is the one I'm most excited about. The ultimate solution is to address the underlying reasons why people get entangled in the criminal legal system. How do we get people the treatment, housing, & other supports they need? There is a group of people working on creating a proposal about how we can move forward.
- The corrections sector of the VSEA is known as doing battle. Don't think you will solve the problem without remedying the defense of sub-standard officers. There are many staff there who are excellent, but if this issue isn't addressed, you'll never resolve this.

- Many of the people involved in this report are supervisors. People who have been promoted, who have power and supervisory roles over other staff. Staff members have shared that they feel that they cannot speak out, because they fear losing their jobs. How do we do a deep dive into the staff?
- I see there is a hotline, and that it went to the Vermont State Police, I wonder if I would feel comfortable using that hotline. Is that effective? Would it be better if that went to a SANE nurse or someone else who might feel safer to report to?
- It's important from an investigative standpoint, that the victim's first statement goes to a law enforcement officer. It's crucial that the account of what happened is given to the criminal investigator because the more the story is shared, even if it's one-sided, the story changes over time. It's essential to get that first statement. On the flip side, if the victim shares her story with a female trooper who is able to understand and listen to them, and create a connection with a law enforcement officer.
- Comment on the idea of resignation being seen as accountability. Not only are people resigning, but they are being put in other positions of power in a different location. A supervisor at a corrections facility gets transitioned to a PO, and is kept at their same rate of pay. This creates trauma when people come out and have to interact with that person. That's something really harmful, and I have seen that happen more than once.
- From the chat: "And we know that sexual harm is not just happening at our women's facility - so transferring to another facility perpetuates potentials for harm"
- didn't understand from the report why officers aren't being prosecuted for criminal offenses.
- From the chat: "If anyone is interested there is an excellent book called Blue on Blue by Charles Campisi. At face value it's about a man who worked internal investigations for NYPD for 20+ years. It does an incredible job of capturing the culture and explains how he was part of the process to completely change the way the NYPD looked at internal investigations and started to hold people accountable and/or were able to exonerate officers who are not guilty."
- All of this is happening in a huge power differential. Investigations and first statements happen in the same place where they happened, where the victim is easily identifiable, and the officers have control over every aspect of victims' lives. It's very easy to say that the woman was an addict, that she's a liar, that she manipulated the officer, etc. and so it's very difficult. If a woman relapses from the trauma, she's no longer a credible witness.
- I keep going back to the culture. Once you are in the system, you're subjected to the militaristic culture. I'm very aware of what's happening in the city and the need for public safety. We need a culture shift. I would much rather call the Network. The culture is what is really killing us here. If you are incarcerated, you oughta be able to only interact with women. Advocated for psychological battery testing for officers.

From the chat: “The reasons that folks accused of sexual assault are rarely brought through a prosecution process are myriad and complex, but suffice it to say that for every 1000 assaults 995 folks are never imprisoned (more national statistics: <https://www.rainn.org/statistics>)”

- We need rights training for incarcerated women, in addition to training with the staff. There was a mental health service shortage before COVID, I cannot imagine how much how mental health issues have been exacerbated by being separated from children, and for survivors to be isolated. Access to mental health services is important. If women need to speak with the investigator first, someone from the Network or an advocate should also be on the call, as a comfort but also knowing there is a witness who have also heard exactly what you said. Women who have been harmed by the system, they don’t know who is on the other side of the line.
- I want to clarify that the reporting line goes to an answering machine. During the lockdown, it’s been incredibly difficult to get contractors in the facility, including the DIVAS program at the Network. There have been complaints that attorneys haven’t been able to get access to clients. Phone privileges have been taken away. Contractors have been begging for provider access to email with incarcerated women. Case planning services can’t really happen, because they can’t access the women inside. There has been a huge breakdown with the culture, the pandemic lockdown, and access, even via phone and email. We’re unclear about what is happening to these folks right now. There are places in the facility without cameras, and there are staff members who were publically named in Paul’s reporting in Seven Days who are still in the facility today. We need to bring in experts, who are experienced in sexual violence, substance use, out LGBTQ communities. I don’t want to see DOC contract the training out to another private contractor.
- My Grandmother’s Hands by Resmaa Menakem that includes a look at police culture and how to “settle” police and support their individual well-being and also look at what community policing can really mean for the good of all.”
- From the chat: “This is a similar conversation we had last month about the culture of the Guard - these are systems that have been built to punish/oppres and that culture shift will be long and arduous and I don’t believe can happen through the systems themselves holding that ‘work’ - the external accountability and support is key and I appreciate that one of the recommendations was an external monitoring committee, which MUST include formerly or currently incarcerated folks.”
- I cannot imagine the level of institutional terror that this must be creating, with the lack of contact and not knowing what’s happening inside. It’s super hard, you can’t subpoena the calls that are coming from, also have experience went to law enforcement and had reports filed that didn’t match what was said, not knowing she needed to record the statement and have multiple witnesses. We need to move toward action. We can’t keep hearing these heartbreaks without taking action.
- Downs Rachlin Martin has two different arms, and this report was not done by their lobbying firm but were lawyers working for the law firm.

- I think the Networks' attorneys would have had perspective that could have been valuable.
- suggesting that we should take some deep breaths before we talk to Commissioner Baker. We did consult with DRM, and quickly understood the limitations from their point of view. For 10 years we've been talking about this. We've got this opportunity to talk with Commissioner Baker – what's the voice of the women's commission on this issue? Where do we have the opportunity to push forward change? Training, hiring, is all important. If society wants the DOC to do a different job, we need to tell them that. Contact with advocates is vitally important. So many women are there on technical violations – what laws need to be changed to prevent this? We need to be explicit about what we want to see. 10 years of outrage isn't working. This is a moment of opportunity.
- From the chat: "I'm interested in learning more about alternatives to incarceration and the underlying causes knowing the systematic sexism and racism that exists in our society."
- From the chat: "I have a question about the reporting "answering machine". Is there an agreement to respond to those reporting in a timely manner? Thank you all for sharing this information. If there is any federal action Senator Sanders can help with, please let me know."
- From the chat: "Yes to "settling" ourselves - breathing and continuing to speak so clearly. Very moved by this conversation."
- From the chat: "SANE is crucial....and we always need more nurses!"
- From the chat: "Too right, Kiah! I'd love to share all that is happening in the SANE world - perhaps the Commission would want to hear from the SANE Program at the NETwork."
- From the chat: "Thanks Karen, particularly for the piece about VCW identifying where our voice lies on this issue. I would love to see shared messaging from this group and our full network of allies that address some of what we just discussed."

4. CRCF Discussion continued with James Baker, Interim Commissioner of VT Dept of Corrections & Ashley Messier, Executive Director Women's Justice and Freedom Initiative

James Baker – There is a cultural and systematic issue around how employees have acted, as well as the women in the custody of DOC have been moved four times in the last 10 years, and now put into a facility that was built to be a regional intake facility, and was not designed to do the work that women who have come from challenging backgrounds need. The intent of the report was to try to look at these issues systematically and to try to change the culture of the way we deal with the women in our custody, as well as how we deal with the transition of women from custody to the community. The most telling part of the report was that the consulting group worked with the Moss Group, and the focus groups with the women to better help me understand what was said. It's different to hear from folks in an environment where they are more welcome to speak. Bill Sole had direct involvement with the women in the facility, I have assigned him to implement the recommendation in the report. He's a week into that job. I'm serious about making the changes that need to be made. I do not refer to the women

as inmates, they are incarcerated individuals. That may not sound like a big deal, but it is about respect and changing the way we think about and treat incarcerated individuals. Working on a modernization bill, which includes the implementation of body cameras, pre-employment polygraphs, and expanding background checks, and looking at the language that talks about sexual relationships between incarcerated individuals and officers, moving beyond just direct supervision. Focused on trauma, gender, that they are going to build training, programs, and policies around. Also the population they supervise in the field.

Q – I think I heard you say that the person who is heading up the initiative has worked in the system for 40 years.

James Baker – I think he's qualified because I read an email he put together talking about how he sees the women who are incarcerated. He spoke about the necessity of training staff about the differences between the women and the men who are incarcerated. He talked about how impactful training he had attended was, and it made him realize that there is a big difference as a result of the lived experiences many women have gone through. He has a good understanding of the issues around how we've dealt with the women's population over the last 10 – 15 years.

Q – What are the gender identities are represented in the team that's focused on the women's facility?

James Baker – The Office of professional standards is leading the charge, Heather, we have individuals involved from PREA standpoint, we have individuals who come from all walks of live, female superintendent, gay employees, there is a mixed group, but with that said, I don't think that our population in security are diverse enough. We are working with Tabitha Moore and others around implicit bias training, including but beyond race. He will be meeting today with a group of staff that are going to express some concerns to him, and he's going to listen. We are bringing those concerns to the conversation about how we're going to make these changes.

Q – Appreciate that you're attempting to change the culture. It's a big step to recognize that we're talking about people, with individual needs. How are you working with and hearing from our SANE nurses, human trafficking experts? What about the reporting hotline going to a message machine, and they don't know there is someone supportive on the other end.

James Baker – We struggled to find someone who would answer the hotline. We have to recognize that the women in our custody have experiences that are unheard of. When we deal with the trauma, we need to train different for staff, we need different policies, we need to engage different people than we have in the past when we engage with the women's population. My background is in law enforcement, and there is a big mistrust. In many cases, rightfully so. The reason why this is so important is that we have to demonstrate that you all can trust us. We need the support of individuals with expertise. We haven't done a good job of being fair and impartial and balanced. There is enough damage done, that trust is damaged. When we're attacked, we go insular and are not transparent, and we need to change that. The decisions we make every day have a huge impact.

Q – The question I have is, we were thinking a lot about training, and one thing we were really thinking about, is in rebuilding trust, changing the conversation. The contractor and community stakeholders are really interested in participating in that training, and I wonder if you could speak to the decision to work

with the Moss Group, a national group, rather than working with our community organizations that have experience working with this community.

James Baker – The Moss Group became involved as a result of Secretary Smith engaging DRM to do the investigation, and they were looking for someone with expertise. They engaged Moss originally, and then since they had the insight, I decided to continue the arrangement. They are giving us guidance about policies, etc, but I agree that we need to engage folks who have been directly impacted by the system and have a level of expertise that others trying to influence the system don't have. The vast majority of our corrections staff really care about the work. Staff feels marginalized too. Bringing people in that have been part of the system will help build the relationship with staff, when they are able to see things through the eyes of someone else. We're not depending on the Moss Group to do all the training.

Q – In regard to the philosophy of the DOC around prevent, what is it? In terms of allocated funds for that work, we know that \$1m has been allocated for body cameras, which have mixed evidence as far as whether they actually reduce harm. What is your philosophy for preventing sexual harm in our facilities?

James Baker – I understand the ups and downs of body cameras. The decision about moving forward on body cameras because the cases that I've seen, for the last year, there are circumstances we can impact if we know employees are wearing body cameras. It sends the message that we're serious about changing the behavior of the small percentage of staff who are causing harm. The way we look at the folks we supervise, the way we talk about and interact with people matters. When it comes to prevention, we're obligated under PREA to do certain things, audits included. We have clean audits, and so it would be easy to say we have no problems. I'm advocating for the creation of an internal investigative unit that would follow-up on concerns. There are a fair number of grievances that come in from the incarcerated population, and sometimes there are so many of them, they get lost. We've purchased the Guardian System software that acts as an early warning system, such as an officer issuing a large number of disciplinary actions. I have zero tolerance for causing any harm to the folks who are in my custody.

Q – That's a wonderful direction to explore. I invite you to consider what prevention means to you, beyond responding to harm. What can we do with the \$2.5M that have been allocated that would actually support these staff and the incarcerated individuals who are entangled?

James Baker – What's missed in the grievance process right now, is that early warnings about something going on is being missed. It also needs to be inclusive of the people who have expertise in prevention. Money doesn't change the culture. Sometimes people talk about throwing money at something, it's really about changing the level of respect between staff and the people who are incarcerated. We could do a better job weeding out applicants. I did hear you say we can do a better job looking at prevention models and researching prevention models, and I agree.

Q – I assume this modernization bill is not inclusive of the facility. In a limited resource environment, I know that there is some disagreement about what the next solution for CRCF should be. Is it a new, expanded services, single location plant, is it scaled back, or is there not one at all. COVID did reveal some things to us, including that there are women incarcerated who didn't need to be incarcerated. Is part of your picture, expanding community-based services, and scaling back the number of people who are incarcerated.

James Baker - Yes. I believe that the facility is disgusting, it's an embarrassment, no one should have to live there. I have support of the Governor and the Secretary when I say the facility needs to be closed. The facility is not set up for the programs incarcerated women need. We need to do a better job supporting individuals after release so they do not return to prison. I can't agree with you more that we incarcerate people who don't need to be; DOC is not the ones to incarcerate folks.

Q – I wanted to followup about community-based resources; the community justice centers have been working very closely with probation and parole to find ways to not reincarcerate folks based on a sanction or violation. There are 18 Community Justice centers across the state, and the working group is at a point now where instead of issuing sanctions, folks will be referred to the local CJC to engage in a restorative process, and it will be up to the CJC to decide what kind of restorative process is appropriate for the case. We've already sent out referral forms to all probation and parole offices across the state, and we're excited about this development. We appreciate the DOC support on that.

James Baker – I see the CJs as being very important partners in this transition. I've seen what kind of damage can be done. As you know, we're working on a project with John J College, and we're engaging them to help us redesign programming, especially in working with the aggressors in intimate partner violence. There is transferability around more restorative justice inside facilities, rather than a punitive model. That's a major piece of better treatment of the individuals inside our facilities.

Once Bill Sole gets into his cadence, I would like to return with Bill to continue this discussion. I find these conversations to be very enlightening to me, and I'd like to come back and introduce you to him.

Cary – That sounds great, we'd love to arrange that.

From the chat: "Thanks to many of you for supporting that conversation so well. 2 things I would like to see as a follow-up, Cary: exactly what he offered, bring Bill (?) to an upcoming meeting and also to understand who Bill is working with in his immediate "circle" on this work (and is it diverse and representative - some of our advisors as well?) and how does he plan to approach the 17 items outlined in the report. Will there be updates, where will accountability on outcomes live, etc."

5. Vermont National Guard

- Review the [Sexual Assault and Sexual Harassment Annual Report for FY2020](#)
- Suggested questions from Doris Sumner
- VT National Guard report to legislators 2020

Cary - Next month is an opportunity to ask questions of Adjujunt General Knight, and I would like to know what else you might like to ask, and share with him.

Discussion points included:

- Women's working group, I would like to ask Doris whether that's the same group the assessment refers to. I would like to ask him about recruitment, retention, and what his goals are.

- To your point about plans, I'm interested in how he's addressing the culture, what he's doing to change the systemic sexism and misogynistic culture. That is an overarching issue for a lot of our work, but that's a question for him.
- I'd like to know how the change in the culture is being measured. It's really difficult to get any visibility in this, the same way as it is with Corrections, but the process of putting women in positions of authority is so different than in civil employment. How do you quickly begin moving women up into positions of authority, is there a way to fast-track that within the military system?
- Spoke with a woman who's been in the guard for 12 years, she's seeing the positive effect as it's coming down from the top.
- It's important to see that we're not just talking the talk, but walking the walk. Culture eats training for lunch. The overfocus on training is misguided.
- "Yes! Thank you, Karen. Training needs to be a part of that, but the work goes beyond a few hours of awareness raising, etc."
- This should not just focus on women, but on people of color, LGBTQ folks, and other forms of diversity as well. That should be part of the conversation.
- "completely agree Nancy. broader view of diversity is important."
- These questions in light of COVID, the disproportionate impact on communities of color, and LGTBQ communities, we've seen the trends if women disengage from leadership tracks. Are they looking at trends through COVID? If yes, can they share that with us?
- I want to know what the philosophy of prevention is. What does that look like? Is it a one-hour training? If that worked, I wouldn't have a job. I would like to ask folks to articulate what they are preventing, specifically, and how they are doing it, specifically. We can put up the clothesline project every three weeks, which is impactful, but I don't know that it prevents anything. I don't know that those campaigns do anything for prevention, but are valuable for making people who've experiences harm feel seen and heard.
- Sarah, I appreciate you pushing on the prevention piece in both of the conversations today!
- "yes Alison... thank you sarah for highlighting prevention and the need to define what people mean when they speak of training and such."

6. Committee reports

The Health & Safety Committee has requested that VCW sign-on to a letter in support of universal school meals. We've shared the link. <https://www.universalschoolmealsvt.org/get-involved/organizational-sign-on>

MOTION made by Lisa Senecal, seconded by Wendy Knight:

That VCW sign-on to the Hunger-Free Vermont letter in support of expanding school meals to everyone in Vermont.

Hearing no nays, the motion is unanimously passed.

Cary – We’ve also been asked to sign onto a letter supporting paid leave at the federal level:
https://docs.google.com/document/d/1dm28uDYIA8adzHbGgbYUpvSysRlglmikxtfu6_1NJk4/edit

This is a letter to the Federal Delegation, expressing support of implementing a paid family leave program.

MOTION made by Ed Adrian, seconded by Kellie Campbell:

That VCW support the initiative.

Roll call vote was taken:

Mary – Yes

Sarah – Yes

Kellie – Yes

Lisa C – No

Ryan – Yes

Nancy – No

Kiah – Yes

Heidi – No

Wendy – No

Ed – Yes

Lisa S – Yes

Yes – 7

No – 4

The motion is approved; VCW will sign on to the letter.

Lisa Ryan – My committee has Ed and Ashley, I know some advisors have dropped off, I don’t know what Commissioners would like to be on the committee. Can we reevaluate the committee assignments? We’re a little confused as to what the role of the Committee is and what the Commission wants from the Committee. Much of the work is already being done, so if there are certain things the Commission wants us to focus on, I could use some direction.

Kiah – I’m often asked to testify on a number of bills that are on VCW’s legislation tracker. Is it appropriate for me to wear dual hats, what’s the process?

Cary – Check in with me anytime about this. Our policy positions give us guidance. We do not need to go through this process every time. The testimony that we provide tends to be educational in nature; we provide testimony without saying we think you should vote for this bill but can speak to the impacts.

6. Advisory Council priorities

We had a great meeting with advisory council members in December. Cary shared a document that captures these priorities and also how the Commission can be effective in furthering the work. Can we take this into our Committees and look at what we can do?

Kellie talked about the Committee process and supported having some more time dedicated to talking about this. Advisor engagement is so critical, and they are so helpful. Engaging advisors in our committee work is one of the most impactful ways for them to be heard and to support our two-way relationships.

Jen – “Sorry that I'm off video, we have dueling bandwidth needs in our house right now, but as an advisor, we want to help support your work however possible. I think many advisors welcome being asked to be resources as it's helpful.”

7. Staff Updates & Announcements

Hannah - “I see that we're running out of time, so I just want to ask you all to take a look at our Equal Pay Day Podcast Series proposal, which I sent via email. Please let me know if you are interested in participating, or have any other feedback for us about the project or how we could improve it. We're very interested in your thoughts, and to make this project successful, we need your help!”

Cary – We’d love to pull some additional Commissioners & Advisors into the planning process.

Kellie – “wanted to share that the Education and Human Development Committee has been focusing on our middle/high school population the past few meetings. We were not able to get the Department of Health rep at our last meeting, but did proactively spend some time with the YRBS survey (link coming) and looking at a variety of data points around violence and bullying, mental health, physical activity, etc. This data shares we should be especially concerned for our youth of color and LGBTQ communities- all very disproportionately. This data has holes, so we are looking to loop in other data/voices, but a few links below.

The first is an organized summary Hannah and I pulled to simply support discussion - the second is the executive summary, and then the full reports.

<https://docs.google.com/document/d/1kyukXVilSGICS7WPGBeIQILoLy2jRrBPVAB6T6fQuBE/edit?usp=sharing>

Executive Summary:

https://www.healthvermont.gov/sites/default/files/documents/pdf/HSVR_YRBS_ExecutiveSummary_2019.pdf

Full reports:

https://www.healthvermont.gov/sites/default/files/documents/pdf/CHS_YRBS_statewide_report.pdf

Cary is testifying on our budget on Friday and has brought up the question of funding for state email addresses for Commissioners. Some of you have them, some of you don't. It's strongly suggested that you have separate email addresses via Gmail. There is an equity, parity issue here. We are a state body and there is no reason that you all shouldn't have them.

Kellie – “one additional thought to the equal pay effort - if we could give attention to occupational segregation and the intersectionality of that, also important.”

Meeting Adjourned at 12:35 p.m.