

UNITED STATES DISTRICT COURT

DISTRICT OF VERMONT

P.O. BOX 478

RUTLAND, VERMONT 05702-0478

802-773-2205

Chambers of  
GEOFFREY W. CRAWFORD  
Chief Judge

12 December 2023

Director Colette Peters  
Federal Bureau of Prisons  
320 First Street NW  
Washington, D.C. 20534

Dear Director Peters:

On behalf of the judges of the District of Vermont, I write to lend support to the proposal to place a Residential Re-Entry Center in Vermont. Vermont residents who qualify for a stay in an RRC now travel to Boston, New Hampshire or New York State for their stay. The out-of-state location interferes with every pro-social activity necessary to return to normal life including obtaining long-term employment; connecting with family; and locating housing. Instead of getting to work on these important goals, our defendants are lodged out-of-state for six months. Unsurprisingly, the rate of violation and discharge back to prison is high.

Our judges all believe that opening an RRC in Vermont is a significant step towards the improvement of public safety and rehabilitation. We look forward to working with your staff and contractors to create an excellent RRC to reduce recidivism and guide and support our residents in their return to a productive life.

Sincerely,



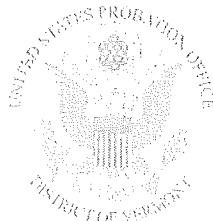
Geoffrey W. Crawford, Chief Judge  
U. S. District Court

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## *Memorandum*

TO: The Honorable Geoffrey W. Crawford  
Chief U.S. District Judge

FROM: Michael Cusick  
Chief U.S. Probation Officer

DATE: December 8, 2023

SUBJECT: Residential Reentry Center

This memorandum summarizes the benefits of Residential Reentry Centers (RRC) and is meant to accompany correspondence from the Court in support of establishing an RRC in the District of Vermont. A more detailed discussion of the RRC program is contained in the publication "Residential Reentry Centers Reference Guide" which may be found at the following web address: <https://www.uscourts.gov/services-forms/probation-and-pretrial-services/supervision/residential-reentry-centers-reference-guide>.

RRCs, often referred to as halfway houses, are generally used by the Federal Bureau of Prisons (FBOP) to transition individuals from prison facilities located throughout the United States operated by the FBOP, to RRC facilities located closer to an individual's expected release location (usually their home state) which are generally operated by contract vendors. There is currently at least one RRC in each state, and often numerous RRCs in states containing multiple judicial districts due to their population density or size, with the exceptions being Hawaii and Vermont which do not currently have RRCs.

The District of Vermont, which encompasses the entire state of Vermont, does not currently have an RRC. Vermonters releasing from the custody of the FBOP who qualify for RRC placement are generally transferred to an RRC in Manchester, New Hampshire, Albany, New York, or Boston, Massachusetts. After completing placement at one of these RRCs, Vermonters return home and commence Supervised Release monitored by the U.S. Probation Office.

While at one of the three out-of-state RRCs, Vermonters reside at the facility, obtain outside employment, engage in offsite or inhouse mental health, substance use disorder, or sex offender specific treatment and/or counseling, participate in employment and/or vocational training, and explore housing options in anticipation of their eventual release from the RRC, all while establishing pro-social relationships in the community. During this transitional period, which is typically from three to twelve months in duration, individuals adjust from the institutional setting of an FBOP facility to the residential setting provided by an RRC.

Although RRCs are traditionally used to assist individuals as they transition back to the community, they provide lesser known, but equally important functions. For example, a pretrial defendant the Court considers a danger to the community or risk of non-appearance at future proceedings, may be released to pretrial supervision with conditions of release supervised by the U.S. Probation or Pretrial Services Office. If, however, the Court is unable to fashion conditions of release that adequately mitigate risk to community safety or of non-appearance, as an alternative to pretrial detention, the defendant may be placed at an RRC. Placement at an RRC provides a higher level of community supervision than standard pretrial release, while allowing a defendant to maintain employment, continue contact with family and other personal support networks, sustain community-based counseling, treatment and medical providers, and more easily maintain regular contact with legal counsel.

Placement at an RRC is also available to convicted individuals sentenced to a period of community confinement, home detention, or intermittent confinement in lieu of a period of incarceration at an FBOP facility as part of an initial sentence. If the Court imposes a direct-placement sentence, the result would be to enable the individual to maintain all the community-based advantages noted above, while accomplishing the punitive and public protection purposes deemed necessary by the Court. Because Vermont does not have an RRC, Vermonters initially sentenced to an RRC are placed outside Vermont and lose most of the advantages of having a local RRC.

Similar to direct-placement sentences discussed in the previous paragraph, the Court may sentence an individual to a period of imprisonment at an FBOP facility and impose a condition of Supervised Release requiring the individual to transition from incarceration directly to an RRC subject to U.S. Probation Office supervision when the term of imprisonment is completed. This option provides an individual with housing and other services to improve their likelihood of success in the community and streamlines the reintegration process both for the supervisee and the U.S. Probation Office, thus increasing community safety and furthering the goal of rehabilitation.

Once an individual has successfully transitioned back to the community and Supervised Release, having a local RRC allows the Court an additional intermediate sanction option if that individual violates conditions of Supervised Release. In Vermont, at present, if the Court wishes to sanction someone with RRC placement, the individual would be removed from Vermont to one of the three RRCs in surrounding states, often severing their employment, family and counselling access and other prosocial relationships, and access to medical providers and legal services. Having an RRC in Vermont would reduce these disruptions and provide the Court with a

meaningful sanction while enabling the supervisee to maintain hard-won progress in other aspects of their lives.

The FBOP also uses RRCs to monitor individuals released to its Federal Location Monitoring Program. This program, referred to as the FBOP FLM program, consists of FBOP inmates who are returned to the community with electronic monitoring, but remain FBOP inmates. These individuals live at their private residence and are supervised by FBOP or RRC staff if the release residence is within 100 miles of an RRC, or by a U.S. Probation Office, if that office has the capacity to assist in supervision. If Vermont had an RRC, the FBOP would have an increased ability to supervise individuals through the FBOP FLM program without drawing resources from the U.S. Probation Office, further enhancing a supervisee's likelihood of success.

While all the options discussed above are available to the Court and/or the FBOP now, if placed at one of the three out-of-state RRCs, an individual would lose the community-based supports previously referenced including: maintaining outside employment, engaging in offsite mental health, substance use disorder, or sex offender specific treatment and/or counseling with established providers; participating in employment and/or vocational training; exploring housing options for their return to the community; and establishing or maintaining other important pro-social relationships in the community.

At present, individuals residing at one of the out-of-state RRCs who intend to return to Vermont, regardless of the manner in which they were placed at the RRC, are required to remotely search for housing, discontinue employment in New Hampshire, New York or Massachusetts and seek employment in Vermont, sever established relationships with treatment, counseling and medical providers engaged with at the RRC, and delay access to support from family and other pro-social relationships at home. These represent significant barriers to successful community reintegration that would be greatly reduced by establishing an RRC in Vermont.

I hope this memorandum is responsive to the Court's inquiry. If the Court would like additional information, please advise. Thank you for the opportunity to provide input on this very important topic.