S. HRG. 110–357

THE RISE OF DRUG-RELATED VIOLENT CRIME IN RURAL AMERICA: FINDING SOLUTIONS TO A GROWING PROBLEM

HEARING

BEFORE THE

COMMITTEE ON THE JUDICIARY UNITED STATES SENATE

ONE HUNDRED TENTH CONGRESS

FIRST SESSION

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THE RISE OF DRUG-RELATED VIOLENT CRIME IN RURAL AMERICA: FINDING SOLUTIONS TO A GROWING PROBLEM

MONDAY, MARCH 24, 2008

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, D.C.

The Committee met, Pursuant to notice, at 9:14 a.m., in the Franklin Conference Center at the Howe Center, 92 Strongs Avenue, Rutland, Vermont, Hon. Patrick J. Leahy, Chairman of the Committee, presiding.

Present: Senators Leahy and Specter.

OPENING STATEMENT OF HON. PATRICK J. LEAHY, A U.S. SENATOR FROM THE STATE OF VERMONT

Chairman LEAHY. Good morning. It is nice to see everybody here. I could not help but notice that we have a little bit less snow down here than we do up where my home is up in Middlesex. But it was a lovely ride down.

It is interesting. I was talking with Senator Specter last night about being here. Back years ago when I was first Chairman of the Senate Agriculture Committee, I invited then Senator Henry Bellmon from Oklahoma to come here, and we held a hearing in Rutland because I had bragged so much about Rutland and what a wonderful city this is, and the area. And Senator Bellmon had been Governor of Oklahoma, now retired. I was talking with him just a few weeks ago, and he still remembered getting up early in the morning and just walking around Rutland, and he still has pictures at his home from when he was here.

But the reason we are here in my home State of Vermont is to hear from the people of Rutland about the persistent problem of drug-related violent crime in rural communities. Now, that is a crisis that we have felt acutely here in Vermont, but it is also being felt throughout America.

The myth is still alive that drug abuse and drug-related crime are only big-city problems. The fact is that rural America is also coping with these issues. We need a fresh look at drug crime through the lens of the experience of smaller cities and rural communities, and so bringing the Senate Judiciary Committee here I hope will give the Senate and the Congress a better perspective.

Rutland is a public-spirited community with creative leadership. It is not satisfied with the status quo, and I think that makes Rut-

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land's experience and ideas all the more valuable to other communities around the country that are confronting these same issues.

I am glad that so many people who care about and work on these issues have joined us today to try to figure out how to fix the problem, including Federal and State officials, local law enforcement leaders, educators, experts in prevention and treatment, concerned parents and members of the community.

I do want to thank my friend Senator Arlen Specter for making the trip to Vermont, and his wife, Joan, for coming here. Senator Specter and I first met when we were prosecutors. He was the district attorney of Philadelphia. I was State's attorney of Chittenden County. We met at a prosecutors' meeting in Philadelphia. We have cared deeply about fighting crime since our days as prosecutors. We understand that violent crime is a major issue for smaller cities and rural communities, whether in Vermont or rural Pennsylvania, or anywhere else, as well as it is in the big cities.

The numbers alone are reason for concern. The Vermont Crime Information Center says that reported crimes in Vermont rose 5.7 percent from 2005 to 2006, even though they had previously declined for several years. Violent crime in Vermont rose nearly 10 times—let me emphasize that, 10 times—the national average. That is a stark increase, but it is consistent with what has been happening in rural areas all over the country.

Recent events have brought the statistics of crime rates into stark relief. Here in Rutland, we have seen four drug-related shootings since November. On February 4, 2008, two men were shot, one fatally, on Grove Street in Rutland City in a drug deal gone bad. The mayor and I have had long discussions about that.

The problems Rutland has encountered are like those seen in communities large and small all over this country. What is helpful here is that Rutland is showing leadership in addressing those problems, and Rutland is a community interested in solutions. The town has responded, as Vermonters always do, by working together and joining forces to tackle the problem. Local leaders have met to discuss new ways to improve safety, and individuals and companies have donated money to help provide overtime funding for Rutland police officers. I think the ideas and experiences can be useful to other communities elsewhere. We know there is no one-size-fits-all solution to this kind of a problem.

Law enforcement is a vital piece of any plan to reduce violence. The Rutland Police Department—and I have known Chief Bossi for years—and law enforcement throughout Vermont have worked extremely hard to respond to and prevent violence. They have often been successful. But for years, in Vermont and elsewhere, State and local law enforcement have been stretched thin as they shoulder both traditional crime-fighting duties and new homeland security demands. They have faced continuous cuts in Federal funding under this administration, and time and time again, our State and local law enforcement officers, like the Vermont State Police and the Rutland Police Department and their counterparts in other States, have been unable to fill department vacancies. And the trend is unacceptable.

We have made some progress. Since 2001, I have worked to secure Federal funding in the Justice Department budget, including

$1 million this year for the Vermont Drug Task Force. They have played an essential role in cracking down on increased drug activity throughout our State.

We have also had setbacks. At the height of its funding, the Community Oriented Policing Services, or COPS, increased our police presence on the streets, and by all accounts had aided in the steady decline in the national crime rate in the 1990's. But beginning with the President's first year in office, the administration has significantly cut the COPS program. I think that is a mistake, and I think it is one of the reasons we have seen violent crime increase. The Byrne-Justice Assistance Grants are unique in enabling and encouraging cross-jurisdictional solutions to preventing crime. Vermont's own Drug Task Force is a prime example of the Byrne approach. But funding there has fallen dramatically since 2002, from $900 million to $170 million this year, and these cuts directly hit local police.

We have also seen funding cuts hit the Crime-Free Rural States grant program, which was funded through the $10 million dollars I put in the appropriations bill in 2003. Since then, funding for this important program to help local communities prevent crime and violence and substance abuse has been eliminated.

We are trying to reverse these trends, but we have to do more. We have to restore the COPS and the Byrne-JAG and the Crime-Free Rural States programs. These are things we need to help police officers.

While I have always pushed for serious punishment for serious crimes, I think one of the things our law enforcement would be the first to tell you, law enforcement alone is not going to solve the problem of violence in our communities. We have to have an approach to crime with equal attention to law enforcement, prevention and education, and treatment; provide young people with opportunities and constructive things to do; and, of course, the most important component in this crucial problem is collaboration. We see what happens when we get State, local, and Federal working together.

So I will put my whole statement in the record. I should indicate a number of people have statements that they want for this record, and we will keep the record open, and we will add their statements beyond those of the people who are going to testify.

[The prepared statement of Chairman Leahy appears as a submission for the record.]

Chairman LEAHY. Senator Specter, welcome again to Vermont. It is a delight having you here.

STATEMENT OF HON. ARLEN SPECTER, A U.S. SENATOR FROM THE STATE OF PENNSYLVANIA

Senator SPECTER. Thank you, Mr. Chairman. I think much of America will appreciate this unique hearing today because much, really most of America exists outside of the large cities. And crime is a problem which knows no geographic boundaries and no side boundaries. So to see the Judiciary Committee focused on a hearing in Rutland, Vermont, I think will be appreciated all across America. It is a pleasant change from having the hearing in Washington

or Philadelphia or Los Angeles to recognize that moderate-town and small-town America counts, too.

I am very much impressed to walk into this hearing room. We get pretty good size crowds in Washington, but it takes the confirmation hearing of Chief Justice Roberts to do it.

[Laughter.]

Senator SPECTER. We do not often see this many people coming into even the hearing rooms in Washington, D.C. And we have television cameras, too. Not this many.

[Laughter.]

Senator SPECTER. When I go back to Washington and tell my colleagues how many television cameras there were here, Senator Hatch is going to be very angry he did not show up.

[Laughter.]

Senator SPECTER. This is a spectacular kind of an event. And when Patrick and Marcelle invited Joan and me to come today, we looked forward to a trip to the beautiful Vermont countryside, which we saw yesterday driving from Burlington, and again this morning. And if you have not stayed at the Lilac Inn, I recommend it.

[Laughter.]

Senator SPECTER. Joan and I have been to Vermont on many occasions in the past. Years ago we came here cross-country skiing, and our son, Steve, is a graduate of the University of Vermont Medical School, so during his 4 years here we were frequent flyers, frequent visitors.

The subject that we are on today is one of really gigantic importance. Senator Leahy has outlined the statistics. I have been reviewing them. I have noted the increases in crime. I have noted the drug-related murder in your area not too long ago, and the drug problem creates a special concern as a motivating factor on people murdering, stealing, and assaulting in order to feed their habit.

And Senator Leahy has outlined the problem with respect to Federal funding. We have a very tight Federal budget, and I am looking forward to the day when either Senator Leahy is Chairman of Appropriations or I am Chairman of Appropriations. I am looking—

[Laughter.]

Senator SPECTER. I am looking forward to one of those days a little more with interest than the other.

[Laughter.]

Senator SPECTER. But Senator Leahy and I, as you may have noticed, have passed the gavel what I would call seamlessly. We work on a bipartisan basis. And that is not easy to do in Washington, D.C.

But I mention the chairmanship of the Appropriations Committee because we really need a re-evaluation of priorities. We have not had a top-to-bottom analysis, and as Pat or I become Chairman, I think you will see that. And the Federal Government has a significant role to play, more so than it is playing now.

We have at the Federal level the armed career criminal bill, which proposes to give life sentences to career criminals, and I think that is necessary. Career criminals commit 70 percent of the offenses. But beyond the career criminals, if you are a juvenile or a first offender, or even a second offender, you are going to be re-

leased to the community. And we have never really attacked realistic rehabilitation with enough intensity to have drug treatment, to release people who are not dependent on drugs or alcohol. We release functional illiterates without a trade or a skill. There is no surprise that they go back to a life of crime.

Senator Leahy and I took the lead in a bill we just passed 10 days ago in the Senate, the Second Chance Act. People are going to have a second chance, and we want them to be released into the community with a chance not to be recidivists in their interest and in the interest of law-abiding citizens.

So there is much to be done, and I am delighted to join my distinguished colleague, the Chairman, and I commend him for scheduling this hearing.

The red light went on. I conclude.

[Laughter.]

Chairman LEAHY. Well, Senator Specter and I have passed the gavel back and forth several times, and one of the nice things about—when I first came to the Senate, I was the junior-most Member there, and they told me so much is based on seniority. And I said it was a terrible idea. Having studied it for several decades now, I think it is a great idea, and it has worked—

[Laughter.]

Chairman LEAHY. It has worked well both for Senator Specter and me—and this gavel, incidentally, is one my oldest son, Kevin, made for me in grade school, I believe it was, in shop. And I have used it—it gets retired periodically, but I have used it ever since.

Our first witness this morning is going to be Peter Welch, our Congressman. When he was State Senator Welch and the President pro tem of our Senate, he also had to work to put together our State legislation on criminal matters and how we coordinate. Now in a key role, especially on the Rules Committee in the House of Representatives, all of these bills have to be reviewed by him.

Congressman, it is great to have you here. Please go ahead.

STATEMENT OF HON. PETER WELCH, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF VERMONT

Representative WELCH. Thank you very much, Chairman Leahy, for the invitation to testify, and thanks for bringing the U.S. Senate Judiciary Committee, with your former Chairman and present very good close colleague, Senator Specter, to focus on this issue of drug crime. And, Patrick, Vermont is a much better place because of the work you have done on criminal justice issues, starting with your days as the Chittenden County prosecutor.

Chairman LEAHY. Thank you.

Representative WELCH. And, Senator Specter, we are very grateful for you to come here as well and provide your leadership and the close working relationship you have with Senator Leahy.

You know, you made an observation, Senator Specter, about the turnout here, and it really reflects, I think, something that is quite important. Folks in Rutland had to make a decision whether they were going to ignore the problem or confront the problem, because what folks here are doing in this community, as much as any other in Vermont, is trying to build their community. They want to revitalize it. They want to make it safe for families. They want busi-

nesses to come here. They want to have a good reputation, and they are working hard, and I believe being quite successful. But bringing up the problem of drug crime was a tense decision because you almost do not want to acknowledge it. But the people here and this turnout I think this reflects that they are going to challenge that problem, and they very much appreciate, Senator Leahy and Senator Specter, you bringing with it the attention of the U.S. Congress.

I came down here a while ago and met with Mayor Louras and Chief Bossi—that was on January 19th—and they were extremely concerned about the emerging drug problem and the efforts that Rutland was taking to cope with this increase in illegal drug activity. And it was only weeks after my visit with the mayor and with the chief that there was a drug-related murder that took place only blocks away, and very, very close to a middle school. And one of the things that the mayor and the chief impressed upon me: that Rutland is not at all alone in this struggle with drugs and the violence and the crime that is associated with it. It really does extend to all corners of the State. Chief Tim Bombardier of Barre and Tony Facos, the chief in Montpelier, who is here, Captain Tom Nelson of the Vermont Drug Task Force—all have talked about the rise in violent crime and property crime that is related, as you both know very well, to drug activity.

Rutland is a safe city, despite some of these crimes. Relative to other places, our violent crime rate is pretty low. But recent events prove, as, again, both of you have mentioned, that even in safe rural States like Vermont, we are not at all immune to national trends.

In 2006, we saw a 12-percent jump in violent crime, and while the overall numbers may seem low, any crime that affects the safety and the security of our people is crime that has to be challenged and has to be stopped. And it is not just about the impact of the crime directly on the individuals. It really has an impact on the community. And if we are going to maintain the reputation that Vermont has as a safe place, something that is important day to day to our families, to our kids going to school, to the efforts of economic revitalization, we have to work hard to address this problem.

On the topic of solutions—and that is what I think all of us are interested in—the first thing that is essential—and I believe we have it here in the State of Vermont—is collaboration among our various law enforcement units. And today we have many representatives from the various law enforcement communities, not just Rutland but the State Police and from police departments around Vermont. And what I have learned is something I think both of you know: The police recognize that there are no boundaries on drug-related crime or other crime. And, consequently, they cannot stop cooperation at the jurisdictional boundary of their entity. So Rutland folks have to work with others. Montpelier folks have to work with others as well.

Senator Leahy, the other two things are what you mentioned: There has to be resources—the COPS program, Byrne grants. These are essential tools so that the police have the resources that they need. And what I found I think is what you described, and that is that in Congress there really is a bipartisan recognition that

we have got to give our local law enforcement agencies the tools they need.

So I thank you for coming and bringing attention to this problem. Thank you very much.

[The prepared statement of Mr. Welch appears as a submission for the record.]

Chairman LEAHY. Well, thank you very much, Congressman, and I know you have been traveling all over the State and this, as you know, is not unique to Rutland.

Mayor Christopher Louras—one, I want to thank you for hosting us here in Rutland today. I have said publicly that I commend the mayor for his commitment to finding some innovative solutions to the problems of drugs that afflict not only here but all our small cities and towns around America. I hope that Rutland, under your leadership, Mayor, might prove as a model elsewhere. That is why we are having the hearing here today. You and I have had discussions by phone about this, and I know my staff has worked with you, and I want to thank you for making the Howe Center and making this available. Please go ahead, sir.

STATEMENT OF HON. CHRISTOPHER C. LOURAS, MAYOR, CITY OF RUTLAND, VERMONT

Mayor LOURAS. Well, gentlemen, good morning.

Though courtesy necessitates that I graciously welcome you to the city of Rutland today, and I sincerely do extend our community's warmest regards, it would be disingenuous to say that I am glad that you are here. The reality is that I wish that you did not have to be.

I wish that our community were not plagued with the scourge of illicit drug abuse and addiction that has been creeping across rural America. I wish that our community had not fallen prey to the crime that so often accompanies interstate drug activity. And I wish that we could blissfully say, "Drug related violence? Not here." and simply have that be true. But the cold reality is that this community, like so many others throughout our Nation, has a drug problem, and we need not only local but nationwide solutions in order to be successful in combating this curse.

When your Committee visit was announced, there were local officials who were somewhat distraught over the prospect of hosting a U.S. Senate Judiciary Committee hearing on drug-related crime. They were concerned about public perception and the prospect of negative press at a time when Rutland needs to highlight its assets in order to compete during a time of economic downturn. But I contend that it is infinitely wiser to admit that our city is, like many other cities throughout the State, the Northeast, the Nation, in a fierce struggle for its community identity and the public's safety.

The first step to reversing any destructive behavior is to admit that there is a problem. Self-denial is by far our greatest threat. The city of Rutland and the State of Vermont already have the necessary building blocks to battle this scourge. We have a very aggressive law enforcement community. We have progressive prevention and intervention programs. And we have a realistic and engaged population that is not sticking its collective head in the sand and pretending that no problem exists.

But what we do need are tools and resources. We are dealing with a true interstate problem and national problem that requires Federal support. The Senate Judiciary Committee, however, need not reinvent the wheel because you have already proved that you know what to do and how to address the problem.

Through the Senate passage of S. 456, The Gang Abatement and Prevention Act of 2007, you and your fellow Committee members have created a blueprint for effective interdiction efforts through enforcement, prevention, and intervention programs. Federal initiatives like S. 456, statewide initiatives like Pennsylvania's "Weed and Seed" Program, and local initiatives like "Rutland United Neighborhoods" are key to any community's success in its struggle against drug abuse and the crimes that it brings. But law enforcement and prevention programs are only as successful as the funding that is made available to pay for them, and, unfortunately, the funding burden is falling more and more on the local municipalities.

Over the past few short years, as all three of you are well aware and have discussed today, direct Federal funding to municipalities has been subject to significant reductions. The Byrne-Justice Assistance Grant Program, which local municipalities throughout the State and region have relied upon to keep control of our streets, is but a fraction of what is needed and a fraction of what should be allocated as we continue to cope with both local and interstate drug activities. In short, we need your help so we can help ourselves.

Rutland is blessed with a beautiful downtown core, a dedicated professional work force, and one of the finest educational systems in the State, but all of its combined assets are worthless if our neighborhoods are, or simply feel, unsafe.

In closing, I just want to thank you for allowing us the privilege of being part of finding the solution to a national crisis, and I am very confident that you will find the ensuing boots-on-the-ground testimony to be enlightening, constructive and valuable. And we all understand the gravity of this widespread problem. I wish you Godspeed in your efforts to help us find a way out.

Thank you.

[The prepared statement of Mayor Louras appears as a submission for the record.]

Chairman LEAHY. Thank you, Mayor, and I agree with what you say about Rutland being such a beautiful city. I still have memories of when I was a little child coming down here with my parents, and my parents' printing business, and coming down here and working with others and many, many friends and relatives here in this area.

Senator Specter, any questions?

Senator SPECTER. Well, thank you, Mr. Chairman. Time for cross-examination?

Chairman LEAHY. Sure.

[Laughter.]

Senator SPECTER. I will start with you, Mayor, on the local level. Senator Leahy and I have been in law enforcement for decades, and, regrettably, we have not made any progress on the underlying causes of crime; that is, the issues of education or housing or job training, we still are at sea. And I would be interested to know

your experience in Rutland compared, say, to Philadelphia, where there is an enormous homicide rate and drug usage. And a core part of the problem comes from what we call at-risk youth, young people who grow up in a one-parent household, no father, a working mother, and they are adrift. And we have started a program with some funding for mentors, because mentors rely on volunteers, and volunteers contribute their time. And our country has a great record for volunteers—the Peace Corps and AmeriCorps. And I would be interested to know in your city if you have similar problems to at-risk youth and to what extent you use mentoring now, because it is used, and what you think about the application of getting volunteers to be surrogate parents to give some guidance to these at-risk youth.

Mayor LOURAS. Yes, sir. Well, that is a very fair question. As far as any of the specifics of the program that is in place, I would have to defer to individuals who are involved. I know that last week Sandy Cohen, who runs a mentoring program in the city, was wondering about what the process was to be a witness, and I believe she is submitting written testimony.

Chairman LEAHY. She is.

Mayor LOURAS. Yes. And, you know, Rutland is engaged, again, in all aspects of volunteerism with our great community networking that we have. And that is a piece of the solution for sure.

We also take very seriously the program of the school resource officers to help target the at-risk youth in the community, and the school superintendent of the city of Rutland, Mary Moran, will address that as well. But we certainly understand that I think the crux of the entire problem is, as you said, it starts with the family. And it is very difficult for any community, whether it is the size of Philadelphia, the size of Rutland, or the size of a Belmont in Vermont, to try to address the issues that happen behind closed doors, that happen within a family. You have to have the other resources available within the schools, within mentoring programs, or other nonprofits to address those problems.

Rutland has identified that as an area where we need to work. Frankly, I have got to tell you, I have been in office a year, and before I got into this office, I really felt that law enforcement was simply the sole way to go. But my police chief, Anthony Bossi, has beaten me over the head for month upon month that it is only a piece of that three-legged stool. And I have become a believer in that and understand the importance of prevention, treatment, education, as well as law enforcement.

Senator SPECTER. Congressman Welch, you have had experience to some extent in the House. I know you are a relative newcomer, but you have experience in your State legislature. What do you think our chances are for having a really fundamental realignment of the allocation of resources so that we do not automatically give $500 billion to defense and $50 billion to homeland security and take a look at prioritizing with some funding going to some of the issues we are discussing here today?

Representative WELCH. Well, I kind of like what you said earlier on. "Leahy" sounds pretty good as Chair of another Committee.

[Laughter.]

Representative WELCH. Or you.

Chairman LEAHY. Either one of us could do that.

Representative WELCH. You know, I think your question reflects what is a common-sense awareness that we do have money; it is a matter of how we spend it. As you know, the cost of the war now is going to be pushing $1 trillion, and it really puts an immense amount of budget pressure on other priorities.

What I am having a sense of—and this is on both sides of the aisle—is that there is a recognition that we have got to start investing in our communities and in our middle class. So if the folks in this country across the country vote for that kind of change and we get Republicans and Democrats who share that view that you expressed, that we should have different priorities, I think we have got a very good chance.

Senator SPECTER. Thank you.

Chairman LEAHY. One question, and I was thinking about this, Mayor, when you were speaking. I have spent some time on different occasions with your Boys and Girls Club here in Rutland. Is that working pretty well?

Mayor LOURAS. Yes, sir.

Chairman LEAHY. The reason I mention this—and I have talked to Peter Welch about this before, too. I recall one time in getting some grants in one small town, and the police chief told me, "You know, instead of another police officer, can you help us get a youth center or get something where kids can go?" I was a strong supporter of that when I was a State's attorney, and I think what you said and what Senator Specter said, the emphasis on the family and all, it has to be so important. Unfortunately, a lot of these kids really do not have a functioning family. Tony Bossi is right. It is not just the law enforcement matter. You have to have—and law enforcement is certainly essential, but you have to have the schools and the community organizations and mentoring programs.

And I think, frankly, it comes down to one other thing. Too often, it is awfully easy to say, well, that is the police department's problem or the school's problem or the mayor's problem or somebody else. It is not. It is all of ours. And we as Vermonters have to take part of it, and Senator Specter and I feel strongly that we have got to have a reawakening of that throughout the country. Otherwise, you can move the problem around, but it is just going to keep hitting in other communities, and it hurts all of us as Americans.

I thank you both very much for being here. Peter, you and I talk about this all the time, and thank you for taking the time. And, Mayor, as I have told you before, you can call me at the office, you can call me at home, you can call me anytime you want.

Mayor LOURAS. Thank you, sir.

Chairman LEAHY. I am going to do the same to you.

[Laughter.]

Chairman LEAHY. Thank you very much, both of you, for being here.

Representative WELCH. Thank you.

Mayor LOURAS. Thank you.

Chairman LEAHY. I should note, too, that all the statements, full statements of any of the witnesses, will be made part of the record in full. And we are going to keep the record open—this will be a

formal Senate record—for a number of other people who are here who are going to submit testimony for the record.

Normally what we do in Washington in the more formal testimony, we swear the witnesses in. I am not going to do that here. I do not think it is necessary, if that is OK with you.

Senator SPECTER. That is fine.

Chairman LEAHY. The first witness will be Chief Anthony Bossi, although everybody calls him "Tony." He is the Chief of Police for the city of Rutland. He joined the force in 1976, a year after I joined the Senate. He has gone through the ranks, became chief in 1998. Prior to joining the Rutland Police Department, Chief Bossi served in the United States Marine Corps from 1970 to 1972.

Marcelle's and my youngest son, Lance Corporal Mark Patrick Leahy, served in the Marine Corps.

He attended the FBI National Academy in Quantico, Virginia; was a member of the FBI Law Enforcement Executive Development Association; received his associate's degree from Champlain College, his bachelor's degree from Castleton State College. Chief Bossi, go ahead, please.

STATEMENT OF ANTHONY L. BOSSI, CHIEF OF POLICE, RUTLAND CITY POLICE DEPARTMENT, RUTLAND, VERMONT

Chief BOSSI. Thank you. Thank you, Senator Leahy and Senator Specter, for coming to Rutland. We really appreciate it. It is a good opportunity for you to see the city and to hear from those of us that work on the streets every day.

Chairman LEAHY. Can everybody hear all right? OK. Pull the microphone a little bit closer to you.

Chief BOSSI. How is that? Is that better?

Chairman LEAHY. Better. Especially in the back of the room, if anybody cannot hear, just put your hands up and we will try to adjust the microphones.

Go ahead, Chief.

Chief BOSSI. The threat of drugs and violence has to be addressed on all three fronts: education/prevention, enforcement, and treatment. All three are equally important.

Rutland City Police have a proactive Community Policing approach to Law Enforcement. Our school resource officers, our community policing partnership with Rutland United Neighborhoods, Rutland Community Justice Center, the Rutland City Public Schools, and the Rutland Boys and Girls Club help with education and prevention, and the Rutland Drug Court helps with the treatment.

Over the last 5 years, the Rutland City Police Department has made over 175 drug-related arrests. Local Law Enforcement block grants, Byrne-Justice Assistance grants and COPS grants have allowed us to: provide an effective means of identifying people and places frequently involved in drug transactions; share intelligence information with appropriate agencies and entities to facilitate appropriate followup investigations to further drug enforcement efforts at the statewide and Federal levels; engage in both proactive and reactive enforcement activities to deter criminal activity; and disrupt the local drug supply by identifying and arresting violators.

Law enforcement agencies depend on Byrne-Justice Assistance grants and COPS grants to help them in cooperative efforts against drugs and violence. These grants are also important for prevention and treatment programs and offender rehabilitation and re-entry programs.

Rural States like Vermont need funding for law enforcement on three parts: to fund salaries and benefits of officers assigned to statewide drug task forces; to support local law enforcement efforts; and to support overtime funding for drug investigations.

Rutland City Police partners with Rutland United Neighborhoods and the Rutland Community Justice Center. The Justice Center is a partnership with the Rutland City Police, the Rutland County State's Attorneys, Rutland City Schools, District and Family Court, Department of Children and Families, and the Department of Corrections. The grant funding issued to Rutland Community Justice Center for offender re-entry programs pre and post adjudication services dispute resolution is critical to these programs. RUN also has a pre-charge program in place to address first-time offenders and quality-of-life issues. This prevents the courts and corrections from being involved in these matters.

Three Rutland City police officers are assigned to the Rutland City Schools covering grades K–12. This program was started with COPS grant funds and continues to be funded by the Rutland City Police and the Rutland City Schools. These officers are involved in the design and delivery of various prevention-based and educational programs for faculty, students, parents, and interested community members.

Rutland City Police are also partners with the Rutland Boys and Girls club, in a Bureau of Justice Assistance grant for youth partnership for crime prevention. The BJA grant will allow the Rutland Boys and Girls club to have a peer-based leadership program and provide training for the programs at the Vermont Police Academy. The after-school programs at the Rutland Boys and Girls Club make it less likely for young people to begin illegal drug use or be involved in youth crime and violence.

The Rutland Drug Court is designed to help in lowering substance abuse among nonviolent offenders to help increase the offender's success in remaining drug free. The Rutland City Police have been involved with the Rutland Drug court since the planning grant. This is another successful use of grant funds.

Currently the drug that poses the greatest threat to Rutland City is crack cocaine. The availability of powder cocaine, heroin, diverted pharmaceuticals, and marijuana is also high in this area. These drugs primarily come to Vermont from New York and Massachusetts. We anticipate seeing "meth"—methamphetamine—moving into our area since we have seen this development in other rural areas across the Nation.

The availability of drugs in Vermont has not changed that much over the past years. What has changed is the violence that has increased over the last few years.

Vermont is still one of the safest States in the country, in part because of the cooperation you have between the Federal, State, and local departments.

Federal support is very important to a small rural State like Vermont in keeping the violent crime down. The Federal Government support helps to prevent, control, and reduce violent crime, drug abuse, and gang activity.

The police cannot do it on their own. The education/prevention, enforcement, treatment must be funded equally; they are all important. Funding from the Federal Government is important to help keeping the violent crime down. The Federal funding helps to reduce violence through the use of Community Policing, prevention education, treatment, and neighborhood restoration.

Thank you.

[The prepared statement of Chief Bossi appears as a submission for the record.]

Chairman LEAHY. Thank you very much, Chief.

Our next witness is Superintendent Mary Moran. She is the Superintendent of Education for the Rutland City Schools and has served Rutland City Schools—and correct me if I am wrong—since 1996 as assistant superintendent, became the district superintendent in 2000; prior to joining the Vermont Public School System, served as teacher and principal in Massachusetts, served on various education and community boards, including the New England Association of Schools and Colleges, Vermont High School Task Force; currently is the president of the Vermont Superintendents Association; bachelor's and master's from Boston College, certificate of advanced graduate study in school administration from Northeastern.

And this is probably a little bit different than your normal day, Superintendent, but it is good to see you again and good to have you here.

STATEMENT OF MARY E. MORAN, SUPERINTENDENT OF EDUCATION, RUTLAND CITY PUBLIC SCHOOLS, RUTLAND, VERMONT

Ms. MORAN. Thank you, Senator, and we are very, very pleased that you have made the effort to bring the Judiciary Committee hearing here to us in Rutland, representing all of Vermont, and thank you, too, to Senator Specter.

We serve over 2,800 children in the Rutland City Schools grades K–12, 55 percent of whom are living in poverty. And one of the first things that I would like to say as the joys of working here in Rutland City is the relationship we have between and among the agencies—certainly Chief Bossi and police department, but the Fire Service, the courts, the diversion program, the regional medical center, Rutland Mental Health, the Department of Children and Families, RAP Coalition, Mentor Connector, all of these things that you have heard somewhat about today and you will hear more about in the written testimony. The hallmark of this community, I believe—and it is true of Vermont—is that we all work together to take care of our children and families.

I would like to start by mentioning a particular group that we are concerned about, and that is our EEE children, our children who are 3- and 4-year-olds who come to us with significant disabilities. Sometimes they are cognitive, sometimes they are medical. So you might ask why are we talking about EEE children in a drug

and violence hearing, and, quite frankly, we think that many of the children who present to us at this tender age are children who are suffering from drug use. We have crack babies in Vermont. We have children who suffer from fetal alcohol syndrome in Vermont. And the schools and all of the community agencies that serve these children need to help the children and their families so that the children can become successful learners and citizens in the community.

I might note that you will hear a great deal about funding from us this morning, and much of the funding debate is: Should it be the Agency of Human Services? Should it be the Department of Education? The reality is that children need care, and our society needs to figure out a way to care for them. We are heavily reliant on Medicaid funding for some of the services in our schools, and so we hope that you bring that back to the Federal legislature in terms of our needs.

But the reason I begin with EEE children is the second group of children I am very concerned about, and that is youngsters from 14 to 18. This group of youth are difficult to serve, and our agencies are struggling to serve them. But if you take a look at some of the youngsters who are becoming involved with the folks from "away," as Tony Bossi talks to us, who come looking to prey on disaffected youth, it is this age group that we are particularly concerned about, which is why the comments made earlier about mentoring and Boys and Girls Clubs are so important.

I am particularly concerned about the young women in this age group, related back to who are becoming the very young mothers of these very challenged children. And, again, we need more funding and support for the Department of Children and Families to provide respite, to provide more foster care for these kids. And there is no criticism implied here. I am very well aware that the Department of Children and Families is working hard.

But let's talk a little bit about solutions, what is working here in Rutland. Certainly, the schools play a large role. We have an outstanding educational system, but we also provide significant amounts of medical and counseling help for our children, health care. Medicaid supports a significant number of our nursing staff as well as our counseling staff, and these professionals are working with children and families who have struggles to face, who come from homes that might not have been as happy and safe as the one in which Senator Leahy and I grew up. So those services that the school provides, in addition to health education and all of the other activities, are very, very important.

I have another hat in this city. I serve as Chair of the Board of Directors of Rutland Regional Medical Center, and I know that if we reduce our health services in the school where some of the triage is provided to children and families, those youngsters and families will present at the emergency department of Rutland Regional. They will be well served, but the costs will be high.

Another great success story are the 21st Century Learning Center grants. We have a program here in the city called the Tapestry Program, which serves Rutland City, Rutland Town, Proctor, and West Rutland in collaboration. We know that the most dangerous time for children and youth is 3 to 6 o'clock in the afternoon. We

provide services for children, education, recreation, enrichment, counseling, nursing, library, technology to over 600 children throughout the year in the afternoon, as well as in the summer programs. I also might mention that in Brandon, the district that is served by the Rutland Northeast Supervisory Union, also their program, known as SOAR, provides similar opportunities.

It is sad for me to note that the funds for the 21st Century Learning Center grants at the Federal level have essentially been zeroed out. We will figure out a way to continue it, but it is to important to let go.

I would also commend the city schools because that same research indicates the time of the day when children are in most danger is the 3 to 6 period time. We have a vigorous co-curricular program in the arts, activities, and athletics to keep those youngsters busy, and I commend the taxpayers and the city board for supporting that.

And, finally, the SRO program that Tony spoke about, we are in our 9th or 10th year. We train together, police officers and school leaders. We have three officers; they provide counseling, teaching, mentoring. They are visible in the schools to provide that protection and that visibility. They visit homes. They work with kids. And when they are not in school during school term, they are on the streets as beat cops and resources in the communities. The kids know these fellows—all guys right now, but they know these people, and they go to them for help and counsel. And that is very, very important.

Now, I might sound like a broken record here, but those found, too, are in danger. The schools, the Boys and Girls Club, the RAP Coalition, and the Mentor Connector are all working together to help out children and families. So your continued support by being here and helping us as we go forward is greatly appreciated.

Thank you.

[The prepared statement of Ms. Moran appears as a submission for the record.]

Chairman LEAHY. Thank you very much.

I might say that you are fortunate to have Senator Specter here. All Senators wear various hats because we serve on more than one Committee. Senator Specter and I both serve on Appropriations, but he has been both Chairman and Ranking Member of the Appropriations Subcommittee that does more to provide money in these areas for children and others' health needs than any other Committee in our Appropriations Committee. He has also forged more bipartisan coalitions to get that money than practically anybody else in the Senate. So you are speaking to the—he is the guy with the checkbook on that one.

[Laughter.]

Ms. MORAN. Good.

Chairman LEAHY. Commander Tom Tremblay is the Vermont Commissioner of Public Safety, a position he has held since January following an exemplary Commissioner before with Kerry Sleeper. He spent 24 years serving the city of Burlington as a police officer, the final 4 years as chief of the department. Both Marcelle and I know the Tremblay family well and spent time with them. He has many professional certifications, including graduating from execu-

tive training at the FBI National Academy in Quantico, a bachelor's degree from Champlain College.

Commissioner, you and I have talked about a number of things in your former role, and it is good to welcome you personally in your new role as Commissioner of Public Safety. Please go ahead.

STATEMENT OF THOMAS R. TREMBLAY, COMMISSIONER OF PUBLIC SAFETY, STATE OF VERMONT DEPARTMENT OF PUBLIC SAFETY, WATERBURY, VERMONT

Mr. TREMBLAY. Thank you, Chairman Leahy. We appreciate you coming to Vermont and bringing this Committee to hear these very important issues. We also thank you for your longstanding commitment to law enforcement and public safety in Vermont.

Senator Specter, welcome to springtime in Vermont.

[Laughter.]

Mr. TREMBLAY. We are pleased to have you with us here today.

Senator SPECTER. Thank you.

Mr. TREMBLAY. I have with me also Colonel Jim Baker of the Vermont State Police, as well as Major Tom L'Esperance and Captain Tom Nelson, all who have been actively involved with Vermont law enforcement for many, many years.

It is no surprise to any of us in Vermont law enforcement the challenges that we face today. You can speak to anybody who has worked the front lines, either as a beat officer or as a drug investigator in the State of Vermont, the challenges that we face. I break these challenges at this time down into three specific categories: first of all, in-State drug distribution rings that we have seen, perhaps best evidenced by a recent press conference that we did titles "Operation Byrne Blitz." In that particular press conference just a short time ago, we announced the arrest of 22 individuals, 97 criminal charges, and the seizure of multiple pounds of both marijuana and cocaine.

One of the interesting trends to note for you here today is that 5 years ago, perhaps 10 years ago, in Vermont, ordering a kilo of cocaine could occur, but it would oftentimes take days or even a week or more to obtain that quantity. Today, it is immediately available by distribution networks within Vermont, which to me is a substantial change in drug enforcement in Vermont.

The second category I break out is out-of-State drug sources. Many of us in our communities throughout Vermont are seeing out-of-State drug sources coming to Vermont to monopolize drug traffic trade, to sell their wares and peddle their poison on our streets at a much higher level than they can in some of the larger urban areas that they come from, bringing with this an associated crime and violence. These two groups, whether it be in State or out of State, we have to understand that the profit margins, the amount of drugs that are involved become a target for drug rip-offs, which causes this kind of increased level of violence that is ongoing in Vermont with drug traffickers.

The third point that I want to make today is the problem that we are facing in Vermont with prescription drug abuse and addiction. The majority of our drug overdose deaths that occurred in Vermont occurred as a result of illegally possessed prescription narcotics. It has caused a significant concern in our communities

and significant resources in the law enforcement community to investigate these deaths and the associated problems that come with them.

Many of us here who have testified today talk about the cooperative law enforcement here in Vermont that we enjoy. I would have to mention U.S. Attorney Tom Anderson's commitment to that, as well as the Vermont Attorney General, Bill Sorrell, and the county prosecutors who all work very closely together to examine the best way to prosecute these kinds of cases. The local, State, and Federal law enforcement cooperation in Vermont is outstanding.

The Vermont Drug Task Force is perhaps the best example of that. The Vermont Drug Task Force is a multi-agency group of investigators comprised of State, county, and local officers that is funded largely through Federal dollars. There are 23 members assigned to the task force; 15 of those members, or over 60 percent, are either funded 100 percent with Federal dollars or their positions are back-filled with Federal dollars. Three local positions are funded with a State grant known as the Community Drug Interdiction program, and the remaining five are funded directly from State Police budget.

The Federal funding, which also accounts for 90 percent of the task force operating and equipment costs, is also considered volatile and usually allows for the task force to forecast only an 18-months spending plan. This Vermont multi-investigative approach is and continues to be the most effective means of addressing the drug importation and distribution in our State. Federal funding and State resources must continue for this multi-agency task force to ensure the continued success and to ensure the protection and safety of all Vermonters from drug-related crime and violence.

I would like to point out a couple of—this hearing is titled "solutions" and talk a little bit about that. Aggressive enforcement must remain part of this solution. Chief Bossi talked about that. It is not the only way, but because we are law enforcement officers, I have to address aggressive enforcement strategies. Aggressive enforcement strategies in Vermont must remain in effect. They must be professional, and they must be done without bias. We must ensure that training of our local and State and Federal law enforcement officers remains in existence.

One of the problems recently in Vermont has been that the Drug Enforcement Administration approximately 10 years ago stopped bringing training here that was vital to Vermont law enforcement. We must remain above the curve here to deal with the changing trends in criminal behavior.

Some of the out-of-State problems that we are experiencing: We have to take a look at a new way of doing business. We have to get creative with our problem-solving and take a look at not just working with the out-of-State law enforcement agencies where these out-of-State sources come from, but perhaps considering media or messaging campaigns to those larger cities and areas so that Vermont does not become a safe haven for drug dealers.

Crime analysis and problem-solving is a key component of what we are doing to try to stay ahead of the problems before they become invested in our neighborhoods, like examples we have seen in Barre and now in Rutland. By analyzing our crime stats and what-

not and having the resources and funding necessary to be able to analyze that, perhaps Vermont law enforcement can extend itself and stay ahead of the problem.

As I said, drug education, treatment, enforcement, and rehabilitation are all part of the solution. Governor Douglas's DETER program has been helpful, but there is much more work to be done.

You have heard it all today from all of the witnesses talk about the importance of Byrne and JAG grant funding to continue these important programs. It is going to help keep Vermont and other rural States that are facing the changing criminal trends in drug-associated crime and violence to help keep all of Vermonters and people who live in the rural State in our country safe.

Thank you for your time. I appreciate it and will welcome questions when they come.

[The prepared statement of Mr. Tremblay appears as a submission for the record.]

Chairman LEAHY. Thank you.

Our next witness is Hal Colston, who is the founder and Executive Director of NeighborKeepers, a nonprofit anti-poverty organization based in Burlington. He also founded the Good News Garage, a nonprofit that provides repaired, donated vehicles to people in need. Marcelle and I first met him when we brought in a vehicle and donated it there a number of years ago. He has been widely recognized for his community service. He received the Peter Drucker Nonprofit Management Innovation Award in 1999, the U.S. Department of Housing and Urban Development's Best of the Best Practice Award in 2000; appointed to the Governor's Workforce Equity and Diversity Council in 2001, serves there today; and, Senator Specter, he received a bachelor's degree from the University of Pennsylvania. To balance this, he then received an honorary degree from my alma mater, St. Michael's College.

[Laughter.]

Chairman LEAHY. Go ahead, please.

STATEMENT OF HAL COLSTON, EXECUTIVE DIRECTOR, NEIGHBORKEEPERS, BURLINGTON, VERMONT

Mr. COLSTON. Thank you, Senator Leahy, and thank you, Senator Specter. It is my pleasure and privilege to be before this Committee to discuss the rise of drug-related violent crime in rural America and how to find solutions to this growing problem. My testimony will focus on prevention with an understanding of the importance of treatment and law enforcement.

I have lived in Essex Junction, Vermont, since 1989 after moving here from Philadelphia, Pennsylvania, with my wife and three children, who are now grown. The human scale and quality of life in Vermont has been very important to me as a parent and as a citizen. But the proliferation of drug use and the related violent crime has given me pause as of late. I have witnessed how drug abuse violently tears apart families.

I believe it is important to go upstream to understand why the demand for drugs continues to increase, and especially among the young people in our community. As long as the demand for drugs is brisk, there will be drug dealers lined up ten deep to meet this demand. In my view, drug dealers are people who have lost hope.

Some of them may come from out of State to capitalize on this opportunity, but dealers would not be in business unless there is a demand. Our recent Youth Risk Behavior report prepared by our Department of Health has shown that marijuana use has shown a slight decline, yet the report did not measure the abuse of prescription drugs, which can lead to hard, addictive drugs such as heroin, cocaine, and oxycontin. How do we deal with the consumption side of the problem?

I feel we do a disservice to our teenagers by creating a cliff effect for the 14- to 16-year-olds during the summer months. They are too old for summer recreational programs, and they are not old enough to work. So they tend to drop out of sight and are left to their own devices unless families have the resources to put them through endless summer camps, providing them with healthy activities. Yet the reality is that many families cannot afford this option. When our young people abuse drugs at such a young age, they risk their emotional development. Peer pressure becomes a powerful force that can keep our children trapped into abusing drugs.

This is compounded when our young people who experiment with and abuse drugs go back to school in the fall. Studies have shown that the most dangerous time during the school day is from 3 p.m. to 6 p.m. Many parents are at work, and our children may be home alone if they are not involved with extracurricular activities at school or part-time work. Without structure for healthy activities and clear boundaries for behavior, it is no surprise to me how our kids get onto a path of abusing drugs. How do we deal with this side of the problem?

Well, why not shift our school day to begin at 9 a.m. and end at 5 p.m.? This would eliminate the vulnerable time of the day when we give adolescents the opportunity to exercise risky behavior. Studies have shown that under the typical school day students on average do not get sufficient sleep, losing rest for a vigorous day at school. The unintended consequence of a change such as this could improve school performance and decrease drug abuse.

It really does take a village to support our children, and that village must include all of its parents. Living in an affluent community, I have seen how parents are stretched between career and family. And the outcome is that parents become isolated from one another as we try to keep pace with making a living and providing for our families. It becomes too difficult for parents to act together.

A typical scenario is that a parent or parents plan to leave town for the weekend and have the child spend the weekend with a friend—an empty house that no other parents may know about. Before you know it, a get-together is planned without any of the parents speaking to one another. We get hoodwinked and our teenagers get a chance to have an out-of-control party fueled by drugs. How can our community deal with this side of the problem?

What all of us parents have in common are our schools. Perhaps the schools can bring parents together at middle school to learn how to act together for the well-being of our children. Parents Acting Together could partner with the schools to learn how and why strategies for communicating with one another are important. This associational relationship could provide the opportunity for building meaningful relationships.

There are families in our community with parents who are recovering from drug addiction lacking associational relationships. How can such a family get support so their children don't repeat their experiences of self-destruction? I direct a new nonprofit in Chittenden County called NeighborKeepers with a vision to break the bonds of poverty one family at a time. In my view, poverty is surviving with a lack of resources such as financial, physical, mental, emotional, spiritual, and role models. We employ the Circles of Support model and practice radical hospitality, creating a community where families befriend allies who help them accomplish their dreams and goals. Typically, three allies comprise a Circle of Support and learn to "do with" as opposed to "do for" their new friends. Not only are the families transformed but the allies are also as they learn how barriers and policies keep people trapped with a lack of resources. Ultimately, our community benefits as marginalized families are able to increase their social capital.

NeighborKeepers has two families in our Circles of Support community with parents who are recovering addicts. I have watched them come alive with their new friends and a new sense of purpose—understanding that they, too, have something to give back. At NeighborKeepers we teach reciprocity, which is critical for healthy relationships and critical for building healthy communities.

In conclusion, I believe that we must think out of the box to find solutions to drug-related violent crime in rural America. We need to focus on the needs of our children and families, which are the building blocks of a healthy community. If we can replace their isolation with meaningful activities and relationships, we can make tomorrow brighter for all. For me Dr. James Comer of Yale University says it all: "No significant learning can take place without a significant relationship." It is all about meaningful relationships.

Thank you.

[The prepared statement of Mr. Colston appears as a submission for the record.]

Chairman LEAHY. Thank you. And our last—

[Applause.]

Chairman LEAHY. Thank you. And our last witness is Bert Klavens, who is adolescent drug and alcohol counseling program coordinator for Washington County Youth Service Bureau. He has been there since 2003. He has been with the Washington County Youth Service since 2000, previously worked as drug and alcohol counselor, is a native of Washington County. I am delighted to see you here. He is an experienced and licensed drug and alcohol counselor. He has worked with many organizations in Vermont, including New Directions of Barre, where he worked as a coordinator for a community-based substance abuse prevention program, Central Vermont Community Action Council, and received his master's of arts degree in counseling psychology from Norwich University in Northfield.

What we are going to do, Mr. Klavens, when you finish your testimony, I am going to yield to Senator Specter for the first round of questions because he and Mrs. Specter have to catch a plane back home. When he finishes his questions, we will take a 5-minute break. Then we will come back, and then I have a series of questions.

Mr. Klavens, go ahead.

STATEMENT OF BERT KLAVENS, COORDINATOR OF SUBSTANCE ABUSE TREATMENT PROGRAM FOR ADOLESCENTS AND YOUNG ADULTS, WASHINGTON COUNTY YOUTH SERVICE BUREAU/BOYS AND GIRLS CLUBS, MONTPELIER, VERMONT

Mr. KLAVENS. Thank you. I work with a lot of people who have drug abuse and dependency problems, and for each person, I ask myself: Why are they using these terrible drugs? And why have they grown to depend on them so?

We do a comprehensive assessment, including a detailed drug use history, of every person who enters our program. In the Central Vermont communities that my program serves, increased cocaine use started showing up on the drug histories of our clients at almost the same time increased violent crime started appearing in our community. It is not hard to remember the 1980s when widespread cocaine use co-existed with an explosion of violent crime in communities all across America.

Different substances tend to cycle through our communities, each with their own particular set of effects. It seems that cocaine, which is a stimulant, causes more aggressive and violent behavior. Five years ago, when heroin appeared in our communities seemingly overnight, the big concern was the frightening addictiveness of this drug and the ability to destroy lives. The crime issues are more about property crime to support what for addicts becomes a very expensive drug habit. These are not a series of separate problems. They are different expressions of the same basic problem.

This country has worked heroically to keep drugs off our streets, but they are still all too available. Unfortunately, it is rare that I hear my clients tell me that they want to use drugs but they just cannot find them.

We have to start doing a better job of addressing the demand side of the equation, which means treating the needs behind people's use of substances.

I have worked with many clients in the corrections system over the years, the population most likely to be involved with drugs and crime and violence. In almost every case, these clients have extensive histories of substance abuse and dependence; at least one if not more diagnosable illnesses, and past histories of abuse or neglect. They are struggling and wounded young people, often with undiagnosed or untreated psychological and physiological problems.

Recent research about co-occurring disorders sheds some light on this. Substance abuse problems very often occur with mental health disorders. Estimates put the number of substance-abusing people with co-occurring mental health disorders at upwards of 60 percent. In the corrections system, that number rises to between 75 and 80 percent.

Serious substance abuse problems usually occur along with mental health diagnoses such as major depressive disorder, bipolar disorder, PTSD, different anxiety disorders, conduct disorders, and so on.

I had this experience with one young woman I worked with who was a recovering—well, when I was working with her, she was an

active heroin addict and recovering cocaine user. In her history was both sexual and physical abuse, major depressive disorder, anxiety disorder as well. Unfortunately, this combination is all too common, especially in the corrections system.

People who abuse substances often feel terrible and are looking for relief. Substances are remarkably effective in the short term at accomplishing what is for the substance abuser their primary purpose. They change the way he or she feels.

I want to say clearly that I do not think that any illnesses or past difficulties excuse violent or other law-breaking behavior. Our current practice of imprisoning substance abusers is not working for a variety of reasons. In Vermont, as has recently become clear, this is no longer an economically viable strategy. We cannot afford to keep building prisons. Additionally, jail does not cure the conditions driving these behaviors. People who enter jail with co-occurring disorders usually exit with the same conditions.

Treatment works. It works as both intervention and prevention, interrupting dysfunctional patterns of thought and behavior and giving people the tools to live a substance-free life. Compared to other prevention programs, treatment has the added advantage of focusing attention and resources on the most hard-core drug users. Treatment works, and helping people with abuse and dependency issues move on from substance-abusing behavior directly reduces the prevalence of substance abuse and abuse-related violence in our communities.

I would like to share with you some of the positive work that is happening in my agency. For the last year and a half, we have been running the Return House Program, which provides a structured, supervised, supportive environment for inmates re-entering the community. Working in concert with the bureau's mental health and substance abuse programs as well as other community resources, we are able to address co-occurring issues of the residents in an effective way and help them stay out of jail and be safe.

In the substance abuse treatment program that I run, we have found teaching our clients tools for emotional regulation to be very useful. Difficulty in dealing with challenging emotions and thoughts lies at the core of the day-to-day struggle that substance abusers have in trying to eliminate drugs from their lives.

We had an example recently of a young man who came to us, a chronic marijuana user. We were able to teach him some mindfulness-based practices for dealing with that, and he was so enthusiastic about it that he actually opted to continue treatment past when his mandate was over. He actually went back to his probation officer and told her how useful this was.

Successful therapeutic intervention begins with strong relationships. This is something we try to really focus on in our programs. We try to stay with kids and work with them as long as possible. One of the things that gives us the opportunity to do is sort of see what happens when some of the other agencies leave the room. A lot of services are designed around crisis. They are in these kids' lives for a little while, and then they leave. So I guess I would really like to support what—just reaffirm what some of the other people have said about the importance of establishing strong relationships with these young people.

In conclusion, my hope in giving this testimony is to raise awareness of the key role that treatment programs can play in reducing substance abuse and substance-related violent crime in our communities. I also hope that I have been able to shed some light on the reality of substance abuse as a co-occurring disorder that requires a comprehensive approach to cure.

Thank you.

[The prepared statement of Mr. Klavens appears as a submission for the record.]

Chairman LEAHY. Thank you. Thank you very much.

As I said, we will go next to Senator Specter for questions because of his time schedule.

Senator SPECTER. Thank you, Mr. Chairman. I congratulate you on assembling such an outstanding group of experts.

Chairman LEAHY. Thank you.

Senator SPECTER. These seven witnesses have covered beyond the waterfront, covered very, very important subjects.

There is a theme which runs through the testimony about prevention. Dr. Colston talks about the demand. Mr. Klavens talks about prevention and demand. And the chief started off his testimony with education and prevention. So we turn to you, Superintendent Moran. What are the specifics of the educational program in Rutland? At how early an age do you start to talk to children about the problem of drugs?

Ms. MORAN. Well, I think we talk with them at all ages in a developmentally appropriate way.

Senator SPECTER. OK, but what is the earliest age you start?

Ms. MORAN. When they are in kindergarten and first grade. In terms of our—

Senator SPECTER. First grade?

Ms. MORAN. Not so much in terms of drugs per se, but healthy living, healthy choices.

Senator SPECTER. Well, when do you start on drugs?

Ms. MORAN. We have a formal program on drugs in fifth grade, with the DARE program that Chief Bossi—

Senator SPECTER. Could you do it sooner?

Ms. MORAN. We probably could. But I think that what we are doing—I guess in answering your question, Senator, is when you say when do we start on drugs, what we are trying to do is talk with children about healthy choices, what to avoid, how to seek help, how to go to adults, whether it is in the school or at home, so that they know and do not put themselves in situations where—

Senator SPECTER. Superintendent Moran, I can understand that, but with the pervasive problem of drugs, I come back and focus on drugs. I would like you to reconsider the earliest time. We seem to find that youngsters have a great capacity.

Mr. Klavens, you talk about cocaine and violent crime.

Mr. KLAVENS. Yes.

Senator SPECTER. I would be interested in the law officials, the chief and the commissioner, as to their views on the current effort to reduce sentences on mandatories for crack cocaine use. What do you think about that, Chief? We are talking a lot about that with the U.S. Sentencing Commission. Should we reduce the penalties, the mandatory sentences on use of crack cocaine?

Chief BOSSI. My feeling on sentencing is that I have a lot of confidence in judges. I think judges should have some flexibility on sentencing. I think that when it comes to violence and people with guns, you need to lock them away for as long a period of time as you can.

Senator SPECTER. Are you satisfied with the severity, the toughness of sentencing that you get in your Rutland courts?

Chief BOSSI. Yes, in the Federal—

Senator SPECTER. I had a lot of problems in Philadelphia.

Chief BOSSI. In the Federal system, it is really good. In the State system, what we are lacking is, I think, additional penalties.

Senator SPECTER. Well, the Federal system has mandatory sentences.

Chief BOSSI. Yes, it does.

Senator SPECTER. And the Sentencing Commission, there has been some change on that.

Chief BOSSI. Right.

Senator SPECTER. But crack cocaine, it is really uncertain now just exactly where the mandatories stand, but most of the Federal judges are still using the Sentencing Guidelines for tough sentences, mandatory minimums for crack cocaine.

Commissioner Tremblay, what do you think about that? Should those mandatory minimums be maintained?

Mr. TREMBLAY. Well, the chief talks about the State sentencing, and the mandatory sentencing that the Federal guidelines have make it much easier for Vermont law enforcement. We oftentimes seek Federal prosecution when we know we have a significant case.

The Vermont Drug Task Force operators on the front lines will tell you that the mandatory sentencing that related to crack cocaine changed the way that cocaine dealers were doing business—no longer importing crack cocaine but bringing powder cocaine. So we know that it plays a difference in the way that drug offenders operate.

A recent example of our State court, something that was reported in the Rutland Herald on March 9th, a gentleman was found with 145 bags of heroin selling on the streets of Montpelier. Come to find out he is also expected to face possession of heroin. His arrest came 5 months after he was convicted on a charge of selling heroin in just September.

These are examples of ineffective sentences that do not have the supervision that people need. Mr. Colston and Mr. Klavens talked about the need to ensure that people have the support that they need to be successful when they get out. That is something we have to look at. I do not know a lot about that particular case, but offer it as an example for your question.

Senator SPECTER. Dr. Colston, I am very much impressed with your resume. I see in your bio here the New England Culinary Institute.

[Laughter.]

Senator SPECTER. Chef at La Terrasse Restaurant in Philadelphia 1978 to 1981. We have had—

Chairman LEAHY. Is that a good restaurant?

Senator SPECTER. We have had many good meals there.

Mr. COLSTON. Thank you.

[Laughter.]

Senator SPECTER. Would you mind if I yielded on my questioning to my wife?

[Laughter.]

Senator SPECTER. She is a gourmet cook, attended Cordon Bleu, and had a pie-baking company. Joan, would you mind taking over at this point?

[Laughter.]

Senator SPECTER. I do not have a whole lot of time left.

I am impressed with the substance of your testimony, Dr. Colston, as I am, candidly, with everybody. And you point your finger at a real problem. You talk about having school from 9 to 5, and you talk about those weekend parties. And you cannot follow them all the time. You cannot follow the children all the time. They are going to have some time on their own. And the theme that comes through with everybody's testimony is values. Values. And what my wife and I have found on the values side is examples that parents set. You can do a lot of talking, but if you do not set an example, it does not sink in.

And I also note through the testimony a lot of talk about the Boys and Girls Clubs. Dr. Colston, what do you think about the promise or potentiality for getting volunteer groups? We talk a lot about Federal funding, and I think we need it, and I am for a reappraisal. Senator Leahy accurately points out to my chairmanship and now ranking on the education and health programs for a lot of Federal funding. But we are in a spot where we are not going to get it very fast, and the volunteers that we have in the Boys and Girls Clubs, these are resources you have available, and some mentors. The parents are entitled to a weekend off to try to rehabilitate their relationship.

What do you think about the potential for really having a massive program in America to get mentors to be surrogate parents?

Mr. COLSTON. I think the potential is enormous. I believe that from my experience working with our allies in our program, this opportunity is really a meaningful experience for them. It gives them something to look forward to, to know that they are making a difference. And I do believe that we need to be mindful of the potential of the social capital that we can tap into. And I do believe that when you ask people to step up, they will do so.

So I believe that we need to look at volunteerism, mentoring, coaching, models that bring people together in meaningful ways in order to plant those seeds of values that our kids are starving of.

Senator SPECTER. Well, thank you all. Senator Leahy, I am very encouraged by what I see here in Rutland.

Chairman LEAHY. Well, I cannot thank you enough for taking the time to come up here.

Both Arlen and I handle these problems all the time on the Judiciary Committee in Washington, and I have always said in all the committees I have served on—Appropriations, Agriculture—when you get out in the field, you get the better answers.

When we come back from the break, I am going to start off with a question to Commissioner Tremblay. He said something about don't let Vermont become a drug haven for gangs, and my question,

and think about it before taking the break: Has Vermont become such a haven in some parts of the State?

Senator SPECTER. Pat, one final comment on how encouraged I am to see such a turnout here today. Nobody in the audience is under subpoena.

[Laughter.]

Chairman LEAHY. We have had some that were.

Senator SPECTER. It is great to see so many people here. I see a lot of community activism in this room, which is a great tribute to Rutland. I do not know how many places you could come to a community of 17,000 people and find this kind of a turnout, and I think it is a tribute to your Senators—Senator Leahy of course, and Senator Sanders—and the Congressman and their local officials. But I like the T-shirt of the fellow out there, "Keep Rutland Beautiful. Keep Out the Drug Dealers." And maybe we can make some T-shirts, "I Volunteer to be a Mentor."

Thank you for inviting me and congratulations.

Chairman LEAHY. Thank you very much.

[Applause.]

[Recess 10:41 a.m. to 10:50 a.m.]

Chairman LEAHY. During the break I spoke with Senator Specter as he was leaving about the advantage of getting on these field hearings. He does them on a somewhat regular basis in Pennsylvania. I have been encouraging members of the Judiciary Committee, both Republicans and Democrats alike, to go out and hold hearings outside of Washington. Obviously, Marcelle and I like it when we have one of those hearings in Vermont because we can be in our own home and we can be with family and relatives—grandchildren. But we were talking on the way out that we have got to have more of these. I think we are going to start trying to institutionalize more such hearings.

When I was Chairman of the Senate Agriculture Committee, I actually, as we were preparing for a 5-year farm bill put members of the Committee in one of the Government airplanes, and we went to half a dozen States that were going to be heavily affected by it. And over a 3 day period we held hearings. Those times we stayed in farmers' homes and as a result came out with a very good farm bill.

I think we are going to have to do some similar things on some of these crime and judiciary hearings. Senator Specter was right. You get more attendance actually here than you do in Washington. Unfortunately, in Washington, with all due respect to many of the people who testify, we see some of the same faces all the time. They are very, very good, but the laws that we enact affect everybody. And just even the conversations in the hallway about mentoring and law enforcement and others are important.

But, Commissioner, just before we broke, I mentioned to you I wanted to followup on something you said. You spoke—and we all agree with this, all of us as Vermonters agree with this. We do not want to let Vermont become a drug haven for gangs. Are there parts of Vermont where there is a haven for gangs?

Mr. TREMBLAY. I would not say there is a haven. What I would say is that it has been my experience—

Chairman LEAHY. Pull the microphone closer.

Mr. TREMBLAY. What I would say is it has been my experience that we know that there have been drug dealers arrested, there have been other offenders that Vermont law enforcement has come in contact with that have gang ties to other larger urban areas. They come here to test the waters, quite honestly, but this is to me what makes Vermont so special. This gathering here today of community members coming forward, we have not allowed ourselves to become communities or a State that just accepts that crime will occur in our communities. We will not stand for it. It is gatherings like this that help that. It is the cooperative law enforcement that I talked about.

When a gang affiliation is determined during the course of a drug investigation, or any criminal investigation for that matter, there is immediate communication between local, State, and Federal partners, at which time we ramp up very significantly to ensure that while they are testing the waters, that the waters are not comfortable for them here. We make every effort to ensure that they will not become infested in our communities here.

Chairman LEAHY. Commissioner, I am glad to hear that, because I would hate to think, whether in urban areas or anywhere else, that any gangs would think that they have safe haven in Vermont. I also am encouraged by your answer that we realize nobody is going to be able to handle it alone—the local police aren't, State police aren't, Federal. You have got to work together.

I feel privileged to represent Vermont in the Senate. I feel very privileged to serve as Chairman, and I know that Senator Specter does in the time he has been Chairman. But I am first and foremost a Vermonter, and I will pledge to you and the others, if you need help, if you need support, I will help you get it. As a Vermonter, I do not want to see my State in any way tainted by these people. I want them stopped. I want them stopped at our borders. If they come inside our borders, then I want them stopped here.

In the meantime, with especially the young people in Vermont, I want to make sure they have the help they need, because it is not easy—it is a lot different life than it was when I was growing up in Montpelier as a child. Things have changed, and these young people need help. That is why I have been very pleased to hear the comments about education and mentoring.

Chief Bossi, I am going to ask you, just what do you think are some of the things that work the best here in Rutland? And I ask this question thinking that, remember, this transcript is going to be part of our record in Washington, and others will be looking at it from other parts of the country for ideas.

Chief BOSSI. I think what has worked best for us is the community involvement. When did the Rutland United Neighborhoods, we got the neighborhood groups together. It is the school officers in the school system and the close relationship that we have with the school system. And it is working together, the Boys and Girls Club; it is taking care of the young people, finding things for the young people to do to keep them out of trouble, because that is the future.

The other thing that works so well for us in Vermont, as what everyone has talked about, is the cooperation with law enforcement. We have a really small law enforcement presence in

Vermont, so we have to work together. And we do work together, from the prosecutors at the Federal level and the State and county level, to the State law enforcement, local, and county law enforcement. We all work closely together, and that is why I think you see a lot of what happens in Vermont we are able to keep away. We are getting a lot more violence, but working together, we can address the violent issues.

It is the funding that all of us need to keep it going that is most important to us right now. But I think it is working together and not forgetting that we have to work with young people. The mentoring programs, Boys and Girls Club, the schools—that is the future, and that is how we can keep less people from being involved in drugs and violence, is by taking care of them when they are young.

Chairman LEAHY. Well, Superintendent Moran, you heard the chief talk about working with the schools. Give me some idea of how you feel about that, the cooperation. Again, things are different. When I was still in the little high school in Montpelier, a high school that is no longer there, we did not have police in the schools. We did have nuns with rulers, and I think—

[Laughter.]

Chairman LEAHY. Frankly, I would take the police. They have to at least give you a Miranda warning. I shouldn't probably let that one be part of the record, but—

[Laughter.]

Chairman LEAHY. My knuckles still hurt.

But tell me, how does this work? Is there a feeling of us-them kind of thing? Can you make it work? Tell me your experience.

Ms. MORAN. Well, certainly, and I share the upbringing that you do, Senator Leahy, and I think I was more concerned about Sister Mary Superior than law enforcement.

But I do not want anyone to leave today thinking that we are just talking about things that sound good. These are things that are on the ground and work. When Tony and I first worked on developing the School Resource Officer Program about 9 years ago, there was some resistance, and there still is, I understand, in some communities in Vermont. I do not want or they do not want cops in schools. But all of these officers are very well trained. We train together. And they are police officers, uniformed officers in schools, which is a good presence, a good visibility. But as I said earlier, they are teachers, they are mentors, they are friends. They are at athletic events; they are at social events; they are at concerts. They get to know the children, and they get to know the teachers. And as a result, the kids know that we know each other. Folks know that Tony and Scott Tucker and all of the other men and women in the department are working together. And that can lead to a common message so that the young people are hearing that, first of all—and sometimes it is hard for them to hear this—we care about them; and, second, we are going to try to figure out ways to work together to help them. It has never been us and them. I can call anyone in the department and get an answer within moments, and likewise, I think Tony feels the same way about the schools.

So our SROs are from the little kindergartners all the way up to the kids at the high school and the tech center. They are people

who have gained trust with the young people, so as I said earlier, information can come to the police department through the SROs because relationships—as Dr. Colston said, relationships are essential. The relationship between the Boys and Girls Club and the police department and developing this very exciting program Tony mentioned earlier is another example.

So I think that it is a positive, proactive example that the young people can see and that the community can see as well. So I would encourage people who are not well versed with the SRO programs to become so. I also think we would both be remiss if we did not mention the sheriff's department, because there are many schools in our region that are served by the sheriff's department in their SRO programs.

Chairman LEAHY. You said something about they are trained for it. That is a special training, I assume.

Ms. MORAN. That is correct. They are trained to become, specifically to become school resource officers, and Tony probably could speak more to that.

Chairman LEAHY. But doesn't that also require some acknowledgment and training from those within the schools—the superintendents, the teachers, and all—how to respond to that?

Ms. MORAN. Correct, and actually Tony and I trained together 9 years ago in D.C., so that it is a partnership between school leadership and the police department. And if you were to visit the schools and watch these SROs with the teachers and the children, you would see that they really do build a relationship. They are like members of our faculty.

Chairman LEAHY. Well, let me go into that a little bit more, if I might, with the chief. The SROs, school resource officers, how were yours originally funded? I think I know the answer, but go ahead.

Chief BOSSI. They were originally funded with Federal dollars.

Chairman LEAHY. COPS program?

Chief BOSSI. It started with the COPS program. The first one we did with the hiring grants. The second ones we did with the schools, cops in schools, officers in schools program, the schools programs. And then we worked out a partnership with the school system so that we both share in the funding of those officers in schools now after the retention period.

So without that starter money, it would have been awfully difficult for a city our size to start, you know, funding school officers with three schools' officers.

Chairman LEAHY. As you know, the COPS program is being—or at least in the President's budget—there is going to be some discussion in the Congress whether it is going to work or not—to cut the money out. Among other things, we have been told we need the money for the Iraqi police forces. Frankly, this Senator feels we ought to worry a little bit more about our own police forces in the United States, first and foremost.

[Applause.]

Chairman LEAHY. My instruction as Chairman is at that point I am supposed to gavel you into order for—

[Laughter.]

Chairman LEAHY. You notice how slowly the gavel came up. But how do you pay for it today, Chief?

Chief BOSSI. It is funded with city dollars—some out of the school budget and then some out of the police department budget.

Ms. MORAN. And as well, part of our funding for our portion of the program has come from Safe and Drug-Free Schools funding, which is also being significantly cut at the Federal level.

Chairman LEAHY. And I must say, so nobody thinks we are being partisan on this, Senator Specter has worked—as a Republican, and a senior member of the Republican Party in the Senate, nobody has worked harder than he has in trying to get funding for these kind of social programs and educational programs. He has been a tremendous person on that, and aside from my obvious personal friendship with him, it is something where—again, we former prosecutors know there are a lot of other things in it besides just law enforcement.

And I think you said, Superintendent Moran, that it is the 14- to 18-year-olds that are at the most risk. Did I understand your testimony correctly on that?

Ms. MORAN. Yes, Senator, and I think if you spoke with folks in the Department of Children and Families, we would have that same conclusion. And, again, it is not for lack of interest or effort, but there are limited resources. And young people at the 14-, 15-, 16-year-old age sometimes are not screened in for the level of services one would hope because the younger children are demanding so much attention.

So that is where programs such as our City Schools Health Center Campus, which serves potential dropouts, right upstairs here in this very building, Boys and Girls Club, Mentor Connector, vigorous co-curricular programs, we also have some programs where we try to get the older children to help younger kids. And sometimes teenagers at risk become great mentors for younger children because they make a connection and they see that they can make a difference. So while there are many formal programs, there are some informal offerings as well.

Chairman LEAHY. And, Dr. Colston, is it your testimony, too, that you find that is the age category that is most at risk?

Mr. COLSTON. Yes, and it is also where they go home. If you have families that have come out of generational poverty, they are struggling as well. So if you are going to really be holistic about the approach, you really want to include the family in terms of programming that supports them and gives them the space and the hope to be the parent that they ought to be.

Chairman LEAHY. We spoke briefly during the break, Mr. Klavens and I, and as he knows, my father was born in Barre, and my sister runs an adult basic education program for Central Vermont. But what I find so surprising, in just talking to her—and I realize this is anecdotal—is that, one, the number of kids in that category who have problems because of the lack of adult family members or mentors, also the number of people becoming adults that are functionally illiterate. They have gone through our school system and all, but they are functionally illiterate, and the problems that brings about.

Did you want to add anything to that or address that area, Mr. Klavens? Because I think you have found that people in this age group, again, 14 to 18 we are talking about, are particularly susceptible. Am I correct?

Mr. KLAVENS. Absolutely, and you know, one of the things in our program when we have people in is our goal is not just for them to stop using drugs. Our goal is for them to be happy and healthy. So, you know, looking at all these things, as we say, you know, mental health diagnosis, you know, even things like literacy issues and things like that, is—you know, these all put kids at risk, and kids who have drug dependency issues and who are trying to move on from that, all these supports, all different ways that we can kind of, you know, surround them with health are really useful. So we try to do as much as we can, but absolutely, I mean, 14 to 18 is usually where we see kids starting to use drugs regularly. That is pretty common.

Chairman LEAHY. Well, you have given me a lot to think about. I must say I am wearing two hats—as a member of the Judiciary Committee and as a member of the Appropriations Committee. I have other concerns from the Agriculture Committee, but in the Appropriations and in the Judiciary.

Also, a number of people have asked to submit testimony, and that will be submitted, will be made part of the record.

I should also note to each of you, we will give you a copy of the transcript of what you had to say. If you see something in there where you gave a number wrong or a statistic wrong or something and want to correct it, of course, we will keep it open for that. But, also, when you look at something in there and it makes you think of something else you would have liked to have added, then send a letter and say you want to add this, and that will be part of the record.

Commissioner, do you or does anybody else want to add anything else to the record here?

Mr. TREMBLAY. I would just add that I think one of the things that has always been concerning to me in my 25-year law enforcement career here in Vermont, particularly as it relates to drugs, is to understand that the Vermont Drug Task Force as one example has anywhere between 40 and 50 open drug investigations right now. Any drug unit within the State, whether it be in a town or a small city, has active drug targets that are on waiting lists. And that compounds to the problem, that we see some great work going on here, as has been evidenced and testified to here in Rutland, yet we still are struggling with the problems of drug abuse, drug addiction, and the associated crime and now violence.

We have to stay on top of these drugs cases. We cannot let a backlog of drug targets fester in our communities and in our neighborhoods. And the importance of ensuring that we have enough human resources to deal with it remains a critical concern of mines as public safety commissioner.

Chairman LEAHY. Thank you. And we all agree that there is no one part of this that has all the answers. It cannot just be law enforcement; it cannot just be the schools; it cannot just be drug education and the counseling and the others, but you have all got to

work together. That is somewhat of an oversimplification, but are we all agreed on that?

Chief BOSSI. Yes.

Ms. MORAN. Absolutely.

Mr. TREMBLAY. Yes.

Mr. COLSTON. Yes.

Mr. KLAVENS. Yes.

Chairman LEAHY. Because I remember back when I was State's attorney, there was some at that time who thought, well, it has got to be totally a law enforcement matter, and I have always felt indebted to some very good law enforcement people I worked with at that time that said, no, no, you have got to start working with the schools, you have got to start working with the counselors, you have got to start working with others.

I thank you very much for taking the time. I thank the city of Rutland for opening the doors. And, of course, I thank my colleague Senator Specter for coming down here. One of the things Marcelle and I look forward to all the time when we have one of these breaks in the Senate schedule is to be able to come home and have meetings around the State. I will have them all week long before I go back. I have never had one of these breaks where I have not gone back, one, feeling more invigorated; but, second, having learned a lot.

So thank you all very much, and we stand in recess.

[Applause.]

[Whereupon, at 11:11 a.m., the Committee was adjourned.]

[Submissions for the record follow.]

SUBMISSIONS FOR THE RECORD

Judiciary Committee Hearing on "The Rise of Drug Related Violent Crime in Rural America: Finding Solutions on a Growing Problem"

Honorable Senator Leahy and Senator Specter Judiciary Committee Members

Thank you for coming to Rutland

The threat of drugs and violence has to be addressed on three fronts. Education/prevention, enforcement and treatment. All three are equally important.

Rutland City Police have a proactive Community Policing approach to Law Enforcement. Our School Resource Officers, our Community Policing partnership with Rutland United Neighborhoods (RUN), Rutland Community Justice Center, Rutland City Public Schools and Rutland Boys & Girls Club help with education and prevention, and the Rutland Drug Court helps with the treatment.

Over the last 5 years the Rutland city Police Department has made over 375 drug related arrests. Local Law Enforcement block Grants, Byrne Justice Assistance Grants and COPS Grants have allowed us to:

Provide an effective means of identifying people and places frequently involved in drug transactions.

Share intelligence information with appropriate agencies and entities to facilitate appropriate follow-up investigations to further drug enforcement efforts at the statewide and federal levels.

Engage in both pro-active and reactive enforcement activities to deter criminal activity.

Disrupt local drug supply by identifying and arresting violators.

Law enforcement agencies depend on Byrne Justice Assistance Grants and COPS Grants to help them in cooperative efforts against drugs and violence. These grants are also dependent on prevention and treatment programs, and offender rehabilitation and re-entry programs.

Rural states like Vermont need funding for law enforcement on three parts.

1) To fund salaries and benefits of officers assigned to statewide task forces.

2) To support local law enforcement efforts.

3) To support overtime funding for drug investigations.

Rutland City Police partners with (RUN) Rutland United Neighborhoods and (CJC) Rutland Community Justice Center. The Justice Center is a partnership with the Rutland City Police, Rutland County State's Attorney, Rutland City Schools, District and Family Court, Department of Children and Families, Department of Corrections and the Rutland United Neighborhood's 4 Neighborhoods. The grant funding issued to Rutland Community Justice Center for offender re-entry programs pre and post adjudication services dispute resolution, is critical to these programs. RUN also has a pre-charge program in place to address first time offenders and quality of life issues. This prevents the courts and corrections from being involved in these matters.

Three Rutland City Police Officers are assigned to the Rutland City Schools covering grades K-12. This program was started with COPS Grant Funds and continues to be funded by Rutland City Police and Rutland City Schools. These officers are involved in the design and delivery of various prevention based and educational programs for faculty, students, parents and interested community members.

Rutland City Police are partners with the Rutland Boys and Girls club, in a Bureau of Justice Assistance Grant for youth partnership for crime prevention. The BJA Grant will allow the Rutland Boys and Girls club to have a peer based leadership program and provide training for the programs at the Vermont Police Academy. The after school programs at the Rutland Boys and Girls Club make it less likely for young people to begin illegal drug use or be involved in youth crime and violence.

The Rutland Drug Court is designed to help in lowering substance abuse among non-violent offenders to help increase the offender's success in remaining drug free. The Rutland city Police have been involved with the Rutland Drug court since the planning grant. This is another successful use of grant funds.

Currently the drug that poses the greatest threat to Rutland City is crack cocaine. The availability of powder cocaine, heroin, diverted pharmaceuticals and marijuana is also high in our area. These drugs primarily come to Vermont from New York and Massachusetts. We anticipate seeing "meth" moving into our area since we have seen this development in other rural areas across the nation.

The availability of drugs in Vermont has not changed the much over the past years. What has changed is the violence that has increased over the last few years.

Vermont is still one of the safest states in the country, in part because of the cooperation that you see between Federal, State, and local departments.

Federal support is very important to a small rural state like Vermont in keeping the violent crime down. The Federal support helps to prevent, control and reduce violent crime, drug abuse and gang activity.

The police can not do it on their own. The education/prevention, enforcement, treatment must be funded equally, they are all important. Funding from the Federal Government is

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important to help keeping the violent crime down. The Federal funding helps to reduce violence. Through the use of Community Policing, prevention education, treatment and neighborhood restoration.

Thank you,

Anthony L. Bossi
Chief of Police
Rutland City Vermont

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VERMONT

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Agency of Human Services

TO: Senate Committee on Judiciary

FROM: Barbara Cimaglio, Deputy Commissioner

DATE: March 28, 2008

SUBJECT: Written Testimony on Drug-Related Crime in Rural Vermont

Senator Leahy, Senator Specter, and members of the Committee -- Thank you for taking the time to travel to Vermont to get a front line perspective of the drug problem in our state. It was clear from the number of people in attendance that this is a serious concern in Rutland and throughout Vermont.

The testimony presented by the speakers told a compelling story of the challenges we face in preventing the spread of drug-related problems. I strongly concur with the overall perspective that we need an approach that encompasses prevention, treatment and law enforcement. The problem is complex; strategies must be developed that are appropriate to address its various aspects.

Funding

I will begin by summarizing the work we are supporting through the Department of Health, and explain how we fund our programs. One of the greatest challenges in addressing drug problems is the complicated maze of program funding, primarily Federal, that requires significant expertise to manage. All states receive a formula-based **Substance Abuse Prevention and Treatment Block Grant;** this grant **has not seen significant increases in a number of years.** It represents a varying percentage of the core funding available to states for community prevention and treatment programs, and is administered by the Substance Abuse and Mental Health Services Administration of HHS. For Vermont, this is approximately 25% of our core funding (@ $5M). The majority of our budget is granted out to community organizations for direct services, such as those provided by Burt Klavens at the Washington County Youth Services Bureau. We also receive funds for treatment through Medicaid, and this is a growing portion of our budget. Specialized funds for Enforcing Underage Drinking Laws ($400,000) and the Harold Rogers Prescription Monitoring Program ($360,000) come from the Bureau of Justice Assistance and have not increased at all over the years. A growing portion of our budget comes from the State General Fund (average $9M). Vermont has been fortunate to secure several competitive Federal grants over the last several years, bringing our entire substance abuse prevention and treatment budget to approximately $32M, a small percentage compared to the overall budget for law enforcement.

Page Two

We know that the long-term answer to the drug problem lies with a change in attitudes and behaviors, **yet we spend the smallest percentage of our resources on prevention programs** that can help our young people learn skills to make healthy choices and remain drug free. I urge you to look at the resources that might be made available for additional prevention programs. In a rural state like Vermont, there are too few programs for youth.

What Substances Are Abused; What Are the Effects

When we look at the substances that are abused in Vermont, we see that **alcohol remains the number one substance abused by both youth and adults.** Over 50% of the people entering treatment programs identify alcohol as their number one problem. For the first time last year, marijuana surpassed alcohol as the number one drug problem identified by youth coming into treatment. We are also seeing a steep increase in the number of people identifying prescription opiates as their primary problem, and they have surpassed heroin as the primary addiction for people seeking methadone or medication-assisted treatment.

Another serious issue in Vermont is public inebriation. Individuals who are incapacitated due to primarily alcohol often do not have a safe place to stay until they are sober. This can result in their being taken to jail to remain safe for 24 hours. This is a drain on our resources; however, we struggle with finding alternatives. We only have a handful of shelters that can house public inebriates.

Driving under the influence of alcohol still remains a problem; over 3500 people per year are ordered to go through Project CRASH, our DUI diversion program. And a large percentage of people under the Department of Corrections community supervision program are repeat DUI offenders.

While drug abuse receives much of the attention, many of our underlying law enforcement and health problems are related to alcohol abuse. Situations involving domestic violence, assault and other interpersonal violence are often related to alcohol.

What Are Recommended Solutions

Long term solutions must be rooted in prevention and treatment, as well as law enforcement. The amount of Federal funds going to prevention remains small compared to that going to enforcement. **I urge you to continue to support partnerships that include community prevention and treatment, especially alternative programs like mentoring and early childhood education.** Drug-free schools and communities programs, through the Department of Education, are also continuing to face declining resources.

I would summarize the key aspects that need to be made available to combat this problem holistically:

- aggressive enforcement of emerging drug problems and organized crime
- training for law enforcement and community leaders
- media campaigns to educate youth and adults
- education, and prevention
- treatment for offenders, such as the Second Chance Act and drug court funding

Thank you for the opportunity to submit written comments. I appreciate your time and attention to this important issue and would be happy to share further information on our programs that are working in Vermont.

VERMONT

THE UNITED STATES SENTATE JUDICIARY COMMITTEE HEARING
RUTLAND, VERMONT
March 24, 2008

WRITTEN TESTIMONY SUBMITTED BY
SANDY COHEN, EXECUTIVE DIRECTOR, THE MENTOR CONNECTOR

Honorable Senator Patrick Leahy, Chairman of the Senate Judiciary Committee, Honorable Senator Arlen Spector and other distinguished committee members.

We welcome your interest in our community. Like many other small cities, Rutland is in a state of decline. We have had an influx of people responsible for the dissemination of drugs. There are few jobs or opportunities for families to improve their income or educational status. In order to sustain the family, both parents must work or the single parent must hold two jobs. Our educated children are moving away to improve their financial stability. They are being replaced by families moving here for the social welfare umbrella that Vermont and Rutland offers. The children of these families under stress are increasingly deprived of positive role models in the home. It is estimated that 1200 children in Rutland County are considered, "at risk."

The Mentor Connector was created three years ago by three private foundations to raise the culture of mentoring throughout Rutland County with the long term goal of insuring that every child who wants or needs a mentor should have one. Mentoring is defined as a structured and trusting relationship that brings young people together with caring individuals who offer guidance, support and encouragement aimed at developing the competence and character of the young mentee. We know that mentoring can work. We know that meeting with a mentor each week can reduce the use of drugs by children by 57%. We know that 52% of kids do better in school and will stay in school. We know that 27% of kids are less likely to use alcohol if they have a mentor in their life. Mostly, we know that kids in need of mentoring are waiting.

The Mentor Connector in Rutland at present has matched and supports 48 mentor matches. We provides technical assistance in recruitment to 13 other site based programs totaling more than 300 mentor matches with a small staff of two, a volunteer board, and the commitment of the communities we serve.

The challenge for mentoring programs is the recruitment, training and support of responsible adults to be volunteer mentors. The challenge is to thoroughly train and retain the coordinators integral to making each program a success. We need to pay them adequately. As a national average it costs $1,500 to support each mentor match. The Mentor Connector and the 14 programs within its network need adequate sustainable funding for expansion and to support the 348 functioning matches for the kids we now serve and to accomplish the tremendous task of recruiting, performing background checks, training, matching and supporting new matches for other at risk children throughout Rutland County. Mentoring is a powerful, cost effective prevention tool but it needs the financial support of government as well as the private sector.

Respectfully submitted,
Sandy Cohen, Executive Director
The Mentor Connector

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TheMentorConnector

Senator Patrick Leahy

Dear Senator Leahy,

Thank you for taking the initiative in planning and implementing a meeting of the Senate Judiciary Committee meeting here in Rutland. A group of us is heeding the call to action and have begun a Coalition for a Healthier Rutland which is composed of members of the various factions addressing the needs of kids in the Rutland area. The Mentor Connector is taking the lead in the project based on the recognition that mentoring is an excellent prevention tool. We are meeting on Tuesday, 1 April, 2008. Thanks to your hearing here on Monday there is excellent interest and leadership for a project of this sort which we know is essential for the carrying out of a clear mission.

The theme most clearly articulated was that the drug dealers are here because of a defined market. The first thing we need to acknowledge is that there is a market and that has created the problem that we intend to address.

We will keep you and the committee informed as we develop a cohesive action plan.

Again, thanks for the attention paid to our community's needs.

Sincerely,

Sandy Cohen,
Executive Director
Mentor Connector
802-775-3434

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TESTIMONY OF
HAL COLSTON
SENATE COMMITTEE ON THE JUDICIARY
MARCH 24, 2008

Senator Leahy and Senator Specter:

It is my pleasure and privilege to appear before this committee to discuss the rise of drug-related violent crime in rural America and how to find solutions to this growing problem. My testimony will focus on prevention with an understanding of the importance of treatment and law enforcement.

I have lived in Essex Junction, VT since 1989 after moving here from Philadelphia, PA with my wife and three children who are now grown adults. The human scale and quality of life in Vermont has been very important to me as a parent and citizen. But, the proliferation of drug use and the related violent crime has given me pause as of late. I have witnessed how drug abuse violently tears apart families.

I believe it is important to go upstream to understand why the demand for drugs continues to increase. And, especially among the young people in our community. As long as demand for drugs is brisk, there will be drug dealers lined up ten deep to meet this demand. In my view drug dealers are people who have lost hope. Some of them may come from out of state to capitalize on this opportunity, but dealers would not be in business unless there is a demand. Our recent Youth Risk Behavior report prepared by our Department of Health has shown that marijuana use has shown a slight decline yet the report did not measure abuse of prescription drugs which can lead to hard, addictive drugs such as heroin, cocaine, and oxycontin. How do we deal with the consumption side of this problem?

I feel we do a disservice to our teenagers by creating a cliff-effect for the 14 to 16 year olds during the summer months. They don't qualify for summer recreational programs and they are not old enough to work. So, they tend to drop out of sight and are left to their own devices unless families have the resources to put them through endless summer camps, providing them with healthy activities. Yet, the reality is that many families cannot afford this option. When our young people abuse drugs at such a young age, they risk their emotional development. Peer pressure becomes a powerful force that can keep our children trapped into abusing drugs.

This is compounded when our young people who experiment with and abuse drugs go back to school in the fall. Studies have shown that the most dangerous time during the school day is from 2:30 pm to 5:30 pm. Many parents are at work and our children may be home alone if they are not involved with extra-curricular activities at school or part-time work. Without structure for healthy activities and clear boundaries for behavior, it's no surprise to me how our kids get onto a path of abusing drugs. How do we deal with this side of the problem?

Why not shift the school day to begin at 9 am and end at 5 pm. This would eliminate the vulnerable time of the day when we give adolescents the opportunity to exercise risky behavior. Studies have shown that under the typical school day students on average do not get sufficient sleep loosing rest for a vigorous day at school. The unintended consequence of a change such as this could improve school performance and decrease drug use.

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It really does take a village to support our children. And that village must include all of its parents. Living in an affluent community I have seen how parents are stretched between career and family. And, the outcome is that parents become isolated from one another as we try to keep pace with making a living and providing for our families. It becomes too difficult for parents to act together.

A typical scenario is that a parent or parents plan to leave town for the weekend and have the child spend the weekend with a friend. An empty house that no other parents may know about. Before you know it, a get together is planned without any of the parents speaking to one another. We get hoodwinked and our teenagers get a chance to have an out of control party fueled by drugs. How can our community deal with this side of the problem?

What all of us parents have in common are our schools. Perhaps the schools can bring parents together at middle school to learn how to act together for the well-being of our children. Parents Acting Together could partner with the schools to learn how and why strategies for communicating with one another are important. This associational relationship could provide the opportunity for building meaningful relationships.

There are families in our community with parents who are recovering from drug addiction lacking associational relationships. How can such a family get support so their children don't repeat their experiences of self-destruction? I direct a new non-profit in Chittenden County called NeighborKeepers with a vision to break the bonds of poverty one family at a time. In my view poverty is surviving with a lack of resources such as financial, physical, mental, emotional, spiritual, and role models. We employ the Circles of Support model and practice radical hospitality by creating a community where families befriend allies who help them accomplish their dreams and goals. Typically three allies comprise a Circle of Support and learn to "do with" as opposed to "do for" their new friends. Not only are the families transformed but the allies are also as they learn how barriers and policies keep people trapped with a lack of resources. Ultimately, our community benefits as marginalized families are able to increase the social capital.

NeighborKeepers has two families in our Circles of Support community with parents who are recovering addicts. I have watched them come alive with their new friends and a new sense of purpose – understanding that they too have something to give back. At NeighborKeepers we teach reciprocity which is critical for healthy relationships and critical for building healthy communities.

In conclusion, I believe that we must think out of the box to find solutions to drug-related violent crime in rural America. We need to focus on the needs of our children and families which are the building blocks of a healthy community. If we can replace their isolation with meaningful activities and relationships, we can make tomorrow brighter for all. For me Dr. James Comer of Yale University says it all, "No significant learning can take place without a significant relationship." It is all about relationships. Thank you.

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US SENATE JUDICIARY COMMITTEE FIELD HEARING

(March 24, 2008, Rutland VT)

I arrived at the Field Hearing half expecting the Rutland community to be experiencing ambivalence and denial similar to what Albany New York experienced over a decade ago at its onset of outside influenced gang and drug related crime. I was encouraged to see Rutland facing the problem head on, without denial. Mayor Louras' testimony indicates some officials were understandably concerned about negative press at a time when community assets need to be highlighted.

There is no greater community asset than collaboration in the collective acknowledgment of the truth of what's actually happening, what's most important about its impact and what practices are already making the most difference. There is a scene in the popular HBO Series "The Wire" where frightened residents erupt in anger at the presentation of rose-colored statistics and charts. One police official bites the bullet acknowledging how bad things really are and says "I can't tell you I know what the solution is, but it can't be a lie."

As an outside observer, the snapshot I experienced at the Hearing appears to be one of a healthy community on the road to a best practices collaborative model for rural communities facing the onset of outside influenced gang and drug related violent crime. I am especially heartened to see emphasis placed on services for youth 14-18, co-occurring disorders and children and parents struggling with generational poverty and disabilities linked to fetal exposure to crack cocaine and alcohol. Investment at this end not only reclaims lives but strengthens the families most vulnerable to gang and criminal enterprise recruitment.

Part of Rutland's response appears to include using circles of support and other elements of restorative practice to respond to family needs as well as incidents of wrongdoing that get the formal attention of school disciplinary or criminal justice case processing.

It also appears that the individuals coming to Rutland from NYC, Albany and other areas to test the waters and set up shop in Rutland are not widely seen as a crucial element of the solution.

There are two elements of a collaborative response I would suggest for integration within an already strong approach: Youth Violence Intervention Restorative Conferencing and The Council for Unity's school, community and correctional institution chapter building. Both elements focus on developing community among those at the epicenter of drug and gang violence and establishing positive, healing relationships with each other and the wider community.

"Yea, I'm in a gang, but don't tell my mother." "Why is it whenever anything jumps off here at school you go round up my son and his friends like they're in a gang or something?" (Mom is a gang leader) "I didn't know they were amping me up to jump my cousin till I got here and people started talking and I realized we were related." "Not a day passes that I don't see the face of the man I killed. I don't want that for you." "Yea, I'm a lieutenant in my set, but drive me around the South End and I'll tell my boys to

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be there at the conference. We can stop this. I gotta ride low in the back though, I got shot at last night."

All of the above statements from youth, parents, and present and former gang members emerge from a fundamental truth about human beings; we are hard wired to connect with each other. Relationship is a primal force that holds families, institutions, gangs and criminal enterprises together.

These and other statements like them occurred within the context of, and surprised many of the participants in Youth Violence Intervention Restorative Conferencing processes in Albany NY. Unlike Community Accountability Boards and other forms of restorative practice, very few of the 56 incident clusters addressed by the YVIRC project have ever hit the system. They are interventions at the epicenter of the violence, drawing on each participant's innate capacity to own their part in what has happened, viscerally experience the impact of their actions on others and explore culturally meaningful ways of addressing the harm done and preventing future violence. There are similar projects operating in Baltimore and at the Harlem Restorative Justice Project in NYC.

YVIRC practice combines culturally competent assertive community engagement at the street, home visit and school level with serious offense restorative pre-conferencing and conferencing. Eventually, most new incident clusters are reported to the facilitators by former process participants who have experienced the capacity of their own community to "take matters into their own hands" in non-violent or violence limiting ways, using their own ad hoc processes.

These organic processes are circumscribed by restorative pre-conference and conference facilitation and are bounded by the very personal and emotional influence of directly affected process participants connected to the wider community. In Albany, these individuals, encouraged to participate in their personal capacities, have included parents, students, mentors, teachers, administrators, ex-offenders, police detectives, probation and school resource officers, family court judges, child protective workers and others.

What has emerged from relationship building and link charting of incident clusters is an awareness of how much current cyclical retribution for real and perceived harms has at its roots unaddressed basic human needs; untreated trauma from solved and unsolved assaults, sexual assaults and homicides; virtually non-existent impulse control due to fetal exposure to crack cocaine and alcohol and other factors frustrating those most committed to making the community safer and stronger.

We are developing an understanding that the problem is both smaller and bigger than was initially thought. Our link charting of incident clusters reveals the presence of a much smaller "epicenter of epicenters" of families and group and neighborhood rivalries that cry out for focused attention. This epicenter requires focused resources beyond generationally cyclical incarcerate-release and uncoordinated mental health treatment, law enforcement suppression and educational prevention responses.

Violence Intervention Restorative Conferencing is not a solution to any of these problems. It is more about recognizing who the real experts are in stopping drug and gang violence, those caught at its

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epicenter. When facilitators remember they are the only ones with no business being there and ask the right questions, stories are told, engagement occurs and human emotion takes over, opening otherwise closed channels to strong personal relationships among participants. It is these relationships that contain the keys to real, personalized solutions. When pre-conference and conference participants include those with the power to leverage and focus scarce resources, the impact of those resources is amplified.

My first exposure to the Council for Unity was several years ago when the Albany County Office of the District Attorney secured limited funding to explore establishing a chapter in Albany. Since that time a chapter has been established at the Harriet Gibbons 9th Grade High School including all students. An after school chapter is being established at Albany High School. I have also visited the Sheepshead Bay chapter and have seen first hand how the use of former gang members, mythology, storytelling and other elements of the Council for Unity curriculum engage even the most disaffected of youth.

As a restorative practitioner and former homicide investigator I am intimately familiar with how difficult it is to develop the trust and relationships needed to emotionally connect with incarcerated gang members. The Council has achieved remarkable results in this domain, developing chapters in correctional facilities as well as obtaining the support and membership of the associated law enforcement agencies in these communities.

I will let the attached news articles on the Council for Unity and the Youth Violence Intervention Restorative Conferencing project speak for themselves.

In closing, I believe it is important to recognize that violence, like any other epidemic, requires close affective contact to spread. Profound understanding and healing relationships also require close affective contact to spread. It is my belief that Rutland "gets it". Its responses are congruent with that fundamental truth about human beings; we are hard wired to connect with each other. Both Youth Violence Intervention Restorative Conferencing and the Council for Unity are based on this fundamental truth and we are available to explore ways we may be of real help in Rutland.

Respectfully Submitted,

John Cutro

Restorative Community Practice Development (Albany, NY and Winooski, VT)

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October 24 2005 www.iirp.org

Restorative Practices
EFORUM

Restorative Conferencing in Inner-city Albany: From Retribution to Resolution

BY MARY SHAFER

There is promise inherent in conflict. That's the vision of John Cutro and Dennis Mosley of Albany, New York, restorative practices consultants who are combining their vision with a flexible approach to the emotionally charged process of restorative conferencing. The result is an inner city that's getting a handle on its school and street violence, while its citizens take back the power to make proactive decisions about their quality of life.

Restorative conferencing as a dispute resolution tool opens doors to real communication and understanding that remain shut in the face of more traditional methods. Conferencing works because it draws its power from within the community, instead of being imposed upon it from outside.

Cutro previously worked in the New York Capitol Defender's Office, where he learned that the traditional justice system "is *not* a system, and it's ineffective. It's a process that produces case activities, not justice. It's adversarial by nature, which causes polarization. Justice is the last thing you'd logically expect to come out of a process like that."

Instead, Cutro has embraced restorative practices, including conferencing, which works on a few basic premises. Restorative conferencing:

- directly involves parties on both sides of an ongoing issue or specific incident;
- requires people to own responsibility for and involvement in their situation;
- provides a chance for all parties to be heard (and hopefully, understood);
- offers the opportunity for genuine interchange of sincere ideas to try to make something good out of harm done, to the extent that is possible.

When in February 2004 a teen-age girl got slashed with a razor during an ongoing series of violent incidents, Cutro took notice. He learned about the frightening escalation of violence from another conference facilitator he had trained whose daughter was friendly with someone involved in the incident. He facilitated a conference with the participants, giving them the chance to express their feelings.

Though it helped for a while, the participants had displayed less than complete commitment to the process, leaving tension that continued to simmer just beneath the surface.

A cycle of retribution for real and perceived harm continued to intensify. It came to a head on St. Patrick's Day this year, culminating in a significant public fight between two groups of Albany High School students at a nearby McDonald's restaurant.

The case was referred to Cutro for resolution through the Albany City School District, because he had worked on the related slashing case. He voiced his concern to the mother of the slashing victim, who confirmed that her daughter, feeling powerless, had begun acting out.

"It Definitely Works"

John Cutro facilitated a restorative conference in the wake of a violent fight in a McDonald's restaurant in Albany, New York. Six months later, he conducted "verification and learning" interviews with conference participants. Tracy Coleman, mother of a girl present at the fight, who attended the conference, said, "It [conferencing] definitely works. It made an abundance of difference. It [the conflict] wouldn't have been resolved this fast." Her daughter, Chanell, added, "I think they'd still be fighting to this day." Regarding school mediation efforts in response to the incident, she said, "As soon as we left [mediation] we were fighting again. We didn't get to talk about what had happened, like we did in the conference."

Missy Oliver (left) and Chanell Coleman (right) were present at the McDonald's incident. Chanell's mother, Tracy Coleman (center), attended the conference with her daughter.

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And there were rumors of a "hit" circulating. The awareness of this potential "hit" was making students and faculty very nervous.

Cutro approached Paul Pettit, director of security for the Albany City School District. Paul referred him to John Bounds, head of security for Albany High School, who helped him make contact with the students who had been involved in the McDonald's incident.

Cutro had mixed levels of success preparing the individuals who had indicated willingness to participate in the conference. Some people were inaccessible, some were less than cooperative in pre-conference meetings. This was a sign that some parents might have encouraged their children to fight in order to keep their respect, and that the parents felt uncomfortable about the conference.

One way to avoid this is to engage what Cutro calls "bridge participants," people who know offender and victim and have credibility with both parties. Such individuals don't always exist, but they did in this case.

Cutro added another tool to make the McDonald's conference successful: a "normative group" of people representing different viewpoints to offer perspective on an incident. If enabling behavior such as that previously mentioned is occurring, the normative group provides a reality check—credible people who can point out the consequences of such behavior.

"In a conference, we're dealing with what happened, and then how [the participants] feel about it. You need to structure the conference so responsibility is admitted for other parties to gain confidence in the process. That's the point in the Silvan Tomkins process where we move to neutral affect and can transition toward the positive." *(The late psychologist Dr. Silvan S. Tomkins developed a theory of innate emotions, which he called "affects," and stated that human relationships are best and healthiest when there is free expression of affect. In restorative conferences, participants routinely move from "negative affects" through the "neutral affect" to "positive affects." –Ed.)*

The restorative conference, which was attended by 35 individuals, including the teens who had participated in the incident at McDonald's, their friends and family members, was held in a Quaker meetinghouse to provide an atmosphere of sanctuary and help keep interaction as low-key as possible. However, during a conference, "people are at a high affective level, in a heightened emotional state," said Cutro. "It's the only way the learning can occur. It must have a strong enough impact to provide an effective counter-experience to the original traumatic incident."

As general conference practice, "opposing sides" are physically separated until everyone has arrived, "so no external processes start" to distract from the task at hand. This adds to the atmosphere of a controlled, formal process, which provides a sense of safety and security for participants.

Said Cutro, "I try to provide enough structure to let them know it's formal and controlled, and that work needs to get done, but I don't let that structure get in the way." In working with the Albany community, Cutro follows what he calls an "abbreviated script," referring to the facilitator guidelines in the Real Justice *Conferencing Handbook* training manual.

Usually, the script calls for a certain amount of verbal introduction and a slow "easing into" the difficult topics that need to be discussed. However, because many of his conferences involve highly escalated situations, "there's not a lot of patience for not getting to the heart of the matter." Generally, everyone in the circle knows each other, so Cutro skips the initial go-around as a redundant obstacle to progress. "It really depends on the class and race situation" in any given conference, he said.

Cutro thinks it's important to respect differences when facilitating conferences with participants of varying socioeconomic and cultural backgrounds. "Sometimes this means putting aside our own personal bias about what constitutes disruptive behavior during a conference. For some socioeconomic and cultural groups, blurting out 'burning questions' and demanding and receiving answers are a necessary and acceptable part of effective communication and the free expression of emotion."

The heightened emotional state often requires Cutro to tread a fine line between maintaining a formalized, controlled atmosphere and allowing more spontaneous interactions to occur. At one point in the Albany conference, the exchange became seriously heated. "I had to let them shout it out," he recalls.

Though it was an "off-script" event, it wasn't really an exception to the way things frequently develop in his conferences. "I often think I'll be the first facilitator that will have to hold a conference about an incident [that happened during] my own conference."

This attitude works not as a detriment, but an attribute, and has won him the admiration of many colleagues. Said Beth Rodman, IIRP executive director, "John is a very clever, inventive person and has been the most adventurous person in the world," applying his IIRP training to push the envelope in exploring how conferencing can be used.

Cutro's co-facilitator, Dennis Mosley, isn't surprised or disturbed that Cutro sometimes plays a bit loose with the recommended structure. "In terms of doing this stuff [restorative practices], it comes out of indigenous peoples' tribal ways,

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Restorative Practices
FORUM

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and we're just regurgitating it. This isn't just a program, it's a practice...a way of life." Mosley is glad that some African-Americans in Albany have made conferencing their own.

"You can't just come in and impose it on people. Especially in such isolated and fragmented communities as the inner city, people are used to someone coming in from the outside and, in effect, colonizing them, telling them what to do and imposing their version of what should happen. It breeds resentment, whereas conferencing is an empowerment tool. It turns the power back to the community."

The participants in the McDonald's conference, particularly parents, could freely express their frustration with the perceived failure of the legal and school systems to insulate them from ongoing, dangerous situations. The participants were encouraged to accept as "experiential reality" the limitations of these systems to solve their problems.

The conference process, according to Cutro's final report, "affirmed and exercised each participant's innate ability to recognize their unique power to form an effective community capable of putting a stop to this ongoing conflict and its particular role in the larger cycle of youth violence."

Said Mosley, "the whole 'us and them' mentality is born of fear and breeds apathy, because we shut down when we feel powerless. Class and race are both issues involved in these challenges, and in fact form the basis for many of the prejudices and misconceptions that cause problems."

When Mosley provides training in restorative practices, he deals with these issues explicitly; the same is true during conferences. "[The conference] starts with smaller admissions, and ends up with a very cleansing feeling. The breaking down of misconceptions—a central purpose of conferencing that allows the 'us and them' perception to turn into 'them is us'—allows a reinterpretation that emotionally allows people to want real resolution, as opposed to retribution. All the masks come down, and people take responsibility for their actions, which allows others to own the part they've played."

According to the conference report, "all participants, including some under the age of 10, expressed the need for the cycle of violence to stop. Parents and others acknowledged the need to get and stay involved with what is going on with their children and at school. Several individuals familiar with the school mediations about the same conflict felt the conference, with its larger mix of participants, made a real difference. A unanimous verbal conference agreement was reached. The cycle of violence associated with the fight at McDonald's was over."

On a more personal level, Cutro wrote, "I was unexpectedly saddened by the apparent success of this conference. It's a drop in a big bucket. Investment in much more than a few labor-intensive community conferences will be needed to hit a performance outcome of reducing by 50% the number of incidents causing injury and death to our precious youth in Albany."

Mosley feels the McDonald's conference was a success, and explained why: "The people [involved] aren't engaging in the same kind of behavior now. They've had a taste of another way of dealing with [their differences] where they're empowered to say how they feel and have a different outcome."

Cutro and Mosley run their programs not like charities or special services, but like mini-corporations. Even though they're publicly and privately funded, they believe they need to show that those funds are being used to get results, to help the programs' long-term survival. They draw up mini-business plans—not long documents, just a page or two that describe what they hope to achieve. The plans contain metrics—measurable, realistic goals, such as numbers of people who will benefit and how—that can be used to determine their success rate.

All of this information is contained in a letter to the funding body explaining the kind of "return on investment" they can expect from their contribution.

Mosley looks to the future with hope. "When people see, over time, a change in how things are done, the apathy goes away, the resentment level lowers and no longer turns in on itself. It empowers self-care and makes people take more responsibility for their own well-being."

This can be a multi-generational effect. In a restorative conference, a grandmother lends background to a situation by explaining old community relationships and how things got to be the way they are. She is valued for her knowledge and the sense of roots she lends to the children. Mom communicates that she worries about her child all the time, and the child recognizes the responsibility of belonging to a family. Father acknowledges a child's misdeed, but expresses that he still loves his child. Bonds are strengthened instead of families being ripped apart.

From its start in the conference, the sense of empowerment spreads through the generations, said Mosley. "They get so turned on by the sense of having a real, positive impact; the enthusiasm is amazing. Parents want to become more involved. They volunteer to be trained as conference facilitators."

This spread of empowerment through different generations is promising, said Mosley, because "they say it takes a generation to truly change a paradigm."

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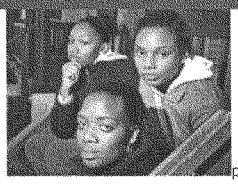

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Looking to break cycles of violence

Restorative justice "circles" offer means of conflict resolution

By DANIELLE FURFARO, Staff writer
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First published: Tuesday, December 26, 2006

ALBANY -- Xzavier Ortiz, Kiki Dancy and Missy Oliver used to be friends. They hung out with a group of friends at Albany High School.

That was before they started fighting over boys, sending nasty messages on Myspace and snapping locker room pictures of each other on their cellphones.

For the past 18 months, the girls often changed alliances and drummed up drama at the smallest offense. There was an incident in which a girl was hit in the head with a padlock inside a sock. Another girl was slashed on the face with a razor.

When John Cutro found out about the strife, he set up circles, or meetings, with the girls, their parents, teachers and anyone else who was involved in some way. Cutro, a restorative justice expert, has tried to get the girls to stop fighting. Not be friends again. Not forgive each other. Just stop hurting each other.

Cutro believes in restorative justice as a way to heal the community. In the past two years, he has opened more than 40 "cluster files" on groups of Albany kids who chronically fight each other.

"Each cluster can have one or two or three fights, or it can have 40 fights," Cutro said.

Many of the kids can't pinpoint why they started fighting in the first place.

"When you come from a poor community, there are a lot of things that push you downward and create anger," said Harry Corbitt, director of safe schools and violence prevention for Albany City School District. "They are angry at society, angry at culture, angry at their parents and authority. But when they let that anger out, their peers suffer."

For the police, the job is not to fix anything or to counsel, Corbitt said. "It's to respond and lodge the appropriate charges."

Restorative justice picks up where the traditional justice system leaves off, creating a venue for both the offender and the victim to learn from what happened and begin to heal.

Cutro and Dennis Mosely started their work with restorative justice in the 1990s with homeless people in Albany. At that time, for example, a man who urinated on the front door of a Lark Street business might help the business owner unload a truck or stock supplies to make up for the incident.

People who have caused harm "have to admit that they've done something wrong and then get reintegrated into the community," said Mosely, who has long been active in the social work community.

And while the goal is not to assign blame, all members of a circle must find a way to best serve their community.

"Our system is not the state versus the person," Mosely said. "We are all part of the same community. We are diverse components of the same organism."

Advocates of restorative justice see it from different perspectives. For Albany County Judge Stephen Herrick, it is a way to help a victim heal. For District Attorney David Soares, it is a way of healing the entire community and helping those who have done wrong to see how they fit in.

Soares has created a community accountability board. The board, whose volunteers include Cutro, come from various walks of life. They listen to defendants accused of a low-level, nonviolent crime and determine appropriate punishment.

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"Offenses like disorderly conduct, noise and graffiti are not really victimless offenses at all," Soares said.

As the board resolves more cases, the district attorney's office can focus on more serious matters.

Studies have shown that those who participate in the circles are less likely to return to the same behavior.

"People are less likely to engage in criminal activity when they feel personal responsibility for what they have done," said Dennis Sullivan of Voorheesville, editor in chief of Contemporary Justice Review and co-editor with Larry Tifft of "Handbook of Restorative Justice: A Global Perspective."

Cutro is quick to point out that while restorative justice can lead to forgiveness and closure, that is not the goal of the program.

"I call forgiveness the f-word," Cutro said. "There is no such thing as closure when you've lost a loved one."

Cutro has constantly worked on a shoestring budget. Grants arrive sporadically, and Cutro often struggles to pay for circle facilitators.

"I've gotten to the point of taking out personal loans to pay for this," he said.

Herrick does not use restorative concepts as an alternative for regular penalties. It is not a get-out-of-jail-free card.

"I don't think anyone likes to think that if a person says all the right things during the process, they will be given a lighter sentence," Herrick said.

As an Albany City Court judge, Herrick often worked with Cutro, using restorative justice practices in the courtroom. Now that he is a county judge and deals with more-serious cases, he doesn't have as much opportunity to use the practice, but still tries to incorporate it when he can, occasionally requiring the circles as part of a plea deal.

"It's a very workable and at times beneficial method of victims getting some benefit from the process and the perpetrator understanding what havoc they have caused," Herrick said.

For the cluster of angry girls at Albany High, there have been three circles so far. Each time, the girls have vowed to leave each other alone.

But when Ortiz, Dancy and Oliver met with a reporter recently, seething tension remained. They didn't speak a word to each other, were reluctant to sit together and pose for a photograph. Afterward, the girls' mothers said the threats continue and they are still scared to let their children walk down the street.

"This isn't easy stuff to fix," Cutro said. "You are working against a culture of violence."
Furfaro can be reached at 454-5097 or by e-mail at dfurfaro@timesunion.com.

Asking questions
John Cutro asks these questions of all participants in a restorative justice circle: What happened? What were you thinking at the time? What have you thought since that time? Who do you think has been affected? What can you do to make up for what happened? What are you walking away from the circle with?

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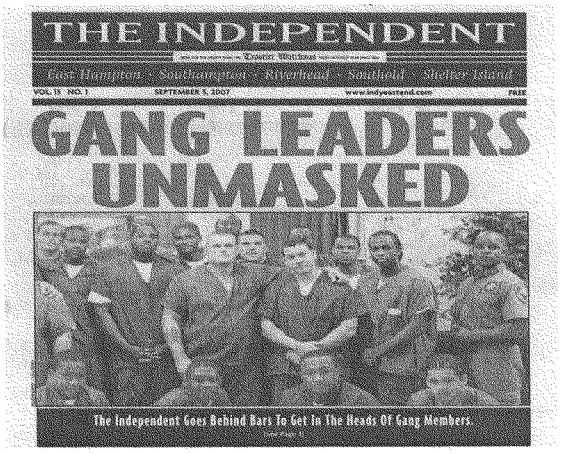
THE INDEPENDENT
East Hampton • Southampton • Riverhead • Southold • Shelter Island
September 05, 2007

New Beginnings For Gang Members

By Lisa Finn


THE INDEPENDENT
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GANG LEADERS UNMASKED
The Independent Goes Behind Bars To Get In The Heads Of Gang Members.

They've spent their lives bustin' guns, robbing banks, and beating their enemies bloody. They have been charged with an array of horrific crimes ranging from murder to career drug dealing. By their own accounts, they have grown up on poverty-stricken streets, been schooled in shattering lives, inflicting beatings and bringing despair upon the families of those they've brutally killed.

On the streets, each of the young men, members of some of the deadliest gangs in the country, would admittedly have faced one another with hatred and violence. Bloods against Crips. Latin Kings against White Supremacists. But at the Suffolk County Correctional Facility in Riverhead, there is a program that has knocked down the walls, a program that is striving for new solutions to the gang problems that have rocked society in recent years. The program is called Council for Unity, and SCCF is being touted as a model, the first county facility to feature the program.

Council for Unity, founded by Bob DeSena in 1975, is a national non-profit organization with a history of successfully promoting inter-group relations and reducing violence in schools and communities. The idea is that by implementing school-based and after-school programs in leadership development, mentoring, career, college guidance and gang prevention, the Council fulfills a mission of empowering individuals and groups with the skills necessary to promote unity, safety and achievement.

Riverhead has been proactive in tackling gang issues, implementing Council for Unity in schools, the police department, the community, and most recently, in the correctional facility, where the program is in its first year. Last week, officials from Nassau County who are considering instituting the program in their own municipalities visited the facility to view a weekly meeting of the Council for Unity. And, based on the outpouring of emotion and heartfelt testimonials they witnessed, it is evident that, in the words of Sheriff Vincent F. DeMarco, "The program is working."

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Before entering the jail, a visitor might harbor the belief that inside, one will find dark, dreary cells and an air of abject hopelessness. But last Thursday, as this reporter was buzzed through the gates and into the facility's chapel where Council for Unity meetings are held, the room was filled with artwork and poetry created by CFU members. And, as they entered the chapel in identical green uniforms, the prisoners greeted one another not with hostility or rage, but with handshakes and hugs, calling one another "Brother."

Brian Joseph, 17, is considered the "baby" of the group. He proudly displays a piece of artwork he created. "It took jail time to help me find God," he said. Gregory Roosa, who spent the entire night before the meeting drawing a depiction meant to represent the group's mantra, "Slaying the Dragon," created a piece of artwork so noteworthy that it may be used in the future with CFU materials.

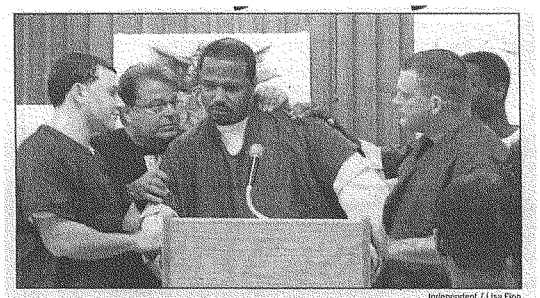
Despite the goodwill in the room, the prisoners make it clear that they've come from disparate places and lived on dangerous streets. LeQuarn "Lucky" Wade began the meeting by describing his life as a gang member. "A few years ago you could have caught me in your neighborhood selling drugs, or causing mischief. I watched businesses disappear, men and women lose their children, and I was a part of that because I sold them the drugs."

Then came DeSena, and an introduction to CFU. "I can't see myself doing that anymore," he said. "I believed that it was money, cars or women that would make me a man. What made me a man is what I'm doing today, what I'm fighting for." Sometimes, Wade can't believe the transformation himself. "You actually had to see me before, and then, see me here now. This is me, for real." At first, Wade admitted he had doubts about the program. "I didn't think it would work. No way could I see Bloods, Crips and Latin Kings all sitting in one room and talking, and then becoming something positive. But here we are, and it's so amazing."

Together, he said, the new family the gang members have forged "stands for something great. What we have done here is inspirational and touches my soul." Wade, who has been incarcerated for 14 months, said despite the jail time, "This is the most free I've ever been."

Roosa read a poem about his life in the streets. Today, he said, "Anger and hatred is no longer the food that feeds me." Another inmate known as "Mr. T" was picked up in the recent bust on the Shinnecock Reservation. As he stood up to speak, he began to cry, and his CFU "brothers" surrounded him, offering support and words of encouragement. "Nobody gave me a chance," he said, adding that if programs such as CFU had been in place when he was growing up, things may have been different. "Kids need an opportunity."

Run by corrections officer Alex Bryant and Sergeant Noreen Fisher, CFU classes focus on serious discussions about racism, watching films that deal with gangs, writing in journals, and about learning the concepts upon which CFU is built. Fisher said when the prisoners first came to CFU, they thought it was a GED class, and, unhappy to be there, slouched in, pants hanging low, and slumped in their seats. But when given a choice all returned to the program.



Independent / Lisa Finn

Members from some of the most menacing and deadly gangs in the United States today, including the Bloods, Crips and Latin Kings, have found a new "family" through the Council for Unity program.

Jason Diadema, 22, had a mother who was a "crackhead and a prostitute. I'd see her on the streets with a pipe, hustling – selling her body for crack." Growing up, he said, "I thought I was all alone. I never had a mother and a father." Disenfranchised, he ran away from a group home and sought family ties with his gang, The Bloods, for over nine years. At one point, he went to live with grandparents on Long Island, where Diadema said the abuse continued. "I felt as though I had no place on this earth." When he first attended a CFU meeting, he had doubts. "I thought, 'I'm not going to sit with Crips and MS13.'" Today, however, Diadema considers rival gang members family and said Fisher "is a mom to me, the mother I never had." Diadema has two children. In the past, he didn't want them to know him, didn't want them to look at him "the way I looked at my mother." After CFU, said Diadema, "Now, I can't wait to go home."

All CFU members credit DeSena, as well as Butch Langhorne, assistant to DeMarco, and DeMarco, who were instrumental in bringing the program to Riverhead. They've bonded with Bryant, who's also the jail barber, and Fisher. And because DeMarco is on board, said Bryant, the program flourishes. If the mindset at the top does not change, old attitudes prevail, where "the perception is that inmates are garbage, and are treated as if they deserve nothing." Bryant acknowledges the high recidivism rate. According to United States Bureau of Justice statistics, 67.5 percent of prisoners released in 1994 were rearrested within three years, an increase over the 62.5 percent found for those released in 1983. But, he said, "If you can change one," that's a positive step.

And to work toward reducing recidivism rates, the goal is to implement CFU programs not only in jails, where the population is transient, but in prisons and in the community, so those who are released have a support network. Slaying the dragon, said Fisher, "seems to be working well. They are very optimistic, not as hopeless." Fisher adds that not all gang members are "mean-spirited." Gangs, she said, offer a "sense of family, of belonging. At first, they take care of you, and then payday comes and it means killing someone or burning down a house." Gang members, she said, wonder how getting "fancy sneakers ends up with them in jail. They wonder, "Where did it all go wrong?"

But, despite apprehension when she began running the program, today, Fisher is confident that she has "absolutely nothing to fear. Our group is a new family, where there is trust, love, encouragement and support." Fisher is adamant about working to effect change in the jail: "If you're really a correctional facility, you have to start thinking of ways to correct." Fighting in the jail has "calmed down," due to CFU.

DeSena, a champion for his program, greets all the inmates with hugs and support. "Gang violence," he said, "is stopping here." DeMarco agreed: "This is a bright light in a jail. The program is working, proving that some good can come out of the jail, perhaps for the first time in history."

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Stuck in a web of violence
Understanding cyclical nature of Albany's gang feuds is the key to solving them, specialist says

By **PAUL GRONDAHL**, Staff writer

First published: Monday, December 3, 2007

ALBANY -- There is a complex architecture to the city's street gangs and retaliatory nature of the violence that breaks out between uptown and downtown factions.

Multilayered clusters of classmates, neighbors, family members and associates can be seen in John Cutro's "link charts" that connect dozens of people connected to a single act of violence.

Unlike disciplined national gangs such as the Hell's Angels, Latin Kings, Bloods and Crips, the Albany versions are more fluid and random.

"It's a cyclical type of violence, with yesterday's offender becoming today's victim and tomorrow's offender again," said Cutro, a specialist in restorative justice, a theory of criminal justice that focuses on crime as an act against an individual or a community. He works with the Albany school district and courts.

Cutro runs pre-trial conferences that draw together the involved parties to try to resolve the feud and keep the combatants out of court. He's funded through Trinity Institution in Albany's South End.

Cutro was called upon to mediate fist fights and slashings between members of rival girls' dance troupes outside Philip Livingston Magnet Academy. Their clashes indirectly involved dozens of other teens and adults, who were either related to the girls or lived in the same neighborhood.

The fights -- stemming from two girls vying for the affections of the same boy -- escalated to the point that a gang of girls showed up at a rival's house on Sheridan Avenue and pushed their way inside.

"You're lucky my mom wasn't home because she has a gun and she would have used it," the girl told the gang members who invaded her home.

Much of the fighting grows out of animosities that simmer in school and spill over to the street. They can quickly spread between neighborhoods and can pit downtown kids at Hackett Middle School against uptown kids at Livingston, according to Cutro's experience in dozens of fights and disputes.

"There is a deep wound in these communities and it ends up in violence," Cutro said.

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"Trying to find a solution to the problem requires a much greater investment than the city is making."

Adults get caught up in the violence involving sons and daughters, nieces and nephews, cousins and distant relatives.

Cutro completed training in restorative justice techniques in 1992 after struggling to intervene in fights and long-running feuds when he operated the Lincoln Park homeless shelter.

Cutro's main tool is bringing together the combatants to air their beefs through intense discussions that can last several hours, as he explores the ongoing problem and tries to facilitate a truce.

"The goal is to get them to take responsibility for their actions and have them own what they did on both sides," he said. "I'm trying to spread a little healing so they can go back to their community and make peace."

Cutro works closely with Lisa Good, program director of the Homer Perkins Center, a 20-bed substance abuse recovery facility in Arbor Hill that's part of Trinity Institution.

"I see a lot of post-traumatic stress disorder in our inner-city communities because people are living in constant fear in an environment where random violence can suddenly occur," Good said.

After Good began attending memorial services a few years ago for young people killed in shootings, she began taking college courses in bereavement and studying the effects of PTSD.

"We need some first aid for these traumas," she said. "I'm trying to raise awareness in the community."

Good's goal is to help relatives and friends of a slain person find ways to express anger and grief that don't involve retaliating with more violence. She and Cutro often work with the same families on conflict resolution and bereavement.

Good is organizing a conference scheduled for Saturday in Albany that will focus on creating fostering peace in crime-plagued inner-city neighborhoods.

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Associated Press

March 24, 2008

Group Helps Gang Members Leave Crime

By ULA ILNYTZKY

NEW YORK (AP) — DaJuan Hawkins spent four months in jail for assault and thought he was a "nothing" destined for a life of street crime.

Today, the 17-year-old high school senior is heading for college and writing poetry.

Bobby Marchesi hung out with a tough group of Italian boys who clashed violently with black kids at his Brooklyn high school. Now, he's a lawyer in private practice.

What transformed Hawkins and Marchesi into confident, productive and compassionate human beings, they say, is Council For Unity.

Founded as a small anti-gang group in 1975, the council now claims to reach 100,000 people of all cultures in New York, Milwaukee, San Francisco and Vermont — and as far away as Nigeria and the Republic of Moldova.

And its mission has expanded: The Council recently published a book of student writings. It works with families and in correctional facilities. It is developing a public safety curriculum in partnership with police in Riverhead, Long Island.

The group's story begins with its founder, Bob De Sena, a one-time gang member and former English teacher at the once-troubled John Dewey High School, the same Brooklyn school Marchesi attended.

De Sena said he turned his life around because someone gave him a second chance. He wants the Council For Unity to do the same for new generations of kids from broken homes and crime-ridden neighborhoods.

The group has a 33-year history of getting gang members together to talk, based on a message that when you bring everybody together, there's nobody left to fight.

At Christopher Columbus High School in the Bronx, gang activity ceased altogether after Council classes were introduced into the curriculum, said principal Lisa Maffei Fuentes. She said her school was on the city's most dangerous list three years ago.

"They've come to respect their home site, their school," she said.

Former gangsters drive the program, taught as a course in elementary, junior and senior high schools and colleges, and offered at community centers and prisons. Kids take the lead in finding solutions to conflicts without violence. They learn communication, leadership and organizational skills.

"This is a group that saves lives everyday," said Randi Weingarten, president of the United Federation of Teachers. "Nine-six percent of the students who participate go on to attend college ... 100 percent of participants report that the Council has had a very positive impact on their lives."

The statistics are especially impressive given the group's small budget — $1.7 million a year, with support from the teacher's union, the city and its board of directors.

De Sena calls the program "an adventure in citizenship" that empowers people to take pride in their heritage and celebrate their differences.

Sean "Dino" Johnson, who heads the council's school-based initiative, spent most of his life behind bars for drug trafficking and weapons possession. He counseled prison youth at Sing-Sing, but "had no expectations of ever going home."

That changed in 2004 when he met De Sena.

"Bob told me, 'We need people like you on the outside," said Johnson, 43. "No one ever told me that people like me were needed."

He was freed weeks later after De Sena put in a good word with the parole board. The council then hired Johnson as a counselor, where he aims to be a role model.

"When they see someone who's been to hell and back, it clicks: 'If he can do it, I can do it,'" Johnson said.

Before Hawkins joined the Council, he said his life was a daily ritual of "fighting and winning" on the street. Through the Council, he channeled his leadership qualities to counsel other youth.

Hawkins was among some 20 high school students who came to hang out at the Council's cramped space in lower Manhattan on a recent afternoon. Like Hawkins, most were former gang members who have done time. But on this day they looked happy and confident, and spoke enthusiastically about their futures.

"I really thought I was nothing," said Hawkins, who is thinking of a career in entertainment after college. "I thought I had no purpose ... but Council introduced me to different things."

He sums up his feelings in a poem, his voice catching with emotion: "Before you I was a mess. Before you I couldn't care less. ... Together forever I say this fluently, Together forever Council for Unity."

On the Net:

- Council For Unity: http://www.councilforunity.org

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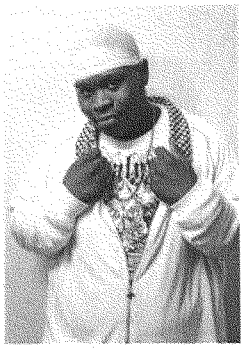
Jelani Blanchard, 17, jokes with other members of the Council for Unity at their offices in New York, Tuesday, March 4, 2008. Founded as a small anti-gang group in 1975, the council now claims to reach 100,000 people of all cultures in New York, Milwaukee, San Francisco and Vermont _ and as far away as Nigeria and the Republic of Moldova. (AP Photo/Seth Wenig)



DaJuan Hawkins, 17, poses for a picture at the Council for Unity offices in New York, Tuesday, March 4, 2008. Before Council, Hawkins' life was a daily ritual of "fighting and winning" on the street. Through Council, he channeled his "natural leadership qualities" toward positive choices. Now, the affable teen counsels other youth. (AP Photo/Seth Wenig)

Sean "Dino" Johnson, who heads the Council for Unity's school-based initiative, poses for a picture at the CFU offices in New York, Tuesday, March 4, 2008. Johnson, 43, spent nearly his whole life behind bars for drug trafficking and weapons possession, before turning his life around with the help of CFU. (AP Photo/Seth Wenig)

Founder of the Council for Unity Bob DeSena, left, sees off some of organization's members at their offices in New York, Tuesday, March 4, 2008. Founded as a small anti-gang group in 1975, the council now claims to reach 100,000 people of all cultures in New York, Milwaukee, San Francisco and Vermont _ and as far away as Nigeria and the Republic of Moldova. The group has a 33-year history of getting gang members to put down their fists and talk, based on a message that when you bring everybody together, there's nobody left to fight. (AP Photo/Seth Wenig)

Founder of the Council for Unity Bob DeSena sees off some of members at their offices in New York, Tuesday, March 4, 2008. Founded as a small anti-gang group in 1975, the council now claims to reach 100,000 people of all cultures in New York, Milwaukee, San Francisco and Vermont _ and as far away as Nigeria and the Republic of Moldova. The group has a 33-year history of getting gang members to put down their fists and talk, based on a message that when you bring everybody together, there's nobody left to fight. (AP Photo/Seth Wenig)

United States Senate Judiciary Committee hearing on "The Rise of Drug-Related Violent Crime in Rural America: Finding Solutions to a Growing Problem."

March 24, 2008

Bert Klavens MA LADC
Coordinator of Outpatient Substance Abuse Treatment Program for Adolescents and Young Adults
Washington County Youth Service Bureau/Boys & Girls Club

Senator Leahy, Senator Spector: Thank you very much for the opportunity to speak here today.

Personal and Agency Information

I am a licensed drug and alcohol counselor. Currently I run an outpatient treatment program for youth age 12-22 at the Washington County Youth Service Bureau. I have been working with issues around substance abuse, families and young people for 17 years and I've been at the Youth Service Bureau for 8 years.

The Bureau's Substance Abuse Treatment Program offers a continuum of prevention, intervention, and treatment that is geared specifically to the needs of adolescents and young adults ages 12 to 22 years old.

The Bureau has been helping area youth and families thrive for over thirty years. We began in 1974 operating several teen centers and a substance abuse counseling program for teens. Today, we provide youth and family counseling, crisis intervention, support services, and out-of-school time programs to nearly 4,000 Washington County residents each year.

For the last year and a half we have been operating a re-entry/transitional living program for young men returning from jail known as Return House. This 6-to-12 month program for 18-22 year old males begins before participants are released from jail, provides 24-hour support to accompany them through their re-entry, and provides aftercare services following completion of the program.

The Demand Side Approach to the Substance Abuse Problem

Looking at the title for this hearing, the words "drugs" "violent" and "crime" jumped out at me. These words tend to bring one's thoughts to law enforcement and corrections system responses to a problem. The other word that jumped out at me was "solution". While I greatly respect and appreciate the work done by law enforcement and the corrections system in keeping our communities safe, I do not believe the ultimate solution

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to the problems of drug-related violent crime can be accomplished with a reliance on these systems alone. The diversity of this panel reflects what I take to be a sharing of this belief.

The current rise of drug related violent crime is most likely tied to the cyclic nature of drug issues – that it is a persistent problem that continually changes forms. Different substances seem to have different sub-cultures, which manifest different sets of problems in our communities. Drugs like cocaine or methamphetamine are stimulants and seem to arrive along with much greater violence. In the Central Vermont communities that my program serves, increased cocaine use started showing up on the drug histories of our clients at almost the same time increased violent crime started appearing in our community. It's not hard to remember the 1980's when widespread cocaine use coexisted with an explosion of violent crime in communities all across America. While it is necessary to deal with the short term public safety issues that arise from this current cycle we must also recognize the bigger picture, the cyclic twists and turns of the drug problem in America. These are not a series of separate problems but different expressions of the same basic problem. Losing sight of this keeps us in a continually reactive stance, chasing the latest worrisome drug problem or symptoms of its sub culture.

The other reality demonstrated by the decades of fighting the drug problem, is that efforts to address this issue on the supply side only - reducing the amount of drugs flowing to our communities - again while necessary, have not been successful in reducing the scope of the problem. It is rare that I hear my clients tell me that they want to use drugs, but they just can't find them. To have greater success in reducing the amount of drug use and its accompanying violence in our communities, we have to start doing a better job of addressing the demand side of the equation and ask: why are so many people eager to use drugs and become dependent on them, despite all the information that has been disseminated regarding their harmful affects?

The Larger Problem of Co-occurring Disorders

Recent research about co-occurring disorders sheds some light on this. Substance abuse problems very often come in a package along with mental health disorders. Estimates put the number of substance abusing people with a co-occurring mental health disorder at upwards of 60%. In the corrections system this number rises to between 75% and 80%. Serious substance abuse problems usually occur in a package that includes one or more diagnoses such as Major Depressive Disorder, Bipolar Disorder, PTSD, different anxiety disorders, Conduct Disorder and so on.

I have worked with many clients in the corrections system over the years, the population most likely to be involved with drugs and crime and violence. In almost every case these clients have extensive histories of substance abuse and dependence, at least one if not more diagnosable mental illness, and past histories of abuse or neglect. They are struggling and wounded young people, often with undiagnosed or untreated psychological and physiological problems, and it is rare their problems began with substance abuse. As we seldom see the beginning of regular substance use before 11or

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12 years of age, and more usually at 13 or 14 years old, there are plenty of years for neglect, abuse and failure to take root in these young people.

Why does drug use then become so appealing? Drugs and alcohol are remarkably effective in the short term at accomplishing what is for the substance abuser their primary purpose: they change the way he or she feels. It is the most natural of human impulses to seek relief from pain. People explore the possibilities in their environment to try to find something that works to this end. Drugs, despite our best efforts, are widely and relatively easily available in our communities. Young people struggling with the early onset of clinical conditions, an unhappy home life, feelings of loneliness and alienation discover that this or that substance can magically provide relief. Balanced against all the exhortations to not use drugs and information about their negative effects, they now have the first hand experience that a drug experience made them feel better even if only temporarily.

Once they do start using substances, of course, a whole new set of problems and consequences come into play. Each drug comes with its own short- and long-term negative effects. But overall, drugs are a negative sum proposition. In exchange for whatever short-term relief they bring, their overall affect over time is clearly negative. Existing problems with mental illness, or school or family will be exacerbated. Cognitive functioning and the ability to make good decisions will be further eroded. And legal problems, either due to the drug use or associated behavior presents an additional layer of obstacles.

I want to say clearly that I do not think that any illnesses or past difficulties excuse violent or other law breaking behavior. But if we are not simply going to lock substance abusers up in jails (and at least in Vermont it has recently become clear that this is no longer an economically viable strategy) then we have to start doing a better job of helping them become healthy contributing members of society.

This is exactly why we cannot focus only on the supply side of this problem Even if we could prevent these young people from having access to drugs, they would still be searching for outlets to relieve their misery. And they would still have little guidance in finding healthy ways to do this. In our work with substance abusers at the Youth Service Bureau, our goals for our clients are for them to be not only drug free but also healthy and happy.

Solutions: Practical Applications at the Washington County Youth Service Bureau.
I would like to share with you some of the positive work happening at my agency that touches on these issues. The Return House Program, I mentioned earlier, now one and a half years old, provides a structured, supervised, supportive environment for inmates re-entering the community. Working in concert with the Bureau's mental health and substance abuse programs as well as other community resources, co-occurring issues of the residents are being addressed in a comprehensive way.

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In the substance abuse treatment program I run, we have found teaching our clients tools for emotional regulation to be very useful. Difficulty in dealing with challenging emotions and thoughts lies at the core of the day-to-day struggle that substance abusers have in trying to eliminate drugs from their lives. Tools like Cognitive Behavioral Therapy, Mindfulness Based Therapies and Health Realization have proved very effective in giving our clients useful skills that are available in the moment to help them maintain or restore their own mental balance and healthy functioning. Teaching skills like these and other basic components of a healthy life like exercise and healthy diet have been very well received. They have the further benefit of adding an experiential component to treatment that is very useful when working with teens and young adults.

Successful therapeutic intervention begins with strong relationships. Research that has been done on resilience in young people has found that an enduring positive relationships with a healthy adults is one of the greatest predictors of future success. At the Bureau we are fortunate to have the flexibility to work with young people in this way and thus have been able to form just these kind of enduring relationships with young people, who come to realize that they can continue to rely on our support even after a particular service is no longer necessary.

Conclusion

My hope in giving this testimony is to raise awareness of the key role that treatment programs can play in reducing substance abuse and substance related violent crime in our communities. The recognition that substance abuse frequently occurs within a web of other problems and challenges suggests different approaches as we try to reduce or eliminate its presence in our communities. While I think committing ourselves to the health of people with substance abuse problems could lead to the more efficient use of resources currently available, more support would, of course, be helpful. After a year and a half our Return House Program is still not fully funded, and many more such facilities are needed. Increased availability of treatment programs (i.e. in prisons) and better salaries to continue to attract good people to the field would be helpful. More flexible funding for treatment programs that would support the integration of emotional regulation tools into the lives of clients would also be useful. And overall, an equal commitment to address related issues such as mental illness, child abuse and neglect and domestic violence would go a long way toward making substance use and abuse a less prevalent choice for people now and in the future.

Thank you again for your attention on this issue and the opportunity to speak here today.

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Dear Senator Leahy:

It was reassuring and energizing to have the Senate Judiciary committee take testimony in Rutland this week. Thank you for your visit, and for bringing Senator Specter along with you. As we know, efforts like these must be bipartisan to be successful.

I would like to offer the following to be included in the record:

I am a mother of three teens, a local Public Defender of 20 years, and I try to offer my free time as an advocate for strong and comprehensive substance abuse and mental health treatment services, and for effective youthful offender and at-risk youth programs for our community and state. Nearly all delinquency, crime, and their related family court issues, have their roots in the lack of a community wide recognition of, and solid programming and treatment for these issues. They are frequently at the core of poverty, family instability, addiction and violence.

One major but unspoken theme that I heard in the public testimony in Rutland on Monday, and that we experience in our community on a regular basis, is that the programs that exist to attempt to deal with the problems of drugs, violence, and their societal underpinnings and effects are often funded by grants and other sources of funding that can't be relied upon beyond the short term. Although grant applications do encourage local community and state programs, agencies and citizens to work together across borders, the grants often don't pay enough to attract and retain a committed leader with a long term vision who can bring the community together around that vision. The poor pay, lack of stability for the program, and the constant quest for continuity beyond the grant period leaves leaders and their staff insecure, and makes focusing on their core mission difficult. This is just one of the effects of the reliance on grants and the years of Federal cutbacks to the States.

Others include the fact that grants often have such limiting criteria that they create new gaps in services. Often those with the toughest issues fall through some gap: too young, not female with children, not yet a serious enough offender/addict/person with a mental illness, to "qualify" for the services, or too few providers willing to work for the Medicaid reimbursement rate. By the time those in need do qualify for grant funded services, they may require a higher level of care than is available, or the courts may have locked them up in the meantime. Agencies are often mere shells that refer callers to services that frequently have no openings. This leads to the creation and then deflation of hope, and often makes those most in need simply give up. Neither they, nor their children, however, vanish.

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Community organizations often battle for a larger piece of the same pie as their counterparts, and their desire to maximize limited financial resources means they often push high need, high cost individuals on to another program. Ultimately, it is only the jails that can't turn them away. The result is maximization of use of the highest cost provider of last resort [like emergency rooms]. It also reinforces the continuation of the status quo, which has so often failed us.

The Federal Government cannot continue to expect that the States can absorb the costs, because it has become obvious that they cannot. When the States cannot afford to fund creative new programs after a grant has expired, more gaps are created, after expectations have been raised, and the problems are buried, leading to more extensive problems, and then more expensive solutions down the road.

On another level, taxpayers can't afford to pay these increasing costs, but as many are beyond their control [being part of federal or state budgets or "fixed" costs, like Corrections] they develop a sense of powerless, and blame "the other". No one helps them understand the folly of the short term savings, which results in the long term cost of filling our jails with the addicted and mentally ill. Many of those incarcerated were raised in state custody, when we failed to address their issues in their family unit or in our schools. They make their way into the adult criminal justice system as early as 16 years of age. Their issues are not addressed there either, and they return to our communities still damaged, and inflicting this on the next generation, and thus on our communities.

The cost to society in this waste and mistaken appropriation of scare resources, and the failure of our leaders to educate the citizens about how it's all connected, does not only express itself in anger at the tax rate. It affects our sense of security, and our trust in our government and one another. It results in an inability to solve the crucial issues of our time, like global warming, the aging infrastructure, health care, immigration, and the need for well-paying jobs.

Citizens need quality jobs that allow them to raise healthy families, support when things go wrong, and to learn that it's not "us against them", but all of us in this together, and that we can't solve our problems by locking them away. The lesson of the Drug Courts and other treatment courts is that a somewhat higher expense "up front" results almost inevitably in many positive outcomes that the criminal justice system rarely achieves: less recidivism, better parenting, stable employment and housing, and renewed hope, and inures to the benefit of the community, the individual, and their family.

As I've said, grants offer the refreshing opportunity for programs and citizens to brainstorm and plan and work together. However, they pit like-minded community members against one another competing for scarce funds, and don't provide the longevity

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necessary to attract and maintain a solid core of committed smart people at the helm. Volunteers often can't determine where their efforts are best spent. An exciting new head of a local program often moves on to a more stable, full time position elsewhere, just when a momentum has begun, leaving the ship rudderless and volunteers frustrated. Ultimately, the only "programs" that survive are in the State and Federal agencies who have a vested interest in maintaining the status quo.

I hope you will work to support funding for the true cost to the States in building better communities, and work to have our leaders rethink the heavy reliance on temporary grant funding. We need to remember that our ancestors worked to make life better for us. It is neither fair nor wise for us to abdicate that responsibility, and to pass on these issues to the next generation.

Thank you again for this opportunity to offer our testimony.

Very Truly Yours,

Patricia M. Lancaster
Mendon, Vermont

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STATEMENT OF SENATOR PATRICK LEAHY,
CHAIRMAN, SENATE JUDICIARY COMMITTEE
HEARING ON "THE RISE OF DRUG-RELATED VIOLENT CRIME IN RURAL AMERICA: FINDING SOLUTIONS TO A GROWING PROBLEM"
RUTLAND, VERMONT
MARCH 24, 2008

Today the Senate Judiciary Committee has come to my home state of Vermont to hear from the people of Rutland about the persistent problem of drug-related violent crime in rural communities. This is a crisis that we have felt acutely here in Vermont, and particularly in Rutland, but that is also being felt throughout America.

The myth is still alive that drug abuse and drug-related crime are only big-city problems. The fact is that Rural America is also coping with these issues. We need a fresh look at drug crime through the lens of the experience of smaller cities and rural communities, and bringing the Senate Judiciary Committee here will give Congress a perspective that will help shape better solutions.

In Rutland, a public-spirited community with creative leadership is not satisfied with the status quo. That makes Rutland's experience and ideas all the more valuable to other communities that are confronting these same issues.

I am glad that so many people who care about and work on these issues have joined us today as we explore how to fix this problem, including federal and state officials, local law enforcement leaders, educators, experts in prevention and treatment, concerned parents and members of the community.

I also want to thank Senator Specter for making the trip to Vermont. He and I have both cared deeply about fighting crime since our days as prosecutors, and we both understand that violent crime is a major issue for smaller cities and rural communities like those throughout Vermont and many parts of Pennsylvania, just as it is in big cities.

The numbers alone are reason enough for concern. The Vermont Crime Information Center says that reported crimes in Vermont rose 5.7 percent from 2005 to 2006, after having declined for several years. Violent crime in Vermont rose nearly 10 times the national average – a stark increase consistent with what has been happening in rural areas around the country.

Recent events have brought the dry statistics of crime rates into stark relief. Rutland has seen four drug-related shootings since November. On February 4, 2008, two men were shot, one fatally, on Grove Street in Rutland City in a drug deal gone bad.

The problems Rutland has encountered are like those seen across the country in communities large and small. Rutland is showing leadership in addressing those problems, and Rutland is a community that is interested in solutions. The town has

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responded, as Vermonters always do, by working together and joining forces to tackle this problem. Local leaders have met to discuss new ways to improve safety, and individuals and companies have donated money to help provide overtime funding for Rutland police officers. Those ideas and experiences can be useful to other communities elsewhere. There is no one-size-fits-all solution to this multi-faceted problem.

Law enforcement is a vital piece of any plan to reduce violence. The Rutland Police Department and law enforcement throughout Vermont have worked extremely hard to respond to and prevent violence, and they have often been successful. But for years, in Vermont and elsewhere, state and local law enforcement have been stretched thin as they shoulder both traditional crime-fighting duties and new homeland security demands. They have faced continuous cuts in federal funding under the current administration, and time and time again, our state and local law enforcement officers, like the Vermont State Police and the Rutland Police Department and their counterparts in other states, have been unable to fill department vacancies. The trend is unacceptable.

We have made some progress. Since 2001, I have worked to secure federal funding in the Justice Department budget, including $1 million this year, for the Vermont Drug Task Force, which has played an essential role in cracking down on increased drug activity throughout the state, which many communities lack the resources to do on their own.

We have also had setbacks. At the height of its funding, the Community Oriented Policing Services, or COPS, program, increased our police presence on the streets, and by all accounts aided in the steady decline in the national crime rate in the 1990s. But beginning with President Bush's first year in office, the administration has significantly cut the COPS program, and violent crime has once again been on the rise. Byrne-Justice Assistance Grants are unique in enabling and encouraging cross-jurisdictional solutions to preventing and fighting crime. Vermont's own Drug Task Force is a prime example of the Byrne-JAG approach. Yet funding has fallen dramatically since 2002, from $900 million to $170 million this year. These cuts directly hit local police. Funding cuts have also hit the Crime-Free Rural States grant program, which was last funded through the ten million dollars I was able to secure in the 2003 omnibus appropriations bill. Since then, funding for this important program to help local communities prevent and reduce crime, violence and substance abuse has been eliminated.

We are working to reverse these trends, but we must do more. I will keep fighting to restore the COPS, Byrne-JAG, and Crime-Free Rural States programs, as well as other proven federal programs that help police officers who are in the trenches, fighting crime.

While I have always pushed for serious punishment for serious crimes, I also know well that law enforcement alone will not solve the problem of violence in our communities. I have long advocated an approach to crime with equal attention to law enforcement, prevention and education, and treatment. The best way to prevent crime is often to provide young people with opportunities and constructive things to do, so they stay away from crime and drugs altogether. When people get involved with drugs, treatment often works better than punishment alone to turn people away from crime. Regrettably, this

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administration has consistently sought to reduce funding for prevention and treatment programs.

Perhaps the most important component in dealing with this crucial problem is collaboration. We see results when we have people working together at the local, state, and federal levels, and in the law enforcement, prevention, and treatment fields. We have seen that success in Vermont. I hope that today we can start to figure out what kinds of approaches have worked best and how to build upon them, and how we can work together to bring real solutions to Rutland, to Vermont, and to Rural America.

It is great that we have with us today such a distinguished group of witnesses who can discuss the problem and propose solutions from the valuable perspectives of law enforcement, education, prevention, and treatment. I look forward to your testimony.

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Though courtesy necessitates that I graciously welcome you today to the City of Rutland, and I sincerely do extend the community's warmest regards, it would be disingenuous to say that I'm glad that you are here. The reality is that I wish that you did not have to be.

I wish that our community were not plagued with the scourge of illicit drug abuse and addiction that has been creeping across rural America. I wish that our community had not fallen prey to the crime that so often accompanies interstate drug activity. And I wish that we could blissfully say: "Drug related violence? Not here." and have it be true. But the cold reality is that this community, like so many others throughout our nation, has a drug problem and we need not only local but nationwide solutions in order to be successful in combating this curse.

When your Committee visit was announced, there were local officials who were somewhat distraught over the prospect of hosting a United States Senate Judiciary hearing on drug related crime. They were concerned about public perception and the prospect of negative press at a time when Rutland needs to highlight its assets in order to compete during an economic downturn. But I contend that it is infinitely wiser to admit that our City is, like may cities throughout the State, the Northeast region, and the nation, in a fierce struggle for both its community identity and the public's safety.

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The first step to reversing any destructive behavior is to admit that there is a problem. Self-denial is by far our greatest threat. The City of Rutland and the State of Vermont already have the necessary building blocks to battle this scourge. We have a very aggressive law enforcement community. We have progressive prevention and treatment programs. And we have a realistic and engaged population that is not sticking its collective head in the sand and pretending that no problems exist.

But what we do need are tools and resources. We are dealing with a true interstate and national problem that requires federal support. The Senate Judiciary committee however need not reinvent the wheel because you've already proved that you know what the problem is and how to address it. Through the Senate passage of S. 456: The Gang Abatement and Prevention Act of 2007, you and your fellow committee members have created a blueprint for effective interdiction efforts through enforcement, prevention and intervention programs. Federal initiatives like S. 456, statewide initiatives like Pennsylvania's "Weed and Seed" Program, and local initiatives like "Rutland United Neighborhoods" are key to any community's success in its struggle against drug abuse and the crimes it brings. But law enforcement and prevention programs are only as successful as the funding that is made available to pay for them and, unfortunately, the funding burden is falling more and more on the local municipalities.

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In a few short years, direct federal funding to municipalities has been subject to significant reductions. The Byrne Justice Assistance Grant Program, which local municipalities throughout the State and region have relied upon to keep control of their streets, is but a fraction of what is needed and what should be allocated as we continue to cope with both local and interstate illegal activities. In short, we need your help so we can help ourselves. Rutland is blessed with a beautiful downtown core, a dedicated professional workforce, and one of the finest educational systems in the state, but all of its combined assets are worthless if our neighborhoods are, or simply just feel, unsafe.

I want to thank you for allowing us the privilege of being part of finding the solution to a national crisis, and I am very confident that you will find the ensuing boots-on-the-ground testimony to be enlightening, constructive and valuable. We all understand the gravity of this widespread problem, and wish you Godspeed in your efforts as you help us find a way out.

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US Senate Judiciary Committee Field Hearing Testimony

March 24, 2009 - Rutland, Vermont

"The Rise of Drug-Related Violent Crime in Rural America: Finding Solutions to a Growing Problem"

Thank you so much Senator Leahy and Senator Specter for bringing this Field Hearing to Rutland. We certainly do appreciate the time and effort that the Senators and their staff members have put into being here as you seek to learn more about us and assist our community and state. I hope that what is considered here today will also inform the discussion of this very real problem in other rural areas throughout our nation.

I am sure that my colleagues representing law enforcement will speak to the specifics of recent events in Rutland and Vermont as a whole. I would like to focus on the "finding solutions" elements in the title of the hearing.

First, and I cannot stress this enough, we have great working relationships between and among departments and agencies in here in Rutland; this is a community strength. The schools, the police department under Chief Bossi's leadership, the fire service, Rutland Mental Health, the Rutland Regional Medical Center, the courts and diversion program, the Department of Children and Families, the Boys & Girls Club (which started as a school developed youth program eleven years ago and has grown into a full service B&GC in downtown), all work well together to support our children and families and the health and safety of all in our community.

Yet, we still have great needs to address.

Of particular concern is the rise in the population in our Early Essential Education Program (EEE), which serves disabled three and four year olds. These numbers have increased from 37 in 1998, to 41 in 2003, to 75 in 2008. Many of these children are physically and medically challenged; some are developmentally delayed; some have autism. So, why do I mention this population as we speak about drugs and crime? It is because we believe that an increasing number of these children are coming to us impaired because of drug use. Yes, we have crack babies in Vermont, as well as children who suffer from the results of fetal alcohol syndrome. Some question why we must serve these children. Well, we must do so because of state and federal mandates; but, more important, they must be cared for and educated. Helping these children and families as early as possible gives hope for their future development and success in life. Arguing about whether the Agency of Human Services or the public schools should provide these services, and where the resulting costs fall or funding comes from, does little to help a struggling young mother. At the federal level, assistance should also be a priority, for instance, in the area of Health & Human Services funding for children's mental health services.

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Directly related to the issue of these babies' needs and the growth of drug use and violence is our shared concern about the lack of services that are available for youth in the age 14 to 18 range. It is these young people who are often most susceptible to those, mostly, as Chief Bossi tells me, who come from "away," who prey on the more vulnerable in our community as they ply their drug/thug trade. Disaffected young women are particularly at risk, as the recent events in Rutland would seem to indicate. This high-risk group needs more attention, at home, in school, and in the form of more services from the Department of Children & Families, safe respite housing, or more available foster care.

So, what's working well in Rutland?

In the schools, we have excellent health and counseling services and, as mention above, a close affiliation with the programs and services of Rutland Mental Health. For many of our children and families, the health unit at school is the first line of medical care. We have highly trained and experienced nurses and counselors in each school who provide assistance and support to families as well as children. These services are largely supported by state and federal Medicaid funds, which, as you know, are also at risk. As these sources of financial support are either level funded or cut, we will face the daunting choice of having the local taxpayer assume more of these vital costs, or being forced to cut these essential programs. As Chair of the Board of Trustees at the Rutland Regional Medical, I also know the impact that the reduction of school nursing and counseling services would have on the Rutland Mental Health Services and the Emergency Department at RRMC, both community resources that also face significant cuts in Medicaid funding.

A great success story is that of the 21st Century Learning Center programs in our region: the Tapestry Program which serves Rutland City, West Rutland, Proctor and Rutland Town, and the SOAR Program in Brandon for the communities served by the Rutland Northeast Supervisory Union. Tapestry, a nationally recognized and award winning program, serves well over 600 children from three to six PM each day as well as in comprehensive summer programming. Both Tapestry and SOAR provide remedial and tutorial services, enrichment and recreation, health and counseling, field trips and cultural experiences, and... a healthy lunch and snack. An independent outside evaluation has indicated that the Tapestry Program has supported our children's academic performance, and that participation clearly provides a safe and healthy experience for our kids. Unfortunately, the future of the 21st Century Learning Centers Program is at grave risk; major funding cuts and movement to an inefficient and unpredictable voucher program are currently being considered in Washington.

Research tells us that the most dangerous time of day for children and youth is from three to six in the afternoon. That is why, in addition to Tapestry, the Rutland City Board of School Commissioners has consistently supported an extensive co-curricular program in the arts, activities and athletics. Kids who are actively engaged with caring adults are far less likely to become involved in drug use and crime. In addition, we have an active

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collaboration with the Boys & Girls Club of Rutland County, as mentioned above. We have just submitted, and are hopeful of receiving, a new grant, which will increase the collaborative work between the B&GC and Tapestry. The Mentor Connector is another grant funded local program that matches adult advisors with local young people to develop and support positive relationships and healthy choices.

Finally, let me mention one of the most successful collaborative programs in our City: the COPS or School Resource Officer Program. Under the leadership of Chief Tony Bossi and Captain Scott Tucker, we have worked with the police department in the training of both school administrators and police officers in this most positive program. Our three SROs are more than police officers; they are mentors, teachers, counselors, family service interventionists, beat cops, and friends to the children and youth of this City. They work closely with our teachers, administrators and school counselors as we seek to assist both children and their families. They provide safe home visits as well as health and safety checks when necessary. They are a visible presence in our schools when they are in session, and on the streets of downtown during vacation periods. Kids know and like them; they are a great resource in our community.

Now, I might sound like a broken record here, but this program is also at risk as we speak. Safe & Drug Free Schools funding has been significantly reduced, as have the grant funds available for the COPS Program from the Department of Justice.

Given the time allowed, I have attempted to help to define the needs as well as celebrate some of the successes in our community. Once again, on behalf of the children and families of Rutland City, thank you for being here today to consider this very important topic.

Respectfully Submitted,

Mary E. Moran
Superintendent of Education
Rutland City Public Schools
Rutland, Vermont

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The time has come for peace talks in the war on drugs. It's not time to cut and run or to declare victory and head home. Nor is it time to encourage or tolerate violations of existing law. Instead, it's time to devise an intelligent exit strategy, one that includes consideration of a regulated public health approach to drugs instead of our current criminal justice model.

As a career prosecutor, I see strong indications that our enforcement model may actually be counterproductive to public and personal safety. Violence spawned by the war on drugs continues to plague our communities. Violence exists in the form of assaults and murder by drug sellers as a result of deals gone awry or territorial disputes. We see violence in the form of robberies and burglaries by users stealing money or guns to purchase or trade for drugs. And, to a much lesser extent, we see random violence caused by drug-impaired people unwilling or unable to control their behavior. Drug policy reform, to include regulated access to drugs, could substantially reduce all three types of drug crimes.

Any inquiry into drug policy must answer five critical questions: 1) If we are serious about addressing substance abuse, why do we treat addicts as criminals? 2) Given the addictive and dangerous nature of certain drugs, why do we allow criminals to control their distribution – criminals with a financial interest in finding new customers and keeping others addicted? 3) Why does this newspaper (Editorial Dec. 6, 2006) reject a regulatory approach to drugs yet we regulate alcohol and tobacco, two highly addictive and dangerous substances? 4) If a regulatory approach would increase health care costs, would those costs be more than offset by savings in the criminal justice system? and, 5) If our current approach is working, why have drug use, potency, arrest, and incarceration rates increased and not decreased as enforcement expenditures have gone up?

What about young people and access to drugs? Would a regulatory approach result in an increase in use by those most susceptible to the damaging effects of drugs? Maybe, but not necessarily so. Many adolescents will tell you it is easier to get marijuana than it is to get alcohol. This suggests a regulatory approach might contain drug use by minors. Moreover, if we intelligently reallocated criminal justice dollars into education and drug prevention, we might minimize the allure of these "forbidden fruits" and not see an escalation in drug use.

Drug policy reform should appeal to a broad political spectrum. Reform would allow us to treat addicts more compassionately and effectively. It would remove government from the private choices of adults. And it could result in substantial savings by reducing criminal justice and correctional expenditures. To suggest that proposing reform is tantamount to "being soft on drugs" is to reduce a highly complex issue into a one-dimensional catch phrase. We can, and must, be more thoughtful than that.

There are no easy answers in the drug policy debate. And certainly there are more questions to be asked than those raised above. But we must ask the questions. And we must ask them not only of our state elected officials and policy makers but also of our congressional delegation. The drug problem is both a state and federal issue. With the

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recent elections, Vermont now has substantial power in the Congress – power that can bring resources to the state but also power that can influence change. Even if Vermonters sought a bold and courageous new approach to drug policy, the federal government might seek to stifle innovation. The states and the federal government must try to work in partnership on these issues.

The war on drugs is a war on people. The time has come to discuss a better approach to this vexing problem. I look forward to the discussion.

Robert L. Sand
Windsor County State's Attorney

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STATEMENT

OF

THOMAS R. TREMBLAY
VERMONT COMMISSIONER OF PUBLIC SAFETY

BEFORE THE

COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE

CONCERNING

"THE RISE OF DRUG-RELATED VIOLENT CRIME IN RURAL AMERICA: FINDING SOLUTIONS TO A GROWING PROBLEM"

Field Hearing – Rutland, Vermont – March 24, 2008

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Statement of Thomas R. Tremblay, Vermont Commissioner of Public Safety, before the Committee on the Judiciary, United States Senate, concerning "the Rise of Drug-Related Violent Crime in Rural America: Finding Solutions to a Growing Problem, March 24, 2008.

Chairman Leahy and members of the Judiciary Committee, I am Tom Tremblay, Commissioner of Public Safety for the State of Vermont, appointed by Governor James Douglas in January of 2008. I accepted the position as Public Safety Commissioner while in my twenty-fifth year of service with the Burlington, Vermont Police Department, where I was serving in my fifth year as Chief of Police.

I am honored to appear before you to share my experiences as a veteran of Vermont Law Enforcement, to help address the concerns regarding the "Rise of Drug-Related Violent Crime in Rural America." While Vermont still remains one of the safest states in the country, we know too well that we are not immune from drug-related violence and other crimes associated with drug abuse and addiction. In fact, we are experiencing a change in criminal behavior that shows a concerning trend involving a propensity for violence, to include the use of firearms in what appears to be growing criminal / drug enterprises coming to Vermont, and existing within Vermont. Citizens suffering from the effects of drug abuse and addiction that prey on Vermonters to fund their drug habits are committing other crimes that are clearly impacting our safety, wellness, and the Vermont way of life.

The drug related crime and violence in Rutland that has been well publicized is just the most recent evidence of the challenges that Vermont Law Enforcement is facing. I offer the following examples of other drug related cases, violence and criminal behavior that Vermont is experiencing:

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Barre, VT - Saunders Homicide – September 2006

Three local juveniles in the Barre City area that were identified as low level marijuana dealers that was associated with Mr. Saunders. An initial confrontation related to a drug rip off involving Saunders resulted in Saunders being sought out by other individuals involved in drug dealing that were also associated with the juveniles. The juveniles conspired with the others to kill Saunders and were present when Saunders was beaten to death. Saunders body was buried disposed of in a shallow grave. All three juveniles admitted that Saunders death was related to a bad drug deal.

The Saunders homicide and other drug related crime and violence led to a three month investigation by the Vermont Drug Task Force (VTDTF), Vermont State Police and Barre Police Department, as well as other local, county, and federal agencies. The investigation in Barre, dubbed "Operation Granite Streets," uncovered an extensive narcotics distribution system. Utilizing undercover officers and cooperating individuals over 30 individuals were arrested facing charges ranging from Crack, Heroin and Powder Cocaine sales, to conspiracy to distribute crack cocaine, and various firearms violations. Charges related to these cases were prosecuted through the Vermont Attorney General and the Vermont U.S. Attorney's office. Some of the individuals under investigation had criminal records dating back five decades.

Chittenden / Addison County – Armed Robbery Spree - January through February 2007

5 armed armed-robberies of convenience stores where the perpetrator was disguised by wearing a backward sweatshirt with a hood that had eye holes cut out of the back of it ("Backwards Bandit"). Four people were eventually arrested and U.S. Attorney Tom Anderson prosecuted federally under the Hobbs Act. Defendants confessed that the crimes were

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committed to obtain money for drugs and drug addiction. The drugs included Oxycontin, Cocaine, and Marijuana. The main perpetrator (Maskell) confessed to drug abuse and addiction beginning with marijuana use at age 13.

St Albans, VT and Franklin County – Crime Spree – July through December 2007

Three armed home Invasions, a shooting, a bank robbery, an assault with a firearm and one Pharmacy Burglary. These incidents are directly related to drugs, specifically crack cocaine or prescription drugs, as well as other illegal drug activity. Suspects in some of these cases are linked to out of state, including New York.

Poultney, VT - Bank Robbery – February 2008

A lone male subject walked into the Citizens Bank on Main St in the town of Poultney, VT and handed a note to one of the female tellers. The note advised he had a gun and wanted all the money from her cash drawer. The suspect made off with $2,298. A vehicle with Delaware plates was seen leaving the scene. Hours later the suspect vehicle was stopped by a New Jersey Police in Mahwah, NJ. A search of the vehicle led to the discovery of marijuana, oxycontin, and cash from the robbery. The suspect and his accomplice confessed to traveling to Vermont from Delware to meet a friend for a drug related purpose. The suspect and his accomplice also admitted to the bank robbery as they needed to support their drug abuse and addiction problems.

Vermont Drug Trends

Drug Investigators are currently seeing an enormous increase in both cocaine trafficking and use across the state. They are investigating numerous targets for distribution of multi-ounce

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and pound level amounts of cocaine. The demand for cocaine is equally as significant across all regions of the state. Almost all cocaine coming into Vermont is in powder form. The quantity of cocaine immediately available for sale in state is has increased significantly in the past several years. Most dealers are selling it as powder on the street; however a few dealers cook the cocaine into crack once it arrives in state. This is a trend that has been going on for a few years and it is directly related to the significant penalties defendants faced in federal court for crack cocaine related offenses.

The other significant drug increase in Vermont is the abuse and distribution of prescription narcotics. The illegal sale of prescription narcotics is prolific and drugs such as OxyContin have taken the place of heroin for many addicts. Prescription drugs are easier to obtain and offer a "cleaner" high than heroin. There is also a general belief among young people that these drugs are safer because they are prescribed by doctors. Last year the majority of overdose deaths in Vermont were prescription drugs. Lastly, we are beginning to see the emergence of methamphetamine laced ecstasy pills from Canada. These pills are sparse but do exist in Vermont.

Marijuana continues to be one of the most prolific illicit drugs in Vermont and is responsible for black market sales in the tens of millions of dollars, most of which ends up in the hands of organized crime and outlaw motorcycle gangs.

The Drug Task Force has begun to focus a great deal of energy targeting significant dealers and has seized countless assets in an attempt to dismantle their drug networks. It is believed that this approach is successful and will provide greater results in the future. One of the biggest concerns that investigators have currently is that jail sentences for drug crimes at the state level are diminishing to the point where people no longer fear punishment over working

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with the police. As a result, our ability to cultivate informants has been hampered slightly with various levels of offenders.

Out of State Drug Sources -

Vermont has been plagued with out of state drug dealers coming to Vermont to exploit higher profit margins than they can achieve in the source cities / states from where they reside. Investigations in Vermont have linked many suspects involved in drugs and drug related crime as coming from states such as New Hampshire, New York, Massachusetts, Connecticut and Delaware to name a few. Investigations have suggested that some drug dealers travel to Vermont as a place to hide when they are under suspicion for drug dealing where they reside. Investigations have also suggested that drug dealers coming to Vermont may view Vermont as a place where they can take over the drug market, are less likely to get caught, and if they do get caught, they are less likely to receive serious consequences. Some of these suspects have been tied to gang activity in other states.

"FINDING SOLUTIONS TO A GROWING PROBLEM"

Law Enforcement cooperation:

Vermont is fortunate to have dedicated and professional law enforcement officers that all understand the need for cooperative law enforcement. All local, county and state law enforcement officers receive the same training at the same police academy. Law enforcement leaders throughout the state model cooperative law enforcement in our efforts to address crime and disorder in our communities. Our Federal Law Enforcement partners join us in the same spirit of cooperation. Cooperation between our County Prosecutors, Vermont State Attorney

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General Bill Sorrell, and U.S. Attorney Tom Anderson ensures that each case is appropriately prosecuted in State or Federal Court.

Vermont Drug Task Force (VTDTF)

The Vermont Drug Task Force (VTDTF) is one example of cooperative law enforcement in Vermont that has been very successful. The VTDTF a multi-agency group of investigators comprised of state, county and local officers funded largely through federal dollars. In existence since 1987, the mission of the task force must continually expand and develop in an effort to address the increasing threat of drug distribution, the associated crime and violence that impacts the quality of life and safety of Vermonters.

There are currently twenty three members assigned to the Task Force working in various capacities, to include investigative and support roles. Fifteen members (over 60%) are either funded 100% with federal dollars or their positions are backfilled with federal dollars. Three local positions are funded with the state grant known as Community Drug Interdiction Program (CDIP) and the remaining five are funded directly from the state police budget. The federal funding, which also accounts for 90% of the Task Force operating and equipment costs, is always considered volatile and usually allows for the task force to forecast an eighteen month spending plan. The current federal funding spending plan could expire on or about July 1st, 2009.

In order to properly address public safety, as it relates to current drug and the associated crime and violence, one of the goals should be to expand the task force model beyond two units allowing for more aggressive investigation into covert distribution investigations and overt importation/interdiction investigations. Prescription drug abuse and diversion investigations

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along with a robust highway interdiction program must play a role in the future of the Drug Task Force. Violence in our communities, associated with drugs being imported from bordering states into Vermont for distribution, as well as our Northern Border's vulnerability to the influx of high grade marijuana delivered into Vermont for re-distribution throughout New England and the East Coast cannot be ignored.

The Vermont multi-agency investigative approach is and continues to be the most effective means of addressing drug importation and distribution in our state. Federal Funding and State resources must continue for this multi-agency task force to ensure the continued success, and to ensure the protection and safety of the people of Vermont from drug related crime and violence.

Recent Efforts of the Vermont Drug Task Force (VTDTF)

During any given time the VTDTF has approximately forty – fifty open drug investigations. In January and February of 2008 alone the VTDTF has arrested twenty-two individuals resulting in ninety-seven drug related criminal charges and the following drug seizures:

- 1 Kilo Cocaine — Harvey, Harvey, Beauchamps, Verdiner
- 7 Lbs. Marijuana — Bradbury Case
- 17 Oz Cocaine — Saldi Case
- 22 Lbs. Marijuana — Saldi Case
- 8 Oz Cocaine — Blaise Case
- 22.5 grams Cocaine — Blaise Case
- 1 ¼ LB Cocaine — NO NAME

(See also the attached press release regarding "Operation Byrne Blitz)

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Just last week the VTDTF joined DEA in Springfield MA in a successful undercover buy bust operation which resulted in the seizure of ½ Kilo of Cocaine (17 oz). A 2006 Honda Pilot SUV with a hidden drug compartment has been seized. This case resulted in an arrest of a female from Springfield, MA and her supplier from Connecticut. Investigation determined that over four kilos of cocaine was distributed in the greater Burlington area in past several months.

Aggressive Enforcement / Adapting our Strategies to Combat the Changes

Aggressive enforcement must continue to be a part of our strategy. Maintaining the current level of staffing and even expanding the VTDTF must be a part of that plan. Aggressive enforcement initiatives by highly trained personnel must be done professionally, respectfully, and without bias, to ensure equal protection and the constitutional rights of all involved.

When criminals change their behaviors and crime patterns, law enforcement too must change. Police leaders must encourage creative problem solving and support new initiatives that will help identify drug dealing and the associated crime before it becomes infested within a community.

Burlington's Neighborhood Interdiction Program is one example of that. Suspected Drug dealers are confronted by police immediately, as opposed to waiting weeks or months to develop a prosecutable case. This can result in criminal charges, or simply send a clear message to the suspected drug dealer that they are being closely watched and they are not welcome in the community.

Working with out of state drug units and our federal partners to ensure that out of state drug sources are being aggressively pursued is important. We must also develop a media or messaging campaign to help send a clear message that Vermont is not a safe haven for drug

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dealers. These initiatives and others require human resources so that Vermont Law Enforcement can stay ahead of the problem.

Crime Analysis and Problem Solving

Adapting our strategies to identify drug related crime and violence before it occurs requires the necessary technology, tools and human resources to help. Technology systems designed to ensure that law enforcement information is shared and analyzed between all aspects of federal, state, and local law enforcement, and the criminal justice system, to include the courts, Corrections and Probation and Parole. Radio communication systems that will allow law enforcement officers to communicate throughout the state as drug investigations tend to travel quickly from one jurisdiction to the next. Information sharing and radio communication projects are in the works but the need for additional funding is still necessary.

Drug Education, Treatment, Enforcement and Rehabilitation (DETER)

We should all recognize that we cannot arrest our way out of this problem. There has to be an equal or greater effort at reducing drug abuse and addiction through education, treatment and rehabilitation. Governor Douglas has established the DETER program in Vermont. DETER stands for **D**rug **E**ducation, **T**reatment, **E**nforcement and **R**ehabilitation. A balance of these efforts is helping but there is more work to be done.

Byrne / JAG Grant Funding

Reduction is federal funding is concerning to law enforcement across the country. Vermont is no exception, in fact rural states are impacted significantly by these reductions.

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Restored funding of Byrne / JAG is essential to our state, our law enforcement effort and the safety of all Vermonters.

I want to again thank you for the honor of sharing my experiences and that of the dedicated women and men of the Vermont Law Enforcement Community. I welcome any questions the members of the committee may have.

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Vermont Drug Task Force
103 South Main Street
Waterbury, VT 05671-2101

VERMONT STATE POLICE
United States Attorney's Office
Vermont office of the Attorney General

PRESS CONFERENCE

INCIDENT: ***Operation Byrne Blitz 2008***

ISSUED BY: Captain Thomas Nelson
STATION: Vermont State Police Headquarters

CONTACT: **802-241-5350**

DATE/TIME: **Thursday March 6, 2008. 1:00 PM**

LOCATION: **Commissioner's Conference Room; 2nd floor** at Vermont State Police Headquarters 103 South Main Street in Waterbury Vermont.

SUMMARY:
Vermont participated in ***Operation ByrneBlitz 2008*** a national initiative by law enforcement across the United States against illegal drugs.

The *Vermont Drug Task Force* led Vermont's' participation in this *Drug Enforcement Day* taking place all across the United States yesterday, March 5, 2008. Street level drug dealers identified by the Task Force were targeted for arrest; highway traffic enforcement aimed at stopping the flow of drugs into the state was conducted.

This conference will cover Vermont's' results as well as recent major drug case successes by the Task Force as presented by the Vermont State Police, the Commissioner of Public Safety, the US Attorney, and the Vermont Attorney General.

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Operation Byrne Blitz 2008

On Wednesday, March 5, 2008 the Vermont Drug Task Force, run by the Vermont State Police, organized Vermont's statewide participation in Operation Byrne Blitz for 2008. This operation is a national effort that includes multi-agency and other law enforcement drug task forces across the United States. Each year a date is designated to illustrate the states' enforcement efforts against illegal drugs. This national day of drug enforcement was organized by the **National Alliance of State Drug Enforcement Agencies** (NASDEA) in conjunction with the **National Narcotic Officers' Associations' Coalition** (NNOAC). Successful law enforcement initiatives like this operation have been run in each of the past two years.

THE OPERATION NAME IS "BYRNE":

The 2008 operation, as well as the major federal funding initiative for the country's drug task forces is named after deceased NYCPD Officer Edward R. Byrne.

Officer Edward R. Byrne
New York City Police Department

Edward R. Byrne
Shield Number: 14072
Date of Birth: February 21, 1966
Date of Death: February 26, 1988
Cause of Death: Assassination while Guarding a Witness

Rank: Police Officer
Command: 103rd Precinct

In the early morning hours of February 26, 1988 Rookie NYC Police Officer Edward Byrne was sitting in a marked patrol car on the corner of 107th Avenue and Inwood Street. He was there guarding the house of a family who had defied drug dealers and agreed to testify against them. At approximately 3:30 a.m., four armed men crept up on both sides of Officer Byrne's patrol car. One of the suspects knocked on the passenger window to distract him as the second suspect ran up to the driver's side window. Without uttering a word, he opened fire into the car striking Officer Byrne in the head 5 times. Two additional suspects served as lookouts. All 4 men fled the scene, but 6 days later were captured and eventually sentenced to 25 years to life. The four suspects were members of a gang who were instructed to kill a police officer. Prosecutors have charged that the officer's execution was ordered by jailed drug kingpin Howard Mason.

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Officer Byrne was rushed to the hospital where he died of his wounds. He was 22 years old.

91st Avenue was renamed "P.O. Edward R. Byrne Avenue," to honor the ultimate sacrifice made by Police Office Edward Byrne,

In honor of Police Officer Byrne, a major U.S. Department of Justice initiative was titled the Edward Byrne Memorial Justice Assistance Grant Program. The Department's Bureau of Justice Assistance (BJA) administers this program, which allows states and local governments to support a broad range of activities to prevent and control crime and to improve the justice system.

The Edward Byrne Memorial State and Local Law Enforcement Assistance Grant Program (Byrne Formula Grant Program) is a partnership among federal, state, and local governments to create safer communities. BJA is authorized to award grants to states for use by states and units of local government to improve the functioning of the criminal justice system—with emphasis on violent crime and serious offenders—and enforce state and local laws that establish offenses similar to those in the federal Controlled Substances Act (21 U.S.C. 802(6) et seq.).

Byrne Grants are used to provide personnel, equipment, training, technical assistance, and information systems for more widespread apprehension, prosecution, adjudication, detention, and rehabilitation of offenders who violate such state and local laws. Grants also may be used to provide assistance (other than compensation) to victims of these offenders. In recent years the name of this program has been changed to **Justice Assistance Grants (JAG)** however, it is still often referred to as Byrne.

This years' operation:

NASDEA and NNOAC contacted all 50 states regarding participation. Each state's drug enforcement initiatives are decided upon by that state, if they choose to participate. Some examples of law enforcement initiatives are: serving a series of search warrants; conducting consent searches; organizing marijuana eradication flights; working undercover investigations and using the day of the 5th as a "take-down" day for all defendants; doing intensive interdiction; serving un-served drug arrest warrants; or any combination of the above. The police units or agencies that participate include State supervised drug units, multi-jurisdictional drug task forces, state police and highway patrol agencies, local police departments, sheriff's departments, HIDTA units, and other drug units.

The Vermont Drug Task Force, (VTDTF) supervised by the Special Investigations section of the Vermont State Police, organized and directed Vermont's 2008 participation in Operation Byrne Blitz. The operation included a two pronged approach: the northern and southern investigators in the VTDTF identified over 10 street

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level drug dealers across the state that they had caught during recent undercover operations. These individuals had engaged in illegal drug sales and evidence had been gathered by the task force for their arrests. Detectives from the VSP Bureau of Criminal Investigation stationed in 5 different barracks locations were assigned to organize the searching for and arresting of these drug dealers. The BCI detectives enlisted the assistance of Uniform State Troopers, county Sheriff's offices, and local Police agencies in the surrounding areas to apprehend these dealers. The second part of the approach involves intensive highway interdiction details on Vermont's Interstate. One such federally funded detail was completed on I91 in the Brattleboro area by specially trained state troopers who look for motorists who transport illegal drugs into the state.
"*Operation Byrne Blitz*" Vermont results:

13 street level drug dealers were sought for arrest on Wednesday March 5, 2008, during Operation Byrne Blitz. As of this press conference 11 subjects have been arrested, processed and cited to appear in Vermont's District Courts to answer to drug charges.
*****INDIVIDUAL PRESS RELEASE PAGES ARE AVAILABLE FOR THE ARRESTED DEALERS.*****

RECENT DRUG INVESTIGATIONS AND SEIZURES BY THE VERMONT DRUG TASK FORCE HIGHLIGHTED

WASHINGTON COUNTY AREA:
At the end of January 2008, the **VTDTF** conducted an investigation in the area of Berlin Vermont that led to undercover operations. Nearing the end of this investigation an evidentiary drug buy was set up followed by an immediate arrest of the Cocaine dealer. The dealer was identified as 48 year old **PAUL R. BRADBURY** of Plainfield Vermont. Detectives seized 1 ¾ ounces of Cocaine at the arrest. During the case **BRADBURY** made four sales of cocaine to persons cooperating with the **VTDTF,** all under police control. A subsequent search of **BRADBURY'S** residence discovered 2 ounces of cocaine pre-packaged for distribution and 7 pounds of marijuana.
On January 30, 2008 the Vermont Drug Task Force undertook an undercover operation in central Vermont during which a 43 year old Williamstown resident delivered 15 ounces of Cocaine to persons cooperating with the Task Force. The drugs were seized and the investigation showed that the man, **RONALD L. SALDI** had been selling cocaine at that level in the central Vermont area prior to his arrest.

The **VTDTF** then executed a search warrant granted by the court at **SALDI's** residence and uncovered more illegal drugs along with firearms and a relatively large quantity of ammunition. Seized at the home was an additional 2 ounces of Cocaine, 22 pounds of Marijuana, 9 long rifles, 1 hand gun, and 280 boxes of ammunition.

PAUL BRADBURY and **RONALD SALDI** have been charged in federal district court for their drug crimes.

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In February 2008 the **VTDTF** continued to investigate other sources and outlets for Cocaine distribution and trafficking in the area. An undercover operation was conducted into connected illegal drug activity in the Burlington, Barre, and Montpelier areas. During this investigation Task Force detectives identified 47 year old **PAUL HARVEY** with reported addresses of 12 Sixth Street in Barre and Lighthouse Road in Williamstown, as actively trafficking in Cocaine. They also learned that his sister in-law **LINNIE HARVEY** with reported addresses of 12 Sixth Street in Barre and in Burlington Vt. In addition to trafficking in Cocaine, **LINNINE HARVEY** was found to be dealing the drug at the street level in at least 2 Vermont towns.

An undercover operation run by the **VTDTF** caught the **HARVEYS** as they orchestrated a delivery of a Kilo quantity of Cocaine in the parking lot of a hotel in Berlin VT on February 28th at approximately 12:30 pm. The Task Force was also able to identify and arrest two of the **HARVEY'S** out of state drug sources. These men, arrested at the scene, were identified as 28 year old **SHOUBERT BEAUCHAMPS**, and 30 year old **JEAN VERDINER**, both of 19 Allen Street in Concord New Hampshire.

PAUL HARVEY, LINNIE HARVEY, SHOUBERT BEAUCHAMPS, and JEAN VERDINER appeared in Federal Court on February 29th where they were charged in a criminal complaint with Conspiracy to Distribute 1 Kilogram of Cocaine. The four defendants are being prosecuted by the **United States Attorneys' office, District of Vermont** for their drug offenses. (See also the press release from the US Attorney issued on 2/29/08).

ADDISON COUNTY AREA:

The **VTDTF** conducted a 3 month investigation into Cocaine distribution in the Addison County area that culminated on February 29th, 2008. The case was completed with the arrest of **THOMAS "TJ" BLAISE** of Addison town. **BLAISE** was arrested by Task Force detectives in the driveway of his residence as he sold 8 ounces of Cocaine to an undercover officer who is a member of the **VTDTF**. During the course of this investigation **BLAISE**, who has previous convictions for drug crimes in Vermont, was caught multiple times selling Cocaine during undercover operations run by the **VTDTF**. **BLAISE** had been previously ordered to serve jail time for his past drug convictions on weekends. During the Task Force investigation he was caught selling drugs during week days while free from jail.

After the arrest of **TJ BLAISE,** his residence was searched with a warrant by the **VTDTF** and slightly less than one ounce of Cocaine was discovered and subsequently seized.

THE FUTURE OF BYRNE-JAG FUNDING AND VERMONT'S DRUG TASK FORCE:

Byrne grant funding was recently cut by Congress across the board by over 60%. This dramatic loss of funds will directly injure multi-agency drug task forces all across the country that depend on this funding to operate. In Vermont, Byrne-JAG funding is

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critical to the continued existence of the state's specially trained and equipped drug task force. This unit works full time to deal head on with the devastation caused to our communities by drugs. The VTDTF is the driving force behind the enforcement component of Governor Douglas's **DEETER** program. The enforcement part and all facets of **DEETER** working in unison will have a long term, positive impact on communities across our state.

Most recently Senator Patrick Leahy came to the aid of the VTDTF after the dramatic cuts took place and secured 1 million dollars in discretionary funds for continued operation. This welcomed grant will reverse the cuts in the short term but will not bring the funding anywhere near what it was several years back or to what it needs to fully succeed. The reality is that without a restoration of the Byrne-JAG funds to their prior, or better yet, original levels, crucial agencies like the Vermont Drug Task Force will not be able to continue operating.

20 years ago in New York, Officer Edward Byrne made the ultimate sacrifice in the performance of his duty while trying to fight against illegal drugs in one community. Today's communities in Vermont like the rest of the country are still accosted by the same violence and devastation that illegal drugs bring. The need for full support to law enforcements' efforts against illegal drugs is even more critical than ever.

PRESS CONFERENCE DISPLAY:

The drugs on display here today were destined for the streets of Vermont

Drugs:

7 Lbs. Marijuana	Bradbury Case
17 Oz Cocaine	Saldi Case
22 Lbs. Marijuana	Saldi Case
1 Kilo Cocaine	Harvey, Harvey, Beauchamps, Verdiner
8 Oz Cocaine	Blaise Case
22.5 grams Cocaine	Blaise Case
1 ¼ LB Cocaine	NO NAME

Guns:

9 Rifles	Saldi Case
1 Hand Gun	Saldi Case
280 boxes Ammo	Saldi Case

ATTENDEES:

Public Safety Commissioner Thomas Tremblay
VSP Bureau of Criminal Investigation:
Major Thomas L'Esperance, Division Commander
Captain Thomas Nelson, VTDTF Commander
United States Attorney for Vermont, Thomas D. Anderson
Vermont Attorney General William H. Sorrell
AG Criminal Division Chief Cindy J. Maguire

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Congressman Peter Welch
Testimony – Senate Judiciary Committee Field Hearing
Rutland, Vermont – March 24, 2008

Thank you, Chairman Leahy, for the invitation to testify at today's hearing. And thank you for bringing the United States Senate Judiciary Committee here to Vermont. Today continues your long tradition of helping Vermont communities battle the scourge of crime. We all owe you an enormous debt of gratitude for your leadership and advocacy on issues of law enforcement and crime prevention. I have no doubt that our communities would not be as safe as they are here in Vermont if not for Senator Patrick Leahy's more than 30 year record of public service at both the local level and in the United States Senate.

Thank you also, Senator Specter, for being here with us today. As you are likely aware, we in Vermont are fortunate to live in a very safe state. Many Vermonters, after selling their home or moving from an apartment, must remember where they put the keys, since it has been so long since they locked their back door. It is a great fortune that the citizens of Rutland, and Vermonters generally, live without the concerns faced by millions of other Americans. However, I fear that is beginning to change.

On January 19th I had the opportunity to meet with Chief Anthony Bossi of the Rutland Police Department. Chief Bossi will be testifying later today. What I heard from Chief Bossi is that the City of Rutland is struggling to cope with an increase in illegal drug activity and a related increase in violent crime. Only weeks after my visit with the Chief, there was a drug-related murder here in the city that took place only blocks away from the middle school. One thing that Chief Bossi impressed upon me is that Rutland is not alone in its struggle with drugs and violence. The problem extends to all corners of Vermont. I also recently met with Chief Tim Bombadier of the Barre City Police Department, Chief Anthony Facos of the Montpelier Police Department, and Captain Tom Nelson of the Vermont Drug Task Force. They all repeat a similar refrain – drug dealing, violent crime, and property crime are on the rise in many of Vermont's communities. It's a problem we must address.

By raw numbers, Rutland and the state of Vermont remain a very safe place to live and raise a family. Relative to other places, our violent crime rate is comparatively low. Recent events prove, however, that rural states like Vermont are not immune from national trends. For 2006, the last year that detailed crime statistics are available, Vermont saw a 12.2% jump in violent crime. While the numbers that comprise this percentage may seem low, the impact of these crimes on Vermonters' sense of safety and well-being is dramatic. In a small place like Rutland, the second-largest city in Vermont with a population under 20,000 people, the psychological impact of violent crime tends to be greater than it is in a more urban setting. Our towns are small enough here that we know our neighbors and we know our towns. The rippling impact of criminal behavior spread quickly and deeply, tearing at the very fabric that holds our communities together.

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The impact is not just on our sense of well-being. One of Vermont's key attractions to those looking to relocate here is the sense that our state is safer than wherever they are moving from. After the tragedies of September 11, countless people relocated from New York City to rural communities in New England because they wanted a secure place to raise their families. The same is true of many people looking to start or re-locate a business. Our safe, secure communities are a central part of the appeal for those looking to move. An anecdote that highlights this point: in the days after the recent murder here in Rutland, my office took a call from someone living in New York State who had long been planning to retire here in Rutland. He indicated having real second thoughts based upon the recent news. As Vermont communities like Rutland, Barre, St. Albans and Springfield work hard to revitalize by attracting new businesses and residents, maintaining excellent public safety is critical.

After describing the impacts that increases in crime have on Vermont's communities, it is appropriate to talk about solutions. How do we unite as a state and nation to battle the drug dealers and violent criminals? Law enforcement's number one tool is collaboration. Criminals pay no heed to the boundaries between towns, counties, or states. A seamless and unified approach between municipal law enforcement, states attorneys, the Vermont State Police, and federal law enforcement is fundamental if we are going to succeed in stemming the rising tide of criminal activity here in Vermont.

Chief Bombadier from the city of Barre described to me how he works closely with the towns of Montpelier, Berlin, and Northfield to combat crime in their region. His department also works in tandem with the VT Drug Task Force and federal law enforcement to track criminal activity. With help from my office, the Barre Police Department secured a Byrne Grant also known as a Justice Assistance Grant for the 2008 Fiscal Year, a grant program Senator Leahy has long championed. One of their top priorities in spending these funds is to collaborate with the town of Montpelier to hire a joint officer to focus on illegal drug activity. Barre is not alone. Local law enforcement and the Vermont State Police rely on funding from the federal sources to expand their law enforcement and drug prevention capabilities.

Despite the proven track record of the Byrne grant program in reducing crime in Vermont and across the country, funding for this program has been decreasing in recent years. As a result of budget restrictions, the Byrne Justice Assistance Grant program suffered severe cuts in the FY 2008 Consolidated Appropriations Act. Funding for the Byrne-JAG program was cut by two-thirds, from $520 million in Fiscal Year 2007 to $170.4 million in Fiscal Year 2008. The House Commerce, Justice, and Science Appropriations bill originally provided $600 million for the Byrne-JAG program – a level that I support. For FY2009, President Bush would cut funding by $174 million below what is needed to maintain services at the current level. In Vermont, this will result in a loss of $435,000, essentially defunding as many as 13 police officer positions. We in Congress must reverse this cut.

COPS grants, another program championed by our senior Senator, are also a critical tool for Vermont Law Enforcement, and unfortunately the COPS program has seen similar

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funding cuts since a high in funding reached in the late nineties. After receiving more than $1 billion each year in the late 1990s, funding for the C.O.P.S. program has been cut in half and now stands at $587.2 million for FY2008. The President's FY2009 budget proposal eliminates C.O.P.S. funding. This funding has enabled local and state police agencies to hire additional officers and has been instrumental in reducing violent crime.

Vermont's law enforcement personnel are working hard and working together to battle drugs and violent crime in our towns. They need a partner in the federal government. With critical programs like COPS and the Byrne Grants, our police will have the tools they need to maintain peace and prosperity for our future.

Vermont is a safe place, but we face challenges that if confronted directly, with strong collaboration and an appropriate level of federal support, we can meet. Thank you Senator Leahy and the rest of the committee for the opportunity to testify today.

# # #

To Whom It May Concern,

My name is Patty Whitney and my husband Neil and I have been Foster Parents for the State of Vermont for 16 years. In that time we have housed over 170 teenaged girls, often times working closely with their biological families to insure their return home is successful. Many of the young women who have been placed with us came here because of Drug issues in their home. Sometimes because of the girls issues around drug use and sometimes because of family members use or sale of drugs. It seems that the problem is growing and the need for Foster and Adoptive homes are great. There have been several sibling groups placed in recent months.

The community needs to come together and help families that are at risk, preventive medicine if you will. As a community we need to provide activities and events at no charge so that people with limited recourses are able to spend time as a family unit having fun. A community center would be ideal and could provide endless possibilities.

I believe we as a community need to act before we need to react. Maybe if people felt as though they were valued members of the community they would not feel the need to use or sell drugs there would not be a big enough demand to be profitable for drug dealers to come to Vermont. It has been my experience that everyone has something to offer and should be considered a valued member of our community.

Thank you for taking the time to listen to me.