S. HRG. 110–870

COMMUNITY-BASED SOLUTIONS TO DRUG-RELATED CRIME IN RURAL AMERICA

HEARING

BEFORE THE

COMMITTEE ON THE JUDICIARY UNITED STATES SENATE

ONE HUNDRED TENTH CONGRESS

SECOND SESSION

DECEMBER 5, 2008

ST. ALBANS, VERMONT

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COMMUNITY-BASED SOLUTIONS TO DRUG-RELATED CRIME IN RURAL AMERICA

FRIDAY, DECEMBER 5, 2008

UNITED STATES SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, D.C.

The Committee met, pursuant to notice, at 10:07 a.m., in City Hall, 100 North Main Street, St. Albans, Vermont, Hon. Patrick J. Leahy, Chairman of the Committee, presiding.

Present: Senator Leahy.

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

Chairman LEAHY. Good morning. The Senate Judiciary Committee will be in order.

Somebody asked me earlier about this gavel, and all Senate Chairmen get a gavel. But this was back when I was first Chairman of a small Subcommittee many, many years ago, and our oldest son was in shop class, and he made that for me. I have another gavel, a huge one, that the Horrigan family gave me that they had made for me when I became Chairman of the Agriculture Committee. But it is so huge that security will not let you take it on the airplane.

[Laughter.]

Chairman LEAHY. Thank you for being here. This is the second time the Senate Judiciary Committee has been in Vermont in the last year. Now we are going to hear from St. Albans about this community's efforts to combat the persistent problems of drug-related crime in rural America. And I think in Vermont we have had this civic-minded, all-hands-on-deck experience in dealing with drug-related crime in rural areas.

The reason I have had these two hearings—we have a lot of hearings in Washington to see what is going on in Los Angeles or in New York or Chicago or Miami, places like that. Everybody comes in and shows up, and they do have problems, and they are significant. What I have tried to do is demonstrate to the Committee—and this hearing transcript will be available to all Republicans and Democrats on the Committee, as the Rutland one was, to say that in rural areas, small cities, small towns, we have problems that are very unique. And it is not just a law enforcement problem, and it is not just a school problem or anybody else. This is a lot different than when I was a young State's attorney in Chittenden County. Things have changed considerably. But what I am seeing, which is very, very good, is that communities like St.

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Albans are fighting back, they are coming together, they are finding innovative, community-based solutions. I want to be able to show that. If somebody has got a drug problem in rural North Dakota or Mississippi or elsewhere, they can learn from this.

Of course, law enforcement has been and continues to be central to combating the scourge of drugs, and there needs to be not only State and local but the help of the Federal authorities. And I compliment all those in law enforcement who are here. There is not a law enforcement agency in this State, when my office has called, that has not responded, and responded well. But then we also know—and I think law enforcement would tell you this first—that you have to have community-based solutions. You cannot just ask the police to do this alone. We have got to work on it together.

Crime in St. Albans and here in Franklin County has increased significantly in recent years; much of it has been drug-related. The reports I have received from the police and others show burglaries have gone up sharply, and many of these break-ins appear to be the result of drug users looking for money or drugs to feed their addiction. We are seeing too many armed robberies.

I see former State's Attorney Ron Kilburn in the audience. This is a lot different than when he and I were co-State's attorneys here.

We see people becoming addicted to prescription painkillers like Oxycontin and also to traditional drugs like cocaine and heroin. What I find very disturbing is the fact that more and more of our children are turning to these drugs at an early age. That has to frighten all of us, whether as parents or grandparents or just members of the community.

But the good news is that St. Albans, like other Vermont cities, is responding to this. Recently the Drug Enforcement Administration assigned a full-time investigator to Vermont focusing exclusively on the drug diversion problem, where prescription drugs that started out legally end up in wrong hands. Just yesterday, State authorities held a statewide conference for investigators focusing on this.

But we have also been stretched thin in law enforcement during the past 8 years. There have been continuous cuts in Federal funding. Time and again, our State and local law enforcement officers like the Vermont State Police and the St. Albans Police Department have been unable to fill vacancies and get the equipment they need.

This trend is unacceptable. On Monday, I am going to be meeting with the new Attorney General-designate, Eric Holder, and I am going to talk to him, as I have with President-elect Obama, about the needs of law enforcement, especially in areas where we are stretched thin, where we have to rely on communities coming together. I want to see money restored to the COPS and Byrne grant programs. I want to bring back the Crime-Free Rural States grant program. These are things that I believe in very strongly.

Now, police chiefs around the country and around Vermont have told me we cannot arrest our way out of this problem, and I believe that is true. But let us find out how we can work better together.

I think the best way to prevent crime is often to provide young people with opportunities and constructive things to do to keep them away from drugs and crime altogether. And if young people

do get involved with drugs, many times treatment might be the better thing to do. Unfortunately, in the last 8 years, we have seen money being diverted to other parts of the world and money for these treatment programs has been cut. I think that has been a mistake. I think we pay more in the long run. It is far better to spend the money up front than try to spend five times that amount of money later on.

We will hear from community leaders like Dr. Holmes and Ms. Baker and former Mayor DesLauriers, who are working collaboratively to do this. But our first witnesses, of course, will be my colleague in the House of Representatives, Peter Welch, who has been a friend for so many years. We worked together when he was in the State legislature. We have this thing where we make sure that anything involving Vermont, the three members of the delegation are brought together. He will be followed by Mayor Manahan. I have to make sure I get these Irish names right.

Peter, go ahead.

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

Mr. WELCH. Thank you, Senator Leahy. It is really terrific to have the Senate Judiciary Committee here in St. Albans on this incredibly important topic.

Also, it is very exciting. I just want to make a comment to the people here. As we all know, the extraordinary economic challenges that we face in Washington are rippling into the communities. But even as we face those, if we are going to be ultimately successful, it boils down to what can we do in our communities to make them safe, to make them secure, to make them good places to raise your family, and to do your work. And this epidemic of drug-related crime is very threatening. And as excited as I am to have the United States Senate here, I suspect that you would join me in being really thrilled that we have such an incredible turnout of folks from St. Albans, because in the end, whatever it is that we do in Washington is helpful perhaps, we hope, but the real hard work has to be done by local law enforcement, by local families, by folks who are willing to work hard with kids who are having hard times and have the ability through their example to show them another way.

The goal of our hearing today, as I understand it, is less to focus on the problem as it is to focus on solutions.

What are the practical steps that we can take and what is the information that you can get from the witnesses today that will help you as you work with the Obama administration? And I think it is very fortunate. We have got this new administration. There is a lot of excitement about taking a fresh look at how we address some of our long-term problems. And within a position as you are, chairing the Senate Judiciary Committee, meeting, as you will be, with the Attorney General-designate, that is going to give us a real pathway to the highest levels of policy. And bottom line, what we ultimately want to do is take the steps we can to protect our communities.

So I appreciate the work that you are doing, and I appreciate the opportunity to work with you as your partner on the House side. So thank you, Senator Leahy.

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

Chairman LEAHY. Well, thank you, and especially with your position on the Rules Committee, you have already been extremely helpful. I think you have found, as I have, that sometimes we have to break through and remind some of our colleagues that there is rural America. When they think of a small suburb as being 600,000 people, we have to remind them that is the size of our State. But if you are being burglarized, if you are having a problem, if you have a child and you are trying to find help for their drug addiction, it hurts just as much whether you are in a small town or a big city.

Mr. Mayor, you have been mayor, I believe, 3 years. Am I correct?

Mr. MANAHAN. That is true.

Chairman LEAHY. And I know you were formerly a council member. I think that is probably where we first met.

Mr. MANAHAN. Yes.

Chairman LEAHY. Of course, you have been in the business community, a sales manager at Handy Pontiac Cadillac-Buick-GMC for years.

Mr. MANAHAN. For now.

Chairman LEAHY. For now. I am not trying to give you an ad, but I mention all that because your roots are deep in the community. Please go ahead, sir.

STATEMENT OF HON. MARTIN MANAHAN, MAYOR, CITY OF ST. ALBANS, VERMONT

Mr. MANAHAN. I appreciate that. I would like to thank Chairman Leahy and the other members of the Senate Judiciary Committee for allowing St. Albans City the opportunity to host this hearing.

As the Senator said earlier, I have had the honor of serving as mayor of the City of St. Albans since March of 2006 after serving 5 years on the City Council. I am one of eight children of John and Teresa Manahan that was born and raised in St. Albans City. I have been married to my wife Lisa for 20 years, and we have raised our four children here as well. We chose to raise our family in this community to benefit from the same quality of life that it offered my wife and I as children. However, over the last several years, that quality of life has been challenged by the increasing crime in our community.

I feel that there are a number of reasons for the increased crime trend, not the least of which is prescription drug abuse amongst our youth. We have experienced an alarming trend of property crimes that can be directly associated with illicit drug use within our community. We have taken a number of steps to combat this criminal element within our community.

In 2005 we hired Gary Taylor as our police chief following an extensive nationwide search. Since that time we have enhanced our police department dramatically. We have created a pay grade system that allows us to hire seasoned officers and pay them commen-

surate to their experience. We recently negotiated a 10-percent base pay increase with the police department. We now have the ability to offer sign-on bonuses which allows us to be much more competitive and attractive to experienced police officers as opposed to a feeder system to larger departments throughout Vermont, which has been the case of the past number of years.

We have worked very closely with the Vermont State Police and the Vermont Drug Task Force which has allowed our officers to gain experience needed to deal with the drug activity that we are now experiencing.

We have recently given the Police Department permission to acquire Tasers, through an equipment exchange, as a form of less than lethal protection. We have been criticized for bringing the fact that St. Albans has one of the highest crime rates per capita in the State of Vermont to the forefront of discussions in our community. We do not have a monopoly on drug crimes; however, we are one of the few communities that are acknowledging the issue and facing it head on. We have held two public forums dealing with the crime within our community over the last year and half, both of which were attended by over 150 community members. I feel that we had a choice: ignore the problem and hope it disappeared or deal with it directly and make it known that St. Albans City was not going to let this criminal element steal our quality of life.

We have had community members step forward and create a very successful Neighborhood Watch program as well as a Business Watch program throughout the city. We have had numerous members step up and serve on different committees such as the Crime Task Force that I appointed to review how we provide public safety as a whole to our community with the goal of providing a more efficient product. We are currently budgeted for 19 police officers while analysis of comparable communities suggests we should have a force of 24 officers.

There are a number of ways to deal with the crime. We as a city government have the task of dealing with it throughout our police efforts. It is a difficult balance to provide the police protection needed for our citizens while at the same time not overburdening them with property taxes. We have been very fiducially responsible in our efforts to accomplish this. So you can imagine how frustrating it is to us while in the midst of dealing with the criminal element, we also have to deal with the closure of the Northwest Correctional Facility. We will now be forced to transport individuals that are arrested in our community to Chittenden County or even perhaps Newport or St. Johnsbury. Over the last year we had approximately 150 lodgings as well as 50 detox lodgings. The closing of this jail will now force us to take officers that are needed on the street away from our community for up to 4 hours per shift, which in turn will cause us to call officers in at a much higher rate of pay. So while we are trying to be sound fiduciary agents for our community, we are being delivered a body blow by the State of Vermont by the changing of this prison to an all-women's facility. Keeping in mind that changing this facility to a women's facility is not only going to create hardship on our police department, but is also going to create additional hardship on other social services that are provided within our community.

So how do I feel we should approach the problems? First and foremost, we need to replace illicit activities with thriving businesses. The best opportunity for increasing investment opportunities in the city is to complete the Federal Street Multimodal Connector. This long envisioned project would serve as a catalyst for downtown revitalization and help attract families, professionals, and employers to this area. We also offer a number of unique opportunities with our proximity to the Canadian border as well as Interstate 89 and our state-of-the-art Tech Center located at the high school. This would also allow our large historical homes to be maintained as single-family homes as opposed as being split into apartments.

On another front. I feel we should require pharmaceutical companies that are profiting from this illicit prescription drug use amongst our youth to create a fund that would allow communities such as ours to apply for those funds to help fight as well as rehabilitate the drug offenders.

St. Albans will continue to fight this battle and ultimately be known as the community that faced up to the drug challenge and won because we have members of our community that are not allowing our community to fall prey to this illicit criminal activity. However, this fight would be much easier with the support from not only the State but the Federal Government through the efforts I have outlined.

Thank you again for this opportunity to speak before you.

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

Chairman LEAHY. Well, thank you very much, and I know both you and Congressman Welch have other places you have to go. You mentioned you have been married for 20 years. In our family, we call you a newlywed.

[Laughter.]

Chairman LEAHY. Next year, Marcelle and I will celebrate our 47th wedding anniversary.

Thank you very much.

Mr. MANAHAN. Thank you.

Chairman LEAHY. Peter, thank you

Mr. WELCH. Thank you, Senator.

Chairman LEAHY. The first witness will be Chief Gary Taylor, Chief of Police for the St. Albans City Police Department. He has been in law enforcement since 1977. Is that right, Chief?

Chief Taylor. Yes, sir.

Chairman LEAHY. He brought his decades of law enforcement experience here in 2005. He had served 14 years in the Criminal Division, commander of the Essex Police Department, associate degree in criminal justice from the Community College of Vermont, bachelor's degree with a concentration in criminal justice and management from Johnson State College.

Please go ahead, Chief.

STATEMENT OF GARY L. TAYLOR, CHIEF OF POLICE, ST. ALBANS CITY POLICE DEPARTMENT, ST. ALBANS, VERMONT

Chief TAYLOR. Thank you. Good morning, Senator, and thank you for the opportunity to speak here before you today.

I have been the St. Albans City Police Chief since 2005 after having spent over 28 years in law enforcement in Chittenden County, just 20 minutes south of our community. My wife and I have lived in St. Albans since 1986. We raised our children in this community, and I was very familiar with the community issues before I became the police chief. The quality of life here in St. Albans and throughout Vermont has always been a key consideration about where I as a police officer, a parent, and a citizen have chosen to live and work. The proliferation of drug use and the related violent crime in our community has challenged the quality of life in our community and nearly overwhelmed our law enforcement resources.

Violent crime trends in the city: Over the past 7 years, we have seen an overall increase of 36 percent in police calls for service; an 87-percent increase in property crimes; a 125-percent increase in assaults and robberies; and a 186-percent increase in drug investigations and search warrants.

It is abundantly clear that we are experiencing a dramatic increase in criminal violence, illicit drug activity, property crimes associated with illicit drug activity and use, as well as "gang-like" activity here in St. Albans City.

Historically, Franklin County has seen little organized criminal drug enforcement and intervention efforts. Much of this can be attributed to the minimal law enforcement presence throughout the county. We are located just south of Montreal, an international border, as you know, and just to the east of New York. Both of those areas are traditionally source areas for us.

Shared intelligence gathering with Chittenden County police agencies indicates that Chittenden County presently has the largest number of drug investigators and drug enforcement operations in the State. These efforts have pushed many of the known drug dealers into the outlying areas that have easy access and short commutes to Chittenden County. The Burlington Police Department has specifically identified several of our recent drug-dealing arrivals as having formerly been located and operating in their city.

Cocaine, both powder and rock—or crack cocaine—marijuana, and diverted prescription drugs are readily available throughout our community.

Out-of-State urban drug dealers are arriving with alarming frequency, and the resources of the police department are stretched to its limits.

For the past 2 years, there has been a number of unsettling reports of attempted quasi-gang organization efforts in St. Albans. We see that in the form of branding or flagging, and we saw a lot of that activity in our face here in the spring of last year.

In a very large crack cocaine investigation in January and February 2007, several males from New York City established a crack house three doors from the St. Albans City Police Department. They actually parked in our parking lot to walk to the drug house.

We are working hand in hand with our law enforcement partners in the region, none more so than the Vermont State Police who have committed countless man-hours and resources to helping us address both the violent crime and criminal drug issues in our city. It is a collaborative effort with all of the law enforcement agencies,

the sheriff's departments in both Grand Isle and Franklin Counties, Swanton Village Police Department, St. Albans City Police Department, and the Vermont State Police. We continue to receive cooperation from the U.S. Attorney's Office in cases that are appropriate.

We look forward to the addition of an alternatively funded, full-time drug investigator to deploy with other Drug Task Force members to attack the illicit drug problem in our area. This requires me to plead with you not to allow further erosion of the Byrne Grant funding that we so desperately need in order for our State to fund the very limited joint investigative resources that are specifically dedicated to criminal drug enforcement efforts in our State. 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. The Vermont Drug Task Force initiative has a demonstrated and proven track record of success, and I fear that further parceling of those funds may undermine the very existence of that program.

We have launched an aggressive Neighborhood Watch program here in the city. We have held public forums. We created a Prescription Drug Take-Back Program that started in June, and as of today we have taken back more than 15,000 prescription pills.

In June 2008 we held a Community Graffiti Clean-Up Day that was followed by a community cookout, and 52 of our citizens showed up to work hand in hand with the police and other people here in the city to clean up ten different sites.

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.

Thank you.

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

Chairman LEAHY. Chief, thank you. And the funding matter is one that we are going to have the key staff and the Senate Judiciary Committee look at it because I am very, very worried that we are being penny-wise, pound-foolish, because we cut it out and then we end up having far greater costs, societal and otherwise. All your testimony will be part of our permanent record and will be shared with the other members of the Committee.

I think what you said about the parking lot, I guarantee you that is going to be a matter of some discussion among Senators. And, again, most of us look at this not as a Republican or Democratic matter. We look at it as something that affects all our communities. So thank you.

Dr. Fred Holmes is a pediatrician—you have been practicing here since 1972—a local leader in providing drug treatment and therapy to children suffering from addiction, particularly prescription drug abuse. Dr. Holmes' reputation goes way beyond St. Albans. I certainly have read, approvingly, of many of the things you have done, Doctor. You devote half of your practice to helping teens and young adults kick their Oxycontin addictions, one of the most frightening

things we see with young people. He has been a strong advocate for education-based prevention efforts, treatment for young people as a long-term solution to the problems of crime and drugs. He received his Bachelor of Science from Rensselaer Polytechnic Institute, his M.D. from the University of Kentucky College of Medicine.

Incidentally, normally when we hold these hearings, we swear the witnesses in. I see no need to do that. We are family here. And as Congressman Welch pointed out when he came in, look around this room. People would not be here if they did not care.

Dr. Holmes.

STATEMENT OF FRED HOLMES, M.D., PEDIATRICIAN AND YOUTH ADVOCATE, ST. ALBANS, VERMONT

Dr. HOLMES. Thank you very much.

On Wednesday, May 3, 2006, I was sitting in my office. I had been in practice for 34 years, and a patient I had cared for since birth walked in and asked me if he could please have "some of that medicine" so he wouldn't do pills. He had just completed a stay at Phoenix House, and at that point in time, I did not even know what a pill problem was. I did not know what the medication was, multiple phone calls around the State, nobody could answer the question, answer his question.

But what I did do is immediately realize that for the previous 4 years while I had been going to special ed meetings at BFA, he had been snorting 40 Oxy's a day—four 80s a day. He left, came back to my office a couple of weeks ago having just finished a stay in jail and again asked me, "If I was to start using, could I get some of those pills?"

It was quite a rude awakening because I did not think I could possibly be that naive. But after several months of training, particularly with Maple Leaf, Todd Mandell, Julie Rice, the Howard Center, I obtained my license to prescribe Suboxone and saw my second patient with addiction in October of the same year.

Two years, 400 phone calls, and 100 patients later, I now know far more about youngsters struggling with addiction than I would have ever thought I needed to know in the first place.

In my prepared testimony, I have included several patients' stories: a 20-year-old who robbed his very successful family farm of $15,000.

Chairman LEAHY. Incidentally, all of the prepared testimony will be made part of the record in total.

Dr. HOLMES. Thank you. A 17-year-old who, by the time I saw him, had been in Woodside 12 times, jail twice.

Chairman LEAHY. At 17?

Dr. HOLMES. At 17, 5 years of DCF custody.

Two parents sitting in my office, both very successful, very concerned. Their salaries were such that they never checked their joint bank balance until it was zero because their 18-year-old had used their debit card to buy his Oxycontin.

A 19-year-old expecting her first child. I had cared for her since birth. She was receiving Subutex from me. She will have to deliver through the high-risk clinic at Fletcher Allen, and when her baby goes into withdrawal, the baby will begin a course of methadone.

We now care for 10 young women who are single with a child, on the Suboxone program for their opiate dependency, who are homeless, locked into abusive relationships, no money, no job, and the prospects of getting a job are minimal when they have a felony conviction.

At any rate, on average, when I see the youngsters, they are 19 years of age when I seek to stop their dependency on prescription drugs. The youngest have tried alcohol at 7, marijuana at 8, and most are using both by the age of 13. Their random pill use begins at 14, dependence at 16, mean 3 years of addiction before they seek help. Oxycontin 80s are their drug of choice, virtually all use two a day, many as many as six. At $100 per pill, habits cost hundreds of dollars a day. The aggregate cost for pills for this population, that I take care of, is in excess of $20 million. Whether or not they have been arrested may well depend on little more than from whom they steal; 39 percent have an officer at Probation and Parole, and one-third come to see me already appropriately treated with Suboxone that they "bought on the street."

Mac's quick stop, Pie in the Sky, Welden Theater, Champlain Farms, the health clinic in Northfield, Hodgdon Brothers, Quiznos, many catalytic converters, and multiple homes throughout Swanton and down by the bay are all crime episodes discussed in my office, frequently by the perpetrators. I now have patients who have been beaten, robbed frequently, and stabbed. Some visit my office with an ankle bracelet.

Ours is a very powerful, wonderful community—it has been mine for 36½ years—where we all work well together and refer back and forth on a first-name basis. These are not "those kids." These are not "pill heads." These are our kids. They are not bad kids. Even the relatively few that I see are good kids who made painfully naive bad choices when they knew no better. On average, they start pills at 14. They then knew nothing about addiction, and they certainly did not plan on losing their adolescence trying to avoid getting "pill sick," always in search of that magic "first two-pill high," or in jail. And, distressingly, the recent change to IV pill use in this community will probably lead to the first fatalities.

My thoughts on the problem: First of all, days like today, conversation. The people in the community getting together to share information in public so that the public will know what it is that we are talking about.

All of us who work together should know what each of us has to offer: prevention, education, treatment, and law enforcement, and include a consideration for us all in every conversation.

Education. Don't smoke. Look both ways before you cross the street. Don't drink and drive. Pills are bad. All of this has to be taught to our children before the 4th grade.

Then, finally, I would propose a big fat check from you, sir, to Winnie at the Howard Center.

[Laughter.]

Dr. HOLMES. What this community needs desperately is a multidisciplinary, single-site center to address substance abuse. We are woefully ill-equipped to address this problem. We are practicing what I call "Whack-a-Mole" health care. We are constantly chasing

our tails, playing catch-up, and we get together to talk only in response to the new bigger crises or when you are coming to town.

Even with close collaboration between Probation and Parole, Howard Center, Gary, Angela, and myself, I cannot even begin to appropriately address the needs of a teenager whose struggles with addiction have repeatedly led him through the courts and jail. The case management and surveillance piece in my office alone is more than we can do appropriately.

I well know that within the world of pediatrics, the algorithms of the UVM programs like ILEHP and the VCHIP program, which I know you know about, would bring to the community a structure, a model for an interdisciplinary treatment proposal with guidelines and quality control that would make things much easier for us.

Thank you very much.

[The prepared statement of Dr. Holmes appears as a submission for the record.]

Chairman LEAHY. Thank you. You know, Doctor, you talk about having the dialogue. I look around this room and, again, it is remarkable. When we talked about doing this hearing, we were wondering just what the reaction might be. You know, Marcelle and I are in Vermont almost every week. We are all over the State like Congressman Welch and Senator Sanders. We hear things, but you get bits here and there. And I think just this turnout—let me just tell some of the people who are here. We have got the 10th, 11th, 12th grades from Bellows Free Academy, the history and civic classes, with their teacher, David Clark. Would those students raise their hands? They are here.

Of course, the Commissioner of Public Safety, Tom Tremblay—I was talking with him earlier—is here. Major Tom L'Esperance I saw in the back, from the Vermont State Police; Captain Tom Nelson from the Vermont State Police; Norm Lague from the Border Patrol.

We have Dr. Edward Haak from Northwest Medical Center; Patricia Brett from the Vermont Department of Children and Families; Michael Loner, the Executive Director of Dream Mentoring; Ethan Ready from Senator Sanders' office; Callan Brannigan of Georgia; Gary Gilbert; Fairfax's elected officials, Kathy Keenan, Representative-elect Jeff Young; Representative-elect Peter Perley, I was talking with him earlier. Representative-elect Michel Consejo; Representative-elect Albert "Chuck" Pearce; Senator-elect Randy Brock; of course, Senator Sara Kittell. Jim Hughes, the State's attorney of Franklin County in the back. I often tell Jim he has got the—I do not know why I ever gave up that job at Chittenden County State's attorney, Jim. Peter Hofstetter, the CEO of Northwestern Medical Center; Roger Marcoux, the Memorial County Sheriff; and as I said, the AP class.

You know, think of what you have got here. I mean, Doctor, this must give you some hope to see the community coming together like this. You have painted a very grim—and I happen to agree with you in your analysis and respect it, but I think this must give you some hope that on a workday like this everybody is showing up.

Dr. HOLMES. Oh, it does. And part of the discomfort is that I think we all tend to focus so much of our attention on the really

relatively small number of youngsters who get into difficulty. The overwhelming majority do much, much, much better. But I have a concern that if we know that at one point in time children 18 to 20 number a hundred, come into my office, who are abusing prescription drugs, where is the next hundred in the pipeline? Are they freshmen or sophomores or juniors?

Chairman LEAHY. Exactly, and to what extent does it become a snowballing type thing. Growing up—I was born in Montpelier, and growing up there, you might see one or two kids get in trouble, and everybody might, you know, stay away from them. When it starts as something that is a pervasive thing, then you see it spreading. I can use the cliche of a cancer spreading, but that is really what it is. It is a cancer in the whole area. But, again, I have to thank everybody for coming.

Also, I do not want to embarrass the media who are here, but I want to thank them for the fact that they have taken time to do this. You know, it is so easy to try to sweep everything under the rug, but unless we face up to it, we cannot do it. And, again, I cannot emphasize enough the small States—obviously, I care the most about my own State of Vermont. But our Committee is going all over the country on these things, and hearings, other Senators are holding hearings all over the place because people have overlooked the fact that something that we know instinctively, small towns and cities are not immune. These are not Norman Rockwell paintings. They are personal family tragedies. And those of us who are in a position of trust, respect, leadership in the community, we have a responsibility to work together to help each other out on that.

We are fortunate today to have Angela Baker with us. She has been a prevention specialist with the Vermont Department of Health's Division of Alcohol and Drug Abuse Program for the past 5 years. Prior to that work, she served as the Director of Government Relations and Tobacco Control Programs at the American Lung Association of Vermont. She has worked extensively in the St. Albans community to develop community-based and education-based drug prevention programs for teenagers. She has advocated for State and Federal funding for drug prevention partnerships to help coordinate efforts by local physicians and substance abuse counselors. She got her bachelor's degree in government and sociology from St. Lawrence University, her master's in public administration from the University of Vermont.

Ms. Baker, thank you for taking the time. Please go ahead.

STATEMENT OF ANGELA S. BAKER, DIVISION OF ALCOHOL AND DRUG ABUSE PROGRAMS, VERMONT DEPARTMENT OF HEALTH, ST. ALBANS, VERMONT

Ms. BAKER. Good morning. Thank you very much for the opportunity to provide this testimony. It is truly a privilege to be able to speak to you, and I do so on behalf of all of my prevention partners in the community. I would like to thank Mayor Manahan, Chief Taylor, Dr. Holmes, and Peter DesLauriers for their partnership and collaboration in our ongoing work together to address these pressing drug-related issues in our community.

My name is Angela Baker. I live in Fairfax, which is about 5 miles from here. My husband and I are raising our 9-year-old daughter in this community. The work that I do here is important to me both professionally and personally as I not only work here but I also live here.

I am a substance abuse prevention consultant for the Vermont Department of Health in the Division of Alcohol and Drug Abuse Programs. I am one of ten prevention consultants in the State. We provide information, training, technical assistance, consultation, and community organization. I serve both Franklin and Grand Isle and spend a lot of time crossing the new Missisquoi Bay Bridge that connects our two counties.

I want to start my testimony by providing you with two examples of how we currently benefit from Federal funding for prevention efforts in our area. The first and probably most crucial funding source is the Substance Abuse Prevention and Treatment block grant from the Substance Abuse and Mental Health Services Administration, also known as SAMHSA. This grant supports much of Vermont's prevention infrastructure, including the ten prevention consultants. This funding enables us to work directly within the communities we serve. We provide on-the-ground, direct assistance and work to build relationships, which is the true foundation of any community effort.

Franklin and Grand Isle Counties also receive Federal funding from the Drug-Free Communities Support grant for two anti-drug community coalitions. Franklin County Caring Communities and the Grand Isle County Clean Team are my fundamental partners in prevention, and both coalitions are represented in the audience today.

We know that community-level prevention works best when our community members are committed and involved. Our coalitions carry out initiatives that are essential to the prevention infrastructure, including capacity building and sustainability for our prevention efforts.

Our prevention system also includes early intervention. We currently have nine student assistance professionals, also known as SAPs, in middle and high schools in Franklin and Grand Isle Counties. SAPs provide, among other things, early intervention services to identify students with problems and referrals to community programs for treatment. By being located within the school, SAPs help to build better linkages among students, their families, school personnel, and community service agencies. The SAPs play a key role in substance abuse prevention efforts in our community.

Education is also an integral part of our prevention system. Trainings are frequently held at no cost to our community partners to help increase knowledge of the principles of prevention and provide tools and resources necessary for effective prevention efforts.

One of the trainings offered, in cooperation with our law enforcement partners, is the Drug Impairment Training for Educational Professionals, also known as DITEP. This key training provides school personnel and others with instruction around drug impairment signs and symptoms. It also provides information regarding community resources for students who may have a problem. This training is provided at no expense by drug recognition experts.

The most important message that I would like to convey to you and your Committee today is that community-level prevention works. Unfortunately, prevention efforts do not receive nearly the same amount of attention, particularly from the media, that drug use, crime, and violence receive. However, there are many good people on the ground in the trenches doing the important and essential work to ensure that our youth are making healthy decisions.

We know that there are many students who are choosing not to use substances in our community. According to our 2007 Youth Risk Behavior Survey data for Franklin County, 60 percent of students have not consumed alcohol in the past 30 days; 70 percent of students have never smoked a cigarette; 67 percent of students have never tried marijuana; and 84 percent reported that they have never used a prescription pill that was not prescribed to them.

We know that there is still much work to be done. We encourage the Committee to consider the importance of funding primary prevention and early intervention efforts. If we can be more proactive in our efforts, we can help prevent problems before they happen.

On behalf of my partners in Franklin and Grand Isle Counties, I would like to thank you for your consideration of my testimony and your support in helping us keep our community safe and healthy for our youth and our families.

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

Chairman LEAHY. Well, thank you, Ms. Baker. As you pointed out, with a 9-year-old you also have a personal interest in that. You talk about the preventive and the outreach. Of course, those are things we also have to have the money for to make sure it works. Thank you.

Ms. BAKER. Thank you.

Chairman LEAHY. I want to come back with questions for all of you, but I first want to here from Peter DesLauriers, the Chair of the St. Albans City Crime Task Force. I think I first knew Mr. DesLauriers when he was mayor here from 1994 to 2006. He taught science to 7th and 8th graders. Is that correct, Peter?

Mr. DESLAURIERS. Yes.

Chairman LEAHY. For the past 5 years, he has helped foster grassroots community rebuilding efforts to tackle crime and drug problems, a strong advocate for education-based drug prevention efforts, and please go ahead.

STATEMENT OF PETER DESLAURIERS, CHAIR, ST. ALBANS CITY CRIME TASK FORCE, ST. ALBANS, VERMONT

Mr. DESLAURIERS. Yes, sir. Thank you, Senator Leahy, and congratulations. I believe you are reaching a milestone on the longest-serving U.S. Senator from Vermont. I want to congratulate you on that. It is a point of pride—

Chairman LEAHY. All you have to do is outlive everybody else. [Laughter.]

Mr. DESLAURIERS. Well, that is not easy sometimes.

I want to welcome you to St. Albans. I also want to welcome Congressman Peter Welch, who is doing a marvelous job representing

our State down in Washington as well. Good things are going to happen to the State with the quality of the representation that we have down in Washington.

I want to thank you for making the trip this morning to show your interest in the future of our community. Also, thank you and welcome to the staff members of the Senate and the Senate Judiciary Committee, community leaders, fellow citizens, and members of the media.

As we face a slew of national problems with hope and resolve, it is important that we do not ignore our community issues, for as President-elect Barack Obama tries to reconcile Wall Street with Main Street, it is nice that you remember the Elm Streets, the Barlow Streets, and the Messenger Streets, for these are the streets on which our children play, we live our lives, and we lay our heads. These streets make up our community. And on these streets, as you have heard, we currently face big-city problems with small-town budgets.

This community has already responded to the problem on several fronts. Through citizen efforts, we have put in place a Neighborhood Watch Program, an online Internet community, a Citizens Emergency Response Team. We have a Red Flag Book for parents, a Task Force on Crime. Numerous community forums on the issue have been held. We are exploring the prescription drug issue, and we are putting in place a community outreach program.

St. Albans understands that we are in a battle. We are fighting for our community and the values that most Americans live by and believe in. We are not asking the Federal Government to rescue us; we simply want you to help us rescue ourselves. True victories are only attained and maintained by those with a true stake in the battle. Senator Leahy, we need your help, but it is the citizens of St. Albans who will be the soldiers in this battle.

So if the attitude is "Yes, we can," then the question must be "How?"

In enforcement, we need more police officers to make St. Albans an uncomfortable place to work the drug business. We could use funds as we try to organize and equip an Auxiliary Community Citizen Surveillance Squad. This would be a group of trained citizens who move around the community and record or report illegal behaviors. This activity serves two purposes: It makes St. Albans a hard place to do illegal activity since no one knows who is watching and when; and, more importantly, it empowers the citizenship to positively affect their surroundings. This feeling of "I can make a difference" will create longevity to our endeavors. While increased enforcement is not the only answer, it is one of the necessary ingredients to the full solution.

We also need consequences for drug-related crimes. What would the speed of the average car on Interstate 89 be if every speeding ticket written was thrown out of court? When students see us enable a poor behavior, they think that we are approving it, and this is a dangerous lesson for them to learn.

Crime knows no boundaries. When St. Albans City drives the criminals out of our community—and make no mistake, we will—and they land in St. Albans Town or Swanton, who has won?

We need help to entice local communities to join forces and drive these thugs out of the State. Physics 101 tells us that an object moves easier if it is already in motion. I suspect the same is true of drug dealers.

We have several groups working on the prescription drug issue, but it might be beyond local control. We need help in this area. Pharmaceutical companies and the medical profession must be held responsible for the chemicals that they are putting on our streets.

Education: On the national level, we need to remove the pressures of No Child Left Behind. While I do not fault the goal of NCLB, I fear that the goals of education have switched from one of trying to create good, intelligent citizens to one of trying to create good test takers. If we as a school score high on our NCAP test but do not adequately address the drug issue, we as an institution have not served our community well.

On the local level, we understand that drug education is not a ribbon day or a guest speaker day. Drug education must be a recognized part of the everyday curriculum for all of our children. We would like funds to develop alternative educational plans in our schools to better meet the needs of every child, be they challenged or gifted. Bored and discouraged students often turn to drugs. Successful students, with hope and a vision, are tough customers for drug dealers. We must serve all types of intelligences.

We also need to provide jobs in the area for our young people. Currently, when I talk about local jobs with my students, someone always mentions a cousin, a friend, or neighbor, he does not work, he has got a hot car, he has got plenty of money, and he just hangs out on the street. While that sounds like the perfect career, I happen to know that his cousin is a doper. We need good honest local opportunities for our young people. Good jobs offer hope and draw good people to our community. It also allows people to work in the community where they live rather than be citizens in absentia by living here and working in Chittenden County. This builds local pride, which is a key factor in community ownership and involvement.

Together, we can solve these issues, but we must see the forest for the trees. This is a great Nation, and it is made up of great communities; and if we lose those, we have lost it all. I understand national issues are pressing. I do want our borders to be safe from terrorists, but I also want my grandchildren to be able to walk in Taylor Park without watching a drug deal in the bandstand. I do want a solution for global warming, but I also want my students to be able to go to the school rest room without being offered drugs. I do want strong armed forces which will protect us from foreign fanatics, but I also want to be able to sleep at night without wondering if I should put a gun in my nightstand to protect my family from the growing concern of home invasion.

Senator Leahy, you have long been a friend of St. Albans. We owe much to you. And once again we turn to you as Vermont's elected gift to the Nation to help us rescue our community. Thank you for caring and serving our community, our State, and our Nation with compassion, integrity, and pride.

Thank you, Senator.

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

Chairman LEAHY. Thank you very much. That means a lot to me. But it is not just me. We are all in this together. We are blessed to live in a very, very special State, and we choose to live here because it is special. But it is also a responsibility. It is a very small State in people. That means everybody has to pull their load.

I was thinking, Chief, in your testimony you reported how robberies and burglaries have gone up dramatically, not only in St. Albans but throughout Franklin County, over the past few years, along with assaults and narcotics cases. I will try to just kind of summarize.

Of course, that trend is not unique here. It is not unique just to Vermont. Other Senators tell me from around the country they are seeing similar trends.

How much of that would you estimate is drug-related?

Chief TAYLOR. Most of it.

Chairman LEAHY. Most of it.

Chief TAYLOR. Most of our very serious aggravated assaults or robberies are driven by people who are either on the fringes or in the full throes of being involved in illegal drug trafficking, purchasing, and in some cases, they are coming here and actually robbing other drug dealers.

Chairman LEAHY. Would you say that it would be an overstatement to say often in those kinds of circumstances these are not people who are thinking these things through very carefully or what the result of their actions might be? Is that correct?

Chief TAYLOR. I think that is correct. I think that many of these people become victims because of their association with these individuals.

Chairman LEAHY. Now, naturally, a lot of what we do—and for somebody like myself who spent 8 years in law enforcement, and you have spent a lot more years, you know that it has to come from State and local for law enforcement. But there also has to be a Federal component. Tell me about what could the Federal Government do to help.

Chief TAYLOR. We received a grant a few years ago through the COPS program to put a school resource officer in one of the schools. We have three substantial schools in the community. I think the COPS grants are really important to us to be able to add school resource officers. We have gotten some Federal money out of the COPS program for communications improvements. And I think that the Byrne grant is absolutely one of the ones that I can point to.

Chairman LEAHY. For those who do not understand, the COPS program is C-O-P-S, a program to bring additional law enforcement into local law enforcement, state law enforcement, to get specialists. Sometimes it is a case where you need a specialist in a particular area. If the community cannot pay for it, this can help do it. The Byrne grant is another, B-Y-R-N-E, a grant for law enforcement.

In the past few years, the effort has been made to cut this money out. I strongly disagree. I do not want this to sound political, and I do not mean it that way—I have said this same thing to Presi-

dent Bush and others. If we can spend billions of dollars for law enforcement in Iraq, and half the time not know what the law enforcement people, the Iraqis are doing with the money, a lot of it disappears, why can't we start spending some of that money here at home where we really need it and where it might do some good and where you have communities and States where people actually watch where the money goes?

And so I am hoping—and one of the recommendations I am making to the new President-elect and his administration is to get back to these kinds of programs that will go into the local areas. Maybe there is not as much money available as before, but do it in a way where people know where the money goes. One example that is critical in Iraq, thousands of handguns went over, and they do not know where they went, until they started showing up being used against Americans. I would like to see us start spending that money at home.

Dr. Holmes, you talked about helping teenagers who have become addicted to pain medication and other prescription drugs. It was interesting just listening to your testimony over the course of your career, and I can almost see the bar chart going just like this as you talked. I can imagine how discouraging in a way that must be to you. How do these children start doing this at such a young age? How do they start with these drugs at such a young age?

Dr. HOLMES. My impression in conversations with them is they do it because everybody else is doing it. I think there is a lot of peer pressure. I think there is a lot of wanting to be like somebody who is older and they perceive as being more important. There is really a very magic little point probably around 5th, 6th, 7th grade, at which time somebody offers one of these youngsters a pill, and they have seen other kids do it. And the thing that probably intrigues me most about these conversations is how can we prevent that initial moment of experimentation from taking place. Two weeks out on Oxycontin, you will be dependent. From then on it is more and more and more and more to try to have the same effect, or it is continued use to keep from getting sick. And these are concepts they do not understand before they try it the first time.

Chairman LEAHY. Well, let us go back to that tipping point. In 6th grade, try one, try two. In two weeks you are hooked. What do you do to stop the tipping point? That is what I mean, because by the time if they are teenagers and they are breaking in somewhere, and now it is in Chief Taylor's lap. His thing is, okay, we are going to arrest you, we are going to bring you to court, and then the criminal justice system takes over.

I think, Chief, you would be just as happy if that crime never happened in the first place and you did not have to arrest them in the first place, that they were not motivated to be there.

Doctor, how do we keep them off the tipping point?

Dr. HOLMES. My personal impression is that I did not think I was quite so stupid 2 years ago. I have been in the community for almost 35 years. I have seen many children a day. I have taken care of multiple youngsters for some pretty complicated things. So I thought I was a pretty savvy dude at that moment. And then all of a sudden I realized that there is this piece about this illness that affects children about which I knew very, very little, and I can tell

you that my compatriots in this community now know far less than I do.

So my impression was that if I did not know it—and I see kids and families all the time, and they still do not know it—that suggests that the community does not know it and that these wonderful families, with all their kids, do not know it either.

So the point was through processes like this, meeting with Gary and Marty and Angela and Peter—he is being quiet—and all the things that we have done over the last couple years is really public education. It is public awareness. Let them understand what is going on. We have Neighborhood Watch, we have Graffiti Watch. I think we should have Kid Watch.

I sit in my office, and people are constantly telling me where the drug deals are taking place in this community. I can tell you the stores in front of which they happen.

So my initial thought is there has to be an increasing public awareness that this is an issue within our community. And, again, these are not bad kids. These are good kids who make very poor choices for all the wrong reasons.

Chairman LEAHY. This is the thing, you say they are not bad kids. Again, I do not mean this as old war stories being a prosecutor, but I remember so many times seeing kids come into court on things that are going to—charges that are going to be an albatross around their neck, an anchor around their neck for the rest of their lives, and you could always move it back just a little bit and say, "What if?" What if it had gone this direction instead of that direction? And it is always—I mean, some of those agonized, Judge Costello and others, in saying, "What if?" And how do you get to that?

This is the most frustrating thing. I can help get law enforcement money. I can help get some of these other things. But I just want to make sure that we are doing it so that it is somehow integrated. I hope that a lot of people here who sit today—I bet you there are a lot of parents saying, "What do you mean my kid is going to be exposed to that?" It has got to be more than as our parents used to tell us, "Well, if everybody else jumped off the cliff, would you jump off the cliff, too, just because they were doing it?" Unfortunately, what you are saying is when they do jump off that cliff, they do it. Is that correct?

Dr. HOLMES. Part of the difficulty that we have not addressed is that amongst this population there is a huge number of youngsters who have what we would refer to as "co-morbid problems." They have learning difficulties, language challenges, ADHD, OCD, ODD. They come from perhaps chaotic, non-supportive homes. And when they try that first pill, it may well be that for the first time in a long time they feel better. So there is an element of self-medication that I think in some of these youngsters perpetuates their initial experimentation with pills.

Chairman LEAHY. Ms. Baker or Mr. DesLauriers, do you want to add something to this? Feel free to jump in here. I have read all the formal questions. I am more interested in hearing what your—

Ms. BAKER. I just want to follow up on Dr. Holmes' point about where the tipping point exists and what we can do about it. One of the strategies that we are currently working on right now

through a Strategic Prevention Framework grant is implementing a curriculum called "Protecting You, Protecting Me." It is a grades 1 through 4 curriculum, because what we are hearing frequently from the communities and from Dr. Holmes and others is that junior high is too late, middle school is too late to try and start educating kids. It needs to start a lot earlier.

So this is a curriculum that builds upon itself. It starts in grade 1. The second year they will have one, too, all the way up to grade 5 so that they have five consistent years of education around substances, and it really is about making better choices for themselves. It revolves a lot around brain development and how you can make good, positive, healthy decisions.

I think that will make a difference in our community as we start introducing that into more of our schools and providing that foundation for the youth.

Chairman LEAHY. Ms. Baker, we have so many families, especially in today's economy, both parents working, holding down jobs, doing extra hours, just trying to make ends meet and pay the gasoline bill, the fuel bill, the rent, the mortgage, food on the table, and they are stretched thin. But don't we also have to be educating the parents at the same time, not just the kids? We get the kids a certain period of time they are there. In my case, when I was a kid, there was a tough nun at the door. You do not leave once you came into class. But they are there so you have got them, but how do you get to the parents?

Ms. BAKER. That is our biggest challenge, so if you have an answer to that, we would like to hear it.

[Laughter.]

Chairman LEAHY. I was afraid you were going to say that.

Ms. BAKER. Getting parents to the table is our biggest challenge, and so what we are really trying to do is this community recognizing that there are a lot of other adult mentors that exist within the community. As Dr. Holmes has said, it takes more than one person to help with that. And so there are a lot of stressors on the family, and so recognizing that they are our kids and that doing what we can with the parents, but also getting the rest of the community to recognize that it is important to speak up and say something and make sure that our kids are safe and healthy.

Chairman LEAHY. Peter.

Mr. DESLAURIERS. I spoke to Dr. Holmes with regard to that, and that tipping point, and I agree because from that point on, you have a user, and from that point on, there is a market for that user. And we have plenty of people willing to move into the community and take advantage of that market. So at that point, I think that is the area we have to focus. And the question is: Why does that child first put the drug into their mouth? And I think the answer is actually quite obvious, how to stop that. Why does the kid, the student, first want a Big Mac? It is because he sees a cartoon character when he is very, very young, and Madison Avenue knows how to affect behaviors. They do it over and over and over and over again. I think that this country did a great job on the anti-smoking, and we affected behaviors, and smoking was down when we ran that program.

Chairman LEAHY. Now it is going back up.

Mr. DESLAURIERS. Well, it is, but we do not know-

Chairman LEAHY. Especially with young women.

Mr. DESLAURIERS. Right, and at this point I do not think we are putting the energy into it that we did. You can do things that are good that change behaviors, but when you stop, another generation is coming. I do not think there is any permanent answer to any problem.

Chairman LEAHY. This is not a scientific thing, but I thought one of the better programs that got kids involved was getting people to use seat belts. So kids were getting in the—at least we got this anecdotally. Parents would sit down, and the kids would say, "You did not put on your seat belt," because it had been hammered in at school. But now we are seeing somehow the manipulation with the advertising for young women. Well, you can control your weight if you smoke these cigarettes. It is not quite that blatant. And now we see this going on, and with the rising incidence of lung cancer and so forth.

I really feel there is a strong component of that, Ms. Baker, as you said, but I think it has to be over and over again. And I think—I do not know. Dr. Holmes, what about this? We ask our educators to do everything. We ask our educators in some ways to do all the things our parents used to do, and I want to be fair to them because we are also in a far more competitive world today, if you look at high-tech industries and everything else and getting kids to learn. But how much can we ask of our schools in this area? How much should we ask?

Dr. HOLMES. Why did I get that question?

[Laughter.]

Chairman LEAHY. Well, I was looking at you. You see, this is the beauty of being the Chairman. I do not have to answer anything. I just ask the questions.

Dr. HOLMES. That debate has been going on as long as I have been in this community and been going to school meetings: What is the role of the school? Are they educators? Are they surrogate parents? Are they behavior specialists? Where do you draw the line? I think that is a huge challenge.

My personal bias is that fortunately we have schools like BFA which, to a certain extent, do serve as surrogate parents for some of these youngsters. The youngster that I mentioned first in my testimony was receiving outstanding support services from BFA and had for years, and we were all clueless. We were doing everything we were supposed to do, all the proper evaluations, his IEP, I was giving him medication for his ADHD. He was obviously taking a stronger medication at home. But none of us knew what was going on, and he did not, with all due respect, have a family that was in tune to and supportive of meeting his needs.

Chairman LEAHY. Does anybody want to add to that?

Ms. BAKER. I think it is really important to note that when the school needs help, they reach out, and that we have really good school and community relationships with all five of our high schools. I spend a lot of time in those schools, as do other service providers within the community. So I would say that the schools feel supported by the services that do exist within this community and real community-level organization.

Chairman LEAHY. I have a lot of other questions, but some would be redundant. Can you do this for me? Because we really are trying to see—we are going to be revamping some of these programs—I have talked with Senators in other committees that have jurisdiction, as I do—and try to figure out what is best. We are all going to be making far more recommendations to the new administration than they could possibly respond to. I want to make sure ours are well directed. I have been asked to do a lot of things on rural areas, small cities, small towns, my perspective there. Others in both parties will be doing the same, and I know Congressman Welch has similar kinds of groups over in the House of Representatives.

I know over the years in talking with the President-elect about his own children how much he feels about them, and the Vice President, Joe Biden, and we have watched his children grow up, and we all have these concerns. I think we know there is something at stake here.

Can I ask you to do this, all of you? Feel free after this is over, if you think, you know, "The thing we should have said was. . ." send it to me. It will be made part of the record. But, more importantly, keep in touch with me and my office. You get ideas. If you see something, if you see a program going through that I might be supporting and you say, you know, "It may sound great but it is not going to be good," pick up the phone and call me. I really want it to work. My children are grown, but we have grandchildren coming up, and I am not sure if I was a young parent—Marcelle and I had our children when we were in our 20s. I am not sure what I would think, I would be terrified to let them out the door. And we all want to protect our young people. We also want to protect them so you are not going to have to have the gun in your bedside table, we are going to have to—we want to be able to protect our family. The chief would probably like to go home at night and not get a call at 2 o'clock in the morning where they say, "Hey, Chief, guess what just happened?" Not all of that will ever happen, but we can minimize it.

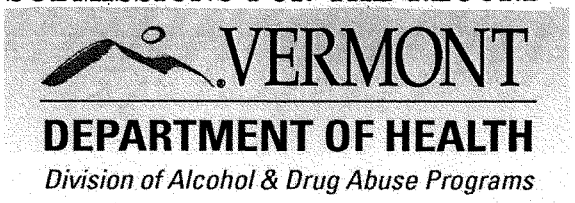
I thank you all for taking the time. You have done an enormous public service being here today. Thank you.

[Applause.]

[Whereupon, at 11:19 a.m., the Committee was adjourned.]

[Submissions for the record follows.]

SUBMISSIONS FOR THE RECORD



Senator Patrick Leahy, Chairman
United States Senate, Committee on the Judiciary
Washington, D.C 20510-6275

Dear Senator Leahy:

Thank you for the opportunity to provide testimony at the Senate Committee on the Judiciary's hearing on "Community-Based Solutions to Drug-Related Crime in Rural America" scheduled for December 5, 2008 at City Hall in St. Albans Vermont.

My name is Angela S. Baker and I am a Substance Abuse Prevention Consultant for the Vermont Department of Health, Division of Alcohol and Drug Abuse Programs. I am part of a network of 10 regional Prevention Consultants charged with providing information, training, assistance with program planning, consultation and community organization to communities. The goal of the Prevention Unit is to increase local capacity to carry out substance abuse initiatives. I serve the geographic area of Franklin and Grand Isle Counties.

The Prevention Unit of the Division of Alcohol and Drug Abuse Program receives funding from the Substance Abuse Prevention and Treatment Block Grant, a federal funding source administered by the Substance Abuse and Mental Health Services Administration (SAMHSA). This Block Grant is the foundation of Vermont's substance abuse prevention and treatment system, and supports much of the infrastructure, including the Prevention Consultants, local prevention programs and staff in our Central Office in Burlington. It is critically important to maintain/enhance this block grant for Vermont, particularly in these difficult budget times. This critical foundation of federal support enables the Prevention Consultants to work directly within the communities we serve. In Fiscal Year 2008, the Prevention Consultants had a direct reach to 15,000 Vermonters through the provision of technical assistance, consultation, training, education, etc.

My goal in providing this written testimony is to highlight the importance of the ongoing prevention efforts currently taking place in the St. Albans community and surrounding region that seek to address the challenges associated with substance abuse. We know that prevention is most likely to succeed if multiple actions are employed and sustained over time. The testimony provided below centers around three key substance abuse strategies: community-based process, early intervention and education.

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Community-Based Process: Community level prevention works best when community members are committed and involved. At the local level, we are able to build strong relationships with our partners that helps solidify our commitment to working together toward more positive outcomes for our youth and families. Our community-based process to prevention is best exemplified by the ongoing efforts of our two anti-drug coalitions that are funded by Drug-Free Communities Support Program from SAMHSA. *Franklin County Caring Communities* (see www.fcccp.org for more information on this coalition) is currently in its' second five-year grant cycle and receives approximately $95,000 per year. *The Grand Isle County Clean Team* is in the third year of its first grant cycle and receives approximately $65,000 per year. Both of these grants provide funding for community organization and initiatives to help prevent and reduce substance abuse. Examples of successful community initiatives carried out by these coalitions include:

- Implementation of **Town Hall Meeting on Underage Drinking** in April 2008. This initiative brought 700 parents and students together to discuss challenges associated with underage alcohol use.
- Promotion of **"A Day to Eat Dinner with Your Family"** annually in September encourages parental engagement and positive communication as a substance abuse prevention strategy.
- Implementation of **"Guiding Good Choices"**, an evidenced-based prevention curriculum that provides parents with the skills they need to ensure the future well-being of their children.
- Allocation of $20,000 in **Youth Initiated Grants** funds for prevention initiatives created and implemented by youth in our community that address issues associated with substance abuse.

Early Intervention: Early Intervention also plays a key role in substance abuse prevention in our community. There are currently nine Student Assistance Professionals ("SAPs") in schools in Franklin and Grand Isle Counties. SAPs provide educational presentations that help prevent substance use, provide early intervention services to identify students with problems, coordinate support groups to help students cope with substance use, and refer students to community programs for treatment. By being located within the school, SAPs help to build better linkages among students, their families, school personnel, and community service agencies. The SAPs play a key role in substance abuse prevention efforts in our community.

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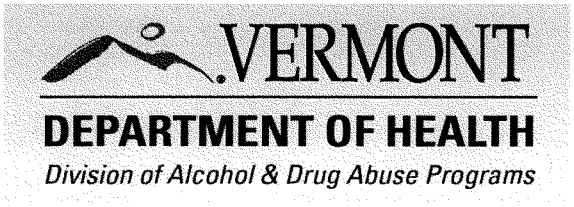

Education: Franklin and Grand Isle Counties are known for providing a multitude of free educational opportunities for community members on issues related to substance abuse prevention. Examples of training initiatives include the following:

- **Drug Impairment Training for Educational Professionals ("DITEP").** This two-day training provides education around drug impairment signs and symptoms and available resources in the community for students who may have a substance abuse problem. This training is provided at no expense by our law enforcement partners who are Drug Recognition Experts .
- **Community Conference on Prescription Drugs.** This conference will be held in St. Albans on May 9, 2009. This Conference is sponsored by the Chronic Pain and Narcotics Community Forum Workgroup led by Northwestern Medical Center. The purpose of the Conference is to bring community members together to provide education and resources and promote ongoing dialogue about challenge of prescription drug abuse in our community.

The grassroots community prevention efforts are working in our community. According to our Youth Risk Behavior Survey data, we have seen declines in nearly every drug category in Franklin County, including the following:

- ***9% decrease*** in the number of students who have consumed alcohol in the past 30 days (50% in 1999 down to 41% in 2007)
- ***13% decrease*** in the number of students who are drinking before the age of 13 (37% in 1999 down to 24% in 2007)
- ***19% decrease*** in the number of students who have smoked cigarettes in the past 30 days (36% in 1999 down to 17% in 2007)
- ***11% decrease*** in the number of students who have used marijuana in the past 30 days (29% in 1999 down to 18% in 2007)

It takes a combination of actions, sustained over time, to prevent and reduce substance abuse. Prevention strategies are most likely to succeed if they reach both individuals and the environments in which people live and work – family, school and community. We are extremely proud of the collaboration in Franklin and Grand Isle Counties that has enabled us to "view the bigger picture" of prevention in our community and consider how the different pieces (prevention/education, treatment and enforcement) fit together to form a comprehensive plan to address drug-related issues in our community.

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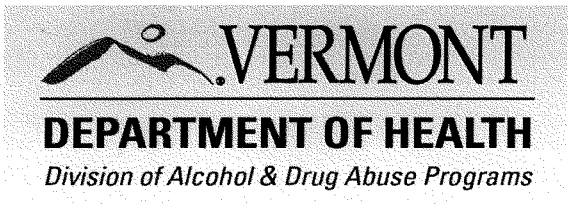

Despite our successes, we know that there is still a great deal of work that needs to be done. We encourage your committee to consider the importance of funding primary prevention efforts (such as community anti-drug coalitions) and early intervention efforts (including school based professionals) for individuals at risk for substance abuse. If we can be more proactive in our efforts, we can help prevent problems before they occur in our community.

Thank you for your consideration of this written testimony. If you have any questions or would like additional information, please do not hesitate to contact me by phone at (802)524-7918 or by email at abaker@vdh.state.vt.us.

Sincerely yours,

Angela S. Baker
Substance Abuse Prevention Consultant
Franklin and Grand Isle Counties

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My name is Jim Coutts. I am the Executive Director of the 900+ member Franklin County Senior Center and a member of the Executive Council of Vermont AARP. I offer my comments for the record addressing crime in rural America.

Most of the senior citizens that I meet with in Franklin County, Vermont are frightened by the current state of the economy. However even more frightening to many is the increase in crime and violence they are witnessing in our community. The representation of seniors at your hearing highlights their concerns. The State of Vermont is striving towards an environment to allow seniors to live independently in their own homes with community support. The reality is that those seniors living independently are increasingly becoming the target of drug related crimes. In the past year at least three members have had their homes broken into by criminals seeking drugs and/ or money. Last month an attempt was made to rob the Catholic Church Bingo while play was in in progress. A teenager was involved. Weekly we hear of attempted or committed robberies of business and homes, some even in the daytime. A particularly disturbing statistic is that a local gunship has been broken into at least six different times, one of which access was gained through the chimney.

There is no doubt that additional funding is needed, but funding must be directed towards informing the public of the danger, organizing communities to publicize the magnitude of the problem and providing defensive mechanisms for seniors living alone. Funding to assist with home invasion alert systems and personal protection alarms is one area we should investigate. Studies have shown that well lit intrusion alarmed residences are not prime targets for criminal activity. Neighborhood watch groups and situation awareness training are also tools to assist the decline in criminal activity.

As a parent of three adult children and five grandchildren I am concerned about drug use. My family lived in Rhode Island until my children reached high school age and I first became aware of drugs in schools. This was 1979 and my two oldest children attended a high school in a navy town where drugs were rampant in the school. Both confided to me that they had tried drugs and did not like them. It was then that my wife and I decided to move to Vermont, where drugs were not a major issue. Twenty five years later I learned from my oldest grandchild that drugs in St Albans were easily obtained. Fortunately she was not a user, but said that drugs were as common as soda at BFA.

Working parents, peer pressure, rebellious behavior patterns and lack of self disciple are making young children turn to drugs. The decline of nuclear and extended families when coupled with the decline in church participation results in schools trying to fill the void and they are not equipped for the challenge. We must have total community and family involvement in our quest to eradicate the drug problem.

Thank you for the opportunity to present my views on behalf of all seniors in Franklin county.

TESTIMONY
of
Peter DesLauriers
Senate Judiciary Committee Hearing
Community Based Solutions
To Drug Related Crime in Rural America

Senator Leahy, Longest serving US Senator,

Thank you for making the trip this morning to show your interest in the future of our community. Also, thank you and welcome to the Staff Members of the Senator and the Senate Judiciary Committee, Community Leaders and Fellow Citizens,

As we face a slew of national problems with hope and resolve, it is important that we do not ignore our community issues, for as President Elect Barack Obama tries to reconcile Wall St with Main Street, it is nice that you remember the Elm Streets, the Barlow Streets and the Messenger Streets, for these are the streets on which our children play, we live our lives and lay our heads, These streets make up our community. And on these streets, as you have heard, we face big city problems with a small town budget.

This community has already responded to the problem on several fronts:
Through citizen efforts, we have:

- Neighborhood Watch Program
- Online Internet Community, Grapevine.com
- Citizens Emergency Response Team
- Red Flag Book for Parents
- Task Force on Crime
- Numerous Community forums on the issue.
- Worked on Prescription Drug Issue

St. Albans understands that we are in a battle. We are fighting for our community and the values that most Americans live by and believe in. We are not asking the Federal Government to rescue us; we simply want you to help us rescue ourselves. True victories are only attained and maintained by those with a true stake in the battle. Senator Leahy, we need your help, but the citizens of St. Albans, will be the soldiers in this battle.

So, if the attitude is "YES WE CAN", then the question must be "How?

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Enforcement: We need more Police Officers to make St. Albans an uncomfortable place to work the drug business. We could use funds as we try to organize and equip an Auxiliary Community Surveillance Squad. This would be a group of trained citizens who move around the community and record or report illegal behaviors. This activity serves two purposes. It makes St. Albans a hard place to do illegal activity since no one knows who is watching and when, and it empowers the citizenship to positively effect their surroundings. This feeling of 'making a difference' will create longevity to our endeavors. While increased enforcement is not the only answer, it is one of the necessary ingredients to the full solution.

We also need real consequences for drug related crimes. What would the speed of the average car on Interstate 89 if every speeding ticket written was thrown out of court? When students see us enable a poor behavior, they think that we are approving it. That can be a dangerous lesson for them.

Crime knows no boundaries. When St. Albans City drives the criminals out of our community, and make no mistake, we will, and they land in St. Albans Town, or Swanton, who has won? We need help to entice local communities to join forces, and drive these thugs out of the State. Physics 101 tells us that an object moves easier if it's already in motion. I suspect the same is true of drug dealers.

We have several groups working on the Prescription Drug issue, but it might be beyond local control. We need help in this area. Pharmaceutical companies and the medical profession must be held responsible for the chemicals they are putting on our streets. In Vt. Bartenders are liable if they over serve a customer. Should Doctors be held to a similar standard with addictive pharmaceuticals?

Education:
On the National level, we need to remove the pressures of No Child Left Behind. While I do not fault the goal of NCLB, I fear that the goals of education have switched from one of trying to create good, intelligent citizens to one of trying to create good test takers. If we as a school score high on our NCAP test, but do not adequately address the drug issue, we as an institution have not served our community well.

On the local level, we understand that Drug education is not a ribbon day, or a guest speaker day. Drug education must be a recognized part of the everyday curriculum for all of our children. We would like funds to develop alternative educational programs in our schools to better meet the needs of every child be they challenged or gifted. Bored and discouraged students often turn to drugs. Successful students, with hope and a vision, are tough customers for drug dealers. We must serve all types of intelligences.

We also need to provide jobs in the area for our young people. Currently, when I talk about local jobs with my students, someone always mentions a cousin, friend or neighbor who doesn't work, yet drives a hot car, has plenty of money and always just hangs out on the street. While that sounds like the perfect career, I happen to know that his cousin is a doper. We need good honest local opportunities for our young people. Good jobs offer hope, and draw good people to our community. It also allows people to work in the community where they live rather than be

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citizens in absentia by living here and working in Chittenden County. This builds local pride, which is a key factor in community ownership and involvement.

Together, we can solve these issues, but we must see the forest for the trees. This is a great nation and it is made up of great communities, and if we lose those, we have lost it all. I understand national issues are pressing, I do want our borders to be safe from terrorist, but I also want my grandchildren to be able to walk in Taylor Park without watching a drug deal in the bandstand. I do want a solution for Global Warming, but I also want my students to be able to go to the school rest room without being offered drugs. And I do want strong armed forces, which will protect us from foreign fanatics, but I also want to be able to sleep at night without wondering if I should put a gun in my nightstand to protect my family from the growing concern of home invasion.

Senator Leahy, You have long been a friend of St. Albans. We owe much to you. And once again we turn to you as Vermont's elected gift to the Nation, to help us rescue our community. Thank you for caring and serving our community, our state and our nation with compassion, integrity and pride.

Peter DesLauriers
St. Albans, VT

The DREAM Program, Inc.
P.O. Box 361
Winooski, VT 05404
(802) 655-9015 tel
(802) 654-8598 fax
www.dreamprogram.org

Senator Patrick Leahy
P.O. Box 933
87 State Street, Room 338
Montpelier, VT 05602

December 2, 2008

Dear Senator Leahy,

Greetings from DREAM! First, allow me to thank you for your continuous support for youth focused programs in Vermont and especially for the work you do to provide resources to mentoring programs and other youth services that assist at-risk youth in the State. I would also like to thank you for the opportunity to provide testimony on community-based solutions for the prevention of drug use and related crime in rural America. I have three items I wish to highlight. The first being the availability of sustaining funding for existing mentoring programs, the second being an exploration into and a support of newer, more innovative forms of mentoring, and finally, the expansion and increased access to AmeriCorps resources for programs that focus on mentoring and the alleviation of poverty.

As you are most likely aware, mentoring has been shown to be an effective primary prevention tool. The close connection with a caring and responsible adult can be a life altering event for a child and can help support them in making healthy decisions as they advance toward their adult life. Unfortunately, for many of the rural communities in Vermont and across the country, the availability of these caring role models is in short supply. Additionally, in this increasingly difficult economic climate there are limited funds available to support existing mentoring matches, much less recruit, train, and pair up new mentors.

Therefore, I would like to suggest that the primary purpose of current government grants made available to mentoring programs be refocused. All too often, the funding available via government grants and foundation support is targeted to new mentoring pairs and not for sustaining funds for supporting mentoring pairs already established. This leaves many organizations spreading their resources too thin as they strive to bring on new mentors and matches to meet the requirements of grants. Moreover, in this poor economic climate the sustaining funds many organizations count on have dwindled and the competition for those funds has increased. This will likely leave many organizations in a precarious position. They will be unable to recruit the new mentors required for most grants and they will struggle to find enough funding to support their current matches.

During this time of recession, funds from the Office of Juvenile Justice and Delinquency Prevention, the Department of Health and Human Services, and other federal agencies that offer grants to mentoring programs should be provided for the support and sustainability of current matches. While the recruitment and training of new mentors should still be encouraged and supported, it should not be the primary goal of support funding. Without this change I fear that many of the mentoring programs out there will be unable to sustain themselves.

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Second, I believe that the federal government should begin investigating new and innovative community-based programs that have measurable outcomes, clear program models, and are easily replicable to new areas. We need new ideas and innovative programs to meet the challenges children face today, and we need to change our focus from assisting one child at a time to supporting communities of children. In smaller towns and cities across America there are "pockets of poverty" that exist wherever there is an affordable and subsidized housing community. While the original intent of creating subsidized housing developments was to provide affordable housing to families and individuals facing hard economic situations, the outcome has been the creation of housing projects and mobile home parks that concentrate poverty and isolate children and families from the greater community in which they live. This concentration can have dire consequences for the families and children who reside in these communities.

The Annie E. Casey Foundation (AECF) writes, "Neighborhood norms can help launch a child toward college and a stable work life, or increase the likelihood that he or she will commit a crime or become a teenage parent." In rural America, and in suburban and urban America, housing projects can be defined as "distressed neighborhoods" due to their concentration of families with multiple risk factors; living at or below the poverty line, single parent homes, current or past drug/alcohol abuse, and more. This concentration means that risk factors for individual children in these neighborhoods are compounded by conditions in the neighborhood as a whole and the peer groups that they form within their communities. AECF has reported that children from distressed neighborhoods are more likely to commit crimes, abuse drugs, become pregnant teens, drop out of school, and have a more difficult time transitioning to adulthood than their peers from more affluent communities. What's more, studies also suggest that children from low-income families are also less likely to participate in organized activities than children from middle-class families. So again, unless a program can figure out how to get children and their friends to participate it is difficult to encourage "at-risk" youth to participate in youth service programs.

Recognizing this, it is evident that solutions to youth crime, drug abuse and school drop out, cannot be focused solely on the individual child. Traditional mentoring programs and other youth service programs can only do so much to insulate a child from the compounding negative influences that exist in a distressed neighborhood. Having a mentor and a supporting role-model can prove pivotal, however it can do little to improve the peer groups a child relates with daily or the stigma attached to a child who lives in the "local project." More must be done, sustaining resources must be made available and new solutions must be found that can build upon the strength and preventative nature of mentoring. And, new best practices must be developed or replicated to provide a higher-dose, lower-cost program to support youth.

It is time to take a community-based approach to lifting entire neighborhoods of children and families out of despair and give them hope and aspirations for the next generation. Community-based projects can provide the hope, energy and even the expectation that the children will go on to college or trade school and they will be successful and self-sufficient as adults. . However, the program needs to focus on all of the kids and it needs to build hope for all of the families. The one child at a time approach does not seem to be the answer for distressed neighborhoods or rural towns living in poverty. For mentoring, this means focusing on the poorest communities and not just the most "at-risk" or referred youth in society.

Finally, the federal government must provide increased resources to the AmeriCorps programs. Additionally, steps must be taken to increase the access to AmeriCorps for more individuals who wish to serve. I have outlined a number of concerns that create barriers to service for individuals in a letter to the Vermont Commission on National Civilian. I will not repeat those concerns here, rather I have attached that letter. What I will encourage here is an expansion of the AmeriCorps program and changes in the regulations so more individuals who wish to serve can. There are organizations across the country that are providing innovative, cost effective, and outcome orientated programs to children and families. These organizations are doing valiant work, however they often have limited resources and are therefore unable to share their efforts and results with an ever expanding constituency. An expansion of the AmeriCorps programs and a change of the regulations will allow for an increase in resources to these exciting programs that offer solutions to our current problems of youth crime and drug use.

Again, thank you for this opportunity to provide testimony.

Sincerely,

Michael C. Loner
Executive Director
The DREAM Program, Inc.

51815.011

The DREAM Program/Ben and Jerry's Strategic Partnership

The DREAM Program is looking for a mentor to help us work through the challenges of expansion. Why are we looking to Ben and Jerry's to help us with this?

- Experience growing from Vermont to a regional and then national (international) company
  - How did you do it?
  - What lessons did you learn
  - What was the original reason for growth?
  - How can the DREAM leadership team learn from Ben and Jerry's corporation?
- Ben and Jerry's brand and recognition; What will this mean for DREAM?
  - Commitment to Quality- if Ben and Jerry's is willing to "buy" our product then others can feel comfortable that we are an organization worthy of trust and support
  - Brand recognition- DREAM will be branded with Ben and Jerry's and that
- Similar culture (If its not fun why do it?) and language
  - Ben and Jerry's has continuously strived to be a different type of company, DREAM is striving to be a new model for mentoring and nonprofits
    - Innovative Ideas
    - Big DREAMing
    - Vision
- Recognition
  - Ben and Jerry's name will attract attention and DREAM can benefit from that

How Does Ben and Jerry's Benefit?

For a partnership to work there has to mutual benefits. Ben and Jerry's will be able to realize benefits from their support of DREAM through the following

- A focused giving strategy- Developing this type of partnerhsip with DREAM (or another nonprofit) will enable Ben and Jerry's to strategically focus their giving efforts on one mission.
  - Community focused- DREAM only partners with children from low-income housing neighborhoods therefore we concentrate our efforts on an underserved population with unique needs thus making our impacts that much greater and measurable
  - College focused- DREAM recruits all of our mentors from colleges and therefore our efforts are concentrated on an underutilized volunteer resource and drawing that resource to a community with limited like resources (adult role models)
- Branding- DREAM works with college students who will become Ben and Jerry's target consumers. Generating good feelings toward your brand while they are in college will likely make them loyal customers once they graduate
- Access to DREAM's contagious energy and organizational model

The DREAM Program, Inc.
P.O. Box 361
Winooski, VT 05404
(802) 655-9015 tel
(802) 654-8598 fax
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Attachment to Testimony from DREAM February 5, 2008

AmeriCorps-Advocating for Change

The DREAM Program would like to encourage other programs and the Vermont AmeriCorps Commissioners to advocate for change in the way the Corporation allocates terms, Education Awards, loan forbearance and possible benefits for members.

Concerns – There are a number of concerns regarding the allocation of terms and the limit of eligibility. Additionally, there is also a barrier to service for those potential members who have private student loans. These concerns have an impact on the individual member, the DREAM Program and all of the AmeriCorps programs within the State of Vermont. While there are several concerns, DREAM will focus on the following.

- The limit of terms (2) and the definition of term, greatly limits the pool of graduating college students who are eligible to accept AmeriCorps positions.
  - An AmeriCorps position, regardless of length and time committed is counted as one term of eligibility. This greatly limits the amount of time that a person can serve through AmeriCorps. For instance, if a college student accepts a summer minimum time AmeriCorps position they will only have one more term of eligibility regardless of the fact that they only served for 300 hours.
  - If an Ed Only Award position counts as one full term, any student that accepts an Ed Only Award during college will have their ability to accept a full or part-time AmeriCorps position after graduation compromised. Again, if a person can only serve two terms, then taking an Ed Only Award consumes one of those terms of eligibility.
  - Individuals can only serve two years in the same line of service (VISTA is the exception). This impacts the ability of a member to serve again later in life should they choose to return to AmeriCorps via SeniorCorps or another line of service.
- Education Awards do not meet the needs of baby boomers or senior AmeriCorps members. If the person doing a term does not or cannot utilize the award for their educational purposes the award is not an incentive to take an AmeriCorps position or renew for a second year.
  - This also includes the fact that Ed Awards and interest payments can only be utilized on "qualified" loans, which means federal loans. Most middle class college graduates are leaving school with a large debt, and much of this debt is in the form of "private" student loans. To do an AmeriCorps term, members will either have to make payments on these loans, or request a forbearance that comes with fees. Both of these are difficult for AmeriCorps members to afford.
  - Taxable ed award

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Given the above, the AmeriCorps Programs in Vermont have much to worry about. With Vermont Campus Compact hoping to expand to 100 or more college students with Ed Only Award positions over the next few years and the DREAM Program offering 15 Part-time and Minimum-time AmeriCorps positions each summer, the pool of graduating students who will have eligibility after college is diminished. A reasonable guess is that 115 graduating students in Vermont will have only one year of eligibility after college and it is likely that of these 25 to 50 may have no eligibility upon graduation.

Additionally, if potential AmeriCorps members cannot have their private loans placed in forbearance without having to absorb high fees to do so or have to pay on the loan while they are a member, it is likely many will choose not to accept an AmeriCorps term.

Finally, given the term limits and the allocation of the Ed Awards, there is little incentive to renew for a second year in a position and for baby boomers and seniors to do service with AmeriCorps.

Changes – We would like to advocate for the following recommendations to address the above concerns.

- Remove the language that counts an Ed Only Award position as a term of eligibility. This would allow college students to accept Ed Only Awards and not have their future AmeriCorps service eligibility impacted.
- Count positions by time rather than by term. If a member serves two part-time positions they would still be eligible for one full-time position or two more part-time positions.
- Count Education Awards by amount and not term. Similar to the position term, this would allow members to receive a maximum Ed Award dollar amount rather than just two Ed Awards regardless of dollar amount.
- Allow AmeriCorps to pay the interest on all student loans that were used to pay for college regardless of whether or not the loan is a federal loan
- Create incentives to return to service
    - Allow seniors and baby boomers to gift their Ed Awards to children and grandchildren
    - Allow past members who did AmeriCorps as a younger person to have

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Testimony of Dr. Fred Holmes
Before the Senate Judiciary Committee
on
Community-Based Solutions to Drug-Related Crime in Rural America

"I have a pill problem."

Wednesday, May 3, 2006, sitting in my office, a 19-year-old youngster asked, "if I could get him some of that medicine, so he wouldn't do pills". He'd just completed a stay at Phoenix House. I didn't know what a "pill problem" was. I didn't know what that medicine was, and I could find no one who could help answer his specific question. But, I immediately did realize that for all of the years I'd been treating his asthma and ADHD, while working with his special education team, he had been snorting four 80's a day. He was back last week, fresh out of jail. Again he asked me, "If I were to start using, could I get some of those pills instead?"

After several months of tutelage from others far more experienced than I, I was licensed to prescribe Suboxone, and met my second patient with addiction in October of the same year.

Two years, 400 phone calls and 100 patients later, I now know far more about youngsters struggling with addiction than I would have ever wished to know.

He's 20, second of many of a successful farm family, tried alcohol at 12, marijuana at 15, and knowing better but convinced he could "handle it" began recreational pill use at 15. By 16 he was addicted. Unable to not use for fear of "jonesing", and always in search of that first best high, he was soon snorting 6 80's a day. Eventually a high school graduate, employed on the family farms, his good pay and all savings were immediately exhausted, and he stole from his family. All of the available scrap material, building supplies, many tools and frequent checks forged against the families business account barely paid for his $500.00 a day habit. He cost his family $15,000.00. Early this year, caught when their accountant recognized his forgeries, he detoxed at Act One, completed a stay at Maple Leaf Farm, and then outpatient counseling at the Howard Center. But, unless taking pills, he always felt angry, and when frustrated three months ago, he again snorted an 80, and was soon struggling. As we tried to unravel his present dilemma, and get him back to rehab, he was teary eyed agitated; his mother sitting beside him frustrated, angry, crying.

17 years old, ratty beard, a huge smile and a goofy Yankees hat on half sideways. Big garish hoody jacket and pants hanging much too low, wrinkled at the bottom, over his shuffling shoes and onto the floor. With today's script for Suboxone, he was quickly out the door, on his way to IOP, on to Subway for lunch, and then to adult learning. His prognosis for today was excellent. My notes from a year before suggested he was depressed, having just finished a stay at Centerpoint, after admitting to the use of Marijuana. By then he had been in DCF custody for three years. By now he had been in Woodside 12 times, jail twice, released 2 days before after a stay of 20. He had been placed with his Grandmother, and desperately wanted Suboxone, now acknowledging that he began with alcohol and marijuana at 10, and was addicted to pills at 14. I said Valley Vista, not negotiable! He went, but only lasted 2 of the recommended 8 weeks,

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because he missed his Grandmother. He was immediately back looking for Suboxone. I told him I could not help unless he was in counseling, referring him back to Andrea at NCSS who had supported him through his previous years of "drug court". Having exhausted all she had to offer, he was referred to The Howard Center for IOP, which he did eagerly, soon back at my door in search of Suboxone. He had completed his half of the deal, so I did mine and began him on a low dose. The focus of his rehabilitation was his intense determination to play hockey. A week before today's visit, he had failed to make the team, was deeply despondent and completely non-compliant, even with the requirements of his "conditions of release". His Grandmother was in tears, in fear of losing him again. Today his hat was on half-sideways, and he was on his way back to IOP and Adult Learning. The Suboxone had nothing to do with it.

Two parents sitting in my office, each with a good job, together with funds so sufficient they never checked the balance of their joint account; never until the balance was $0.00, their 18 year old son having used their debit card to pay for his Oxycontin.

19 and very pregnant, she has been a patient of mine for years, with a brief interruption for some time in jail, after we caught her trying to fill a forged prescription for Oxycontin. She had started with alcohol at 13, marijuana at 14, and was addicted to Percocet at 16. She began her career with cocaine a year ago. At my insistence, she is back receiving support from the Howard Center, and I am trying to help with Subutex. In a boy-girl relationship, fueled with Oxycontin, it's the girl who gets pregnant. The relationship is temporary. The baby is permanent. She will have to deliver through the high-risk clinic at Fletcher Allen, and in withdrawal, her baby will begin a course of Methadone. We now care for at least 10 young women, alone with a young child, frequently homeless, locked into abusive relationships, with minimal education, little money, no family and minimal prospects for a job because of a felony conviction. Their young child then becomes the most important person in their lives, their single source of reciprocal unqualified love, a responsibility no child should be expected to fill, and they then can't go to rehab because "there is nobody who can take care of..."

When I walked into the exam room, there was no child. A couple I guessed to be in their mid 30's were sitting uncomfortably. He leaning forward, anxious with his elbows on his knees, his hands clasped tight. She sitting up right and apart, with her left arm over his shoulders. Brother and sister. For years he had been using four 80's a day, and more recently five "bupes", now none for 5 days. He was sick, very sick. His only question, "How much longer will I feel like this?" A couple of days. That was it; they left. She said, "Don't worry we'll take care of him."

29 years old, a patient of mine since birth, now married with children. Sitting with her husband, both very nervous, he told their story. She had been in a minor auto accident several months ago, her doctor gave her a bottle of Percocet, when she ran out, and felt ill, she complained of more pain and received another. Months later, her doctor refused to fill her prescription again, and when she became ill, her husband started buying Percocet on the street. When he could no longer afford them, he switched to Suboxone. He had been carefully treating her for months, but could no longer. Unemployed, he had sold everything he could. I suggested Valley Vista. "But what are we going to do tonight? I don't have any money." 20 minutes later, they were on their way to Act One, for detox before transfer to Maple Leaf or Valley Vista. One week later they were

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back in my office. She left Act One the next morning because she was home-sick. I called the Howard Center, arranged for an intake, and calculated a fairly rapid detox using Suboxone. Two weeks later they were back in the office. He was spending $10.00 a piece for 8 mgm Suboxone, which he then carefully controlled, cut into quarters, giving a piece to his wife 5 times a day. It was all he could afford; "I just couldn't stand seeing her like that."

A very successful local business man with a large family in a large house, but no savings, called to ask how to manage the last of the Bupes he had, to get to the end of what had been a four 80's a day habit for years. I told him. He said thanks and hung up.

20 years old, high school graduate, full time job on the mountain, alcohol at 13, marijuana at 16, 4 percs a day for 4 years, now buying bupes on the street, and expecting her first child in July. Gentle, insightful, pleased with herself, determined and confident. Howard Center, Sebutex, low dose to taper off and enjoy your new baby. As she turned to leave, sadly, "I was supposed to have a baby in January, but I didn't think I should, 'cause I was really into pills....."

* *

On average, they are 19 when they seek to stop their dependency on prescription drugs. The youngest having tried alcohol at 7, and marijuana at 8, most are using both at age 13. Their random pill use at 14, and dependence at 16, mean three years of addiction before they seek help. Oxycontin 80's are their drug of choice, virtually all use two a day, many as many as 6. At $100.00 per pill, habits cost hundreds of dollars a day, the aggregate pill cost for this population, seen by me, is in excess of 20 million dollars. Whether or not they have been arrested, may well depend on little more than from whom they steal. 39% have an officer at Probation and Parole, and 1/3 come to see me already appropriately treated with Suboxone that they "bought on the street".

Mac's quick stop, Pie in the Sky, Welden Theater, Champlain Farms, The health clinic in Northfield, Hodgdon Brothers, Quizmos, many catalytic converters, and multiple homes though out Swanton and down by the bay, are all crime episodes discussed in my office, frequently by the perpetrators. I now have patients who have been beaten, robbed frequently and stabbed. Some visit my office with an ankle bracelet.

The single most Northern Confederate raid occurred just a block away, and today once again we are locked in a "civil" war. Ours is a very powerful wonderful community where we all work well together, and refer back and forth on a first name basis. These are not "those kids". They are our kids! Ours are not bad kids. Even the relatively few that I see are good kids who made painfully naive bad choices when they knew no better. On average they start pills at 14. They then knew nothing of addiction. And they certainly didn't plan on losing their adolescence trying to avoid getting "pill sick", always in search of that "first 2 pill high", or in jail. The apparent current trend toward "booting" (IV) their pills makes this conversation that much more critical.

My thoughts:

1. Conversation, respectful consideration of shared concerns, just like today, held in public.
2. All of us should know what each of us has to offer: prevention, education, treatment, and law enforcement, and include a consideration for us all in every conversation.
3. Education. Don't smoke. Look both ways before you cross the street. Don't drink and drive. Pills are bad. Before our kids are in the 5th grade.
4. A big fat check for Winnie (Thomas of the Howard Center), for a multidisciplinary single site center to address substance abuse. We are woefully ill equipped to address this problem. We are constantly chasing our tails, playing catch up, and we get together to talk only in response to new bigger crises, or when the Senate Judiciary Committee is coming to town. As a perhaps well intended Pediatrician, I cannot begin to appropriately address the needs of a teenager whose struggles with addiction have repeatedly lead him through the courts and jail. The case management and surveillance piece alone is daunting. I well know that within the world of Pediatrics the algorithms of the UVM ILEHP and VCHIP programs would provide us with the well proven structure for an interdisciplinary evidence based Community problem solving process that would make far better use of the energies we are now valiantly expending.

Fred Holmes

December 5, 2008

To: Senator Patrick Leahy

Re: Public Hearing / St. Albans

12-08-2008

I am writing to you as the Director of the Swanton Teen Center, which is beginning its ninth year, I have been with the Center since June of 2007. When I started I was told, by outgoing staff, in order to survive, just to mind my business inside the center and what happens outside or around the center is none of my business. That way I would remain "cool" with the kids and there would be no trouble. I observed for the couple of weeks I had with other staff on board and did not like what I saw transpire, there were rules and consequences but they were not the same for everyone. This was not fair to the kids, not fair to the other staff and definitely not fair to me because I was not familiar with these kids yet. The other staff and I began to try and uphold the rules to no avail. When communities say and do nothing things get out of control then it is hard to bring things back to center.

We decided to mandate a meeting with the kids, pizza was on the agenda, we let the kids know there was going to be rules and there was going to be consequences period end of discussion; we also empowered them to be part of that process. This puzzled them "are you for sure" "really." We would put out the rule i.e.; There will be absolutely no smoking in near or around the Teen Center if you are caught doing so you will ..... And ask the kids for the consequence... A discussion would take place. We did this through all the rules. Granted some of the rules and consequences needed to be strengthened and or modified over time, but it was most definitely a great start. It made the kids part of the process and helped them to know that their voices were respected and heard. Make them part of the process gains buy in to the solution!

The kids have told us this over and over that having respect is important to them. When they are being disciplined at school, home, in the community or at the center if an adult is talking to them instead of at them they feel "nicer" and it is easier for them to return respect that way. This is the old saying that is tried and yes still true you have to give respect to get respect or you have to earn respect. Just because a young person is young does not necessarily mean they need to be disrespected.

Yes we all agree that people make bad choices young and old. The youth at the Teen Center have expressed that it is important to have a safe place to go and have fun to eliminate the boredom, where ***ALL*** people are accepted for who they are, that is drug and alcohol free, where a kid can get a second chance, where they can learn citizenship, to give back to the community, and where they can learn to make better choices with adults that are honest trustworthy and caring where every day is a new day. Every day when the kids leave the Teen center they are told to be careful and to make good choices, they wait for it. They know we care.

One of the best things we have done this year at the Center is to invite fifth and sixth graders to join one day per week. This has been wise because we are instilling those expectations before they come to us. Most of these kids are hanging on the streets with the older kids as it is so they know the skinny. They are moldable. They have already taken part in a VKAT (Vermont Kids Against Tobacco) meeting! They

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come to the Center and do their homework, this is and expectation. They have a snack and they play. This is what is supposed to happen! The Book Mobile comes to visit and they like it! This program is proving successful! I would encourage more communities to do the same, to get their younger youth involved before they are teens and model the behaviors you expect when they become teens.

Having Centers in your communities of some sort whether they be specifically for Teens, young people, vocational, or whatever must be able to take care of the basic need of the population. Our Teen Center is able to do that. If someone is in need of food, shelter, clothing, counseling etc. we are able to make those referrals. When we are having problems with kids sometimes I need to remove them from the situation and talk with them for sometime to get to the root of the problem. Maybe their mom is sick, or they are hungry, or they need a jacket there has been much worst. We have had some pretty horrible situations where had we not taken the time to find out it might have just ended up kicking a kid out because they lashed out at another kid. So you need to take the time sometimes and talk to the kid.

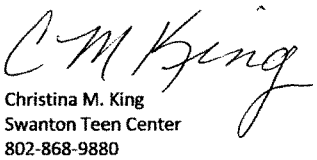
Community is extremely important! Having the community all on the same page and willing to help is crucial! We would not be as together as we are today if it was not for the help of our Parents, Police, Fire and Rescue, Village and Town officials. They are AWESOME! We have all communicated and worked together to bring the kids back, through communication and consistency! When Parents began calling and checking in on their kids that was great! In the old days the kids would come in and call to "check in". We have a rule that they cannot come back if they leave. Parents now know this and call back to "check back" and actually follow through with consequences if kids are not where they are supposed to be. Consistency!

We do Community Service because we feel it is important to give back to your community that supports you and not as a form of punishment. Sure they him and ha about it at first but they always come through at the end and we are always proud of them and they are generally proud of themselves. They build pride in themselves and in their community and reduce the vandalism, at least on their part. It also improves the communities' impression of the kids and gives the kids and alternative way to use their energy.

Drugs are a whole other topic. When the kids come in and I suspect they have been using or they are under the influence I will ask them. They on the most part have been honest with me. If they answer yes I will ask them what they have been using. I will then asses if they are at risk to themselves or others. I will call their parents and authorities if available to come and get them. I will ask the kid if they think they need help to be sober the next time I see them, next day clean slate, I will give them brochures. If they want help I help them. I continue to nudge them anyway, in a caring way. Parents and I continue to keep in touch. If they answer no and I suspect they are I will call the authorities first. This usually will illicit a more honest answer. We always have our doors open to kids that want to be sober but we are hard and fast on the rules that you cannot participate if you are under the influence or if your are dealing on in or around the center. You can be kicked out for a very long time depending on the severity. We have taken on some very tough people around our center in the past as a community! Have I mentioned Consistency and enforceable consequences?

Dr. Chip, Mrs. Fitzsimmons and I held a meeting with the RAIDers (Raising Awareness Involving Drugs and Alcohol) group before this public testimony and asked the kids what they would like to bring up or what they would say to you and I have tried to add their voice to this. The biggest example I guess was the Christmas toys that were destroyed, they were not impressed, they think, and the adults agree, when whoever did it gets caught they ought to work hard and use their pay to buy all new toys! We all agreed a curfew should be in order for all! Even the idea of the National Guard helping to patrol St. Albans versus taking away from the Fire Department came up what are your thoughts on that?

Good Luck! This is not an easy task you all are taking on.



Christina M. King
Swanton Teen Center
802-868-9880
12 First Street
Swanton VT 05488

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December 5, 2008

To: Senate Judiciary Committee
Committee Field Hearing
City Hall
St. Albans, Vermont

Re: "Community-Based Solutions to Drug-Related Crime in Rural America"

In regard to today's hearing, I am submitting my written testimony and a demand for a full investigation into drug related crimes and violations of law, rights and due process. As evidenced in the attached documentation, drug-related crimes are ignored by State and Federal law enforcement agents. There can be no solution to these crimes until there is accountability within law enforcement agencies and removal of judges, both State and Federal, who aid and abet in the cover up of these crimes. The evidence attached reveals the following:

1) the unlawful incarceration of a Veteran of Gulf 1, 82nd Airborne, Special Forces for speaking the truth and seeking justice and the administration of anti-psychotic drugs
2) Elder abuse, resulting in death (drug related)
3) Malfeasance of office, obstruction of justice, hindering prosecution and violations of due process by State and Federal law enforcement agents/agencies and both State and Federal justices, all which receive Federal funding

I have been in contact with Jeremy Paris, Senior Counsel for Oversight & Investigations, October 15, 2008 correspondence attached. I faxed him nearly 70 pages of documentation to forward to Senator Patrick Leahy. I have not had any updates, as yet. There is a much bigger picture. A coalition of thousands of people in this country want justice in our courts. Some of these individuals, Due Process Defenders (press release attached) went to Washington, D.C. in March of 2007 seeking hearings before the Judiciary Committee on Due Process Violations. I also requested the opportunity to testify before the Judiciary Committee during the hearings on the firings of U.S. Attorneys. We have been ignored. The theft of property, children, etc. and loss of livelihoods and lives **must** be addressed. If these issues are not taken care of, Congress will not only have a financial crisis on their hands, they will have a judicial crisis as well. It is difficult to get through your staffers. I request a response, your intervention, an investigation and a date specific for presentment of testimony by the Due Process Defenders before this Committee.

Thank you.

Dorothy Lafortune
Dorothy Lafortune
P.O. 187
Biddeford, Maine 04005

Enc.(s)

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ATTACHMENTS

October 15, 2008 – Correspondence to Jeremy Paris, Counsel

October 25, 2008 – Correspondence to M. Zuckerman, Asst. U.S.A.G. from Marie Miller
October 6, 2008 – Correspondence to M. Zuckerman, Asst. U.S.A.G. from D. Lafortune
September 12, 2008 – Correspondence to M. Zuckerman from D. Lafortune
April 16, 2008 – Correspondence to Marshall Jarrett, OPR
February 5, 2008 – Correspondence to Michael Mukasey, USAG & Robert Mueller, FBI
April 12, 2007 – Correspondence from Office of Insp. General
March 26, 2007 – Due Process Defenders Press Release

The evidence is too voluminous to present to you. This **demands** a full investigation, including the DOJ.

Federal Courts are violating the rules of court, violating unalienable rights and their own law – law that Congress created. State Courts are also violating Federally protected rights. There is no justice, no redress in our judicial system. I'm attaching 3 filings in Federal Court and I ask that you monitor the following cases to assure Due Process and Equal Protection:

U.S. Court of Appeals for the First Circuit, Docket No. 08-2330 (Miller v. S. Roberge) Plaintiff-Appellant's Objection to Defendant's Objection to Plaintiff's Motion to Amend the Caption & Clerk's Certificate, attached

U.S. Court of Appeals for the First Circuit, Docket No. 08-2330 (Miller v. S. Roberge) Plaintiff-Appellants's Opposition to Defendant's Motion for Summary Judgment, attached

U.S. District Court, District of Bangor, Maine – Petition for Requested Order, November 11, 2008 – **denied**
I ask for your intervention into this court's blatant disregard for Federal law, U.S. Codes and Regulations.

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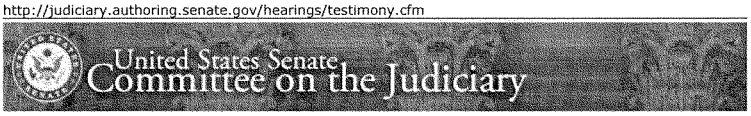
http://judiciary.authoring.senate.gov/hearings/testimony.cfm



< Return To Hearing

Statement of

The Honorable Patrick Leahy

United States Senator
Vermont
December 5, 2008

Statement Of Senator Patrick Leahy,
Chairman, Senate Judiciary Committee,
Hearing On "Community-Based Solutions
To Drug-Related Crime In Rural America"
St. Albans, Vermont
December 5, 2008

Today the Senate Judiciary Committee returns to Vermont to hear from the people of St. Albans about this community's efforts to combat the persistent problems of drug-related crime in rural America. Once again, Vermont's civic-minded, all-hands-on-deck experience in dealing with drug-related crime in rural areas is helping to advance a dialogue about this problem that can be useful to rural communities across the nation.

Drug-related crime is not just a big-city issue. As we heard in Rutland earlier this year, drugs and related crime are a growing problem in rural communities in Vermont and across the country. The problems here, as in so many other small communities, are serious, but the people of St. Albans are not taking them lying down. They are fighting back and coming together as a community to find innovative, community-based solutions to these complex problems.

Of course, law enforcement has always been and continues to be central to combating the scourge of drugs, and there continues to be an urgent need for the federal government to adequately support state and local law enforcement. But more and more cities and towns like St. Albans are finding that the best solutions involve all segments of the community coming together with law enforcement to find meaningful, community-based solutions that address the underlying causes of these problems. Solving these problems as they arise is essential, but preventing them is even better, and less expensive.

It is important for the Senate Judiciary Committee to hold hearings not just in Washington, but also in the communities that face these problems day in and day out. With hearings like today's and the one we held earlier this year in Rutland, the Committee and the country can learn from those on the front lines about the strategies that work and about what the federal government can do to help.

Crime in St. Albans and Franklin County has increased significantly in recent years, and far too much of it has been drug-related. Reports of burglaries have gone up sharply, and many of these break-ins appear to be the result of drug users looking for money or drugs to feed their addiction. Incidents of armed robberies are also rising, and again there are links to drugs in too many of these cases. The kinds of drugs that are coming to Vermont are changing as well. More and more people are becoming addicted to prescription painkillers like Oxycontin, in addition to more traditional drugs like cocaine and heroin. Perhaps most disturbing is the fact that more and more of our children than ever before are turning to these drugs at an early age.

The good news is that St. Albans, like other Vermont cities, is showing leadership in responding to these problems. Local law enforcement has joined with state and federal partners to target those who bring drugs to Vermont from big cities and urban areas. Recently the Drug Enforcement Administration assigned a full-time investigator to Vermont focus exclusively on the drug diversion problem, where prescription drugs from

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doctors make their way into the wrong people's hands. And just yesterday, state authorities held a state-wide conference for investigators focused on prescription drug and diversion cases.

Unfortunately, for the last eight years, in Vermont and elsewhere, state and local law enforcement agencies 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 during the Bush years, and time and time again, our state and local law enforcement officers like the Vermont State Police and the St. Albans Police Department have been unable to fill vacancies and get the equipment they need.

This trend is unacceptable, and I will work with the new Administration to reverse it. Eric Holder, whom President-Elect Obama intends to nominate to be our next Attorney General, has consistently emphasized the need for more support for state and local first responders, and I will join with him in the coming years to make good on that promise. That means restoring funding to the COPS and Byrne grant programs, which fund local law enforcement, and working to bring back the Crime-Free Rural States grant program.

As a former prosecutor I have always advocated vigorous enforcement and punishment of those who commit serious crimes. But I also know that punishment alone will not solve the problems of drugs and violence in our communities. Police chiefs from around Vermont and across the country have told me that we cannot arrest our way out of this problem, and I am sure that Chief Taylor will agree today.

Combating drug use and crime requires equal attention to enforcement, prevention, 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 drugs and crime altogether. And if young people do get involved with drugs, treatment in many cases can work better than punishment to help them to turn their lives around. Good prevention and treatment programs have been shown again and again to reduce crime, but regrettably, the Bush Administration has consistently sought to reduce funding for these important programs. It is time to move in a new direction.

I look forward today to hearing from community leaders like Dr. Holmes, Ms. Baker, and former Mayor DesLauriers, who are working collaboratively to attack this problem. There is no single solution to eliminating drugs and related crime, but they and others like them recognize that we all need to work together to turn our communities around.

I am glad to welcome so many Vermonters to the hearing today who care about and work on these issues. We have federal, state, and city officials, state and local law enforcement, educators, doctors, experts in prevention and treatment, concerned parents and citizens. In the great tradition of this state, Vermonters come together in times of hardship, and I am proud to see all of you here today, ready and willing to work together on this problem.

I look forward to the testimony of our witnesses and to working with you all long after this hearing is over.
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12/10/08

Sen. Patrick Leahy, Chairman

Senate Judiciary Committee

United States Senate

Dear Senator Leahy:

Thank you for holding the Senate Judiciary Committee hearing in St. Albans on December 5th, and for the opportunity to provide testimony on the Judiciary Committee's hearing on "Community-Based Solutions to Drug-Related Crime in Rural America."

You may recall that Vermont Court Diversion programs have existed in every county in Vermont, and that these programs, including Franklin County Court Diversion, have been a successful, cost-effective, community-based solution to crimes as well as a statewide prevention program since 1979.

Our local State's Attorney refers approximately 330 cases per year to Franklin County Court Diversion, including approximately 170 underage drinking civil violation cases. Of the remaining 160 referrals for many different types of juvenile and criminal offenses, **substance abuse has historically been a factor in an estimated 90%.**

Court Diversion programs in Vermont are administered by the Vermont Attorney General and governed locally by a board of volunteers from each community.

Each referred individual charged with a non-violent offense, who admits responsibility for the crime and fits our eligibility criteria is interviewed by our volunteer review board. During that interview the review board develops a contract requiring the offender to complete tasks which compensate victims and the community and address underlying issues-such as substance abuse- which may have contributed to the unlawful behavior.

Once the conditions have been successfully completed the State's Attorney dismisses the charge and the court seals the participant's record two years later, as long as there are no new charges. **Participants who do not successfully complete the program are returned to the State's Attorney for resumed prosecution through the court.**

The successful completion rate in Franklin County is 86.5 %.

3 TYPICAL CASE SCENARIOS:

1. **A 23 year-old woman who was addicted to oxycontin** came into the program on a forgery charge, having stolen from a close family member in order to pay for her drug of choice. The Diversion Board required that she follow the recommendations of a substance counselor, which resulted in her completion of a residential treatment program. The Board also stipulated that she repay the amount she stole from her family member. To date she has remained clean and sober. She is now working to repay the restitution she owes, as she continues to follow her counselor's recommendations.
2. **A 19 year old man was referred to Court Diversion for possession of marijuana. His father was in jail.** He had lost a sibling in an alcohol-related car crash, and had dropped out of school subsequent to that event. He wanted to go to college, but failure to complete one high school class, together with his grief and his marijuana use, kept him from having the energy or the motivation to take the next step. At the time of his referral, he was living on his own, with few supports.
   The Diversion Board required him to complete a substance assessment and to follow any treatment recommendations. He complied, and completed several months of substance counseling. He has been clean and sober since that time. The counseling appeared to have helped him with his grief process as well, since he reported feeling much better than he had been prior to the counseling. The Diversion Board also required him to investigate what steps he would need to take in order to:
   a) complete the remaining class and get his high school diploma, and

   b) apply to the college of his choice (in this case, due to financial issues, to Community College of Vermont) and then report back to the Diversion case manager.

   He has successfully completed all requirements of his Court Diversion contract.

   In the past couple of years, Franklin County Court Diversion has seen an increase in the number of referrals involving people who are addicted to oxycontin or other substance, including alcohol, and whose crimes, such as burglaries and other property crimes, are directly related to their addiction.

- Court Diversion boards always refer participants with any suspicion of substance use to a licensed or certified substance counselor for a substance assessment and treatment recommendations.

- All Court Diversion contract conditions are closely monitored by our case manager, in order to ensure compliance. In addition, participants are asked to complete educational programs regarding substance use, as well as to complete requirements for a high school diploma or GED, if they have dropped out of school.

- Each Diversion contract is designed to fit the individual, and to address the needs of the community, the victim, and the offender. Examples of other requirements are: apology and restitution to the victim, community/family group conferences in which victim and offender have an opportunity to face each other in a safe environment to discuss the harm that was done, and jointly develop a plan to repair the harm. In addition, community service or service learning are often part of a Diversion contract, as are donations to local charities, family and individual counseling, and many other creative and restorative tasks, all designed to impact the participant's way of thinking about the crime and about him/herself, in order to reduce their likelihood of re-offending.

Most of our participants successfully complete the program within 60-90 days, and of those who do successfully complete the program, most do not re-offend.

I wanted to draw your attention to this wonderful program, and to its past and current service to Vermont, as well as its cost-effectiveness: **the average cost per case is less than $400.00.**

We are only partially funded by the State of Vermont, with participant fees and local funding such as United Way grants and town allocations and fundraising events making up the difference. In these difficult financial times all of those funds are dwindling, despite widespread support for Vermont Court Diversion in the legislature and from other Vermonters, and despite the impact Court Diversion programs have on reducing the caseload in the courts and probation department, as well as providing a vehicle for substance abuse interventions and for prevention of future crime. *Our local FY 2009 funding has been cut by more than 10%, with additional cuts promised for the coming year.*

If there are any planned new initiatives in which federal dollars will be used to promote crime reduction in Vermont/Franklin County communities, it strikes me that Vermont Court Diversion could be seen as a model program for delivering a solution to substance-related crime, in appropriate circumstances. Vermont Court Diversion would benefit from federal dollars, (as would Franklin County Court Diversion, certainly!) not only to supplement the state and local funding that is being reduced along with the funding of so many other worthy programs, but also to help promote this model in other states.

If you would like any additional information about the Court Diversion program, I would be happy to furnish it to you, or you may wish to contact Willa Farrell, Vermont Court Diversion Director, at the Vermont Attorney General's Office, at 802-828-1360.

Thank you for your interest in this increasing problem of drug-related crime in Vermont, and for taking this written testimony. On behalf of our dedicated Board of volunteers, and our participants, I thank you for all the great work you do.

Sincerely,

Patricia LeBoeuf

I would like to thank Senator Leahy and the other members of the Senate Judiciary Committee for allowing our community the opportunity to host this hearing on Community- Based solutions to Drug - Related Crime in Rural America.

I have had the honor of serving as Mayor of the City of St. Albans since March, 2006 after serving five years on the City Council. I am one of eight children of John and Teresa Manahan that was born and raised in St. Albans City. I have been married to my wife Lisa for twenty years and we have chosen to raise our 4 children in this community as well. The reason we chose to raise our family in this community is because of the quality of life that it offered my wife and I as children. However, over the last several years that quality of life has been challenged by the crime in our community.

I feel that there are a number of reasons for this increased crime trend not the least of which is prescription drug abuse amongst our youth. We have experienced an alarming trend of property crimes that can be directly associated with elicit drug use within our community. We have taken a number of steps to combat this criminal element within our community.

In 2005 we hired Gary Taylor as our Police Chief following an extensive nationwide search. Since that time we have enhanced our Police Department dramatically. We have created a pay grade system that allows us to hire seasoned officers and pay them commensurate to their experience. We recently negotiated a ten percent base pay increase in the Police Department as well as the ability to offer sign on bonuses which allows us to be much more competitive and attractive to experienced Police Officers as opposed to a feeder system to larger departments throughout Vermont which has been the case of the past number of years.

We have worked very closely with the Vermont State Police and the Vermont Drug Task Force which has allowed our officers to gain the experience needed to deal with the drug activity that we are now experiencing.

We have recently given the Police Department permission to acquire Tasers, through an equipment exchange, as a form of less than lethal protection. We have been criticized for bringing the fact that St. Albans has the highest crime rate per capita in the State of Vermont to the forefront of discussions within our community.

We do not have a monopoly on drug crimes- however we are one of the few communities that are acknowledging the issue and facing it head on. We have held two public forums dealing with the crime within our community over the last year and half, both of which were attended by over 150 community members. I feel that we had a choice... ignore the problem and hoped it disappeared or deal with it head on and make it known that St. Albans City was not going to let this criminal element steal our community from us.

We have had community members step forward and create a very successful Neighbor Hood Watch program throughout the City as well as serve on a Crime Task Force that I appointed to review how we provide public safety as a whole to our community with the goal of providing a more efficient product. We are currently budgeted for 19 Police Officers while analysis of

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comparable communities suggests we should have a force of 24 Officers.

There are a number of ways to deal with the crime. We as a City Government have the task of dealing with it throughout our Police efforts. It is a difficult balance to provide the Police protection needed for our citizens while at the same time not over burdening them with property taxes. We have been very fiducially responsible in our efforts to accomplish this. So you can imagine how frustrating it is to us while in the mist of dealing with the criminal element we also have to deal with the closure of the Northwest Correctional Facility. We will now be forced to transport individuals that are arrested in our community to Chittenden County or even perhaps Newport or St. Johnsbury. Over the last year we had approximately 150 lodgings as well as 50 detox lodgings. The closing of this jail will now force us to take Officers that are needed on the street away from our community for up to four hours per shift. Which in turn will cause us to call in Officers at a much higher rate of pay. So while we are trying to be sound fiduciary agents for our community we are being delivered a body blow by the State of Vermont by the changing of this prison to an all women's facility. Now keep in mind the changing of this facility to a women's only facility is not only going to create hardship on our Police Department but is also going to create additional hardship on other social services that are provided within our community.

So, how do I feel we should approach these problems? First and foremost, we need to replace illicit activities with thriving businesses. The best opportunity for increasing investment opportunities in the City is to complete the Federal Street Multimodal Connector. This long envisioned project would serve as a catalyst for downtown revitalization and help attract families, professionals, and employers to this area. We also offer a number of unique opportunities with our proximity to the Canadian border as well as Interstate 89 and our state of the art Tech Center located at the high school. This would also allow our large historical homes to be maintained as single family homes as opposed as being split into apartments.

On another front I feel we should require the pharmaceutical industry that is profiting from this elicit prescription drug use amongst our youth to create a fund that would allow communities such as ours to apply for those funds to help fight as well as rehabilitate the drug offenders.

St. Albans will continue to fight this battle and ultimately be known as the community that faced up to the drug challenge and won because we have members of our community that are not allowing our community to fall prey to this elicit criminal activity. This fight would be much easier with the support that I have indicated previously. Thank you once again for this opportunity to speak before you here today.

December 5, 2008

To: Senate Judiciary Committee
Committee Field Hearing
City Hall
St. Albans, Vermont

Re: "Community-Based Solutions to Drug-Related Crime in Rural America"

Dear Members of the Judiciary,

I am submitting this testimony, and Affidavit, with a demand for a full investigation into drug related crimes perpetrated against my son, while unlawfully held at the Strafford County Correctional Facility, Dover, NH. and at the State Hospital in Concord. Drug related crimes are not only happening on the streets, they occur within the prison system also.

My son, who is a Veteran of Gulf 1, 82nd Airborne, Special Forces, his mos is Intel and was a non-com officer, has been tortured and drugged by officials in New Hampshire. My son has not had a trial and has not been convicted of any crime. He remained detained for nearly one year. He has now been released, but must continue being injected with drugs and his life is in grave danger. My family has been threatened by our local police chief, Scott Roberge, and he has followed through with his threat to incarcerate the entire Miller family. Another son has been incarcerated on trumped up charges and remains in jail. I am nearly 70 years old and I need my sons at home. These violations of due process, including those within the judicial system, must cease.

Due to the official corruption and law enforcement officials (including the New Hampshire U.S.A.G.'s office) policing themselves, with the rubber stamp approval of the courts (both State and Federal), it is imperative that this Committee hold judges accountable for aiding and abetting the crimes perpetrated by State and Federal agents.

To avoid duplication of documents, please see the documents entered by Dorothy Lafortune, Biddeford, Maine.

I beg you to intervene in this most egregious travesty of justice. There will be no solution to the drug-related crimes in America until those officials involved are held accountable.

Thank you.

Marie Luise Miller

Respectfully submitted,
Marie Luise Miller
1 Summer Street
Farmington, NH 03835

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Affidavit of Fact

I, Marie Luise Miller, inhabitant upon the land at Farmington, County of Strafford, New Hampshire, do declare under oath the following to be true and correct.

On Thursday, October 18, 2007 my son William Dexter Miller went to the Farmington Town Hall to see a selectman. No selectmen were in the office so he dropped off some documents with the secretary.

On Saturday, October 20, 2007, at approximately 4:30 p.m., I was witness to the events at my home at 1 Summer Street, Farmington, N.H. which resulted in the arrest of my son William. On this date, I was out in the front yard when my son William (Bill) Miller came out the front door. He had been arguing with his brother. There were two police cars two houses down on our street. The police were standing out of their cars. My son Bill was angry and yelled a few times. The police were yelling back. My son said to them that their Chief was someone who should get fired because he has covered up a murder. My son, Bill, banged his shovel at the pile of trash bags. He was angry. He said how he had fought for this country to have their freedom.

My son John came out on our porch and took Bill into the house.

The police had not seen me by the large bushes on my property. I stayed there a few minutes. I heard those police yell to the neighbor Matt Roy if he would want to file a complaint? Matt Roy said "no."

On Sunday, October 21, 2007, William was arrested while on my property by the Farmington Police Department. He was charged with two misdemeanors, taken to Strafford County Correctional Facility, held in booking department for 17 days and drugged until his ordered transfer to the N.H. State Mental Hospital on November 7, 2007 where the drugging continued.

My son was arrested for threatening the Farmington Police Chief. However, there has been no complaint filed by the Chief of Police, Scott Roberge.

On Tuesday, December 18, 2007 a hearing was held in Rochester District Court, Judge Cappiello presiding. **All the charges, two Misdemeanors were dismissed, with prejudice.**

On Monday, December 31, 2007 William was arraigned at Strafford County Superior Court with a felony charge, the same charges that were dismissed on December 18, 2007 in Rochester District Court.

My son William was released from the N.H. State Hospital and returned to the Strafford County Correctional Center where he remains and continues to be drugged. William has had **no** trial, **no** conviction and **no** sentence.

On July 2, 2008 a Criminal Complaint of Witness Tampering was issued against my younger son, John Miller, by the Farmington Police Department, per complaint by neighbor Matt Roy who filed the original complaint against William Dexter Miller. However, no complaint by Matt Roy can be found. My son, John, was arrested and transported to the Strafford County Correctional Center, where he remains on cash/surety bail. Farmington Police Office, Kevin Willey, has interfered with John Miller's bail by contacting the bail bondsmen's office to **not** front the money.

The Endangerment of Endearment of William Dexter Miller and the Haranguement perpetrated against the Miller family warrants a federal investigation into the Farmington Police Department.

For the record, should anything happen to members of my family. On Monday, July 14, 2008 I learned that Police Chief Scott Roberge was roaming around at the residence of my daughter, who lives in Farmington, and he relayed a message to my daughter's boyfriend that she tell her mother to stop talking about the death in Farmington or the entire Miller family will go to jail.

Marie Luise Miller — July 17. 2008
Marie Luise Miller — Date

NOTARY PUBLIC — 7/17/08 2008
Date

RENEE M. BEYER, Notary Public
My Commission Expires September 3, 2008

Albert Perry testimony for Leahy law enforcement panel, Friday, December 5, 2008

Purpose: Inform Senator Leahy and panel members of the law enforcement situation in Vermont in general, and in small town/rural Vermont in particular, from the perspective of a state representative who has represented six northern Franklin County towns over the past sixteen years. These are my personal views and do not represent the opinion or position of any group.

Background: I am a native and current resident of Richford, Vermont, a town of 2300 on the Vermont-Quebec border. I joined the U.S. Navy in 1952, and returned to my home town in 1992. I served 30 years active duty and lived in 10 states during the intervening 40 years. None of the towns I have represented have a local police force, or other local official (e.g. Constable) trained, qualified, and authorized to enforce state or federal criminal statutes. Some towns have had Vermont State Police contract services, and some currently have contracts with the Franklin County Sheriff for local law enforcement. Richford, for instance, currently contracts with the sheriff for about one-half full time coverage at a cost in excess of $100,000 per year. The U.S. Border Patrol has several officers stationed in Richford for border security. They respond to calls from local citizens or other law enforcement agencies. The primary law enforcement agency for my district—and most small towns in rural Vermont—is the Vermont State Police. But there are not enough of them to maintain a police presence in our area. Most small towns are unwilling or unable to establish and maintain a local police force. Furthermore, except for local ordinances, most of the laws that need to be enforced are state or federal, not local.

Discussion In my opinion, there is no effective law enforcement in most of rural Vermont. There is no clear authority, responsibility, or accountability for enforcement of state or federal laws throughout this state. No statewide elected official (e.g. Governor, Lt. Governor, Attorney General) seems to care about the problems of the small towns. But even if they do care, these problems don't rise to their level unless a major crime has been committed or a big drug bust is going down. Fortunately, we don't have a lot of murders, arson and armed robbery. However we do have a lot of domestic violence, sexual violators, and drug-related theft, vandalism, and disorderly conduct. Vermont spends more and more on CORRECTIONS, and way too little on PREVENTION. I believe the ratio in the current and recent state budgets is about 2:1. Towns and cities that do have their own police forces get very little financial assistance from the state or federal government, although much of their time and money is spent enforcing state and federal laws. There is too little coordination of limited manpower, and no state official has sufficient authority to make more effective use of the available resources, except on a case-by-case basis. The unfortunate consequence of all this is that we have an on-going, aggravating situation of lots of non-major crime that is neither being prevented or prosecuted. Unless it's BIG, the average citizen will not become involved, because the common view is "it doesn't do any good to call". We are tolerating non-major crime, so it continues.

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Several years ago, when I was tilting at this particular windmill, I sought the advice of Brian Searles, former Chief of Police, City of South Burlington. His response included referring me to the philosophy of "No More Broken Windows". In short, this law enforcement philosophy was to Enforce All Laws (even the little ones). I believe this has been proved to be effective New York City, so it should be feasible in smaller jurisdictions. But, in Vermont, or at least in a lot of Vermont, broken windows and other "minor" problems are par for the course.

Recommendations.

- Authority, Responsibility, and Accountability for enforcement of federal and state laws in Vermont should be clarified, and resources should be allocated accordingly. For example, what is the responsibility of a town selectboard for enforcement of federal and state laws in that town? If they have no, or limited responsibility, then who has the full or final responsibility. If they have anything other than no, or limited responsibility, then how do they obtain the resources from the state and federal governments to match the responsibility? To the extent they have responsibility for state and federal law enforcement, to whom are they accountable, other than the citizens of the town? These same questions apply at the County (Sheriff) and State level of government.

- Every Vermont town should have at least one law enforcement officer, accountable to the local governing body, for enforcement of local ordinances as a minimum. If trained /qualified and authorized to enforce criminal statutes, state and federal funds should be provided to support this activity.

- Adopt a statewide policy of "No More Broken Windows". Answer citizen's phone calls; followup on reports of theft, property damage, disorderliness.

- Emphasize PREVENTION of crime, rather than expensive PROSECUTION and CORRECTION.

- Pay for performance and results, not positions and programs.

In closing, I would like to thank Senator Leahy and the panel for the opportunity to share these views. I would be honored to have further opportunity to help improve law enforcement in Vermont. Also I would like to thank Senator Leahy and his staff for supporting the new Border Patrol Station in Richford. Construction has just begun on this important facility, and we look forward to an expanded presence of these fine officers in our area.

Respectfully,

Albert J. Perry 34 Elm Avenue, Richford, Vt. 05476
State Representative, Franklin 6 District (Berkshire, Franklin, Highgate, Richford)

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Dear Senator Leahy:

Thank you very much for taking the time to hear the concerns and recommendations of citizens, social services providers and law enforcement officials from Franklin County. There are a few additional points I would like to offer for your consideration. I am the Director of Substance Abuse Programs for HowardCenter and oversee two outpatient clinics, the methadone clinic (Chittenden Center) and a harm reduction program called Safe Recovery. As an agency we also provide adolescent services through our Centerpoint program, two public inebriate programs (one in Franklin County and the other in Chittenden), a short term substance abuse crisis stabilization program (Bridge) and are involved with Drug Courts in Chittenden and Franklin counties.

Part of the testimony today addressed the issue of prevention. In addition to the well-informed testimony provided by Angela Baker, the regional Prevention Specialist from the Vermont Department of Health, Division of Alcohol and Drug Abuse Programs, I want to share a more global concern as it relates to prevention. Substance abuse and mental health problems, as I am sure you are aware, are greatly exacerbated by unfavorable social conditions such as poverty. Many of the clients we serve in our programs are marginalized and stigmatized by our society. Multigenerational poverty, substance abuse, domestic violence, childhood trauma and involvement with the legal system weave a terrible web from which many struggle to free themselves. *Therefore, from a global perspective, I believe that ameliorating social problems that cause, exacerbate and perpetuate substance abuse is a fundamental ingredient in prevention.*

The second point I would like to make pertains to the illicit use of prescription medicine, specifically buprenorphine. Again, you probably already know this, but buprenorphine is a valuable option for medication assisted treatment. The problem many of our communities face is the illicit distribution of this medication. Buprenorphine is not regulated the way methadone is. It is most appropriate for people who have a high degree of stability in their lives and are able to take the medication as prescribed. This is not the case for most of the people who are addicted to opioids. People who receive a prescription for it are able to have multiple days' worth of doses right from the beginning of treatment. Due to the reality that there is not enough methadone treatment available in Vermont, many clients seek buprenorphine as an alternative. Unfortunately, the structure that a methadone program affords is not part of the package. In our methadone clinic, clients earn the privilege of having take-home doses once they have been free from illicit substance use and have been compliant with their treatment program. I see two solutions:

1. *Increase the availability of methadone treatment in Vermont. Our clinic has approximately 160 people on the waiting list. It takes over a year to get into the clinic.*
2. *Create programming that provides wrap around services for people taking buprenorphine, which would include daily dosing until stability has been achieved, urinalysis, counseling and case management.*

I realize that the economic situation we face is unlike any before, and certainly in my life time. That said, in times of economic distress, and with the repercussions of the wars in Afghanistan and Iraq, people's need for help with substance abuse and mental health is greater than ever. State revenues are down, as we are all painfully aware. Funding for programs for our most vulnerable citizens will be significantly reduced. My request and recommendation are that the legislature and president-elect Obama provide some kind of safety net for Medicaid recipients and for sustaining the kinds of programs that address the problems that were addressed today.

Sincerely,

Dana Poverman, LCMHC, LADC
Director of Quality and Substance Abuse Programs
HowardCenter

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TESTIMONY OF ST. ALBANS CITY POLICE
CHIEF GARY L. TAYLOR
SENATE COMMITTEE HEARING ON
**"COMMUNITY-BASED SOLUTIONS
TO DRUG-RELATED CRIME IN RURAL AMERICA"**

December 5, 2008

I would like to start by thanking you (Senator Leahy) and the other distinguished members of the Senate Judiciary Committee for providing me with the privilege and opportunity to appear before you to discuss the rise of drug-related violent crime in rural America, more specifically here in St. Albans, Vermont. My testimony will focus on our increased violent crime rate, increased criminal drug activity and the law enforcement responses.

I have been the St. Albans Police Chief since 2005 after having spent nearly 28 years in law enforcement in Chittenden County, just 20 minutes south of our community. My wife and I have lived in St. Albans since 1986. We raised our children in this community. I was very familiar with overall community issues even before being appointed Police Chief. The quality of life here in St. Albans and throughout Vermont has always been a key consideration about where I, as a police officer, a parent and a citizen have chosen to live and work. The proliferation of drug use and the related violent crime in our community has challenged the quality of life in our community and nearly overwhelmed our law enforcement resources.

We are facing the temporary closure and ultimate transformation of our regional correctional center from housing male arrestees to an all female facility which will not accept male arrestees. This will require the already thinly stretched police officers covering our community to leave their patrol areas and our community unprotected in order to transport these individuals to other facilities located outside of our region throughout the state.

With that I would like to briefly provide you with some background and share with you what we have experienced in our community over the past few years.

VIOLENT CRIME TRENDS AND FORECAST

Over the past 7 years the City of St. Albans has experienced:

- Overall increase of 36% for police incidents
- 87% increase in Property Crimes
- 125% increase in Assaults and Robberies.
- 186% increase in Drug Investigations and Search Warrants

It is abundantly clear that we are experiencing a dramatic increase in criminal violence, illicit drug activity, property crimes associated with illicit drug activity and use, as well as "gang-like" activity in the City of St. Albans.

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ILLICIT DRUG ACTIVITY:

Historically Franklin County has seen little organized criminal drug enforcement and intervention efforts. Much of this can be attributed to the minimal law enforcement presence throughout the County. Franklin County's historical demographics are that of a rural, agricultural region, located just north, west of the State's largest metropolitan area, Chittenden County. There is a tremendous amount of poverty, illiteracy and substance abuse in Franklin County, thus there is a vulnerable target population for emerging illicit drug dealers. We are immediately south of an International border where organized illicit drug activity is widespread and growing at an alarming rate, and a short drive from New York State. Both Montreal and the State of New York are major source areas in our region of the U.S. The recent, high profile seizures of large quantities of Ecstasy being smuggled south across our northern border is further evidence of the growing criminal drug problems we face in this region.

Chittenden County Drug Enforcement Efforts

Shared intelligence gathering with Chittenden County police agencies indicates that: Chittenden County presently has the largest number of drug investigators and drug enforcement operations in the State of Vermont.

These efforts have pushed many of the known drug dealers to outlying areas with easy access and short commutes to Chittenden County. The Burlington Police Department has specifically identified several of our recent drug dealing arrivals as having formerly been located and operating out of their city

Cocaine, both powder and rock (Crack), Marijuana, and diverted prescription drugs including; OxyContin, Valium, Percoset, Vicadin, Morphine, Suboxone and Dilladid are abundantly available in our community and throughout the region. Recent intelligence reveals that we are experiencing the re-introduction of Heroin into our community as well.

Out of state, urban drug dealers are arriving with alarming frequency and the resources (manpower) of the police department are stretched to its limits.

For the past two years there has been a number of unsettling reports of attempted quasi-gang organization efforts in St. Albans.

We see "gang-like" flagging or branding in the form of bandanas, slashes shaved into eyebrows, white shoelaces onto the top of regular shoelaces, tattoos, and incidents in which gang monikers are worn on clothing or painted (tagging) in public locations.

We have independently confirmed that we have individuals who are, or have previously been members of Los Solidos, Latin Kings, Hash Kings, Bloods and the like that are living in our community or frequenting our region. Although the presence of these individuals here has been confirmed at present their activities are not group related or well organized. These incidents do not appear to be interconnected and are sporadic.

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In a very large Crack Cocaine investigation in January and February 2007 several males from New York City established a Crack House three doors from the St. Albans Police Department.

We have developed some in-house expertise in the area of gangs through training, and partnering with state and regional gang investigators. We are trying to intervene early and prevent the proliferation of gang-like activity and its establishment here in the community.

We are working hand in hand with our law enforcement partners in the region, non more so then the Vermont State Police who have committed countless man hours and resources to helping us address both the violent crime and criminal drug issues in our city and throughout the county.

This is a collaborative effort and our law enforcement partners are critical to our ability to wrap our arms around this problem.

There is ongoing cooperation between the U.S. Attorneys (Tom Anderson) office and Federal assistance and prosecution in all appropriate criminal matters.

We struggle, as do other law enforcement agencies to fill police vacancies in a very competitive job market. We have increased our street presence (black and whites) and we will increase our criminal highway interdiction efforts.

We will look towards the addition of an alternatively funded, full time drug investigator to deploy with other Drug Task Force members to attack the illicit drug problem in our area. This requires me to plead with you not to allow further erosion of the Byrne Grant Funding that we so desperately need in order for our state to fund the very limited joint investigative resources specifically dedicated to criminal drug enforcement efforts within our state. 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. The Vermont Drug Task Force initiative has a demonstrated and proven success. I fear that further parceling of those funds may undermine the very existence of that program.

We have launched an aggressive Neighborhood Watch initiative that we are utilizing to educate citizens about all types of criminal activities and conduct. Illicit drugs and related criminal activity is discussed at every meeting.

We have held public meetings and forums and created new partnerships and information networks in order to enlist the assistance of all potential partners in our stepped up efforts.

We created a Prescription Drug Take-Back Partnership Program with the Northwest Medical Center that is managed by the St. Albans Police Department. Since June 2008 we have collected more then 15,000 prescription pills.

In June 2008 The St. Albans City Police Department organized and held a "Community Graffiti Clean-Up Day, followed by a community cook out. Fifty two (52) people showed up and participated and helped clean up more then a dozen separate locations

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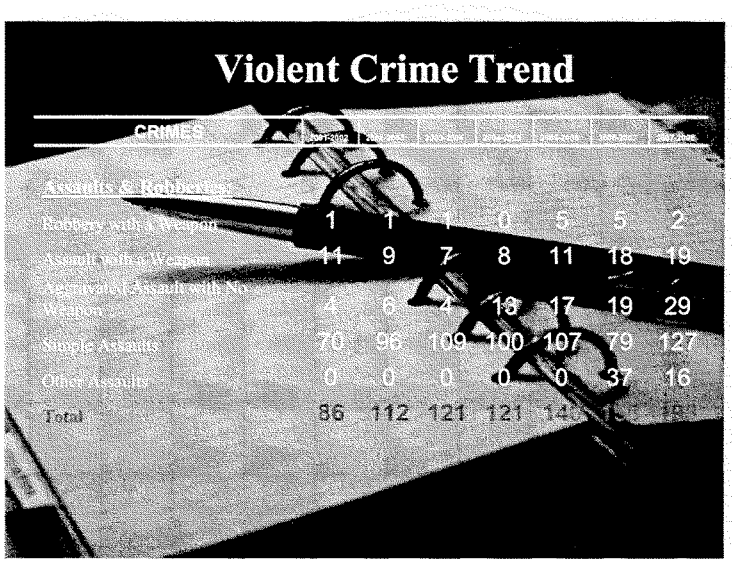
But law enforcement and prevention programs are only as successful as the funding that is made available to pay for them and, unfortunately, the funding burden is falling more and more on the local municipalities.

I am providing the following statistical data to support the analogies and conclusions presented in my testimony.



Violent Crime Trend

CRIMES							
Assaults & Robberies							
Battery with a Weapon	1	1	1	0	5	5	2
Assault with a Weapon	11	9	7	8	11	18	19
Aggravated Assault with No Weapon	4	6	4	13	17	19	29
Simple Assaults	70	96	109	100	107	79	127
Other Assaults	0	0	0	0	0	37	16
Total	86	112	121	121	14[illegible]	[illegible]	[illegible]

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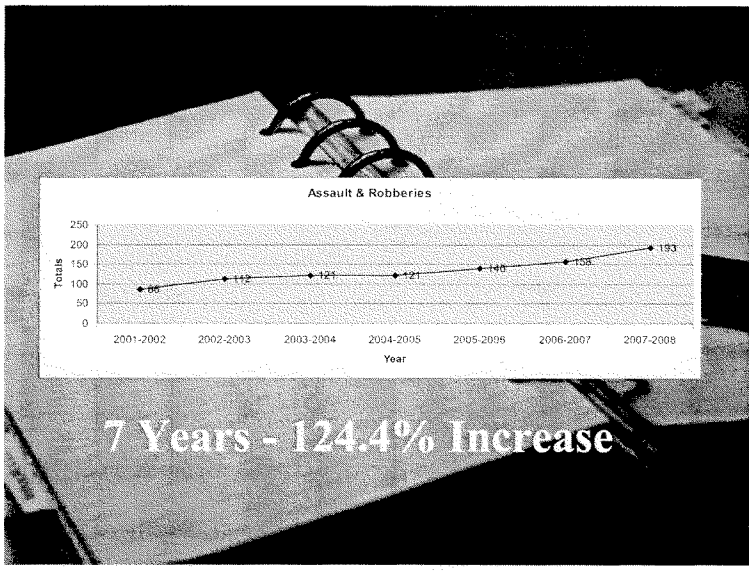

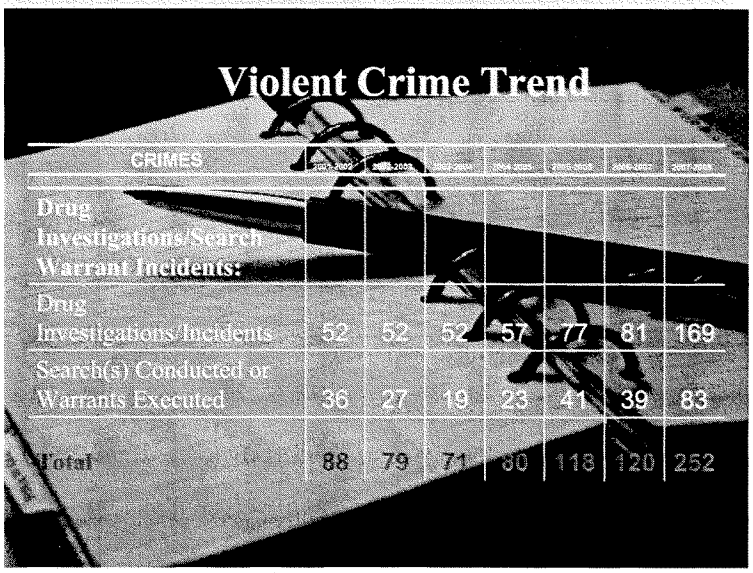

Violent Crime Trend

CRIMES	2001-2002	2002-2003	2003-2004	2004-2005	2005-2006	2006-2007	2007-2008
Drug Investigations/Search Warrant Incidents:							
Drug Investigations/Incidents	52	52	52	57	77	81	169
Search(s) Conducted or Warrants Executed	36	27	19	23	41	39	83
Total	88	79	71	80	118	120	252

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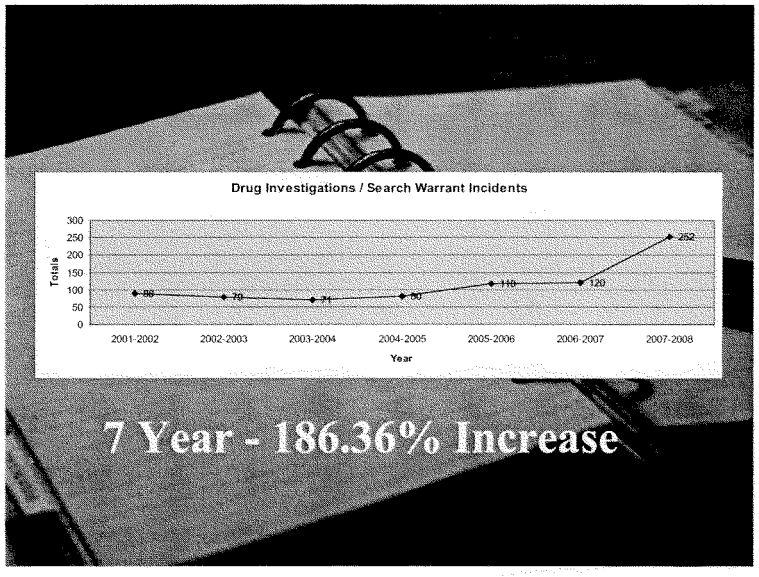

Violent Crime Trend

CRIMES	2001-2002	2002-2003	2003-2004	2004-2005	2005-2006	2006-2007	2007-2008
Property Crimes [Burglaries & Larcenies]							
Residential Burglaries	39	29	86	50	60	52	44
Commercial Burglaries	4	10	25	23	25	14	12
Pocket Picking	3	1	1	1	1	4	1
Purse Snatching	6	4	2	4	5	3	2
Shoplifting	22	18	24	21	22	15	17
Larceny from a Motor Vehicle	72	101	82	116	127	150	107
Larceny from a building	39	40	49	47	48	171	194
All other larcenies	78	64	107	133	147	121	114
Total	263	267	376	395	435	530	491

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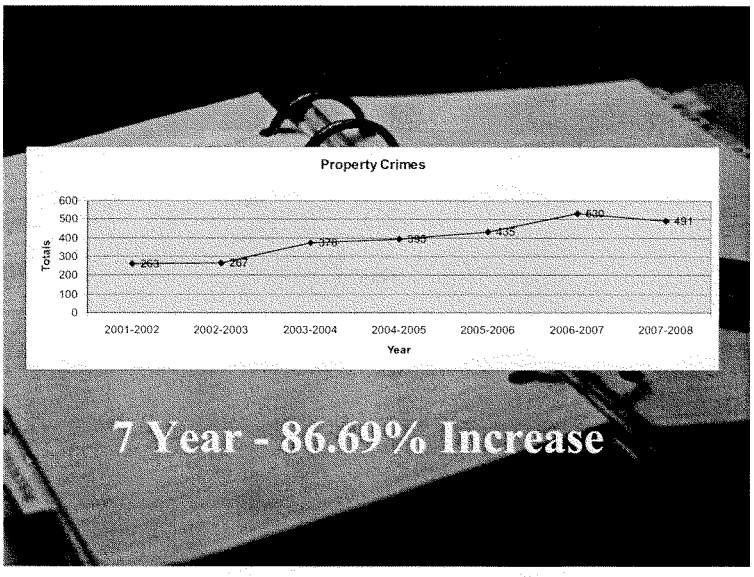

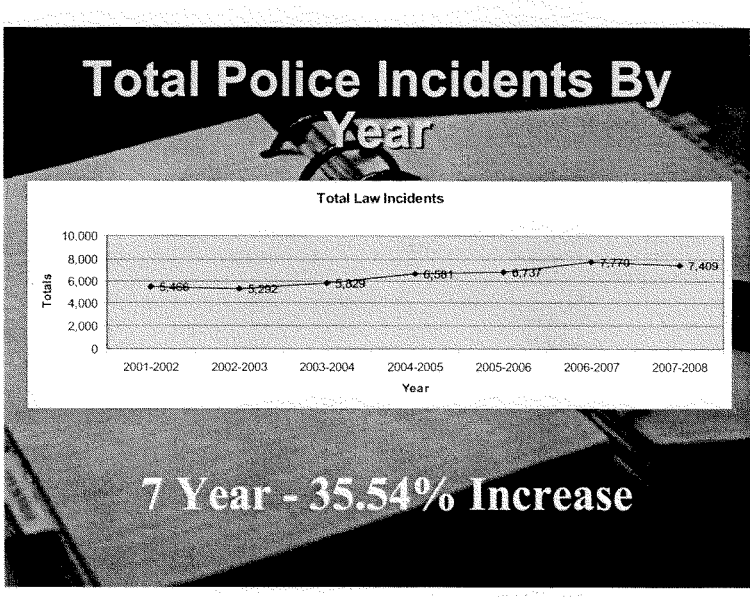

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In a recent review of the statistical information contained in the Department of Public safety's Vermont Crime on Line database (NIBRS Crime Data) the Vermont Department of Public Safety wrote *"that an emerging crime problem within St. Albans City exists. As an example, the offense rate is at 140.47 crimes per 1,000 population and has been increasing since 2005. This offense rate when compared against other large communities in Vermont is significantly higher than these other towns or cities".*

Measures	Number of Offenses			Offense Rate (per 1,000)		
Incident Date	2005	2006	2007	2005	2006	2007
St. Albans City	836	973	1040	111.82	131.33	140.37
Burlington	3969	3796	3707	103.01	98.96	96.64
Rutland City	1717	1852	1606	100.73	109.17	94.67
Brattleboro	867	1090	969	73.17	92.84	82.53
Bennington	962	933	1065	62.57	60.79	69.39
Colchester	1132	1019	1153	65.69	59.31	67.11
St. Albans Town	472	368	386	79.85	61.03	64.01
Swanton Town	262	355	388		54.85	59.95
Essex	1033	994	896	53.95	51.6	46.51

Other tables are shown below detailing the problem.

FRANKLIN COUNTY

Incident date	2005		2006		2007	
Measures	Number of offenses	Offense rate (per 1000)	Number of offenses	Offense rate (per 1000)	Number of offenses	Offense rate (per 1000)
Drug/Narcotic Violations	137	2.86	203	4.21	217	4.5
Theft from Building	95	1.98	115	2.39	95	1.98
Theft from Motor Vehicle	219	4.57	249	5.17	255	5.29
Larceny - other	413	8.62	408	8.47	422	8.76
Motor Vehicle Theft	82	1.71	90	1.87	82	1.7
Aggravated Assault	47	0.94	54	1.12	58	1.2
Simple Assault	258	5.38	216	4.48	245	5.08
Burglary	362	7.56	358	7.43	280	5.81

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ST ALBANS City

Incident date	2005		2006		2007	
Measures	Number of offenses	Offense rate (per 1000)	Number of offenses	Offense rate (per 1000)	Number of offenses	Offense rate (per 1000)
Drug/Narcotic Violations	39	5.22	87	11.74	93	12.55
Theft from Building	39	5.22	61	8.23	183	24.7
Theft from Motor Vehicle	84	11.2	108	14.58	120	16.6
Larceny - other	127	17	135	18.22	123	16.6
Motor Vehicle Theft	10	1.34	11	1.48	10	1.35
Aggravated Assault	15	2.01	32	4.32	31	4.18
Simple Assault	90	12	79	10.66	75	10.12
Burglary	70	9.36	56	7.56	51	6.88

The following table is from information obtained from the ST. Albans Police Department (See Appendix B) and reflects the violent crime and drug problem that has been escalating over the past three years.

Year	2005	2006	2007	2008*
Violent Crime	1	0	4	11
Drug Crime	1	1	5	4

* As of July 2008

Violent crime refers to attempted and aggravated assault, assault/fight, kidnapping, home invasion, and assault and robbery.

Drug crime refers to drug incidents and search warrants executed for drugs.

These statistics represents ***arrests*** as a result of major incidents reported by the St. Albans Police Department illustrating the increasing violence in the city.

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STATE OF VERMONT
DEPARTMENT OF PUBLIC SAFETY
VERMONT STATE POLICE

802.527.1150

United State Senate Hearings
"Community Based Solutions to Drug Related Crime in Rural America"
Testimony of Captain Dan Troidl
Commander, Troop A
Vermont State Police
December 5th, 2008

I would like to thank Senator Leahy and the distinguished members of the Senate Judiciary Committee for taking the time out of your busy schedules to come to Vermont and hear testimony about the issues of drug related crime in rural America. My testimony today will focus on the collaborative efforts that have been taking place among all law enforcement agencies in Franklin and Grand Isle Counties and more specifically, the initiatives that have been put together to assist the ST Albans Police Department with their crime fighting efforts.

I want to first acknowledge the work that has been done by Chief Taylor and the ST Albans City Police Department in their fight against the growing crime rate in the City of St. Albans. Chief Taylor has pulled out all the stops, broken down traditional law enforcement barriers and brought many law enforcement initiatives to the City in his tireless efforts to bring calm and a sense of security back to the citizens that he serves.

I feel that it is important to give you a broad look at the law enforcement challenges that we face in this area. For the Vermont State Police, the ST Albans Barracks has traditionally been one of the busiest Barracks in the state. We share law enforcement responsibilities in the two county area with 2 part time Sheriff's Departments and 2 other Police Departments (Swanton and ST Albans City PD's). Out of necessity, the law enforcement agencies in this region have had to establish and maintain close working relationships in an effort to provide our citizens with the very best in law enforcement services. In addition, we also depend very heavily on the close working relationships with our federal law enforcement partners, (FBI, DEA, USBP, ICE, ATF and others) who have aided us with both personnel and resources in our collective crime fighting efforts.

Over the past few years, it has become very clear that the City of ST Albans is seeing an increase in violent crime and crimes associated and connected with the use or sale of illegal drugs. In our efforts to combat these issues in the City, knowing that at any time these same

issues might spill over into other communities, we have taken up a collective approach with our law enforcement and community partners to attack this menacing problem.

Colonel James Baker, Director of the Vermont State Police recently partnered with the National Highway Traffic Safety Administration (NHTSA) and six other law enforcement agencies in the nation to act as a test site for a new law enforcement initiative called the Data Driven Approach to Crime and Traffic Safety (DDACTS). This initiative requires the accurate and timely tracking of crime and traffic safety data which is then used to identify specific "problem" areas where targeted enforcement actions can then be applied.

Since September of this year, the Vermont State Police along with local, county, state and federal law enforcement officers have conducted three (Impact Details) in the ST Albans City area. Using criminal and traffic safety information provided by the Vermont Fusion Center and the Vermont State Police Traffic Operations Section, these details have brought over 30 police officers to the area for a six hour shift each night to conduct directed enforcement actions. We have seen measureable success with these operations with drug and motor vehicle related arrests taking place during each operation and we plan to continue these details for another 6-12 months as needed. In addition to the impact these directed patrols bring to the criminal element, Chief Taylor has stated that the impact that these details make on the public is far greater. Community members, citizens at large and City officials have seen these details take place on a consistent basis and they feel these details go a long way in demonstrating law enforcements commitment to partnering with them in their goal of creating a safer community for all.

Since September of this year, the Vermont Fusion Center and the State Police Traffic Operations Section have been providing all law enforcement agencies in the area with weekly and monthly summaries of related criminal and traffic safety data and mapping to assist us in our directed deployment of law enforcement resources. With this information, we can now target specific road intersections or dangerous roadways with targeted patrols on days and at times the data has shown us are most dangerous. In addition, we are now in the beginning stages of overlaying our crime data with our traffic safety data to look for locations where these data sources identify similar locations as being "problem areas", once again, trying to be effective and efficient with our enforcement resources.

In addition to the above, we have broken down many traditional barriers to law enforcements success and are currently engaged in successful partnerships with many community based organizations. Working with these groups, we have participated in education and prevention programs, initiated an aggressive public awareness campaign, actively participated in town hall and local select board meetings, established a community advisory board with representatives from all of the communities that we serve to better communicate directly with the citizens in the community and spent countless hours behind the scenes meeting with hospitals, school administrators, town clerks and business owners.

One example of our combined approach to identified problems is our partnering with the Vermont Department of Health (VDH) to reduce high risk drinking among individuals 25 years or age or younger. We have received a $30,000 grant from VDH to conduct DUI saturation patrols and sobriety check points to reduce the number of impaired operators traveling our roadways. In addition to making additional arrests, we are providing VDH with much needed data about the statistical information surrounding those being arrested for DUI so they can better target their efforts for future programming needs.

It is not lost on me that the majority of crimes committed in our region are crimes that have some connection with illegal drugs. Whether the crimes are burglaries, robberies, assaults, vandalisms or thefts, the majority of these crimes can all be related back to the consumption or sale of illegal drugs. Our Troopers are becoming more aggressive in their drug investigations, we are working hard to develop criminal information that will assist our drug task forces in investigating these criminal enterprises and we are working with our court systems to improve upon the way we build cases against those involved in the criminal drug trade. However, the cases involving the illegal sale and consumption of pharmaceutical medications do not fall within the limits of traditional drug investigations. These types of drugs are found in almost every house hold, are prescribed "legally" by almost every doctor and are used by individuals with the mindset that since they are prescribed by a doctor, they must be okay to use. These types of drugs are found on every street corner, are in every medicine cabinet and are in every school system in the state. We must continue to work with our medical professionals, our school counselors, our treatment programs and aggressively educate our children and young adults as to the dangers of these types of drugs.

Law enforcement is just a part of the solution. In order to be successful we must work smarter and we must leverage all resources to become more effective in the way we do business. As the largest law enforcement agency in the state, we stand beside the ST Albans City Police Department in this fight and will do our part to assist them in addressing these important issues.

Vermont Association of Court Diversion Programs

December 11, 2008

The Honorable Senator Patrick Leahy
The Senate
Washington, DC

Dear Senator Leahy,

Thank you for the opportunity to provide testimony to the Senate Committee on Judiciary on addressing drug-related crime in rural communities.

Court diversion programs are an important community-based intervention in addressing Vermont's drug-related crime and could serve as a model for other jurisdictions.

During FY 08, 40% of approximately 1,300 court diversion cases stemmed from an alcohol or other drug-related charge. In many other cases, review boards, concerned that substance abuse was a contributing factor in a person's criminal behavior, required that the client see a substance abuse counselor for a formal assessment and follow the counselor's recommendations. In addition, over 3,000 youth ticketed for possessing or consuming alcohol participated in the Teen Alcohol Safety Program, which includes a substance abuse screening or assessment. Following the assessment, 14 percent were referred for ongoing treatment.

Court Diversion and TASP hold individuals accountable for their actions and connect them with needed treatment services, in order to address the underlying causes for the crime and promote clients' health and well being. Statewide, 85% of court diversion and 77% of TASP clients complete their contracts, avoiding a criminal record or civil ticket.

Vermont's non-profit court diversion programs are cost-effective; on average, each case costs approximately $345. While we are not able to compare this to a court-case cost, it is clear that court diversion provides tremendous savings to prosecutors, defense counsel, courts, and the department of corrections. Other tangible benefits to point out include a 93% rate of financial restitution paid to victims, over $138,000 in restitution and community donations paid by clients, and close to 18,000 hours of community service given by clients during the past fiscal year -- all this during a time of declining support from the state.

Court Diversion's high rates of completion speak to the success of review boards and staff members in supporting individuals to repair the harm caused to victims and the community, as well as to themselves. I believe there are many contributing factors to this success: the involvement of community volunteers, the immediacy of the response, the relevancy of contract conditions, the case management support, and the appeal of avoiding a criminal record.

People always ask about recidivism. Past studies suggest that only a small percent of court diversion participants commit another crime. And while state's attorneys and court diversion staff members know that most court diversion clients do not re-appear in court, we do not have the means to measure recidivism properly. In addition, evaluation must not be focused on recidivism alone. Individuals with substance abuse problems do not typically change their behavior after one intervention, and other outcomes can indicate if an individual is on the right track and has the support needed to make meaningful change.

Recently state's attorneys in some counties, notably Rutland and Chittenden have recognized that repeat, still relatively low-level criminal behavior might be best addressed by offenders participating in court diversion again, especially when compared to a fine-only or administrative probation disposition.

A major obstacle to proper evaluation is the lack of a statewide database. In July I met with John Tracy and based on his advice, I am now working with Vermont's Department of Information and Innovation to develop an RFP for a database. We have not, however, identified any funding source.

If we had research that documented Court Diversion's positive long-term outcomes, other jurisdictions might well follow Vermont's lead. Would you consider proposing federal funds to initiate pilot projects in a few other jurisdictions and a rigorous evaluation of the pilots as well as Vermont's program?

I would be happy to provide additional information about Court Diversion and can be reached at 828-1360 or wfarrell@atg.state.vt.us.

In closing, we invite you to a celebration of Court Diversion's 30th anniversary in the spring at the State House (rooms cannot reserved until January so we have yet to set a date). We would like to recognize your role in Court Diversion's early days and thank you for your ongoing commitment to justice for all people.

Sincerely,

Willa Farrell
VACDP Executive Director

Office of Congressman Peter Welch
Testimony – Senate Judiciary Committee Field Hearing
St. Albans, Vermont – December 5, 2008

Thank you, Chairman Leahy, for your invitation to deliver remarks at today's hearing. And thank you for bringing the United States Senate Judiciary Committee here to Vermont. This hearing 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.

We in Vermont are fortunate to live in a very safe state. Many of us don't lock our car doors, and some of us don't even lock the front doors of our homes. It is a great fortune that the citizens of St. Albans, and Vermonters generally, live without many of the concerns faced by millions of other Americans. However, that sense of security is beginning to erode.

I have had the opportunity to meet with local law enforcement officials all around the state of Vermont. What I hear at these meetings is that they are struggling to cope with an increase in illegal drug activity and a related increase in property crime. By raw numbers, St. Albans and the state of Vermont at large remain very safe places 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. While Vermont's overall crime rate may seem low, the impact of these crimes on Vermonters' sense of safety and well-being is dramatic. In a small place like St. Albans, 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 communities. The ripples of impact from criminal behavior spread quickly and deeply, tearing at the very fabric that holds our towns together.

The goal of today's hearing isn't to focus on the problem; instead it is to focus on solutions. How do we unite in communities like St. Albans to battle 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, federal law enforcement, along with well-informed and motivated citizens is fundamental if we are going to succeed in stemming the rising tide of criminal activity here in Vermont.

Collaboration requires work and resources. Local law enforcement and the Vermont State Police rely on funding from federal sources to expand their law enforcement and drug prevention capabilities. Programs like the Byrne Justice Assistance Grant program and the Community Oriented Policing Services (COPS) program are critical to supporting Vermont's law enforcement and drug prevention efforts. As we look ahead to the FY'10

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budgeting process, we must prioritize programs like these, which provide resources directly to local and state law enforcement.

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 Vermont's peace and prosperity moving forward.

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.

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