

Chapter 13:

CRIME AND CORRECTIONS

One of the most distinctive characteristics of Vermont is its exceedingly low crime rate. For decades, Vermont's crime rate has been the lowest (or among the lowest) in the nation. This is true for many types of crimes, from homicides to identity theft. Just as healthy people take their good health for granted, so too do most Vermonters take their safety and security for granted until a tragic episode reminds us of the precarious nature of the social fabric. Some Vermonters are reminded of this when they visit a large city where constant vigilance against victimization becomes a primal necessity. Others are reminded of it when friends visit from other states and they learn that their Vermont hosts do not lock their cars or homes. To be sure, horrific crimes happen in Vermont as they do everywhere, but with a great deal less frequency.

"Maintaining a low crime rate" has been selected as one of the highest priorities in a series of statewide polls sponsored by the Vermont Business Roundtable since 1990; about 90% of the respondents rated it a "very important" priority. In fact, it is consistently ranked near the top of the list with "preserving clean air and water," and "creating more good jobs."¹

Before proceeding with the basic trends in crime statistics, some sociological background will help place the statistics in a broader perspective and underscore the complexity of the subject. Five points deserve attention.

1. Rates of criminal acts (and other forms of deviance) change very slowly, and major shifts are more likely to be a consequence of changing social norms, political pressures for enforcement and policy focus than a sign of a fundamental shift in human behavior. When more behaviors are redefined as criminal (e.g., new forms of drug abuse) there will be more crime.

¹ Vermont Business Roundtable and the Social Science Research Center, "Pulse of Vermont: Quality of Life," separate editions for 1990, 1995, 2000, 2005, by Vince Bolduc and Herb Kessel.

2. The causes of crime are as complicated as the causes of cancer, rarely explained by any single cause. Selected demographic subgroups have very low crime rates, while others have higher rates. Young men are typically at the highest risk of committing crimes, and as the fraction of the population that is young declines, so too will the crime rate. Particularly important for Vermont is that the White demographic majority and non poor have lower crime rates than non Whites and poor. Selective enforcement also explains some of these demographic differences.
3. Citizens are naturally more afraid of random crimes of violence than property theft, substance abuse or victimless crimes. "White collar crime" and fraud is responsible for a far greater cumulative amount of theft and does more damage to the average person's standard of living than burglary and robbery, but it is far from the public's consciousness and not included in most crime reports. It cannot be covered in this chapter because the data is not routinely gathered and made available to the public. How much of the current financial crisis may eventually come to have been caused by crime like malfeasance in corporate office remains unknown, but it is unlikely that many of the perpetrators will end up in the crime statistics.
4. People's fears of crime are less a reflection of the objective measures of actual crime rates than the intensity of the news coverage of "normal" crime. While the crime rate has been dropping since the early 1990s, American's fear of victimization has changed very little.² Banner publicity given to one or two malicious crimes in a city can create the perception of a whole area being gripped by a crime wave.
5. The basis of a low crime rate is effective social control and cohesion, and these are not the products of government action. Vermont has a small, homogenous population, which lends itself to these attributes. In more urban states where there are larger pockets of poverty, crime

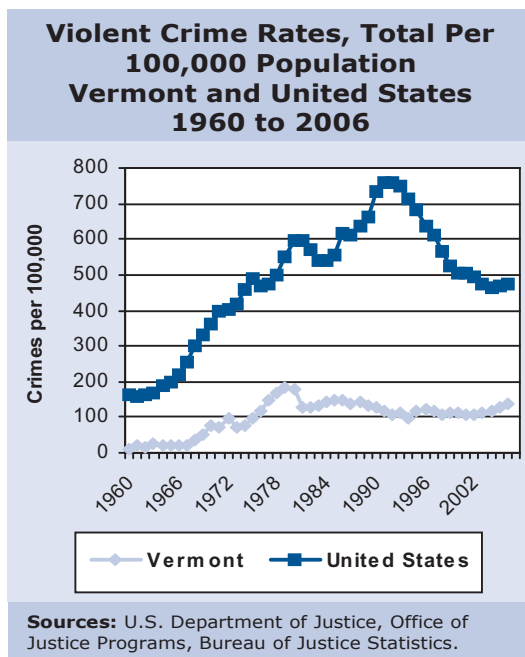
² Gallup Poll, "Worry About Crime Remains at Last's Year's Elevated Level," October 19, 2006.

can be anonymous and trust in neighbors can be lower. The 2005 survey mentioned above found that 71% of Vermonters agreed with the statement that “generally speaking, most Vermonters can be trusted;” national polls find proportions closer to 34%.³

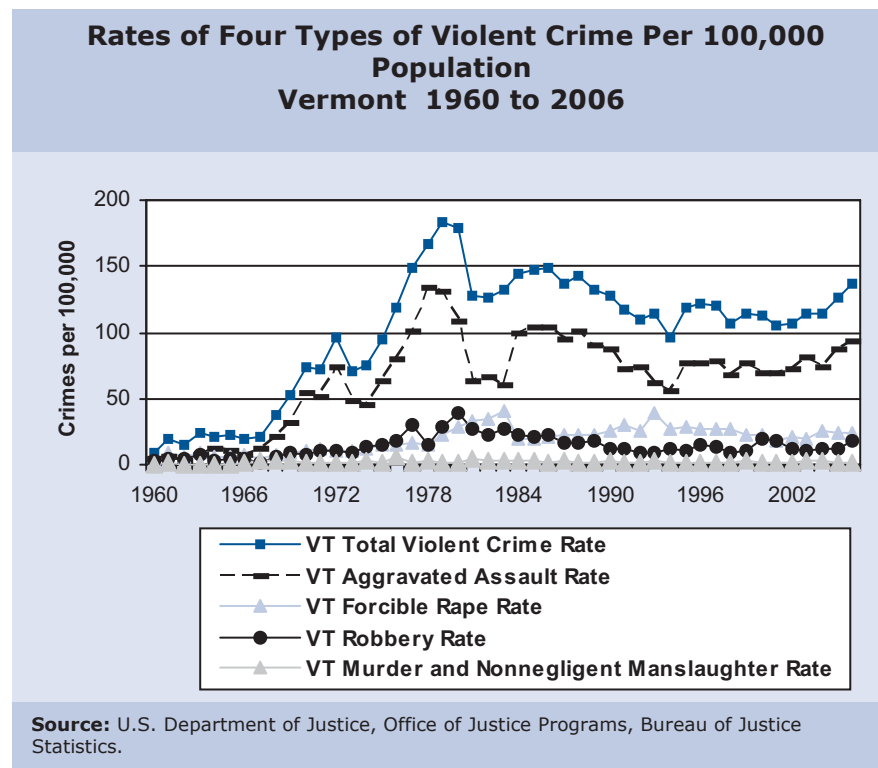
Trends in Vermont Crime and Corrections

Trend number 1: Crime rates are falling nationally, as are Vermont rates. Vermont has maintained one of the lowest crime rates in the nation for decades. Property crimes and homicides are falling still further, while other violent crimes are experiencing a small uptick, but still far from national levels.

Vermont has been and remains one of the safest states in the nation, almost always in the lowest five in the combined rates of homicide, rape and robbery, and Vermont polls show that Vermonter’s fear of crime is significantly less than is found nationally.⁴ Although Vermont has seen some increases in selected types of crime in the past few years (especially drug violations) the overall rate has been stable for so many decades that it is unlikely that the state’s ranking will change much in the future. In fact,



the Vermont rate of violent crime is only 29% of the national rate, almost the same as it was in 1980 (31%).⁵ One of the major reasons for the overall drop since the early 1990s is the aging of the population. As we saw in the Chapter 1, demographics influence many social trends, few more than crime rates. With the state’s aging population, Vermont now has lower proportions of young people (18 to 34) than at any time in recent history, and these age groups are the most prone to commit crimes of many sorts.



The United States homicide rate has fallen to a rate that the country has not seen since the 1960s, and the Vermont rate has fallen as well. The homicide victimization chart depicts Vermont’s extraordinarily low homicide statistics. Every homicide symbolizes societal failures, but such tragedies are relatively rare in Vermont, averaging about 14 persons per year. Our overall rate of about two or three per 100,000 is generally less than half the national rate, but as we can see in the homicide victimization chart (below) it is even lower than the rate

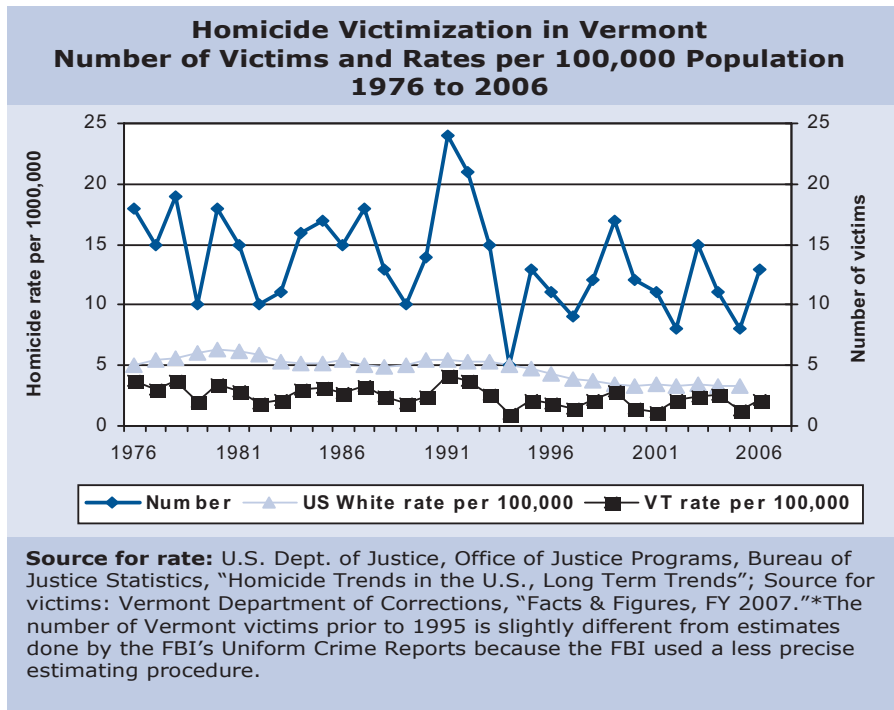
³ Vermont Business Roundtable, “Pulse of Vermont: Quality of Life Study 2005,” by Vince Bolduc and Herb Kessel.

⁴ Ibid.

⁵ David Murphey in “Vermont Well-Being: A Social Indicators Sourcebook,” Vermont Agency for Human Services.

for White Americans, which historically have the lowest rates. Not shown is the total U.S. rate, nor the rates for non White sub groups.⁶ The significance is that it provides another example of how Vermont's ethnic homogeneity affects the statistical profile of the state (see Chapter 1).

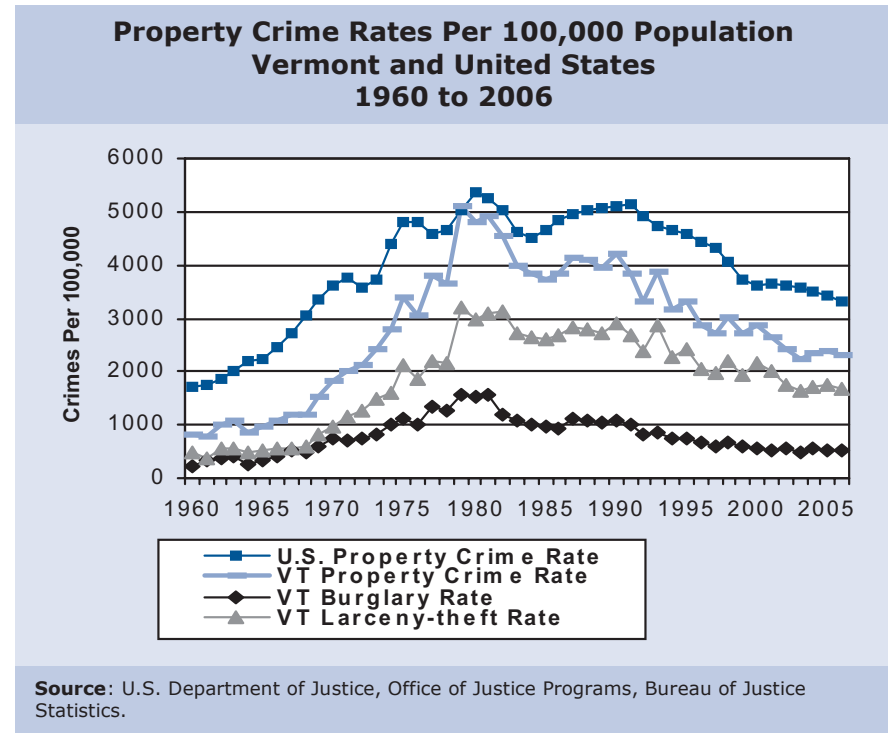
The most common homicide victims and offender are males between the between the ages of 18 to 24, although the age category 25 34 is not far behind. Nationally, only one in three homicides were random acts of violence and only 35% of homicides involved victims with an "undetermined relationship" to the perpetrator; for 51% of the cases, the victims and perpetrator were friends or relatives. Only 14% were verifiably known to be between strangers.⁷



⁶ The U.S. rate for Whites in 2005 was 3.5 per 100,000 population; 26.5 for Blacks; and 2.8 for "other races." The victimization rate for Whites was 3.3 per 100,000 population; 20.6 for Blacks and 2.5 for "other races." U.S. Dept. of Justice, Bureau of Justice Statistics, "Homicide Trends in the U.S., Long Term Trends."

⁷ U.S. Dept. of Justice, Office of Justice Programs, Bureau of Justice Statistics, "Homicide Trends in the U.S., Long Term Trends."

Sexual assault rates have been increasing since 1960, but this type of violent crime is particularly prone to underreporting, and the increase likely reflects a greatly increased willingness to report the incidents. The true rates were undoubtedly much higher historically, but appeared artificially low in the data. The rate has remained fairly steady since 1997. Domestic abuse is another crime that is often underreported, and one of the best measures of its frequency is petitions filed with the courts for "relief from domestic abuse." This rate has been steadily dropping from 79 per 10,000 population in 1995 to 61 in 2004.⁸



⁸ David Murphey in "Vermont Well-Being: A Social Indicators Sourcebook," Vermont Agency for Human Services.

In 2006, the 10 most commonly reported crimes in Vermont were:⁹

- | | |
|--|-------------|
| 1. Destruction of property and vandalism | 6,828 cases |
| 2. General forms of larceny | 4,510 |
| 3. Burglary | 3,281 |
| 4. Drug and narcotic violations | 2,765 |
| 5. Simple assault | 2,555 |
| 6. Theft from vehicles | 2,363 |
| 7. Theft from buildings | 2,010 |
| 8. Shoplifting | 1,204 |
| 9. False pretense | 1,073 |
| 10. Motor vehicle theft | 590 |

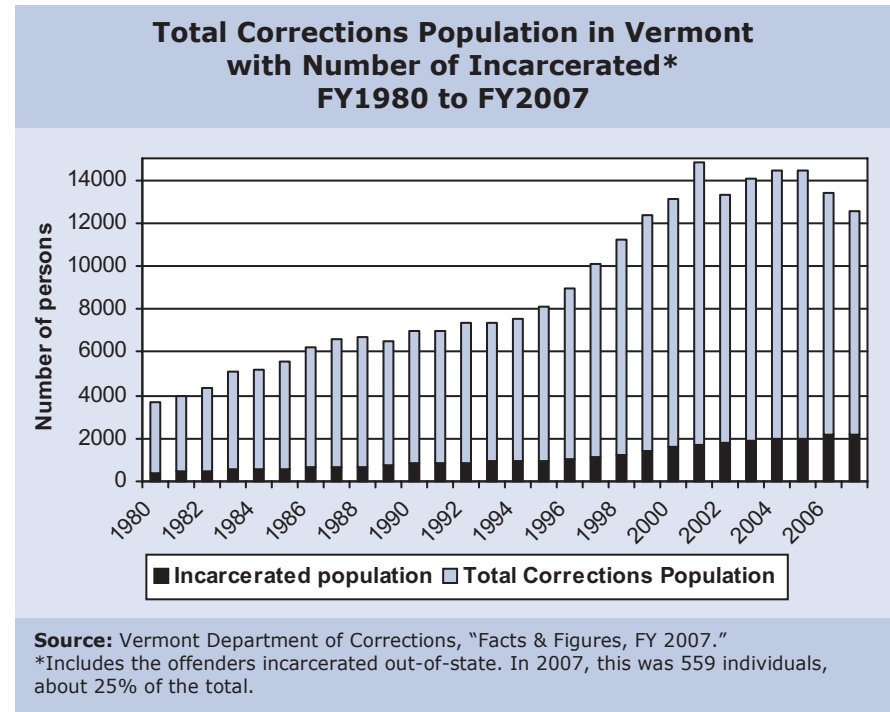
*Trend number 2: Vermont's rate of incarceration has increased dramatically and other components of the corrections system are under greatly amplified pressures as well.*¹⁰

One of the most striking changes in human services in Vermont in the past several decades has been the vast increase in the population under the supervision of the Department of Corrections. This is captured in the increased number of incarcerated but that is not the whole story. The numbers on probation and parole have also increased dramatically over the same time period. In fact, the largest numbers of persons under corrections supervision are on probation. In 2007, when there were 2,202 prisoners, there were an additional 7,606 on probation, 980 on parole, 932 in re entry programs, and another 839 in other sanctions (see pie chart on next page). But the yearly flow of individuals through the Department of Corrections is larger still. In 2007, the Department dealt with 18,809 different people; 3,871 new persons were committed to Corrections programs and prison time was provided to a total of 6,175 men and 1,015 women. Since 1989, the Correction Department has booked 69,114 new first time entrants into the system.¹¹

⁹ Vermont Department of Public Safety, Division of Criminal Justice Services, "Vermont Crime on Line."

¹⁰ Vermont Department of Corrections, "Facts & Figures, FY 2007," compiled by John Perry, Director of Planning. The "bible" for data on Vermont crime and corrections, and a comprehensive sourcebook.

¹¹ Ibid.



Vermont's rising rate of incarceration parallels the broader nationwide wide change in crime and corrections. The United States has the highest incarceration rate in the world and more prisoners than any other country—one out of every 100 Americans is now behind bars. The proportions are lowest for White women (one in 355), and highest for young Black men (one in 9) behind bars.¹²

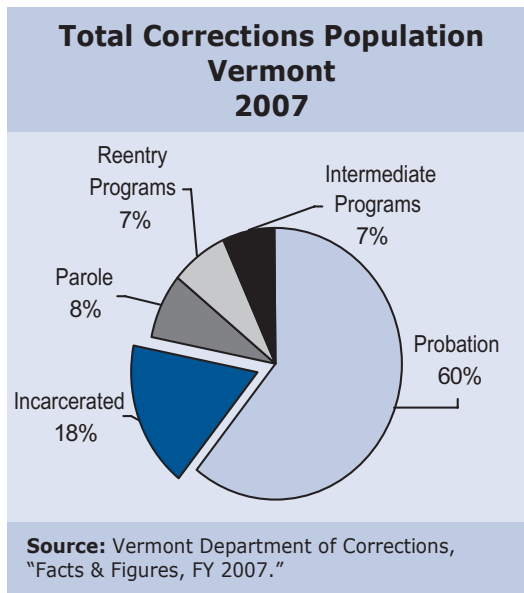
In spite of what are historically high rates of Vermont incarcerations, the Vermont rate is one of the lowest in the U.S., ranking 48th of the 50 states. Vermont only has 402 prisoners per 100,000 adults, and 14 states had rates of over 1,000.¹³ Vermont's rates for prisoners with sentences of more than one year have been consistently below national levels all the way back to 1925. The gap between Vermont and other states having widened considerably over the decades.

¹² [The New York Times](#), "One in 100 U.S. Adults Behind Bars, New Study Says," February 28, 2008.

¹³ Vermont Department of Corrections, "Facts & Figures, FY 2007."

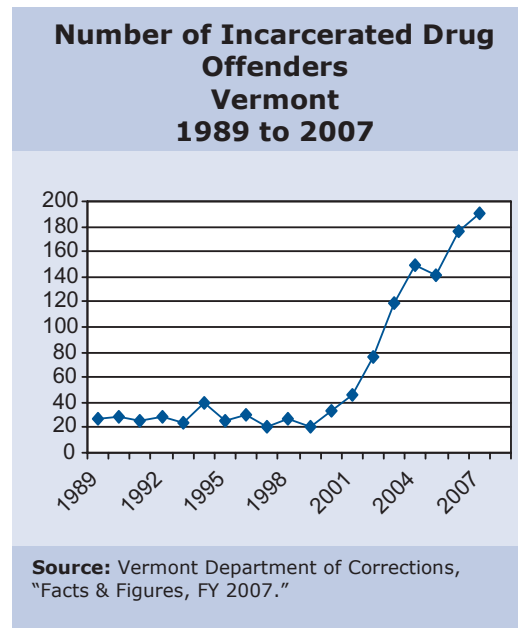
Changes in public policy and the broader political environment are among the most important determinants of incarceration rates, a fact which is reflected in the enormous growth in incarceration rates in the last 80 years. Vermont's present rate is far higher than the consistently lower rates that Vermont had for the 65 years between 1925 and 1990. It was at the end of this period when the dramatic incarceration rate increases took off. Is it possible that so many more Vermonter's turned to criminal activity after 1990? In fact, this was the very time when the crime rates were falling precipitously (as was the fraction of young men in the population). It is more likely that more behaviors became punishable by imprisonment, and once convicted, public demands for "tougher sentences" added to the escalating incarceration rates. The popular public explanation for the coincidence of falling crime rates and increasing incarceration rates is simply that more criminals are now behind bars. There is truth to this, but it is an oversimplification. Few criminologists identify this as their first explanation for falling crime rates.

Vermont ranks fairly high in its use of probation and parole—17th among the 50 states—but is a national leader in innovative means for restoring offenders into their communities, a program that also reduces recidivism substantially. At 50%, Vermont's recidivism is the lowest rate in a decade, but equal to the rate in 1993. Vermont's prison overcrowding, a consequence of tight state budgets and rising commitment rates, has become problematic. Overcrowding has led to high rates of staff turnover, and health and safety hazards to prisoners and corrections personnel alike. Partly because of a lack of space, more non violent criminals receive alternatives to



incarceration, leaving unusually high densities of violent offenders in our prisons.¹⁴

The trend towards greater use of incarceration is a national phenomenon of considerable controversy and largely a response to political pressures to "get tough on crime," particularly drug abuse (see chart). Convictions and incarcerations for sex offenses in Vermont have also risen significantly since 1979, but while DUI convictions have changed little in the past 25 years, the severity of sentencing for serious motor vehicle infringements have increased.¹⁵ The problem of prison overcrowding is also due to longer sentences and more incarcerations per crime. This was recently addressed by Corrections Commissioner Hofmann: "The core demand for space is more felons sentenced to prison. Violent crime in Vermont and felony sentence lengths have remained stable during the past decade; however, twice as many felons were sent to prison in 2005 as in 1990. The increase is in volume, not duration. With misdemeanors it is both volume and duration. In 2005 the average misdemeanor sentence is **five times** [emphasis in original] longer than in 1990."¹⁶



¹⁴ David Murphey in "Vermont Well-Being: A Social Indicators Sourcebook," Vermont Agency for Human Services.

¹⁵ Ibid.

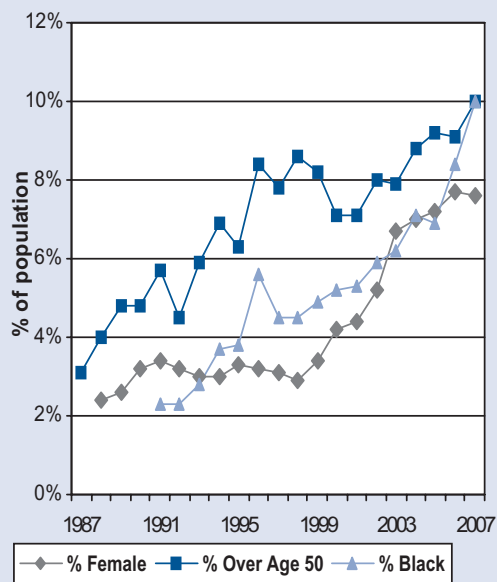
¹⁶ Department of Corrections, Agency of Human Services, Blue Book, February, 2007.

Trend number 3: In the last 20 years, Vermont's prison population is becoming more diverse.

Although the vast majority of the prison population remains White males, the proportion of females has risen from 2.4% in 1988 to 7.6% in 2007, but it still a very long way from their 51% representation in the population. Their representation among the paroled and probationary populations is significantly higher—18% and 23% respectively. The percent age of both genders that are married is about 15% for males and 13% for females. Of the 55 women incarcerated in Waterbury's Dale Facility in June of 2003, 42 had a total of 89 children. Blacks have risen from only 2.3% of the incarcerated population in 1991 to 10.1% in 2007, a far higher proportion than is found in the state population, a complex phenomenon that is also highly imbalanced at the national level. The prison population is aging as is the rest of the state. Fifty five percent of the incarcerated were born in Vermont, similar to the state average. Another characteristic of the incarcerated population is the high rate of mental illness. According to the Department of Corrections, "34% of the male inmates and 56% of the female inmates have been diagnosed with mental illness."

Youth behind bars present a special concern to the public, an issue shared by the Corrections Department. In his annual report, Commissioner Hofmann had this to say: "For many years, a primary concern of many Vermonters has been the perception of a growing proportion of young men

Incarcerated Sub-Populations in Vermont by Demographic Characteristics 1979 to 2007



Source: Vermont Department of Corrections, "Facts & Figures, FY 2007."

and women under corrections custody. In fact, the larger growth in DOC population has been young adults 21-25, not younger offenders. The 16-17 year old population has decreased by more than half since 2000, and the 18-21 year olds has decreased by nearly a quarter in the same period."¹⁷

Trend number 4: As demands on the Corrections Department have increased, so have expenses and employees; police and judicial costs are at a low level and have held fairly steady.

Since 1985, the budget for the Department of Corrections has roughly paralleled the increase in the number of incarcerated, consuming higher proportions of the State budget. Between FY2004 and FY2008, the General Fund Appropriations for the Corrections Department increased from \$38,843,868 to \$113,967,554. This was a change from about 13% of the total allocation for the Agency of Human Services to 23%, while other parts of their budget fell, including a big drop for the Department of Children and Families—from \$118,202,552 to \$80,253,588. Budgets for related crime and public safety issues (e.g., education and training) are also substantial but are covered by other Agencies.

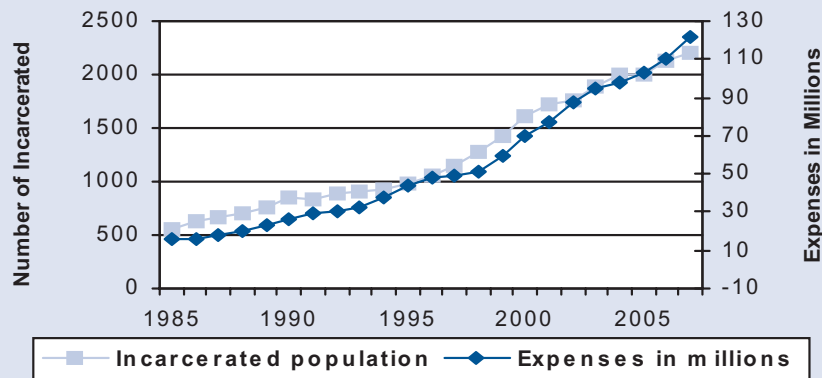
Dividing the yearly Corrections budget by the number of incarcerated would yield an artificial "cost per prisoner" of \$55,000, but it would be misleading in that it assumes that all the costs of the Department involve maintaining prisoners. In fact, the Department of Corrections estimates that the real per capita cost per prisoner in the State's nine facilities averages \$45,702 per year, a great deal more than the \$21,199 the State spends on the 559 prisoners housed in out of state facilities. According to national data for 2005, the corrections spending per prisoner places Vermont 5th most expensive among the 50 states, but far below the \$92,889 figure for Massachusetts and well above the \$11,114 cost per prisoner in Mississippi.¹⁸ Another metric of Vermont Corrections costs is the cost per citizen \$150 per person per year (2004), which would give us a rank for cost per citizen that is 18th lowest in the country. New York is fourth highest at \$248 per citizen.¹⁹

¹⁷ Department of Corrections, Agency of Human Services, Blue Book, February, 2007.

¹⁸ Hovey, Kendra and Harold Hovey, *CO's State Fact Finder, 2007*, Congressional Quarterly Press, 2007.

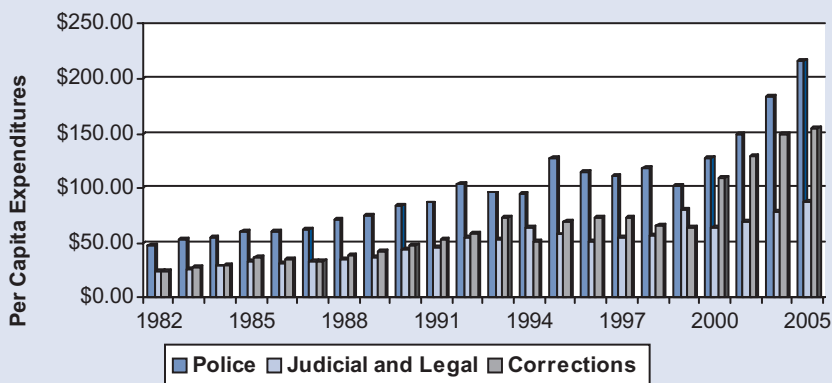
¹⁹ Vermont Department of Corrections, "Facts & Figures, FY 2007."

**Vermont Dpt of Corrections Total Budget
And Number of Incarcerated*
Actual Expenses in Millions
FY1985 to FY2007**



Source: Vermont Department of Corrections, "Facts & Figures, FY 2007."
*Includes the offenders incarcerated out-of-state. In 2007, this was 559 individuals, about 25% of the total.

**Per Capita Expenditures in Vermont
For State and Local Police, Judicial/Legal Functions,
and Corrections
1982 to 2005**

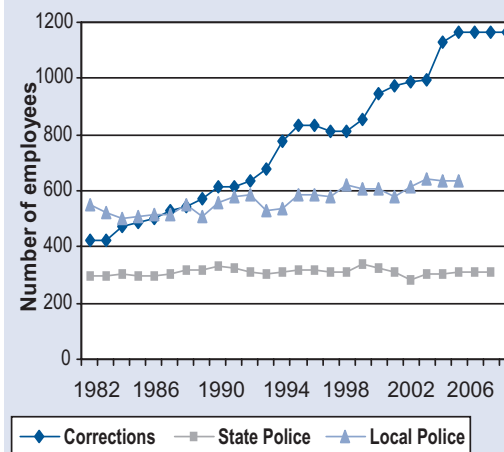


Source: U.S. Department of Justice, Bureau of Justice Statistics, "Vermont: Per Capita by Activity Type."

One driver of the Corrections budget is the amount of money spent on law enforcement; more enforcement means more incarcerated. According to one official, there has been an "enforcement boom" since 2000, triggered by new Federal funds for broader laws and more stringent enforcement for such violations as drug and sex crimes. Such changes almost always result in more convicted criminals.

Of all the major departments of the Executive Branch of Vermont government, the Corrections Department has the second largest number of employees—just over 1,100; only the Transportation Department has more: 1,240. The ratio of corrections staff to offenders is hardly constant because of rapid changes in both the number of incarcerated and the number of employees. For example, the ratio of offenders to employees was 12:1 in 1990. It then increased to 14:1 in 2000, and is now at 10:1 offenders per employee. In 2007, the average caseload

**Number of Employees in VT
Corrections, State Police, Local
Police
1982 to 2007**



Source: U.S. Department of Justice, Bureau of Justice Statistics, "Vermont: Police Employment Detail;" Vermont Department of Corrections, "Facts & Figures, FY 2007."
Note: State and Local police statistics are full-time equivalent "sworn" employees only.

per supervising staff member was about 40, down from 54 in 1999. Average caseloads for those who require "low supervision" are much higher—always over 99, but often over 200. Turnover among Corrections Officers is twice as high as the overall Department of Corrections staff, and the total turnover in the Department of Corrections was the highest of any department in State government in 2007.²⁰ Looked at yet another way,

²⁰ Vermont State Workforce Report: FY2007; Vermont Department of Corrections, "Facts & Figures, FY 2007;" Agency of Human Services, Department of Corrections, "Blue Book February, 2007."

Vermont had a ratio of 19 corrections employees for every 10,000 citizens (2005), a low ratio that placed us 38th in rank in the country. Texas had the highest ratio of 33 corrections employees per 10,000 population.²¹

As can be seen from the chart on the previous page, the number of State and local police has changed very little since 1982, even as the Vermont population has grown. Broadening the category slightly to all 1,358 state and local law enforcement employees, we see that in 2005, Vermont's rate of 22 employees per 10,000 population is almost the lowest ratio in the nation, ranking 48th. New York had the highest ratio at almost twice Vermont figure.

In sum, four major trends can be identified in the areas of crime and corrections:

1. Vermont maintains one of the lowest crime rates in the nation; in some cases, it continues to fall.
2. Vermont's rate of incarceration has increased dramatically, and other components of the corrections system are under increased pressures as well.
3. In the last 20 years, Vermont's prison population has becoming more diverse.
4. As demands on the Corrections Department have increased, so have expenses and employees; police and judicial costs are at a low level and have held fairly steady.

²¹ Hovey, Kendra and Harold Hovey, CO's State Fact Finder, 2007, Congressional Quarterly Press, various years.