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STATE OF VERMONT
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MEMORANDUM

To: Joint Legislative Justice Oversight Committee

From: Ben Novogroski

Date: October 24, 2025

Subject: U.S. Marshal's Service contract summary

Vermont Department of Corrections / U.S. Marshal's Service Contract Summary

Parties and Payment

- Agreement details between U.S. Marshal's Service (USMS) and Northwest State Correctional Facility in Swanton, Vermont.
- Per diem rate: $185.00; Guard/transportation hourly rate: $50.00 subject to economic rate adjustment every three years upon request of the State, with out-of-cycle adjustments permitted pursuant to special procedures and restrictions.
- Payments are paid upon proper invoicing by the State.
- Federal beds allocation: 100 (80 male, 20 female; no juveniles).
- Permits holding detainees for the U.S. Bureau of Prisons and U.S. Immigration and Customs Enforcement

Services and Programs

1. **Prisoner Care**:
    - Federal prisoners receive the same level of care as local prisoners.
    - Medical care inside the facility is covered by the per diem rate; outside medical care costs are covered by the Federal Government.
    - Comprehensive suicide prevention program with constant observation for at-risk prisoners.
    - Compliance with the Prison Rape Elimination Act (PREA), including audits every three years.
    - Indigent prisoners receive toiletries at no cost; hygiene products are provided free of charge.
    - Prisoners have 24-hour access to operable toilets and washbasins with hot and cold water.
    - Facility adheres to federal standards for prisoner care, security, and operational procedures while maintaining confidentiality and compliance with legal regulations.

2. **Facility Operations**:
    - Cleanliness and maintenance are ensured, with no evidence of mold, insects, or rodents.
    - Air temperatures are maintained between 69 and 76 degrees.
    - Prisoners are provided opportunities for exercise and out-of-cell time.
    - Adequate bedding, clothing, and laundry access are provided.
    - No minimum bed space guarantee
3. **Security and Supervision**:
    - Officer posts are located near prisoner living areas for prompt emergency response.
    - Armed officers are assigned for prisoner transportation and hospital guarding.
    - Weekly inspections of security devices and intermittent security sweeps by supervisory staff.
    - Procedures for searching prisoners for contraband and notification to USMS if contraband is found.
    - Use of force and restraints are documented and reported to USMS.
4. **Emergency and Contingency Plans**:
    - Written emergency plans for situations like riots, escapes, and natural disasters.
    - Contingency plans for mass prisoner relocation, reviewed periodically.
    - Background checks for employees, contractors, and volunteers, including verification of identity and criminal history.
5. **Prisoner Rights and Programs**:
    - Prisoners have access to legal materials, confidential communication with counsel, visitation, and mail.
    - Religious practices and work assignments are available, with voluntary participation.
    - Grievance programs include at least one level of appeal.
    - Anti-discrimination policies address age, disability, race, religion, sex, and other factors.
6. **Health and Safety**:
    - Certification of staff in CPR and first aid.
    - Suicide prevention programs, including staff training and monitoring of at-risk prisoners.
    - Procedures for responding to prisoner deaths and infectious disease management.
    - Health screenings, TB testing, and comprehensive medical evaluations conducted during intake.
    - 24/7 staffed medical unit with on-site mental health professionals.
    - Access to prescription medication and healthcare services, including emergency care.
7. **Facility Standards**:
    - Compliance with fire safety, sanitation, and hazardous materials control.
    - External inspections for food service sanitation and correction of violations.

- Adherence to FPBDS standards and federal, state, and local laws.

8. **Restrictive Housing**:
    - Written procedures for restrictive housing and reintegration into the general population.
    - Notification to prisoners of reasons for restrictive housing and disciplinary hearings within seven days.
9. **PREA Compliance**:
    - Zero tolerance policy for sexual abuse and harassment.
    - DOJ-certified audits conducted every three years, with corrective action plans for deficiencies.
    - Screening for risk of sexual victimization and provision of medical/mental health care.
10. **Confidentiality and Reporting**:
    - Immediate reporting of incidents like escapes, medical emergencies, assaults, and contraband to USMS.
    - Compliance with HIPAA and Privacy Act regulations for healthcare services.
    - Sensitive information marked as "FOR OFFICIAL USE ONLY" and "LAW ENFORCEMENT SENSITIVE."
11. **Indemnification and Disputes**
    - Vermont must notify the Federal Government of any litigation related to the agreement and cooperate with the Federal Government.
    - Vermont is responsible for indemnifying the Federal Government for any liability caused by the State and anything else arising out of the facility, along with any related costs, fees, and damages.
    - Any disputes between the parties are resolves through best efforts and alternative dispute resolution
12. **Modification**
    - The agreement may be modified only upon mutual written consent of the parties.