

Prison Rape Elimination Act (PREA)



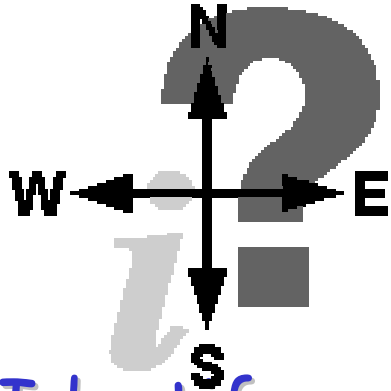
*National Institute of Justice
National Study*

*"Promising Practices" for the prevention and
intervention of inmate-on-inmate sexual
assaults in Jails and Juvenile Facilities*

Colorado Division of Criminal Justice

Prison Rape Elimination Act (PREA)

FOCUS: Jails and Juvenile Facilities



Project Goals

1. Identify promising approaches/facilities
2. Document the approach: Description, barriers to implementation, key roles, logic model for process and outcome
3. Disseminate information in Special Newsletters that address prevention/intervention

ASSUMPTION: there are multiple intervention points that could be "promising..."

AND



promising program
components
can be

REPLICATED ELSEWHERE

Common Characteristics of Victims

- Young, inexperienced in prison culture, and easily intimidated
- First-time, non-violent offenders
- Convicted of an offense against a minor
- Not streetwise/Middle-class
- White, although inmates of any race can be victims
- Physically small or weak
- Traits viewed as effeminate

Dumond, 2000, 1992; Cotton and Groth, 1982, 1984; Lockwood, 1978; Scacco, 1975, 1982, Mariner, 2001; Nacci & Kane, 1982

Common Characteristics of Victims

- Mental illness and/or developmental disabilities
- Not gang affiliated
- Homosexual or bisexual
- Previously sexually assaulted
- Disliked by staff or other inmates
- Those who "snitch"

Dumond, 2000, 1992; Cotton and Groth, 1982, 1984; Lockwood, 1978; Scacco, 1975, 1982, Mariner, 2001; Nacci & Kane, 1982



Common Characteristics of Perpetrators

- Under age 30 but older than the victim
- Stronger than the victim
- More accustomed to incarceration
- More likely to have spent time in juvenile facilities
- More likely to have lived in an urban area prior to incarceration
- More likely to have committed a violent crime
- More likely to be a gang affiliated
- More likely to break prison rules

Conditions Increasing Sexual Assaults

- Higher numbers of violent criminals
- Dorm or barracks housing
- High racial conflict
- Overcrowding
- Understaffed
- Poor supervision or insufficient security
- Inadequate programming
- Blind spots

Location of Assaults

Information from Juvenile Facilities

- Gym
- School
- Bathrooms
- Closets
- Rooms
- Units for youth with sexual offending behavior

Common Elements of Facilities with Promising Practices

- Leadership that valued safety for inmates and staff
- Integration of ideas from:
 - Organizations (NIC, ACA, AJA, Etc.)
 - Trainings
 - Other facilities
- Reliance on staff or research expertise to develop unique tools or policies
- Revision of practices & policies

Common Elements of Facilities with Promising Practices

Inmate safety = staff safety

Valued decreasing all assaultive behavior

Promoted accountability & respect

Institution role included public safety

Provided programs to manage population and promote public safety

Why Should Facility Administrators Care About Inmate Sexual Assault?

The consequences of sexual assault create facility management problems

- Increased likelihood of abusing drugs and alcohol
- Increased likelihood of major depression
- Increased likelihood of suicide attempts
- Increased likelihood of post traumatic stress disorder

ALSO: This group is dangerous!

Institutional Sex Offenders  Community Risk

Prison Study Comparing Institutional Sex Offenders with Convicted Sex Offenders

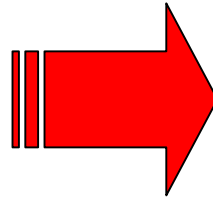
Sample of 2,029 Convicted Sex Offenders
64 Institutional Sex Offender

Compared recidivism up to 12 years post release

Institutional Sex Offender Sample

- 45 % Indecent exposure to staff
- 28% Inmate sexual assault
- 10 % Sexual harassment of staff
- 9% Attempted staff sexual assault
- 7% Stalking staff

Institutional Sex Offenders



Community Risk

52% of institutional sex offenders were arrested for a **violent** crime within 5 years post-prison release

Versus

32% of offenders serving time for a sex crime conviction

Institutional offenders recidivated sooner

Median survival time of **621** days to violent crime arrest for institutional sex offenders

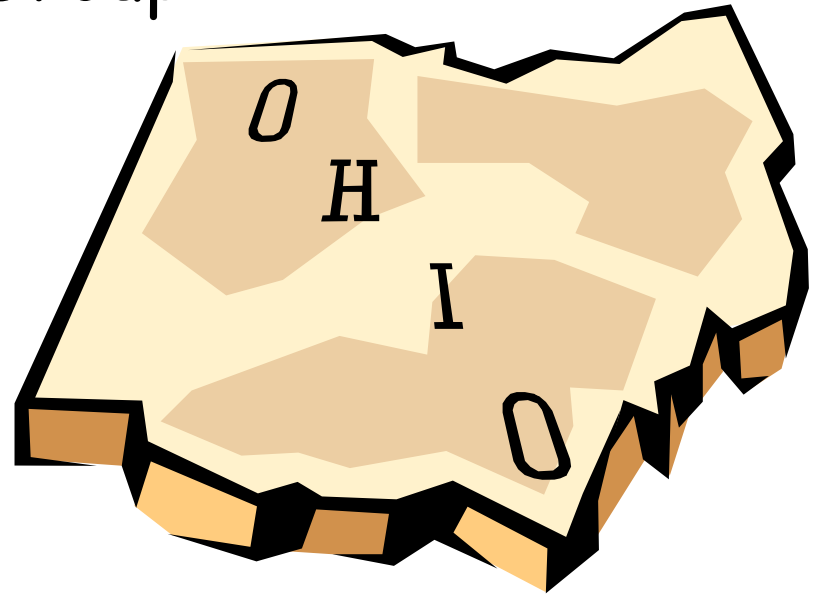
Versus

Mean survival of **716** days for convicted sex offenders

Juvenile Facilities

Juvenile Facilities: Ohio Dept. of Youth Services

- Assigned PREA Coordinator
- PREA Policy Development Group
 - Clinical services
 - Sex offender specialists
 - Nursing supervisor
 - Psychological staff
 - Attorney
 - ACA coordinator
 - Security staff
- Reviewed policy after 12 weeks & identified gaps
- Developed a screening tool for intake and revised



Juvenile Facilities: Ohio Dept. of Youth Services

- All staff trained on PREA policy
- All youth (1600) trained on PREA:
 - Told there were multiple staff they could report to
 - Told what to do if an inmate or staff approaches them sexually
- Intake orientation on PREA for new admits
- Developed pamphlets for youth
- Posted prevention posters in units

Juvenile Facilities: Ohio Dept. of Youth Services

- Developed vulnerability assessment teams to evaluate facilities on annual basis:



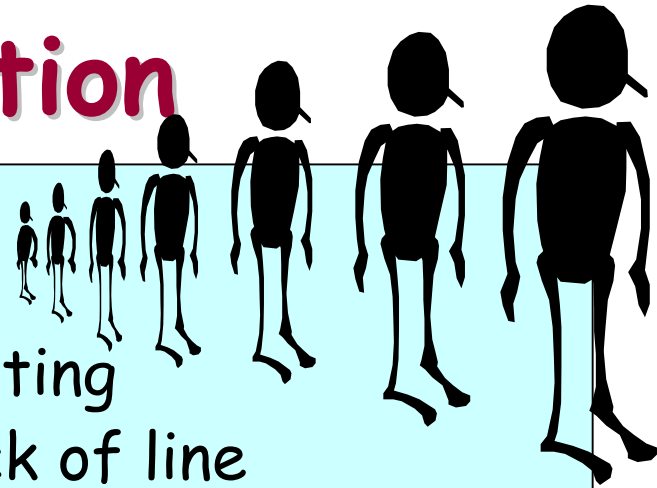
- Blind spots
- Key control
- Secluded areas & who has access
- Recommend changes
 - Replace solid doors with mesh doors

Juvenile Facilities: Woodfield Secure Detention

- Intake:
 - Medical Screening with questions about sexual activity and testing for STD & HIV
 - Handbook for residents
- Single rooms
- No touch policy
 - Applies to youth & staff
 - Staff do not touch youth unless absolutely necessary
 - Restraint decreased from 300 per year to 6 per year
 - Use Bruce Chapman's Handle with Care Restraint Program (www.handlewithcare.com)

Juvenile Facilities: Woodfield Secure Detention

- All movement escorted:
 - Walk in formation with hands behind to prevent swinging & hitting
 - 3 staff in front, middle, and back of line
 - Residents count off at start & end
 - Movement is logged
- Escorted to bathroom (only one youth in the bathroom at a time)
- Room check every 20 minutes at night
 - If can't see head, then 2 staff go in to check
- Cameras on each wing with 24 hour recording



Juvenile Facilities: Woodfield Secure Detention

- No pornography or magazines
 - parents were sending in "R" rated magazines
- Bring in speakers:
 - A former delinquent who turned his life around
 - Mayors of cities youth came from
 - Sports figures
- Contact mayors to help releasing youth obtain jobs
- Judges visit program once per year

Jails: Summit County Jail

- Focus is about housing human beings in a jail



- Mission is:
 - Get the inmate through the system safely
 - Maintain staff safety
 - Increase the probability that the inmate will not return to jail following release

Provide inmate programs that focus on self respect and accountability

Jails: Summit County Jail

- No tolerance of ANY violence, even shoving
- Crimes in jail are prosecuted
 - theft, assault, intimidating a witness or family member, criminal mischief, disorderly conduct
- Zero tolerance of harassment of inmates or staff
- No tolerance of disrespect toward any staff
 - Life is about choices and consequences and any disrespect for staff results in consequences (lose TV for a month)
- No pointless points

Jails: Summit County Jail 100 beds

Recruit & retain quality institutional staff by offering:

- Good pay (less expensive than high staff turn over)
- Good benefits
- Quality training
- Good work environment that is
 - As safe as possible
 - Orderly
 - Clean

Jails: Summit County Jail

- o Trained in elements of direct supervision - helps inmates know expectations for the day which provides structure
- o Trained that inmates will be constantly sizing them up to see if they can be manipulated
 - o Be fair, firm & consistent
 - o Be professional and don't treat inmates disrespectfully
- o Sheriff Morales would walk the cellblocks every day and would pop in at different times of the day, including 3:00 am

Jails: Summit County Jail

- Mental health center provided training on mental illness and suicide (may be happy prior to a suicide attempt)
- Training included role-plays where mental health staff acted depressed or manic
- Sheriff wanted staff to understand that mental illness is physiological and requires medication

Sexual assault victims are more likely to attempt suicide

How did the San Francisco County Jail obtain its safety record?



Michael Hennessey has been the Sheriff of San Francisco for 25 Years

Consistency in Leadership and Vision

"This is my house and I rule this house. Sexual assaults are not acceptable in my house"

Objective Jail Classification System

- The system includes **medical** and **mental health screening**, an **interview**, and prior **confinement** and **criminal history** checked and documented
- **TIME** is spent assessing inmates with unknown background information
- Throughout incarceration, additional information regarding an inmate's behavior and adjustment is **recorded** and considered in **classification updates**



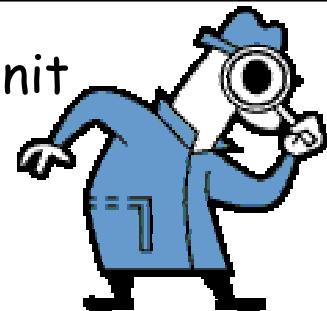
How did the San Francisco County Jail obtain its safety record?

Staff Interact With Inmates

- Direct supervision classification unit allows staff to observe inmate interaction with other inmates before assigning permanent housing

-The jail houses trans-gendered offenders in a special unit with 14 to 16 beds (usually in ad-seg)

• There is further monitoring in the unit to ensure the inmate is not a predator in that unit





How did the San Francisco County Jail obtain its safety record?

Classification

- **Management of security threat groups:** Gang history, tattoos & suicide risk are assessed & documented
- **Multiple jails = housing options**
- **Documentation of serious inmate disciplinary infractions are maintained**
- *Vigilance about who is place in units with vulnerable inmates since predators will try to get into those units*

Investigation Unit Makes a Case for Prosecution

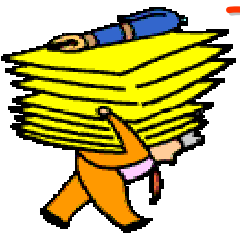


- Crime scene is secured with **yellow tape**
- Inmates in the area are isolated and instructed not to talk to each other-----inmates who try to talk to other inmates are separated from the group
- The victim is placed in a holding cell, then transported to the local hospital in their original clothes
- Victim & suspects are not allowed to wash their hands, bath or change clothes
- Evidence is collected
- The hospital rape treatment staff conducts a forensic medical examination and collects a rape kit
- Investigators audiotape all interviews and may video tape the suspect



Crimes are Prosecuted

- Consenting sex is a crime and is prosecuted
- Sexual battery by staff is prosecuted
- Exposing and stalking (by phone, too) are prosecuted
- As a result of prosecuting crimes, deputies are more willing to document and report incidents



- About four years ago: about 150 criminal cases reported to the investigation unit each year. Now: about 265 criminal cases reported to investigation unit per year
- Investigators encourage the reporting process by informing staff of the results of the investigation (i.e., "Thanks for the report. We may not be able to use it for prosecution but we will send the report to his probation officer")



Everyone Is Held Responsible

- Investigators emphasize that deputies are **liable** if they know something has happened and do not inform anyone or protect the victim.
- **The system follows up with internal investigations if they find out that staff knew about an incident and did nothing.**





How did the San Francisco County Jail obtain its safety record?

Other Methods

- Modern Architecture
- Hiring (4% of those who apply to the Sheriff's Dept are hired)
- Staff Diversity
- Training
- Staff Rotation
- Inmate Programming (12-Step, Stop the Violence, GED, Alcohol/Drug Treatment, Charter School (post-conviction))
- Cameras
- Civilian Staff

Conclusion

<http://www.dcj.state.co.us/ors/>

Thank you for your time