

Prison Rape Elimination Act (PREA)

FOCUS: Jails and Juvenile Facilities

*National Institute of Justice Research Grant:
"Promising Practices"*

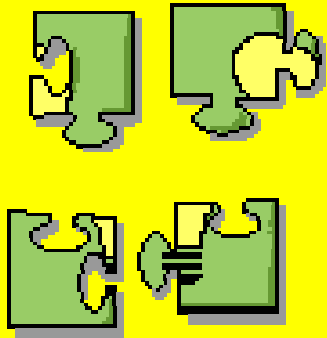
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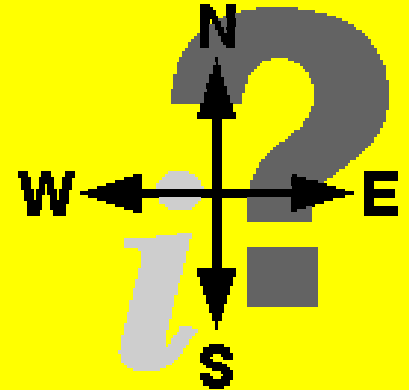


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Project Goals:



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

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Methods to identify facilities



(1) E-Survey to identify facilities

(2) Prison Rape Survivor Groups (Stop Prison Rape)

(3) National Jail Association

(4) National Association of Juvenile Justice Institutions

(5) People we knew who knew people



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Study Methods



- Field research to collect information (interviews, observation)
- Content analysis of policies/documentation/research data
- Consultant expert review
- Develop Logic Models



Identifying promising programs

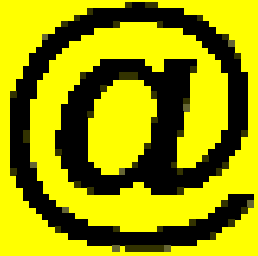
Ideally, the identification of promising programs would be based on very specific, empirically-based criteria.

For example, to implement the Program Blueprint project, sponsored by OJJDP and undertaken by the Center for the Study and Prevention of Violence at the **University of Colorado, Boulder**, the research team reviewed over 600 programs for those that met the following criteria:

- **The program had been evaluated using an experimental design;**
- **Findings from the evaluation showed a statistically significant (or marginal) deterrent effect;**
- **Replication sites also demonstrated a deterrent effect;**
- **There was evidence that the deterrent effects were sustained for at least one year.**



What Are "Promising Practices" ?



(1) On-line survey:

Do you have policies re: inmate on inmate sexual assault? (besides No Tolerance)

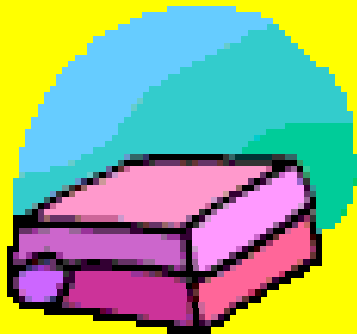
Do you have training on this topic?

- Recognition of sex assault
- Response to victim
- Reporting to staff
- Staff reporting to investigations

Who investigates?

- Is it treated as a crime scene?
- Do you have a relationship with local law enforcement/prosecutors?
- Do you have a relationship with hospital?

Etc.



Other "Promising" Questions

1. Are staff evaluated on their knowledge of the procedures?
2. Are staff aware of the goals and objectives of these procedures?
3. Is there a method for monitoring the extent to which these procedures are properly implemented?
4. Is monitoring an ongoing activity?
5. Have special forms been developed to collect data on incidents of sexual assault?
6. Is there a process for collecting *and reporting* data on the following:
 - Reports of sexual assault?
 - Investigations of allegations?
 - Substantiated reports?
 - Facility response to the perpetrator?
 - Facility response to the victim?



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

Prevention (Policies, staff culture, leadership, hiring, architecture, supervision techniques, etc.)

Training (staff, residents/inmates)

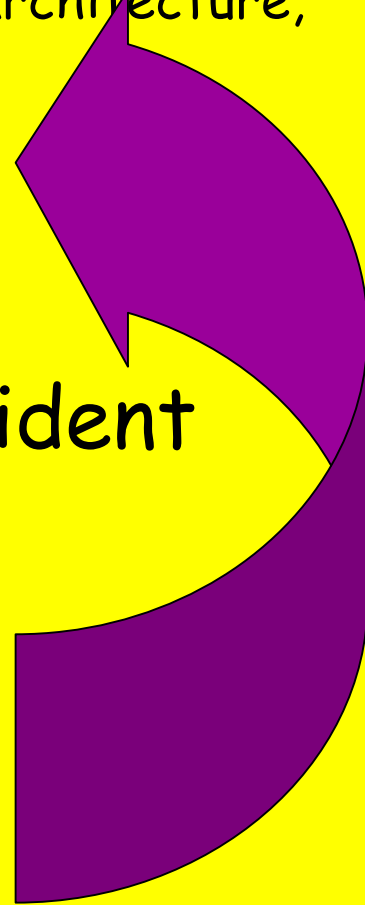
Classification (intake, ongoing)

Incident Reporting (beyond incident reports)

Investigation

Victim Assistance

Prosecution...

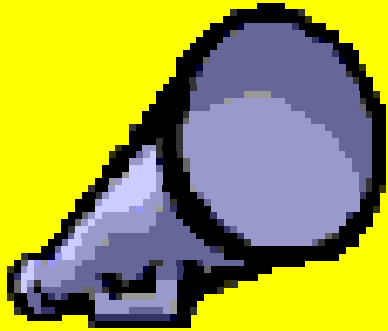


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ASSUMPTION: there are multiple intervention points that could be "promising..."

AND



promising program
components
can be

REPLICATED ELSEWHERE

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



"The first thing is to help people understand that rape is not the only sexual assault.

Consensual sex is prosecutable."

- **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.
 - More **time** is spent assessing inmates with unknown background information.
 - The inmate is moved to an **observable area** to test the accuracy of the initial classification.
 - Throughout incarceration, additional information regarding an inmate's behavior and adjustment is **recorded** and considered in **classification updates**.



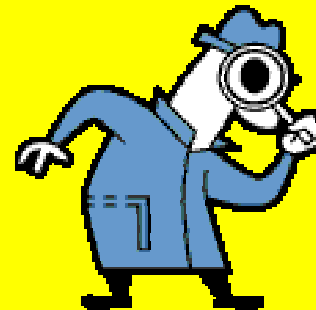
How did the San Francisco County Jail obtain its safety record?

- Management of security threat groups
 - -Gang history is documented; Suicide risk is documented
- Multiple jails means housing options
- The jail keeps maintains files on serious inmate disciplinary infractions
- Tattoos are assessed
- *There is recognition that predators will try to get into units with vulnerable inmates. Therefore staff is vigilant about who is placed in units with vulnerable inmates.*
- Classification is considered an elite assignment, and the job generally attracts and is offered to more senior deputies. Once selected, deputies work in the unit for five years.
- All deputies working in classification must attend the basic classification training at POST. They generally have four weeks of training -- two weeks on day shift and two on swing shift. Following this initial training, classification deputies are assigned to a supervisor to continue the training process for several months.



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

- Once initial intake is complete, inmates are housed in an intake unit with direct supervision.
 - Allows staff to observe the inmate in different environments interacting with other inmates before they receive a permanent assignment.
 - The jail houses transgendered 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?



Investigations Unit Makes a Case for Prosecution

- If a sexual assault is alleged or suspected, deputies contact the Investigations Unit and **secure the crime scene with yellow tape**.
- The victim is placed in a holding cell; deputies prevent the victim or suspects from washing their hands, bathing or changing clothes.
- All inmates in the area are isolated and instructed not to talk to each other----if one inmate starts talking to other inmates, that person is separated from the group.
- All parties involved in the incident are identified and isolated.
- Evidence is collected.
- Investigators take the victim to medical if they need immediate attention and are sent to the jail ward at the local hospital in their original clothes. The hospital rape treatment staff conducts a forensic medical examination and **collects a rape kit**.
- Investigators audiotape all interviews with suspects and victims and may video tape the accused.



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

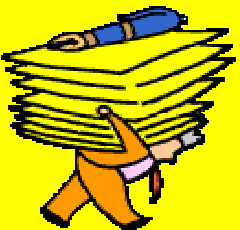
- Frequently claims come from inmates who have psychiatric issues. **All allegations are taken seriously.**
- Rape trauma experts at the local hospital have trained investigators that individuals who claim they have been sexually assaulted believe that they have been.
- Following any sexual assault investigation, the victim will be housed in a medical or psychiatric unit and eventually transitioned back into population after they are stabilized.
- Other options used for housing victims include administrative segregation, another San Francisco jail, or in different California county jail.





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

- 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.
 - Deputies are seeing that their reports result in serious investigation and follow up.
 - They see the investigators securing the crime scene, taking pictures, and collecting evidence.
 - 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").





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

- If jaded deputies make disparaging comments, one investigator told us that he tries to strike a compromise: *"I know you're not going to do this but let the rookie do his job and we can agree to disagree"*
- Investigators emphasize that deputies are **liable** if they know something has happened and do not inform anyone or protect the victim.
- The Rodney King incident has highlighted this liability and made deputies more aware that they are watched.
- **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?

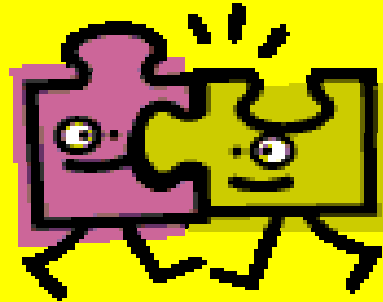
- On average, system-wide, there is approximately one sexual assault accusation per month, primarily from linear supervision facilities and the intake/booking facility.
- About 60% of the sexual assault claims are unfounded.
 - Some of these can be unfounded as a result of an uncooperative victim or a lack of potential witnesses since everyone is claiming they didn't see anything.



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

• Other Methods:

- Direct Supervision
- 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



Other things we learned

- 100 year old jail in Alabama: Birmingham and Montgomery
 - One word: **Respect**. We have expectations. We respect the inmates, and we expect that they respect us and each other. These jails have design features that would allow people to act out if they wanted to.
- You must train staff: How to interact respectfully is critical.
 - LISTEN, look and observe. They have to CHOSE interact.
- This must be an expectation from the leadership.
- "The ones that work. There is a management commitment and an attitude. NOT FROM THE BOTTOM UP. It is from the top down. And it has to be every day."
- **STRUCTURE, ATTITUDE, TRAINING, LEADERSHIP**

Other possible sites

- Summit County Jail has a "NO TOLERANCE FOR VIOLENCE" of any kind. Not even shoving.
- Ohio Department of Corrections' 10-point plan
- Winston-Salem, North Carolina
- Juvenile facilities in South Dakota, Idaho, Florida and
- Las Vegas - Clark County Jail

Newsletter Topics

- Summary of San Francisco County Jail system
- Summaries of other sites with promising practices
- Staff Training
- Classification and Screening
- Investigation of Sexual Assaults
- Physical Plant/Architecture
- Direct Supervision
- Inmate Orientation
- Responses to Victims
- Responses to Perpetrators

Conclusion

- We are only about 6 months into the project
- We have an article coming out next month in *Corrections Compendium*
- We'll have a newsletter out on SF Jails in the next 60 days
- Planning a trip to a small juvenile facility in South Dakota
- Watch our web site: Colorado Division of Criminal Justice, Office of Research and Statistics
- *Thank you for your attention.*