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PRISON RAPE ELIMINATION ACT

Prepared Under Cooperative Agreement No. 05S18GJ10
By National Institute of Corrections & The Moss Group, Inc.

TECHNICAL ASSISTANCE REPORT # 07S1633

**Monroe County, PA
Monroe County Correctional Facility (MCCF)**

September 19, 2007



National Institute of Corrections

NIC/Moss Group Cooperative Agreement #05S18GJ10

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Technical Assistance Report
Monroe County Correctional Facility
Stroudsburg, Pennsylvania
June 28-29, 2007
TA Number 07S1663

Background

The Monroe County Pennsylvania Commissioners requested technical assistance through the National Institute of Corrections (NIC). County Commissioner Donna Asure, Chair of the Prison Board initiated this technical assistance as a result of concerns regarding staff sexual misconduct at the Monroe County Correctional Facility (MCCF). There had been several of investigations and prosecutions of MCCF staff involved in inappropriate sexual relationships with inmates at the facility, as well as findings and recommendations made by Grand Jury.

The allegations of staff sexual misconduct were initially reported by a probationer to staff in community corrections. When the Board was made aware of the allegations, the Warden was tasked with investigating the allegations. An internal investigation was initiated and within a very short period of time, a letter was sent to the Prison Board stating that there was no truth to the claim. At the same time, the State Police had been called in and their investigation revealed other cases of staff sexual misconduct, as well as other kinds of misconduct.

The Moss Group, Inc., under a cooperative agreement with NIC, was asked to assist the Prison Board by conducting an assessment of current policies, procedures and operational practices in addressing incidents of staff sexual misconduct with offenders under the jurisdiction of MCCF.

Scope of Work

After lengthy discussion with Prison Board Chair Donna Asure, as well as MCCF Warden David Keenhold, it was determined that due to the serious nature of the incidents of misconduct as well as the uncertainty of further allegations coming to light, an on-site assessment team be identified to make a site visit to the facility as soon as was practicable. Additional concerns regarding institutional culture and operational practices were identified during the Grand Jury investigation that may have a systemic impact on staff sexual misconduct.

Initial investigation into these issues started in November 2006 and was ongoing at the time of this review. To date, six former corrections officers and one kitchen worker have been arrested. They have all been charged with Institutional Sexual Assault (3rd degree felony). Two of these individuals have also been charged with Contraband (1st degree

misdemeanor) for allowing inmates to use their personal cell phones. Based on this investigation, other correctional officers have been fired from the facility for behavior or circumstances that do not rise to the level of criminality, but do violate policy.

Based on their correctional expertise and familiarity with the issues identified, The Moss Group, Inc. selected the following consultants:

- Marianne McNabb, *Consultant*, The Moss Group, Inc.;
- Susan Poole, *Consultant*, The Moss Group, Inc.; and
- Jim Dennis, *Consultant*, The Moss Group, Inc.

(See Appendix 1 for consultant biographies.)

The design of the assessment process took into consideration the work done by NIC on staff sexual misconduct and organizational culture. Prior to the on-site visit, Marianne McNabb, assessment team lead, requested a variety of policies, procedures and reports from the facility and the Prison Board (see Appendix 2 for Document Request). These documents were carefully selected to provide a foundation of knowledge about the facility and operations. The consultants read and reviewed these materials prior to the site visit, requesting additional information and/or clarification as needed.

The Prison Board Chair, as well as the Warden, was provided an overview of the assessment process prior to the site visit. (See Appendix 3 for Monroe County Correctional Facility Assessment Protocol).

The consultants were on site June 28-29, 2007. Each team member conducted individual and group interviews and spent time in the facility, observing staff at work, inmates in the facility and facility programs and operations during all three shifts.

The consultants asked for, and were given, open access to all parts of the facility and were able to talk with staff and inmates in a private and confidential manner.

In summary, on-site assessment (see Appendix 4 for on-site Schedule) activities included:

- Staff interviews;
- Document review;
- Staff focus groups;
- Male and female inmate discussion groups; and
- Operational review.

It was not the goal or purpose of the assessment to conduct an operational audit. Nor was the goal to conduct investigations into allegations of misconduct. This assessment was prompted by a number of custodial sexual misconduct investigations, resulting in terminations, disciplinary actions and referrals for criminal prosecution. These are serious events that impact the welfare of individuals in custody and have a significant effect on the County and the facility. The consultants were asked to provide objective assessment and suggest intervention strategies that effectively address the culture that gives rise to staff misconduct.

Description of Facility

The Monroe County Correctional Facility (MCCF), located in rural Pennsylvania, was built in 1988 with a rated capacity of 183 beds, housing both male and female inmates. By the mid-nineties, the facility was expanded internally by double bunking some cells to obtain a bed capacity of 295. In 2005, almost every cell was double bunked in conjunction with an internal expansion/renovation of the gymnasium to reach a bed capacity of 395. These beds include a minimum-security work release component. The current population figure is 353 inmates: 90% facility capacity.

The facility is located in a rural environment, approximately an hour and a half drive from both Philadelphia and New York. Monroe County is the fastest growing county in this area of the state.

MCCF was one of the first direct supervision jails built in Pennsylvania and houses inmates in self contained units with unit officers on the floor to manage activities and movement. Central Control and Housing Control provide additional supervision and support to the unit officers.

The inmate population includes pre-trial and adjudicated misdemeanants and all custody classifications. Under Pennsylvania law, a state sentenced individual (felon) with less than 24 months may be housed at a County detention facility. MCCF does not house juvenile offenders. There are approximately 100 county staff and some food service contract staff working in the facility. Inmate and staff population demographics are roughly the same:

- 35-40% African American
- 35-40% Caucasian
- 20-30% Hispanic

The facility is almost 20 years old, but has been fairly well maintained. There apparently has been approval given by the County Commissioners to expand the facility and a study will soon be underway for this proposed expansion project.

On-Site Assessment Activities and Methodology

I. Individual Interviews

The consultants conducted more than 20 individual interviews. Most of those interviewed were internal stakeholders- neither the Warden nor the Prison Board identified external stakeholders for us to meet with. Most of the interviews were conducted in-person.

An initial meeting was held with Prison Board Chair Donna Asure and Warden Keenhold to clarify the objectives and to identify any other issues that could impact the assessment.

Commissioner Asure shared the recent publicity that had accompanied the incidents of staff sexual misconduct and the impact on the overall morale of the staff and the Commission. She stated that many of the staff that works at the facility and the Commissioners live in the surrounding communities and this negative focus has been the subject of much conjecture on the part of neighbors and associates with whom they routinely come in contact in the community. Of particular concern was the fact that many of the intimate details of the incidents had been shared in the newspaper articles and this formed the basis of the negative feedback being received from members of the community.

Warden Keenhold indicated that he had spent many years at the facility and was concerned about the events that had occurred during “his watch”. Despite his stated desire to retire, he wanted to stay until he could “put things right”. He expressed concern about the inability to recruit good staff due to the low salary scale. He also stated that some of the potential candidates come from outside of the state (New York) and do not have ties to the community. Therefore, they are not able to obtain the same type of background information that is available from family members and associates in the community. He inquired about the potential use of polygraph examinations in the selection process.

II. Focus Groups

To collect narrative description of key organizational issues, as well as to gather a sense of the culture of the facility, the focus group interview process is a critical and useful activity. The focus groups are designed to collect perspectives from staff to identify trends within the institution. In conducting the focus groups, the consultants guided the discussion in three key areas in order to further understand the contributing factors of staff sexual misconduct:

- Dominant characteristics of the organization;
- Leadership style and approach; and

- Organizational cohesion.

(See Appendix 5 for Focus Group Agenda.)

The consultants conducted six focus groups, each made up of three to thirteen members. Participants were chosen by the assessment team Lead through a process designed to represent a wide range of viewpoints. The six groups represented a significant sample of the facility workforce in terms of age, gender and diversity. The groups were as homogeneous as possible, to avoid supervisory relationships within the group. An additional group was scheduled to accommodate those individuals who wanted to be part of a focus group but had not been chosen to participate.

At the beginning of each focus group, the consultants explained the process to those attending and informed them that they were not required to participate and could refrain from discussing any issue if they were not comfortable doing so. Although we asked that individuals share how long they had worked for the facility and in corrections, we made it a point not to ask for their names. Extensive notes were taken of comments and observations of participants, but this information will be reported and discussed in the aggregate, with no single individual identified. In addition to participating in open, focused discussion, group members were asked to write down on index cards specific suggestions they had for change or improvement. Examples of those suggestions are included throughout this report.

Discussion groups were held with inmates in the facility, one male group and one female group. Participation in the groups was voluntary and the entire female unit, approximately 25 women, participated in the discussion. Consultants explained the purpose of the visit and assured the inmates that the information they provided would be reported in themes.

In the discussion groups, consultants asked the inmates to respond to a variety of questions, including:

- How long have you been in this facility?
- Have you been here before?
- Are you aware of any instances of sexual misconduct?
- What about sexual pressuring?
- Do you feel safe?
- Where would you go if you had a problem?
- What's good about this facility?

- Are there issues or problems we should know about?

III. Management/Operations Observations

The consultants observed facility management and operational practices. These practices contribute to vulnerability to staff sexual misconduct such as isolated areas, facility design, use of staff overtime and staff morale. These observations are reflected in the following section.

As previously noted, several years ago it was determined that MCCF would be double celled. At the time, there was one officer per housing unit, with 24-32 inmates. Since then, nearly all cells have been double-bunked and in many cases beds have been placed in the day rooms. Some of the beds in the day rooms are double bunked. The staff working in direct supervision now have double the inmates to supervise. This has created a great deal of anxiety for the officers and should be a concern for security.

Summary

Overall, it was clear that facility staff were aware of our visit and the purpose of the technical assistance project. Those who participated in interviews and focus groups were positive and cooperative, and quite interested in receiving copies of the report and recommendations when the work is completed.

Observations and Recommendations

This section details the consultant's observations and recommendations. We recognize the impact the assessment process has on the facility- both staff and inmates are affected by the presence of outsiders in the facility. The consultants greatly valued the honesty and candor of the staff. The insights and observations from staff are invaluable.

When appropriate, to illustrate or clarify a point, we have included the comments and observations made by staff in the focus groups and interviews.

The consultants identified the following themes upon analyzing the information collected during the assessment:

- Leadership;
- Communication;
- Human Resources;
- Operational Practice;

- Staff Training;
- Investigations;
- Institutional Culture; and
- Policy and Procedure.

This section details our observations and recommendations for each theme. When appropriate, comments and observations made by the staff have been included.

I. Leadership

Responsibility and oversight for the Monroe County Correctional Facility (MCCF) is vested in the Monroe County Prison Board. Funding comes through the Board to the facility, but operational responsibility is with the facility Warden, who reports directly to the Board. The Prison Board meets monthly with the Warden, who reports on activities within the facility.

Until recently, the Prison Board has not been involved in day-to-day operations at MCCF. Many report they are not aware of who the Board members are and there is little or no Board presence in the facility. There is a lack of clarity regarding the role and responsibility of the Prison Board, both on the part of the staff at MCCF as well as the Board members themselves.

The current Warden has worked at MCCF for his entire 31-year career in corrections, beginning as a correctional officer. He has been the Warden since 2001. He has recently tendered his resignation, and recruitment for a new Warden is underway.

There are many dedicated and capable staff at MCCF. There is the sense, however, that they feel isolated and have no clear understanding of their role in the organization or a vision of where they are going. From the employee perspective, decisions are made either in a vacuum, or externally by “the Prison Board”. There is perceived forum for communication, discussion, problem analysis or problem solving to occur.

A. Policies and Procedures

Until quite recently, there were no policies, procedures or training related to staff sexual misconduct and staff was unaware of the 2003 federal legislation, the Prison Rape Elimination Act. There was no clear ‘zero tolerance’ message communicated by the Board, the Warden or the leadership team. Staff described relationships between staff that cross professional boundaries and result in inappropriate interactions. There has apparently been a great deal of off-duty socializing, which at times has included former inmates. Staff linked the lack of accountability and directive supervision to the relationships that exist between staff members.

B. Staffing Vacancy

Staff structure appears to impact leadership effectiveness. The consultants were concerned with the staffing structure at MCCF. In addition to leaving the critical position of Chief of Security vacant for 8 months, positions have been either eliminated or downgraded, in spite of the increase in the inmate population.

The table below clearly illustrates this concern:

MONROE COUNTY PRISON GROWTH				
	1991		2007	
STAFFING				
WARDEN	1		1	
DEPUTY WARDEN	3		1	
DIR. TREATMENT			1	
CAPTAIN			1	
STDO (LT)	1		1	
RECORDS (SGT)	1		1	
LT'S (1ST&3RD SHIFT)	3	2.14%	2	0.59%
SGT'S (2/SHIFT)	6	4.29%	6	1.76%
OFFICERS	85	60.71%	95	27.94%
TOTAL STAFF	100	71.43%	109	32.06%
AVERAGE INMATES	140		340	142.9 % increase in Inmates
Inmate to Officer Ratio	1.65 / officer		3.58 / officer	116.9% Increase of inmates to officer ratio

In addition, several modifications and reductions have been made to the organization with the upper management positions. There are too few resources being dedicated to the leadership of the facility, which is critical in times of change and challenge-those leaders must be highly visible and well prepared. Management capacity at MCCF needs to be strengthened.

In day to day leadership, first line supervision is critically important. In almost every focus group discussion (including Sergeants), staff mentioned that there was no supervisory training provided to Sergeants once they were hired. While many of those promoted were good officers, knew the facility and were aware of the policies, they nevertheless had no skills to help them supervise effectively. This creates an atmosphere where there is little accountability or consistency of operations. Every shift and every supervisor does things differently. Inmates are quick to take advantage of inconsistencies in rule application.

Of great concern to the consultants was the total lack of gender or ethnic diversity in the upper or line level supervisory positions. We heard many complaints regarding the lack of promotional opportunities provided to women and persons of color. Given the staffing

composition of the facility, there should be a corresponding distribution in the supervisory ranks

It is recommended that:

1. The Prison Board seek an outside consultant to facilitate a Board work session to provide greater clarification on the roles and responsibilities of the Board as it pertains to the oversight and management of jail operations. The Pennsylvania Statute which establishes the Prison Board extends broad, but somewhat ambiguous powers to the Board.
2. The Prison Board utilizes the resources available through the National Institute of Corrections to assist in the development of well articulated leadership competencies as they seek a new Warden for MCCF.
3. The Prison Board exercise greater involvement and visibility at the facility through regular tours, attendance at staff meetings and inspections. Establish performance expectations/standards for the frequency of tours for all levels of facility leadership.
4. A variety of approaches be developed to promote a clear 'zero tolerance' message for staff sexual misconduct and ensure protection from retaliation for those who report (both inmates and staff). There are numerous NIC resources available to assist in the development of strategies.
5. With the assistance of the Monroe County Human Resources Department and available NIC resources, develop a plan to assist first line supervisors in their efforts to more effectively supervise employees in recognizing signs of staff sexual misconduct. This could be accomplished through specialized training, mentoring and coaching.
6. With the assistance of the Director of Monroe County Human Resources, supervisory hiring practices be thoroughly reviewed and revised to ensure that hiring is fair, impartial and that attention is paid to create a diverse management/supervisory structure.
7. The Prison Board authorizes and pursues conducting a staffing review and analysis.
8. MCCF staff routinely conducts security audits to correct security breeches or gaps related to the physical plant. The State Department of Corrections or NIC could assist in this process.

II. Communication

The Monroe County Correctional Facility is a relatively small detention facility. With just over 100 employees, it might be assumed that employees are kept apprised of news and events that are of concern to them. Although there is a shift briefing and overlap prior to every shift, it is limited to custody staff and is mainly used as a time to conduct in-service training.

There do not appear to be regularly scheduled meetings between and among the various employee groups in the facility. There are no minutes kept of the executive team meetings. Without clear and consistent communication up and down the chain of command, information is lost. Gossip and misinformation fill this vacuum. We heard from many staff that their primary source of information was the inmates- they seemed to know what was going on long before staff was notified.

This lack of communication clearly impacts security. We heard during one focus group about a staff person who had been terminated for a serious security infraction, returning and gaining access to the facility because the staff on duty did not know she had been terminated and should have been refused entry into the facility.

Communication with external leadership is also problematic. The Prison Board has no vehicle with which to communicate to staff at MCCF, except through the facility Warden. While minutes of the monthly Prison Board meetings are published, the information is not comprehensive. While this is a helpful, it should not be relied upon as only source of communication and other ways should be utilized for more comprehensive channel of communicating with staff.

these do not reflect much in the way of meaningful information, and is not a way for the Board to hear from the employees. Some staff (and inmates) has taken the initiative to communicate with the Board directly. The Board has responded quickly and appropriately. There is no formally recognized avenue, however, for this to occur.

It is recommended that:

1. A communication plan be developed that addresses both the external (to and from the Prison Board) and internal (within the facility) stakeholders.
2. Periodic status reports or presentations to the Prison Board by department heads at MCCF.
3. Periodic tours and inspections of MCCF by Prison Board members.
4. The telephone access policy be reviewed and revised to ensure that staff are able to make and receive important messages.

III. Human Resources

Concerns regarding human resource issues are threaded throughout this report. It is difficult to isolate these issues, as they do impact so many operational areas. Organizationally, the Human Resources section comes under the Monroe County governmental structure. There are no designated human resource staff at MCCF and the Director is only marginally involved in typical human resource activities. The functions typical of Human Resources (recruiting, hiring, interviewing, performance appraisal, etc.) are done in-house, with little or no oversight by the Human Resource (HR) Director.

The HR Director has a span of control that includes many other agencies within County government. While she is involved in union contract negotiations, she has little involvement in other personnel areas at MCCF. Given the problems and issues identified, trained human resource personnel are critical for the facility and could be a real resource.

There are many areas in which HR personnel could assist. For example, the facility does not have the expertise or resources to collect and track employee data to do trend analysis. Concerns regarding mandatory leave usage reflect an area where good data, tracking and analysis would inform policy decision and be helpful in managing costs. Providing valid and reliable data to all internal and external stakeholders would prove invaluable in increasing credibility. As previously discussed, Human Resources has a role to play in staff training, staffing and deployment.

There appears to be some interest in reviewing the recruitment/hiring process for correctional officers. We heard from several supervisors that the current pre-hire process does not do an adequate job of screening for a variety of employee problems. This would include looking at pre-employment screening, to possibly include psychological testing that would focus on screening out those individuals who may have potential for sexual misconduct. Human Resources could provide expertise and perspective to this area as well.

Human Resources could also assist the facility in the area of staff morale and employee recognition. Staff reports low morale and few opportunities for staff to be recognized or honored. Some of the shift organizes informal events, which are well attended and appreciated. Given the recent events, including very negative media attention, staff investigations, terminations, etc., there is a real need to focus on what is going well in the facility and to recognize good performance by staff.

It is generally acknowledged that employees come to the work place with personal and emotional concerns of their own. These conditions may impact their ability to function on the job. Employee assistance programs that are responsive to the needs of staff can help prevent misconduct. Many times, staff misconduct with inmates, especially undue familiarity, is a result of the isolation staff feels from their peers and supervisors.

Well-trained supervisors can spot troubled employees, and refer for help before a crisis occurs. Paying attention to employee problems and early intervention can minimize and/or prevent staff vulnerability. This will support their ability to maintain professional boundaries. Supervisors must be trained to view the identification of 'red flags' and referral for assistance as part of their supervisory responsibility.

It is recommended that:

1. Consideration be given to expanding the role and responsibilities of the facility human resources department to include greater involvement in pre-hiring screening; involvement in staff grievance process; tracking, monitoring and reporting leave usage that impacts mandatory overtime; and a more visible role in staff reporting of misconduct.
2. Clearly defined roles are established in promotional reviews and hiring.
3. Employee recognition efforts are expanded to include non-uniform staff.
4. A review of the current Employee Assistance Program is conducted to determine its utilization and effectiveness. Additional efforts should be made to make information about the program available to all employees. A periodic confidence check of the EAP system should be conducted to determine if staff is accessing the services. Identification of barriers and alternate means of assisting employees with personal problems may need to be identified.

IV. Operational Practices

A. Inmate Classification Process

The inmate classification system is quite detailed. The initial classification instrument is based on the NIC model, which is an objective risk instrument. Items reviewed include the severity of current charges/convictions, serious offense history; escape history, prior felony convictions, drug/alcohol problems, mental health review, etc. All these items are consistent with the NIC instrument. Re-classification is done by a three-person team, which meets twice weekly. Administrative segregation is reviewed weekly. An instrument also enhances the re-classification process for general population inmates. This is rather unusual for most jails, and is viewed as positive in the process.

The classification system seems to be working well, as measured by violence in the facility. However, the system has not been re-validated for several years and there appears to be an upward trend in the number and severity of use-of-force events. This increase could have more implications for inmate-on-inmate sexual violence. Also, in the absence of data from a functioning inmate grievance process, it is unclear whether the classification system, staff or other circumstances are the cause.

B. Inmate Grievance Process

Consultants requested copies of all grievances filed by inmates in the last 6 months and were provided only one formal grievance. This seemed an unusually low number given the size of the population and the turnover rate. The grievance policy is spelled out in the jail's Restricted Manual, Document # 3.03, Section: Inmate Rules, Discipline and Rights, Chapter: Grievance Procedures. The policy states:

The Monroe County Correctional facility provides for an inmate to file a written grievance and includes at least one level of appeal. This policy encourages problem solving at the level of most direct inmate contact.

Subsection IV: Procedure states "The inmate wishes to utilize the grievance procedure, when they cannot find an informal solution to a specific problem, which he feels that there is reason for complaint.

Inmate shall: "First and foremost attempt to settle the grievance with the Housing Unit Office".

Consultants heard repeatedly from inmates that this practice does not allow their grievance to move forward. It also does not present an opportunity for a disinterested third party to address a serious allegation in a timely manner, such as an allegation of sexual assault or staff sexual misconduct.

In discussions with staff regarding the process for inmates to raise concerns or file complaints, staff provided consultants with a description of the Inmate Request/Complaint Form process. This process requires the inmate to first discuss their concern with their unit staff for informal resolution. If the inmate is not satisfied with the informal response, they can then submit it for a formal review and response. The inmate cannot file any other form of formal complaint, nor do they have direct access to the formal grievance form without first discussing the issue with their unit staff. Additionally, there is no formal tracking of the informal complaints filed by inmates.

In discussing this procedure with inmates, consultants were informed that inmates are reluctant to utilize this procedure to file complaints regarding sexual misconduct by staff. It appears that inmates do not have ready access to forms to file complaints, as the process requires that inmates verbally discuss their complaint with their assigned housing unit officer before filing a formal complaint. Inmates raise concerns regarding confidentiality and objectivity on the part of staff. Inmates cite the fact that many of the staff that works at the facility are related through birth, marriage or affiliation in various organizations. Thus they have fear, due to the close family or personal relationships between staff, that their complaints would not be handled fairly, and without possible reprisals.

Inmates told consultants that the staff responding to their informal complaints often lay the forms with their response on the counter in the housing unit where there is inmate

traffic and therefore in plain view of other inmates or staff. This practice, if true, could have a chilling effect on reporting incidents of sexual abuse/assault.

Based on a review of the policy and procedure as well as discussion with staff and inmates, it is clear that the grievance system does not appear to be effective and could benefit from further review

C. Medical/Mental Health Intervention

The consultants did not have time to fully review this matter and neither the nurse in charge of the medical department or the Facility Treatment Director was available for interviews during the site visit. Consultants did inquire in their focus groups about the role of medical and mental health. Contract employees provide medical services to inmates at the facility. A Comprehensive Health Services Agreement exists with Prime Care Medical, Inc. In the focus groups, staff was unable to cite a clear policy regarding health care professionals' requirement to report information they receive from inmates, which could indicate sexual activity within the prison.

In discussions with staff it was disclosed that inmates making allegations of sexual encounters with staff routinely receive a medical examination, but not necessarily an initial mental health evaluation. It was disclosed that inmates assigned to the jail have come to medical staff requesting testing for pregnancy and this information may have been significant, given their length of stay in the jail. There is no clear policy on when and to whom issues that are a possible security breach would supersede the inmate's right to confidentiality. Investigative procedure should indicate medical and mental health protocols.

It was beyond the scope of this technical assistance activity to assess mental health screening for victims who allege being sexually abused at the facility. Given the possible histories of abuse suffered by many of the female inmates, and to some degree the male inmates, many systems have taken the precaution to seek input from mental health staff before proceeding with an investigation.

The mental state of an inmate at the time of an incident may not indicate a problem, such as Post Traumatic Stress Disorder, where the current event triggers a recall of prior abuse and could cause severe emotional duress. The inmate may look perfectly fine, but in fact need to have the assistance of either a mental health professional or victim advocate present during his/her interview with the investigators who are evaluating the claim. At a minimum, investigators should make contact with the mental health staff to determine the inmate's current mental state, what if any mood altering medications s/he may be receiving, any history of physical/sexual abuse and their ability to provide coherent testimony.

D. Inmate Orientation

The current inmate orientation materials consist of a handbook that is issued at the time the inmate comes into the facility. The handbook states that the inmate will receive orientation within four days after their entrance into the facility. This is done via an audio-visual presentation. The inmates that consultants interviewed stated that the video is played in the dayroom and there are no staff members present to facilitate discussion. The Classification Coordinator is expected to answer any questions about the orientation materials during the classification review. The inmates are required to sign a document stating that they have received the orientation presentation and handbook. Some inmates state they never received either.

The inmate handbook does not adequately address staff sexual misconduct and the expectations surrounding this issue.

It should be noted that a new pamphlet entitled Sexual Assault Awareness has recently been developed for inmates along with a flyer that will be posted in the housing units and throughout the facility. These documents were being held pending the NIC assessment and had not been distributed at the time of the site visit. These and other orientation tools will increase awareness of staff and inmates.

E. Management of Female Inmates

Management of female inmates is a challenge for most institutions, but perhaps a greater challenge in a jail/detention environment. The population of female inmates has been dramatically increasing during the last 15 years. Consultants visited F Unit and spoke with approximately 25 general population inmates housed there. For many of the women, their current stay was their first. The discussion took place in the dayroom. It should be noted that the unit officer position in this unit is a gender restricted post and only female officers can be assigned there by policy. This practice is not fully understood by staff and resented by some. Female officers feel that since the incidents of sexual misconduct have occurred, that the male officers are being protected by not having to work in the female unit. On the other hand, they feel unprotected by being the single staff person assigned to locked units that house male offenders. It appears that the rationale for these changes and gender restricted posts have not been adequately discussed with staff and they could benefit from additional focus on the basic tenets of cross gender-supervision, including discussion of the reasonable, although limited expectation of privacy and how that differs between male and female inmates as viewed by the courts.

Consultants elicited thoughts and suggestions from female inmates regarding inmate-staff relations, morale and program options at the facility. They were mixed on how appropriately staff interacted with inmates. They indicated that a few staff were fair and treated them with respect, but that many others were inconsistent in their application of the rules. The women reported some staff refers to female inmates in derogatory terms. They also cited the lack of access to programs as a concern.

With respect to inmate-staff relations, they were aware of the recent events involving staff sexual misconduct and in some cases were involved in bringing this activity to the attention of staff. The women in the unit for the most part did not have work assignments. They claim access to their counselor is limited and that their ability to file grievances is inadequate. The women feel that their complaints and concerns do not make it to the top of the organization. They utilize the "Inmate Request/Complaint Forms" but feel that these forms are sometimes undermined by staff on the unit who intercept and destroy them. They say they have no recourse and there is no tracking system. Several inmates stated that they were threatened by staff for filing complaints via the system. Many of the women said they had filed numerous grievances within the last several months, but that was not reflected in the information that was provided to consultants by administration.

As previously discussed, this jail operates under a direct supervision model. The female unit is staffed with only one female officer. There are three pods within the unit and the inmates include medium, maximum and lower security inmates, including work release and laundry workers. This officer must enter each of the three pods, conduct supervision check, address inmate requests and complaints and perform regular daily duties. This is a very demanding post and there were indications that relief for breaks was frequently difficult to come by.

F. Inmate Disciplinary Process

The inmate disciplinary procedures at the facility are consistent with due process and normal disciplinary procedures in many jails, and appear to be followed consistently. Disciplinary appeals are part of the grievance appeal process. Staff seems to support the procedures and we heard few complaints. The inmates appear to be aware of the process and procedures and had very few complaints about the policy or the model being used. The one complaint we did hear, though we did not verify this, was that inmates are placed in their cells for 23 hour 'lock down' for minor violations and that these minor violations are not documented or reviewed by supervisors.

Other than the complaint noted above, there was no indication that discipline was used as a threat or as retaliation. This is a very positive factor given the potential for retaliation related to reporting staff sexual misconduct.

G. Use of Force

In the review of documents and reports, as well as focused discussions with custody staff, there is no indication that the use of force was routine in the facility. When cell entries are required, the Security Response Team (SRT) is called and responds. This was confirmed in discussions with inmates who clearly indicated that use of force is infrequent and the SRT team is most frequently used for cell searches. This is another positive indication that violence including sexual violence does not often escalate to use of force and self-inflicted physical harm.

Training in this area is good, and does focus on prevention. While this is good correctional practice, it is also important to include some scenario-based training.

There is a concern, however, that there is not sufficient review of those instances when force is used. The Sergeant/Lieutenant in charge of the incident should be required to make a formal summary of the incident as part of the after-action review. This report and the findings should be submitted through the Chief of Security (Captain), to the Deputy Warden. The Deputy Warden would be expected to perform a formal review, solicit corrective action and make a final recommendation to the Warden. This may well be the kind of information that the Prison Board should be routinely given for their review. These reviews may also be warnings regarding sexual violence.

H. Security Practices

Many of the policies and procedures related to security have recently been updated. Earlier policies were not available for comparison. Since the State Police investigation and aftermath, corrective action has occurred in some areas:

- Cameras have been placed in some of the areas where the sexual activity took place, but it is unclear whether these cameras have recording technology.
- Practices changed in G Unit to prevent unsupervised male staff access-any male in the unit must be accompanied by a female officer.
- Only female staff are now allowed to work in the female unit.

There are some concerns regarding safety and security practices that the facility should address. These practices have a direct impact on potential vulnerability to sexual abuse.

- The lack of supervision (and designated posts) in the kitchen and in the medical department. We were also told that interns and volunteers are left alone with 10-15 inmates, and have no security training.
- MCCF has had a serious problem with staff cell phone usage in the secure area of the facility. During the State Police investigation into staff misconduct, it came to light that staff permitted inmates to use their personal cell phones. There are no procedures in place to ensure this practice does not still occur.
- Posts in units A, RHU, G and H are not staffed 24/7. Given the nature of the facility, direct supervision, this creates problems.

- Multiple points of egress/ingress to the facility without adequate employee screening or searching, contributing to the introduction of contraband or other unauthorized personal items.
- Key control is a serious issue. Staff access to keys should be more carefully monitored with staff being issued keys only to areas where they are regularly required to work.

It is recommended that:

1. A process be developed by which the inmate classification system is periodically reviewed and re-validated to ensure that it is fulfilling the objectives of the facility. This is an area where the NIC Jails Division places emphasis and may be a resource for further assistance.
2. A formalized After-Action review process for all Use of Force incidents is instituted.
3. The use of force training curriculum is revised to include scenarios for spontaneous events. This might include cell entries, take downs, escorts, etc. so that staff can practice and improve in those areas.
4. A request for NIC technical assistance to provide a security audit to assist the leadership in making decisions regarding equipment, searches, post assignments, key control is made.
5. A system of audits is developed to verify that staff is consistently complying with post orders and policies.
6. Drug dogs are utilized in the facility more frequently to address contraband and drugs in the facility.
7. MCCF ensure that a credible inmate grievance process is in place that includes the training of staff and the orientation of inmates. MCCF should designate a post/position responsible for managing the process, assuring compliance with policies and procedures and collecting and analyzing data.
8. The current memorandum of agreement with contract medical and mental health staff be reviewed and revised to ensure that it includes expectations for reporting information of a sexual nature that could pose a threat to the security of the institution. Specific timelines and reporting requirements should be established, along with sanctions for failure to comply.
9. The current inmate orientation process be reviewed and revised to ensure that all inmates are provided information regarding Prison Rape Elimination Act, staff sexual misconduct and Pennsylvania state law in this area, including reporting

procedures. A process to document receipt of these materials should be put in place and tracked for compliance.

10. The Prison Board and facility leadership access available resources through NIC, ACA and AJA to help better address working with female offenders. NIC in particular has tremendous resources to help jails better address working with female inmates that include model policies, staff training and best practice models.

V. Staff Training

Historically, staff from the jails attended the State Department of Corrections Training Academy. The jails did not like this arrangement as they felt that the training was geared towards state facilities and was not specific enough to include the types of inmates housed at the county level, e.g. pre-trial detainees. For some time now (more than 20 years) the facility has been delegated the responsibility to run their own training academy on site. The jail operations are periodically audited by the State Corrections Department. One such audit was accomplished in 2005 and a number of recommendations were made to improve the operation. These recommendations were summarized in a report. The training division was found to be in compliance with 24 of the 29 requirements, and a numbers of corrective actions were identified.

Training provided to new employees joining the Monroe County Jail staff includes the following.

- New Correctional Officers attend a five-week on-site training academy, which consists of classroom instruction and working on the job alongside more existing staff on various posts. The trainees have four days a week in the classroom and 1 day on the unit with an officer.
- All new correctional officers receive a manual with some basic information and as they progress through the five weeks, that information is complemented with lesson plans and additional information. The initial material includes **brochures** on such subjects as:
 - Staff Ethics and Conduct
 - The Dynamics of Direct Supervision
 - Con Games & Inmates
 - Security Awareness
 - How to Survive a Hostage Situation
 - Cell Phone policy and Sexual Misconduct has recently been added and Draft Policies dated 3/30/07 were provided to Consultants for review.

It should be noted that although Sexual harassment and EEO issues are covered in the curriculum, there is not sufficient specific material that addresses the issue of staff sexual misconduct. The material on Security Awareness speaks to the sexual harassment and

includes prohibition of employees engaging in any type of sexual conduct with an inmate, but it does not extend to defining the prohibited conduct or sufficiently address the behaviors or “Red Flags” that may be the precursor to sexual misconduct. PREA training is currently taking place during roll call on all three shifts. The facility does not use the videos available from NIC to orient inmates and may want to consider this resource.

All new correctional officers receive a copy of the facility policies and procedures on a compact disk (CD) and are required to sign for them. Consultants were told that employees receive revised CD's when updates are made and are required to exchange the outdated CD's. Upon further discussion, this appears to be an inefficient system as policy changes can occur at any time, but the exchange of CD's is less frequent. There also does not appear to be a system of accountability, therefore staff could be operating with outdated information. It was unclear why the facility policies are provided to staff on a CD. Staff does not have access to computers, so the CD strategy may not be effective for most staff.

Non-custody new hires with minimal contact with inmates do not attend the five-week academy; they get one day of training. That training consists of ½ hour of security for non-security staff. They also receive a number of brochures which cover the same general areas as listed above and that material is covered in a classroom setting. In addition they receive a tour of the facility that lasts about three hours.

The annual training requirements (number of hours) for staff are specific to their classification and these are outlined in the jail policy section: Administration, Organization & Management Chapter: Personnel Training, as follows:

- Correctional Officers shall be required to complete 200 hours of classroom instruction prior to assuming full responsibility for any post in the facility
- Support Staff that have daily or regular contact with inmate receive 40 hours of initial training and an additional 40 hours of training every year thereafter.
- Clerical Staff with minimal inmate contact shall receive sixteen hours of orientation training during their first year of employment, and at a minimum sixteen hours of training every year thereafter.
- Volunteer and Contract Staff shall receive formal orientation training appropriate to their assignment and /or responsibility. They shall receive a minimum of 3 hours of facility rules, security and operational procedures. There does not appear to be a consistent application of orientation procedures or monitoring to insure that such important issues as inmate staff relations/staff sexual misconduct are properly addressed and documented.

While these written standards are impressive and consistent with general jail practice, it was very difficult to verify whether or not this level of training effort had been

accomplished. The training records we reviewed covered an 18-month period and it did not appear that most staff had met these minimum standards.

It is recommended that:

1. All staff should be trained on the Prison Rape Elimination Act (PREA) and the Pennsylvania state statute prohibiting staff sexual misconduct. Training resources are available from the National Institute of Corrections.
2. In conjunction with the Pennsylvania Department of Corrections Training Department, the facility leadership should conduct an annual review of training audit standards and compliance. Where deficiencies are evident, develop a compliance plan. This process should include a review of training outcomes to address staff sexual misconduct.
3. A system that accurately tracks employee training be developed to ensure all staff have been trained in the PREA.
4. MCCF may wish to partner with an institution of higher learning to enhance training through provision of instructors, facilities and/or college credits for on-site or off-site programs. Such a relationship also provides access to those qualified to provide periodic evaluations of MCCF's training program.
5. MCCF should assess the extent to which enhanced training should be provided to employees working in specialized assignments. These types of assignments may include female offenders, administrative/punitive segregation, transports, intake, central control, etc. We urge MCCF to consider this training particularly for employees working with female inmates.
6. The agency provides at least 40 hours of supervisory training to sergeants, as close as possible to their promotion. Establishing coaching and mentoring as part of the training will also help prepare the next generation of managers and leaders. Their training should be explicit regarding dynamics of staff inmate relationships; understanding professional boundaries and breaking the code of silence. Review of the state staff sexual misconduct law should also be included. Red Flags that assist in the identification of protected breach of professional boundaries should be added to all training curricula.
7. A strategy to address the code of silence, the lack of employee cooperation with investigations and the lack of knowledge about the process be developed. This strategy should include orientation of new and current employees about the investigative process: what it involves, timelines, rights and responsibilities, etc. In the absence of this training, rumor, innuendo and gossip will flourish.

VI. Investigations

The Monroe County Correctional Facility has no formal investigation or internal affairs unit and no specific staff assigned to conduct investigations. Investigations, whether they relate to inmate conduct or personnel conduct, are initiated by the Warden at his discretion. He then directs a Lieutenant or Sergeant to begin an internal investigation. In discussions with the Sergeants, Lieutenant and the Deputy Warden, it was confirmed that they have not been trained in how to conduct an internal affairs investigation. It was also determined that the recent investigations of staff sexual misconduct were formally conducted only by the State Police.

It is not unusual, especially in a small jail facility, that suspected criminal activity and investigations be conducted by the appropriate local law enforcement agency. It is, however, best practice to create a well-articulated and formalized Agreement that stipulates what the role and responsibility of the parties are and what the typical procedure will be.

If the inmates or staff do not trust the investigative process, or if they feel there may be retaliation, they are far less likely to raise even minor issues, if at all.

Many of those employees interviewed indicated that a 'code of silence' exists at MCCF. This aspect of internal culture clearly is a deterrent to effective investigations, particularly as it affects an employee's willingness to report allegations of sexual misconduct by another employee. To begin the process of eliminating the code of silence, leadership must first acknowledge its existence and send a clear message that those who bring forward allegations will be protected from retaliation and their identity protected to the fullest extent possible.

It is recommended that:

1. In consultation with Prison Board and nationally recognized correctional experts, develop a comprehensive policy outlining the objective investigative process to address the need for both administrative and criminal investigations at MCCF. Such a strategy should include but not be limited to:
 - Under what circumstances will outside law enforcement be called in to investigations;
 - Define responsibilities for criminal investigations;
 - Clarify if a need for a Memorandum of Understanding with law enforcement is needed;
 - Specify those minor infractions that will be investigated by supervisors (tardiness, uniforms, etc.); and

2. Immediately following staff training, inmates also should receive orientation about the investigative process, in line with their briefings regarding their right to be safe from sexual assault while incarcerated.

VII. Institutional Culture

Staff, both male and female, demonstrated a lack of appreciation for “gender differences” as relates to program needs and service for female offenders. This management assessment provides an opportunity to gain some insight with the degree in which the artifacts in the organizational culture directly impact inappropriate sexual behavior on the part of both inmates and staff.

There is a notable lack of diversity in the management ranks at MCCF. With the exception of the (female) Nurse in charge of medical, there were no supervisors or managers of color and no women. Many staff in the focus groups spoke out on this issue and shared concern about the lack of staff leadership diversity.

Consultants found some indication of staff reluctance to report on the inappropriate actions of fellow employees (code of silence). The lack of confidence in the investigative function within the facility has, in some cases, increased their fear of getting involved. Some supervisors indicated that staff’s reluctance to tell on each other is as a result of indifference and complacency. They report staff would report only if specifically asked, and that depends upon whether or not the staff member being investigated is “liked” or not.

Consultants did not get the impression that staff recognized that staff sexual misconduct with inmates is usually preceded by other breaches of security and professional boundaries, such as inappropriate communications, giving of gifts, providing special privileges etc. These actions are, in and of themselves, a breach of security, and in many cases lead to more serious conduct as the employee either tries to cover up earlier transgressions or continues an escalating pattern of involvement with the inmate(s).

Consultants heard in varying degrees that a sexualized work environment exists within the facility. Some examples provided included the presence of office romances (many staff are reportedly dating each other); and an expectation on the part of some supervisors that staff participate in certain social activities (parties); often staff’s off-duty conduct spills over into the work place; sexual harassment claims between staff; feeling pressured; and other claims of social discord among staff further complicate the environment.

The inmates who participated in the focus group were articulate and to some degree echoed the same sentiments and concerns as the staff members. Although not totally supportive of the institution operations, the inmates did indicate that some staff could be approached with problems. This was reported in both the male and female inmate groups. As related to the culture, inmates identified that staff seem to be confused about which direction to take with respect to communication and interaction with them. They

said some staff are very communicative and helpful, “treating them like human beings”. More recently they feel things have started to deteriorate and staff have taken the boundary issue to the extreme. They reported that inmates sometimes encounter staff that shows them little respect. This in turn is met with reciprocal conduct on the part of the inmate population.

The inmates verbalized that they are aware that in a direct supervision jail culture, staff friendliness could lead to boundary violations, but they claim that not all staff are vulnerable. They say inmates respect staff that enforces the rules fairly. Inmates were able to accurately identify staff characteristics that invite boundary violations by inmates and described some staff conduct. They say staff that exhibit these qualities are likely to be targeted by inmates for interaction.

In interviews with staff they stressed the issue of low wages and inadequate staffing as major contributors to the poor performance of the facility. Staff told consultants that the positions being held vacant are creating a span of control too wide to effectively supervise employees, thus many of the staff activities go unnoticed until too late. They also claim that the low wages paid for Monroe County Jail employees is below that which is paid to employees in neighboring counties. This creates a morale issue and also accounts for the high turnover rate at the facility.

Staff appeared to be impacted by significant trends and changes that have occurred within their agency and are eager to receive training and guidance. The lack of supervisory presence on some shifts and the shortage of supervisors assigned in some areas have left the remaining supervisors feeling frustrated and overwhelmed.

Strong, visionary leadership is critical to create a healthy facility culture. If the leadership intends to create a zero tolerance environment for sexual misconduct and establish an expectation that violations of policies or procedures be reported, then their policies must include a requirement that staff report inappropriate conduct that is observed by any employee. Facility policy must be clearly spelled out, including sanctions for failure to comply. If a ‘code of silence’ exists at MCCF, it could be a significant impediment to eliminating the issues of staff sexual misconduct currently facing the facility. Strong policies, accountability and behavioral expectations are needed to reassure staff that leadership is in control.

It is recommended that:

1. The Prison Board and facility leadership issue a clear statement that establishes a zero tolerance for sexual misconduct at MCCF and that is communicated to all employees and inmates at the facility.
2. That all facility policies, post orders and handbooks reflect the zero tolerance standard

3. That all training provided to staff, contractors and volunteers include refer to the zero tolerance standard and the expectations of leadership.

VIII. Policies and Procedure

Discussion of the policy distribution process was described in part in the training section. In addition to those comments, it is not clear who is responsible for monitoring the policy revision process and tracking staff receipt of policy changes. There are a limited number of locations where an actual policy manual is located and there did not seem to be one that was easily accessible to the inmate population.

Consultants were provided several policy documents, which describe the MCCF Pre-Service, Orientation, and In-Service program requirements. These documents were reviewed to determine the degree to which the issue of inmate staff relations and staff sexual misconduct with inmates is addressed. Consultants found that the MCCF has recently done some work in this area but there does not, however appear to be a consistent application of the training materials across the board to all employees.

A. Contacts with Inmates and Ex-offender

The policy states in part that "Giving of gifts, favors, or services beyond those required and/or authorized by this agency" is prohibited." This language is unclear and appears to suggest that there are some of the above items that could be allowed. Staff could misconstrue this information.

The policy states in part "Staff are required to report immediately to their respective supervisor, in writing any outside contact with an inmate, such as a phone, email letter or attempts of such contacts that are deemed inappropriate." This report shall be forwarded to the Warden, Deputy Warden and Chief of Security. There is no description of consequences for failure to do so.

The policy states, with respect to Staff and Ex-Offender Interactions: "Staff associations/contacts with former inmates, their families, or their close associates is prohibited". The does not clearly address expectations regarding casual contact within the community with inmates once released from jail, which is likely, given the description of the close knit community in which the staff live and from which the inmates come and will return. One employee stated that he works at a second job at a liquor store and it is conceivable that he could come in frequent contact with one or more inmates released from the facility.

Under general information the policy states in part " Whenever an inmate informs a staff member about any inappropriate staff-inmate misconduct or illegal interaction with inmates and/or ex-offenders, the staff member shall be required to immediately forward that information up through their chain of command." This does not address the possibility that a person(s) within the chain of command could be a part of the problem.

B. Staff Sexual Misconduct with Inmates

This policy dated 3/30/07 was provided to consultants in “draft” form. There are a number of inconsistencies and concerns with the way this policy draft is written. Some examples of the issues are as follows:

- In the policy statement there is reference to “regardless of the consensual nature”, but it does not make clear that due to the imbalance of power between a staff member, volunteer or contractual employee, there does not exist a relationship of equals and therefore there can be no consent. The policy should be explicit about the absence of legal consent.
- In the section of the policy that defines Sexual Misconduct there is a statement that “In addition, hugging may or may not be considered sexual misconduct but is considered serious inappropriate conduct in this environment.” The policy is not clear as to whether or not any inmate touching is appropriate, for example staff expressed uncertainty about clergy providing comfort to an inmate at the time of bereavement, or medical staff in the performance of their duties, or in a drug treatment environment. It does not appear that this is adequately covered in the existing training that staff receives and staff related that this policy is inconsistently applied.
- The policy further states that “Failure of Monroe County Correctional Facility staff member to report allegations of staff sexual misconduct with inmates may result in disciplinary action etc. This would appear to be discretionary and could lead to supervisory staff not uniformly applying the same standard to all situations.
- There is reference in the policy to informing inmates during orientation concerning staff sexual misconduct for reporting sexual misconduct. However there was little information to be found in the current inmate orientation regarding this subject.
- The entire discussion of reporting incidents by either staff or inmates needs further review. As discussed in the Investigation section of this report, it is unclear who investigates or what are the exact investigation processes and protocols.

It is recommended that:

1. Facility policies are up-dated and that the inconsistencies and concerns are addressed. All employees must have access to a current, up-dated paper copy of the MCCF Policy and Procedure Manual in addition to the following:
 - Revise, up-date and make available copies of the Employee Manual;
 - Revise, up-date and make available the Post Orders Manual;

- Revise, up-date and make available the Staff Handbook; and
- Revise up-date and make available the Inmate Handbook.

Summary

The Moss Group, Inc., under a cooperative agreement with the National Institute of Corrections, conducted a review of targeted operations and practices within the Monroe County Correctional Facility in Pennsylvania. The specific goal of the work was to assist the facility in building its organizations strengths and developing a clearly stated corrective action plan designed to eliminate incidents of staff sexual misconduct.

A review of this nature can appear overwhelming to the professional staff responsible for the implementation of the ‘action steps’ associated with the recommendations. This is particularly true if the review is associated with recent incidents of staff sexual misconduct.

Additionally, information in the review can be quoted out of context by an agency’s critics. This review is offered as a detailed guide to addressing specific recommendations. The report should be used only constructively to further enhance the culture of the organization and the specific facility participating in the review. It is a predictable characteristic of “scandals” involving staff sexual misconduct that the staff and inmates can feel polarized within the facility about the details of such events. It is critical that the Prison Board and facility leadership move forward with constructive correction where needed and that short term successes be visible as longer range goals are pursued.

It is recommended that facility leadership work with the Prison Board to align the recommendations of this report with the agency’s mission and values as well as the current operational demands. Full implementation of the recommendations requires “buy-in” from those inside MCCF and action from individuals, agencies, and organizations outside the department. It is crucial that the leadership participate in efforts to engage others in their process.

Correctional agencies are busy. Successful responses to technical assistance can occur through several approaches based on change leadership models. Some of these are:

- Reviewing the recommendations contained in this report, determining which will be accepted, and develop a priority listing of those that are accepted;
- Assigning a high-level staff person to oversee critical recommendations;
- Establishing a task force or an ad hoc work group functioning under the direction of the Prison Board to serve as a “guiding coalition” for implementation of adopted recommendations;

- Engaging additional technical assistance from NIC on related issues within the report; and
- Following a clear action plan with steps for accountability.

The first step in the change effort is to establish a “Sense of Urgency.” The unfortunate events of the past few months have provided an opportunity that has enabled the Prison Board and the Warden to be proactive in presenting clear strategies for change.

The Moss Group, Inc., through NIC, has appreciated the opportunity to conduct the activities described throughout this report, as we have sought to provide the Prison Board with objective feedback provided by experienced practitioners. The consultants were appreciative of the hospitality extended to us during our visit. It was clear that facility staff were aware of the purpose of our visit, were cooperative and positive and quite interested in our recommendations.

General Recommendations

Finally, in addition to those highlighted throughout each section of the report we offer the following general recommendations.

1. Establish a method for addressing the recommendations of the report as highlighted above.
2. Apply for the NIC/AU WCL Training Program: “Addressing Sexual Misconduct in Correctional Settings” and “Investigating Staff Sexual Misconduct.”
3. Consider requesting technical assistance from NIC under PREA for the NIC training program (on site), “Positive Prison Culture.” This course is an appropriate follow up to the current on-site work and recommendations in this report. The three-day offers an opportunity for 30 participants to engage in an important initiative to address facility culture.
4. Thoroughly review the content of the Prison Rape Elimination Act and align data collection of incidents of sexual assault in facilities with the definitions developed by the Bureau of Justice Statistics. Assign the responsibility for data collection and analysis to a specific position in the agency.
5. Consider a review of policy by The Moss Group, Inc. through use of the Policy Considerations Guide provided. The agency can request a written review of policy related to sexual assault and abuse at MCCF.
6. Access NIC resources on the Prison Rape Elimination Act to include the brochure, “The Prison Rape Elimination Act, for Local Jails,” and staff and inmate training videos available through the NIC Information Center.

Appendix 1

Jim Dennis

Jim Dennis is the Executive Director of the Corrections Center of Northwest Ohio. He graduated from Heidelberg College in 1978 with a B.A. in Education. He worked in Ohio mental health prior to moving to Oklahoma in 1981. While in Oklahoma he held various positions in the Oklahoma Department of Corrections which included: Case Manager, Trainer, Superintendent of a Work Release Center, Deputy Warden at the Oklahoma State Reformatory and Warden at the William S. Key Correctional Center in Ft. Supply, Oklahoma. He returned home to Ohio and assumed his duties at the Corrections Center of Northwest Ohio (CCNO) in April of 1993.

CCNO is the first regional jail of its type in the United States. CCNO opened in July of 1990. CCNO provides detention services to five separate counties and the City of Toledo. The City of Toledo and Lucas County are considered metropolitan, while the counties of Defiance, Fulton, Henry and Williams are considered rural.

CCNO is a 642-bed regional jail with housing at maximum, medium, minimum and community (work release and community service) security. In addition, CCNO staff supervises approximately 120 offenders a day on electronic monitoring and GPS.

Jim speaks on corrections, security, implementing regional jails, threat groups, mental health in corrections, gangs, PREA, sexual misconduct and emergency preparedness.

Marianne McNabb

Marianne McNabb has worked in the field of criminal justice for more than thirty years. She has held a variety of executive level positions in both the Washington and Alaska Department of Corrections. Most recently as Regional Administrator and Assistant Director of Community Corrections in Washington State and as Deputy Director of Institutions and Community Corrections in Alaska, she has experience in many areas of corrections and an appreciation for the complexity of the field.

Trained as an assessment team member under the National Institute of Corrections Institutional Culture Initiative, as well as having done socio-economic research in the arctic, Ms. McNabb has a well-grounded understanding of culture change as well as the National Institute of Corrections multiple strategies addressing culture.

In terms of specific work with juveniles and youth in custody, Ms McNabb has worked as a youth counselor in state facilities in California (California Youth Authority) and Alaska (McLaughlin Youth Center) and was a Juvenile Probation Officer in Alaska. She has developed and presented training in case management strategies for line staff and supervisors in juvenile probation. She volunteered as a Guardian Ad Litem for the Division of Family and Youth Services in Alaska for several years.

Ms. McNabb is currently a private consultant and principal in the Social Research Institute and is involved in a variety of projects nationwide. She currently works with The Moss Group, Inc. in a cooperative agreement with the NIC to provide planning and strategic activities to assist with implementation of the Prison Rape Elimination Act of 2003. She has a Master's degree in Sociology.

Susan Poole

Ms. Poole is a retired warden and is currently working extensively as a Criminal Justice Consultant, providing direct services to agencies in the areas of *Staff Sexual Misconduct with Inmates, Working with Female Offenders, Managing a Multi-Generational Work Force, Institution Culture Assessment, Strategic Planning, and Executive Leadership Development for Women*. Appointed to the position of Warden by the Governor of the state of California in September 1988; Ms. Poole served 13 years at the California Institution for Women in that capacity.

Ms. Poole's background includes 30 years in the field of Corrections with the California Department of Corrections (CDC). She began her career as a Teaching Assistant and promoted through the custody ranks. She served at two correctional institutions and with three divisions in headquarters: Institutions, Administrative Services, and Manpower Services. Her experience and assignments have included both, a wide variety of field operations and staff assignments in Correction's headquarters. While in CDC headquarters, she served in the capacity of Assistant Chief of Personnel, Classification Staff Representative, Chief of Institution Services, and Assistant Deputy Director Institutions Division. For the last thirteen years of her career in Corrections she served as Warden of the California Institution for Women (CIW). CIW is a 1,800 bed correctional facility, which at one point reached a capacity of 2700 inmates. The facility had an annual operating budget in excess of \$50 Million dollars and a staff of approximately 500.

During her career Ms. Poole was recognized as a leader and chaired a number of committees, including the Department Training and Advisory Committee for 5 ½ years. She has served as an appointed board member of the Mt. Baldy United Way, and Opportunities Unlimited, Inc., a youth outreach program. In addition, Ms. Poole was selected as one of the Outstanding Young Women of America for 1983 and participated in the 1995 Leadership California Program. She was selected by the Who's Who Historical Society as a member of their International Who's Who of Professionals for 2001.

Ms. Poole has received numerous awards and recognition for her work in the community. She was selected as California's nominee for Warden of the Year to the North American Association of Wardens and Superintendents, in 1999. She is considered a national expert and spokesperson for women offenders and has devoted much of her life to personal development and mentoring youth and adults in her community. She has been a featured speaker at national forums and represented the department in several nationally televised programs. Ms Poole has provided consultant services to the National Institute of Corrections (NIC), the National Institute of Justice (NIJ), national Sheriff's Institute, and to law enforcement and correctional agencies in more than 30 states.

Appendix 2

Monroe County Correctional Facility

Documents Requested for Review

Organizational chart for the facility

1. Diagram, blueprint or schematic of the physical layout of the facility
2. Annual Report and/or strategic plan for the facility
3. Current staffing roster by shift in each area and function of the facility, including records of staffing vacancies and actual schedules worked by staff
4. Meeting minutes of the Prison Board for the past year, and any reports/reviews generated by the Board
5. Current manual of policies and procedures, including all policies that pertain to classification, intake procedures, medical and mental health services, grievance procedures, incident reporting procedures, staff sexual misconduct, infractions, disciplinary procedures, isolation and restraints
6. Any current Memorandum of Understanding and/or Agreements with outside agencies that provide services to the facility (e.g., education, medical services, mental health, substance abuse, etc.)
7. Memorandum of Understanding and/or Agreements with the agency that investigates allegations of criminal conduct in the facility
8. Manuals and handbooks used in the facility, including handbooks given to offenders at admission

9. Significant incidents including disturbances, food or work strikes, lockdowns, assaults on staff with injury and assaults on inmates for the past six months
10. Audits, inspections or accreditation reports of inspections conducted by professional groups (or other public agencies) within the past two years
11. Grievances filed by offenders at the facility for the past six months, to include disposition/resolution
12. Grievances filed by the staff at the facility for the past six months, to include disposition/resolution
13. Records of active lawsuits or investigations (both internal and external) involving staff sexual misconduct and/or inmate/inmate sexual assault
14. Policies/procedures for inmate work assignments, supervision, selection
15. Overview of staff training-pre-service, and in-service
16. Records of staff training for the past year
17. Policies and procedures relating to volunteer and intern activities
18. Lesson Plans requested and reviewed:
 - Professionalism and Ethics for Correctional Staff
 - Field Training Exercises
 - Use of Force
 - Use of Restraints
 - Inmate Request Slips
 - Security Devices
 - Security Awareness (Key and Tool Control)

Appendix 3

MONROE COUNTY CORRECTIONAL FACILITY ASSESSMENT PROTOCOL

Site Visits

- The assessment will be conducted during two visits-the first will be two days (June 28-29), the second (July 10th) will include a de-briefing meeting with the Prison Board.
- The assessment team will have an initial meeting with Prison Board Chair Donna Asure and MCCF Warden David Keenhold
- Following this meeting, there will be an executive staff and department head meeting to introduce the team to the management staff and to discuss the purpose of the assessment.
- The team will then be given a tour of the facility.
- Each member of the executive staff will be interviewed by one of the assessment team members. When possible, these interviews will take place during the first site visit.
- Additional individuals (internal and external) will be identified for individual interviews by team members.
- A team member will meet with the staff member who serves as the union representative for the facility.
- Focus group sessions will be conducted. Using the organizational chart and staff roster, including name, rank, assignment, gender, race/ethnicity, and years at the facility, the team leader will select candidates to be interviewed in focus groups. The interview list will represent a cross-section of the institution, including staff from different disciplines and shifts. Interviewees will reflect the demographics of the facility's staff with attention paid to gender, race and ethnicity and tenure. It is also critical that we avoid supervisory relationships within the group. Initially, the following are the proposed focus groups:
 - First shift Correctional Officers
 - Second shift Correctional Officers
 - Third shift Correctional Officers
 - First line supervisors (all disciplines)
 - Administrative, support and program staff

- Volunteer group (for those not selected who want to participate in a focus group)
 - Consultants will also conduct discussion groups with male and female inmates. Participation will be voluntary and will be organized once the team is on site.
 - Moss Group consultants will be visible in the facility during the assessment process. All interviews with staff and inmates will be unsupervised and the assessment team will have the latitude to walk through the facility during all three shifts and to interact with both staff and inmates.

Appendix 4

Monroe County Correctional Facility, PA Technical Assistance On-Site Schedule June 28-29, 2007

Marianne McNabb/Susan Poole/Jim Dennis-Consultants

Thursday, June 28th	Event	Location
8:30AM - 9:30AM	All Consultants to meet with Commissioner Donna Asure, and Warden Keenhold to review on-site schedule and identify any additional issues	MCCF
9:30AM-10:30AM	Meeting with Executive Team	
10:30AM-11:30AM	Tour Facility	
11:30AM - 12:30PM	LUNCH	

		Location
1:00PM - 2:00PM	Sergeants Focus Group	On-site
2:30PM - 3:30PM	Male Inmate Discussion Group	
3:30PM - 4:30PM	2 nd Shift Correctional Officers Focus Group	

Friday, June 29	Event	Location
6:30AM - 7:30AM	1 st Shift Correctional Officers Focus Group	On-site
7:30AM - 8:30	<i>Interviews/Observations</i>	
9:00AM - 10:00AM	Administrative/Program Staff Focus Group	
10:00AM - noon	<i>Interviews/Observations</i>	
12:00AM- 1:00PM	Lunch	
1:00PM - 2:00PM	Female Inmate Discussion Group	
2:00PM - 4:00PM	<i>Interviews/Observations</i>	
4:00pm - 5:00PM	Focus Group for interested parties	
5:00PM - 6:00PM	3 rd Shift Correctional Officers Focus Group	

Interviews

- Daniel Slashinski, Deputy Warden
- Garry McFarland, Director of Treatment-not available
- Captain, Chief of Security-vacant position
- Joseph McCoy, Lieutenant
- Lt. Joseph Kramer, Staff Training and Development
- Wendy Johnson, Health Care Administrator-not available-substitute identified
- Officer Carl DeSimone, Union Representative
- Bonnie Ace-Sattur, Human Resources Representative

Shift Schedules

1st shift 0000-0800

2nd shift 7:20-1720

3rd shift 1640-0040

Appendix 5

Moss group letterhead Invitation to participants

Date (Monroe County will fill this in)

Dear (Monroe County will fill this in)

The Monroe County Commissioners and the Prison Board requested technical assistance from the National Institute of Corrections (NIC). As you may be aware, NIC is an agency under the Department of Justice, and has a long history of providing training and technical assistance to correctional agencies.

The Moss Group, under a cooperative agreement with NIC, has been asked to assist Monroe County in conducting a management assessment of the Monroe County Correctional Facility. A team of individuals with considerable experience in correctional practices has been identified. Our team will be meeting with as many staff as possible during our site visit, conducting interviews, reviewing documents and conducting focus groups.

You and some of your co-workers have been selected to participate in a focus group to be held at the Facility. We are asking you to meet with us because of your experience at the facility and knowledge about corrections. We are very interested in your perspective and viewpoint.

This focus group should take approximately one hour. It is scheduled to take place on (date, time and location inserted here)

No one from your facility will see or hear your comments. The notes will be collected and results reported in a way that cannot identify you or any other individuals that participate in the focus group.

Your attendance is important and we look forward to seeing you. If for unavoidable reasons you are unable to attend, please let (name of administrator's designee/contact) know so that we can make arrangements for a replacement to attend.

Thank you very much. If you need to contact me, I can be reached at (360) 888-2566 or mariannemcnabb@comcast.net.

Sincerely,

Marianne McNabb
Project Coordinator
The Moss Group, Inc.

National Institute of Corrections

Technical Assistance #07S1663

Focus Group Agenda

Monroe County Correctional Facility (MCCF)

June 28-29, 2007

- Introductions and Review of expectations
- Overview of technical assistance request and response
- Objectives of the focus groups
- Group discussion
- Index Card responses
- Questions/Wrap-up

Facilitators: Marianne McNabb, Susan Poole and Jim Dennis

Contact Information:

The Moss Group, Inc.
1444 Independence Avenue SE
Washington, D.C. 20003

(202) 546-4747 office
(202) 546-1047 fax
(877) 546-1444 toll-free
info@mossgroup.us

