

Public Meeting  
National Prison Rape Elimination Commission  
at the University of Notre Dame, March 31, 2005

Mr. Donahue. You've had a wealth of experience in the penal system. Can you give us your perspectives and any comments you may want to make on the experiences Mr. Babbitt went through.

Donahue: Sure. I, like you Commissioner, I want to commend Steve for his comments and if he's nervous he does a good job of demonstrating that he can handle the issues. The interesting thing for me, I guess, as a corrections practitioner, is Steve's comments, unfortunately, do occur and the national presence that this Commission brings to the focus of the eradication of sexual misconduct in a correctional facility is critical. Unfortunately it was 2003 when it occurred and not something that happened many years ago. I think as a result of national presence, it's going to require correctional systems like Indiana to focus on the issue. Not that practitioners wouldn't want to focus on the issue independently and have it collectively over the course of years, but because of the commitment made by President Bush and folks like yourselves, it will allow systems to develop what I'll call systemic management techniques and not isolate on process. Historically, what I have experienced is that correctional environments promote certain behaviors. The more secure facility, the more traditional in a sense of correctional bricks and mortar. The older facilities are somewhat problematic. Site lands are suspect, the ability for offenders and staff to be routinely seen in all environmental systems, promote misbehavior. So what we see in our own system today is that the facilities that have historic age or presence are more difficult to provide a condition of confinement or quality of life that would avoid potential for misappropriate activity and those facilities that are newer in construction, with newer techniques, promote

safer environments. Our presence in our system is focused on two issues right now. Obviously the well being of the offender and the development of staff and how to manage those ultimate outcomes. The Prison Rape Elimination Act focuses on two issues. Inmate-on-inmate behavior as well as staff-on-inmate behavior. And what Steve eluded to moments ago about the inmate-on-inmate behavior, we have a responsibility to create an environment that minimizes the potential for those activities. I would love to think that optimistically we could literally eradicate that. It will take a substantial amount of work to create physical well being in institutions of age, whether the importation of technology, the importation of physical plant modifications. But absent that, the staff-to-inmate ratios that are currently in the system make it somewhat problematic to ensure public safety on the interior of a facility when the primary mission is public safety on the exterior of the facility. The second part, though relative to staff-to-inmate misconduct, our agency has a larger problem with staff-to-inmate activity than inmate-on-inmate activity based on current reporting systems. The absence of PRIA, we did not have a systemic reporting mechanism. We do now. We do now have facilities that understand how to gauge activity based on what's reportable. So we think that moving forward we'll have a better understanding on how to prepare our staff and the offenders for living within inside of an institution. It starts literally when the offender comes to the front door, but it never stops while the offender is under our charge. We have policies and procedures that have been implemented for the systemic management of the Prison Rape Elimination Act, we have staff trainings as well as offender trainings. Some have referred to those as inmate orientation programs. It's really a marketing effort. We have to ensure that gentlemen like Steve, if they feel threatened inside of an institution, that it's okay to communicate that. And we have to have the moral fiber and credibility as staff to understand that it's not acceptable for human beings to be threatened in that venue. I will tell you that it's a true cultural shift for systems, because in an historical presence, there's been a divisive

or dividing line for correctional techniques. Those of you that are familiar with prison systems, you have uniformed personnel that are seen as the law enforcement authority inside of a correctional system. You have non-uniformed personnel that are seen as the social scientists that provide treatment opportunities and program environments for staff. A lot of times those are competing interests and systems have to culturally shift to support that all staff within an organization are correctional workers first. Everyone has the paramount responsibility to promote safety, promote security and it's no one person's job, it's the entire staff complement of an institutional environment. And so, moving forward in our agency, that's going to be a thrust of how we train staff to ensure that we have a responsiveness to the offender. As far as special programs that are available, it's really all over the chart with what you as a solution to allowing individuals to communicate their well being in institutional environments. We have the inability at times to really understand what the offender is trying to communicate. We have grievance systems in corrections where we encourage offenders to communicate to us what their concerns are. Those are pretty bureaucratic, for lack of better terms, structured in a sense that the offender documents their concern and there are processed forms that occurs to ensure that administrative staff get an understanding about the individual's concerns. If the literacy level of offender is suspect or questionable, you have to assume that that written word is in fact an accurate word. And a lot of times offenders use other offenders to help them communicate and as a result you may only get a part of the story because of the size of the systems. If you're a facility administrator of a small unit, you have the ability to potentially understand all issues that the offender brings to you, verbally as well as in written form. But if you're the superintendent of a large facility, you rely on systems to bring information to you, because you can only walk around so much, if you will. So we're going to work on redesigning a system by which offenders can communicate their concerns. Try to avoid bureaucracy, try to avoid the traditional

structure, although it's important, you have to have structure, but you have to have the ability for the offender to truly communicate their concern. So we're going to work aggressively on that, using PRIA as a foundation to allow us to do that. The last thing is with respect to staff training. The traditionalism of staff training in corrections is such that we all have been subscribed to standards of performance like the American Corrections Association or other law enforcement training venues. You have baselines of acceptance about what's appropriate to train correctional staff. This is an area thought that really needs to be enhanced. Interpersonal communication skills. Observation techniques. Understanding behavioral shifts and populations. Correctional workers need to have that as a tool to daily activity and not just merely a process. So again, it's encumbered on our agency as other correctional agencies have embraced it around the country, to really focus on employees' understanding the realities of confinement and the potentials of interaction that occur inside of institutions. One incident that's not welcomed by human being, whether it's in a confined setting or in a free world setting is inappropriate. This presentation with PRIA as a national front will allow us to focus on it. But am I optimistic to think that we'll eradicate it? No, I'm not. Am I optimistic that I think that we'll be able to improve it? Absolutely. Technology and commitment will be there. And folks like you that go around the country to support this process will help agencies like mine improve.

Commissioner, thank you. I welcome your openness and your willingness to acknowledge that there is a problem. I was in another jurisdiction in reference to my judicial responsibilities and was categorically told that there is no problem of this nature. I do welcome your candor in reference to this and I want you to understand that we do not intend to be antagonistic toward the correctional institutions. We intend to work hand-in-hand with you because, obviously, that's what needs to be done to affect the problems, so we do appreciate your presence.