

1                   MR. WILKINSON: Thank you Chairman Walton  
2                   and members of the commission. I'll warn you. I  
3                   have edited my comments just a little bit because  
4                   of discussion that took place this morning. I  
5                   don't want to really be repetitive. But to just  
6                   remind you, I am the director of the Ohio  
7                   Department of Rehabilitation and Correction. I'm  
8                   also the chairperson of the advisory board for the  
9                   National Institute of Corrections and past  
10                  president of both the American Correctional  
11                  Association and the Association of State  
12                  Correctional Administrators. So like the previous  
13                  witnesses, I appreciate the opportunity to be here  
14                  and provide testimony to you all about the subject  
15                  at hand regarding hiring, training, retention to  
16                  qualified staff.

17                  But first I would like to tell you a little  
18                  bit about our agency, but even before that I'll be  
19                  honest with you and remind a few of you that, you  
20                  know, prior to the law being past, I was one of the  
21                  toughest critics of even the commission or even the  
22                  law being passed. I've even written letters to my

1 U.S. Senator and letters to newspapers in our state  
2 because I thought given the numbers and the  
3 discussion about the prevalence of rape was  
4 absolutely unfair and untrue, especially in our  
5 state, but nevertheless, once the law was passed,  
6 like every our jurisdiction in our country, we  
7 decided to conform to and abide by the tenants of  
8 the Prison Rape Elimination Act.

9 And because of our decision to go ahead and do  
10 what's right, I think we have done a considerable  
11 amount in terms of making sure that we have a  
12 system in place that absolutely minimizes the  
13 possibility of sexual assault inside our  
14 correctional facilities in the jurisdiction of  
15 Ohio.

16 The Ohio Department of Rehabilitation and  
17 Corrections houses over 45,000 felony offenders in  
18 32 correctional facilities. Our adult parole  
19 authorities supervises another 35,000 persons in  
20 the community.

21 I would first like to talk about some of our  
22 department's initiatives regarding the management

1 of sexual assaults in our prisons. Sexual  
2 assaults, as has been testified earlier, do happen  
3 in the state of Ohio as they do in other  
4 jurisdictions. However, just like you've heard  
5 this morning from several people, we have a zero  
6 tolerance for any type of sexual assault of  
7 prisoners in our state either by staff or other  
8 inmates.

9 To this end, in March of 2004, we initiated  
10  
11 Institution Sexual Assault Abatement ten-point  
12 plan. A few of you may be familiar with our  
13 ten-point plan, which details the department's  
14 efforts to prevent sexual assault of inmates in  
15 Ohio's correctional institutions.

16 I'll tell you a little bit about the ten-point  
17 plan. If you want to know each the ten points, I  
18 can tell you that as well. But I'm just, maybe,  
19 talk a little bit about that plan in paragraph  
20 format.

21 The ten-point plan includes the establishment  
22 of a security review committee that conducted

1 reviews of each prison's physical plant, sexual  
2 assault allegations, key assignments, camera  
3 locations, employee and inmate schedules and floor  
4 plans. A toll free sexual assault hotline was  
5 developed so that inmates can report abuse  
6 confidentially. All prisoners have reception, and  
7 upon assignment to their parent institution are  
8 provided information about prevention,  
9 self-protection and how to report sexual assaults,  
10 treatment and counseling.

11 We established an inmate victim support person  
12 that provides assistance to an inmate victim during  
13 the investigation phase and referral for any mental  
14 health treatment that may be necessary. In  
15 addition, I convened an oversight committee to  
16 continually evaluate and monitor the plans,  
17 provisions, and seek new methods of combating  
18 inmates' sexual abuse, as well as insuring Ohio's  
19 compliance with all of the aspects of PREA.

20 In September 2004 DRC, like other states, was  
21 awarded a Safeguarding Communities Grant to comply  
22 even further with the PREA legislation in order to

1 provide us with a greater capacity to respond to  
2 allegations of sexual assaults and track the  
3 outcome of such indications. Some of this funding  
4 is to be used to purchase an information management  
5 system to enable institution investigators to link  
6 sexual assault case information across  
7 institutions. A DRC will purchase additional  
8 investigative tools to aid in determining the  
9 credibility of sexual assault allegations and  
10 surveillance equipment in order to better identify,  
11 locate and track offenders in a more defined area  
12 of the institution. Since January of 2003, we have  
13 investigated 285 allegations of inmate on inmate  
14 sexual assaults within our prison system.

15 Now, a little bit about correctional staffing.  
16 We currently have a work force of over 14,000  
17 persons. Correctional officers comprise about half  
18 that total. You've heard already some statistics  
19 about annual salaries for correction officers.  
20 We're probably somewhere in the middle of Louisiana  
21 and Massachusetts, who pays considerably more than  
22 what we do in the state of Ohio.

1           We've also had, in Ohio state, a highway  
2 patrol investigator assigned to each prison to  
3 conduct criminal investigations. The institutional  
4 investigators on the highway perform their work  
5 cooperatively on matters that constitute both a  
6 violation of our standards of employee conduct and  
7 criminal statutes such as sexual conduct between an  
8 employee and an inmate.

9           In 2003 the department was successful in  
10 adding language to the Ohio criminal code to make  
11 sexual assault by an employee with an inmate a  
12 sexual battery offense that carries a mandatory  
13 prison time.

14           So, we are fully challenged to make sure that  
15 our staff are well aware of the consequences of  
16 being involved improperly with prisoners within  
17 their custody.

18           Just like you've heard this morning, staff  
19 training is as critical of a function as one can do  
20 in a training institution and not just for sexual  
21 assault purposes. Our agency has training of new  
22 employees, training which includes orientation,

1       which includes preservice training, which includes  
2       on the job training, and there is a full regimen of  
3       inservice training that happens for employees in  
4       our agency as well. So, we are very dedicated to  
5       making sure we have a training curricula that  
6       allows us to touch all the important areas that  
7       especially relate in this case to improper  
8       behavior, any unusual behavior, or any consequences  
9       of behavior that is either illegal in our state or  
10      against our employee standards of conduct.

11             Each of our institutional investigators  
12      receive training on techniques and investigation of  
13      sexual crimes. Most recently the sexual assault  
14      training and investigation center from the state of  
15      Washington provided additional investigation  
16      training on sexual assault to our staff, to staff  
17      of the Ohio State Highway Patrol, staff of the Ohio  
18      Department of Youth Services and many local law  
19      enforcement officials.

20             Another valuable tool made available to our  
21      investigators is the use of something called CVSA,  
22      computerized voice stress analysis. The CVSA

1 examination is used as an informal aid in  
2 conjunction with traditional techniques of  
3 administrative investigation within our facility.  
4 Although used only as an investigative tool, the  
5 CVSA has aided significantly in the investigation  
6 of both the employee and offender sexual  
7 misconduct. There are currently eight certified  
8 CVSA examiners within our agency.

9 We recognize the importance to show staff not  
10 only the need to maintain and enhance career  
11 opportunities, but also to balance their personal  
12 and family responsibilities. Our Bureau of  
13 Employee Relations is responsible for recruiting,  
14 developing, and retaining our employees. And in  
15 order to accomplish these goals, this office  
16 oversees employee tuition reimbursement, work force  
17 development initiatives, women staff coordinated  
18 programs, stress management, and something called  
19 the Professional Alliance of Correctional  
20 Employees, which is kind of an internal association  
21 of employees who mentor each other and do a number  
22 of things that we think help an employee learn more

1           about areas that maybe he or she were not  
2           specifically hired to perform.

3           But, I do want to touch on a couple of things  
4           before I turn the microphone over. Corrections  
5           systems don't operate in vacuum. We are an entity  
6           within the so-called justice system. You will  
7           seldom hear me talk about a criminal justice  
8           system. If we're going to be successful, it's  
9           going to be because we have a social justice  
10          systems that works, which means that we have to  
11          depend on entities outside the arena and the  
12          boundaries of a correctional system in order for us  
13          to be effective. So it's a societal problem, and  
14          it's not just one that is attached to correctional  
15          institutions, especially the topic that we're  
16          talking about today. We have to talk about it.

17          If we're going to talk about, you know, Prison  
18          Rape Elimination Act and the consequences thereof,  
19          we have to talk about things like communicable  
20          diseases, we have to talk about issues that will be  
21          important to that person once he or she leaves the  
22          confines of our walls and fences around the

1 country.

2 I can't stress enough how important it is to  
3 talk about culture. Now we can talk about  
4 misconduct on behalf of an employee who engages in  
5 improper behavior with an inmate, but if we don't  
6 stress making sure that the culture and the climate  
7 of our correctional facilities are ones that are  
8 not conducive for a sexual assault to take place in  
9 the first place, then we're missing the boat.  
10 Instead of teaching the person to fish, we're  
11 giving them the fish. But we need to make sure  
12 that we have a holistic, a systemic approach to  
13 addressing this issue a not just tackling and  
14 putting Band-Aids on particular problems.

15 And I would stress that in a preamble to your  
16 work and your document that you'll ultimately  
17 publish that you will say that it's a more  
18 wholistic approach that we need to have instead of  
19 one that is concentrated on a few staff.

20 So with that, Mr. Chairman, I will end my  
21 comments formally.

22 THE CHAIRMAN: Thank you, Director. Ms.

1       Frasier.