

National Prison Rape Elimination Commission
Public Hearing – New Orleans, December 6, 2007

Sheriff Marlin N. Gusman's Welcome Remarks

As the Criminal Sheriff for Orleans Parish, allow me to welcome you to this hearing of the National Prison Rape Elimination Commission...and welcome to New Orleans!

We applaud the efforts of this Commission. The Prison Rape Elimination Act of 2003 is an important step in the elimination of sexual violence in the correctional environment.

We applaud the Commission's efforts to collect evidence and aid in the identification of common characteristics of both victims and perpetrators of prison sexual violence, and identifying the characteristics of prison systems that appear to have been successful in deterring prison rape.

This Commission's activities and reports, and the National Prison Rape Elimination Act have helped the Orleans Parish Prison improve its awareness, reporting, oversight, accountability, care, and prevention of prison rapes. Our familiarization of the reporting mechanisms has improved, as the data submitted has become more precise. Oversight and accountability for tracking these events have improved, and we've ensured we address the appropriate care for victims and sanctions for perpetrators.

Yesterday morning, the hearing focused on the medical care provided to victims of sexual violence. The OPP staff has been trained to implement a protocol that ensures each potential victim receive appropriate care. As all allegations of sexual violence are taken very seriously, potential victims are taken to the local hospital to initiate a standardized investigation and treatment protocol. The hospital's SANE (Sexual Assault Nurse Examiner), staff is involved in all suspected rape cases. The inmate receives a medical exam, forensic evidence is gathered with the appropriate Rape Kit, HIV and Sexually Transmitted Disease testing is performed, and when indicated, treatment is initiated. This treatment continues at the jail. Mental Health counseling is done for all victims at the jail as well. Inmate victims of suspected sexual violence are also transferred to another, safe

housing location. They are either placed in a protective custody setting or transferred to another facility, depending on the circumstances.

The commission's efforts have prompted us to re-evaluate our current mechanisms to allow "fine-tuning".

At Orleans Parish Prison, we take all allegations of sexual assault very seriously. Each case is investigated thoroughly and disciplinary action pursued. Legal prosecution is pursued aggressively. Depending on the circumstances of the case, various internal disciplinary measures are taken. At the least, cell confinement or loss of privileges is carried out. The perpetrator's custody status is also modified, placing him or her in disciplinary or segregated housing, into a higher custody status, or possible transfer to another facility. Cases involving employees are pursued as vigorously as those perpetrated by other inmates. Maximal legal and administrative actions are pursued. Again, the Commission's efforts and publications have allowed Orleans Parish Prison to ensure the appropriate sanctions are being pursued.

As this morning's discussions turn to oversight, we welcome the continued input from the Commission. Orleans Parish Prison has been participating in yearly surveys, and continues to learn. Participation allows us to become more familiar with the reporting mechanisms, sexual violence definitions, and work on accountability for tracking of investigation, treatment and prevention. As seen in the Bureau of Justice Statistics PREA reports, as participation continues, data quality improves. We also look forward to the analysis of Self-Reporting Measures, as prison rape is surely under-documented. It is important to fully measure sexual violence and capture data on victims who are reluctant to report incidents, for a multitude of possible reasons, while still incarcerated. Ultimately, we look forward to utilizing the data, reports, and recommendations of this and other oversight agencies to improve our jail systems and prevent sexual violence.

Again, welcome to today's Public Hearing of the National Prison Rape Elimination Commission. We applaud this Commission's efforts, and today's discussions on

oversight will help OPP, and all prisons and jails across the country, comply with PREA implementation and improve the treatment provided to victims of sexual violence.

Welcome to New Orleans. We hope you enjoy your visit.

Sheriff Marlin N. Gusman
Orleans Parish Criminal Sheriff's Office