HEARING THREE

COMMISSION ON SAFETY AND ABUSE

IN AMERICA'S PRISONS

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Interpersonal Dynamics that Influence Safety and Abuse

Pages 132-191
MR. MAYNARD: Our next panel will address the implications of the interpersonal dynamics among and between corrections officers and the people they are charged with supervising. To shed light on these important issues I'm pleased today to introduce our three witnesses, Elaine Lord, Eddie Ellis, and Kathleen Dennehy.

The psychological forces that act on people who supervise others in a closed society can have a substantial impact on officer behavior. So too can the dynamics that operate between officers and incarcerated people, potentially leading officers to abuse their authority and prisoners to resist rightful authority. This panel will try to identify these
dynamics and their sources and will explore ways to
assure the potential negative consequences are
minimized.

Elaine Lord is a former superintendent at
Bedford Hills Prison for Women in New York, and has a
specific interest in cross-gender relations in
correctional environments.

Eddie Ellis was incarcerated for 25 years
in various New York State prisons. He currently
directs the NuLeadership Policy Group at Medgar Evers
College, part of the City University of New York,
which brings together individuals who have been
incarcerated in order to influence criminal justice
policy.

Kathleen Dennehy is the current
commissioner of the Massachusetts Department of
Corrections. In that capacity she has focused on,
among other important matters, breaking down the
so-called code of silence among officers. I'd like to
thank all three of the witnesses for being here today,
and we'll begin with Superintendent Lord.

MS. LORD: Good morning -- good afternoon.
It's my pleasure to be here. I was a warden of a
maximum security prison for women for nearly twenty
years. I loved my job, but I retired. I retired when
I came to believe that I could not adequately protect the female inmates in my custody. I couldn't protect them from being sexually preyed upon. Women have different needs and different vulnerabilities than men. We know women coming to prison have extensive histories of serial abuse as children and as adults, including sexual abuse and physical violence. Many are serious and mentally ill and drug and alcohol are involved. A vast majority have children. For the most part, their experiences of violence have occurred in family situations and in relationships. They are also people of many words, and this is probably the greatest stressor in a women's prison.

Despite these realities, we can't create an unreal situation by trying to move all male officers out of women's prisons. These staff have rights as employees just as inmates should have rights to privacy. I certainly have had my share of inmates who have said the men should go, but on the other hand, I've had many inmates who have said male officers are calmer and more at ease with their power. When I look back, one of the best officers I ever had on the nursery unit with mothers and newborn babies was a man. We live in a two-sex
society and male staff can provide good models. They can be decent, fair, and humane. They can listen and they can learn. I don't believe that cross-gender supervision is a precipitating factor in sex between staff and inmates. This is a caricature of a far more complex reality.

Male officers contribute positively to a female prison's operations just as female correction officers do in male prisons. Further, they are not the only group that commit harassment or sexual abuse. Maintenance staff, cooks, and other civilians have also been involved.

As a further complication, women's staff can and do get filed for inappropriate sexual activities in women's prisons as well as in male prisons. Staff must be trained and retrained that any sexual behavior by staff towards an inmate in prison is predatory and violent. The staff -- then the staff who don't act appropriately must be dealt with, but we must remember that they come in many different varieties. We cannot most importantly run humane systems if we continue to discount any information that an inmate provides for lack of corroboration from an employee.

I have listened to inmates for many years
and sometimes they are telling the truth. And as
administrators, we cannot be stripped of our ability
to manage and protect inmates by unions. Prisons are
not places where we can have unionized staff that own
posts. In such cases the ability of a superintendent
to manage has been eroded, and the ability to protect
inmates by relocating the staff person is nonexistent.

We must go back and look at how we
characterize inmates as a society. I thought about
that at this morning’s session. An inmate may have
committed a criminal act, but it is not a steady
state. They are not monsters. They are not subhuman.
They are us.

But as long as we have such a subservient
class overseen by us as a dominating force, we will
struggle with violence and sinful issues. Sometimes
even the most experienced among us learn from
outsiders or from history. In New Jack, Ted Conover
filed a legislative report written in 1851. It said,
"To become a good officer requires much more knowledge
and experience than is generally supposed. And it is
a long time after a new officer enters upon his or her
duty before" -- I added the he or she, "he or she
become even under the most favorable circumstances
fully competent to discharge it. It is not like a man
or a woman driving a herd of oxen or working a piece
of machinery, the whole mechanism of which she or he
can learn in a short time.

"But it is controlling the minds of men and
women, no two of which are alike. It is curbing their
temper whose manifestations are infinitely varied.
It is directing their motives which are as diverse as
their personal appearance or physical confirmation,
and it requires an intimate knowledge, if not of human
nature at large, at least the habits, tempers, and
dispositions of men and women immediately under their
charge."

This consideration so evidently dictative
of good sense seems to be entirely overlooked in the
government of our prisons and changes occur among
officers from whim, caprice, or political motives with
a frequency that is utterly subversive of good
government. We have to remember that as we try to fix
things in prisons, too often we become more punitive.
Especially toward the inmate. Thank you.

MR. MAYNARD: Thank you, Superintendent
Lord. Mr. Ellis.

MR. ELLIS: Thank you very much. And thank
this commission for allowing me the opportunity to
present here. As was mentioned, my name is Eddie
Ellis. I served 25 years in prison in New York State, approximately a dozen houses -- approximately a dozen prisons, including eighteen years in maximum security and five years in medium security, and two years in minimum security work release programs.

I've got to tell you, as a result of coming here today and being among this distinguished group of prison administrators and officials and officers, I'm beginning to feel a little bit like the Lone Ranger here. Only inasmuch as the perspective and voice of formerly incarcerated people is generally underrepresented in forums of this type, and I think that the forums suffer as a result of that perspective being lacking.

I'd like to make -- in the five minutes, in addition to everything else that I am a radio talk show host, so I tend to be loquacious and speak on the long side, but in the five minutes that I have I'd like to make a couple of general observations and make a comment on some of the things that I heard earlier this morning in relationship to the statement I'm making.

I think it should be noted that prisons are really not nice places, and that no matter what we do to perhaps attempt to humanize them, they will always
be places in which very violent and very aggressive
men and women are housed as well as the people who are
charged with their care and custody. The one thing
that is most outstanding for me, particularly that I
was listening to the testimony this morning, was the
complete absence of any discussion of the question of
race or class in relationship to people in prison and
people who are charged with their supervision.
The race, class question I think underlies
many of the tensions that exist in the prisons,
particularly as it relates to the question of violence
and the question of safety, and I think that we
perhaps do ourselves a disservice by not engaging in
that discussion.

And lastly, I think that we've heard a lot
this morning about prisons being understaffed, and
that the ratio of correctional officers to prisoners
are very disproportionate. I would venture to say
that prisons are not understaffed at all. In fact,
the real problem are that prisons are overpopulated,
and one of the ways in which to deal with that
so-called understaffing problem would be the massive
decarceration of many of the people who are currently
in prison who perhaps could be better served in other
areas.
I think it was Mr. Corcoran who mentioned that about eighty percent of the people who were incarcerated in California prisons were people who had substance abuse problems. Many of them are probably nonviolent crimes that did not involve violence and could probably be let out of the system with no measurable or appreciable threat to public safety.

Lastly, I think that -- I think that the question of language and the way in which we refer to people, there was some discussions this morning about it, and the discussion centered on whether or not we should talk about defining the people who are -- have control and custody of people incarcerated as prison guards or correctional officers. For the longest time I maintained that for the most part they were prison guards, and that the corrections part of definition of their titles was almost nonexistent.

But after this morning, after listening to some of the arguments I think that they are perhaps, that perhaps we need to -- at least I need to maybe rethink that definition of them, but concurrently with that rethinking I think also that the language that we use particularly as we relate to offenders and prisoners and convicts and inmates dehumanize the people in prison to such an extent that we begin to
treat them in a very dehumanizing way, and that results I think in much of the aggression and violence that is so prevalent in the prison system.

I would like to make three basic points in the little bit of time that I think that I have left. One of the points -- the primary point is that because of the insular and paramilitary nature of prisons, I think that there has developed both nationally as well as at the state levels in prison organizations the kind of organizational culture that is -- that is elitist, that is very aggressive, that is violent when the most part it's racist and it's quite sexist.

That prison culture we've been led to believe exists and views itself in many instances as being somewhat above the law. I think that we've encouraged that kind of organizational culture because we very rarely punish people who are involved in it who transgress the law.

The organizational culture is seen by those who work within the prisons for the most part as necessary to the survival and effectiveness of the institution. In many, many instances notwithstanding much of what we heard this morning, violence and brutality is viewed as the primary ways in which people are disciplined and the primary ways in which
people who run the institutions gain respect and maintain control.

I was moved most particularly by the testimony of the former sheriff whose -- whose supervisors instructed him to assault a person in prison as a retaliatory measure for whatever transgressions that person did. I think that that is perhaps symptomatic of the kinds of things that we have seen many, many times, and it is not to paint all the prison or correction officers with one fell swoop or one broad brush, but rather to say that the problem exists in an organization of cultural context, and that cultural context has been accepted and has been ingrained into the people who work in the prisons so that to -- it is very difficult to deal with it. I doubt very seriously if any amount of training will be able to make a measurable impact on it.

This elitist kind of a -- it's kind of a siege mentality of them against us. It's kind of a circling the wagons. It's we need the flexibility to do our jobs that sometimes involves crossing the line it and sometimes involves breaking the law. Nevertheless, because of the nature of the violent, aggressive populations that we work with we must have that kind of flexibility in order to do our job and do
our jobs properly.

And at the end of the day people in prison,
particularly in the male prisons, but as I listen to
Superintendent Lord increasingly in the women's
prisons, that the only thing they ultimately
understand and respect is violence and strength, and
that of course we heard earlier today to be perceived
as a weak person in prison, whether as a person
incarcerated or as a correctional officer --

MR. MAYNARD: Mr. Ellis, I hate to cut you
off. We need to have time for questions later on.

MR. ELLIS: I didn't see the five minute.

Did I get the five minute? Oh. I am so sorry.

MR. MAYNARD: That's all right.

MR. ELLIS: I apologize.

MR. MAYNARD: We'll come back to some
questions later on.

MR. ELLIS: I wanted to make mention of
this, but I'll save it for later on, and that is what
I think needs to happen in terms of some of the things
that we might be able to deal with this organization
of culture.

MR. MAYNARD: Very good. Thank you.

Commissioner Dennehy.

MS. DENNEHY: Thanks for the invitation to
provide testimony to the critical issues you all are examining. Correction officers clearly comprise the bulk of our work force. They perform a critical public safety function often under challenging and potentially dangerous circumstances.

It is understandable how a unique bond, camaraderie emerges within the rank and file. Officers may believe that they need the officers' subculture to survive the environment. One consequence of this psychological dynamic of being a correction officer is the tendency to see officers as us and all others as them, be they inmates, managers, treatment staff.

This aspect can play out in many ways, one of which is the institution of a code of silence on both the macro and the micro levels. Prisons are inscrutable, monolithic structures. Some staff believe, as they have expressed to me, what goes on behind prison walls should remain there, behind prison walls. On the individual level, there is a clear peer expectation of officers in this subculture.

In Massachusetts the correction officers' union has published their ten commandments which includes thou shalt not rat on a fellow employee. Thou shalt not place thy faith in managers. Thou
shall not surrender thyself to management. Thou shalt
not bear witness against one another. As a result,
any officer who violates these commandments is subject
to union hearings, and they are in fact thrown out of
the union.

A system permeated by a code of silence
reinforces negative behavior, ultimately increasing
the risk to staff. The ultimate irony. If staff
can't be held accountable, there is no consequence for
bad behavior.

How do we affect change in this culture?
Correctional leadership needs to focus on our hiring
practices, the development of relevant training, and
building systems of accountability. For years our
training has actually encouraged an us versus them
mentality for the purpose of ensuring proper
boundaries are established and maintained between
staff and inmates.

As professionals we have to have and we
need to have clear boundaries. Staff realize that
they have control over a segment of the population
that is in fact despised by much of the public. As
such, staff don't want to be seen as overidentifying
with inmates, being called, quote, unquote, a con
lover or being seen as an easy mark.
The need to establish boundaries if taken to an extreme can result in a dehumanization of inmates. By not seeing inmates as fully human, we miss opportunities to see, to gauge the shifts in inmate's demeanor and behavior. Experienced, well-trained officers can identify these subtle changes well before the inmate may even be aware. This quick intervention can reduce the likelihood of the inmate harming self or others.

In Massachusetts as we move to implement the recommendation of Governor Romney's commission on correctional reform, we have focused on an overhaul of our training programs.

Our nine-week basic training program has been completely redesigned to focus on building communications skills and increased role playing of real life interactions. The use of a mock institution allows recruits to practice and build these skills on a daily, if not hourly, basis. Significant time is spent addressing cultural issues.

All recruits are required to read Ted Conover's book New Jack. A chat room has been established to provide an opportunity for daily discussion and analysis of those cultural issues. In training there is now a focus on the department's
mission to reduce recidivism, the need to support successful reentry, and ethics.

Correctional staff must be positive role models of behavior. We have to be held to the highest standards of conduct. Establishing a culture of accountability, fairness, and moral order is imperative.

As we emerge from a decade or so where the mantra has been much about being tough on crime, collectively we have failed to operationalize what that means for our new young staff. And that can lead to an environment where the often conflicting goals of corrections deterrent, incapacitating punishment, and rehabilitation are out of balance or misunderstood.

Felons are sentenced to prison as punishment, not for additional punishment. When we fail to revise our training to reflect our philosophy, some staff can lose sight of that. As some staff have said to me, "Why do we provide medical care to inmates? Why do we provide food?" Totally missing the point.

In addition to greatly enhancing our staff education and training programs, there are other strategies that leaders can employ. Utilizing psyche screening of recruits. When I was the director of
training about fifteen years ago, when I look back on
my career I'm proud that we instituted psyche
screening.

When I was at the training academy it often
struck me as odd that we would require recruits to run
a mile in a certain period of time to demonstrate
their ability to do the job, but we hand them a weapon
without checking their mental health. I think it's
imperative that we have good psyche screening.

We need to explore, further explore the use
of experienced, ethics-based field officers to support
the work that the training academy is doing to enforce
those new behaviors as new officers go out on the
line. The use of technology I don't think can be
overstated to hold staff and inmates accountable.

I think everyone would agree that all of us
from the front line to the front office, when we know
our conduct is being monitored, we tend to step it up
a notch. We behave better. We need to develop
strategies that enhance transparency and openness.

In Massachusetts if someone had told me
that I would support the development of a citizens
advisory council four or five years ago, I would have
been disbelieving. I've come to believe in the power
of an effective and well-oriented citizen advisory
council. They have provided an important means to
educate the public, the legislature who controls our
budget, and they are advocates for reform and for
resources.

In Massachusetts we're also exploring the
role of an inspector general's role, similar to what
exists in Texas. We've also initiated several public
information campaigns, one internal, one external. I
think -- I look back. I've got thirty years next June
in the prison system, and when I look back I think to
be honest my first four or five years if someone had
asked me who the commissioner was, I couldn't have
told you, and frankly didn't care as long as I got my
paycheck.

We need to do a better job of informing
staff as to what we're doing around the reform agenda.
They are our most important and vital stakeholder.

Similarly, we need to educate the public. And most
importantly, we need to reward honest staff. It's
very difficult for staff to step forward and do the
right thing.

When staff do to the extent that we can be
flexible in our discipline without compromising the
integrity of the organization, we need to be -- we
need to develop some flexibility in our staff
discipline in terms of respecting and encouraging staff coming forward to tell the truth. Those new service corrections professionals are aware of the enormous public safety responsibilities we hold. All corrections professionals, from the front line to the front office, must demonstrate self-discipline, a concern for the public safety, respect for the rights of the inmates in our custody, and a respect for and adherence to the statutes and departmental policy. Anything less is unacceptable. Shining the light of day on this misunderstood profession and mission presents a unique opportunity to deal with our issues openly and with a commitment to change. The creation of a citizens advisory council in Massachusetts has resulted in a committed, informed advocacy composed of academics, volunteers, etc. All in all, the panel report has had -- I think those who have participated on the advisory council in Massachusetts would share with you if they could be here today their positive impression of the many men and women in the Massachusetts Department of Corrections, and that they would applaud their day-to-day efforts to advance their reform agenda. Thank you.
MR. MAYNARD: Thank you, Commissioner Dennehy. Thank all of you for your testimony. We have about twenty minutes now for questions from the commission. Anybody?

MR. GREEN: Mr. Ellis, you noted that during our earlier panels we had not addressed the issue of race and class and the role it plays in terms of the conditions of our prison systems and the impact it has on those who are in that environment. Could you comment on that?

MR. ELLIS: Yeah. I think that the question of race and class is one of those kind of questions that is very hard for us to wrap our arms around because of its enormity, but almost overwhelmingly we find particularly in those states with large urban areas that the majority of people who are in the prison system, the majority of the people who are incarcerated are people from urban areas, are people who are poor, people who are African American and Latino and between jobs, and many instances the exact opposite is true of the custodial staff. They generally came from rural areas. They're generally not young. They're generally not African American or Latino. And I think that dichotomy creates a built-in set of dynamic tensions
that almost always arise, almost always result in a conflict situation that generally erupts into violence.

I think that the absence of the race discussion does a tremendous disservice inasmuch as we have to begin to think about, even talk about ways in which we modify that kind of a situation. I think that many, many prison systems throughout the country have instituted sensitivity and diversity training, but that training certainly falls far short of what is necessary in order to -- in order to eliminate the problem or at least minimize the problem.

I think the other thing is -- and that is what Ms. Dennehy talks about, and that is -- and part of my testimony is the them-against-us kind of mentality that is exacerbated by the race question. So much so that even in instances where the custodial staff are African American or Latino, because of the enormous peer pressure to conform to the organizational and cultural standard we find a enormous amount of abuse across racial lines. I think we need to focus some attention to that also.

MR. GREEN: And that attention takes what form? Are you talking training? What kind of things should we ought to be doing or emphasizing to deal
with this?

MR. ELLIS: I think that one of the things that generally needs to happen is that we need to have a greater racial balance and diversity among staff, but most importantly for me as a person who spent as much time in prison as I did, I think that we really need to begin to think about ways in which we deal with this organization of them/us cultural mentality that exacerbates the entire -- that's pervasive throughout the entire system and exacerbates attention, and we have to deal with that.

MR. MAYNARD: Judge Sessions.

MR. SESSIONS: I had a question of the Commissioner about the ten commandments.

MS. DENNEHY: Yes.

MR. SESSIONS: Are you telling us that this is an actual union activity?

MS. DENNEHY: It was the ten commandments were published in the official union newsletter.

MR. SESSIONS: Is this adopted by the union itself?

MS. DENNEHY: Inasmuch as it's reflected on the front page and supported by the union leadership, yes, but I think it's important to always make a distinction between the leadership of a group and the
rank and file.

MR. SESSIONS: Well, you know, there's such a thing as called aiding and abetting a criminal activity. I don't know. I think I'd be inclined to ask the attorney general of Massachusetts for an opinion as to what the adoption of that standard might mean in terms of criminal justice.

It's an embarrassing circumstance. I find it hard to believe that that would happen, but if it is, it ought to be explained and it ought to be looked into. It's none of my business, you understand me.

MS. DENNEHY: There's a forum in which we can take issue, and we have exercised that forum to take issue.

MR. SESSIONS: I would go further than taking issue. I would look to the legality of that sort of stance of encouraging sworn officers to engage in that activity.

MS. DENNEHY: I agree.

MR. MAYNARD: Mr. Dudley.

DR. DUDLEY: I have another question, actually, to you and to the other panelists as well. One thing that keeps coming to my mind is something that as you were talking ethics-based supervisors for I guess particularly during the period of when new
officers are first working, and it would seem to me that even with great training around cultural sensitivity or those sorts of racial issues or training around gender sorts of issues, all that would have to be coupled with good supervision in order to actually operationalize whatever sort of training occurred. So we're talking about what happened at middle management versus on a supervisor level.

So I'm interested in hearing from you and from everyone about if we're hoping for things to change and presumably people at a supervisory level that have been doing this for a while under the old way, where do we find these supervisors and how do we motivate them to buy into the kinds of changes that you're talking about.

MS. DENNEHY: We do have a mandatory 48-hour training program in effect for first line supervisors. Does that mean that that has been -- that training has the same impact on all participants, no. But the curriculum for that program has also been significantly changed. Very lucky in that the training academy staff is really committed to doing this.

They believe passionately in what they do, and they have been able to recruit some of the finest
people in the department to really push their sleeves
up and rewrite all of our curriculum. We do an
enormous amount of training. It's going to take time
to get the whole organization through those training
cycles, but you're absolutely right. It starts at the
top.

The fish can rot from the top, and the
executive staff, the superintendents, the supervisors,
the line correction officers all have to be held to
the same standards, and to the extent that we use
training to indoctrinate those standards, all need to
participate in it.

MR. ELLIS: I would add to that that in
addition to training and leadership fundamental to
justice and I guess really is the rule of law, and I
think particularly in prison settings one of the
things that is most absent in the application of law
in an equitable context. I think that people who work
in prisons who break the law should be prosecuted. We
should send really very clear signals vis-a-vis
prosecution that the kind of behavior, this kind of
abuse cannot be tolerated.

I think all too often what happens in those
situations, prisons as well as law enforcement
generally is that the perpetrators kind of have a
societal pass. You know, they broke the law, but they're -- they were in a tough situation. They're working real hard with criminal convicts. Maybe they need to be able to step across the law at some point in the performance of their duties.

I think that once we accept them, once we -- once we tolerate that kind of an attitude with relationship to people who break the law, whether they're correction officers or people in prison, then we set up a situation in which there is a diminished respect for law, and there is on the other hand the heightened attitude that it's okay to do this and that there won't be any real punishment or sanction. That I think real punishment and sanctions need to be coupled with training and leadership for the maximum benefit.

MS. LORD: I just wanted to make a couple remarks. First of all, I think when you try to run a humane prison, I think supervisors will come. They want to work under that setting. So they will find prison -- and I think that's what one of the women this morning was talking about. A prison where she had good experiences versus a prison where she didn't. Starts with the leadership and it does come down. The other thing is I think that there is a
societal problem when you go to arbitration or when we
go before juries and we lose cases. It's because they
carried that mentality that is caused or is part of
that inappropriate behavior that we're seeing, whether
it's physical violence or sexual violence or just
sexual attitudes.

And so too I once had a sergeant who was
returned to me after he was out on disciplinary
sanctions for nine months. We'd been trying to
terminate him, and the arbitrator just didn't think
that it was serious enough behavior and sent him back
to the same facility. I mean, you know, we need to
start there. I mean, start at those attitudes.

MR. MAYNARD: Mrs. Robinson.

MS. ROBINSON: Yes, I'd like to turn back
again to Commissioner Dennehy. I was really
interested in your comments about the citizens
advisory council in light of the discussion we had
earlier this morning about how do we connect with the
public, and I'm curious. Was this set up as a result
of the reform commission that Scott Harshbarger
chaired? Did it come out of that setting?

MS. DENNEHY: Actually, we've been
over-commissioned. We have several commissions in
Massachusetts. First one was the governor's
commission on correctional reform, which was chaired by Scott Harshbarger. That in effect issued eighteen major recommendations for reform, everything from covering topics from leadership and accountability through fiscal management through basic systems grievance, investigation, classification. Those systems that inmates need to have confidence in.

One of the recommendations -- one of the eighteen recommendations from that commission was the creation of a citizens advisory council, which we were able to convince Scott to continue to chair. So he currently chairs that council as well. The governor has just recently signed an executive order extending that commission for another year, and we are in the process of trying to convince Scott to continue his chairmanship.

MS. ROBINSON: So the Citizen Advisory Council is a separate body from the commission?

MS. DENNEHY: Yes.

MS. ROBINSON: Yes. Because it seems to me that this Citizen Advisory Council could in theory serve some of the roles that we were exploring this morning about reaching to the public and creating some kind of better PR tool, if you will, of helping open the doors at least figuratively to the public about
what goes on within correctional facilities.

MS. DENNEHY: One of the things that the CAC, the Citizens Advisory Council did, was it urged us to conduct -- when I say us, the Department of Corrections, it urged us to conduct two comprehensive external reviews. The key word there being external. Reported by the DOC, staffed by the DOC, but not necessarily led by the DOC. We were the conveners.

The two areas that the council particularly had interest in was the management of female offenders as well as the increasing impacts of mental and medical health in the area of corrections. With the help of the council we were able to bring together no fewer than about a 120 key stakeholders in the Boston metropolitan area, folks representing some of the best medical schools, folks with pharmaceutical backgrounds, advocates from a variety of backgrounds to work on the female offender group, to work on the medical and mental health group.

Much like this commission, the activities were very well organized, tasks were outlined, goals were assigned, committee assignments. The expectations were really clear. Those reports have been written and probably will be issued to the public within the next ten days or so. And we are in fact
having those strategy discussions around how do we
maximize the involvement that we've been able to
create to date, and how do we interest media in
particular in the release of that information.

MS. ROBINSON: And finally, do you know are
there other corrections departments around the country
that also have citizen advisory councils? I know Jim
Gondles, who is executive director of the American
Correctional Association, is here in our audience
sitting up there. He may know the answer as well.

MS. DENNEHY: Off the top of my head I know
we did a survey of several states when we were looking
at that and the inspector general role, and there may
be -- I mean, off the top of my head I can think of
five or six, but I think the key here is for us as an
advisory panel as opposed to what one traditionally
thinks of as an oversight panel. There's a
distinction. There's a difference.

MS. ROBINSON: Of course.

MS. DENNEHY: This group was really
convened for the purpose of monitoring the
department's implementation of those original eighteen
recommendations. It really keeps us on focus. We
meet monthly. Key managers go in and make
presentations. We have really been able to utilize
some of the connections on that panel in terms of being able to get our message out to a broader constituency.

MS. ROBINSON: Did you have a comment on that as well?

MS. LORD: I think -- again, I think running transparent facilities that support and getting people from the community is important. There are various ways that you can do that. I do think that you can go on to a lower, more local level, the individual facilities where you enhance the amount of people coming in on Sundays to give church tours. We used to spruce up the facilities on Sundays and let people come in from the local churches to meet with a group of inmates, meet staff and take a tour, and I think that it's important or resonated for me what we've been talking about in these panels because by and large people would say, gee, there's got to be something -- after they sat down, there's got to be something wrong. That woman that I was talking to can't -- you know, she reminds me a lot of my daughter.

And I think that somehow that's what we have to get to. We have to get the average American to begin to see that that could be their daughter.
And then we can make an impact.

MS. SCHLANGER: I have a question for Superintendent Lord also. You talked about sexual violence and pressure and sexualization of the women who are in your custody, and I'm curious about two things. One is we're the Commission on Safety and Abuse. Is that the worst safety and abuse problem that women face? I mean, how serious is that for women inmates?

And then the other question is what do the -- what's the menu of solutions? What does it look like? What's on that? What's the checklist that people should think about as solving that problem or at least going some distance towards solving that problem?

MS. LORD: I think facilities are doing a much better job. I think corrections is doing a much better job. I think that it does -- it is an issue that gets sensationalized. I also think that any one incident as far -- it's like when somebody gets seriously hurt, you know, it's a continuous issue. I think we have to see that prisons hold people who are vulnerable. So therefore we always have a responsibility.

You know, I think that sexual activity
comes in many different ways. It doesn't belong in prison. People need to get a paycheck. It's a job, and so they should come to work and then go home.

Now, I've had staff -- I had a staff person come to me and say, you know, I really took a shine to this woman and I have to leave. And we have to respect that, and gave him a good recommendation and know that we made the right decision. I think it's very complicated.

We're dealing with human beings in a setting, and that's why I said it does come in all varieties. I think that at some point it's a little overblown, you know, in the press. It does get overblown, but it is an issue. It's an issue that has to be dealt with. And I think that different jurisdictions are doing it differently.

Before I left I had requested the department that they install cameras with audio in fact. And I created enough pressure they agreed to do it. And so they were installing 400 and some odd cameras. I guess then I worried what does that do to change life for an inmate. You know, what kind of pressure and stress does that have.

I think we'll always have some sexual activity. People are sexual beings. We have to keep
saying -- we have to keep going back to that values
and keep saying what's appropriate. Sometimes people
fall in love, and it's still not appropriate in that
setting, and it doesn't usually work out.

You know, when we talk about -- we talked
about family issues this morning. I had an officer
who really liked this woman and he was on the outside
helping to support the children, taking the children
to visit, dropping them off about a mile away from the
facility, and they would walk together to the
facility.

These are -- so it's an activity that comes
in all different sorts of ways. It's as individual as
the individuals that we deal with, both the inmates
and the staff. Certainly, you know -- but the reality
is you can't have somebody who has sex who has custody
over them. It's beyond humanity. It's beyond being
civilized. We shouldn't have people that are even in
that situation.

But be we also -- there are more mentally
ill people in our prisons than there are in our
hospitals today. So that's a particularly vulnerable
population. When you look at the histories of women
in prison in terms of victimization, then it's kind of
set up to be revictimized. It doesn't take much to be
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1 victimized. These are not people that are going to
2 easily say no when they should be saying no. So we
3 even have to go back and start retraining inmates.
4
5 I had a woman -- I was walking across the
6 yard one day and she said, "I really need to say
7 something to you. I know you're doing the right
8 thing. I know you're trying to do the right thing,
9 but you know, I was a prostitute on the outside and
10 nobody -- I don't have anybody out there. Nobody
11 sends me a thing. I don't get perfume. I don't get
12 food. I don't get money. I don't get anything." She
13 said, "You're really intruding in my little thing I
14 have here."
15
16 You know, it's a difficult problem. Is
17 it -- you know, I've had certainly tons and tons of
18 inmates say that Bedford was safe, but I didn't feel
19 that way as long as I felt like someone who maybe
20 couldn't fend for themselves was being taken advantage
21 of.
22
23 MR. MAYNARD: I misspoke earlier. We have
24 thirty minutes left. So we have plenty of time. We
25 have Mr. Schwartz.
26
27 MR. SCHWARTZ: I wanted to commend all
28 three of you. Not only on your oral testimony but
29 also on your written pieces, which are very, very
interesting and quite powerful. I've got one specific
question to Mr. Ellis and then a general question to
the three of you.

The one to Mr. Ellis is you got four
degrees, four graduate degrees when you were in
prison, including a master's degree in theology and a
magna cum laude bachelor of science degree in business
administration, four degrees. And I mean, our
chairman I know studied courses in Princeton when he
was incarcerated in Germany as a prisoner of war, so
it does happen, but it struck me as interesting that
you got those four degrees in an institution that you
described as self-perpetuating organizational culture
of racism and brutality and lawlessness.

I'm sort of interested on whether how you
are able to get those degrees in that culture, or to
put it differently, are there things from the lesson
of your getting those degrees that can be used to help
think about improving the culture?

And then the general question to all of you
is maybe one of you or maybe two of you used an
express a code of silence. Everybody knows there are
some bad eggs in facilities, and how do you -- how
does one identify and try to either retrain or get rid
of the people who are the bad eggs? So there's one
specific question and one general question.

MR. ELLIS: Well, I was very fortunate to -- I was very fortunate. I don't know how fortunate. I'll say I was being in prison at a time when it was still possible to attain college level programming. In fact, undergraduate and graduate degrees that is -- that is no longer available, and for the life of me I'm not quite sure what happened outside of the fact that I probably seemed to -- seemed to coalesce to such a degree that the eligibility for the funding requirements for those programs were at both the federal level and the state level in most states were removed for people who have criminal convictions.

Notwithstanding all of the research that demonstrates that people who come out of prison with higher education have a rate of recidivism that is perhaps twice as low as the normal national rate. People who have acquired degrees in prisons such as myself I think acquired them in spite of being in prison rather than because they were in prison.

The prison I was in, there was an enormous amount of animosity on the part of the uniformed staff, who were -- and who were in the college program, and college administrators and college
teachers and professors had a tremendous amount of difficulty going into the prison and coming out of prison. There was an enormous amount of harassment in terms of their relationship that they entertained with uniformed staff.

I think that uniformed staff felt that the people in prison who were receiving this education in most instances as a result of them being eligible for Pell Grants were not deserving of the education and therefore should not receive it. They did many, many things that they could in order to disrupt the flow of that educational system.

I think that notwithstanding all of that, hundreds of thousands of people who were able to graduate throughout the United States with college level baccalaureate degrees and in some cases graduate degrees, and that their contribution to society and to the community once they returned to the places that they were originally from before going to prison is testimony to the significance and importance of that kind of thing, but I think that -- I think that the fact that those programs I think that college --

I think that education is perhaps the singular most important thing they could be doing in prison, and the research seems to suggest that people
who are educated while in prison particularly at the
college level, but even approaching college level, at
times high school level, have a greater chance of
success once they leave prison and go to the streets
notwithstanding that research and that empirical
evidence we have all but eliminated.

I say we. I'm talking about both the
national and state levels. We have all but eliminated
college level education in the prison system. So I'm
not sure what that actually says vis-a-vis policy or
others, but certainly the elimination of college
programs was in large measure due to the overwhelming
opposition of prison staff for those programs.

MS. DENNEHY: I'd like to take the more
general question around the code of silence. Just a
couple of thoughts. I think first and foremost when
we're investigating any allegation of misconduct,
whether it's staff, correction officer, other
employees, administrators, volunteers for that matter,
that it's imperative to have a good investigatory
system in place, appropriately trained investigators.

And I don't think that that can necessarily
be done in-house. I think it needs to be done in
cooperation with, in our case, the state police coming
in and actually certifying our staff assault
investigators, for example, so that they have the
necessary skill set to handle some of the more
difficult cases. I think it starts with a good
investigation, because a good investigator can get
some additional information that perhaps can be the
key piece of evidence that is corroborated.

Also not hesitate to go utilize district
attorneys and the attorney general's office. In one
or two isolated cases of abuse most recently it's been
incredible how forthcoming staff have been when there
has been a representative from the district attorney's
office conducting a concurrent line of questioning
with our investigators. Ultimately it's about holding
staff accountable to the extent that, you know -- and
this isn't a witch hunt.

We're not looking to fire people or hold
people accountable just because we know something
happened. We want to hold the right people
accountable. But to the extent that we can pin that
kind of activity on folks, we -- frankly we're being
very aggressive about the discipline. We're not
negotiating around certain values around those issues
if it represents termination. End of discussion.

The more troublesome question I think is
for those others who may be in the room when abuse
occurs. Very early on in my commissionership, I'd say about six weeks into it, the union had just finished applauding my selection and things took a turn there about 180 degrees about six weeks into this.

It was a case of abuse, and through a lot of details and good detective work we were able to corroborate the inmate's allegations regarding one out of seven staff members. We know that an inmate went into a room and didn't have a mark on him. We also know he was restrained in four points. So here we have an inmate restrained, and at the end of the day he has significant injuries. No one saw anything. The inmate's version really pointed to one staff member in particular, and he could not identify the others.

The long and short of it is through good detective work we were able to corroborate that it was one particular individual who was presently responsible. But the other folks in the room frankly were sergeants and lieutenants, and my favorite line in our blue book is that responsibility augments with position. As a sergeant and as a lieutenant, as one with supervisory and rank authority you are expected to know what happened in that room. It's not acceptable to say, "I don't know. I didn't see
anything."

Those folks through Massachusetts civil service case law, etc. knew I couldn't quite fire some of them, but I could demote them back to their permanency. That really had not been done before, and that's been the course of action. What's happening rather slowly is that we now are having some employees step forward willing to tell the truth, willing to tell the truth when they have been an unwilling observer. And I think the critical issue here is that it is a very small percentage of staff who engage in the most egregious conduct.

You know, the corrections officers who were acknowledged this morning I think are far more representative of the general work force, but even good officers are subjected to that code of silence and the pressure to say they saw nothing. And to a certain extent it's human nature to go home at the end of the day and say, well, I didn't participate.

I didn't firsthand participate in that, but if you were there, you witnessed it, and you allowed it, you enabled it. We have to get to the point where staff are comfortable stepping forward with the truth, and we have a long way to go. We have a long way to go in that regard.
MR. MAYNARD: Superintendent Lord, do you want to --

MS. LORD: I just wanted to say, I think that we do a pretty good job with incidents with serious injury. I think that we have to see the violence, though, in a continuum. As you get to those lower levels of violence that starts sometimes with just threats, then that's more difficult to deal with, you know, and the other thing is that I was thinking about when Commissioner Dennehy was talking is that when you have physical violence you generally have several officers responding.

When you have sexual violence, both parties have generally spent a lot of time trying to figure out how to get into a secret location by themselves. So you don't have -- what you try to backtrack to is how did they get through that gate, how did they get to that area? But, you know, there are always -- you know, there are always people moving around prisons doing things, and so it does -- it becomes a very difficult situation, and again, I don't want to reiterate that by far the officers that I -- I'm very happy to have many officers as friends, and they were high caliber professional people. We are talking here about just a few.
MR. MAYNARD: Mr. Ellis.

MR. ELLIS: I think that the code of silence is probably the symptom, and the root causes go a lot deeper and certainly a lot more pervasive. I think that many of the things that the Commissioner Dennehy has outlined with respect to identification and investigation and prosecution go a long way towards establishing the kind of a tone within the system that certain criminal behavior particularly, but just certain general kinds of behavior in terms of abuse cannot and will not be tolerated.

You know, I reiterate numerous times that my experience has been that many uniformed staff really honestly believe that much of what they do while perhaps in contrary to the rules and in some cases purely criminal behavior will not be prosecuted, that they will be -- that they will be protected by their peers, by their supervisors, ultimately by the system itself, and I think all too often that plays itself out to such an extent it kind of becomes a self-fulfilling and perpetual kind of thing.

MR. LUTTRELL: Commissioner, in your opening remarks you paint a pretty bleak picture of labor management relations in the department of corrections. Yet in the end in your summation you
I'd like to focus a little bit on how you as administrator and also with your background and training, how do you bridge that labor management gap in a way that allows you to effectively manage your department? You know the -- I've always found labor management relations in Massachusetts government to be an interesting case study. I've read some about it. I notice you have very formidable labor obstacles there, but as an innovative manager, how are you approaching that labor management hurdle in a way that allows you to effectively manage your prisons?

MS. DENNEHY: There are a couple of issues. One, again, going to training. One of the things we did was we approached a local community college and asked them if they would put together a full semester program for labor management, labor relations, specifically contract administration for our superintendents, for our local wardens, if you will. In that much of the contract, much of the tone and character of labor management relations really happen at the local level with the local stewards and superintendents. So we provided the
superintendent and key division heads with in effect a
semester-long academic program on how to better manage
contracts.

We were very lucky in that we secured an
instructor who actually worked in another state almost
exclusively for correction officer unions on the other
side of the house, so she really brought a very
interesting and helpful perspective.

Again, that's because so much of the labor
management plays out at the local level. I think
what's noteworthy in Massachusetts is that our
correction officers union has been without a contract
for going on three years. So we are at the table.
The governor has made it clear there won't be
retroactive payment.

So you can imagine the particular dynamic
that that brings to the table in terms of coloring
labor management relations. We continue to meet
monthly with the labor management, with the executive
board of the union. We always have an agenda. It
always strikes me as interesting how much work can get
done in that form even when in the broader context of
contract negotiations.

There's a lot of heartburn, but I think
it's case by case. It's issue by issue. But you've
pointed out that in Massachusetts it's a somewhat unique environment. We cannot engage in interim bargaining absent to contract. So we're sort of stuck in limbo in terms of advancing any major reforms.

MR. MAYNARD: Mr. Ryan.

MR. RYAN: There's a couple items. The jail prison environment has evolved over the last 35 years, and particularly the female environment. When I first started there were never any male officers then, and then Title IX and a few other things came along, and female officers saying I want out of here too and I want to have some opportunity.

So my latest I heard is that Michigan actually had a case decision recently where they took all the male officers out. As background then just trying to figure out how best to manage that population which is particularly growing.

We talked about video surveillance. We talked about cross-gender supervision of all the staff. I've added special background of male officers making sure they don't have domestic violence or sexual harassment cases pending or in their past. We have reporting mechanisms like at least in our area where you have all inmates have a phone you can call directly to internal affairs. You can call the ACLU.
You can call the FBI if you wanted to if you have some sort of issue. We have a grievance procedure. We have letters to the chief, me, if there's a problem, and I am a special investigator. If there's any hint of criminal activity there's an immediate activity, and we have no stops when it comes to that.

Operating-wise, using San Francisco model, we have one hour where there are no males in the building so the female staff can feel comfortable what they're doing, or in fact if they want to take a shower there's certain places where the doors are longer so you don't feel unsafe in doing that. We have volunteer training for the faith-based folks or any other volunteers that come in to say you might be advised of certain things. Your obligation is to tell us.

We even had the Prison Rape Elimination Act, Moss Group come in and do a consulting with our female inmates to find out if they felt safe in the environment. I'm pleased to say they did and they spoke to us. We are proposing at this point free calls to children, want to make that connection because that gets lost. As I said to the morning group, what's missing? What do we need to do?
MS. DENNEHY: Okay. I have a couple of suggestions, and the first one being -- and you may have mentioned it at the primary post, I mean how are officers assigned to posts, because in my former life I was a warden at a female maximum security prison, and it seems to me -- I know when I was hiring folks I felt very strongly that I needed a male deputy, that it's very important -- and I think Elaine mentioned this.

It's very important that either gender have appropriate role models for both sexes. But I was always more concerned about the primary post, who is staffing the primary post in the housing units. Frankly, I did not have major concerns about a male officer being in a housing unit as long as he wasn't in the primary post, as long as there was a female in the unit.

I think you have to look at that balance, and so much of that is driven by architecture and driven by whatever, the roster analysis calls for posts. So I think it's case by case, but I think we need to pay more attention to the gender of particular assignments.

While transporting a female offender, who is doing the transporting? I would not want to see
two males transporting a female offender. I would
want to see a balance. I think about that in terms of
roster management. The shift commander who's managing
a roster, are they paying attention to those issues?

We recently established two separate work
groups in Massachusetts. And one of them was driven
by a recent incident, the unfortunate killing of the
officer I believe it was in Tennessee in the
courtroom, the correction officer who was murdered.
And if I have the details correctly, that individual
had been involved with a nurse who had previously been
terminated, and she had smuggled the gun in to him in
the courtroom.

There was also an incident, an escape out
of a maximum security prison in Michigan that involved
a female employee having a role in assisting the male.
It's been my observation of late, and I say this as a
woman, that -- and it's just the sheer numbers. There
are 95 to 96 percent of our inmate populations are
males. It's a smaller percentage that are females. I
know in terms of anecdotally the discipline that I've
meted out, it tends to be more females becoming
involved with male offenders. Why, because there are
more male offenders.

I think there are issues around both of
those gender in terms of how we supervised and how we
monitor activity. And what both groups have come back
to us, and I think it's a real fair criticism, that we
as administrators do not keep our finger on the pulse
of staff who are going through particular stresses.

If someone has had a death in the family,
if someone has had a really critical divorce
situation, a really nasty divorce, if the death of a
child, if you sense that they've had a substance abuse
history and they may now again be using, folks who
were at a particularly vulnerable time in their life
with stressors, again, looking back over thirty years,
I think every time there's been a critical incident
that has involved staff, when we've gone back and
looked, we have found out too late that that person
was undergoing some critical stress that we just
didn't intervene. We didn't see it, know it, or feel
that it was our role to intervene.

MR. MAYNARD: Mr. Nolan?

MS. LORD: I'd just like to agree with the
commissioner on stressors. I think they are
absolutely in staff who get into problems, at least
with some staff. I also wanted to say that I think we
have to realize that sometimes among the women, the
inmates, that there is also a code of silence for
various reasons, and they don't want to get an officer
in trouble. They may not want to rock the boat. They
may like the officer on the unit. He may do a good
job. There are a number of things.

We used to have groups where we met with
inmates and we had inmates leading groups to discuss
things like that. These are women who, again, you
have to go right back to the histories. These are
women who came in and said, "Gee, I didn't realize it
was bad. I hit him back, but I was the one who ended
up in the hospital." We have to realize what we're
dealing with.

I just wanted to say one thing about
college and programs, and I think they're all
critical. People have to have hope. If they don't
have hope to have, of course they're going to make
another life in prison. They're human beings. So
one, we should be trying to get people out who don't
belong there, and I believe drug abusers, people with
long terms -- I know seventeen year olds who are now
53. It's like when is it enough? And they haven't --
a woman who has never had a misbehavior report. I
mean, I'd be happy to have her live next door to me.
I don't understand what it is.

Reentry, we have to realize that for women
reentry is very different than what it is for men. Very often there isn't anybody waiting for them when
they come out. Whereas for men, very often the wife
or significant other has kept the home. I think
parenting we realize is much more complex than a phone
call, and I applaud you for doing -- I think it's
critical, but I think what we have to be careful of is
that sometimes what happens -- and I think I heard
Mr. West who spoke this morning say you get a phone
call, you get a visit, and then it's trouble on the
unit because the stresses from those things come right
back into the prison. And so we need to be dealing
with families on a very, very much different level
than I think we're doing now.

The other thing we have to realize is we
did throw programs away. We throw programs away that
did work. We threw programs away that made a
difference. We threw colleges away. In New York in
Bedford Hills we have a priority-funded college
program. We used to have one that was publicly
founded. It has an eight percent recidivism rate over
five years. I'll take it. You know, what are we
doing?
But, you know, on the other hand I
certainly feel for my correction officers who are
struggling to get their kids into college, and so
again, there's that dichotomy. And again, that's us
and them. I don't want to --

MR. MAYNARD: We've got about five minutes.

Got two more questions.

MR. NOLAN: First of all, a comment what

Ms. Lord just said, your observation about women and
lack of anything waiting for them is absolutely true
except that the wolves are waiting at the bus stop for
the women, and that is one of the biggest concerns.
They're waiting, they're offering them a warm place to
live and meals in return for selling their body or
becoming a drug seller.

And it's a huge problem for these women and
they're frightened to death when they get out having
no place to go. That's not just a corrections
problem. It's a community problem, and we need to
have people there waiting for them, that are good that
are interested in them, not in what they can do.

My question was about prosecutions because
testimony to the Prison Rape Elimination Commission
was that oftentimes prosecutors will not prosecute
even when institutions contact them. It either is the
previous position of the prosecutor or, even worse,
even if they're interested in it they feel political
pressure and in fact sometimes political threats if you do. I appreciate knowing your experience with prosecutors. Have they always followed through when you've contacted them? If not, what prevented them or discouraged them from going ahead and prosecuting the crimes that occurred within the walls?

MS. DENNEHY: I can speak to specifically my experience when I was superintendent at MCI-Framingham. I would be very complimentary of the relationship that existed with the then district attorney and now as commissioner with the current district attorney. I think there's practical issues sometimes with district attorneys. It involves the processing of DNA through crime labs. I know in Massachusetts the administration has recently expanded the ability of prosecutors to utilize crime labs to test the evidence.

In one particular case at MCI-Framingham -- this sounds a little reminiscent, we read all too much about it, but a woman actually saved the blue dress. She saved the blue dress and presented us with the blue dress and said, "If you test it, you are going to find the DNA of this particular officer."

The district attorney at the time had used up the monthly allotment for processing because
there's some queuing at the state crime lab in terms
of processing DNA. Frankly, we worked with her. We
found a different funding mechanism to get that done
in a timely basis. The individual was prosecuted and
is now incarcerated.

I think it really comes down to developing
those relationships with the district attorney, and I
think fundamentally it all comes back to your internal
affairs investigative unit having credibility with the
local district attorney. Most states have state laws
such that a superintendent or a warden is compelled to
notify the district attorney if there's concern that
there's been a criminal violation, and at that point
the DA may determine whether they come on site, or if
they have confidence in the investigator's ability,
look to have oversight of that investigation and
sharing of information, but those kinds of
collaborative partnerships really pay off in the end.

MR. MAYNARD: We've just got a couple of
minutes. Mr. Ellis.

MR. ELLIS: I think there's a political
problem particularly in New York with regards to
district attorneys and prosecution, and that is that
many of the prisons are located in very rural, very
upstate kinds of areas, and overwhelmingly
prosecutors, district attorneys, particularly in New
York, are elected. And so what happens is that the
constituency that elects district attorneys is
comprised of uniformed staff and their families.

          There is almost the hint, if not the
threat, of political retaliation certainly in the
electoral context. I think that has served as a way
in which many of the district attorneys have had
second thoughts about prosecuting vigorously as they
perhaps would otherwise.

          MS. LORD: My experience was pretty much in
a county that had a vigorous prosecution history of
sexual crimes. And I agree, you know, the best case
scenario is the blue dress or I once had an inmate
that asked a nurse how to keep semen alive. She
actually put it on ice for us. So they can be very
resourceful when they want to be.

          But again, I would say we've also seen
instances where it's difficult to get a conviction. I
remember one case, and none of my facilities -- not in
my facility. Another facility where the officer was,
you know, they have all the evidence for a crime of
sex crime under the New York statute. But during the
crime -- during the trial, excuse me, the officer
produced letters from the inmate to him, and so of
course his attorney used it to say, you know, see, this inmate is enticing him and so forth.

Even though the law in New York is very clear that consent is not an issue, the jury refused to find him guilty. And I guess that's why I keep coming back to we really do have a job to convince and to educate people in the community about what really has to happen and why it's so important. So there was prosecution, but sometimes having trouble with those prosecutions.

MR. MAYNARD: Thank you. We have about two minutes and one more question from Mr. Krone.

MR. KRONE: Yeah. This section is on interpersonal dynamics and safety and abuse, and we constantly brought up this staff-inmate situation. I wanted to address the relations among staff on staff. You have male-female staff members working together. Much as we see in TV over -- the scandal that arose from the result of our role over there was some picture were taken of two people having relations on staff. My question to you is does DOC support that type of a relationship within at the time of work, does it discourage it, does it monitor it, and you know, is it a problem and just how common is it?

MS. DENNEHY: Are you specifically asking
about sexual misconduct or --

MR. KRONE: Staff on staff.

MS. DENNEHY: Okay. I'd say certainly the

PRE Act has opened our eyes to all of the

possibilities in terms of sexual violence. I remember

when I was at the training academy my first week on

the job I had the sad responsibility to testify

against a sergeant at the training academy who stood

accused of raping female recruits. He was not

convicted of raping female recruits. He was convicted

of a lesser crime and did time, did time for it. So

does it happen, yes. Very infrequently.

I think what happens more frequently

frankly, and it's of concern to me, and I think it

goes back again to the needs to support staff and to

identify those stressors, I'm very concerned about the

level of domestic violence. The level of domestic

violence that correction officers, male and female,

find themselves in off duty. I've been -- again, been

in the system for thirty years, and I was surprised at

the incidence of arrests.

I was surprised at the incidence of the

issuance of restraining orders. When I talked to my

friends who were in policing, they all tell me that

it's significantly higher in our agency than it is in
the policing community. That may just be an
underreporting as well, but that concerns me. The
level of substance abuse, the level of OUI conviction,
particularly as it relates to staff.

This isn't just correction officers. You
know, again, they represent the backbone, sheer
numbers. Because it's very important that supervisors
and managers be held to the same standards. It isn't
a question for some and not for others. So I think
there are broader issues, there are broader symptoms
around how to better help staff deal with the
stressors. Particularly I would really urge the panel
to take a look at that domestic violence piece. It's
really quite troubling.

MR. MAYNARD: Well, we're out of time. I
want to thank each of you for your testimony. It's
been very helpful.