

COMMISSION ON SAFETY AND ABUSE In America's Prisons

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COMMISSION HEARING EXPLORES THE DIFFICULT WORK OF CORRECTIONS OFFICERS

On November 1st and 2nd, the Commission on Safety and Abuse in America's Prisons convened in St. Louis, Missouri, to hear testimony about the difficult work of corrections officers, with a focus on the conditions that jeopardize the health and safety of both officers and prisoners and how to remedy those problems. A transcript of the proceedings, in whole and by witness panel, is available on the Commission's web site, http://www.prisoncommission.org/public_hearing_3.asp

Highlights of the testimony include:

- A portrait of a complex job that is under-resourced and under-valued
- A clarion call to change the institutional culture
- What happens when officers function under extreme stress
- The critical role of leadership at all levels
- A look at why officers use physical force and how to minimize it
- Divergent views about professional accreditation
- The public vs. private prison debate

A complex, but under-resourced and under-valued, job. The hearing began with a personal account by St. Louis Corrections Officer Lou West who described a job that is difficult even under the best circumstances – “customer service in hell,” he called it. West supervises 67 people, out in the open, and relies on interpersonal skills and 25 years of experience to meet the demands of the job. Even though “direct supervision” is extremely demanding, West prefers it to the old-style, “linear” prisons he worked in as a young officer. “Even though I grew up in the streets of St. Louis,” he said “there was nothing to prepare me for the graphic violence I experienced everyday. Direct supervision is a much more humane setting.”

“We have come a long way, from prison guard to correctional officer,” said Theodis Beck, Secretary of the North Carolina Department of Correction. “Our correctional officers are much better trained, more professional, believe in their work, and take their job seriously.” “But for all that we ask them to do,” he continued, “the correctional officer is under-paid, under-recognized, and often under appreciated.” In support of the workforce, Beck also cited rising numbers of women, African-Americans, and Latinos among the officer ranks.

Both James Marquart, a professor at the University of Texas at Dallas, and Lance Corcoran, a labor leader in California, who testified along with Beck, described a mismatch between the demands of managing a large, diverse, and troubled prison population and dwindling resources for doing that job well. “One word sums it up,” said Marquart, “and that’s the word pressure.” “In football, there’s a penalty called ‘piling on.’ The officer has been piled on. And as a result of a massive surge in prison admissions, everything in prison must be accomplished faster, faster.” At the same time, Corcoran said, the public’s low image of the profession makes it difficult for officers to take pride in their work. The ultimate effect: departments can’t hire and retain the best people. All three witnesses concluded that until there is political will to invest in prisons, conditions for both staff and inmates will not improve, and recidivism rates will remain high.

A clarion call to change the institutional culture. A critical look at the underlying culture of confinement emerged as a theme of this hearing, with nearly every witness calling for continued improvements in the institutional culture. Three witnesses, in particular, focused their testimony on relations between officers and prisoners, covering issues that ranged from cross-gender and cross-racial supervision to the underlying combative, dehumanizing dynamics that fuel abuse and the code of silence.

Massachusetts Corrections Commissioner Kathleen Dennehy said that for years, training for officers encouraged an “us vs. them mentality” and talked about the “missed opportunities” and also dangers of not seeing inmates as “fully human.” (The department’s nine-week basic training program was redesigned to focus on building the officers’ communication skills.) “An inmate may have committed a criminal act, but it is not a steady state,” said former prison superintendent Elaine Lord. “They are not monsters,” she continued. “They are not subhuman. They are us.” Lord retired when she felt that she could not protect the women under her care.

Drawing on his experience as a prisoner, Eddie Ellis testified that many uniformed staff believe that even criminal behavior will not be prosecuted and that they will be “protected by their peers, their supervisors, ultimately by the system itself.” Dennehy spoke candidly about resistance from individual officers and the union to reforms intended to hold officers accountable for their behavior and to encourage them to report instances of misconduct by their colleagues, but she ended on a hopeful note: “What’s happening rather slowly is that we are now having some employees step forward willing to tell the truth. And I think the critical issue here is that it is a small proportion of staff who engage in the most egregious conduct.”

Earlier in the hearing, Asha Bandle described how dehumanizing dynamics also hurt the families of prisoners and undermine those crucial bonds. Married to a long-time prisoner in New York, she described “sudden, capricious” new rules around acceptable dress for visitors that were enforced in a “humiliating” way. “I will never be convinced that this made the facility more secure. Indeed, it can lead to severe tension between a prisoner and a guard who humiliated or otherwise violated his wife.”

The toll of functioning under extreme stress. As an opening to a panel focused on the human consequences of the job, Commissioner Dr. James Gilligan recalled that “One year we measured the blood pressure of all the corrections officers who worked at the prison mental hospital and the vast majority had blood pressures so high they would have qualified for immediate medical leave of absence.” In talking about her daughter who works as a correctional officer, former prison chaplain the Rev. Jacqueline Means said, “I can’t blame her position as an officer for the drinking problem that she developed. But the stress of the job and the lack of support for the officers didn’t help the situation.”

Psychology professor Robert Delprino identified the sources of extreme stress – emphasizing, in particular, the feeling among many officers that they operate in a difficult, demanding environment with little or no control over their own work or the environment. He also pointed out the corrosive effect of shame: “I think that many COs I found really don’t want to tell people that they are corrections officers. They’d rather just say I work for the state.”

“When you go to work in a place that has a tendency to be condescending, negative, vulgar, that can show up in your life. I’ve seen officers the first year maybe putting on 75 pounds. They get to become cynical. They get to become a little bit paranoid,” said William Hepner, who trains officers in New Jersey. The “expectation of obedience,” he continued, can act as a catalyst for violence at home. And the extreme stress leads to high rates of turnover – about 400 officers annually in New Jersey.

To mitigate stress and its consequences, both Hepner and Larry Brimeyer, Deputy Director for Eastern Operations in the Iowa Department of Corrections, talked about the value and popularity among officers of structured peer support programs – programs developed initially with support from the National Institute of Justice. According to Brimeyer, more than eighty officers in Iowa have been trained as peer supporters. And in the first nine months of this year, officers sought help from these peer supporters on more than 400 separate occasions.

In offering potential solutions, Delprino focused on the role that supervisors can play in identifying officers under stress and getting them the help they need. He also cautioned against concluding that the job affects everyone in the same way. “I just want us to remember,” he said, “that many corrections officers go through this career of 20, 25 years with themselves and their families intact. Many COs are proud of their profession and see themselves as serving an important role.”

The critical role of leadership. The importance of good leadership – people walking the halls and not merely issuing orders from behind a desk – was another theme that emerged during the hearing. “I often tell leadership staff you are judged by offenders and staff by how you spend your time and how you spend your money, not what you say,” testified Mary Livers, Deputy Secretary for Operations in the Maryland Department of Public Safety and Correctional Services.

Asked by the Commission to speak about leadership, Livers described why it's important, the opportunities it presents, and real obstacles to reform. She called the best correctional leaders "change agents" and described the attempt at instituting sweeping reforms in the Maryland system. "We are moving from a very restrictive philosophy of managing offenders to an environment that supports secure settings by creating a culture of safety, dignity, respect, and accountability," said Livers. "We're moving away from having that feeling of being safe when offenders are all locked up, to one where we're actually safer because we have inmates out of their cells, involved in something hopeful and productive."

The obstacles to reform include lack of funding, staff shortages, low pay for officers, unions that fight to keep officers who abuse their authority on the job, old facilities built to warehouse prisoners, and fleeting tenure. "Time is not on our side," Livers said, and noted that the average tenure for a top administrator in a state system is 3.2 years.

She also reminded those gathered in St. Louis that the effort is, for most corrections leaders, a labor of love. "Most leaders in corrections will not go on to have a political career or be revered as a hero. They do this work for the satisfaction of knowing that somehow, despite all of the difficulties in managing large and complex systems, they make a difference. This, of course, is the antithesis of what is portrayed in the popular culture, but it's the truth."

Why officers use force and how to minimize it. "It's your sergeants and your lieutenants that actually run the prison," said former Kansas corrections head Patrick McManus. "Abuses don't occur unless a large number of them know about it." As a consultant, McManus is working to get facilities to move beyond specialized training in the use of force to cultivate leadership and an institutional culture that discourages relying on force. The on-the-job environment, McManus says, is far more influential in shaping the behavior of new staff than pre-service training. "Training is important. Policies are important. But leadership sort of trumps them all," he said.

Testimony by Ronald Kaschak illustrates how a less experienced officer is shaped by his environment. An employee of the Mahoning County Jail near Youngstown, Ohio, with three years on the job, he felt he had to follow orders to restrain and beat an inmate.

To broaden understanding about why officers may use force unnecessarily or excessively, Sgt. Michael Van Patten, a 20-year veteran who now trains officers in Oregon, described survival stress reaction (SSR), which is the result of accumulated tension and actual violent encounters. Officers suffering from SSR, he said, are more likely to use force because stress impairs their judgment as they enter a cell or confront a prisoner who is disobeying orders or causing conflict.

According to both Patrick McManus and Randall Berg, who heads the Florida Justice Institute, that kind of poor judgment is more likely to occur when officers are dealing with mentally ill prisoners – especially officers working in small local jails. Berg showed the Commissioners photographs illustrating the serious injuries that result from excessive

exposure to pepper spray – both on targeted inmates and on other people housed in the same cell block.

Divergent views about professional accreditation. “This wasn’t a thing of make work,” said former Indiana corrections commissioner Evelyn Ridley-Turner. “We wanted to live by the standards.” Ridley-Turner was one of four witnesses to address the process, benefits, and ultimate value of having a prison or jail accredited by the American Correctional Association (ACA), the profession’s primary trade association. Ridley-Turner continued: “When you’re doing operations 24/7, sometimes it gets to the point that you can’t see the forest for the trees, and that was what I was finding out with some of our facilities. They did have procedures in place, but this gives you a peer review.”

ACA Deputy Director Jeff Washington and Michael Hamden, a member of the ACA’s Commission on Accreditation for Corrections since 1998 and also Executive Director of North Carolina Prisoner Legal Services, echoed her views, emphasizing that the accreditation process is voluntary and that the ACA collaborates with and supports correctional administrators who engage in the process. “We are a helping body,” Washington said, noting that the ACA has been accrediting facilities since 1974.

It’s precisely that kind of collaboration that troubles Brian Dawe, Executive Director of Corrections USA, a nonprofit coalition of unions, associations, and individual officers. “As a line officer, I went through several accreditations,” said Dawe. “And I can tell you one of the biggest problems we had was that we knew well in advance who was coming, when they were coming, and you could always tell the day the accreditation team would be there because there would be more staff. You’d be tripping all over them. And the day after the accreditation team left, the staff would be gone.”

Much of the debate among the witnesses and with the Commissioners centered on whether the ACA’s standards are too low; whether the process and results are credible, given the symbiotic relationship between the ACA and the corrections administrators who pay to engage in the process; whether results of ACA audits should be made public; and whether professional accreditation should be mandatory – and who would fund it.

The public vs. private prison debate. “I would not have taken the job with Corrections Corporation of America (CCA) if I believed I would have to choose between profitability and good quality corrections,” testified Richard Seiter, a CCA executive and former federal prison administrator. Seiter also emphasized that the contracting process – and the penalties for violating those contracts – make private prisons more accountable than publicly run facilities.

UCLA law professor Sharon Dolovich acknowledged that contracts can have this benefit, *if* government officials exercise their rights under those agreements. How often, she asked, does government inspect a privately run facility unannounced? How often does it terminate a contract for cause? Private prison opponent Frank Smith pointed out multiple CCA-run facilities that were poorly monitored, rife with serious abuses, and some that were shut down as a result.

Providing support to Smith's stories, Dolovich testified that her research suggests that private prisons are less safe than their governmental counter-parts, but she objected mainly to the contours of the debate. "The way the debate has generally been framed, as a choice or even a competition between public and private is the wrong way to think about the issue," she said. "I think the real question is why all of our prisons, public and private alike, fall so short of satisfying our obligations to those who we incarcerate."

About the hearings and Commission. Twenty-four people testified in St. Louis, offering both personal accounts and expert opinions. Their testimony, as well as written statements provided in advance of the hearing, are posted at http://www.prisoncommission.org/public_hearing_3.asp. This was the third of four scheduled hearings. The final hearing will take place in Los Angeles, California, in early February. The Commission expects to issue a final report and recommendations in April 2006.

The Commission on Safety and Abuse in America's Prisons is a diverse, 21-member, non-partisan panel co-chaired by former United States Attorney General Nicholas de B. Katzenbach and the Honorable John J. Gibbons, former Chief Judge of the Third Circuit Court of Appeals. The Commission formed in March 2005 and will work for one year to explore the most serious problems inside U.S. correctional facilities and their impact on the incarcerated, the men and women who staff facilities, and society at large. The Commission is staffed by and funded through the Vera Institute of Justice.