

1 THE CHAIRMAN: Thank you very much.

2 Mr. Aldrich.

3 MR. ALDRICH: Thank you. I have been
4 honored to be selected by the Commission to testify
5 today regarding effective investigative procedures.
6 It was during the fall of 1996 that I attended my
7 first training sponsored by the National Institute
8 of Corrections held in Longmont, Colorado. This
9 valuable training was also attended by my
10 supervisor, Director A.T. Wall, and Ms. Roberta
11 Richmond, who is now serving as assistant director
12 in the Rhode Island Department of Corrections.

13 The training focused on investigating staff
14 sexual misconduct. The training experience was the
15 genesis in our Department's quest to secure
16 legislation criminalizing sexual relationships
17 between staff and offenders. In 1996, I had been
18 fortunate enough to attend numerous -- or since
19 1996 I had been fortunate enough to attend numerous
20 National Institute of Corrections training as a
21 participant and a presenter.

22 My purpose in testimony today is to underscore

1 several basic, yet essential, considerations for
2 successful investigations and PREA compliance.

3 The first area that I briefly speak about is
4 the selection of investigators. The investigator
5 tasked with conducting investigations must not only
6 possess professional competency, but also the
7 ability to view the offender as a victim.
8 Investigative personnel can be trained in
9 proficient and investigatory techniques, standards,
10 protocols and yet fail in securing either
11 successful prosecution or termination of violators
12 if they do not recognize the basic premise that an
13 offender can also be a victim by staff or other
14 offenders.

15 Training of Investigators: Natural ability
16 combined with basic investigative training and
17 experience, we all know is essential.
18 Investigative staff tasked with conducting
19 predatory sexual assault investigations in closed
20 security environments require a specialized level
21 of training.

22 Specialized training offered by the National

1 Institute of Corrections combined with crime scene
2 and evidence preservation training and keen
3 interviewing skills, this is the foundation and
4 deterrence and apprehension of violators.

5 I believe it is imperative that the
6 investigative branches establish collaborative
7 agreement and understanding with prosecutors in
8 their respective jurisdictions. These
9 relationships and agreements need to be established
10 and maintained before the agency or the department
11 is involved in an incident. This requires an
12 ongoing commitment, as the political cycles cause
13 personnel changes.

14 The Credibility of the Investigation: The
15 investigation process needs to be viewed as
16 credible. That credibility must extend to the
17 staff, the offenders, the administration and the
18 general public. A credible investigative approach
19 will help shape and change culture and promote
20 staff buy-in and understanding. Staff must
21 understand that the investigative process is
22 unbiased and thorough. Investigators should

1 represent the investigation process as a "double
2 edged sword," in that the investigative process and
3 investigative personnel will place as much effort
4 into their exoneration as it will their
5 apprehension.

6 Policy: A clear and concise written policy,
7 which depicts zero tolerance for sexual misconduct
8 or abuse involving other offenders is essential.

9 Administrators and supervisors alike must
10 ensure that the policy used in their facilities and
11 institutions is reflective of the practices which
12 are taking place. Supervisors in the facilities
13 should be held accountable for policy enforcement.
14 Line supervisors, if trained properly, will
15 recognize the earliest warning signs associated
16 with sexual misconduct among their line staff, as
17 well as the offender population.

18 Record and Investigative Reports: The proper
19 writing and maintenance of investigative reports
20 are key components in proceeding with
21 administrative action, as well as criminal
22 prosecution in cases of staff misconduct and

1 offender on offender offenses.

2 Statistical data recall must be part of record
3 keeping protocols. Data collection is not usable
4 if it cannot be recalled for analysis.

5 The analysis of data is not only a record of
6 the number of investigations conducted, data
7 analysis provides insight involving patterns of
8 activity. Staff sexual misconduct often involves
9 other serious security breaches that we have talked
10 about today, such as the conveyance of contraband,
11 both legal and illegal.

12 Security breaches, such as the identification
13 of blind spots, a pattern of security cameras
14 either being disabled or repositioned could prove
15 to be an early indication that activities are
16 taking place in certain areas.

17 Analysis of data pertaining to unfounded cases
18 should be evaluated. This is especially true when
19 either the same employee or the offender are
20 involved or is involved in more than one
21 allegation. Interviewing offenders involved in
22 unfounded cases after their release transferred to

1 other facilities or to home confinement or parole
2 may shed significant light on what occurred during
3 past incident reviews.

4 In closing, I would like to thank you for
5 allowing me the opportunity to speak today on this
6 important topic. I would like to state that in the
7 selection and training of investigators tasked with
8 unravelling sexual abuse cases, I believe it's
9 important to remember that common sense and passion
10 cannot be taught.

11 In the practice of interviewing victims of
12 sexual abuse, there are many times when what the
13 victim is not saying speaks volumes about what has
14 happened or is not happening.

15 Active listening is so much more than just
16 remaining silent when the victim is speaking. It's
17 about getting the trust of that person. It's about
18 convincing the victim that you are willing to do
19 whatever it takes to make a bad situation better.
20 It's not about asking a question and receiving an
21 answer. It's about asking a question and gauging a
22 response.

1 Each victim is different. Some are
2 emotionally shattered. Some are angry and exhibit
3 negative actions or behavior which will place them
4 in segregation or administrative lockup. And as
5 we've heard today over and over, some might quite
6 coolly deny that anything ever happened or took
7 place.

8 It is up to the investigator's instincts,
9 talent, training and commitment to secure the
10 truths and facts in these important investigations.

11 Thank you.

12 THE CHAIRMAN: Thank you.

13 Mr. Wittmann.

14 MR. WITTMANN: Thank you. My area of
15 responsibility as a criminal investigator is to
16 investigate crimes within a remote area in North
17 Western Pennsylvania. It's a small county that
18 consists of approximately 5,000 residents.

19 Within that county is a state correctional
20 facility which we're also tasked to investigate
21 crimes that occur at that facility. Within the
22 facility, there are approximately 2,000 male