THE CHAIRMAN: Thank you very much, sir, for your testimony.

Ms. Bissonette.

MS. BISSONETTE: Good morning and thank you for the opportunity to speak about the Massachusetts Department of Corrections' efforts to investigate and prosecute sexual violence in our system. Commissioner Kathleen Dennehy has provided our agency with strong leadership as it relates to the Massachusetts Department of Corrections' reform efforts and compliance with the Prison Rape Elimination Act. It's important to put the Massachusetts Department of Corrections' work to improve internal investigations into context.

Following the murder of Priest John Gaygan in the summer of 2003, Governor Mit Rodney ordered a top to bottom review of the Massachusetts Department of Correction. This review, known as the Governor's Commission on Corrections Reform issued a report in June of 2004 identifying 18 specific recommendations. One included that the
department should have policies and procedures properly implemented through oversight and accountability systems, including an independent investigatory authority. I was asked to chair a multi-disciplinary work group to develop an Internal Affairs policy and action plan to improve the system, the quality of investigations, the skill of our investigations -- investigators, excuse me. Much has been accomplished, though much work remains.

An Internal Affairs unit was established in the fall of 2004 and the policy was promulgated in November of 2004. Critical components include a centralized reporting and review of all allegations of employee misconduct. Categories were established for misconduct and included a two-tier level of review system. Notification is made to District attorney's offices having jurisdiction of all felonious conduct by staff, development of a central data collections system to track all cases, which provides quality control, statistical analysis, and trends to ensure accountability.
The chief of our investigative unit is required to publish quarterly and annual reports of complaint statistics in order to identify policy and training issues which may prevent further occurrences of misconduct. The implementation of these critical policy components has enabled the department to track and analyze all allegations of misconduct since September of 2003. Additionally, the following goal was established to monitor the department's effort to curb misconduct, establish uniformed standards of conduct and hold staff accountable for instances of misconduct. A performance measure was also developed to track progress.

To further improve the quality of investigations, the department contracted with the Massachusetts Police Institute a nationally known research and training division of the Massachusetts Chiefs of Police Association the development of an investigative manual and training program for investigators. MPI developed an extensive manual that was issued to every investigator. Over 150
Internal Affairs investigators, institutional investigators, human resources and legal staff, attended three separate week long programs. Several recommendations were made to further improve procedures and processes. This work continues. Additionally, the Massachusetts State Police also certified 50 of our investigators to conduct sexual assault investigations.

The Massachusetts Department of Corrections' efforts to respond to staff sexual misconduct with inmates has been in place for many years. A multi-disciplinary team of staff attended training offered by the National Institute of Corrections in 1998. The policy was promulgated in '99 shortly after the commonwealth of Massachusetts passed a new criminal statute in '99. The statute mandated imprisonment of up to five years and/or a $10,000 fine for any person who engages in sexual relations with an inmate. The staff sexual misconduct policy established procedures to enforce a zero tolerance for staff sexual abuse and/or misconduct with inmates. It also mandated reporting of all
allegations and rumors of sexual misconduct.

Critical next steps include the implementation of a new code of professional conduct for staff and an early intervention system for employee misconduct. The Massachusetts Department of Corrections' response to inmate on inmate sexual violence has also been in place for many years. The inmate sexual assault policy was promulgated in 1995.

The PREA legislation has refocused the criminal justice field on the issue of sexual violence in our prisons. Under Commissioner Dennehy's leadership, a multi-disciplinary Steering Committee was established in January to develop a strategic plan to comply with the legislation's requirements.

The PREA Steering Committee has drafted a new policy, sexually abusive behavior, prevention and intervention, and is preparing to publish the strategic plan. A comprehensive PREA training plan was also developed, which included an executive summit with funding from the Burn Grant on
understanding the impact of PREA. That was held on
May 23rd for the Massachusetts Department of
Correction, the Parole Board, the Office of
Probation, various sheriffs throughout the
commonwealth, District attorneys, the Massachusetts
State Police, the Attorney General's office, the
U.S. Attorney General's office, the Federal Bureau
of Prisons, the Departments of Mental Health,
Public Health and Youth Services.

The goal was to stress the importance of a
coordinated state wide response. A state wide
symposium was also held in June. All Massachusetts
criminal justice jurisdictions were invited to
attend, including the state police, local police
chiefs, sheriffs, District attorneys and the
Department of Youth Services.

Commissioner Dennehy has recently announced
the creation of a PREA manager who shall report
directly to the deputy commissioner. A candidate
has been selected and will assume responsibility
shortly.

Another critical component of DOC's efforts to
address PREA was the award of the Edward J. Burn Justice Assistance Grant in the amount of $243,000 in September of 2005. This money has been used for strategic video surveillance at three key institutions within our system, my facility, the woman's facility at MCI Framingham, the Treatment Center for the Sexually Dangerous and the psychiatric hospital at Bridgewater.

As the Massachusetts Department of Correction moves forward with the recommendations of both the governor's commission on corrections reform and the PREA strategic plan, we will face many challenges. The primary challenge is to continue to address the culture within our institutions. This is key in creating an environment where both staff and inmates feel safe and compelled to report prison sexual violence.

Incidents of alleged inmate on inmate consensual sex must also be aggressively addressed and investigated. We must also establish a central data reporting system for incidents of prisoner sexual violence as has been done in our system for
employee misconduct. This will enable our administrators to analyze incidents and develop more effective strategies to prevent it, post analysis, increased use of video surveillance and procedural changes.

The Massachusetts Department of Corrections' commitment to PREA and to improving investigative processes is firm. As the PREA manager and Steering Committee lead the effort to implement the plan and the investigations work group continues to improve the quality of the department's internal processes, we're well on our way to achieving the goal set out by this extremely important legislation. Thank you.

THE CHAIRMAN: Thank you, and thank all of you for your testimony. I'm sure all of us will have some questions for you and I'm sure that after we leave here, we'll think about additional questions and we would hope that you would be responsive to those questions when we submit them to you, so I hope you will respond.

One of the things that we heard, which I