Mr. Aldrich.

MR. ALDRICH: Thank you. I have been honored to be selected by the Commission to testify today regarding effective investigative procedures. It was during the fall of 1996 that I attended my first training sponsored by the National Institute of Corrections held in Longmont, Colorado. This valuable training was also attended by my supervisor, Director A.T. Wall, and Ms. Roberta Richmond, who is now serving as assistant director in the Rhode Island Department of Corrections. The training focused on investigating staff sexual misconduct. The training experience was the genesis in our Department's quest to secure legislation criminalizing sexual relationships between staff and offenders. In 1996, I had been fortunate enough to attend numerous -- or since 1996 I had been fortunate enough to attend numerous National Institute of Corrections training as a participant and a presenter.

My purpose in testimony today is to underscore
several basic, yet essential, considerations for successful investigations and PREA compliance.

The first area that I briefly speak about is the selection of investigators. The investigator tasked with conducting investigations must not only possess professional competency, but also the ability to view the offender as a victim.

Investigative personnel can be trained in proficient and investigatory techniques, standards, protocols and yet fail in securing either successful prosecution or termination of violators if they do not recognize the basic premise that an offender can also be a victim by staff or other offenders.

Training of Investigators: Natural ability combined with basic investigative training and experience, we all know is essential.

Investigative staff tasked with conducting predatory sexual assault investigations in closed security environments require a specialized level of training.

Specialized training offered by the National
Institute of Corrections combined with crime scene
and evidence preservation training and keen
interviewing skills, this is the foundation and
deterrence and apprehension of violators.

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

The Credibility of the Investigation: The
investigation process needs to be viewed as
credible. That credibility must extend to the
staff, the offenders, the administration and the
general public. A credible investigative approach
will help shape and change culture and promote
staff buy-in and understanding. Staff must
understand that the investigative process is
unbiased and thorough. Investigators should
represent the investigation process as a "double edged sword," in that the investigative process and investigative personnel will place as much effort into their exoneration as it will their apprehension.

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

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

Record and Investigative Reports: The proper writing and maintenance of investigative reports are key components in proceeding with administrative action, as well as criminal prosecution in cases of staff misconduct and
offender on offender offenses.

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

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

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

Analysis of data pertaining to unfounded cases should be evaluated. This is especially true when either the same employee or the offender are involved or is involved in more than one allegation. Interviewing offenders involved in unfounded cases after their release transferred to
other facilities or to home confinement or parole
may shed significant light on what occurred during
past incident reviews.

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

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

Active listening is so much more than just
remaining silent when the victim is speaking. It's
about getting the trust of that person. It's about
convincing the victim that you are willing to do
whatever it takes to make a bad situation better.
It's not about asking a question and receiving an
answer. It's about asking a question and gauging a
response.
Each victim is different. Some are emotionally shattered. Some are angry and exhibit negative actions or behavior which will place them in segregation or administrative lockup. And as we've heard today over and over, some might quite coolly deny that anything ever happened or took place.

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

Thank you.

THE CHAIRMAN: Thank you.

Mr. Wittmann.

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

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