standards that I think are going to be critically
important on how the future of our prisons in this
country are operated. So again, thank you very
much and look forward to questions that you might
have of me.

THE CHAIRMAN: Thank you, Director.

Ms. Malm?

MS. MALM: Thank you. It's a great
pleasure and an honor for me to be able to
participate in this hearing today and to testify
before you.

I don't think that anyone will disagree with
the fact that there is violence and sexual assault
that happens in today's jails. And the occurrence
of these acts create a negative impact on inmates,
inmates' families, the detention officers,
administrators and the community as a whole as we
are all trying to address these instances.

I believe that the Prison Rape Elimination Act
and this commission while will be a driving force
in improving how administrators and staff will
address the problem of violence and sexual assault
within the facility.

I personally have worked in the profession for 24 years and I have seen many changes that have happened over those years in addressing safety in America's jails. So I'd like to take my five minutes and address some of the positive things that jails across the nation have been doing to improve safety within their facilities.

One of the things that I have seen that has changed is prior to the 1980's, we used to have mainly linear jails that were built. These were unsafe jails and still some of them exist within the United States. They are a breeding ground for violence and sexual assault among inmates unless they are properly managed and staff are trained to operate them properly.

In a linear jail, inmates often are in control of the housing units because the officer cannot see what is happening inside the unit at all times. The officer makes checks usually every 30 minutes, which leaves a lot of time for inmates to engage in illicit behavior.
In the new facilities that are being built, administrators are opting to build what are called indirect or direct supervision jails, which have proven to be a safer design for inmates and for staff alike.

Indirect supervision provides continuous supervision of inmates and in housing units through protective windows. Direct supervision places the officer inside the housing unit where he or she has constant interaction with the inmates and becomes a positive presence in the housing unit.

We like to identify this person with kind of the beat culpable. This person can walk around, have a positive interaction, talk to the inmates and be proactive in finding out problems before they start to happen.

Staff are a valuable asset, and states now are recognizing the importance of having professional well- trained officers who are concerned with fair, unbiassed, and consistent treatment of all people. When I first started, basically all you had to be was breathing and living and be able to be a
detention officer. It was not considered a career and there were a lot of problems with the staff that happened back then.

Now, we are seeing that many states require the certification of officers who work in detention facilities. And I note the detention officers must meet the same requirements for certification as the patrol officers and must pass the academy to achieve certification to be able to work in the facility.

In service training for detention officers has increased and the emphasis is now being placed on ethics training, sensitivity training, leadership, and communication rather than as much towards use of force. The majority of states also now have statutes making it a crime for any staff member, volunteer or contract laborer to engage in sexual conduct or misconduct with an inmate. And in Idaho that particular statute that we have makes it a felony and an officer can get up to life in prison for engaging in sexual conduct.

Years ago our classification systems were
subjective and left up to officer discretion where inmates were housed. Officers were reactive towards inmate violence or assault rather than proactive. Today we see that administrators tend to favor objective classification systems which use specific criteria to place an inmate in safe housing.

I'd like to address what Idaho has done in order to try to meet the problem of violence and sexual assault in our Idaho jails. We talked a lot when this act came out about what we could do to try to make sure that all of the jails in Idaho would come into compliance with some of the things that were in the act. And so the Idaho Sheriff's Association, in conjunction with the Idaho Jail Administrators' Association decided that we were going to take a proactive approach to standardizing policies and procedures addressing sexual assault of inmates across the state.

In early 2005, we formed a committee to review the prison rape Elimination Act and develop standardized policies and procedures that could be
used by all of the jails in the state of Idaho. I was appointed as chair of the committee and we invited the Idaho Department of Corrections to sit Corrections had received some grant money from the National Institute of Corrections and they were more than happy to help us in our quest for standardized policies and procedures. We worked diligently to create a policy and procedure template that would meet the needs of both small and large jails in Idaho. To do this, we studied the Prison Rate Elimination Act to identify the main components of the act. We reviewed the Bureau of Justice Statistics survey, looked at what other surveys across the country had done, and we reviewed a drafted policy that was being written by the Ada County Sheriffs Office in Idaho.

When we were finished with this project, we had developed a policy and procedure template that established a zero tolerance standard regarding the incidents of rape and sexual activity in the detention facility. The template included the
procedures on educating inmates and staff,

detection and prevention, confidentiality, the
reporting process, investigation, medical protocol,
and general operational procedures.

Copies of the policy and procedures template
were then distributed to each sheriff in the state
of Idaho and they were encouraged to customize it
to their individual facilities and implement it as
soon as possible. Then the Idaho Sheriffs'
Association decided as a next step that standards
needed to be written in the Idaho Jail Standards
that address maintaining these policies and
procedures in the facility and make those policies
and procedures promote zero tolerance of rape and
sexual activity.

The sheriffs also agreed on adding a standard
to the Idaho Jail Standards that requires a minimum
of one hour of training a year to the staff on
detention, prevention and investigation of sexual
assault or activity in the facility. The standards
have been written, they've been approved and
they're now included in the Idaho Jail Standards
Jails who do not comply with these standards will lose or will not receive their state jail certification until they bring the jail into compliance.

The next step that the Idaho Sheriffs' Association has done is we are working right now setting up training through the National Institute of Corrections for our next jail administrators' meeting which will be held in Twin Falls, Idaho in June so that we can be more informed about what the Prison Rape Elimination Act is all about and what we need to do to be able to come into compliance.

I personally am unaware of what other states have done similarly, but I believe that many administrators in jail facilities across the country are taking a proactive approach to addressing the problem of rape and sexual activity in their jails. Our ultimate goal is to operate safe facilities that maintain the rights and dignity of the inmates while protecting them, the staff, and the community. Thank you.