MR. CHAIRMAN: Thank you very much.

Ms. Dennehy.

MS. DENNEHY: Thank you for the opportunity to speak here today before the commission. The passage of PREA and the creation of this commission has moved to the topic of prisoner sexual violence to the forefront of correctional administrators' agendas and that's precisely where it belongs.

Once fully operationalized, the law will impact every single aspect of correctional administration. I'd like to, as other colleagues have, acknowledge the support of the organization, many of whom are present here today, like the American Correctional Association, the Association of State Correctional Administrators, the National Institute of Corrections, and most recently the Moss Group.

Each of those groups has demonstrated a strong commitment to helping folks like me out in the field provide leadership and support to the corrections professionals in the field as we move
forward on full implementation.

And as Commissioner Horn noted this morning, the impact of prisoner sexual violence is devastating. It's devastating for the victim, for the survivors and for society at large.

Understanding dynamics of victim reporting in the free community, in the free community, helps us to understand the merely impossible task of reporting sexual crimes while incarcerated. And I think that's an important starting point because it begins with accounting as Richard Stalder pointed out. In order to have accurate accounting, we have to have accurate disclosure.

Inmates, obviously, may be reluctant to report sexual assault because they were in shame. Offenders may fear that they may not be adequately protected or stamp labeled a snitched requiring placement in protective custody.

The impact of prison sexual violence is compounded by the actual conditions that exist in prisons, lack of immediate family support, often times joint confinement with the perpetrator and,
as studies bear out, the likelihood of repeat assault.

Prison sexual assault can exacerbate already existing conditions such as mental illness, drug abuse and the spread of communicable disease. These conditions in and of themselves are already disproportionately impacting the incarcerated population.

Correctional administrators are challenged to think of new ways to provide support to these prisoner victims of sexual violence. We need to establish protocols to facilitate access to family support during these difficult times.

Sexual violence, obviously, can have an impact on the management of a facility. Correctional administrators, I assure you, after 30 years in this field, correctional administrators work very hard to encourage and to sustain cultures that have zero tolerance for sexual violence because any unaddressed incident of sexual violence adversely impacts the safety and security and the orderly running of the facility.
Fear of sexual assault can lead an inmate to seek protection from others, potentially creating and leading to other incidents of misconduct. As a director staff, to me, represent the single best tool we as correctional administrators have to maintain safe and secure humane facilities, so let's start there.

As Director Lappin said this morning, the staff are the key. All staff have to play a role in establishing zero tolerance for prisoner rape. As such, we need to seriously develop standards and make a physical investment in establishing processes for the selection, hiring and training that identify the best candidate for working in this field.

Having run or states training academy, for years, especially in recruit training academies, we have managed to encourage this us versus them boundary between staff on inmate, and I assure you the need for those proper boundaries is imperative. As professionals, we have to establish clear
boundaries and not become overly familiar with
those in our charge. But as such, staff sometimes
don't want to be seen as overly identifying with
inmates or being seen as easy marks.

Although staff need to establish boundaries by
not seeing inmates as truly human, we can miss
opportunities to see and engage shifts in the
inmate behavior. Any experienced, well-trained
officer will tell you if they can identify emerging
indicators or subtle behavioral changes, the
officer's quick intervention can reduce the
likelihood of an inmate hurting himself or others.

It's a very difficult line for staff to walk.
The need for appropriate boundaries is clear, yet
the consequences of dehumanizing those in our
charge can be catastrophic. Solid policy and
procedure and interaction and communications are at
the core of good security programs. It's all about
using your head. It's not about using your brain.
Staff must give the appropriate temperament and the
necessary skills and a full understanding as to
what works in a correctional facility to be
effective. Improved training, especially in the area of preservice training, is needed with a particular emphasis on environmental safety and surveillance because the two in combination can create a proactive protection system for the entire population.

Staff attitudes and communication skills may impact that reluctance for offenders to disclose. And, again, it starts with we need to create environments where inmates fully disclose incidents of sexual violence.

Basic training must be reinforced with annual inservice training and, to a certain extent, that authority has been spoken about earlier, so I'll skip over that in my remarks. But suffice it to say that staff awareness, training and deployment, how we use and assign those staff are critical to preventing and responding to sexual assaults in prisons.

Once trained, post assignments should be made with an eye to physical plan vulnerabilities and specialized investigators should be available on
Many of us, particularly those of us who work in the northeast, are challenged by physical plants that were built in the 1700s, 1800s, that were defined principally as prisons and we've managed to retroact them as we have worked through the last two decades where we have confronted the highest overcrowding situations in years.

The requirements of PREA underscores that many of our facilities require significant design enhancements to make them more safe and secure. Conducting physical plant vulnerability assessments is an essential first step. Assessment should be done to identify architectural issues and barriers which prevent surveillance, blind spots where inmates may, whether they're authorized or not, spend their time, especially if the area is not staffed with appropriate supervisory staff.

As data regarding sexual violence becomes available for analysis, administrators can then map those hot spots in their own facilities. And this data has critical implications for staffing and for
most assignments. Short-term immediate steps can
be taken to pursue low cost ventures such as
installing windows and adding lighting, increasing
safety in housing units, shower areas and other
particularly vulnerable sections of facilities.
These are critical issues to consider during the
design phase of any new construction.
Administrators should also be encouraged to pursue
grant funding.

Cameras, I'm a big believer in cameras in
that both staff and inmates manage to behave
significantly different when they know they're
being recorded.

We recently received a Burn Grant in
Massachusetts and we are targeting our State Prison
For Women, our Forensic State Hospital and our
Civil Commitment Facility for those sex offenders
now doing life, as we view those as our three

Overcrowding has already been spoken about
this morning, so I won't belabor the point. It's
been cited as an emergent issue as we attempt to
manage and address these issues. It certainly is
the single greatest challenge developing comparable
to PREA strategies, particularly when forced to
double bunk or utilize dorm situations. In the
state of Massachusetts, the bulk of our dorm beds
exist at higher custody levels. It's not an ideal
situation. And any staff member will tell you
short on one of one supervision, it's virtually
impossible to eliminate risk. Those staff do their
best to mitigate it.

Because housing assignments are of critical
importance, inmates who are at higher risk for
victimization should be placed in well-supervised
single cells if possible with a particular focus on
those that are mentally ill, developmentally
disabled and, as has already been addressed here,
transgender inmates. They should be closely
screened. Similarly, reliable assessment and
classification procedures go a long way to ensuring
a safe secure prison environment.

Finally, I'd like to spend a minute and just
speak about the need for assistance approach. I've
heard many of my colleagues today speak about the complexities of the criminal justice system. After 30 years, I often see where corrections is asked to do that which other agencies and organizations haven't. And my fear is that, once again, corrections will be caught holding the ball without the resources, without the direction, without the standards.

In Massachusetts we were able to receive a Burn Grant and we intend to hold a state wide summit. And we're negotiating the date and we would like to have Senator Kennedy be the kickoff speaker, as he was the primary sponsor for legislation. But we are already encountering the different pieces of the criminal justice process. We use different language, we have different priorities, we have different funding vehicles. And, to a certain extent, many of our colleagues, particularly as you move outside of the jails, prisons are far less informed about PREA. We need to recognize that these incidents of prison sexual violence create a unique critical intersection of
other criminal justice law enforcement professionals.

We have benefited by the work as corrections administrators of ACA, ASCA and NIC. So too I believe that the effective management of prison sexual violence requires a full, a fuller set of policy, procedure systems and programs that meet the complex medical, mental health, social needs of victims, because this issue intersects federal and state laws, the courts, the prosecutors, corrections, certainly the mental health system and certainly the public health system, and not to mention groups that we often leave from the table, families and advocacy groups.

We need, I believe, a more coordinated approach to address the larger picture if we want successful prosecution and outcomes. As a state, certainly in Massachusetts, we are moving towards making sure that we are all on the same page.

Thank you.

THE CHAIRMAN: Thank you very much. Let me ask Ms. Malm, what are the consequences of a