The American Correctional Association, which has been mentioned a number of times today has an excellent and comprehensive set of such standards and I think it certainly could be used as a foundation for the creation of such oversight.

I thank you for this opportunity and I certainly welcome your questions.

THE CHAIRMAN: Thank you, Mr. Secretary.

Director Thigpen?

MR. THIGPEN: I think every person that has appeared before this panel today has started off by saying how pleased they were to be here. I am glad to be here, but I'm not pleased to be on the panel. I have much preferred sitting in the audience at this and some of the other hearings that I've participated in and listening to some of my distinguished colleagues present what I have felt to be some very thought provoking ideas.

I have been pleased today as I listened to some of the presentations to realize that NIC, I think, is still dealing with many of the areas that are of concern of this panel and of the profession.
When we talk about classification, we talk about culture, we talk about gender specific training, and all areas in which NIC is currently involved.

You're aware, I know, of many of the multiple activities that under the PREA legislation NIC is charged with carrying out, the training, education, looking at prevention strategies, the fact we're charged with purporting for the feds on the report to Congress, the clearinghouse work. I'm really, I guess, very pleased and looking forward, hopefully, to an opportunity further down the road that we will have to on the part of the federal partners to again come before the commission and talk with you more specifically about some of the work that is being done.

At this point in time, we have completed about 64 technical assistance services to areas across country. We've completed four videos that are being widely used and widely distributed and we continue to work in many other areas.

While we recognize that effectively addressing sexual violence within our correctional
facilities requires a systemic approach involving a number of components, I was asked today to speak to the issue of classification. This is an area that NIC has worked in for over 20 years. And I encourage the commission members who are interest in exploring this subject further to look at the written testimony I provided and the listing of the various publications that NIC has available to which we can furnish you copies or they're available on our website, NICIC.org. A couple of them I have here, one of the first we did on objective prison classification, one of the more latest ones on developing gender specific strategies. There are a total of about eight in that series. And I think if you're really interested in exploring the subject, there is a vast amount of material that is available.

Classification systems are really the infrastructure to correctional management. They fulfill a wide range of correctional purposes among which is preserving order in an institution, sustaining prisoner discipline, assessing prisoner
needs, assigning prisoners to appropriate programs, providing equitable treatment, protecting staff, prisoner and public, allocating prison resources and planning for prison management.

Many of the early classifications systems were largely grounded and subjective criteria are clinical assessments that produce arbitrary and unreliable results. Beginning in the 1970s, prison classification systems began to experiment with objective criteria. California and the Federal Bureau of Prisons developed the first objective classification systems using numerical scoring that sought to improve the consistency and objectivity of the assessment process. This more scientific approach is referred to as objective classification and has been the model of classification that has continued to evolve to address the goals of classification for the correctional system, prisons, jails and community corrections.

When we talk about the objective classification, we're talking about a system based on documented behaviors, assessments that are based
on multiple factors related to risk of institutional violence, management problems and security. Objective classification means that the system is valid and reliable, that there has been efforts made to really go through a process of determining and making sure that it is valued for the population to which it is being applied.

It is nonstatic, assesses the individual at the initial time and continues to reassess. This is necessary because a nonpredator can become classified as a predator if behavior changes. There needs to be a regular assessment that is taking place. It is not a one-time assessment.

Objective classification systems need to be responsive to gender differences. For example, we're learning related to PREA that the focus on women is more on identifying their vulnerability. Most data we have related to PREA identifies the issue of staff sexual misconduct for women rather than offender to offender sexual violence. We expect classification instruments to be different for women to respond to the differences in dynamics.
and behaviors in women facilities.

Regarding juvenile justice, again, this analysis will be different for the boys and girls and will certainly differ than what we learn from adults. Classification both prisons internal and external is less well-developed for juveniles than for adults. The field is particularly weak in the area of detention facilities and group homes.

Some systems are trying to develop instruments that identify potential predators and victims involved in sexual violence. Separate from PREA, existing instruments address housing assignments and overall violence. It is very difficult to develop screening instruments based strictly on sexual violence because of the limited data. Current efforts may have to continue using a broad sweep of issues to inform decisions regarding classification of potential predators and victims. This sweep of data includes combining other pieces of information such as gang activity, physical violence and incident reports.

Some systems are developing an additional
screening instrument similar to a system known in
this country as the Ames System. This is a
screening process in which an officer or a staff
member observes an offender and makes some initial
judgments or decisions affecting initial housing in
programs. This does not replace the need for the
next step, which is more in depth than records
based assessment, of risk and violence and
potential vulnerability.

Some of the challenges and gaps that exist out
there: There's a lot of validated objective
instruments that can guide the process of
classification as we address sexual violence in our
facilities. The lack of these valid instruments is
directly related to the lack of data. More time
and energy needs to be spent getting these
instruments in place, as well as developing
comprehensive strategies for responding to the
information.

Valid, reliable, data will increase as
investigations become more objective, responsive
and documented. Additional reviews of
administrative records and surveys addressing prevalence will assist the classification process. A systemic, valid, and reliable classification process addressing sexual violence will eliminate or at least reduce the bias of who we believe to be predatory individuals and victims of sexual violence.

Not having accurate data should not have or keep us from doing the work. Correctional agencies must assess the effectiveness of their current classification system to address all forms of violence. Sexual violence then must be added to the list of questions driving development of instrumentation and classification systems that are responsive to this important issue.

It is important not to make the mistakes often made in other reforms. Addressing differences among special populations, gender and age, are critical. Thank you.

THE CHAIRMAN: Thank you, Director.