

I am Robert Ezell, and I have been the Warden of the Torrance County Detention Facility since April 16, 2007. I am retired from the United States Army and served approximately ten years working in the Army Correctional System. I have been working in the private corrections field since January 1991 and have over 28 years experience in corrections. I have previously worked at six different correctional facilities throughout the country working with inmate populations from the four armed services, the Federal Bureau of Prisons, North Carolina and Oklahoma.

Torrance County Detention Facility is a multi-jurisdictional facility serving the United States Marshal Service, Immigrations and Customs Enforcement, and the Torrance County Sheriff's Office as the Torrance County Jail. Until recently, we also served the New Mexico Corrections Department. The transfer of the New Mexico Corrections Department inmates was due to the opening of a new correctional facility and the need to fill those new beds. We still maintain an active contract with the Corrections Department so if needed, in the future, they can return their inmates to our facility. Under this contract we had a full time New Mexico Corrections Department contract monitor on site. Although this hearing is focused on jail sexual assault and misconduct issues, as you know, the majority of the inmates interviewed by the survey team were from our

sentenced long term New Mexico prison population, a few from our county jail population and none from our federal population.

Torrance County Detention Facility has a capacity of 910 inmates which includes a 36 bed female unit. We have seven different housing units and employ the Unit Management concept in our daily operations. We have three unit management teams for our seven housing units. We have approximately 240 staff authorized and currently are serving three different customers as indicated above.

Since the survey was conducted we have been audited by:

- the Office of Federal Detention Trustee,
- Immigration and Customs Enforcement
- Our own company's unannounced internal audit.
- The Commission on Accreditation for Corrections and reaccredited by the American Correctional Association

During all of these audits, auditors spoke with a wide cross section of our populations and did not receive any feedback similar to what was reported on the survey. Never the less, we have redoubled our efforts to make as many reporting channels as possible available to our inmates and have increased the education and training required for our staff in prevention of sexual victimization and if reported, to respond accordingly.

Upon initial arrival to the facility, inmates are classified according to a point system which includes factors such as current offense, past criminal history, age and work experiences. They are classified either as low, moderate or high custody and housed accordingly. All new arrivals complete an initial orientation where the rules of the facility and available programming are explained in detail. A screening tool to assist in identifying potential victims or predators is now part of our orientation screening of all new arrivals.

We are committed to and supportive of the Prison Rape Elimination Act and its goal to eliminate sexual victimization while incarcerated. It is a subject which is taught to new staff during our initial training and is covered annually in our in service training. Additionally, each inmate is given information during their initial orientation on sexual abuse and misconduct and how they can report it to the facility staff.

Since the survey results were published we have began multiple initiatives to increase the awareness level of our staff in preventing sexual victimization and the education of our inmate populations on the actions available to them.

## Staff Initiatives

It should be noted that of the 13.4% victimization rate indicated by the survey data, over half, 7%, of what was reported was staff on inmate. Of the 7%, 4.2% includes unwanted and wanted sexual acts between staff and inmates. As we have indicated in the documents provided, we had during the reporting period two female correctional staff who were romantically involved with some of the NMCD inmates. The other 2.7% involved touching only.

- We have developed a two hour lesson on prevention of sexual victimization and it is scheduled to be added to our current requirements for our pre-service classes and annual in-service training beginning in January 2009.
- We have requested an increase of fifteen(15) Correctional Officers be authorized to hire in order to move closer to being a direct supervision facility.
- Increased staff presence and availability in the units
- All department heads and supervisory staff have completed the National Institute of Corrections 2 hour e-learning PREA course.

- All remaining staff will complete a two hour block of instructor lead Sexual Victimization Prevention and Identification training it by the end of the year.

### Inmate Initiatives

It should be noted that of the 13.4% reported o the survey, 6.4% was inmate on inmate and of that 1.8% includes touching only.

- Established a hot line telephone number which the inmates can discretely report any information they would like
- We have increased the number of posters concerning sexual victimization on bulletin boards throughout the facility
- Provided each inmate additional written information concerning sexual victimization during orientation and
- Are showing the National Institute of Corrections video on “Discussing Prison Sexual Assault” during their initial orientation.

It should be noted that the policy and procedures which were in effect in 2007 have been significantly revised and enhanced. In 2007 our central office personnel participated in a grant funded policy and procedure review, managed by the Moss Group under the auspices of the National Institute of Corrections PREA implementation program. This review led to dramatic changes not only to the policy, but to many of the required forms and

procedures. These documents are available upon request and are a more accurate reflection of our current operations.

We have attempted to provide the Commission all of the materials and information which were requested. Today, we have available various staff members to testify to provide additional information and clarification.

This completes my prepared testimony and I am now glad to answer any of your questions.