

**Prison Rape Elimination Act
Nebraska DCS Panel Hearing
Director Robert P. Houston
March 14th, 2008**

Good morning. My name is Bob Houston (H-O-U-S-T-O-N). I have been Director of the Nebraska Department of Correctional Services for three (3) years, today. I am pleased to represent my Department and to provide information about our commitment in support of eliminating sexual assault and abuse in Nebraska prisons and programs. We take this critical issue seriously as you will learn from my Tecumseh State Correctional Institution (TSCI) colleagues, my personal testimony today, and Nebraska materials you review.

For well over a decade, our Agency has followed a carefully constructed set of values that have become our culture. One (1) of our Department's nine (9) vision points is credibility.

Commitment to credibility fosters a culture of trust to enable everyone to report instances of sexual assault/abuse. It creates an

environment where neither abusive behaviors nor retaliation is tolerated. We use this vision point as the pillar from which policy, its attendant procedures, training and best practices serve to maintain a safe environment for inmates, staff, and visitors.

Nothing short of a firm adherence to principles will provide for a safe Nebraska community.

The Nebraska Legislature put into law in 1999, and revised in 2004, provisions that prohibit correctional staff from engaging in sexual activities with offenders in jails, prisons, or on parole. This includes contractors and volunteers who perform work for our Department. Clearly, it is our responsibility to provide training to our correctional staff that sufficiently insures that we understand and appreciate the significance of sexual assault and the necessity of its eradication.

Three (3) years ago this month, we implemented Administrative Regulation (AR) 203.11 Sexual Assault and Abuse. This policy, state law, Nebraska Rules and Regulations for Employees, the Union Contract, and Employee Handbook make clear how our Department will respond to sexual assault/abuse and the subsequent consequences to staff for failing in their mission. To carry out our vision, we focus on five (5) areas: a culture of respect and dignity, a clear policy manual that staff and inmates can understand and follow, national standards in staff training, swift responses to allegations of sexual assault/abuse, and skilled investigations and prosecution. We assertively seek prosecution for confirmed or substantiated sexual assaults. We know that when staff resign without prosecution, we risk their re-entry in to the human services field.

Nebraska has been awarded nearly \$650,000 since the inception of the PREA to assist our efforts to eliminate the incidence of sexual misconduct in our facilities and programs. We act to safeguard our prisons and safely return offenders to their community by using these funds for four (4) efforts: First, we have revised and implemented validated internal classification instruments to most appropriately house our male, female, and youthful offenders. This classification process includes identification and separation of potential aggressors from potential victims. Secondly, we've designed a database to collect sexual assault/abuse information regarding incidents. Third, NDCS provides orientation training and information for our reception unit inmate populations regarding what constitutes abuse and, also, their safety in reporting incidences of sexual assault/abuse. Fourth, NDCS continually seeks and participates in training for investigations of alleged assaults/abuse.

Two (2) of our investigators are trained law enforcement officers and have available to them the resources of the Nebraska State Patrol and numerous local and federal agencies.

Our Agency is entirely accredited by the American Correctional Association. This accreditation process includes ongoing reviews of policy, procedures, and practices. Our ten (10) Wardens and Deputy Director personally review and revise policies that prohibit sexual assault and abuse. Further, as you will see on the front page of our policies, the Wardens continually review/revise policies governing staff and inmate behavior. These practices are at the heart of staff training curriculum and conversations throughout TSCI and our Department.

We take assertive action to identify dual relationships—relationships that are a harmful mix of professional and social interaction. Supervisors are tasked to monitor staff and visitor clothing to facilitate the intentions of our carefully constructed

dress codes. The use of profane language and slang of the ‘street’ is unacceptable behavior. It is our responsibility to raise standards of conduct by not accepting low levels of social interactions that are wasteful, harmful, offensive and discriminatory.

Our Department is built upon values that are pro social, uplifting, and in support of behaviors that respects human dignity and allows people to work and live in a safe and secure and clean environment.

It is my pleasure to answer any questions, or engage in any discussion, that is of interest to you.