



Sheriff J. R. "Jack" Parker

BREVARD COUNTY SHERIFF'S OFFICE

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August 25, 2008

Review Panel on Prison Rape
U.S. Department of Justice
Washington D.C. 20531

Panel Members:

I am submitting the following statement for inclusion into the Panel's official record. In attendance at this hearing and representing the Brevard County Sheriff's Office is Brevard County Jail Commander Susan Jeter. Commander Jeter is the manager responsible for developing and implementing the operational policies at the Brevard County Jail Complex. Commander Jeter is widely recognized as an exceptional leader in the Corrections field, and has implemented a number of progressive programs to protect the safety and health of Jail inmates. Accompanying her is a number of key staff members from the Brevard County Jail Complex.

It is important to stress that during the time period the Inmate Self Report Survey was undertaken, the Brevard County Jail Complex was extremely overcrowded, and had been previously identified by me and others as a critical priority for expansion. Approximately eighteen hundred (1,800) inmates were occupying rated jail space approved for approximately one thousand (1,000) inmates.

One of the primary reasons that I decided to run for Sheriff several years ago was what I perceived to be the dangerous overcrowding situation at the jail. It was not as if the Board of County Commissioners did not try to correct the issue. In fact, there were four (4) consecutive voting referendums for jail expansion which were voted down by the public in recent years.

After being elected Sheriff and assuming the Office in 2005, I recommended to the Board the immediate construction of hundreds of low risk beds (to create more space for medium and maximum security inmates in the main jail) and a specialized housing unit designed for inmates with mental illness and medical issues. The County Commissioners approved and funded my plan. As a result, Brevard County constructed 746 new jail beds, 646 which are currently operational and an additional 100 bed low risk housing unit which is turn key and will be opened in the near future.

As a result, the current rated bed capacity increased from 1,041 to 1,701 beds and when the new housing unit comes on line, we will have 1,801 rated beds.

We also renovated the previous jail annex so that it could be used as the primary female incarceration facility. This action improved inmate safety by removing the female inmates from the proximity of the male inmate housing areas.

I am confident that these initiatives have improved the safety for inmates and correctional staff at the Brevard County Jail Complex.

Also, in December 2006, the Jail Complex adopted a comprehensive policy to prevent sexual victimization of inmates which improved staff and inmate education and the reporting processes. The Brevard County Jail Complex has zero tolerance for sexual victimization of inmates, and we stand ready to fully investigate all allegations of sexual battery, and when supportable, charge the batterer and seek criminal prosecution.

I am concerned that the matter in which the survey was conducted caused the survey results to be inaccurate. Even during the height of the county's jail overcrowding status, we do not believe the survey results accurately represented the conditions at the jail. Our concerns are based on a number of factors, which I will briefly touch on.

- Questions asked were broad and open-ended thus, leaving considerable opportunity for confusion in the responses. As an example, many inmates who were the recipient of strip searches or pat downs could easily respond that they had been "inappropriately touched" by an officer. It is important the surveyor distinguish for the inmate what is appropriate under the law, and what is not.
- Inmates responded on a computer and there was no control on how accurate or honest they were in marking their responses, or whether it was an opportunity for them to seek retribution against Jail staff.
- A significant number of Jail inmates are unable to read or comprehend what is read, making it very difficult for them to accurately complete a computerized survey form without assistance. Inmates may misrepresent their level of ability to read or comprehend what is read to avoid being embarrassed.
- The survey's published Standard Error and Weighting variance is so significant that as many as eighty-six (86) other jail facilities could actually have had the same or a higher number of alleged incidents as the Brevard County Jail Complex by the study's own admitted variances.

Apparently, we are not alone in our concerns regarding the validity of the survey results and the manner in which the survey was administered. We have been informed that Allen Beck, the person constructing the survey, had this to say at a previous panel hearing in Washington D.C. on March 11, 2008...

“Consider the allegations of staff sexual misconduct, particularly unwanted touching. The prevalence of these allegations maybe strongly related to institutional climate, as dissatisfaction of facility, with the staff, or the programming. The prevalence of these allegations may also be related strongly to a frequency of pat downs and strip searches, which inmates simply don’t like.”

My understanding is that following his comments, Mr. Beck discussed how future surveys (starting in 2008) would be improved to compensate for his concerns (expressed above).

Based on our deep concerns regarding the PREAS survey results from 2007, our Jail Commander retained the services of Doctorial candidates from a private university, the Florida Institute of Technology’s Psychology Department in Melbourne, Florida, to **conduct a 2nd survey** modeled after the PREAS survey for the period between June 30 to July 4, 2008, which would have covered the preceding six months back to January 1, 2008. A copy of this survey and the results are available and will be provided by Commander Jeter.

In conducting their survey, the Doctorial candidates read the questions to the inmates (to alleviate our concerns about the high illiteracy or poor comprehension rate). They also advised the inmates that the survey was for academic purposes. This contrasts with the Bureau’s survey in which inmates knew it was a DOJ sponsored survey, whereby there might be the incentive for retaliatory, punitive consequences to Jail staff by inmates alleging victimization to a higher authority.

The results of this follow up survey were completely different than the original PREAS survey. This new survey revealed a much lesser occurrence of sexual victimization. Only one female inmate and one male inmate responded they had been subjected to sexual victimization by another inmate. **There were no respondents reporting staff to inmate sexual victimization.** These survey results had a significantly different outcome, and actually seem much more realistic in our judgment to the setting at the Brevard County Jail Complex. I do acknowledge that the improvements which our team has implemented at the Jail Complex since the initial survey could also be a factor in this outcome as well.

As a new Sheriff, I would like to believe that our improvements in bed space and policy would have had that much success, but I believe it would be disingenuous to do so. In all honesty, I believe the “improvement” shown was more a result of a fatally flawed first study than anything else.

It should also be noted that I believe the Correctional Officers of the Brevard County Sheriff's Office are second to none in their daily efforts to maintain a safe and orderly jail facility. I am very proud of how well they have performed, especially during the prior circumstances of severe overcrowding.

I believe Commander Jeter has fully complied with your requests for advanced submittal of extensive data from the Jail, and as I pointed out previously, has brought representative Jail staff to this hearing to respond to your inquiries. The Brevard County Jail staff and I remain available to cooperate to the fullest extent in supporting the Panel in carrying out your mission.

In closing, I want to emphasize that I have the utmost confidence and trust in the professionalism and dedication of Commander Susan Jeter and the staff of the Brevard County Jail Complex. I am not alone in placing my confidence and trust in these individuals.

Senior Florida Judge Charles Edelstein recently completed a comprehensive study of Brevard County's Criminal Justice System at the direction of U.S. District Court Judge Gregory Presnell. Judge Edelstein quite appropriately wrote in his 115 page final report that he was dedicating it to "The men and women who labor in the Brevard County Jail. Their efforts to provide a humane and safe environment for inmates, staff, and visitors too often have gone without proper recognition. This report is one small step in that direction."

Sincerely,

A handwritten signature in black ink on a light-colored background. The signature is stylized and appears to be "J.R. Parker".

Sheriff J.R. "Jack" Parker
Brevard County