

WRITTEN TESTIMONY to the
REVIEW PANEL on PRISON RAPE

Juvenile Facility Hearings

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Good morning. Thank you for inviting me here today to share some of my perspectives with this honorable panel. I am humbled by the opportunity to share a point of view from a field administrator on the many challenges of providing a safe and healthy environment for youth in an incarcerated setting. While I am the President-Elect of the American Correctional Association (ACA), I was not invited here as such, and I would like to add a disclaimer that anything I say represents my own personal views and not necessarily the views of ACA.

I have been specifically asked appear before you today in order to address the complex issues surrounding female staff working with male youth in secure and non-secure residential settings. The issues are complex on many levels, but I am convinced that we have the tools and the desire in our profession to eradicate the sexual abuse of youth in our facilities. The latest report by the Bureau of Justice Statistics specific to juvenile facilities indicates that 9.5% of adjudicated youth in state juvenile facilities and state contract facilities reported experiencing one or more incidents of sexual victimization within the last 12 months of the survey period. Of that 9.5%, 7.7% involved facility staff. This 7.7% equals an estimated 1390 youth. Of this 1390, 89.1% (or 1238 youth) were males reporting sexual activity with female staff. The data represents the significant challenges we must address to make our facilities safe, so that the treatment process can be supported, and the goal of rehabilitation can be achieved.

I began my career when few women were allowed to advance or to have a career in corrections unless it was in the ranks of a women's institution. That was 1977. I was promoted quickly at the Women's unit because, in part, I had Master's degree. After four and a half years there, I was offered a chance to move to Oklahoma to become the Deputy Warden of a large men's facility, which was almost unheard of in the early 80's. I was amazed to find that a large number of women were being hired into correctional officer's jobs. I soon learned that the move to hire more women was more likely based on the need to fill jobs and the economic conditions in the state. And not much has changed after all these years. Women appear to be more available, more eligible, and more accepting of the starting salaries offered in direct care jobs in facilities.

In the agencies I have been associated with in the last ten years, I have been an early adopter, not only of PREA, but of the National Institute of Corrections' earlier work on staff sexual misconduct. Last spring, the National Voice Committee of the Association of Women Executives in Corrections – made up of women who have held the most executive level of positions in corrections (and of which I am a part) – weighed the importance of 10 issues that would potentially be the focus of our association over a two-year period. The issue of women becoming sexually involved with inmates/youth was voted to be our most immediate and critical concern demanding our attention.

Today's female staff in juvenile facilities faces a professional challenge that is not necessarily shared by their male counterparts. Female staff is often looked to by youth as "mother" or

“sister” figures resulting in a unique relationship between the youth and staff. Female staff must find a way to remain effective, approachable, and compassionate without blurring professional boundaries. The female staff member must find a way to “carry” themselves in a way that portrays confidence and maturity, and communicate a clear message that they are there to perform a job of keeping youth safe physically, sexually and emotionally. They must find a way to relate what is safe and comfortable yet not overly familiar. For all staff, their primary duty is to be able to establish a healthy and caring professional relationship without compromising their own integrity or the integrity of the agency.

It seems obvious that we must strive to hire the “right” people for the job. It is also probably obvious to most that we should be identifying prospective staff that is emotionally mature, well-balanced, and have the ability to set and recognize healthy boundaries. The reality, however, is this is a difficult task in juvenile corrections today.

The lion’s share of hiring that is done in juvenile corrections, and has the largest turnover, is the hiring of direct care staff. These are entry level positions where pay is usually low for what they are asked to do: manage difficult behaviors of youth, work weekends, shifts, and holidays. Applicants for these jobs usually tend to be young adults from age 18 to 30 looking for their first job or looking for a career with state benefits. In Louisiana, over the past year, 63% of all entry level direct care staff hired were 30 years of age or younger. The average age of the youth we serve in secure care are 16 or 17 years old, with some of the youth under our care reaching the age of 21. The age gap between the youth we serve, and the staff we hire is not significant in most cases. It should not be a surprise that there may be some over-identification between youth and staff. Youth and youthful staff may share common interests, listen to the same music, and use the same language that is accepted as part of the youthful culture. The youth and staff may be similar or appear to be similar in life experiences and emotional maturity. This “familiarity” or “relate-ability” of life experiences may be one explanation to why the lines get blurred.

Another reality for many agencies is that many prospective staff reside in the same neighborhoods, or come from the same communities as the youth they are tasked to manage. Coming from the same local area, knowing the same friends and families, and belonging to the same social structures in the neighborhoods, poses a significant challenge in maintaining professional relationships. Common or shared life experiences again play a role. In many of our youth’s lives, there has been significant trauma associated with drugs and violence in communities. It is likely that our staff have also experienced a great deal of trauma associated with these same life experiences. It is easy to see how these factors could play a significant part in the development of inappropriate relationships between staff and youth.

Sexual violence is a part of other forms of violence. Physical and emotional violence are closely related. Safety in corrections has always been at our core of operations. Our strategies to address sexual violence should be as strong as our concern for physical violence that we focus on without hesitation. Presenting a zero tolerance for sexual abuse in our settings should be closely associated with overall protection of staff and offenders that we espouse every day.

Another factor impacting relationships and behaviors beyond our correctional environments is the incongruence of messages in today's society. We are constantly being bombarded with messages about sex. There is hardly a television show on primetime now that doesn't contain sexual content and comedic scenarios with each episode. There seems to be no limit on the topic of sex and no shortage of sexual humor in sitcoms. Commercials, magazines, various ad campaigns and certainly motion pictures contain sexual content. Some of the bestselling novels last year were the *Fifty Shades of Grey* trilogy. Yet, our institutions and organizations (rightfully) proclaim no tolerance of sexual harassment or sexual conduct. Again, rightfully so, our laws reflect this proclamation of no tolerance for sexual harassment, sexual abuse, and sexual exploitation. Our institutions have developed policy and procedures that mirror the laws prohibiting sexual conduct and abuse in the workplace. So there you have it: an abundance of mixed messages- society inundates us with sex, and our organizations won't tolerate it. This can create what psychologists might label "cognitive dissonance." It seems to me that this takes us back to what I discussed earlier. To be successful in this field working with delinquent youth, one must discern what is appropriate and professional and what is not, and one has to always carry themselves in a way that does not invite sexually charged conversation and or sexual activity. Basically, what juvenile corrections organizations are looking for is an individual who is well balanced, has a good understanding of the professional role they provide, and functions at a fairly high level of emotional intelligence – a hard combination to find when many agencies lack the resources to compensate and retain the highly qualified staff we hope to hire.

In Louisiana's Office of Juvenile Justice, our workforce today consists of 61% females and 39% males. Over the past five (5) years, OJJ has had three (3) substantiated instances of staff-on-youth sexual misconduct. All three staff were females ranging in age from 27 years to 40 years old.

Last year, we found ourselves in a near crisis as it pertained to staff turnover. At one particular facility, the Juvenile Justice Specialist, "JJS" which are our direct care staff positions, turnover rate was 59%. So, essentially, we were operating a revolving door in hiring. We realized that this was a fundamental issue that had to be dealt with before we could create the healthy culture that needs to exist. I asked our staff to conduct research as it pertained to potential contributors to turnover, retention incentives and training. These are some things we learned:

- As expected, low salaries can drive turnover. In an article entitled *Strategies for Employee Retention in Corrections*, Crews states, "Pay remains a major contributor to resentment and discontent with correctional staff and can be a contributor to turnover."
- Training is key to staff retention. The Management & Training Corporation published an article entitled *Correctional Officers: Strategies to Improved Retention in 2010*. In this article, we learned, "To create and sustain a quality workforce today, corrections managers must look to training to develop their staff." This same article cited studies of the American Management Association revealing, "training was perceived as more effective than increased salary or benefits."
- Finally, education level is also a factor. In a 2009 article published in *American Jails* entitled "Does a Correctional Officer Need a College Education?" Bynum states, "The demands placed on criminal justice have become more complex and technical requiring more astute problem-solving and critical thinking and better interpersonal skills that were not previously required of...correctional officers." Bynum further states, "Today's workforce is more technology driven, which requires a higher degree of education." Citing Totzke (2002), Bynum further indicates that "previous research showed that police officers with a college education received fewer complaints about excessive use of force and other infractions, fewer disciplinary actions, increased flexibility in dealing with difficult situations, better interaction with diverse cultures, better verbal and written communication skills and greater flexibility in accepting and implementing change."

So, we developed our plan. We focused our efforts on hiring more educated staff, developing pay incentives and re-vamping our training. We now actively participate in college career fairs recruitment efforts. We added a \$1/hour shift differential pay for holidays, weekends and evening shifts. The beginning salary of the Juvenile Justice Specialist (JJS) was increased by \$1500/year. There is also a special entrance rate for those applicants with exceptional experience. Preference is given to applicants with degrees. And for staff already employed who obtain a degree, we provide an incentive of a 5% pay increase.

Since 2012, we have seen a 10% increase across the board on our JJS staff who have degrees (32% to 42% overall). During this same timeframe, Juvenile Justice Specialist turnover has decreased by 5% and overall staff turnover has decreased by 6%.

In-service and pre-service training has been redesigned to include emphasis on boundaries, PREA and sexual safety. Just last month, we developed and implemented an in-depth training analyzing a video interview of a female juvenile officer who was serving time in prison due to her inappropriate involvement with a youth in a correctional facility. Staff in all positions participated in the training and were challenged with pointing out where the failures were in the system, in the supervision, and in monitoring. This was an excellent way to highlight the issue of professional boundaries and staff sexual misconduct, reemphasizing the message that

it takes everyone to conduct eyes-on, ears-on supervision. Failure to ask questions, failure to report are all issues that must be addressed. PREA implementation and emphasis on a healthy reporting culture have supported our work in this area by enforcing zero tolerance and creating a common language with staff around the dynamics of sexual abuse in the juvenile facilities and the expectation of zero tolerance in our agency.

We know that effective organizational change must begin at the top and be constantly and consistently reinforced by leadership. In order to change the culture, we need to ensure our leaders are fully equipped to lead. OJJ supervisory staff has received training on the Principles of Leadership, Ethics and the Code of Silence, Guiding Positive Transition, and Improving Communication and Collaboration, to name a few. Leadership trainings have been conducted, wherein OJJ leadership has learned the cultural value of staff development and has had input into an agency Leadership Manual. Executive leadership has participated in trainings on healthy leadership, organizational culture, and team dynamics. In addition, emphasis has been placed on next level leadership training, and on supervisory training.

Through a Bureau of Justice Assistance (BJA) grant initiative, OJJ has actively participated in hosting the executive leadership from six southern states to identify strategies that increase the success of the implementation of PREA by focusing on the importance of a “reporting culture” both in our staff culture and in the youth culture. With this funding, we have also had the opportunity to conduct sexual safety assessments at a number of our facilities. These assessments have provided a comprehensive view of our facilities as they address sexual safety and PREA implementation.

With all of these initiatives in place at OJJ, the elements of a healthy culture have been established and expectations have been set. We are hiring educated staff, paying them better and providing training that we hope will lead to effective staff and improvement in our turnover rate. We recognize, however, there is still much work to be done. OJJ is currently exploring the use of a screening instrument to identify *staff* with sexual boundary issues. Additionally, the staff we do hire must feel emotionally and physically safe. We recognize that new staff needs a support system other than the traditional chain of command. Our leadership staff recently met to strategize on this issue and came up with ways to further open communication with newly hired staff, foster their growth and development, and recognize them for their good work. We don’t know if any of our efforts will produce the results we are aspiring to achieve. We will be measuring the outcomes quarterly, to see what the data tells us, and we will continue to create learning opportunities as we go forward.

Research is desperately needed to determine evidence-based processes that are effective in achieving a healthy culture in the correctional environment. Questions remain. For instance, what hiring/screening practices have proven to work? Is there any more to be determined

regarding the educational level of juvenile justice staff? Is there a direct correlation between emotional IQ and the success of the applicant? It is too early to tell if many of these strategies are indeed effective. Theories need to be tested through academic research to accurately inform practitioners. Great strides have been made, however, there is still much work to be done to bridge this gap and to promote the positive outcomes we hope to achieve with our youth and our staff. The Association of Women Executives in Corrections has dedicated the entire theme of their next conference to the issue of women working effectively with male offenders. In fact, the 2014 conference theme for their annual training meeting is titled "Boundaries, Barriers, and Beyond." As more and more professionals focus on these issues, the field will benefit from finding more effective ways to provide safe and healthy environments for our youth in residential settings.

I would be happy to answer any questions you might have. Thank you for your time and attention.

References

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