

1 what we believe to be best practices. But I have a passion
2 for prevention programs and early intervention. I believe
3 in giving those initiatives more than lip service but
4 actually getting out there and making sure that we have
5 state and local partnerships in place whereby we can divert
6 youngsters from having to come into an institution if he or
7 she really doesn't need that environment. We believe that
8 in Georgia we operate good facilities, but a facility is a
9 facility is a facility, and we think if we can have good
10 community-based programs that keep children out of that
11 system, if they really don't need that level of security, we
12 should do it. We have juvenile judges who are working with
13 us in this arena. Again, in rural areas, we realize the
14 need for more sanctions, more options for juvenile judges so
15 that they don't have to move immediately toward secure
16 custody.

17 Thank you, Mr. Chairman, for your time. I'll be
18 glad to answer my questions after my colleagues present.

19 CHAIRMAN WALTON: Thank you very much, Mr. Murray.
20 Doctor.

21 DR. ROUSH: Judge and members of the Commission,
22 thank you for allowing me to be here. It has been a very
23 eventful day, and I know that I have learned a lot, so I
24 appreciate the opportunity to present some testimony. I'm
25 going to limit my comments to staff sexual misconduct and

1 will summarize some of my written comments. I know that the
2 mind can absorb only what the seat can endure, so, I know
3 we're all on thin ice right now, so, I will move as quickly
4 as possible.

5 I, too, have a long history in this business and
6 did have the pleasure of running a maximum secure treatment
7 unit at the Boys' Training School in Tennessee under the
8 supervision of Albert Murray. So, he speaks quite
9 accurately about the issues in operating a facility.

10 I want to begin with the late John Sheridan's
11 comments. John Sheridan was an Air Force Colonel and
12 decorated war veteran who ran the New Hampshire Juvenile
13 Justice institutions for many years, and what he said then
14 rings true today. He said that with a sufficient number of
15 well trained and good people he could run the training
16 school in tents. And I thought that was a profound comment
17 to -- of the ability to prevent all types of sexual violence
18 against incarcerated children. Depends on how well we
19 address Sheridan's triad of, first, sufficient number of
20 staff to provide adequate supervision, second, adequate and
21 relevant training to prepare workers to supervise
22 competently, and third, the ability to attract the right
23 people into this work force.

24 My concern is that the reduction in federal
25 funding does not bode well for us, and that programs and

1 services will be eliminated, and that state and local
2 funding simply will not be able to pick up those services,
3 and staff training and staff development will be the hardest
4 hit.

5 I have three recommendations based on my written
6 comments. The first has to do with a training curriculum.
7 And it's ironic that we're talking about training at this
8 point in the development or at this point in the evolution
9 of the juvenile justice profession because the American
10 Correctional Association has laid out expectations for
11 training. The National Detention Association has taken a
12 long look at those standards, and we're all in agreement as
13 to what training should be, and yet in that, what we need is
14 a piece that specifically talks about staff sexual
15 misconduct, training on staff sexual misconduct for line
16 staffing institutions, and the first topic in that
17 curriculum should be a definition of what is staff sexual
18 misconduct. It means we need help with the research. We
19 need help with an understanding of the prevalence of this
20 event in institutions. We need to know the nature of those
21 who perpetrate sexual violence against youth. We need to
22 know more about the victims, and we need to know a lot more
23 about the particular nature of the event.

24 The second topic in that training curriculum
25 should be about boundaries. There need to be some clear

1 lines between what is professional behavior and what is
2 personal, and subsequently even inappropriate behavior.
3 Boundaries are the gateway to sexual misconduct and we need
4 to make that very clear at the beginning of employment.

5 The third topic in this curriculum needs to be
6 ethics. We've heard people talk about common sense. To
7 quote Voltare, "Common sense in this business is not that
8 common," and those of us from the boomer generation who are
9 on our way out marvel at what we think should be common
10 sense about the right things to do that we don't see among a
11 lot of staff in institutions, and some of that gets down to
12 things such as basic language. Profanity in some
13 institutions is out of control, and that profanity is used
14 to degrade women and girls in institutions. And in terms of
15 ethical behavior, we need to define better resident privacy
16 and what those privacy issues are.

17 The fourth topic in this curriculum should be
18 prevention, and we need to take some action about devising
19 policies and procedures that can be used to prevent staff
20 sexual misconduct. And we've been able in our work so far
21 to come up with a sample policy that's gotten some
22 widespread use.

23 The fifth topic needs to be investigations.
24 Administrators and staff in juvenile facilities really don't
25 have a good handle on how to conduct internal

1 investigations, and internal investigations are very
2 important when it comes to dealing with disciplinary issues.

3 The next topic I think has to address some of the
4 unresolved issues, and some of those unresolved issues do
5 deal with disciplinary action; they deal with collective
6 bargaining agreements and how to work with those; and they
7 also deal with the supervision of gay, lesbian, bisexual and
8 transgender youth, and you certainly have heard the issues
9 on that earlier today.

10 Second recommendation has to do with selection and
11 screening. The task in front of us is not complicated. We
12 need to get good people into the work force; we need to get
13 the wrong people out of the work force. No matter how good
14 the training happens to be, everything is dependent upon
15 good people. And I'm here to tell you that there are many,
16 many good people in this business; we just need more of
17 them. No matter how good the training is, it only takes a
18 few bad individuals to ruin the reputation of an
19 institution, to ruin the culture, and that is the
20 unfortunate part of this full dilemma.

21 Now, there are two screening strategies that hold
22 some promise, and I talked about those in the written
23 testimony. One is a video-based screening tool and the
24 other is psychological testing. We need more research in
25 this area.

1 Also, we need to strengthen the ways to get the
2 wrong people out of the system. Dr. Krisberg mentioned
3 earlier about the reinstatement of the two staff members at
4 CHAD, the Gigerian facility in California, the staff members
5 who were on national T.V. on a video that showed them
6 beating youth, who were reinstated. We need some help in
7 addressing some of the challenges and obstacles in terms of
8 disciplinary action.

9 And the third recommendation that I would make is
10 that we need help in professionalizing the juvenile justice
11 work force. This is a common theme, but everything that's
12 been done so far has been a strategy that focuses on post
13 employment, and the economics of the upcoming years I don't
14 think bode well for these types of strategies. A different
15 approach might be to shift the locus of professionalism to
16 pre-employment strategies, so, I would recommend that you
17 give some consideration to our need for the development of a
18 national pre-employment education program that can be
19 replicated by colleges and universities and endorsed by the
20 professional associations that would lead to some type of
21 certificate of employability and would lead to a job.

22 So, those are my recommendations. Thank you very
23 much for the opportunity to supply this information.

24 CHAIRMAN WALTON: Thank you very much, Dr. Roush.

25 Mr. Sanniti.