

1 the Director," which provides the heads of various
2 Federal agencies or initiatives with the opportunity
3 to communicate directly with the IACP membership. I
4 believe that an article from you, as Chair of the
5 National Prison Rape Elimination Commission, outlining
6 the work and goals of the Commission would be of great
7 interest to our membership.

8 I will be happy to answer any questions
9 that you may have.

10 CHAIRMAN WALTON: I'll try to get that
11 to you sometime in the near future, but I'm really
12 happy to see here -- as you may know, there was a
13 disconnect early on between -- I guess, as far as
14 communication was concerned, between our office and
15 your organization, and I do think that you play -- and
16 I am glad that you appreciate the fact that your
17 organization plays a significant role in this entire
18 issue. So I'm really happy to see you here.

19 MR. RONALD RUECKER: Yes, sir. Thank
20 you. We're happy to be here.

21 CHAIRMAN WALTON: Mr. Brown, other than
22 individuals who head agencies, because of their
23 goodwill and their desire to do the right thing, or
24 for humanitarian reasons, what is the incentive for
25 organizations to become associated with your effort?

1 MR. JAMES BROWN: Our surveys found the
2 number one reasons police chiefs do that is to provide
3 the best possible service to their community. The
4 number two reason seems to be being recognized for
5 professional excellence, outstanding efforts. The
6 number three reason seem to be liability reduction.
7 And then you follow other lists of reasons, the
8 Management Preparedness Program, Emergency Management
9 Preparedness, review of policies and procedures,
10 organizational change devices, et cetera. There is a
11 number of those. But the primary first three or four
12 are the reasons.

13 CHAIRMAN WALTON: Is there anything we
14 could do that you could think of that would be an
15 enhanced incentive?

16 MR. JAMES BROWN: Well, we've been
17 trying that, Your Honor, for about 30 years of trying
18 to get more people involved, and it is a daunting
19 program. And one of the first problems we have is,
20 our program is really not for the small law
21 enforcement agency, and the majority in the United
22 States, the vast majority, numbers in the high 90s
23 probably, are under 25 percent or in that particular
24 area. And for our program to be particularly
25 effective, an agency has to be complex, starts needing

1 multiple supervisors, different types of duties,
2 responsibilities, so these kinds of things. It needs
3 a certain amount of resources, and it needs, you know,
4 leadership to do that. Do six farmers -- officers in
5 the small Iowa town need this program? No, they
6 don't. That's one of the big problems.

7 Another problem is, you have to get
8 community support and you're launching a major
9 initiative that really takes several years to
10 accomplish. And a lot of CEOs don't see the risks.
11 No one is pounding me to do that. To say we're going
12 to get into accreditation and start this process off
13 and invest into it and find it fails is not a career
14 enhancer. So we tend, generally, to have the better
15 and the best. We are an organizational change device
16 and we have some that are a little bit troubled that
17 get in the organization that want to use it to improve
18 itself.

19 CHAIRMAN WALTON: Does your
20 organization reach that small police department level?

21 MR. RONALD RUECKER: Yes, sir,
22 Mr. Chairman. As Mr. Brown said, the vast majority of
23 police agencies in this country are very small police
24 departments. And out of the 17,000-plus -- well, the
25 IACP has about 21,000 members around the world. The

1 vast majority of those are in North America and the
2 United States, but I would say that most police chiefs
3 in this country belong to the IACP.

4 CHAIRMAN WALTON: Do you know what
5 percentage that is?

6 MR. RONALD RUECKER: I don't know, sir.
7 It -- I don't know.

8 COMMISSIONER KANEB: Mr. Ruecker or
9 Ruecker?

10 MR. RONALD RUECKER: Ruecker. Sorry,
11 you'll never get it from looking at the spelling.

12 COMMISSIONER KANEB: That's okay. My
13 name is similarly difficult. And it's pronounced
14 Kaneb.

15 You have a couple of paragraphs on
16 strip searches and body cavity searches.

17 MR. RONALD RUECKER: Yes, sir.

18 COMMISSIONER KANEB: Barriers to doing
19 them casually, and it all seems to hang together. But
20 I see nothing in here about cross-sex strip searches
21 and body searches. Is there something I'm missing?

22 MR. RONALD RUECKER: If I understand
23 your question, is you're asking if this should be done
24 by a same gender officer with the person that's
25 arrested?

1 COMMISSIONER KANEB: Yeah. I'm
2 asking --

3 MR. RONALD RUECKER: That is our
4 intent. My testimony overlooked it. I apologize.
5 But, certainly, we would not recommend opposite gender
6 strip or body cavity searches.

7 COMMISSIONER KANEB: Well, your
8 testimony seems to relate to very specific
9 recommendations. I mean, these are all
10 recommendations for how to do it right. Is that
11 correct?

12 MR. RONALD RUECKER: Yes, sir.

13 COMMISSIONER KANEB: And, you know,
14 I'll quote you. Articulate in the matter of strip
15 searches, permitted only when there is articulate --
16 articulable, reasonable suspicion that a detainee or
17 arrestee is concealing contraband that cannot be
18 discovered by a pat down, et cetera, et cetera.

19 So I would -- I am surprised that when
20 you get into that kind of clear language, you don't
21 explicitly state that cross-gender searches are not to
22 be done.

23 MR. RONALD RUECKER: Your point is
24 taken. I'll -- I am going to research while we're
25 sitting here the model policy that I attached, which

1 is the IACP's policy I was quoting from, to see if it
2 is more specific to your point. But I clearly have no
3 disagreement with you about that.

4 COMMISSIONER KANEB: Thank you. And I
5 would ask that you let me know just what the policy
6 does say. This is -- this matter of -- of,
7 particularly, men being in charge of incarcerated
8 women, and also, in some cases, but to a much lesser
9 extent, women being in charge of incarcerated men, is
10 proving to be -- or at least it seems to us to be
11 problematic. And I believe one of the matters we're
12 going to address in our report and very probably in
13 standards is -- is this matter, not just in strip and
14 body cavity searches, but the whole question of
15 cross-gender supervision of incarcerated folks. So
16 thank you.

17 COMMISSIONER SMITH: John, one of the
18 things that I would add is just that in looking at the
19 model policy, on page 16, it indicates that a strip or
20 body cavity search may be performed if criteria for
21 the search meets the agency's policy and the search is
22 conducted in accordance with established agency
23 procedure. And the reality is, is that the procedure
24 around cross-gender supervision differs from agency to
25 agency, so this policy doesn't actually provide a

1 recommendation for same gender strip or pat searches.

2 MR. RONALD RUECKER: Thank you.

3 COMMISSIONER SMITH: Okay.

4 COMMISSIONER KANEB: Well, we all go
5 through TSA-operated screening devices in airports and
6 they haven't gotten to strip searches yet, but they
7 are careful about cross-gender pat downs.

8 MR. RONALD RUECKER: Yes. If I may
9 make a comment back to that. In my -- in 31 years of
10 law enforcement experience, a very great deal of which
11 was as a police officer in the field, and having made
12 hundreds and hundreds of arrests, I have never had
13 occasion to conduct either of those type searches, and
14 nor have I seen anyone else, in my own personal
15 experience, conduct a cross-gender search of the type
16 that you've discussed.

17 COMMISSIONER FELLNER: I wanted to
18 first ask Mr. Brown, why hasn't CALEA adopted any
19 standards with regard to rape? Prison rape, holding
20 cell rape?

21 MR. JAMES BROWN: Well, we didn't even
22 realize that it was, one, an issue, or that this
23 Commission even existed until probably about a year
24 ago. So what I anticipate is, once the Commission
25 comes up with some types of guidelines, that CALEA

1 probably would do that. It probably would be a
2 standard -- it might say something like, agency has a
3 written directive regarding prison rape and policies
4 and procedures that address training, supervision, and
5 review. But I have to see what you come out with
6 before we can draft up a standard. And in many cases
7 in law enforcement -- and I spent 30 years on the road
8 and in time 12 years, 13 years with CALEA, it's not an
9 issue to most law enforcement folks. I was never
10 really aware of any kinds of problems myself
11 personally. There is the Bubba jokes, you know, about
12 going to the state penitentiary type things, but the
13 most that -- the cop on the field, with some shameful
14 exceptions, I think it was -- in the early videotape
15 here, is not an issue that was a priority. And now
16 it's being brought forward and we will address it as
17 appropriate.

18 COMMISSIONER FELLNER: Well, I am
19 surprised and saddened to hear that your organization,
20 one, didn't even know about the legislation for a
21 year; but, two, that you didn't realize that
22 inappropriate sexual activity by police is far more
23 prevalent than just a few isolated cases and that you
24 haven't taken steps. But I am glad to hear that you
25 are planning to, and I hope you will be very proactive

1 in the future with your membership about this.
2 Remembering that it's not just inmate on inmate, but
3 it's also staff on inmate. And I think our view is
4 that it starts at the moment of arrest, somebody is in
5 the custody of the police.

6 I wanted to turn to you, Mr. Ruecker,
7 and ask, I noticed in your statement that you said
8 that Oregon has instituted a policy by which
9 investigations of allegations of assault are done by
10 the police and not the department. And I wonder --
11 for various reasons, to assure objectivity,
12 transparency, and I wondered if you could -- I think
13 we're probably going to have some hearings on
14 oversight and mechanisms, but since you're here, if
15 you could share with us a little bit about what have
16 been some of the -- how has that worked? What have
17 been some of the challenges, what are some of the
18 problems, what are some of the -- you've had some
19 experience with that now, so --

20 MR. RONALD RUECKER: Yes. Thank you.
21 Well, in the beginning, it basically was the police,
22 the state police, which in our state has
23 responsibility for investigating all crimes that occur
24 within state institutions, correctional institutions,
25 the state mental hospital, et cetera.

1 But it was a partnership of -- where
2 people from the Department of Corrections, the state
3 police, local prosecutors, and the department -- the
4 Oregon Department of Justice came together to talk
5 about, let's figure out how to set up some protocols
6 that work for everybody. And things have changed over
7 time as a result of prosecutor capacity to prosecute
8 cases, not just inmate cases or institution cases, but
9 all cases. There is a line under which the prosecutor
10 says, I just don't have the resources to prosecute
11 this crime. It's a crime, we all get that, but we
12 can't go there. So that was obviously going to need
13 to be part of the equation as we set up these
14 protocols for investigating institution crimes, trying
15 to make sure that, A, when an inmate or a staff
16 member, for that matter, when a crime was alleged to
17 have occurred inside the institution, what would be
18 the procedures for making sure that that case gets
19 reviewed promptly, that if there is an urgency where
20 someone needs to be moved, that we get to that, that a
21 detective gets assigned if that's the way it's going
22 to go, or if it's not going to be investigated
23 criminally and subsequently prosecuted criminally,
24 then it gets promptly returned back to the Department
25 of Corrections for them to deal with it in the best

1 way that they can, knowing that it's not going to be
2 prosecuted.

3 And it has worked really -- I think
4 everybody involved would say it has worked very well.
5 Probably the people -- the people I was closest to, we
6 didn't get any more resources with which to conduct
7 the investigations, so that's -- case management is a
8 continuing problem. But I think in terms of
9 evaluating the effectiveness of the protocols, it has
10 worked very well. And I would be happy to -- I asked
11 for -- I have a request in for a copy of the most
12 recent version of those protocols, and I would be
13 happy to supply it to the Commission when I get my
14 hands on it when I get back home.

15 COMMISSIONER FELLNER: These are the
16 model policies?

17 MR. RONALD RUECKER: No. This is the
18 actual investigative protocol between the Oregon
19 Department of Corrections, the State Police, and in
20 the case of our only maximum security penitentiary is
21 located in Salem, which is Marion County, it's the
22 Marion County District Attorney, State Police, and DOC
23 kind of three-legged protocol for how to investigate
24 or how to handle these cases.

25 COMMISSIONER FELLNER: And are these

1 model policies used for prison investigations, for
2 example, of sexual assault if it's alleged in prison
3 as well as in other contexts?

4 MR. RONALD RUECKER: Yes, but I
5 think -- I'm not sure if I'm being clear. The model
6 policies that I've referred to in my packet are IACP
7 model policies.

8 COMMISSIONER FELLNER: Right. Right.

9 MR. RONALD RUECKER: I'm talking about
10 local protocols back home which --

11 COMMISSIONER FELLNER: Right. No, no,
12 no, I understood that. But would you use -- if you
13 were doing an investigation of a sexual assault in
14 Oregon, pursuant to that protocol, would you use the
15 IACP model policy and --

16 MR. RONALD RUECKER: You know -- I
17 think the answer to that is, no, only because, when
18 these protocols were developed, I don't think the
19 IACP's model policy existed and may not -- they may
20 not mesh exactly today. But I can -- that's something
21 I'm happy to make available to the people that are
22 working with those protocols now.

23 COMMISSIONER FELLNER: Well, if you --
24 I will exceed my time, but I think we would all
25 welcome if you felt like opining a bit more, perhaps

1 in written -- if you looked at the -- these are quite
2 detailed and, at first glance, seem to be quite
3 thorough. I would welcome your sense, as someone who
4 has done investigations in prisons, whether you think
5 these policies would work for prison investigations,
6 would you recommend them to be used in prison
7 investigations, or in what way might they need to be
8 tinkered with.

9 MR. RONALD RUECKER: Do you want me to
10 do that now?

11 COMMISSIONER FELLNER: If you know off
12 the top of your head --

13 MR. RONALD RUECKER: I really -- I
14 really have not considered the detail of these model
15 policies versus those protocols, and I hate to take
16 your time speculating.

17 COMMISSIONER FELLNER: Right. But
18 maybe you could send something in writing afterwards
19 and we could -- staff could follow up and talk with
20 you to get more information, because I think --

21 MR. RONALD RUECKER: Yes, I would be
22 more than happy to do that.

23 COMMISSIONER FELLNER: Great. Thank
24 you.

25 COMMISSIONER NOLAN: Thank you very

1 much for both of your testimony.

2 Mr. Ruecker, as -- in your role at the
3 State Police, as you came up with investigations, to
4 the prosecutors, certainly their resources and
5 limitations is a significant factor. Did you also
6 find a reluctance, I guess, to say, well, you know,
7 they're in prison. What -- I mean, that theme sort of
8 runs through some of the reluctance. Can you talk
9 about some of the reluctance you had of spending
10 resources prosecuting people that are already in
11 prison?

12 MR. RONALD RUECKER: Yes. I'd be happy
13 to comment on that. And my answer may surprise you.
14 When -- given the history that -- that had been in
15 Oregon prior to the time that I had a role in that
16 part of the State Police's operation, I came into that
17 job about 1990, or '91, really right on the heels of
18 this Commission's report where there had been some
19 work done and people were very sensitive to exactly
20 that type of attitude. And when I came in, there was
21 a very refreshing and very energized approach by all
22 the parties involved, to say, you know, these -- that
23 you're in prison doesn't mean that you should be
24 subjected to criminal activity. That you're a prison
25 official doesn't mean that you have any prerogative

1 whatsoever to take advantage of people. That you're a
2 prison employee doesn't mean that you have to be
3 subjected to -- a condition of your work shouldn't
4 mean that you have to get -- tolerate, you know, being
5 insulted by people or -- so we really went at it from
6 the standpoint of, look. Yes, it's a closed custody
7 situation, but if a crime occurs in there, it ought to
8 be investigated the same as any other crime, subject
9 to the limitations of resources that frustrate us all
10 inside and outside of the institution setting. And I
11 didn't really sense that. The prosecutor's office did
12 a wonderful job of taking the cases that really should
13 be prosecuted, in my view. They were prosecuted.
14 Including people that, you know, were already in
15 there, with occasionally someone that -- you know,
16 what are you going to do to somebody who is already
17 serving a mandatory life sentence? Well, if you're
18 the victim of a crime, you still want your justice.
19 And so I saw a couple of those cases get prosecuted.

20 So I think it was a very -- a very
21 healthy, very collaborative, and very respectful
22 environment. I was -- I was younger, pretty naive
23 about the whole thing. I didn't understand why
24 anybody would be treated any differently --

25 COMMISSIONER NOLAN: Right. They

1 wouldn't -- yeah.

2 MR. RONALD RUECKER: And I think I'm
3 probably -- there are many others who would have a
4 different experience than I had. But it was exactly
5 what I thought it should have been.

6 COMMISSIONER NOLAN: Well, that's
7 really encouraging. Was it the same district attorney
8 the whole time while you were --

9 MR. RONALD RUECKER: All the time while
10 I was there. He is no longer the D.A. now, but many
11 of his senior staff -- I think that the current
12 District Attorney is the senior member of the prior
13 D.A.'s support staff and I have a -- I'm confident
14 that things are --

15 COMMISSIONER NOLAN: And which county
16 is that?

17 MR. RONALD RUECKER: Marion County.

18 COMMISSIONER NOLAN: Marion County.

19 Okay.

20 Thank you very much. That's really
21 encouraging.

22 MR. RONALD RUECKER: You're welcome.

23 COMMISSIONER SMITH: Just -- I'm going
24 to ask you a follow-up on Jamie's question about sort
25 of the role of State Police in investigating incidents

1 in other institutional settings, so I want to focus on
2 that.

3 Do you have any -- I understand that
4 Oregon has a particularly kind of evolved
5 relationship. Do you have any information about the
6 experience or challenges in other jurisdictions where
7 this occurs, where this arrangement occurs?

8 MR. RONALD RUECKER: I think I can only
9 say that there is probably a great diversity of
10 experiences. In most other things that I have come
11 across in -- as a police chief or police executive,
12 I've found that things are -- you know, they're not
13 the same anywhere on just about any subject. So I
14 don't have personal knowledge of whether this --
15 whether our situation in Oregon was particularly
16 better than others or particularly worse. I can't
17 imagine it was worse, but --

18 COMMISSIONER SMITH: Is that -- is that
19 sort of undertaking to sort of look at the experience
20 of other state police agencies in doing this kind of
21 work a project that the International Association of
22 Chiefs of Police might undertake or might think might
23 be a useful thing to undertake?

24 MR. RONALD RUECKER: It's possible.
25 It's also important to note that even the structure of

1 policing at the state level, law enforcement at the
2 state level around the country is not the same. In
3 Oregon, we have a State Police, which is Highway
4 Patrol, of course, but also of criminal investigations
5 and a great diversity of other services, the Emergency
6 Management, the Medical Examiner, et cetera. And
7 that's, by far, the anomaly in the West, where most
8 State Police functions are actually Highway Patrol,
9 and then you've got a Department of Public Safety that
10 oversees other things.

11 So there is a division of the IACP
12 called the State and Provincial Police Division, which
13 is the State Police and Highway Patrol administrators
14 throughout the U.S. and Canada. Actually, I'm going
15 there tonight to meet with those folks tomorrow and
16 the next day. Some of those people, and probably only
17 some of those people, would have similar investigative
18 responsibilities as I had as -- over the Oregon State
19 Police. There may be 20 or so states in the country
20 that could undertake such a thing. The rest of them
21 are not structured in such a way as to make it maybe
22 the best way to go about it.

23 COMMISSIONER SMITH: The reason that I
24 asked is because it would be very useful for the
25 Commission to kind of have that information. We have

1 information both from what we have received in terms
2 of testimony, but from our own experience working in
3 this area that that relationship is actually a really
4 useful relationship to many state DOCs in
5 investigating, and I have heard some sense that there
6 is some interest in sort of strengthening that and
7 trying to overcome some of those barriers, in
8 particular, some of the ones around resources that the
9 state police have in terms of investigating those
10 things.

11 MR. RONALD RUECKER: Yes.

12 COMMISSIONER SMITH: Because,
13 certainly, we've heard from state DOCs that often
14 investigations in the institutional settings are not a
15 priority for state police.

16 MR. RONALD RUECKER: That's right. I'm
17 certain you've heard some of that. And I -- and to
18 respond, I would be happy -- and will -- I am going to
19 address them tomorrow morning. I will make your
20 comments known to them and see what kind of response I
21 get.

22 COMMISSIONER SMITH: Perfect.

23 COMMISSIONER AIKEN: Just a brief
24 comment, as well as a question. Yes, I have some
25 firsthand knowledge of the Oregon Department of

1 Corrections and their handling those issues that
2 happen within the correctional environment and their
3 dedication to ensure transparency in relationship to,
4 this is what went wrong and this is what we did about
5 it. And they were very forthwith in sharing that with
6 other correctional agencies throughout the United
7 States. And I had the occasion to come in and make an
8 assessment in relationship to a critical event and it
9 was very, very helpful. There was a successful
10 prosecution, and I'm sure your office had something to
11 do with that. It did not have a sexual connotation,
12 however, but I was very well impressed.

13 The specific question, and this is to
14 both of you, investigating in a correctional
15 environment, I'm making an assumption that it is
16 different than conducting an investigation in the
17 community. And what, in your opinion, are some
18 nuances or some issues that you would not normally be
19 confronted with in the community that you are
20 confronted with within the prison environment?

21 MR. JAMES BROWN: I can probably go
22 first, Ron.

23 The CALEA part of this thing would be a
24 relatively short-term thing. Something occurred with
25 somebody who was just at the agency or the facility

1 for a couple of hours or two or three kind -- a day
2 type thing. So you don't have that normal prison
3 population, gang intimidation, we're going to get you
4 type thing. It would be an incident probably just
5 very specific. It would be a fairly straight up,
6 police kind of investigation, if the person would come
7 forward and what other people could testify to it. So
8 ours would be much less complicated.

9 MR. RONALD RUECKER: In my experience,
10 the biggest factor is -- is getting -- actually, you
11 know, getting witnesses to come forward is really
12 tough. When we go -- when the police officer goes
13 into the institution to conduct an investigation,
14 there is an amazing awareness throughout that facility
15 of -- that the police are in the building some place,
16 who they're talking to, how long they talked to this
17 person, how long they talked to that person. These
18 are real obstacles because people are concerned for
19 their safety after the interview. And it's tough.
20 It's real tough.

21 I had occasion -- a very notable
22 investigation where a murder actually occurred inside
23 the penitentiary, and in the circumstances in which it
24 occurred, it -- there were 70 or 80 people in the same
25 room --

1 COMMISSIONER FELLNER: And nobody
2 saw --

3 MR. RON RUECKER: -- a room twice the
4 size of this room, 70 or 80 people in there, and it
5 took us a month to start figuring out who actually saw
6 something -- I mean, obviously, they all didn't --
7 everyone didn't see it. But the idea that nobody saw
8 it didn't flush either. So that's the biggest
9 challenge, and other dynamics that spin off of that.

10 COMMISSIONER AIKEN: And just one quick
11 follow up. And I'm assuming that barrier or obstacle,
12 to which I concur with you, is evident when you're
13 conducting, for example, a murder of a fellow inmate.
14 Now, is it more intense or less intense when there are
15 inquiries related to practices of staff?

16 MR. RONALD RUECKER: I'm not sure if I
17 could quantify more or less intense. It's a different
18 dynamic. But, again, I think that -- and I have to
19 also say that my role in the investigation of these
20 crimes was from an oversight role. I was a lieutenant
21 with squads of people going to do this and that, so I
22 didn't personally conduct the interviews of the
23 people. But we have prosecuted staff from the
24 institution, in both the correctional institution and
25 from a mental health institution, and that -- the

1 dynamic then switches to sort of the -- within the
2 peer group of the staff, labor organizations and
3 others that want to step forward and have some say in
4 how the investigation occurs. But it can be
5 successfully done, it has been successfully done. And
6 in the case, I -- my investigative team, in the case
7 of this mental health institution, called a training
8 center, ultimately resulted in -- this was -- just
9 staff -- it wasn't -- well, I guess on a couple of
10 occasions it was sexual. Mostly not. Just
11 mistreatment of these clients. We ultimately
12 prosecuted 11 people, 11 staff members out of this
13 training facility, which no longer operates, by the
14 way. So it's a different dynamic. I'm not sure about
15 how -- if there was any -- I would suspect there would
16 be less reluctance of the witnesses to come forward
17 where the staff was the accused, but I don't exactly
18 know that.

19 COMMISSIONER FELLNER: Just a quick
20 follow up on, given the difficulty, people don't like
21 to come forward. Our experience is that you have
22 problems -- I mean, a lot of obstacles to good
23 investigations, whether the alleged perpetrator is
24 staff or another inmate. I wondered what both of you
25 think in terms of requiring or strongly pushing for

1 more surveillance cameras? If, in that room, you
2 would have had surveillance cameras all around, some
3 of your investigation would have been a lot easier.

4 MR. RONALD RUECKER: Absolutely.

5 COMMISSIONER FELLNER: Or at least you
6 could say, you were sitting next to the guy, how could
7 you not have seen something. And similarly, in
8 lock-ups, where you have such a mobile population,
9 what is your thought, what is your experience with
10 surveillance cameras, and is it something you think we
11 as Commissioners should be pressing for more of them
12 everywhere?

13 MR. RONALD RUECKER: I'll do it quickly
14 first and then defer to Jim.

15 The camera technology today, whether
16 in-car cameras, you know, within a police car, in a
17 police facility, in a correctional facility, this
18 technology is very, very good for everybody. I think
19 more of it is better. I'm not going to go to, you
20 know, inviting, you know, more requirements, but I
21 think that -- I think that this technology is great
22 stuff. It certainly would have made a lot of these
23 investigations a lot more efficient if we had had some
24 of that technology in those days, but we did not.

25 MR. JAMES BROWN: The camera is a great

1 idea. Many places already have it, to kind of do an
2 extra visual on the cell range or what is going on in
3 there, and we allow that as a partial supervision
4 device. More cameras, I think, would be effective,
5 especially if there is a requirement that they take
6 recordings, and these recordings be held for something
7 like 30 days. Otherwise, it's not. I also hold a
8 certification with ASIS, a private -- the American
9 Society for Industrial Security. And they have found
10 that the placement of cameras -- I'm talking about in
11 lobbies and on street corners -- has a great impact in
12 reducing crime, but up to a point. And then when all
13 of a sudden you get too many people, they don't seem
14 to care that the cameras are there. You can still use
15 them later as an investigative aid, but for somehow --
16 a few people, cameras really cut it down; a lot of
17 people, they'll still do it, but you're able to figure
18 out what happened.

19 CHAIRMAN WALTON: Any other questions?

20 If not, again, we thank both of you for
21 your presence and your testimony. And we can -- we
22 look forward to continuing to work with you. Thank
23 you.

24 The next panel starts at 11:30, so
25 we'll take a short break.

1 COMMISSIONER FELLNER: Mr. Ruecker,
2 before you go, I just -- some of the Commission --
3 some of the members of the Commission and some of the
4 staff will be going to Oregon in a few weeks to go to
5 some facilities. And, actually, I am sufficiently
6 intrigued by -- I hope, if you're in town, we might be
7 able to schedule a time to talk with you to follow up
8 on some of the -- your Oregon-specific work that you
9 have done.

10 CHAIRMAN WALTON: Let's take about a
11 seven-minute recess.

12 MR. RONALD RUECKER: I look forward to
13 that and I know you all have my contact information.

14 (RECESS.)

15 CHAIRMAN WALTON: We'll start with our
16 next panel. We have two witnesses, Mr. Jamie Fields,
17 and Ms. Andrea Richter -- I'm sorry -- Ritchie. This
18 panel will focus on the operations, again, of police
19 lock-ups and, also, conditions of confinement.

20 I would ask the two witnesses to please
21 stand and take the oath.

22 (Witnesses sworn in.)

23 CHAIRMAN WALTON: Mr. Fields, if you
24 could just indicate who you are, and then we'll have
25 Ms. Ritchie do the same thing.

1 MR. JAMIE FIELDS: Yes. My name is
2 Jamie Fields. I'm a Deputy Chief with the Detroit
3 Police Department. I'm responsible for Risk
4 Management Bureau, which includes the Training Bureau,
5 it includes the Office of Civil Rights, and Legal
6 Department, and Holding Cell Compliance Committee.

7 CHAIRMAN WALTON: Thank you for being
8 here.

9 MS. ANDREA RITCHIE: Good morning,
10 Commissioners. My name is Andrea Ritchie and I've
11 been asked to testify today about women's experiences
12 of sexual violence in police department lock-ups. And
13 my testimony is based on my experience as research
14 expert and co-author for Amnesty International's
15 report "Stonewalled - The Police Abuse and Misconduct
16 Against Lesbian, Gay, Bisexual and Transgender People
17 in the U.S."; my preparation of a report on torture
18 and other human rights violations by law enforcement
19 agents in the U.S.; the U.N. Committee Against Torture
20 and the U.N. Human Rights Committee; my own
21 experiences as a police misconduct attorney in New
22 York City; and my own research over the past decade on
23 physical and sexual abuse of women by law enforcement
24 agents.

25 CHAIRMAN WALTON: Thank you for your

1 presence.

2 Mr. Fields.

3 MR. JAMIE FIELDS: Yes. I would like
4 to thank you for the opportunity to appear today on
5 behalf of the Detroit Police Department and Chief of
6 Police Ella Bully-Cummings. The Detroit Police
7 Department is heartened that the Prison Rape
8 Elimination Act shows a high level government
9 recognition of the problem of prison rape. We applaud
10 the development of national uniform standards and
11 guidelines addressing the prevention, reduction and
12 punishment of rape or sexual assault occurring to
13 persons within a correctional setting. Although the
14 Act limits the Attorney General's discretion in
15 issuing standards by requiring that the final rule not
16 "impose substantial additional costs" on prison
17 systems, we are hopeful that any additional standards
18 or guidelines would be accompanied by corresponding
19 funding and/or resources required.

20 It appears that the main focus of the
21 Act is the collection of data. That, in and of
22 itself, is a laudable and worthwhile goal because the
23 lack of quantifiable data and research as to the depth
24 and the scope of the problem in police lock-ups leads
25 to difficulty for local jurisdictions in designing