

1 we'd appreciate it.

2 (Brief recess at 10:37 a.m.)

3 THE CHAIRMAN: Our next panel is entitled
4 Effective Corrections Management: Sexual Assault,
5 the Indicators and the Impact on Institutional
6 Stability. Our three panelists are Director Lappin
7 from the Federal Bureau of Prisons; Jail
8 Administrator, Cynthia Malm from Idaho and
9 Commissioner Kathleen Dennehy from Massachusetts.
10 We thank all of you for your presence.

11 If you could please stand and take the oath,
12 we'd appreciate it.

13 (Panel sworn)

14 THE CHAIRMAN: We'll proceed in the order
15 in which you're listed on the agenda with Director
16 Lappin going first.

17 EFFECTIVE CORRECTIONS MANAGEMENT: SEXUAL ASSAULT,
18 THE INDICATORS AND IMPACT ON INSTITUTIONAL STABILITY

19 MR. LAPPIN: Good morning, Mr. Chairman,
20 members of the commission. I appreciate the
21 opportunity to appear before you today to discuss
22 effective prison management, particularly some of

1 the ways to reducing sexual assault within a
2 correctional setting.

3 The Bureau of Prisons has a policy that
4 specifically addresses sexual abuse prevention and
5 intervention. Our strategy for preventing sexual
6 assault and abuse is inherent in our overall
7 management approach. Our objective is to promote a
8 safe, secure, and humane environment for staff and
9 inmates and facilitate community reentering for
10 releasing inmates. We accomplish this by adhering
11 to sound correction basis and providing
12 self-improvement opportunities for the improvement
13 of work towards reducing recidivist.

14 The Bureau of Prisons operates 112 prisons and
15 is responsible for nearly 189,000 federal offenders
16 with approximately 85 percent housed in bureau
17 facilities, and the remainder in privately operated
18 facilities, including some state and local
19 governments. The Bureau of Prisons is a policy
20 driven agency. Nearly all major aspects of
21 institutional operations are covered by policy, and
22 all facilities are mandated by our policy.

1 We have an elaborate system of checks and
2 balances designed to ensure compliance with
3 applicable regulations, laws, policies and
4 procedures identifying enhancements when needed and
5 promote efficient management practices.

6 Institution security is ensured through a
7 combination of direct staff supervision of inmates,
8 physical and architectural feature, security
9 technology, and a classification of inmates based
10 on risk factors. Our security classification
11 system contributes significantly to the safety by
12 separating inmates with the propensity for violence
13 and abuse toward others. Inmates are assigned a
14 security level in accordance with their
15 classification score, and they're housed in an
16 institution with corresponding security levels
17 ranging from minimum to high security.

18 Staff clearly are the key for effective inmate
19 management. And regardless of their specific
20 discipline, all employees of the federal prison
21 system or correctionally disbursed. Each is
22 responsible for safety, security, good order of the

1 institution, and for serving as a positive role
2 model.

3 Staff are expected to be attentive to inmate
4 accountability and security issues and to maintain
5 proficiency in each of those areas. Engaging
6 inmates in programs and keeping them constructively
7 occupied is critical to ensuring a safe, secure
8 prison and public safety.

9 Programing reduces idleness and stresses
10 related to confinement and helps prepare inmates
11 for release. Staff are highly visible throughout
12 the vicinity, continually interacting with inmates.
13 This promotes a more normalized environment and
14 places staff in a better position to observe and
15 respond to inmate behavior. Staff officers in the
16 housing units facilitate access and identification
17 of potential issues and concerns.

18 In many facilities, surveillance via CT TV
19 cameras augment direct staff supervision. And a
20 grievance procedure ensures investigation and
21 timely response to any issue raised by inmates.
22 Inmates and staff are encouraged to report

1 incidents of misconduct and other inappropriate
2 behavior. All allegations of staff misconduct are
3 referred to the Office of the Inspector General,
4 which then refers them back to the Bureau of
5 Internal Affairs of those with which they would
6 like us to investigate. Serious cases are referred
7 for criminal prosecution and we do not tolerate any
8 type of abuse of inmates.

9 Allegations of inmate on inmate sexual
10 assaults or nonconsensual sexual acts are also
11 taken very seriously with full investigation and
12 prompt referral to the FBI in cases involving
13 potential criminal behavior.

14 The bureau's Internal Inmate Discipline Policy
15 is also brought to bear where the investigation
16 reveals institution rules involvement. Bureau
17 policies specifically on preventing sexual abuse
18 and behavior is designed to do several things:
19 One, staff and the inmate awareness and
20 understanding of the bureau's zero policy, zero
21 tolerance policy, standardization detection and
22 prevention procedures, prompt effective response to

1 victim needs, prompt intervention and
2 investigation, discipline and prosecution of
3 perpetrators.

4 The policy applies to inmates with a history
5 of sexual victimization or predation and to those
6 at risk of being victimized or perpetuating
7 sexually abusive behavior. It emphasizes the use
8 of silent retro-basics to better detect incidents
9 of sexually abusive behavior and deterrence.

10 All reports of victimization are assumed
11 credible. Staff receive training on policy
12 requirements upon hiring and during annual
13 correctional training yearly thereafter. And those
14 who are directly involved receive specialized
15 training. It makes you advised of your rights and
16 responsibility during orientation facility and
17 receive an inmate handbook that outlines specific
18 aspects of the policy.

19 To ensure the safety of federal inmates held
20 in facilities under contract with the bureau, the
21 agency has taken a very active role in
22 communicating its expectations to the contract.

1 While laws establish minimal standards of care
2 to which all inmates are entitled, the bureau has
3 always worked to achieve the highest standards with
4 respect to inmate management. The Bureau of
5 Prisons' policies and procedures and practices
6 regarding inmate management have served the agency
7 well in that we've experienced very few sexual
8 assaults.

9 As an agency we're always looking for ways to
11 involved in each and every day. I look forward to
12 your report. I couldn't agree with the former
13 panel members that we look forward to the report in
14 regards to what we can do to improve or existing
15 systems and programs and provide a safer
16 environment of inmates and inmates.

17 Mr. Chairman and Commission, again, we
18 appreciate having you here at the federal detention
19 center and we look forward to working with you.
20 We're certainly encouraged by my hearing of the
21 cooperation that I believe will continue that
22 already exist and will continue to develop the

1 standards that I think are going to be critically
2 important on how the future of our prisons in this
3 country are operated. So again, thank you very
4 much and look forward to questions that you might
5 have of me.

6 THE CHAIRMAN: Thank you, Director.

7 Ms. Malm?