

1 reach any conclusion other than with isolated  
2 exceptions. America's prisons are safe and getting  
3 safer. We are achieved this through leadership,  
4 leadership that values life and respects the law.  
5 We can always do better. And as a profession, we  
6 aspire to improve. Your support for our efforts by  
7 calling on Congress and the states to support the  
8 work we do will be deeply appreciated. Thank you.

9 MR. CHAIRMAN: Thank you, Commissioner  
10 Horn. We'll now hear from the Timothy Ryan.

11 MR. RYAN: Yes, sir. Thank  
12 you, Mr. Chairman, commissioners. On behalf of the  
13 American Jail Association and President Robert  
14 Patterson in Texas, its leadership and its 4,000  
15 members, I am humbled and honored to be here,  
16 especially sitting close to these gentlemen, and  
17 certainly in front of you.

18 I am particularly privileged because I'm  
19 sitting before Commissioner Nolan with whom I have  
20 come to truly respect his particular insight as we  
21 sit together on the Commission of Safety and Abuse  
22 in America's Prisons. Of course, it feels a little

1 different sitting on this side. I'm glad to see  
2 you, Pat.

3 I am here before your auspicious commission  
4 today though, and I'm reminded of a story.  
5 Apparently G.K. Chesterson, the writer, and several  
6 other literary figures, were speaking one evening  
7 and they said what book they would prefer if they  
8 were stranded on a desert island. The first said  
9 the complete works of Shakespeare, the second said  
10 I'd choose the Bible, and then someone asked Mr.  
11 Chesterson. He said I would choose Thomas' Guide  
12 to Practical Ship Building. Mr. Chesterson's  
13 comments had some resonance with me as I'm speaking  
14 before your commission today.

15 As you are no doubt aware, many of us in jails  
16 and certainly the corrections business have been  
17 extremely concerned about your commission. When we  
18 are in our most defensive postures, we tend to  
19 believe or fear that you must consider us poor  
20 correctional administrators who somehow tolerate  
21 sexual misconduct. However, in my more  
22 enlightening periods, I have come to ask for your

1 help as Mr. Horn has in addressing this issue.

2 For me, this is the side I wish to share with  
3 you, which is the practical guide to jail  
4 administration. For in jails, my experience and  
5 that of my peers does not show an out of control  
6 system or any sort of belief that sexual misconduct  
7 has some sort of prolific basis.

8 For example, in 2005, in my jail, we  
9 documented three alleged inmate on inmate events,  
10 which were criminally investigated, but were  
11 determined unfounded. However, at the same time I  
12 did have one absolutely founded staff on inmate  
13 event, which resulted in a staff termination;  
14 therefore, perspective is critical.

15 Our system, Orange County, processed 55,000  
16 individuals last year, about 150 per day. As a  
17 percentage of activity, these four events that I  
18 recognize are incontestable. But let me assure you  
19 that as Mr. Horn indicated zero tolerance is the  
20 watch word. Even one event is considered a capital  
21 offense as far as we're concerned. We treat it  
22 with sensitivity, but it is an assertive and

1 sincere effort and manner that we put forth to  
2 address it.

3 We have a legal and moral commitment to  
4 provide a safe and secure environment for all that  
5 are in our care. And all with whom I have worked  
6 are committed to insuring that standard is met.

7 I cannot testify that the 12 million people  
8 that would be processed in American jails this year  
9 will all be safe, nor can I say that I'm so naive  
10 that I would believe things occur of which I am  
11 unaware. However, I will offer your commission  
12 some thoughts that you might consider to minimize  
13 the opportunity for such events to occur no matter  
14 what the truth of the numbers really is. By no  
15 means should this list be limited, but I would  
16 offer the following for your commission.

17 Every jail should have a clear and concise  
18 policy, including appropriate sanctions outlining  
19 zero tolerance for sexual misconduct by inmates, by  
20 staff or others, should have a clear and concise  
21 law, regulations from the state, and most states  
22 that I'm aware of do have that.

1           Relative to staff, you must have a solid  
2           recruiting and selective process that allows that  
3           we assess our recruits to minimize even the  
4           possibility of inappropriate behavior. Initial  
5           training in academies must give a high priority to  
6           the appropriate curriculum to teach and train our  
7           recruits and our staff on what the rules are  
8           associated with this.

9           There needs to be annual reinforcement of  
10          this training to ensure that the message is clear.  
11          Staff need to be fully aware and understand their  
12          responsibilities should someone come to tell them  
13          about an adverse event of any sort and certainly of  
14          sexual misconduct. At the same time, the inmates  
15          have a responsibility to be fully aware of the  
16          behavioral expectations along with any adverse  
17          event. This can include everything from signs on  
18          the walls to inmate manuals that outline  
19          appropriate behavioral expectations in multiple  
20          languages so that everyone knows what the  
21          behavioral expectations need to be.

22          Housing orientation programs must be clear as

1 to what the expectations are for inmates in any  
2 sort of housing environment. And the complaint and  
3 grievance process must be clear, must ensure  
4 confidentiality and safety and security for any  
5 victim and that we pursue that vigorously.

6 Within all of these, it seems that we must  
7 have some special training for our classification  
8 staff to make sure that the housing decisions are  
9 appropriate, but also for the medical and mental  
10 health staff training, along with volunteers,  
11 contract personnel and others. And as I look to  
12 the future, your commission might take a look at  
13 the facility design, its managers and its  
14 construction to ensure that there are no secret  
15 places, no hiding places for events to occur.

16 And as from the outside, and from an  
17 administrative standpoint, I would ask for your  
18 help in allowing groups like the National Institute  
19 of Corrections to give us technical support as the  
20 group did in 2004 when we had focus groups in my  
21 jail, as an administrator just had a comfort level  
22 because they came in and talked to inmates there

1 and said, how is it, and we went up there and they  
2 felt comfortable when they left.

3 As Mr. Horn indicated, our prosecutors need to  
4 be educated as well as to why it is important to  
5 prosecute the individuals we bring forth in those  
6 events. I mentioned my particular event with a  
7 staff member. He was not prosecuted.

8 I would ask you to also engage in the  
9 entertainment industry to advise them on what the  
10 importance is in recognizing the truth in our  
11 events here and the media as well where they have a  
12 tendency to send their least experienced reporter  
13 to the jails and that's where we educate them.

14 In conclusion, I have outlined several  
15 possible standards for your consideration, but I  
16 would also offer that there are many already in  
17 place. The American Correctional Association and  
18 it's Adult Local Detention Facility Standards has  
19 them. Several states like Florida have them and  
20 for us, it's the Florida model jail standards. And  
21 most jails have policies that are already in place.

22 I would recommend that you consider those

1 seriously as a foundation for your direction.

2 With commissioners like Mr. Nolan I know that  
3 you will accomplish your task and we, in the  
4 business, will be ready to assume our roles in  
5 accomplishing your desires.

6 It is important for us to recognize the  
7 importance of what you do. And as professionalism  
8 in this business, we will take your direction and  
9 move appropriately with them. I thank you.

10 THE CHAIRMAN: Thank you, Chief Ryan.  
11 Let me just avail your concerns that we have a  
12 general perspective that administrators in your  
13 profession do a poor job and are indifferent to the  
14 problem of prison sexual assault. That's just not  
15 our attitude. I know it's not mine. And I believe  
16 I speak on behalf of all of my fellow  
17 commissioners.

18 I've been a judge for a long time and I have  
19 the greatest respect for judges that I knew.  
20 Unfortunately, we have a few bad apples and we have  
21 some that don't do their job very well. I think  
22 that's true for all professions. We don't have

1           that general view. I have the utmost respect for  
2           your view and other professionals in your field  
3           too.

4                           MR. RYAN: Thank you.