

1 NATIONAL PRISON RAPE ELIMINATION COMMISSION

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7 Elimination of Prison Rape:

8 The Corrections Perspective

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12 March 23, 2006

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C O N T E N T S

PUBLIC HEARING	PAGE
Opening Remarks and Introduction of the Commissioners	4
Effective Management: The Corrections Overview	23
Effective Corrections Management: Sexual Assault, the Indicators and Impact on Institutional Stability	
Personnel Concerns: Staff Recruitment, Hiring, Retention, and Training	
Promising Practices	
Closing Remarks	265

1  
2  
3  
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P R O C E E D I N G

OPENING REMARKS AND INTRODUCTIONS OF COMMISSIONERS

THE CHAIRMAN: Thank you very much. Good morning. I would like to thank Director Lappin and also Mr. Grayer for being here today -- for permitting us to be here today. It's very gracious on their part to permit us to use this facility.

Before we convene the hearing, we do have two individuals here who can provide you with assistance if you have any questions and that's Ms. Jerry Anderson -- Ms. Anderson, could you please stand -- and Ms. Terraina Yates. So if you have any questions, please direct them to them.

Thank you. We will now convene the third public hearing of the National Prison Rape Elimination Commission being held here in Miami Florida in the Federal Detention Facility on the 23rd of March, 2006.

Good morning, again. My name is Reggie Walton and I am a chairman of the commission. I welcome all of you here today, and we thank you for your attendance. This commission was created by an

1 act of congress of the United States and also  
2 signed into law by the president of the United  
3 States.

4 The mission of the commission is twofold.  
5 One, we have a mission to study the issue of rape  
6 and report to congress and the executive branch our  
7 findings. We also have the mission to develop  
8 standards for addressing the problem of sexual  
9 assault in our nations prisons, jails, and all  
10 other types of detention facilities.

11 This hearing is one of the components of the  
12 commission's efforts to fulfill the commission  
13 given to us by congress and the president. Our  
14 first two hearings mainly focused on the nature and  
15 extent of the problem of prison rape from the  
16 perspective of the victims and public interest  
17 groups who provide support and who help or provide  
18 advocate support on behalf of those who are victims  
19 of the prison sexual assault.

20 At today's hearing, we'll look at the  
21 situation from the perspectives of law enforcement  
22 and the experts. This is an important advantage

1           because to really understand the problem of  
2           detention facilities sexual assault, I need to hear  
3           from those who manage, supervise and work in our  
4           nations detention centers on a daily basis. As  
5           chairman of the commission, I fully appreciate that  
6           it would be impossible for this commission to  
7           accomplish its mission without your input, so we  
8           thank you for your presence and your participation  
9           in this hearing.

10                   More importantly, the commission understands  
11           that in order to have its efforts actually impact  
12           the problem, it needs a buy in and the cooperation  
13           of the individuals who manage supervise and work in  
14           our nations detention facilities.

15                   One last point I would like to make and that  
16           is to address the apparent belief that some may  
17           have that the commission has already reached  
18           conclusions in reference to this issue and that we  
19           have already decided how it should be addressed.  
20           Nothing of that nature is, in fact, the truth.

21                   We are on a fact finding mission. And I can  
22           assure that we have an open mind and we address

1           this problem with an open mind and we want to hear  
2           from you. That's why we're here. We're here to  
3           listen and we are here to learn. So we do thank  
4           you for your presentation and I can assure you that  
5           your input will have a profound input on your  
6           deliberations as we go about the problem of trying  
7           to address the mandates that have been given to us  
8           by our president and by the congress.

9                     Now, I'd like to introduce myself first and  
10           then I'll permit my fellow commissioners to  
11           introduce themselves and then we will proceed with  
12           the testimony.

13                    As indicated, I am Reggie Walton. I am  
14           chairman of the commission. I also serve as a  
15           United States District Court judge in the District  
16           of Columbia. I formally served as a local judge in  
17           the District of Columbia for over 18 years. I also  
18           served formerly as an Assistant United States  
19           Attorney in the District of Columbia and also  
20           formerly as a Public Defender in the state of  
21           Pennsylvania.

22                    At this time I will permit my fellow

1 commissioners to introduce themselves.

2 Commissioner Fellner?

3 COMMISSIONER FELLNER: Hi. I'm Jamie  
4 Fellner. I'm a commissioner. My day job, I'm  
5 director of the U.S. Program of Human Rights Watch.

6 COMMISSIONER STRUCKMAN-JOHNSON: I'm  
7 Professor Cindy-Struckman-Johnson. I teach at the  
8 University of South Dakota. I've been conducting  
9 research on prison rapes since early 1990's and to  
10 date I have measured the prevalence of prison rape  
11 in 14 prison facilities primarily in the mid west.

12 COMMISSIONER SMITH: Good morning. My  
13 name is Brenda Smith. I'm a professor at American  
14 University in the law school. I also direct a  
15 project in conjunction with the National Institute  
16 of Corrections on addressing prison rape.

17 COMMISSIONER NOLAN: I'm Pat Nolan. I'm  
18 with Prison Fellowship. I head up your Criminal  
19 Justice Reform on justice fellowship. I was a  
20 member of the legislature in California for 15  
21 years and then was also federal inmate 068-33-097  
22 in the federal facilities.

1                   COMMISSIONER PURYEAR: My name is Gus  
2                   Puryear and I'm a commissioner. And in my day job,  
3                   I'm the general counsel of the Corrections  
4                   Corporation of America. I want to thank everybody  
5                   who's come to testify today and we look forward to  
6                   hearing from you.

7                   COMMISSIONER AIKEN: My name is James  
8                   Aiken. My day job is private consultant. And I do  
9                   wish to extend gratitude for those individuals who  
10                  have taken time out of their busy schedule to  
11                  provide us the input today.

12                  COMMISSIONER KANEB: My name is John  
13                  Kaneb. I'm from the Boston area. I'm in private  
14                  business. I have long had an interesting an human  
15                  rights issues, and I am a commissioner.

16                  THE CHAIRMAN: Thank you. Our first  
17                  panel is entitled "Effective management: The  
18                  Corrections Overview. We have four outstanding  
19                  distinguished individual who will provide testimony  
20                  to us. We will hear from Mr. Martin F. Horn from  
21                  the city of New York. We will also hear from Mr.  
22                  Timothy Ryan from Orange County, Florida. We will