

1 Frasier.

2 MS. FRASIER: Good afternoon. Mr.
3 Chairman, members of this commission, it's my
4 pleasure to be able to be here with you.

5 My name is Margo Frasier. I'm a presently a
6 professor at Sam Houston State University in
7 Huntsville, Texas, and I'm the former sheriff of
8 Travis County, Texas, which is Austin, Texas. I'm
9 also a former board of directors member of the
10 National Sheriff's Association and the former
11 president of the Major County Sheriff's
12 Association.

13 I sit before you as a person who has spent
14 over 30 years of my life in some aspect of
15 corrections having started out in one of the cell
16 blocks that Doug Dretke now supervises and looks
17 over.

18 Having worked in the county jail system,
19 having been an attorney representing cities and
20 counties in the vast variety of things they can get
21 themselves into, and then having served eight years
22 as sheriff of a county which houses the capitol of

1 the state of Texas, during my years of experience,
2 I'd like to say that I have seen a great difference
3 in the sort of environment when it comes to the
4 issue of sexual assaults of inmates, but I'm not
5 sure I've seen near the progress that I would have
6 hoped to have seen in over 30 years.

7 When I began working in the state prison
8 system, people kind of laughed and joked about the
9 inmate families and this sort of thing and,
10 basically, ignored staff sexual misconduct. And
11 I'm not sure that there has been a great deal of
12 change in some ways.

13 I come to you very aware of the issues that
14 face not only state run institutions or large
15 county jails, but I had a county jail that had a
16 little bit over 3,000 beds, but also aware of the
17 fact that there are county jails in this great
18 state of Texas and in the United States that had,
19 you know, populations in the jail under ten. And
20 these issues and all the sorts of things that we
21 do, we need to be aware of the fact of the very
22 differences of the sizes that we deal with.

1 I would say to you that when you look at the
2 issue of hiring and training and retention of
3 personnel, I think you have to start with the
4 hiring, retention and training of the leadership
5 because I do think that the leadership is what
6 makes a difference.

7 The expectation that a leader sets for what is
8 going to be allowed in an institution is not the
9 end. When I as sheriff would say that we were
10 going to have a zero tolerance for any sort of
11 staff sexual misconduct and that we were going to
12 have an atmosphere where inmates felt safe to
13 approach staff and let staff know that they do not
14 feel safe in the institution, it didn't mean that
15 it didn't happen, but it sure made it a heck of a
16 lot more likely to happen than if it hadn't been
17 said.

18 And so I think that when we talk about any
19 issues of selection and training, we have to talk
20 about the folks at the top setting expectations of
21 what the facility will be like, of setting things
22 like zero tolerance policies. And I'm talking in

1 terms of the culture, and the culture as a whole.

2 And one of the things I certainly found when I
3 was sheriff was that not only did we not want to
4 have a situation where sexual assault was by any
5 means seen as appropriate, but the fact that sexual
6 harassment was not appropriate. And that not only
7 meant inmates and staff, but that meant staff to
8 staff, because often that's where the sexually
9 charged atmosphere begins. When you talk about
10 recruiting and hiring, personnel obviously is the
11 key to your ultimate success.

12 I made a comment in my written remarks to
13 start off the process with the wrong kind of staff
14 is like deciding you're going to go to this hearing
15 in Miami and start off in the direction of
16 California. You might get there, but you are going
17 to waist a lot of resources and time in the
18 process. But one of the things that is faced often
19 by jails in particular, but certainly state
20 institutions, like my next door neighbor,
21 Mr. Dretke talked about state issues, but
22 particularly when you're talking about county

1 jails, it's the limited pool of applicants that you
2 have to choose from so that you wind up being in a
3 situation instead of getting to choose who you
4 want, it's the idea that you're basically screening
5 out who is the most undesirable for you to hire.
6 And when you look at why that is, I think there are
7 really three main issues. One is the fact that
8 often these facilities are located in remote
9 locations. It's difficult. Although I must say I
10 moved from Austin to Huntsville last year and I
11 love being in the piney woods of east Texas, but I
12 still have friends that shake their head at me and
13 think I must have lost my mind, but, you know, I
14 enjoy it. But it's difficult to get folks to want
15 to relocate to more remote areas.

16 One of the other issues that's been talked a
17 lot about today is salary, and it certainly often
18 does come into play. I had the fortune, because of
19 the fact that quite frankly I was willing to use
20 some of my political capital to have it achieved, I
21 had the highest pay corrections officers in any
22 county jail in the state of Texas. And it's

1 certainly higher paid than the state paid, and
2 quite frankly was on sort of even level with the
3 Bureau of Prisons. And so I had the ability to not
4 have salary be an issue and to be able to recruit
5 people and maintain people.

6 But, salary is often a problem for a lot of
7 situations. No matter how so dedicated somebody
8 may be, it's often situations we see facing a lot
9 of other public occupations such as teaching.
10 Particularly at, you know, the secondary and
11 elementary level is the fact that they may be very
12 extremely dedicated, but how do you explain to your
13 child that they can't ever go to camp like the kid
14 next door because their parent has chosen to be a
15 public servant.

16 But I think one of the other aspects that
17 results in the pool being so limited is the fact
18 that the job of a corrections officer is often seen
19 as undesirable. When you look at the movies, they
20 tend to talk about police officers as being heroes,
21 but instead you have a situation where corrections
22 officers are often portrayed as being people who

1 are, you know, sadistic and are lacking integrity.
2 So the pool itself is difficult.

3 The next difficult issue is the issue of
4 background and selection. I sat here this morning
5 and listened to some folks talk about the selection
6 process they went through and I thought, boy, it
7 would be amazing if everybody could just do the
8 things that they're able to do.

9 There are sheriffs in this country and I think
10 there are probably police and directors around this
11 country that will tell you that they are lucky to
12 be able to have a background in investigation that
13 consist of a couple of phone calls and a form
14 letter because of the fact that they simply lack
15 the resources to do anything more thorough.

16 But one of the serious problems that happens
17 is that often, and I do quite a bit of, you know,
18 consulting with departments that have been sued,
19 and one of the things that I often see is that they
20 hire somebody else's problem, someone who has been
21 literally chased out the door, but they were
22 allowed to go out that door. They resigned instead

1 of being terminated. The internal investigation
2 that was going on was stopped mid stream so that
3 there is no sort of finding. And in some cases
4 part of the agreement is they'll be given a
5 favorable recommendation, not just a neutral, a
6 favorable recommendation. And so the next person
7 who looks to them, and somebody comes to me, they
8 have experience, they have the proper certification
9 from the state and they have a good recommendation.
10 And in particular for smaller entities, they think
11 that they're getting a great deal, and instead it
12 turns out that they are getting somebody whose
13 integrity is definitely compromised.

14 I think that we have to look at having some
15 way that we can have this reported and registered
16 in an easy and extensive way for people to be able
17 to find out.

18 Let me switch quickly because I know we're
19 limited on time to the issue of training. When
20 they went around, the Moss Group went around and
21 some focus groups all around the United States,
22 what they found was two-thirds of the people didn't

1 have any kind of training on this issue, anything
2 having to do with sexual assault. And I think the
3 reality of it is that when your pool is who your
4 pool is and some of the background issues may be
5 and who you wind up -- so the question is how do
6 you take and make those folks the best people you
7 possibly can make them be.

8 So, I think training becomes so very important
9 at all kinds of levels. Recruit training is,
10 obviously, very important not just on the issues of
11 acquainting people with the issue on helping them
12 recognize, but also training on issues of culture
13 and issues of integrity. But to train somebody in
14 the recruit academy and never retrain them again I
15 equate to the fact of if I did talk to my daughter
16 about drugs and sex when she was nine and now she's
17 13, and if I think that that nine year-old lesson
18 still works when she's 13, I would be a fool. And
19 so you have to keep stressing these issues and
20 having inservice training, again the same sort of
21 things.

22 And what we know also is that it needs to be,

1 when you're talking about jails, very much jail
2 specific because jails are different than prisons
3 as far as the time that they have people there and
4 some of the issues that they face.

5 I think that it is time that we start talking
6 about two specific issues and two specific areas of
7 training that we haven't talked a great deal about
8 before, and one of them is the idea of some gender
9 specific training. And one of the things that when
10 I looked at the BJS statistics that came out, one
11 of the things that just, quite frankly, made my
12 stomach turn was the number of female officers that
13 were named at being involved in sexual misconduct.

14 And I think that we need to not only research
15 and understand what the dynamic is that's going on
16 there, but that we owe it to the inmates and to the
17 officers to give them specific training to help
18 them be able to combat, obviously, what is a very
19 serious problem.

20 I think the other group that we need to
21 continue to really talk about and look at training
22 is of people who are executives, jail

1 administrators, sheriffs, chiefs of police, you
2 know. The people that are heads of the state wide
3 systems, obviously, are very aware of the very
4 issues, but there are over 3,000 jails in the
5 United States that are county jails. And if you
6 start talking about the city lock-ups and
7 facilities, you could probably add another 15 to
8 20,000 facilities, and these people are not being
9 reached.

10 I commend you for the actions that you have
11 taken thus far and I look forward to continuing to
12 work with you. Thank you.