

PREA Commission Testimony
Wednesday, December 5, 2007
New Orleans, Louisiana

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6 Mr. Chairman and distinguished members of this Commission, I thank you for
7 this opportunity to hopefully add to that which has already been presented before
8 this Commission since initiating your work. I have spent my entire career of 23
9 years within the walls of local corrections, having begun as a line Correctional
10 Officer in 1985. I am pleased to be in my eleventh year as a senior administrator
11 within a large metropolitan county correctional system. As past testimony before
12 this Commission has illuminated, this issue and this discussion are not entirely
13 new to the corrections profession. Case histories from across the country guided
14 the National Institute of Corrections some years ago to provide our profession
15 with data and resources to get our arms around the range of issues that may
16 have been contributing to this behavior, at whatever frequency, within our
17 facilities. I am not present to debate the frequency of these types of assaults,
18 whether they occur more frequently in jails or prisons, or what percentage point
19 belongs where. Dr. Beck's work will do that for us. It is my belief, one incident
20 unrecognized or unaddressed is one incident too many. Some have spent far
21 too much time defending corrections rather than seeing this Commission's
22 interest as a resource to be accepted and made the very most of.

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24 Institutional accountability and internal oversight is all about accountable
25 leadership and institutional culture. It is about seizing a moment in time to attack
26 a problem. Transparency and internal oversight starts and ends with

27 accountable leadership and an appropriately managed institutional culture. This
28 Commission is that moment in time. We could debate the myriad of issues in
29 corrections that need additional attention. I am more than willing to accept this
30 as the issue of the moment and fully embrace the attention and opportunity for
31 the chance it presents. The work of this Commission on the elimination of rape
32 in America's prisons and jails will not sit on solid ground if the principles of
33 leadership and culture are not engrained in the solution. Oversight and internal
34 monitoring will also not be a one size fits all solution. There will be practice and
35 processes that naturally overlap. Local corrections is uniquely situated and
36 closely tied to local communities. For that reason, there are layers of
37 accountability and monitoring already in place in many instances. In numerous
38 counties the Grand Jury or other monitoring body is required to tour correctional
39 facilities and publish reports on their findings. The very nature of local facilities
40 provides to the inmate population greater access to methods of complaint and
41 inquiry outside the walls. Local corrections, due to the very nature of maintaining
42 a pretrial population and short sentenced population, routinely has a fairly large
43 amount of community contact with public defenders, states attorneys, community
44 volunteers, etc. All of this in my opinion tends to create transparency
45 opportunities for local corrections that our state and federal colleagues may not
46 immediately gain the benefit of.

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48 This is also about crime and allegations of crime. The over arching principle is
49 simply, "crime should be no more acceptable within the walls of our correctional

50 facilities then it is in the streets of our communities.” The issue of oversight
51 clearly speaks to our attitudes and approaches to incarceration. The attitude and
52 approach are top down driven by the level of effective leadership and the
53 institutional culture that prevails. In far too many systems the inmate population’s
54 perceived currency is violence and physical strength exchanged for power and
55 status. It is a basic social exchange theory. The rewards of their negative
56 behavior far out-weigh the cost. Predatory behavior that provides to them
57 maximum institutional profit, with minimum punishment. The currency within our
58 walls must change. Let me offer two detailed points of institutional accountability
59 and internal oversight.

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61 **Standards** – I view standards as the road map, whether we are discussing the
62 American Correctional Association, the National Commission on Correctional
63 Standards, or the currently under review American Bar Association Black Letter
64 Standards on Conditions of Confinement. They all provide a legal, nationally
65 focused and responsive look into what is viewed as appropriate and accepted
66 correctional practice. I would not run a system without them in place. Standards
67 in whatever shape they take have the elements of:

- 68 • A regulation or stated outcome
- 69 • An audit process (internal or external)
- 70 • Follow-up
- 71 • Preventive action steps

72 This process is an objective measure of the status of my facility and the stated
73 measure. Absent an internal process based on sound prevailing standards, not
74 my standards, I am simply flying by the seat of my pants. Measurable standards
75 are critical.

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77 **New construction** – I fully realize we have some older and aging facilities that
78 present challenging and difficult architectural design, be it a linear design,
79 podular indirect or some other configuration placing security staff in a location
80 away from inmate living areas. The fact is data has long proven that the
81 architectural design and principles of direct supervision enhance lines of sight,
82 communication among staff and inmates, and provide a much safer climate to
83 manage. To build outside the principles and design of direct supervision is losing
84 a clear and direct opportunity to impact many other areas of appropriate
85 oversight.

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87 We have heard much about what is not happening across this country in terms of
88 oversight and monitoring. You have heard there is a great lack of information
89 with what some have described as “pockets of good practices.” I would submit to
90 you, that the pockets of good practices are much broader in local corrections.
91 The lack of information and data has also not fully illuminated that which is good
92 and working in the area of prevention. The negative I read and hear from my
93 colleagues on this initiative is generated by fear. Fear of further depleting the
94 resources at their hands to do the work of corrections. Fear of an unreasonable

95 mandate and no resources to meet them. I am not speaking only of monetary
96 resources but information resources. I believe we're obligated to assure
97 whatever comes forth out of this Commission's work, it is fully available to all who
98 need it.

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100 In conclusion, systems of internal oversight and accountability allow me to be
101 confident I have done all I can to be an accountable leader and in my view
102 assures me I am fully prepared for any external monitoring or inquiry. On a
103 personal note, and more importantly, I can look in the mirror and know I am doing
104 what's right. I look forward to your questions.

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106 I declare under the penalty of perjury the forgoing is true and correct. Executed
107 on this 2nd day of December, 2007

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Robert L. Green