

National Institute of Corrections



Sexual Misconduct with Offenders
Management and Operational Practices



Key Management & Operational Issues

- ✦ Staff/Staffing Patterns
- ✦ Physical Plant/Geographically Disperse Assignments
- ✦ Key Control
- ✦ Offenders
- ✦ Management Issues
- ✦ Discretion and Autonomy



Key Management & Operational Issues

- ✦ Personal association and collateral contacts
- ✦ On-duty/Off duty behavior & Employee Misconduct
- ✦ Conflict of effective intervention
- ✦ Role of Leadership



Key Management & Operational Issues

Staff

Hiring Process

While conducting interviews, make laws and policies known to applicants

Define staff sexual misconduct for everyone

Orientation for new staff must be detailed and employees should sign statement acknowledging their knowledge and understanding of laws and policies.



Key Management & Operational Issues

Staffing Patterns

- Review Posts. Look at gender specific post needs and determine the most effective deployment of male/female staff.
- Have at least one same-sex supervisor available each shift to do unannounced “walk around” supervision.
- Review Post orders. Make sure they are effective for cross gender supervision.

Key Management & Operational Issues

Staff continued..

- Staff must be required to maintain current phone and home address information with facility
- Formal reminder of laws and policies annually

Key Management Operational Issues

Staff continued..

- Make Supervisors aware of the need to be observant of staff demeanor and behavior.

Examples:

- Unusual “off” routine schedule activity at work
- Change in appearance
- Significant life crisis
- Defensive about certain offender(s)/ownership
- Volunteering for extra offender activities

Key Operational Issues

Staffing continued..

- Rotate Posts on some sensible basis- pay specific attention to those posts with the most frequent offender contact. This may be limited by contractual language. Field supervision is more difficult to monitor.
- Employ all available means to minimize staff isolation from other employees.
- In institutions scrutinize weekend, holiday and visiting coverage.

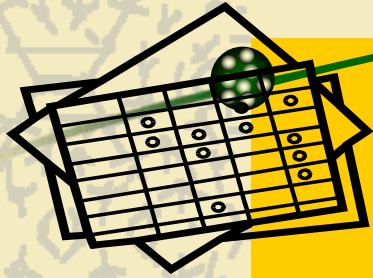
Key Operational Issues

Physical Plant Features

Thoroughly review these specific features:

- Windows in doors, walls, etc.
- Use of blinds/ curtains
- Isolation of storage areas
- Isolation of professional offices
- Make good use of signs and bulletin boards
- Post hours for showers
- Specific modifications for minimal privacy





Key Operational Issues

Matrix Information

Chart: Name, Event, Who, Where, When

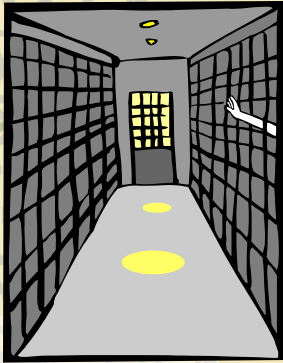
- **Floor Plans for each building**
 - Use colored dots for drugs, assaults, sexual acts etc.
- **Analyze Blind Spots**
 - Use drug dogs, post assignments, physical plant design.



Key Operational Issues

Key Control

- **Review Annually**
- **Who has or needs authority to issue or possess key**
- **Do not have duplicate keys for convenience**
- **Minimize use of master keys- look at supervisors and maintenance.**
- **Minimize “need” to move around.**
- **Enforce policy**
- **Hold staff accountable**



Key Operational Issues

Offender Assignments

- **Authority**
- **Avoid ownership of offenders**
- **Monitor use of non-peak working hours**
- **Policy to rotate assignments (periodically)**
- **Isolation**



Key Operational Issues

Offender Issues

- **Enforcement of specific dress code-enforce**
- **Give thorough orientation about rules, laws and policies.**
- **Inform volunteers and family of laws and rules.**
- **Contraband searches (Check personal property for cards, letters, phone numbers, address books, jewelry, pictures etc.)**
- **Watch for unusual patterns**

Management Issues

- ✚ Staff must understand their duties and responsibilities as well as agency expectations
- ✚ Staff cannot automatically define what their professional boundaries are or how to maintain them
- ✚ Training and ongoing dialogue and reinforcement allow staff to understand duties, expectations, and professional boundaries
- ✚ Training must be open, interactive and allow staff to completely explore their responses to situations in real-life examples



Discretion and Autonomy

- ✦ What actions do supervisors and management take to assure that staff are able to handle the decisions facing them in the field?
- ✦ Do supervisors recognize when staff is waving a “red flag” indicating potential involvement in over-familiar or inappropriate relationships with offenders?



Managing Personal Associations with Offenders

- ✦ Potential conflicts with professional responsibilities
- ✦ Agencies need clear policies on how to handle over familiarity
- ✦ Agencies need procedures for oversight of staff sexual misconduct incidents



Collateral Contacts

- ✚ Same potential danger for blurring of boundaries when dealing with offenders' families, friends, employers, treatment providers, etc.
- ✚ Agencies need to provide guidance and direction concerning collateral contacts and what are acceptable and unacceptable interactions.

On-duty and Off-duty behavior

- Human nature is not generally dichotomous – what we do off the job is what we will do on the job.
- Staff and offenders share the same community
- Staff live in the community and can be observed by everyone – they become a direct reflection of the agency and its ethics.
- Agency guidelines are related to the mission of organization

Conflict of Effective Interventions

- ✚ Trend to more clinical approach to supervision
- ✚ Blending of dual roles agency staff play:
“helpers” & “enforcers”
- ✚ It is more difficult to maintain boundaries when working as “helper
- ✚ Agencies should provide a forum for staff to discuss and deal with conflicting roles

Role of Leadership

- ✚ Establish policy and procedure
- ✚ Preserve competent and efficient operations
- ✚ Support agency goals through action
- ✚ Assure operations support agency mission
- ✚ Take immediate and appropriate actions
- ✚ Initiate change where needed



Questions for Management

- ✚ Do your departmental policies and procedures provide for a safe and healthy environment ?
- ✚ Do your policies and procedures support or alienate staff?
- ✚ Do your policies and procedures clearly support zero tolerance for sexual misconduct?
- ✚ Is there open communication between your staff and supervisors?
- ✚ Are your facilities designed to minimize the isolation of staff and provide for privacy of the offenders?



Questions for Management Continued

- ✚ Does your field supervision policy allow for periodic review of casework/supervision practices?
- ✚ Are your agency's ethical standards and expectations known to all of your employees?
- ✚ Does your chain of command allow for staff to report personal problems and concerns before incidents without fear of retaliation?
- ✚ Is there an effective Employee Assistance Program?

Conclusion



Staff and offenders look to us for guidance.

We can minimize the incidence of sexual misconduct if management provides leadership by example