

Knowing Agency Culture, Staff and Vulnerable Victims

Addressing Staff Sexual Misconduct with Youth in Custody



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Kentucky Department of Juvenile Justice

Lexington, KY

Training Objectives



- Define agency culture
- Identify and discuss how the culture of an agency plays a role in staff sexual misconduct
- Identify culture challenges affecting agency leadership
- Define strategies to change negative culture

Training Objectives, continued

- Identify special cultural issues affecting juvenile justice agencies
- Identify potential circumstances and gender influences that contributes to staff misconduct
- Discuss juveniles as a class of vulnerable victims
- Understand how to deal with youth in custody as vulnerable victims during investigations

Agency/Facility Culture includes:

- Staff
- Youth
- Who Else?

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- How would you define culture?
 - Why is culture important to this specific topic?

Definition

- Components of Definition
 - Beliefs
 - Values
 - Norms

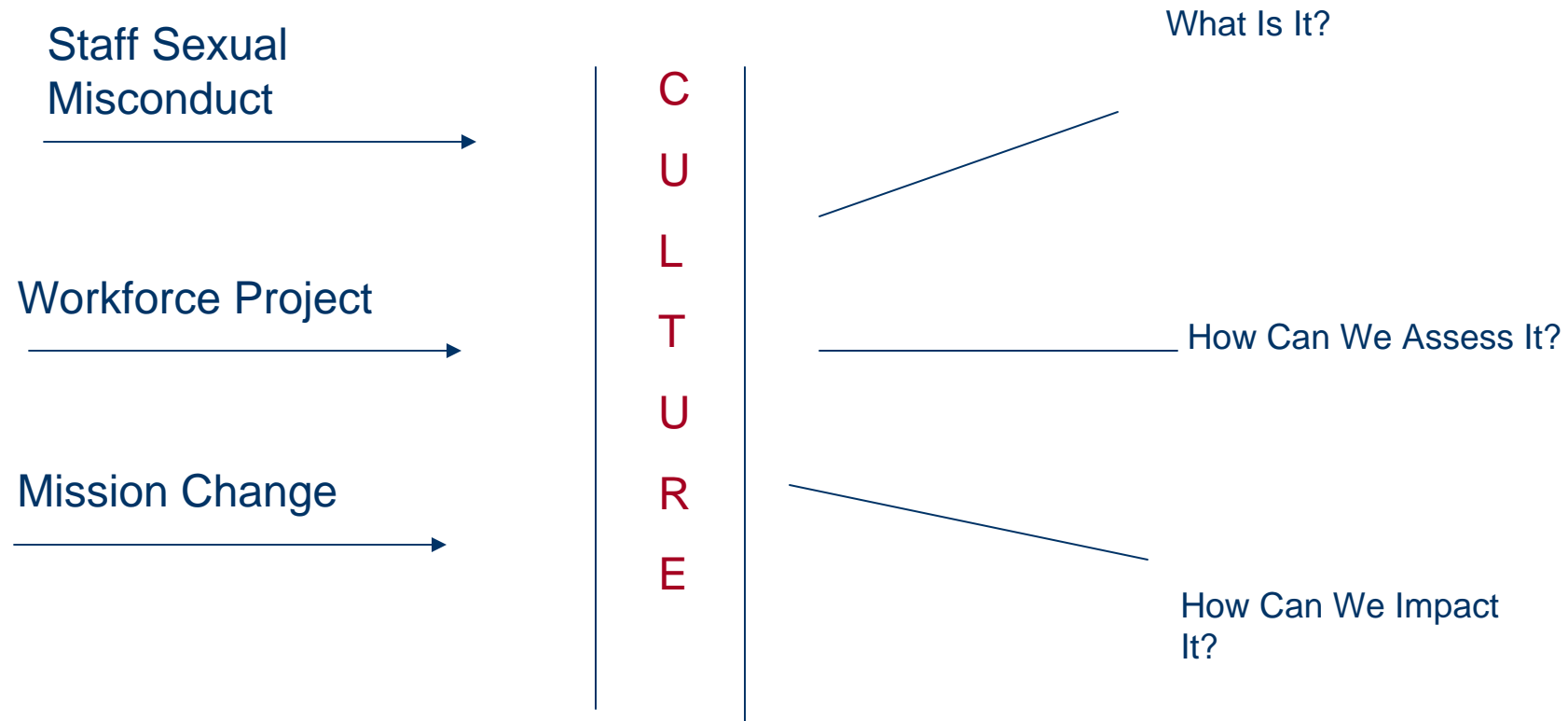
Why Culture? Why Now?

- National Institute of Corrections history of culture and sexual misconduct
 - Difficulty in discussing and “naming” issue
 - Surprise about sub cultures within facilities that created barriers to reporting and addressing

Why Culture? Why Now?

- Relationships often more powerful than agency agenda
- Default culture in corrections = toxic environment
- “Gardens must be tended”

Initial Framework –NIC Culture Initiative



Components of Agency Culture

- Beliefs: Shared explanations of experience
 - Example: You can't be promoted unless you attend the Boss' Christmas party and tell a dirty joke.
- Values: What is considered right and good.
 - Example: If it's offenders vs. staff, the decision supports the staff member.
 - Attitudes toward youth
 - Who is "in" – Who is Not

Components of Agency Culture, continued

- Norms: Shared rules, “the way things are done”
 - Example: Don’t volunteer for assignments
- So deeply held that they aren’t even noticed unless they are violated.
- Norms are often more powerful than formal sanctions (e.g. sanctions)

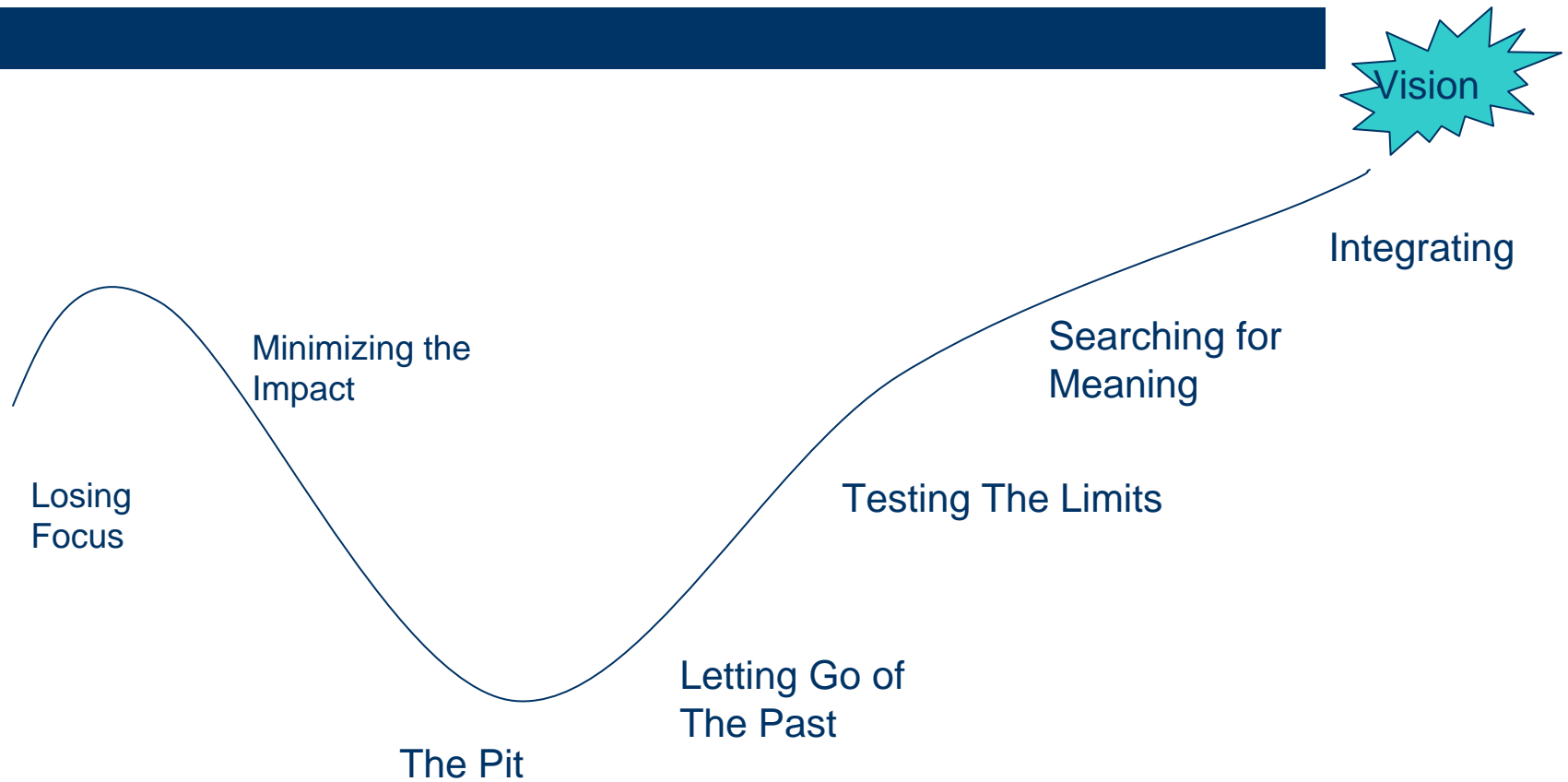
Influences on Culture

- History: critical events
- Present: critical events – i.e. urgency created by “scandal”
- Hiring process: qualities sought, backgrounds considered, questions asked.
- Promotional process
- Leadership and agency ethics

Influences on culture, continued

- Staff-staff interactions
- Staff-youth dynamics
 - Characteristics and behaviors of staff members and offenders
- Agency policy and procedures
- Language
- Disciplinary process

Seven Stages of Transition Model



Cultural Issues Affecting Juvenile Justice Agencies



Juveniles as Vulnerable Victims

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Things to Consider: Juvenile Victims

- Are you a mandated reporter?
- Be aware of teens perception of the interviewer. (You are an adult and a person of authority)
- Peer relationships are their first priority
- Know the charges and elements in your area regarding offenses against children.
- Does this juvenile have a guardian ad litem (GAL)?
- Watch for non-verbal communication. They are not concrete thinkers- not detail oriented. The inability to communicate does not = lie.
- Be aware of prior victimizations. How do teens respond to victimization?
- Utilize family, advocates, out resources, therapist etc.
- Do you need authorization and release of medical information if this is a juvenile?
- Little knowledge of their rights.
- Intimacy and sexuality is a major part of the development.

How Working with a Vulnerable Class affects Agency Culture



Potential Staff Issues

- Unmet staff needs will be met at the workplace whether by competent management, peer camaraderie, or by manipulation of youth or manipulation by youth
- Emotional Transference – emotional loyalties shifting from the institution and peers to the youth as the period of confinement increases
- Heavy emotional demands placed daily on staff creates stress
- Burnout – low morale, lack of respect, low pay, role ambiguity, managing difficult and demanding inmates, understaffing, overtime, shift work, overcrowding, disillusionment

Potential Staff Issues Cont'd

- Highly unfulfilling private life characterized by lack of adequate support from family, neighbors, church members, peers
- Counseling and treatment responsibilities vs. surveillance and control
- Inadequate preparation for supervising youth and understanding their complexity
- Inadequate supervision
- Familiarity/over-identification with youth
- Problems in personal life contributes to the time of compromise

The Code of Silence

- Protection of self and co-workers
- Non-cooperation with management and investigators
- Staff will risk discipline and even termination rather than violate this powerful norm
- Culture imposes penalties on staff who break the code of silence

Code of Silence

Baron v. Hickey, 242 F.Supp.2d 66 (D.Mass.2003)

- County Corrections Officer harassed by co-workers after he reported misconduct
- Reported co-workers playing cards w/ offenders
- Referred to as a “rat”; people dropped cheese in front of him; tires slashed
- Complained on 30 different occasions
- Claimed he was forced to resign

Impact of Culture on an Investigation

- Culture can either support or obstruct an investigation
- Need to understand culture in which investigations take place
- Important for participants from other agencies to understand the features of juvenile justice culture
- Outcomes of investigations can in turn influence culture

Challenges for Leadership

- Sexual misconduct by staff does not arise out of nowhere
- Can be a symptom of the culture
- Addressing the problem in a systematic way is about cultural change
- Cultural change is the challenge for leadership
 - Must shift deeply ignored norms and attitudes
 - Ideology and attitude lies in key positions

Circumstances and Gender Influences

MALES

- Guard information
- Protective of innermost thoughts and feelings
- Reluctant to ask for help
- Less verbal
- Aggressive, competitive, less emotional
- Conceal vulnerability
- Self-identify with a focus on independence, autonomy and self-sufficiency

FEMALES

- Relating and sharing are important
- Rapport building, bonding, intimacy, closeness
- More verbal
- Caretakers, Empathizers
- Inclined to ask for help
- More willing to expose vulnerability
- Identity based on defining self in relation to others with a focus on connectedness and interdependence

Histories of Abuse: Males

- More than half of male offenders had been abused by parents or guardians
- Males indicated being mistreated mostly as children
- Males more likely than females to be abused in childhood by someone outside of the family
- Males may question sexual identity and sexual preference more than females as a result of the abuse
- Males are less likely to report abuse or seek help

Histories of Abuse: Males Cont'd

- Literature suggests there is a connection between sexual/physical victimization and aggressive and self-destructive behavior
- Males defend against feelings associated with victimization (loss of control, shame, stigma) by being in a constant state of anger, rage
- The experience of sexual victimization may be even more stigmatizing for males than it is for females because these victimization experiences fall so far outside of the proscribed male gender role
- Many male survivors feel that they should have been able to stop the assault.

Implications of Prior Abuse: Males

- Males often feel intense shame and embarrassment as a result of sexual victimization
- Males feel as though they are unheard as sexual abuse victims and may require reassurance that their claims are taken seriously
- Interviewer may need to solicit details
- Avoid interpreting the male victim's calmness or composure as evidence that a sexual assault did or did not occur
- Be careful not to appear condescending or patronizing

Histories of Abuse: Females

- The majority of female offenders report prior sexual abuse which appears to be an instigator of delinquency, addiction and criminality
- Abuse begins in childhood and continues into adulthood.
- Female offenders reported that they were most often abused by intimates or family members. Almost 91% knew their abuser, 40% of abuse was at the hands of a family member, and 27.2% of abuse was at the hands of a parent or guardian. Sixty-one percent of abuse was by an intimate.
- Females are more at risk for unhealthy relationships (characterized by abuse, exploitation) with authority figures, particularly males

Female Delinquents and Sexual Abuse

- An estimated 70% have a history of sex abuse
- In some detention centers, the incidence of girls who have been abused is closer to 90%

(Bloom, Owen, and Covington study)

Effects of Abuse on Girls

- Lessened self-esteem
- Inability to trust
- Academic failure
- Eating disorders
- Self-harm
- Running away
- Substance abuse
- Defensive and reactive violence

(Bloom, Owen, and Covington)

Implications of Prior Abuse: Females

- Females may have greater difficulty adjusting to coercive, restrictive environments
- Vulnerable due to past histories of abuse, particularly by figures in authority
- May have concern about how the investigation may impact or interrupt familial relationships
- Fear of retaliation
- Potential for pregnancy

Profile of Victimization

- **Victim” pattern in lifestyle and relationship choices**
- **Low self-esteem**
- **Mistrust**
- **Emotional pain**
- **Distorted view of self, relationships & reality**
- **Past histories of institutional abuse**
- **Personality Disorders- Maladaptive Patterns of Interacting**

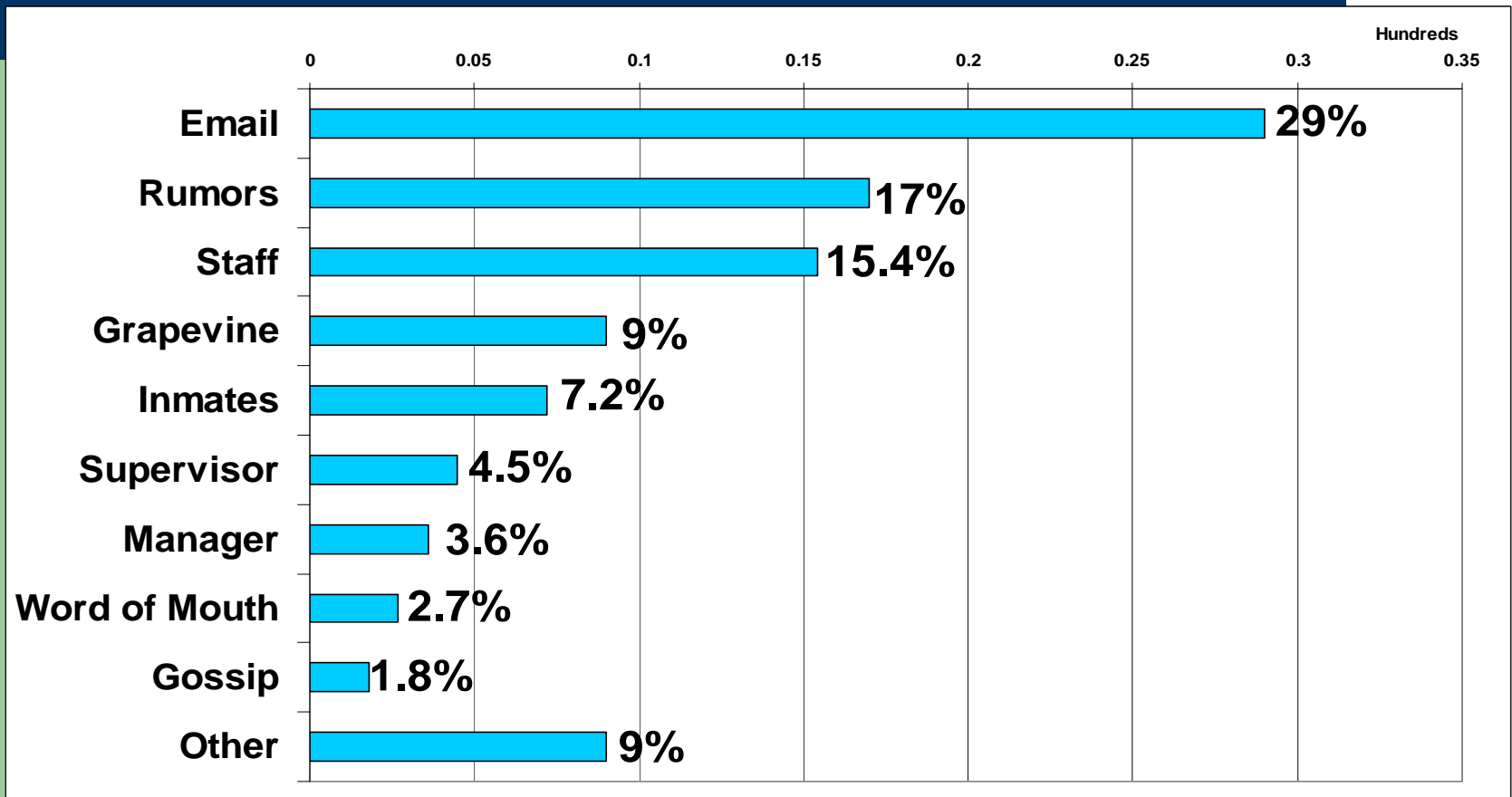
Impact of Victimization

- Distorted view of normalcy
- Altered development of attitudes towards self, sexuality, relationships
- Poor ability to set personal boundaries
- Self- Destructive Behavioral Patterns
 - Addiction
 - Promiscuity
- Mental Illness
 - PTSD
 - Personality Disorders
 - Depression
- Negative Schemas about the Self
 - Low self-esteem
 - Feelings of inferiority and worthlessness
 - Guilt and Shame
- Negative Schemas about others
 - Poor basic trust
 - Feelings of mistrust, betrayal, fear
 - “Use or be used”
- Powerlessness
 - Lack of self-efficacy
 - More susceptible to re-victimization

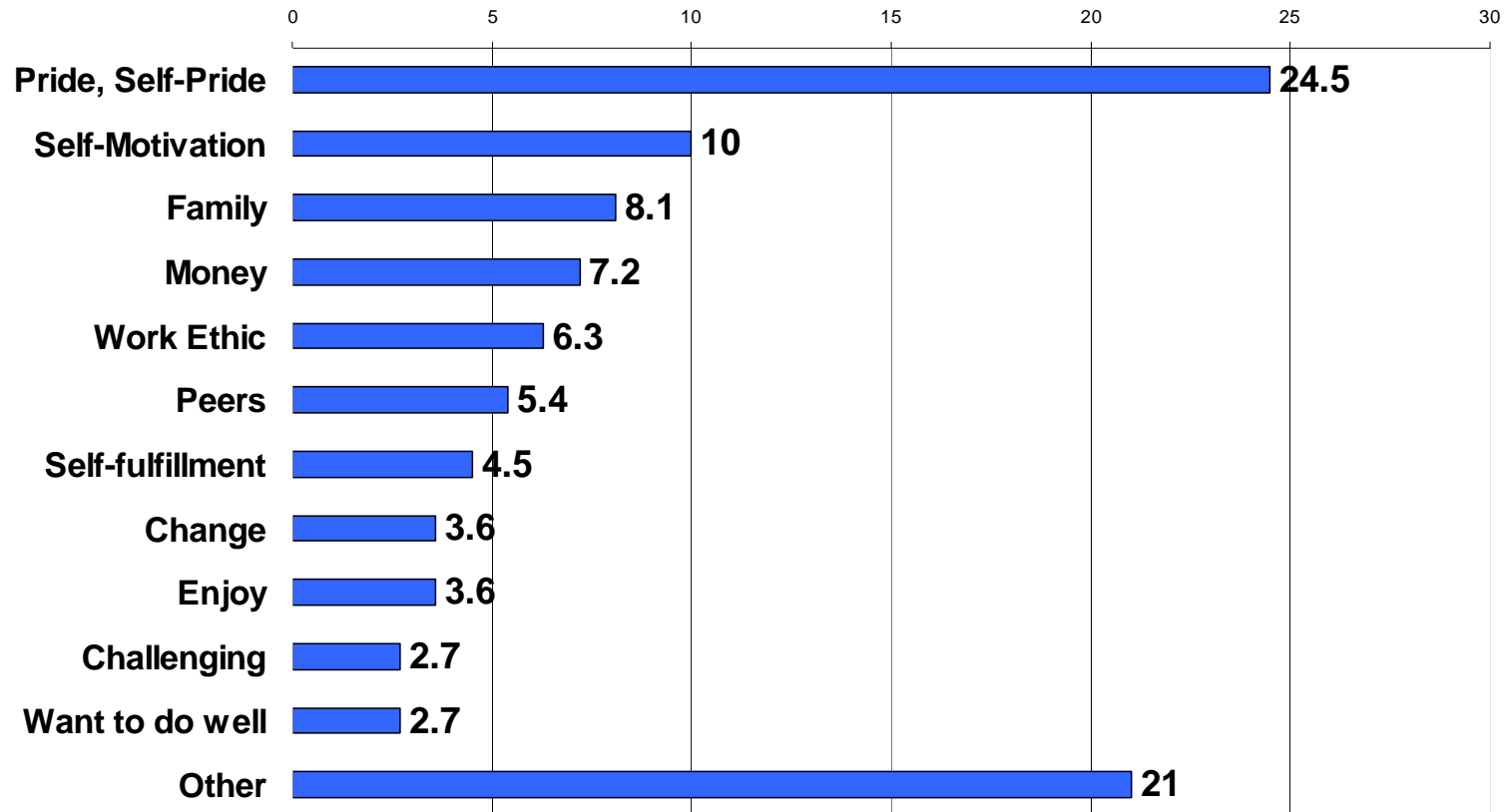
Strategies for Changing Culture

- Good Assessment
 - Know why
- Alignment of staff/youth with agency mission
 - Individual settings must be aligned with department
- Communicate “journey” of change
- Identify and use “tools” of change
 - i.e. Kotter, Change Style Indicator, Steering Group
- Anchor changes

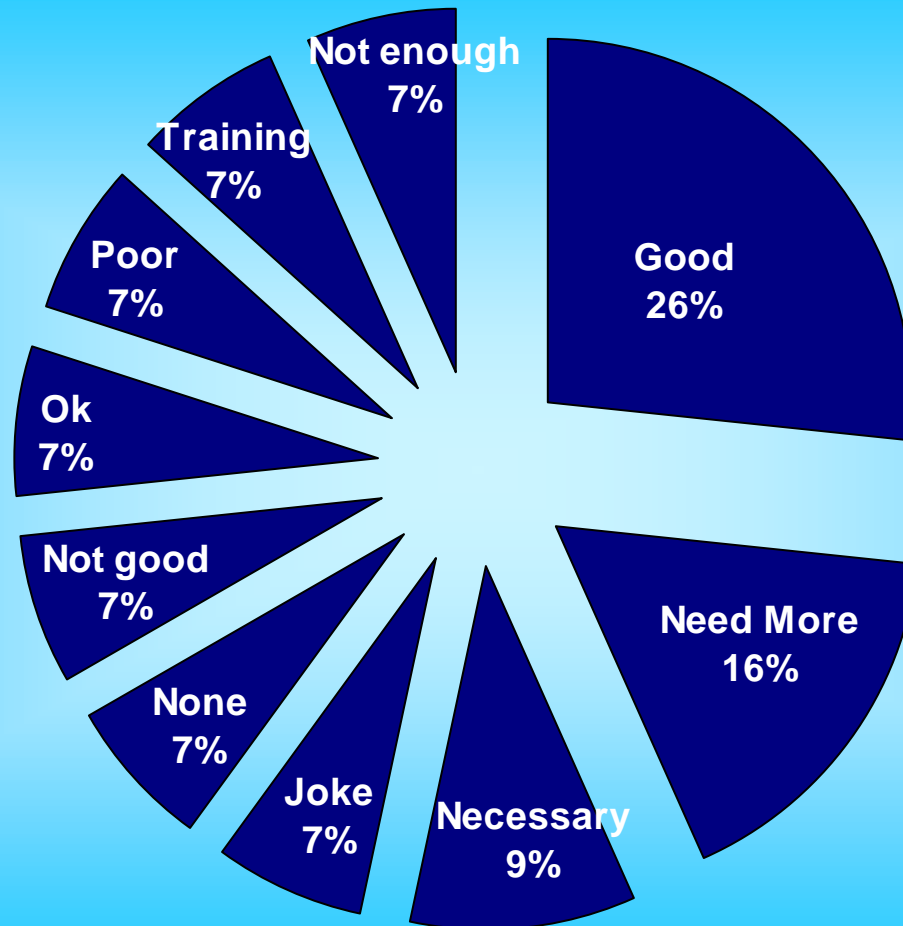
I find out information through...



What motivates me?



Training – Word Association



Six Strategic Directions

- Vision, Mission, Values
- Leadership Development
- Communication
- Management and Operations
- Training
- Labor Relations

Kotter

- 8 steps to change
- List of Barriers to change
- “Trust and Common Goal”
- “Keep the Urgency”

Common Errors

- Permitting obstacles to block the new vision
- Failing to create short-term wins
- Declaring victory too soon
- Neglecting to anchor changes firmly in the corporate

Strategies for Changing Culture

- Define boundaries for employees through policies that are clear, concise and definitive about what is acceptable and unacceptable.
- Conduct appropriate screening during hiring process
- Provide employees appropriate tools for self assessment, to help them learn when they might be crossing boundaries.
 - Red Flags
 - Change Style Indicator
 - Leadership/Supervisory Development

Strategies for changing culture

- Allow employees to identify and maintain their own professional boundaries; including training through interactive exercises and dialogue
 - Reinforcement of training and ethical standards
- Maintain a policy and practice that provides employees with access to advice and assistance when they have concerns and questions about boundaries.

Strategies for Changing Culture cont'd

- Educate staff
 - For managers: there is liability
 - For supervisors and line staff: it's a security/
public safety issue
 - It is part of professionalism.
 - No more acceptable than for dentist/patient,
priest/parishioners, law enforcement/motorist
- Make it clear that you take it seriously
 - Zero tolerance must mean zero tolerance
 - Consequence: Something has to happen to someone.
- Model the behavior
 - The culture will not tolerate hypocrisy

More strategies...

- Make it clear that you take it seriously
 - Zero tolerance must mean zero tolerance
 - Consequence: Something has to happen to someone.
- Model the behavior
 - The culture will not tolerate hypocrisy

Strategies for Changing Culture Cont'd

- Provide a safe environment for the discussion of concerns and questions without fear of embarrassment or retaliation
- Ensure that practices match policy and procedure; and
- Model ethical behavior and insist that all managers and supervisors do the same.

Strategies, continued

- Train and support first line supervisors in their efforts to supervise employees, and recognize red flags
- Ensure that there are open dialogues specific to the issue, using regular employee meetings, regular discussions and sharing of information and concerns, and any other format that will keep employees talking about the issue.