

Addressing Sexual Abuse of Youth in Custody




Agency Culture

**Presented for the
National Institute of Corrections
American University, Washington College of Law
July 9, 2007**

By Thomas J. Stickrath, J.D.,
Director, Ohio Department of Youth Services

Objectives

- Define agency culture
- Understand the components of culture
- Identify influences on agency culture
- Understand specific issues related to juvenile agencies
- Understand the impact of culture on juvenile agencies
- Identify strategies for changing culture



“Culture is a system of commonly held values and beliefs that cause an organization to do what it does.”

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

- Norms: Shared rules, "the way things are done"
 - Example: Don't volunteer for assignments

- Norms are often more powerful than formal guidelines

Influences on Culture

- History: critical events
- Hiring process: qualities sought, backgrounds considered, questions asked
- Promotional process
- Leadership and agency ethics
- Public opinion

Influences on Culture

- Staff-staff interactions
- Staff-youth dynamics
- Youth-youth dynamics
- Agency policy and procedures
- Language
- Disciplinary process



Impact of Culture: Staff

[The Employee '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

Impact of Staff Culture on an Investigations

- 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
- Understand the challenge of conducting independent investigations in close / small communities

Red Flags: Staff Sexual Misconduct

- Over-identifying with any resident or their issues (i.e., blind to offender's actions)
- Offender knows personal information about staff
- Resident has letters or photos of staff
- Staff granting special requests or showing favoritism
- Resident in unauthorized area or repeatedly out of their assigned space

Red Flags: Staff Sexual Misconduct

- Staff spending an unexplainable amount of time with an resident
- Staff taking resident out of cell at unusual times
- Staff in personal crisis (divorce, ill health, bankruptcy, death in family)
- Overheard conversations between staff and resident which is sexualized in nature, or refers to the physical attributes of staff or resident

Challenges for Leadership

- Discover the root of the problem
- 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



Impact of Culture: Youth

Youth Culture: *A Toxic Recipe*

- 'Normal' teen behavior
 - Impulsiveness, raging hormones, short-sighted
- Typical youth profile in the juvenile justice system
 - History of abuse & neglect, mental illness, behind academically / special education
- Questionable staff ethics
 - Sexual joking and innuendos, tolerance, complacency

Red Flags of Victim: Youth on Youth Sexual Abuse

- Refusal to shower, eat or be in certain less supervised areas
- Self abuse or suicidal behaviors
- Withdrawing or isolating themselves
- Increased medical complaints and attention seeking
- Uncharacteristic acting out in an effort to stay in segregation or facilitate transfer
- Other ideas?

Red Flags of Perpetrator: Youth on Youth Sexual Abuse

- Verbal harassment
- Grooming of potential victims
- Blatant sexual harassment
- Prior history of sexual assault
- Past victimization
- Difficulty controlling anger
- Poor coping skills / strategies
- Voyeuristic / exhibitionistic behavior



Changing Culture

Strategies for Changing Culture

- Conduct appropriate screening during hiring process
- Define boundaries for employees through policies that are clear, concise and definitive about what is acceptable and unacceptable
- Provide employees appropriate tools for self assessment, to help them learn when they might be crossing boundaries
- Provide employees with access to advice and assistance when they have concerns and questions about boundaries
 - A safe environment for the discussion of concerns and questions without fear of embarrassment or retaliation

Strategies for Changing Culture

- Educate staff
 - For managers: there is liability
 - For supervisors and line staff: it's a security/ public safety
 - It is part of professionalism
 - No more acceptable than for dentist/patient, priest/parishioners, law enforcement/motorist

Strategies for Changing Culture

- 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
 - Regular employee meetings
 - Regular discussions and sharing of information and concerns

Strategies for Changing Culture

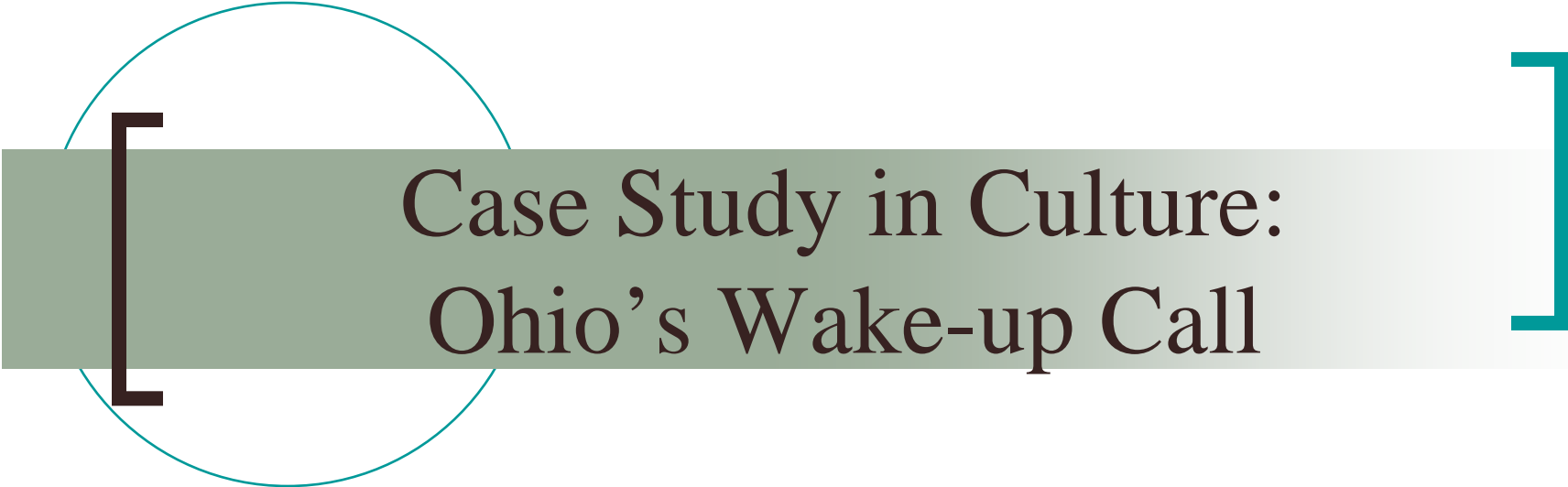
- Make it clear that you take the issue seriously
 - Zero tolerance must mean zero tolerance
 - Consequence: Something has to happen to someone
- Model the behavior
 - Insist that all managers and supervisors do the same
 - The culture will not tolerate hypocrisy

Strategies for Changing Culture

Lessons from Colin Powell

As a leader you must:

- **Establish trust** ~ do so by demonstrating competence, character, courage, loyalty and confidence.
- **Walk the talk** ~ personal integrity matters.
- **Be a disorganizer** ~ keep looking below surface appearances. Don't shrink from doing so just because you might not like what you find.
- **Trust those in the trenches** ~ those in the field are closer to the problem and also closer to the possible solution.
- **Prepare to be lonely** ~ the final responsibility for the success or failure of the mission rests with the leader.



Case Study in Culture:
Ohio's Wake-up Call

Ohio Department of Rehabilitation & Correction

VIDEO CLIP
Geraldo Show
1990

Ohio Dept. of Rehabilitation & Correction

History

1990 – heightened awareness of sexual misconduct

- 1986 Cross-gender supervision began
- Increase in female prison population
- Lawsuit – 17 female inmates sue ODRC for alleged sexual abuse

Ohio Dept. of Rehabilitation & Correction

Early 2002

- PREA was introduced
 - Ohio played a significant role in the early discussion of the bill
- December 2002 ~ ODRC Director Wilkinson
 - Originally opposed the bill, felt the problem was exaggerated
 - Editorial in Cincinnati Enquirer
 - “*We can all agree that rape, no matter where it occurs, is cruel, but to insinuate that correction professionals perpetuate this practice is, at best, misleading.*”
 - “*Federal legislation designed to address the prison rape issue is based on disingenuous data and is not the answer.*”
 - “*Most correctional agencies plan to vigorously oppose this proposed legislation.*”
- PREA became more ‘user friendly’

Ohio Dept. of Rehabilitation & Correction
2003

PREA passed with overwhelming
bi-partisan support

Ohio Dept. of Rehabilitation & Correction *Outside Agency Report - 2003*

STOP Prison Rape Now report (2003):

“Whistleblowers described a climate in which inappropriate sexual contact between staff and inmates was common and the punishment of inmates who reported abuse was routine.”

“Staff members routinely abused women inside of locked broom closets.”

“Correctional officers in the prison routinely exchanged favors for sex.”

Ohio Dept. of Rehabilitation & Correction

Headlines - 2003



Group alleges inmate sex abuse; problem routine at Marysville ~ *Dayton Daily News*

Sex Behind Bars ~ *Cleveland Scene*

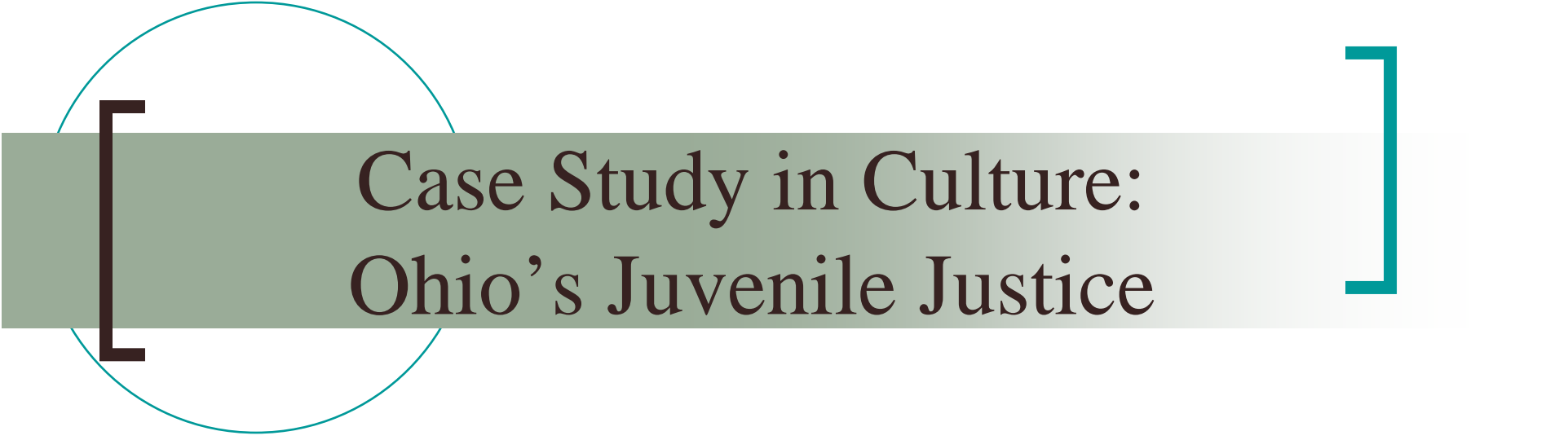
Group claims abuse of women prisoners ~ *Cleveland Plain Dealer*

Prison rape: Crime against criminals ~ *Alive*

Ohio Dept. of Rehabilitation & Correction

Outside Agency Evaluation - 2003

- Correctional Institution Inspection Committee (CIIC) Hearing
 - Compelling victim testimony regarding inmate-inmate rape
 - Director Wilkinson asked to testify
 - Epiphany, or ‘If you can’t beat them, join them’



Case Study in Culture:
Ohio's Juvenile Justice

Ohio Department of Youth Services Headlines – July 2004



Sexual incidents in Circleville

A *Dispatch* investigation documented 123 reported sexual occurrences at the Circleville Juvenile Correctional Facility from 2000 through April 2004. Some of the cases remain under investigation. A look at the findings:

Confirmed cases	67
Most incidents reported in one year (2002)	57
Alleged episodes between underage boys and inmates 18 or older	18
Boys involved in three or more incidents	16
Age of youngest boy involved	12
Incidents involving employees and inmates	3
Adults charged criminally for sexual activity with inmates	0

Sources: State Highway Patrol, Ohio Department of Youth Services, *Dispatch* research

Ohio Department of Youth Services

Headlines

August – December 2004

Scioto Juvenile Correctional Facility

- Very unflattering report from a consultant DYS hired
- Two major lawsuits
- Five Juvenile Correctional Officers indicted



▶ **Girls Prison Under Scrutiny, Scioto guards accused of sexual, physical abuse ~ *CINCINNATI ENQUIRER***

▶ **Consultant Rips Youth Services, Agency hasn't fixed girls prison ~ *COLUMBUS DISPATCH***

▶ **Lawsuit Accuses State of Ignoring Abuse at Girls' Prison ~ *AP***

Ohio Department of Youth Services

Headlines

Personal attention from Governor Bob Taft

- Ordered single bunking of all high-need sex offenders
- Asked ODYS Director Geno Natalucci-Persichetti to step down

December 2004

Director Geno Natalucci-Persichetti resigns



Youth Services Chief Fired, Governor seeks new leadership to reform juvenile prison system sullied by abuses ~
COLUMBUS DISPATCH

Grand Jury Indicts Five Male Guards at Girls' Prison ~
AP

Department of Youth Services

Headlines

January 2005 – April 2005

- Additional 7 indictments of Juvenile Correctional Officers
- Federal Department of Justice, CRIPA launched two investigations
- Thomas J. Stickrath named Director

Department of Youth Services

New Leadership

- Appointed PREA coordinator
- First memo to staff outlining ‘Blueprint’ for reform
 - Zero tolerance for sexual activity
 - Personal belief in PREA
- Lessons learned from adult system

Department of Youth Services

Culture Issues

- DYS facility A
 - Large % of staff on FMLA
 - High call-off rate
 - Response: Get union staff on board to get people to come to work

- DYS facility B
 - Staff vs. youth mentality
 - High use of physical force
 - Response: threaten to close the facility & met with local Prosecutor and State Highway Patrol and



Discussion