

# Management and Operational Practices

Addressing Staff Sexual  
Misconduct with Offenders

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# Training Objectives

- Define management and operations
- What we do and do not know about management and operational practices
- Identify management practices that affect staff sexual misconduct
- Identify operational practices that affect staff sexual misconduct
- Evaluate your management and operational practices
- Develop improvements to your management and operational practices
- Discuss strengths and weaknesses of management and operational practices in correctional settings

# Management and Operations

- Management: Leadership in Action
  - Administration
  - Policy Promulgation
- Operations: Management in Action
  - Policy Implementation
  - Development of Practices

# What We Know

- Management and operational practices have an impact on staff sexual misconduct
- Management and operational structures can impede or facilitate addressing staff sexual misconduct
- Management and operations can affect the correctional mission of safety and security
- Failure to be attentive to management and operational issues leaves the agency at risk for staff sexual misconduct
- Training can prevent misconduct and help in investigations
- You have to act

# What We Don't Know

- What staff are going to be involved in staff sexual misconduct
- We don't have tools to predict behavior or a predisposition to sexual abuse
- What the best messages are for stopping misconduct

# Why We Don't Know More

- Lack of interface between HR, investigations, legal
- Resignations in lieu of termination
- Contractor data is infrequently collected
- Offender information is not collected
- Physical location data is not collected
- Discipline is often based on what can be proven, rather than the facts
- No standard definitions of sexual misconduct
- No standardized reporting methods or procedures
- Unwillingness of DOCs to report outcomes publicly

# Key Management Issues

- Leadership
- Policies
- Communication
- Hiring
- Promotion
- Supervision
- Reporting
- Sanctioning
- Staff

# Key Operational Issues

- Operational Policy and procedure: record-keeping; maintaining boundaries
- Attention to staff and patterns
- Attention to the other functions of the agency
- Relationships between departments within the agency
- Training
- Integrity of grievance process and investigations
- Physical Plant
- Security: key control, searches
- Offender Assignments and Issues

# Red Flags

- Horseplay, overly familiar interaction between employees and offender
- Unusual caseload activity (transfers to or from caseload, early terminations, unlikely violations of conditions, etc.)
- Ignoring violations or being blind to a particular offender's actions
- Unusual amount of office visits by an offender
- Unusual amount of field visits to a particular offender
- Employee's isolation from other employees
- Over-identifying with an offender
- Employees in personal crisis (financial, divorce, ill health, death in the family, etc.)
- Granting special favors or requests for an offender
- An employee consistently working more overtime than anyone else
- Employees who are overly concerned about a particular offender
- Employees who cannot account for their time

# Red Flags Continued

- Employee who always volunteers for extra work or overtime
- Employees intervening or helping with an offender's personal life, legal affairs, etc.
- Conversations between an employee and offender, or employees and employees, that are sexualized in nature or refer to physical attributes or appearance
- Employees discussing personal information with an offender
- Drastic behavior change on the part of an offender or employee
- Rumors about particular offenders and employees
- Frequent absences or illness of particular employees
- Employees accessing files, computer data banks, logbooks, etc. when not related to their own cases, or an extensive amount of this kind of activity
- Frequent problems with particular employees concerning off-duty activities
- Employees having more than the necessary knowledge of an offender's personal life
- Employees being involved with an offender's family

# Key Elements of Management and Operational Policy

- Correctional operations are guided by sound policy on staff sexual misconduct
  - Strong and clear
  - Specific definitions
  - Mandatory reporting by staff
  - Multiple avenues for reporting by staff and offenders
  - All allegations are investigated and documented
  - Protection from retaliation
  - Zero tolerance in cases where allegations are deemed founded
  - Training for all staff, contractors, and volunteers
  - Orientation for offenders
  - Protocols for linkages to units within the agency and outside organizations

# Impact of Good Management and Operational Practices

- Staff understand security and liability are at stake
- Staff understand the meaning of “zero tolerance”
- Offenders trust that they will be heard and protected
- All relevant personnel within and outside the agency know their roles and work together

# Impact of Good Management and Operational Practices Continued

- Logs and records are clear and up to date
- Floor plans and blue prints are readily available
- Clear post orders and operational protocols facilitate identification of violations and breaches
- Supervisors have insight into behavior and motivation of subordinates and offenders