

US DEPARTMENT OF JUSTICE

TRANSCRIPTION OF
Hearing Day 1
Review Panel on Prison Rape
May 17, 2022

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JANE ROSE REPORTING 1-800-825-3341

1 (Beginning of Audio Recording.)

2 WENDY LEACH: Good morning everyone.

3 FEMALE SPEAKER: Good morning.

4 WENDY LEACH: I think we're going to
5 get started. Go ahead.

6 DOUG DRETKE: Good morning.

7 ALL: Good morning.

8 DOUG DRETKE: Doug Dretke, honored to
9 be a member of the peer review Panel, I'm out
10 of Texas, the correctional management
11 institute at Sam Houston State University and
12 I guess now spent over 40 years in the field
13 of criminal justice, both as serving with the
14 Texas Department of Criminal Justice, and then
15 16 years at Sam Houston State University.
16 This is a public hearing of the Review Group
17 Panel on Prison Rape, which was created by
18 the, within the department of justice, by the
19 Prison Rape Elimination Act of 2003.

20 The statutory mandate for the Panel is
21 clear. To collect evidence to aid in the
22 identification of common characteristics of
23 both victims and perpetrators of prison rape,
24 and the identification of common
25 characteristics of prisons and prison systems

1 with a high incidents of prison rape, and the
2 identification of common characteristics of
3 prisons and prison systems that appear to have
4 been successful in deterring prison rape.

5 Today and tomorrow we focus on juvenile
6 facilities. After we hear today from three
7 juvenile facilities with among the highest
8 reported incidents of sexual abuse as reported
9 by the Bureau of Justice and Statistics Survey
10 -- a facility in Florida, a facility in Idaho,
11 and one in Oregon -- we will convene tomorrow
12 a second hearing from staff and management of
13 two juvenile facilities with among the lowest
14 reported incidents of sexual abuse from the
15 survey -- one in Texas and a facility in
16 Missouri. We will also hear from experts on
17 sexual assault and safety in our juvenile
18 facilities.

19 Following these hearings, the Panel
20 will generate a report including findings and
21 recommendations with the very hoped-for goal of
22 offering practical approaches to protect youth
23 in juvenile facilities across the nation. On
24 behalf of the Panel, I would like to thank
25 several people for their excellence in

1 assistances in pulling this hearing together,
2 the Office of Justice programs in the
3 Department of Justice and particularly, OJP's
4 Office of Civil Rights, Michael Austin.
5 Michael, wave your hand. Joe Swiderski,
6 Matthew Blair, and Kimberly Tolhurst
7 (phonetic), thank y'all so much for everything
8 you've done to pull all this together.

9 Now I would like to take a minute and
10 have the rest of the Panel briefly introduce
11 themselves with a few comments.

12 WENDY LEACH: Good morning, my name is
13 Wendy Leach. I'm thrilled to be here today
14 and see some familiar faces and also see some
15 great folks from some facilities where I had
16 the pleasure to visit, so nice to see y'all
17 here today.

18 I'm not going to give you my full
19 background, I am not 40 years in, I am about
20 25 in this field, but I absolutely love it. I
21 started as a prosecutor in Baltimore and have
22 kind of worked my way through to be here
23 today.

24 So we are, just wanted to say one more
25 thing, we are -- this is a hearing, but we

1 really want this to be more of a conversation.
2 We're not interested in a contentious hearing,
3 we're interested more in problem solving,
4 information sharing. We want to hear from
5 folks what's working, what's not, and learn as
6 much as we can from everybody who's here
7 today. So thanks for having me, happy to be
8 here.

9 PETER PERRONCELLO: Thank you. I'm
10 technically impaired but that's only one of my
11 faults. I'm also very appreciative being part
12 of this Panel. I'm going to be very, very
13 much like Wendy, be short-winded. I'm the
14 jail guy. I'm the white haired jail guy, with
15 the white mustache. I run two major systems
16 in New England, recognized as a consultant. I
17 won't tell you where I've been or what I do,
18 but primarily, our business is in risk
19 management and victimization of anyone that's
20 institutionalized. It's risk management and
21 my office and everyone, Wendy and my
22 colleague, Mr. Dretke said, we wanted to have
23 an informal session that will allow people a
24 true dialogue after 20 years of existence of
25 PREA to determine what we want to do with

1 everything that's been collected, not only by
2 the Bureau of Justice Statistics, which
3 generates some of the work that everyone in
4 this room does, but from the office of the
5 Civil Rights Division of the Department of
6 Justice.

7 And we don't really want to sit back
8 and to all the, I think castigated on the left
9 people. I think we want to share what we've
10 learned in the past two decades and take a step
11 forward for the next couple of decades because
12 it's obvious to at least myself personally,
13 that 20 years from now, the odds are I won't
14 be sitting here at this Panel.

15 But I again appreciate being a part of
16 this, working with my colleagues, and
17 Michael and his colleagues, and if there's
18 anything I can do for anybody, please don't
19 hesitate to question me up here or after, you
20 know, before anything happens tomorrow. Thank
21 you for being here and the opportunity.

22 DOUG DRETKE: Thank you, Wendy and
23 Peter. Again I just, from my side, too, just
24 want to reaffirm exactly what Wendy and Peter
25 said. This is an opportunity, I think that's

1 the intention of the statute that created the
2 Review Panel. If you look at the language,
3 it's about our opportunity to learn from each
4 other and then provide recommendations that
5 make us better. And that's our serious and
6 strong intent, but I think it's important to
7 recognize that the statute, developed in 2003,
8 passed in 2003, next year is 20 years.

9 And so, what an incredible opportunity
10 as we look at our successes and our failures
11 over the last 20 years, and what are the
12 things that propel us into the next 20 years.
13 We have a continued (inaudible) focus on
14 safety within our facilities.

15 So we have several requests for the
16 witnesses, and so I'll address our first two
17 witnesses, but many of you will be up here as
18 well. If you have submitted a written
19 statement, certainly you may read some of it,
20 but we actually would encourage that you don't
21 read us your entire report that you've already
22 submitted. Simply summarizing portions of it,
23 and that way it extends the time that we have
24 for us to be in conversation together.

25 Please, and this is true with all of us

1 in the criminal justice profession, define any
2 acronyms or any of your local slang or
3 terminology as you talk, whether it's your
4 agencies, organizations, or your different
5 facilities in your different states. The most
6 specific, succinct and direct, the better.

7 While your testimony will be under
8 oath, this is not a criminal inquest. We are
9 looking for what works, and what does not.
10 What is associated with high or low incidents
11 of sexual victimization in our juvenile
12 facilities.

13 We are not looking, as several of the
14 Panelists already said, we're not looking to
15 place blame. We want to learn what can be
16 done to stop sexual abuse, stuff that show
17 misconducts in our nation's juvenile
18 facilities. The record will be left open for
19 seven days after the conclusion of our hearing
20 tomorrow, should any witnesses have additional
21 or clarifying remarks or documents to provide.

22 So we'll get started. Our first panel
23 of witnesses are, Kevin Scott, Deputy Director
24 Statistical Operations for the Bureau of
25 Justice Statistics, US Department of Justice,

1 and Scott Catey, Associate Director with the
2 National PREA Resource Center.

3 So at this point, if I could administer
4 the oath and ask both of you to raise your
5 right hand.

6 (WITNESSES SWORN IN)

7 DOUG DRETKE: Thank you for that.
8 After we get started, the agenda will call for
9 several breaks in the hearings, including
10 lunch breaks. The hearing will recess for
11 these breaks. And at the end of the first
12 day, the hearing will be adjourned for the
13 initial three facilities. So with that, I
14 would like to first ask Kevin Scott if you
15 would take the mic.

16 KEVIN SCOTT: Good morning. Thank you
17 for inviting the Bureau of Justice Statistics
18 to testify. I have two acronyms in my first
19 sentence and then after that I did try to get into
20 them, so I'll see what I can do. The first is PREA.
21 PREA requires BJS, Bureau of Justice
22 Statistics, to carry out an annual,
23 comprehensive, statistical review and analysis
24 of the incidents and effects of prison rape.
25 This review must include, but is not limited

1 to, the identification of the common
2 characteristics of both victims and
3 perpetrators of prison rape in prisons and
4 prison systems with a high incidence of prison
5 rape.

6 PREA requires BJS's analysis to be
7 based on a random sample or other
8 scientifically appropriate sample of not less
9 than 10 percent of all federal, state, and
10 county prisons and a representative sample of
11 municipal prisons and include at least one
12 prison from each state.

13 This survey acknowledges (inaudible)
14 studies of current and former inmates from a
15 representative sample of federal, state,
16 county, and municipal prisons and ensure the
17 confidentiality of each survey participant,
18 specify a list of institutions of the sample
19 separated by type and ranked according to the
20 incidence of prison rape in each institution,
21 and provide a list of any prisons in the
22 sample that did not cooperate with the survey.

23 BJS accomplishes this through three
24 main data collections. The Survey of Sexual
25 Victimization is an administrative data

1 collection based on additional records of
2 allegations and substantiated incidence
3 checked upon adult correctional and juvenile
4 facilities. The National Inmate Survey, which
5 has gotten survey of those incarcerated in
6 prison and a survey of those held in jails,
7 gathers data on prevalence and incidence of
8 sexual assault in adult prisons and local jail
9 facilities.

10 Finally the National Survey (inaudible)
11 gathers data off (inaudible) and incidents of
12 youth reporting sexual victimization in
13 juvenile facilities. It is BJS's third
14 iteration of (inaudible), and our subsequent
15 issuance of our report detailing our findings
16 that has prompted this hearing.

17 The National Survey of Youth in Custody
18 relies on youth to report their own sexual
19 activity within the past 12 months that they
20 have been in a facility for 12 months and
21 more, or since entered the facility, if they
22 have been in the facility for less than 12
23 months. I should note here that the questions
24 we ask, they're different than those we ask
25 for adults as we try to avoid inducing

1 additional trauma just by administering the
2 survey.

3 Further, initial persons of this survey
4 used less exclusive language for youth aged 14
5 or younger than for youth aged 15 or older.
6 However, if younger youth report sexual
7 activity, follow-up questions are as explicit
8 as they are for older youth.

9 We take several other steps to protect
10 -- both protect respondents in an attempt to
11 ensure that we have high quality responses
12 from those youth who participate in the
13 survey. First, not all youth receive what we
14 call the core survey, the survey that asks
15 about sexual victimization. 10 percent of
16 youth completed an alternate survey, covering
17 topics such as living conditions in the
18 facility, mental health, drug and alcohol use,
19 and education.

20 Second, all interviews are designed to
21 last about 32 minutes, regardless of whether a
22 respondent reported victimization or not.
23 This was accomplished by asking questions from
24 the alternative survey if youth reported and
25 confirmed that they had no reportable

1 incidents of sexual victimization. Both of
2 these practices (inaudible) the only
3 respondents viewed the questions they had
4 answered, and anyone monitoring the flow of
5 youth getting out of interviews could not
6 infer anything about the questions asked or if
7 one or more incidents were reported. These
8 steps encouraged the youth to be honest.

9 After the interviews, we checked the
10 data to ensure that the responses were
11 consistent. Three response patterns were
12 indicative of an unreliable interview, if the
13 full survey was completed in less than 15
14 minutes, if the most reported incident of
15 sexual victimization happened before arriving
16 at the current facility, or if the youth
17 reported a rape at one and a half or more
18 incidents of sexual victimization per day
19 since the youth was admitted to the facility.

20 Interviews with one or more of these
21 characteristics were excluded from our
22 calculations, resulting in the exclusion of 84
23 interviews. There were 17 other indicators of
24 inconsistency, and if three of those were met,
25 the interview was excluded from calculations.

1 This happened in only 15.02 percent of the
2 completed interviews.

3 We are measuring adjudicated youth who
4 reside in state-operated facilities, or
5 facilities under contract to states to hold
6 adjudicated youth. To be eligible for
7 inclusion a facility must have at least 10
8 adjudicated youth, contain more than 25 percent
9 adjudicated youth, and house youth for at
10 least 90 days.

11 The youth and facilities that meet
12 these criteria represent about 12,750 of the
13 48,500 youth that were held in facilities at
14 that time. 486 facilities met the facility
15 level criteria. BJS sought to enroll 473 of
16 the 486 in the survey. In seven states
17 facilities would (inaudible) adjudicated youth
18 (inaudible).

19 We received usable data from the youth
20 at 327 facilities. Of the 473 facilities we
21 attempted to enroll, 135 were determined to be
22 out of scope during enrollment. We could not
23 get consent for enough youth to participate
24 in six facilities, and in five facilities no
25 core interviews were completed.

1 Within the 327 facilities we then
2 sampled youth to participate in the survey. I
3 want to speak briefly about the process for
4 getting consent for youth to participate because
5 it has implications for how many youths
6 responded to the survey and the subsequent
7 process of estimating victimization in
8 facilities.

9 129 of the facilities (inaudible)
10 facilities to those below the age of consent.
11 48 facilities were passive consent
12 facilities. In these facilities, parents or
13 guardians consentment, but if the parents said no,
14 the facility would grant consent in loco parentis.
15 For 150 facilities, parents had to provide
16 consent for those under the age of consent,
17 and had to do so affirmatively.

18 12,362 youth per sample, 40 percent of
19 those who were in loco parentis facilities, 17
20 percent were in passive consent facilities,
21 and 43 percent were in parent or guardian
22 consent facilities. About 30 percent of the
23 youth were old enough to provide their own
24 consent. In all facilities, youth also had to
25 provide direct consent to participate in the

1 interview.

2 As I (inaudible) parental consent has
3 implications for response. While only 6
4 percent of parents refused consent, 57 percent
5 did not affirmatively provide consent, and for
6 12 percent of youth, we did not have accurate
7 enough contact information so could not get
8 consent for those youths. The overall youth
9 response rate was 54.6 percent.

10 Before talking to the facility ranking,
11 I want to convey some of the key overall
12 findings for the 2018 National Survey of Youth
13 in Custody. Overall, 7.1 percent of youth
14 reported being sexually victimized in the 2018
15 survey, down from 9.5 percent in 2012, the
16 last time we did the survey. The decline
17 occurred in both youth on youth victimization,
18 which fell from 2.5 percent to
19 1.9 percent, and staff sexual misconduct,
20 which fell from 7.7 percent to 5.8 percent.

21 I'd also like to discuss briefly what
22 we know about common characteristics of
23 victims, perpetrators, and incidence of sexual
24 victimization among all youth who reported
25 having been sexually victimized in the 12

1 months prior to the survey. While there are
2 no differences between males' and females'
3 overall rates of sexual victimization, females
4 were more likely -- 4.7 percent compared to
5 1.76 percent -- than males to report youth on
6 youth victimization involving force or
7 coercion.

8 Males were more likely than females,
9 6.1 percent compared to 2.9 percent, to report
10 being victims of staff sexual misconduct.
11 There were some differences by race and
12 ethnicity. Hispanic or Latino youth were less
13 likely to report any kind of victimization
14 than White. In addition, a small percentage
15 of Black youth reported more youth on youth
16 victimization than White youth. Those who
17 reported their sexual orientation to be
18 lesbian, gay, bisexual, or something else,
19 report being victimized at about twice, 12
20 percent compared to 6.5 percent, at those who
21 identify as straight. This difference is
22 entirely youth on youth victimization. There
23 was no statistically significant difference in
24 staff sexual misconduct and the sexual
25 orientation of the youth.

1 Transgender youth are almost three
2 times as likely to report being sexually
3 victimized as cisgender youth, 19.1 percent
4 compared to 6.8 percent. 14 percent of
5 transgender youth report being the victim of
6 youth-on-youth incidents, compared to less
7 than 2 percent in cisgender. There was no
8 statistically significant difference in staff
9 sexual misconduct by gender identity.

10 We collected more detailed data on the
11 most serious incident of sexual victimization
12 reported by the respondent in the 12 months
13 prior to the survey. These incidents were
14 determined by (inaudible) making incidents
15 reported by each youth into one of three
16 categories.

17 First, those involved in forced or coerced
18 sexual acts. Second, those involved in other
19 forced or coerced sexual activity. Third, those
20 involved in sexual acts with no reported force
21 or coercion. And fourth, those involving
22 other sexual activity with no reported force
23 or coercion. This determination was made
24 separately through the staffs sexual misconduct
25 in youth on youth incidents. Each

1 youth was then asked more detailed questions
2 about the most recent incident from the
3 highest (inaudible). If the youth reported
4 gross (inaudible) misconduct and youth-on-
5 youth incidents, they were asked to give
6 detail about them.

7 The following characteristics refer to
8 these most serious incidents. In more than 90
9 percent of most serious incidents of staff
10 sexual misconduct, at least one of the
11 perpetrators was a female staff member. For
12 most serious incidents of youth-on-youth
13 victimization, the most common location was a
14 common area, other than a shower or bathroom.
15 For most serious incidents of staff sexual
16 misconduct, the most common location was in
17 the victim's room or sleeping area. For most
18 serious incidents of both youth on youth
19 victimization and staff sexual misconduct, the
20 most common time for incident was between 6:00
21 PM and (inaudible). I don't know if we should
22 talk about it (inaudible).

23 BJS is required that the PREA statute
24 to rate facilities as I noted (inaudible)
25 remarks. To do this, BJS is to be able to

1 have sufficient evidence about the facility to
2 have confidence in the survey results. For
3 this reason, we only ranked facilities
4 (inaudible), we had at least 30 percent
5 (inaudible) and the incidence of victimization
6 (inaudible) of 30 percent or less and was
7 sufficiently precise to detect (inaudible)
8 victimization.

9 This (inaudible) 113 of the 327
10 facilities. We ranked parent and guardian
11 consent facilities separate from in loco
12 parentis facilities because of the difference
13 in (inaudible) but kept the same approach to
14 identifying (inaudible). We took the
15 estimated victimization for these 113
16 facilities and constructed a 95 percent
17 confidence interval around that rate.

18 If the lower bound of that estimate, so
19 the lower bound of the 95 percent confidence
20 interval, was more than one and a quarter
21 times the national average, we identified the
22 facility as a high (inaudible). For in loco
23 parentis facilities, the average rate of
24 victimization was 7.5 percent. Any facility
25 with a lower bound above (inaudible) percent

1 was identified as a high rape facility.
2 All three of the facilities here today are
3 (inaudible) facilities (inaudible) threshold.

4 The (inaudible) victimization rate was
5 21.2 percent with a lower bound of 17.3
6 percent. Oak Creek Youth Correction
7 Facility's 2018 victimization rate was 14.3
8 percent with a lower bound of (inaudible)
9 percent. In the 2018 victimization rate at
10 the Juvenile Correction Center at St. Anthony
11 Idaho was 12.9 percent with a lower bound of
12 10.9 percent.

13 To identify low rate facilities, we
14 took the (inaudible) victimization rate and
15 compared the upper bound of the estimate to
16 the national (inaudible) facilities. If the
17 upper bound of 95 percent confidence interval
18 was less than three quarters the national
19 average, then the facility was identified as a
20 low rate facility.

21 This meant that the local (inaudible)
22 in loco parentis facilities, those with an
23 upper bound to the 95 percent confidence
24 interval of 5.6 percent or lower would be
25 identified as a low rate facility. I should

1 note, (inaudible) has zero report incidence of
2 sexual victimization may have a confidence
3 that goes above this lower bound threshold,
4 and therefore not be identified as a low rate
5 facility. (Inaudible) youth centers 2018
6 victimization rate was zero; the upper bound
7 of that estimate was 3.7 percent. (Inaudible)
8 regional (inaudible) center 2018 victimization
9 rate was 0 percent, the upper bound of that
10 estimate was 4.2 percent.

11 BJS appreciates the opportunity
12 to testify before the Youth Panel on Prison
13 Rape, and I look forward to your questions.

14 WENDY LEACH: Scott Catey, do you have
15 a statement to give? Please feel free to say
16 whatever you'd like to say initially and we'll
17 have questions for both of you.

18 SCOTT CATEY: Certainly, thank you very
19 much. I have my PowerPoint to support some of
20 the descriptive statistics that I will share.
21 I'll just put that up. Can I go ahead and
22 share it?

23 Honorable members of the review panel
24 and (inaudible), I'm honored to be here today
25 to testify along with some other experts. My

1 name is Dr. Andrew Scott Catey, and I'm here
2 representing the National PREA Resource Center
3 where I am associate director.

4 The PRC is not great (inaudible) impact
5 justice, under (inaudible) cooperative
6 agreement with the Bureau of Justice
7 Assistance. The PRC's primary function is as
8 a clearing house for PREA-related (inaudible)
9 technical assistance, resources, and support
10 to corrections, detention, and law enforcement
11 as they work to implement PREA standards in
12 their agencies and facilities across the
13 nation.

14 In addition, under the cooperative
15 agreement, the PRC supports the Bureau of
16 Justice Assistance and its PREA managed office
17 and operations related to the PREA extension.
18 These include, delivering (inaudible)
19 filtering (inaudible). On the (inaudible)
20 process, the uninterrupted availability of the
21 audit (inaudible) system, ongoing maintenance
22 and development of the audit instrumentation,
23 coordination components of the auditor
24 oversight system, and collection and analysis
25 basic audit related reported to us by

1 auditors.

2 For these elements of the PRC's work
3 around staff about training, coaching,
4 resources in support to DOJ's certified PREA
5 auditors as well as to agencies and facilities
6 in need of assistance in preparing (inaudible)
7 their PREA audits. As associate director of
8 the PRC (inaudible), the more (inaudible)
9 including audit instrumentation, audit
10 oversight, data collection and analysis, and
11 information systems.

12 I joined the PRC in 2013, and I've been
13 focused on the audit functions since 2014. At
14 that time, we supported BJS PREA management
15 office to develop and implement the audit
16 reporting system, which requires auditors to
17 report the initiation and conduct and
18 completion of each clear audit. Arising from
19 the implementation of audit reporting and the
20 routine collection of self-reported
21 audit data provided by auditors, we also
22 instituted analytical steps intended to track
23 activity beyond ingress, providing incidence
24 on PREA implementation units, and identify
25 trends and (inaudible) and compliance.

1 Since 2014, I've led (inaudible)
2 ongoing delivery of the audit reporting system
3 for the PMO, as well as the management in
4 (inaudible) analysis of the audit data. I
5 also lead on the ongoing design and
6 development of the audit instrumentation and
7 the online audit system as well as the tools,
8 processes, and training to support the use of
9 the OAS, and its component elements from the
10 auditors and by auditor agencies and
11 facilities.

12 The OAS is a custom built, mission
13 critical web application that launched in June
14 of 2016, and is a repository a lot of
15 information and compliance determinations.
16 Prior to the launch of the OAS, (inaudible)
17 instrument was used by auditors for conducting
18 and recording PREA audits, and in July of
19 2019, the auditing tools from the paper
20 instruments were merged into the OAS, at which
21 point the PMO implemented the requirement for
22 PREA auditors to report all audits in the OAS.

23 Starting late June of this year, BJS
24 PMO had also required full use of OAS by all
25 DOJ-certified officers for all audits. Before

1 use of the OAS, all PREA audits were enhanced
2 on the efforts to collect and analyze data and
3 information about PREA audits.

4 I also lead PRC's auditor oversight
5 portfolio, which is a set of processes
6 deployed to support the audit quality efforts
7 of BJS PREA management office. The PRC's role
8 and oversight focuses, to a large degree, on
9 supporting auditors; that is, PRC coordinates
10 several processes on behalf of PMO, including
11 peer review, peer mentoring, and remediation.
12 In addition, the PRC collects information for
13 PMO about PREA audits to position and equip
14 (inaudible) and the PREA management office to
15 better understand auditors' work and to take
16 disciplinary or other actions when needed.

17 Finally, in order to effectively put
18 our responsibilities into operation, I have
19 led the PRC's digital strategy on information
20 technologies. We have a robust set of
21 applications that support the execution of the
22 auditor (inaudible) system, audit oversight,
23 data collection, and analysis. The OAS is a
24 distinct component of this ecosystem and sits
25 alongside other technologies.

1 Let me provide some recent
2 details on the PRC's role relating to the PREA
3 audit function and the processes and materials
4 we use to understand the audit (inaudible).
5 I'll begin with a little bit of information on
6 the audit function.

7 The PREA audit function went into
8 effect on August 20th, 2013, and since then
9 over 7,500 audits have been conducted and
10 reported to the PREA resource center and the
11 PREA management office. The detail audits by
12 facility type and by instrument as of May
13 12th, 2022, here in Table 1 on the screen.
14 This table brings out audit information based
15 on facility type and instrument type. As you
16 know, there are five facility types in all
17 prisons and jails -- lockups, community
18 confinement facilities, and juvenile
19 facilities, those appear on the left. The
20 breakout horizontally is the instrument type,
21 and I'll briefly describe the instrument types
22 that are available.

23 From August 20th of 2013 to July 23rd
24 of 2019, the paper instrument was available.
25 That is a high (inaudible) that was used to

1 conduct and report each crime. From June of
2 2016 to the present year we have (inaudible)
3 available from conduct and reporting of
4 audits, and starting in July of 2019, the PMO
5 instituted a hybrid instrument, what we call
6 the paper reporting portal, which allow
7 auditors to use the paper instrument to
8 conduct an audit but required auditors to
9 report and to complete those audits in the
10 OAS.

11 The portal is essentially another door
12 into the OAS to facilitate the uploading of
13 audit information for paper audits. This
14 paper portal was implemented as a measure to
15 support the transition to the full OAS
16 requirement coming in June of 2022, and to
17 (inaudible) requirement to use for OAS and the
18 retirement of the paper instruments.

19 Given those pieces of information, the
20 breakdown about it and it should be clear on
21 (inaudible) here and clarify questions that
22 you might have. The key takeaways from this
23 table, I believe, are 7,613 PREA audits have
24 been reported in the (inaudible) facilities,
25 the highest number of audits have been

1 conducted in adult prisons and juvenile
2 facilities, and 3,461 unique facilities have
3 been audited. That is more than half of the
4 audits are at our facilities that have
5 received second and third audits. I think
6 this speaks to the institutionalization of the
7 audit in these facilities.

8 Also, as of May 12th, 2022, PREA audits
9 have been conducted on all 50 states plus
10 Washington DC (inaudible), the description,
11 statistics on the table, and location
12 information are derived through information
13 submitted by auditors according to their audit
14 including requirements.

15 Audit numbers have grown at a
16 relatively consistent rate over time, as
17 agencies and facilities have achieved an
18 implementation status that supports auditing.
19 Although there has been some leveling off of
20 annual numbers of facilities receiving audits,
21 we expect the number of unique facilities
22 receiving audits to continue to grow for some
23 time as additional agencies and facilities
24 continue to make progress in implementation of
25 the PREA standards and the acquisition of

1 (inaudible) audits.

2 We did observed a slight change in the reporting
3 (inaudible) during the Covid pandemic, the overall
4 rate (inaudible) initiated during 2020 and
5 2021 did not change substantially, but there
6 was a significant in uptick in postponements
7 and changes in the scheduling of the outside
8 (inaudible) audits.

9 In 2022, we continued to see some
10 effects of the COVID pandemic, but the number
11 of postponements and scheduling changes
12 reported has decreased so far this calendar
13 year. The COVID pandemic also impacted the
14 PREA management offices and the PRC's ability
15 to deliver auditor training components
16 (inaudible) training program, specifically our
17 (inaudible), which historically was an in
18 person (inaudible) hour training opportunity
19 was transitioned to a virtual delivery. This
20 delivery we followed in 2020 was designed
21 (inaudible) training requirements mandated by
22 the PREA management office and include
23 acceptance criteria knowledge to (inaudible)
24 written examination.

25 The next part of the (inaudible) will

1 commence in January 2023 and will be delivered
2 virtually for the same rhythm that was
3 (inaudible) training following 2020. In
4 addition to field training programs, mandatory
5 part of the (inaudible) to become certified by
6 DOJ. This program develops (inaudible) just
7 based in practical experience of auditing
8 involved in each of these facilities. Safety
9 concerns created by the COVID pandemic latest
10 (inaudible) trainings to participate in the
11 training the fall of 2020. This (inaudible)
12 concerns BJS PREA management office and PRC
13 related (inaudible) institutional staff, and field
14 training program faculty and participants.

15 The PREA management office and the PRC
16 have recently resumed the full training
17 program and we'll have our first onsite
18 training opportunity in June of '22 for auditor
19 candidates from the (inaudible) 2020 training.

20 So under certifications there's no
21 (inaudible) for three years, as each auditor
22 reaches the end of their three-year
23 certification, the PRC with oversight from the
24 PMO, initiates the recertification process
25 which requires each (inaudible) of the cohort

1 to submit an application, meet deadlines, and
2 successfully complete an examination. When
3 (inaudible) is up for recertification happens
4 (inaudible) choose to apply to recertification,
5 (inaudible) with recertification and request inactive
6 status, or relinquish the certification
7 (inaudible).

8 Today, 1,000 (inaudible) DOJ certified
9 auditors have gone through the recertification
10 process, and of those, 10.8 percent did not
11 seek recertification, 6.9 percent elected to
12 go inactive, 20.4 percent did not complete
13 their application by the deadline, 11.6
14 percent failed the initial intake exam, .9
15 percent were found to have cheated on the
16 exam, 2.2 percent did not take the exam retake
17 after they failed their first examination
18 attempt, 4.2 percent did not sign the
19 certification agreement, and 43.8 percent
20 successfully completed requirements of
21 (inaudible) background checks and were
22 recertified.

23 Additionally, today the PRC has
24 supported the work of PJs PREA management
25 office based delivery of 15 (inaudible)

1 deliveries individual seeking recertification.

2 WENDY LEACH: Mr. Catey, only in the
3 interest of time, if we can move on to the
4 questions shortly and allow you to cover
5 anything else you think is really important
6 right now. We don't want to cut off your
7 (inaudible). You know we have limited
8 time (inaudible) and we wanted more time with
9 the team here than we had in our agenda. So
10 if there's anything else you want to cover,
11 you need to go ahead and do it.

12 SCOTT CATEY: Let's move right to
13 questions. It's totally fine.

14 WENDY LEACH: All right, fair enough.
15 Didn't want to cut you off it was great information.
16 I am a PREA auditor, by the way, I didn't -- I was
17 in the first class of the auditors, and I
18 remember the (inaudible) because I didn't
19 (inaudible) facility for your audit
20 (inaudible) and I'm glad it's moved on to the
21 lecture format.

22 SCOTT CATEY: We're making that
23 evolution.

24 WENDY LEACH: Yeah, okay. So my
25 question is actually initially to both of you,

1 and that is, as we kind of went across the
2 country and talked to lots of people, one of
3 the things we ran into was the people asking
4 that I have a (inaudible) audit. You know,
5 I've passed the PREA audit, but the BJS survey
6 says that I have high numbers of kids who are being
7 sexually victimized, and my SSV data
8 (inaudible), survey data you have it here,
9 audit data, and I think a lot of folks that we
10 talk to feel like it (inaudible). And so how
11 can we rely on all that PREA audit, when
12 neither on when their survey comes out, I see
13 something completely different from what they
14 thought they were. And I'm interested in what
15 your thoughts are on that.

16 KEVIN SCOTT: Not speaking to the
17 audit, but speaking to the subject of sexual
18 victimization and (inaudible) service. I
19 think it's a relatively common not just
20 (inaudible) sexual victimization, not just the
21 crime, but general speaking (inaudible)
22 official records (inaudible) versus what
23 individuals experience. And the BJS
24 (inaudible) are designed to produce two
25 complementary pieces of information.

1 So (inaudible) sexual victimization
2 gets the official records or asks facilities
3 for the official records (inaudible)
4 substantiate claims of sexual
5 victimization. But there will be people who,
6 for whatever reason, you will not -- you may
7 feel (inaudible) including those (inaudible)
8 authorities, and so the survey is designed to
9 (inaudible), it's (inaudible) as possibly can
10 be arranged to try to elicit that information.

11 So it's entirely possible that the
12 information that you get from the
13 administrative records and from the surveys
14 are used in this case, can bring this
15 contrasting, kind of contrasting (inaudible).
16 It's unfortunate (inaudible) both indicators
17 in front of you (inaudible) and not to speak to
18 the audit information, but that's another piece
19 of data that (inaudible) in front of people.
20 And you know, it's entirely possible here that any
21 given set of circumstances that one or more of
22 the indicators point in different directions.

23 WENDY LEACH: Mr. Catey.

24 SCOTT CATEY: (Inaudible)

25 representative (inaudible) and I'm not really

1 in a position to talk about (inaudible) field.
2 I could tell you that audit records that we
3 collect will essentially just (inaudible)
4 and information about the compliance
5 determinations are made by the auditor. We
6 don't regularly have access to (inaudible)
7 documentation, and we don't have access to
8 sort of the nuts and bolts of an auditor's
9 work in particular facilities. We do not have
10 opportunities to (inaudible) relates to some
11 of these.

12 WENDY LEACH: So do you feel that
13 there's something missing in the audit process
14 that is not giving you more complete
15 information?

16 SCOTT CATEY: I'm not sure I can
17 comment on that.

18 DOUG DRETKE: I would like to kind of
19 do the same thing because as Wendy said, it's
20 something that we hear and hear a lot about is
21 these two are different instruments, the
22 auditing and the survey. And I appreciate
23 your comments, gentleman, and I think that's
24 absolutely -- how you can have some
25 contradictory with different types of

1 instruments.

2 But I guess, Dr. Catey, how does a PRC
3 use BJS surveys to inform your work in the
4 auditing? And I think we're just trying to
5 look if, what are the necessary and
6 appropriate linkages between these two
7 different process and instruments. And so do
8 you -- how do you look at the (inaudible) and
9 try to link what we've learned from there,
10 (inaudible) of data and auditing process.

11 SCOTT CATEY: Our link, Mr. Dretke, is
12 PLO, (inaudible) files, so we (inaudible) at
13 the behest of Bureau of Justice assistance
14 (inaudible).

15 DOUG DRETKE: (Inaudible)?

16 SCOTT CATEY: Information that comes
17 from the Bureau of Justice Statistics come to
18 us (inaudible) and (inaudible) reach is.

19 DOUG DRETKE: Does (inaudible) what we
20 learn from the surveys, does that find its way
21 into the actual structure that's on the audit,
22 and some of the audit questions, some of the
23 auditing processes itself, or is there
24 (inaudible) this? Just some of the science
25 that Kevin talked about the differences and

1 what we've learned about this is some of
2 the rates with females, with the rates with --
3 with different vulnerable populations, does
4 that find its way into some of the specific
5 structure and processes of the audits?

6 SCOTT CATEY: (inaudible).

7 WENDY LEACH: How would you the BJS
8 survey data to improve (inaudible)? I think
9 that's a huge question.

10 SCOTT CATEY: Very good question. I'm
11 not sure I'm prepared to say anything specific
12 about that today. (Inaudible).

13 WENDY LEACH: I'll just say that one of
14 the things that we've heard from a lot of
15 folks is that, and I think you run into as
16 well, is that because the audit process
17 sometimes has areas where it may not be quite
18 meeting the needs of (inaudible) in the field,
19 it's challenging to receive results from
20 another source that shows something different,
21 and so I think what we left out as well, part
22 of the (inaudible). How do we improve the use
23 of survey data along the (inaudible) we're
24 getting one picture -- a reliable picture
25 (inaudible).

1 Discussions (inaudible). So I was
2 wondering if (inaudible) data which is useful,
3 and I promise there's a question in here, with
4 how we've seen (inaudible) information flow
5 but aren't really sure what the survey data
6 does to improve PREA audit process because
7 (inaudible). So you just (inaudible) or do
8 you have any thoughts on that?

9 SCOTT CATEY: I would say it's
10 (inaudible) we see all the times each of the
11 tools the BJS survey tools have changed in
12 terms of language, for instance, to more
13 precisely align with (inaudible) and
14 (inaudible) questions. So I would say the
15 evolution is ongoing and firstly are open to
16 (inaudible) opportunity to get additional
17 information (inaudible) itself.

18 PETER PERRONCELLO: But how (inaudible)
19 I get it (inaudible) facilities that we hire
20 (inaudible). So (inaudible) tons of money.
21 It's like a (inaudible) industrial complex.
22 (Inaudible) auditors (inaudible). (Inaudible)
23 facility in South New Hampshire that the BJS
24 is going to make me or provide me (inaudible)
25 this panel, all right, that I will have the

1 significance in the data based on the latest
2 BJS survey at the facility before I
3 (inaudible).

4 Because what we're hearing is, you
5 know, (inaudible) myself and my colleagues
6 (inaudible). BJS shows one thing. The audit
7 shows you more. All right, and we have
8 (inaudible) all these kids and everybody else,
9 and sometimes they get a little bit disheartened.
10 (Inaudible) the worst victimized facilities in
11 the country. How does it happen?

12 So we're trying to take a look at how
13 can we improve this and not wait another 20
14 years. Okay, and that's my (inaudible).

15 The other things, and I'm going to toss
16 is to you, sir, is I think it's time
17 (inaudible) and the label goes with it
18 (inaudible) is being raped (inaudible)
19 different versions in different states of what
20 the definition of rape is.

21 So perhaps it's time (inaudible) and
22 acronyms that go with it for us and the
23 Department of Justice to get Congress to
24 change (inaudible) Act. The Domestic Violence
25 Reduction Act or something. Because that's

1 what we're here to -- zero tolerance of the
2 issue. It's not to challenge, you know, and
3 put on billboards (inaudible) rape (inaudible)
4 crime every day.

5 And my colleague over here at the BJS
6 (inaudible) statistics (inaudible) of folks
7 that are in juvenile facilities are
8 victimized. It's not a lot. It's not zero.
9 And we want to achieve zero.

10 So I'd like you guys (inaudible) put in
11 writing will be, to get to them in the future,
12 and try to improve things with all of the
13 resources you have. To let the auditors know
14 that there is some (inaudible) on this
15 facility (inaudible) facility and whoever is
16 contracting these people, so when they go in
17 there (inaudible) expect a different signage
18 or a different forecast for what's going to
19 happen.

20 And I think the other thing is, in a
21 way it goes back to a lot of other things that
22 I want to bring out here. Have you ever read,
23 sir, 2016, the review committee report
24 and the recommendations?

25 SCOTT CATEY: I don't recall if I have

1 not.

2 PETER PERRONCELLO: I'd ask you to read
3 that, you have to leave here, and I'm going to
4 be very interested with my colleague as to
5 what (inaudible) obviously, whatever it is
6 (inaudible) this room, what they've done with
7 those recommendations because it appears to me
8 they've done nothing. Thank you.

9 WENDY LEACH: So I want to go onto a
10 slightly different topic.

11 SCOTT CATEY: Can I clear up one thing?

12 WENDY LEACH: You sure can.

13 SCOTT CATEY: Just so we're clear,
14 (inaudible) independent contractors. Once
15 they are certified by the DOJ and they are
16 independent of DOJ with the exception of the
17 certification requirements (inaudible). So
18 when they conduct their work, they conduct it
19 independently of what we have trained them
20 (inaudible) information.

21 As a part of the training, (inaudible)
22 statistics to inform sexual dynamics in
23 confinement settings, for instance, and to make
24 sure that others are aware of not just the
25 dynamic but the numbers historically.

1 WENDY LEACH: Thanks, Mr. Catey. Thank
2 you. Mr. Scott, quick question for you. When
3 -- when you all come in to do the survey in
4 these juvenile facilities, you often are
5 finding youth, obviously, who say, yes, we're
6 being sexually victimized or have been
7 sexually victimized. Is -- you don't report
8 that necessarily. It's somewhat anonymously
9 done. And one of the things we've heard from
10 some of the facilities is why can't we be told
11 or why don't we know that youth are saying
12 this so that we can report it and investigate
13 it. And so wondering whether you can speak to
14 that.

15 KEVIN SCOTT: So two things. The first
16 is that are some (inaudible) where we're
17 statutorily obligated that if an incident is
18 reported, then we have to report it to the
19 authorities, not necessarily to the facility.
20 So if there's a statutory requirement of doing
21 so, we usually -- we usually inform the youth
22 as part of gaining their consent to the
23 process that if under the limited set of
24 circumstances we may have (inaudible).

25 The second thing is that it's a

1 fundamental option between candor and -- and
2 you know, trying -- we understand there's a
3 desire to invest, to be involved (inaudible)
4 incidents, but there may be a reason those
5 individuals chose not to report that incident.
6 And for us to be able to get honest data, we
7 have to provide (inaudible) to provide
8 confidentiality. The PREA statute
9 specifically states that.

10 And it's -- so that's (inaudible)
11 practice to be able to feel that they can
12 comfortably be honest when they're answering
13 the questions in the survey. So it's not just
14 a fundamental tension, but the idea -- our
15 responsibility is to collect the data, then
16 the best, most candid way to do that is to
17 guarantee our respondents confidentiality.

18 WENDY LEACH: Yeah, I think that came
19 up because there's such a difference in adult
20 and youth facilities, and these are kids.

21 KEVIN SCOTT: Yeah.

22 WENDY LEACH: And so I think that
23 people saw that as a mandatory reporter in a
24 different way they'd see an adult in that same
25 situation and the confidentiality you might

1 provide them. One of the other questions was
2 what is it about the BJS survey, for example,
3 that makes a facility safer? What is it about
4 the survey and the publication of the survey
5 and the information within it that helps
6 facilities and makes them safer? And I
7 wondered if you could also speak to that.

8 KEVIN SCOTT: So I think the -- one of
9 the things that (inaudible) that we collect
10 facility characteristics and do a facility
11 survey, and not all facilities complete that
12 survey. So we're interested in kind of what
13 facility characteristics are associated with
14 higher and lower rates of sexual
15 victimization. And we've reported on some of
16 those in the earlier National Surveys of Youth
17 in Custody. We're working on analysis from
18 the 2018 survey to try to do that, as well.

19 But the other -- so (inaudible) that
20 there are kind of facility-level
21 characteristics that can be correlated with.
22 And when I say correlated with, you know,
23 they're not going to be guaranteed as a
24 perfectly safe facility. But these are the
25 (inaudible) characteristics of facilities

1 where there are lower or higher incidences of
2 sexual victimization.

3 The second thing is that we have
4 summarized that information here we have the
5 information on the perpetrators and the
6 victims, the characteristics of the incidents.
7 And that is (inaudible) you know, I think is
8 the information the facility administrators
9 may find is particularly useful that -- you
10 know, (inaudible) overwhelmingly, at least one
11 of the perpetrators is female. So that's
12 something to be cognizant of. The times of
13 the day that are higher risk, the locations
14 where the incidents are more likely to occur,
15 the high victimization rates in youth-on-youth
16 victimization of both transgender and then
17 lesbian, gay, and bisexual youth. Those are
18 indicators, I think, those are places that are
19 (inaudible) facility might want to think
20 through if they're -- as they're kind of
21 developing their practices and their
22 procedures.

23 WENDY LEACH: I have another question,
24 but go ahead.

25 DOUG DRETKE: This kind of touches --

1 as you look at the different types of
2 facilities (inaudible) important to help
3 inform the field, a number of our facilities
4 that are with us today and tomorrow are under
5 private contract to the state. And have you
6 ever opened up some data between a state-
7 operated facility and a facility that's under
8 contract and seen any -- any differences, if
9 you have, (inaudible)?

10 SCOTT CATEY: I would say we have not
11 conducted those analyses. I think (inaudible)
12 I think the first one did not go to private
13 contract facilities. The -- we could. It's -
14 - we could.

15 DOUG DRETKE: Okay.

16 WENDY LEACH: So my next question is
17 (inaudible) the differences between
18 populations. So for example, boys' and girls'
19 facilities as well as specialty population
20 facilities (inaudible) is obviously one group
21 of kids. When you're creating questions that,
22 you know, you've gotta ask these kids,
23 are you considering these different kids'
24 backgrounds, considering the gender
25 responsiveness? Are you considering the SMI

1 kids might/might not understand questions as
2 well or the way they might react to them? Can
3 you tell us if you have any difference in how
4 you survey those different kids?

5 SCOTT CATEY: I would say that,
6 generally speaking, that the idea is to create
7 questions that every (inaudible) can
8 understand and to test those questions with an
9 array of individuals -- go through a testing
10 phase, where you're trying to ask them to go
11 through the question, have the question read
12 because that's what's happening in these
13 interviews. And then (inaudible) you ask them
14 if they understand what the question means, or
15 in your own words, what does this question
16 mean to you, those kinds of things. So you're
17 testing questions.

18 The -- you know, there's no absolute
19 guarantee. First, I'm going to say that there
20 certainly is designed so obviously boys and girls
21 get two different sets of questions. There
22 are -- there's a Spanish language version of
23 the survey so that people who are natively
24 proficient in Spanish can opt to take the
25 survey in Spanish. And so we can account for

1 some differences that are (inaudible) made
2 sense to kind of make those adjustments.

3 But not every individual is going to
4 perceive the survey exactly the same way. So
5 that's certainly -- there's always a small
6 chance (inaudible) questions (inaudible) try
7 to make (inaudible) everybody (inaudible).

8 WENDY LEACH: So girls having backgrounds
9 with so much sexual abuse, as we all know they
10 have, is it possible that (inaudible) the same
11 question asked of girls might elicit more yes
12 responses because of her history, flashbacks,
13 information in her life, is there difference
14 in (inaudible) different questions, slightly
15 maybe worded differently but a different
16 response because of the background of trauma
17 or history of that particular girl?

18 KEVIN SCOTT: So I think there (Inaudible)
19 explicit nature of sexual conduct (inaudible)
20 specific of that (inaudible) so that ideally
21 (inaudible) this particular set of
22 circumstances. So that's -- that's the
23 intent, to be as specific as possible with
24 language (inaudible).

25 WENDY LEACH: Yeah, I think girls also

1 have so many mental health problems, higher
2 percentage than boys, and when we first began
3 this process, we talked to a bunch of experts,
4 and I remember at least two of them -- I think
5 it was Terry McDonald (phonetic) and Wayne
6 Dare (phonetic) -- said that mentally ill kids
7 are probably (inaudible) overreporting things.

8 And when you think about some of the
9 questions and their ability to perceive, and
10 is there any concern from the survey process
11 that you have to concern yourself differently
12 with a kid who might be diagnosed with a
13 mental health condition of some kind?

14 KEVIN SCOTT: So obviously,
15 (inaudible). So (inaudible). So that the
16 youth can be as honest as possible in their
17 answers to the questions. To (inaudible),
18 what we're looking at is the internal
19 consistency and the answers that the
20 Respondent would want. And the essence of
21 this is that it's hard to make up an
22 internally consistent story. There's -- I'm
23 not -- I'm not entirely foreclosing the
24 possibility, but the idea here is that we look
25 for (inaudible) inconsistency in the

1 responses, and we will check back and forth
2 and, again, kind of the Respondent may actually
3 find it kind of repetitive. But the idea is if we
4 see those inconsistencies, we want to be able to
5 identify them, and we also want to be able
6 to -- we want the truth so you want to avoid
7 overreporting as much as possible.

8 So in the circumstance, you try to ask
9 questions that (inaudible) to ensure that the
10 answers are consistent, especially, you know,
11 (inaudible).

12 PETER PERRONCELLO: Let me, if I can
13 jump in, Wendy, for (inaudible). Kevin -- and
14 I think this is (inaudible) with (inaudible)
15 and the work that you've now the third set,
16 and we had some early on. I know Dr. (inaudible)
17 reported. But one of the things, I think,
18 could be of value to us is to maybe look at
19 these three iteration surveys and how have the
20 overall rates changed within your three
21 surveys?

22 And then as a backdrop to all of that,
23 I know there's a lot of experts in here in
24 some of the things that we heard are
25 incarcerated juvenile population through this

1 time has also substantively reduced. Were
2 they higher risk, potentially more vulnerable
3 population (inaudible) the kids that are in
4 our facilities today.

5 So talk about rates, and then if you
6 think about the population today, how do those
7 rates look like compared to when we began and
8 so forth?

9 KEVIN SCOTT: So two observations. So
10 we may -- and the second survey conducted in
11 2012 was different enough that we want to
12 caution against kind of apples to apples
13 comparisons. But we made some attempt
14 (inaudible) 2012 survey to try to facilitate
15 those apples to apples comparisons. We noted
16 a decline there in (inaudible).

17 And as I noted at the outset of the
18 remarks, we noted a decline, again, from 2012
19 to 2018, both in staff sexual misconduct and
20 in youth-on-youth victimization. So we're
21 seeing (inaudible) over the different
22 iterations of the survey in the range of
23 sexual victimization reported by youth.

24 WENDY LEACH: Why? Why do you think?
25 We have a few ideas. We're interested in what

1 you think.

2 KEVIN SCOTT: That's not a question --
3 I'll be honest. That's not a question that I
4 would want to speculate on. But I think our
5 intent is to provide the data to allow
6 yourselves and the broader policy community to
7 answer my question.

8 And I think kind of thinking about
9 this, you know, I suspect people (inaudible)
10 and that's great, but the next response is --

11 PETER PERRONCELLO: But the population
12 is different, and if you tease that population
13 out of (inaudible) you typically would have
14 higher rates. And so with the population that
15 maybe represents (inaudible) and you all have
16 the statisticians start to tease out the data,
17 looking at the population in our facilities
18 today, and can you tease out -- what do those
19 rates look like, and -- and -- it's an
20 interesting question that statisticians and
21 analysts can have a lot of interest in looking
22 at.

23 KEVIN SCOTT: And I would say this.
24 That the (inaudible) facilities who are
25 eligible for the National Survey of Youth in

1 Custody, so these are youth who have been
2 adjudicated, facilities that hold at least 25
3 percent adjudicated youth, and (inaudible) for
4 90 days or more. That percentage of the large
5 juvenile population continues to decline.

6 So you're kind of looking at a smaller
7 and smaller slice of the population in
8 juvenile facilities as who is held in those
9 facilities changes. And you know, that's --
10 from our perspective, it's increasingly --
11 concern isn't the right word, but future
12 National Surveys of Youth in Custody will find
13 that population likely continues to
14 (inaudible). And to get (inaudible) you know,
15 you need a good population from which to draw.

16 PETER PERRONCELLO: Right. Right.

17 WENDY LEACH: I think that may be a
18 good question for the facilities that are
19 going to be here. I'd love to ask them that
20 question when they can (inaudible) why it
21 might be going down nationally, see if they
22 have (inaudible).

23 All right, (inaudible) question about
24 (inaudible) consent methodology. I was
25 wondering if because of the parental consent

1 methodology that you explained earlier in your
2 testimony, is it possible that sample sizes of
3 kids put some facilities in the negative
4 column because of the way this impacted
5 (inaudible) participate?

6 KEVIN SCOTT: What do you mean the
7 negative column?

8 WENDY LEACH: The negative column
9 (inaudible) high incidence column. Could
10 there be a (inaudible) fell into the high
11 incidence column or (inaudible) column because
12 of the different sampling methodology and the
13 parental consent.

14 KEVIN SCOTT: So what will happen is
15 that the sampling -- the requirement --
16 there -- what might happen is that the larger
17 the number of youth (inaudible) that you can
18 talk to in a facility, the smaller that
19 confidence interval becomes. So the more
20 confidence you have in (inaudible) about that
21 incidence in that facility.

22 So on balance, in loco parentis
23 facilities where it's easier -- you know, you
24 don't have to find the parents to get the
25 parents to affirmatively consent, you'll have

1 higher (inaudible) and you will have smaller
2 confidence estimates. So it's -- it's more
3 likely (inaudible) in loco parentis facility
4 will meet the criteria (inaudible). I don't
5 think -- it won't necessarily have (inaudible)
6 it has an effect on how confident we are
7 (inaudible). So the consent process will
8 affect that confidence interval, the 95
9 percent confidence interval (inaudible).

10 DOUG DRETKE: (Inaudible) going
11 forward, and this is a question that actually
12 comes back from our orientation since we
13 became Panel members a year and a half ago,
14 and (inaudible) comments is, as you look at
15 the survey, the continued evolution and
16 development of the survey, one of the comments
17 was -- well, let me preface it.

18 We spend a lot of time learning and
19 learning and talking to so many people and
20 some of our backgrounds and expertise. We
21 know how critical the environment of our
22 facilities are. And ultimately, PREA is very
23 focused on making our facilities safe and
24 healthy places for people who are under
25 custody, are able to live.

1 And so there's all these dynamics
2 throughout culture and staffing or leadership
3 and (inaudible) actually even include staffing
4 interviews to start to understand some of the
5 potential culture, environment, training dynamics
6 to put together a bigger, larger and clearer
7 picture. (inaudible) But I'd like some of your
8 comments, Kevin, as you see going forward, what
9 do you see some of the continued evolution of the
10 survey process (inaudible) enhance the process
11 to inform (inaudible) leadership (inaudible)
12 responsible for juvenile facilities?

13 KEVIN SCOTT: I think that -- I want to
14 be careful and not say -- not (inaudible).
15 Conducting surveys is challenging as a
16 logistical, and we have -- we make a lot of
17 efforts (inaudible) candid responses from the
18 people that we have the opportunity to
19 interview.

20 I think that -- hoping that (inaudible)
21 that's something we shouldn't take for
22 granted. That we need to kind of be cognizant
23 of a broader, you know, not just (inaudible)
24 environment to make sure that (inaudible) you
25 want to think about, you know, maybe we want

1 to word the questions a little bit different
2 here or (inaudible) special populations. But
3 you -- as a survey methodologist, you don't --
4 you want to be very careful that you continue
5 to be able to see the trends. So you don't
6 want to change it so much that you can't continue
7 to see trends (inaudible) acknowledging kind of the
8 changes in the populations that these facilities
9 hold and the kind of (inaudible).

10 And (inaudible) whatever you find in
11 the future to whatever you found in the past.
12 And I think that's the fundamental challenge.
13 (Inaudible) conduct surveys (inaudible).

14 WENDY LEACH: I think this goes back to
15 the earlier conversation about you said see
16 the trends and the differences in population,
17 how we have kids that are -- we have a super
18 concentrated (inaudible) violent, mentally
19 ill, full of trauma kids, you know, look
20 different from even ten years ago. The kids
21 who used to be in treatment centers or
22 detention centers around the country.

23 So when you're comparing data, the
24 population looks really, really different now,
25 and it will look really different five years

1 from now. So (inaudible) you think so?

2 KEVIN SCOTT: I think that -- so this
3 is what we're doing when we construct the
4 estimates is we're trying to (inaudible) who
5 we talk to, that is (inaudible). But the
6 composition of that population changes, which
7 is like -- right -- then the (inaudible). And
8 so -- there are options, and you can
9 (inaudible) previous responses to kind of
10 (inaudible) really, really want to do is kind
11 of make (inaudible) comparisons. You can look
12 at statistical methods that you help you do
13 that. (Inaudible) approaches (inaudible) for
14 the changes in the population over time.
15 These are very difficult questions to answer.

16 WENDY LEACH: Yeah.

17 PETER PERRONCELLO: We have about five
18 minutes left. So (inaudible) every so often
19 (inaudible) does. My question is to both of
20 you very quickly, do you (inaudible) with any
21 kind of advisory boards or anything like that
22 (inaudible) or partners or advocacy groups and
23 are stakeholders to continue the work you do
24 (inaudible) than just when this Panel is
25 assembled.

1 And so do you operate with any type of
2 groups of that nature, to look at the work, to
3 get the results, look at recommendations to
4 constantly push (inaudible).

5 KEVIN SCOTT: So every time we do a
6 survey and including (inaudible) Youth in
7 Custody, we bring in experts from the field.
8 You know, we -- we (inaudible) not only
9 changes (inaudible) things that we can do
10 (inaudible). To get those changes (inaudible)
11 but also to look at (inaudible) because we're
12 survey statisticians. We're not in prisons or
13 jails or juvenile facilities on an ongoing
14 basis. And so we have questions (inaudible)
15 engage with the community about what makes
16 sense, what's doable. It's a (inaudible)
17 challenge, obviously, COVID runs the risk of
18 kind of upsetting the entire apple cart for
19 how we conduct these surveys. And so we
20 engage in those conversations with the
21 correctional leaders, facility administrators,
22 and subject matter experts.

23 I would say it's not like (inaudible)
24 everything, but we do -- as we kind of dig
25 into the subject, we engage subject matter

1 experts as we prepare to do things. We
2 understand the spotlight's on, and we want to
3 do this right. And we think that engaging
4 experts in part of that process is something
5 that we want to do.

6 DOUG DRETKE: Thank you.

7 SCOTT CATEY: The short answer to your
8 answer is, yes, we (inaudible) but everything
9 we do is informed by critical stakeholders.
10 We work with -- one of the key things that I
11 do, I did today, is work with (inaudible)
12 coordinators across the country. Mostly
13 that's (inaudible) coordinator role. But I
14 also work with other jurisdictions and private
15 vendors as much as we can. That was a
16 (inaudible) but we also (inaudible)
17 information from them, and we use them to vet
18 a number of things that we promote in terms of
19 resources. They've had input on the designs
20 (inaudible) and other tools that we regularly
21 deploy.

22 In addition to (inaudible) constantly
23 in touch with representatives of the field,
24 practitioners are a key informant for us
25 (inaudible) that we do. That's part of our

1 TTA side of the house. That's out of
2 (inaudible) work that I do, but we conference
3 and meet and communicate daily (inaudible)
4 with members of the field across the country.
5 And we'll take information, and (inaudible)
6 and we have -- in the past, we did have a
7 specific communications advisory board. I
8 think that is not survived COVID for the
9 moment. I hope it's something we get back to.

10 WENDY LEACH: Okay. Is there any
11 discussion since we've been -- we're 20 years
12 into this law (inaudible) at the PMO
13 (inaudible) PREA standards, changing any of
14 them based on what we know now? We've learned
15 a lot survey-wise. We do (inaudible) and
16 otherwise, we've learned a lot and lots of
17 different areas we think have raised
18 standards. Did they discuss any changes to
19 them at all, if you know?

20 SCOTT CATEY: Nothing that I'm aware
21 of. I've not been privy to any of those
22 conversations.

23 WENDY LEACH: Do you see any areas that
24 might need to be updated or changed?

25 SCOTT CATEY: Again, I think probably

1 best for me not to comment on that sort of
2 thing. I don't know. It would be speculative
3 for me at this point.

4 WENDY LEACH: Okay.

5 PETER PERRONCELLO: (Inaudible) to both
6 of you, I think Wendy hit on it several times
7 is the changing of populations. And some of
8 you, I understand, can't be too committal
9 about changing certain things, but with
10 regards to the change in the populations, the
11 current trend downward of both juveniles and
12 adults, one of the concerns -- again,
13 (inaudible) use of force (inaudible) some of
14 the folks (inaudible) the altercations are
15 hands-on, and others are hands-off. And I
16 think (inaudible) we need to take a look at
17 the responses (inaudible). It could be viewed
18 as victimization, especially (inaudible)
19 mentally challenged, sexually challenged.

20 I think we all share that desire when
21 we see the trends in populations (inaudible)
22 on us both (inaudible) kids and smaller adults
23 (inaudible) violence. Y'all read the same
24 headlines I read, and you're reading about
25 escapes, people being assaulted in juvenile

1 facilities, not only in the great State of
2 Louisiana and California but other places. So
3 I think that's a concern that we share, and
4 (inaudible) take a look at that later, and
5 certainly (inaudible) surveys.

6 WENDY LEACH: Mr. Catey, Mr. Scott,
7 thank you so much, and we really appreciate
8 your time this morning. Thank you.

9 KEVIN SCOTT: Thank you.

10 SCOTT CATEY: Thank you very much.

11 DOUG DRETKE: Thank you. We are going
12 to take a five-minute break, as our next panel
13 comes up. So anyone who wants to stretch
14 their legs, please do so.

15 (OFF THE RECORD)

16 (ON THE RECORD)

17 DOUG DRETKE: Okay. I think we are
18 ready to get started. I want to welcome
19 Garrett Tucker, the Assistant Secretary of the
20 Florida Department of Juvenile Justice, and
21 Jeffrey Wenhold, the PREA coordinator for the
22 Florida Department of Juvenile Justice.

23 I'd first like to (inaudible) so if
24 y'all would raise your right hand. Do you
25 swear or affirm to tell the truth, the whole

1 truth, to the best of your ability?

2 MULTIPLE VOICES: I do.

3 DOUG DRETKE: Okay. Thank you. With
4 that, we'd like you to quickly further
5 introduce yourselves, and I'll give you an
6 opportunity for opening remarks. So thank
7 you.

8 GARRETT TUCKER: Thank you, sir. My
9 name is Garrett Tucker. I'm the Assistant
10 Secretary for Residential Services for the
11 Department of Juvenile Justice. I've been
12 with them for (inaudible). And it's --

13 WENDY LEACH: (Inaudible) we've been
14 told by the audio people that we have to lean
15 forward into the microphone and speak quite
16 loudly. So if you would, not shouting
17 (inaudible) thank you.

18 GARRETT TUCKER: Thank you. Does
19 everybody -- (inaudible) thinking about today,
20 just a little background. Most of you know
21 the (inaudible) Academy that was in the report no
22 longer exists. The company that owned Gulf
23 Academy actually (inaudible) they parted ways
24 with that company and sold it (inaudible).
25 They maintained the current name. But none of

1 the current people are actually in power or
2 running (inaudible) anywhere in the state.

3 Also, during the time of the surveys to
4 now, (inaudible) actually changed. So we did
5 a competitive procurement, and that program no
6 longer exists, and Ms. Leach was able to tour
7 the new program. Just wanted to make sure
8 there was (inaudible) on that. So
9 (inaudible).

10 (Inaudible) secure residential
11 programming in the State of Florida
12 (inaudible) sexual abuse (inaudible).
13 Juvenile sex offender, comprehensive mental
14 health, intensive mental health, healthcare
15 education, and career educational
16 opportunities.

17 (Inaudible) pre- and post (inaudible)
18 services, probation and community intervention
19 and prevention services for youth.

20 Gulf Academy was previously (inaudible)
21 as I mentioned. We are committed to ensuring
22 the provision of safe and nurturing
23 environment for youth in our programs and
24 specific (inaudible) for sexual abuse, sexual
25 harassment, and sexual misconduct of any kind.

1 To that end, we have implemented a
2 variety of approaches and methods to protect
3 all youth from abuse and harassment of
4 any kind by staff and other youth in the
5 program. We also have provided unimpeded access
6 to report allegations to the Florida Department
7 of Children and Families, the Florida
8 Department of Juvenile Justice, and local law
9 enforcement agencies.

10 Gulf Academy was a non-secure
11 residential commitment program, serving youth
12 in need of intensive mental health services.
13 Since the (inaudible) of the report, the
14 contract ended, and an competitive procurement
15 awarded it to a new provider, which currently
16 operates in St. John's County, Florida.

17 We were asked to identify some of the
18 factors that could have left the high
19 incidence of sexual victimization at Gulf
20 Academy.

21 DOUG DRETKE: I apologize. In the
22 world of wonderful technology, we're having a
23 bit of a technology issue. We've been asked
24 to take a five-minute break till they get it
25 worked out. So I apologize, and thank you for

1 your patience.

2 WENDY LEACH: (Inaudible) when we get
3 back.

4 GARRETT TUCKER: Thank you.

5 WENDY LEACH: Thanks, Mr. Tucker.

6 (OFF THE RECORD)

7 (ON THE RECORD)

8 DOUG DRETKE: All right, we're going to
9 reconvene. I think we have technical issues
10 worked out. As Wendy said, I want to just
11 again say that as we're transcribing and
12 recording everything, so bring that mic up to
13 you and speech right into it and as clearly as
14 possible will help the record. So I apologize
15 again. Let's begin again, and, Garrett, I'll
16 turn it back over to you, sir.

17 GARRETT TUCKER: Thank you, sir. We
18 were also asked (inaudible) that may have led
19 to the high incidence of sexual victimization
20 in Gulf Academy. And just so everyone knows,
21 any of this (inaudible) PREA in the Florida
22 Department of Juvenile Justice conducted by
23 the Office of the Inspector General in
24 collaboration with local law enforcement and
25 the Florida Department of Children and

1 Families.

2 Based on the information reviewed in
3 our juvenile justice information system, the
4 database (inaudible) during the referenced
5 time period, there were no sustained or
6 substantiated incidents at Gulf Academy
7 related to youth-on-youth or staff on youth
8 sexual abuse, sexual harassment, and sexual
9 misconduct of any kind. A review of the same
10 database also shows zero incidence of youth-
11 on-youth and staff-on-youth sexual assault
12 (inaudible) program.

13 The Gulf Academy served youth that
14 needed intensive mental health services. The
15 youth in this classification are the highest
16 acuity youth in the Florida Department of
17 Juvenile Justice system. (Inaudible) this
18 program (inaudible) diagnosed mental illness
19 and at the time of the BJS report, we
20 identified 60 percent of those youth were also
21 in the program in need of (inaudible)
22 substance abuse treatment needs.

23 (Inaudible) factors which could have
24 led to youth reporting allegations of sexual
25 victimization. Trauma exposure among juvenile

1 justice involved youth is much more common
2 than among community-based youth. With
3 estimates for (inaudible) for PTSD as high as
4 30 percent among this population. (Inaudible)
5 staff training to include pre and in-service
6 training requirements (inaudible) boundaries
7 between youth and staff (inaudible) related
8 incidents as well as (inaudible) each
9 residential contract is resourced
10 appropriately to provide higher wages for
11 direct care and support staff. This ensures
12 more qualified staff can be obtained and
13 retained over the life of the existing
14 residential contract.

15 We have some of the same challenges
16 other states do throughout the (inaudible) as
17 it relates to staffing. To ensure qualified
18 staff (inaudible) suitable career in the
19 juvenile justice system, the Florida
20 legislature approved during the coming fiscal
21 year to (inaudible) compensation for all of
22 our direct care provider staff. This should
23 also assist in the retention of dedicated
24 staff (inaudible) to help rehabilitate
25 troubled youth in an environment free of

1 sexual abuse, sexual harassment, and sexual
2 misconduct of any kind.

3 It also asked we put together some
4 information related to how Gulf Academy
5 (inaudible) some of the steps we've taken to
6 reduce (inaudible) and incidents. And I'll
7 just say we also have a monitoring (inaudible)
8 improvement division within the Florida
9 Department of Juvenile Justice. We go out
10 every year to every single program, and we
11 also conduct confidential interviews with both
12 youth and staff.

13 Another thing we also do is called --
14 you'll hear me reference a term called TRAS.
15 So we work with Dr. Monique Mara
16 (phonetic), who (inaudible) university at the
17 time many years ago to develop a Trauma
18 Responsive Self-Assessment for our youth. The
19 youth and the staff also interview is part of
20 that self-assessment. That self-assessment
21 covers five major areas. I'd like to share
22 those with you.

23 The supporting staff development,
24 supporting -- staff support and self-care,
25 establishing a physically and emotionally safe

1 environment, screen, assessment, and a trauma-
2 specific care plan and service delivery, and
3 also creating (inaudible) policies. And part
4 of (inaudible) gives us an opportunity to be
5 able to get feedback from both the staff and
6 kids of what policy (inaudible) we may need to
7 look at and we may need to change.

8 Some additional programs in programs
9 are taken is other additional professional
10 training -- training for staff as it relates
11 to professionalism, training and conversation
12 regarding the consequences of engaging in any
13 inappropriate relationships or activities with
14 youth, of course specialized training related
15 to the population being served.

16 So the program that we're referencing
17 today in need of mental health issues would
18 get additional training per contract than say
19 a normal contract would give (inaudible)
20 dealing with such -- such complex youth.

21 Another course we require, of course,
22 is to bring a training in (inaudible)
23 management system. This course covers the
24 intro to PREA, zero tolerance for sexual
25 abuse, sexual harassment, and misconduct,

1 reporting of allegations, and also containing
2 the warning signs of sexual abuse and
3 harassment. Of course (inaudible) as well as
4 the shift supervisor.

5 I won't go into the complex details you
6 have as we it as we provided (inaudible). I
7 will tell you we've continued to provide
8 oversight (inaudible) monitoring quality
9 improvement. We also monitor our programs based
10 on identified risk and prioritization tool as
11 well as the performance throughout the life of
12 the contract.

13 (Inaudible) the TRAS and self-
14 assessment in 2018. It should be noted that
15 the Department of Juvenile Justice is the ones
16 who actually implement the survey for the
17 youth and the staff, and the program actually
18 fills out the TRAS self-assessment, and then
19 they work in collaboration with the Department
20 to figure out where some gaps might be that we
21 need to work on. So (inaudible).

22 We do annual interviews with youth and
23 staff and (inaudible) professionals. So we
24 have the TRAS (inaudible) in that survey with
25 annual compliance review, and then we also put

1 together teams to go out and go to individual
2 providers at any point throughout the year.
3 So the Department may get anywhere between 40
4 to 60 staff when they walk in to each
5 provider program at the same time on the
6 same day.

7 We all have the same formal questions.
8 We all have people who understand the process
9 we're trying to accomplish. We bring all that
10 information back (inaudible) report. So we
11 have multiple instances.

12 It should also be noted that -- just a
13 second. I apologize.

14 Additional interviews (inaudible) and
15 of course during routine supplemental
16 monitoring (inaudible). (Inaudible) every
17 time one of our staff goes in the program,
18 they talk to kids, and they talk to staff to
19 figure out (inaudible) if they're having any
20 challenges.

21 Again, review incidents are conducted
22 by the Office of the Inspector General.
23 Again, we did not have any during (inaudible)
24 as we said before.

25 We'll get into a little bit how Deep

1 Creek and Gulf Academy implemented their PREA
2 national standards. Gulf Academy successfully
3 implemented the PREA juvenile standards as
4 evidenced by their results in the PREA audits
5 in each of the first three audit cycles.

6 Deep Creek has not been in operation
7 long enough currently to have their first DOJ
8 PREA audit.

9 The PREA coordinator, Mr. Wenhold, who
10 sits to my right, also has reviewed the
11 progress (inaudible) plan and had conducted a
12 site visit in November of '21 to complete our
13 annual PREA staff plan assessments.

14 We're also asked to take how we deal with
15 youth who have mental health problems.

16 It is the residential providers'
17 responsibility to take numerous actions to
18 protect the youth from sexual victimization
19 from youth and staff. We provided a bit of
20 that information to you already and I'll hit a
21 couple highlights.

22 Since the DOJ's report, we began
23 (inaudible) statewide separate and apart from
24 your other interview activities. Regional
25 department staff to ensure safety and well-

1 being within each residential program. The
2 data collected was compiled and shared with
3 our research department as well as each
4 residential provider.

5 We also do pre- and post-operational
6 reviews, conducted in our monitoring and
7 quality improvement division. We also do
8 annual compliance monitoring, and we also do
9 supplemental monitoring. So we (inaudible) as
10 much as daily, weekly, monthly, bimonthly.

11 All of these activities are actually
12 kind of separate and apart from when we go out
13 to look into investigations or any type of
14 allegations of abuse or neglect. So we
15 process quite a few what we call CCCs,
16 that's for Central Communication Center.
17 It's what we call our incident reporting
18 center.

19 So any time anyone makes an allegation,
20 we all get alerts on our phone typically
21 within an hour or two of what's been
22 happening.

23 We have an array of (inaudible)
24 providing specialized treatment for various
25 classifications of youth, which services

1 (inaudible) projection. Not only do we
2 classify youth as nonsecure, high, and maximum
3 risk, but we also have specified age ranges
4 and (inaudible). Some of those (inaudible)
5 juvenile sex offender, poor intellectual
6 functioning, and comprehensive mental health.
7 This assures the individual facilities and the
8 staff in these facilities are accustomed to the type
9 of youth served there, and further, we assure
10 that youth vulnerabilities are accounted for.

11 So the current program as you visited
12 Deep Creek Youth Academy, it currently serves
13 borderline intellectual functioning,
14 developmental disabilities, and comprehensive
15 mental health, and also intensive mental
16 health.

17 There's not a huge difference between
18 comprehensive and intensive. They're both on
19 our highest level of acuity in the state.

20 So we continue to make significant
21 changes in efforts to develop strategies and
22 work tirelessly to reduce incidents of
23 violence or sexual victimization that are
24 continual. Our employees are dedicated to
25 continue to ensure each youth has a living

1 environment free of sexual abuse, sexual
2 harassment, and sexual misconduct of any kind
3 so they can feel safe to receive the needed
4 treatment and turn to their home.

5 Just a couple other things before I let
6 Mr. Wenhold provide his statement. It was
7 mentioned earlier in some previous testimony
8 that all the programs that were selection from
9 in loco state were in Florida (inaudible)
10 delineated as a parent/guardian consent state.
11 I thought it was important to share that with
12 the panel for the record.

13 DOUG DRETKE: Garrett, can I -- just I
14 want to kind of make sure for clarification before
15 we turn it over. So Gulf Academy that showed
16 up in the 2018 DOJ survey, it's the same
17 facility, but it's no longer identified as
18 Gulf Academy. It's now identified as Deep
19 Creek, and it has a different contract
20 operating.

21 GARRETT TUCKER: Correct.

22 DOUG DRETKE: Could (inaudible) one of
23 the questions is (inaudible) can you share why
24 you had a contract turnover at that facility?

25 GARRETT TUCKER: Sure. So we typically

1 do contracts anywhere between three to five-
2 year (inaudible), and then we (inaudible)
3 existing same time. Their contract was set to
4 expire anyway, so we typically go anywhere
5 between 12 to 18 months for that to be able to
6 start the procurement process because it's
7 slightly involved to get people to go view the
8 program, select the team, (inaudible) services
9 (inaudible) process, so it must take a little
10 bit of time.

11 And then we bring in different
12 providers throughout the state and the country
13 to be able to negotiate the terms of those
14 contracts. So we post it on the (inaudible)
15 system. They're able to bid on those
16 contracts.

17 A major part of that scoring is the
18 past performance modules that we've created
19 that is all electronic that take into account
20 any of those incidents (inaudible). So each
21 one is given a score, and that becomes part of
22 that.

23 DOUG DRETKE: Would you say the report
24 had anything to do with some of that
25 scoring with showing up on high rates?

1 GARRETT TUCKER: Well, it's no -- the
2 PGS report itself is not part of our past
3 performance module. So I don't think there's
4 a huge correlation there. I just want to be
5 clear. Every time we interview (inaudible)
6 programs, so the PREA audits or TRAS surveys
7 are independent surveys have not really been
8 consistent with some of the information we
9 obtained from the BJS report. Thank you.

10 JEFFREY WENHOLD: My name is Jeff
11 Wenhold of the DJJ (inaudible) 26th year with
12 the Department. Overall, I'm 38 years working
13 in the juvenile population in both the public
14 and private sector. I'm appreciate of the
15 opportunity to be able to be here today.
16 Thank you for what you do and what you
17 continue to do to increase the safety of youth
18 in the criminal justice system.

19 You have (inaudible) so it's not my
20 intention to read the entire document.
21 However, a lot of time and effort went into
22 many people put in a lot of time and effort to
23 create this document for you all. We feel
24 like it's important and appropriate to get at
25 least most or some of it on the record.

1 (Inaudible) juvenile justice has been
2 committed to ensure the provision of a safe
3 and nurturing environment for youth in our
4 programs and specifically the zero tolerance
5 for sexual abuse, sexual harassment, and
6 sexual misconduct of any kind.

7 To that end, the department implemented
8 a variety of approaches and means to protect
9 all youth from abuse and harassment of any
10 kind by staff and other youth in the program.
11 In those instances where our efforts
12 (inaudible) access to report allegations of
13 abuse to the Florida Department of Children
14 and Families (inaudible) Department of
15 Juvenile Justice, and local law enforcement
16 agencies.

17 (Inaudible) protect the youth in our
18 programs include taking immediate action
19 whenever it is alleged or believed that a
20 youth or youth may be subject to a substantial
21 risk of harm to immediately report such
22 allegations or beliefs and to cooperate fully
23 with any investigations by the Florida
24 Department of Children and Families or local
25 law enforcement.

1 The passage of the Prison Rape
2 Elimination Act from 2003 had specific
3 standards in 2012 was (inaudible) federal law
4 providing a more specific context and
5 standardized definitions for the collection of
6 data which (inaudible) existing history of
7 successful (inaudible) efforts in the State of
8 Florida.

9 The standard was built upon existing
10 sexual assault and (inaudible) environments
11 for the screening, assessment, staff training,
12 education of youth, reporting, response,
13 monitoring (inaudible), and with respect to
14 the Florida Department of Juvenile Justice and
15 Florida Department of Children and Family
16 investigations.

17 Importantly, the law and the standards
18 reinforced a culture of compliance in
19 reporting established well before the passage
20 of the legislation. Even before the passage
21 of the Prison Rape Elimination Act in 2003,
22 the Florida Department of Juvenile Justice
23 (inaudible) process in place to protect youth
24 from sexual abuse and sexual harassment.

25 An example of the Department's PREA

1 efforts include but are not limited to the
2 development of the first PREA policy
3 (inaudible) which was approved and posted by
4 the Department in June of 2013. It defined
5 each employee's, residential facilities, and
6 detention center's responsibility to protect youth
7 from sexual abuse. Since June of 2013, FDJJ
8 has been revised four more times to better
9 define those roles with the most recent
10 revision in April of 2019.

11 FDJJ hired (inaudible) one year in
12 September of 2013 to oversee the
13 implementation of the PREA requirements. The
14 FDJJ has two DOJ-certified PREA auditors who
15 successfully completed the DOJ trainings for
16 PREA auditing.

17 Every contract that the Florida
18 Department of Juvenile Justice has with a
19 private entity to provide residential services
20 has language that requires the provider to
21 comply with all requirements and standards of
22 the Prison Rape Elimination Act. The Florida
23 Department of Juvenile Justice was awarded a
24 grant of \$30,000 to use in the juvenile
25 accountability (inaudible) in 2013. That

1 funding is used to provide technical
2 assistance for each program in the state and
3 to purchase training materials.

4 The Florida Department of Juvenile
5 Justice (inaudible) training with the
6 assistance of the (inaudible) and the Florida
7 Department of Juvenile Justice (inaudible)
8 service training for all medical and mental
9 health professionals. This training was
10 created (inaudible) training necessary to
11 satisfy the PREA standards.

12 (Inaudible) training was designed and
13 implemented by the Florida Department of
14 Juvenile Justice staff development training
15 for all individuals who complete the
16 classification form to determine the youth's
17 vulnerability to sexual abuse and/or sexual
18 aggression.

19 The Florida Department of Juvenile
20 Justice created a PREA webpage that is
21 maintained by the statewide PREA
22 coordinator, which provides reading materials,
23 implementation tools, data reports, annual
24 reports, facility PREA audit reports, and
25 additional PREA information resources.

1 The statewide PREA coordinator meets at
2 least once annually face to face with each
3 facility administrator and facility PREA
4 compliance manager. This technical visit
5 gives ongoing training in sustainability and
6 current updates to the PREA requirements. Also
7 (inaudible) is conducted.

8 In addition, these visits by the
9 statewide PREA coordinator also completes a
10 face to face PREA incident review following
11 the closure of all investigations, except
12 those where the allegations were unfounded,
13 and submits a summary report to the regional
14 managers.

15 The (inaudible) from the Florida
16 Department of Juvenile Justice, including the
17 statewide PREA coordinator, members from the
18 Florida Department of Children and Families,
19 and the members of the Florida Network of
20 Youth and Family Services (inaudible) LGBTQ
21 certificate program (inaudible) University in
22 2017.

23 The statewide PREA coordinator in 2018
24 and 2019 applied for and was approved to
25 receive (inaudible) funding from the Florida

1 Department of Law Enforcement (inaudible) 24,000
2 and 45,159, respectively, to be used for
3 training and to enhance FDJJ's zero tolerance
4 (inaudible) related to sexual abuse.

5 Every (inaudible) in Florida is PREA-
6 compliant, based on the results of their PREA
7 audits during all three PREA audit cycles.

8 Additionally, the panel asked that we
9 address the following. Number one, the
10 internal and external factors at juvenile
11 residential facilities in Florida that have
12 (inaudible) sexual abuse.

13 The Florida Department of Juvenile
14 Justice currently operates (inaudible)
15 privatized system in the following (inaudible)
16 allegations of sexual abuse (inaudible).
17 (Inaudible) staff who are willing to work with
18 youth who have been adjudicated (inaudible),
19 identifying and addressing (inaudible) within
20 residential facilities and implementing a new
21 (inaudible) canvas system. This project
22 should be complete -- should be 50 percent
23 complete by the end of fiscal year '21/'22.
24 And ensuring staff completely understand on
25 both pre-service and in-service training the

1 appropriate behaviors and access allowed
2 between youth and staff.

3 WENDY LEACH: Mr. Wenhold, can I
4 interrupt just a moment? I'd love to talk
5 about the staff issue, if you could. You just
6 mentioned that, finding qualified staff, and I
7 think that's just kind of a topic that we've
8 kind of heard from everybody that we visited
9 across the country. So (inaudible) rest of
10 your presentation, but I really want to key in
11 on that. If you don't mind talking about that
12 a little bit because we're interested to hear
13 from you all why is it so hard to find good
14 staff (inaudible) answers. But who are the
15 right people? How do we get the numbers? How
16 do we get the right people, and how do we
17 ensure we can staff (inaudible) facilities?
18 Because it is a struggle across the country,
19 and people really want to hear from facilities
20 and jurisdictions like yours, the struggles
21 you've had and also maybe some of those things
22 that have worked for you.

23 GARRETT TUCKER: I'll try to do the
24 best that I can to answer your question.
25 Dr. (inaudible) had to get fairly creative, even

1 as it relates to schedule. You know, not only
2 finding the right person and making sure that
3 they can work in this environment (inaudible)
4 training, all those things, but some of it
5 (inaudible) programs was like a 16-hour shift.
6 So the whole day the children are up, they
7 were dealing with the same staff throughout
8 the day.

9 Now, that created some challenges
10 (inaudible) that you'll be off two or three
11 days. I think you all heard some examples of
12 what some of our (inaudible). So we worked
13 two 12-hour shifts, but the maximum amount of
14 hours you can work at any given week is 24
15 hours. But they still provide that staff with
16 benefits because time off and sometimes
17 (inaudible) insurance, which has been fairly
18 successful for them and quite a few -- and
19 they actually pay quite substantially more if
20 you'll sign up for the (inaudible). So you're
21 actually being able to still pursue other
22 avenues that you want, but it still helps us
23 provide some services to the kids.

24 WENDY LEACH: (Inaudible) talked about
25 (inaudible) down in Florida. I live in

1 Florida, full disclosure. (Inaudible)
2 different creativity that you've provided in
3 different shifts for people, (inaudible)
4 because state systems, especially, tend to
5 have set schedules, you know. (Inaudible) you
6 get in a set schedule (inaudible) 8-hour or
7 12-hour. There's no variation. You can't
8 just work weekends or just work evenings or
9 just have these different schedules.

10 And I think we're starting to look at
11 that differently in light of the staffing
12 challenges we've seen across the nation. So I
13 like ideas like that. Any other thoughts
14 about how to get and keep good, qualified
15 staff (inaudible) that worked for y'all?
16 Maybe things that aren't working and you'd
17 like to see ideas from other people.

18 GARRETT TUCKER: Really the
19 compensation issue has been a little bit of a
20 challenge in Florida from (inaudible) minimum
21 wage of (inaudible). So we've had to make
22 some adjustments already. So it's kind of one
23 of those things that happen rather quickly.

24 You know, depending upon how many
25 (inaudible) they run at programs as well

1 depends on how many staff they're required to
2 have at the facility. So there's some impacts
3 in three shifts versus two.

4 We've also found that we -- we
5 try to promote those people within the
6 continuum, and one of the things we're looking
7 towards is (inaudible) programs to be
8 basically an assistant facility administrator
9 or a facility administrator, you're required
10 to have a degree. So we're trying to progress
11 when staffing come in that are interested in
12 pursuing that career, helping them -- really
13 help them to be able to get those final
14 promotions throughout their career.

15 PETER PERRONCELLO: (Inaudible) rural,
16 in a rural setting, and you have other
17 facilities closer to urban centers (inaudible)
18 rural versus being closer to urban?

19 GARRETT TUCKER: We have some
20 (inaudible). We have (inaudible) four
21 facilities on the same campus, and some will
22 do very well. Some will not do very well.
23 I'm being honest with you. It's the people
24 who are working at some of those programs do
25 not want to work at other programs. They

1 really love what they do. They enjoy what
2 they do, and those programs do foster the
3 environment, yeah, (inaudible).

4 To be honest, one of the programs
5 that's (inaudible) system has probably
6 consistency been one of (inaudible) contracts,
7 which they were one of the lowest paid. So in
8 all those contracts didn't get renewed and all
9 those people found out they were getting
10 raises, that was even -- now they haven't had
11 a vacancy in I couldn't tell you how long.

12 So there's a lot to be said for
13 culture, a lot to be said for professional
14 development. There's a lot to be said for --
15 cooperating with staff and seeing what shifts
16 they can work and what shift they cannot work.
17 You know, appealing to single parents,
18 appealing to people in trying to be flexible
19 within those schedules.

20 We can't always work (inaudible) you
21 know, we have to be very flexible with what kind of
22 schedules we can come up with.

23 WENDY LEACH: I think the
24 meaningfulness of the work (inaudible) because
25 I think there's only -- at least we've heard

1 from a lot of places that you can only pay so
2 much. I mean, there's only so much money in a
3 budget. But people find that to be
4 meaningful, the money doesn't matter quite as
5 much. It matters, but it's not as important
6 as the meaningfulness of the work.

7 So do we bring new people and show them
8 that this can be a meaningful career
9 (inaudible) similar to the people at the
10 facility you just described who were there for
11 a really long time?

12 GARRETT TUCKER: We have things in
13 the works to try to help that. Outreach,
14 going to local colleges, going to local places
15 and talking about what we do and how we do it,
16 trying to get volunteers, trying to get people
17 to come into the program and do that type of
18 work is very important. Was there a second
19 question?

20 WENDY LEACH: No, I'm just looking for
21 anything, I really want to share with people what
22 maybe is working for folks -- or some ideas they
23 might have because it has been -- across the
24 country, it's just been a struggle. And some
25 places, vacancy rates are dangerous. They've

1 gotten bad. And (inaudible) find other jobs,
2 even at Walmart, that pay more than what
3 they're getting paid at a local juvenile
4 facility. I don't have to deal with the
5 difficult kids all day long, and they get off
6 on time. They don't want to work overtime.

7 So is there anything else you can think
8 of that would be helpful for other people to
9 know about how we can get and keep the
10 qualified staff?

11 GARRETT TUCKER: We have had pretty
12 good history of -- with our vacancy rates in
13 Florida. We probably are somewhere around the
14 20 percentile range statewide. Direct Care
15 might get a little bit higher. We honestly
16 begin shifts -- some of the other things that
17 we've done -- some of the other things we've
18 been doing, providing benefits for people for
19 only limited work.

20 Because we've found that people like to
21 work multiple jobs sometimes and to get more
22 flexibility in their careers. So from our
23 vantage point, we're trying to engage them in
24 the programming to create a culture and
25 environment where they want to be there, where

1 they enjoy coming to work, and place that they
2 can actually grow. (Inaudible).

3 PETER PERRONCELLO: (Inaudible) or how
4 do you look at your staffing numbers?

5 GARRETT TUCKER: That's a great
6 question. So typically (inaudible) we're
7 around 1 to 8, 1 to 12 in probably 80% of our
8 programs. For the program such as intellectual
9 functioning or intensive mental health
10 programs, we (inaudible) a 1:6 ratio. And one
11 thing we've even done is to define day and
12 night. So it got a little confusing based on
13 the provider's schedule when the ratio was
14 (inaudible). So we just implement it directly
15 in our contract. From this time of day to
16 this time of day, you will be in this ratio.
17 (Inaudible).

18 WENDY LEACH: (Inaudible) 1 to 12? Did
19 you say 1 to 12?

20 GARRETT TUCKER: Yes, ma'am.

21 WENDY LEACH: Where would you have a
22 1:12 ratio? (Inaudible).

23 GARRETT TUCKER: At night.

24 WENDY LEACH: Oh, at night.

25 GARRETT TUCKER: At night. Yes, ma'am.

1 WENDY LEACH: Thank you.

2 GARRETT TUCKER: All day -- all day
3 times 1:8, and the intense programs would be a
4 1:6, and sometimes with juvenile sex offenders
5 programs, we go 1:6. And if they're operating
6 (inaudible) or outside of the facility any
7 time, it's either 1:5 or a minimum of two
8 staff is required for transport.

9 WENDY LEACH: Shifting (inaudible)
10 again, I wondered from Mr. Wenhold's
11 perspective what elements (inaudible) culture
12 do you think (inaudible) culture? What
13 elements in the facilities culture would you
14 look at to see if (inaudible) culture for
15 kids? What do you think is important from a
16 PREA perspective?

17 JEFFREY WENHOLD: I think from a PREA
18 perspective, the kids feel comfortable in
19 reporting any type of sexual misconduct, any
20 program alerts in youth-on youth or
21 staff-on-youth (inaudible) whether they have
22 multiple mechanisms in place to report that.

23 WENDY LEACH: When you say comfortable
24 reporting, let's dig into that a little bit.
25 Because they can have multiple methods to

1 report, but what makes them comfortable
2 reporting? What makes them say I'm going to
3 report this?

4 JEFFREY WENHOLD: I think there's a
5 reporting criteria and (inaudible) in the
6 facilities and that it's -- it's open, and the
7 youth are made aware of -- and they're
8 provided the tools to report, and like I said,
9 they have multiple ways. And they know those
10 ways. They know they can report it
11 anonymously, if they want so they feel
12 comfortable doing that.

13 WENDY LEACH: Where do you think that
14 comes from? Who (inaudible)? Who tells them
15 (inaudible) it is? Who shows (inaudible) how
16 it is?

17 JEFFREY WENHOLD: I think it starts at
18 intake when they're first added, their
19 initiation to PREA, and their information
20 about PREA and how to report and where to report
21 and the staff's culture and how they communicate
22 that to the kids I think is important to establish
23 the relationship with the kids when they first
24 come in.

25 WENDY LEACH: Yeah. Okay. Great. One

1 more question that was submitted, so I'm going
2 to ask this one. Since (inaudible)
3 established (inaudible) facility, we are told
4 Deep Creek, since running the facility, has
5 received no -- well, not PREA complaints -- no
6 allegations or no sustained allegations at
7 Deep Creek. Do you recall if Deep Creek has
8 gotten any further allegations or has no
9 sustained PREA findings or investigations?

10 JEFFREY WENHOLD: So in preparation for
11 this hearing, I've been (inaudible) and since
12 they (inaudible). Since they opened, I have
13 not had any reported allegations --

14 WENDY LEACH: Why do you think that is?
15 I'm sorry, I talked over you. I apologize.
16 People on the transcript will hate me. Why do
17 you think there haven't been any allegations
18 at all? Do you have any thoughts about that?

19 JEFFREY WENHOLD: I haven't really thought
20 about that.

21 GARRETT TUCKER: (Inaudible) program in
22 June of '21, the program population was
23 typically (inaudible) 20s to 30 range. The
24 population numbers have been a lot lower than
25 normal. But I do think it is a little

1 (inaudible) but I do believe the population
2 may have had something to do with that.

3 Some of the other programs that are in
4 the area and run by the same providers and do
5 serve the same kids would see those reports
6 (inaudible). (Inaudible) population now, and
7 as you can tell when you're at the program,
8 and they have a very good culture right now
9 with the program, which was pretty evident
10 (inaudible) facility.

11 WENDY LEACH: So do you feel -- would
12 it be a concern of the State if there were no
13 PREA allegations (inaudible) facility?
14 Because (inaudible) across the country. So
15 would it concern you especially (inaudible)
16 none at all?

17 GARRETT TUCKER: (Inaudible) all those
18 activities I was explaining earlier, the
19 annual compliance review, our supplemental
20 visits, the TRAS -- actually doing the TRAS
21 now or we do them the end of June -- one we go
22 through all of those and we probably had zero
23 allegations, (inaudible) internal systems or
24 going out to conduct some more interviews or
25 (inaudible) just to -- (inaudible) cycle with

1 them that. So to say that there's none and
2 that that's odd may be a little bit of a
3 challenge.

4 JEFFREY WENHOLD: And also, if a
5 facility has no allegations or (inaudible)
6 same period of time, I think that would cause
7 us to look a little deeper into, you know,
8 (inaudible) and maybe conduct a few surveys of
9 the kids and staff (inaudible) reporting
10 culture in that facility.

11 DOUG DRETKE: (Inaudible) training
12 (inaudible) get back to staffing a little bit.
13 You know, (inaudible) my career and that
14 sometimes I worry that PREA training becomes
15 one of those checkbox trainings. We're no
16 longer required to do it and so then you
17 (inaudible) worries me we turn it into a
18 virtual (inaudible) check off that you did the
19 PREA training, and that's it.

20 Without really making this training
21 unique, the meaningfulness of who we
22 are (inaudible) juvenile setting, this
23 incredible opportunity to impact the lives of
24 children and to have this positive (inaudible)
25 environment. And that's what really PREA is

1 about is creating that kind of safe, secure,
2 hopeful environment.

3 And (inaudible). I'd love you to talk
4 -- it looks like (inaudible) training, spent
5 some time looking at how you can improve it,
6 and I'd love you to talk about how (inaudible)
7 training.

8 GARRETT TUCKER: I can talk about
9 training in general, to start with. Mr.
10 Wenhold can (inaudible). (Inaudible) from
11 Florida (inaudible) we do on the topic areas
12 our providers are required to train their
13 staff. It (inaudible) contract. Some of the
14 stuff the state does electronically where we
15 provide the resources to them to train
16 (inaudible) to be able to provide it
17 (inaudible) they obviously know how to
18 communicate that curriculum (inaudible).

19 Another thing we've implemented, too,
20 is (inaudible) Florida's six trainings that
21 they must complete before they have contact
22 with kids, and then we try to pair them with a
23 field training officer quite honestly as
24 quickly as can so they can make those
25 observations, we can kind of weed through

1 those things.

2 As it relates to the PREA side on what
3 Mr. Wenhold can answer, but it's -- it's all
4 (inaudible) phase one, phase two, and then
5 finally get released out into the world of
6 working with these young people. But it
7 becomes a little complicated when one of the
8 challenges we have had is too many people
9 sign up and maybe 15 show up, maybe 8 finish
10 the class. So it's just this kind of this cycle
11 of hoping to find out the ones who didn't come,
12 why. What turned you off in wanting to do
13 this type of work.

14 But these are some of the avenues that
15 we're working on, trying to engage them as
16 quickly as possible.

17 JEFFREY WENHOLD: Our mandatory requirement
18 (inaudible) is our learning management system,
19 which was (inaudible) training school that
20 staff (inaudible) staff are required to take
21 that upon hire, and then once every two years
22 (inaudible) that do that training on an annual
23 basis. And we have many providers that have
24 additional PREA training curriculums that they
25 provide as well.

1 Part of my annual visit to all the
2 facilities (inaudible) training, PREA
3 training, and (inaudible) PREA compliance
4 managers (inaudible) is the PREA auditor
5 compliance tool. (Inaudible) programs to
6 ensure their PREA compliance. And then also
7 available 24 hours a day, seven days a week,
8 we have outstanding relationships with all of
9 the (inaudible) facility (inaudible) managers,
10 we have an open rapport, and (inaudible) train
11 them, answer any questions that they might
12 have.

13 PETER PERRONCELLO: I want to chime in
14 here that we actually (inaudible) which was
15 (inaudible), and when they got there, that
16 facility had already been through (inaudible)
17 somebody else. Is that what I'm hearing from
18 both of you gentleman?

19 GARRETT TUCKER: Yes, the contract
20 ended (inaudible) Gulf Academy, yes, sir.

21 PETER PERRONCELLO: So technically what
22 we went into visit was a totally different
23 facility (inaudible) literally in the context
24 of (inaudible) 2022 would have been based on
25 (inaudible) testified here one of the better

1 performers.

2 GARRETT TUCKER: Yes, sir.

3 PETER PERRONCELLO: Thank you very much,
4 I appreciate that.

5 WENDY LEACH: (Inaudible) doing now
6 (inaudible) especially since COVID, even more
7 so. But do you feel like the things that's
8 definitely -- (inaudible) be sort of year
9 after year it's the same content (inaudible) get
10 through it (inaudible) scenarios that are realistic
11 for staff, things, situations you might be put
12 in with kids, situations where kids might say
13 something to you or do something (inaudible)
14 boundaries (inaudible) PREA training
15 (inaudible). Is there anything else we can do
16 with training to make it more realistic,
17 scenario-based, kind of grab the attention of
18 folks so it's not just one of the pro forma
19 things that they just (inaudible) have to do
20 (inaudible).

21 JEFFREY WENHOLD: So we're constantly
22 working with our staff development and
23 training (inaudible) to look at the trainings
24 and (inaudible) PREA training (inaudible)
25 system to add some additional information and

1 additional test questions so to ensure the
2 competency of the staff that are taking that
3 (inaudible) does have (inaudible) test on that
4 (inaudible) management system training. So
5 that's something that we've done to
6 (inaudible) scenario-based training. Haven't
7 really thought a lot about something like
8 that.

9 WENDY LEACH: Yeah, I just -- scenarios
10 that are more realistic that are based on your
11 actual facilities, what kids say and do in
12 your facilities, which are different from what
13 kids might say and do in another state are
14 really helpful for staff and leave something
15 (inaudible).

16 I would also say if you can get staff
17 feedback on your trainings, they could do a
18 little post-survey. What did you think? What
19 this useful? (Inaudible) make it better. I
20 think the best thing to think about it
21 (inaudible) situation because (inaudible)
22 repetitive and not very interesting, maybe
23 they'll connect (inaudible) kids. Good
24 question.

25 DOUG DRETKE: You know, part of our

1 challenge as panelists is look at what are
2 some of the really good things (inaudible),
3 and on that note, I would love you to talk a
4 little bit more about TRAS -- Trauma Response
5 (inaudible) Self-Assessment. I think I heard
6 right, it was developed in 2018.

7 So I'd love to hear a little bit more
8 about that and what you advise (inaudible).

9 GARRETT TUCKER: I was actually in a
10 different role at the time, so I had a little
11 bit more hands-on (inaudible) TRAS (inaudible)
12 in there. (Inaudible) tool of how we could
13 create the most trauma responsive (inaudible)
14 environment possible.

15 So what basically happens is you get
16 together (inaudible) within that program.
17 Also (inaudible) people from the Department,
18 people from the local community, the
19 stakeholders, the (inaudible) volunteers, and
20 you sit down with the self-assessment that
21 covers that five areas I mentioned earlier.
22 And you complete the document.

23 As you feel (inaudible) then you email us
24 and open up your assessments to where they're
25 live so we can actually interview and survey

1 (inaudible) program. The information comes
2 directly to us.

3 And then we have a communication with
4 the provider to go over (inaudible). So in
5 2018, I believe, is the first year we had a
6 (inaudible) compare it to. So then in 2019,
7 we were now able to some comparison reports
8 through the research on this to get programs'
9 feedback.

10 And there's two ways they can do their
11 action plans. (Inaudible) example of some
12 things that have come out of TRAS. Things
13 like -- some children will make comments and
14 say I wish -- the dividers in the shower area were
15 a little higher than they are. But they're comfortable
16 where they are, but (inaudible) a little bit. So we
17 can do work orders (inaudible) policies as it
18 relates to any kids (inaudible) at the time
19 (inaudible) comfortable in those areas.

20 It's just a tool to cover basically
21 from the beginning and end of that system, how
22 can we make sure kids feel emotional and
23 physically safe in the program, and do they
24 have a method to communicate that.

25 We open up the surveys for typically

1 one to two weeks, and it does have (inaudible)
2 boxes so you (inaudible) stories, sometimes
3 they'll tell you about some of the things that
4 are happening in the program, and we do review
5 each one of those for any allegations that
6 might need to be reported.

7 So that part is done. Hopefully
8 (inaudible) independent of the people at the
9 facility. And we do encourage our regional
10 staff (inaudible) also be a part of that
11 process to lend some support. It's
12 actually -- I have a little bit of statistical
13 information I can share with you, if I can
14 find my glasses.

15 So (inaudible) Gulf Academy reported
16 sexual victimization. The youth reported in
17 the same years 100 percent (inaudible)
18 reported they had not been sexually abused
19 throughout the program. Additionally, our
20 (inaudible) at the program, and 100 percent of
21 the youth at Gulf Academy stated they felt
22 safe in the program.

23 (Inaudible) self-assessment, we did
24 (inaudible) at Gulf Academy (inaudible) and
25 then May of '20. And (inaudible) 2021 due to

1 their closure. But based on results from '19
2 and '20, there was a 21 percent increase in
3 positive responses related to youth feeling
4 emotionally, physically, and (inaudible) safe
5 at the program. And there's evidence to
6 support that the TRAS process (inaudible)
7 program (inaudible) responsive for youth in
8 our care.

9 Our Office of Research (inaudible)
10 Integrity (inaudible). They're actually in
11 the process of attempting to validate the TRAS
12 self-assessment, and it is very (inaudible)
13 staff retention, which is, when you think upon
14 it, it's a little different than what the name
15 says or what the acronym says. So we'd be
16 excited to share that information once
17 complete, for anybody that would like to see.
18 But that's pretty much what I can tell you
19 about the TRAS at this point.

20 DOUG DRETKE: I would just say, I think
21 we as a panel would be interested in receiving
22 further information on TRAS. (Inaudible) you
23 have interacted with (inaudible) nation, the
24 different associations (inaudible). Is TRAS
25 really unique (inaudible) experiencing

1 interaction and are there other similar kind
2 of comprehensive assessments?

3 GARRETT TUCKER: (Inaudible) when it
4 was first developed was from (inaudible) idea
5 of having (inaudible) come in and assess our
6 programs independently. And based on his
7 assessments, we realized we really need to do
8 more to get the providers (inaudible) type of
9 (inaudible) to help him with this process.
10 (Inaudible) started.

11 In conversations with her and others
12 throughout the state, we do not know of any
13 other (inaudible) self-assessment in the
14 country at the time. I know (inaudible) has
15 taken parts of our instrument with the
16 functionality of the instrument and has
17 implemented it in certain other states.

18 One of the biggest challenges is you
19 have to have as it (inaudible) TRAS self-
20 assessment is (inaudible) some stability as it
21 relates to care and custody. That's kind of
22 what (inaudible) residential, and it's --
23 (inaudible) making sure you can implement the
24 TRAS in (inaudible).

25 If you're struggling with control and

1 you're struggling with just normal care and
2 custody practices, it can be difficult to
3 implement the TRAS, for obvious reasons.

4 WENDY LEACH: I'd like to get more
5 information. So you'll hear from us.

6 GARRETT TUCKER: (Inaudible).

7 WENDY LEACH: Thank you. One question
8 for me, anyway, we also as a panel talked a
9 bit about the struggles of our female staff
10 (inaudible) becoming (inaudible), where female
11 staff are really preying on male juveniles
12 (inaudible) relationships, but (inaudible)
13 consensual relationship with female staff.
14 And we know (inaudible) juvenile environments.
15 But is this something you all have struggled
16 with, as well, because it seems like everyone
17 is? And if so, (inaudible) addressing?

18 GARRETT TUCKER: It is difficult to
19 find qualified staff. (Inaudible) don't just
20 hire someone because you need someone to work
21 a shift. Make sure (inaudible) right candidate.
22 Whether male or female, having the right
23 employee who can work with these children is
24 (inaudible).

25 We typically see -- we don't have a

1 real good database currently, which we're
2 working on. (Inaudible) Florida. We have a
3 system that we all do our time sheets online,
4 has everyone's information. But we have to
5 build an entire separate system for the
6 (inaudible) employees, and I don't have a good
7 sense of to explain how many are male or how
8 many are female. But we do work with our
9 training. We do work (inaudible). We do try
10 to explain to them, you know, don't put
11 yourself in this situation, as these instances
12 could be difficult. But Jeff might have
13 something that he wants to add.

14 (Inaudible) background checks. We're
15 doing all of our -- whether it's (inaudible)
16 some other type of suitability assessment, and
17 it varies by (inaudible) appropriate person in
18 there to work with these kids.

19 JEFFREY WENHOLD: I was just going to
20 (inaudible).

21 DOUG DRETKE: (Inaudible) that's always
22 pretty good (inaudible) information for
23 parents and so forth. So that, too, I think
24 is always something that is -- as I look at
25 systems around the country, you see very

1 different levels of access and information for
2 stakeholders for parents and so forth.

3 I wanted to switch just a little bit.
4 I know some (inaudible) back to us (inaudible)
5 spoke to (inaudible) cameras that you continue
6 to increase and so forth. So I guess the
7 first thing, speaking specifically
8 (inaudible), do you have the number of cameras
9 that you need (inaudible)?

10 GARRETT TUCKER: Yes. So the existing
11 camera system was (inaudible) system, and I
12 believe the week before the site visit, we
13 actually had someone in there installing a new
14 camera system that is digital. So we were
15 able to put a new camera anywhere we wanted.

16 Another thing we have done (inaudible)
17 is currently use what we call controlled
18 observation, which is another fancy word, term
19 for confinement. But in most of your programs
20 that (inaudible) maximum risk side, we do go
21 ahead and install security cameras in our --
22 in those areas as well. It was a benefit to
23 us, and we have some better outcomes and being
24 able to make sure kids aren't (inaudible) or
25 it's not documented that they were in there at

1 all. We haven't ran into that at any point.

2 But we should be at around 50 percent
3 (inaudible) budgeting issues before the end of
4 June. That has been a struggle to us in
5 getting cameras replaced that may get damaged.
6 We do have a goal to try to expand that up
7 even to 100 percent, hopefully within the next
8 12 to 18 months, just depends on how much --

9 DOUG DRETKE: Let me ask, (inaudible)
10 camera needs. This (inaudible) job of looking
11 at the data and say, okay, these are the
12 places where we have the most rates of
13 allegations. And so can you use that kind of
14 critical data to help drive your decision
15 making where cameras go and number of cameras
16 and so forth?

17 GARRETT TUCKER: Yes, sir. We probably
18 have anywhere between 140, 120 cameras. The
19 program that we were talking about today is
20 fairly large. It has 160 beds. We've only
21 occupied 90 of those. So we're only currently
22 using two dormitories.

23 The beautiful thing about the cameras
24 that are being installed is they have motion
25 activation. So if anything comes on in that

1 area, the actual screen lights up. There is
2 some advanced software mechanisms to do even
3 facial or tag recognition. So there's a lot
4 of advancements that we're looking into in
5 those areas. Predominantly, those areas
6 you're referring to, it would be very simple
7 to bring all of those cameras up on screen
8 anytime anyone entered one of those areas, the
9 screen would (inaudible).

10 JEFFREY WENHOLD: I don't think we
11 mentioned it, but you may be interested to
12 know that the camera systems that are
13 installing get (inaudible) real time
14 (inaudible) Tallahassee. So we're able to
15 monitor those in real time, live, in
16 Tallahassee, as well.

17 DOUG DRETKE: And I have one kind of
18 follow-up because in all the group facilities,
19 we'll hear that, I think, throughout
20 (inaudible) cameras, adding more cameras. Is
21 there -- have you all had the discussion of
22 moving toward body cameras? Law enforcement,
23 it's starting to become more prevalent amongst
24 law enforcement, and we're starting to get
25 into secure facilities. A number of states at

1 the state prison level are starting to implement
2 body cameras. And so curious if that conversation
3 is happening amongst you all or even your
4 thoughts, does that make our juvenile
5 facilities healthier and safer places?

6 GARRETT TUCKER: Those conversations
7 have happened in the past. I know they did
8 happen. I was not part of them. What we
9 really have been focusing on upgrading this
10 camera system and then possibly that would be
11 something we could have discussions about in
12 the future.

13 (Inaudible) part of that, too, is
14 (inaudible) having some discussions to make
15 sure that we're not overly complicating being
16 able to hire folks who are struggling with
17 getting them to wear them and what policies we
18 will have. So I'm not saying it's off the
19 table, by any means, but definitely need to
20 have some further discussions on that. I know
21 some providers have done it in other states
22 that have worked in other states.

23 One thing we have done is some
24 providers will use video cameras for acute
25 issues that may be going on or they're having

1 some difficulty with staff (inaudible) that as
2 well once there's an incident that's happening
3 or something. So it's not off the table, by
4 any means. We just (inaudible).

5 PETER PERRONCELLO: (Inaudible) cameras
6 (inaudible) to the juveniles because, as you
7 stated earlier, your entire system for
8 juveniles is privatized or (inaudible) to be
9 more politically correct. And I'm wondering
10 how you are assuring that the juveniles are
11 getting proper healthcare, number two, and whether
12 in addition to PREA certification in some of the
13 facilities or all of the facilities which
14 would probably be a goal, whether you start
15 accreditation by (inaudible) accrediting
16 bodies.

17 GARRETT TUCKER: I'll take the first
18 part and last part. I'm going to let Mr.
19 Wenhold take the PREA part. We have an Office
20 of Health Services within the Florida
21 Department of Juvenile Justice, which also
22 (inaudible) doctor, regional nurses, regional
23 (inaudible) staff, who also go out and do
24 quarterly assessments of our program to make
25 sure kids are given the healthcare they need.

1 Things like medication management (inaudible).
2 Those are also reportable in our incident-
3 based system. So we conduct investigations on
4 all of those.

5 It is part of our annual compliance
6 review. It is also part of our supplemental
7 monitoring. So I would say it's fair to say
8 we -- all of the medical part of those
9 programs, probably at least quarterly, if not
10 more often, depending upon management
11 (inaudible) and how the program is performing.

12 And the third part was (inaudible)
13 quite a few of our programs are prepared to go
14 through (inaudible) accreditation. It is a
15 requirement in Florida for them to obtain
16 their 397 Florida statute substance abuse
17 license (inaudible). So that is a separate
18 entity.

19 There are other (inaudible)
20 accreditations (inaudible) may have. I just
21 don't have those with me at this moment.
22 (Inaudible).

23 PETER PERRONCELLO: Thank you,
24 I appreciate that.

25 WENDY LEACH: (Inaudible) oversight

1 (inaudible) your perspective because I know
2 quality assurance and quality improvements are
3 important to your state. (Inaudible) the
4 oversight (inaudible) oversight and feedback,
5 was it reported, you know, how was it followed
6 up on. What do you feel like in all of your
7 experience works best to really know what's
8 going on in facilities?

9 GARRETT TUCKER: Communication, is
10 crazy as that may sound, is probably the most
11 vital part of accountability because when we
12 have so many divisions within the Department,
13 they may be looking at specific areas
14 (inaudible) shared would probably be the most
15 important thing.

16 So we have (inaudible) in Florida. All
17 of them have their geographical areas, and they
18 have complete oversight of those residential
19 programs in those areas. But the monitoring
20 is done by the Office of Program
21 Accountability. So we have a separate entity.
22 So that way, the same person who identifies
23 the deficiency doesn't make the
24 recommendations to correct the deficiency and
25 also doesn't do the verification monitoring to

1 ensure the deficiency is corrected.

2 So there is some separation. But with
3 that separation, (inaudible) communication is
4 vitally important. So we have what we call a
5 program monitoring and management system. So
6 all of our contract managers who are
7 responsible for those contracts and are
8 contract monitors and our regional operations
9 staff, they can update every time they have a
10 contract with anything related to that
11 contract, whether it's onsite or offsite, and
12 (inaudible) electronic layers of approval
13 throughout that system.

14 So this is separate and apart from the
15 annual compliance review part of the process.
16 It is separate and apart from (inaudible) part
17 of the process that is (inaudible) protocol.
18 That is part of the process to make sure that
19 (inaudible) intervention and delinquency and
20 treatment services that they need.

21 WENDY LEACH: And which of those
22 processes (inaudible) facility?

23 GARRETT TUCKER: (Inaudible) compliance
24 review, we do random sampling. In addition to
25 that, we do annual interviews by our regional

1 office of every kid in every facility. It's
2 separate and apart from all of those other
3 areas I just mentioned.

4 DOUG DRETKE: Any final thoughts that
5 you would like to share with us as we close
6 this panel?

7 GARRETT TUCKER: No, sir. Thank you
8 for letting us come and speak with you today.

9 WENDY LEACH: We appreciate you
10 representing the great State of Florida
11 (inaudible) appreciate it.

12 DOUG DRETKE: Thank you.

13 WENDY LEACH: We are adjourned for now.

14 DOUG DRETKE: We will begin again at
15 1:45 p.m.

16 (Beginning of p.m. session)

17 DOUG DRETKE: Okay. We will reconvene
18 and continue on with our hearings for today.
19 We are looking forward to hearing from Idaho.
20 As we get started -- and welcome to the
21 Director of Idaho Department of Corrections
22 Monty Prow. Did I say that right, Monty?

23 MONTY PROW: That's fine. Thank you.

24 DOUG DRETKE: Pardon?

25 MONTY PROW: That's perfect. Thank

1 you.

2 DOUG DRETKE: Okay. And Katie Withers,
3 PREA Compliance Manager with the Idaho
4 Department of Juvenile Corrections, and Joe
5 Blume, PREA Coordinator with the Idaho
6 Department of Juvenile Corrections.

7 So as we get started, first would -- I
8 am going to ask you all to -- to administer an
9 oath. And so both of you virtually and, Joe,
10 in front of us, if you would raise your right
11 hand. Do you swear or affirm to tell the
12 truth, the whole truth, to the best of your
13 ability?

14 WITNESSES: I do.

15 DOUG DRETKE: Okay. Thank you very
16 much. So at this point, what I would like to
17 do is to -- is to turn it over to Director
18 Prow. I imagine if you would like make some
19 opening comments -- I do want to -- Joe's
20 heard this already. We have your reports that
21 you've submitted. And we -- we three panel
22 members have spent some time looking at all of
23 them. In fact, I have yellow highlighting
24 marks through it. So thank you for that.

25 And so we would prefer, alternatively,

1 any time that you want to address directly out
2 of the report is your prerogative but, also,
3 to share anything, if you enlighten us about
4 all of your efforts and the work that you do
5 up in Idaho. And Director Prow, I'll give it
6 to you how you would like to proceed with
7 Katie and with Joe. And then we as a panel
8 will have a number of questions.

9 And something that we mentioned earlier
10 today, we as a panel very much see this as a
11 discussion. And we -- our goal is very much
12 to learn, and in the end that we're able to
13 provide recommendations from facilities both
14 experienced higher rates of sexual abuse and
15 sexual misconduct based on the Bureau of
16 Justice Statistics surveys. But to learn from
17 you and recommendations that we might be able
18 to then make to our larger profession across
19 the United States. So with that, Director
20 Prow, I would like to turn it over to you.

21 MONTY PROW: Well, thank you, Doug,
22 Wendy, and Peter. As mentioned, my name is
23 Monty Prow. I'm the director of Department of
24 Juvenile Corrections. I have been the
25 director since 2019 and just -- I'm just so

1 honored to be the director of this wonderful
2 department working with these amazing staff
3 who care about these kids so much that it just
4 warms my heart every day, honestly, to think
5 about what we do with these kids and how we
6 improve their lives on a daily basis.

7 So I just want to do a brief
8 introduction for myself. I'd like Joe and
9 Katie to do the same. And then if they could
10 pitch it back to me for some opening remarks,
11 I'd appreciate that. Real quick comment for
12 the panelist. Katie Withers wanted to be
13 there in person, but her airplane had supply
14 chain shortages, so she is here with us in
15 Boise. So (inaudible).

16 DOUG DRETKE: And then Joe.

17 JOE BLUME: My name is Joe Blume. I am
18 with the Idaho Department of Juvenile
19 Corrections. I have been an employee there
20 for over 25 years, so I started back in the
21 1900s. I have been tasked with the PREA
22 coordinator role since 2011.

23 DOUG DRETKE: Okay.

24 KATIE WITHERS: My name is Katie
25 Withers. I have been with the department for

1 going on 12 years, I believe. And I've been
2 in my current position as the PREA compliance
3 manager working with the Quality Improvement
4 Department for -- since 2014.

5 MONTY PROW: Thank you, Katie. Thank
6 you, Joe. Also, a member of our team that is
7 not able to be with us today but is involved
8 in the day-to-day upkeep of our PREA
9 obligations is our Deputy Attorney General
10 Marc Crecelius. In Idaho, our DAG works with
11 IDJC but is not an IDJC employee. The DAG
12 works for the Attorney General's Office. This
13 makes our process even better and transparent
14 in that a third party reviews all incidents.
15 We're absolutely proud of this element in our
16 process and that he really wanted to be here
17 today and sorry he couldn't.

18 I think, Wendy, you may have gotten a
19 chance to visit with him when you were
20 visiting. I can't recall. It's been a couple
21 months. But I think that's a pretty unique
22 situation to have a third-party review in all
23 of our -- all of our processes and especially
24 at that level with direct -- you know, direct
25 contact with the Attorney General should --

1 should it need to -- need to be that way.

2 I want to -- I got a few prepared
3 remarks, Doug. And I know you kept -- you
4 told me to keep it short, so I'll be brief.
5 We want to be absolutely clear that we are
6 committed to keeping youth and -- and -- youth
7 safe and free from any type of harm. We're
8 absolutely committed to the safety of our
9 young people. We have no greater
10 responsibility. The Idaho Department of
11 Juvenile Corrections is fully committed to a
12 zero-tolerance environment against the sexual
13 harassment and sexual abuse within our
14 facilities.

15 We are devoted to youth well-being and
16 ongoing development. We are invested in
17 treatment and skill-building and education and
18 making sure that kids are successfully
19 transitioned to the community once they
20 return. We hope that during the site visit of
21 2021, Wendy and Jeff (Inaudible) witnessed
22 with their own eyes our passionate dedication
23 to the safety and continued development of our
24 young people.

25 We have a great obligation to provide

1 for a safe environment for all 143 kids
2 committed to our department, of which 78 are
3 at (inaudible) Saint Anthony as of today. We
4 are steadfast in ensuring that it's safe with
5 all of our facilities. Idaho Department of
6 Juvenile Corrections has worked diligently to
7 incorporation and implant all of the federal
8 standards within the operations of the
9 department since PREA became law.

10 However, just as in everything we do,
11 we are going to continue to always look for
12 ways to strengthen our ability to support
13 youth in our facilities. Our quality improve
14 processes ensure that we always look for
15 better ways to conduct our operations. We are
16 proud of the work we have accomplished from
17 the training of our staff, our policies and
18 procedures to keep youth safe and free from
19 sexual harassment and abuse and our outcomes
20 and our responses to PREA audits.

21 Responses to PREA audits have ranged
22 from minor and mirrored in our food service
23 area to major, tens of millions of dollars in
24 updating our living environments. This work
25 has been accomplished regardless of the change

1 of leadership or changes in the governor's
2 office. IDJC has worked diligently and with
3 intention to set high standard of expectation
4 with regard to PREA, incorporating and
5 integrating the federal standards into a
6 comprehensive series of agency's policies,
7 practice, and trainings.

8 Now, if I could pivot to offer a brief
9 description of our Saint Anthony facility to
10 help with the context for -- for the rest of
11 today. Saint Anthony is our oldest state
12 facility, almost 120 years old and is on rural
13 agricultural land. It was opened in 1905 and
14 has many -- and has had many facelifts over
15 the years. There are 143 staff with 78 kids,
16 as of today, on approximately 300 acres. Most
17 of the land is rented back to area farmers,
18 but the atmosphere that is created is more
19 like a community college than juvenile
20 facilities, as in kids have to go outside to
21 go to school, eat meals, et cetera.

22 Saint Anthony has an active outdoor
23 program, career technical educational tracks,
24 and even a ropes course for team-building.
25 Saint Anthony has been an active participant

1 in PBS since 2002 and was the first facility
2 in IDJC to be audited for PREA purposes in our
3 state. JCC Saint Anthony provides a high-
4 structured, staff-secure program using
5 positive peer model for the custody and
6 treatment of male and female juveniles who
7 have a history of various crimes and have
8 failed less secured environments in the
9 community.

10 The Saint Anthony program follows
11 fundamental values of the Five Pillars, which
12 are targeted treatment, education, counseling,
13 (inaudible) engagement, and skill-building to
14 develop productive citizens. The program,
15 also, offers cognitive skill-building to -- to
16 alter the criminal thinking patterns of kids
17 committed to the state.

18 Staff and juveniles continually work
19 together to create a safe and secure
20 environment that is conducive to making the
21 changes necessary for juveniles to be able to
22 return to their communities with skills and
23 the values that we give them for the
24 opportunity to be successful citizens.

25 Recently, we had some leadership

1 turnover with a new youth program manager and
2 superintendent both within the last six months
3 or so. The new superintendent comes with a
4 master's degree in social work, has extensive
5 experience as an administrator of a jail
6 facility, and experience at a law enforcement
7 correctional. His intern at Saint Anthony had
8 visited on an -- in an official capacity many
9 times and is familiar with the campus and many
10 staff.

11 In conclusion, we are excited to share
12 our responses with panel members today about
13 how we demonstrate our robust reporting
14 culture, policies and procedures, and
15 protocols to keep youth safe in our
16 facilities. Prevention, detection,
17 responding, and reporting of any type of
18 sexual abuse or harassment is a critical
19 component of this.

20 We are proud to have the highest
21 response rate of youth on the survey at 94.3
22 percent in the group that's captured
23 (inaudible) voices as we can. That means to
24 us that kids are comfortable in talking and
25 sharing their story. We are very proud of

1 that.

2 My introductory remarks concluded, I
3 submit back to you, Doug, Wendy, and Peter,
4 for follow-up questions. Thank you.

5 DOUG DRETKE: Good. Thank you for
6 that, Director Prow.

7 WENDY LEACH: Thank you, Director, and,
8 Katie, sorry you had so many travel hassles,
9 but it's nice to see you, and it's nice to see
10 Joe in person, like our former -- colleagues
11 in Florida who were just here. It's been so
12 nice to see facilities that I visited in
13 Florida and now your Idaho facility, Saint
14 Anthony. So good to see everybody today.

15 We had some similar questions, maybe a
16 few different ones, for your folks. So I hope
17 you can hear us okay. But our first question
18 was really around staffing. So it's kind of
19 been a big issue, nationally, that we've had
20 challenges with getting enough staff, having
21 the qualified staff, and having the right
22 people for our facilities. What is working or
23 not working in Idaho that you might be able to
24 share with everyone else? We're really
25 interested.

1 JOE BLUME: Thank you for the question.
2 In the end, I'll definitely be referring this
3 to the director, but I do want to respond to
4 what are the right kind of staff.

5 WENDY LEACH: Yeah.

6 JOE BLUME: The right kind of staff are
7 the staff that will respond well to our
8 therapeutic rapport and professional
9 boundaries training. The professional
10 boundaries training piece is fairly easy.
11 It's covered in PREA and the background check
12 requirements, but because of the nature of the
13 work that we do, it's very important for the
14 staff to understand the importance of
15 developing therapeutic rapport so that they
16 can be an effective agent of change in working
17 with the kids that we have. That's a training
18 that we developed. We're very proud of it.
19 We've implemented that. And after that, I'll
20 go ahead and refer to the director.

21 MONTY PROW: Thank you, Joe. And just
22 for the panel's knowledge, we've asked Joe to
23 sort of be the air traffic control of
24 questions, so he will definitely shoot those
25 over, or if you have specific questions for

1 either one of the three of us, that will work
2 out great, too.

3 So maybe I'll take a slightly different
4 approach. So maybe Joe sort of spoke out a
5 strategic -- at the tactical level. I'll take
6 a step back and talk about it at the strategic
7 level, and then, certainly, Katie, feel free
8 to jump in.

9 But, Wendy, you're absolutely right.
10 We -- Idaho has not -- hasn't been immune from
11 the updates in sort of the staffing shortages
12 that we are seeing across the county.
13 Historically, we have -- one of our measures
14 on our quarterly reports on our -- you know,
15 on our DJC leadership team has been employee
16 turnover. Customarily, we are below our
17 benchmark, which is the average of Idaho State
18 employees. That goes on for years and years
19 and years.

20 We saw that shift beginning in May of
21 2021. In that exact -- at that moment, what
22 we saw is a shift in -- first, recruiting.
23 That fell off. Once the recruiting pipeline
24 was sort of shortened from four applicants per
25 job announcement to three to two to virtually

1 zero applicants to one announcement, at the
2 end of 2021, we saw our retention problems
3 creeping up. So not only do we have a
4 pipeline problem coming in, but we had a
5 problem with retaining staff for -- for
6 retirements, for medical reasons, for leaving
7 for jobs. At that moment, we saw other
8 employers being more aggressive with their
9 salaries. So we had a recruiting problem
10 starting in May of '21. At the end of '21, we
11 saw a retention problem.

12 So we put in plans in place for both of
13 those. We -- we worked with the Governor's
14 Office in the Division of Financial Management
15 to -- to offer -- to offer retention bonuses
16 to certain job classes that we saw leaving out
17 the doors at higher rates. Those are our most
18 direct care staff. We started working with
19 the Governor's Office and the legislature this
20 year to understand the gravity of our
21 situation and that meant -- that led to higher
22 wages in both of our -- our most immediate
23 direct care staff, as well as some of our case
24 managers.

25 And as of about a week ago, we're

1 starting to see some of that thaw. That's
2 what we're calling it. I don't know if any
3 of you have kids, but if you do, you've seen
4 the movie Ice Age. In that movie, there's
5 sort of this image of this water starting to
6 come through the ice. And I feel that's where
7 we're at at the moment is the water's starting
8 to finally come through that ice. We're
9 starting to see some of the thaw.

10 We monitor daily the interviews and
11 ImPACT Testing, which is our test that we give
12 to post-certified staff, to make sure that
13 they are sort of, you know, have the mentality
14 or the right approach to work with our kids.
15 And we're starting to see more and more of
16 that. So I hope with our \$65,000 in
17 advertising and -- that we've put in place,
18 our recruiting and retention efforts with
19 higher salaries and bonuses, I could come back
20 and maybe tell you that the ice truly did
21 thaw, and hopefully, that's what I can report
22 back to you maybe as early as three months,
23 six months from today.

24 WENDY LEACH: Thank you very much,
25 Director. So, Joe, when you mentioned

1 earlier -- you were talking a little bit about
2 therapeutic folks, the right people, the ones
3 that kind of can maintain those professionals
4 boundaries, how do we find them specifically?
5 In other words, as you're recruiting for folks
6 and you're looking at folks -- and this is,
7 also, a question to anyone on video -- how do
8 we figure out who those right people are who
9 can come in and work with our kids?

10 JOE BLUME: Right. Right. Thank you.
11 The ImPACT Testing that the Director mentioned
12 is one of our newest -- although, it's been a
13 couple years, it's one of our newest
14 requirements for the post-certified staff.
15 And that helps to identify which staff could
16 perhaps be too punitive, which staff may not
17 be able to with -- maintain appropriate
18 boundaries. It looks at their ability to be
19 therapeutic and recognize things like con
20 games, and some of the manipulation or group
21 tactics that can occur. That testing has
22 helped inform hiring decisions.

23 WENDY LEACH: Okay.

24 DOUG DRETKE: Talking about that
25 testing, you called it ImPACT?

1 JOE BLUME: Yes.

2 DOUG DRETKE: Where -- where did that
3 instrument come from? Is that something you
4 built yourself, or is it out of the industry?
5 Or where did that instrument come from?

6 JOE BLUME: I believe it's out of the
7 industry, but I may have to refer this one to
8 the Director.

9 DOUG DRETKE: Okay.

10 MONTY PROW: Yeah, thank you, Doug.
11 Great question, and yeah, it's off the shelf.
12 It's a company actually, ImpACT, I-M-P-A-C-T.
13 You can Google that one for reference. We
14 looked at a couple others. And really, Doug,
15 this was in an effort to make sure we are
16 meeting those requirements that we put in
17 place for ourselves, in addition to the post
18 requirements we have for all of our staff who
19 are post-certified.

20 They have a requirement -- if you think
21 of a law enforcement officer, that requirement
22 extends to some of our staffings, as well. A
23 law enforcement officer has to meet a minimum
24 threshold of being able to be not -- not be
25 undue influenced by outside parties, to be

1 maybe on the edge of -- or fringes of laws.
2 So as part of that requirement we had to meet
3 for post, and as part of our ongoing effort to
4 make sure we're researched-informed
5 innovations, one of the things in the CBC, OR,
6 SPAPs (phonetic) -- so those are, you know,
7 the couple of the quality group initiatives
8 that you're undoubtedly familiar with --
9 requires there's some ability to detect are
10 you hiring for -- for -- just for body count,
11 or are you hiring the right body for the right
12 seat?

13 So that ImPACT -- again, off-the-shelf
14 solution -- has allowed us to meet both of
15 those requirements. And it allows our hiring
16 supervisors to have a little bit behind the
17 curtain before they actually even interview a
18 candidate.

19 DOUG DRETKE: Okay.

20 PETER PERRONCELLO: Director, I'm going
21 to go back to what you just that just perhaps
22 maybe from my end what I'm hearing is, one,
23 your hire has to be post-certified in the
24 State of Idaho; is that correct?

25 MONTY PROW: Thank you for the

1 question. And (inaudible) staff in our
2 department, of which 240 have to be post-
3 certified. In other words, those are those
4 most direct care, so in our case, those are
5 our job classes that we know is rehabilitation
6 technician, rehabilitation supervisor, rehab
7 specialist, and our teachers and our rec
8 coordinators. All of those (inaudible) post-
9 certified because they are the closest working
10 with the kids, and we want to make sure they
11 have that extra level of engagement or
12 training before they can become -- really,
13 before they can be on probation, they have to
14 be post-certified.

15 PETER PERRONCELLO: I may be
16 (inaudible) and -- and ask you to take a look
17 at whether that certification may be an
18 impediment to your staffing needs, and whether
19 or not you may want to take a tact to train
20 everybody with whatever post is requiring,
21 even though you probably haven't taken a look
22 at the impact on your budget. But, you know,
23 I've been in the business over 40 years, and
24 sometimes cops don't make the best social
25 workers and vice versa. Sometimes social

1 workers don't make the best cops. And in this
2 case, we're talking about youth attendance or
3 whatever your, you know, state labels them in
4 terms of job classifications. So maybe you
5 want to take a look at that. That's just a
6 recommendation that I offer up to you.

7 MONTY PROW: Thank you very much, sir.
8 And to be clear -- and that's a good point.
9 To be clear, there are nine different
10 disciplines at post in Idaho, one of which is
11 juveniles corrections. You know, the others
12 are law enforcement or adult prison, dispatch,
13 that kind of thing.

14 PETER PERRONCELLO: Thank you.

15 WENDY LEACH: So related back to the
16 appropriate staff, one of the problems we've
17 had across the country is we've seen an
18 increase in the number of female staff who
19 have had relationship with sexually abused
20 teenage boys in facilities. It's a very high
21 number. Compared to all the complaints the
22 kids have made, it's typically a female staff
23 and a male juvenile.

24 So in those cases, what kinds of things
25 have your jurisdiction done to address that?

1 Do you see any problem there? Is there
2 anything that we can do proactively to either
3 find people who might have a propensity to do
4 that, maybe through IMPACT testing or some
5 other way? Or is there something that you've
6 seen in your trend analysis that have seen
7 something similar going on? So, Joe?

8 JOE BLUME: Thank you for the question,
9 Wendy. Looking back in IDJC's history, that
10 bears out --

11 WENDY LEACH: Yeah.

12 JOE BLUME: -- as far as the female
13 staff, and that's going far back in IDJC
14 history. I think it's important -- and we do
15 include it in our PREA training -- to cover
16 red -- what we call red flags, warning signs,
17 and symptoms, which alert all direct care
18 staff to that particular issue in terms of
19 what makes a staff vulnerable or likely to
20 engage in boundary violations. We encourage
21 all of our staff to be willing to question it,
22 whether or not it's a supervisor, no matter
23 how high up ranking that person may be.

24 WENDY LEACH: Yeah.

25 JOE BLUME: Does the amount of time

1 they're spending with the youth make sense?
2 And we cover that in our PREA training
3 routinely.

4 WENDY LEACH: Yeah, it's one of the
5 things that's a tough area because you want
6 people to report suspicions of sexual abuse.
7 That's in PREA.

8 JOE BLUME: Right.

9 WENDY LEACH: At the same time, I think
10 you'd agree, it's very difficult for staff to
11 come to their supervisor and go, I think, you
12 know, Jane Smith is doing something untoward.
13 I'm not sure what it is, but it -- these are
14 the things I'm seeing, and you might want to
15 look into it.

16 JOE BLUME: Right.

17 WENDY LEACH: That's easy to say for a
18 staff to do, but it's very hard for them to
19 do. So kind of what you're discussing, I do
20 find that to be tough in practice for staff to
21 be able to do that.

22 JOE BLUME: Thank you for that. It
23 doesn't happen often, but we have had staff
24 report, and we investigate it every time.
25 There's been occasions where the investigation

1 determined that the staff was overly punitive
2 and the group may, therefore, target that
3 staff. But we always follow the facts. And
4 in Saint Anthony, in particular, Katie Withers
5 has a fantastic relationship with our local
6 law enforcement, and so when they're called
7 in, it's now an outside entity that they would
8 be looking into that. But we have staff -- I
9 think we have good reporting culture, so we do
10 have staff that bring that up.

11 WENDY LEACH: Does your staff training
12 address that difficulty in reporting on other
13 staff?

14 JOE BLUME: Could you repeat that?

15 WENDY LEACH: Does your staff training
16 report the -- cover the difficulty of staff
17 having to report on other staff, how hard that
18 can be in that environment? Because we want
19 our staff --

20 JOE BLUME: Right.

21 WENDY LEACH: -- to be a team and to
22 hang together, but at the same time, we're
23 asking a staff to --

24 JOE BLUME: Yeah

25 WENDY LEACH: -- report on another

1 staff.

2 JOE BLUME: I think it's addressed only
3 in so -- so much as the staff are told that
4 they do not have to report to their direct
5 supervisor, that we have an open-door policy,
6 if they're worried about the chain of command
7 or it coming out that they're the ones
8 reporting it. They're informed that they can
9 report it anonymously. They can report it to
10 anybody within our organization to be followed
11 up on.

12 WENDY LEACH: Okay.

13 KATIE WITHERS: So I might jump up in.
14 I actually do all the PREA training for the
15 staff, and so I spend quite a bit of time
16 discussing about just what these red flags
17 look like, and if you see these red flags, you
18 know, either maybe that staff might just be
19 crossing some of that gray area with
20 boundaries, or maybe there is an issue. And
21 so we encourage to, if you see those red
22 flags, bring it to your supervisor. If -- if
23 the red flags are against your supervisor,
24 bring it up the chain of command. And so we
25 do spend quite a significant amount of time

1 talking about that.

2 And we just pick performance-based
3 standards, and part of that, every six months,
4 we survey all of our staff. And we don't just
5 survey the minimum. We survey everybody that
6 we -- that -- at the facility. And I'm the
7 PBS site coordinator, so I make sure everybody
8 gets surveyed. And we -- they're asked, what
9 kind of training would you like to see. And
10 part of that -- what came out of that was a
11 professional boundaries training, so we as a
12 department created a therapeutic rapport and
13 professional boundaries training. And all of
14 staff received that training. So I think that
15 that's helped, and that addresses more of
16 those just (inaudible) kids --

17 MALE VOICE: Yeah.

18 KATIE WITHERS: -- how to prevent
19 boundary crossing, how to know if another
20 staff is maybe crossing boundaries or being
21 unaware that they're kind of crossing into
22 that gray area that could lead down a path
23 (inaudible).

24 DOUG DRETKE: Katie, I'd like to follow
25 up on -- on the professional boundaries

1 training. Is that -- is that a specific
2 training curriculum in addition to PREA? Or
3 is that --

4 KATIE WITHERS: It's --

5 DOUG DRETKE: -- a part of PREA? Does
6 every employee, whether they're a direct care
7 professional or whether they're treatment, go
8 through that, at what level? And would love
9 to hear a little more about that.

10 KATIE WITHERS: We, actually, train --
11 all of our staff at the facility get trained
12 to be able to respond. So even though they're
13 not post-certified, at least they'll take all
14 of those trainings. So therapeutic rapport
15 and professional boundaries is in addition to
16 PREA. And then we, also, have it as a
17 refresher training that can be taken through
18 our online training module called TrainCaster.

19 DOUG DRETKE: Do you use -- have you
20 built in that curriculum a lot of roleplay and
21 things like that that make it real? Because,
22 as you know, it's one know to stand up --

23 KATIE WITHERS: Yes.

24 DOUG DRETKE: -- and just lecture on
25 this. It's a completely different kind of

1 learning experience, especially from an adult
2 learning perspective, to actually put our
3 folks into different situations and see how it
4 feels, how you respond, how you react, and so
5 forth?

6 KATIE WITHERS: I think we probably
7 could maybe do a little bit more with the
8 roleplaying, but part -- we do provide some
9 real-life scenarios that actually happened at
10 one -- some of our state facilities from staff
11 where there was a situation where there was
12 boundary crossing, maybe not -- and not even
13 just falling into that realm of PREA-related
14 but boundary crossing and not having good
15 boundaries with the kids. And so we share the
16 real-life examples to them just to kind of try
17 to open up the staff's eyes to really realize
18 what -- what can happen if you don't have
19 appropriate boundaries with the kids.

20 JOE BLUME: Right. Thank you, Katie.
21 Yes, as she mentioned, it does include
22 scenarios, maybe not the roleplays, but we
23 definitely have the scenarios that are based on
24 actual experiences for us. And we cover
25 scenarios, as well, in our PREA training. And

1 as Katie alluded to, some of those scenarios are
2 real obvious PREA boundary violations. Some of
3 them are much less obvious, more in that gray
4 area, so that we can focus on prevention before
5 things get worse.

6 KATIE WITHERS: And I feel like we put
7 a lot of focus on the training with the kids,
8 too, about those -- just reporting if there's
9 a staff that makes you uncomfortable, we want
10 you reporting it. And I try to really be
11 present in the facilities, so and really
12 invest and kind of know all of the kids so
13 that they feel comfortable reporting to me.

14 Like, I'll get a lot of calls where
15 they'll just ask to talk to me directly, and
16 then make the -- a direct report to me if
17 something's making them uncomfortable. So I'm
18 pretty proud of the reporting culture that
19 we've fostered at the facility. I think the
20 kids feel comfortable to reporting that to
21 all of our various reporting (inaudible). I
22 do think they feel comfortable (inaudible),
23 and we put a lot of emphasis on keeping them
24 safe and making sure that they know that what's
25 appropriate with staff and what's not so they

1 can report it if something is making them
2 uncomfortable.

3 MONTY PROW: Thank you, Katie. And a
4 real quick follow on that is -- so just we
5 talked about our DAG doesn't work for
6 Department of Juvenile Corrections, works for
7 the AG's Office. Katie, actually, doesn't
8 work for anybody at the facility, also. She
9 works for our Quality Improvement Director
10 Anne Boise (phonetic). So if a kid is
11 responding or chatting with Katie directly,
12 then that doesn't even have to be anybody in
13 the facility. It can just go straight to
14 headquarters to be followed up on or
15 addressed.

16 And -- and back to the -- back to how
17 well we believe our kids are open and free
18 with that is back to that 94.3 percent number
19 in the survey. That's the highest on all
20 sides, either low or highest in facilities,
21 and I -- we're personally very proud of that,
22 and we thank Katie and Joe for, you know,
23 helping to establish that cultural.

24 WENDY LEACH: So that's interesting. I
25 remember that we talked about that a little

1 bit, that Katie doesn't report, for example,
2 in -- within the facility, and she isn't --
3 got an independent role. Now, most PREA
4 compliance managers, obviously, do report to
5 someone within the facility, or there might be
6 dotted line reporting to a PREA coordinator on
7 the agency level, but they are -- they are
8 reporting within their facility. And you have
9 it structured very differently.

10 So one of the things that Katie was
11 just talking about was that comfort level of
12 staff reporting. You know, sometimes it is
13 hard for staff to report allegations, things
14 that they think might be happening. Is there
15 anything else you have seen that gets in the
16 way of staff feeling comfortable reporting?
17 Is there a fear of reporting something that
18 might come up, or some reason they would not
19 want to? And I'll ask you the same question
20 about kids.

21 JOE BLUME: I'll go with that first --

22 WENDY LEACH: Yes.

23 JOE BLUME: -- and just mention that
24 Idaho was a very early adopter of the PREA
25 standards. The Juvenal Corrections Center

1 Saint Anthony was the first state-level
2 facility to be audited in the nation. The
3 first juvenile facility in the nation to be
4 audited was a county juvenile detention center
5 in Idaho.

6 So I feel like if there was a hurdle
7 there, it was a hurdle we probably jumped back
8 in 2010, '11, '12. There's always the
9 constant work of maintaining a reporting
10 culture, and Saint Anthony has been one of the
11 most responsive facilities whenever there's an
12 issue regarding the reporting culture, so I
13 just wanted to throw that out there. Katie?

14 KATIE WITHERS: I -- yeah, I don't
15 think I have anything really to add. Do you
16 have anything to add to that, Monty?

17 MONTY PROW: I don't. It's a really
18 good question, and something I think that
19 if -- if you -- if the panel could crack that
20 code, I think the whole nation would
21 appreciate that -- that recipe.

22 WENDY LEACH: Well, we're good, but
23 we're not that good. Thanks. That's why
24 we're asking you.

25 Yeah, and so for youth reporting, we've

1 often seen struggles, too, with kids feeling
2 comfortable reporting. And I know in your
3 particular jurisdiction, you do a peer --
4 positive peer model, which certainly means
5 that the kids in your facility sort of hold
6 each other accountable. And we talked about
7 this a little bit while I was there, that
8 holding accountable often means that they go,
9 and they spend time together and they work
10 things out. Sometimes it means physically
11 work things out -- not fighting. I don't mean
12 that. But usually what it means is you're
13 not -- we're going to work this out ourselves.
14 You're not -- you're -- we're going to figure
15 out the solution to the problem before we go
16 to the adults in the room.

17 So in thinking about that -- because
18 there was another facility that had sort of a
19 similar model -- is there any concern that you
20 have that because kids have that model
21 expected of them, that they would be reluctant
22 to report something because they're supposed
23 to work it out amongst themselves? If you can
24 speak to that.

25 JOE BLUME: That has come up

1 historically, not often. And when it has come
2 up, our staff are trained to provide constant
3 eyes-on supervision with these groups. So if
4 they hear something at all related to a
5 possible boundary violation, we cast a wide
6 net for what we require to be reported. Even
7 stuff that doesn't sound like an obvious PREA
8 incident, we want it reported, and it does get
9 investigated.

10 There are times -- I think I recall a
11 situation where residents were holding other
12 resident -- another resident accountable for a
13 boundary violation. It didn't get reported
14 until a day or two later and that's because
15 the staff didn't know that it was related to
16 possible sexual abuse.

17 This goes back many years ago, and I
18 know that there was an effort at that point in
19 time to remind staff again, if you hear
20 anything at all related to possible boundary
21 violations, report that. And I feel confident
22 that that's what occurs. As Katie mentioned,
23 she gets constant phone calls, and then I get
24 constant phone calls if there is something to
25 report. I think the staff are very good about

1 that.

2 KATIE WITHERS: And I'd like to add to
3 that, Wendy. We really did appreciate that --
4 soliciting that feedback we got from the kids
5 that they felt like they might need more
6 awareness to report. They couldn't direct --
7 directly report to staff one-on-one.

8 And so since your visit, we have really
9 made a concerted effort to ensure that the
10 kids are knowing that in training. I met with
11 the rehab specialist so that they -- just to
12 remind them that that emphasis needs to be
13 there where if a juvenile asks to talk to a
14 staff alone, they need to be allowed to talk
15 to a staff alone so that they can be safe to
16 report something. So we've made that effort
17 with the staff training, as well as with the
18 juvenile training.

19 And I have had reports -- just actually
20 a call I got last night that was that, where a
21 juvenile pulled a staff -- asked to pull a
22 staff aside, and then told the staff one-on-
23 one something, so.

24 WENDY LEACH: Well, I appreciate your
25 openness to listening to the feedback. It was

1 a great conversation, so I appreciate that.

2 PETER PERRONCELLO: Is -- is there a
3 one or two things that you all could share
4 with this panel and the folks that are dialed
5 in on the web that sort of highlights your
6 experience with the PREA audit, the BJAS, and
7 what got you to sit here and be brought in and
8 testify being the three of us and other
9 Department of Justice folks who support us?

10 JOE BLUME: Thank you for that
11 question. As I heard from Florida, I think
12 our experience was similar in the sense that
13 the three (inaudible) three PREA audits, two
14 of them occurred before the last BJS report
15 that we're talking about right now. It was a
16 bit difficult at first to understand how that
17 data lined up with our experience. I agree
18 with our Director. There's always room for
19 improvement, and the juvenile safety is our
20 utmost priority.

21 However, the data from that report
22 didn't appear to line up with our other
23 experiences through PREA audits, through the
24 PBS youth climate survey every April and
25 October. Our West End experience, having them

1 come out on site and -- and interview youth
2 was a good experience. However, the report
3 just -- was difficult to align with our
4 experience with our PREA audits. I didn't know
5 if Director or Katie had anything else.

6 MONTY PROW: Thank you for the
7 question -- or, sorry -- Peter. We appreciate
8 that. One of the things I'll just maybe
9 emphasize is in trying to learn more about our
10 responses from the kids in the -- in the BJS
11 survey, we actually reached out to BJS to try
12 to get a little more information about --
13 about the demographics of the youth. One of
14 those things that we know, just sort of Wendy
15 alluded to, but there's maybe -- maybe folks
16 who -- maybe it's a female population or
17 gender-identity population who -- who may kind
18 of come up on PREA reports more often.

19 And it took us a while to get anything
20 from them. And then when we did, it was less
21 than useful. It was more like one-word
22 answers or, you know, one-sentence responses.

23 So in -- in the future, I -- that would
24 be one of the things I would offer the panel
25 is -- is to make sure there's a good back-and-

1 forth with the survey takers and -- and the
2 survey respondents at the -- at the department
3 level because we're trying to help, too,
4 right? It's -- it's one thing to report on --
5 on a particular facility, but it would be
6 really great if it was more of a team approach
7 and less pressure.

8 PETER PERRONCELLO: Great. I
9 appreciate that. Our goal, as we -- as Doug
10 stated from the get-go, was to assist other
11 agencies and, you know, bettering themselves
12 and the experiences of people who testify
13 before us in these couple days. So I think
14 you both for you remarks.

15 DOUG DRETKE: Yep. Director, I would
16 like to follow up a little bit on -- in fact,
17 that was one of the notes in your submitted
18 report that I had highlighted is this third-
19 party review with the Deputy Attorney General.
20 And -- and I agree, having that outside party
21 be a part of -- a part of oversight is -- is a
22 positive thing. And so how does exactly does
23 that work? Was that an initiative by the
24 Idaho Department of Juvenile Corrections? Or
25 was something that happened earlier with

1 different levels of legislative interest? And
2 then how exactly does that review -- do they
3 come on site and -- and actually conduct their
4 own investigation? Or do they merely take all
5 of your investigation and -- and review it?
6 So just would like to hear and understand a
7 little more about that.

8 MONTY PROW: Yeah, thank you so much
9 for your interest in that. That's actually --
10 one of those things that we're extra proud of
11 is that second set of eyes. Marc wears
12 contacts, so it's more like four eyes, but
13 it's wonderful to have him do that. So maybe
14 I can ask -- maybe, Katie, if you could jump
15 in here and bring in sort of the perspective
16 of -- if you could walk us through what maybe
17 a normal one looks like and how Marc sort of
18 is involved in that process? So maybe just a
19 generic PREA, from the time you get a phone
20 call --

21 KATIE WITHERS: Yep.

22 MONTY PROW: -- working with our
23 compliance -- or, I'm sorry -- our
24 coordinator, and then where Marc fits in. So
25 if that would make sense, maybe just a 90-

1 second on --

2 KATIE WITHERS: Yep.

3 MONTY PROW: -- sort of the breakdown
4 of that.

5 KATIE WITHERS: Perfect. So I
6 generally receive all of the PREA phone calls,
7 unless I'm unavailable. Then we have a duty
8 officer that is trained that fills in for me.
9 But I receive a phone call with a PREA
10 allegation, I will conduct the follow-up with
11 that and complete the initial fact-finding.
12 If law enforcement needs to be contacted, if
13 it's criminal, we will call and do that.

14 Once all of that information is
15 gathered, I send that to Joe, who's our state
16 PREA coordinator. Joe, then, will come back
17 if he has any questions, needs any
18 clarification. We at that point generally put
19 in safety plans, corrective actions, whatever
20 needs to be identified. And then we meet as a
21 team at the -- an incident review team, which
22 Marc Crecelius is a part of, and that might
23 be -- we will meet as a team at the facility,
24 and then send that information to him,
25 documented on what we call the Section B on

1 the incident review. And then Marc will
2 review the document as a whole and then
3 provide his feedback from that point. And
4 it's finished.

5 MONTY PROW: Thank you, Katie. Real
6 quick, Joe, from your perspective when you get
7 that from Katie and kind of take it from the
8 coordinator side, and again, highlighting
9 Marc's expertise and role in that area.

10 JOE BLUME: Thank you. As Katie
11 mentioned, she's a trained investigator, so if
12 it's something that can be investigated on-
13 site, she will. If it -- if there's an
14 indication via the allegation that there's
15 criminal activity, it's put out to law
16 enforcement, and they will do the
17 investigation. I receive the written notes
18 from Katie. I summarize that in a statement
19 with an assumed finding based on that
20 information -- substantiated, unsubstantiated,
21 unfounded.

22 And that's where it's shared with Marc
23 for him to review. If there's anything
24 additional that he thinks needs to be looked
25 into, he'll put that out there at that time.

1 And then it's provided back to the facility
2 for the incident review, as she mentioned, to
3 review with the staff on site and to develop
4 corrective actions, if they're necessary. And
5 the corrective actions are, also, reviewed by
6 myself and our DAG.

7 WENDY LEACH: So is the Attorney
8 General -- is the Attorney General reviewing
9 the circumstances behind the allegations? Or
10 is he reviewing the quality of Saint Anthony's
11 response or investigation of it? What is that
12 review?

13 JOE BLUME: I would say all of that.

14 WENDY LEACH: Okay. So --

15 JOE BLUME: The way -- the way I write
16 it up is, what was alleged, when was it
17 alleged, did it come through a grievance, was
18 it a disclosure made to staff by residents,
19 and then the investigation that's conducted in
20 terms of who was interviewed, witnesses,
21 video, alleged perpetrator, alleged victim,
22 summarize all of that, and then based on a
23 review of the facts, I would propose what the
24 findings should be.

25 WENDY LEACH: So is there an in-

1 facility incident review? Was an after-action
2 review done by someone, someone who says, wow,
3 let me look at this from step-by-step?
4 Whether it happened or not, I don't know. But
5 as I look at it, I can see maybe we could have
6 prevented it by doing this. We -- if we'll do
7 this next time, and then everybody hears that
8 and addresses that, sort of like that --

9 JOE BLUME: Yeah.

10 WENDY LEACH: -- 115386 corrective
11 action planning --

12 JOE BLUME: Absolutely.

13 WENDY LEACH: -- sexual abuse review
14 process. Who does that, and how is that
15 accomplished?

16 JOE BLUME: That -- excuse me. That
17 absolutely happens if the finding is
18 substantiated or unsubstantiated. And there's
19 times, even, when it may not be substantiated
20 or unsubstantiated if we determine it's a
21 repeat issue, even if it doesn't rise to the
22 level of substantiated sexual abuse, then
23 Katie, as the PREA compliance manager, along
24 with facility management, the superintendent,
25 our clinical supervisor -- so we have medical

1 and mental health on their program manager --
2 they would review that and ensure there's
3 adequate prevention steps in place.

4 WENDY LEACH: So they sort of take on
5 that role, and then the Attorney General is
6 more reviewing, did you follow up properly, is
7 everything here?

8 JOE BLUME: I do --

9 WENDY LEACH: A second set of eyes?

10 JOE BLUME: Correct.

11 WENDY LEACH: Okay.

12 JOE BLUME: I do ask our Deputy
13 Attorney General to review and confirm the
14 finding and, also, review and approve the
15 adequacy of the response plan.

16 WENDY LEACH: Okay.

17 JOE BLUME: It's all at once.

18 DOUG DRETKE: So, Joe, has the DAG ever
19 come back and said, we need more here? It's
20 not complete, or -- I mean, have they ever
21 come back and -- and really be that -- and
22 when I use the word critical, I mean that from
23 a positive perspective -- but be that critical
24 voice that says, hey, we may have missed
25 something in this?

1 JOE BLUME: I love that this is going
2 to be codified in a report. I'll say no
3 because I do a pretty good job. There have
4 been times when I have utilized our Deputy
5 Attorney General's position to help motivate a
6 response, but not often. I'd say that Saint
7 Anthony does a very good job of responding
8 and -- to incidents with adequate corrective
9 actions.

10 MONTY PROW: And a real quick follow up
11 there -- thank you, Joe. Great job. I think
12 from the very early days, back to the pre-
13 (inaudible) days, taking those proposed rules
14 once they were formally adopted and became --
15 became official rules, that's when the DJC led
16 the initiative to make sure that we had the
17 appropriate folks in the room. So it was the
18 DJC-led initiative to have the DAG join that
19 group as part of the review.

20 DOUG DRETKE: Okay. I want to shift
21 now a little bit and start talking a little
22 bit about population. And I'm curious. I
23 know that at Saint Anthony, the population --
24 at least, in this report when you'd submitted
25 it -- was at an all-time low of 92 and

1 actually closed part of the facility down.

2 Have you seen -- you know, I think
3 population is kind of an interesting and an
4 important thing to talk about, especially with
5 juvenile populations. And -- and so what was
6 the population in 2018 when the survey was
7 done and the population now, and what have you
8 seen from a PREA compliance, sexual assault,
9 sexual misconduct allegation perspective, how
10 well staff were on it? It looked like your
11 ratios went up a little bit as your population
12 reduced.

13 So would love to hear some of your
14 thoughts on this reduced population and PREA
15 compliance mitigation and effectiveness.

16 JOE BLUME: Thank you for that. I
17 think the largest difference that I'm aware of
18 would be the decrease in group size from
19 probably around 12 kids to closer to 10 or
20 fewer. In terms of any other content changes,
21 I would defer that to the Director.

22 MONTY PROW: Thank you, Joe. Real
23 quick I'll share some information or some
24 data, and then give it to Katie. So back in
25 2018 when the site visit occurred, we averaged

1 120 at that facility, a little more, a little
2 less. When we submitted our original report
3 back to you, absolutely was in the low 90s. I
4 am proud to tell you today that we're in the
5 high 70s, so 78 today.

6 All -- in addition to that, all group
7 sizes with the exception of our female group
8 are eight or below today. We have nine and
9 ten respectively in our female groups, but
10 those have the adequate number of staffing
11 available to them to make sure we meet those
12 ratios.

13 So you mentioned the closing of that
14 cottage that allows us to, then, spread those
15 staff to the other areas to, again, meet
16 compliance. So absolutely tickled to death to
17 be in the room sharing with you our ability to
18 meet ratio in a way that -- we had this
19 conversation, you know, 6, 12, 18 months ago,
20 it would have been different. Katie, any
21 follow-up to that?

22 KATIE WITHERS: No, I -- I definitely
23 just want to reiterate how -- how happy we are
24 to be at the PREA ratio. That was a number
25 that for a while really did feel like it was

1 unattainable.

2 MONTY PROW: Unreachable.

3 KATIE WITHERS: And we've seen a
4 positive shift to have less kids, to not
5 having groups that are over-populated. I
6 think it's -- especially with a lot of the new
7 staff we have, I think it's -- we're in a
8 really good position right now.

9 WENDY LEACH: I know we're running up
10 on time, so I have another quick question on a
11 different topic. Were all open-facility
12 environments, where you all are, for
13 example -- open campus, freedom to move -- how
14 does that impact sexual safety, the ability to
15 supervise kids, keep an eye on them? It's a
16 beautiful campus you have there, wide-open,
17 lots of space. I saw lots of kids walking
18 around. I saw lots of staff walking around.
19 And really, always good for teenagers to be
20 outside, so I -- I'm asking, though, what
21 challenges do you run into in that
22 environment, having such big, open spaces,
23 lots of room for people to move, and lots of
24 kids moving around?

25 JOE BLUME: Thank you for that. The

1 level of activity that the youth have outside
2 is fantastic for treatment purposes. The
3 number of PREA reports we've received over the
4 years related to outdoor activities, minimal.
5 I think I would equate that to there's a
6 higher level of expectation for additional
7 staff for off-campus activities being out
8 canoeing or camping or whatever they may be
9 doing. They have additional staff.

10 They, also, take great effort to make
11 sure they're bringing youth who are better
12 able to follow expectations. Doesn't always
13 happen, but I feel that has gone hand-in-hand,
14 and I haven't seen a connection between the
15 amount of outside activities available and
16 higher levels of incidents.

17 WENDY LEACH: So on your actual campus,
18 though, as -- as kids are just moving around
19 the campus --

20 JOE BLUME: Right.

21 WENDY LEACH: -- I think you had a
22 rule -- at least, I was told there was a rule
23 last time that kids had to be with other kids
24 or two other kids. Is that what it is?

25 JOE BLUME: Correct, yeah. For

1 instance --

2 WENDY LEACH: Can you explain that?

3 JOE BLUME: -- we call it thirds. It's
4 a common practice at IDJC, yeah.

5 WENDY LEACH: So tell me about that on
6 the record, yeah.

7 JOE BLUME: Oh, thirds? We call it
8 thirds, and it's intended to be a safety
9 measure that, you know, two youth may plot and
10 plan, but having an additional third one helps
11 to mitigate that.

12 WENDY LEACH: So if one youth wants to
13 kick the (inaudible) out, and there's no staff
14 with them, they can go with two other youth?
15 Or they would go with two other youth?

16 KATIE WITHERS: It's --

17 JOE BLUME: (Inaudible) --

18 KATIE WITHERS: -- I'll -- I will speak
19 to that, if I could, Joe. I'll talk to that.
20 Our youth are never allowed outside without a
21 direct staff supervision. So our policy is
22 eyes-on supervision 24/7, so our staff would
23 not ever send youth outside or without a staff
24 with them.

25 So there might be an exception if a

1 juvenile is getting ready to leave, and
2 they're considered a release student leaving
3 within a week. Sometimes they will allow with
4 a security escort the youth to walk across
5 campus by themselves up to the front office
6 with security watching them.

7 But, yes, when our groups are outside,
8 they're always with a staff, and it's always
9 the whole group. We have made an effort to
10 add more cameras to outside, and so we're
11 increasing our number of servers; we're
12 increasing our number of cameras.

13 But we have, historically, since I've
14 been in this position for the last almost
15 eight years, have maybe had one allegation
16 that I can think of that happened outside that
17 has been reported. And so I think when
18 they're outside, they're busy. They're
19 working. They're playing sports and things
20 like that, so they -- they're not going
21 outside alone with staff. If they are outside
22 and in a spot with consider a blind spot, it's
23 the staff and the entire group.

24 WENDY LEACH: So just to clarify, I
25 was -- I was talking about thirds, which I had

1 heard about when I was there. So kids had to
2 be with at least two other kids, but you're
3 saying staff are always with them, so am I
4 missing --

5 KATIE WITHERS: So --

6 WENDY LEACH: Why do they have to have
7 thirds, then, if the staff are always there?

8 KATIE WITHERS: Well, the thirds would
9 be more, like, conversation. So if -- if a
10 juvenile tries to come and talk to a staff
11 one-on-one, we encourage that thirds process
12 so somebody else is aware of that conversation
13 to help protect that juvenile.

14 WENDY LEACH: Got it.

15 KATIE WITHERS: So they're not alone in
16 those one-on-one situations with staff, unless
17 it's our clinical staff or our medical staff
18 or there is a reason for the juvenile to be
19 alone with them. But that's really the
20 exception and not the rule. We try to promote
21 that third system of there's not that one-on-
22 one with staff or a one-on-one with each
23 other. So if they're having a conversation
24 within the group, they're going to have thirds
25 listening to that conversation. Even though

1 the staff is still there, they still have
2 thirds listening to that and being aware.

3 WENDY LEACH: So it's more in terms of
4 conversation so you don't want them --

5 KATIE WITHERS: Yes.

6 WENDY LEACH: -- having one-on-one
7 conversation, okay.

8 KATIE WITHERS: Yep.

9 WENDY LEACH: So going back to the
10 rural facility environment, is there any other
11 challenge you have with supervising kids with
12 such a large, open campus in a rural
13 environment? I say that because we have some
14 facilities that are near urban environments.
15 They're very tight; they're very self-
16 contained. There's really easy sight lines
17 because everybody's sort of right there,
18 whereas in your environment, which is a great
19 environment, it's probably a little bit more
20 challenging. Maybe it's not, but we're
21 asking.

22 KATIE WITHERS: Yes. So I think one of
23 the very special things about our facility is
24 that culture is built within the facility.
25 And so when the kids are outside and they're

1 doing those activities -- you know, we have a
2 kickball field; we have a softball field. And
3 so when they're out participating in those
4 activities, that's kind of really revered,
5 like in a way of -- they -- they understand
6 that that's just a benefit, and they don't
7 have to be outside all the time. So they take
8 it very serious when they're outside, but we
9 don't run into a lot of attempted escapes.

10 We don't run into a lot of issues when
11 they're outside because they really appreciate
12 and enjoy that outside time, and that
13 culture's just sort of built in where, you
14 know, they -- we just really don't run into it
15 as a problem. And we work really hard on
16 keeping that culture alive and well at the
17 facility and train our staff to that, as well.

18 And so -- but if it came to the point
19 where we felt like a group was unsafe to be
20 outside and that we could not trust them
21 outside, they would not be outside. So we are
22 in the process of completing the fence around
23 the property, too, and the Director could
24 probably speak to that better than me.

25 MONTY PROW: Yeah, real quick,

1 definitely getting the fence going around
2 there is more of a ceremonial but certainly
3 ornamental fence than it is a physical fence
4 with barbed wire and those sorts of things.

5 But back to your broader question,
6 Wendy, I would say our obligations are the
7 same. As you may know, we have a very small
8 facility in northern Idaho. Currently it only
9 has 16 kids in it, so those, you know, sight
10 lines you mentioned or those blind spots,
11 there's less of them because there's, you
12 know, more kids and more staff per square
13 foot, for example. But the obligations are
14 exactly the same. So that leads to staff
15 training and policies being the same.

16 So certainly, sort of a different way
17 you may approach it tactically but
18 strategically, it's the same thing, same --
19 same process you would go through. Again,
20 tactics may be slightly different, but from
21 the strategic level, it's the same.

22 DOUG DRETKE: I had the -- one of the
23 questions that you all responded to your
24 report was summarizing the measures that
25 you've taken to address -- to reduce the

1 prevalence and incidents of youth-on-youth and
2 staff-on-youth sexual assault, so and you've
3 listed a wonderful number of things.

4 And I have a few questions on that, and
5 one of the -- in your comment was -- these are
6 since 2018, so I always like to ask, how much
7 of this was done -- and then I'll have some
8 specific questions on some of the things
9 you've done -- was in response to the BJS
10 survey and showing up, even to your surprise,
11 as one of the facilities with the higher
12 rates. And -- and so I'm -- so beginning
13 this, how much of your very, very proactive
14 number of things that you've done, how much
15 was that in response to that BJS survey?

16 JOE BLUME: The -- thank you for that
17 question. The item that stands out the most
18 to me from that list was what we referred to
19 as our RSVP. Every youth committed to IDJC has
20 to RSVP with us. That's our risk of sexual
21 victimization and perpetration. It's the
22 screener.

23 When we looked at the data of
24 substantiated incidents and the rate of
25 involvement of an LGBTIQ youth in those

1 incidents, they were involved more than non-
2 LGBTI youth. So on our screener, we've just
3 doubled the number of points available to a
4 youth who identifies to effectively move them
5 into a moderate or high risk category to help
6 inform staff just for our placement decisions
7 so we could have a higher awareness of where
8 they were at. That's the one item that stands
9 out to me jut from looking over the data from
10 the BJS report and the number of incidents
11 that we had.

12 MONTY PROW: And can I -- can I share a
13 quick story on that? It's a story of
14 leadership that I'm so proud of our governor's
15 office in the way they responded. So back to
16 the 2018 report, it gets released. Monty gets
17 on the phone with the governor's office to
18 make sure they know what they're looking at,
19 and they're first response to me was, what can
20 we do to help.

21 So I walked them through the fact that
22 we have three state facilities. Lewiston, on
23 the report -- it's in the report. It's listed
24 as a low incidence facility. Nampa, our
25 second facility, is right in the middle with

1 the average responses. Saint Anthony is a
2 high-rate -- the highest facility, so we have
3 this perfect bell curve.

4 So I walked through in the governor's
5 office about how the staff training is the
6 same -- we talk about post and therapeutic
7 boundaries, et cetera -- how our policies are
8 the same, how the kids are dispersed
9 geographically -- in other words, we place
10 kids where their needs are best met, and not
11 necessarily where they're committed from.

12 DOUG DRETKE: Right.

13 MONTY PROW: So we have kids from
14 different regions kind of mixed around, so
15 it's not -- it's not, you know, this type of
16 county or that county. The one thing we came
17 back to was physical plant. Our Saint Anthony
18 facility, being our oldest -- born in 1905 --
19 has a bay-style or dorm-style rooms.

20 So kind of going from that, in about
21 six months we've worked with a plan with the
22 governor's office to --- to commit the State
23 of Idaho to about what's going ultimately be
24 \$20 million to convert three dorm-style and
25 bay-style to individual rooms. And that

1 (inaudible).

2 We went through legislative inquiries,
3 and certainly, other executive-level
4 questions. And we were able to get that done,
5 and we were excited that 2023, we hope to have
6 two of the three complete, and 2024, that
7 third one will be complete. Also, commenting
8 here on the supply chain issues, frustratingly
9 slow, but we're getting there. But that --
10 that question about 2018 and really the
11 ability to act as a catalyst, I want to thank
12 the panel and sort of what you represent
13 because it allowed us to have that
14 conversation with the governor's office that
15 honestly we might not have been able to have
16 that catalyst, had it not been for that.
17 Joe's response, that response that Katie had
18 at least one other here. What other comments
19 are on that list?

20 KATIE WITHERS: Well, I -- and, you
21 know, I have -- I looked over this list, and a
22 lot of these things that we had made were
23 actually just preventative things that the
24 staff would bring up. We have -- you know, we
25 got our -- we always try to make improvements

1 at the facility, and so I feel like staff
2 regularly bring things up to me about ways to
3 improve it without being spurred by a PREA
4 incident. So I think a lot of these that I'm
5 seeing listed on here were just kind of maybe
6 preventative things or in response to a PREA
7 incident, and the (inaudible) just being the
8 one that really came from that.

9 DOUG DRETKE: Okay. Well, you've
10 mentioned two things that I actually had
11 highlighted, and one was the -- the RSVP, the
12 Risk of Sexual Victimization and Perpetration.
13 Because you actually said we developed a risk
14 screener, so I'd like to know a little bit how
15 that development occurred, how you use it, and
16 so forth.

17 JOE BLUME: Thank you for that
18 question. It was developed after Saint
19 Anthony's first PREA audit. We had other
20 screeners that were not sexual-safety specific,
21 and so that was a corrective action that we had
22 back in 2014. We were handed a model, and
23 we've just developed that model over time.
24 We've continued to use it. It's a few
25 questions as specified in the PREA standards

1 that we ask to identify who's vulnerable and a
2 few questions that we developed to identify who
3 may be likely to perpetrate. It was developed
4 as a result of a clinical work group.

5 Our screeners are administered within
6 72 hours of intake at our facilities by
7 clinical-level staff due to the nature of the
8 questions, the sensitivity of the questions.
9 We identified that the role of the clinicians
10 would probably be the best individuals to have
11 asking those types of questions.

12 It, also, was advantageous if we had a
13 youth who identified that they had been the
14 victim of previous sexual abuse, there's a
15 PREA requirement that they receive follow-up
16 mental health services within in 14 days. We
17 exceed that standard phenomenally by having a
18 clinician actually doing the screening and
19 then they can provide the follow-up mental
20 health services in the actual screening
21 because they're qualified to provide that
22 service, and that's what we do.

23 DOUG DRETKE: So is that every child
24 is -- they are assigned to that facility, is
25 that when they receive the RSVP? Or when does

1 that happen in the --

2 JOE BLUME: They receive it within 72
3 hours of coming into one of our state
4 facilities.

5 DOUG DRETKE: Is it -- as juvenile
6 justice professionals -- and maybe this
7 question even includes Wendy, as -- as our
8 panel's juvenile justice professional -- is
9 this tool unique? Is this something similar,
10 if we go around the county to juvenile
11 facilities and -- and I -- that's what's
12 interesting is we've looked at these five
13 facilities.

14 It seems there's different type of
15 assessment tools and so forth in place, and
16 so, you know, I think on one of the things is
17 there something that -- that should actually
18 even be recommended out of the panel that all
19 of our juvenile justice agencies should be
20 utilizing a tool similar to this? So I would
21 like some of your thoughts on how -- on how
22 alike is it at other facilities and so forth.

23 JOE BLUME: Thank you for that. From
24 the screening instruments used at other
25 facilities that I'm familiar with, what I'm

1 aware of is that they all seem much, much
2 longer. I have -- as a team, we've
3 prioritized not making it more complicated
4 than the standards require it. We have a
5 fairly robust observation and assessment
6 period for every youth coming into IDJC that
7 has a variety of exams and assessments to
8 identify criminogenic needs and what they need
9 to work on.

10 Some of the other screeners I've seen
11 from other states ask duplicative questions so
12 we've really tried to keep ours specific and
13 true to what the PREA standards require. As
14 such, it's something that's able to be
15 administered in -- from what I've heard from
16 our clinicians, 10 to 20 minutes is about all
17 it takes the administer it.

18 The score from that is shared with the
19 treatment team where the youth is going to be
20 place, so that staff can be mindful of who is
21 high, moderate, and low in terms of
22 vulnerability or likelihood to perpetrate.

23 I am a fan of ours more than others
24 I've seen. I do know when the standards came
25 out, they directed that an objective screening

1 instrument needed to be used, but to my
2 knowledge, one did not exist in the nation. I
3 think a lot of states have been in that area
4 where they've had to develop their own.

5 So I -- I've referred to how it's
6 administered upon intake, and then we, also, do
7 it periodically. And the standards don't
8 define periodically, but based on our length
9 of stays with our youth, we do it every six
10 months. And it may be done more often than
11 that if there's an incident or a spontaneous
12 admission, such as a change in LGBTI status.
13 Sometimes a youth may not disclose that right
14 at 72 hours of coming into a facility, but
15 later on, something may change, and if they
16 did identify that, then a screening would be
17 readministered because that's a change in a
18 resident's vulnerability.

19 DOUG DRETKE: And eventually -- and in
20 fact, that was one of my highlighted, periodic
21 assessments --

22 JOE BLUME: Right.

23 DOUG DRETKE: -- so those are the kind
24 of things --

25 JOE BLUME: Right.

1 DOUG DRETKE: -- create that
2 (inaudible).

3 PETER PERRONCELLO: Do you guys own
4 this? Is this a proprietary tool that you
5 use?

6 JOE BLUME: It's not proprietary. In
7 fact, I've shared it with anyone that's asked
8 for it, just as -- I should probably say
9 before we wrap this up; I don't know on our
10 time.

11 DOUG DRETKE: We're -- we're -- we have
12 (inaudible) time.

13 JOE BLUME: Okay, very good. Just in
14 terms of other things that we've developed
15 that we have shared a lot -- kind of going in
16 a different direction -- our resident
17 education, the tool that we developed for
18 that. It's a DVD. It's now a YouTube video.
19 It's out there on YouTube. Very proud of
20 that. From that time that that was developed,
21 we've had many states in different
22 jurisdictions asked to borrow that, and that's
23 something we share. I think it is one of the
24 best resident education PREA videos out there.

25 PETER PERRONCELLO: Yeah. The reason I

1 asked that and Doug, I think, referenced it is
2 in 2016, this panel made a recommendation to
3 whomever at PREA to offer some whatever they
4 call them with the alphabet soup they're a
5 part of, to basically uniform or develop
6 improved assessment tools, classification
7 tools for the use of juvenile facilities. And
8 this Deputy Attorney General this morning,
9 admitted he never read the report.

10 So I'm -- we're proffering that because
11 if it can be shared to improve the treatment
12 of juveniles anywhere, we could sit back
13 and make that a part of our recommendation.
14 We should be able to do that in terms of the
15 reports as issued by the panel and by Doug.

16 JOE BLUME: Great. Yeah, happy to
17 share.

18 DOUG DRETKE: To follow up with what --
19 with what -- to follow up with what Peter
20 said, if -- if -- we would love if you would
21 send us a copy of that assessment and your
22 policy protocols around that, if -- if that's
23 possible.

24 JOE BLUME: Absolutely.

25 KATIE WITHERS: I think just --

1 WENDY LEACH: I will say -- go ahead,
2 Katie.

3 KATIE WITHERS: I was going to say,
4 just for some context on that RSVP, that's --
5 that is given to the youth, and that is
6 included in the observation assessment report,
7 so that's sent to the case manager; that's
8 sent to the unit manager; that's shared with
9 the treatment team.

10 The moment a juvenile scores high in
11 one of those areas, the clinician does email
12 me so that I'm aware of that. And then I make
13 sure that the treatment team is aware of that
14 wherever they're placed, so they're -- those
15 placement decisions are made off of that RSVP.

16 MONTY PROW: Thank you, Katie.
17 Absolutely happy to share whatever tools would
18 be usefully, for sure. Sorry, Wendy. Go
19 ahead.

20 WENDY LEACH: No, not at all, Director.
21 I just -- it's been a constant discussion in
22 PREA that they -- they have a standard that
23 requires a certain screening, you have to
24 answer -- ask these certain questions, but
25 they haven't operationalized that standard in

1 a way that I think a lot of people would have
2 liked.

3 Maybe it's not -- they don't feel like
4 that was their mission to do that, but I think
5 it would have been helpful, of course, and I
6 think that you all kind of ran into the same
7 thing -- and everyone does -- where you kind
8 of have to create -- come up with your own
9 screening tool, your own scoring system. It
10 could be right; it could be wrong. You're
11 sort of guessing, but if there were sort of a
12 standardized -- not necessarily validated, but
13 a standardized screening tool that everybody
14 could use, it would sort of make it across the
15 board much easier for everyone else instead of
16 having to come up with their own and hit or
17 miss because in some audit, auditors catch the
18 problems with them.

19 In some audits they don't, and they
20 continue to use screening tools that don't
21 really work and really aren't giving you the
22 information you need to keep kids safe.

23 So what you all have experienced in
24 Idaho is very similar to what we've heard
25 across the board, and it would be wonderful if

1 somebody would come up with a standard, simple
2 screening tool that included all of the PREA
3 questions, that was objective, that people
4 could use. So that was more a statement than
5 a question, but great conversation on that.
6 Great conversation on that.

7 So facility culture. We talk about
8 culture a lot and culture being a reporting
9 culture, you know, one where kids and staff
10 can feel like they can report and will report.
11 It's an open, transparent culture. What in
12 your mind are the key markers of a solid
13 facility culture where kids feel comfortable
14 reporting and you know what's going on that
15 facility?

16 JOE BLUME: Thank you for that. I
17 believe key markers for a solid reporting
18 culture include a response. I worked for
19 juvenile corrections long enough and have been
20 at various contract providers where they may
21 have grievance processes where they've never
22 received a grievance in a year, and upon
23 interviewing the kids -- because they say
24 nothing happens; nothing changes.

25 So within IDJC, I would say our youth

1 are very comfortable. Youth in grievance
2 process are very comfortable reporting to
3 staff, and there's always a response. Katie
4 is quick with the investigation. We make sure
5 we have corrective action or prevention steps
6 in place. I think that's an indication that
7 the system works, that we conduct follow-up as
8 necessary, periodic check-ins to make sure
9 there's no retaliation. That's all a part of
10 the process that is important to ensure that
11 the youth feel safe, that they're not going to
12 be retaliated against their peer group or by a
13 staff.

14 WENDY LEACH: I think that you just
15 said the -- probably the best thing I've heard
16 all day, which is a response. Markers for a
17 positive culture could be lots of different
18 things, but I would say a response is probably
19 top on the list, and I don't think anyone's
20 ever really said it as simply and clearly as
21 that.

22 And so I agree. I think sometimes have
23 reporting systems that don't function, aren't
24 reliable, nobody every drops a grievance in
25 the grievance box and sees what happens. They

1 just say, here's the phone numbers, here's the
2 grievance box, and we have reporting methods.
3 But they don't ever really test them out and
4 they don't ever really know. Surveying the
5 kids constantly -- do you get a response? Do
6 you get a response? Because that's it. Kids
7 just want to know that they were heard.

8 JOE BLUME: Yeah.

9 WENDY LEACH: And once there's a
10 response, there's usually something documented
11 and on the record that somebody has to
12 address. So I really think that that's a
13 great answer to that question.

14 JOE BLUME: Thank you.

15 WENDY LEACH: Put that in our report.
16 It's so simple but so clear. And then you
17 mention investigations. Anything else, like
18 leadership style? Anything else that you feel
19 like really supports a safe culture, a
20 reporting culture?

21 JOE BLUME: I think I'd like to call on
22 Katie to answer that because as much work as I
23 may do to try and ensure there's a response,
24 I'm doing it from a cubicle --

25 WENDY LEACH: Yeah.

1 JOE BLUME: -- over 100 miles away.
2 And so I think Katie in response to the
3 leadership at the facility to ensure there's a
4 response might be the better person to answer
5 that one.

6 WENDY LEACH: Great.

7 KATIE WITHERS: Yeah, luckily, I'm in a
8 position where I -- I moved up through our
9 agency, so I started as a direct care staff
10 care, and so I feel like I -- having that
11 experience in my background, working in the
12 position I'm in now, I feel like I have a
13 really good beat on kind of what's going on in
14 the facility. I try to make sure that I'm
15 present, and the kids know me, and they know
16 what I do.

17 And we -- we get kids that report
18 things that just are clearly not PREA, and I
19 will still always meet with those kids and
20 explain it with them or meet with the
21 unit manager and explain to them why,
22 you know, someone tapping their shoulder may
23 not need to be a PREA investigation, but this
24 is how we want to address it because we don't
25 ever want the kids to feel like they're just

1 making this report and nothing's happening.

2 We, also, want to create that culture
3 around not making false reports. So we want
4 to be really educating the youth in that, and
5 I think that that helps maintain that culture.
6 And I think -- I just think we've got -- we
7 have a wealth of really good staff out there
8 that have worked there a long time, and they
9 really just help teach all the new staff that
10 come in, teach the kids, and it just kind of
11 all feeds -- feeds off each other.

12 But I definitely agree with Joe that we
13 always offer follow-up and very quickly. And
14 I prefer to take all the PREA calls. I -- I
15 just prefer to do it because the -- I do have
16 other -- other things in my job, but PREA's
17 always my most important thing. So if I'm
18 doing something else, and I get a PREA call,
19 I'm always going to drop what I'm doing and
20 respond and make sure the kids are safe.

21 And so I prefer to take all of those
22 PREA calls, and I think having that constant
23 face, doing those investigations and -- and
24 the juveniles knowing that, and I try to make
25 sure I introduce myself with all the new kids

1 that come on campus. And I think that that
2 just helps let them -- they know who's going
3 to be following up. They're -- they're more
4 aware, and I think it makes them feel more
5 comfortable and helps with that reporting
6 culture.

7 WENDY LEACH: I would encourage you to
8 say that you take all PREA calls goes into
9 your job description because I think that's
10 great that you're so dedicated to that. I
11 think that's wonderful and great for the kids.
12 I will say, though, that if you ever left,
13 you'd hope the person coming behind you would
14 do the same thing, so get that into the job
15 description. Director, do you have anything
16 to add?

17 MONTY PROW: Thank you. You can see
18 I'm surrounded by talented staff makes this
19 role as an administrator much easier, but --
20 but I would say it's super important for the
21 leader or administrator of the organization
22 to, also, let staff know they care about PREA
23 and its obligations.

24 I'll wander by Joe's cube -- he
25 mentioned kind of that angle. I wander by

1 Joe's cube and ask, hey, is there anything --
2 on a scale 1 to 10, where are we at today?
3 And he'll say, well, a couple of 1's and a
4 couple of 2's, and just -- just to check in.
5 So I would offer that to the panel that it --
6 it -- it's from the top down to the bottom,
7 everyone's level of interest to make sure
8 these kids are safe and -- and those
9 obligations (inaudible) on that. It takes --
10 you know, to coin a phrase, it takes a
11 village, right? I don't think I think
12 (inaudible) on that.

13 WENDY LEACH: See, you said something
14 there. You said the leader should make sure
15 the staff know that they support PREA, that
16 they support the sexual safety of these kids.

17 MONTY PROW: Yeah.

18 WENDY LEACH: That's a -- that's a
19 great point because we do find sometimes
20 people say, oh, PREA, we have to do it. You
21 know, you don't get a lot of buy-in from staff
22 if that's your attitude, but if the leader's
23 coming at it from, this is important; we're
24 going to do this, and they're behind it, the
25 staff will be more likely to. I think that's

1 what I hear you saying.

2 MONTY PROW: Exactly right.

3 WENDY LEACH: Great point.

4 DOUG DRETKE: Yeah. Well, and -- and I
5 think to your point, that -- that's mission.
6 That's directly related to mission. Joe, you
7 were about to --

8 JOE BLUME: No. If I neglected to
9 mention the importance of leadership, I'd like
10 to correct that now.

11 DOUG DRETKE: Yeah.

12 JOE BLUME: It is usually important,
13 and it's even important -- you know, prior to
14 Director Prow, we had Director Harrigfeld.

15 DOUG DRETKE: Yeah.

16 JOE BLUME: And she was our director at
17 a time where the top executive of our state
18 did not respond with the governor's
19 certification. Idaho was one of the shameful
20 seven in the beginning. And I don't mind
21 saying that. And despite that, our director
22 at that time (inaudible), it doesn't matter
23 what the governor says; we're going to do
24 it --

25 DOUG DRETKE: Yeah.

1 JOE BLUME: -- because we're juvenile
2 corrections, and that has continued --

3 DOUG DRETKE: Yeah.

4 JOE BLUME: -- under Director Prow's
5 leadership.

6 DOUG DRETKE: Good.

7 JOE BLUME: Makes my job a lot easier
8 to have that kind of support.

9 DOUG DRETKE: I'd like to -- we have
10 probably eight minutes or so, but I'd like to
11 kind of -- this actually goes probably back to
12 the RSVP, but another point of
13 clarification -- a question that we had -- had
14 put together, you all highlight yourselves
15 just -- in your report, just as BJS has,
16 that -- that juveniles who identify as LGBTIQ
17 have a higher rate, and so you state in
18 February 2022, the screening instrument was
19 updated to double the number of vulnerability
20 points given to residents who identify as
21 LGBTIQ. (Inaudible) about that for a minute.
22 I'm assuming you're referencing the RSVP; is
23 that correct?

24 JOE BLUME: That is correct.

25 DOUG DRETKE: Okay. So had did the --

1 giving the extra points the weight, how -- how
2 did that -- how did you determine that?

3 JOE BLUME: Because it's an in-house
4 product, it was rather arbitrary, just
5 identified that we had this evidence of LGBTIQ
6 youth being more heavily involved, and
7 honestly, they're more heavily involved as --
8 at times as victims and at times as
9 perpetrators.

10 Because of the PREA standards and the
11 screener, we could only really add points to
12 the vulnerability side of that -- that scale,
13 so we just doubled the points and made sure
14 that that effectively moved anyone who, for
15 lack of any other risk categories if they
16 identified as LGBTI, that alone would propel
17 them from low risk to at least moderate or
18 high in terms of vulnerability so that we can
19 do a better job of managing their --

20 DOUG DRETKE: Yeah.

21 JOE BLUME: -- placement decisions.

22 DOUG DRETKE: I'm curious with your
23 clinicians and researchers and your team that
24 put all that together. So we also know
25 through BJS surveys that females are more

1 likely to report youth-on-youth. Males are
2 more likely to report alleged staff
3 misconduct.

4 Is -- have you all had an opportunity
5 to kind of look at what you've developed and
6 are there some other weights that -- that are
7 appropriate gender-specific in working with
8 different populations, and then you have other
9 vulnerability dynamics, like mentally --
10 mental health issues and so forth? And have
11 you had an opportunity to look at that tool
12 from those perspectives?

13 JOE BLUME: Since we first developed
14 the tool back in 2013/'14, we've had I think
15 three iterations of that work product, and
16 each iteration has involved a clinical work
17 group with our clinical staff from Lewiston to
18 Nampa and Saint Anthony to help make sure we
19 had proper weighting. And at times, those are
20 pretty robust clinical-level discussions. I
21 don't know how else to answer that, but
22 they're involved in reviewing that product.
23 And we'll probably have more of those and
24 perhaps someday validating the instrument,
25 would be our hope.

1 DOUG DRETKE: And I have other one.

2 WENDY LEACH: (Inaudible).

3 DOUG DRETKE: (Inaudible) ask too many
4 questions. One of the other things -- and
5 this is just -- you know, as -- you as
6 juvenile justice professionals and so forth,
7 you know -- and you reference it -- the -- the
8 money that you are able to receive with the
9 support of the governor's office, but new
10 cottages are being constructed which move
11 residents from dormitories to housing and
12 group showers to individual rooms and
13 individual shower stalls.

14 Is -- is -- how -- is that specific
15 strategy that's a part of mitigating sexual
16 assault/sexual abuse dynamics within your
17 facility? And -- and do you -- are there
18 differences from a statistic basis on
19 juveniles who live in dorms versus in smaller
20 individual cells or that type of thing.

21 JOE BLUME: Thank you for that
22 question. And I'll probably call Katie in on
23 this one, but in regards to showers, the
24 number of PREA reports that were received from
25 showers is probably higher than it would be if

1 they had individual stalls. Investigation
2 appears to reveal that most of what gets
3 reported from showers is not a PREA incident.
4 It may be a youth who's uncomfortable because
5 they felt a peer was looking at them, and so
6 in terms of prevention and improving
7 reasonable privacy and dignity for the
8 residents, the shower improvements will limit
9 the number of those reports that we receive.

10 As far as moving from a dormitory-style
11 living to individual rooms and statistics on
12 that, I may ask the Director or Katie to
13 share. But not -- not a huge number of PREA
14 reports from dormitory-style living, but I
15 think it could limit that opportunity, though.

16 MONTY PROW: Yep. Thank you, Joe.
17 Real quick, if I -- if I might. That's a
18 really good question and one that, again,
19 captivated the audience of the governor's
20 office, is eliminating that sort of -- on -- on
21 the prevention side, eliminating that kid who
22 just hasn't really thought about it but is
23 impulsive, as you know kids can be, and may
24 act on that impulsivity versus someone who has
25 to plan it.

1 So dorm-styles may allow more
2 impulsivity, whereby single-cell rooms, you
3 have to actually plan it. And we -- we
4 believe that would be much less in individual
5 rooms. It's -- on campus -- on Saint Anthony,
6 they actually have a combination of both.
7 Some cottages have dorm-style and others have
8 individual rooms, and maybe this is where we
9 can ask Katie to talk about what those
10 dynamics are.

11 KATIE WITHERS: Yeah. We generally
12 haven't ran into a lot of PREA issues in the
13 dorm-style rooms. There was one cottage in
14 particular that we did, and so we actually
15 installed a live-stream camera to the staff
16 booth so that they could -- it was just easier
17 for supervision, and that's kind of eliminated
18 that as an issue. But we are a little ways
19 off on getting these new buildings built, and
20 just in a way, to try to mitigate some of the
21 shower issues -- because our showers are very
22 dated, and it has been an area of concern for
23 our facility -- we are going to install and
24 just kind of do a remodel on those before the
25 new buildings are built just so that there are

1 individual stalls, there are half doors, and
2 then we're adding doors to other -- our -- our
3 other cottage that had an issue with the
4 shower where the juveniles felt like if
5 someone sat at the right angle, they might be
6 able to see in, so we're installing shower
7 doors on that, too, and we're in the process
8 of doing that right now.

9 DOUG DRETKE: I'm going to take
10 privilege of one final question. And you
11 heard me, Joe, ask our first panel this
12 morning. One of your responses has been to
13 continue to add more and more cameras, which
14 you are able to illustrate and more rigorous
15 servers, and so I talked about -- we talked
16 briefly this morning about the utilization,
17 especially among our law enforcement
18 professionals, of body cams. Have -- have you
19 all had any discussion about that, and what are
20 your thoughts about things like a body camera?

21 JOE BLUME: I do recall that question,
22 and before I get to that one, I did want to
23 share one thing about the dorm-style set up is
24 that the bunk beds do make camera coverage
25 difficult. They -- they do make pretty

1 effective barriers, actually, to camera
2 coverage, so that's one thing we could look
3 forward to improving with individual rooms.

4 I do remember you asking that question,
5 and I sat over there and thought about that.
6 I think I would leave that one to the
7 Director. My initial thoughts about body cams
8 in our juvenile facilities is not favorable,
9 just for the privacy and the maintenance. I'm
10 not entirely sure that I am a huge fan of
11 that. Director?

12 MONTY PROW: Thank you, Joe. Great --
13 another good question, Doug. I -- I -- we --
14 in this business, you'll learn never say
15 never. I think all of us know that.
16 Researched-based innovation may lend itself to
17 that becoming a quality practice that we
18 should always be open to. However, at the
19 moment, there's been no active conversations
20 about that, either, at the executive or
21 legislative level or within the department.

22 DOUG DRETKE: You want to close it?

23 WENDY LEACH: I think that we're all
24 set. Thank you very much. Appreciate
25 everybody, dialing in from Idaho and, also,

1 being here, Joe. We appreciate you guys from
2 the -- I should say the great State of Idaho
3 since I said the great State of Florida. We
4 appreciate your time today. Thank you.

5 JOE BLUME: Thank you for the
6 opportunity.

7 DOUG DRETKE: Bye. Thank you all very
8 much.

9 MONTY PROW: Appreciate it. Take care.

10 WENDY LEACH: Take care. You too,
11 Katie.

12 DOUG DRETKE: All right. We will take
13 a 15-minute break, maybe, actually, 13, and
14 sit back down and begin at 3:30 with -- I
15 guess we have to continue the theme -- the
16 great State of Oregon.

17 WENDY LEACH: Yes.

18 DOUG DRETKE: Is that correct?

19 MALE VOICE: (Inaudible).

20 DOUG DRETKE: All right.

21 (OFF THE RECORD)

22 (ON THE RECORD)

23 DOUG DRETKE: All right. I think we
24 are ready. Our final panel of the day. So
25 thank you all so much for your patience.

1 Thanks for being here all day. And we want to
2 welcome you, Director -- is it O'Leary?
3 Welcome you to our hearing today. And Denessa
4 Martin, I understand that you serve as chief
5 of operations for facility services. Thank
6 you for joining us, as well, and -- and we
7 have, of course, Superintendent Michael Riggan
8 from the Oak Creek Youth Correctional
9 Facility, his Operation and Policy Analyst,
10 Drew Reynolds, and the PREA Coordinator for
11 the Oregon Youth Authority Dallas Tully.

12 So as we get started, we will turn it
13 over -- Director, I'll turn it over to you
14 first for any opening comments. And as you --
15 certainly, you can introduce your team that's
16 here with us today. We have all read the
17 report that you submitted. Thank you for
18 that, and we will have questions to follow up
19 with on -- on some of the things that you all
20 highlighted.

21 And so we ask as you make comments,
22 we've read the report, so you don't need to
23 read it. But we certainly to encourage you to
24 any -- anything that you would like to
25 highlight off of that or to summarize or to

1 briefly read, certainly, that it is absolutely
2 your prerogative and -- and we look forward
3 our discussion together.

4 And Director O'Leary, that's something
5 that we've highlighted all day. Our goal as a
6 panel is -- is to listen and learn from you
7 all and -- and an outcome of this is drafting
8 a series of recommendations intended to make
9 all of us better in -- in who we are and what
10 we do, and especially, as we think about the
11 youth that -- that we serve within our
12 facilities.

13 So with that, Director, I will turn to
14 the floor over to you. We are transcribing,
15 and I -- probably not always real good at
16 saying this, but just as we speak, clearly
17 enunciate and -- and avoid acronyms that are
18 specific to Oregon. So, Director, please.

19 JOE O'LEARY: Thank you so much, Mr.
20 Dretke, and members of the panel. For the
21 record, this is Joe O'Leary. I have the honor
22 of serving as the director of the Oregon Youth
23 Authority. As a rule --

24 DOUG DRETKE: Director, can I -- can I
25 interrupt? Can I interrupt?

1 JOE O'LEARY: Certainly.

2 DOUG DRETKE: I missed one of my most
3 important duties. I do ask that we -- I will
4 ask you all to take an oath as -- as -- since
5 this is a hearing, and so I apologize for
6 that, Director. So if you would all virtually
7 and in front of me, please raise your right
8 hand. Do you swear or affirm to tell the
9 truth, the whole truth, to the best of your
10 ability?

11 JOE O'LEARY: I do.

12 DOUG DRETKE: All right. Again, I
13 apologize, Director, and I turn it back over
14 to you.

15 JOE O'LEARY: No problem, sir. Thank
16 you for having us. For the record, this is
17 Joe O'Leary. I'm the director of the Oregon
18 Youth Authority. I was appointed to that role
19 about four years ago by our state's governor.
20 And we really appreciate the opportunity to
21 speak with you today, both -- both virtually
22 and in person. And we've been listening --
23 our team has been listening in, in the room and
24 virtually today to the conversation, and
25 it's -- it's been a great conversation to

1 listen to, and we're happy to participate.

2 I'd like to introduce our team to you,
3 and then each of us have a -- have a little
4 bit that we would like to share, and we should
5 have plenty of time for your questions. We've
6 also been paying attention to your questions
7 up to this point and -- and will do our best
8 to address several of them. First, if I
9 could, joining us on video from the OIA team,
10 we have Denessa Martin, who as you noted is
11 our chief of facility operations. She's a
12 former superintendent herself, and now she
13 helps us oversee our five youth correctional
14 facilities and four transition programs
15 throughout the state. Those are all run by
16 state employees.

17 Our facilities serve about 420 youth
18 who are committed to our secure care. Denessa
19 is going to give you a little bit of the
20 agency-wide perspective with you at various
21 points in her testimony, and she has been very
22 closely involved in our PREA implementation
23 work and the steps that we took and continue
24 to take following the BJS survey in 2018.

25 With you there in person in -- at the

1 center for your witness table is Mike Riggan,
2 who is our great superintendent of the Oak
3 Creek Youth Correctional Facility in Albany.
4 He's, also, going to serve -- because he's in
5 the room, he's, also, going to serve as our
6 air traffic controller for -- for questions.
7 Mike has led Oak Creek for almost a decade,
8 and he brings a wealth of knowledge on that
9 facility's operations, on the young women that
10 they serve, and a wide-range of professional
11 experience in the juvenile legal system.

12 With Mike is Drew Reynolds, who is Oak
13 Creek's sexual abuse response coordinator or
14 SARC. Drew is an outstanding and dedicated
15 team member who has deftly supported PREA-
16 related work over the last several years at
17 Oak Creek, and he will be able to speak to
18 PREA implementation and actions taken right at
19 the living unit level.

20 And then, finally, at the table is
21 Dallas Tully, and Dallas is OIA's interim
22 state-wide PREA coordinator. Now, I want to
23 note that our previous state-wide PREA
24 coordinator resigned just a few weeks ago, and
25 Dallas graciously agreed to step in and take

1 this role temporarily, which in our system is
2 a fulltime role while we conduct a recruitment
3 process.

4 Lucky for us, PREA is not a new topic
5 to Dallas. She previously served many years
6 back as our state-wide PREA coordinator before
7 stepping into her current role as our agency's
8 training director. She is here today
9 primarily to listen and to identify lessons
10 that we can take back as we continue to
11 improve our work going forward. But in her
12 role as our training director, she might be
13 able to answer some of your questions about --
14 specifically about training, as well.

15 With those introductions out of the
16 way, I do just want to begin by saying
17 something that I think we cannot repeat too
18 frequently, and that is that the Oregon Youth
19 Authority has a zero tolerance policy for
20 sexual abuse and sexual harassment. Even one
21 incident of abuse is too many.

22 Keeping our youth safe is our most
23 fundament responsibility, and that's why we
24 focus a lot of our efforts on ways to prevent
25 and thoughtfully respond to allegations of

1 abuse.

2 I want to give you a very brief
3 overview of our agency and the direction that
4 we are moving in before I turn it over to
5 Mike, who is going to talk to you a little bit
6 about the history of the facility and some of
7 the factors that led to the survey results.

8 First, OIA serves youth ages 12 to 24,
9 so we go a little bit higher than many states
10 in age. These are youth who are committed to
11 our care mostly for indeterminate periods by
12 the courts following juvenile adjudications
13 for anything from a Class A misdemeanor to the
14 most serious felonies. We do, also, receive
15 some youth who are waived into adult court and
16 convicted. They're placed in our physical
17 custodies now in limited circumstances, and
18 that's fewer and fewer, and I'll explain why
19 in a moment.

20 Over the last decade, OIA has
21 transformed our approach from the traditional
22 correctional model to the developmental
23 approach. And we've been -- and continue to
24 prioritize holding youth accountable for their
25 actions, but we're focusing on providing

1 opportunities for growth and rehabilitation
2 with skill development while still being
3 trauma informed and culturally responsive.

4 Like many juvenile corrections
5 agencies, we cover the basics: education,
6 vocational education, treatment, medical,
7 dental, psychiatric care, and mental health
8 and counseling service, culturally responsive
9 services, and -- and education, not just
10 traditional education, but even college
11 education, teaching positive social behaviors
12 and life skills and preparing for the
13 transition back to the community.

14 Increasingly, over the last few years,
15 we have been much more intentionally focused
16 on centering race and equity in everything we
17 do and incorporating an equity lens in our
18 decision and policy-making processes.

19 As is true throughout the juvenile and
20 criminal legal systems, there are profound
21 racial disparities that persist. They persist
22 in how youth are arrested, charged,
23 incarcerated, and supported in Oregon. We're
24 working hard to address those disparities, to
25 ensure that our staff reflect the youth that

1 they serve demographically and to ensure
2 better that our policies and procedures
3 support equitable outcomes for all youth.

4 We're, also, very focused on the use of
5 data to inform decisions. And our team is
6 going to talk with you about one of those
7 examples that -- that you've touched on with
8 Idaho, and I think you'll be interested in our
9 take on it, as well. One of tools that we
10 created is the Victim and Sexually-Aggressive
11 Behavior Assessment or VSAB Assessment. It is
12 a placement tool that we created in
13 conjunction with our research team and our
14 clinical team to identify the -- the youth
15 that need special attention, and it is a great
16 example of our commitment to put continuous
17 improvement into action.

18 Next, a little bit about the youth we
19 serve. Our population is changing for a
20 couple of reasons. One has to do with a
21 policy change that I alluded to just a second
22 ago. In 2019, the Oregon legislature passed a
23 comprehensive juvenile sentencing reform.
24 That reform, at its base, removed the
25 automatic waiver process that had been

1 approved by voters in Oregon way back in 1994.

2 Prior to this reform in 2019, youth who
3 were charged with very serious crimes were
4 automatically treated as adults and received
5 mandatory prison sentences and the stigma of
6 the adult conviction that comes with them.

7 At one point, almost half of OIA's
8 secure care population were youth with adult
9 convictions and determinate sentences. The
10 Youth Authority and many other agencies and
11 advocates worked to achieve the 2019 reforms,
12 and since then, our agency has been working to
13 implement the new processes, which will give
14 our agency case managers parole authority and
15 step-down resources that come with it over a
16 wider range of youth. And this is and will
17 continue to change many of our practices.

18 The other change that we have seen that
19 I want to note is in -- in the overall youth
20 population, both in Oregon and certainly the
21 population that comes to us. And
22 Superintendent Riggan will tell you a little
23 bit more about our female-identifying youth at
24 Oak Creek, but system-wide I can tell you that
25 we are seeing very high numbers of youth with

1 serious mental health needs, histories of
2 trauma, and adverse childhood experiences.

3 The pandemic has exacerbated the mental
4 health crises for young people across the
5 nation, but that is particularly true in
6 Oregon where, according to one national study,
7 we rank in the bottom five states for access
8 to mental health care for kids. And
9 unfortunately, our social services
10 infrastructure is severely lacking.

11 Too often, OIA is a system of last
12 resort for kids, for kids in the mental health
13 system, and -- and this is especially true for
14 our girls and young women.

15 Finally, we're, also, in the midst of a
16 ten-year plan for physical improvements of our
17 close custody facilities. And I believe Ms.
18 Leach when she visited saw the new building
19 that we put up on the Oak Creek campus, and
20 that is one of the many physical
21 manifestations of our shift from -- away from
22 the correctional approach and toward the
23 developmental approach. And we'll discuss a
24 few of these other improvements related to
25 youth safety in this presentation today.

1 I want to highlight three primary areas
2 where our work accelerated since the BJS
3 survey and -- and where it allowed us to
4 redouble our commitment to youth safety.

5 One is around the -- the practice of
6 youth forums. Denessa's going to speak to
7 this in a few, but -- but we held -- after the
8 survey results came out, we held PREA-specific
9 forums in every living unit in all of our
10 facilities to ensure that our youth are being
11 fully educated on the importance of reporting
12 and the many ways they can do so
13 confidentially. Denessa herself participated
14 personally in most of those forums, and they
15 were so valuable that -- that we have started
16 doing them now twice a year as a standard
17 practice.

18 The second area where we redouble our
19 efforts is our round training and education.
20 And this was with the assistance of federal
21 grant funding. We helped us to enhance our
22 training and education efforts. We created a
23 new and improved youth safety guide and are in
24 the final stages of the production of a PREA
25 video that features OIA's own team members and

1 some of our youth. And significantly, this
2 with all done with the input and involvement
3 from young people in our care.

4 Finally, we redoubled our efforts in
5 right sizing our youth to staff ratio. For
6 years, our living unit populations at OIA were
7 budgeted to assume 25 youth in each living
8 unit. And we know that's way out of whack
9 with national best practice. We know it's not
10 consistent with the PREA standards. And we
11 have been pushing to right size that staffing
12 ration.

13 The pandemic created a silver lining
14 for us. It -- we saw the reduction in our
15 population that helped us to get closer to our
16 goal of small and safe living units. At --
17 but we needed legislative support, and the
18 legislature did support this right sizing in
19 this last budget cycle by resisting the strong
20 urge to require us to shed staff positions in
21 light of that declining population.

22 But we still have a ways to go to get
23 to the 16 youth per unit that we'd like to be
24 system-wide. This is a political and funding
25 challenge that we will keep working at, as we

1 believe that preventing abuse and enhancing
2 positive outcomes for kids is a natural
3 consequence of smaller living units.

4 Thank you so much for this opportunity
5 to give some opening remarks and for this
6 opportunity to learn more and -- together.

7 Now I would like to hand the floor over
8 to Oak Creek's Superintendent Mike Riggan, who
9 is going to give you a little background about
10 the Oak Creek's facility and it's operations
11 and discuss the factors that led to the
12 incidents of sexual abuse reported in the 2018
13 BJS survey. Mike?

14 MICHAEL RIGGAN: Good afternoon and
15 thank you. I want to just to just start by
16 just saying how much we appreciate your
17 approach. It's been very collaborative and
18 meaningful. I'd, also, like to thank Wendy
19 and Kimberly because their site visit was
20 just -- it was just off the charts, and we
21 still refer to it and -- and thought it was
22 really just kind of --

23 WENDY LEACH: Do I get a raise or
24 something?

25 MICHAEL RIGGAN: Yeah. Should have been

1 a highlight.

2 WENDY LEACH: Since I got paid, I guess
3 I should get a raise. Thank you very much. I
4 appreciate that.

5 MICHAEL RIGGAN: So I'd like to begin
6 my response by recounting an event at Oak
7 Creek that occurred a few years. It's a story
8 that I usually use when I talk to college
9 classes or do a tour of the facility, and it
10 actually involves the Albany Fire Department
11 when they came to our facility and they
12 brought in an ambulance and a fire truck. And
13 we brought our units through about 25 --
14 unit -- per unit to go in and look at the fire
15 truck -- truck and the ambulance and talk to
16 the fire department captain. And she asked
17 the kids -- there's about 25 of them -- said,
18 how many of you have ridden in an ambulance?

19 And 75 percent of those kids raised
20 their hand. And then just for comparison,
21 I'll ask the class or the tour group and say,
22 well, how many of you have ridden in an
23 ambulance, and it usually hits around 10 or 15
24 percent. And then I challenge them and say,
25 well, why do you think 75 percent of those

1 kids said that they've ridden in an ambulance?
2 And it usually distills down to about four --
3 four things.

4 One is just good-old-fashioned,
5 adolescent shenanigans, right? I can jump off
6 that roof onto that trampoline and make it
7 into the deep end of the pool no problem,
8 right? So that is something that certainly,
9 you know, kids do.

10 But then they identify suicide attempts,
11 which is true, drug overdose, very much true,
12 and then, also, just neglect, right? Kids
13 (inaudible) I'm going to be served or
14 underserved -- I'm going to be served in -- in
15 the sense that they're on the run, and
16 they're -- they're couch surfing and that kind
17 of thing or -- or underserved because their
18 parents really just don't kind of care or
19 don't have the resources to care or a lack of
20 access to resources. And so small problems
21 bloom and become big problems, and the next
22 thing you know, those kids are off to the ER
23 or an emergency care clinic or what have you.

24 And this example, I think, is a pretty
25 poignant illustration we serve -- and their

1 biosocial history, which we're -- we provide
2 in our written response, and I think I
3 highlighted in our report that Wendy and
4 Kimberly had when they came to visit, and that
5 is, 89 percent of our kids are diagnosed with
6 a mental health disorder. Seventy-nine
7 percent are diagnosed with a drug and alcohol
8 dependence or addiction. Sixty-one percent of
9 our youth have been sexually abused, and I
10 think that that's a low number. And 37
11 percent have a history of suicide attempt.

12 And these four demographics and other
13 descriptive statistics and I, you know, like I
14 said, are referenced in the report that I
15 wrote, underscore the population trends that
16 we observed, and -- and it's been interesting
17 to actually, you know, actively observe it.

18 When we opened in 2008 as an all -- all
19 female-identified facility in -- at Oak Creek,
20 initially, the main population group is
21 borderline personality disorder. So we're
22 dealing with a lot of emotional regulation and
23 aggression. And that makes a lot of sense
24 because -- because borderline personality
25 disorder is absolutely rooted in early

1 childhood trauma.

2 But then the scourge of heroin and
3 methamphetamine availability and use,
4 distribution had it -- you know, was -- had a
5 horrendous impact on communities, and not
6 surprising, we saw a tremendous uptick in kids
7 who would come in who are IV drug users, and
8 we're dealing with a lot of post-acute
9 withdrawal.

10 During the first half of the decade, it
11 would be a rare (inaudible) next trend I'd
12 like to -- that we've observed. We saw very
13 few kids who are sexually trafficked or
14 prosecuted at our facility. However, that's
15 changed in the last five to ten years. We've
16 seen more sexually trafficked and prosecuted
17 youth, and it's not uncommon for those youth
18 to be involved and still have lingering kind
19 of Criminal Justice involvement.

20 And then, finally, right now we're
21 really seeing a tremendous number of youth who
22 are contending with mental health
23 vulnerabilities. Joe referred to us as a
24 system of last resort -- well, we're kind of a
25 facility of last resort just due to reduced

1 services for the kids in the -- in the State
2 of Oregon.

3 In fact, some people refer to us as bit
4 of a de facto psychiatric program or facility.
5 But we're certainly not staffed like one. We
6 certain -- I think we have a pretty robust, you
7 know, staffing for mental health and -- youth,
8 but nothing like a state hospital or -- and --
9 - and even now, right now, we're seeing
10 fentanyl really make its appearance in Oregon,
11 and we're kind of gearing up for that. And
12 that doesn't have anything to do with PREA,
13 except it does go to something that is very
14 much hard (inaudible), which is (inaudible)
15 children.

16 And so we know that trauma compounds
17 and has a cumulative effect in a young
18 person's life. You know, (inaudible) research
19 tells us this much. And we know that part of
20 this impact that the trauma vulnerability kids
21 have, responds to these factors is core
22 boundaries. And in fact, touching infraction
23 is kind of a gender-specific thing. You'll
24 find in female prisons that they far outpace
25 male adults in custody -- their counterpart

1 male -- (inaudible) screwed up the transcription
2 -- but anyway, I think you get me point, so and
3 I think it's good for -- for juvenile
4 facilities, as well. I think as a gender
5 difference.

6 Yet I don't think that -- that the
7 youths from Oak Creek and what I just
8 described as a trend and who they are -- I --
9 I'm not quite convinced that we're any
10 different than any other female unit in the
11 closed custody in any other state, and yet,
12 we're the only juvenile facility that had the
13 highest of sexual victimization. So why? And
14 it -- it's -- it's a difficult question to
15 answer. But I think one is maybe the
16 physical environment. I think Idaho talked
17 about, you know, the risk of dorms. And for
18 -- for Oregon, we grew -- we built five
19 facilities in the late-'90s. Oak Creek was one
20 of them.

21 And the design of those facilities was
22 built -- in the housing specifically being
23 dorm style was built to mitigate suicide risk.

24 Prior to Oak Creek opening or those
25 five facilities coming online, we had

1 (inaudible) at one of the facilities where
2 girls were housed, and the (inaudible) of
3 suicide (inaudible) suicide that individual
4 rooms. So to mitigate against that, we -- we
5 built facilities that emphasized dorm living.

6 So -- and -- and what I think made
7 things a little bit tougher for us at Oak
8 Creek is that we downsized. We had --
9 we were -- we had three living units in 2011.
10 We reduced down to two due to budgetary cuts.
11 And we ended up dividing our youth by age. So
12 we placed youth through seventeen and a half
13 and younger in one unit, seventeen and a half
14 and older in another unit.

15 And that -- that on the surface is
16 what -- might feel a little bit arbitrary, but
17 actually, it was done with a little bit of eye
18 towards child abuse exploiting laws because
19 of -- you have a -- you know, an 18-year-old
20 and a 16-year-old in the same living unit.
21 And the 18-year-old smacks the 16-year-old,
22 well, you now have a child abuse report, as
23 mandatory reporters. So we -- we're kind
24 of -- you know, kind of insulating ourselves
25 against that kind of, you know, event and,

1 also, PREA standards.

2 If you -- you cannot shower minors with
3 adults, and if the age of majority is 18,
4 then, you know, that means (inaudible) kids
5 together, but you can't have anybody younger
6 in those showers, the shower (inaudible), so
7 it becomes a little bit more of kind of a
8 population management kind of piece.

9 I think the other issue we have is
10 the -- that led to why we're a high-incident
11 facility is staff ratios. I think that we
12 right now clock in about one -- one staff
13 (inaudible). That's pretty -- pretty low.
14 And I think that it's -- it's become well-
15 accepted that more staff or higher-density
16 staff, you know, involves supervising and
17 interacting with kids is far more effective
18 than fewer staff in terms of supervision and
19 safety.

20 So I think with that, that would just
21 be my opening remarks why I think -- the
22 two factors why we -- we were -- we're a high-
23 incident facility, the dormitory (inaudible)
24 staff-to-youth ratio. There's a plan -- a
25 ten-year plan to actually remodel these

1 dormitories into smaller kind of -- kind of
2 apartments -- apartments probably -- that's
3 not accurate -- into small, three-or-four-or-
4 five-bed little, smaller units within the
5 dorm, and I think that will add to more --
6 better supervision. I think it will be a
7 safer environment for youth.

8 DOUG DRETKE: One -- one real quick
9 question of your staffing (inaudible) PREA
10 standard, right?

11 MICHAEL RIGGAN: Well --

12 DOUG DRETKE: From your perspective as
13 a criminal justice juvenile professional, what
14 should that ratio be?

15 MICHAEL RIGGAN: Well, if you -- if you
16 compare us to a child psych -- psychiatric
17 facility, it would be one to three. If you
18 looked at (inaudible) rehabilitative services,
19 which would be residential care, and that is
20 the (inaudible) level -- level 3, level 4,
21 level 5, depending on just the (inaudible)
22 serve. But those ratios are one to four, one
23 to six, and that -- and I think -- it's kind
24 of -- it's interesting as it does -- it's not
25 often, but it is interesting that we have

1 probably (inaudible), you know, criminal
2 justice or juvenile justice (inaudible),
3 probably have the more vulnerable kids and
4 part of the higher risk kids, and yet, our
5 staffing pattern is -- is -- is not as robust
6 as if kids -- kids are in lower level of care.
7 So I would -- I would look to -- to BRS and
8 (inaudible) probably a good benchmark to say,
9 yeah, this is what I would (inaudible).

10 DOUG DRETKE: I think (inaudible)
11 point, and I think having used one -- one
12 standard, regardless of type of youth that you
13 are -- that are in your facility, so
14 you talk, that high risk facilities, and I
15 like your relating it to a psychiatric
16 facility, which would be as one to three,
17 or if you're juvenile facility with a
18 low-risk population, one to eight, you'd be
19 very appropriate, so -- so thank you for
20 (inaudible). (Inaudible), I turn it back over
21 to you.

22 WENDY LEACH: Nice to see all of you,
23 by the way. So wonderful to see you folks.
24 We had a great visit there, so I appreciate
25 seeing everybody's faces on video. Glad

1 you're here.

2 So (inaudible) questions we've been
3 sort of asking everyone and (inaudible) was
4 some of the same ones, but we may have a few
5 different ones, as well. But you kind of
6 brought up just a moment ago, the use of
7 data to inform decisions, and you were talking
8 about kind of (inaudible) tool. And I wonder
9 if you thought about or considered or talked
10 about the fact that you have, obviously, a
11 girls facility and gender (inaudible) pretty
12 much everything you do. I'm sure you think
13 about it.

14 But a screening tool maybe --
15 obviously, you have those. And there are
16 certain questions in there that might be
17 different, depending on the girl answering
18 them or boy answering them. They might kind
19 of sway things differently. Is that anything
20 that you keep in mind or have considered or
21 would like to consider? I'm kind of interested
22 in how you thought about that.

23 MICHAEL RIGGAN: Our -- our screening
24 tool was developed in-house. We've been using
25 it since December of 2021. And it we're still

1 evaluating it, and our research people know a
2 lot about it than I do.

3 WENDY LEACH: Yeah.

4 MICHAEL RIGGAN: But it really is a
5 conversation with our -- all our mental health
6 professionals who are really skilled at
7 drawing that sort of information out. So I
8 think that's where the -- the gender-specific
9 part of it (inaudible) is with those -- those
10 people we have asking the questions and their
11 skillset. We do this tool at intake, so
12 within the first hour (inaudible), we're
13 starting to ask those questions. But then
14 they follow up on everything that they learn
15 in that assessment to, you know, to make
16 decisions about maybe with some housing to
17 (inaudible) provide medical supports, those
18 sort of things, so --

19 WENDY LEACH: Is it the same system at
20 your facility at Oak Creek as it is in all
21 the facilities at OIA?

22 MICHAEL RIGGAN: So the tool is the
23 same but I can't speak specifically about other
24 facilities in OIA, but I think the idea is --
25 is part of that intake process, and we do it

1 (inaudible) facility across (inaudible) I
2 think the personality and the skillset of the
3 people involved.

4 At our young men's facilities, we
5 (inaudible) differently. They would take a
6 different approach. Our -- our mental health
7 professionals are used to working with our
8 clientele, so they ask the questions in a way
9 that gets to that information in a -- in a
10 safe (inaudible) possible way. It's really
11 hard to --

12 WENDY LEACH: Yeah

13 MICHAEL RIGGAN: -- ask personal
14 questions the first hour they come through the
15 door. The (inaudible) follow up, and every
16 time we move a kid from facility to facility,
17 we do the tool.

18 WENDY LEACH: Okay. So not
19 (inaudible), but one of the questions on the
20 screening tool (inaudible) status and (inaudible)
21 status. And I think we've all seen over the
22 last ten years (inaudible) that unless these
23 girls (inaudible) risks (inaudible) in the
24 male facility, for example. How -- does that
25 ever enter into the conversation? Is that

1 anything that you all are thinking of?
2 Because I don't (inaudible) change, and the
3 answer was that they have no plans to do that.
4 But (inaudible) that, you know, (inaudible)
5 vulnerability, it may not be, and (inaudible)
6 facility, for example. (Inaudible).
7 MICHAEL RIGGAN: So (inaudible) -- so
8 I -- we have a PREA tool that we're using that
9 I -- I may have focused more on vulnerability.
10 Our new tool focuses on vulnerability, as well as
11 (inaudible) behavior. And so we -- at our
12 facility, I think we can get different results,
13 and I think, you know, our (inaudible)
14 vulnerable side (inaudible) that. And so we can
15 clearly -- our tool is probably designed to
16 take them (inaudible), if that makes sense.
17 WENDY LEACH: Okay.
18 MICHAEL RIGGAN: So --
19 WENDY LEACH: I will (inaudible) health
20 professional involved in conversation.
21 (Inaudible) luxury that (inaudible) luxury.
22 MICHAEL RIGGAN: Yeah.
23 WENDY LEACH: But that's really nice
24 addition, as well. (Inaudible).
25 MICHAEL RIGGAN: (Inaudible) ask

1 questions about orientation and identifying,
2 and there -- there can be (inaudible)
3 conversation (inaudible) comfortable, and I
4 think that's the value of our tool is -- is we
5 do have those (inaudible), so.

6 WENDY LEACH: Okay.

7 PETER PERRONCELLO: So -- so based on
8 this tool (inaudible) in terms of your
9 population -- I guess anyone can answer this,
10 but are you staffing some of the housing units
11 differently based on more aggressive, as you
12 said, one (inaudible) aggressive one, and is
13 that a ratio, you know, a little more to
14 (inaudible) down to one to five or one to six
15 or one to eight or one to fifteen or sixteen?
16 Have you done any of that? Tried any of that
17 yet, Superintendent?

18 MICHAEL RIGGAN: I think we focus on --
19 on, you know, youth behavior, and we do -- we
20 have an in between space that we use
21 (inaudible) staff for (inaudible) a little
22 bit. We have, also, within (inaudible) the
23 actual (inaudible) manage kids in terms of,
24 you know, such as (inaudible) our -- our
25 (inaudible). And we enhance our supervision.

1 I think -- I do think the thing that we
2 do really, really well is we (inaudible)
3 circle around a lot of our facilities in -- in
4 terms of the suite of services that we provide
5 for youth. A typical male facility with 50
6 kids would have 4 (inaudible) 2 qualified
7 (inaudible) professionals for those 50 kids.
8 We have four. (Inaudible) psychiatric
9 services, that might be an afternoon video
10 conference where their actually seeing those
11 kids or their checking in by video.

12 We have two child psychiatrists on site
13 and one by video for a total of 60 hours a
14 week. Our medical doctor spends (inaudible)
15 hours (inaudible) is the physician for our
16 kids. We (inaudible) these kids with a
17 tremendous amount of services, not only a
18 community of (inaudible) for our youth in the
19 State of Oregon (inaudible) community, you got
20 about a three or four month (inaudible) wait
21 list.

22 Well, we call that Thursday, so we're
23 able to, you know, immediately respond to
24 youth (inaudible) as one of their, you know,
25 (inaudible) with all kinds of -- you know,

1 kind of distress and dysregulation and
2 ultimately, a lot of bad (inaudible). Our
3 kids are -- you know, the suicide risk to
4 something that is (inaudible) to where we
5 live. Our kids are have a pretty significant
6 history of self harm, so I'm really
7 appreciative of that -- our agency has
8 prioritized that (inaudible) in response to
9 (inaudible) the female youth that we have.

10 MALE VOICE: Thank you.

11 MALE VOICE: (Inaudible) but
12 (inaudible) kind of on the assessment again and --
13 and the BS (inaudible), and it looks like,
14 then, too, is (inaudible) just an intake, or
15 it looks like it's utilized a number of times;
16 is that correct?

17 MICHAEL RIGGAN: Yeah. Every -- every
18 transition from facility to facility, we re do
19 the tool. and then there's a continuing --
20 there's contact with those (inaudible)
21 professionals, so if things change or we learn
22 more information, they have the ability to --
23 to make adjustment as we go, so the -- it's
24 the same people providing the (inaudible)
25 doing the tool, and so, it works out in a

1 (inaudible) of -- of (inaudible) --
2 (inaudible). And so if something were to
3 change drastically, we could redo the tool and
4 (inaudible).

5 MALE VOICE: Which, again, is something
6 you developed or Youth Authority developed.
7 So you've shared it with other (inaudible) or?

8 MICHAEL RIGGAN: It's basically
9 (inaudible) still evaluating it. I think we'd
10 be open to sharing and we certainly want to
11 share our information.

12 MALE VOICE: Yeah.

13 MICHAEL RIGGAN: But I don't think
14 we're ready yet. I think the first kind of
15 official reevaluation was had at the six-month
16 mark, which is coming out in June. And then
17 we'll know more about it's (inaudible) and
18 probably be able to share more then. But we
19 really (inaudible).

20 MALE VOICE: Right. Well, just as with
21 any other (inaudible), we would love if y'all
22 would be able to share your tool with us
23 (inaudible) protocol (inaudible) actually a
24 recommendation in the plan allowed in 2016 was
25 the development (inaudible) some type of tool

1 that
2 we could use across our country. So it's
3 exciting to see that -- that a number of
4 agencies have taken the initiative working
5 with their clinicians and mental health
6 professionals and so forth to develop
7 something that serves your population
8 (inaudible), so.

9 WENDY LEACH: I would like to get
10 in a staffing question because we were
11 talking about staff early on. I know everyone
12 recognizes -- and you all talked about in your
13 opening remarks -- the challenges of getting
14 the quality staff in the right spot and just
15 getting enough staff for the facilities to try
16 to meet ratios you'd like to meet. So if
17 you could tell us your thoughts on how we can
18 encourage what has worked for you, and what
19 has not worked for you? Any thoughts and
20 ideas on this because we really do want to
21 share (inaudible) across the country on this.

22 MICHAEL RIGGAN: Oh, I (inaudible),
23 personally.
24 Well, first of all, I think it really begins
25 with, you know -- you know, recruiting and --

1 and -- and hiring staff that have a
2 (inaudible) human development (inaudible). I
3 want (inaudible) facility that understands the
4 needs of children and (inaudible) crimes. You
5 know, crime (inaudible). If you see them as
6 criminal (inaudible) kid, you're -- you're
7 most likely the prison guard and anything you
8 get from that is kids become prisoners. But
9 if you see them as kids that commit crime,
10 you're actually looking at them developmental,
11 and you're seeing them within that relevant
12 (inaudible) adolescents. And the goal of
13 adolescents is to prepare for adulthood.
14 And the (inaudible) crimes (inaudible), and
15 they'll understand that (inaudible),
16 especially with highly traumatized kid, this
17 (inaudible) here and there. It is (inaudible)
18 developmental, you know, pattern.

19 So understanding that is (inaudible)
20 question (inaudible) interview process.
21 As we interview, we need -- we have that as part of
22 our standard process to (inaudible) positive
23 development is important. I think across
24 staff, we focus on (inaudible). (Inaudible)
25 in the whole victim (inaudible) youth

1 correction or juvenile correction and instead
2 of seeing kids as a resource to be developed.
3 And that victim (inaudible). I tell you what,
4 both, you know, as a prison guard or
5 (inaudible) just makes everything (inaudible).
6 So absolutely (inaudible) we hire (inaudible)
7 that (inaudible) see you (inaudible). Earlier
8 we were talking about (inaudible) facility. I
9 love that. I mean, that is the -- the
10 essence, right? It means that (inaudible)
11 kids (inaudible) their parent or to them more
12 of a coach, all three in one.

13 You want to increase safety in
14 facilities, I think that is actually what you
15 have to do. I think that (inaudible)
16 experience, to tell you the truth. What we
17 thought we inherited in 2012, that's what we
18 have now. I think, also, that we need to,
19 also, understand that once you do (inaudible)
20 is actually part of the selection process.

21 So if you see somebody (inaudible),
22 you know, we're all about (inaudible) and
23 treating kids well and whatever and then we
24 show you something totally different, then
25 that's a great way that you coach them up or

1 coach them out.

2 (Inaudible).

3 And I think lately one thing that I've
4 been really heartened by is that I see our
5 staff being very protective, that they will
6 actually recommend people that are our kids
7 (inaudible) some kind of (inaudible) -- I'm
8 sorry -- (inaudible). This -- this person
9 is one of us, being that they care deeply
10 about kids, (inaudible) approach that is
11 patience and understanding and trying to help
12 kids to regulate, to lead with empathy, which
13 is something that we teach the kids (inaudible)
14 process because when they're brain's on fire,
15 they don't (inaudible) mental (inaudible)
16 question (inaudible).

17 So I think that -- that -- and that's a
18 cultural piece, too, that when we have people
19 who make recommendations, hey, I have kind of
20 (inaudible), and this person's coming back
21 into the area you need to take a hard look at
22 or -- so, yeah, I think that's a huge part of,
23 you know, the staffing piece.

24 More (inaudible) about the agency's
25 challenges (inaudible) staffing because we

1 have been experiencing some -- some difficulty
2 getting qualified staff in the door, I -- I
3 would defer to Denessa Martin because she can
4 speak to our efforts and what we've been
5 attempting to accomplish to make sure that we
6 have (inaudible).

7 JOE O'LEARY: Mike, I'm going to jump
8 in. I -- I know -- I think Denessa is having
9 a hard time hearing. The audio has degraded a
10 little bit, but I'm still following most of
11 the conversation. And, Ms. Leach, if I could
12 respond to the staffing issue from a --
13 from a system-wide perspective, I -- I would
14 offer that for the Youth Authority, it has
15 been less of a retention concern as it has
16 been a pipeline concern.

17 I think what I heard Mike say was right
18 on. We're looking for folks that want to work
19 with kids, that do not want to be prison
20 guards. If -- if -- if we set up that
21 environment, that is what we will create. We
22 want people who are going to be coaches, who
23 are going to be teachers, and -- and we are
24 focusing on the front end on hiring pools that
25 would lead us to folks that want to be

1 teachers and want to be counselors and that
2 kind of work. It has been a challenge.

3 Anecdotally, a lot of the newer staff
4 that are coming to us that are leaving within
5 the period of trial service where we kind of
6 have -- you know, a let's-check-these-folks-
7 out-and-see-how-they do, many younger staff
8 leave us because they just don't want to work
9 shifts. And the -- the lack of flexibility of
10 shift work is inconsistent with -- with their
11 lifestyle.

12 And, Mike -- I -- I hope Mike brings
13 this back, too, because Oak Creek has done
14 some work around this, around being a little
15 bit more flexible with shift work than some of
16 our other facilities. I think -- I think they
17 are an example of how you can maybe get around
18 that issue.

19 The other -- I do want to mention
20 before I -- I punt back to Mike, I do want to
21 mention two other things, though, that we have
22 done to address the front end flow for the
23 workforce, the entry-level, direct service
24 workforce. One is that we have conducted some
25 of these one-day events.

1 We call them Hiring Extravaganzas where
2 we -- we, you know, do a lot of word of mouth
3 and social media advertising, for lack of
4 better word -- networking -- and -- and we
5 have people come to one place on one day on a
6 weekend day and -- and Denessa has staffed
7 these, and I think Dallas has, too, as our --
8 as our training director and go -- we can go
9 from basically orientation to interview to
10 physical abilities test to background check to
11 hire within one day.

12 And that has been helpful to us,
13 particularly over the last two years in the --
14 in the pandemic as we have had staffing
15 issues, not as a result of people leaving so
16 much, but just as a result of people being
17 sick and -- and the hydraulic effect of COVID
18 having, you know, to -- to take time to care
19 for relatives and kids and others.

20 The other thing that I think has really
21 been helpful that we did was we created a
22 position of a diversity recruiter. And -- and
23 I mentioned diversity in my opening remarks
24 and our commitment to racial justice. We --
25 for Oregon, we're not bad in -- in so far as

1 our workforce reflecting the demographics of
2 the state at about 18 percent People of Color
3 in our workforce, but we are nowhere near the
4 48 percent of our client base.

5 So we want to do better, and there was
6 no money for additional position, so what we
7 did was we redeployed resources internally,
8 and we eliminated some positions to create a
9 recruiter, and we, also, at the same time
10 created a diversity equity inclusion manager
11 to help us build a strategic plan around
12 racial equity.

13 But that recruiter position has paid so
14 many dividends, and we hired a wonderful
15 individual who had deep, community roots with
16 communities of color who were rightfully
17 suspicious and skeptical, and there's still a
18 lot of work to do because even if we begin to
19 change those percentages of our employees
20 quickly, we still need to work on retaining
21 those folks.

22 We still need to make sure that we are
23 working every day to create an environment
24 where people that come to work for us feel
25 welcome and -- and feel that, like many of

1 the -- I think, like, virtually all the folks
2 that work for us today -- feel like they can
3 make a meaningful difference in the lives of
4 kids and families.

5 And the third thing that we need to do
6 better on is explaining the benefits of state
7 employment. The -- the hourly rate is pretty
8 competitive. I -- I believe the entry level
9 is around \$19 an hour. We don't have the
10 flexibility as yet to pay hiring bonuses, but
11 we are in negotiations with our labor unions
12 and the governor's office and our other
13 important stakeholders to try to make that
14 happen.

15 But -- but a lot of folks that we've
16 talked to in the job market coming in don't
17 have the full appreciation for the benefit
18 package that the state offers that -- that
19 make a big difference. Though we can't offer
20 at the moment -- we can't offer a hiring bonus
21 like the Home Depots and -- and other places
22 like that, the benefit packages are -- are
23 pretty impressive.

24 Mike, do you want to -- do you want to
25 mention about the staffing flexibility? The

1 shift flexibility?

2 MICHAEL RIGGAN: Yeah. It's -- yeah,
3 it's quite a conundrum. So we're actually
4 very flexible, and when we add staff, we'll --
5 we'll try to compress their schedules where
6 they can so we're very liberal in allowing
7 them to do what's called shift trades
8 where it's so they can work -- work a double,
9 like, one day and get three days off. We're
10 very liberal in terms of awarding day -- days
11 off. We'll even -- sometimes, managers will
12 cover just to afford staff that extra day.

13 It's hard to -- to -- to have a family
14 and bid for your vacation a year in advance,
15 and it's awful hard in a seniority based
16 system where you really have to wait quite a
17 while for vacancies to occur so then -- so
18 then that -- that (inaudible) day shift that
19 you were kind of counting on, you know,
20 becomes open.

21 We -- we've actually, from a hiring
22 point of view, we are reticent to take in
23 staff from other facilities with a lot of
24 seniority because those staffs who've been
25 working really hard and been a part of us and

1 raised up, they look at it as a pretty raw
2 deal because they get bumped down in the
3 seniority list, even though they've been
4 committed into coming to work and doing the
5 job.

6 So we'd rather raise our own, so to
7 speak, and -- and then allow seniority to
8 build within the facility. Not always, but
9 for the most part, that is something that
10 our -- our staff have appreciated.

11 But, yeah, so -- so time off is a big
12 issue and having some flexibility around that
13 scheduling and definitely allowing staff to
14 manipulate their schedules, you know,
15 momentarily, but that's amazing how -- how
16 folks will -- how creative they will be, but
17 we -- we rarely ever say no.

18 WENDY LEACH: A lot of other folks have
19 talked to us about creativity and flexibility
20 in shifts. That might be an option is
21 allowing people just to work weekends or just
22 evenings or just Wednesdays. Really not
23 having the traditional schedule at all, but
24 yet still having a job with benefits, as long
25 as they're working a certain amount of time.

1 And I -- I would -- you know, I would
2 encourage everybody to be as creative as we
3 can be.

4 I know you have unions, and I know that
5 sometimes that makes it very difficult.
6 States without unions don't have as much of an
7 issue with making those changes, but I've been
8 glad that you guys are thinking about that
9 because I think that's going to be the key
10 with, especially, the younger demographic of
11 staff that we have coming in.

12 I find this remarkable that you
13 can interview and hire people in one day,
14 background check, everything. That's
15 fantastic. I'm pretty impressed. I think the
16 real plus of that is when they don't take
17 another job in the meantime while they're
18 waiting to hear the results. They -- they
19 know they have a job, so I think that's great.

20 I have some questions around staff
21 training, and since you are here, in charge of
22 training, we'll put you to the test. We --
23 we've seen from talking to the other folks
24 that there have been a little bit of gaps in
25 PREA training.

1 And usually, the gaps are training-
2 related or trainer -- trainer not very
3 motivated, duplicate information year after
4 year, (inaudible) feels kind of boring and not
5 really connected to the actual job that
6 somebody does every day. It's sort of, like,
7 in 2003 this law was passed kind of stuff, not
8 as connect again to real-world scenario, which
9 I know you have some very challenging kids.
10 I imagine for them, they were actually lovely,
11 but I could see the challenges, too.

12 What's it like being at Oak Creek
13 working with those girls? What are you going
14 to run into? What are the things they're
15 going to say to you? What are they going to
16 try to do? What are you then going to do?
17 Kind of that scenario-based stuff, and then I
18 wonder just from a training perspective, what
19 do you do now? And do you have plans in the
20 future to make any changes based on recent
21 events or - or survey or anything else that
22 you have in front of you?

23 DALLAS TULLY: Yeah, thank you for that
24 question. I'll speak a little bit to the
25 agency training program, and then we'll ask

1 Drew to talk about some of the Oak Creek
2 specific. One of the benefits of having a
3 centralized training academy is we get to know
4 all of the brand new staff that are coming
5 into our agency and have developed a very
6 robust training program.

7 You know, one of the things that I -- I
8 have heard of this training program
9 (inaudible) PREA that (inaudible). And I
10 haven't found those types of (inaudible) to be
11 incredibly meaningful or effective. So we
12 have, like, a kind of multi-prong approach.

13 One is we have a standard training that
14 everyone takes as a refresher every single
15 year. That is something that -- I think it
16 was pretty similar to what Idaho had talked
17 about in terms of something that's on their
18 learning management. We were doing that
19 training every year as we needed some help,
20 that we want to alert our staff of new trends
21 maybe, the times of day or the common areas
22 that, I mean, some of these PREA incidents are
23 more likely to occur.

24 So we, also, have an in-person training
25 on -- that really focuses on exactly what

1 you're talking about is these scenarios, you
2 know, realistic, actual scenarios that have
3 happened in a variety of our facilities, and
4 then, you know, putting it to practice, say,
5 okay, here's -- here's the situation; how are
6 you going to respond to that? And then have
7 them walk through what they're response is
8 going to look like.

9 And we have found that to be much more
10 effective in terms of (inaudible) retention
11 than an (inaudible) online training. Not
12 (inaudible) there is an (inaudible) benefit to
13 online training (inaudible) efficiency of
14 getting that out to, you know, hundreds of
15 employees all across the state and very
16 desirable in a lot of different ways, but
17 we, also, have what we refer to -- and I think
18 other state refer to it, as well -- as In-
19 Service Training that can be very much
20 customized to our -- the facility, population,
21 current trends.

22 And so our training academy staff would
23 work in conjunction with the local facility
24 leadership and look at data (inaudible). We
25 took the PDF (inaudible) about, number one,

1 what are -- what are kids experiencing, and
2 what kind of fact training are people
3 interested in, but then, number two, what kind
4 of incidents have happened in this facility?

5 Do we have any -- we call them
6 administrative incident reviews, following
7 certain types -- not just PREA events, but
8 other types of situations, as well, that we
9 can use that as, you know, a kind of -- as
10 mechanism for collecting data on how to
11 better inform our training program.

12 And then we -- we would work
13 with the facility to really customize that
14 training based on the population, based on the
15 trends that they are seeing at the (inaudible)
16 level. And I know Drew has -- has, also,
17 focused on some facility training at Oak Creek,
18 following -- and especially, following some of
19 the surveying that you -- that happened.

20 DREW REYNOLDS: Yeah, I stepped into my
21 new position about -- I'm sorry. I stepped in
22 my new position in August, and literally, the
23 first thing Mike charged me with was educating
24 the staff. That's (inaudible) about PREA. I
25 (inaudible), you know, regular doses of

1 information on a consistent basis, so I
2 took up that all of our youth meetings
3 with our staff to talk about PREA. I didn't
4 want to give them the whole (inaudible) four
5 hours of the same stuff they'd heard over and
6 over again, so I give them, like, a half hour
7 of refresher -- mostly, refresher information.

8 We started with PREA-relevant policies
9 and procedures, which is super dry. And so I
10 would mix in some scenario situations to --
11 to, you know, make it real to them. So if
12 we're talking -- you know, we talked about our
13 sexual abuse response plan, and, you know, to
14 start out, I said, okay, if you're -- you're
15 here and this happened, and you see it, or if
16 it's reported to you, what do you do? And
17 then we walk through it as a group. It makes it
18 more real; it makes it more tangible than just
19 running through the steps in a PowerPoint
20 presentation.

21 For staff education, we've talked about
22 the grievance process and, you know, being --
23 we hardly ever use an emergency grievance.
24 We have a process for it, so, you know,
25 everyone's most happy to be reminded of that.

1 And so, you know, again, so grievances -- hey,
2 a kid give you one of these, and say, this is
3 an emergency grievance, what do you do? And
4 we work through that process.

5 We talked about supervision of youths.
6 We talked about red flags, about, you know,
7 how you interact with your -- your fellow
8 staff and if you had a suspicion, what do you
9 do. We went through all of that as table
10 talk exercise.

11 And then we talked about churches. We
12 talked about cross-gender announcements going
13 on the units, you know, all the things that
14 we've -- we've -- they've been trained before,
15 but (inaudible) is helpful. And, you know,
16 just (inaudible) training (inaudible)
17 normal -- normalize the processes so that,
18 you know, it (inaudible). And the -- we,
19 also, you know, have -- have a PowerPoint
20 version of our online training that we went
21 through two months of our online training
22 (inaudible). And just to kind of have an
23 normal discussion about it than just
24 observing information. And we talked about
25 blind spots and (inaudible) input from our

1 staff on, you know, what their issues they're
2 concerned about.

3 We created a kind of a new protocol.
4 Our rule which is very similar to what I think
5 they're talking about in Idaho, where, you
6 know, we have areas of our facilities that
7 don't get a lot of traffic and are not well
8 camera-ed. Our (inaudible) is a good example.
9 We could have cameras in our exam rooms or our
10 offices where our clinicians meet with our kids.
11 The doors have windows, and, you know, there
12 is some visibility, but that area is
13 (inaudible) very concerning (inaudible) where
14 you have another person in there.

15 So usually (inaudible) area (inaudible)
16 meet our kids or we'll have a staff over
17 there. So you would (inaudible) as you
18 (inaudible) process, let them know what the
19 expectation are and ask them what it is that
20 you guys want to get off this cliff. And I've
21 actually (inaudible) we put up to remind staff
22 that, yeah, (inaudible) probably (inaudible).

23 WENDY LEACH: (Inaudible) of the local
24 refresher training for somebody at the
25 facility about, are do you do, this is

1 what you do, and let's talk through it. So I
2 think this is really effective. I think
3 there's nothing like a centralized training.
4 We have to do it and it's very effective. And
5 refresher training often has to be done in a
6 large group to something else. But having, like,
7 a mini training locally where you're kind of
8 constantly refreshing people I think is a
9 really good concept and keeps everything top
10 of mind and (inaudible) each time.

11 I wonder if you've ever had trouble
12 assembling for people for training. So people
13 struggle so much with (inaudible) that actually
14 getting everybody to get the training is very
15 difficult. And our (inaudible) facility they
16 simply can't get them there. (Inaudible)
17 people coverage. How does this happen, and
18 how do you handle that?

19 DREW REYNOLDS: I -- well --

20 WENDY LEACH: If you know.

21 DREW REYNOLDS: Yeah. (Inaudible)
22 manual about some of these practices. And
23 part of (inaudible) practices requires
24 multi staff meetings. It's priority.
25 If they (inaudible) time and (inaudible)

1 staffing (inaudible) for small groups as a
2 team, that gives training (inaudible), so the
3 campus support staff, the senior (inaudible),
4 the (inaudible), those are the -- I don't
5 know -- (inaudible) program (inaudible) is all
6 done (inaudible) in there (inaudible). We're
7 actually in terms of (inaudible), we're
8 (inaudible) practice (inaudible) than those
9 that are offsite to really (inaudible).

10 So we -- we're pretty -- well, we're
11 very committed to train staff and -- and
12 making sure (inaudible) protected
13 time and so staff (inaudible) developing as a
14 community and (inaudible) talk about kids.
15 And it's a great chance for me to touch base
16 with (inaudible) as a living unit.
17 (Inaudible) and -- and for special topics to
18 be addressed.

19 WENDY LEACH: It sounds like -- I mean,
20 it's a priority there, and so you didn't
21 (inaudible) lack of (inaudible) and still
22 prioritizing it. I know it's a tough
23 (inaudible) to do, but it, also, as I mentioned
24 just made a community of getting
25 together, and it certainly helps people keep

1 the meaningful part of the work in top of mind
2 because they're with a group of people and
3 they're just talking about it. And
4 (inaudible) training (inaudible) never
5 discussing it, (inaudible). So and that's a
6 (inaudible).

7 MALE VOICE: (Inaudible), I want to go
8 way back to when you were asking youth
9 questions regarding how (inaudible)
10 victimization. I mean, (inaudible) design
11 (inaudible) existing facilities (inaudible)
12 somewhere in the '90s was the dormitory
13 housing in (inaudible) dormitory housing and
14 how you've been generously given some money by
15 the governor's office and the legislature to
16 kind of redesign -- redesign and/or review
17 what you have (inaudible). (Inaudible) dorms
18 versus (inaudible) dorms, and you're thinking
19 (inaudible) reducing victimization. How
20 (inaudible)?

21 MALE VOICE: (Inaudible), I mean,
22 (inaudible) to have (inaudible). I think -- I
23 just (inaudible) this recent (inaudible).
24 (Inaudible) recent (inaudible) about
25 resilience and (inaudible). It really has

1 (inaudible) footnote in there, it talks about
2 the (inaudible) development of woman and how
3 it's really kind of rooted in relationships.
4 And so I think -- I think the (inaudible) I
5 see is about (inaudible) for -- for the use of
6 (inaudible) safety. I think the -- the
7 smaller group (inaudible) kind of thing of
8 (inaudible) like that has really had -- I
9 think it might be (inaudible), you know,
10 for -- for bridging the gap between
11 (inaudible) and -- and (inaudible) there and
12 then the dormitory, you know, problems, you
13 know, because what we're hedging against
14 (inaudible) suicide back in (inaudible), you
15 know, the (inaudible) is that we're saying,
16 yeah, we're just kind of naming our poison,
17 right? Because dorms -- kids can act in
18 concert and group disturbances and you run the
19 risk of --
20 of physical aggression and (inaudible) in
21 dormitory setting, you know, far more than any
22 kind of single cell.

23 So I think (inaudible) the -- the new
24 living and design is going to allow for a
25 tremendous amount more flexibility around -- I

1 hate to (inaudible) matching, be a little more
2 sensitive and, also, (inaudible) of
3 (inaudible). (Inaudible) 17 and half and
4 younger, we're going to put you over here and
5 actually kind of have mini dorms in -- within,
6 you know, kind of a dorm style.

7 So I'm excited about the prospective,
8 and I have (inaudible) one about ready to come
9 online in one of our male facilities
10 (inaudible) that (inaudible) client at Oak
11 Creek. And I -- I actually have pictures on
12 my phone, if you'd like to see them, but I
13 mean, they're -- it's really pretty impressive
14 and I'm very excited about. I mean, it might
15 be -- I'll probably be retired by the time
16 (inaudible). (Inaudible) excited (inaudible),
17 so.

18 MALE VOICE: (Inaudible) officers, but
19 that's just my own pet peeves. We have some
20 things called direct supervision (inaudible),
21 and are you aware of those? (Inaudible)
22 County and there's a bunch of others
23 (inaudible) housing unit with (inaudible), and
24 based on the classification level, (inaudible)
25 officer (inaudible) and other inmates has now

1 been reduced.

2 And what I would challenge all of you
3 to do (inaudible) is to take a look at some
4 (inaudible) look at some of the training
5 programs (inaudible) facilities design.
6 You'll probably want to take a look at some of
7 the (inaudible) training they utilize in
8 training officers (inaudible) management
9 techniques. I think some of (inaudible)
10 higher risk (inaudible) and the invaluable

11 I'm only saying that because I've been
12 there many times in the great State of Oregon.
13 We've done some training up there in addition
14 to the great State of Washington and
15 California, but, you know, it's -- you can
16 bounce through the (inaudible) both sides
17 (inaudible). You'll find that some of that
18 stuff may be (inaudible) some of the
19 curriculum (inaudible).

20 So I'm curious about it. (Inaudible)
21 folks (inaudible) that we've heard talking
22 about the importance of the design (inaudible)
23 and how they've treated (inaudible) and how
24 there's nothing (inaudible), you know,
25 (inaudible) to shape human behavior.

1 (Inaudible) very exciting (inaudible) how we
2 will report (inaudible) to bring (inaudible).
3 (Inaudible). So I commend you for that and --
4 and -- and (inaudible).

5 MALE VOICE: And (inaudible) probably a
6 lot of (inaudible). (Inaudible) been a lot of
7 work to (inaudible) and so forth and what's
8 best practices, what the safest, healthiest,
9 most helpful environment for people under
10 our supervision and custody. And so yes, I --
11 I love your comments about (inaudible)
12 smaller, the -- the rooms, if you will and
13 maybe we can still mitigate some of the
14 (inaudible) while producing environment more --
15 conducive towards (inaudible) sexual
16 victimization and assault. Yes, they're kind
17 of a best practices in your -- in (inaudible)
18 facility design that helps guide your -- your
19 plans and focus?

20 MALE VOICE: I'm not aware of
21 (inaudible). I know that mitigation, I think,
22 is probably good and (inaudible) what
23 (inaudible), what helps and what we do. I
24 know that we -- when we have (inaudible)
25 facilities that there's an extra brought in,

1 and they are very thoughtful and mindful of
2 that. It seems like a really reactive
3 business in terms of, you know, how we care
4 -- care for kids.

5 And so I think best practice is really
6 kind of rooted kind of more philosophy that is
7 development and (inaudible) best practice.
8 Because it seems to me, you know, (inaudible)
9 and we spend an enormous amount of time trying
10 to soften them up.

11 (Inaudible) five years (inaudible) you
12 want to talk about (inaudible) housing, but we
13 -- our staff really (inaudible) University of
14 Wyoming (inaudible) to see them wear a
15 (inaudible) guarantee (inaudible) shirt. And
16 that is the relational part to youth, between
17 staff and youth because it becomes a
18 (inaudible) when you're kind of sharing
19 something (inaudible). (Inaudible)
20 conversation by not (inaudible) they behaved
21 today or those relationships. We will lean in
22 on those relationships.

23 So I think it's best practice.
24 The facilities we have (inaudible) as best we
25 can. We bought (inaudible) so again,

1 (inaudible) just make things more comfortable.
2 We repainted every dorm. (Inaudible).

3 JOE O'LEARY: Thanks, Mike. And I'm
4 sorry at the disadvantage. The audio has
5 degraded pretty much, and I think I'm catching
6 about 50 percent of the conversation. But if
7 the question -- Mr. Dretke, if I understood
8 your question, it is what we understand the
9 best practice to be with respect to the dorm
10 versus individual setting. I think I see you
11 shaking your head on that.

12 And I'll tell you, we did get some
13 advice on that. At the beginning of our ten-
14 year planning process, about eight years ago
15 now, we entered a partnership with an
16 individual named Karen Chin (phonetic), who is
17 a very well-known resource in juvenile justice
18 circles. And her firm advised us that when
19 she did the assessment to look at our physical
20 environment portfolios at the time they
21 were -- you know, ten years ago -- she said
22 way too correctional setting in dÃ©cor and
23 environment, and way, way, way too reliant on
24 dorm-style, bay-style living environments.

25 And the recommendation that she gave us

1 in that ten-year plan that really was the
2 basis of our changes moving forward was in
3 response to those two things. Make
4 environments that are more normative,
5 developmentally appropriate, natural lighting
6 and safe.

7 And two, diversify that portfolio of,
8 you know, of dorms. Don't put all of your
9 eggs in the dorm basket. Have some individual
10 rooms. Have some mini-dorms. Have some
11 dorms. There are some kids that are going to
12 do great in dorms. Kids that are at our fire
13 camp in the eastern part of the state, where
14 they run out on crews and do wildland
15 firefighting, and they're over 18, and
16 relatively high enough functioning to be
17 placed in a transition camp setting, a dorm is
18 perfectly fine for those kids.

19 The younger kids that come to us who
20 have a severe trauma history and are reactive
21 and, you know, if they are put into a dorm
22 with the wrong kind of other kids, they're
23 going to get into trouble. They're going to
24 hurt someone and end up, you know, potentially
25 picking up adult charges.

1 So for that kind of kid, you know, you
2 need to have something else, and that was, in
3 part, why we built living units in our
4 facility for boys that have more individual
5 rooms. So we have kind of a balance of
6 individual and dorm settings.

7 At the Oak Creek campus, until we
8 get -- it is the next phase of the ten-year
9 plan to make those dorms into mini-dorms -- we
10 still have that open, bay-style living
11 situation, unless the young women are cleared
12 to move out to the young women's transition
13 program, which is just outside the fence at
14 our Oak Creek campus, which has more of a
15 small room setting.

16 But I think diversification of the
17 portfolio, if you have to have a -- this is an
18 important caveat -- if you have to have this
19 many kids that are coming into youth
20 corrections custody, which I don't accept as a
21 premise, but if you have to, having a
22 diversified portfolio of environments to place
23 them in is key.

24 DOUG DRETKE: Yeah, I think wonderful
25 comments. And I think that highlights the

1 critical importance of having good assessments
2 to then help you make correct placements, and
3 that also ties into staffing ratios, where --
4 which type of housing area dictates what level
5 of staffing.

6 So one final on kind of the facility in
7 your statement that you provided, one of the
8 actions that you talked about in '21/'22
9 stated that you took the time to identify
10 blind spots at your facility, and you
11 developed plans to mitigate them. And so
12 curious what you've done with some of the
13 blind spots that you identified, especially
14 when the director talks about more
15 correctional-style facilities, since that's
16 what I grew up in, I know exactly what you're
17 talking about.

18 MICHAEL RIGGAN: Well, we've mitigated
19 them in several ways. We've put up mirrors,
20 concave mirrors, and see around corners.
21 We've added cameras to some places. Part of
22 just kind of identifying areas with low
23 traffic that -- we have the rule of three. It
24 was part of that process as well.

25 We've changed some of our protocols or,

1 I guess, codified our practice more to allow
2 for -- like, our freezer in the kitchen is a
3 walk-in, and our staff had always, you know,
4 opened the door, let -- one person opens the
5 door and stands there. The other person goes
6 in, get what they need. That has been their
7 practice.

8 You know, we're putting some of that
9 stuff in protocol now. That's how we've
10 mitigated the blind spots that we have. I did
11 rearrange some furniture because our cameras
12 in a corner of a room, they didn't see
13 directly below the camera. So we put a piece
14 of furniture there, a bureau or something to
15 eliminate people being in that space. Those
16 are things we've done to mitigate some of
17 those blind spots.

18 But really adding cameras is a really
19 good way -- the most effective way to get
20 vision on there. And our staff in our control
21 center monitor those cameras all the time.

22 DOUG DRETKE: And since you've heard me
23 ask all the other witnesses, what are your
24 thoughts on body cameras?

25 MICHAEL RIGGAN: I think our affair

1 director would like to take that one on.

2 JOE O'LEARY: I did offer to take that
3 one if asked, and thank you for the question,
4 Mr. Dretke. And I -- honestly, I probably
5 want to cosign the response from my colleague
6 and neighbor from Idaho, Monty, who I think
7 said really cogently never say never.

8 We have not seen research that suggests
9 that that is a good idea. And we do have a
10 now-dated pilot that we attempted at a now-
11 closed unit at our biggest facility that was
12 not a successful pilot. So my view is
13 candidly informed by some of the take-aways
14 from that pilot.

15 And in essence, it was that you know,
16 we don't want to have our direct care team in
17 an adversarial relationship with the young
18 people on their living unit. And anything we
19 can do to minimize that kind of us versus them
20 approach is something that we want to explore.
21 And what we found was that the equipment,
22 which at the time -- and maybe it's different
23 now and maybe -- maybe this is a thing where,
24 you know, as time goes on, maybe you can have
25 this kind of equipment that won't be as

1 noticeable. But the equipment at the time was
2 very obvious and very noticeable and just
3 didn't align with our mission and aspirations
4 of where we wanted to be.

5 DOUG DRETKE: I appreciate those
6 comments. Thank you for that.

7 WENDY LEACH: I wanted to switch gears
8 a little bit and talk a little bit about
9 reporting of sexual abuse by
10 kids and also by staff. So I think we all
11 know (inaudible) reporting sexual abuse can
12 sometimes be tough. They have to trust the
13 system, and they have to trust the person.
14 They have to trust that all the reliable
15 methods work, they're actually functioning,
16 and that their confidentiality will be kept.

17 And kids have histories that sometimes
18 come into play, too. So it's always true that
19 staff sometimes can have a tough time
20 reporting abuse for some of the same reasons.
21 I think staff can fear, you know, retaliation.
22 They can be concerned about what will happen
23 to them if they report something, and I didn't
24 know if you all had ever run into situations
25 where either staff has been reluctant to

1 report, didn't report something to you, and
2 then you found it out much later or if staff
3 had reported abuse, and then maybe something
4 negative did happen or didn't work out for
5 them, and how did you prevent that, if that
6 has ever happened or if you've run into that?

7 MALE VOICE: That's an interesting
8 question. In terms of third-party reporting
9 for kids, I mean, we do have -- we have our
10 professional standards office and a hotline,
11 and the kids are, as part of the orientation
12 process, kids receive a hotline call, and
13 plus there are posters within every living
14 facility and beyond that not only explicitly
15 just say, hey, if you've been harmed, here's
16 the number you call, and there are hard and
17 fast policy-related rules and protocols around
18 kids accessing a phone to call the hotline.
19 And that's actually a right way to have some
20 corrective action if you get in the way of
21 that or attorney call or anything like that.
22 You want kids to feel safe and you want them
23 to have access to those reporting mechanisms.

24 We also have through the governor's
25 office, it's an ombudsman liaison number that

1 kids can call as well as an outside party
2 CARDV, which is -- I'm going to muff the
3 -- yeah --

4 MALE VOICE: That's the Center for --
5 Center Against Domestic Rape and Violence in
6 Corvallis.

7 MALE VOICE: Yeah, located in
8 Corvallis, and they are not mandatory
9 reporters, by the way, so that's -- could be a
10 safer option for youth. So that's that.

11 I think the other thing is it kind of
12 really goes to culture and a code of silence
13 or that is not supported. Actually, it's just
14 the opposite. I think our staff want -- it
15 goes back to that in loco parentis. I think
16 there's a vested interest in trying to root
17 out anyone who wants to harm a child. And our
18 staff are parents too.

19 In fact, that's one of the things that
20 I do is that with new staff coming in, as I --
21 I mean, that's actually a philosophical
22 approach. If this is your child, how would
23 you want them to be treated? I mean, that's a
24 great question for a young person to ask or
25 for a young staff to be asked and having them

1 contend with.

2 JOE O'LEARY: Might want to share your
3 experience of staff disclosing allegations,
4 too, at Oak Creek. I think that might be very
5 informative to the panel.

6 MALE VOICE: And when they occur -- I
7 mean, we talked about the three pre-related
8 staff instances that we have during your site
9 visit. And those were through a combination
10 of youth reporting and staff observation. And
11 so our -- so I think experience really kind of
12 comes down to is a culture that (inaudible)
13 seriously. I'm trying to -- I'm searching for
14 kind of an example when staff reported and how
15 that did -- but our process is really simple.
16 The minute we have an allegation is, is that we
17 move to human resources and to the assistant
18 director, and there's a conversation about the
19 allegation and (inaudible) somebody at home
20 and making sure they're out of the
21 environment. So we take it all seriously.

22 WENDY LEACH: And this isn't
23 necessarily related to your facility, but I
24 think sometimes we run into places where they
25 don't want to necessarily take every report

1 because it brings attention to them. And I'm
2 not saying that's in your situation, but do
3 you ever feel like there's any pressure to
4 make sure that the number is reasonably low,
5 or does that just not come into play at all,
6 that it's just -- it is what it is, and that's
7 really (inaudible) high.

8 Because it's really challenging to run
9 facilities, get reports, and go -- you know.
10 But people have -- people have (inaudible) not
11 always reported every single thing. Now, I'm
12 not saying it's your facility. I'm saying
13 generally, globally, we've run into it.

14 MALE VOICE: Well, that's kind of the
15 code of silence there. I've never experienced
16 any pressure whatsoever. I think we do everything
17 with disclosure. I think secrecy is
18 basically -- or sweeping something under the
19 carpet -- is a tremendous exit strategy as a
20 leader. And usually abruptly, premature exit
21 strategy.

22 My history is that I spent 20 years
23 running adult and adolescent (inaudible)
24 treatment groups that (inaudible) and part of
25 the ages that I worked for, we treated victims

1 of sexual abuse. And the fact that the co-
2 director of that agency to this day still goes
3 around the country and train the law
4 enforcement agencies and childcare folks and
5 caseworkers on sexual victimization and
6 predatory behavior. This is DNA for me.

7 So from a personal standpoint, never in
8 a million years would I ever allow and not
9 report that.

10 WENDY LEACH: Yeah.

11 MALE VOICE: It's that serious. I
12 think, also, too, there's some nuances too
13 because sometimes -- and this is a challenge
14 for young males, 25 or so, working with
15 (inaudible) girls is that you have to spend a
16 lot of time with them about the appropriate
17 boundaries so they don't end up setting
18 themselves up or putting themselves in a
19 position where somebody can misconstrue or you
20 could be reinforcing the wrong things.

21 And I (inaudible) I will always point
22 them to two or three staff that I think are
23 outstanding role models of really great
24 boundaries. But part of what we do is we talk
25 about three things. One is keep yourself

1 observable. You know, know where your cameras
2 are. That rule three is a real thing.

3 The second thing is is that when you
4 work with young women, you compliment
5 behavior, not attributes. And then you -- the
6 third thing is when you speak -- when you
7 (inaudible) or you say something positive to a
8 youth, you talk about how it influences the
9 entire (inaudible), the living unit, all
10 staff. You generalize that as opposed to how
11 it makes you feel personally.

12 And those are just really simple,
13 simple tactics. Because we spend about 20
14 grand a year on haircare. So that's \$20,000
15 spent from the government. Given a traffic
16 kit and just coming in and being on the run
17 and uncared for, they appreciate having their
18 hair done. And you know, it's the old it's
19 better looking to feel good (inaudible).

20 And so it's interesting to see the
21 young kids and say, oh, that is your vision
22 a gorgeous haircut. Yeah, no, you
23 don't do that. And (inaudible) hair. Say,
24 oh, when you do this, that really makes me
25 (inaudible) great. Oh, (inaudible) haircut

1 (inaudible).

2 The hard thing is with a trafficked
3 kid is
4 that now they're around males who want nothing
5 from them. You know how attractive that is
6 for a trafficked kid whose used to sexual
7 abuse for so often and I think just (inaudible
8 sexual abuse (inaudible). It's not. It's an
9 event that occurs multiple, multiple times,
10 and that's -- and for many of these girls,
11 it's (inaudible) childhood and adolescence.
12 It's a continuous risk factor for many of
13 them.

14 But that led to just that staff
15 (inaudible) understanding that we train
16 them. We talk about how the -- an adult male
17 (inaudible) role models in their life, and you
18 need to be careful in how you interact with
19 youth because you do not want to be
20 reinforcing the wrong things because it's
21 tremendously attractive to be cared for in
22 that way and have an adult who wants really
23 nothing from you that isn't exploitive because
24 that's what they've known.

25 So it's -- it's tricky, but (inaudible)

1 identifiable, and we can talk about it, and we
2 have really great role models for staff to
3 really point to our young staff and say do it
4 that way. Watch how he interacts with kids.
5 And that -- that curious kind of learning is
6 actually inaudible) things we can do (inaudible).

7 DOUG DRETKE: Thank you for that. I
8 know time is pretty much at the end, but I do
9 have one final thing that I would like to
10 touch on. And Director O'Leary, you brought
11 this up in your opening comments and actually
12 pointed out that Denessa continues to do
13 this. But as a result of the 2018 survey, you
14 went out and you (inaudible) report that you
15 met individually with every unit facility and
16 discussed the survey results, shared ways to
17 report abuse, provided a safe space to share
18 concerns or issues, and I'm (inaudible) found
19 that to be so successful that now you continue
20 that.

21 JOE O'LEARY: Yes.

22 DOUG DRETKE: (Inaudible). I would
23 love you to speak about that a little bit.

24 JOE O'LEARY: Thank you for that. I
25 think Denessa's in the best position to share

1 with you on that. Denessa?

2 DENESSA MARTIN: Yes, the question was
3 -- I apologize. I'm having a lot of audio
4 issues, but it was about why we're continuing
5 to do the forums twice a year after the first
6 time after the survey results? Is that the
7 question?

8 Well, personally, because I really
9 enjoyed going everywhere and talking to all
10 the kids. But also, the benefit was just the
11 open dialogue and the information and stuff
12 you got directly from the youth, not only
13 about reporting and talking about sexual
14 safety, but we got input directly from every
15 youth at every facility about our youth safety
16 guide. Got to hold it up with our
17 communications department saying is this
18 working for you guys. And if not, what would
19 you do to make it better. I got to ask a lot
20 of magic wand type questions about if you had
21 a magic wand and could change one thing
22 tomorrow when you woke up on this living unit,
23 what would it be? I apologize. I get a
24 little bit excited because they just were that
25 beneficial.

1 And then now the living units, they
2 have community groups every week. But
3 specifically, we focus twice a year in the
4 spring and in the fall to pause and really
5 focus on the ways to report abuse, whether in
6 a facility or outside of a facility, and talk
7 about all the ways that take -- enhance sexual
8 safety on the unit.

9 And somebody like Drew does that
10 directly at Oak Creek twice a year. It
11 happens more than that. But we make sure that
12 we document that it occurs twice a year.

13 DOUG DRETKE: Thank you for that. I
14 think that's a very proactive and positive
15 process. I mean, have you ever started to put
16 that into policy procedural practice as part
17 of your system at this point?

18 So good initiatives or great
19 initiatives, and the staff leave, and then
20 those initiatives go away until you actually
21 make it a part of who you are. And things
22 that come out of difficult events -- when you
23 got named in the BJS report -- sometimes are
24 some really positive things that make us
25 better, and I think that's the intent of BJS

1 surveys. That's our intent. And that's a
2 practice -- that level of communicating,
3 talking directly to the kids, giving them -- I
4 love that. Giving them an opportunity. If
5 something could be better tomorrow, what would
6 it be, and sometimes they will say something
7 that, my gosh, we can do that. And how
8 powerful is that? So thank you for that.

9 Any final questions or comments from
10 the panel?

11 WENDY LEACH: I just want to thank you
12 all very much for coming here and spending
13 some time with us, the great State of Oregon,
14 sticking with my theme.

15 PETER PERRONCELLO: My final comment
16 because you're taking a look at where you're
17 going with your building and your structures,
18 the (inaudible) agency that's here is an
19 agency called the National Institute of
20 Corrections, and they're in D.C., and we can
21 get you the website. I'd ask you to take a
22 look at the principles of direct supervision
23 and management, which have been around
24 for about 40 years. I'll give you -- if you
25 give me somebody's email, I'll give you the

1 whole manual I helped cowrite for another
2 organization and Doug summed it up as -- I
3 really liked the fact that you -- one of your
4 high level associates is visiting the
5 facilities at least twice a year.

6 Any of the facilities that I ever
7 managed in my 40 years, we had town meetings
8 any time (inaudible) between 64 and 72
9 supervised in that unit by themselves, cross
10 gender supervision, you name it. Felt the
11 housing unit wasn't running normally or didn't
12 feel right, he or she would convene a town
13 meeting. They were empowered through the
14 organization to do that, and they had
15 (inaudible) supervisor (inaudible) talked
16 about.

17 So in effect, even though the magic
18 wand wasn't, you know, waved about wish upon a
19 star can come true, some of you will take your
20 kids to Disneyland for a specific reason. I
21 did take my kids there a couple times. So if
22 you wish upon a star hard enough, it will come
23 true.

24 So I will give you something before you
25 leave the room to take a look at, but you can

1 see it practically in your own state a couple
2 hours' drive at several facilities and some of
3 the better direction (inaudible) in the
4 country. It's a dying art, and you're
5 (inaudible) juveniles. So don't make it a
6 dying art for juveniles.

7 I really appreciate the insight you
8 provided this panel and my colleagues today,
9 and again, want to thank you for making the
10 trek out and taking advantage of the three
11 hours' time warp on us. Thank you.

12 WENDY LEACH: Thank you all very much.

13 DOUG DRETKE: Thank you all you. Thank
14 you, Director.

15 JOE O'LEARY: Thank you so much. We
16 appreciate it.

17 DOUG DRETKE: All right. We will now
18 adjourn today's panel meeting. So thank you.

19 (End of Audio Recording.)
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CERTIFICATE

I, Wendy Sawyer, do hereby certify that I was authorized to and transcribed the foregoing recorded proceedings and that the transcript is a true record, to the best of my ability.

DATED this 10th day of May, 2022.

WENDY SAWYER, CDLT

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