

Responding to Sexual Abuse of Youth in Custody: Addressing the Needs of Boys, Girls, and Gender Nonconforming Youth Notification of Curriculum Use
April 2014

The enclosed Responding to Sexual Abuse of Youth in Custody: Addressing the Needs of Boys, Girls, and Gender Nonconforming Youth curriculum was developed by the Project on Addressing Prison Rape at American University, Washington College of Law as part of contract deliverables for the National PREA Resource Center (PRC), a cooperative agreement between the National Council on Crime and Delinquency (NCCD) and the Bureau of Justice Assistance (BJA). The Prison Rape Elimination Act (PREA) standards served as the basis for the curriculum's content and development with the goal of the Responding to Sexual Abuse of Youth in Custody: Addressing the Needs of Boys, Girls, and Gender Nonconforming Youth curriculum being to satisfy specific PREA standard requirements.

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**Training Curriculum:
Responding to Sexual Abuse of Youth in Custody:
Addressing the Needs of Boys, Girls and Gender Non-Conforming Youth**

Module 6: Impact of Culture– Agency and Youth

**The Project on Addressing Prison Rape
February 2014**

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Objectives

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



What is Culture?



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Webster's Definition of Culture

The integrated pattern of human knowledge, belief, and behavior that depends upon the capacity for learning and transmitting knowledge to succeeding generations

The customary beliefs, social forms, and material traits of a racial, religious, or social group

The set of shared attitudes, values, goals, and practices that characterizes an institution or organization

The set of values, conventions, or social practices associated with a particular field, activity, or societal characteristic.

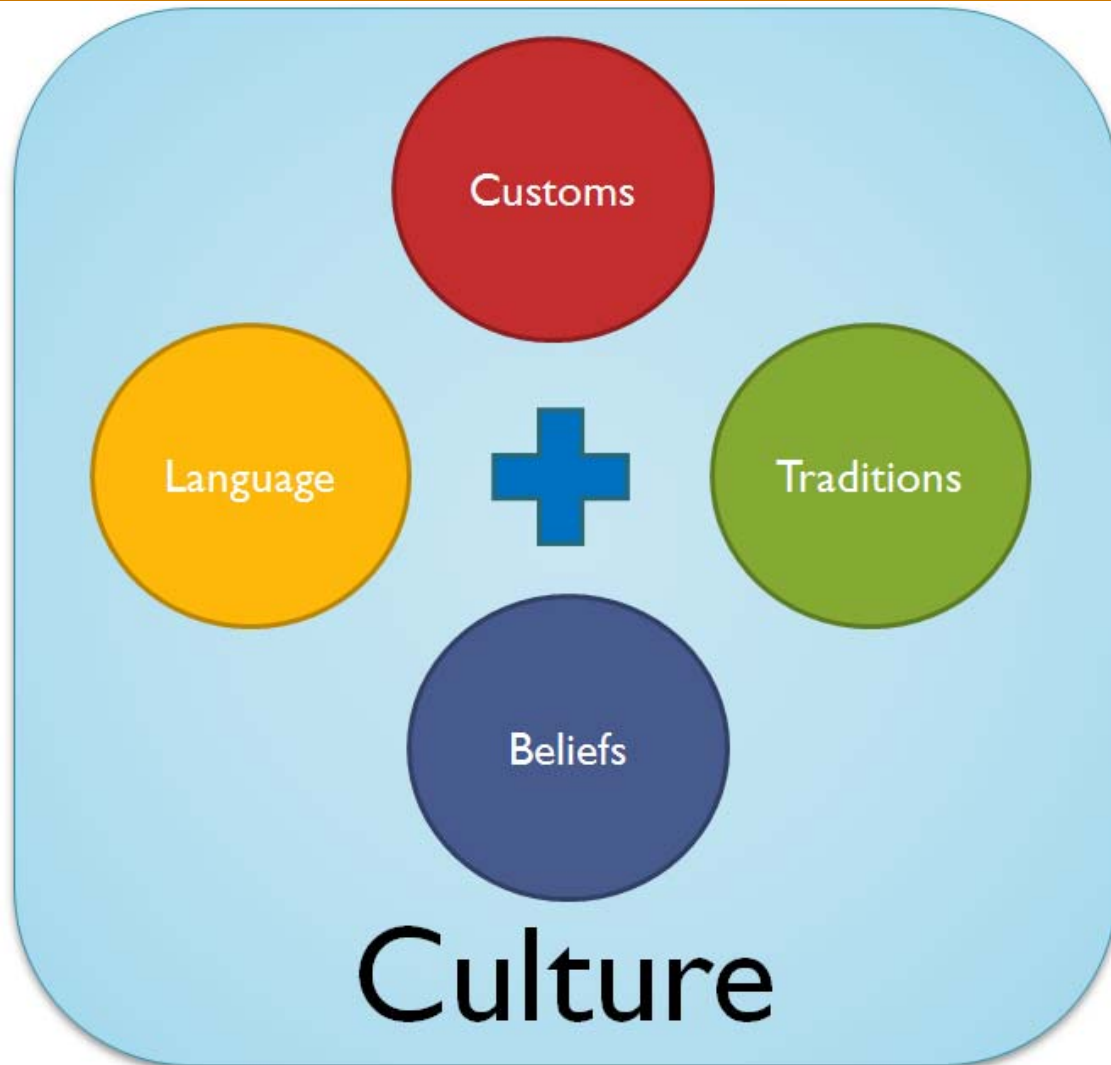


NIC's Definition of Culture

Shared assumptions, values, beliefs, attitudes, norms, and practices of an organization or group



Culture



Agency culture is a combination of many different things that help create and explain your agency

Foundation of Culture

Culture is communication,
communication is culture

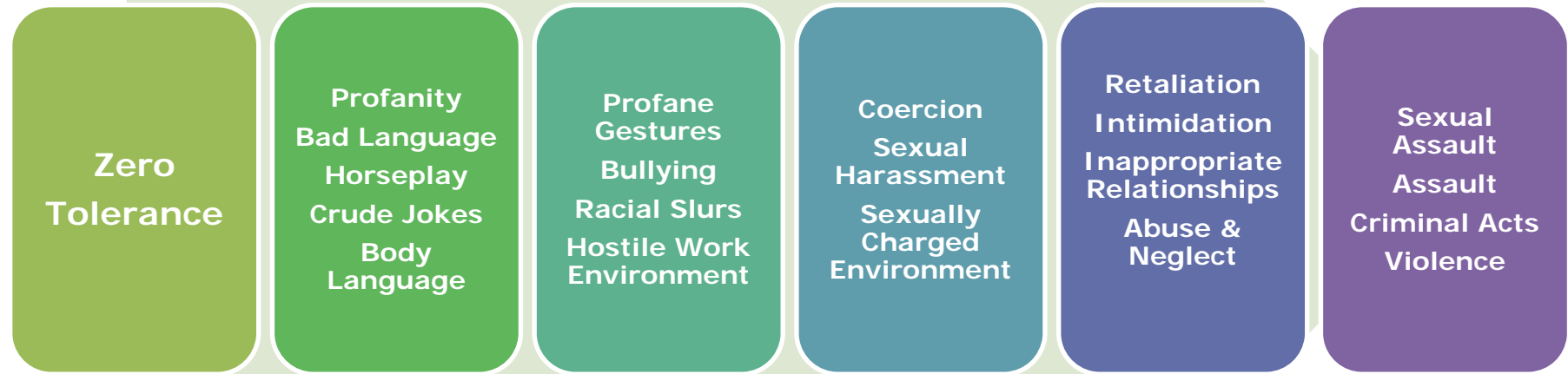


It all begins with communication
and it can all end with communication



Cultural Continuum

Culture is how you do business daily.
Where do you fall on the continuum?



Culture of Safety

Culture of Secrecy



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Why is Culture Important?



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What Culture Does

Culture tells people in an organization what will be **expected of them** and **what they can expect of others**

People will learn when they know what the expectations are, but more often they learn culture by watching others



Schein's Three Levels of Organizational Culture

The first level is what is seen in an organization

The second level is what an organization says

The third level deals with tacit assumptions in the organization



Components of Agency Culture

Beliefs: Shared explanations of experience

Examples:

- Youth should be treated with respect and dignity
- Youth cannot be trusted and youth will always lie

Values: What is considered right and good

Example:

- If it's youth vs. staff, the decision supports the staff member; if its youth vs. staff, err on the side of believing youth



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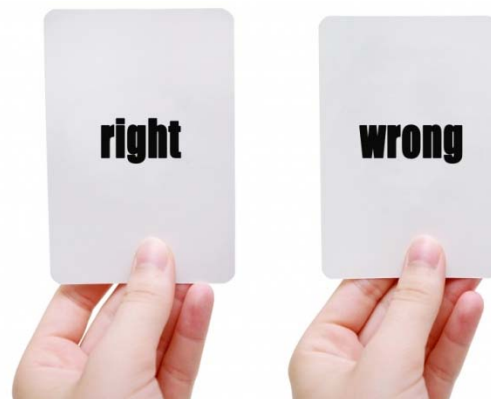
Components of Agency Culture

Norms: Shared rules...“the way things are really done”

Examples:

- Don't volunteer for assignments.
- Don't use bad language.
- Don't turn in fellow employees that violate rules.

Norms are often **MORE** powerful than formal guidelines



Components of Agency Culture

Phantom Rules:

Rules that people create that they THINK are the real rules based on their own misunderstanding or past history - these rules have NOTHING to do with the actual rule

Examples:

- Agency will always believe the juvenile versus the detention officer
- If you restrain a kid, you will be investigated
- Everyone wears blue on Fridays



Agency Culture Assumptions

Assumptions guide organizational culture and can make or break any change effort

Example:

- Our organization is at the mercy of outside forces and has little control over its own future



Influences on Culture

History:

- Critical events

Hiring process:

- Qualities sought, backgrounds considered, questions asked, fairness of process, objectivity

Promotional process

Leadership and agency ethics

Public opinion



Influences on Culture

Staff-staff dynamics

Staff-youth dynamics

Youth-youth dynamics

Agency policy and procedures

Language

Disciplinary process, sanctions, grievance procedures
(consistency or lack thereof)



Influences on Correctional Culture

Juvenile justice agencies face uniquely traumatic experiences that have powerful effect on how people in the organization perceive and responds to challenges:

- Riots
- Homicides
- Suicides
- Staff misconduct
- Sexual assaults



Influences on Correctional Culture

Organizational history impacts culture significantly

- High profile crimes/residents
- Media coverage
- Legislative scrutiny
- Public/Advocates involvement and scrutiny
- Department of Justice involvement/litigation





Impact of Culture: Staff

The Employee 'Code of Silence'

What is the "Code of Silence"?

- A code of silence is when a person opts to withhold what is believed to be vital or important information voluntarily or involuntarily
- A shroud of secrecy, agreement to keep quiet
- The code of silence is usually either kept because of threat of force, or danger to oneself, or being branded as a traitor or an outcast within the unit or organization



The Employee 'Code of Silence'

How prevalent is the "Code of Silence" in our organizations today?

National Institute of Ethics conducted survey of 3,714 police officers regarding "code of silence"

46% admitted to having witnessed misconduct by another employee but took no action



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The Employee 'Code of Silence'

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



Red Flags

What is a “red flag” and why is it important?

- A warning signal
- Something that demands attention or provokes an irritated reaction
- Red flags are actions, words, situations or settings that should warn a person that may be wrong



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Red Flags: Staff Sexual Misconduct

Over-identifying with any resident or their issues
(i.e., blind to juvenile's actions)

Resident knows personal information about staff

Resident has letters or photos of staff

Staff granting special requests or showing
favoritism

Resident in unauthorized area or repeatedly out of
their assigned space



Red Flags: Staff Sexual Misconduct

Staff spending an unexplainable amount of time with a resident

Staff taking resident out of cell at unusual times

Staff in personal crisis (divorce, ill health, bankruptcy, death in family)

Overheard conversations between staff and resident which is sexualized in nature, or refers to the physical attributes of staff or resident



Red Flags: Staff Sexual Misconduct

Hygiene changes for staff (wearing makeup suddenly or dressing nicer)

Contraband

Creating opportunities to be alone

Familiarity with youth

Extra interest in unpopular kids

Being only person who understands the juveniles, etc.



Red Flags: Staff Sexual Misconduct

Sexual Victimization in Juvenile Facilities Reported by Youth, 2012 (BJS):

- Among youth who reported being abused by staff, roughly half (49.2 percent) said that the abusive staff member **gave them pictures or wrote them letters;**
- Almost a third (29.8) said that staff **contacted them from outside the facility.**
- More than two-thirds (69.1 percent) said that **staff told them about their personal lives.**



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Challenges for Leadership

Discover the root of the problem

Can be a symptom of the culture

Addressing the problem in a systematic way is about **cultural change**

Cultural change is the challenge for leadership

- Must shift deeply ignored norms and attitudes
- Ideology and attitude lies in key positions



Impact of Culture: Youth



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Youth Culture

'Normal' teen behavior

- Impulsiveness, raging hormones, short-sighted, LGBTI populations, adolescent brain not fully developed

Typical youth profile in the juvenile justice system

- History of abuse and neglect, mental illness, behind academically/ special education

Questionable staff ethics

- Sexual joking and innuendos, tolerance, complacency

This can be a ***boiling pot*** when youth are in confinement.



Red Flags of Victim: Youth on Youth Sexual Abuse

Refusal to shower, eat or be in certain less supervised areas

Self abuse or suicidal behaviors

Withdrawing or isolating themselves



Increased medical complaints and attention seeking

Uncharacteristic acting out in an effort to stay in segregation or facilitate transfer

Red Flags of Victim: Youth on Youth Sexual Abuse

Letters between youth

Graffiti

Bedwetting

Kids exchanging food

- sharing food ...using food for favors
- giving away commissary items

Will not shower with others; afraid to shower

Drama, fighting

Homicidal threats



Red Flags of Perpetrator: Youth on Youth Sexual Abuse

Verbal harassment

Grooming of potential victims

Blatant sexual harassment

Prior history of sexual abuse

Past victimization

Difficulty controlling anger

Poor coping skills / strategies

Voyeuristic / exhibitionistic behavior



Changing Culture



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Truism

"You don't change cultures by trying to change cultures"

Cultures are learned based on what works

To change culture, leaders have to show that something else works better



It's Your Choice

Your presentation of PREA will make or break your implementation, attitude and culture:

- Option 1: PREA is a federal mandate that is being forced on correctional agencies
- Option 2: PREA is the way we do business and it helps us ensure the safety and security of all youth and staff



Changing Culture

Three Steps to Culture Change

- Understand the current culture (the way things are now)
- Decide what the organizational culture should look like to support success
- The individuals in the organization must decide to change their behavior to create the desired culture



Strategies for Changing Culture

Involve all key entities:

- Line Staff, mid management, management
- Governing boards/CJPO/CEO
- External stakeholders
 - law enforcement, prosecutors
- Ideas: Safety and Security Taskforce



Strategies for Changing Culture

- A top-down approach is essential to success of culture change
- Before you change...assess your current culture
- Create a culture and community of accountability
- Model the behavior



Strategies for Changing Culture

Leadership matters

NPREC/PREA Report states:

“Sexual abuse is not an inevitable feature of incarceration. Leadership matters because corrections administrators can create a culture within facilities that promotes safety instead of one that tolerates abuse.”



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Strategies for Changing Culture

Envision the big picture

- Define your agency/organization mission, vision and values
- How do all the pieces fit together to form an appropriate and effective culture?

Change the organizational culture

- Executive Support
- Training



Strategies for Changing Culture

Create value and belief statements

- **PREA Standard 115.311** (zero tolerance)
- Keep it simple-- employees should be able to explain it

Practice effective communication

Review organizational structure



Strategies for Changing Culture

Redesign your approach to rewards and recognition

Review all work systems

Conduct cultural survey in your organization to set benchmark



Strategies for Changing Culture

Juvenile justice experts need to meet with local officials

- juvenile board, law enforcement, prosecutors, DPS troopers, etc.

Train your local officials on your new culture of juvenile corrections

Impress upon local officials your new culture

Involvement of key stakeholders is essential to a successful culture change



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Strategies for Changing Culture

Idea: Change terminology to change culture. Instead of “Correctional officer” consider:

- Youth Leader
- Child Care Worker
- Juvenile Justice Specialist
- Youth Care Officer
- Residential Youth Care Officer



Strategies for Changing Staff Culture

Conduct appropriate screening during hiring process

- **PREA Standard 115.317 (Hiring and Promotion)**

Define boundaries for employees through policies that are clear, concise and definitive about what is acceptable and unacceptable

- **PREA Standard 115.331 (Employee Training)**



Strategies for Changing Staff Culture

Provide employees appropriate tools for **self assessment**, to help them learn when they might be crossing boundaries

Provide employees with access to advice and assistance when they have concerns and questions about **boundaries**

- A safe environment for the discussion of concerns and questions without fear of embarrassment or retaliation



Strategies for Changing Staff Culture

The PREA Report states:

- Exemplary staffing practices are needed to change culture.
- Leaders need the right staff to create a genuine culture of zero tolerance.
- Rigorous vetting is crucial; so are supporting and promoting staff that demonstrate commitment to preventing sexual abuse.

Key PREA Standard: §115.317 (Hiring and Promotion)



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Strategies for Changing the Staff “Code of Silence”

- Create a culture where officers place loyalty to INTEGRITY and ETHICS above loyalty to other staff
- Place honor above loyalty to other staff members/friends/peers
- Behavior must be modeled from all levels of management on down to line staff
- Regular training on ethics is critical



Strategies for Changing Staff Culture

Make it clear that you take the issue of sexual abuse of youth seriously

- Develop a firm zero tolerance policy: **Zero tolerance must mean zero tolerance!**
 - PREA Standard §115.311
- Consequence: Something has to happen to someone



Strategies for Changing Staff Culture

Model the behavior daily

- Insist that all managers and supervisors do the same
- The culture will not tolerate hypocrisy
- Consequences must be fair and consistent

Train, train, train on expectations and requirements

- PREA Standards 115.331-115.335
- Requirements of the law, liability of management and staff, criminal consequences, professionalism and ethics, adolescent development



Strategies for Changing Staff Culture

Support first line supervisors in their efforts to supervise employees, and recognize red flags.

- PREA Standard 115.331

Ensure that there are open dialogues specific to the issue

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



Strategies for Changing Youth Culture

Change the environment

- **PREA Standards: Planning, Reporting, Training, Investigations, Screening**
- Create an environment in the facility where youth feel safe reporting sexual abuse and are confident their allegations will be investigated



Orient and educate youth

- **PREA Standard 115.333**
- Teach youth about boundaries, being safe and how to report abuse

Empower youth

- Allow youth to have responsibilities; peer mentors



Things to Consider in Changing Culture

Culture change (i.e., behavior change) must start at the top:

- Real discussions of the difficult topics
- If top management is uncomfortable with PREA and the topics there in, all other staff will model that behavior
- If top management cannot talk about sex comfortably, that discomfort will be felt by entire agency

Culture change must be modeled by key staff:

- Trainers, Medical/MH Staff
- If trainers and other key staff are uncomfortable with sensitive PREA topics, they will not train effectively



Things to Consider in Changing Culture

Behavior can be changed with policies and procedures.

- Hearts, minds and attitudes may not change

Compliance is necessary but frequently not sufficient to change attitudes

Hearing stories and finding a way to personally relate to individuals or groups changes hearts and minds and attitudes



A Simple PREA Culture Plan

Determine your mission or goals of agency:

- **Safety and security for all**
 - Includes youth, staff and the public.
 - Includes safety from all areas...sexual safety, emotional safety, physical safety generally.

Determine what you value as agency:

- **Dignity and respect for all**
 - Includes youth, staff and the public.
 - Includes all genders, sexual orientations, disabilities, etc.



A Simple PREA Culture Plan

Determine your tools/vehicle:

- PREA Standards
- Best Practices in correctional settings

**Communicate, Implement,
Inspect...Repeat**



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Resources on Culture Change and Transformation

Five Dysfunctions of a Team

Patrick Lencioni

Leading Change

John Kotter

Our Iceberg is Melting

John Kotter

Business at the Speed of Now

John M. Bernard

Managing Transitions: Making the Most of Change

William Bridges



Summary

Defined agency culture

Identified the components of culture

Identified influences on agency culture

Described specific issues related to juvenile justice agencies

Discussed the impact of culture on juvenile justice agencies

Identified strategies for changing culture