

>> hello, and thank you for joining us today. I am the producer for today's event. Today's presentation is being recorded and all participants will be in listen only mode. Due to privacy concerns, the attendee list is not displayed. I will now turn the presentation over to your moderator, Holly. The floor is yours.

Welcome to the NIC virtual conference on staff wellness. Boundary violations are one of the most significant leadership and policy concerns in the field of modern corrections. During this session, Dr. Susan Jones present directions for correctional leaders and others to consider when addressing this challenging and important issue. This is a previously recorded presentation as Dr. Jones was not able to join us live. There will be no question and answer at the end of the session, however if you have questions for Dr. Jones or would like to engage others in a conversation regarding this topic, please visit the discussion forum at the conference website at the end of the session. Now, Dr. Jones.

Hello. It is a pleasure to be joining you today at the NIC virtual conference. My name is Dr. Susan Jones. And, the topic that I want to discuss today with you is boundary violations, and really focusing on the organizational implications. But first, a little bit about me. I worked in Colorado corrections at a variety of places and posts for 31 years. I started as an officer -- well, I started in community corrections for three or four years, and enter Department of Corrections. In the state Department of Corrections, I progressed through the links to the level of warding. During that time, I had opportunities to work with both male and female offenders and all custody levels, I had case management experience, training, administration, housing and security. I did retire from Colorado Department of Corrections in July 2012. Primarily, so that I could meet the requirements of my dissertation and PhD from University of Colorado, Colorado Springs. With that, I think it is important to understand kind of where I have come through and some of the experiences, because that explains a little bit about what we are going to be talking about. Again, boundary violations from an organizational perspective. Now, you don't have to look far to see boundary violations of the most serious kind in our headlines. I have provided a few examples, probably the most high-profile examples from recent years. Between Kansas, and escapee benefited from outside help. Tennessee, many of us remember the horrible consequences of what started as a boundary violation that resulted in an officer being killed and another wounded. And then, a couple of years ago, when the headlines read 13 officers were indicted in Maryland, accused of aiding gangs and drug sprees. Now, a lot more has been followed up, and indictment has resulted in conviction. But I put these headlines here to kind of put into perspective the most serious of the boundary violations that we see. We know, as corrections, employees and corrections professionals, that boundary violations between employees and inmates is one of the most serious concerns for correctional leaders. Having said that, in my 31 years working in corrections in Colorado, I really look at boundary violations as an issue of individual wrongdoing. But, I know now, looking back over that career and the studies that I have done, it is more complicated than that, it is more complicated than just individual choices and inmate manipulation. Although those are a key factor in it. Now, one of the things that brings this issue to light is the prison rape elimination act. The data that has been gathered already as a result of that legislation about that act, points to an issue that is perhaps bigger than most of us realize, it is certainly bigger than when I realize. This particular study, based on corrections officials reports, talks about substantiated incidents where sexual victimization occurred, and as you can see, 46% involved staff with inmates. Of that 46%, 61% involved female employees. Now, it is important to remember when we look at this data, we are talking only about boundary violations where a sexual boundary was crossed. And as we discussed this issue today, we will talk a little bit about that whole continuum of boundaries, and how the sexual and other criminal boundary violations are at an extreme end of that continuum. When you look at these numbers, it is important to remember that we are talking about the extreme end. Now like I said, coming up in corrections as an officer, Sergeant, manager and even Worden, I really

decided that this is just about hiring the wrong person. In fact, many times, I have been in our HR offices, complaining about hiring the wrong person. Where are these people that you are giving me coming from? And I really, really focused on the individual. And that, with the abutting research, we see a lot in popular articles and popular rhetoric, if you will. Usually, it refers to this idea of the bad apple theory. If I did, as an individual person and individual choices that are creating these problems. Sometimes, this bad apple. Would go so far as to say things such as, you know, maybe they weren't prepared for corrections. Maybe they weren't the right fit for us. But if you subscribe to this bad apple theory, you have to wonder how people can survive in this business for numbers of years and all of a sudden create or be involved in boundary violations.

I have examples from all over the country as I travel around and talk to people. People that have had 25 years in, that have crossed boundaries with an offender. Two years, six months, 15 years, eight years, and at all different levels of the system. We are not talking about brand-new people. We are not talking about entry-level line officers. Again, as I travel around, I hear about case managers, tenants, wardens, captains, teachers, mental health workers. Again, if we believe this bad apple theory explains this issue, totally, then I have to wonder how someone spend that much time and arrives through the system at those levels if it is really they were just the wrong fit. Background. Another area of a lot of discussion in my time, in my connections, in my discussions with people. But again, people that cross boundaries have had a variety of preparations for this business, including a bachelor's degree in criminal justice. One person grew up in a corrections family. Masters of counseling, associate degree in criminal justice. We've even had people that have crossed boundaries that had prior corrections experience. Others are prior law enforcement or military. Again, if this is the bad apple, it's hard for me to reconcile these types of individuals, this type of background and experiences with, again, labeling it as an individual failure, if you will. So, what I want to focus on is the organizational implication. Now, I'm not saying we avoid, we ignore, through manipulation and individual bad choices. Because that is a piece of this. I think it is bigger than that. The organizational response of presenting boundary violation needs to be examined and in some cases needs to be implemented because often, our response is not very easy to find, accept to go back onto the bad apple theory.

Again, I think that if it was really just about hiring the wrong person, we, as a profession are much better. We have some fabulous corrections facilities, and we have figured out who the wrong person is. So again, what I see as implications at the organizational level.

The first area I want to focus on is the idea of a code of conduct. Now, different people call this different things, maybe it's a code of ethics, maybe it's a staff code of conduct, maybe it's whatever. The title doesn't matter. But, one of the things that is important is we need a code, a document, a place where people can refer to the provides general guidance regarding behavior. Most of our agencies, again, through my experience, it seems like we have these documents in the early days per 20, 30 years ago, maybe as recent as 15 years ago. But, because of the increase of litigations from employees and personnel matters, we have moved from a general document that kind of talks about values and kind of gives guidance to a list of rules. And, we've done that for very specific reasons. I understand that. As with some agencies, they have come in and now we have a different set of values over here and a vision statement over here, but even when you put all those pieces together, it's kind of hard to find that general guidance about how we are going to do business here. Absent in many, many different codes are of the interactions between coworkers. Except to say we are going to comply with federal rules about harassment and that type of thing. But, besides indirection between coworkers and then how we interact with inmates as defenders. Now most of our codes talk about the line you cannot cross with inmates but the use pretty general rules. And I have yet to see a code in any form that addresses the variation and boundaries in correctional

facilities. This idea that may be a high-security facility, your interactions with defenders, is different, then enlarge security. Or maybe as a teacher, your interactions with defenders is different than that of an officer, who serviced an employee or a maintenance supervisor. If that kind of code was put to light, it would be difficult to present but I think it would really do us a disservice and our employees a disservice when we ignore the fact, and that's why we experience, we ignore the fact that there is a difference. Instead, many of our trainings, procedures, many of our training curriculum, act like we treat all offenders the same, period. And, I doubt that very many of us believe that, really. So, let's talk about training. Again, inmates manipulation has to be covered. It is an important piece of this. Poor decisions made by employees is an important piece of this. What, what is usually missing in our training is this idea that you're going to go into work, into an environment, no matter where that environment is, in a community setting or institution, where you are going to develop actual human connections between you and that offender on your case though, that offender in your housing unit or on your job detail. So, what do those human connections look like? First of all, we have to acknowledge they even occur. Because in many situations and training curriculums that I have personally written and delivered to, and this isn't about somebody else not doing this correctly, I have made these mistakes. This actual human connection is not usually discussed. The other thing we don't do is we don't measure this type of training at any impact it has on the outcome very often. What's more common in our business is with boundary violations, when there is a new boundary violation, especially if it is with media or across the criminal line, we immediately go in and adjust policy and training.

Training is really giving an opportunity to find out if it is going to make a [ Indiscernible ]. And, it's rarely measured. Now, I'm not saying this has never been evaluated, but the norm out there is usually, we jump from one training program to another, in a variety of responses. We might try just the facts, we might try using real case scenarios, we might try role-play, we have tried all of those things. As training organizations in this business, we have done a really good job of throwing the focus and trying to figure out what different approaches can make a difference. But, then we don't usually take the time to measure it, to see if it actually did. So how can we know what works? How can we know if it made an impact? Because we are usually reacting to these boundary violations.

The other huge organizational impact is the idea of our structure. Specifically, our posts and schedules. How we assign people and to wear. First of all, for custody people, our first posts are usually isolated posts on isolated shifts. I certainly spent my first year on my shift in the cell house working alone. That is this idea of [ Indiscernible ]. That's how we roll. That's how our system is set up. But, what happens when peace -- people go to I've isolated posts in shifts, we may increase the likelihood that they are going to learn their jump from inmates. Now, this is a hard one to say, and usually when I ask people in a live conference room, raise your hand if you've ever learned part of your job from inmates? There's the hesitation. You know, at first. But most people in the room acknowledged that that does happen. When you have someone in isolated posts, especially someone new, the likelihood that is going to happen will increase. But then let's go back to pay your dues. You know, is it right that those less desirable places are where the new people should go to learn the job? To learn the ropes? To pay those dues? Our culture says that's very important to us. And I'm not saying that we should change this, like we should put all new people for instance in our institutions, but we need to be aware that this might be playing into the vulnerabilities of boundary violations.

The other thing that really, kind of, is important here, as this last bullet point. We did it and we succeeded. We did not cross the criminal or sexual boundaries. So it's possible to go to an isolated post, when your new especially, one part of your job from inmates and still not cross the boundary. Again, then culture has kind of given as pushback about this idea that we should be doing anything

differently. So, I encourage each of you to look at your agencies, look at her process, for new people, newly promoted people, or even the people that have gravitated toward this isolated post. And evaluate what is going on there. The second big piece of this as far as structure goes is this idea of rotation. I know when you see rotate staff, it kind of stresses you out a little bit. Because any time that we start talking about rotating staff, in institutions and agencies where that is not a norm, there certainly are agencies where that is normal, this idea of rotating staff is very, very difficult. First of all, it's incredibly difficult to implement unless it is part of your structure or part of a negotiated agreement between different bargaining units, but it is also very, very hard to implement and achieve consistency. Because on an intuitive level, it seems like moving employees into new assignments on a regular basis will prevent relationships from forming, right? You are not there long enough to form a relationship. But the other thing is we need to be aware that that may increase the likelihood that we will be learning, part of our job, again, from offenders, and may be developing relationships because we are new to that area. Very, very difficult to implement. Rotating staff with great effectiveness. Unless it is part of your agency already.

Let's look at rotating inmates. Next best thing. Many agencies rotate inmates on a regular basis. In fact, it's part of the way we do business. Inmates are on buses and moving all the time. But sometimes, we become really dependent upon specific inmates. Maybe because they are filled, maybe because they are a master plumber, and we need that skill in our maintenance area. Maybe because they are a really good asset to the GED program, for instance per tour, a really good asset to food service. So when you talk about rotating inmates, what I encourage you to do is look at those inmates that don't get moved. Almost every agency has a mechanism to get somebody off that move list. And, those people that are exempt, the inmates exempt from being moved, may be the ones you really need to be looking at as far as developing relationships with staff. So again, I encourage you to look at who is not being moved.

Now, in my opinion, if we are going to make headway in decreasing boundary violations in this business, our number one focus needs to be on an open discussion about boundary issues. Many successful employees have crossed a boundary. Let me say that again, because I think that is really important. Many successful employees cross boundaries. Now I'm not talking about a sexual or communal boundary, I'm talking about those boundaries that are way down at the other end of the continuum. There has never been a boundary violation on a criminal or sexual end of that continuum that I know of that did not start with minor boundary violations. Talking about [ Indiscernible ] in front of an offender. Talking to an inmate that he should not be talking to about that conversation. Maybe sharing a food item. May be overlooking some added perk this particular offender is getting because of their job. There are many, many minor boundary violations that don't get recorded, they don't get tracks, they usually don't come to the attention of anybody because successful employees figure out how to recover from it. They figure out how to fix it. When they figure out that they have crossed the boundary, they figure out how to come back and make it better. They either move the offender, change the behavior, or maybe they combine -- confide in one other person. And what we usually do is keep that information to ourselves. And if we confide in someone else, we really hope they keep that information to themselves also.

Our culture says, this is not something that is okay to talk about. People at higher levels rarely get up, in fact, I've never seen this, perhaps one of you that are listening has, rarely get up and talk about minor boundary violations that they actually allowed to occur at any point in their career. So, what that does, is it communicates to people. Let's say we are at the level of Lieutenant. or above. And we are not talking about ever having these kinds of problems, dilemmas, or trying to figure out where that boundary is. What that does is communicate to new people that we did not have these problems. We did not have these issues. We did not struggle with it. And, when you have people

that are struggling with this, and yet, nobody looked like they were approachable, it can create a wall between the conversation that needs to occur. So, we talked about it. Like I said, let's talk about it and learn from it, not just gossip about it. Because we talk about this a lot. We talk about boundary violations on the terms of gossiping and judging and maybe even placing blame. But, when it's the last time you have a conversation in your agency, workgroup, team, whenever that looks like, a boundary violation that a member of the team committed and how they recovered from it and how that might apply to the struggle that people are having, this type of conversation doesn't happen a lot. And it makes people really uncomfortable sometimes, but I think we need to be talking about these issues. Even high-ranking individuals won't take the risk to talk about mistakes, perhaps, they made early on in their career. Because it is an unacceptable mistake. The fact that we've survived it, we've recovered from it and we've moved on is great. But, then we don't share it. And from what I am encouraging everybody I talk to about this issue to do is start talking about those mistakes at that minor end of the continuum. At that lower end of the continuum. Because then we start humanizing this. We start talking about the human connections we've made. We start building on that history of behavior, mentorship and guidance.

Just the other day, something amazing happened. I live in small town America, prison town USA, and I was told by an employee who ran into a former offender who said he had worked for me in one of his former work assignments when he was incarcerated. And he was told, the current employee, things about working for me that made me really uncomfortable, not that it was a sexual criminal boundary, but made me really uncomfortable that I had a former offender that is not talking to people like we had a relationship, likely had a connection. Again, not of now communal or sexual episodes, but what might be considered as a minor boundary violation. And I have been retired for three years and this makes me uncomfortable. I want to go out there and correct it. I want to make sure everybody knows that nothing criminal, sexual, or even inappropriate occurred. So if I can be this nervous even three years later, hearing about these kinds of conversations, worried about what people are going to think about this offender and what he might have shared or have implied by sharing with somebody, think about the power of this culture. Think about what would happen in your agency if you stood up and started talking about boundary violations, mistakes you had made earlier in your career. And I know it is uncomfortable conversation but I encourage us to start doing just that. Again, we are modeling behavior, telling people that we outrank, that are new, looking to us for guidance or mentorship, we understand a human connection. We understand that boundary is not always clear. Because in absence of doing that, what we are really communicating is that good correctional employees should be able to figure out on their own where the boundary should be in each situation. And if you can't figure that out, again, we are back to that bad apple. If you need guidance in this area, maybe this isn't the right position for you. Maybe this isn't a good fit.

Coupled with this idea of open discussion. This is the idea that asking for help must become a real option. Every training curriculum I've written, delivered, reviewed or listen to as a member of the audience has some place in it where we say, if you start to form a connection with an offender, ask us for help. Let us know long before we get to that criminal or sexual boundary. Let us know so we can help, we can fix it. Before a felony is convicted, let us know. But it's my contention that we don't really need that. Really, in corrections. We see this issue as a non-fixable problem. The only way, if you come to me, for instance, talking about a boundary violation, developing feelings, friendship or whatever with an offender, my response from a cultural perspective is to say we are not the right fit for this position. When I say it's a non-fixable problem, the only acceptable solution in our culture is that you leave. You are not a right fit for corrections and you need to leave.

Now there may be somebody out there that has had somebody come to them and ask for help. And usually what I hear, if we succeed, remove the staff member, inmate, whatever it is, we fix the

problem. But then what happens after that? Do we ever trust that employee again? The next time there's a rumor or feeling that something is going on, do we go back to that employee and wonder? One particular person I talk to in my travels said this to me. We still haven't forgiven me. This happened five years ago. I went to open inmate, I do not cross a criminal or sexual boundary, I did not even cross a serious professional boundary. I went to them because I was developing feelings. They moved me. They fix the issue. But they have never forgiven me. They don't want to work with me, they don't trust me. And I will never be part of this team. Now the only surprising part of this story as far as I'm concerned is that this person still works in corrections. Again, we have to make this a fixable problem.

Another employee I talk to who ended up crossing a criminal boundary with an offender, I asked her, why didn't you ask somebody? Why didn't you ask me for help? And this is what she shared. I cannot even imagine going back to work after saying those words. I cannot even imagine going back to work after saying those words. So is it a fixable problem? Are we encouraging people to reach out? Are we really opening the door for the discussion and help? Do our employees, coworkers, subordinates, really believe there's an answer and way to fix this? And my contention, for the most part is, no, they do not. So where do we go from here? First and most important, we cannot continue to attribute the entire issue to individual failure. That has not worked for us but in my opinion, we have been doing then as a discussion for a number of years. But, when we attribute this as an entire issue to individual failure, we are really -- the organization from any responsibility. I'm not saying we totally absolve the individual of poor choices, I'm not saying manipulation is not a part of this, but what part does the organization play? And, what part does the organization need to be doing differently? I understand looking at this from an organizational perspective, might be uncomfortable, it certainly was for me when I headed down this road, into this area of research and professional development. But there are elements of organizations that don't lend themselves to reducing boundary violations. Yet we are being judged by these, back to these headlines, we are being judged by these on a daily basis in the court of public opinion, in the area of professionalism. So I encourage each of you to make a note. Tomorrow, start talking about this issue in a different perspective. Start looking around at your structure. Your culture. And the way we do business, to see what kind of barriers there are. What things might improve somebody actually coming to you to talk? Again, we cannot continue to attribute this entire individual -- issue to individual failure.

Thank you for your time this morning and your attention.

Thank you for attending this presentation. Please remember, you can post question or engage others in conversation on this topic in the conference discussion forum. Please join us at 3 PM Eastern time for the closing keynote address entitled healing corrections with director Harold [ Indiscernible ].

That concludes today's webinar. You may now disconnect your lines. Thank you and have a great day.

>> [ Event concluded ]