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BJA
Bureau of Justice Assistance
U.S. Department of Justice

NCCD

National Council on
Crime & Delinquency

Developing and Implementing A PREA-Compliant Staffing Plan

Notice of Federal Funding and Federal Disclaimer – This project was supported by Grant No. 2010-RP-BX-K001 awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, and the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.

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Webinar Agenda

- Welcome and Opening Remarks
- Background & Context
- Introduction of the Staffing Plan Resource Guide
- Staffing Plan Requirements
- Influencing Factors
- How to Develop a Staffing Plan
- Video Monitoring, Juvenile Ratios, and Gender
- How A Staffing Plan Will Be Audited
- Question & Answer

Opening Remarks

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Background & Context



Background & Context

- Inadequate supervision is, perhaps, the single most significant and preventable contributor to sexual violence and exploitation in confinement facilities.
- Inadequate staffing practices make facilities dangerous for both inmates and staff.

Results from DOJ's Investigation on Conditions of Confinement


XXX has a history of unabated staff-on-prisoner sexual abuse and harassment. ... They live in a sexualized environment with repeated and open sexual behavior...

....inappropriate sexual behavior, including sexual abuse, continues, and is grossly underreported, due to insufficient staffing and supervision [among other things]

Results from DOJ's Investigation on Conditions of Confinement, (cont.)

We received reports of widespread sexual assaults, including gang rapes. The violence, sexual assaults, and pervasive atmosphere of fear are the direct result of inadequate staffing...

...grossly deficient systemic practices, including insufficient staffing and supervision with no proactive plan to increase staffing ratios based upon an adequate staffing analysis, unmonitored cameras, [and] a compromised architectural structure [among other things].



The PREA staffing and supervision standard aims to enhance staffing practices in order to more effectively prevent and respond to acts of sexual abuse and harassment.

Introduction of the Resource Guide

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Developing and Implementing A PREA-Compliant Staffing Plan

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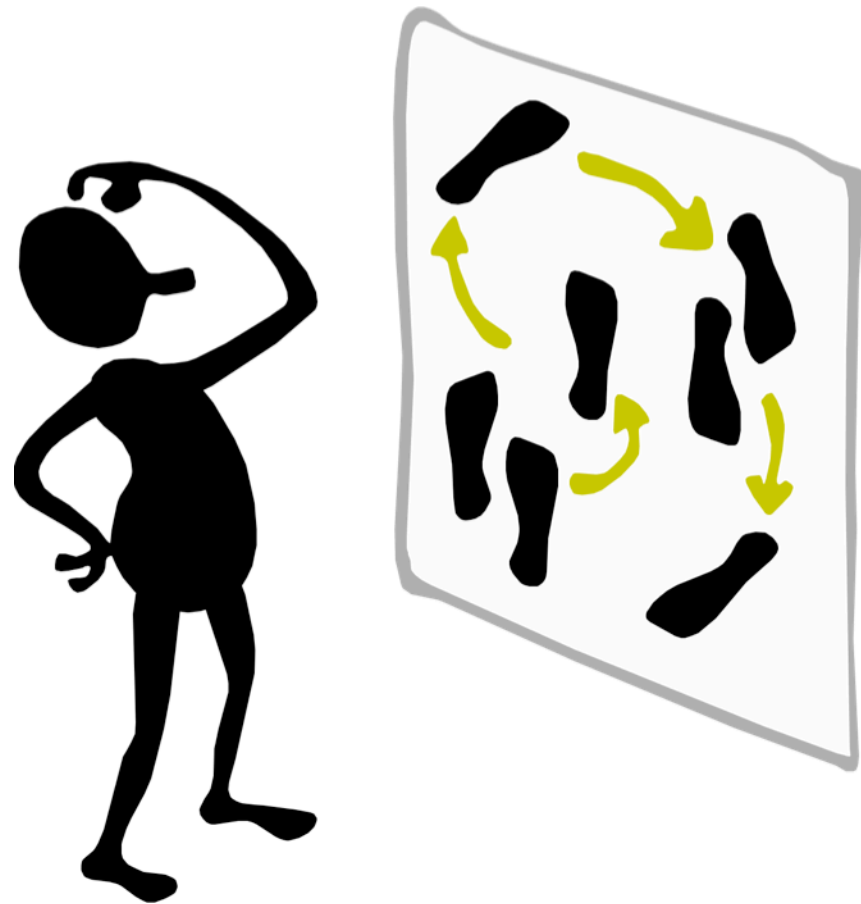
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Purpose of The Guide

- To assist facilities with the development, implementation, and review of PREA-compliant staffing plans;
- Build on the traditional staffing plan model by adding a “lens” focused on sexual safety;
- Define what a staffing plan is and who should be involved in its design; and
- Identify additional considerations, such as video monitoring, trauma histories, gender, and staff ratios in juvenile facilities.

Staffing Plan Requirements



Staffing Plan Requirements

All Facility Types Must:

- Include an assessment of adequate staffing levels and, where applicable, video monitoring along with a set of specific considerations;
- Document the plan;
- Document and provide justification, if required, whenever there is a deviation; and
- Document on an annual basis the assessment of the staffing plan and document any needed adjustments to the plan.

PREA Final Rule: Prisons & Jails

§ 115.13 Supervision and monitoring.

- (a) The agency shall ensure that each facility it operates shall develop, document, and make its **best efforts** to comply on a regular basis with a staffing plan that provides for adequate levels of staffing, and, where applicable, video monitoring, to protect inmates against sexual abuse...
- (b) In circumstances where the staffing plan is not complied with, the facility shall **document and justify all deviations** from the plan.

PREA Final Rule: Prisons & Jails, (cont.)

(c) Whenever necessary, but no less frequently than once each year, for each facility the agency operates, in consultation with the PREA coordinator... the agency shall *assess, determine, and document* whether adjustments are needed to:

- (1) The staffing plan...;
- (2) The facility's deployment of video monitoring systems...; and
- (3) The resources the facility has available to commit to ensure adherence to the staffing plan.

Required Considerations for Prisons, Jails, and Juvenile Facilities

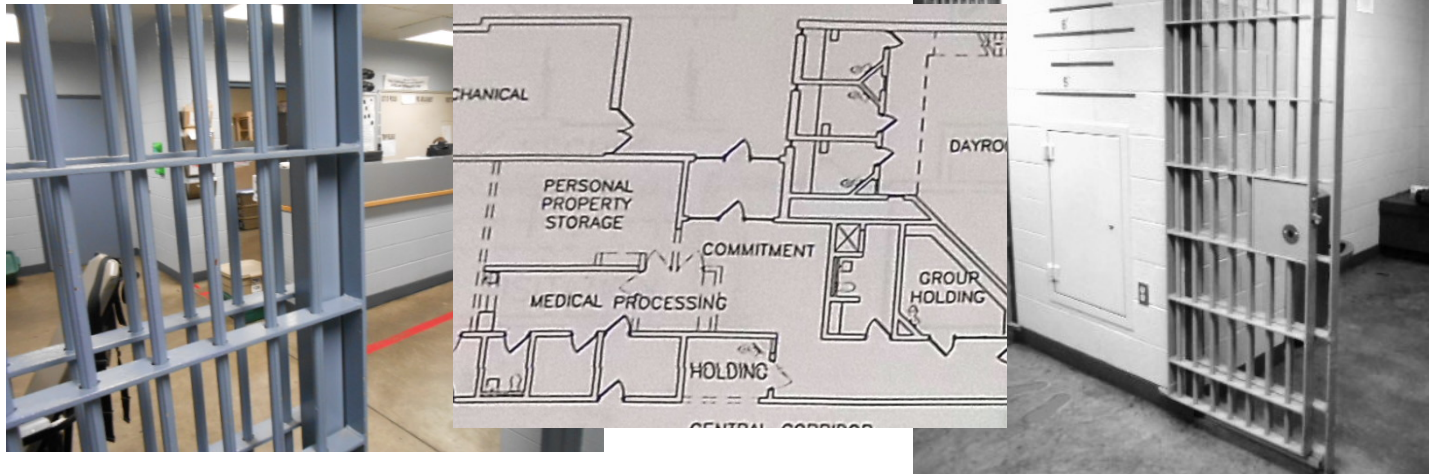
- 1) Generally accepted [confinement] practices;
- 2) Any judicial findings of inadequacy;
- 3) Any findings of inadequacy from Federal investigative agencies;
- 4) Any findings of inadequacy from internal or external oversight bodies;
- 5) All components of the facility's physical plant (including "blind-spots" or areas where staff or inmates/residents may be isolated);
- 6) The composition of the inmate/resident population;

Required Considerations for Prisons, Jails, and Juvenile Facilities, (cont.)

- 7) The number and placement of supervisory staff;
- 8) Institution programs occurring on a particular shift;
- 9) Any applicable State or local laws, regulations, or standards;
- 10) The prevalence of substantiated and unsubstantiated incidents of sexual abuse; and
- 11) Any other relevant factors.

Required Considerations for Lockups and Community Confinement

- 1) The physical layout of each lockup/community confinement facility;
- 2) The composition of the detainee/resident population;
- 3) The prevalence of substantiated and unsubstantiated incidents of sexual abuse; and
- 4) Any other relevant factors.



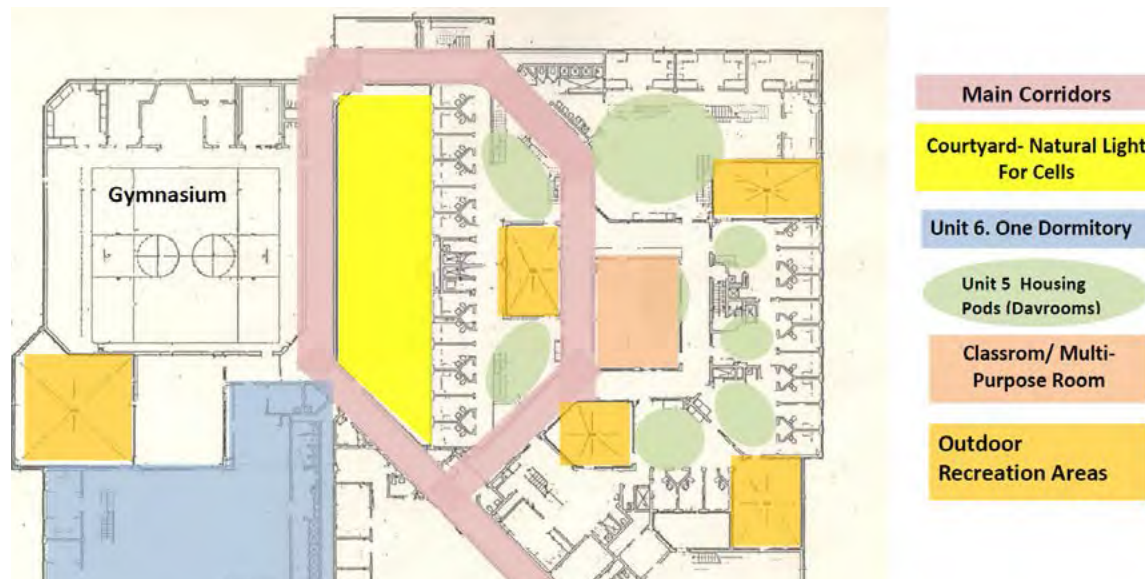
A Staffing Plan Should

- Be a written document.
- Be facility specific.
- Contain a narrative reflecting development of the plan and strategic considerations.
- Contain a narrative describing whether or not each of the enumerated factors are applicable; and how those factors are reflected in staffing.



A Staffing Plan Should

- Contain facility diagrams and staff posting positions.
- Include post orders or other descriptions of the supervisory duties for each post position.



A Staffing Plan Should

- Indicate hours and days of operation for each post.
- Provide contingencies when posts would otherwise not be met.
- Provide sample staff schedules by shift.
- Provide a list of staff positions.

A Staffing Plan Should

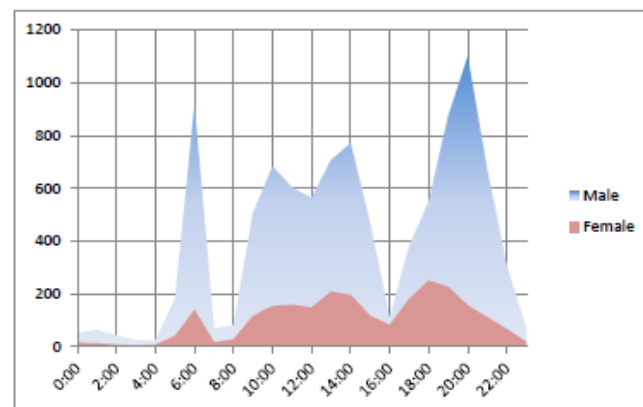
- Include consideration of relief factors, e.g., expected levels of staff absenteeism such as FMLA, sick leave, vacations, military service, disability, retirement, and discipline.
- Indicate which personnel were involved in development of the staffing plan (e.g., PREA Coordinator and/or Compliance Manager).

	Shift Relief Factor	Total Hours	Num. of Staff Using Hours	Net Annual Work Hours	INTAKE GEI	INTAKE FE	SECURITY GI	SECURITY F	LIEUTEN	SERGEA
ADL	Admin Leave	11.00	3	NAWH 1. Total hours contracted per employee per year (if a regular workweek is 40 hours, then 40 x 52.14 weeks = 2,086) 2. Average number of holiday hours per employee per year 3. Average number of personal hours off per employee per year 4. Average number of sick leave hours off per employee per year 5. Average number of vacation hours off per employee per year						
BHW	Board Holiday Worked	40,940.70	682		2086.00	2086.00	2086.00	2086.00	2086.00	2086.00
CLB	Corrections Leave Bank Time	805.60	3		62.30	55.78	53.16	51.55	50.22	55.33
CTP	Corrections Time Pool	471.90	11		0.00	0.00	0.00	0.00	0.00	0.00
FHE	Floating Holiday (End of year)	602.10	72		165.56	199.89	91.28	109.94	40.89	36.58
FLH	Floating Holiday (End of year)	5,921.90	587		112.46	70.00	86.86	99.94	129.67	167.64
FML	Family Medical Leave	30,116.10	206							

A Staffing Plan Should

- Identify and examine how video monitoring is used at the facility.
- Identify camera placement and video retention capabilities.
- Identify and examine how other monitoring technology is used at the facility.
- Indicate if there are any gender-specific posts, and considerations of opposite-gender viewing and search restrictions.

Figure X.1: Release Times 2008 – 2012 by Gender



X. GENDER-RESTRICTED TASKS

According to the provisions of the new PREA standards, the only tasks that are gender-restricted are:

- Pat searches of females... by female only. (PREA 115.15)
- Supervision of strip search of females.... Only by females (PREA 115.15)
- Supervision of strip searches of males.. Only by males (PREA 115.15)

Where Do We Start?



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Staffing Plan Document *Presents*

- *Who*: Employees needed (relieved, non-relieved)
- *Where* they will work
- *When* they will work (day of week, time of day)
- *What* technology will be employed
- *How* the plan ensures sexual safety, based on a comprehensive analysis

A Staffing Plan is *NOT*

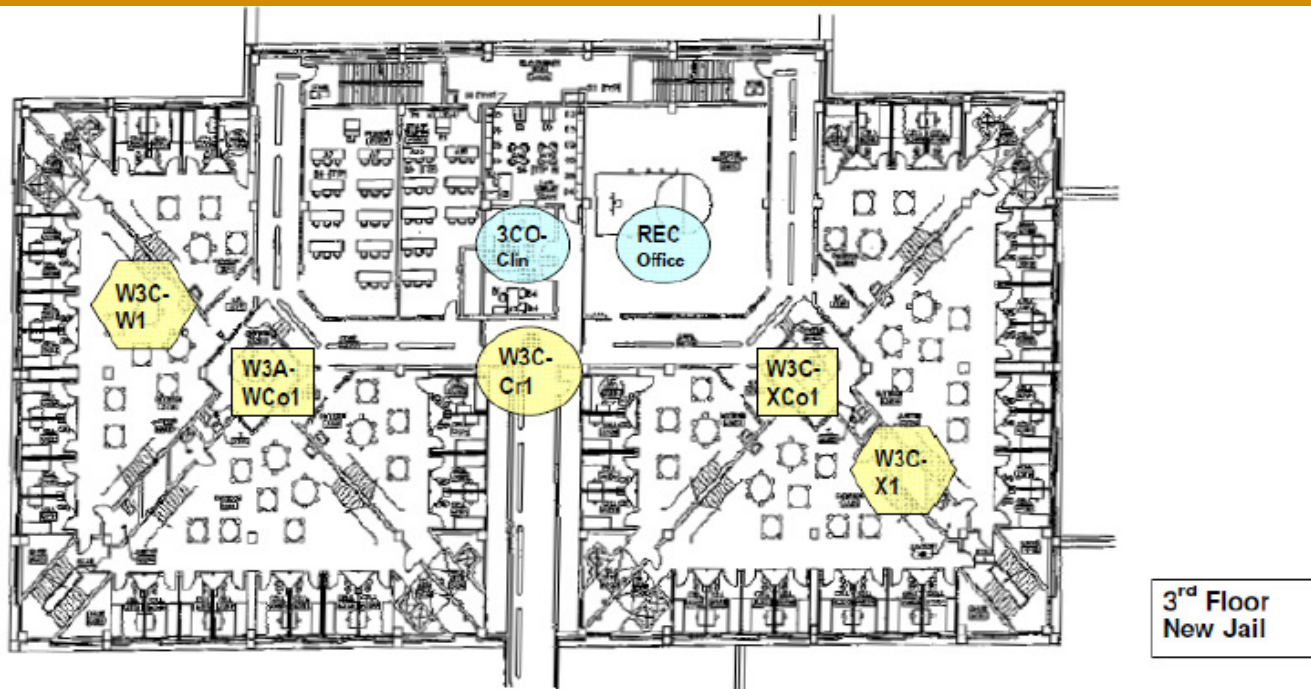
- A list of authorized positions issued by central office
- A budget
- An employee roster
- A schedule
- A shift record

2015 ANNUAL DOC BUDGET

Allocations are for fiscal year. Figures are subject to change based on revenues

Authorized Employees- Current Shift Configuration				
Shift 1	Total Empl.	2-day Wkd	1 day Wkd	Summaries No Wkd
Sgt	7	5	1	1
Cpl	28	5	8	15
PFC	10	0	4	6
PVT	4	0	0	4
Shift 2 Total		2 day	1 day	None
Sgt	9	3	5	1
Cpl	34	6	15	13
PFC	12	0	6	6
PVT	4	0	0	4
Shift 3 Total		2 day	1 day	None
Sgt	10	3	6	1
Cpl	36	5	17	14
PFC	13	0	4	9
PVT	4	0	0	4

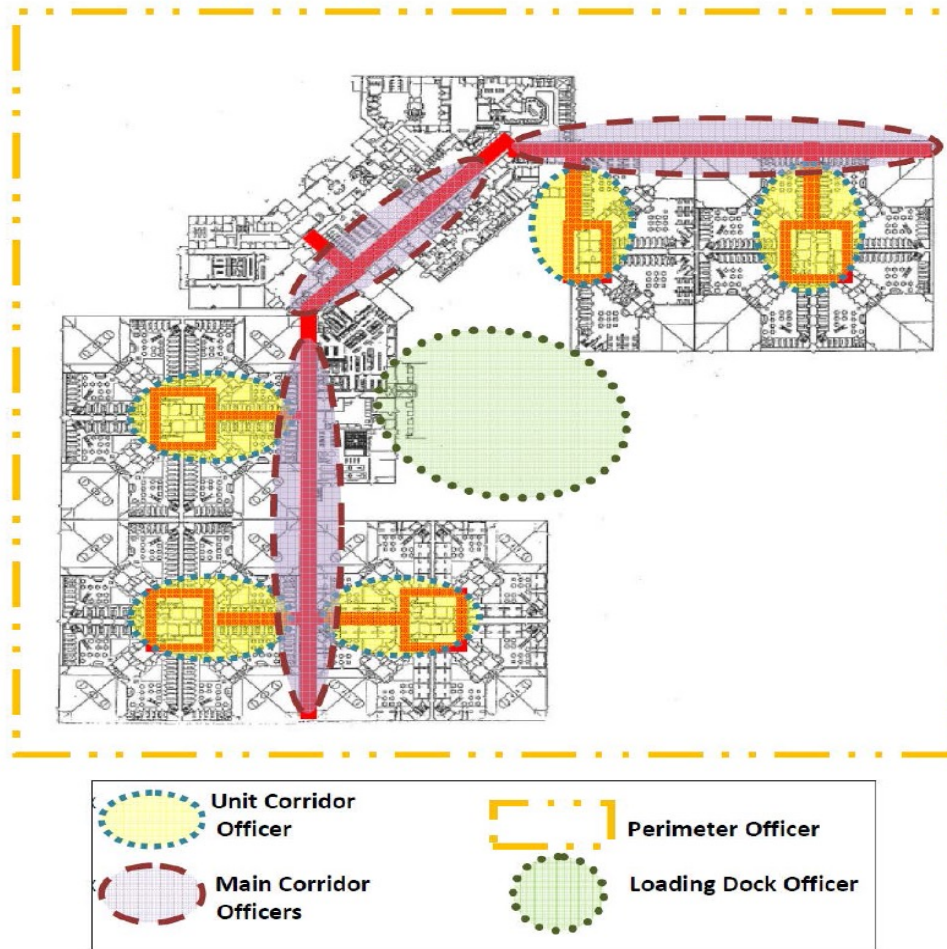
Illustrating The Staffing Plan



Code Number	Post or Description	Start	End	Class	M	Tu	W	Th	F	Sa	Su
W3C-W1	W Block Housing Supervision	0000	2400	CO	x	x	x	x	x	x	x
W3C-X1	X Block Housing Supervision	0000	2400	CO	x	x	x	x	x	x	x
W3A-WCo1	W Block Control	0500	2200	CO	x	x	x	x	x	x	x
W3C-XCo1	X Block Control	0000	2400	CO	x	x	x	x	x	x	x
W3C-Cr1	3rd Floor Crossover	0000	2400	CO	x	x	x	x	x	x	x
REC	Recreation Officer- whenever rec. is going on										

Illustrating The Major Components of A Staffing Plan

Figure VII.6: Proposed Security Coverage, Unit Corridors, Main Corridor, Loading Dock and Perimeter



The Staffing Plan Must Provide for *Effective Supervision*

Constant, effective supervision is the foundation for safe and secure operations. Don't confuse *observation* with supervision.

- Observation often occurs behind a pane of glass, separated from inmates.
- Video systems even further remove staff from inmates.

Influencing Factors



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Influencing Factors Include

- Facility mission and mission changes
- Inmate population—occupancy, capacity
- Characteristics of the inmate population
- Available programs and services
- Medical and mental health needs of inmates
- Physical plant characteristics
- Privacy considerations

Note: This list includes factors that are enumerated in the Standards as well as additional considerations.

Facility Mission

Facility mission identifies the goals and values of the organization. A sampling of several mission statements reveals diverse elements:

- Offer opportunities for inmates to improve themselves and deal with personal issues involving the community.
- Operate a secure environment in a professional, ethical, and competent manner.
- Ensure accurate release, effective re-entry, transition and supervision of offenders.
- Utilize a continuum of supervision services, strategies, and evidence-based programs.

Inmate Population

Occupancy and Capacity

- Crowding makes it difficult to follow through with classification decisions and to maintain separations.
- If the facility does not provide the numbers and types of beds needed, staffing will often have to compensate. For example, if a dormitory must be used for a higher classification of inmate, staffing will usually have to increase.

Characteristics of The Inmate Population

It's not just how many inmates, but who they are, including:

- Gender
- Risks posed
- Medical and mental health needs
- Program needs
- Length of stay
- Time of admission and release

Available Programs and Services

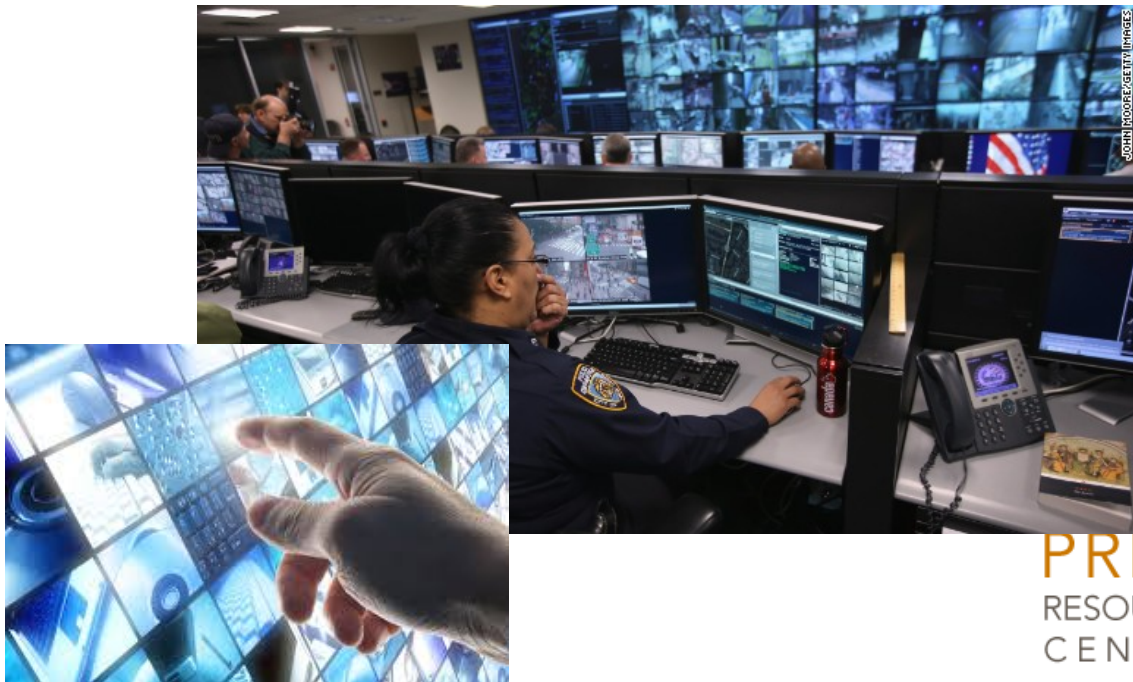
- Length of stay is an important consideration in the planning and delivery of programs.
- Delivering programs and services require movement—either inmates to the program, or the program coming to the inmate housing units.
- Some programs may require mixing inmates with different classifications, increasing the need for effective supervision.

Medical and Mental Health Needs

- Addressing needs often requires additional movement to provide for blood draws, glucose testing, and other medical interactions.
- Housing for inmates with mental health needs may be centralized, mainstreamed, or a combination, which all have staffing implications.
- Medical equipment and supplies often pose security issues.
- If both genders are housed, it is likely that they will be visiting medical areas at the same time, requiring effective supervision.

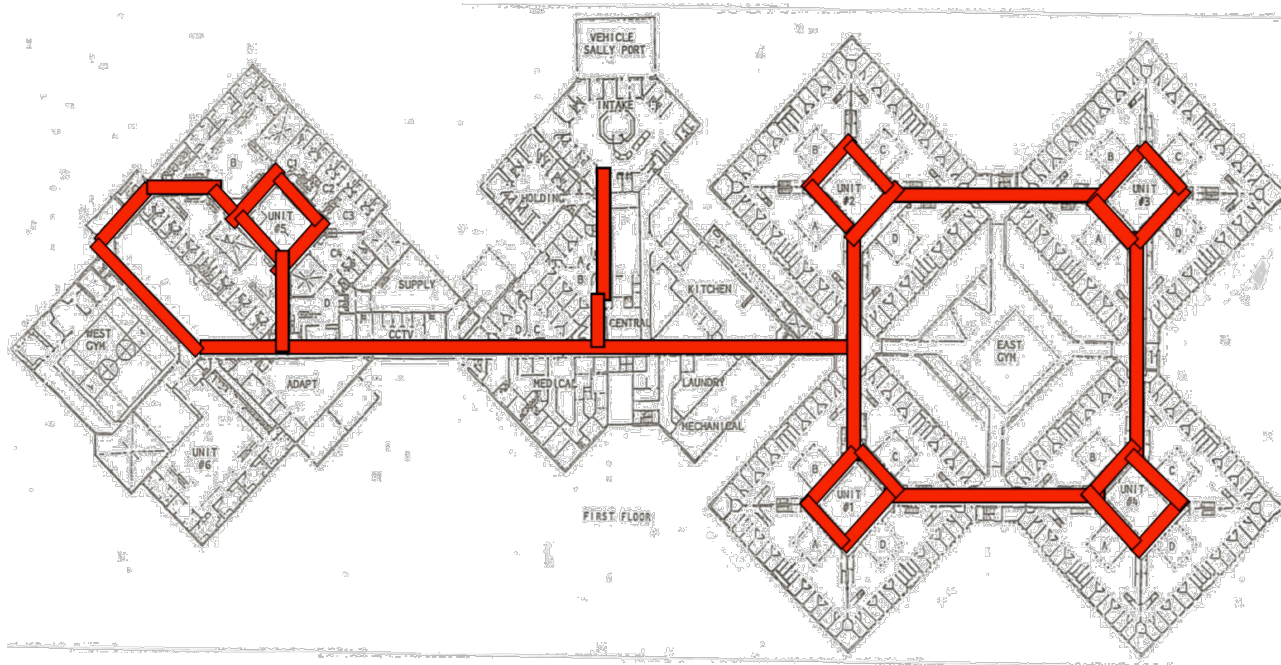
Emerging Technologies and Applications

- Digital recording capabilities (DVR)
- Use of video *analytics*
- Video visiting



Physical Plant Characteristics

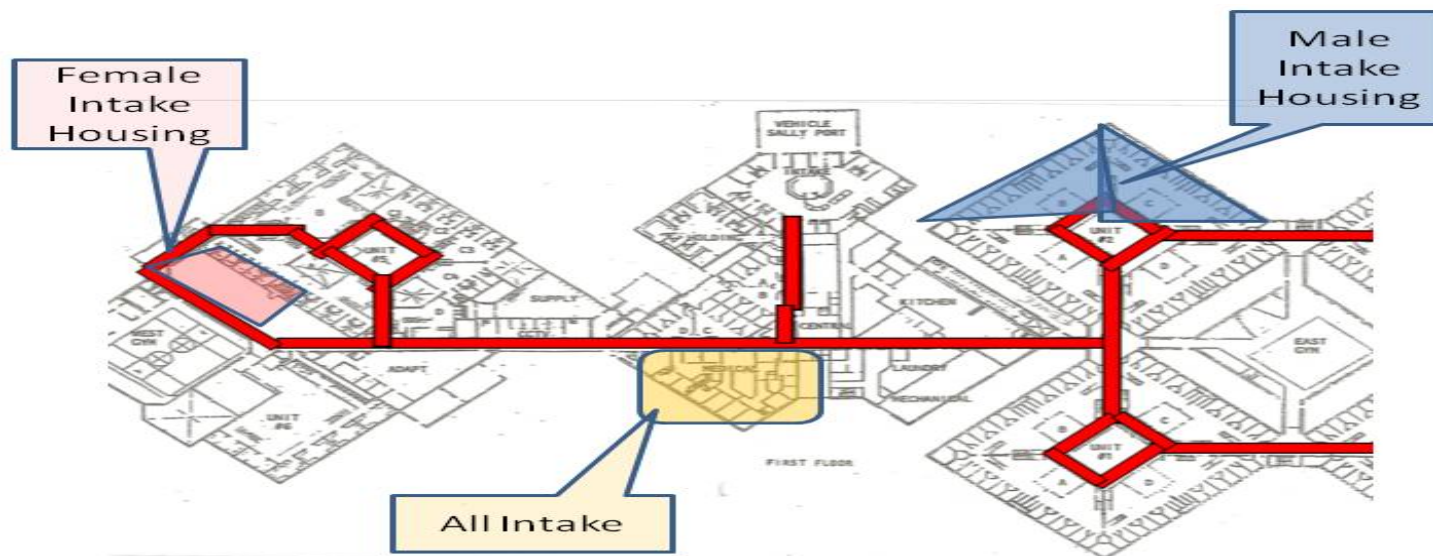
- Many elements of the physical plant influence staffing needs and practices.
- The *design* of the facility- the layout- determines circulation pathways and distances.



Adjacencies

Adjacencies may create conflicts between the types of inmates housed, such as males and females, or in the distance that must be negotiated between related function.

In this example, male and females must be moved a great distance immediately after admission.



Privacy Considerations

Security and privacy are often at odds:

- Security is best when there are no blind spots
- Privacy by definition hides a person from direct view, at least in part

Important to find a balance point that:

- Satisfies safety and security concerns
- Affords inmates sufficient privacy during bodily functions and when undressed



How Do I Develop A Staffing Plan?



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How Do I Develop a Staffing Plan or Improve the One I Have?

If you have a staffing plan:

- Be sure it provides all of the information required in the standards
- Critically review it to ensure it effectively ensures sexual safety

If you do *not* have a staffing plan:

- Assemble pieces you have as a starting point
- Current posts and hours of operation
- PREA compliance plan
- Policies and procedures, post orders

Use Available Resources

- *Developing and Implementing a Staffing Guide: A Resource for the Field.*
- *NIC Prison Staffing Analysis: A Training Manual with Staffing Considerations for Special Populations* addresses many elements of a PREA-compliant plan (nicic.gov)
- *NIC Jail Staffing Analysis 2nd Edition* illustrates the PREA definition of staffing plan and provides many implementation tools (nicic.gov)
- *3rd Edition* expands scope and depth, provides new tools (aja.org, or staffinganalysis.org)

Use of Ratios

- Only the juvenile facility standards impose *minimum* ratios between staff and residents.
- Adult facility operators may choose to use ratios, but experience has shown ratios to be impractical in the jail and prison context.
- Consider Oregon's experience: 3 identical correctional facilities, different staffing plans for each.

Coverage Plans

- NIC jail staffing books coined the phrase “coverage plan”.
- PREA definition is consistent with the elements of a coverage plan.
- The plan identifies all staff needs by function, times, locations, and staff qualifications.
- The plan defines *deployment* for the facility.
- The plan should anticipate all of the hours that will be needed to operate the facility, and should be used to develop budget requests.
- Schedules should respond to the plan, not the other way around.

Three Kinds of Coverage

- 1. Relieved** - staffed by various employees at all times specified in the coverage plan
- 2. Non-Relieved** - assigned to individual employee(s), are not backfilled if the employee is absent
- 3. Details** - hours that are needed to respond to sporadic demands, such as suicide watches, unexpected transports, special projects, security teams, and more

Who to Involve

- Staffing plan requires input from a cross-section of facility personnel and other stakeholders including the agency PREA Coordinator
- The facility PREA Compliance Manager should be centrally involved.
- If managed well, the broader the participation the better.
- Depending on the size and complexity, a *staffing plan committee*, with broad experience and roles in the facility, is effective.

Cross-Section Staffing Team

- Intake/Reception
- Housing
- Inmate/Resident Services
- Program Providers
- Medical/Mental Health Providers
- Training
- IT
- And more...

Additional Considerations *Video Monitoring*



Video Monitoring Technology

- Cameras should not be used as a substitute for staff
- Cameras are most effective for investigating allegations of sexual abuse
- Cameras may ensure staff accountability and compliance with policies and procedures

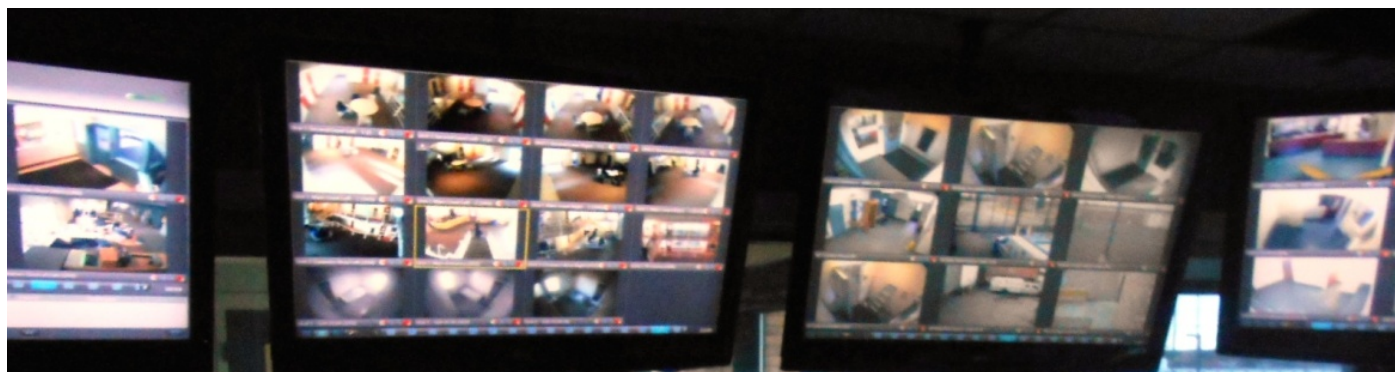


Video Monitoring



At its bare minimum, adult agencies are not required to install cameras or other video technology in order to comply with PREA.

Agencies must, however, determine how cameras could be used to effectively prevent and respond to sexual abuse within a facility and, if it determines that cameras would be effective, attempt to secure those resources.



Video Monitoring (cont.)

§ 115.18(b) When installing or updating a video monitoring system, electronic surveillance system, or other monitoring technology, *the agency shall consider* how such technology may enhance the agency's ability to protect inmates from sexual abuse.



Video Monitoring (cont.)

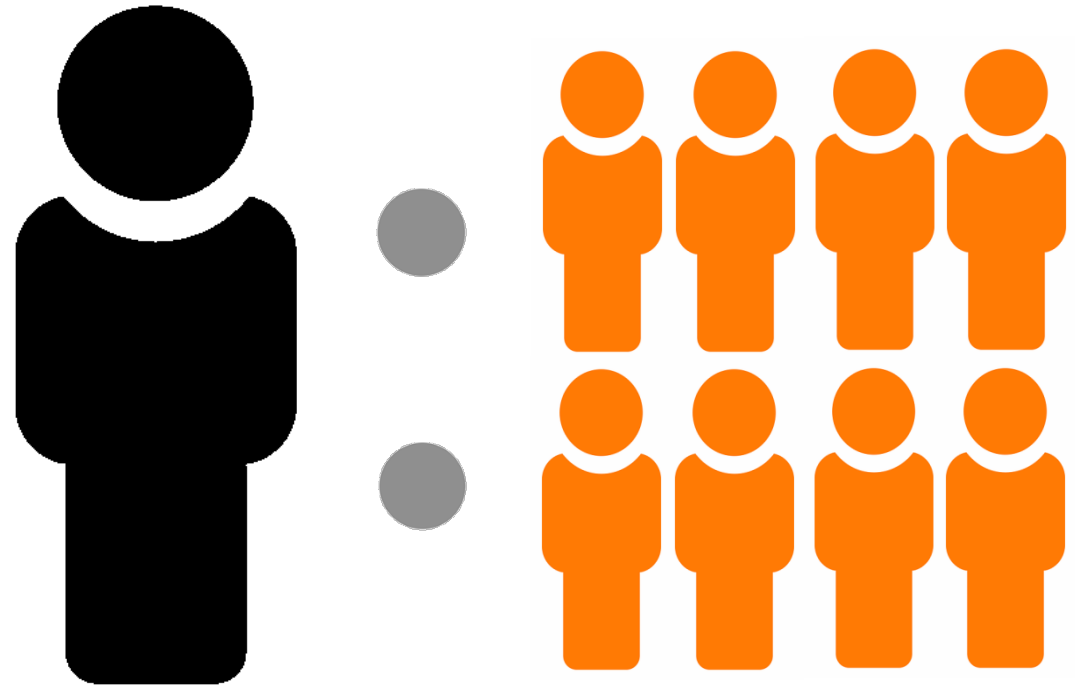
Special Considerations in Camera Placement and Viewing

PREA prohibits staff from viewing (either in person or via video remote) opposite gender inmates or residents who may be in a partial state of undress:

115.15(d) The facility shall implement policies and procedures that enable inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks...



Additional
Considerations
Juvenile
Staffing Ratios



Juvenile Staffing Ratios

“Secure juvenile facility” is defined in the standards as:

A juvenile facility in which the movements and activities of individual residents may be restricted or subject to control through the use of physical barriers or intensive staff supervision.

A facility that allows residents access to the community to achieve treatment or correctional objectives, such as through educational or employment programs, typically will not be considered to be a secure juvenile facility.

Juvenile Staffing Ratios (cont.)

The PREA requirement for staffing ratios includes “minimum” ratios.

The standards do not seek to impose a one-size fits all staffing level for vastly-disparate facility types; rather, it sets forth the floor for keeping kids reasonably safe from abuse in secure facilities.

Jurisdictions, agencies, and facilities may impose stricter ratios given the unique characteristics of the facility and resident population.

Juvenile Staffing Ratios (cont.)

Compliance with the staffing ratio requirement does not, by itself, mean compliance with the staffing plan requirement.

Indeed, the staffing plan requirement under 115.313(a) is separate and distinct from the minimum staff ratio requirement of 115.313(c).

However, facilities that are required to comply with the ratio requirement should include their plan to comply with the ratios in their staffing plan.

Additional Considerations *Trauma*



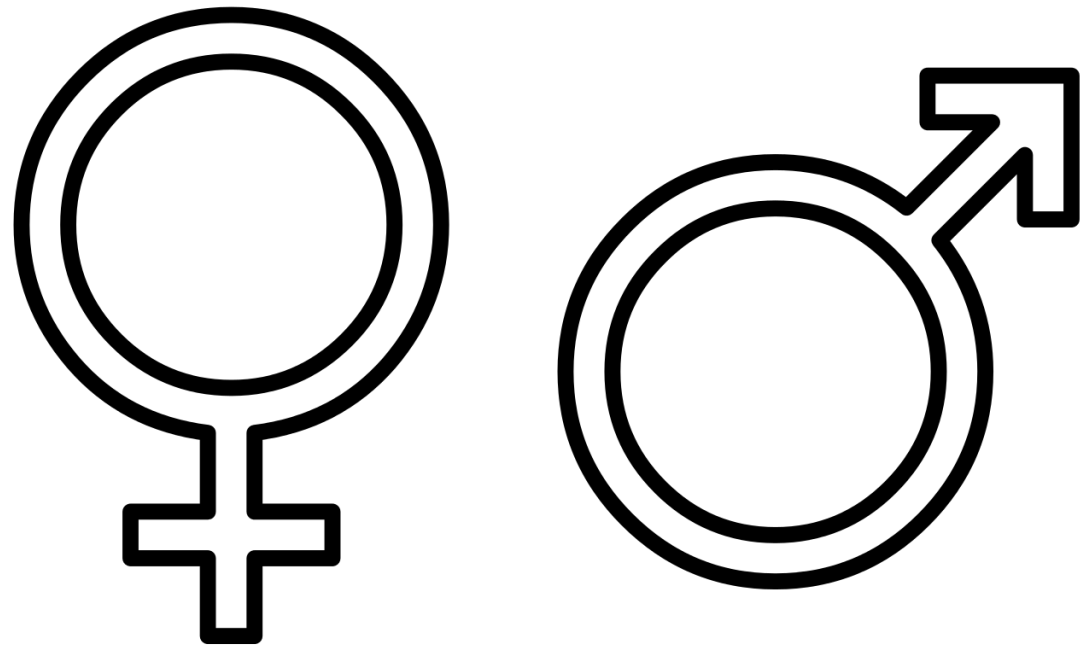
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Impact of Trauma on Staffing

- Adverse Childhood Experience Study
- Confinement can trigger trauma response behaviors such as flashbacks, aggression, suicidal thoughts, etc.
- Males and females suffer from trauma at nearly equivalent rates.
- Staffing plans should consider the impact of trauma on staffing needs (e.g., suicide watch, programming, specialized training, etc.)

V. J. Felitti, R. F. Anda, D. Nordenberg, D. F. Williamson, A. M. Spitz, V. Edwards, M. P. Koss, J. S. Marks, (1998). *Relationship of Childhood Abuse and Household Dysfunction to Many of the Leading Causes of Death in Adults: The Adverse Childhood Experiences (ACE) Study*. American Journal of Preventive Medicine; Vol.14 (4); pg 245-258. Retrieved from:http://www.acestudy.org/yahoo_site_admin/assets/docs/RelationshipofACEs.12891741.pdf

Additional
Considerations
Gender



Considerations at Adult Female and Juvenile Girl Facilities

- Practitioners generally have more extensive experience supervising men
- Women in custody are disproportionately subjected to sexual victimization by correctional staff and other incarcerated women.
- Situations arise that require attention by additional staff such as pseudo-families.

Guerino, P. & Beck, A.J. (2011). *Sexual violence reported by adult correctional authorities, 2007-2008. Prison Rape Elimination Act of 2003*. Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics.
Retrieved from: <http://bjs.ojp.usdoj.gov/content/pub/pdf/svraca0708.pdf>

Access to Medical/Mental Health

- Women and girls request access at a higher frequency than men and boys.
- Review the process, times, locations, and frequency in which care needs to be accessed to ensure adequate supervision when care is provided and that deployment of staff does not impeded access to necessary care.

Anderson, TL. 2002. Issues in the Availability of Health Care for Women Prisoners. Retrieved from: <http://www.udel.edu/soc/tammya/pdfs/Issues%20in%20the%20Availability%20of%20Healthcare%20for%20Women%20in%20Prison.pdf>.

How A Staffing Plan Will Be Audited



Something To Keep In Mind

The PREA audit is not an audit of policy. It is designed to ensure that sexual safety is taken seriously in policy and practice.

Your auditor:

- Has received training on the dynamics of sexual abuse in confinement
- Will be looking for evidence that the staffing plan reflects an understanding of those dynamics

The auditor will look closely at actual practice.

Documentation Auditors Examine to Determine Compliance

- Written evidence that an analysis of all required factors was conducted. May be embedded discussion in a staffing plan document or meeting minutes.
- Detailed description of staff deployment. Aggregate staff numbers are NOT adequate in either the juvenile or adult settings.
- Written description of any deviations from the plan with justification (e.g., budget constraints, recruitment challenges.)

Documentation Auditors Examine to Determine Compliance (cont.)

- Written evidence that an annual review of the staffing plan takes place and that relevant parties were involved in the review (e.g., meeting minutes, revised plan with notes regarding annual review).
- Policy regarding unannounced rounds.
- Log or equivalent documentation of unannounced rounds by supervisory staff.

Observations by Auditors That Help Determine Compliance

- Staff and video monitoring deployment to determine if staff supervision and deployment:
 - a) Reflects the facility's written representation of staffing levels and deployment, and
 - b) Is adequate to prevent, detect, and respond to sexual abuse. If it is not adequate, the auditor will be looking for evidence that the staffing plan reflects the need for more staff/monitoring than is available and has justification for the gap.
- Confirmation that unannounced rounds are happening as logged and as described.

Interviews Auditors Conduct to Determine Compliance

- The auditor will ask the PREA Coordinator, PREA Compliance Managers, Warden, and any other staff involved in the development of the staffing plan about the analysis and process undertaken to create it.
- Supervisory staff will be asked about the protocol for and frequency of unannounced rounds.

Interviews Auditors Conduct to Determine Compliance (cont.)

- Random Staff Interviews: The auditor will ask randomly chosen line staff about the frequency of unannounced rounds and whether they are in fact unannounced
- Random Inmate Interviews: Auditor will ask randomly chosen inmates about staff presence and/or frequency of rounds.

Question & Answer

Please use the chat function to the right of your screen to ask your questions.



For More Information

For more information about the **National PREA Resource Center**, visit www.prearesourcecenter.org.

To request assistance visit:

<http://www.prearesourcecenter.org/training-technical-assistance/request-for-assistance>

Direct questions to: <http://www.prearesourcecenter.org/about/contact-us>

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For more information about **The Moss Group** visit www.mossgroup.us.

To access the Staffing Plan Resource Guide visit:

