

Statement to the prison rape elimination act review panel  
Commissioner Louis Giorla  
Philadelphia Prison System  
Warden Terence Clark  
Riverside Correctional Facility Philadelphia

Good Afternoon, Dr. Wilkinson, Ms. Seymour and Dr. Christiansen. I am Lou Giorla, Commissioner of the Philadelphia Prison System. I am accompanied by Terence Clark of the Riverside Correctional Facility (RCF) in Philadelphia.

I am here today to testify in regard to the findings of the 2011-12 Inmate Sexual Victimization Survey, conducted by the Bureau of Justice Statistics. Riverside was identified in the survey as one of nine jails having the highest reported rates of inmate victimization.

**Facility Characteristics**

Riverside is an exclusively female facility. It was opened in 2004 with a capacity of 768 beds. The average daily population today is approximately 800. This facility is the female intake facility of the Philadelphia Prison System. Inmates in Community, Minimum, Medium, and Close custody classifications are housed there in separate housing units. The population is comprised of pre-trial detainees and inmates serving sentences of one day up to two years. Female juvenile inmates who have been charged with Part One Crimes and are being adjudicated as adults, are housed there for pre-trial confinement. As of this writing, RCF houses one juvenile female. The seriously mentally ill comprise approximately 12% of the Riverside Facility's inmates while nearly 30% are on the behavioral health caseload.

Riverside is operated under a direct supervision model. Security staffing consists of 205 Officers, 18 Sergeants, 8 Lieutenants, 3 Captains, 2 Deputy Wardens and a Warden. RCF has a complement of 7 social work service managers and two social work supervisors. Maintenance,

Food Service, Medical and Behavioral Health Services are privately contracted. An array of therapeutic, vocational, and faith based programs are offered through the Prisons as well as contract and volunteer services.

During the calendar years 2011-12, 11,476 inmates were admitted to Riverside. During the same period the Riverside facility received 25 reports of sexual assaults on 20 individual inmates. These complaints were received from a variety of sources including, healthcare staff, self-reports, the facility grievance system and security staff. Five of the reports were listed as having occurred prior to admission. Twelve allegations were made against staff, and seven against inmates. One complaint failed to clearly identify the perpetrator as either. Eighteen of the twenty alleged inmate victims were carried on the facility's behavioral health case load prior to the report. All cases were referred to the Philadelphia Police Department for criminal investigation. In the ensuing investigations one Correctional Officer was dismissed from service.

In addition to the assault complaints three Correctional Officers were disciplined for fraternization with inmates. Two of the three staff members were dismissed and the third reprimanded and reassigned to another facility.

### **Contributing Factors**

While the physical plant and operational practices at Riverside do not lend themselves to sexual abuse, the Survey identified factors common in jails that report higher than average rates of victimization. Reported rates were found to be higher among female inmates, those in serious psychological distress, and among violent offenders.

During the survey period the number of inmates held for violent offenses at Riverside increased significantly and the percentage of inmates experiencing serious mental illness increased by more than one third.

### **Steps taken to reduce prevalence**

Since the opening of the Riverside site in 2004, the facility has been equipped with extensive video surveillance. With the exception of cells and showers, there is no area that is not subject to video monitoring. Officers must tour all housing areas within a period of 30 minutes or less. Housing unit officers are required to keep all cells locked to avoid the possibility of unauthorized cell visitors.

Housing area staffing is scheduled so that a male officer is not required to work a housing area without a female partner. Female staff make up over half of the supervisory complement.

As with all Philadelphia Prison facilities, sexual acts between inmates, or by inmates with visitors or staff is strictly prohibited. Undue familiarity (fraternization) is also impermissible, unless contact is approved by the Warden.

### **Protecting mental health and non-heterosexual inmates**

Inmates with diagnosed mental illness are monitored closely by the behavioral health providers. The facility includes a behavioral health transition unit where Licensed Clinical Social workers visit inmates frequently in addition to scheduled appointments and group sessions. An inter-disciplinary treatment team reviews and adjusts a continuous treatment plan for all Seriously Mentally Ill inmates monthly. Group and individual therapy is provided as needed.

Suspicious or allegations of mistreatment physical or sexual are reported to the shift commander by the treatment provider.

Non-heterosexual inmates are not segregated without cause such as a disciplinary infraction, or if the inmate is endangered or becomes disruptive. Transgendered inmates and those who express gender non-conformance are ordinarily housed by the indication on the booking documents. In the event there is a conflict in identification, the facility psychologist or other clinical personnel will interview the individual inmate before housing is assigned. Operational safety and the welfare of the inmate determine the final decision.

No services are denied or programs curtailed due to sexual preference or gender expression.

### **Implementing PREA Standards**

While the Philadelphia Prison System and Riverside are not fully PREA compliant, practices compliant with the standards have been implemented. They include:

- All sexual assault complaints are referred for criminal investigation. Sexual Assault Nurse Examiners have been trained and are on duty or on call at all times. All inmate victims are referred for follow-up mental health treatment.
- Community Organizations who assist non-heterosexual inmates are partnering with the PPS for in-house and post release assistance.
- All policies and procedures are being amended to include language which complies with the Standards. The agency's website is under development to include sexual assault statistics and zero tolerance statements.
- Newly conformed contracts for inmate services and outside housing providers will include PREA compliant language. Existing contracts are being amended to do the same.

- The PPS Office of Professional Compliance, Internal Affairs Unit investigators are being trained to conduct sexual assault investigations in order to assist our local police.
- The Philadelphia Prisons does not employ persons who are convicted of sex offenses or who have been dismissed from employment for sexual misconduct. Background checks are conducted on all new hires. This extends to our volunteer services providers.

**Identify the distinctive needs of Riverside as a female facility.**

Although steps have been taken for regulatory compliance and to lessen the incidence of assault this survey indicates that additional measures are necessary.

Means must be found to reduce the average daily population so that in cases where vulnerable or predatory inmates are clearly identified they can be housed in single cells when not in segregation or protective custody. Riverside has operated at or beyond capacity since its opening in 2004.

Additional treatment supports must be created to treat perpetrators as well as victims.

Disciplinary action and prosecution will not be enough to adequately reduce or eliminate predatory behavior by those who remain in custody after such incidents

An internal process for interviewing inmates at random to parallel the Victimization Survey may be necessary to determine progress.

Thank you for providing an invitation to testify before the review panel. I will be glad to answer any questions you may have at this time