

Preventing and Addressing Staff Sexual  
Misconduct in Community Corrections:

# **Preventing and Addressing Staff Sexual Misconduct In Community Corrections: A Training Program for Agency Administrators**

## **Participant Manual**

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CENTER FOR  
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Misconduct in Community Corrections

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**American Probation and Parole Association  
Resolution  
Staff Sexual Misconduct**

*Whereas*, the American Probation and Parole Association has identified staff sexual misconduct as unprofessional, unethical and unacceptable.

*Whereas*, this conduct threatens the safety of the community, community supervision officers, offenders, defendants, victims of crime and all others involved with the justice system and erodes public confidence and support of the justice system.

*Whereas*, individuals involved with the justice system and community supervision staff have a right to non-hostile interactions and environments free from sexual remarks, innuendos, behaviors or displays.

*Whereas*, the definition of staff sexual misconduct is not limited to unwanted sexual contact. Sexual misconduct is a range of behaviors or situations that include, but are not limited to: inappropriate remarks, sexualized name calling, correspondence, conversations, and other communications that indicates a professional relationship, inappropriate displays, fondling, inappropriate viewing, and sexual contact with individuals vulnerable to the authority of the justice system.

*Whereas*, any sexual misconduct by community supervision staff and offenders or defendants should result in immediate investigation and, if warranted, disciplinary action.

*Whereas*, not all states have defined this conduct as criminal or have prohibited this conduct.

*Whereas*, not all community supervision agencies have identified or prohibited this conduct by their staff or the staff of agencies with which they contract.

*Whereas*, all individuals involved with the justice system have a right to be free from community supervision staff sexual misconduct.

*Therefore be it resolved that*, The American Probation and Parole Association supports the implementation of policies that prohibit staff sexual misconduct and encourage the passage of laws that criminalize this conduct by staff.

Adopted by the American Probation and Parole Association on *August 25, 2003*.

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Preventing and Addressing Staff Sexual  
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**Training Schedule**

**Preventing and Addressing Staff Sexual Misconduct in Community Corrections:  
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**Day One**

<b>Begin</b>	<b>End</b>	<b>Subject</b>
<b>9:00</b>	<b>9:45</b>	<b>Course Overview , APPA Resolution Introductions, Training Objectives The Course Materials and How to Use Them Blueprinting</b>
<b>9:45</b>	<b>3:10</b>	<b>Module One - Staff Sexual Misconduct - An Overview</b>
<b>3:10</b>	<b>4:45</b>	<b>Module Two - Professional Boundaries, Ethics and Culture</b>
<b>4:45</b>	<b>5:00</b>	<b>End of Day Wrap Up Activities</b>

**Day Two**

<b>Begin</b>	<b>End</b>	<b>Subject</b>
<b>9:00</b>	<b>9:05</b>	<b>Logistics, Burning Issues, Updated</b>
<b>9:05</b>	<b>11:20</b>	<b>Module Two - Professional Boundaries, Ethics and Culture - Continued</b>
<b>11:20</b>	<b>2:45</b>	<b>Module Three - Policies and Procedures</b>
<b>2:45</b>	<b>4:45</b>	<b>Module Four - Investigations</b>
<b>4:45</b>	<b>5:00</b>	<b>End of Day Wrap Up Activities</b>

**Day Three**

<b>Start</b>	<b>End</b>	<b>Subject</b>
<b>9:00</b>	<b>9:05</b>	<b>Logistics, Burning Issues, Updated</b>
<b>9:05</b>	<b>11:15</b>	<b>Module Four - Investigations - Continued</b>
<b>11:15</b>	<b>2:10</b>	<b>Module Five - Legal Issues for Community Corrections</b>
<b>2:10</b>	<b>4:40</b>	<b>Module Six - Prevention</b>
<b>4:40</b>	<b>5:00</b>	<b>Program Conclusion Burning Issues Extinguished Evaluation</b>

## About this Training

With public attention focused on sexual misconduct, almost no profession has been exempt from allegations, including community corrections. The goal of this training is to provide community corrections administrators with the information, data, and techniques to identify, prevent, address and investigate staff sexual misconduct with offenders. Developing and maintaining professional boundaries between community corrections professionals and their clients is essential, not only to achieve the mission of the organization, but also to insure public safety.

Sexual misconduct is about more than just sex. It involves a range of inappropriate behaviors including sexual harassment, abuse, inappropriate touching, intimidation, sexual contact, invasion of privacy, and assault. Working to eradicate individual cases of sexual misconduct is important, but recognizing and working to change agency culture around this issue is essential. By addressing the culture, professional boundaries and ethics are impacted, and the agency can become proactive rather than reactive.

Sexual misconduct is expensive. It costs money in lawsuits, it costs the agency's reputation by undermining public trust and legislative support, it costs money in personnel turnover and low morale, it damages employee's families, and it costs offenders their physical and mental well-being.

This training seeks to identify the common elements and definitions which can be shared by agencies and organizations working in the field of community corrections. The objectives of this training are to:

- ▶ Define sexual misconduct in a community corrections setting;
- ▶ Explore the importance of professional boundaries, ethics and agency culture;
- ▶ Delineate the role of effective policy, procedure and training;
- ▶ Discuss issues in investigation of allegations and how to develop protocols;
- ▶ Overview legal issues;
- ▶ Identify legal mandates and organizational structure of community corrections agencies that impact the ability to address sexual misconduct;
- ▶ Identify and promote prevention strategies; and
- ▶ Complete an individualized blueprint for action.

## **The Audience**

This 24-hour training is designed for agency administrators, directors, and others who have the responsibility to establish policy in a community corrections organization. The different types of community corrections organizations in the United States present particular challenges to this training program. This program focuses on the common elements of organizations, while recognizing there are unique situations. Agencies that will benefit from this training include, but are not limited to: federal, state and county probation, parole, pre-trial services, day reporting programs, substance abuse and mental health programs for those sentenced to community supervision, and any other organizations that supervise persons who are under the jurisdiction of the criminal justice system, or oversee contractors who provide services to offenders/clients.

## **Those Under Supervision**

This training recognizes the different terminology used by the many community corrections organizations in the United States. Those under supervision may be called offender or client, but the intention is to identify the relationship that an organization's employee has over the person under supervision either through court order, parole authority, probation authority, or other legal directive.

## **Organizational Structure**

Community corrections agencies and organizations have quite different organizational structures and missions when compared to state prison and local jail systems. These organizational differences may present challenges to an agency that seeks to aggressively address sexual misconduct. The organizational structure dictates how an administrator can approach many of the issues that will be discussed in this training.

## **Investigative Authority**

The investigation of allegations arising in a community corrections agency may not be within that agency's authority. If the agency does have investigative authority, the person assigned may, or may not, have specialized training, and often has other administrative and supervisory responsibilities. If the organization does not have the legal mandate to investigate, outside law enforcement agencies, or umbrella organizations may conduct the investigation. Sometimes, sexual misconduct cases are not seen as a priority for the outside investigating agency, given their other responsibilities. These investigating agencies may be unfamiliar with the complex

dynamics of staff/client/offender interactions.

## **Changing Mission**

Effective interventions is a trend in community corrections organizations, moving toward a blend of support and supervision rather than solely “enforcement.” Some staff may be credentialed as addictions or mental health professionals allowing employee access to offender personal information, including details of their lives, histories, and aspirations. Balancing this personal knowledge about the offender and their family while maintaining professional boundaries is a critical issue in addressing and preventing staff sexual misconduct.

## **Employee Supervision**

Community corrections employees work in generally unsupervised, autonomous, assignments, visiting the homes and business locations of offenders. Some of these employees are unclear or unsure of their professional ethics and boundaries. These same employees have tremendous power and authority over those they supervise. The potential for abuse of this authority is a risk associated with this relatively autonomous community corrections environment.

While acknowledging these many dimensions of community corrections, this training is not meant to be exhaustive or to provide the ultimate answers to the challenge of sexual misconduct. That authority and responsibility rests within the agency leadership. Rather, this training is intended to provide a place to begin exploring preventing and responding allegations of staff sexual misconduct in community corrections.

During the course of this training many issues will be discussed, options explored and problem-solving initiated. Through the skills of the facilitators, the use of the training materials, the collective wisdom and experience of the participants and the development of an individual blueprint, agency administrators will be better prepared to prevent and address staff sexual misconduct.

## **Administrator's Blueprint**

A goal of this training is to provide you with the knowledge, the skills and the tools to address staff sexual misconduct in your agency. To accomplish this you will be developing an individual "blueprint." When this training ends you will have a blueprint for action.

- During each learning module, note the practices and issues in your agency that cause you concern. Also notice those things that you believe are currently working well. Keep a list of things you need to do when you return to your office, and people you need to brief. Use the front page of your blueprint to keep a list of what you discover.
- At the end of the three-days of training, you will have the chance to complete your list of priorities as well as establish a timetable by which you hope to accomplish these tasks.

### **NOTES:**

**Administrator’s Blueprint: Preventing and Addressing Staff Sexual Misconduct in Community Corrections**

	<b>Three Concerns</b>	<b>What Is Working?</b>	<b>To Do/To Check</b>
<b>Module One An Overview</b>	1.  2.  3.	1.  2.  3.	1.  2.  3.
<b>Module Two Professional Boundaries, Ethics and Agency Culture</b>	1.  2.  3.	1.  2.  3.	1.  2.  3.
<b>Module Three Policies and Procedures</b>	1.  2.  3.	1.  2.  3.	1.  2.  3.



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	Three Concerns	What Is Working?	To Do/To Check
<b>Module Four Investigations</b>	<ol style="list-style-type: none"> <li>1.</li> <li>2.</li> <li>3.</li> </ol>	<ol style="list-style-type: none"> <li>1.</li> <li>2.</li> <li>3.</li> </ol>	<ol style="list-style-type: none"> <li>1.</li> <li>2.</li> <li>3.</li> </ol>
<b>Module Five Legal Issues</b>	<ol style="list-style-type: none"> <li>1.</li> <li>2.</li> <li>3.</li> </ol>	<ol style="list-style-type: none"> <li>1.</li> <li>2.</li> <li>3.</li> </ol>	<ol style="list-style-type: none"> <li>1.</li> <li>2.</li> <li>3.</li> </ol>
<b>Module Six Prevention</b>	<ol style="list-style-type: none"> <li>1.</li> <li>2.</li> <li>3.</li> </ol>	<ol style="list-style-type: none"> <li>1.</li> <li>2.</li> <li>3.</li> </ol>	<ol style="list-style-type: none"> <li>1.</li> <li>2.</li> <li>3.</li> </ol>

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Priority Activities	People to Brief
1.	1.
2.	2.
3.	3.
4.	4.
5.	5.
6.	6.

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Activity
Month 1:
Month 2:
Month 3:
Month 4:
Month 5:
Month 6:
Month 7:
Month 8:
Month 9:
Month 10:
Month 11: