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News: Main Feature

Not the Rat Squad: Investigators Work to Keep Institutions Safe for Staff and Inmates

By [Michelle Gaseau](#), Managing Editor

The Suits vs. the Code of Silence. It's an old-fashioned image but one that corrections officials still battle when it comes to internal investigations. In recent years, whether acting on their own or with a push from the state legislature, corrections agencies are getting serious about stopping crime behind bars.

Corrections leaders are providing additional support and better mechanisms to uncover and investigate crimes by inmates and staff in prisons. This is important so that both law-abiding staff and the public know that corrections is doing its job.

"Issues of integrity are so often implicated in correctional settings. These can be corrupting environments; even good people can be corrupted here. The entire system depends on staff performing their duties conscientiously and professionally. We have a great deal of power over the inmate population and that kind of power calls for very tight supervision of staff and monitoring of any questionable activity," said **A.T. Wall**, Director of the Rhode Island Department of Corrections.

Today corrections leaders are working to instill the belief that when staff are involved in situations of excessive use-of-force, sexual misconduct and the smuggling of contraband, they put not only themselves, but their co-workers and the institution at risk.

Changing a Paradigm for Internal Affairs

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"It's always embarrassing when you are a corrections officer and the newspaper headline reads that a corrections officer has been arrested for beating an inmate," said **Aaron Aldrich**, Chief Inspector for the Rhode Island Department of Corrections.

Aldrich, who began his career in corrections as a line officer, knows that some staff still question the fairness of "Internal Affairs" and assume that they are "out to get you." So, in addition to his job of weeding out the bad guys, he also tries to interface with staff to show them that his intentions are different than this perception.

"One of the most important steps is demystifying the role of the Internal Affairs office. So many people associate it with a bad thing and someone is in trouble," Aldrich said.

Aldrich spends six to eight hours each week teaching classes at the corrections academy to both seasoned officers and new recruits. The topics are his specialty - the hostile work environment, avoiding staff sexual misconduct, crime scene and evidence preservation.

"I am seen by staff at all levels. I believe 'An ounce of prevention is worth a pound of cure.' I will tell you how to avoid certain pitfalls, how to avoid circumstances in a hostile, toxic work environment and how to prevent the Internal Affairs interview," he said.

Wall, who receives reports daily from Aldrich, said it is important to help staff understand the true role and the significance of Internal Affairs to the department on several levels.

"An Internal Affairs unit is considered a kind of spy organization by many line staff. That's natural in these settings, but it can be overcome," he said.

Wall suggests several approaches to address this:

*The people chosen for Internal Affairs should be carefully selected. They have to have credibility in the organization, either because they are known from having worked in the department or have good reputations from where they worked before.

*Internal Affairs can't be a foreign presence that "comes in like a SWAT team" only when misconduct is alleged. Wall explained that Internal Affairs people need to be visible; they need to be seen and known.

"It's important that they interact with our staff in training settings, and casual walk-throughs of institutions so that they are not regarded as

strangers," Wall said.

*A director needs to give very strong support and credit to Internal Affairs. It sends a message throughout the agency and staff understand that this is a valued unit.

"Too often in the agencies I know, Internal Affairs confines their activities to playing 'Gotcha' and waiting for the staff member to fall and [then] swooping in and destroying a career. Sometimes that is necessary, but if we really care about our people, we have some obligation to help them avoid those compromising behaviors," Wall said.

Aldrich agrees and said that involvement with staff in situations other than investigations helps staff to avoid making inappropriate choices in the future.

"Internal Affairs is always perceived as the rat squad. But I have to tell you, the students in the classes request to have me come back. What is satisfying is to have someone with 25 years of service tell you you did a great job," he said. "Anyone who is not doing it, is missing the biggest boat."

Aldrich said he also takes the opportunity during training at the academy to explain that he is not out to destroy careers. In fact, Aldrich said, it is his job to point out when staff are doing the right thing in any given situation, as well as when staff are not.

"I might identify in a report the actions of an employee that were text book and require recognition, but it may also identify another employee whose actions may be inappropriate," he said.

The explanation can set the stage for future actions by staff not only when they face difficult situations on the job, but also if they see others whose actions may put the facility in jeopardy.

Staffing the Inspector's Office

Successful investigations in corrections take more than a plan for interaction with staff at varying levels. Directors must choose the right people to work in an inspector's office in order to ensure that the department is performing with the utmost integrity.

According to Wall, that means that the people running the investigations should have a high level of commitment to the job and to the mission of the department.

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"The best inspectors regard their work as more than a job. They have a passion for integrity; they hate corruption and they are willing to work whatever schedule it takes and be available whenever needed to respond to a possible problem. Staff very quickly pick up if an inspector simply regards it as a job," Wall said.

At the same time, Wall said, inspectors or investigators are just as dangerous if they are overzealous and disregard the rules and laws that apply to them. They should clearly understand confidential policy about investigations and be able to work closely with other types of central office staff in serious investigations - such as legal staff and human resources.

"They are there not to do the investigator's job but rather to support the investigation by pointing out possible pitfalls or the ramifications of different investigative approaches. Otherwise, we have cast our inspectors adrift," Wall added.

Aldrich said it is important to have a loyal team of investigators on the same page to function well together and promote consistency.

"In my office I have an [inscription] that says 'Always give people more than they expect to get.' I try to have my people do that. What it means is there are times when we will give people more compassion than they expect to get or it might be that we have a surveillance detail out at 3 a.m. on a major holiday. We will be there," he said.

Wall said it is also important to consider the experience of those staffing the investigative unit. In Rhode Island, officials believe that having inspectors or investigators with prior corrections experience can add to their effectiveness.

"They understand jail and prison cultures, they know the informal relationships among staff, they understand the physical plant and how certain things can happen in certain places," Wall said.

However, Wall added, these staff members may not be removed enough from the corrections system to do the job well. He said there is always the risk that an inspector may be too close to the personnel involved in a case and therefore may not be objective.

In Texas, officials took great care to ensure that they created a complete separation between investigators

and the corrections agency to ensure objectivity.

According to **John Moriarty**, Inspector General for the Texas Department of Criminal Justice, his 137 staff member-unit reports to the Texas Board of Criminal Justice but communicates with the director of the TDCJ as well.

"That is so I have some autonomy regarding investigations inside [regarding] wrongdoing for both corruption as well as normal run-of-the-mill crimes," Moriarty said.

Originally the TDCJ's investigation unit, which handles both staff and inmate crimes, was staffed with non-civilian employees of the department. A major lawsuit several years ago helped re-shape the unit so that it was better able to look into allegations of staff misconduct, harassment and retaliation.

Wall said the inmate investigations unit, however, must be staffed with people who know the corrections system because their familiarity with the prison culture and activities are essential to apprehending inmates who break the law.

These staffing decisions can also influence how easily facility staff communicate with investigators.

Working Together

Whether investigating illegal activity by an inmate or a staff member, or both, investigators rely on the willingness of those inside the facility to communicate about these transgressions.

Often this information comes from a staff member, which is why selection of the investigators is so important to the unit's success.

"That is one reason why the inmate investigations unit needs to be drawn from the personnel. They have credibility and personal relationships with staff. Our staff don't regard them as competition and they don't see them as an elite group because they are one of the group," Wall said.

Corrections agencies also need to put in place certain mechanisms that allow staff and inmates to provide information without the fear of retaliation.

Both the TDCJ and the Rhode Island DOC provide ways for inmates and staff to communicate with the investigations unit.

According to Moriarty, a state law called the Safe

Prisons Act specifically mandates that the investigation unit has a safe and secure referral system for information as well as policies that help those within the facilities identify misconduct - especially sexual misconduct.

"We provide the same services as if you were a victim of a sexual assault on the street. In Texas you have a right to an advocate, to be examined by a physician and have the best forensic capabilities - we do the exact same thing inside the penitentiary," Moriarty said.

Wall agrees that unfettered access is vital to keeping the pulse of the institution.

"We allow inmates to make collect calls from the cell blocks to both units. There are always channels of communication. The calls can be anonymous as well. We are concerned about getting information and we need to make it possible for that," Wall said.

Aldrich has found that his interactions with staff at the training academy have helped staff open up about misconduct they see on the job. He said staff often feel comfortable approaching him after training or asking him to give them a call.

"The code of silence is diminished when the staff know that the motive of the Internal Affairs unit is not to do harm or to discipline those doing the right thing. It is for those who are doing the wrong thing. They are the ones who will get the good guys in trouble. They will make your job that much harder," Aldrich said.

Inmate Investigations

The job of investigating inmate crime and plots for escape involves a whole other level of investigative techniques and understanding of the criminal mind. For Moriarty and others who work in offices that sniff out criminal activity by both inmates and staff, it is inmate crime that takes up much of their time.

In a state the size of Texas, with 147,000 inmates, the number of crimes, escape plots, assaults and other activities that the investigative unit must monitor might seem overwhelming.

To date this year, Moriarty's unit has conducted 3,000 felony criminal investigations including homicide, aggravated assault, sexual assault and escape.

Just recently his office uncovered an escape plot that

had people on the outside working to prepare an inmate for an escape by collecting survival gear and other items that were to be dropped near a facility. Through his team's diligent efforts, the plan was uncovered.

But Moriarty said that the unit officers need more than good investigative techniques. Inmates need deterrence. Texas seems to have a handle on this.

"What I see as key is the aggressive prosecution for predatory inmates outside the walls of the prison. We have our own prosecutors with the concurrence of the DA. We have a very aggressive group of prosecutors who are separate and above the local district attorneys office," Moriarty said.

Because these prosecutors deal specifically with the cases that arise behind prison walls, they understand the issues that can arise to make a case complicated, such as the witness credibility, or lack thereof.

"The truth of the matter is our staff assaults are down. That is coupled with aggressive prosecutions. We recently prosecuted an inmate who murdered a corrections officer. He received the death penalty," Moriarty said.

William Bell, a criminal investigator with the Colorado Department of Corrections, also says corrections investigations require specialized experience.

"To start, criminals today are more sophisticated, more violent and more dedicated to criminal behavior than ever before," he said. "Outside law enforcement are really not equipped to come in and investigate, mainly because they don't have the manpower [to do so] and don't know the lay of the land."

Bell says that to put the need for correctional investigators into perspective, imagine an average city where there is one police officer for every 1,000 people. Out of a city of 16,000, he says, one percent of them is involved in felonious activity. In corrections, however, there are 16,000 people and every one of them is a convicted felon.

Bell, who has worked for the DOC for 20 years, agrees with Moriarty that there are subtle differences between investigations on the streets and those done in prison.

"[In corrections], there is the 'inmate code' where

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an inmate suspect doesn't want to talk, the victim doesn't want to talk because they fear retaliation and the witnesses may not want to talk [either]," he says. "[Also] with the use of confidential informants, we have to be careful because the likelihood of that information getting out [means that person] will be killed. 'You snitch, you die' is the rule."

From a director's perspective, these investigative units need a lot of support from the top to do their jobs well.

"With regard to both units, but especially Internal Affairs, we are asking the staff who work there to do a really difficult job. They have to move comfortable through the institution, they have to be accessible and they have to be trusted. At the same time they can't get too close to anyone," Wall said.

Wall said that the investigators help him understand each facility and the department as a whole.

"I talk to my chief of Internal Affairs every day, not only about investigations, but also staff attitudes and climate. I find it essential to keeping my finger on the pulse. Similarly either myself or the assistant director talks with the special investigations unit every day. Both units are critical tools for managing a corrections operation," Wall said.

Resources:

To call the Rhode Island DOC for more information dial 401-462-2611

For information about Colorado DOC, visit the Inspector General's Office website at <http://www.doc.state.co.us/IGO/IGO.htm> which is also this week's Site of the Week

For information about the TDCJ, visit the website at <http://www.tdcj.state.tx.us/>

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