

National Standards Released to Reduce Rape in Prison

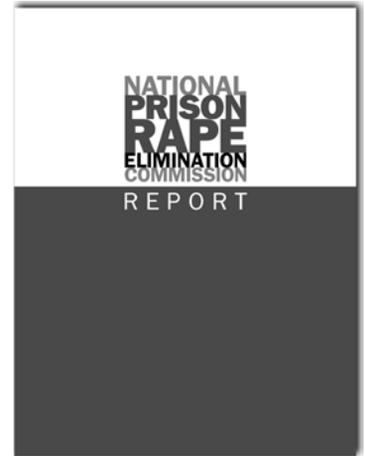
By Nicole Lemon

More than 60,000 people experience sexual abuse in state and federal prisons each year. Yet few correctional facilities have the internal monitoring and external oversight needed to prevent it. In 2006, staff in Vera's Washington DC Office began working with the National Prison Rape Elimination Commission (NPREC)—a bipartisan commission of eight attorneys and academics—to develop national standards, or guidelines, for preventing, detecting, and responding to sexual abuse in confinement facilities. The congressionally mandated commission, chaired by U.S. District Judge Reggie B. Walton of the District of Columbia, released its final report in June 2009.

Over three years, Michela Bowman, Sharon Brett, Angela Browne, Alissa Cambier, Kathryn Fanlund, Tara Graham, and Allison Hastings assisted NPREC's commissioners and staff as they consulted with more than 100 experts in correctional administration and operations, researched existing corrections standards, convened hearings, and worked to identify best practices for preventing abuse. Vera

helped NPREC develop more than 150 standards that aim to create accountability and to provide external support for prisoners in all types of confinement facilities: adult prisons and jails, juvenile detention facilities, immigration detention facilities, lockups, and community correctional facilities. "The commission was fortunate to have Vera's assistance throughout our process," Judge Walton says. "Vera's assistance with crafting both the standards and the final report was invaluable."

The commissioners found that men and women with non-heterosexual orientations, transgender individuals, and those with mental illnesses are particularly vulnerable to



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Planning to Prevent Sexual Violence in New Jersey

By Abbi Leman



Tracy Francese speaking at a primary prevention conference for high school students presented by the Domestic Abuse and Sexual Assault Crisis Center in Sussex County.

Organizations that address sexual violence have long provided crisis intervention to help survivors after they have been harmed. For the past year, to try to prevent sexual violence from occurring at all, the New Jersey Coalition Against Sexual Assault (NJCASA)

worked with support from Vera to help these programs extend their services to a new group of people: young men and boys. "To really stop sexual violence," says Andrea Spencer-Linzie, NJCASA's executive director, "you have to go after what's causing the perpetration: the people behind it and the risk factors."

The Vera Institute's Sexual Violence Prevention Initiative (SVPI) helped 22 community-based sexual violence programs in New Jersey—one in each county along with one from Rutgers University—plan primary prevention in their communities. Primary prevention seeks to change behaviors and environments associated with sexual violence and may include strategies like cultivating empathy and attachment in young children, en-

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From Vera's Director



Crossing Boundaries to Help Victims

In 1975, Vera's focus on court processes led to one of our first projects concerning people who had been harmed by crime. The Victim/Witness Assistance Project sought to improve their participation by, among other things, notifying witnesses of upcoming court appearances and providing day care inside the courthouse. Although successful in some ways, the project never convinced uncooperative witnesses to appear. Project data and subsequent research showed why: nearly half of all victims of felony-level crimes had prior relationships with the perpetrator and did not seek a court solution to their conflict. Our lesson: seeking justice in some cases may require looking beyond the system's traditional boundaries.

We are still applying this lesson more than 30 years later. To improve services for people with disabilities and Deaf individuals who are at high risk of domestic and sexual violence, our Accessing Safety Initiative (ASI) facilitates cross-disciplinary training between domestic violence service providers and those who work in disability organizations—two groups with shared interests but little history of collaboration.

Two new programs—like ASI, funded by the U.S. Department of Justice's Office on Violence Against Women—are poised to extend this tradition. The Promising Practices Initiative will document best practices for addressing domestic violence, sexual assault, and stalking by identifying those that apply when key players—advocates, law enforcement, prosecutors, and the courts—work together. The other project focuses on supervised visitation programs, in which children meet with non-custodial parents under the watchful eye of a third party. Born out of the child advocacy field, supervised visitation is not typically designed to address the safety issues involved in domestic violence cases. This project's success will depend on our ability to link child-welfare advocates with advocates from the domestic violence field.

Common Justice, our new demonstration project with the Brooklyn courts, crosses traditional boundaries as well. Its core activity is to directly involve those harmed by crime in meaningful dialogue with young people accused of felonies, resulting in sanctions other than prison. But it has a parallel emphasis on providing victim services for young men of color, who are a large part of the victim population but rarely served by traditional purveyors of this support.

Well defined disciplines and people who have long been providing services from a distinct perspective can resist change—often for very good reasons. Yet I'm optimistic that when we look back in another 30 years, these projects also will have accomplished much to be proud of.



Michael P. Jacobson
Director, Vera Institute of Justice

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ABOUT JUST 'CAUSE

The Vera Institute of Justice is an independent nonprofit organization that combines expertise in research, demonstration projects, and technical assistance to help leaders in government and civil society improve the systems people rely on for justice and safety.

Just 'Cause is produced by the Communications Department: Robin Campbell, Abbi Leman, Nicole Lemon, and Michael Mehler.

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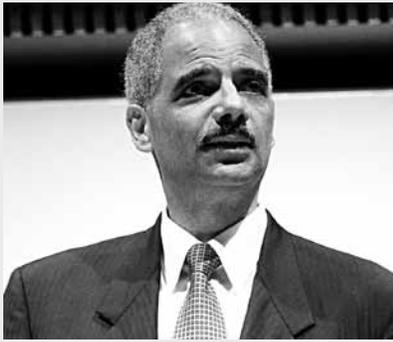
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Holder: A Smarter Criminal Justice System Within Reach

By Michael Mehler



Attorney General Eric H. Holder, Jr., delivered Vera's Third Annual Justice Address on July 9 at the McGraw-Hill Building in New York City. Before a standing-room-only crowd, the nation's top justice

official called for moving beyond politics and ideology to get smart on crime and praised Vera's "practical, rational, data-driven, results-oriented approach" as a model for the Justice Department going forward.

"Much has changed since some of our basic governing assumptions about criminal law enforcement were developed," he said. Noting that incarceration rates continue to rise even as crime rates fall, for example, Holder said Washington would place less emphasis on incarceration and more emphasis on alternative crime fighting efforts. "Imprisonment is not a complete strategy for criminal law enforcement," he explained. Instead, his agency will look to alternative approaches like helping former prisoners return to the community and preventing crime before it happens.

Echoing a theme familiar to Vera and its partners, the attorney general also called for a greater emphasis on

research and data in forming justice practices. "We rely upon evidence-based methods to innovate in agriculture, transportation, environmental safety, and public health," he said, "and it is my belief that the Department of Justice likewise should embrace modern, evidence-based methods for developing policy."

The audience welcomed his message. "Many of us have been advocating for a commitment to empirically based innovation," said Jerry McElroy, executive director of the Criminal Justice Agency. "Federal research has spurred evidence-based practices in community corrections and it's encouraging to hear his commitment to continue these developments."

The attorney general was introduced by Laurie Robinson, who earlier this year resigned as chair of Vera's board of trustees after Holder asked her to head the department's Office of Justice Programs, which provides information, training, coordination, and innovation aimed at addressing the nation's most pressing justice-related issues.

"Challenges change with time, but opportunities have changed too," the attorney general noted. "[W]e need to understand crime in context in order to prevent it—and with better understanding and more information, we can develop new approaches to old and seemingly intractable problems."



Top row l-r: Michael Jacobson, Eric Holder, Laurie Robinson, and John Savarese; Angela Browne and Herb Sturz. Bottom row l-r: Ray Kelly and Jeremy Travis; Gary Naftalis and Karen Patton Seymour; Lenny Noisette, James Bredar, Richard Dudley, and Frederick A. O. Schwarz.



Q&A

With Jon Wool Project Director, New Orleans

Jon Wool joined Vera in 2002 to work with the Planning Department and State Sentencing and Corrections Program. He is co-author of several Vera reports, including *Improving Public Defense Systems: Good Practices for Federal Panel Attorney Programs*. Before joining Vera, Jon worked as a clerk for the Chief Justice of Wisconsin and as a staff attorney with the Legal Aid Society. *Just 'Cause* spoke with Jon about his current work in New Orleans, his experiences as a practicing attorney, and his carpentry.



Interview by Nicole Lemon

What are you working on in New Orleans?

Vera is working with a group of the city's stakeholders—the public defender, the sheriff, the police, the district attorney, and others—who committed at a working retreat in September 2007 to a joint effort to reform the city's criminal justice practices. The work is challenging, given New Orleans's historic absence of collaborative government innovation. Three of our four initiatives focus on improving the system that handles all misdemeanor and felony violations of state statutes. Specifically, we're trying to ensure rational and just pretrial detention decision making, reduce the time between arrest and when the prosecutor decides to file a formal charge or not, and develop alternatives to incarceration. The fourth initiative seeks to improve practices in the municipal court, which handles misdemeanor violations of municipal ordinances—like public drunkenness.

What has been your greatest success?

Reducing the amount of time it takes to make a charging decision after an arrest. Starting with simple drug possession cases—cases in which people possess drugs for their own use—we looked at everything that happens before a charging decision is made. Then we met with senior representatives of each agency and agreed on specific practices they would enact to expedite charging. The police department, for example, agreed to submit police reports to the district attorney's office within 48 hours of arrest. When we started, the time between arrest and the prosecutor's charging decision was about 60 days—in New York, by

comparison, it averages 24 hours—which means many people spent weeks in jail there without being charged with a crime. Because of our collaborative effort, the time is down to eight days—a substantial step forward.

That is a big difference. What's happening with the other three initiatives?

Unfortunately, we operate with limited resources and the other projects have been on hold as we have focused on the charging decision work. However, we hope to resume the pretrial detention decision making initiative within the next six months. We have a pending grant application for the municipal court initiative, which would include some of the alternative sentencing work.

What is most rewarding about your work in New Orleans?

In our two-and-a-half years, we've worked with four district attorneys, and we've been respected and relied upon more and more. We've also earned the trust of local citizens groups, like the Police and Justice Foundation, which has helped us gain the trust of government officials.

Before coming to Vera, you worked with the Legal Aid Society in Manhattan and clerked for a judge. Did those experiences prepare you for your work here?

I was a public defender in Manhattan from 1997 to 2002. From that experience, I learned that the noble commands of the Constitution are largely meaningless in the criminal

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justice arena, that one has to struggle to get even the smallest measure of justice for poor people charged with crimes. Those of us who work on criminal justice policy need to learn from what is happening on the ground instead of thinking we understand the system based on the abstractions we read or learn through data that is not contextualized. Practical knowledge helps one understand the consequences of one's policy suggestions. Clerking was good practice as well, because it helped me think and write clearly.

Before law school, what type of work did you do?

I enrolled in law school in 1993. Before that, I attended art school and was a painter. As an undergraduate, I studied in the graduate writing program and wrote poetry. But because art and writing didn't pay the bills, I subsequently spent at least 10 years doing construction work, first in New York City and then in a tiny town in upstate New York. I helped build things for people, and I designed and built my own house. I also was the chairman of the town plan-

NPREC – *continued from page 1*

sexual abuse in confinement. They also learned that, given the level of crowding in most systems, it is hard to find safe spaces for these vulnerable populations without resorting to solitary confinement or other forms of segregation.

Shortly after the NPREC standards were completed in early 2008, they were subject to a 60-day public comment period. To ensure feedback during this time from facilities personnel who ultimately will be responsible for implementing the standards, Vera staff visited 11 state and county correctional facilities around the country to collect their views on the proposals. The combined feedback informed a revised version of the standards that calls for, among other things, written policies that mandate zero tolerance toward all forms of sexual abuse; easy, private, and secure opportunities for reporting sexual abuse; and comprehensive sexual abuse incident reviews.

Pending approval by Attorney General Eric H. Holder, Jr., federal correctional facilities will be bound by the guidelines, and states and localities will have one year to comply with the standards or lose five percent of their federal funding. "Some are concerned about the additional costs of implementing the standards," says Gloria Tate, a former senior program associate for Vera's Safe Return Initiative, who helped gather feedback from facilities staff. But California and Oregon have already agreed to implement the

ning board and a volunteer at the New York Civil Liberties Union capitol region office in Albany. I decided to attend law school to fulfill more of my interests in social justice, and to use my brain more than my increasingly aching body.

Do you still find time for carpentry? Have you found new interests in New Orleans?

My house in upstate New York still isn't finished, and I have to put a new roof on it next summer. Occasionally, my friends will ask me to help them with some carpentry work. I just helped a neighbor build a bike rack in his shed. I don't do carpentry often, though, because I don't have time. I cook a lot. I don't eat meat often but I cook a lot of fish, which is abundant here in New Orleans. I try to eat as light as possible given the weather, especially in the warm months. At 5:15 a.m., it's already 80 degrees. I'm still not sure what to do with that!

For more information contact Jon Wool at jwool@vera.org.

standards as they are currently written over the next year, which suggests the costs are reasonable.

To help ensure facilities' compliance, NPREC plans to develop a standardized oversight system. "The commissioners feel very strongly that the standards will not have adequate traction without a formalized system of oversight," says Michela Bowman, project director. Vera hopes to be a resource for the commissioners as they develop this system as well.

Notwithstanding this concern, the commissioners are optimistic that the standards will have the desired impact. "America prides itself on protecting the individual rights of all people," Judge Walton says. "The commission hopes that states will be compelled by this legal and moral obligation to implement the standards despite their reservations and provide a safe environment for those who are confined involuntarily."

For more information contact Michela Bowman at m Bowman@veradc.org.

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hancing positive community connections for young males who have been exposed to family violence, and expanding media literacy skills to challenge unhealthy media messages about sexuality and relationships. “We’re trying to get people to view sexual violence as a public health issue affecting everyone and not just an issue for women and girls,” says Nancy Cline, project director.

SVPI staff, in partnership with NJCASA, helped each program identify factors in their communities that might influence risk for sexual violence. The Centers for Disease Control and Prevention (CDC) has identified some of these factors, including witnessing family violence, alcohol and drug use, few job opportunities, and living in communities that have a high tolerance for crime and other forms of violence. SVPI staff provided each program with data exploring these factors at the county level. In any county, a factor that was above the state average was flagged as a possible risk factor in need of special attention.

Many of the participating programs, however, do not currently have staff or resources to counteract these factors on their own. “The funding is not sufficient to the task, and anti-sexual violence programs don’t get anywhere near what other fields get for prevention,” Spencer-Linzie says. To fill this gap, SVPI and individual program staff identified other community groups that may already be working on the flagged issues. If child abuse was identified as a higher risk factor in a county, for example, SVPI staff helped programs identify local groups that were already working with at-risk children and parents. “The issues that affect sexual violence risk factors are too complex for one organization to focus on alone,” Cline says.

The county programs will need to establish partnerships with these external groups in time, but few are ready for

full partnerships yet. For now, many of the programs are assessing their needs and resources, building their knowledge and skills, and planning when and how to begin prevention work in their communities.

“There are a lot of things that Vera did in technical assistance in support of very specific types of skills that were necessary to do this work,” Spencer-Linzie says. “It really made a significant difference in where we are as a state and where each of the programs are individually. Did the programs move from one to ten? No, but they all moved.”

Vera’s work with New Jersey officially ended in July, but the programs were left with a solid foundation and a template for expanding their plans for how to incorporate primary prevention in their everyday work. “It’s not easy,” Cline says. “They’re working hard to do their current work well, so also trying to expand to do all this prevention work in the middle of a really hard financial time for state and nonprofit organizations is tough.” At least one county, though, is already having some success.

“We were able to get two really nice grants fairly quickly,” says Pam Farago, executive director of the Domestic Abuse and Sexual Assault Crisis Center in Warren County. “Once we started talking to funders, they got the concept of primary prevention very quickly.”

The overall initiative was funded by the CDC, which is placing more emphasis on primary prevention. “There has been a lot of good work on helping victims once something has happened,” Cline says. “But people are beginning to realize that if we’re going to make lasting progress, we must also focus on the front end, before an act of violence is committed.”

For more information contact Nancy Smith at nsmith@vera.org.

NEW PUBLICATIONS

The Fiscal Crisis in Corrections: Rethinking Policies and Practices, July 2009

In a survey of enacted FY2010 state budgets and other recent sentencing and corrections legislation, Vera’s Center on Sentencing and Corrections found that at least 26 states have cut funding for corrections. This report examines the form of these cuts and highlights innovations for achieving long-term savings and public safety.

Promoting Justice in the Immigration System: Legal Access for Unaccompanied Children, July 2009

This summary highlights key components and accomplishments of the Unaccompanied Children Pro Bono Pilot Project, an innovative provider of legal information and pro bono legal representation to children who are facing deportation while in custody of the federal Office of Refugee Resettlement.

These publications are available at www.vera.org/publications.

IN MEMORIAM



Barbara Margolis, a widely respected advocate for prisoners' rights, passed away on July 3 from complications of cancer. Barbara—Bobbie to those who knew her—served prisoners and, more broadly, criminal justice reform, in many settings: at Vera, as a trustee from 1980 to 2000

and then as an honorary trustee until her death; at the New York City Criminal Justice Agency, a Vera spin-off, as a trustee for 31 years; at the Osborne Association, where she also served as a trustee; and on the New York Board of Correction, which monitors jail and prison conditions.

Bobbie also helped to start or run a number of programs at the New York City jail on Rikers Island, including the Horticultural Society of New York's "Green Team" rehabilitation programs and Fresh Start, a training program that brings New York City chefs to train inmates in culinary arts and helps them find jobs upon their release.



Neil Weiner, Vera's research director and senior fellow for research, evaluation, and policy, passed away suddenly on July 2. An accomplished criminal justice scholar and skilled research methodologist, Neil guided Vera's research efforts for more than two years and was a

mentor to research staff. Shortly before his passing, Neil donated a substantial part of his personal library to Vera and helped create a research guest speaker series that will be named in his honor.

Before joining Vera, Neil served as a senior research investigator at the University of Pennsylvania's School of Social Policy and Practice, where he examined issues ranging from substance use among children and youth to the death penalty and the accuracy of police reporting on crime. He was also a senior research associate on the National Academy of Science's Panel on Understanding and Preventing Violent Behavior and a visiting fellow at the U.S. Department of Justice's National Institute of Justice.

STAFF UPDATES



Joel Levy has joined Vera as its new development director. Levy comes to Vera with more than 25 years of fundraising and management experience, most recently as regional director for the Anti-Defamation League (ADL) in New York, one of the nation's leading civil rights organizations. At Vera, he will be responsible for developing and managing major gift partnerships with Vera's funders. During his eight years at ADL, Levy was responsible for all the organization's work in New York State, including raising \$12 million for annual operations and programs. Prior to that, he was co-managing director of Stephen Spielberg's Shoah Visual History Foundation in Berlin and, simultaneously, chairman for Germany of the Ronald S. Lauder Foundation, overseeing the building of the first yeshiva, a Jewish school that teaches both secular and religious studies, in Germany since the Holocaust. Earlier in his career, Levy spent more than two decades as a U.S. Foreign Service Officer and was the founding president of the Foreign Service Youth Foundation. Levy succeeds Anna Kornilakis, who left Vera after five years to join New York University's Child Study Center as a director of development for major gifts.



Kevin Cameron was recently promoted to information technology manager. He will lead the IT department in maintaining and deploying technology and providing support to the Institute's central office and other locations in New York City.

Cameron joined Vera in 2002 as a network support specialist. He previously worked as a technical consultant, providing computer services for various companies in New York City and Westchester County, NY. He also worked for Merck and Co. as a system specialist and the National Broadcasting Company. Cameron graduated from the Rochester Institute of Technology with a BS in information technology.

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Recent Events

VERA RECEIVES NEW YORK TIMES AWARD

The 2009 New York Times Nonprofit Excellence Awards named Vera as a winner for special mention in management excellence at a ceremony in June at the Times Center in New York. Four winners were chosen from six finalists, with New York Cares taking home the award for overall management excellence. Each of the six finalist organizations received a scholarship to the Institute for Not-for-Profit Management at Columbia Business School.

"We are honored that the committee chose Vera for this award," said Michael Jacobson, Vera's director, who called it "a testament to the hard work of all Vera staff."

Jack Rosenthal, president of the New York Times Foundation, opened the ceremony by interviewing representatives from each of the finalists. John Savarese, chair of Vera's board of trustees, joined Jacobson on stage in answering questions about Vera's spin-off process and the Institute's response to the nation's financial crisis.

"The board has always made operations a top priority,

so it's terrific to see Vera recognized for excellence in this area," said Savarese.



Above: Vera staff at awards ceremony. Left: Michael Jacobson and Mark Hurwitz, deputy director of Project Renewal.