

Section 2: A Comprehensive Process¹ for Revising Discipline and Sanctions Policies and Practices in Women’s Correctional Facilities

This section outlines a seven-step process for reviewing and revising discipline and sanctions policies within women’s facilities (see Figure 1). The steps included in this section offer a framework that can be adapted for use based on the unique aspects of an agency/facility’s structure and function. However, each step is essential to ensure that changes reflect the current needs and realities of all stakeholders. This process assumes that correctional leaders will take into account the realities of the current system, while seeking out opportunities to make revisions that can achieve better outcomes for women and staff.



Step 1: Commit to Improving Policies and Practices

Any significant policy change will require the support of leadership at the agency and facility levels. Leaders might consider the following questions as a place to start:

- Why does leadership have a desire for improvement in this area?
- Where are leaders likely to find support for improvements in discipline and sanctions?
- Where might they encounter resistance?
- What are the best methods to communicate with all levels of staff and all departments about leadership’s commitment to improving discipline and sanctions within the facility?

¹ The process outlined in this section is a common planning process adapted for use for the conduct of gender responsive, trauma-informed policy and practice reviews. As such, it is a process that can also be used to review other facility policies and procedures.



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Exploring the answers to these questions may lead to specific strategies to gain the full support and buy-in of staff throughout the review and revision process. For example, developing specific steps from the outset to address resistance may be an important strategy to achieve successful implementation later in the process.

Building basic awareness throughout the facility about gender responsive approaches to discipline and sanctions and keeping staff apprised of progress are strategies to consider. For instance, progress reports to staff can take place at staff meetings, in memos, or through a “kickoff” meeting to launch the effort. Additional tips for building staff and inmates’ awareness about the need for changes in discipline and sanctions policies and practices include:

- Discussing such changes at executive team meetings and soliciting ideas;
- Discussing gender responsive approaches at shift changes and unit meetings;
- Posting announcements about the effort in housing units;
- Conducting meetings with staff and inmates to announce leadership’s plans;
- Developing opportunities for staff and inmate input into the process; and
- Conducting a “kickoff” meeting to announce the effort.

“When we are having difficulty managing women under a certain policy, we get a variety of staff together—security, reentry, medical, mental health, for example—and discuss ways that we can work together to apply the policy in a way that makes sense for females.”

-Lynn Bissonnette,
Superintendent,
MCI Framingham (2013)

The key is to generate energy and interest about the issue and get staff thinking about the strengths and challenges of current approaches to discipline and sanctions.

Step 2: Select a Team to Lead the Review and Implementation Process

The selection of a team, or workgroup, charged with the review and implementation of revised discipline policies and sanctions is a proven strategy for accomplishing tasks. Effective teams are ones that have a clear charge and authority to act, and are accountable to facility leadership regarding their progress.² The following are some tips for forming a team tasked with reviewing current discipline and sanctions policies and practices:

- **How many people should be on the team?** The most effective and efficient teams tend to be moderate in size. If the group is too large, it will be more difficult to schedule meetings and assure that all members are included throughout the process. If the group is too small, it will not include the diverse perspective it needs to gain a balanced

² To read more on establishing a collaborative team for criminal justice, see [McGarry & Ney, 2006](#).

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view of current practices. Ideally, a team composed of 6-12 individuals is the size that can accomplish its work effectively and efficiently.

- **Who should be on the team?** Team membership should include individuals from all functional areas of the facility to ensure that all perspectives are represented. Representative areas might include intake, assessment and classification, operations, security, and programs and services. Consideration should also be given as to whether the group would benefit from legal and/or union representation or other agency level representation.
- **Who should lead the team?** The team should have an identified chair or coordinator. This might include the warden, member of the facility executive team, or other manager. Persons responsible for providing administrative support to the team should also be identified and their responsibilities clarified regarding such tasks as creating a meeting schedule, sending out meeting announcements and reminders, and taking and distributing meeting records.
- **How should the team be structured?** The team's structure should be considered in light of the goals and objectives to be accomplished. For example, if the team plans to conduct several tasks to inform their process (e.g., determine what other states are doing, gather facility data regarding current use of discipline and sanctions, conduct staff and inmate focus groups), they may want to consider forming subcommittees, or ad hoc working groups, to accomplish these tasks in a timely and efficient manner. Another approach to structuring the team is to allow it to proceed under formal mandate or charge from facility and/or agency leadership. Other considerations might include: How will the team communicate its progress to facility leadership? What is the team's authority? How will the team resolve problems and address barriers to progress?

The Rhode Island Department of Corrections Women's Facility convenes a standing steering committee composed of both central office and facility leadership and staff. The committee oversees the implementation of a multi-year strategic plan and regularly reviews and monitors improvements in the following areas: assessment, classification and case management, medical and mental health services, programming, staff training and support, facility culture, and offender management.

Once the team is established and officially given its charge, the following tasks should be completed:

- Establish a timeframe for completing the review process;
- Determine meeting dates, times and frequency;
- Clarify expected team products; and
- Address other items necessary for the effectiveness and efficiency of the team's process.

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Step 3: Become Knowledgeable about the Research and Set Goals

There is a growing body of evidence to support a gender responsive approach to discipline and sanctions. Exhibit 1 provides a list of some of the notable research areas on women offenders. The Appendix also provides a summary of the primary research relevant to discipline and sanctions for women. Familiarity with the research will equip the team with information that can be used to inform the policies and practices review.

After reviewing the research, the team may want to consider the following questions:

- How closely do existing policies and practices align with the research?
- What potential benefits can be achieved by considering a gender responsive, trauma-informed approach to discipline and sanctions?
- What strategies could be incorporated into existing practice to advance the implementation process?
- What are (or should be) the goals of discipline and sanctions in the facility?

The answers to these preliminary questions should drive the subsequent policies and practices review (Step 4), and will be an important consideration during the conduct of the strengths and needs analysis (Step 5).

Exhibit 1: Notable Research Areas on Women Offenders

- Principles of Gender Responsiveness
- Women's Pathways to Crime
- Trauma-Informed Approaches with Women
- Staffing and Operations
- Safety and Security
- Offender Management and Supervision
- Staff Offender Interactions
- Motivating Behavior
- Classification
- Assessment and Gender Responsive Risk Factors
- Case Management
- Treatment, Interventions, and Services
- Transition and Reentry
- Quality Assurance and Evaluation

Online resources on all of these topics can be accessed from the NRCJIW's website:

<http://cjinvolvedwomen.org/resources>

Step 4: Gain a Greater Understanding of Current Policies and Practices

A primary task of the team is to conduct a review of current discipline and sanctions policies and practices. Begin with an exploration of how current policies and practices impact staff and women inmates. An analysis of both quantitative and qualitative data can be conducted to inform this process and advance the review.



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Quantitative Data

Quantitative data is information that can be measured and tallied. For example:

- How many infractions, or violations, were reported in the past year?
- What were the most common violations?
- What were the most common sanctions used to respond to violations?
- What trends can be observed about discipline and sanctions over time (e.g., are the number of violations increasing or decreasing; are the types of violations the same or different)?

Exhibit 2 provides some additional examples of quantitative information that can inform a review of current practices. Additional data in the form of relevant studies and reports can also be informative. These may be facility-specific, agency reports, reports from other states, or national studies. For example, agency-wide and facility evaluations or audits that include information on discipline, or reports that compare discipline and sanctions practices within and across facilities can be useful (e.g., are there notable differences in the occurrence of incidents at men's versus women's facilities?).

Exhibit 2: Examples of Quantitative Data that Can Inform a Review of Current Discipline and Sanctions Practices

- Number and types of violations reported
- Number and types of sanctions used
- Most commonly occurring violations and sanctions
- Frequency of and most common reasons for use of segregation
- Trends in discipline and sanctions by shift/unit/area of the facility
- Frequency of inmate-on-staff and inmate-on-inmate assaults
- Trends in self harming behaviors/suicide attempts
- Number and types of psychiatric and mental health referrals/requests

Qualitative Data

Qualitative, or descriptive, data can provide different but complementary information to inform the review process. The team may conduct a detailed examination of incident reports to gain a deeper understanding of the prevalence and nature of inmate discipline behaviors and responses. Alternatively, the team may decide to conduct interviews, town hall or unit meetings, focus groups and/or surveys to learn more about how staff and inmates perceive existing discipline policies and practices. Exhibit 3 provides some examples of focus group questions to consider for discussing these issues with staff and inmates.

Policy Review Considerations

A review of current policies, by definition, should also include an analysis of written policies, protocols and procedures. For example, what do current policies state about:



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- Specific types of behaviors;
- Penalties for these specific behaviors; and
- The reporting and hearing processes?

Exhibit 3: Example Focus Group Questions

- What do you think about the current discipline process? Is it fair? Timely?
- Do you feel sanctions are used consistently for similar types of violations?
- Do you think that most of the time disciplinary actions are too lenient, too severe, or just right?
- What violations seem most serious? Less serious?
- Do you think that women inmates and staff have a clear understanding of the rules?
- Do women know what to expect if they break a rule?
- Are rewards used for following the rules? If yes, what kinds of rewards are given?
- Are there times when informal strategies, rather than official sanctions, are used to respond to violation behavior? If so, what are some examples?

As the team conducts its review of discipline and sanctions policies and practices, they may discuss what their analysis has revealed about what works well currently and what doesn't work well. Based on the team's understanding of the research (Step 3), they may consider how current policies could be revised to be more gender responsive and trauma-informed. If there is quantitative and qualitative data that can inform the team's analysis of current policies, it should be considered at this time as well.

A last task the team may undertake during the policies and practices review process is an exploration of whether current practices are consistent with American Correctional Association (ACA) standards relevant to discipline and sanctions. Section 4 of this Guide discusses how to adapt seven ACA discipline and sanctions standards for women's facilities.

Step 5: Conduct a Strengths and Needs Analysis

A strengths and needs analysis³ involves summarizing the data and information collected by the team (in Steps 3 and 4) and using it to identify strengths and gaps in current policies and practices. This process will likely include additional discussions about what the research says about effective practices with women offenders, as well as the facility's vision, values, and goals. Important questions to consider include:

- What is the vision and values for an improved approach to discipline and sanctions?
- Will the goals (developed in Step 3 above) help the facility accomplish the vision? Do they need to be revised?

³ Content has been adapted from Stroker, 2010.



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- What are the facility’s strengths with respect to current policies and practices (in the context of the facility’s vision and goals)? How can we build on these strengths?
- What are the facility’s challenges, barriers, and gaps with respect to current policies and practices (again, in the context of the facility’s vision and goals)?
- How can existing policies and practices be revised to reflect a gender responsive and trauma-informed approach to discipline and sanctions?

The self-assessment checklists included in Section 4 of the Guide can also help the team in assessing the strengths, challenges, and gaps in current policies and practices. Once the strengths and needs analysis is completed, a revised approach to discipline and sanctions can begin to take shape.

Step 6: Formalize Policy and Practice Recommendations

After conducting a strengths and needs analysis, the team may be asked to make recommendations to facility and agency leadership. Exhibit 4 provides some example policy and practice recommendations that may result from this analysis. While developing policies specific to women is ideal, that is not always possible. Other possibilities may include adding women-specific qualifiers to gender-neutral policies and/or using Standard Operating Procedures (SOP’s) that are specific to women’s facilities. The team, in conjunction with facility and agency leadership, can identify whether new policies should be written or existing policies revised to achieve the team’s vision for a revised approach to discipline and sanctions. Finally, a host of other variables are important to consider including statutory and other legal requirements, policy vetting, and the approval process.

Exhibit 4: Example Policy and Practice Recommendations

- New gender responsive disciplinary policy statements and/or revisions to current disciplinary codes and policies
- New tools, protocols, procedures and/or documents to support a new/revised approach to discipline and sanctions
- New operational practices to achieve the facility’s vision and goals for discipline and sanctions
- Training and coaching for facility staff and leadership regarding change strategies

Figure 2 suggests ten components that the team might consider when developing recommendations for changes to discipline and sanctions policies. It provides examples of content that might be included in revised and new policies to ensure they are comprehensive and easily understood by staff and inmates.

Figure 2: Ten Components to Consider when Developing/Revising Gender Responsive and Trauma-Informed Discipline and Sanctions Policies and Practices in Women’s Facilities

| POLICY COMPONENT | SUGGESTED CONTENT FOR INCLUSION |
|---|--|
| <p>Guiding Principles</p> | <ul style="list-style-type: none"> • Main themes from the research on women offenders and how they relate to discipline and sanctions • Purpose statement (of the discipline and sanctions policy) • Some important concepts may include: <ul style="list-style-type: none"> ○ Maintain safety and security ○ Maintain humane and respectful environment ○ Maintain an orderly and productive environment ○ Maintain accountability ○ Promote learning ○ Provide opportunity to repair harm (restorative) ○ Promote rehabilitation ○ Ensure policy is not capricious, retaliatory, corporal ○ Ensure objective, fair, timely, and consistent application of the policy based on credible evidence and due process |
| <p>Definitions</p> | <p>Some terms to define clearly for staff and inmates may include:</p> <ul style="list-style-type: none"> • Physical safety • Psychological safety • Sexual safety • Direct aggression • Indirect aggression • Gender responsive • Trauma-informed • Evidence-based • Over-disciplining • Rapport building • Appropriate/inappropriate behaviors • Informal/formal responses to behaviors |
| <p>Rules and Expectations</p> | <ul style="list-style-type: none"> • List of behaviors that are expected (e.g., respect for self, respect for others) • List of behaviors that are common among women inmates (e.g., relationships, hugging, touching, sharing property) |
| <p>Staff Education and Support</p> | <ul style="list-style-type: none"> • Procedures regarding the development, updating, and distribution process of a staff handbook • Staff training requirements regarding effective discipline with women inmates (e.g., trauma and its effects, collaborative problem solving, de-escalation techniques) • Annual review of training topics • Ongoing staff coaching and supervision |

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|--|---|
| <p>Inmate Education</p> | <ul style="list-style-type: none"> • Procedures regarding the development, updating, and distribution process of an inmate handbook • Procedures regarding the inmate orientation process (e.g., what orientation includes and how it is facilitated) • Procedures regarding the frequency of conducting staff reviews of facility/unit rules and expectations • Procedures regarding basic inmate skills development • Procedures regarding visual postings of information or expected behaviors (e.g., posters, signs) |
| <p>Inmate Rights</p> | <ul style="list-style-type: none"> • Basic rights of inmates that should be upheld through discipline and sanctions process |
| <p>Prevention and Active Supports</p> | <ul style="list-style-type: none"> • Expectations regarding the use of specific strategies within the facility that are designed to increase inmate emotional regulation (e.g., community/unit meetings) • Expectations regarding the use of inmate motivation strategies (e.g., staff utilization of affirmations, reinforcers, encouragers) • Expectations regarding the use of gender responsive incentives, privileges and motivators • Description and expectations regarding the use of formal mechanisms to reward pro-social behaviors and achievements • Procedures for communication within and between shifts regarding disciplinary actions that have been taken and any needed support or follow up |
| <p>Behaviors and Responses</p> | <ul style="list-style-type: none"> • Behavior “matrices” defining violation behaviors and sanctions or responses, including the use of qualifiers from minor to moderate to severe • Procedures regarding documentation for the various disciplinary responses, including formal and informal disciplinary responses • Expectations regarding the communication of sanctions to inmates • Procedures regarding the formal involvement of mental health staff at various points in the disciplinary response process • Expectations for parameters regarding: <ul style="list-style-type: none"> ○ Segregation ○ Loss of privileges (e.g., recreation, visits, commissary, phone) ○ Cell/room restriction ○ Loss of good time and/or furloughs ○ Increased custody level ○ Referral to law enforcement |
| <p>Disciplinary Reports</p> | <ul style="list-style-type: none"> • Instructions regarding when an incident report should be prepared • Purpose of preparing an incident report • Content of incident reports • Process for filing reports • Due process procedures |

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**Disciplinary
Hearing**

- Criteria for prehearing actions such as adjustments and dismissals
- Expectations for training and education of the hearing officers
- Procedures for hearings including scheduling timeline and hearing process/agenda
- Criteria for hearing decisions
- Protocol for hearing record
- Procedures for review and appeal
- Procedures for involvement of mental health staff (e.g., in creation of a hearing process, in designing effective disciplinary responses, for follow up with inmates after decisions have been rendered)

Step 7: Develop an Implementation Plan and Methods for Measuring Success

A detailed implementation plan can serve as a “roadmap” for operationalizing improvements to discipline and sanctions policies and practices. To build an implementation plan, the team may consider:⁴

- Involving additional staff to assure the plan is realistic;
- Determining any tools and/or procedures that may need to be developed to support implementation;
- Developing a timeline for implementation that considers the logical sequencing of key implementation steps and allows for enough time for strategies to be implemented effectively; and
- Identifying person(s) who can lead and monitor implementation.

Implementation Tips

- ✓ Focus on high priority or short-term goals first
- ✓ Report progress to the team and facility leadership on a regular basis
- ✓ Review and update the plan periodically or as needed
- ✓ When challenges or issues arise, discuss solutions as a team and adjust the plan as needed
- ✓ Monitor the impact of the plan and document outcomes

In addition, the team may wish to consider “small” steps that can be taken to lay the groundwork for successful implementation. These steps may include: sharing the plan with facility staff and discussing its implications; conducting training to inform staff about what the team has learned regarding the research and how the implementation plan reflects evidence-based practices; or conducting focus groups with staff and inmates to solicit feedback about the plan.

Performance Measures

Lastly, it is critical that the team set targets and establish measures to monitor progress as goals are achieved. In terms of the implementation process, has the team established “benchmarks”

⁴ Content has been adapted from Stroker, 2010.

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or deadlines for implementing key aspects of their recommendations (e.g., staff training, introduction of new/revised sanctions, modifications to disciplinary hearing process) and how will they track whether new/revised policies and practices are being implemented as envisioned by the team? In terms of outcomes, has the team discussed key measures they feel are important to track and discussed methods for gathering data and information to inform those measures? At a minimum, data such as the number and type of violations recorded (e.g., assaults, fights), number and type of sanctions used in response (e.g., loss of privilege, segregation placements), and various inmate behaviors (e.g., self-injury, suicide attempts) should be tracked. Establishing measures will help the team identify the data and information they want to collect going forward, gauge implementation progress, and ultimately determine if outcomes are being achieved.

References

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