Detained, Undocumented and Underserved:
Providing Services to Adults and Children in Immigration Detention

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National Sexual Assault Conference

Speakers

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JDI is a health and human rights organization that seeks to end sexual violence in all forms of detention.

Core goals:
1. Hold government officials accountable
2. Change public attitudes about sexual violence behind bars
3. Ensure survivors get the help they need

Special Thanks

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The opinions, findings, conclusions, and recommendations expressed in this session are those of the presenters and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women.
Session Agenda

I. Overview of U.S. Immigration Detention
II. Seeking Help After Sexual Abuse
III. Bridgette’s Story
IV. How to Serve This Population
V. Questions and Answers
IMMIGRATION DETENTION: WHAT’S AT STAKE? WHO’S AT RISK?

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WHAT IS IMMIGRATION DETENTION?

Administrative custody before, during, and after removal proceedings.
WHO IS IN IMMIGRATION DETENTION?

9,011

detainees per day in federal immigration custody (1996)

33,811

detainees per day in federal immigration custody (2013)
WHERE ARE IMMIGRANTS DETAINED?

Source: Grassroots Leadership Report, April 2015, p. 6

Source: Detention Watch Network, 2009
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Source: Grassroots Leadership Report, April 2015, p. 7

61% of all immigrants in removal proceedings have no lawyer

86% of all detained immigrants in removal proceedings have no lawyer
Sexual Assaults in Immigration Detention, 2007-2010

16 or more sexual assault allegations
1-15 sexual assault allegations
No immigration detention facilities, except for: IA, KY, MN, MO, NE, OH, OK, UT

Source: ACLU National Prison Project, 2011

Women and Children
An estimated 15% of immigration detainees have a serious mental disability.

1 in 500 detained immigrants identify as transgender.

1 in 5 substantiated sexual abuse and assault cases in immigration detention involve transgender detainees.
Seeking Help in the Aftermath of Sexual Abuse

Munmeeth Soni
Public Law Center

Bridgette’s Story
Rape Crisis Service Provision for ICE Detainees

Successes and Challenges From the Field

Morgan Moeller
Rape Recovery Team Director
Women’s Center of Jacksonville

Who does the RRT serve?

- Survivors and co-survivors:
  - All genders
  - Reporting and non-reporting
  - Regardless of where they are in their recovery
  - Reside in Duval, Baker and Nassau Counties
Detention Facility

- Operated by a private corp.
- 1 of only 2 that house women in FL; funded largely by holding ICE detainees.
- Holds 500+ inmates & detainees.

Timeline of Collaboration

- Two female inmates report sexual abuse by guard (Jan. 2013)
- Established collaborative relationship, finalized MOU (2013)
- Participated in mock & full audits (2014)
  - To date, the only local facility to complete the audit process
- Continue to partner to address on-the-ground challenges as they arise
Overall Challenges

- Past, untreated trauma that has not been addressed
- Lack of appropriate mental health treatment, including trauma training for staff and over-medication
- Interacting with individuals from a multitude of cultural backgrounds and value/belief systems related to violence
- Maintaining boundaries with clients

Overall Challenges

- Regular reporting of mistreatment within the jail (outside of sexual abuse) to the advocate
- Clarifying advocacy role with survivors who are in custody for both staff and the client (benefits, limitations, etc.)
- As non-clinical staff, advocates are frequently asked to provide our opinion and/or “verification” of someone’s status as a victim/diagnosis
Overall Challenges

- ICE does not provide victim-centered support, and often questions the legitimacy of claims
- ICE officials are hesitant to allow for advocacy accompaniment (ex. phone-based reporting to law enforcement)
- Transfer of detainees without notification by jail staff to the advocate
- Lack of transition planning for release

Overall Successes

- The jail staff have been proactive in ensuring compliance with PREA standards
- When we reach out to jail staff (with permission) from the client on other issues, the staff is receptive
- Jail staff typically make accommodations to support survivors’ needs based on their experiences
Overall Successes

- Many of the survivors have never received supportive services for sexual abuse
- The local area legal aid has funding for providing immigration defense via the jail
- Provision of advocacy services has influenced support of legal petitions on behalf of survivors

Case Study One

- Gender: F
- Age: 49
- Origin: Europe
- History: Legal resident status since she was a toddler. Victim of intimate partner violence and sex trafficking. Picked up on drug charges with trafficker.
- Status: Applying for U-visa, but case facts make successful application unlikely.
Case Study Two

- Gender: F
- Age: 52
- Origin: South America
- History: Legal resident status since she was a young adult. History of untreated childhood sexual trauma, which led to self-medication. Violated status when arrested for drug charges.
- Status: Asylum case pending via pro bono counsel.

Case Study Three

- Gender: M
- Age: 32
- Origin: Central America
- History: Undocumented status with history of deportation. Childhood sexual trauma and adult sexual trauma after being deported to country of origin. Picked up after being stopped on a traffic charge.
- Status: Released
Resources

- JDI’s Advocate Resources: justdetention.org/advocate-resources
- Public Counsel: publiccounsel.org
- Public Law Center: publiclawcenter.org
- Women’s Center of Jacksonville: womenscenterofjax.org
- PREA Resource Center: prearesourcecenter.org
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