

# CA Advancing PREA: Setting Up Rape Crisis Services for Incarcerated Survivors

September 15, 2020  
Basic Training for Advocates  
Part 1 of 2



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## Ask Questions

- If you are joining us by computer, type into the question pane of the control panel to ask a question, or participate in share-outs
- If you are joining us via smart phone, tap the ?.



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## Introduction



**Matthew Van Winkle**  
(he/him/his) Senior Program Officer  
Just Detention International



**Marsela Rojas**  
(she/her/hers) Project Coordinator  
CALCASA



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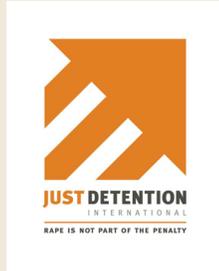
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### JDI's Mission

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



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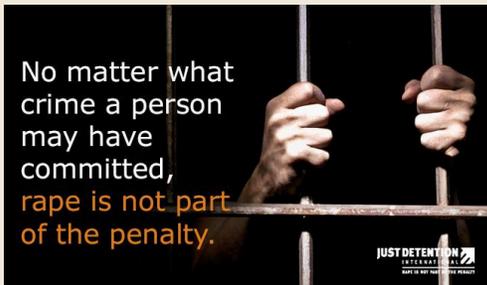
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### JDI's Core Belief



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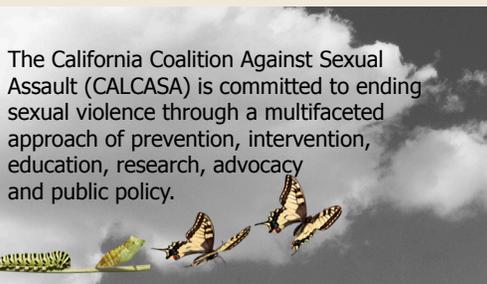
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### CALCASA's Mission



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### CA Advancing PREA Overview

- Build strong relationships between CA Department of Corrections and Rehabilitation staff and rape crisis advocates
- Create sustainable agreements and protocols for the provision of victim services to survivors




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### Virtual Training Agenda

- Basics of US Incarceration and Sexual Abuse in Detention
- Introduction to PREA (Prison Rape Elimination Act)
- Building Relationships with Corrections Staff
- RCC Protocols for Serving Incarcerated Survivors
- Setting up Rape Crisis Services for Incarcerated Survivors




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### Check-in

What are you doing to keep yourself grounded these days?



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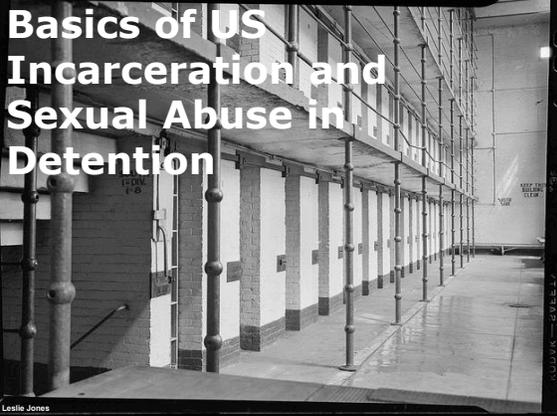
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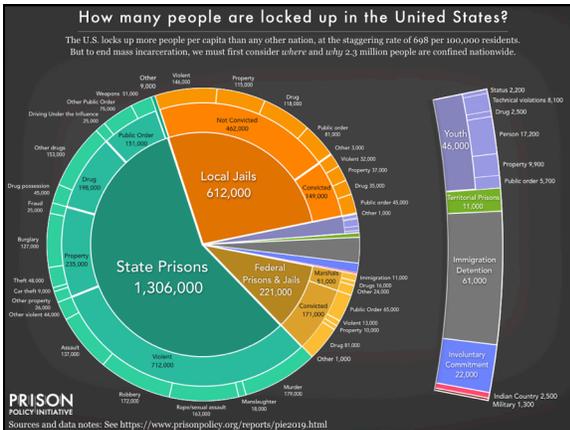
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## Complex Trauma Histories

### Previous trauma including:

- Child abuse
- Sexual abuse
- Domestic violence
- Gang violence
- Police violence
- Limited resources



Photo Credit: Steve Liss, Open Society Foundation

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## Rates of Sexual Abuse



Source: Bureau of Justice Statistics, *Sexual Victimization in Prisons and Jails Reported by Inmates, 2011-12*, May 2013.

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## What is Detention?

- Prisons (State or Federal)
- Jails
- Lockups
- Community confinement facilities
- Juvenile facilities
- Immigration facilities



Photo: Just Detention International

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### How are Jails and Prisons Different

JAIL	PRISON
run by local sheriff's department	run by the state or federal government
local or limited oversight	oversight is by ombudsman
holds people who may have not been convicted of a crime and a small number of people who have been convicted	holds people who have been convicted of a crime
length of stay can be short	length of stay is usually over one year
minimal programming	more robust programming
less physical movement	more movement

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### Consequences of AB 109

Contrary to the aim of the 2011 law, folks have simply shifted to county jails rather than be housed in state prisons, where less programming, less oversight, and less consistent approaches to inmate safety have proven deadly and caused many to wish they were in a state facility.




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### Dynamics of Sexual Abuse

Sexual abuse may include:

- Sexual harassment
- Protective pairing
- Domestic violence
- Sexual exploitation
- Gang abuse
- Rape
- Abusive searches




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### False.

STUDY SHOWS NEARLY EQUAL  
RATES OF SEXUAL ABUSE BY  
STAFF AND OTHER INMATES



Source: Beck, Berzofsky, Caspar, & Krebs (2013). Sexual Victimization in Prisons and Jails reported by inmates, 2011-2012. © Just Detention International

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### Power Inequality Between Staff and Prisoners Makes Consent Impossible

- Staff has control over inmates' physical safety
- Staff controls inmate access to basic needs
- Staff controls access to visits from family
- Staff has influence over programming, work assignments, disciplinary record, and parole date

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**Which groups do you think are most likely to be targeted for sexual abuse?**

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**WHO IS MOST VULNERABLE TO SEXUAL ABUSE IN DETENTION?**



Lesbian, gay, bisexual, and transgender people and survivors of previous abuse

© Just Detention International

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**How are CA Jails and Prisons the Same?**

- POC, people with mental health challenges, and people who are trans are over-represented, and at higher risk of abuse
- RCCs can use their unique role and expertise in trauma-informed care to make safer environments for inmates and staff
- Both are beholden to the same PREA Standards

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### In Her Words

"Although you may think that I'm not like you, we may not be so different. I want to have control over my own body and my life, just as you do. I absolutely did not want to have sex with that man in the jail, but I felt powerless to refuse him."



- Cecilia, a trans woman and member of JDI's Survivor Council

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### Introduction to PREA (Prison Rape Elimination Act)

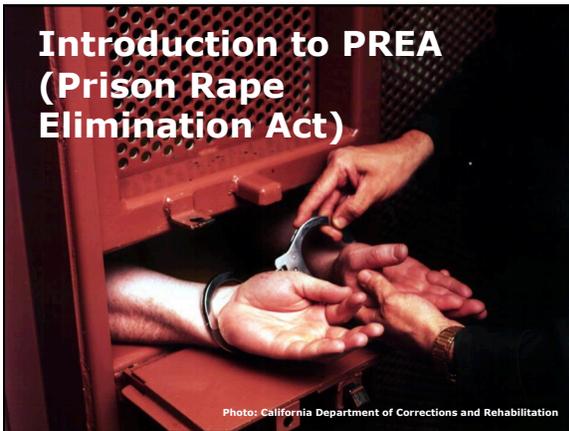


Photo: California Department of Corrections and Rehabilitation

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### Purpose of the Prison Rape Elimination Act (PREA)

- To eliminate sexual abuse in corrections and law enforcement facilities
- To increase accountability of corrections agencies
- To give incarcerated survivors the same level of care as those in the community
- To provide corrections staff with clear guidance on how best to **Prevent, Detect, and Respond** to sexual abuse and sexual harassment



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### PREA Standards Checklist

- ✓ Protect all inmates from abusers
- ✓ Provide multiple ways to report
- ✓ Offer medical and mental health care
- ✓ Increase accountability
- ✓ Provide survivors access to victim services

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### Provide multiple ways to report

- To a staff member, contractor, or volunteer
- In writing
- To third parties
- To an outside reporting entity

Just Detention International

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### Provide access to medical and mental health care

- For emergencies/acute care
- For ongoing care
- Provided at no cost to the survivor

Photo: Thomas Frank

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**Provide access to victim services**

- Forensic exam and accompaniment
- Accompaniment at investigatory interviews
- Confidential follow-up services
- Confidential emotional support via phone or letter
- Equal opportunity and meaningful access to services

California Department of Corrections and Rehabilitation

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**MOUs**

- Should lay out all the services the jail or prison will facilitate, and the rape crisis center will provide
- Should include (at a minimum):
  - forensic exam accompaniment
  - hotline calls
  - written correspondence
- Can be a lengthy, and complex process to enter into, but are often the proving ground for the future relationship between your agency and the prison/jail

CALCASA / JUST DETENTION

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QUESTION	ANSWER
Who must be in compliance with the PREA standards?	Corrections agencies, <b>not</b> rape crisis centers
Do advocates have to report abuse?	Advocates follow the same confidentiality standards as in the community
Do the PREA standards cover abuse that happened prior to incarceration?	Yes - PREA applies to prior incidents of abuse
Does PREA cover sexual harassment too?	Yes - PREA applies to sexual harassment, too

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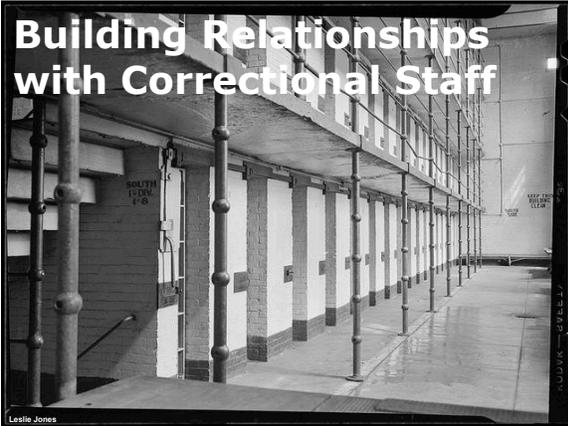
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# Building Relationships with Correctional Staff



Leslie Jones

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## Two Truths

1. Partnering with staff at jails and prisons can be hard.
2. There are survivors inside facilities who need help.



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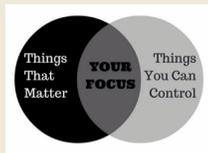
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## What You Can Control

- Make a communications plan, and stick to it.
- Document your outreach efforts, and change tactics when necessary.
- Keep abuse in detention a living topic at your agency with protocols, trainings, and ensuring that intake forms are appropriate for all survivors



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### CDCR Hierarchy at a Glance

Title	Insignia
Associate Director	★★★★★
Warden	★★★★★
Chief Deputy Warden	★★★★
Associate Warden	★★★
Captain	☐☐
Lieutenant	☐
Sergeant	▾▾▾
Officer	
Cadet	




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### County Jail Hierarchy at a Glance

Riverside County Sheriff's Department

**Sworn Ranks**

Sheriff	★★★★★	
Undersheriff	★★★★	Chief of staff
Assistant Sheriff	★★★	Oversees multiple divisions
Chief Deputy	★★	Oversees divisions, Disciplines
Captain	☐☐	Commands Station/Facility/Bureau
Lieutenant	☐	Oversees a group of Sergeants
Sergeant	▾▾▾	Foreman, Team Leader
Master Investigator	☐	Career path expert, mentor & trainer
Investigator	☐	Conducts follow-up investigations
Corporal	☐	Lead Deputy
Deputy	☐	Law Enforcement Officer




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### Corrections' Role

- Enforce rules to maintain safety and security
- Supervise activities of prisoners
- Responding to emergencies
- Report and investigate prisoner and staff misconduct
- Aid in rehabilitation and counseling of prisoners



California Department of Corrections and Rehabilitation




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### Building a Relationship

- Familiarize yourself with the facility before you reach out, and have some ideas to problems they face
- Frame your services as supporting the facility's goals of safety and security, as well as necessary for PREA compliance
- Take a tour, and meet with both staff *and* incarcerated folks
- Identify your allies among staff, and maintain contact




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### Finding An Ally

- Connect with staff beyond the PCM
- Keep in constant contact
- Meet in person or over the phone



California Department of Corrections and Rehabilitation




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### Highlighting Your Services

- Providing access to your services helps detention facilities pass audits
- The services you offer will ultimately make the jobs of those working in the prison easier



Max Oppenheim/Getty Images




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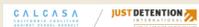
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## Maintain Relationships

- Keep in constant contact when possible
- Create opportunities to provide informal TA and training
- Strong partnerships facilitate even stronger services for survivors



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## Know your Facility

- Request a tour for 1-2 advocates at your agency
- Invite your agency's E.D. or CEO to attend the initial tour
- Invite recently-hired staff, or staff just beginning to provide services to clients in detention



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## What to Bring

- State-issued ID
- Clothing that meets visitor dress code
- Comfortable walking shoes
- Notebook
- Business cards
- Outreach materials describing your services



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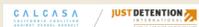
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### What to See

- Housing units
- Administrative segregation
- Intake area
- Private locations for in-person services
- Medical/Mental health areas
- PREA postings including those which provide your agency info
- Detainee telephone areas




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### Who to Meet

- PREA Compliance Manager and/or Coordinator
- Investigative Services Unit (ISU) Lieutenant
- Mental health staff
- Medical staff
- Inmate Advisory Council ("MAC" or "WAC")




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### What to Ask

- Who are my points of contact while I am in the facility?
- Is there a space where I can meet with survivors in private?
- What do I need to know about facility safety procedures while inside?
- What programming is offered here, and how do they access it?
- Can we make a test phone call to my agency from the detainee phones?
- When can we schedule a follow-up/implementation meeting?




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## Have A Plan And Hold It Lightly

- Get feedback and ideas from staff
- Be consistent and reliable
- Be honest



Nina Matthews Photography




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## CA Advancing PREA Toolkits

- **PREA: A Guide to Working with Rape Crisis Centers**

*Audience: PREA Compliance Managers and related staff*

- **Access for All: A Guide to Serving Incarcerated Survivors**

*Audience: Rape crisis advocates new to working in detention*




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## 5 MINUTE BREAK




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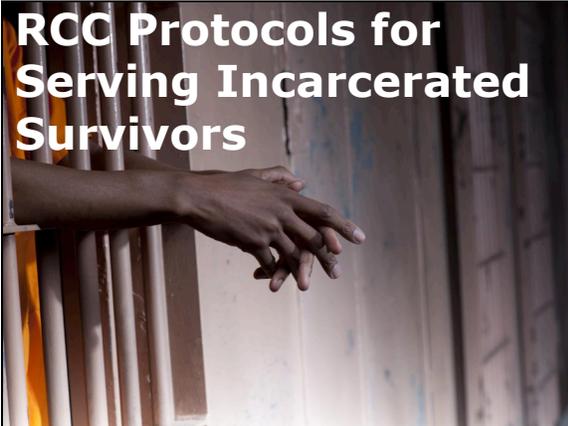
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# RCC Protocols for Serving Incarcerated Survivors



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## Chat Question

What kind of internal protocol has your RCC created to serve incarcerated survivors?

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## Integrating PREA Services in Your Agency

- Creating habits
  - Schedule regular meetings with your staff and with facility staff
  - Document communication with facility staff



Wonderferntflickr



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## Incarcerated Survivor Team

- Set regular check-ins for staff who are directly involved in working with incarcerated survivors
  - PREA advocate(s)
  - Staff who answer hotline calls
  - Staff who respond to letters
  - Staff who respond to forensic exams
  - Management who provide guidance around PREA program



Image source: Peoplehum

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## Trainings for Staff and Volunteers




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## Developing Policy and Protocol

- Review agency policies to ensure that language is inclusive of incarcerated survivors
- Develop a manual that outlines best practices for your PREA program (always subject to revision)




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### Job Descriptions

- Provide direct client services for survivors in the community and detention
  - hotline calls
  - forensic exam accompaniment
  - letter writing
- Facilitate training to RCC and facility staff related to serving incarcerated survivors




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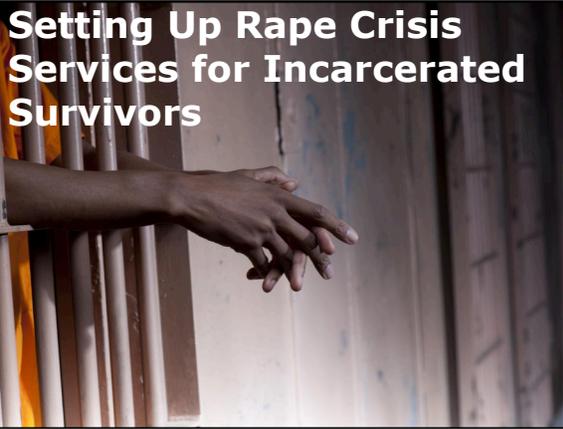
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### Setting Up Rape Crisis Services for Incarcerated Survivors




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### Setting up Services during COVID-19 Pandemic



Image Source: Jaclyn Rosenz, The Temple News

- Decrease in calls
  - Fearful of using phones due to lack of sanitation practices
  - Reduction in population
- Written correspondence more important than ever




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### Setting up Services during COVID-19 Pandemic

- Communicate with facility staff about how your agency is providing hospital accompaniment
- Ensure that all of your facilities are still conducting forensic medical exam
  - Identify how they're ensuring the safety and health of staff and survivors



Image source: MedPage Today




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### Chat Question

**What are some challenges you've experienced while serving incarcerated survivors due to the COVID-19 pandemic?**




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### Confidential Correspondence

- Communicate with facility staff about the importance of confidentiality
- Determine how letters will be addressed and kept confidential by facility staff
  - Utilize Evidence code 1035.4
- Include this agreement in the MOU




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### Challenges: Confidential Correspondence

- Resistance from facility staff due to fear of contraband
- Facility staff are often unfamiliar with how to handle confidential mail, outside of legal mail
- Correctional staff turnover




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### Solutions: Confidential Correspondence

- Ongoing training for mailroom staff
- Check-in with your clients to ensure their mail is opened in front of them



Image source: News Break




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### Confidential Hotline Calls

- Again, communicate with facility staff about the importance of confidentiality
- Ensure calls to your hotline are free, unmonitored, and unrecorded
  - Facility staff can set this up with their phone system




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### Challenges: Confidential Phone Calls

- While calls are confidential, environments are not
- Posters are sometimes removed and repurposed
- Solution:
  - Establish monthly calls from facility staff to RCC hotline to ensure continued confidentiality and that posters are posted near inmate phones



Image source: The Marshall Project




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### Third Party Reporting Agency

- Ensure that all of your facilities have one
- Ensure that your RCC is **not** being used as the third party reporting agency
- If there isn't one, identify one together




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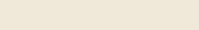
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### Review Protocol for Forensic Exams

- Communicate to the facility that you are available for remote accompaniment via phone or video conference
- Determine where facility takes someone for a SAFE
- Review facilities coordinated response
  - Ensure that calling your RCC is standard practice



Image source: NSVRC




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### Investigatory Interview Accompaniment

- Create communication plan between facility and your RCC
- Train staff to inform survivors they have a right to a victim advocate during their interview
- Corrections to call victim advocate to accompany survivor during interview
- Facility staff to provide survivor with RCC materials and contact information when a victim advocate is not present




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### Community Coordinated Response Team

- Ensure RCC participation in CCRT
- Offer your skills as a survivor-centered and trauma-informed practitioner to improve CCRT's responses to sexual abuse and harassment
  - medical forensic exams
  - investigations
  - follow up services
- *Maintain confidentiality at all times*

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### Create Opportunities for Cross-Training

- RCC participation in facility's PREA training or volunteer training
- Provide additional training to facility staff
- Identify training topics:
  - Dynamics of sexual victimization
  - Trauma-informed care and confidentiality
  - Roles and services of rape crisis centers
  - Issues faced by specific communities (youth, LGBTI, people with disabilities, survivors of CSA)

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### Setting up In-Person Services

- Receive clearance from facility
- Identify a private physical location to meet with clients
- Identify a date that advocate(s) will be present for 'drop-in' counselling (once a week/month)
- Identify how you will you advertise 'drop-in' counselling

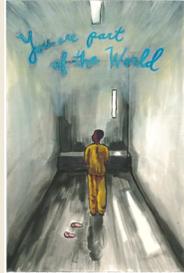


Image source: valley justice coalition

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### Advertising Your Services

- Posters and pamphlets near "inmate phones" and other common areas
- Feedback and word of mouth through IAC and clients
- Referrals from mental health, intake staff, PCM



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### Salient Points

- Rape crisis centers have the skills and experience to provide survivor-centered, trauma-informed services
- Survivors depend on a strong relationship between RCCs and correctional facilities for access to services



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### Advancing PREA Contact Info

We are here to support you:

[advocate@justdetention.org](mailto:advocate@justdetention.org)

or

[prea@calcasa.org](mailto:prea@calcasa.org)



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### Ongoing Resources

- Just Detention International  
[justdetention.org](http://justdetention.org)
- California Coalition Against Sexual Assault  
[calcasa.org](http://calcasa.org)
- PREA Resource Center  
[prearesourcecenter.org](http://prearesourcecenter.org)



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### CA Advancing PREA: Providing Rape Crisis Services to Incarcerated Survivors

September 22, 2020  
Basic Training for Advocates  
Part 2 of 2



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