

FACILITATOR'S GUIDE

ADVOCACY FOR ALL

An Introduction to Serving
Incarcerated Survivors

CALCASA
CALIFORNIA COALITION
AGAINST SEXUAL ASSAULT

JUST DETENTION
INTERNATIONAL
RAPE IS NOT PART OF THE PENALTY™

ADVOCACY FOR ALL

An Introduction to Serving Incarcerated Survivors

FACILITATOR'S GUIDE

2 hours (46 slides)

OBJECTIVES:

- Build a basic understanding of incarceration in the United States and CDCR facilities.
- Identify the dynamics of sexual abuse behind bars.
- Develop an understanding of the basics of the Prison Rape Elimination Act (PREA).
- Learn ways to respond to incarcerated survivors via the hotline and at a forensic exam.

MATERIALS:

- PowerPoint Slides [DOWNLOAD](#)
- Projector with audio output
- Microphone

TIMING YOUR TRAINING:

- Slides 1-7 | Introduction
 - 5 minutes
- Slides 8-14 | Detention in the U.S.
 - 15 minutes
- Slides 15-23 | The Basics of SA Behind Bars
 - 30 minutes
- Slides 24-30 | PREA Standards
 - 15 minutes
- Slides 31-42 | Providing Services to Incarcerated Survivors
 - 45 minutes
- Slides 43-46 | Questions and Wrap-Up
 - 10 minutes

HOW TO USE THIS GUIDE:

This guide is intended to support the material presented in the PowerPoint presentation for the training entitled "Advocacy for All: An Introduction to Serving Incarcerated Survivors." The left column has a copy of each slide in the presentation; the right column has instructions on how to present the slides.

- The text not in italics is a sample script.
- *The italicized text contains notes and directions for the trainer.*
- Underlined text indicates places where the trainer should insert facility or agency specific information into the slides and script.
- [Text contained in brackets is recommended for inclusion when time permits, but can be left out if you don't feel there is time.]
- When time permits, present one or more of the scenarios at the end of this document (pages 20-21).

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SLIDE 1: TITLE SLIDE

Welcome to “Advocacy for All: An Introduction to Serving Incarcerated Survivors”. This workshop was created by Just Detention International (JDI) and the California Coalition Against Sexual Assault (CALCASA) to help rape crisis centers feel confident and prepared to support incarcerated survivors in California Department of Corrections and Rehabilitation (CDCR) facilities.

This training is designed to help advocates understand how to best support and advocate for incarcerated survivors.

[Introduce yourself and explain your role at your agency.]

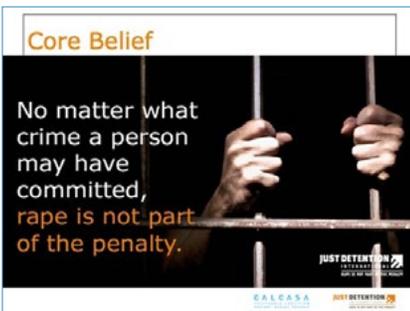


SLIDE 2: THE CALIFORNIA ADVANCING PREA PROJECT

The CA Advancing PREA project, which is funded by the CA Governor’s Office of Emergency Services, allows CALCASA and JDI to partner in offering support and guidance to CA rape crisis centers and CDCR on the provision of victim services to survivors, as required by PREA Standards.

Just Detention International or JDI for short is a health and human rights organization that seeks to end sexual abuse in all forms of detention. JDI’s core goals are to work together with corrections officials, rape crisis centers, and policy makers to make detention facilities safe, change public attitudes about sexual abuse behind bars, and ensure that survivors get the help they need.

The California Coalition Against Sexual Assault (CALCASA) is committed to ending sexual violence through a multifaceted approach of prevention, intervention, education, research, advocacy and public policy. CALCASA provides leadership, vision and resources to rape crisis centers, individuals and other entities committed to ending sexual violence.



SLIDE 3: CORE BELIEF

It is our fundamental belief that when the government takes away someone’s freedom, it takes on an absolute responsibility to protect that person’s safety. No matter what crime someone has committed, rape is not part of the penalty.



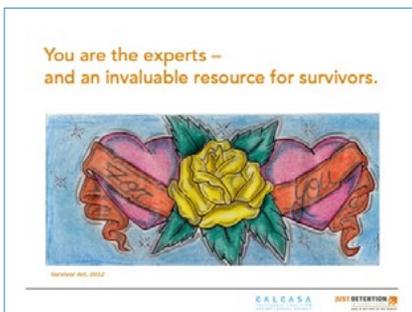
SLIDE 4: SELF CARE

Today's training will include stories about sexual violence, including quotes from survivors. Please practice self-care during this presentation. Take deep breaths, step out as needed.



SLIDE 5: AGENDA

Today we will briefly touch upon incarceration in the United States, we will go over what the dynamics of sexual abuse in detention look like, we will review laws that protect survivors behind bars, and we will go over best practices when providing services to incarcerated survivors. We will have time at the end for questions but please ask questions as we go!



SLIDE 6: YOU ARE THE EXPERTS

For some, working with folks that are incarcerated can be scary. Maybe you are worried about not knowing enough about this population. Even if you have not worked with incarcerated survivors, you have a wealth of experience in helping a wide variety of survivors.

The most important thing to any survivor is to be heard and believed.

You're here because you care and because you want to support survivors in their healing. You are the experts in doing this!



SLIDE 7: IN HER WORDS

It does not matter who someone is or what identities they hold. No one deserves to be sexually assaulted, and this is something as rape crisis advocates we can always remind the survivors we work with.

As Johanna stated "The assault wasn't my fault, and just because I was incarcerated, I did not deserve to be raped."



SLIDE 8: DETENTION IN THE UNITED STATES

To bring us to the larger picture I want to talk briefly about detention in the United States.

First, I want to discuss some myths about people who are locked up. **What kinds of things have you heard?**

[Have advocates offer up some myths/facts/ things they have heard about jails/prisons, the people who get locked up and why, what kinds of services are available in detention settings. Dispel myths with facts.]

Some common myths that people may bring up are: People that are incarcerated deserve to be raped (fact: no one deserves to be raped), people that are locked up are evil (people that commit crimes have made choices that break the law but that does not make them evil), people that are incarcerated have access to excellent, taxpayer-funded mental health care (fact: mental health services are available at many prisons, but the reality of this care is in stark contrast to that which you or I may receive from a private therapist)]

What is Detention?

- Prisons
- Jails
- Lockups
- Community confinement facilities
- Juvenile facilities
- Immigration facilities

Photo: Asia Detention International

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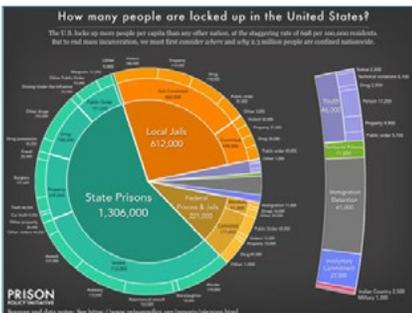
SLIDE 9: WHAT IS DETENTION?

When we are talking about detention, we are talking about a lot of different types of facilities run by different entities. These can include prisons, jails, lockups, community confinement facilities, juvenile, or immigration facilities.

Does anyone know the difference between jail and prison?

[Ask advocates this question. Some correct answers may be: jail is more short term and is often run by the county whereas prison is longer term and run by the state or the federal government. Most jails primarily house folks who have not been sentenced, meaning they have not received a trial or sentence stating that they are 'guilty.']

The focus of this training will be on CDCR prisons run by the state.



SLIDE 10: HOW MANY PEOPLE ARE LOCKED UP

The United States incarcerates people at a higher rate than any other country in the world and our criminal justice system holds almost 2.3 million people in detention.

So, who gets locked up and why?

[Ask advocates this question a correct answer may be: most people who are locked up for non-violent offences such as drug or property crimes.]

This is important to think about especially given how our society often paints people who are incarcerated.



SLIDE 11: CALIFORNIA INCARCERATION RATES

There are also huge racial disparities in terms of who is locked up in our detention facilities.

This is a vital piece of information when we are thinking about the relationship between racism and mass incarceration.

Complex Trauma Histories

Previous trauma including:

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

Photo Credit: Steve Lee, Open Society Foundations

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SLIDE 12: COMPLEX TRAUMA HISTORIES

People that are incarcerated have incredibly high rates of trauma prior to incarceration.

Many of the folks we work with have experienced child abuse, sexual assault, intimate partner violence, gang violence, and police violence prior to being incarcerated.

We also frequently are working with folks who have experienced extreme poverty and who have limited resources

[If time allows, present: People who are incarcerated are twice as likely to be survivors of previous sexual or domestic violence or child abuse. More than half of all prisoners have a serious mental illness.]

Citation: <https://www.bjs.gov/index.cfm?ty=dcdetail&iid=278>

The California Department of Corrections and Rehabilitation

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SLIDE 13: THE CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION

The California Department of Corrections and Rehabilitation is comprised of 33 adult correctional institutions, 13 adult community correctional facilities, and eight juvenile facilities. CDCR houses over 165,000 adults and nearly 3,200 juveniles. This inmate population makes the CDCR the largest state-run prison system in the United States.

**Has anyone been inside a CDCR facility?
What was that like?**

{{Name of CDCR Facility in Your Service Area}}

- Total population
- Special housing

Place Picture of CDCR Facility here

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SLIDE 14: FACILITY SPECIFIC INFORMATION

For this slide please insert and present on facility specific information. If your agency serves more than one CDCR facility make one slide for each facility that you serve.

For each facility slide be sure to include:

- The number of people housed
- The gender of people housed (cisgender men, cisgender women, transgender women, transgender men...)
- Specialized housing
- Specialized programing available
- Other relevant information



SLIDE 15: THE BASICS OF SEXUAL ABUSE BEHIND BARS

Now that we have an idea about the prisons that we serve, we are going to go over of the basics of sexual abuse behind bars – how it is similar to abuse in the community and how it differs.



SLIDE 16: VIDEO: MY NAME IS JOE

First, I want to share a video of a survivor of JDI’s survivor counsel, Joe.

[This is a placeholder slide for My Name is Joe. This video features Joe, a survivor of rape in prison, and his advocate, Jessica. Joe and Jessica discuss their experience working together, and Joe shares how having an advocate helped him heal.]

Play the video and then ask for participant reactions or anything that stood out to them. Video is 5 minutes and 55 seconds long.]

Video link: https://www.youtube.com/watch?v=aLqL_Dvohjs



SLIDE 17: RATES OF SEXUAL ABUSE

When we are thinking about sexual abuse in a detention setting a question we get asked often is “how often does this really happen”? And while one time is too many, we know that it is not uncommon. One in ten formerly incarcerated adults reported being sexually abused while in a detention setting.

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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SLIDE 18: DYNAMICS OF SEXUAL ABUSE

The dynamics of sexual abuse, as in the community, exists on a continuum of violence — from sexual harassment to rape. But some dynamics of abuse are specific to detention settings — like protective pairing, gang abuse, and abusive searches.

Can someone tell me what they think protective pairing is?

[Ask advocates the question. Some correct responses may be: when someone promises to protect another inmate from violence and in return, they are forced to perform sexual acts on that individual or others. This can often become a situation of sex trafficking.]

Sometimes certain types of abuse such as protective pairings can appear “consensual”. “Would you do this on the outside?” is a good gauge to use.

To commit violence perpetrators may use: offers of protection, threats, coercion, authority, extortion, medication or drugs, and/or force.

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



Source: Book, *Survival: Causes, Effects, and Solutions to Prison and Jail Rape*, 2013, 2012 © Just Detention International

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SLIDE 19: STAFF SEXUAL ABUSE

In terms of who perpetrates sexual abuse behind bars we know that nearly equal rates of sexual abuse are perpetrated by staff and other inmates. When I say staff, I am talking about not only corrections officers or deputies, but also administrative jail staff, people that work in the kitchens, medical staff... basically anyone who gets to leave at the end of the day.

Does this surprise anyone?

There is no such thing as consensual sex between an inmate and a staff member. **Why do you think that is?**

[Ask advocates, some correct answers may include: because staff have ultimate power over inmates. This power includes small things like when an inmate can go to programming to large things like deciding if they can eat or get visits from family.]

Consent Inside

Sexual Abuse/Harassment	Consensual Sex
<ul style="list-style-type: none"> • Perpetrator: Staff or other inmate • PREA violation • Crime 	<ul style="list-style-type: none"> • Between inmates • Never with staff • Rule violation • Not a crime

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SLIDE 20: CONSENT INSIDE

Inmates can engage in consensual sex with each other and although it is a rule violation it is not a crime or sexual abuse if there is consent from all parties. Sexual abuse or sexual harassment that is perpetrated by another inmate is a crime and is also a PREA) violation.

Who has heard the term “PREA” or heard of the Prison Rape Elimination Act before?

[Ask for a show of hands.]

We will talk about what PREA is in a little bit.

When we talk about sexual abuse in the community, we often put it into terms of consent. When we are talking about sexual abuse in detention as there is no such thing as consensual sex between a staff member and someone who is incarcerated. If sexual abuse or harassment is perpetrated by staff it is a PREA violation and a crime.

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

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SLIDE 21: DISCUSSION: TARGETED GROUPS

When we are talking about sexual abuse, **what groups do you think are most targeted for sexual abuse in detention?**

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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SLIDE 22: WHO IS MOST VULNERABLE

Similar to the community, people who are perceived to be vulnerable are most likely to be targeted.

Youth, people suffering from mental illness, people with disabilities, LGBTQ folks, and people who have survived previous abuse.

- Folks with disabilities are three times more likely to be abused
- Lesbian, gay and bisexual folks six times more likely
- People who have been previously sexually victimized are also six times more likely to be abused
- And people that are transgender have the highest rates of sexual abuse behind bars and are eight times more likely to be abused

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

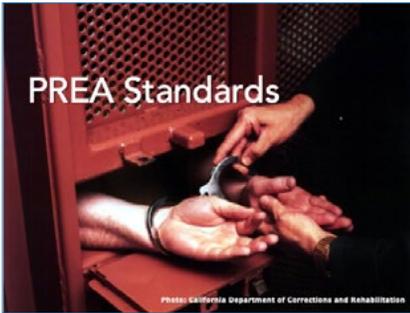
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SLIDE 23: IN HER WORDS

[Allow advocates to read Cecilia's quote.]

What about Cecilia's words stick out to you? Is there anything about what Cecilia says that surprises you?

[Allow time for advocates to respond]



SLIDE 24: PREA STANDARDS

So now that we have an idea of who is incarcerated and the dynamics of sexual abuse behind bars, I want to go over some of the protections that are in place for survivors behind bars. PREA or the Prison Rape Elimination Act is a civil law that requires that corrections facilities take concrete steps to protect inmates from sexual abuse— whether perpetrated by staff or inmates.

PREA states that sexual abuse in detention is a violation of the Eighth Amendment of the US Constitution, which prohibits cruel and unusual punishment, and requires that facilities adopt a zero-tolerance approach to sexual abuse.

There are 52 prison and jail PREA standards each with several subsections which were released in 2012.

The PREA standards affirm that it is the absolute responsibility of corrections agencies to protect inmates in their custody from sexual abuse. At the same time, the standards recognize the importance of outside agencies in supporting these efforts.

PREA Standards Checklist

- ✓ Keep people safe
- ✓ Protect survivors 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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SLIDE 25: PREA STANDARDS CHECKLIST

PREA's aim is to keep people safe.

The PREA standards require corrections facilities to take steps to:

- Protect the survivors from those that abused them
- Provide survivors multiple ways to report abuse they have experienced
- Give survivors access to appropriate emergency and ongoing medical and mental health care
- Increase staff and agency accountability and provide access to rape crisis services that are the same level of care to services as those in the community.
- While there are many standards that protect a survivor's rights, we are going to only focus on a few that will be relevant for your work as an advocate.



SLIDE 26: PROVIDE MULTIPLE WAYS TO REPORT

A facility must provide survivors of sexual abuse multiple ways to report sexual abuse, including both anonymously and privately.

- A survivor should be able to report to any staff member, contractor, or volunteer regardless of the staff's position
- They should be able to report in writing through the formal grievance process or even through a note under the door
- They should be able to report to third parties, for example a loved one like their grandma or spouse, or to their lawyer or pastor in the community
- And they must be able to report to an outside reporting organization. For CDCR facilities this goes to the Office of the Inspector General (OIG) PREA Ombudsperson. Survivors can contact the OIG by phone or by mail.

[[[Name of your agency]]] is not a PREA reporting agency. Advocates should encourage survivors who want to report to report though one of the above methods.]



SLIDE 27: PROVIDE ACCESS TO MEDICAL AND MENTAL HEALTH CARE

Under the PREA standards, any inmate who reports being sexually abused must be provided with timely, unimpeded access to emergency medical treatment, crisis intervention services, and ongoing medical and mental health care.

- The standards also mandate that corrections agencies provide inmates who are sexually assaulted with information about and access to emergency contraception and care for possible sexually transmitted infections.
- Survivors who might become pregnant must be offered pregnancy tests and receive information about their right to lawful pregnancy-related medical services following a rape.

A survivor should have access to these services at no charge, even if they are not ready to provide information about the perpetrator or cooperate with an investigation. We will talk later about how you can best work with a survivor during a forensic exam.

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

SLIDE 28: PROVIDE ACCESS TO VICTIM SERVICES

This part of the PREA standards is what applies most directly to our work as advocates. The PREA standards state that corrections agencies must attempt to make a victim advocate from an outside agency available for emotional support at a forensic exam and investigatory interview.

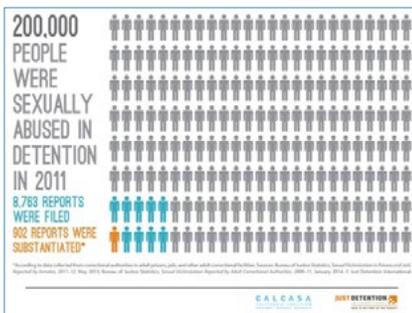
Facilities must also make emotional support via phone or letter available to everyone in the facility in as confidential a manner as possible. At CDCR facilities this means that inmates can contact our center at any phone within the facility by dialing our hotline number and the call will be free, un-monitored, and un-recorded. The hotline number and mailing address should be posted throughout each facility.

Under PREA, whether or not someone reports abuse, they have the right to work with a victim advocate!

If an inmate reports abuse:

- The facility must provide that person a forensic exam and access to an advocate during the exam and any investigatory interviews
- They should also be able to have confidential access to an advocate by phone or letter

If an inmate does not report abuse the facility still has to allow for confidential access to an advocate via mail or phone.



SLIDE 29: 200,000 PEOPLE WERE SEXUALLY ABUSED

Although we know that PREA has hugely helped to protect survivors and allowed them to gain access to supportive services, we also know that many survivors do not report the abuse they suffer in detention and for those that do report, the reports are not being substantiated.

This echoes what we see in the community, where we see that most survivors never make a report and for those that do the case is almost never brought to court.

[Substantiated means that it was determined that abuse took place, but does not necessarily mean that accountability measures occurred.]

QUESTION	ANSWER
Who must be in compliance with the PREA standards?	Corrections agencies, not 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

SLIDE 30: ACTIVITY/DISCUSSION

Let’s play a little quiz game about PREA, just to clear up any lingering questions. Some of these may be trick questions, or may even be issues we didn’t cover. No worries about getting it right or wrong – we will figure it out together!

First, who must be in compliance with the PREA standards?

[As a large group, ask participants to answer before moving onto the next slide.]

Right, corrections agencies are responsible for implementing the PREA standards, not rape crisis centers.

Next question, do advocates have to report abuse?

[As a large group, ask participants to answer before moving onto the next slide.]

The answer to this is – it depends. We follow the same confidentiality standards as in the community. So, if we were working out in the community and we would have to report, we would report in detention (for example: youth). If we wouldn’t report in the community, we won’t report in detention.

Next question: Does PREA cover abuse that happened prior to incarceration?

[As a large group, ask participants to answer before moving onto the next slide.]

Some of the PREA standards apply to abuse that happened at any point in a survivor’s life. For example, incarcerated survivors have the right to access advocacy and support services whether the prior abuse occurred in another institution, or in the community.

Last question: Do the PREA standards cover sexual harassment too?

[As a large group, ask participants to answer before moving onto the next slide.]

Yes, the PREA standards apply to sexual harassment too. This means that survivors of sexual harassment have some of the same rights as survivors of sexual abuse, including access to relevant emotional and support services.

Thank you everyone for participating!



Providing Services to Incarcerated Survivors

SLIDE 31: PROVIDING SERVICES TO INCARCERATED SURVIVORS

Now that we've developed an understanding of some of the dynamics of sexual abuse behind bars and the rights folks have under PREA, let's talk about how you as advocates can help support survivors.

PREA requires that incarcerated survivors are provided access to emotional support services. These services that you all can provide to survivors are absolutely vital as often there are no services within prison and jail systems or the mental health services available are not appropriate for those who have experienced sexual violence.

In His Words

"If I had an advocate, it would have saved me so much grief. It would have helped me through that traumatic event immensely.

Going through it alone, I didn't know who I could trust and who I could talk to about it — which appeared to be nobody."

— Frank Mendoza, prisoner rape survivor and member of JDI's Survivor Council



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SLIDE 32: IN HIS WORDS

As advocates we are in a position to be there for a survivor when no one else is. The need for such an advocate is illustrated in this quote from Frank, a prisoner rape survivor who did not have access to an advocate when he needed one.

[Read Frank's quote from slide, or ask for a volunteer to do so.]

Challenges to Healing

- Little control over body or environment
- Lack of autonomy and privacy
- Isolation
- Ongoing contact with perpetrators
- Retaliation



Photo: Just Detention International

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SLIDE 33: CHALLENGES TO HEALING

When someone is incarcerated there are additional barriers to healing that a survivor may face that can be helpful to be aware of.

- When someone is in prison, they have very little control over their body or their environment and a general lack of privacy which can feel like being back in an abusive environment or remind a survivor of how they felt when they were assaulted. This is exacerbated by a general lack of autonomy and privacy.
- Like any survivor, the feeling of being alone in their trauma and healing is especially true for incarcerated survivors where the detention setting can further isolate folks.
- For survivors that report the abuse, there is the strong likelihood that the survivor may have ongoing contact with the perpetrator. There is also the very real fear threat there could be retaliation for reporting.

Trauma Reactions

- Trauma reactions may be heightened by detention setting
- Triggers
 - Restraints
 - Invasive searches



Photo: California Department of Corrections and Rehabilitation

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SLIDE 34: TRAUMA REACTIONS

With those challenges to healing in a detention setting, sometimes a survivor’s reactions to trauma may be heightened.

Things like the use of restraints and invasive searches which are commonplace in a jail setting can also be incredibly triggering for a survivor. Unfortunately, as many times staff misunderstand these reactions; survivors are often punished for what is a normal response to trauma.

In His Own Words: Martin



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SLIDE 35: VIDEO: IN HIS OWN WORDS: MARTIN

[This is a placeholder slide for In His Own Words: Martin. This video features Martin, a formerly incarcerated person who now works as a community advocate. He talks about his experience behind bars and gives advice for advocates who support incarcerated survivors.]

Play the video and then ask for participant reactions. The video is 2 minutes and 40 seconds long.]

Video link: <https://www.youtube.com/watch?v=MEFFkKvFiRU>

The Empowerment Model

- No assumptions
- Trust is earned
- Validation is key
- Options, not advice
- Survivor is the expert



Photo: Washington Post

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SLIDE 36: THE EMPOWERMENT MODEL

A lot of what Martin was saying goes back to a framework that we can and often do use in all of our work, whether that be with survivors in the community or with survivors who are incarcerated. We always operate on the ideal that the survivor (not the advocate) is the expert in their own lives. This is why we offer options and not advise and we do not tell folks what to do, especially as what works for one person may not work for someone else.

Something else that Martin brought up is the importance of confidentiality and being transparent about your limits. When working with all survivors, and especially incarcerated survivors, it is very important to explain where you are working and who you are sharing information with.

Services for Incarcerated Survivors

- Written correspondence
- Forensic exam accompaniment
- Follow-up (via mail, in-person, or phone)
- Hotline calls
- In-person counseling in some settings
- Group counseling
- Legal and systems advocacy



SLIDE 37: SERVICES FOR INCARCERATED SURVIVORS

How many of you will be doing forensic exam accompaniment? How about answering the hotline?

[Ask for a show of hands.]

Great! I am going to focus on those two services as that is where you will be working

{{Name of your agency}} has an MOU (agreement) with CDRC that outlines these services.

Staff here also provide letter writing for survivors at {{name of facilities where service is available}}. For this section please also indicate if your agency offers in person one on one support, groups, systems advocacy or any other service that is specifically for incarcerated survivors and who at your agency provides these services.

Forensic Exam Accompaniment

- Officers will be present
- Survivor will likely be in restraints
- Survivor has the right to refuse any portion of exam



Photo: California Department of Corrections and Rehabilitation



SLIDE 38: FORENSIC EXAM ACCOMPANIMENT

So what does it look like at a forensic exam when the survivor is incarcerated? Oftentimes, two officers will be present for the exam. Sometimes only one has to be in the room, but they will let you know.

When being transported, folks that are incarcerated are often put in handcuffs, waist-chains, and ankle shackles. Removal of these is up to the officers, but often a nurse will advocate for them to be taken off so they can do the exam in a more trauma-informed way.

Just like with any survivor, someone who is incarcerated gets to decide which pieces of the exam they are comfortable with. You can always remind them they are in control of the exam and that no one can force them to do parts that they don't want to. That includes giving information on who the perpetrator is.

Forensic Exam Accompaniment

- Explain the limits of your confidentiality
- Refer to the survivor by their preferred name
- Speak with them as you would any survivor
- Be ready for challenging situations
- Offer follow up care



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SLIDE 39: FORENSIC EXAM ACCOMPANIMENT

A good place to start is to clearly explain your role in the exam, what your agency does, and what the limits of your confidentiality are. Someone may have explained what an advocate does before the survivor arrives for their exam, but it is always best if you can re-explain it to them in your own words.

I also always ask what the survivor prefers to be called. In detention settings people can be referred to by an inmate number, a booking number, or a last name. But we want to be sure to use a name that feels most comfortable to the survivor. You want to talk to incarcerated survivors just like you would talk to any other survivor who is going through the exam. You can always remind them that you believe them, that they are not alone, and that what happened to them is not their fault. Also, as with any other survivor, it can be helpful to talk about random things to help distract them.

As a general rule, while some survivors may tell you why they are incarcerated, you should never ask a survivor or the officers present why they are in prison. **Why do you think this is?**

[Allow for discussion. Possible answers could include: because it may make you biased against someone.]

Just like when we work in the outside community with law enforcement or survivors' family members and friends, we know that not everyone is supportive of the survivor. During a forensic exam or interview with an incarcerated survivor, you want to use the same re-directing skills you use in the community these folks. Sometimes an officer will try to invalidate a survivor's story. Remember that you are not an investigator and you are there for the survivor. You can always remind officers of your role.

When you are leaving you can let the survivor know how they can continue to receive care through the hotline and you can let them know that they can call our agency back by dialing [\[insert correct phone number\]](#) from inside [\[insert name of facilities here\]](#). You can also give them our mailing address if they want to send letters to staff here.

[When time permits, present one or more of the scenarios at the end of this document, "Forensic Exam 1-4".]

Hotline Calls

- What facility is the person calling from?
- Be mindful of confidentiality
- Provide information around rights
- Provide emotional support



Photo: gettyimages.com

CALCASA JUST DETENTION

SLIDE 40: HOTLINE CALLS

When you receive a call from someone within the CDCR prison system your role is to provide emotional support around sexual abuse and sexual harassment for that survivor. There are often no other referrals that we can give folks who reach out from inside a detention facility. You are the resource for that person. You are there to listen and help the survivor with coping skills.

When you get a call, it is very important to figure out what prison they are calling from so you can make sure that you are giving the correct information.

You will also want to make sure that they are calling about sexual abuse or sexual harassment, as that is what your line is for. There is limited access for folks who are incarcerated to make calls, so people may be seeking another service. Be clear about [{{insert name of agency here}}](#) capacity and boundaries.

While all calls made from CDCR facilities to our hotline are confidential (which means that the phone call is not monitored or recorded), callers rarely are calling from a space where they have privacy so it's important to be mindful of this. You will also want to explain [{{insert name of agency here}}](#) limitations on confidentiality up front, so the caller is aware.

As we spoke about before, [{{insert name of agency here}}](#) is not a PREA reporting agency. Incarcerated survivors have other avenues to report sexual abuse and harassment. If someone wants to make a report, you can direct them to call or send mail to the OIG Ombudsperson, or to talk to an officer they trust, or the PREA compliance manager. It can be helpful to explain how someone can make an official PREA report (by the three ways listed above), and that you are there to offer emotional support around the abuse and around the reporting process — not to receive the report itself.

If the assault occurred in the last 120 hours you can let the caller know they have the right to receive a sexual assault forensic exam and you can explain the process of this exam, the caller will have to make a PREA report to receive this exam. You can always remind people of their rights, but be careful not to make promises.

Again, your main focus during the call will be providing emotional support: you can offer coping skills, give them the space to process, and you can use the same advocacy language you use with folks in the community, like reminding them that the abuse was not their fault.

[When time permits, present one or more of the scenarios at the end of this document, "Hotline 1-3".]

Coping Skills in Detention

- Alter safety planning
- Remember that coping skills you might offer to clients in the community might not be applicable for folks in detention
 - Progressive muscle relaxation
 - Journaling
 - Mindfulness




SLIDE 41: COPING SKILLS IN DETENTION

When you are in a forensic exam or on the phone with a client, sometimes we help a survivor safety plan or offer coping skills. Given that resources are limited in a detention setting, and that trauma reactions may be heightened for someone who is incarcerated, when we are working with incarcerated survivors, the safety planning and coping skills we offer might have to look different than the skills and plans that we offer up to folks in the community.

Whereas in the community we might help a survivor come up with a plan to avoid a perpetrator, this might not be possible in a detention setting as a survivor has little to no control over their own movement within a facility. Also, if the perpetrator is staff or a gang member, reporting who the perpetrator is might not be a safe option for a survivor (just as going to the police for some communities can be more harmful than helpful).

While in the community we generally provide referrals to outside organizations, this is not going to be possible for folks in detention, as they have little to no access to make outgoing calls or to search things on the internet.

This is why offering coping skills can be so important.

What are some coping skills that you offer folks in the community?

[Allow folks to state things they would use with people in the community]

How can we alter them to work with folks in detention?

[Allow for discussion on this]

Things like mindfulness and journaling can be good things to offer up to survivors as they do not require any additional materials and can be done in most environments.

[If survivors are interested in journaling but are worried about confidentiality, advocates can suggest that survivors tear up their writing and throw it away in different trash bins to make sure their journals are not read.]

[Progressive muscle relaxation (PMR) can be a great tool to give a survivor behind bars as it is not easily identified when someone is doing it and requires no materials. If you are comfortable doing so lead new advocates through a partial PMR.]

"Thank you for helping me realize I, too, am a person and I didn't deserve the treatment I received. Thank you for helping me realize I have a voice and that there are people willing to listen to me."



— Kerri Cecil, a prisoner rape survivor




SLIDE 42: IN HER WORDS

Remember, that just by being there for a survivor you are making a huge difference. Just treating someone like a person and reminding them that what happened to them is not their fault can be so helpful.

For More Information

For additional information, please visit JDI's Advocate Resources page:
www.justdetention.org/advocate-resources

Direct questions to: advocate@justdetention.org

For more information about Just Detention International, visit
www.justdetention.org.

Connect with JDI:

 www.facebook.com/JDIonFB
 www.twitter.com/justdetention

SLIDE 43: FOR MORE INFORMATION

[Include the PREA advocate's information here]

For more information on Just Detention International and on serving incarcerated survivors you can connect with JDI through their website or social media.

Ongoing Resources

- Just Detention International
justdetention.org
- California Coalition Against Sexual Assault
calcasa.org
- PREA Resource Center
prearesourcecenter.org

SLIDE 44: ONGOING RESOURCES



SLIDE 45: QUESTIONS

Thank you so much for your participation, if anyone has any questions feel free to ask them now.

[If participants ask any questions you feel you are unable to answer, please feel free to reach out to either JDI or CALCASA for support.]



SLIDE 46: THANK YOU

We thank you for thinking about folks who are incarcerated!

SCENARIOS**FORENSIC EXAM 1** (SEE SLIDE 39)

You receive a call from the Watch Commander of a detention facility to provide forensic accompaniment at a hospital to a prisoner who has been raped.

When you arrive at the hospital, you see the survivor is wearing only waist-chains and a paper gown, and appears to be shivering in the cold exam room. The forensic nurse is preparing to begin the exam. Two armed officers are present in the exam room, standing by. One of the officers tells the survivor to “Be respectful and cooperate, Inmate. This advocate drove from the other side of the county for you.”

Ask advocates: What would you do?

FORENSIC EXAM 2 (SEE SLIDE 39)

A blanket is brought in for the survivor. One of the officers agrees to withdraw into the hallway, with the other taking their post a few feet back from the survivor. You give your name, pronouns, and the name of your agency to the survivor. “Thanks for the blanket. You can call me Jay. I use he/him pronouns”, the survivor says. The officer at the door snorts, and says, “He’s already lying to you. This is the famous Inmate Josh Marcus. You probably read about his crimes in the paper.”

Ask advocates: What would you say?

FORENSIC EXAM 3 (SEE SLIDE 39)

The officer agrees to allow you to have an uninterrupted conversation, and the forensic nurse begins the exam as you sit at Jay’s shoulder. Jay tells you that two days ago he was forced to eat some food by fellow inmates, which was spiked with a sedative. While drugged, he was assaulted multiple times by a fellow inmate who had previously threatened him. Following the assault, the perpetrator forced him to shower.

He does not feel safe giving the names of the people who assaulted him, but states that both are gang members.

The forensic nurse interrupts to demand that Jay disclose the names of the perpetrators, saying that Jay “has to” tell her.

Ask advocates: What would you say?

FORENSIC EXAM 4 (SEE SLIDE 39)

“No, Jay, you don’t have to disclose information that you don’t feel safe sharing,” you say, noting the nurse’s name to follow up with them and their supervisor at a later time.

“Thank you,” Jay says. “This isn’t my first assault. I’ve spent most of my adult life in CDCR prisons. Seems I have a mark on my back. I’m likely to be shipped out again, after this.”

“That makes sense and it’s really scary that that’s not in your control,” you say. “With your permission, I can follow up with you in the days ahead, and refer you to other agencies like mine, if you are transferred.”

“I’ll sign any paper that lets me get help,” says Jay.

Ask Advocates: What did the advocate do right here? What might you try to keep in mind when you fill out a release of information?

HOTLINE 1 (SEE SLIDE 40)

"I saw your info on a PREA poster. I didn't have anyone else to talk to about this so I thought I'd try calling to you. A month ago something happened here with one of the other inmates. He is gone now but I feel so violated and dirty.

I just feel like somehow this is my fault. I have been having nightmares and I haven't slept well since it happened. I just want to feel normal again."

Ask advocates: What would you say?

HOTLINE 2 (SEE SLIDE 40)

"...Everything is awful. I was repeatedly abused as a child and it just keeps happening now that I am in prison. This last assault makes me think that this will never stop. I can't go on.

I have a lot of pills that I have been piling up and I think I am going to take them so I don't have to deal with this anymore."

Ask advocates: What would you say/do?

HOTLINE 3 (SEE SLIDE 40)

"I filed a PREA report after I was harassed last month but nothing has happened and no investigation has opened. The officer that sexually harassed me last month still works in the unit that I am stuck in. I have to see him every day. Do you think you could talk to someone so I am not in this housing unit? Do you think you can help me find out what is going on with the report?"

Ask advocates: What would you say?