

***Untangling the PREA Standards:
Outside Reporting, Confidential Support,
and Third-Party Reporting
Fact Sheet: Case Study – Lamar (Adult
Male)***



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Case Study: Lamar — Adult Male

As he sits shackled to the bench in the jail booking area, Lamar wonders whether he is the only person wearing orange who is glad to be here. It has been nearly a year since he was in this county jail. The timing makes him reflect on the past year and his time in prison since he walked through the jail doors and into the prison van. He always thought he would be able to handle himself in prison, and that turned out to be true for the most part.

"Simpson, Lamar," calls the booking officer.

Lamar waits while the officer unshackles him from the bench. At the booking counter, the officer, whose name badge says "Alexander," goes through all the information the prison sent over.

"You here for court?" Officer Alexander asks.

"Yeah, appealing my case," says Lamar.

Officer Alexander laughs, but not mockingly, adding, "Good luck with that."

Lamar has been hopeful about his appeal since he found out five months ago that it would be heard. Now, given the events of the last two weeks, he feels like this hearing is a matter of life or death, or at least his sanity.

"Do you have any concerns about your safety, about where you're housed, while you're here?" asks Officer Alexander.

Lamar shakes his head. "Not here."

"Okay," Officer Alexander says, handing Lamar a folded pamphlet. "I know you know the drill, but I have to review it with you. We don't tolerate any sexual abuse or sexual harassment in here. You have a right to be safe. If anyone sexually abuses you, or threatens to, or sexually harasses you, you can tell any staff. You can also call the District Attorney's Office crime tip line. The number's in the pamphlet, right here (**§115.51(b), Inmate reporting**). You could also ask a family member, friend, or someone like your attorney to make a report for you (**§115.51(c), Third-party reporting**). If you need to talk to someone about sexual abuse or sexual harassment, to get support confidentially, you can call the local rape crisis center's hotline by dialing the number on the back of the pamphlet. It's free from any inmate phone (**§115.53, Inmate access to outside confidential support services**). Do you understand everything I've told you?"

"Uh, yeah," says Lamar, folding the pamphlet until it's small enough to fit in his closed fist.

"Sign here, then."

The anonymity provided by the 16-man dorm is a relief to Lamar. He can fade into the corner and, so far, keep to himself. He curls up on the bunk and tries to sleep. The long, jostling ride in the transport van from the prison was exhausting, and he has important meetings tomorrow.

Lamar closes his eyes and feels his body relax into sleep.

Suddenly, a deep voice rouses him. Images of Samuel, his cellmate at prison, flash in his mind. His heart starts to pound and he can't catch his breath. He grips the blanket, digging his nails into his palms to make the images go away. Samuel is not here, he tells himself.

Lamar swings his feet onto the floor and rests his head in his hands. A piece of crumpled paper falls off the bed and onto the floor. Lamar picks up the pamphlet that Officer Alexander gave him. Concentrating on making the paper completely smooth helps him to bring his breathing back to normal, but he's certain he won't fall back to sleep.

The dorm is quiet. The others are either reading or sleeping. Lamar glances at the clock —it's about 20 minutes until count and lights out. The bank of telephones is at the other end of the dorm, near the now empty bathroom. He pushes himself off the bunk and walks to the phones.

He dials the number of the sexual assault crisis line on the pamphlet, entering the code that makes the call both free and confidential (**§115.53, Inmate access to outside confidential support services**). A man picks up, and introduces himself as "Timothy." As soon as Lamar hears the man's voice, he realizes he doesn't want to talk about it. He's sure that if he mentions the nightmares and the images he just can't get out of his head, he will fall apart. He tells Timothy that he needs to figure out what to do. As he starts talking he finds himself saying out loud, to the voice on the other end of the line, things he never thought he'd dare speak about. He tells Timothy that Samuel held a shank to his throat and forced him to give him a blow job.

"That must have been terrifying," Timothy says. He doesn't sound shocked or horrified; he sounds like he cares.

"I thought it would be just the one time. I thought I'd kill someone before ever doing that, but I knew he had a knife, even if he didn't pull it out every time. And he said he'd tell everyone on the unit that I liked it," Lamar explains. He feels sick. He waits for Timothy to tell him that the abuse is his own fault, for letting it happen nearly every night for two weeks.

"It sounds like you're feeling trapped," Timothy says.

"I am," says Lamar, struggling to keep his voice down. That's exactly it, he thinks to himself. That's what's making him feel crazy. He can't imagine how this could be his life now. "I can't tell anyone there, but I have to do something."

"If you do want to report, we could talk about how you can do that in the jail, while you're there," says Timothy.

"I don't know." Lamar hesitates. He cannot imagine walking up to a CO and blurting out that he has been sexually abused.

Timothy seems to know what he's thinking because he says, "If you don't want to tell an officer, you can call the crime tip line (**§115.51(b), Inmate reporting**) or you can tell someone you know, like a family member, and ask them to make a report (**§115.51(c), Third-party reporting**). Sometimes it's easier for people to tell someone outside of the jail first."

"Can you report for me?" Lamar asks.

"No, I can't do that. This is a confidential line and I'm bound by state law to keep everything between us, except if you tell me you plan to harm yourself or someone else, or that a child is in danger. There are lots of other ways to report, though, and you can always call this line back for support. Do you want to know what will happen next if you report?" Timothy asks.

"Sure," Lamar says. He realizes that this was a key reason — the not knowing — that he had kept quiet. He had no idea what would happen at the prison if he came forward.

Timothy obviously knew about the jail and he listed all of the same ways to report that Officer Alexander had told Lamar about earlier. Lamar considered each possibility. Telling a CO is out. He doesn't want to see the look in their eyes.

"I'm going to see my lawyer tomorrow," Lamar tells Timothy. "Could I tell her?"

"Yes," says Timothy. "You can tell your lawyer, and give her permission to report on your behalf. The facility will have to follow up on the report just as if you had made it yourself (**§115.51(c), Third-party reporting**). In fact, your lawyer could either call the prison where it happened or tell staff at the jail after your meeting."

"Okay," Lamar says. He pauses. There's still the problem of looking his lawyer in the eye as he tells her.

"Your other option is the crime tip line. The number is on the pamphlet they gave you at booking, and the tip line will inform the jail about your report. It's my understanding that the jail then has 72 hours to inform the prison of your report — so the prison will get your report while you're still at the jail. Do you want to hear about how an investigation usually goes, or is that too much right now?"

Lamar is suddenly exhausted. He feels the energy drain from him. He's got enough to think about.

"Thanks," Lamar says, "but I think I've got to go for now. I appreciate all the information."

"No problem. That's why we're here. Feel free to call back if you need anything else."

"I can't go back there." Lamar stops and looks around the room. He almost expects to see someone else in the room — someone other than him who said those words. He'd been in the middle of telling Ms. Chavez, his lawyer, about the morning he was arrested, going over it for the hundredth time when the image of him walking back into that prison, knowing who waited for him in the cell, pushed everything else out of his mind.

Lamar expects Ms. Chavez to get frustrated, to tell him not to think about anything but the appeal. He must look more alarmed than he knows, because she sets her always-sharp pencil down on the yellow legal pad, turns off her voice recorder, and looks him in the eye. "What's going on?" she asks.

Lamar tells Ms. Chavez the basics. He doesn't get into the same level of detail that he did with the counselor over the phone. He has to look his lawyer in the face in court tomorrow, after all.

Ms. Chavez clicks the recorder back on. "Lamar, based on our conversation, I am going to inform the Commander of this jail that you just told me about a crime committed against you at the prison. Do I have your permission to do that?"

"Yes, ma'am," says Lamar, feeling that the importance of the moment called for formality.

Lamar's not sure what he expected — the sky to fall or trumpets to sound, something grander than going back to his bunk to find a sack lunch waiting for him. He did it, and now there's no going back.

On the way back from seeing his attorney, Lamar decided that, if he doesn't hear anything about the report before tomorrow's court date, he'll call the crime tip line. But it turns out he doesn't need to. Later that day, the booking officer who took his information yesterday morning — Officer Alexander — walks into the unit with an official-looking clipboard in hand and asks Lamar to follow him to an interview room.