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**PREA**  
RESOURCE  
CENTER



# The First Steps: Victim Services in Jails

## Session 1 of 2

### January 17, 2013

# Introduction and Welcome



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

# PREA Resource Center

## **National PREA Resource Center (PRC)**

PRC was established through a cooperative agreement between the Bureau of Justice Assistance and NCCD. The mission of the PRC is to assist adult prisons and jails, juvenile facilities, lockups, community corrections, and tribal facilities in their efforts to eliminate sexual abuse by increasing their capacity for prevention, detection, monitoring, responses to incidents, and services to victims and their families.

# Today's Moderator



**Linda McFarlane, MSW, LCSW**  
**Deputy Executive Director**  
Just Detention International

# Webinar Agenda

- I. Call to Action
- II. Prevalence, Dynamics, and Impact of Sexual Abuse of Inmates
- III. The Core Components of a Victim Services Program
- IV. Victim Services: Policy in Practice Scenarios
- V. Question and Answer

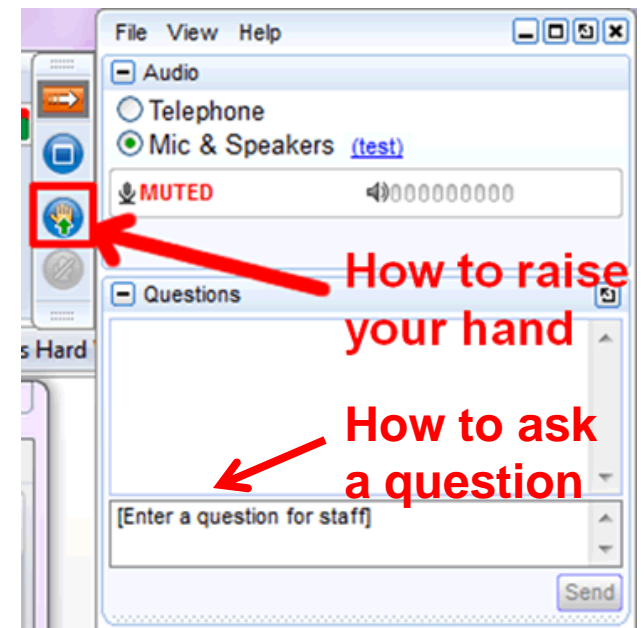


*Bryson, survivor of sexual abuse behind bars. Photo: James Stenson*

# Logistics

## Webinar Information

- **Raise your hand** if you need assistance
- Use the **questions box** to ask a question
- An archive of this webinar will be posted on the PREA Resource Center website: [www.prearesourcecenter.org](http://www.prearesourcecenter.org)



# A Call to Action: A Survivor's Perspective



**Cecilia Chung**

**Health Commissioner**

City of San Francisco

**Board of Directors and Survivor  
Council member**

Just Detention International

# A Call to Action With Cecilia Chung





# A Call to Action With Cecilia Chung



# A Call to Action with Bob Dumond



**Robert Dumond, LCMHC**  
**Mental Health Program Manager**  
Merrimack County Department of  
Corrections / 6<sup>th</sup> Circuit-District  
Division-Concord Mental Health Court

# The Need for Trauma Informed Care



**Jack Kavanagh**

**Director**

Howard County Department of  
Corrections

# The Need for Trauma Informed Care





# The Need for Trauma Informed Care

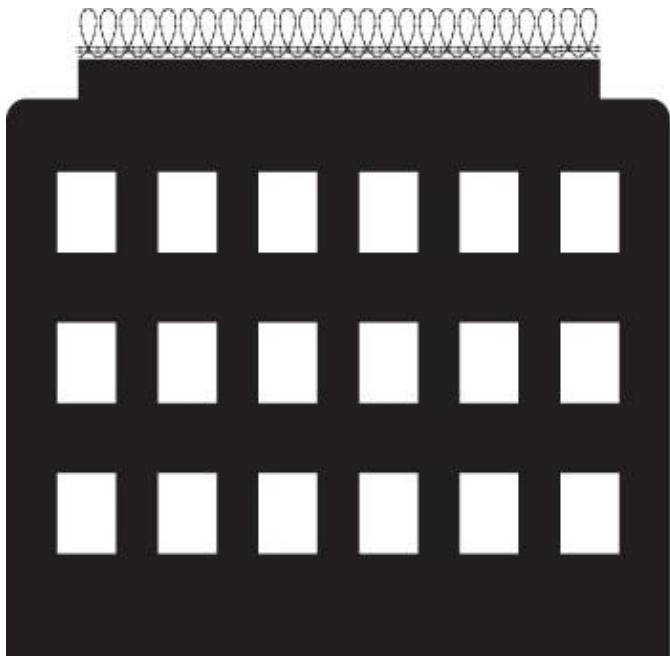


# Prevalence of Sexual Abuse in Jails



**Derek Murray, MPA**  
**Senior Program Officer**  
Just Detention International

# Prevalence



# 1 IN 10

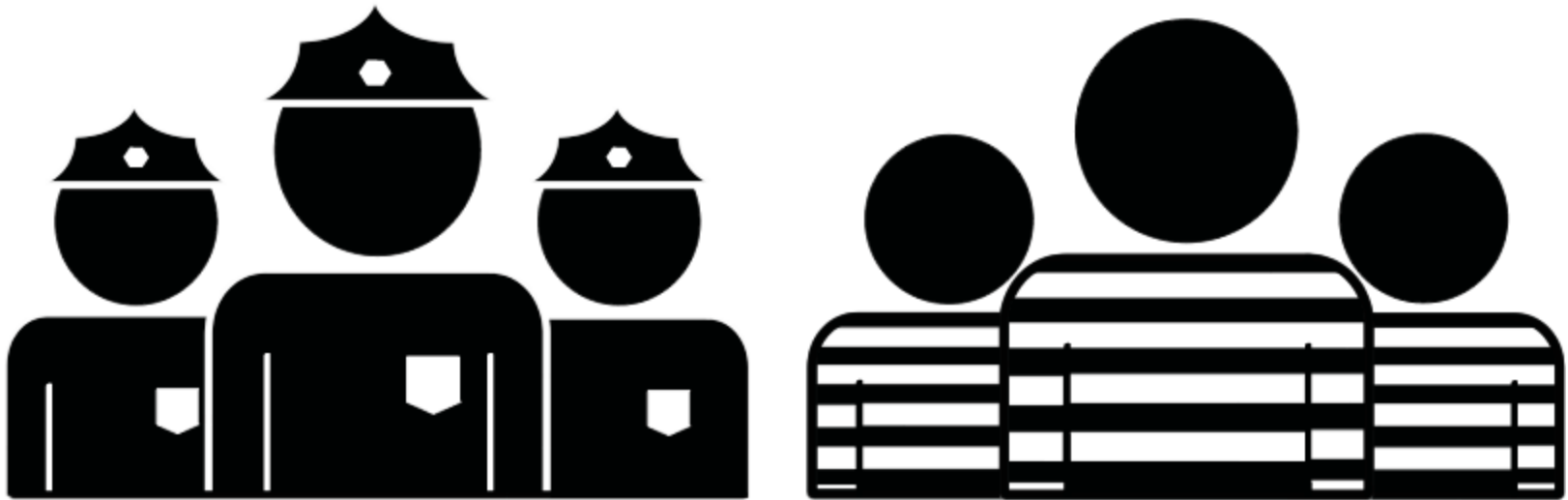
FORMER ADULT STATE INMATES REPORTED  
BEING SEXUALLY ABUSED WHILE IN DETENTION



Source: Bureau of Justice Statistics, "Sexual Victimization Reported By Former State Prisoners, 2008," May 12, 2012.  
(Approximately 9.6% of former state prisoners reported one or more incidents of sexual abuse during the most recent period of incarceration in a jail, prison, or post-release community-treatment facility.)

# Prevalence

STUDY SHOWS NEARLY EQUIVALENT RATES  
OF ABUSE BY STAFF AND OTHER INMATES

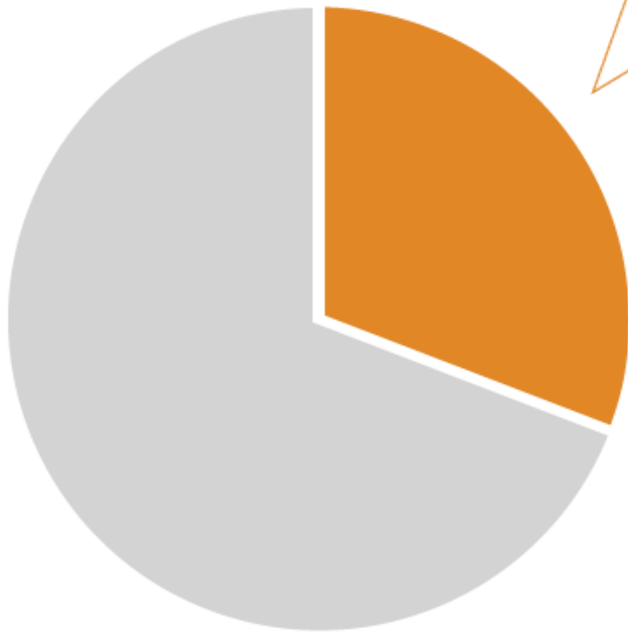


Source: Bureau of Justice Statistics, "Sexual Victimization Reported By Former State Prisoners, 2008," May 12, 2012. (Approximately 9.6% of former state prisoners reported one or more incidents of sexual abuse during the most recent period of incarceration in a jail, prison, or post-release community-treatment facility.)



# Prevalence

**31%** OF INMATES REPORTING ABUSE WERE VICTIMIZED THREE OR MORE TIMES



# Prevalence

- **3.1%** of jail inmates stated they had been sexually abused in a **12 month** period
- **19%** of male jail inmates victimized by other inmates and **30%** who were victimized by staff stated that they had been sexually abused within the **first 24 hours** of their incarceration

# Prevalence

- While up to **10% of inmates in some** jails stated they had been abused, **other jails boasted rates of less than 1%**
- Between 2005–2008, **fewer than 2 per 1,000** jail inmates made formal allegations or reports of sexual victimization

## **What groups are most likely to be targeted for sexual abuse?**

*Please submit your answers  
in the questions box.*

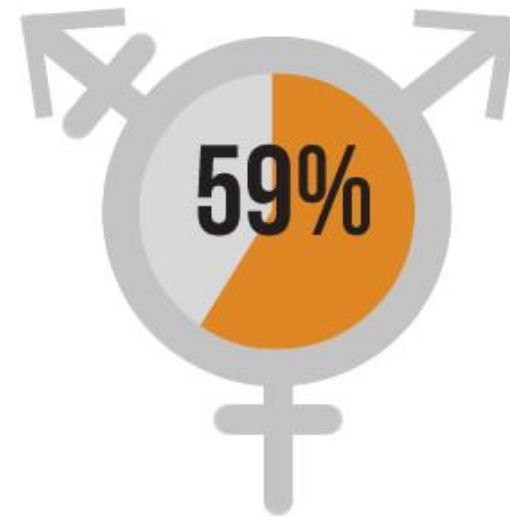
# Lesbian, Gay, Bisexual, and Transgender (LGBT)

MORE THAN **1 IN 3**  
GAY AND BISEXUAL MEN  
WERE SEXUALLY ABUSED  
WHILE IN CUSTODY



Source: Bureau of Justice Statistics, "Sexual Victimization Reported By Former State Prisoners, 2008," May 12, 2012.

**In California state prisons:**



OF TRANSGENDER INMATES  
REPORTED SEXUAL ABUSE

**compared to 4% of other inmates**

Source: Jenness, Valerie, Cheryl Maxson, Kristy Matsuda, and Jennifer Sumner. "Violence in California Correctional Facilities: An Empirical Examination of Sexual Assault," 2007.

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# Dynamics and Definitions



**Linda McFarlane, MSW, LCSW**  
**Deputy Executive Director**  
Just Detention International

# Dynamics of Sexual Abuse In Jails



# Definitions Related to Sexual Abuse (§115.6)

*Sexual abuse of an inmate **by another inmate** includes any of the following acts, if the victim **does not consent**:*

1. Contact between the penis and vulva or penis and anus
2. Contact between mouth and penis, vulva, or anus
3. Penetration
4. Intentional Touching



# Definitions Related to Sexual Abuse (§115.6)

*Sexual abuse of an inmate **by a staff member** includes any of the following acts, **with or without consent**:*

1. Contact between the penis and the vulva or the penis and the anus
2. Contact between the mouth and any body part with the intent to abuse, arouse, or gratify sexual desire
3. Penetration
4. Contact intended to abuse, arouse, or gratify sexual desire
5. Display of genitals, buttocks or breasts in presence of inmate
6. Voyeurism

# Definitions Related to Sexual Abuse (§115.6)

## Sexual Harassment

- 1. Repeated and unwelcome** sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature **by one inmate, detainee, or resident directed toward another.**
- 2. Repeated** verbal comments or gestures of a sexual nature to an inmate, detainee, or resident **by a staff member, contractor, or volunteer**, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.

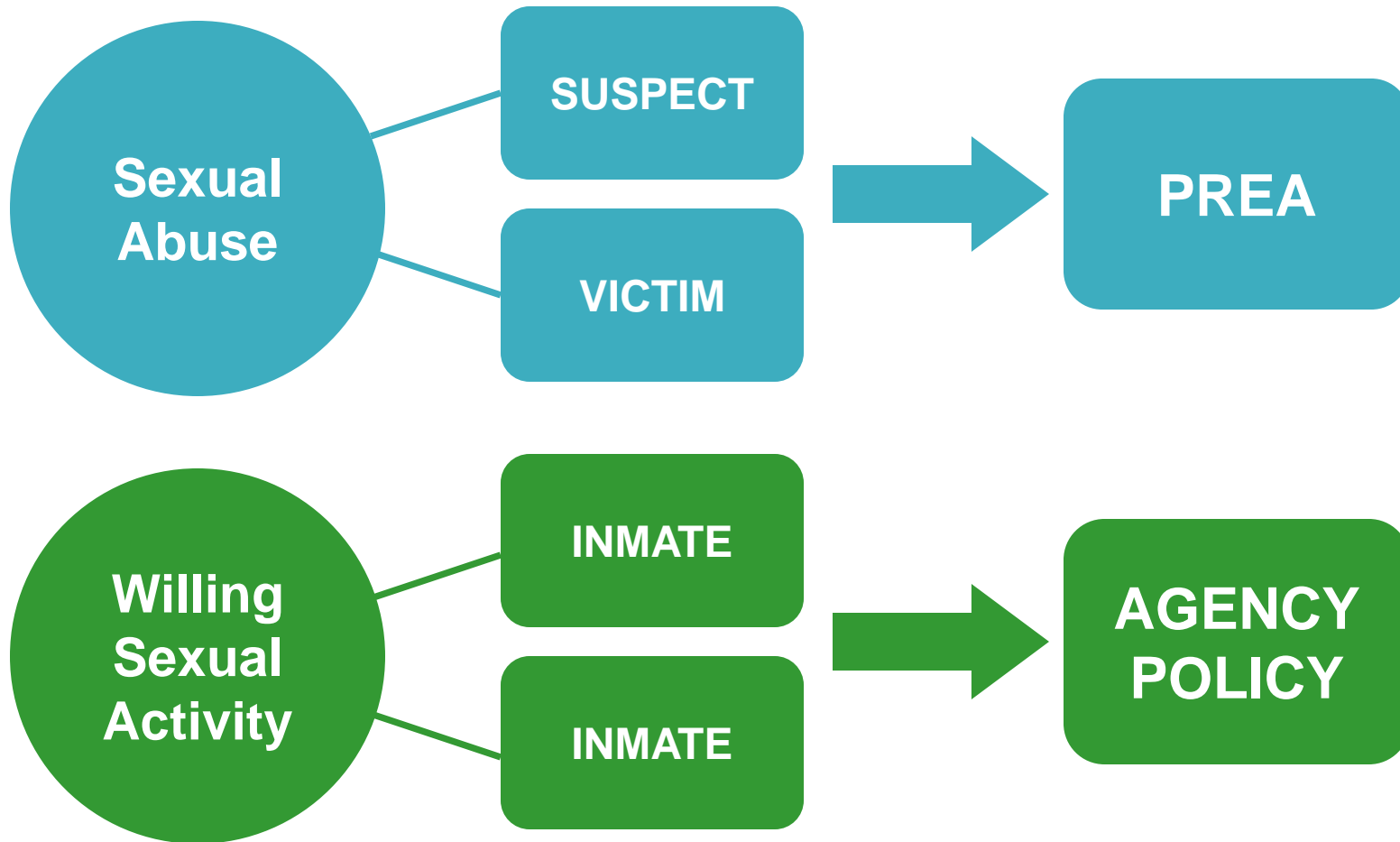
# The Basics of Sexual Abuse

**Sexual abuse is any form of unwanted sexual behavior.**

This includes where the victim is unable to meaningfully consent to sexual contact.

Sexual abuse is used to establish power and control and maintain hierarchies.

# Sexual Abuse vs. Willing Sexual Activity



# Impact of Sexual Abuse



**Robert Dumond, LCMHC**  
**Mental Health Program Manager**  
Merrimack County Department of  
Corrections / 6<sup>th</sup> Circuit-District  
Division-Concord Mental Health Court

# Impact of Sexual Abuse

- Rape Trauma Syndrome (RTS)
- Post-Traumatic Stress Disorder (PTSD)
- HIV and other sexually transmitted infections
- Suicidal thoughts
- Symptoms of mental illness

# Impact of Incarceration on Survivors

- Lack of control
- Punishment for reaction to crisis
- Retaliation and revictimization
- Limited access to services



# Developing a Victim Services Plan





# Core Components of a Victim Services Plan

## **A victim services plan includes:**

1. Uniform Evidence Protocol (§115.21)
2. Institutional coordinated response plan (§115.65)
3. Formal agreement with victim advocates and other service providers (§115.21 and §115.53)

# Role of Victim Advocates

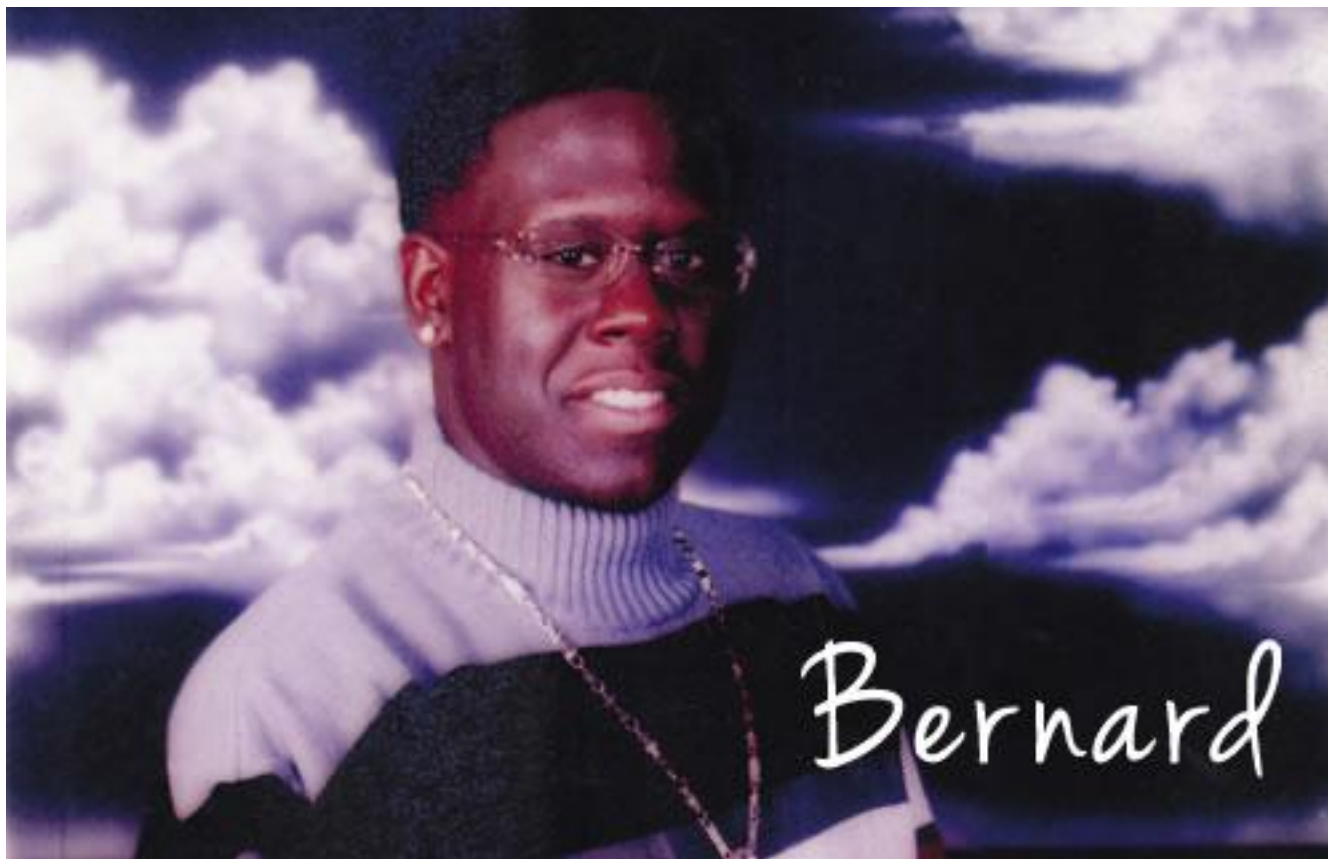
- Provides emotional support, crisis intervention, information, and referrals
- Accompanies survivors through forensic exam process and investigation
- Typically on-call 24 hours



*Associate Warden, Victim Advocate, and former Investigative Lieutenant (Left to Right) at California Correctional Institution, Tehachapi*

# *Policy in Practice*

## Scenario 1: Emergency Response



# Staff First Responder Duties

**A written institutional response plan is key to responding to incidents of abuse.**

## **First Responder Duties (§115.64):**

1. Immediately separate Bernard from suspect(s)
2. Preserve the crime scene
3. Request Bernard not take any action that could destroy evidence
4. Disclose information on “need-to-know” basis

# Access to Emergency Medical and Mental Health Services

- Access to ER medical care and crisis intervention services (§115.82)
- Victim not required to cooperate in investigation or name perpetrator(s) (§115.82)
- Care is free of charge (§115.82)
- Access to victim advocate (§115.21)



# What Happens at the Hospital

- Forensic evidence collection (§115.21)
- Investigatory interviews (§115.21)
- Treatment of injuries (§115.82)
- HIV and STI care (§115.82)
- Crisis counseling (§115.82)



Photo: JB Clark/NEMS Daily Journal



# Scenario 2: Access to Ongoing Medical and Mental Health Care



# Access to Ongoing Care Consistent with the Community Standard

## **Jenna must be provided access to:**

- Mental health evaluation and treatment (§115.83(c))
  - follow-up services
  - treatment plan
  - referrals
- Pregnancy testing, and lawful related medical services (§115.83(d)-(e))
- STI testing (§115.83(f))



# Access to Outside Confidential Support Services

## **Additionally:**

- Jenna can contact outside support services by mail or phone (§115.53(a))
  - Receives in-person session with victim advocate
- Facility informs her whether such communications are monitored and to what degree they are confidential (§115.53(b))
- Advocate follows professional guidelines and state law around confidentiality and mandatory reporting (§115.53)

# Scenario 3: Prevention and Early Intervention



# Response = Prevention

- Follow-up session with a medical or mental health practitioner within 14 days (§115.81(a))
- Access to outside support services (§115.53)
  - In-person session with victim advocate
- Review of Alexis' classification and housing (§115.42(d))

# Upcoming West Coast Regional Trainings

**February 5, 2013: Developing Inmate Education Programs in Detention Facilities**

**February 6, 2013: Victim-Centered Responses to Sexual Abuse in Detention Settings**

**Registration Deadline: Friday, January 18, 2013**

**Event Location:** California Department of Corrections and Rehabilitation Training Center, Galt, California

**Host:** Just Detention International

**Register now at:** <http://www.justdetention.org/en/sacramento-regional-training-application.aspx>

**For More information:** <http://www.prearesourcecenter.org/training-technical-assistance/regional-trainings>

# Questions and Answers



# Survivor Portraits



# For More Information

For more information about the **National PREA Resource Center**, visit [www.prearesourcecenter.org](http://www.prearesourcecenter.org). Direct questions to [info@prearesourcecenter.org](mailto:info@prearesourcecenter.org)

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For more information about **Just Detention International**, visit [www.justdetention.org](http://www.justdetention.org). Direct questions to [info@justdetention.org](mailto:info@justdetention.org).

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# Thank you for joining us today!

## Evaluation

We would like to ask you to please complete a brief evaluation. It will take just three minutes of your time and your feedback will help us to better assist you in the future!

Here is a link to the evaluation; we will also email it to you shortly.

<http://www.justdetention.org/en/the-first-step-evaluation.aspx>

Please forward it to others who may have joined you.

**THANK YOU!**