Forgotten No More: Victim Services for Formerly Incarcerated Survivors

August 2019
National Sexual Assault Conference

JDI’s Mission

Just Detention International is a health and human rights organization that seeks to end sexual abuse in all forms of detention.
JDI’s Mission

JDI carries out its mission by:

• Working with corrections officials, rape crisis advocates, and policymakers to make detention facilities safe
• Promoting public attitudes that value the dignity and safety of people in detention
• Supporting incarcerated survivors of sexual abuse and sexual harassment

JDI’s Core Principle

No matter what crime a person may have committed, rape is not part of the penalty.
**Self Care**

Thoroughlypositive.com

- SLOW DOWN
- KEEP CALM
- BE POSITIVE
- TAKE IT EASY
- UNPLUG
- ENJOY LIFE
- HAVE FUN
- BREATHE
- RELAX
- GO OUTSIDE
- MEDITATE

**Workshop Objectives**

- Demonstrate increased capacity to provide trauma informed services for currently and formerly incarcerated survivors.
- Explain how the PREA standards and the VOCA rule change are leading to more services for incarcerated survivors of sexual abuse.
- Implement strategies for working with reentry programs in your community to increase formerly incarcerated survivors’ access to victim services.
Presenters

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Project Director
Vera Institute of Justice

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Incarcerated Survivor Support Program Manager
Boston Area Rape Crisis Center

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The National Resource Center for Reaching Victims

The National Resource Center for Reaching Victims is a one-stop shop for victim service providers, culturally specific organizations, criminal justice professionals, and policymakers to get information and expert guidance to enhance their capacity to identify, reach, and serve all victims, especially those from communities that are underrepresented in healing services and avenues to justice.

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Vera Institute of Justice Center on Victimization and Safety

• Aims to improve access to healing services for all crime victims.

• Focuses on groups of people who are at elevated risk of harm, but have less access to healing and avenues to justice:
  o People with disabilities
  o People who are Deaf
  o Incarcerated & formerly incarcerated people

Sexual Victimization Before, During, and After Incarceration

• Facts & Figures: A closer look at who’s inside
• Barriers to services
• Opportunities for healing

Rodney, JDI Survivor Council member
Most People in Jail or Prison Were Victims First

In his study of 122 (107 men and 15 women) people who returned to the Boston area post-incarceration, Bruce Western found that prior to incarceration:

- 40% had witnessed someone being killed
- Nearly half were beaten by their parents
- 1/3 grew up with family violence
- 16% reported being sexually abused
- Half were seriously injured while growing up

Many Experienced Sexual Violence Prior to Incarceration

1999 report from the Bureau of Justice Statistics:

- Nearly 6 in 10 women in state prisons had experienced physical or sexual abuse prior to their incarceration
- 69% reported that the abuse occurred before age 18

1998 study of men in a NY state prison:

- 68% experienced physical abuse, sexual abuse, or neglect before age 12
- More than 1:3 experienced severe childhood physical abuse
Most Women in Jail Have Experienced Sexual and/or Domestic Violence

Histories of victimization are nearly universal for women in U.S. jails:
- 86% have experienced sexual violence
- 77% have survived intimate partner violence
- 60% have experienced caregiver violence

Experience of Sexual Abuse During Incarceration

1 IN 10 former adult state inmates reported being sexually abused while in detention

Faces of Survivors

Photos courtesy of Just Detention International

What Happens When People Return Home?

Of the 122 participants Bruce Western’s Boston Reentry Study, 1/4 had been threatened or attacked since returning home.

“As victims, the respondents were shot, stabbed, beaten, raped, and molested. But even beyond the familiar roles of victim and offender, nearly all respondents reported witnessing serious violence, and all reported fighting in which the roles of victim and offender were difficult to distinguish.”

-Bruce Western, Homeward (p. 80)
Many victims do not get help while they are incarcerated.

Barriers to Reporting

- Felt embarrassed or ashamed: 69%
- Didn’t want anyone to know: 70%
- Thought staff would not investigate: 43%
- Afraid of perpetrator: 52%
- Afraid of being punished by staff: 41%

Courtesy of Just Detention International
Even during reentry and after they have returned home, many victims do not get the services they need to heal.

Barriers to Accessing Victim Services During Reentry

- The language victim service providers use is not always the language formerly incarcerated survivors use
- False dichotomy of “victim” and “perpetrator”
- Stigma
- Reentry services and victim services are siloed
- Few trauma-informed service programs for victims/survivors who have an incarceration history
Opportunities for Healing

• VOCA rule change

• Growing awareness among victim advocates and criminal justice reformers that people do not fit neatly into a singular category of “victim” or “offender”

• Efforts to cultivate work at the intersection of reentry and healing

• Intentional work by victim service providers to reach more victims in their communities, including those who have experienced incarceration
Would You Help Them?

“Would you joke around about this man being raped? How about now?”

“I know that a lot of advocates and people doing that work, also are filled with news media and these lock up shows and stories about what we do in prison, and I think the more people watch those things, the less human I become.”

Martin, Community Advocate and Former Prisoner

No Bad Victims

“I know that a lot of advocates and people doing that work, also are filled with news media and these lock up shows and stories about what we do in prison, and I think the more people watch those things, the less human I become.”

Martin, Community Advocate and Former Prisoner
Part of Our Community

95% of people incarcerated in state prisons will return to their communities

Healing from the trauma of sexual abuse must be part of their rehabilitation


PREA Victim Services Standards and VOCA Rule Change

PREA Standards

- 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

Provide access to victim services

- Forensic exam
- Accompaniment at forensic exams
- Accompaniment at investigatory interviews
- Confidential follow-up services
- Confidential emotional support via phone or letter
VOCA Rule Change

The prohibition "prevents States and communities from fully leveraging all available resources to provide services to [incarcerated] victims, who have been shown to have a great need."

VOCA Rule Change in Context

- The rule change does not mandate that services be provided to incarcerated victims
- States and VOCA-funded sub-recipients may set eligibility requirements
Survivor Voices, Stephanie

Boston Area Rape Crisis Center

- Founded in 1973
- Oldest and largest Rape Crisis Center in Massachusetts
- One of 3 independent rape crisis centers in Massachusetts
Returning and Healing Project

“Incarceration-Informed”

- Realizes the widespread impact (trauma, conditioning) of incarceration and understands potential paths for de-institutionalization
- Recognizes the collateral consequences of incarceration for clients, families, and communities
- Responds by fully integrating knowledge about incarceration into policies, procedures, and practices
- Resists re-traumatization
# Need to Answer Questions

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<thead>
<tr>
<th>Staff Needs</th>
<th>Protocol Rules</th>
<th>Logistics</th>
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<tbody>
<tr>
<td>- Thoughts on the correctional system?</td>
<td>- What are the limits on working with perpetrators?</td>
<td>- How do people get to you/your space?</td>
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<tr>
<td>- Thoughts on racism/racial justice?</td>
<td>- How do you define “perpetration?”</td>
<td>- How much staff time/capacity do you have available?</td>
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<tr>
<td>- Thoughts on working with men/male survivors?</td>
<td>- What are your mandated reporting obligations?</td>
<td>- What does your intake process/pathway look like?</td>
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<td>- Does your staff look like the community you serve, including people in detention?</td>
<td>- Can you do remote service?</td>
<td>— Confidentiality concerns?</td>
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# Internal Preparation

**Former Prisoner =/= Perpetrator**
Three Necessities

Necessity 1: Awareness
Necessity 2: Trust

- **Staff Training**: Population knows it won't be stigmatized.
- **Clear Protocols**: Population is only referred when appropriate.
- **Accurate Collateral**: Population knows what to expect.

Necessity 3: Credibility

- **Prison/Jail Knowledge**
- **Local Re-Entry Knowledge**
- **Criminal Legal System Knowledge**
- **Safety Knowledge**
My Name Is Joe

They may try to tell you that it didn't happen... that you're making something out of nothing... or that you caused it... that it was all your fault.

No matter how they deny it or make you feel guilty, you know what happened to you. And no amount of minimizing or blaming you can change that. Talk to staff, and help us stop anyone who sexually violates you or others!

Nobody Deserves To Be A Victim Of Sexual Violence!

Considerations for Service Providers
Assessing Your Capacity

Who does your organization want to serve?

- How accessible are your services to underserved communities, including survivors who are:
  - Incarcerated
  - Formerly incarcerated
  - Lesbian, gay, bisexual, or queer
  - Transgender
  - Men (and boys)
  - People of color

Considerations for Victim Services Providers

- Get to know reentry programs in your area
- Develop an MOU that lays out your partnership or referral process
- Seek out opportunities to work with reentry and other local organizations coming into contact with formerly incarcerated people
- Learn about your local criminal justice system
Suggested Advice for Reentry Advocates?

• Start by believing
• Draw from your experience
• Think about language
• Consider what type of support or referral you can provide

Chance Martin, formerly incarcerated survivor of sexual abuse in detention

WE STAND WITH SURVIVORS
For More Information

For additional information, please visit JDI’s Advocate Resource page: www.justdetention.org/advocate-resources
Direct questions to: advocate@justdetention.org

Connect with JDI:

Facebook: www.facebook.com/JDIonFB
Twitter: www.twitter.com/justdetention

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