

NATIONAL
PREA
RESOURCE
CENTER



For Kids' Sake:
PREA and Victim Services
in Youth Facilities
June 14, 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.

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Today's Moderator



Nicole de la Torre

Program Officer

Just Detention International

Webinar Agenda

- I. Call to Action
- II. Prevalence, Dynamics, and Impact of Sexual Abuse on Youth Detainees
- III. Trauma-Informed Care and the PREA Juvenile Standards
- IV. Developing a Victim Services Plan
- V. Victim Services: Law and Policy in Action
- VI. Question and Answer



Chino, who was sexually abused by another inmate as a youth

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



Call to Action: A Survivor's Perspective



Cyryna Pasion
Youth Advocate

A Call to Action With Cyryna Pasion



Prevalence, Dynamics, and Impact



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

Bureau of Justice Statistics Research Highlights



As reported within a one year time period.

Bureau of Justice Statistics Research Highlights



Bureau of Justice Statistics Research Highlights



Research Highlights

In boy's facilities,
GAY & BISEXUAL BOYS
are targeted

Incidents most
likely to occur in
COMMON AREAS

Majority of staff sexual
abuse incidents involve
**FEMALE STAFF
& MALE YOUTH**

Youth who are survivors
of previous sexual abuse are
2X MORE LIKELY
to be abused in
their current facility

Youth on youth sexual
violence is more
prevalent among
GIRLS

Incidents most
likely to occur
6PM - MIDNIGHT



Definitions Related to Sexual Abuse (§115.6)

*Sexual abuse of a resident **by another resident** includes any of the following acts, if the victim **does not consent, is coerced into such act, or is unable to consent or refuse:***

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 a resident **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 resident** directed **toward another**.
2. **Repeated** verbal comments or gestures of a sexual nature to a 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.

Dynamics of Sexual Abuse in Youth Detention



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Context of Sexual Abuse in Youth Detention

- Institutional setting
- Developmentally appropriate experimentation
- Consent
- Mandated reporting



Common Effects of Sexual Abuse in Youth Detention

- PTSD and Rape Trauma Syndrome
- Sexually transmitted diseases and HIV
- Increased suicidal thoughts or attempts
- Worsening of psychiatric disorders



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Common Effects of Sexual Abuse in Youth Detention

- Lack of control
- Lack of privacy
- Daily stressors
- Contact with perpetrator
- Perceived punishment
- Re-victimization
- Lack of support



Troy Isaac, survivor of sexual abuse in a youth detention facility, and JDI Survivor Council member. © James Stenson

Helping Kids Heal

A Second Chance

- Provide safety
- Listen
- Believe
- Offer resources and support



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Trauma Informed Care and the PREA Standards



Caleb Asbridge
Senior Associate,
Juvenile Services
The Moss Group, Inc.

Trauma-Informed Approach

- Juvenile justice field moving toward recognition of the relationship between trauma and delinquency
- More sophisticated understanding of how complex trauma in childhood leads to increased risk for delinquency



Trauma, Sexual Abuse and PREA

- Many juveniles have a history of sexual abuse, are vulnerable to sexual victimization while in the facility, or are at risk to sexually abuse others while incarcerated
- Some youth will fall into more than one of these categories
- All of these youth shall be offered specialized services (§115.381)

Role for Community Service Providers

Increased recognition of the role of trauma contributes to:

- Increased need for trauma-informed programmatic and therapeutic responses at juvenile facilities
- Increased recognition of the need for resources and support—including support from victim advocates, who can bring crucial resources to the table

PREA Standards

- The PREA Standards provide guidance on implementing trauma-informed practices.
- Standards take the following into account:
 - Role of adolescent development
 - Role of trauma-informed practices
 - Role of victim advocacy in the event of sexual assault
 - Access to outside reporting mechanisms
 - Access to outside advocates

PREA Victim Services Standards

There are a number of PREA requirements that increase residents' access to crisis intervention and ongoing emotional support services.



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Evidence Protocol and Forensic Medical Examinations (§115.321)

Facilities are required to provide victims of sexual abuse with access to:

- Forensic medical examinations
- A victim advocate from a local rape crisis center

If no such advocate is available, the victim shall receive advocacy services from a community-based organization or a qualified staff member from your agency.

Forensic Medical Examinations and Interviews (§115.321)

The victim advocate shall:

- Accompany and support the victim through the forensic medical examination process and investigatory interviews and
- Shall provide emotional support, crisis intervention, information, and referrals.

Resident Access to Outside Support Services and Legal Representation (§115.353)

The facility must:

- Provide residents with access to outside victim advocates for emotional support services related to sexual abuse
- Make available mailing addresses, telephone numbers, other information
- Enable reasonable communication between residents and advocacy organizations in as confidential manner as possible
- Provide these services pursuant to an MOU or other agreement when possible

Developing a Victim Services Plan



Cynthia Totten, Esq.
Senior Program Director
Just Detention International

Developing a Victim Services Plan

Core components of a victim services plan include:

1. Uniform Evidence Protocol (§115.321)
2. Institutional coordinated response plan (§115.365)
3. Formal agreement with victim advocates and other service providers (§115.321(d),(e) and §115.353(c))

Memoranda Of Understanding (MOU) with Community Service Providers (115.353(c))

A. Ventura Youth Correctional Facility agrees to:

- 1) Contact Safe Harbor West to arrange for a full SART response. VYCF will request that Safe Harbor West, per their agreement with VYCF, contact CFH and request the presence of a certified crisis counselor each time they will provide a SAFE for a person under the jurisdiction of VCYP.
- 2) Contact CFH each time there is an allegation of sexual assault, regardless of the timing of the report.
- 3) Respect the nature of privileged communication between a certified crisis counselor and client.
- 4) Facilitate follow-up, whenever possible, between the inmate and certified crisis counselor.
- 5) Complete any necessary security clearances for collaboration with CFH and JDI, and maintain custody, safety, and security while at Safe Harbor West.
- 6) Provide training for CFH and JDI staff as needed.
- 7) Communicate any questions or concerns to CFH and JDI staff.
- 8) Facilitate the placement of informational placards in the areas visible to inmates (number to be determined).

MOU, continued

B. Coalition for Family Harmony agrees to:

- 1) Respond to requests to provide accompaniment during sexual assault forensic examinations for individuals who are under the jurisdiction of VYCF/DJJ.
- 2) Provide follow-up services, crisis intervention contacts, and resources and referrals to survivors of sexual assault at VYCF, as resources allow. Contact information for arrangements are: Jennie Dillon or Joe Schofner at (805) 485-7951 x 3334.
- 3) Work with designated VYCF officials to obtain security clearance and follow all guidelines for safety and security.
- 4) Maintain confidentiality as required by state standards for certified crisis counselors and CFH policies and procedures. Obtain signed release of information from clients as therapeutically appropriate in order to work with continuum of care.
- 5) Provide training for VYCF and JDI staff as needed and as resources allow.
- 6) Communicate any questions or concerns to JDI and VYCF staff.

Developing an Institutional Coordinated Response Plan (§115.365)

A written plan **to coordinate actions taken in response to an incident of sexual abuse**, amongst first responders, medical and mental health practitioners, investigators and facility leadership.

Developing an Institutional Coordinated Response Plan

THREE STEPS:

1. Review your agency policies related to victim services
2. Analyze how closely they align with current facility/agency practices
3. Convene a working group

Developing an Institutional Coordinated Response Plan

The Institutional Coordinated Response Plan can also be a model for:

- Steps to take when an inmate is at risk (§115.362)
- Protection from retaliation (§115.367)
- Incident reviews (§115.386)

Policy in Practice

Scenario: Emergency Response



Staff First Responder Duties

First Responder Duties (§115.364):

1. Immediately separate Dominique from suspect(s)
2. Preserve the crime scene
3. Request Dominique 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 (§115.382)
- Victim not required to cooperate in investigation or name perpetrator(s) (§115.382)
- Care is free of charge (§115.382)
- Access to victim advocate (§115.321)



What Happens at the Hospital

- Forensic evidence collection (§115.321)
- Investigatory interviews (§115.321)
- Treatment of injuries (§115.382)
- HIV and STI care (§115.382)
- Crisis counseling (§115.382)



Photo: Lea Suzuki, The San Francisco Chronicle

Access to Ongoing Care Consistent with the Community Standard

Dominique must be provided access to:

Mental health evaluation and treatment (§115.383(c))

- Follow-up services
- Treatment plan
- Referrals



Dolls used for counseling kids who have been sexually assaulted. Photo: Richard Ross

Access to Outside Confidential Support Services

Additionally:

- Dominique can contact outside support services by mail or phone (§115.353(a))
 - Receives in-person session with victim advocate
- Facility informs her whether such communications are monitored and to what degree they are confidential (§115.353(b))
- Advocate follows professional guidelines and state law around confidentiality and mandatory reporting

Available Resources

Where can I get help?

- National PREA Resource Center (www.prearesourcecenter.org)
- Office of Juvenile Justice and Delinquency Prevention (<http://www.ojjdp.gov/>)
- Council of Juvenile Correctional Administrators (<http://cjca.net/>)
- National Partnership for Juvenile Service (<http://npjs.org/>)
- Just Detention International (www.justdetention.org)

Upcoming Regional Training in Albany

July 11, 2013: Developing Inmate Education Programs in Detention Facilities

Registration Deadline: Friday, June 21, 2013

Event Location: New York Department of Corrections and Community Supervision Training Academy

Host: Just Detention International

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

For More information:

<http://www.prearesourcecenter.org/training-technical-assistance/regional-trainings>

Questions and Answers



For More Information

For more information about the **National PREA Resource Center**, visit www.prearesourcecenter.org. Direct questions to info@prearesourcecenter.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/for-kids-sake-evaluation.aspx>

Please forward it to others who may have joined you.

THANK YOU!