



*“I was abused badly as a child – mentally, physically, and sexually. Sharing my story with others empowers me as a survivor. I want people to know I am the face of a prison rape survivor – and not a prison rape victim.”*

– Ca'Linda, survivor of sexual abuse in prison and in the community

## Vulnerable Detainees: Survivors of Previous Sexual Abuse

**O**F THE 2.3 MILLION people behind bars in the U.S. on any given day, a disproportionate number were sexually abused prior to their incarceration. Many survivors of past assaults – particularly women and children – become targets for yet more abuse when they are locked up, at the hands of staff or other inmates.

Inmates with a history of sexual violence who are victimized yet again while behind bars often face a particularly difficult road to recovery. Fortunately, new government regulations will help ensure that facilities protect survivors of past sexual abuse – and provide victim advocates with the tools they need to support them.

### Unsafe Behind Bars

Sexual violence pervades U.S. prisons and jails, with well over 200,000 people subjected to this type of abuse every year, most of them repeatedly. In at least half of all cases of sexual abuse in detention, the perpetrators are corrections officials.<sup>1</sup>

In men's and women's facilities alike, prior sexual abuse is one of the chief factors that increase an inmate's vulnerability to further assaults. Sexual predators inside prisons and jails target detainees who they believe are more likely to acquiesce to their demands and who are less likely to speak out about the abuse – and to be taken seriously if they do. People who have suffered repeated sexual victimization often

blame themselves, and many of them have had experiences that lead them to think that they will not be believed or protected if they come forward. These beliefs are well-founded; a majority of reports of sexual abuse in detention do not result in any disciplinary action against the perpetrator.<sup>2</sup>

Worse still, women and children who have survived sexual abuse in the community are especially likely to be incarcerated. Many studies of women's facilities have found upwards of 50 percent of inmates reporting prior sexual abuse.<sup>3</sup> The mental health director at Fluvanna Correctional Center for Women, which has one of the nation's highest sexual abuse rates, said that 80 percent of its inmates likely suffered from PTSD, likening the facility to a “big trauma wing.”<sup>4</sup>

The majority of youth in detention, particularly girls, were also subjected to trauma prior to their detention, including sexual abuse. In a 2010 study of a girls facility, 60 percent of detainees reported being raped or threatened with rape before being locked up.<sup>5</sup>

There are good reasons for survivors of sexual abuse in detention to fear filing a formal complaint, in no small part because the people targeting them are often members of staff, the very people who hold the keys, literally, to their freedom. Rather than relive the shame of being called a liar – or worse, face retaliation for speaking out – many prisoner rape survivors decide that reporting the abuse is not worth the risks.

### Obstacles to Healing

Rape causes physical and emotional suffering that is both acute and long-lasting. Survivors of sexual abuse commonly suffer from depression and anxiety disorders, drug addictions, and suicidal thoughts, the symptoms of which tend to worsen with every successive traumatic experience; in the case of sexual abuse in detention, the vast majority of survivors are victimized repeatedly. The plight of survivors behind bars is further compounded by the dire lack of resources — including trained medical staff and counselors — available inside prisons. Because so few survivors report their abuse, most are unable to access even the scarce resources that are offered.

Most detention facilities also severely restrict prisoners' access to written materials and support networks that can help them heal, such as community-based service providers, internet-based resources, and contact with loved ones. Because almost all communication is monitored in prison, most survivors do not feel safe reaching out for help. As a result, in the U.S. today, most people who are raped behind bars suffer in silence.

### The National PREA Standards

In May 2012, the U.S. Department of Justice published national standards to end the crisis of sexual violence in detention. These standards, mandated by the Prison Rape Elimination Act (PREA) of 2003, require that prisons, jails, and other detention facilities

adopt concrete measures to protect inmates in their care. These measures include, among others, better training for staff on how to prevent and respond to sexual abuse, guaranteed access to safe and confidential reporting channels for survivors of abuse, and safer housing placements for at-risk inmates.<sup>6</sup>

The standards acknowledge the heightened vulnerability of inmates with a history of sexual victimization. They mandate that all prisons, as part of their intake process, ask incoming inmates about prior sexual abuse. Such information is to be used — along with other factors that may put a person at risk, like being lesbian, gay, bisexual, transgender or intersex — to ensure that new inmates are housed safely. Facilities also must offer new inmates who disclose prior abuse the option to see a medical practitioner or counselor. Crucially, the standards affirm that any disclosures about an inmate's history be shared solely with those staff — like a doctor or case manager — who may need such information to provide him or her with better care.

The PREA standards require that incarcerated survivors receive the help that they need, including access to a rape crisis counselor, free of charge and regardless of whether they name the perpetrator or participate in an investigation. For many survivors of previous abuse, some of whom have been living with trauma for decades, access to a community-based counsellor while behind bars will be their first opportunity ever to get help.

## Endnotes

<sup>1</sup>Alan J. Beck and Candace Johnson, *Sexual Victimization Reported by Former Prisoners*, 2008 (Bureau of Justice Statistics, May 2012), 8.

<sup>2</sup>Ibid., 31.

<sup>3</sup>For example, a 2008 survey of three women's prisons in Ohio showed that 70 percent of inmates reported being sexually abused prior to their incarceration. See Cathy McDaniels-Wilson and Joanne Belknap, "Extensive Sexual Violation and Sexual Abuse Histories of Incarcerated Women," *Violence Against Women*, Vol.14, No.10 (October 2008), 1118.

<sup>4</sup>*Report on Sexual Victimization in Prisons and Jails by the Review Panel on Prison Rape*, edited by G.J. Mazza (Department of Justice, April 2012), 26.

<sup>5</sup>Prevalence and Impact of Childhood Maltreatment in Incarcerated Youth, *American Journal of Orthopsychiatry*, 2010, Vol. 80, No. 3, 343–349

<sup>6</sup>*National Standards To Prevent, Detect, and Respond to Prison Rape*, Federal Register Vol. 77, No. 119, (Department of Justice, June 2012): 37105-37232, available at [www.federalregister.gov/a/2012-12427](http://www.federalregister.gov/a/2012-12427).

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## Tips for Advocates

- Remember that many aspects of daily life in detention can be triggers for survivors of prior sexual abuse. These include: pat and strip searches, lack of privacy, placement in solitary confinement, and lack of control over light, noise, and living conditions.
- If a current client is arrested, consider continuing to provide support via mail, telephone, or in-person, resources permitting.
- Address previous as well as recent trauma when working with survivors of sexual abuse behind bars, keeping in mind that this is likely the first time they have sought help.
- Affirm the strength and resiliency of survivors of multiple assaults and acknowledge that their survival skills can help them cope.

**JUST DETENTION INTERNATIONAL** is a health and human rights organization that seeks to end sexual abuse in all forms of detention.

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