



No Refuge Here: Sexual Abuse in Immigration Detention

June 26, 2013
11am – 12:30pm PDT



Today's Moderator



Christine Gregg
Program Director
Just Detention International



Mission and Core Goals

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

Core goals:

1. To hold government officials accountable
2. To change public attitudes about sexual violence behind bars
3. To ensure survivors get the help they need



Special Thanks

This project is supported by Grant No. 2011-TA-AX-K100, awarded by the **Office on Violence Against Women**, U.S. Department of Justice.



The opinions, findings, conclusions, and recommendations expressed in this webinar are those of the presenters and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women.



Webinar Agenda

- I. Overview of immigration detention and sexual abuse
- II. The special barriers faced by immigrant detainees
- III. PREA and the DHS Standards
- IV. Esmeralda's Story
- V. Advice from an advocate
- VI. Q&A with the presenters

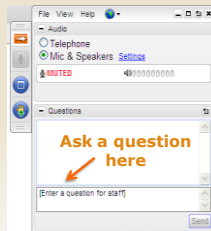


Esmeralda, survivor of sexual abuse in immigration detention.



Webinar Logistics

- Use the **question box** to submit requests for help, questions, or comments
- An archive of this webinar will be emailed to you later today
- It will also be posted on the JDI website:
www.justdetention.org/en/advocate-resources.aspx



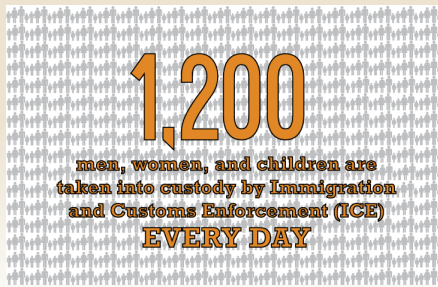
Immigration Detention Overview



Vivian Jajola
Program Director
Just Detention International



Immigration Detention



Almost 500,000 in Immigration Detention Last Year

That's like locking up the entire population of:



Who is in Immigration Detention?



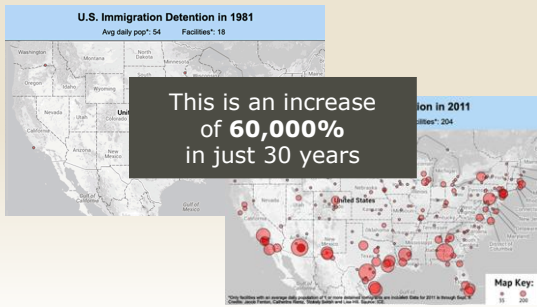
Where Are Detainees Held?



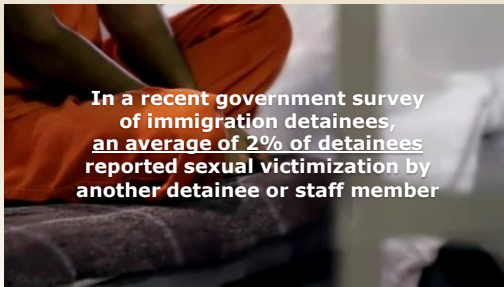
History of Immigration Detention



Average daily population in immigration detention: 1981 to 2011



Sexual Abuse in Immigration Detention



Source: Bureau of Justice Statistics, Sexual Victimization in Prisons and Jails Reported by Inmates, 2011-12, May 2013.

A Conversation with Chris Daley and Keren Zwick



Chris Daley
Deputy Executive Director
Just Detention International



Keren Zwick
Supervising Attorney
LGBT Immigrant Rights Initiative
National Immigrant Justice Center



Barriers to Reporting

Four factors that make reporting sexual abuse difficult in immigration detention facilities:

1. The structure of immigration detention
2. Immigration related fears that make reporting abuse difficult
3. Unsafe housing assignments within detention facilities
4. Difficulty navigating the U.S. government process



Factor 1: The structure of immigration detention

- The system
- Movement within the system
- Time in detention
- Access to legal counsel



Photo: Frontline



Factor 2: Immigration-related fears

- Past experiences in home country
- How reporting could affect immigration status
- Extreme isolation



Salvadoran civilians flee bombing, El Salvador, 1989. © Donna De Cesare



Factor 3: Unsafe housing assignments within detention facilities

- LGBT detainees
- Mixed populations
- Abusive use of solitary confinement



A cell for recreation at a facility that houses immigration detainees.
Photo: Catherine Renitz



Factor 4: Difficulty navigating U.S. government process

- Language barriers
- Lack of familiarity with how U.S. systems work



Photo: Frontline



PREA and immigration detention

- Limits of the Department of Justice's PREA regulations
- Forthcoming Department of Homeland Security PREA regulations
- Differences between the two
- Implementation of the DHS regulations in contract facilities



Specific considerations for immigration detainees who report abuse

- U Visa program for survivors of violent crime
- Administrative process for holding government accountable
- Increased accountability



Specific considerations for supporting immigrant survivors

- Help document the incident
- Help report the abuse to law enforcement
- Support the survivor through immigration related procedures
- Refer the survivor to immigration legal resources



Immigration legal resources:

Immigration Court list of services:
<http://www.justice.gov/eoir/probono/states.htm>
National Immigrant Justice Center:
www.immigrantjustice.org
Immigration Equality (LGBT Cases only):
www.immigrationequality.org



A Survivor's Story



Esmeralda Soto
Member
JDI Survivor Council



Esmeralda's Story

"I came to the United States at the end of 2002 because my sexual orientation and gender identity had made me a target of persecution in my home country."



Esmeralda's Story

"He spoke in such a threatening tone that I complied with his commands because I feared he would hurt me."



Esmeralda's Story

"To this day, the thought of what that immigration officer did to me makes me nauseous and fills me with fear, disgust and anger."



Esmeralda's Story

"At this point, the only thing I wanted was to begin my healing process and begin to get over what he did to me."



Esmeralda's Story

"They treated me as if I was a liar and blamed me for the dismissal of their coworker."



Esmeralda's Story

"It would have helped me so much to have an advocate. Psychologically, I was drowning. I needed to talk to someone who wouldn't judge me and who would just listen."



Esmeralda's Story

"I was extremely angered by the news because six months jail time is a completely inadequate penalty for the crime of rape, especially under these circumstances."



Esmeralda's Story

"The murderers had meant to kill me in retaliation for "snitching" on the officer who assaulted me and it was a case of mistaken identity. This news put me in a state of extreme fear and panic."



Esmeralda's Story

"I was placed in protective custody, which at this facility, basically meant solitary confinement."



Esmeralda's Story

"The murderers had meant to kill me in retaliation for "snitching" on the officer who assaulted me and it was a case of mistaken identity. This news put me in a state of extreme fear and panic."



Esmeralda's Story

"Every day I work on healing the wounds of my past. Speaking out against sexual assault in detention, and sharing a bit of my experience with you will surely help my progress. I wish you luck in your work, and I hope that other detainees don't have to deal with the things that I went through. I sincerely hope that my story will help other men and women behind bars who are confronted with sexual abuse."



A Conversation with an Advocate



Alva Moreno
Director
Sexual Assault Crisis Services
YWCA of Greater Los Angeles



Vivian Jajola
Program Director
Just Detention International



YWCA of Greater Los Angeles



A Conversation with an Advocate

Our core initiatives:

- Advocacy
- Child Development
- Housing
- Senior Programs
- Sexual Assault Crisis Services
- Workforce Development
- Youth Development



Barriers Faced by Immigrant Survivors

- Lack of outreach to immigrant survivors about services available to them.
- Services in English only
- Few culturally appropriate services.
- Fear of deportation, or fear of jeopardizing immigration status.
- Fear of family and friends finding out about the assault.
- Mistrust of the police and government officials stemming from previous negative experiences in their home country



Best Practices When Working with Immigrant Survivors

- Become familiar with the culture of the survivor
- Seek assistance and referrals from immigrant advocacy and legal advocacy groups.
- Let the survivor know that they can access your services regardless of their status and that you are concerned for his/her:
 - Emotional well being
 - Legal and physical safety
 - Economic survival
 - Access to needed services
 - Immigration status, deportation



Goals for Working with Survivors

- To help immigrant survivors to heal from the trauma of sexual abuse and in their struggle for safety and justice.
- To support immigrant survivors in becoming their own best advocates.
- To educate immigrant survivors about their rights, and the services available to them.
- To speak out against the racism and anti-immigrant sentiments that contribute to this abuse and impede healing and access to services.



Questions & Answers



Christine Kregg,
JDI



Alva Moreno,
YWCA



Keren Zwick,
NJC



Vivian Jojola,
JDI



Esmeralda Soto,
JDI



Chris Daley,
JDI

Upcoming OVW Webinars

Sexual Abuse in Parole and Probation

July 24, 2013 at 11:00AM -12:30 PM (PDT)

Sexual Abuse in Police Lockups

August 14, 2013 11:00AM -12:30 PM (PDT)



For More Information

For more information about the **Sexual Abuse in Detention Resource Center** and additional resources, visit: www.nsvrc.org/projects/sexual-abuse-detention-resource-center

Direct questions to: info@justdetention.org

For more information about **Just Detention International**, visit www.justdetention.org.

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Thank you for joining us today!

Please complete a brief evaluation of today's webinar. Your feedback is very important to us.

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

<http://www.justdetention.org/en/no-refuge-here-evaluation.aspx>

Please also forward it to anyone else who may have joined you.

THANK YOU!