

## ACTION UPDATE

NOVEMBER 2019

**I**N MANY WAYS, JDI's main office, in Los Angeles, is pretty ordinary. It has what you would expect to see in a busy workplace; there are desks, photocopiers, and a constantly running coffee machine.

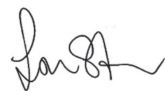
But our office also holds something that exists nowhere else in the world. In a dozen or so locked file cabinets, stacked against the walls of an unoccupied room, are decades' worth of letters written to JDI by incarcerated sexual abuse survivors. Together, these letters — more than 30,000 total — make up the world's only archive of one of the worst human rights crises of our time.



The letters offer a devastating glimpse into the lives of prisoners — of their isolation, their trauma, and their daily struggle to get by. But at the same time, these letters are brimming with hope. The pages document how people living in desperate conditions are able to persevere, and heal.

Right now, JDI is fighting back against an Arkansas jail that has banned inmate letters (*see page 4*). This policy is completely unnecessary, and dangerous; indeed, we have more than 30,000 examples showing why letter-writing from prison must be protected.

I believe that one day we'll stop adding letters to our archive. But when that happens, it won't be because of shortsighted corrections policies. It will be because we have stopped prisoner rape, once and for all.



Lovisa Stannow  
Executive Director

## It's Time to Release Migrant Children from Custody

*Our Immigration Detention System is Broken — and Children are Suffering as a Result*

**I**N DETENTION FACILITIES along the border, children are living a nightmare. They are being held in cages, with no access to showers, toothpaste, or clean clothes. Food is often so scarce that kids go to bed hungry.

These conditions, while horrific in their own right, hint at an even deeper human rights crisis. In a recent op-ed for the *Houston Chronicle*, JDI Executive Director Lovisa Stannow spotlights the rampant sexual abuse and harassment inside Customs and Border Protection (CBP) facilities. There have been scores of reports of sexual assault against children in CBP custody — and those are just the cases that we know about. Considering

that kids typically don't report abuse in any setting — let alone when they're locked up, and the adults in charge don't care enough to give them adequate food or soap — the true scale of the problem is unfathomable.

The failure to keep migrant children safe should not come as a surprise. Sexual abuse thrives in detention facilities that are badly run — and the agencies that hold migrant children are a case study in poor leadership. Top immigration officials have done little to rein in toxic staff culture. Sexism, homophobia, and anti-migrant views are rampant among the rank and file. Speaking out against a fellow agent is taboo; under the "green code," loyalty to the uniform is prized above all else, including human rights.

*See Release Migrant Children, continued on page 2*



*Customs and Border Protection is holding scores of migrant children in nightmarish facilities — including the one pictured above, in McAllen, Texas. If the agency cannot protect the children in its custody, then it must release them. (Photo by John Moore/Getty Images)*

# We're Fighting for Stronger Prison Oversight. And It's Working.

JDI HAS REVIEWED thousands of Prison Rape Elimination Act (PREA) audit reports over the past few years. What we found was deeply troubling. Many reports failed to examine corrections practices and simply regurgitated written policy; others heaped praise on facilities that were doing the bare minimum to protect people from rape, if even that much.

But even by these pitiful standards, the audit of the Metropolitan Detention Center (MDC) in Brooklyn, New York, stood out. The federal prison is among the worst facilities in the nation — a cesspool with a lengthy history of staff sexual misconduct. MDC is, in other words, exactly the kind of prison that needs outside scrutiny.

But none of MDC's problems made it into the PREA audit. Per the final report, the facility was well run, the staff were committed, and the inmates safe. Never mind that days before the audit three officers had been charged with raping at least six inmates. Based on the audit, you'd think MDC was a model institution.

Clearly, the MDC auditor had no business conducting prison assessments. And now, thanks to JDI, he won't be doing any more of them. Terrible auditors are finally being decertified for cause — meaning that they cannot ever again evaluate a prison or jail's efforts to keep inmates safe from sexual abuse. It also means that the good auditors — the

ones who care about prisoner safety — can step up to provide the meaningful oversight that is needed.

The removal of shoddy PREA auditors is the result of a law that JDI helped pass last year to repair the prison monitoring system. Known as the Parole Commission Extension Act, in addition to requiring substandard auditors to be decertified, the law helps ensure that people who aren't cut out for the role don't get certified as PREA auditors in the first place.

Among those who have been dropped from the ranks is the auditor who was contracted to assess many of Florida's prisons. From reading that auditor's reports, you would never know that Florida runs arguably one of the most dysfunctional state prison systems in the country. In July 2016, the auditor determined that at the Century Correctional Facility (CCF) there was “no retaliation against any inmate or staff member who reported sexual abuse or sexual harassment.”

That finding would have seemed odd to Robert\*, a CCF prisoner who was sexually abused by a staff member. When he told a lieutenant what happened, she called him a liar and cautioned him to “to watch [his] every step for messing with one of ‘her’ officers.”

Now, through JDI's advocacy, the people in charge of monitoring are better equipped to make sure prisoners, like Robert, are safe.

*\* Robert's name has been changed*



*JDI led the effort to remove auditors who gave passing marks to dangerous facilities — including the MDC (above), the site of many protests by prisoners' family members. (Photo by Todd Maisel)*

## Release Migrant Children

*continued from page 1*

Shamefully, the response of CBP's top brass has been to pass the buck. Every new scandal that comes to light — the agent who leveraged his position of power to target the mother of a boy in his care; the facility where staff openly mocked a gay detainee; the secret CBP Facebook group where rape jokes were being shared regularly — is dismissed as the work of “a few bad apples.”

This defense is the stock and trade of weak corrections officials. Good leaders recognize that it is their duty to crack down on unprofessional conduct — that a “bad apple” is not just a workplace nuisance, but an indicator of a larger problem that must be addressed.

CBP is not the only federal agency that is falling short in its mission to ensure the safety and dignity of children. In February, it was revealed that the Department of Health and Human Services (HHS), which houses unaccompanied migrant children after their release from CBP custody, had received thousands of reports of sexual abuse.

Like their counterparts at CBP, the top officials at HHS have been quick to point fingers elsewhere. One HHS official, during questioning before Congress, tried to downplay the problem by noting that the abuse in HHS shelters was committed either by other children or by contract workers — as if that fact somehow absolved his agency, or diminished the trauma of the children who were victimized.

It is possible to end the sexual abuse of migrant children in detention, and it is the government's job to do so. But agency leaders have proven again and again that they are not up to task.

When the government takes away someone's freedom, it takes on an absolute responsibility to keep that person safe. If it cannot do so, then it must stop detaining them.



## Isak Takes Off the Mask



*In the groundbreaking documentary Taking Off the Mask, prisoner rape survivor and human rights advocate Isak Sass talks about his journey to healing. (Photo still from Taking Off the Mask/JDI-SA and Azania Rizing Productions)*

**F**OR A LONG TIME, ISAK SASS did not use his real name when talking about being sexually abused in a South African prison. Isak had good reason to avoid exposure. As in the US, prisoner rape survivors in South Africa are often made to feel like the abuse was their fault. The intensity of the stigma around sexual violence was made clear to Isak when he tried to speak out while locked up. No one lifted a finger to help: a guard laughed in his face, the prison nurse told him to “wash his stinking body,” a priest told him to repent, and the judge presiding over his case told him that rape was a fact of life in prison and that he should get used to it.

But in recent years, Isak has grown more comfortable talking about the assaults. He found that opening up to people he trusted, like the team at JDI-South Africa (JDI-SA), helped him process difficult feelings. It also became clear to Isak that by speaking out, he could help shift people’s negative attitudes toward prisoner rape survivors. Eventually, Isak started appearing at JDI-SA advocacy events, sharing his story with reporters, policymakers, and even corrections officials.

And now, Isak is telling his story to the world. This summer, JDI-SA premiered a groundbreaking documentary about Isak called *Taking Off the Mask*. Co-produced by JDI-SA and Azania Rizing Productions, the documentary

traces Isak’s long, and ongoing, journey to healing — and the pivotal role of advocates who are helping him along the path. “I was always blaming myself for what happened to me,” Isak says in the film. “JDI helped me come to the conclusion that it wasn’t me, it wasn’t my fault.”

*Taking Off the Mask* was screened in Johannesburg on July 18 — Nelson Mandela Day in South Africa — before a standing-room-only crowd. For most of the people there, the film was their first time seeing a person talk about being raped in prison. “Isak’s vulnerability, and his willingness to share such a traumatic experience, is remarkable,” said one attendee. “I feel so grateful for his bravery.”

The film’s reach will extend far beyond that packed theater. JDI-SA will show *Taking Off the Mask* at workshops aimed at teaching corrections officials how to deal compassionately with survivors. And the Judicial Inspectorate for Correctional Services — South Africa’s prison watchdog — plans to share it with its staff.

The widespread embrace of the film is exactly what Isak hoped for. While he can’t undo the trauma he endured, his goal is to make the public understand that prisoner rape is a devastating crime, and that it is up to all of us to stop it.

## Meet our Newest Survivor Council Members!

**P**risoner rape survivors have always been at the forefront of JDI’s work. They serve as media spokespeople, as policy analysts, and as our expert trainers on how to run safe prisons and jails.

Russell Dan Smith understands JDI’s commitment to empowering survivors better than anyone. Indeed, it was Dan, as he is known to his friends, who started People Organized to Stop the Rape of Imprisoned Persons — the organization that would become Just Detention International — when he was released from prison in 1980.

Today, nearly four decades later, Dan continues to play a leadership role at JDI, as one of the newest members of our Survivor Council.

Formed in 2008, the Council is the world’s only network of prisoner rape survivors dedicated to ending this violence. It is also incredibly effective. Members of the Council have been instrumental in all of JDI’s successes, from the development of our lifesaving inmate wellness programs in California to securing groundbreaking legislative wins on Capitol Hill.

Dan is part of a slate of powerful survivor advocates who recently joined the Council. Among the other new members are Zahara Greene, Nathan Jones, Rodney Roussell, and Stephanie Walker; each has excelled at conveying to public audiences why we, as a society, must commit to defending prisoners’ safety and dignity.

Dwight Hines and Jossie Ramos — both of whom are still incarcerated — have also joined the Council, helping to ensure that those who are still behind bars are also involved in our work.

To learn more about JDI’s Survivor Council members, visit: [www.justdetention.org/designation/survivor-council](http://www.justdetention.org/designation/survivor-council).

# When You're Locked Up, a Letter Is a Lifeline

*JDI Is Fighting Back Against a Jail's Dangerous "Postcard-Only" Policy*

**I**F YOU WERE TO ASK a sexual abuse survivor about their healing process, chances are they'd talk about the people in their emotional support network — parents, spouses, best friends, counselors.

Survivors of prisoner rape depend on the same networks for support. But instead of getting help in person, the primary way for many inmates to get help is by writing letters. Survivor Council member Joe Booth credits letters with saving his life. As he put it, "JDI held my hand through the mail. Without them, I'm not sure I would have made it."

Letters may seem desperately old-fashioned to those of us on the outside — but for prisoners, they are a lifeline. They are safer and more reliable than other options for sharing deeply personal information. Visits from family and friends are often held in noisy public areas of the prison, monitored by staff, and limited to one hour — hardly an ideal setting to talk about trauma. Phone calls (other than with an attorney) are monitored or recorded, and the cost exorbitant; email access is becoming more common, but emails, like phone calls, are never private unless exchanged with an attorney. The sheer number of handwritten letters that JDI receives — roughly 2,000 every year, and often 5-6 pages long — is a

testament to the importance of written correspondence in survivors' healing.

So when it came to light that a jail in Baxter County, Arkansas, had made it virtually impossible for survivors to send or receive letters, we were deeply alarmed. Our concerns intensified when a federal district court — in response to a lawsuit by the Human Rights Defense Center — allowed the restrictive mail policy to stand. In September, JDI joined with several other prisoners' rights groups in filing an amicus brief encouraging the court of appeals to reverse the district court's ruling — and to allow prisoners to send and receive the letters that they so desperately need.

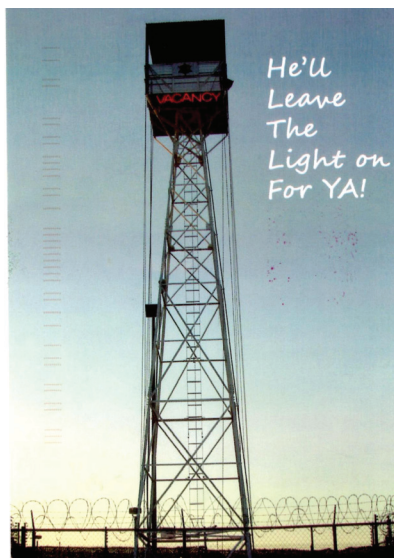
In the brief, JDI and our partners take aim at the jail's policy of limiting inmate correspondence to just postcards. Needless to say, a postcard is ill-suited for sharing sensitive information. Prisoner rape survivors reach out to us because they feel safe doing so — but that sense of safety is lost when a survivor can only communicate using a flimsy 5 1/2 x 8 1/2 piece of cardboard and no envelope. The Baxter County jail ban also covers printed materials that are vital to survivors' wellbeing. If an inmate at the jail were to contact JDI, we would be prohibited from sending them our *Hope for Healing* booklet — a self-help resource that is tailored for survivors of rape behind bars.

This isn't the first time a detention facility has curtailed survivors' ability to reach outside help. A few years back, we received a postcard from an inmate at the Maricopa County jail, which had instituted a similar ban to Baxter County's. The postcard contained a brief, chilling cry for help; one can only imagine what he would have written in a letter. JDI staff, working closely with officials at the Maricopa jail, were able to change the policy so that survivors can reach out confidentially to advocates on the outside.

The court of appeals will issue a ruling in the Baxter County case in the coming months. Whatever the outcome, JDI will continue to fight for the rights of prisoners to connect with their families, and with places where they can get help, like JDI.



*Survivor Council member Joe Booth corresponded extensively with JDI while he was in prison. "JDI held my hand through the mail. Without them, I'm not sure I would have made it."*



*Maricopa inmates used to have to write on postcards, like the one above.*

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