



**Working with  
Incarcerated Survivors  
with Disabilities**

**Thursday, August 24  
11:00 AM PST**





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**Introduction**



**Matthew Van Winkle**  
Program Officer  
Just Detention International



**Juliana Baez**  
Training and Technical  
Assistance Specialist  
CALCASA



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**JDI's Mission**

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



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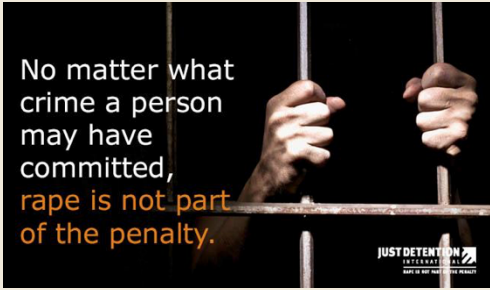
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### JDI's Core Belief



CALCASA / JUST DETENTION  
CALIFORNIA COALITION AGAINST SEXUAL ASSAULT / JUSTICE THROUGH REFORM

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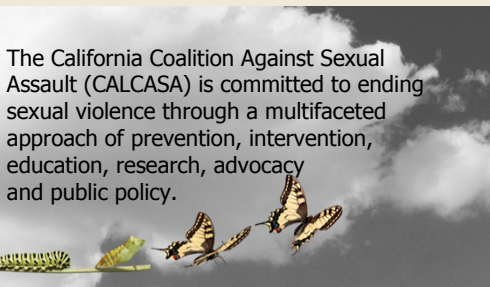
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### CALCASA's Mission



CALCASA / JUST DETENTION  
CALIFORNIA COALITION AGAINST SEXUAL ASSAULT / JUSTICE THROUGH REFORM

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### CA Advancing PREA Overview

CALCASA and JDI offer support and guidance to all CA rape crisis centers on how to:

- Build strong relationships with California Department of Corrections and Rehabilitation (CDCR) staff
- Create sustainable agreements and protocols for the provision of victim services to survivors.



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### Project Goals

- Help advocates and prison staff understand each other's roles and culture
- Build capacity of rape crisis centers and prisons to provide trauma-informed services to survivors
- Develop a program of services for survivors that is sustainable




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### Agenda

- I. Provide an overview of what it means to be disabled in a correctional setting
- II. Provide information on disability types most common in detention
- III. Develop advocacy skills to provide crisis services to incarcerated survivors with disabilities
- IV. Identify and address concerns and challenges




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**What is your confidence level in working with survivors with disabilities?**

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**Which groups of people do you think are more likely to be targeted for sexual abuse behind bars?**

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Incarcerated people are **three to four times more likely** to report having a disability than the rest of the U.S. population.

Source: Bureau of Justice Statistics, *Disabilities Among Prison and Jail Inmates, 2011-2012*

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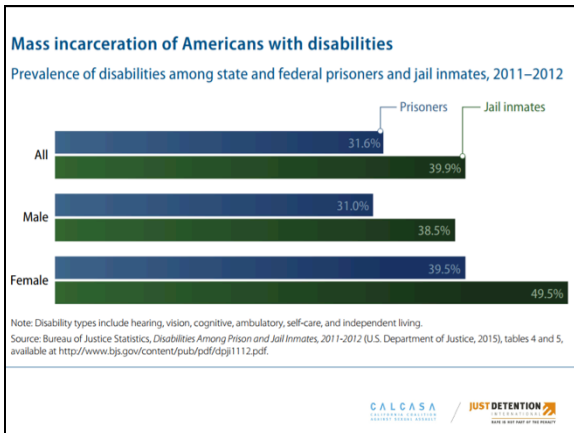
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Compared to those without a disability, prisoners with a disability were about four times more likely to report serious psychological distress in the past 30 days.

Source: Bureau of Justice Statistics, *Disabilities Among Prison and Jail Inmates, 2011-2012*  
Photo: Peter Thompson/La Grosse Tribune

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### In Their Own Words

"I was shaken down and asked inappropriate questions about my sexuality, my disability. I wrote an informal grievance. I'm a visually impaired inmate, and staff took away my assistant as retaliation."

— Edward, a gay survivor of abuse in detention who has a visual disability



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### In Their Own Words

"My job here is a 'pusher'. I push people in wheelchairs and assist with day-to-day stuff for a lady who has trouble walking. I received no training, and have no idea how I am supposed to help. That isn't right. She should be helped or I should be trained by someone who knows what they're doing. She's lucky I am a kind person who wants to do this. Most pushers get assigned and don't really care. That's scary."

— An inmate at CIW who is an ally of her fellow inmates with disabilities



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### Americans with Disabilities Act

- The Americans with Disabilities Act (ADA) became law in 1990.
- The ADA is a civil rights law that prohibits discrimination against individuals with disabilities in all areas of public life.
- ADA includes workplaces, schools, transportation, and all public and private places open to the general public.




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### Americans with Disabilities Act

- Disability: A physical or mental impairment that substantially limits one or more of the major life activity(ies).
- Major Life Activity
  - General life activities
  - Major bodily function




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**How does your agency address the needs of survivors with disabilities in the community?**




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### Common Types of Disabilities People Have in Detention

- Hearing
- Vision
- Physical
- Cognitive




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### Hearing

- Hearing impairment can range from hard of hearing to deaf.
- May be unaware of or unable to clearly hear spoken instructions for safety (i.e. when recreation closes)
- BJS reports hearing disabilities in 7% of U.S. inmates (2011)




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### When working with incarcerated survivors who are hearing impaired ...

- Let the person who is Deaf choose the method for communicating with a hearing person
- If interpreters are not readily available, consider having communication message boards
- Be aware that some people who are Deaf will not have the vocabulary for rape
- Be aware of who you are talking to when the survivor is present

CALCASA Supporting Sexual Assault Survivors with Disabilities




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### Vision

- Vision impairment can range from blindness to relying on glasses
- May be segregated from general population
- BJS reports vision disabilities in 7% of U.S. inmates (2011)




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### When working with incarcerated survivors who are vision impaired ...

- Offer any assistance directly, do not assume help is needed
- Identify anyone who enters or leaves a room or begins conversations with a person who is blind, including yourself
- Make agency materials available in alternate formats ex. Braille, rich text, or large print
- If the survivor asks for assistance, contact verbally

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### Scenario

During a phone call with a survivor who identifies as a person with hearing loss, you notice that she seems distracted. You hear the noise of a busy day room in the background. "I'm sorry", she says, "it's always like this in here."

*What are some suggestions you could make to ensure that she is served?*

Robert Stolarik/The New York Times

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### Physical

- Mobility impairment includes any limitations in transporting oneself, and may include use of an assistive device, such as a wheelchair, walker, or cane.
- May be required to wear identifying garb - resulting in stigma/targeting.
- BJS reports ambulatory disabilities in 10% of U.S. inmates (2011)




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### When working with incarcerated survivors with a physical disability ...

- Offer any assistance directly, do not assume help is needed
- Be aware of the space you will be providing services and accommodations needed
- Be aware of that survivor might not be able to participate in all activities

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### In Their Own Words

**“We need help. No one cares about us here, and we have no support for our community and what we need. I use a cane and I am afraid of falling all the time because it’s not accessible here. If I can’t get around, then I am limited in what I can do. So sometimes, I do nothing. Then I get real depressed.”**

— An inmate at the CA Institution for Women who has a physical disability




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**Scenario**

You receive a call to provide follow-up emotional support services to an incarcerated survivor who uses a wheelchair. When you ask where you will be meeting the survivor for the counseling, you are told that because of ongoing construction, the wheelchair cannot be brought into the usual interview room.

*What are some suggestions you could make to ensure that the survivor is served?*

Robert Stolarik/The New York Times

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**Cognitive**

- Can be hereditary, or caused by trauma.
- Encompasses a wide range of diagnoses (e.g. Down syndrome, traumatic brain injury, dementia)
- BJS: most commonly reported disability, affecting nearly 20% of U.S. inmates.



Source: Bureau of Justice Statistics, Disabilities Among Prison and Jail Inmates, 2011-2012

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**How does cognitive disability differ from mental illness?**

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Cognitive Disabilities	Mental Illness
Condition is lifelong	May be temporary/episodic
Onset occurs during development	Can occur at any stage of life
Not treatable by medication	Medication can treat symptoms
Diagnosed by psychologist or M.D.	Diagnosed by psychiatrist
Thoughts are limited by cognitive ability and understanding	Disturbances in thought processes/perception
e.g. Down syndrome, autism, dementia, traumatic brain injury	e.g. depression, anxiety disorders, schizophrenia

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**When working with incarcerated survivors with a cognitive disability...**

- Predictability in the day-to-day routine is valued
- A visit from an advocate ≠ Not part of normal schedule
- Be prepared for off-topic conversation
- As with all clients, listen and find ways to connect your services to what the survivor understands




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**How would your agency address the needs of survivors with disabilities in a detention setting?**




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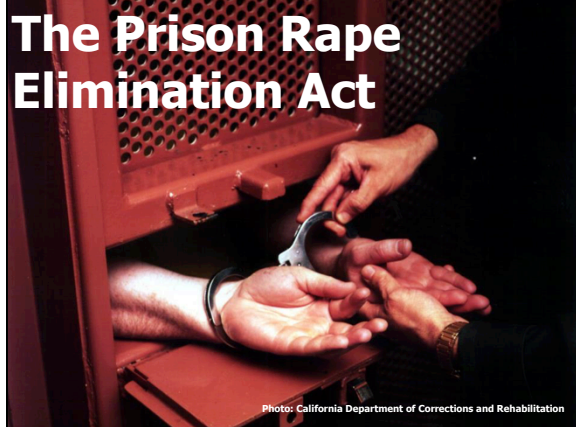
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### The Purpose of PREA

- Explicitly state a "zero-tolerance" policy toward sexual abuse in detention
- Provide access to medical and mental health care at no cost
- Provide access to victim services as close as possible to the community standard



Former JDI President Tom Cahill, right, with Senator Ted Kennedy, President George W. Bush, and Pat Nolan at signing of PREA.




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### PREA Standards

- **PREA Standard 115.16: Inmates with disabilities and inmates who are limited English proficient.**
- **Screening** Standards 115.41/115.241/115.341 requires agencies to take disabilities into account when making decisions about risk for sexual victimization or abusiveness.
- **Discipline** Standard 115.78/115.278/115.378 requires agencies to take disabilities into account when making decisions about disciplinary sanctions following an incident of inmate-on-inmate/ resident-on-resident sexual abuse
- **Education** Standard 115.33/115.233/115.333 requires agencies to provide education in formats accessible to all incarcerated people, including those who are Deaf, visually impaired, or otherwise disabled, as well as to incarcerated people who have limited reading skills.




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### Challenges

- Disability etiquette and sensitivity
- Confidentiality
- Accessible Sexual Assault Nurse Exam (SANE)
- Accessible follow-up services




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### Recommendations for Agencies

- Include ADA compliance training for all staff as part of their onboarding as well as annual training
- Engage local disability advocacy/provider groups to provide cross training to staff
- Be intentional about ensuring staff and volunteers are diverse and representative of the survivors being served, including folks with disabilities.

Source: Florida Coalition Against Sexual Violence




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### Recommendations for Agencies (continued)

- Ask disability advocates to join your SART
- Recruit and enlist feedback from primary and secondary survivors on the services provided
- Think ahead on how to ensure confidentiality concerns that may arise
- Recruit and train volunteers and staff living with disabilities to build internal expertise at your agency

Source: Florida Coalition Against Sexual Violence




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## Recommendations for Advocates

- Remember you have the skills you need
- Use a strength-based approach
- Follow the survivors' cues
- Questions > Assumptions
- Don't be afraid of making a mistake
- Plan ahead




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## Scenario Exercise

During a phone call with a survivor who identifies as a person with hearing loss, you notice that she seems distracted. You hear the noise of a busy day room in the background. "I'm sorry", she says, "it's always like this in here."

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Robert Stolarz/The New York Times

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## Scenario Exercise

You receive a call to provide follow-up emotional support services to an incarcerated survivor who uses a wheelchair. When you ask where you will be meeting the survivor for counseling, you are told that because of ongoing construction the wheelchair cannot be brought into the usual interview room. The family visiting room is offered as an alternative.

*What are some suggestions you could make to ensure that the survivor is served?*

Robert Stolarz/The New York Times

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## Resources

- Americans with Disabilities Act: <https://www.ada.gov>
- Bureau of Justice Statistics: <https://www.bjs.gov>
- PREA Resource Center: [www.prearesourcecenter.org](http://www.prearesourcecenter.org)
- CALCASA Manual: Survivors with Disabilities: [www.calcasa.org](http://www.calcasa.org)
- Just Detention International: [www.justdetention.org](http://www.justdetention.org)




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## Advancing PREA Contact Info

We are here to support you:

[prea@calcasa.org](mailto:prea@calcasa.org)

or

[advocate@justdetention.org](mailto:advocate@justdetention.org)




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