

# WORDS OF HOPE:

Starting a Correspondence  
Advocacy Program for  
Incarcerated Survivors

## About TAASA

TAASA is the unifying voice to eliminate sexual violence in Texas.

As the statewide coalition of rape crisis centers, advocates, and survivors, we are committed to fostering a culture that respects the fundamental rights and dignity of all Texans.

## About ISAP

The Incarcerated Survivor Advocacy Program (ISAP), a project of TAASA, was created in October 2016. ISAP's mission is to end rape in detention and support survivors of sexual abuse during their incarceration and beyond. We believe that rape should not be a part of any punishment or prison sentence, that no one deserves to be raped, and that incarcerated survivors of sexual assault deserve the same level of respect, compassion, and services as survivors in the community. We also acknowledge that incarcerated survivors have unique needs and may require tailored services to help them cope with their sexual assault.

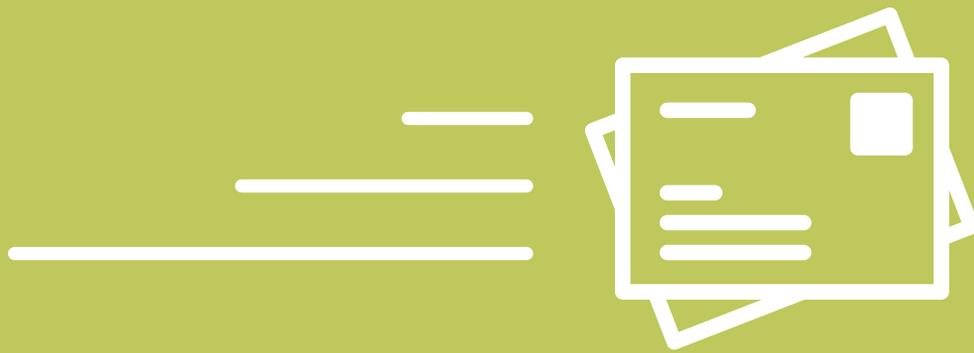
### A note about this guide

Much of this guide can be applied to any state, locality, or territory in the nation; but, be aware that the majority of the information in this guide is specific to Texas. Some terminology may not apply to your state system or agencies, and some information may not be relevant at all. Call your state coalition or department of corrections for more region-specific information.

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# Introduction

## Why start a program

So, you want to start a correspondence program for sexual assault survivors who are incarcerated. Survivors in the community you already serve may be in a local county jail, a state or federal prison, a youth detention facility, or an ICE detention facility. Regardless of where survivors may be housed, they are likely in need of assistance from trained rape crisis counselors.

## Is a program needed in your area

Have you received a letter from an incarcerated survivor and not known how to answer it? Perhaps you have wanted to respond, but weren't sure what to say or how to start. A correspondence program for incarcerated survivors is an easy, low-cost way to serve the needs of a vulnerable population often overlooked in the anti-sexual violence movement. Even if you have never worked with incarcerated populations in the past, a correspondence program is an easy and effective way to deliver support services.

## How this guide can help you

This guide is an excellent starting point if your agency is interested in providing crisis support services to incarcerated survivors. It provides information on what you will need to start a program, tips on working with incarcerated survivors, and resources such as template letters and materials for you to adapt to your own agency needs. In addition, TAASA is available as a resource and support for your agency at any point during the process. Please do not hesitate to reach out for assistance by contacting our office at (512) 474-7190 or [egamill@taasa.org](mailto:egamill@taasa.org).



*"I thank you so very much for all your help and concern throughout this struggle I have been experiencing since I first contacted TAASA."*

*"I can't repay you for all you've done for me out of care and concern. You're a humanitarian and professional."*

## CHAPTER 1

# Background of Sexual Abuse in Detention

### Scope of the problem

Unfortunately, sexual abuse in detention is a national problem, one that exists in nearly every correctional setting in the country. Every person, including individuals incarcerated in a jail or prison, deserves to be free from sexual violence. Sexual victimization is not included in a prison sentence, and it should not be part of the punishment. States bear legal responsibility under the Constitution and federal law for protecting prisoners in its facilities from sexual violence and other serious harm. Yet, people in prison are at an increased risk of sexual assault.

In an effort to mitigate the high incidence of prison rape across the nation, the Prison Rape Elimination Act (PREA) was enacted in 2003 to eliminate sexual abuse in correctional facilities. PREA requires the development of national standards for preventing, detecting, and responding to prison rape with the goal of reducing the number of sexual assaults behind bars. The final PREA standards developed by The National Prison Rape Elimination Commission became effective June 20, 2012.

### A look at the numbers

Sexual assault rates in Texas prisons remain among the highest in the nation. In 2013, five Texas prisons had rates of sexual victimization more than double the national average of 4.5%, including two facilities with the highest rates in the country. Between 9.3% and 15.7% of all prisoners in Texas prisons had reported being sexually assaulted within the previous twelve months by either other inmates or prison staff. Unfortunately, Texas prison facilities rank high in staff-on-inmate sexual assault rates: for example, the Clements Unit (9.5%) and the Coffield Unit (6.8%) have among the nation's worst rates (the national average for staff-on-inmate sexual victimization was 2.4%).

In addition, although women comprise only 7% of the state prison population, they comprise 46% of sexual abuse victims. The rate of inmate-on-inmate sexual abuse is at least three times higher for females (13.7%) than males (4.2%). Unfortunately, only one-third of all inmates report their sexual abuse and one-tenth receive assistance from a counselor.

Although women comprise only **7% of the state prison population**, they comprise **46% of sexual abuse victims**

The rate of inmate-on-inmate sexual abuse is **at least three times higher for females (13.7%) than males (4.2%)**

Only **one-third of all inmates report their sexual abuse** and **one-tenth receive assistance from a counselor**



## About the Prison Rape Elimination Act (PREA)

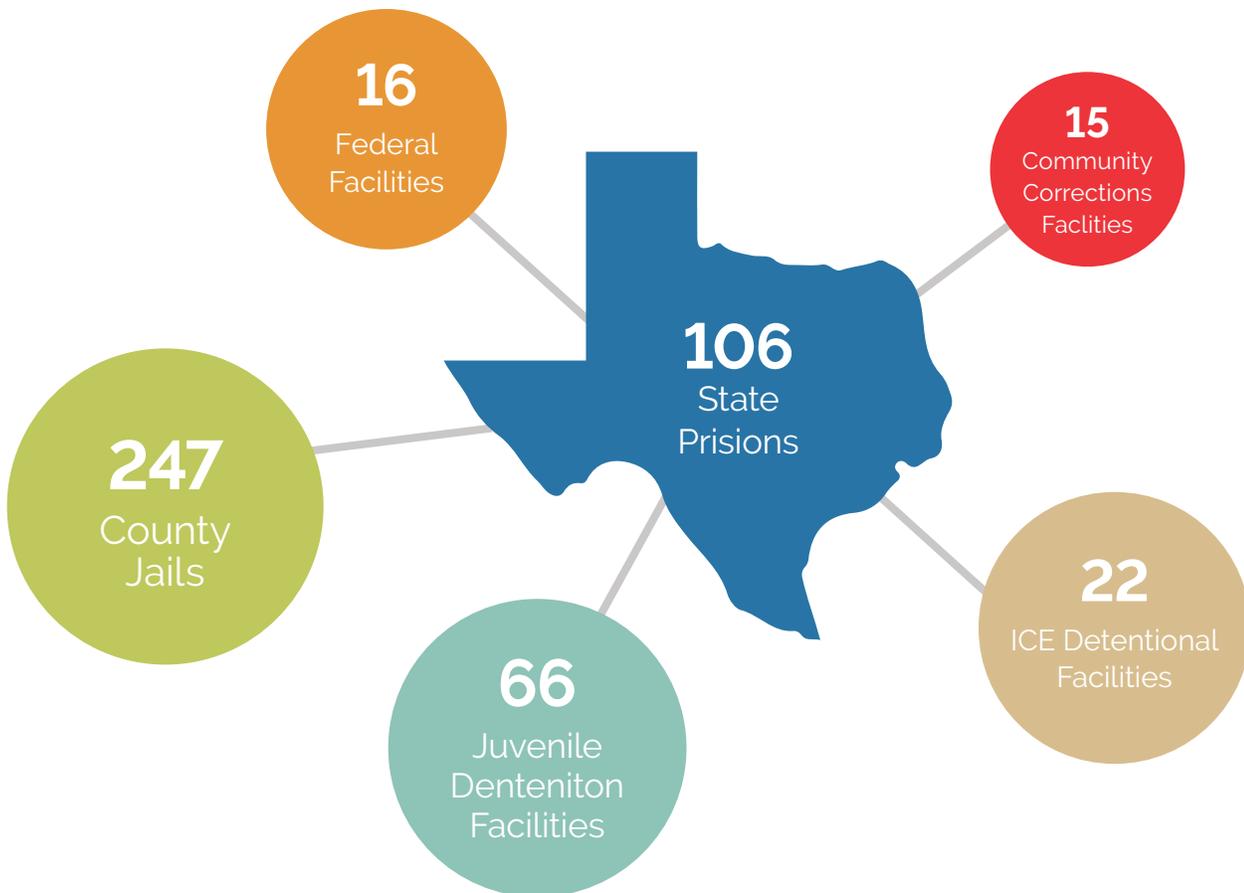
The Prison Rape Elimination Act (PREA) was enacted in 2003 by the U.S. Congress to eliminate sexual abuse prevalent in correctional facilities. In 2012, the Department of Justice finalized standards that described compliance for correctional facilities required to implement PREA under the law. PREA requires correctional facilities to adopt a zero-tolerance standard for the incidence of prisoner sexual assault and has three clear goals: to prevent, detect, and respond to prison rape. All state, federal, and local correctional facilities are required to implement the PREA standards and be compliant with the standards. Juvenile detention facilities are also required to comply with PREA standards.

 **Note**

PREA standards, while helpful to know from a survivor-assistance perspective, do not require rape crisis centers to provide services to incarcerated survivors. They do, however, require correctional facilities to make rape crisis counselors available to survivors who wish to speak to one (where available).

## PREA in Texas

Governor Abbott has confirmed that Texas is moving toward total compliance. It is important for Texas to comply with PREA as it represents one of the largest correctional landscapes in the country. Texas has approximately 106 state prisons, 16 federal facilities, 247 county jails, 15 community corrections facilities, 66 juvenile detention facilities, and 22 ICE detention facilities.



## Relevant standards

You may wish to familiarize yourself with the full PREA standards. However, there are specific standards that are more relevant to rape crisis centers than others. Below are a brief review of those relevant standards.

### 115.53 - Inmate access to outside confidential services

- (a) The facility shall provide inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, State, or national victim advocacy or rape crisis organizations, and, for persons detained solely for civil immigration purposes, immigrant services agencies. The facility shall enable reasonable communication between inmates and these organizations and agencies, in as confidential a manner as possible.
- (b) The facility shall inform inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws.
- (c) The agency shall maintain or attempt to enter into memoranda of understanding or other agreements with community service providers that are able to provide inmates with confidential emotional support services related to sexual abuse. The agency shall maintain copies of agreements or documentation showing attempts to enter into such agreements.

### 115.54 - Third-party reporting

The agency shall establish a method to receive third-party reports of sexual abuse and sexual harassment and shall distribute publicly information on how to report sexual abuse and sexual harassment on behalf of an inmate.

### 115.83 - Ongoing medical and mental health care for sexual abuse victims and abusers

- (a) The facility shall offer medical and mental health evaluation and, as appropriate, treatment to all inmates who have been victimized by sexual abuse in any prison, jail, lockup, or juvenile facility.
- (b) The evaluation and treatment of such victims shall include, as appropriate, follow-up services, treatment plans, and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities, or their release from custody.
- (c) The facility shall provide such victims with medical and mental health services consistent with the community level of care.
- (d) Inmate victims of sexually abusive vaginal penetration while incarcerated shall be offered pregnancy tests.
- (e) If pregnancy results from the conduct described in paragraph (d) of this section, such victims shall receive timely and comprehensive information about and timely access to all lawful pregnancy-related medical services.
- (f) Inmate victims of sexual abuse while incarcerated shall be offered tests for sexually transmitted infections as medically appropriate.
- (g) Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.
- (h) All prisons shall attempt to conduct a mental health evaluation of all known inmate-on-inmate abusers within 60 days of learning of such abuse history and offer treatment when deemed appropriate by mental health practitioners.

## CHAPTER 2

# Dynamics of Sexual Abuse in Detention

Like sexual abuse in the community, sexual abuse in detention is about power and control and is part of the culture in many facilities. Sexual abuse in detention makes facilities unsafe, and is a problem that rape crisis advocates and corrections staff can work together to end.

## Contributors to sexual abuse in confinement

- Power and control
- Exploitive nature of confinement culture
- Sex as currency
- "Respect"/Fear
- Interpersonal conflicts/dominance

## Forms of sexual abuse

Much like in the community, there are many forms of sexual abuse and/or sexual harassment that are common in detention and correctional settings.

- Coercive sexual abuse
- Forced relationships - "protective pairing", money/commissary items
- Sexual harassment from other inmates or staff

## Vulnerable populations

While all people held in a detention setting are vulnerable to sexual abuse, there are some who present an even higher risk of being sexually abused or assaulted. They include:

- Prisoners with a history of sexual abuse prior to incarceration
- Prisoners who are young, are physically small, elderly, or appear weak
- Prisoners who identify as LGBTQI (59% of transgender women in California state prisons reported sexual abuse compared to 4% of non-transgender men)
- First-time in prison
- Limited-English Proficiency
- Developmental, cognitive or physical disabilities, or mental illness
- Prisoners who have been convicted of a sexual offense against a minor



### What to Know When Supporting Survivors in County Jails

People incarcerated in county jails typically don't stay there for very long. They may be awaiting trial or transfer to the state prison system, or serving a short sentence for a low-level felony offense or misdemeanor. This population can be difficult to follow up with and support because it can be difficult to contact them once they are released from custody. Try establishing another way to contact the survivor in the case they are released from custody during your correspondence. Another option is to encourage them to visit your center in person when they are released and ready to continue support services.

## Who might reach out to you

Depending on your region, you may have county jails, state prisons, juvenile detention facilities, federal prisons, community corrections facilities, and ICE detention facilities in your service delivery area. In some cases, all of those facility types may be in your service area! Below is some general information about the differences between the facilities and the type of populations each contains so that you can provide the most appropriate services.

### County Jails

There are approximately 247 county jails in Texas with an average population of 160,000 individuals in custody at any given time. County jails are typically operated at the county level by the local Sheriff's office and often hold pre-trial defendants (people who have not yet been convicted of a crime). Generally, county jails are smaller than state prisons and people incarcerated in county jails are held for a shorter period of time (on average, up to one year). People who enter the county jail system often return to the community quickly, are heavy users of other services, and have limited access to services and programs while inside the jail. County jails house both men and women (separately) and are found in both rural and urban settings.

### Community Correction Facilities

Community correction facilities are typically state-run "halfway house" facilities for individuals returning to the community from prison while on supervision. Some facilities have more access to services than others, while many enforce a curfew and other strict rules similar to those in a correctional setting.

### State Prison Facilities

There are 106 state prison facilities across the state with an average population of 150,000 individuals. The state prison system is operated by the Texas Department of Criminal Justice, a large agency with headquarters in Austin and Huntsville. Prisons tend to be larger facilities and house individuals who have been convicted of a crime and have a longer sentence to serve, usually 2 years or more. Prison facilities are larger than county jails with some prisons holding 3,000 people. There are specific units for men and women, and prisons are usually located in rural communities far away from services.

### Federal Prisons

There are 16 federal prison facilities in Texas. These facilities are operated by the Federal Bureau of Prisons. People who are incarcerated in a federal prison in Texas may be from all over the country and won't necessarily be returning to a Texas community after being released. Prisoners serve both short and long sentences and have slightly more access to services than their state counterparts.

### Juvenile Detention Facilities

There are 66 juvenile justice facilities located throughout Texas. Some are community-based facilities for short-term stays, and others are larger facilities in rural areas of the state. These facilities are operated by the Texas Juvenile Justice Department (TJJD) and hold people under the age of 17 who have committed a serious felony. The juvenile justice system approach is to foster rehabilitation by providing services and programs to incarcerated youth.

### ICE Facilities

There are 22 facilities in Texas that are operated by U.S. Immigration & Customs Enforcement. These facilities are known as "processing centers," "detention facilities," or "residential centers." Standards developed by the Department of Homeland Security include safeguards against sexual abuse and assault of its detainees in both agency policies and the ICE detention standards. The ICE Family Residential Standards (FRS) and ICE Performance Based National Detention Standards (PBNDS) 2008 outline responsibilities for facility detention staff and included a standard to protect detainees from sexual abuse and assault in facilities. Detainees may be held for months or years.

## CHAPTER 3

# Starting a Correspondence Program

### Why start a program

A correspondence program is an easy and effective way to provide services to incarcerated survivors. It doesn't take much time or many resources to get started, and it can have a meaningful impact on survivors who have limited programs and support services to turn to while incarcerated. Over the years, survivors have explained (through letters) how important it was to receive support in their time of need, even if it was "just through a letter."

### How to get started

There isn't much you need to get started, and by reading this guide, you're at a good starting point. A few things you might find helpful when starting an incarcerated survivor correspondence program are described below:

#### Time



We recommend carving out a specific time every week or month to respond to letters depending on the volume you receive. On average, a few hours one day a week should be sufficient. It is important to have a consistent schedule with which to respond to letters in order to set expectations for both staff members and survivors.

#### Supplies



The supplies you will need to start and maintain a correspondence program are likely ones you already have in your office. You will need letter writing supplies such as envelopes (security envelopes are preferred), postage, letterhead, and additional educational and referral materials when appropriate. We recommend using your agency letterhead (when possible) in order to build trust with the survivor. You'll also need a printer and a rudimentary filing system.

#### Staff



In most cases, responding to letters from incarcerated survivors will not take more than one or two dedicated staff people. This is ideal, not only from a resource-saving standpoint, but also from a therapeutic standpoint because the same staff person will build relationships with incarcerated survivors and continue to ensure their needs are met.

*"Thank you for replying to my letter. You have no idea how important this is. As I read the enclosed pamphlets, my hands were shaking and I was shocked to see the pamphlet was wet. I was crying and didn't even realize it."*

*"It is such a blessing to have you in my corner, when I feel nobody else is present."*

## Building your program

So, you've got staff who are able and willing to serve incarcerated survivors, you've collected the supplies you need to do the job, and you've carved out one day of the week to respond to letters from incarcerated survivors.

Now what?

If you have a backlog of letters from incarcerated survivors that you previously did not know how to answer, begin by responding to those. While some of the information may be out of date, it is important to acknowledge that their voices have been heard and you are willing to assist them, even after a delay. Before you spend the time, effort, and money responding to older letters, ensure that the person that wrote to you is still incarcerated. If they are writing from a Texas Department of Criminal Justice (TDCJ) state prison, you can look up the prisoner by first and last name or TDCJ ID number here: <https://offender.tdcj.texas.gov/OffenderSearch/>. If the person is writing from a county jail or other facility, contact the facility directly to see whether they are still in custody.



If you don't have any letters to respond to right away, take some time to become familiar with the correctional landscape in your service area. How many county jails, federal and state prisons, juvenile detention facilities, and ICE detention facilities are in your service area? Reach out to each of the facilities in your service area to provide information about your program and to share that you are available to assist incarcerated survivors through a correspondence program (or other services, if available). In larger facilities, there may be a staff person who is known as the PREA Compliance Manager or PREA Coordinator, and they are the ideal person to establish a relationship with. In other places, you may speak directly to the county sheriff or the warden. In any case, let correctional staff know your services are available and you are willing to assist when needed.

*"I just want to thank you for standing by my side throughout this entire struggle of finding myself again."*

*"Thank you for your help and for your time...it is very much appreciated... thank you for helping me, sharing your time with me, and everything that you sent me to read...it really has helped me understand that I should not have to go through...being raped by other inmates."*

## General tips for a correspondence program

Remember, providing services to incarcerated survivors is similar to providing services to clients in the community. Although staff may have some initial safety concerns, incarcerated survivors are generally not more dangerous to serve than survivors in the community. However, incarcerated survivors do have their own set of needs that make them unique and should be considered.

### Safety

Safety should always be a consideration when developing any new program or serving a new population. Effective training and regular supervision of staff that work with the correspondence program should greatly diminish any safety concerns. Should any urgent safety concerns arise, address it immediately with staff at the facility where the survivor is housed.

It is important to have a plan in place on how to respond if incarcerated survivors share thoughts or plans of self-harm or the desire to harm others. This policy should be clear to the staff who are responding to incarcerated survivors and they should be familiar with the policy ahead of time.

### Confidentiality

Advocates should not compromise their commitment to confidentiality; it is just as important for incarcerated survivors, but can be limited. Communication with incarcerated survivors should be addressed in your agency confidentiality policy. While staff members who work in corrections facilities are mandated to report all crimes in the facility, rape crisis advocates are not required to do so. Incarcerated survivors who contact your center may not wish to report at all, and may only be seeking crisis counseling or other support services. The PREA standards do not change the legal and ethical principles that guide rape crisis services. You should follow the same confidentiality protocol as with other clients in the community.

### Build trust

The best way to earn the trust of an incarcerated survivor is by being consistent and doing what you say you would do. But, we know that building trust can take time. Be patient, consistent, and persistent with your correspondence. It is helpful to give incarcerated survivors an indication on how long it usually takes for you to respond to their letters (we recommend one to two weeks). This helps you set expectations for the survivor and, thus, build trust. Make it clear in every communication that you see them as a person worthy of respect and that they have inherent dignity.

Respond quickly and compassionately to each letter and apologize if there is a delay in your response. Use your agency's official letterhead to communicate with the survivor. This adds legitimacy and credibility to your advocacy efforts. If your agency and staff are comfortable signing their name, this practice is encouraged and builds trust with survivors. If your staff are not comfortable doing so, that's fine. You can sign the letters "survivor advocate" or another title of your choosing. The point is to be consistent - either sign your name or use a generic title in all your communications with the survivor.

### Create systems that work

A rudimentary filing and case management system can be very useful in keeping track of your correspondence with incarcerated survivors, as you will likely get multiple communications from one individual. This may include things like tracking correspondence in a simple spreadsheet, keeping ready-to-mail printed resources on hand, and reserving space in a filing cabinet for correspondence. Know the limitations of your own agency and make referrals when appropriate.

## CHAPTER 4

# Assisting Incarcerated Survivors

In a correspondence program, advocates should offer support, information, and referrals to the incarcerated survivors that contact them. However, in addition to requesting crisis counseling services, incarcerated survivors may seek help with other issues they encounter. Some of these issues you may not be able to help with and will need to recognize when a referral to another organization or agency is necessary.

## General tips for serving incarcerated survivors

- **Be clear and concise when presenting information.** Use plain language including on forms or documents that might accompany your letter. The average education level for incarcerated individuals is approximately 8th grade.
- **Focus on the future and not the past.** Unless the survivor brings up their conviction or provides any details on their criminal history, it's best to focus on serving their needs as a survivor of sexual abuse and not what landed them in prison in the first place.
- **Try to leave bias at the door.** You may not agree with the choices your client has made in their life, but you have made the commitment to assist them. Respect for their culture, background, presenting barriers and issues, are all vital to forming a positive and safe relationship.
- **Set clear boundaries.** Many incarcerated people do not have access to support and resources in the free world, so when they make contact with someone who actually responds to them in a positive way, they may be tempted to ask you to do more than what you expected to do. Be clear about how you can assist them, and then make meaningful referrals when they ask for assistance outside of your scope of practice.

*"I am completely thankful for the support you have shown and given, and also the time you put in to help me... that shows me a lot more respect by doing what you can."*



## Other issues

Survivors may seek help with issues outside of their sexual abuse, including requests for legal assistance, help with getting a cell change or safekeeping status, access to mental health and medical care, help with filing a grievance, or contesting a disciplinary case.

Many of these issues you will not be able to assist with either because they are outside of your scope of services or you do not know how to assist. It is best to determine ahead of time how you will respond to requests for things you cannot help with. Be prepared to respond in your letter with the reason you are not able to assist them with their specific request, describe your role and how you **are** able to assist them, and send appropriate resources and referrals.

## Self care & support

Serving incarcerated survivors can be especially challenging. They often present with traumatic pasts and will look to you as not just a service provider, but a confidante, or a caring shoulder to cry on. Advocates are already at risk for burnout; practicing self-care is especially vital when working with incarcerated survivors.

- Speak with a therapist or a trusted co-worker to get support (while maintaining client confidentiality).
- Try to schedule your correspondence on a day where you do not see other clients. Take breaks after reading and responding to each letter when possible. Even ten minutes of silence and taking time for yourself after responding to a letter can be beneficial.
- Secondary trauma is not uncommon. Be kind and patient with yourself, and ask for help when things come up.
- Use TAASA for advice, materials, and assistance. We are here to help you do the important work you're doing.

## CHAPTER 5

## Resources

In general, providing services to incarcerated survivors is similar to providing services to clients in the community. Although staff may have some initial safety concerns, incarcerated survivors are generally not more unsafe to serve than survivors in the community. However, incarcerated survivors do have their own set of needs that make them unique and should be considered.

Below you will find resources that you may find helpful when serving incarcerated survivors through a correspondence program or in another capacity. The resources include: definitions for common terms you may hear or read when working with incarcerated survivors; a sample template response letter; a flowchart describing the process of a sexual assault investigation inside a state prison facility; a resource sheet with program referrals to send to incarcerated survivors; a PREA brochure; and information on our Coping Inside program (all resources are downloadable pdfs from links on pg.24).

## Common Terms

**Administrative Segregation:** A non-punitive, maximum custody status involving separation of an inmate from general population for the purposes of maintaining safety, security, and order among general population inmates and correctional staff within the prison and the public.

**Cell Restriction:** A disciplinary penalty in which an inmate is confined to his cell.

**Commissary:** The unit store where certain items not issued by the state can be purchased by inmates through established procedures.

**Correctional Officer (CO):** An employee of the Texas Department of Criminal Justice (TDCJ) who performs advanced work involving the direct supervision of inmates in their daily assigned duties including the responsibility of preventing escapes and maintaining discipline in conformance with strict rules, regulations, and standard operating procedures.

**Custody Designation:** The category to which an inmate is assigned on the basis of the inmate's classification characteristics relative to the level of security and supervision required, both inside and outside the prison, such as cell versus dormitory housing or periodic, unarmed supervision versus constant, armed supervision. The principal custody designations are general population Level 1 (G1/J1), general population level 2 (G2/J2), general population level 3 (G3), general population Level 4 (G4/J4), general population Level 5 (G5/J5), and administrative segregation.

**Grievance:** A formal written complaint from an inmate.

**Lay-in:** A written leave of absence from an assigned program or activity for a specific purpose and time period. The lay-in excuses an inmate from assigned work, treatment, educational, or vocational programs, provided the scheduled appointment is kept.

**Lockdown:** A temporary suspension of ordinary and routine activities. As a general rule, inmates are confined to their cell or dormitory.

**PREA Ombudsman:** The PREA ombudsman is an independent office inside the Texas Department of Criminal Justice (TDCJ) to monitor or conduct administrative investigations of allegations of sexual abuse and sexual harassment, as well as provide a point of contact for elected officials, the public, and offenders regarding allegations of sexual abuse and sexual harassment, or inquiries related to PREA.

**Prison Rape Elimination Act (PREA):** PREA was passed in 2003 with unanimous support from both parties in Congress. The purpose was to "provide for the analysis of the incidence and effects of prison rape in Federal, State, and local institutions and to provide information, resources, recommendations and funding to protect individuals from prison rape."

**Protective Custody:** Protective Custody is designed to provide the ultimate protection to incarcerated individuals. For their safety, Protective Custody inmates are housed in accordance with the Administrative Segregation Plan. This status is

usually associated with serious, direct, proven threats on an inmate's safety.

**Safekeeping:** Safekeeping is designed for inmates identified as being more vulnerable than the average general population inmate. Unlike Protective Custody, Safekeeping inmates go to work, school, and other activities with general population inmates.

**Safe Prisons Program:** The Safe Prisons Program is a program inside the Texas Department of Criminal Justice (TDCJ) that provides administrative oversight for the Safe Prisons/PREA Program. The agency has a zero tolerance policy toward all forms of sexual abuse and sexual harassment. The Safe Prisons/PREA Management Office (SPPMO) provides technical support regarding in-prison sexual abuse policy to unit and regional Safe Prisons/PREA managers and executive administrative staff.

**Solitary Confinement:** The separation of an incarcerated individual from the general population as punishment assessed during the disciplinary process.

**State Classification Committee (SCC):** SCC is responsible for making initial custody and unit assignments for prisoners. The SCC is responsible for reviewing and approving prisoners for all inter-unit transfers; assignments to and release from administrative segregation; and G1 custody designation, safekeeping status, emergency absences, and job assignments, when appropriate.

**Texas Department of Criminal Justice (TDCJ):** The agency that manages the overall operation of the state's prison system, parole, and state jail systems. The agency also provides funding, training, and certain oversight of community supervision. TDCJ is the largest state agency in Texas.

**Unit Classification Committee (UCC):** UCC is responsible, at the unit level, for reviewing newly-assigned inmates; making custody designation assignments, not including administrative segregation or G1 custody; determining inmate's cell integration status; and may make recommendations to the SCC regarding the following: assignment of inmates to G1 custody; decisions involving inmates in administrative segregation; and an inmate's placement in or removal from safekeeping status. The UCC also has the authority to make housing and job assignments.

## Example Letter Template

[Agency Letterhead]

[date]

[first name last name]

[TDCJ #]

[unit name]

[unit address]

[city, state, zip code]

Re: Your letter dated [insert date of letter]

Dear [name],

Thank you for contacting [name of your agency]. I am very sorry to hear that you have been sexually abused in prison. You did nothing to cause this abuse and it wasn't your fault. No matter what crime you may have committed, rape is not part of the penalty and you have the right to be free from sexual abuse.

[insert confidentiality language]

[insert resources or referrals]

Sincerely,

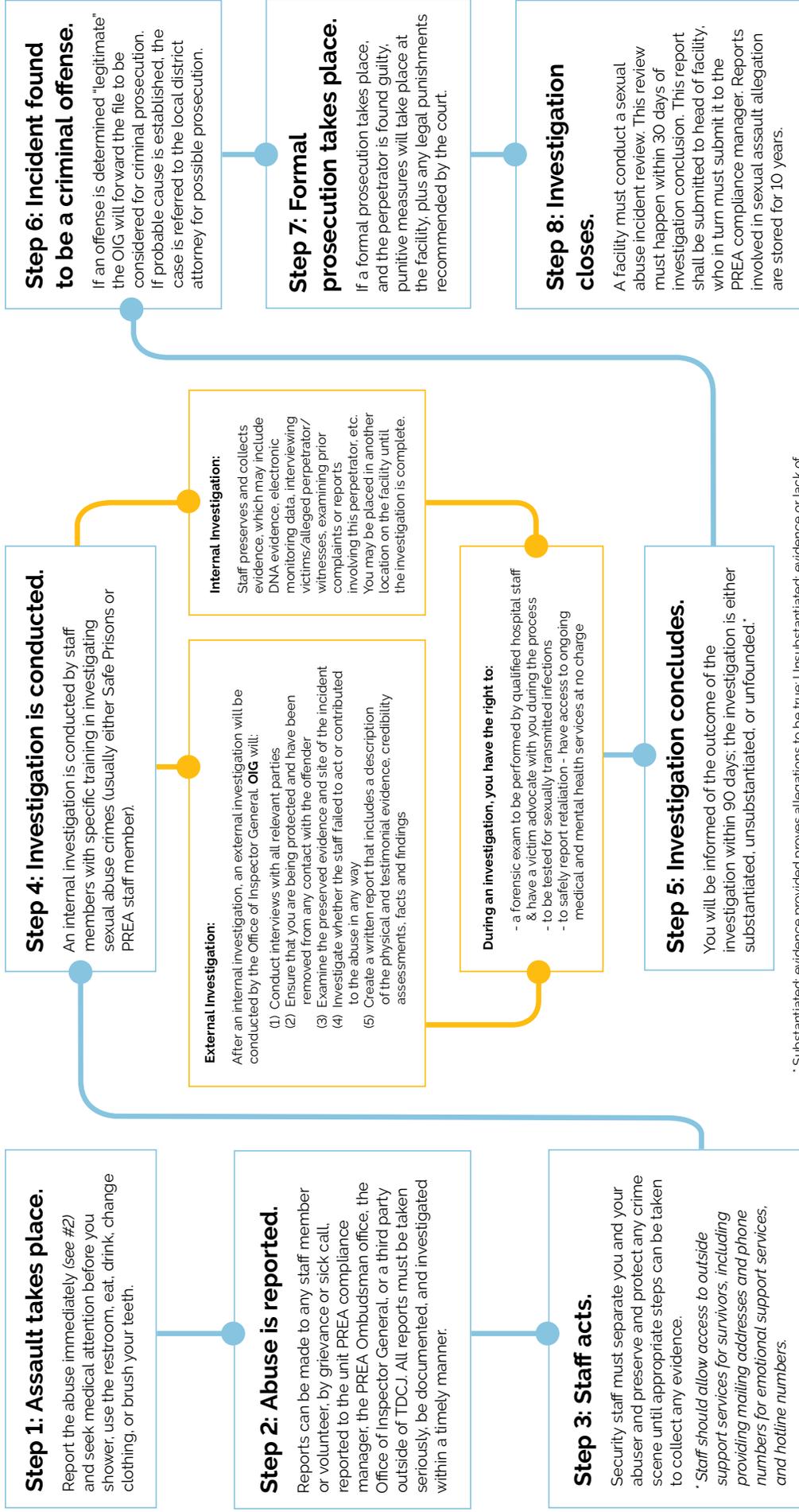
[your name]

[title]

[agency/organization]

# Investigation of Sexual Assault Inside TDCJ Facilities

## What to Expect as a Survivor



\* Substantiated: evidence provided proves allegations to be true; Unsubstantiated: evidence or lack of evidence does not support allegations made; or Unfounded: allegations have no grounds or basis of facts.



# Helpful Resources for Incarcerated Survivors in Texas



## Survivor Support

**Texas Association Against Sexual Assault (TAASA)**  
6200 La Calma Dr., Ste. 110  
Austin, TX 78752

TAASA provides support, information, resources, and advocacy for incarcerated survivors of sexual abuse in Texas.

**Just Detention International**  
3325 Wilshire Blvd., Suite 340  
Los Angeles, CA 90010

JDI provides information and advocacy on sexual abuse and exploitation of prisoners. *Note: If you are incarcerated, please feel free to communicate with SPR using legal mail, addressing your correspondence to Ms. Melissa Rothstein, Esq.*

## Advocacy

**Texas Jail Project**  
1712 E. Riverside Drive, Box 190  
Austin, TX 78741

The mission of Texas Jail Project is to empower Texas families to find services and solutions for incarcerated loved ones in crisis and to transform Texas county jails into more humane, healthier facilities.

**Disability Rights Texas**  
2222 West Braker Lane  
Austin, TX 78758

Advocacy for disabled people in county jails, but not prisons, within Texas.

**Jeff Dicks Medical Coalition**  
P.O. Box 343  
Beechgrove, TN 37018

Advocacy for prisoners who need, and are not receiving, appropriate medical care.

## Education & Information

**Inside Books Project**  
c/o 12th Street Books  
827 West 12th Street  
Austin, TX 78701

Inside Books Project is an Austin-based community service volunteer organization that sends free books and educational materials to prisoners in Texas.

**The Lionheart Foundation**  
P.O. Box 170115  
Boston, MA 02117

Emotional literacy programs for prisoners, at risk youth, and teen parents.

**Prisoner's Resource Clearinghouse, Inc.**  
2107 N. Decatur Road, Suite 113  
Decatur, GA 30033

Publishes bi-monthly news-letter with information about education, legal, medical and religious issues, family support and assistance, political and economic empowerment, and pen-pals.

**Prison Health News**  
c/o Philadelphia FIGHT  
1233 Locust Street 5th floor  
Philadelphia, PA 19107

Free monthly newsletter about prisoners' and ex-prisoners' health; published by ex-cons.

**Justice Now**  
1322 Webster Street, Suite 210  
Oakland, CA 94612

Justice Now is the first teaching law clinic in the country solely focused on the needs of women prisoners. Interns and staff provide legal services in areas of need identified by women prisoners, including: compassionate release, healthcare access, defense of parental rights, sentencing mitigation, placement in community-based programs.

## LGBTQ+ Resources

### **Trans Pride Initiative**

P.O. Box 3982  
Dallas, TX 75208

TPI's Prison Service Committee responds to letters from incarcerated trans persons and offers support, resources, and advocacy.

### **Lesbian, Gay, Bisexual, Transgender & AIDS Project**

American Civil Liberties Union  
125 Broad Street, 18th Fl.  
New York, NY 10004-2400

Assists prisoners who are facing discrimination because they are transgender, lesbian, gay, bisexual or Transgendered. Mostly conducts legal campaigns they believe will have wide-ranging impact on GLBT people nationwide.

### **Transgender, Gender Variant, & Intersex Justice Project**

342 9th Street, Suite 202B,  
San Francisco CA 94103

An advocacy group dedicated to ending the human rights abuses of transgender and gender variant individuals in prisons. Prisoners can send confidential legal mail to the above address.

## Legal

### **Texas Civil Rights Project**

1405 Montopolis Drive  
Austin, TX 78741

The Texas Civil Rights Project uses legal advocacy to empower Texas communities and create policy change. Occasionally takes civil rights cases from prisoners.

### **Disability Rights Education Defense Fund**

2212 - 6th Street  
Berkeley, CA 94710

This organization provides legal and other types of referrals to prisoners with disability issues. They do not provide individual representation.

### **Penal Law Project**

California State University-Chico  
400 West First Street  
Chico, CA 95929

This organization provides legal referrals and information packets on the following topics: Habeas Corpus, the 602 appeals process, Three Strikes, civil rights action, expunging a criminal record, and parolee rights.

### **Prisoner's Rights Research Project**

University of Illinois College of Law  
504 E Pennsylvania Ave.  
Champaign, IL 61820

Project involves student volunteers, working under a faculty advisor and more advanced student supervisors, who research and respond to legal research questions posed by indigent prisoners incarcerated across the country.

## RIGHT TO REPORT

If you, or someone you know, is experiencing sexual abuse or sexual harassment, report it as soon as you feel safe to do so.

### What to Do If You Have Been Sexually Abused

- ▶ Tell a staff member as soon as possible.
- ▶ Seek medical attention BEFORE you shower, eat, drink, change clothing, brush your teeth, or use the bathroom.
- ▶ Share as much information as possible when answering questions to assist with the investigation.

### How to Report

There are multiple ways to report sexual abuse and sexual harassment:

- ▶ Report to any staff member or volunteer.
- ▶ Submit a grievance or sick call.
- ▶ Report to your Unit Safe Prisons Program/PREA Compliance Manager.
- ▶ Report to the TDCJ PREA Ombudsman Office: P.O. Box 99, Huntsville, TX 77342-0099 or call (936) 437-2133.
- ▶ Report to the **Office of Inspector General (OIG)**: P.O. Box 4003, Huntsville, TX 77342-4003 or call (936) 437-5030.

You can also contact **TAASA** by calling (512) 474-7190 ext. 19 or writing to:

TAASA, Chris Kaiser, General Counsel  
6200 LaCalma, Suite 110, Austin, TX 78752

This resource is located outside the facility, and can be sent **LEGAL** mail. You can remain anonymous upon request.

## IF YOU ARE ABUSED

TDCJ must provide you with access to outside victim advocates for emotional support services by providing access to mailing addresses and telephone numbers for local rape crisis organizations. These will be available from your unit safe prisons manager.

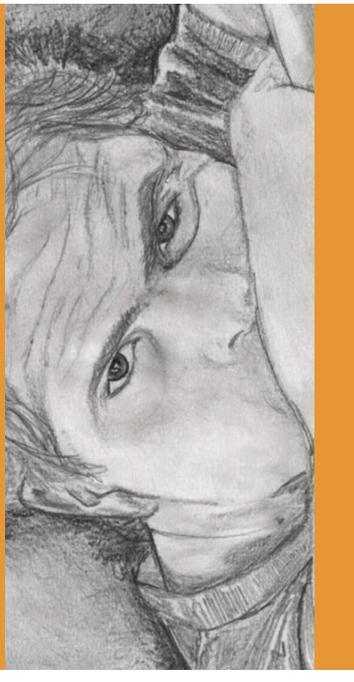
## TDCJ STAFF RESPONSIBILITIES

TDCJ staff have the responsibility of keeping you safe from sexual abuse and for reporting instances of abuse. They must:

- ▶ **Protect you from retaliation for reporting abuse.** For 90 days after reporting abuse, TDCJ must monitor the treatment of the victim by staff and other inmates to ensure no retaliation is taking place.
- ▶ **Protect prisoners** they believe have a substantial risk of imminent sexual abuse.
- ▶ **Separate the alleged victim and abuser** and preserve and protect any crime scene until appropriate steps can be taken to collect any evidence.
- ▶ **Gather and preserve evidence**, and interview victims, perpetrators, and witnesses.
- ▶ **Determine whether staff actions** or failures to act contributed to the abuse.
- ▶ **Continue an investigation** of sexual abuse even if the abuser is transferred from the facility or a staff member is fired.

# END THE SILENCE

Zero Tolerance for Sexual Abuse and Sexual Harassment:  
Prison Rape Elimination Act (PREA)



Write to:

6200 LaCalma, Suite 110  
Austin, TX 78752

Or, call:  
(512) 474-7190

# ZERO TOLERANCE

TDCJ has a zero-tolerance policy for sexual abuse and sexual harassment. What does this really mean? It means that YOU have the right to be free from sexual abuse and sexual harassment by anyone at the facility, including an inmate, staff member, or volunteer. No one has the right to sexually abuse or sexually harass you. No one.

## What Is Sexual Harassment?

- ▶ Repeated and unwelcome comments or gestures of a sexual nature, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.
- ▶ Repeated and unwelcome sexual advances; requests for sexual favors; or verbal comments, gestures, or actions of a derogatory or offensive sexual nature.

## What Is Sexual Abuse?

- ▶ Forced or coerced sexual intercourse or sexual contact when the victim does not consent or is unable to consent or refuse. This may include the use of fear or threat of physical violence, psychological intimidation, bullying, and physical force.
- ▶ Sexual abuse also can include incidents of penetration by a foreign object.

## What is staff voyeurism?

An invasion of privacy of an inmate by a staff member, contractor, or volunteer for reasons unrelated to official duties.

## Examples of Staff Voyeurism

- ▶ Watching an inmate use the toilet, shower, or change clothes.
- ▶ Requiring an inmate to show their buttocks, genitals, or breasts.
- ▶ Taking pictures of an inmate's naked body or toilet use.

## Your Rights Under the Prison Rape Elimination Act (PREA)

PREA was passed by Congress in 2003 and applies to people in all forms of detention. No one deserves to be sexually abused, and if you are sexually abused or sexually harassed while incarcerated, you have rights under PREA.

## You have the right to...

- ▶ Privately report sexual abuse by staff or other inmates in a variety of ways.
- ▶ A prompt, thorough, and objective investigation by specially trained staff.
- ▶ Submit a grievance privately even after standard time limits have expired.
- ▶ A forensic medical exam at no cost. Exams will be performed by qualified Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs).
- ▶ Have a victim advocate accompany and support you through the forensic medical examination process and investigatory interviews.
- ▶ Timely, unimpeded access to emergency medical treatment and crisis intervention services.
- ▶ Be tested for sexually transmitted infections.

# NO MEANS NO

## Protections for Transgender Prisoners

Prisoners who are transgender are at a higher risk of sexual abuse. Due to that, PREA has specific standards that help protect them.

- ▶ Cross-gender strip searches or cross-gender visual body cavity searches are not permitted except in exigent circumstances.
- ▶ A physical examination of a transgender inmate for the sole purpose of determining the inmate's genital status is not permitted.
- ▶ Transgender inmates must be given the opportunity to shower separately from others.
- ▶ Placement and programming assignments for each transgender inmate shall be reassessed at least twice a year to review any threats to safety experienced by the inmate.
- ▶ A transgender inmate's own views with respect to his or her own safety shall be given serious consideration.



# A Self-Led Therapeutic Program for Incarcerated Survivors of Sexual Assault

## What is *Coping Inside*?

*Coping Inside* is a self-directed, correspondence program offered by the Texas Association Against Sexual Assault's (TAASA) Incarcerated Survivor Advocacy Program (ISAP). It provides therapeutic resources and educational materials to incarcerated survivors of sexual assault. The goal of the *Coping Inside* program is to provide people who are incarcerated with the tools and supportive resources needed to help them cope with the harmful effects of trauma.

TAASA is the statewide organization committed to ending sexual violence in Texas through education, prevention and advocacy. The ISAP was created in October 2016 to address the needs of incarcerated survivors and offer support, advocacy, and resources to incarcerated survivors, service providers, and correctional staff.

## How does *Coping Inside* work?

Each month, *Coping Inside* participants will receive a packet of therapeutic learning materials, including lessons and skills-based modules that help incarcerated survivors cope with a traumatic experience. From these modules, participants can incorporate each lesson into their everyday life to help them succeed in meeting their emotional and social health needs. The lessons will provide understanding on how to cope with different emotions like anger, stress, anxiety, and depression. Helpful information on improving communication, relationships, reducing unhelpful thought patterns and increasing mindfulness is also included. By gaining perspective and providing these tools, participants will be better equipped with skills and strategies to combat the negative effects of trauma.

## Why is it needed?

Incarcerated survivors face many hardships while in the prison system that are often exacerbated in the aftermath of an assault or abuse. This program serves to be a source of relief, understanding, and aide to a population that may feel as though they do not have the resources needed to cope with the repercussions of surviving a sexual assault. This program is meant to help create unique solutions by building on the limitations of being incarcerated and to help the individual learn ways to cope with their experiences.

## Links to ISAP Resources

[Sexual Assault Investigations Inside the Texas Department of Criminal Justice](#)

['End the Silence' PREA Brochure for Survivors](#)

[Helpful Resources for Incarcerated Survivors](#)

[\*Coping Inside\* Program One-Pager](#)

## Links to Additional Resources

[CALCASA, Survivors Behind Bars: Supporting Survivors of Prison Rape and Sexual Assault \(2010\)](#)

[PCAR, Meeting the Needs of Prison Rape Victims: A Technical Assistance Guide for Sexual Assault Counselors and Advocates \(2006\)](#)

[SCCADVASA, Manual for Providing Services to Survivors of Sexual Assault and Abuse in South Carolina Correctional Facilities \(2016\)](#)

[JDI, Hope Behind Bars: An Advocate's Guide to Helping Survivors of Sexual Abuse in Detention](#)

[ACLU, Know Your Rights: Laws, Court Decisions, and Advocacy Tips to Protect Transgender Prisoners \(2014\)](#)

[WCASA, PREA Advocacy Manual: Tools for Advocates Working with Incarcerated Victims of Sexual Violence in Wisconsin \(2017\)](#)

[ACLU, End the Abuse: Protecting LGBTI Prisoners from Sexual Assault](#)

## CHAPTER 6

# Moving Beyond A Correspondence Program

There are many other ways to serve incarcerated survivors beyond providing support through a correspondence program. Your agency may decide to expand services to incarcerated survivors in the following ways:

### Hotline



If your agency already operates a hotline, consider accepting calls from survivors in the correctional facilities in your area. You can incorporate information about the needs of incarcerated survivors into your current advocate or hotline training. Clearly explain to clients the limits to confidentiality of hotline calls from a corrections facility. Coordinate with the PREA point person at the local correctional facility to assist with the hotline program and to promote its use by survivors.

### In-Person Support Services



If your agency is willing and able, in-person support services for incarcerated survivors is greatly needed. Advocates interested in providing these services should work directly with the facility's leadership to develop a service delivery plan and Memorandum of Understanding (MOU).

## Conclusion

Sexual assault in detention is a serious problem that impacts individual lives and communities. But, you can help serve incarcerated survivors who have limited access to traditional support services by creating a correspondence program. A correspondence program is an easy and effective way for your agency to support this vulnerable population, and one that is deeply valued by and has positive outcomes for the survivors you serve.



6200 La Calma, Suite 110  
Austin, TX 78752  
512.474.7190  
[www.taasa.org](http://www.taasa.org)