

Frequently Asked Questions (FAQ) Counseling and Support Services

Just Detention International (JDI) is a non-profit human rights organization that seeks to end sexual abuse in all forms of detention. JDI provides the general information below in an effort to respond to questions that we regularly receive from prisoner rape survivors. Please remember that laws are constantly changing and their application may vary from one case to the next. Legal advice must be tailored to the specific circumstances of each case and can only be provided by a qualified attorney. This FAQ does not constitute legal advice.

1. I was sexually assaulted and am afraid to talk to the prison counselor. What should I do?

Only you can decide what the best option would be for you. Unlike counselors in the community, a prison counselor may be required to report any crime – including sexual abuse – to corrections staff. By making such a report, a counselor can make sure your abuse is investigated.

If you are fearful of staff knowing about the abuse, you can meet with a counselor and ask what she or he has to report to prison officials or police – before you talk with him or her – to help you decide what you want to share. You can also contact a rape crisis center in the community, although you should be aware that your letters to them may be monitored like other mail. Please refer to JDI's *Resource Guide for Survivors of Sexual Abuse Behind Bars* for a listing of rape crisis centers near you.

2. I told a mental health staff member about the abuse and s/he reported it to prison officials without my permission. Are staff allowed to do that?

Most prisons and jails have policies that require staff to report any crime so that it can be investigated. No matter where it happens, rape and sexual assault are crimes. If the counselor promised you that she or he wouldn't tell anyone but still reported the abuse to prison officials, that was inappropriate. However, it was most likely not against the facility's policy. If, because of the report you have been targeted for additional abuse or feel especially unsafe, you may request a transfer to another unit or facility.

In general, mental health counselors (including ones who work in prisons) are required to explain what they can and cannot keep confidential before they start working with a new client. If you were not informed of what the counselor would have to report, you may want to ask your counselor or other mental health staff for a copy of the institution's policy. If you are able to contact a local rape crisis center, a counselor there may be able to write to you or meet with you. However, your communication with her or him will be monitored like any other letters and phone calls (except those with your lawyer). Please refer to JDI's *Resource Guide* for a listing of rape crisis centers in your area.

3. I asked to see a therapist, but my requests have been ignored/denied. How can I get counseling while I am still behind bars?

If you reported your abuse, you should have been offered counseling. However, even if you did not file a report or were not offered counseling, you should be able to request to see a therapist in the facility. If you followed the procedure for doing so, but were still not permitted to see a counselor, you can file a grievance. Your grievance should include: when you requested counseling; to whom you made your request; whether it was in writing; what you wrote/said; and the response (if any) you received. Please be aware that the facility may require that you explain why you want to receive counseling, so you will have to decide what you feel comfortable sharing.

You may want to contact a local rape crisis center for information and counseling via phone or by mail. JDI's *Resource Guide* contains a listing of rape crisis centers in your area that are willing to work with survivors of sexual assault behind bars. If you do not see a center listed in your area, contact the state sexual assault coalition to inquire which rape crisis center provides services in your area.

4. I contacted a few of the organizations listed in JDI's *Resource Guide* but never heard back from them. What's going on?

All of the organizations listed in the *Resource Guide for Survivors of Sexual Abuse Behind Bars* have agreed to help incarcerated survivors. If you have not received a response within 2-3 weeks, you may want to write the organization again to inquire if they received your first letter and to explain again why you need help. Remember that most of the organizations listed have limited resources and are asked to help a large number of people, so it may take a while for them to respond to you.

If you still have not received a response after sending a follow-up letter, please let JDI know to whom you sent your letters (including the dates of your letters and the address to which you sent them) so that we can follow-up with the organization.
