

ENDING SILENCE

DEMANDING SAFETY FROM SEXUAL ABUSE



DON'T TOUCH ME

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Ending Silence: Demanding Safety from Sexual Abuse

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FOREWORD

Since 1999, The Project on Addressing Prison Rape (The Project) at American University, Washington College of Law has provided training to correctional decision makers, agencies, advocates, associations and individuals looking to end sexual abuse of individuals in custodial settings.

The *Ending Silence: Demanding Safety from Sexual Abuse* series is the product of work by many of these concerned and committed organizations and individuals. We thank them for their insights and honest comments about this publication.

The *Ending Silence* series includes two other graphic novels targeted to; one involving a heterosexual female in a prison and another involving a LGBTI inmate in custody. While there are several story lines and the novels might lend themselves to discussion with particular groups, they are useful for any group of inmates. Though not intended for this purpose, we have also learned that many jurisdictions are using these materials in training their staff as well.

Don't Touch Me is a first step in educating inmates on how to help them identify, address, and respond to incidents of sexual abuse by staff or other inmates in response to the Inmate Education Standard, § 115.33 of the National PREA Standards.

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INRODUCTION

Don't Touch Me is a graphic novel for men in custody. The narrative focuses on incidents of sexual abuse of a male inmate in the shower unit of a prison. This story also addresses the Code of Silence among correctional officers in a facility, and mistaken beliefs that intimate touching does not rise to the level of sexual abuse.

At the end of the graphic novel you will find: blank slides for inmates to fill in a suggested continuation for the story; a glossary of terms; discussion questions; resources for inmates; and note pages. While The Project understands that laws and policies differ by state, this publication can be used nationwide. To that end, The Project has generalized content and details of this novel. This novel is appropriate to use for adults in custody.

Please contact The Project with comments about these novels, the usefulness of graphic novels as a tool for training inmates, and suggestions for other needed resources.

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WHOA... THIS IS SOME GOOD STUFF.



YEAH, I GOT IT FROM ROB'S DEALER. HE ALWAYS HAS THE BEST STUFF.

YOU SHOULD JUST TAKE THE REST. I OWE YOU FROM ALL THE TIMES YOU LET ME HIT YOUR STASH.



ALRIGHT. WELL, YOU KNOW I'LL NEVER TURN DOWN A HIT.

WHAT TIME IS IT? HOW LONG HAVE WE BEEN OUT HERE?



IT'S ALMOST 2:00.

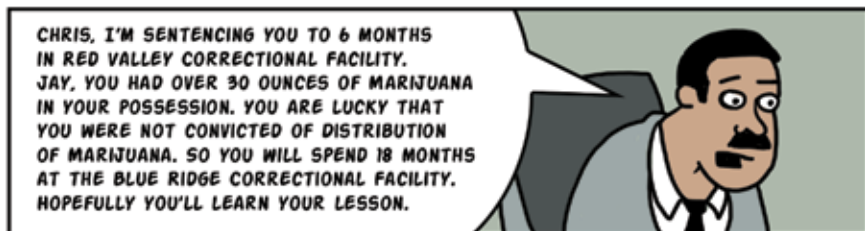


ALMOST 2:00! WE MISSED BUSINESS ADMIN! MAYBE I CAN STILL MAKE IT TO OFFICE HOURS; OKAY. I'M GOING TO HEAD OUT.



JUST CHILL. WE'LL STUDY LATER. LET'S JUST RIDE THIS OUT...



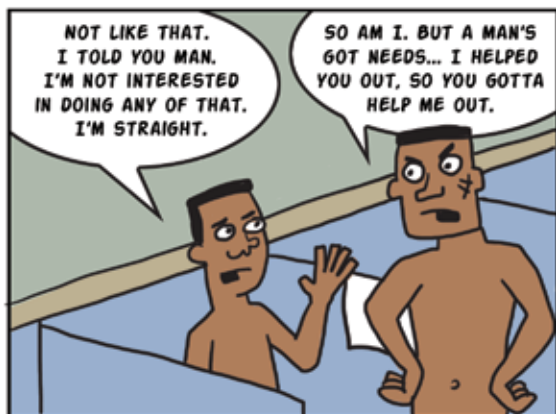
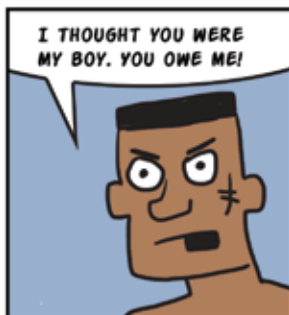












OFFICER MCFARLEY, I NEED TO FILE A COMPLAINT.

ALRIGHT, JAY.
WHAT NOW?

ONE OF THE OTHER GUYS
TOUCHED ME WHEN WE WERE
IN THE SHOWER TOGETHER
AND NOW HE'S THREATENING
TO DO MORE.

HE ACTS LIKE HE OWNS ME
OR SOMETHING. JUST TRYING
TO GET HIM TO STOP,
I AIN'T GAY.

WHY DON'T YOU
TELL THE COS
ON SHOWER
DUTY?

WELL, IF ANY OF THOSE COS
DIDN'T WRITE IT UP, WHY DO
YOU EXPECT ME TO?

I HAVE, PLUS, THE DAY HE TOUCHED ME,
OFFICER SANTOS WAS RIGHT THERE. HE
ACTED LIKE HE HADN'T SEEN ANYTHING AT ALL

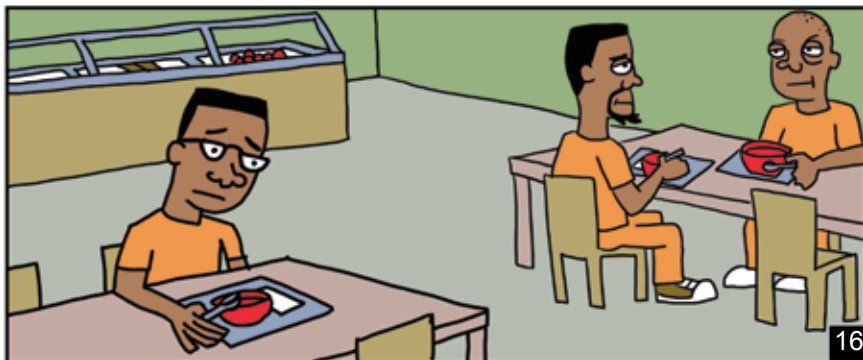
I JUST THOUGHT YOU
MIGHT UNDERSTAND...

WHY? BECAUSE
I'M FEMALE?

DID HE FORCE HIMSELF
ON YOU? WAS IT
VIOLENT IN ANY WAY?

WELL, NOT REALLY.
IT JUST DIDN'T
FEEL RIGHT.
AND I KNOW THAT
IT'S AGAINST
PRISON POLICY.

WHAT DO YOU
KNOW ABOUT
PRISON POLICY?





LOOK WHO IT IS. THE NEWBIE THAT TAKES ADVANTAGE OF OTHER PEOPLE'S KINDNESS.

LISTEN, FRANKIE. I'M JUST MINDING MY OWN BUSINESS.



OF COURSE YOU ARE.

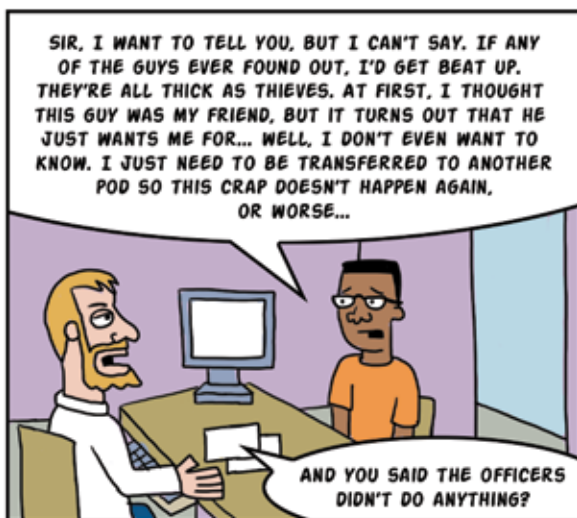


HI MR. COLLINS.

HI JAY. HOW ARE YOU DOING?



NOT SO WELL ACTUALLY.



THAT'S REALLY UNACCEPTABLE. THE OFFICERS ARE SUPPOSE TO TAKE ALL COMPLAINTS OF SEXUAL MISCONDUCT VERY SERIOUSLY.



WILL YOU HELP ME OUT MR. COLLINS? I NEED SOMEONE TO HELP ME FILE A REPORT. I NEED HIM TO STOP. OR AT LEAST I COULD GET MOVED TO ANOTHER POD.



SURE, JAY... I'D BE HAPPY TO HELP YOU FILE A REPORT. AND NEXT TIME ONE OF THE OFFICERS DOESN'T HELP YOU FILE A REPORT, PLEASE COME TO ME AND I WILL MAKE SURE THAT THEY ARE DEALT WITH.

OFFICER MORRIS, PLEASE REPORT TO MR. COLLINS OFFICE.



GOOD MORNING OFFICER MORRIS. I NEED TO SPEAK WITH YOU ABOUT A MATTER I HEARD FROM AN INMATE.



WHAT'S UP, MR. COLLINS?

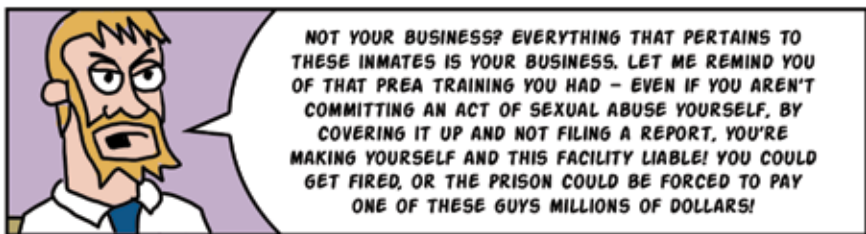
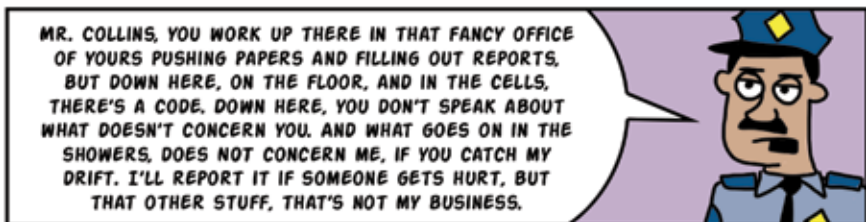
HAVE YOU SEEN OR HEARD ANYTHING STRANGE FROM THE SHOWERS DURING YOUR SHIFT?

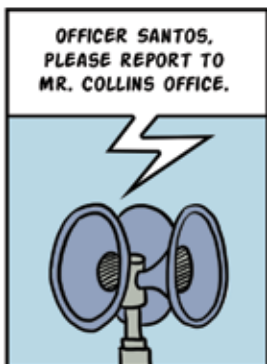
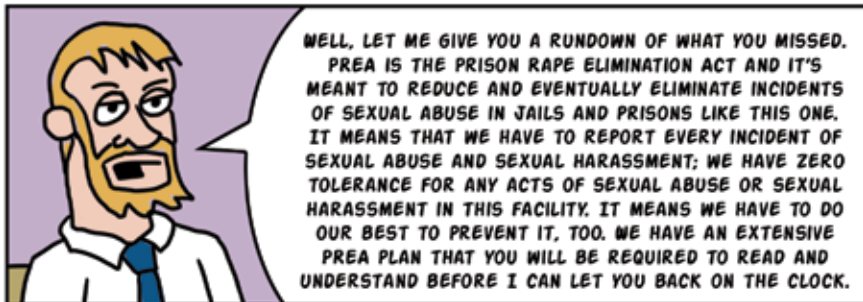


WHAT ARE YOU ASKING? I NEED YOU TO BE MORE SPECIFIC.

WHAT I'M ASKING, IS IF YOU'VE SEEN OR HEARD ANY INCIDENTS OF SEXUAL ABUSE IN THE SHOWERS?







WELL, IT DIDN'T SOUND LIKE NOTHING SERIOUS. PLUS, YOU KNOW THESE INMATES PLAY WITH EACH OTHER ALL THE TIME. PLUS, MR. COLLINS, I NEED THIS JOB. CAN YOU IMAGINE WHAT WOULD HAPPEN IF THE WARDEN KNEW THAT STUFF WAS GOING DOWN ON MY WATCH?



OFFICER SANTOS, I TOTALLY UNDERSTAND, BUT YOU DO UNDERSTAND THAT NOT REPORTING THIS STUFF MAKES YOU EQUALLY RESPONSIBLE FOR WHATEVER GOES ON IN THE SHOWER?

NO SIR, I DIDN'T THINK ABOUT IT THAT WAY.



DO YOU KNOW WHY YOU ARE HERE, OFFICER MCFARLEY?

NO, I'M NOT SURE.

I RECENTLY LEARNED THAT AN INMATE HERE ATTEMPTED TO REPORT A SEXUAL ABUSE TO YOU AND YOU REFUSED TO HELP HIM OUT. IS THIS RINGING ANY BELLS?

OH... RIGHT... JAY. THAT KID THINKS HE'S SMARTER THAN ANY OF THE COS HERE. BUT MR. COLLINS, JAY WASN'T SEXUALLY ABUSED - ANOTHER INMATE JUST BRUSHED UP AGAINST HIM IN THE SHOWER.

OFFICER, I HOPE YOU UNDERSTAND THAT SEXUAL ABUSE IS MORE THAN RAPE. THIS WAS THE INTENTIONAL TOUCHING OF AN INMATE'S UNCLOTHED BUTTOCKS BY ANOTHER WITHOUT HIS CONSENT. THIS IS TEXTBOOK ABUSIVE SEXUAL CONTACT, AND IT IS QUITE ALARMING THAT YOU DID NOT REALIZE THIS.

ARE YOU FIRING ME?



NOT NECESSARILY, BUT WE WILL HAVE TO CONDUCT A DISCIPLINARY HEARING TO DETERMINE WHAT IS AN APPROPRIATE SANCTION IN THIS SITUATION.



YOUR PERSONNEL FILE INDICATES THAT YOU RECEIVED THE PREA TRAINING THIS YEAR, SO THERE IS NO EXCUSE FOR YOUR BEHAVIOR. UNTIL THE HEARING, YOU WILL WORK IN THE OFFICE AND WILL NOT HAVE ANY DIRECT CONTACT WITH INMATES.



LISTEN UP EVERYONE; I'VE BEEN RECEIVING FORMAL COMPLAINTS FROM A NUMBER OF INMATES REGARDING SEXUAL ABUSE BETWEEN INMATES. WE HAVE A ZERO TOLERANCE POLICY FOR ANY KIND OF SEXUAL MISCONDUCT - WHETHER BETWEEN STAFF AND INMATES OR BETWEEN INMATES. THIS IS ABOUT SAFETY AND SECURITY-KEEPING INMATES SAFE MEANS KEEPING STAFF SAFE AND THAT'S JUST GOOD CORRECTIONS HERE FOLKS!



WE ALSO HAVE A PREA AUDIT HAPPENING THIS YEAR. WE NEED TO SHOW THAT WE ARE COMPLYING WITH THE PREA STANDARDS.

ARE YOU SAYING THAT WE'LL LOSE OUR JOBS IF WE DON'T PASS THE AUDIT?



I'M SAYING THAT IT'S POSSIBLE FOR US TO LOSE SOME FUNDING. IF WE DO, WE MIGHT HAVE TO CUT SOME POSITIONS OR REDUCE OVERTIME TO MEET THE SHORTFALL.



WELL WHAT DO WE NEED TO DO TO MAKE SURE THAT WE'RE PREA COMPLIANT?

FIRST OF ALL, WE NEED TO MAKE SURE THAT THE INMATES ARE COMFORTABLE SPEAKING TO US ABOUT SEXUAL ABUSE. WE ALSO NEED TO MAKE SURE WE'RE DOING ALL WE CAN TO PREVENT THESE INCIDENTS.



AND YOU NEED TO KNOW AND FOLLOW OUR POLICIES AND PROCEDURES. WE ALSO NEED TO MAKE SURE WE'RE DOING ALL WE CAN TO PREVENT THESE INCIDENTS. AND YOU NEED TO KNOW AND FOLLOW OUR POLICIES AND PROCEDURES.



SIR, WE ONLY HAVE SO MUCH CONTROL OVER THE INMATES.

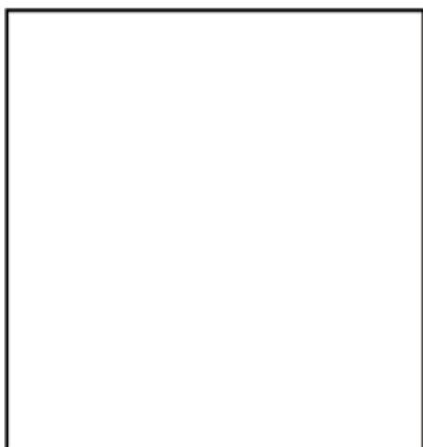
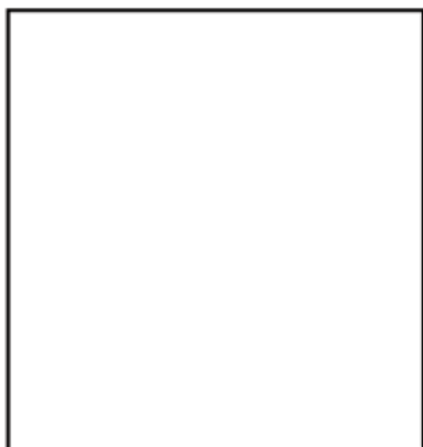
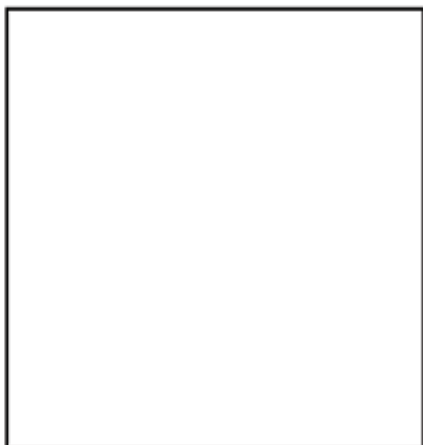
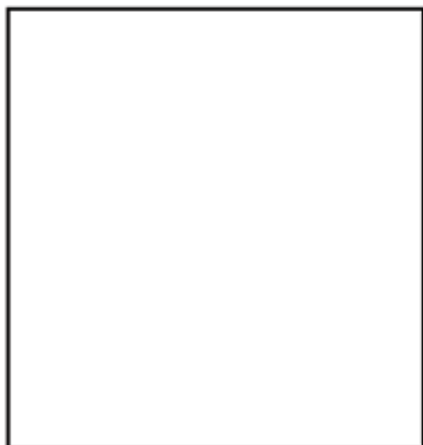
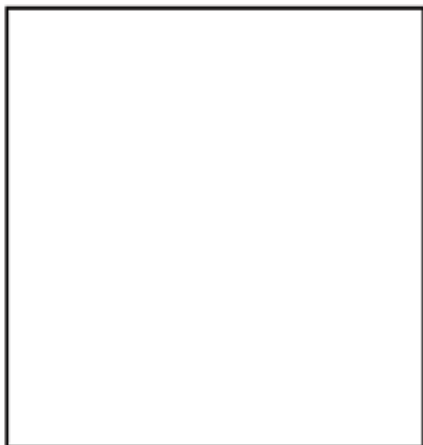
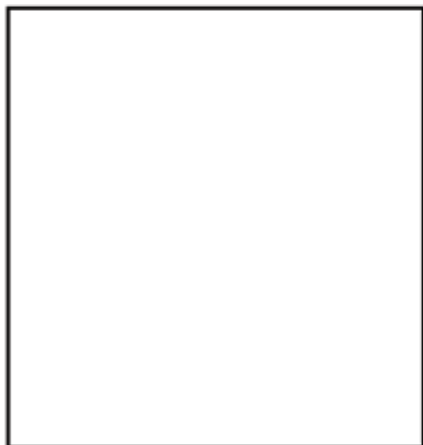


I'M AWARE OF THAT, BUT STILL WE NEED TO DO OUR BEST TO PREVENT THIS. WE NEED TO WATCH PROBLEM AREAS LIKE THE SHOWERS. WE ALSO NEED TO MAKE SURE THAT WE TAKE EVERY ALLEGATION OF SEXUAL ABUSE SERIOUSLY!





FINISH THE STORY...



GLOSSARY

Definitions in this glossary are adapted from the Bureau of Justice Statistics data collection survey instrument and the final PREA Standards issued by the U.S. Department of Justice on May 17, 2012.

Abusive sexual contact: Contact with any person without his or her consent; contact with a person who is unable to consent or refuse; and intentional touching, either directly or through the clothing, of the penis, vagina, anus, groin, breast, inner thigh, or buttocks of any person

Custody: When a person is under the power and control of an entity – the police, the juvenile justice system, the prison system or person – and is not free to leave

Carnal knowledge: Contact between the penis and the vagina or the penis and the anus including penetration of any sort

Gender expression: A person's expression of his/or gender identity, including appearance, dress, mannerisms, speech, and social interactions

Gender identity: Distinct from sexual orientation and refers to a person's internal, deeply felt sense of being male or female

Gender non-conforming: Gender characteristics and/or behaviors that do not conform to those typically associated with a person's biological sex

Homosexuality: Sexual, emotional, and/or romantic attraction to a person of the same sex

Non-Consensual Sexual Acts: Contact with any person without his or her consent, or with a person who is unable to consent or refuse; contact between the penis and the vagina or the penis and the anus including penetration, however slight; contact between the mouth and the penis, vagina, or anus; or penetration of the anal or genital opening of another person by a hand, finger, or other object

Oral Sex: Contact between the mouth and the penis, the mouth and the vagina or the mouth and the anus

Questioning: Active process in which a person explores her or his own sexual orientation and/or gender identity and questions the cultural assumptions that they are heterosexual and/or gender conforming

GLOSSARY CONTINUED

Rape: Includes all of the following actions: oral sodomy, sexual assault with an object, or sexual fondling of a person forcibly or against that person's will; forcibly or against that person's will where the victim is incapable of giving consent because of youth, temporary or permanent mental or physical incapacity; achieved through exploitation of the fear or threat of physical violence or bodily injury

Sexual Acts: Carnal knowledge, oral sex, anal sex, rape, sexual assault with an object, sexual fondling

Sexual Assault with an Object: The use of any hand, finger, object, or other instrument to penetrate, however slightly, the genital or anal opening of the body of another person.

Sexual Fondling: The touching of the private body parts of another person, including the penis, vagina, anus, groin, breast, inner thigh, or buttocks, for the purpose of sexual gratification

Sexual Orientation: Romantic and/or physical attraction to members of the same or different sex

Sodomy: Anal sex with a member of the same or opposite sex

Staff sexual harassment: Repeated verbal statements or comments of a sexual nature to a person in custody by an employee, volunteer, official visitor, or agency representative, including: demeaning references to gender or derogatory comments about body or clothing; or profane or obscene language or gestures

Staff sexual misconduct: Any behavior or act of a sexual nature directed toward a person in custody by an employee, volunteer, official visitor, or agency representative

Transgender: Person whose gender identity differs from their birth sex

Transgender woman:

Person whose birth sex was male but who understands herself to be, and desires to live her life as, a female

Transgender man:

Person whose birth sex was female but who understands himself to be, and desires to live his life as, a male

DISCUSSION QUESTIONS

(Feel free to ask other additional questions)

1. Why was Officer McFarley disciplined for her reaction to Jay's incident? Was this fair?
2. Why do you think Jay was hesitant to tell Mr. Collins Frankie's name?
3. Why did the other officers who viewed this incident fail to report it or discipline Frankie?
4. Should inappropriate touching in a sexual manner or threats be addressed as seriously as a rape? Why or why not?
5. What can staff do to protect inmates from sexual abuse in private areas like showers?
6. Do you think that the lecture that Mr. Collins gave to the officers about PREA was effective? Why or why not?

RESOURCES FOR INMATES

Space intended for agencies to add resources that reflect their specific location and type of agency

Examples include:

- *Your 1-800 reporting hotline (if you have one)*
- *Information and procedure for reporting abuse*
- *Address and phone number of grievance officer or outside reporting mechanism such as an ombudsman*
- *Phone number and address for a rape crisis center in the area*

NOTES

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This project was supported by Grant No. 2010-RP-BX-K001 awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, and the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.

