

STRATEGIZING IN RESPONSE TO RESISTANCE: ASSESSING THE SITUATION

One of the most common technical assistance questions we receive is, “How do I respond to a facility contact when we’re encountering resistance?”

You might be wondering how to advocate for survivors without putting a strain on your relationship with the very people who provide incarcerated survivors access to your services. For example, you may experience resistance when asking for an update on a PREA investigation, to set up an in-person or virtual session with your client, or when advocating to adapt a survivor’s mental health treatment. Here are a few tips that can help you figure how to prepare a productive response to a less than perfect situation.

PRACTICE SELF-CARE

It can be frustrating to first hear a “no” from corrections staff when you’re doing your best to advocate for your client. It is 100% okay to be upset and angry. Take time to reflect on how you want to respond. Taking this time allows you to do the research necessary to be responsive to your client’s needs, instead of being reactionary and potentially hindering a relationship you worked so hard to build.

UNDERSTAND WHAT YOUR ADVOCACY IS SUPPORTED BY

THE FEDERAL PREA STANDARDS

- Correctional staff’s priorities default to what the PREA standards require for compliance.
- Advocating for services and support that is outside of the scope of the PREA standards is an opportunity for Rape Crisis Center (RCC) staff to educate correctional staff on best practices in our field. As a PREA advocate, educating correctional staff will be an ongoing process.

THE MOU YOU’VE ESTABLISHED WITH YOUR FACILITY

- The memorandum of understanding (MOU) likely includes all of the services and support you’re able to provide incarcerated survivors, as well as directives on how RCC staff and corrections staff will coordinate access to those services, and how to communicate issues related to PREA compliance.
- Advocating for services and support outside the scope of your MOU is an opportunity to revisit the MOU and discuss ways in which can be improved. Perhaps this is also an opportunity to improve the sexual assault response protocol with corrections staff.
- If you are seeing patterns of abuse or resistance from staff, this may be an opportunity to discuss developing policy and protocol to prevent further issues from occurring.

BEST PRACTICES IN THE FIELD OF SURVIVOR-CENTERED AND TRAUMA-INFORMED CARE

- If our advocacy efforts are supported by best practices in our field and not by the PREA standards and MOU, we have to be clear about that with our partners or else they may just say “No” immediately.
- We can acknowledge our advocacy efforts are going above and beyond federal law and our MOUs and educate corrections staff on the importance of survivor-centered and trauma-informed care in detention.
- Recognize that advocacy may take days, weeks, months or even years, but that does not mean it isn’t worth the time and effort it takes to encourage institutional shifts.

CHOOSE YOUR BATTLES, WISELY

- As always, check-in with incarcerated survivors and share the consequences that may result from your advocacy.
- Check-in with your management team and your technical assistance providers to assess how to respond to difficult situations with corrections staff.

CHOOSE YOUR MODE OF COMMUNICATION, WISELY

Should you pick up the phone, to clarify your question or would you benefit from responding via email instead? If it is a recurring issue, perhaps you’ll want to schedule a meeting with the PREA compliance manager/PREA coordinator, mental health staff, warden, and/or other staff to address the issue.

STRATEGIZING IN RESPONSE TO RESISTANCE: CULTIVATING A MINDSET SHIFT

When we are working with institutions and individuals who may not align with our movement's values it can be difficult to respond in a manner that isn't defensive, argumentative, or oppositional. Choosing to respond in a manner that is educational and understanding, as well as collaborative, takes practice, patience, and oftentimes a mindset shift.

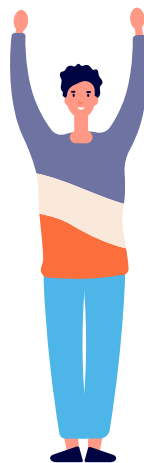
ARGUING VS. EDUCATING

Avoid responding with an argumentative statement:

"According to [insert PREA standard], you are not in compliance with PREA."

Use statements that educate corrections staff on the importance of your work:

"In the field we've learned that [insert best practices] allows for survivors to begin their path to healing and recovery. How can we work together to provide access to these [insert resources] in detention settings?"



ASSUMING VS. UNDERSTANDING

Avoid accusatory statements that assume that corrections staff do not care about survivors or keeping folks safe:

"Your mental health staff are not equipped to support survivors of trauma and we are."

Use statements that imply understanding, compassion and empathy, but still assert yourself and the advocacy needs of your client:

"I understand that coordinating [insert services] may be challenging at this time. How can we help increase your staff's capacity to coordinate [insert services] in the future?"



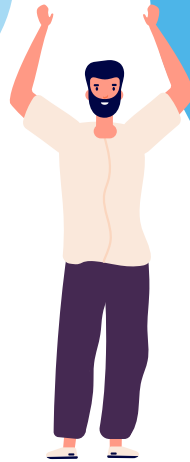
OPPOSITION VS. COLLABORATION

Avoid statements that imply that you don't have the same goal:

"Your goal might be to pass the PREA audit, but our goal is to support survivors and provide the best care possible."

Use statements that encourage collaboration:

"Our goal is to make the resources readily known, available, and accessible to survivors. Our impact and intention is not to interfere in your regular operations, reporting, or investigation process. How can we collaborate on a protocol that meets our shared goals of keeping folks safe?"



Note: We understand that there are systems of oppression that are often upheld by the culture and design of the correctional facility and its staff. There are some issues that can be resolved through several conversations, training, or developing a new policy and protocol to protect survivors. However, there are some issues that require a radical culture shift within the field of corrections in order to be trauma-informed and survivor-centered. These shifts take time. Let's work together to make them happen.