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Ending Silence: Youth Speaking Up about Sexual Abuse in Custody - Carol’s Question

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END SILENCE

YOUTH SPEAKING UP ABOUT SEXUAL ABUSE IN CUSTODY

CARLO'S QUESTION

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END SILENCE: Youth Speaking Up About Sexual Abuse in Custody
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RESOURCES FOR YOUTH

Space intended for agencies to add resources reflective of 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
- Medical health information
- Guidance on telling parents

FOREWORD

Since 1999, The Project on Addressing Prison Rape (Project) at American University, Washington College of Law has provided training to key correctional decision makers, agencies, associations, and individuals looking to improve their practices on addressing sexual abuse of individuals in custodial settings. In 2009, the Project began to do intensive work within a number of state departments of juvenile justice and to work on of Lesbian Gay Bisexual Transgender Intersex and Questioning (LGBTIQ) youth in custody.

The END SILENCE series is the product of that work and work by many organizations and individuals concerned about preventing and addressing sexual abuse of youth in custody. We would like to thank them for their insightful and honest commentary about the situations that youth face and how sexual abuse affects them.

The series includes four other graphic novels targeted to: (1) girls ages 14-18; (2) girls ages 10-14; (3) boys ages 14-18; and (4) boys ages 10-14.

END SILENCE is a first step in reaching out to youth in juvenile justice settings in order to help them identify, address, and respond to incidents of sexual abuse by staff or other youth. We hope the publication will deepen the dialogue about strategies to eliminate sexual abuse of youth in custody.
INRODUCTION

_Carlo’s Question_ is a graphic novel for LGBTIQ youth, aged 14-18, that focuses on the various problems gender non-conforming youth face when under correctional supervision.

At the end of the graphic novel you will find: blank slides for youth to fill in an appropriate continuation for the story; a glossary of terms; discussion questions; resources for youth; and note pages. While we understand different states hold youth in different settings or classifications, this publication is meant to address sexual abuse of youth in custody nationwide. To that end, we have generalized some content and details of this novel.

This graphic novel is intended to be "stand alone" material to orient and educate youth about the issue of sexual abuse in custodial settings: we hope it provokes discussions with and between youth.

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

The Project on Addressing Prison Rape can be reached at: 202-274-4385 or endsilence@wcl.american.edu

GLOSSARY CONTINUED

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 girl**: Person whose birth sex was male but who understands herself to be, and desires to live her life as, a female
- **Transgender boy**: 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)

- What did you think about the way the intake staff treated Carla?

- Would you have handled the situation with the other teens in the group home differently than Carla did? How would you act towards Carla?

- How do you think Ms. Smith handled the situation? How do you think Mr. Andrews handled the situation?

- What would you do if this happened to you? Who would you report it to?

- What do you think will happen to Carla for the rest of her stay in the group home?
GLOSSARY CONTINUED

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

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
**GLOSSARY**

**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.
Hey Carlo, what's up?

Nothing. Just stuff with my dad again.

Want a smoke?

I don't know...

Try it. You will feel better.

Hey! Both of you put your hands where I can see them!
Carlo was adjudicated for possession of marijuana and though he received community supervision, ended up in a group home because his parents thought it would get him on the right track.

Alright, who’s next? Garcia.

Okay, it says here your name is Carlo, 19 years old. Adjudicated for possession of marijuana, is that right?

Yes, sir. But...

It’s just that I don’t really go by Carlo; I prefer to be called Carla. It’s what my friends call me.

Now look Carlo, let me explain how things work in here. We don’t go for that kind of funny business. The name on your birth certificate is Carlo, so that’s what we will call you here, either that or your juvenile case number - your choice.

Besides, a name like “Carla” is going to get you teased by the other boys.

Yes, sir.

Then, when you’re ready, we can talk about meeting with your parents to help them understand you too; when the time is right we will find a family group for all of you to join.

Thank you, Mr. Andrews.
AND HOW ARE THINGS GOING WITH THE OTHER BOYS?

I WAS PRETTY NERVOUS ABOUT GOING BACK, BUT THE STAFF MADE IT CLEAR THERE IS A POLICY AGAINST HARASSMENT, AND THE BOYS HAVE NOT BEEN TEASING ME.

GOOD.

BUT MR. ANDREWS, I'M STILL REALLY CONFUSED ABOUT THINGS.

CARLA, YOU ARE AT A REALLY TOUGH AGE, YOU ARE STILL DEVELOPING AND LEARNING ABOUT WHO YOU ARE.

OVER THE NEXT FEW MONTHS, YOU AND I WILL TALK ON A WEEKLY BASIS.

NO SIR, CARLO IS FINE.

YOU ARE EXPECTED TO WEAR MASCULINE CLOTHES, NONE OF THAT GIRLY STUFF YOU BROUGHT WITH YOU. YOU WILL BE IN THE GREEN HALL WITH ABOUT 10 OTHER BOYS. KEEP YOURSELF OUT OF TROUBLE AND YOU'LL DO JUST FINE HERE. WE MAY JUST MAKE A MAN OUT OF YOU YET.

LATER...

HEY, WHAT'S UP? WHO ARE YOU?

JUST GOT HERE?

YES, I'M CARLO.

YOU LOOK LIKE A GIRL, YOU SURE THEY PUT YOU IN THE RIGHT PLACE?

I DON'T LOOK LIKE A GIRL.

YOU TALK FUNNY, YOU GAY?

NO, THAT'S EDUCATION.

OH, SO YOU SMART. I SEE YOU, SO, YOU SMART ENOUGH TO BE MY GIRL WHILE YOU'RE HERE?

WHAT DOES THAT MEAN?
IT MEANS DOING MY LAUNDRY, CLEANING MY ROOM, HELPING ME WITH MY HOMEWORK...

I DON'T THINK SO BUT I'M HAPPY TO HELP WITH YOUR HOMEWORK.

WHOA THIS IS A LITTLE CRAZY. I'M SCARED.

...AND ANYTHING ELSE THAT COMES UP.

LATER...

MS. SMITH, I'M HAVING TROUBLE WITH SOME OF THE OTHER GUYS.

THEY MAKE FUN OF THE WAY I TALK AND CALL ME NAMES. IT WAS ONLY A FEW OF THE GUYS AT FIRST, BUT NOW IT SEEMS LIKE EVERYONE.

WELL CARLO, WHAT DID YOU EXPECT TO HAPPEN? YOU HAVE TO BE A MAN IN HERE.

BUT MS. SMITH THEY JOKE AROUND ABOUT MAKING ME THEIR GIRLFRIEND.

WAIT A MINUTE CARLO, ARE YOU TELLING ME YOU'RE GAY?

WHAT? NO. I DON'T KNOW. I DON'T FEEL GAY.

I JUST SOME TIMES FEEL... IT'S JUST ALL REALLY CONFUSING RIGHT NOW.

IF THAT IS THE CASE, I CANNOT HAVE YOU AROUND THE OTHER BOYS. I DON'T WANT TO HAVE TO WORRY ABOUT YOU.

GOOD AFTERNOON, I WANTED TO SPEND SOME TIME WITH YOU THIS AFTERNOON TALKING ABOUT BEING RESPECTFUL TO EACH OTHER...

LATER... HEY CARLA, CUTE OUTFIT! MY GIRLFRIEND COULD WEAR THAT!

MAN, YOU'RE NEW HERE SO YOU DON'T KNOW ANY BETTER. WE ARE ALL DIFFERENT IN OUR OWN WAY. WE RESPECT THAT ABOUT EACH OTHER. IT'S JUST HOW IT IS AROUND HERE.

A FEW WEEKS LATER...

HI CARLA, HOW'S IT GOING?

MUCH BETTER THAN BEFORE.

THE STAFF HAS STARTED CALLING ME CARLA, AND THEY LET ME WEAR THESE CLOTHES INSTEAD. I HAVE NOT BEEN WORRIED ABOUT MOVING SINCE WE LAST MET.
I CALLED EVERYONE HERE TODAY TO REMIND YOU OF THE STRICT POLICY WE HAVE AGAINST DISCRIMINATION OR HARASSMENT BASED ON SEXUAL ORIENTATION OR GENDER IDENTITY. ABSOLUTELY NO JOKES, SLURS, OR NAME-CALLING WILL BE PERMITTED.

IS THIS ABOUT THE LITTLE GUY, CARLO?

WELL, ACTUALLY, CARLO PREFERS TO GO BY CARLA FOR NOW. BUT THIS IS ABOUT PROTECTING ALL OF THE YOUTH UNDER OUR CARE. ANY COMPLAINTS MUST BE TAKEN SERIOUSLY, INCLUDING THOSE AGAINST THE OTHER BOYS.

BUT BOYS WILL BE BOYS RIGHT? WE CAN'T MANAGE EVERY LITTLE FIGHT THEY HAVE.

SEXUAL HARASSMENT CAN BE EXTREMELY DAMAGING FOR SOMEONE STRUGGLING WITH SEXUAL ORIENTATION OR GENDER IDENTITY ISSUES—ACTUALLY IT IS DAMAGING FOR ALL YOUTH IN OUR CARE, YOU ARE REQUIRED TO TAKE ANY COMPLAINT ALLEGING HARASSMENT OR MISCONDUCT SERIOUSLY, FROM CARLA OR FROM ANY OTHER PERSON IN THE HOME.

CARLA WILL BE COMING BACK HERE AFTER OUR MEETING, AND I EXPECT YOU WILL ALL KEEP AN EXTRA EYE OUT FOR HER. ADDITIONALLY, I WILL BE MEETING WITH THE OTHER BOYS TO LET THEM KNOW OUR RULES AND EXPECTATIONS OF THEM.

I'M GOING TO HAVE TO MOVE YOU SOMEWHERE WHERE WE CAN PROTECT YOU UNTIL WE FIGURE THIS OUT.

I DONT NEED PROTECTION. I'M NOT THAT DIFFERENT FROM THEM.

I JUST NEED PEOPLE TO TREAT ME WITH SOME RESPECT!

LATER...

THIS IS SO UNFAIR, I DIDN'T DO ANYTHING WRONG. WHAT IS THE HARM IF I GO BY A DIFFERENT NAME, OR WEAR DIFFERENT CLOTHES? I'M NOT HURTING ANYONE. I JUST WANT TO FEEL LIKE MYSELF. I CAN'T BELIEVE MY PARENTS JUST STUCK ME IN HERE. IT'S LIKE NO ONE UNDERSTANDS WHAT I AM GOING THROUGH.

I AM SO CONFUSED AND FRUSTRATED, AND I HAVE NO ONE TO TALK TO ABOUT IT. I'M GOING CRAZY.

KNOCK KNOCK

HI CARLO, I'M MR. ANDREWS, I'M A COUNSELOR HERE AT THE GROUP HOME. WOULD YOU PLEASE COME WITH ME TO MY OFFICE?

I WANTED TO MEET WITH YOU TODAY BECAUSE MS. SMITH IS WORRIED ABOUT YOUR SAFETY; DO YOU KNOW WHY MS. SMITH IS WORRIED?

MS. SMITH SAID I HAD TO MOVE FOR MY PROTECTION BECAUSE SHE THINKS I'M GAY. I'M NOT EVEN SURE IF I'M GAY.

I DON'T WANT TO CAUSE PROBLEMS OR BREAK THE RULES, I JUST WANT TO BE ALLOWED TO BE MYSELF.
CARLO, IT IS NOT OUR POLICY TO MOVE YOUTH FOR "PROTECTION".

JUST BECAUSE YOU PREFER ITEMS THAT SOME PEOPLE MAY CONSIDER FEMININE DOES NOT MEAN THAT YOU ARE GAY.

SEXUAL ORIENTATION IS WHO YOU ARE PHYSICALLY ATTRACTION TO, BUT GENDER IDENTITY IS FEELING LIKE YOU ARE A GIRL OR A BOY. IT IS TWO VERY DIFFERENT THINGS, DO YOU UNDERSTAND?

THAT'S WHAT I WAS TRYING TO TELL EVERYONE! IT'S THE WAY I AM. I JUST LIKE THE WAY THOSE CLOTHES LOOK ON ME I THINK I LOOK COOL DIFFERENT.

I WILL TALK TO MS. SMITH REGARDING THIS. GENERALLY, IT IS NOT OUR PRACTICE TO MOVE YOUTH BASED ON SEXUAL ORIENTATION OR GENDER IDENTITY UNLESS THERE IS A LEGITIMATE REASON.

ALSO, WHILE YOU ARE HERE IN THE GROUP HOME, IT IS OUR POLICY THAT YOU HAVE A RIGHT TO EXPRESS YOUR GENDER IDENTITY AND IT IS OUR JOB TO KEEP YOU SAFE FROM HARASSMENT FROM THE OTHER BOYS AND STAFF.

IT MEANS YOU HAVE A RIGHT TO EXPRESS WHO YOU ARE. WE CAN HELP YOU FIND CLOTHING THAT YOU PREPARE WEARING AS LONG AS IT IS WITHIN THE BOUNDS OF THE SAFETY OF YOU AND THE OTHER BOYS THAT SHARE THIS LIVING SPACE.

WHAT DO YOU MEAN?

WE WILL ALSO CALL YOU BY WHATEVER NAME YOU CHOOSE.

SO I CAN BE CALLED CARLA? AND I DON'T HAVE TO WEAR THESE CLOTHES?

I'D REALLY LIKE THAT. I'M JUST A LITTLE WORRIED ABOUT THE OTHER BOYS...

WHAT MAKES YOU WORRIED ABOUT THE OTHER BOYS?

WHEN I FIRST GOT HERE ONE OF THE BOYS TRIED TO BULLY ME INTO DOING THINGS FOR HIM. I'M SCARED ONE OF THEM IS GOING TO HURT ME.

I TOLD MS. SMITH, BUT SHE JUST SAID I NEEDED TO BE A 'MAN IN HERE'.

DID YOU TELL ANYONE ABOUT THIS?

THE STAFF HERE IS REQUIRED TO PROTECT YOU FROM ANY HARASSMENT OR HARM. IF ANY OF THE OTHER BOYS BOTHER YOU, REPORT IT TO A STAFF MEMBER YOU TRUST. YOU CAN TALK TO ME WHENEVER YOU NEED TO.

YOU WILL NOT BE PUNISHED OR MOVED FOR REPORTING HARASSMENT BY OTHER BOYS OR STAFF.

YES, YOU CAN GO BACK TO YOUR ROOM. I JUST NEED TO CALL MY SUPERVISOR TO LET HIM KNOW WHAT'S HAPPENING AND SOMEONE WILL ALSO NEED TO TALK WITH THE STAFF AND OTHER BOYS IN THE HOUSE FIRST.

HELLO MR. GRUMP, THIS IS MR. ANDREWS. I WANTED TO LET YOU KNOW ABOUT AN INCIDENT OF HARASSMENT GOING ON WITH CARLO GARCIA.

THANK YOU MR. ANDREWS. I APPRECIATE YOUR CALLING ME. I WILL GO TO MEET WITH MS. SMITH NOW TO MAKE SURE IT'S CLEAR THAT WE DO NOT MOVE YOUTH TO "PROTECT" THEM. WHILE I DO THAT WOULD YOU PLEASE SPEAK WITH THE OTHER STAFF ABOUT THIS?