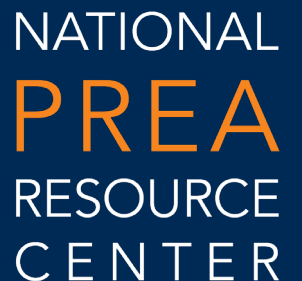


PREA and Access Considerations for Autistic People and People on the Autism Spectrum

February 4, 2025



NATIONAL
PREA
RESOURCE
CENTER

Mission

The mission of the PRC is to assist adult prisons and jails, juvenile facilities, lockups, community confinement, and tribal facilities in their efforts to eliminate sexual abuse by increasing their capacity for prevention, detection, monitoring, responses to incidents, and services to victims and their families.

The PRC is funded by the Bureau of Justice Assistance.

Logistics

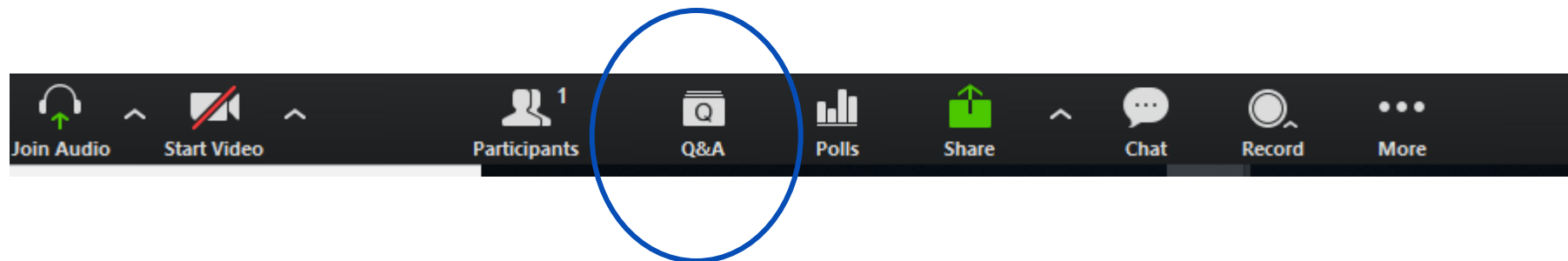
Technical Support

- Please contact the ZoomPro webinar support line at (888) 799-9666 – select “2” when prompted to get support with technical difficulties.
- When asked please provide the **webinar ID (844 5868 0115)** so they know which event is associated with your technical issues.
- If you have trouble using this function, please contact **Ramses Prashad:** rprashad@impactjustice.org.

Logistics

Submitting Questions

- To submit a question during the webinar, use the **Q&A feature** on your webinar toolbar, as seen below.
- Presenters will address the questions at the end of the presentation.





Alex Stojsavljevic

Supervisory Senior Policy Advisor
PREA Management Office (PMO)
U.S. Department of Justice

Alex.Stojsavljevic@usdoj.gov



Allison Hastings

Project Director

Activating Change

ahastings@activatingchange.org

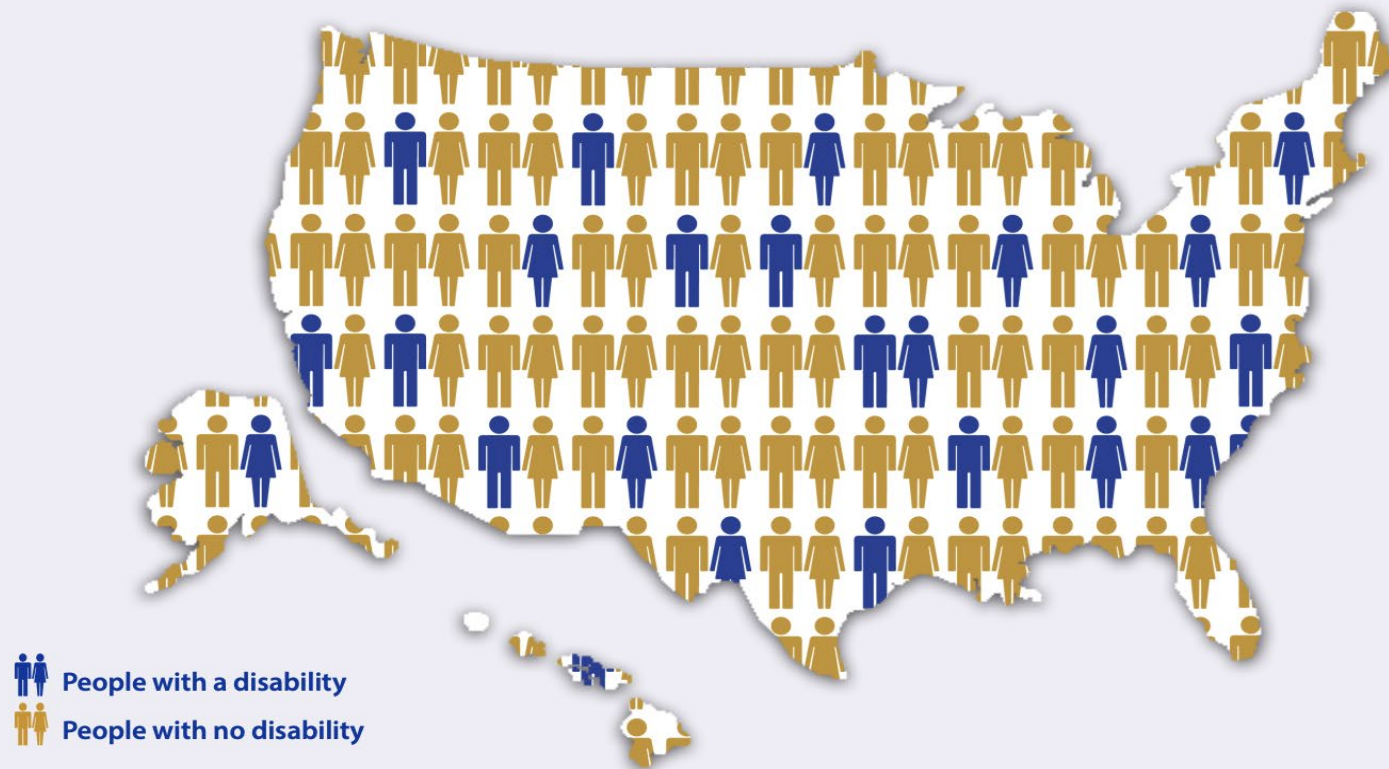
Agenda

- Overview of Disability, Incarceration, and PREA.
- Understanding Autism.
- PREA and Autism.
- Resources.
- Q&A.

Overview of Disability, Incarceration, and PREA

People with Disabilities in the United States

More than **1 in 4** adults in the United States have some type of disability
(28.7%)



Victimization Disparities for People with Disabilities

- People with disabilities are **more than twice as likely** to experience sexual violence as people without disabilities.
- Nearly **half** of people with developmental disabilities are sexually assaulted 10 or more times.
- **20%** of Deaf adults have experienced physical abuse by an intimate partner.
- **15%** of Deaf adults have experienced forced sex in an intimate partner relationship.

Disability Disparities in Jails

Non-psychiatric Disabilities

40% of people in jail have a non-psychiatric disability;

4x more likely than the general population.

- Cognitive: **7x** more likely
- Vision: **4x** more likely
- Hearing: **3x** likely

Psychiatric Disabilities

64% of people in jails report indicators of psychiatric disabilities.

Disability in State and Federal Prisons

40% of people in state and federal prisons have psychiatric disabilities.

56% of people in state and federal prisons have non-psychiatric disabilities.

Taken together, 80% of women and 65% of men in prison have at least one disability.

Most Common Disabilities in State and Federal Prisons

Most Reported Disability Types:

- Psychiatric: 40%
- Cognitive: 23%
 - **Autism is a type of cognitive disability.**
- Ambulatory: 12%
- Vision: 11%

Misunderstanding of Common Disability-related Behaviors Can Contribute to Arrest and Incarceration Disparities

Common manifestations of disability that can lead to arrest and incarceration include:

- ‘Atypical’ reactions to social cues and commands.
- Slurred speech.
- Difficulty walking or atypical gait.
- Slow processing of questions or commands.
- Insufficient or complete lack of means for effective communication escalate interactions.

What Happens Inside?

Incarcerated people with disabilities are **3x** more likely to be sexually abused than their counterparts without disabilities.



Photo credit: Podtoppen.se

Inmates with Disabilities and Inmates Who are Limited English Proficient

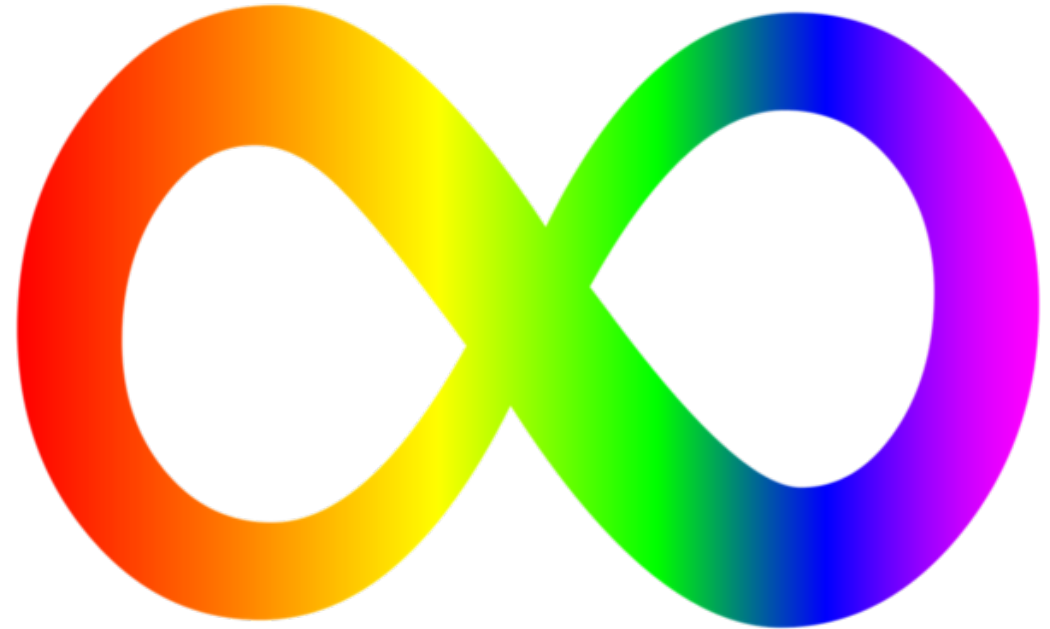
- **115.16 (a):** The agency shall take appropriate steps to ensure that inmates with disabilities (including, for example, inmates who are deaf or hard of hearing, those who are blind or have low vision, or those who have intellectual, psychiatric, or speech disabilities), have an **equal opportunity to participate in or benefit from all aspects of the agency's efforts** to prevent, detect, and respond to sexual abuse and sexual harassment.
- **115.16 (c)** The agency shall **not rely on inmate/resident/detainee interpreters, readers, or other types of assistants** except in limited circumstances where an extended delay could compromise the inmate's safety, the performance of first-response duties under § 115.64, or the investigation of the inmate's allegations.

Understanding Autism

Autism is a Spectrum

Autism or Autism Spectrum

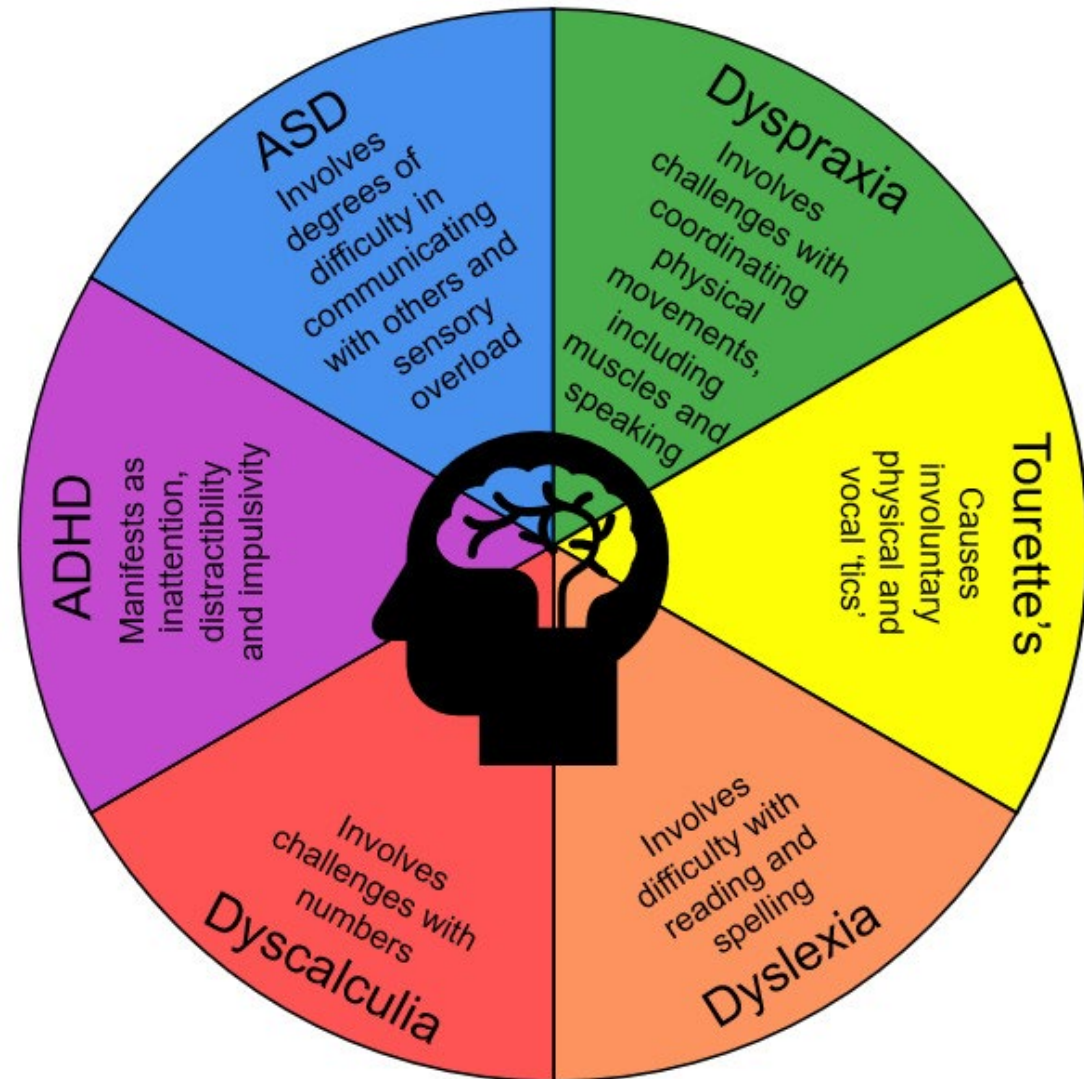
Disorder (ASD) is a developmental disability that affects how someone thinks, moves, socializes, communicates and understands the world. These terms include a wide range of traits that can manifest differently from person to person.



Understanding Autism as Neurodiversity

Neurodiversity is the idea that variation in brain function exists across the population. It describes how people interact with and experience the world in different ways.

- Autism.
- Attention-deficit/hyperactivity disorder (ADHD).
- Other learning disabilities.



Language Matters

Most disability communities either use person-first or identity-first language:



- **Person-first** means placing the person before the disability: for example, “person with an intellectual disability” or “someone who uses a wheelchair.”
- **Identity-first** means placing the disability label in front of the person: for example, “autistic person” or “blind person.”
- The autistic community generally **prefers identity-first language** because it recognizes that autism isn’t just a small part of their experience, but a large part of their lives.

Autistic People and People on the Spectrum in the U.S.

Approximately 2.2% (1 in 45) of adults in the U.S. have autism or have been diagnosed with ASD.

- More men (about 4.4 million) are estimated to have ASD than women (about 1.1 million).
- About 1 in 36 children have been identified as having ASD.
- ASD is nearly 4 times more common in boys than girls.
- Autism and ASD are under-diagnosed in people of color and women and girls.

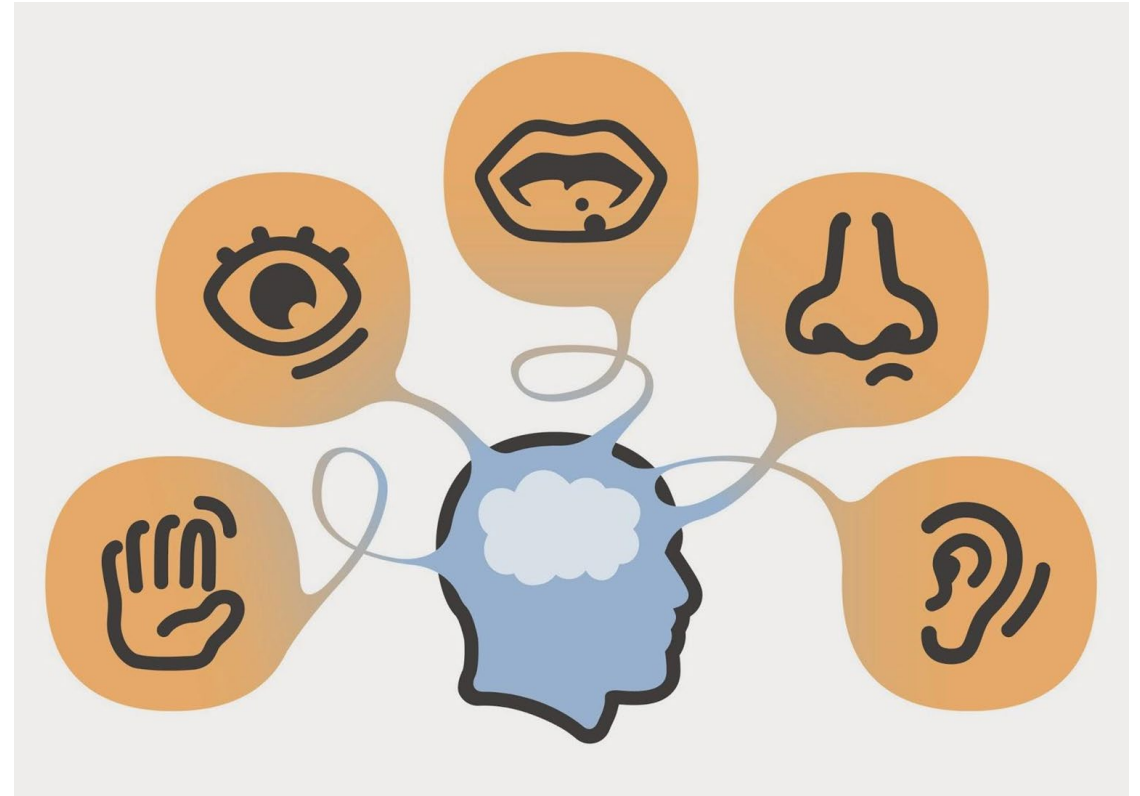
Common Traits of Autism

Behaviors and needs vary based on the environment, circumstances, and situation. Some common traits of autism include, but are not limited to:

- Prolonged or reduced eye contact.
- Prolonged or reduced motor movements.
- Verbal tics.
- Ritualized behavior (e.g., repetitive speech or organizing objects).
- Difficulty understanding social cues and interactions.

Common Ways Autistic People Experience the World

- **Sensory differences** – May be over-sensitive to bright lights, certain sounds, smells, and textures.
- **Communication barriers** – May not understand terminology, implied meanings, or idioms.
- **Lack of understanding of norms and expectations** – May not understand social cues, unwritten social rules, or social hierarchies.



Sensory Issues: The Experience



Communication and Environmental Barriers for Autistic People in Custody

- Difficulties with communication and processing information.
- Sensitivity to bright lights, loud noises, and touch.
- Lack of understanding of the implied authority structure of a custody setting and the social and cultural environment of the facility.

Risks Created By Barriers

- May not understand their rights, how to report, or get help.
- May not be able to understand the rules, making compliance difficult.
- May melt down or act out and be labeled as dangerous or disobedient.
- May make autistic people targets for victimization and harassment.

In Their Own Words

“When Drew Harrison was in prison, just sitting in his cell overloaded his senses. To dim the fluorescent lights, he covered the bulbs with toothpaste or paper. To mask overwhelming odors, he wrapped his uniform around his head. Once, when he asked to stay longer in the prison yard, Harrison, who has autism, said he was told he was being insubordinate and was put in restrictive housing.”



PREA and Autism

Environmental Considerations

For PREA functions that include conversations or in-person delivery of information, including providing education (§115.33) and screening for risk (§115.41):

- Use quiet, low sensory spaces, if possible.
- If not possible, strive to have a low sensory space available on an “as needed” basis for follow-up meetings with people in custody struggling with sensory overload.
- To the extent possible, give people extra time to process information and ask questions.

Screening (§115.41)

Setting Expectations and Providing Instructions

- Explain what you are doing, why, and how long it will take.
- Tell the person they will not get in trouble if they don't answer the questions.
- Ask if they need any assistance other than you reading the questions aloud; make it clear what kind of assistance you can provide (e.g., a blank form to follow along with or a quieter space).

Screening (§115.41) (cont.)

Asking Questions

- Use plain language.
- Speak slowly and offer to repeat questions.
- Do not ask compound questions.



Education (§115.33)

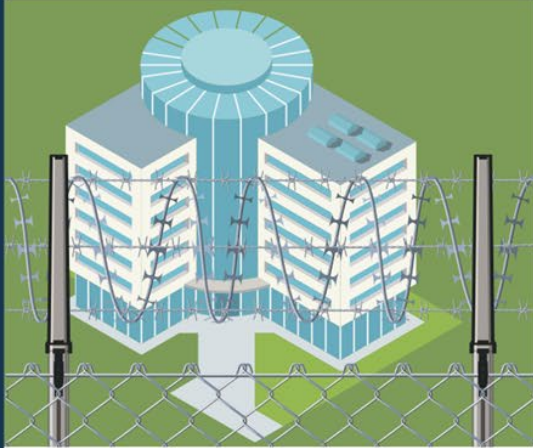
Making PREA Information Accessible

- Use materials written in plain language.
- Speak concretely and clearly – autistic people may not understand the words related to sexual abuse.
- Check for understanding.
- Consider alternative communication strategies like picture boards and social stories.

Sample Social Story

Detention Center, Part 1: What are detention centers?

A detention center is a secure building for kids who break the law.



If I break the law, I may have to stay in a detention center.



The staff at the detention center supervise me and make sure I am safe.



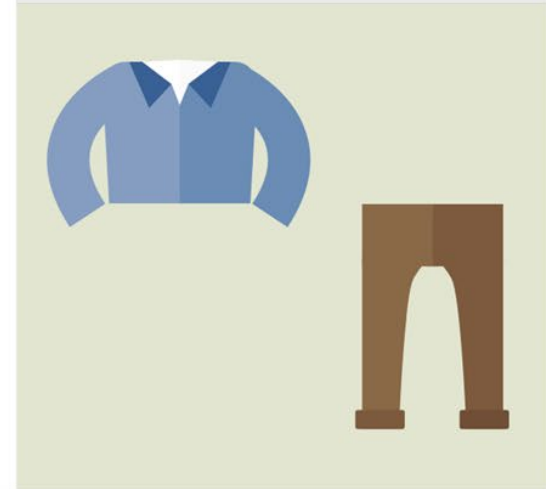
When I arrive, I will be asked questions by the staff. This is called intake.



Staff may touch my clothes and check my body to make sure I don't have anything that could be unsafe.



This may require removing my clothes.



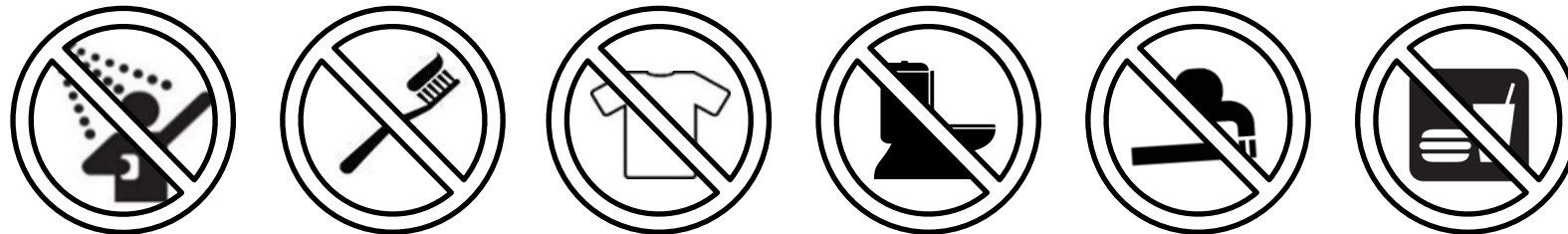
Reporting (§115.51)

If autistic people have better access to information and understand what to report and how to report, they will be more prepared and able to report sexual abuse and sexual harassment (§115.51).



Searches (§115.15) and First Response (§115.64)

- Many autistic people have **sensory issues** and are not comfortable with any touch.
- Staff should **explain** what they are going to do in very clear, concrete terms and how long it will take.
- **Pictorial aids** might be helpful for communication of first response actions.



Investigations (§115.71)

When a victim or witness is autistic or on the spectrum, typical autistic behaviors may present in ways that make an investigator doubt the person's credibility. For example:

- Not making eye contact.
- Stimming behaviors.
- Flat affect.
- Disjointed conversation.
- Inability to keep a linear timeline of events.

Investigations (§115.71) (cont.)

Considerations for investigative interviews with a victim or witness is autistic or on the spectrum:

- Interviews may take extra time.
- The autistic person may need a trusted staff person or other support person with them during interviews.
- Investigators should provide explanations at the outset that are concrete, clear, and in plain language.
- Low sensory spaces will make it easier for the autistic person to focus and communicate.

Employee Training (§115.31)

To communicate professionally and effectively with autistic people and people on the spectrum, employees should be trained on the following:

- What autism is.
- Typical behaviors of autistic people.
- Ways of communicating with autistic people that will help them to feel safe and be able to comply with the rules.

Training should be ongoing and scenario-based to the extent possible.

Resources

NATIONAL
PREA
RESOURCE
CENTER

Making PREA and victim services accessible for incarcerated people with disabilities:

An implementation guide for practitioners on the adult and juvenile standards

Sandra Harrell, Allison Hastings, and Margaret diZerega
October 2015



VERA
INSTITUTE OF JUSTICE

Making Written Materials Accessible



- We use written materials to convey important information about our agencies and the resources and services available to the people we serve. It's essential that organizations that work with and serve people with disabilities — including all criminal legal agencies and programs — infuse accessibility in their materials. This includes any materials related to community engagement and reform initiatives.



Ensuring the accessibility of the materials for the broadest audience, whether print or electronic, depends on choices made throughout the development of the materials. It requires being intentional both about content (i.e., word choice and sentence structure) as well as formatting and appearance (i.e., font size and color choice).



Activating
Change

June 2024

NATIONAL
PREA
RESOURCE
CENTER

Additional Resources

- [Autism Services, Education, Resources and Training \(ASERT\): Justice Resource Collection](#)
- [Autistic Self-Advocacy Network \(ASAN\)](#)
- [Centers for Disease Control: Autism Spectrum Disorder \(ASD\)](#)

Citations

Slide 9

Centers for Disease Control and Prevention. Disability and Health Data System (July 2024), Available from: dhds.cdc.gov.

Slide 10

Amylee Mailhot Amborski, Eve-Line Bussière, Marie-Pier Vaillancourt-Morel, and Christian C. Joyal, “Sexual Violence Against Persons With Disabilities: A Meta-Analysis.” *Trauma, Violence, & Abuse* 23, no. 4 (2022), 1330-1343. doi.org/10.1177/1524838021995975.

Citations (2)

Slide 10

Leigh Ann Davis, "People with Intellectual Disabilities and Sexual Violence," The Arc, March, 2011, www.theArc.org/wp-content/uploads/forchapters/Sexual%20Violence.pdf.

Robert Q. Pollard, Jr, Erika Sutter, and Catherine Cerulli, "Intimate partner violence reported by two samples of deaf adults via a computerized American sign language survey," *Journal of Interpersonal Violence* 29, no. 5 (2014): 948-965, doi:10.1177/0886260513505703.

Citations (3)

Slide 11

Jennifer Bronson, Laura M. Maruschak, and Marcus Berzofsky, “Disabilities Among Prison and Jail Inmates, 2011-12,” Bureau of Justice Statistics, December 14, 2015, bjs.ojp.gov/content/pub/pdf/dpji1112.pdf.

Jennifer Bronson and Marcus Berzofsky, “Indicators of Mental Health Problems Reported by Prisoners and Jail Inmates, 2011-12,” Bureau of Justice Statistics, June 22, 2017, bjs.ojp.gov/content/pub/pdf/imhprpji1112.pdf.

Slides 12-13

Laurin Bixby, Stacey Bevan, and Courtney Boen, “The Links Between Disability, Incarceration, And Social Exclusion,” *Health Affairs* 41, no. 10 (2022): 1460-1469, doi.org/10.1377/hlthaff.2022.00495.

Citations (4)

Slide 15

Allen J. Beck et. al., “Sexual Victimization in Prisons and Jails reported by Inmates, 2011-2012,” Bureau of Justice Statistics, May 2013, bjs.ojp.gov/content/pub/pdf/svpjri1112.pdf.

Slide 18

Photo Credit: Autism Spectrum Disorder Foundation, MyASDF.org/symbols-for-autism-what-do-they-mean/.

Slide 19

Photo Credit: Ott, Dana L., Emily Russo, and Miriam Moeller.

“Neurodiversity, Equity, and Inclusion in MNCs.” *Academy of International Business Insights* 22, no. 3 (2022). doi.org/10.46697/001c.34627.

Citations (5)

Slide 21

“Key Findings: Estimated Number of Adults Living with Autism Spectrum Disorder in the United States, 2017”, U.S. Centers for Disease Control and Prevention, May 18, 2024, accessed October 22, 2024, www.cdc.gov/autism/publications/adults-living-with-autism-spectrum-disorder.html.

“Data and Statistics on Autism Spectrum Disorder”, U.S. Centers for Disease Control and Prevention, May 16, 2024, accessed October 22, 2024, www.cdc.gov/autism/data-research/index.html.

Slide 24

Video Credit: Miguel Jiron, Produced for Interacting With Autism, available at <https://www.youtube.com/watch?v=Sd8nqptNCol>.

Citations (6)

Slide 27

“Prison Is Even Worse When You Have a Disability Like Autism”, The Marshall Project, November 11, 2020, accessed October 29, 2024, www.TheMarshallProject.org/2020/11/02/prison-is-even-worse-when-you-have-a-disability-like-autism.

Photo Credit: Judy Harrison.

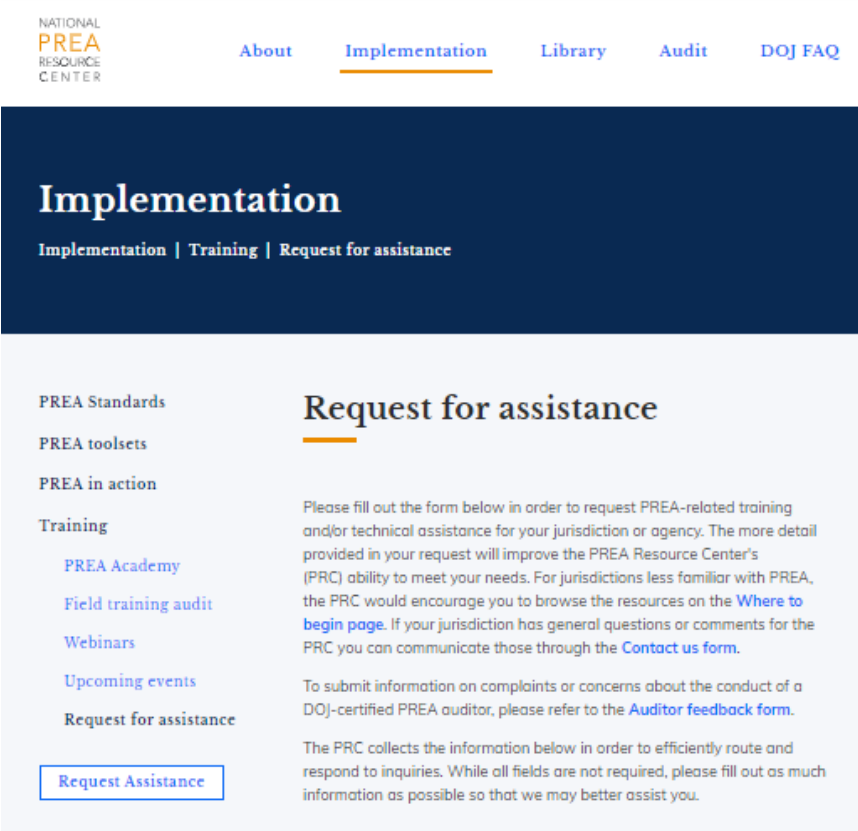
Questions?



Request Assistance

PRC Website

Jurisdictions can request assistance by completing a web form on the PRC website under the “Implementation” tab and clicking “Request for assistance” under “Training.”



The screenshot shows the National PRC Resource Center website. The navigation menu includes 'About', 'Implementation' (underlined), 'Library', 'Audit', and 'DOJ FAQ'. The main content area is titled 'Implementation' and includes a sub-menu with 'Implementation', 'Training', and 'Request for assistance'. The 'Request for assistance' page is displayed, featuring a sidebar with links to 'PREA Standards', 'PREA toolsets', 'PREA in action', 'Training', 'PREA Academy', 'Field training audit', 'Webinars', 'Upcoming events', and 'Request for assistance'. The main content area contains the following text:

Request for assistance

Please fill out the form below in order to request PREA-related training and/or technical assistance for your jurisdiction or agency. The more detail provided in your request will improve the PREA Resource Center's (PRC) ability to meet your needs. For jurisdictions less familiar with PREA, the PRC would encourage you to browse the resources on the [Where to begin page](#). If your jurisdiction has general questions or comments for the PRC you can communicate those through the [Contact us form](#).

To submit information on complaints or concerns about the conduct of a DOJ-certified PREA auditor, please refer to the [Auditor feedback form](#).

The PRC collects the information below in order to efficiently route and respond to inquiries. While all fields are not required, please fill out as much information as possible so that we may better assist you.

[Request Assistance](#)

Mailing List Signup

First name *

Last name *

Phone

Email *

Confirm email *

Do you wish to name your employer? *

Sign Up for our PRC Newsletter

Jurisdictions can sign up for the PRC newsletter by completing a web form on the PRC website under the “How to use this site” tab and going to “Frequently asked questions” and clicking “Subscribe to our newsletter.”

NATIONAL
PREA
RESOURCE
CENTER

Dana Shoenberg

PRC Director

dshoenberg@prearesourcecenter.org

For more information about the National PREA Resource Center, visit www.prearesourcecenter.org.

To ask a question, please visit our [Contact Us](#) page.

Thank You!

IMPACT/JUSTICE

NATIONAL
PREA
RESOURCE
CENTER

Notice of Federal Funding and Federal Disclaimer

This project was supported by Grant No. 15PBJA-23-GK-02262-PREA awarded by the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice. 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.

