

Prison rape



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Prison Rape is no secret in today's society. The American media has portrayed prison rape as a joke (Don't drop the soap) in countless films, television shows, and in music, but have not realized the extent of how dangerous this crime is. Some cops even use this method as a means to get a confession from a suspect. A major obstacle in solving Prison rape is the notorious under-reporting of the crime. Only 16 percent of prison rape victims report their victimization. Reasons for under reporting are fear of consequences, shame, guilt, embarrassment, and refuse to relive painful details.

This paper explores prison rape and its psychological and physical harm to not only inmates, but to society as well. It also discusses recent efforts to put a stop to prison rape, such as the Prison Rape Elimination Act of 2003 and The National Prison Rape Elimination Commission (NPREC) as well as organizations such as Just Detention International (JDI). Prison Rape is known as sexual intercourse through use of force, intimidation, and threats within prisons. Overcrowding and insufficient staffing are key contributors to prison rape.

Most targets of prison sexual assault are young, small, non-violent, first-time offenders. A study of four mid-western states found that 1 in 5 inmates experience some form of pressure or coerced sexual contact while incarcerated. In most cases inmates sexually abuse other inmates. There are also less common cases where correction officers abuse inmates. Americans today tend to believe that this is much more prevalent in female prisons, however there is evidence that women are indeed raped by other female inmates as well and it can cause long term injuries.

In a study pertaining to three Mid-western female prisons, 27 percent of the inmate population confessed to being sexually coerced. Although it is no secret male correction officers are sexually abusing female inmates, little to nothing has been done to reduce the male officer rate in female facilities. During Human Rights Watch's examination of five prisons, the organization discovered that lesbian and transgendered inmates were more likely to be sexually assaulted by correctional officers. Officers target these groups because they want to enforce gender stereotypes.

According to Calhoun and Coleman, inmates say about 20 percent of prison guards sexually coerce inmates. Inmates raped by correction officers usually do not report the crime because they are frequently disbelieved which only contributes to the problematic relationship between inmates and officers.

According to the Pennsylvania Coalition Against Rape (PCAR):

- Rates of HIV are 3 times higher inside prisons than outside of one.
- Female inmates have been impregnated because of staff sexual abuse.
- Male rape survivors become much more violent upon release which may ever conclude in them raping others.
- Many survivors blame themselves,
- Experience psychological consequences.

HIV is not the only disease common in prison rape. Rape victims are more susceptible to diseases such as Syphilis and Hepatitis than the outside community. The rate of Hepatitis C among the general population is 1.8%, while 14% of New York's prison population is infected with the disease. Even more so, 33% of California's prison population is infected with the disease.

It is obvious that the disease mentioned, are all sexually transmitted diseases (STD). The assault, anger, and violence in these attacks make these

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diseases so much more susceptible because there is blood and other bodily fluids being exchanged. Even inmates performing consensual sex in prison still have a higher rate of these diseases due to they lack of safe sex procedure such as condoms. This can have a major effect society as a whole because once a victim of prison rape is release, they can carry these diseases without even know and spreading it to the general public.

I believeif there were educational programs about STDs and STD testing in prisons, there might be a good chance prison rape can decline. If a rapist is aware that STDs are more common in prisons rather than the public and that his actions can result in him contracting an STD, he might re consider raping another victim. Contrary to popular belief sexually transmitted diseases are not the only physical harm victims of prison rape endure. Many rape victims endure broken bones, broken noses, bruises, cuts, concussions, and the obvious genital injuries.

Sexual assaults also increases violent behavior in prisons because inmates who feel like they may be a future target of sexually assault, defend themselves, and lash out in these violent rages and fights to establish themselves with a " tough guy" reputation to prevent any sexual misconduct from other inmates. Supreme Court Justice Harry Blackmun once said, " Prison rape not only threatens the lives of those who fall prey to their aggressors, but it is potentially devastating to the human spirit.

Shame, depression, and a shattering loss of self-esteem accompany the perpetual terror the victim thereafter must endure. " Victims do not only suffer physical consequence due to these rapes. It is very common for

victims to develop psychological illnesses as well. Victims of prison sexual assault frequently suffer from rape trauma syndrome or post traumatic stress disorder. Upon release of prison some victims will turn to substance abuse to cope with the emotion and mental damage while incarceration.

In some instances victims have been reported to committing suicide, which only adds to fatality factor of this crime. There are some cases in which the victim became so used to being in a homosexual relationship while incarcerated, resulting in him/her to change their sexual orientation. Although homosexuality is not a negative psychological disease, the complete change in sexual orientation itself, due to this rape is not a healthy way to live. Some studies have shown that victims released from jail become much more sexually violent with the female partners.

Incarcerated individuals who were raped and psychologically harmed pose as a threat to society because studies have shown that once they are released they become much more violent and anti-social than before they were incarcerated which ultimately make them more susceptible to creating more crimes. One of the worse social effects prison rape can have on the public is racism. According to G. J. Knowles black offenders and white victims are more common in male prisons while white offenders and black victims are more common in female prisons.

Over time victims begin to feel a hatred for the offender, which can evolve to a hatred for the offender's race. Many of the stated problems resulting from prison rape have been used to form movements and organizations to stop

prison rape. On September 4th, 2003 President George Bush signed the Prison Rape Elimination Act of 2003 (PREC). It is the first United States law passed dealing with prison rape. PREC was supported by numerous diverse organizations. PREA adopted a “ zero-tolerance” policy, aimed to diminish prison rape.

PREA also increased the penalties of staff members and officers who are found to be sexually abusing inmates. PREA set standards on how to detect and prevent sexual assault in prisons. Through PREA the Department of Justice was ordered to put the prevention of prison rape as a top priority in prison throughout the United States. The Bureau Of Justice was also order to produce an annual report on prison rape. The DOJ as came up with a review panel that strictly dealt with hearings pertaining to prison rapes.

There were also a few bureaus under the Department of Justice such as The Bureau of Justice Statistics (BJS), Bureau of Justice Assistance (BJA) whose primary role is to award grant funds to state governments for addressing inmate sexual assault, The National Institute of Justice (NIJ) whose role is to research the impact of sexual abuse in prison rape victims, as well as investigating and prosecuting offenders of prison rapes, and The Nation Institute of Corrections (NIC) which trains and educate agencies and correction officers to help reduce sexual abuse in prisons.

PREA also fought out to protect the Eighth Amendment (cruel and unusual punishment not me inflicted) right of local, state and federal prisons. One of the most important results of the PREA was the birth of the National Prison Rape Elimination Commission (NPREC). Perk’s mission is to study local, state,

and federal government policies and practices on sexual misconduct with in prisons. The commission reports their conclusions and findings to The Congress, The President, and many more important agencies pertaining to this issue.

NPREC had 9 commissioners, 3 appointed by the president and 6 appointed by congress. Federal judge Reggie Walton was the commissioner. Other appointed members were John Kaneb, James Aiken, Jamie Felner, Brenda Smith, Gus Puryear, Pat Nolan, and Cindy Struckman-Johnson. Each candidate supplied surveys and in depth analysis of prison rape. Members of the commission research the relationship between prison inmates and the conditions in which they live. There have been other efforts, such as, the House Bill No. 642 try to eliminate prison rapes. Connecticut State Representative Pat Dillon says two types of people are usually targeted in prison, Non-Violent offenders and inmates of small stature. Dillon states that simple procedure can be done to prevent a rape attack. She quotes " You don't take a 120 pound non-violent offender and put him in a cell with a 200 pound sex offender. " On one hand I agree with Dillon's idea of matching cellmates according to stature. But on the other hand I insist that this is not a matter that can be easily prevented.

Yes separating cellmates due to stature works but it will most certainly no solve the ongoing battle with prison rape. It is a much more complicated situation. One of the main threshold's to the development of the Prison Rape Elimination Act, was a paper released two years earlier by the Human Rights Watch, titled " No Escape: Male rape in the US". Joanne Marnier was the

head author of this paper and had advertisements put in prison magazines such as Prison Legal news and Prison Life Magazine.

After having these advertisements out, Mariner received letters containing graphic accounts of inmates being sexually assaulted and was very detailed. “ No Escape” surveyed prison systems in 34 states. According to “ No Escape” prisons ran by the Texas Department of Criminal Justice have the worst incidents of prison rapes. Prior to the release of “ No Escape” there were very few studies of prison rape. This paper is noted at the stepping-stone to publicizing how brutal and inhumane these rapes are.

In my opinion PREA is a brilliant idea in way to approach this devastating situation, however more need to be done. Because most inmates who were sexually abused will not admit to their abuse, there is a lack in how much help can actually be given. I believe in order to fully solve this prison rape issue, we must first solve the under reported factor of this crime. There have been other organization and movements to stop prison rape. Just Detention International (JDI) is an anti-prison rape organization, created in 1980 by Russell Smith.

The original name of the organization was founded as People Organized to Stop the Rape of Imprisoned Persons (POSRIP). Due to its expansion with other countries, such as South Africa, Mexico, Canada, and The Philippines, the organization changed their name. According to the Just Detention website the founder, Russell Smith as well as many of them members of the organization were members of prison rape and are not paid for their work

with the organization. JDI was formed during a time when prisoner rape was not so popular and wasn't an issue to the public.

It was one of the only anti-prison rape groups of its time. JDI played a big role with the Prison Rape Elimination Act and worked with Senators and Representatives. JDI played a prominent role in ensuring the PREA follows through with safety from prison rape. JDI has also helped as support systems for individuals who are recently release from jailed and have survived prison rape. Another supportive organization of anti- prison rape is the Human Rights Watch. HRW was actually even responsible for publishing the " No Escape: Male Rape in the US".

HRW ran several studies on prison rape and concluded that at least 140, 000 inmates in United States prisons are most likely to get raped. On the human rights website, many articles are written targeting prison rape as an issue as well. In conclusion, prison rape has been a growing problem that has been kept under wraps for several decades. Prison rape has not only affected inmates but the public as well. Prison rapes have left inmates with deadly diseases such as HIV, Hepatitis, and Syphilis.

Victims of prison rape also suffer from psychological disorders and are know to become much more violent and anti social upon release Physical and well as psychological harm to the inmate can spread to the general public upon release. There have been recent efforts to suppress prison rape such as the Prison Rape Elimination Act of 2003, signed by President George Bush. An important factor branching out from the PREA is the National Prison Rape

Elimination Commission, which consisted of 9 individuals who studied on the matter extensively.

The commission sought to decline prison rape by visiting prisons and checking up on procedure and making sure the laws passed in the PREA are being played out in prisons. Other non-government organizations have been formed to take a stand against prison rape. Organizations such as Just Detention International and the Human Rights Watch have been a strong force to decline prison rape. Although there have been many efforts to ban these heinous acts, I believe more has to be done because at the end of the day, prison rape is still very existent in today's prisons.