

FALL/WINTER 2005

Connections

A BI-ANNUAL PUBLICATION OF THE WASHINGTON COALITION OF SEXUAL ASSAULT PROGRAMS



Sexual Assault: Not Part of the Penalty

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A BROAD AND LONGSTANDING CULTURE

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Director's Desk

RENÉE M. SPARKS, WCSAP



Renée M. Sparks

“What means do we choose to punish the perpetrators of crime? Where will the means we choose take us as a society; and as human beings who coexist in this world?”

Ron Takaki, professor of Ethnic Studies at the University of California, Berkeley asked a question pertaining to epistemology, “How do we know what we know?”

I draw on Takaki’s question and proactively ask, “What means do we choose to punish the perpetrators of crime? Where will the means we choose take us as a society; and as human beings who coexist in this world?”

I believe there are those who would legitimately also raise the question, “Why should sexual assault in prisons matter?” There may be many responses to that question. However, society in general and those who labor in the anti-rape community have a responsibility to peel back layers of inequities and amplify voices of all victims and survivors, including victims confined within the parameters of controlled correctional institutions.

As of March 2005, there are 15 prisons in Washington State, and 7,422 persons are incarcerated in the state of Washington. (Western Prison Project Fact Sheet). In many states privatizing prisons has developed to an extent that private prisons house inmates in 158 facilities spread throughout 31 states, Washington D.C., and Puerto Rico. In addition, the landscape of prisons varies from prison facility to prison facility because there are no mandatory prison standards.

According to the most recent National Institute of Justice study, violent crimes cost victims \$400 billion in economic losses and long-term healthcare. About 600,000 to 700,000 people transition from prison back to communities each year. It is believed that that number will double in 2010. Implications of the strain and cost, of reentry from prisons back to communities, will include such long term effects as: housing, underemployment, mental health care, substance abuse, the impact of sexual assault in prison, traumatic stress of rape, HIV and other issues.

In mentioning the expense that crime costs society, it is appropriate to point out that the courts determine the verdict or penalty of an offender. The courts have never issued in the verdict that sexual assault is part of the penalty. Yet, embedded throughout our jails, juvenile institutions, and adult prison systems is the horrific sexual assault and rape crimes perpetuated in prison settings throughout this country.”

President Bush signed the Prison Rape Elimination Act law in 2003 and the Bureau of Justice Statistics began the process of developing data on the prevalence of sexual violence within prison facilities. This data is limited, however, according to the Bureau of Justice Survey: In state prisons, 69% of victims of staff sexual misconduct were male, while 67% of perpetrators were female. In local jails, 70% of victims of staff sexual misconduct were females and 65% males, inmate-on-inmate consensual sexual acts 37%, staff sexual harassment 11%, and abusive sexual contact 10%. (Bureau of Justice Statistics Special Report, 2005).

The rates of sexual assault in prisons are so enormous that it is necessary to

balance the infrastructure of incarcerated systems beyond quasi-methodologies and policies. Balance does not suggest that inmates are entitled to luxurious accommodations, but neither should they be housed in a controlled environment where sexual assault and rape are intermixed in the culture of jails, adult prison systems, and juvenile institutions.

The premise of this issue is not to evoke or deter debates about whether or not inmates should be subjected to inhumane and egregious sexual assault and custodial sexual misconduct in juvenile and adult correctional facilities. Instead, the intent of this issue is to dispel the myths and societal norms about sexual assault in jails, adult and juvenile institutions. This issue, also, highlights the mandate of the Prison Rape Elimination Act; points out the many challenges the Department of Corrections (DOC) and those who are in partnership with DOC face and must resolve. These resolves will lead to strategic and significant changes in correctional facilities and approaches.

I think it was Martin Luther King, Jr., that said, “Injustice anywhere is injustice everywhere.” However, the advocating remarks by Johnny Cochran resonates with me on this issue, “It isn’t enough to hate injustice; you have to love justice for its own sake. And justice, like truth, is indivisible. It must apply as equally to the cop, the prosecutor, and the judge as it does to the prisoner in the dock and the advocate defending him. The change we seek in our system is not its overthrow but the realization of its ideals through the application of its laws and principles equally and to all.”

“...embedded throughout our jails, juvenile institutions, and adult prison systems is the horrific sexual assault and rape crimes perpetuated in prison settings throughout this country.”

Consequences Behind Bars

ANDREA CAVANAUGH KERN



“...for scores of prisoner rape survivors, prisoner rape is no joke. The sexual violence they suffered behind bars is every bit as devastating as for any other member of society.”

For most Americans, prisoner rape is nothing more than a punch line. Conscientious, politically correct individuals, who would never dream of joking about other forms of sexual assault, feel free to make light of the dangers of dropping the soap in a prison shower.

But for scores of prisoner rape survivors, prisoner rape is no joke. The sexual violence they suffered behind bars is every bit as devastating as for any other member of society.

Marilyn Shirley, a former Texas prisoner who was violently raped five years ago by a guard who later was convicted, developed paralyzing panic attacks that have left her unemployed and unable to enjoy life's simple pleasures.

“I can't even hold my grandbaby because I'm afraid of having a panic attack and dropping her,” Shirley said. “I have awful nightmares and sometimes I wet the bed as a result. Sometimes my husband has to come and pull me out of the closet, where I go when I have these attacks.”

Because of the culture of violence and intimidation that rules prisons and the poor quality of available medical care, the physical consequences of being raped behind bars can be horrifying. Many survivors suffer extensive injuries during their assaults, ranging from torn tissue to broken bones. HIV rates are three times higher in prisons than on the outside, and other sexually transmitted diseases, such as Hepatitis C, also are common.

And as any survivor of sexual assault can attest, the emotional scars of rape can be even worse. Many former prisoners are still struggling with the aftermath of their abuse three or four decades after they were raped. And while most survivors of sexual assault on the outside typically can access confidential mental health services, prisoner rape survivors often must fend for themselves.

As for other survivors of sexual assault, the emotional trauma of prisoner rape can fester and burn if left untreated. Survivors suffer from depression, post traumatic stress disorder, drug and alcohol addiction, and other maladies. Some survivors report that they fantasize about continuing the cycle of violence they learned during their assaults.

Although any prisoner, male or female, can fall victim to sexual assault behind bars, certain inmates are at high risk for prisoner rape. Young, first-time offenders, gay or transgender inmates, male prisoners who are small in stature or who have feminine-appearing features, and non-violent offenders all face the peril of sexual assault in detention.

Disturbingly, many of those subjected to sexual abuse behind bars are targeted by corrections officials because they were sexually abused as children, teens, or young adults – abuse that likely contributed to their imprisonment in the first place.

A former Michigan prisoner who suffered extensive sexual abuse as a child was victimized yet again while traveling to an outside work assignment with a dozen other female inmates. The guard assigned to their crew dropped the other women off at their work sites and drove her to a remote location. There, he told her he was prepared to abandon her and report her as an escapee unless she gave him oral sex. With her mind on the infant son she had left in the care of a friend and the two years an escape charge would tack onto her sentence, she sagged to her knees.

The guard likely learned about her vulnerability by browsing through her file. Many women prisoners have reported that the guards at their facilities regularly reviewed prisoners' files to learn which ones had been sexually abused as children or been in abusive relationships as adults, because they knew that those women were much more likely to submit to abuse without complaint.

Unfortunately, the abuse described by the former Michigan prisoner is the rule rather than the exception. Many of the 2.1 million men and women held at any given time in America's prisons, jails, juvenile facilities and immigration detention centers grapple with sexual abuse. Stop Prisoner Rape (SPR), a national, non-profit human rights organization dedicated to ending sexual abuse behind bars, receives nearly two dozen letters each day from prisoner rape survivors or inmates seeking information about sexual abuse in detention.

Despite evidence to the contrary, many corrections officials insist that sexual abuse is rare or non-existent inside their facilities. One of the reasons they have been allowed to maintain this charade is the dearth of research on the subject. Few researchers have been willing to tackle the gritty reality of prisoner rape.

However, one groundbreaking study of Midwestern prisons conducted by social scientist Cindy Struckman-Johnson found that sexual abuse in prisons and jails is rampant – one in five male prisoners had been sexually pressured, and one in 10 had been raped. At one women's facility studied by Struckman-Johnson, more than a quarter of the prisoners said that they had been sexually abused.

In July, the U.S. Bureau of Justice Statistics released its' first-ever report on the prevalence of prisoner rape. A survey of U.S. prisons, jails, and youth facilities found that there were 8,210 allegations of sexual violence against prisoners last year. Nearly 2,100 of those allegations were substantiated by corrections officials.

With millions of Americans behind bars, nearly everyone acknowledges the BJS statistics offer only a sliver of the truth. Even the study's authors, BJS statisticians Allen J. Beck and Timothy A. Hughes, wrote that the numbers represent only the tip of the iceberg. The factors that prevent prisoners from reporting rape are just too powerful, they concluded.

"Administrative records alone cannot provide reliable estimates of sexual violence," Beck and Hughes wrote. "Due to fear of reprisal from perpetrators, a code of silence among inmates, personal embarrassment, and lack of trust in staff, victims are often reluctant to report incidents to correctional authorities."

That culture of shame and fear may have influenced prisoner rape reports in Washington State, where just 12 instances of inmate-on-inmate sexual assault were reported last year, and only a third of those reports were substantiated. The state did not report to the BJS on staff-on-inmate sexual assaults.

"Many of the 2.1 million men and women held at any given time in America's jails, juvenile facilities, and immigration detention centers grapple with sexual abuse."

Although long considered a joke or a taboo subject, policymakers finally seem to be willing to tackle the issue of prisoner rape. The BJS study was the first annual report mandated by the Prison Rape Elimination Act (PREA) of 2003, the first-ever federal law to address prison rape. PREA calls for states to adopt a zero-tolerance policy toward prisoner rape and to take measures to prevent sexual violence behind bars. It also calls for the development of tools to learn the true prevalence of prisoner rape, not only through the annual BJS report, but also through a comprehensive survey that will be administered to selected prisoners next year.

As policymakers, corrections officials, and advocates become increasingly willing to address the issue of prisoner rape, SPR will continue to push for reforms that will allow all prisoners to live in safety and dignity, secure in their right to be free from sexual violence.

For more information about SPR or to obtain a resource guide for survivors of prisoner rape, write to SPR at 3325 Wilshire Blvd, Ste. 340, Los Angeles, CA 90010.

A Victim Advocate Considers Prison Rape

STEVE ECKSTROM, WASHINGTON STATE CORRECTIONS

MANAGER OF THE VICTIM SERVICES PROGRAM OF THE WASHINGTON STATE DEPARTMENT OF CORRECTIONS.

Victim advocates who provide direct client services are constant witnesses to the havoc wrought by criminal offenders in the lives of those they victimize such as: Physical injuries that is grievous and often permanent, psychological trauma that overwhelms the capacity to cope, financial devastation that permanently degrades the standard of living for families, spiritual desolation that subverts hope, and the loss of life that blows holes in families and communities.

Some offenders, with full awareness and intent, choose to habitually, persistently, and heedlessly leave a lifelong trail of tears and human wreckage in their wake. And there are the advocates for crime victims, working in the midst of that trail, working to contain and reverse the damage, restore confidence, rebuild futures, and salvage hope. Advocates assist victims in picking up and reassembling at least some of the pieces, consoling those who can't be consoled, and doing everything possible to prevent or at least deflect the next blow.

I have been privileged to work among that second group for the past twenty-five years or so. It is difficult work that challenges the personal mettle, as well as the skills and resourcefulness, of anyone who sticks with it for a few years. There is the satisfaction, from time to time, of seeing the difference one makes, of enjoying the camaraderie of working together with those with shared goals, of finding innovative and effective new ways of getting important and noble work done, and of contributing to the well-being of one's community.

But there are cumulative effects of exposure, day in and day out, to the consequences of the acts of those who choose to gratify themselves at the profound expense of others. There is much that can be learned, insight and perspective acquired, about how people get to that point, about what can be done to intervene, prevent, and reverse the process. Still, evidence in support of cynicism mounts. It's waiting every day at the workplace. One loses one's patience, after awhile.

So, why would a victim advocate be concerned about prison rape? Is it not a natural and foreseeable consequence of ending up in prison? Might it not deter at least some from choices that lead there? Is there not a measure of justice in the prospect of victimization for those that victimize others?

It's not unusual to hear thoughts like these expressed when working with victims of crime and their loved ones. Justice is elusive, and even when the system works as well as it can, it is an arduous process that yields results victims often find disappointing. The loss or cost sustained by victims is often felt most acutely as the justice process draws to a close, so statements wishing additional suffering on the person who caused all the pain sometimes spill out.

Experienced victim advocates are not surprised or taken aback by expressions of this kind. They often serve as a means of discharging feelings that have built up over months or years of waiting for the wheels of justice to turn. They can signal that a person who has been numb or depressed in the aftermath of victimization is experiencing anger or a sense of outrage that heralds progress in

"Some offenders, with full awareness and intent, choose to habitually, persistently, and heedlessly leave a lifelong trail of tears and human wreckage in their wake".

“...why would a victim advocate be concerned about prison rape? Is it not a natural and foreseeable consequence of ending up in prison? Might it not deter at least some from choices that lead there? Is there not a measure of justice in the prospect of victimization for those that victimize others?”

the integration of the experience. Though couched in language that sounds on the surface like an endorsement of rape as appropriate punishment, such expressions are often outward indicators of an inner process of coping with the overwhelming experience of the crime.

More disturbing (and less explicable) are the ways in which prison rape is portrayed in popular culture, as a comedian's punch line or a snappy one-liner in a television crime drama. These references are so common and so evocative that one might suspect that they tap more into societal attitudes about rape – it is in some circumstances inevitable and even acceptable - than knowledge about or interest in what happens in prisons.

The public policy questions what victim advocates must engage, and more straightforward: Should the sexual assault of inmates in prisons – either by other inmates or by staff in those institutions – be tolerated? Should public resources, time, energy and service of victim advocates be deployed to respond and ultimately stop it?

Though the notion – almost romantic, in a sense – persists that prison rape among inmates is carried out as a kind of “street justice” against those who deserve it the most. A more realistic assessment is that the comparison of what is taking place in prison is also taking place in the community: the violent exercise of power and control by the strong over those who are, in the circumstances of the moment, unable to protect themselves.

Aside from philosophical or humane considerations of whether it is acceptable to tolerate such treatment of any human being, there are specific and practical consequences of allowing it to occur in prisons.

First, if perpetrators of rape are allowed to operate in prisons, communities will at some point have to deal with their behavior. Though some may confine their predations to the prison setting, many will pursue self-gratification through similar behavior in the community. In tolerating prison rape, the opportunity to intervene or to isolate the offender from potential victims, or at least to identify to the community the offender's risk is relinquished.

Secondly, most of those victimized by rape in prisons will at some point return to their communities. They will bring with them the effects of their experiences in prison, including the impact of the trauma of rape on their physical and mental health, and on their capacity to function as parents, as workers, as productive members of the community. To the extent that the impact is not identified or effectively addressed, through intervention in prison or after release, the costs will eventually ripple through the communities to which they return.

Finally, acceptance of a level of sexual violence directed at those in prison undermines efforts to eradicate sexual violence and exploitation by changing societal attitudes and norms. If victim advocates acquiesce in the proposition that it is either inevitable or acceptable that prisoners are raped, we will be left to argue about where else it is inevitable or acceptable. As a victim advocate who is still hanging onto hope of reducing the need for the services I provide, that's not the debate I want to have.

The state of Washington has undertaken a systematic approach to preventing and responding more effectively to the occurrence of rape in adult and juvenile correctional facilities, using grant funds provided by the U.S. Department

(continued)

of Justice under the terms of the Prison Rape Elimination Act of 2003. This collaborative effort, jointly undertaken by the state's Department of Corrections and Juvenile Rehabilitation Administration, local jails and law enforcement agencies, and victim service providers, will develop clear policies and working interagency protocols designed to prevent the sexual assault of inmates by other inmates or staff, detect such assaults when they do occur, hold perpetrators accountable, and provide appropriate services to victims.

From the perspective of a victim advocate, these are ambitious and worthy goals which, to the extent they are achieved, will allow correctional agencies to carry out their responsibilities more effectively, and spill fewer problems back into the communities to which offenders return after serving their sentences. Most importantly, these efforts reflect the collective determination of those involved to demonstrate that there are no circumstances in which sexual violence is either inevitable or tolerable.

STEVE ECKSTROM IS MANAGER OF THE VICTIM SERVICES PROGRAM OF THE WASHINGTON STATE DEPARTMENT OF CORRECTIONS. HE HAS PREVIOUSLY SERVED AS ADVOCACY SERVICES PROGRAM MANAGER IN THE OFFICE OF CRIME VICTIMS ADVOCACY, AND AS DIRECTOR OF THE VICTIM/WITNESS ASSISTANCE PROGRAM OF THE SNOHOMISH COUNTY PROSECUTOR'S OFFICE.

Survivor's Story

GARRETT CUNNINGHAM, TEXAS

"I was afraid to tell anyone about my problems with Officer M.C., but in March 2000, I finally went to the unit's psychologist and told him about the touching and crude comments. He advised me to stay away from Officer M.C."

In 2000, I was housed at the Luther Unit in Navasota, Texas. While at the Luther Unit, I worked in the prison's laundry under the supervision of corrections officer M. C. After just a few weeks of working with Officer M. C., he began to touch me in a sexual manner during pat searches. At first, I thought it was accidental, but since it continued every day, I soon realized his inappropriate touching was intentional. He also stared at me and made sexual comments when I showered.

I was afraid to tell anyone about my problems with Officer M.C., but in March 2000, I finally went to the unit's psychologist and told him about the touching and crude comments. He advised me to stay away from Officer M.C.

The prison psychologist's advice did nothing to prevent the sexual harassment, so a month later I decided to go to the prison's administration for help. I approached the assistant warden and his second-in-command officer and told them about M.C.'s sexual comments and sexual touching during pat searches. They told me that I was exaggerating and that M.C. was just doing his job.

I eventually confronted M.C. and told him to stop touching me. He only got angry and continued to harass me. I tried again to get help from prison administrators but I was told to keep my mouth shut.

Officer M.C. eventually raped me in September 2000. On that day, I had just finished my job at the prison's laundry and began walking to the back of the room to take a shower. Suddenly, M.C. shoved me, knocking me off balance. I screamed and struggled to get him off me, but he was too big. Officer M.C. weighed about 300 pounds. I am 5 feet 6 inches tall and weigh 145 pounds.

While I struggled, M.C. handcuffed me. He then pulled down my boxers and forcefully penetrated me. When I screamed from the terrible pain, M.C. told me to shut up. I tried to get away, but I could barely move under his weight. After it was over, I was dazed. He took me to the showers in handcuffs, turned on the water and put me under it. I was crying under the shower and I saw blood running down my legs. He left and came back with a liquid that stung when he poured it on my behind.

When he took the handcuffs off me, he threatened me. He said if I ever reported him, he would have other officers write false assault cases against me and I would be forced to serve my entire sentence, or be shipped to a rougher unit where I would be raped all the time by prison gang members. He also warned me not to say anything to the officials I had complained to before, because they were his friends and they would always help him out.

At first, I didn't dare tell anyone about the rape. But, in October 2000, I was so afraid of being raped again that I told the unit's psychologist that M.C. had raped me. He moved me to another job with a different supervisor and told me that if anyone asked why my job was changed, I should say that I wanted "a change of scenery." A few days later, I was given a new position in the laundry, next door to where M.C. worked. I continued to see him regularly and he continued to touch me inappropriately.

I wrote the Internal Affairs Department two times about M.C.'s inappropriate touching. They never addressed my concerns and failed to take precautions to protect me. I was too scared to file a written complaint against M.C. because I feared retaliation from prison officials. Instead, I requested a private meeting with an Internal Affairs investigator. I received no response to my request, and M.C. was never punished for assaulting me.

Officer M.C. went on to sexually harass and assault other prisoners. One year later, Nathan Essary began working under M.C.'s supervision in the same laundry where I had previously been assigned. On several occasions, Nathan was forced to perform sex acts on M.C. Fortunately for Nathan, he was able to collect M.C.'s semen during two of the attacks and DNA testing positively linked the samples to M.C. M.C. finally resigned from the Luther Unit in January 2002 when he was indicted for his crimes against Nathan Essary. Last month, he pleaded guilty to sexual contact with an incarcerated person. He will serve no time in prison.

For me, there is no justice. While I was in prison, the fear of retaliation by staff or other prisoners haunted me and prevented me from reporting the rape right away. My fear led me to attempt suicide just to escape the pain of my situation. Because my previous complaints to prison officials resulted in sharp rebukes, and the prison psychologist's assistance was limited, I felt hopeless. I believe that openly pursuing my charges against M.C. would have led to retaliation from staff. They could write disciplinary cases to keep me in prison for years beyond my expected release date. They could ship me to a rougher unit where I would be guaranteed to face additional abuse.

Now, I feel like, as a man, it has taken a lot away from me. A lot. I try not to think about it, but I constantly do. I feel angry that he was not truly held accountable for his actions, even after all the evidence against him came out.

"I tried again to get help from prison administrators but I was told to keep my mouth shut."

Special Project Manager's Perspective

ALLEN TRIMMINGS, WCSAP



Allen Trimmings

WCSAP IS PLEASED TO ANNOUNCE THAT ALLEN TRIMMINGS HAS JOINED THE WCSAP TEAM AS OUR SPECIAL PROJECT MANAGER. ALLEN SERVED ON WCSAP BOARD OF DIRECTORS AND BRINGS AN ARRAY OF EXPERTISE TO THE SPECIAL PROJECT MANAGER'S POSITION. HIS BACKGROUND INCLUDES EXPERIENCE IN SEXUAL ASSAULT ADVOCACY, CRISIS AND MEDICAL SEXUAL ASSAULT INTERVENTION. IN ADDITION, ALLEN IS A FORMER ADULT AND JUVENILE CORRECTIONAL OFFICER.

Finally, we are moving toward something that has plagued our prisons, as well as our communities. Prison Rape! And you are probably asking yourself how can Prison Rape plague our communities? Well, annually there are approximately 300,000 male prisoners, and 135,000 females raped in our prisons in the United States. What percentage of those will contract HIV-AIDS, or become violent predators? How many of them will carry those issues with them back into our communities?

In 2003 President Bush signed the first ever Federal Law that will address eliminating rape in all correctional and detention facilities, which will include federal, state, and local jails. This law is known as "PREA" which stands for Prison Rape Elimination Act.

My job as the Special Project Manager for the Washington State Coalition of Sexual Assault Programs is to assist the Department of Corrections with restructuring their policies, and training. This is a significant opportunity for changes to be made within the Department of Corrections. I feel there is a major need for this to happen.

As a former Adult/Juvenile Correction Officer, I have seen what offenders go through when there is an issue concerning an assault. I have been through the formal and informal training that is provided by the state for correction officers. None of the training teaches you or prepares you how to deal with sexual violence in the prisons, nor does any of the training train you on how to deal directly with offenders who become victims of assault.

Is the system broken? We all know the system has been broken for many years, and at the expense of so many victims within those walls. We now must come up with solutions to end the madness. Society has the mindset that criminals cannot be victims because they committed crimes against individuals and society. Many feel that whatever happens to inmates within the environment of incarceration is equivalent to "making your bed, now lie in it." Some officers tend to treat offenders the same way. That is why there are a high number of un-reported sexual assaults in our prisons. Offenders feel they will either be protected or revictimized by the system. Do they have a right to feel that way? I say yes. History has proven that inmates who report in prison, known as a "snitch," will be revictimized by their predator or even an officer; especially if the report was against an officer.

We have to look at not only the training that is provided to new and old officers, but what kind of policies we have that will protect victims of this type of crime. With a dual background of correction, and sexual assault, I can help in more ways than one. My experiences in both crisis advocacy intervention and adults and juveniles within an incarcerated environment have allowed me to see what is going on from several different angles.

"Is the system broken? We all know the system has been broken for many years, and at the expense of so many victims within those walls. We now must come up with solutions to end the madness"

I can truly see where DOC can make major and significant changes and also improve their relationship with the offenders that they house. Even though inmates are in our system, over all there is a responsibility for the safety, and care of each and every offender.

I see this as a major project that is moving toward making our prison safe for those we house. I know whatever we do we will not be able to totally eliminate assaults in our prisons, but we can try to reduce them to the point of elimination. What people will find more amazing is that there are more assaults of this nature in the Juvenile system than they ever would have imagined. We live in a very judgmental world, and the last people we should ever judge or question is an assault victim.

“We have to look at not only the training that is provided to new and old officers, but what kind of policies we have that will protect victims of this type of crime.”

Prison Rape Elimination Act

LYNNE DELANO



LYNNE DELANO IS ASSISTANT DEPUTY SECRETARY OF OFFICE OF CORRECTIONAL OPERATIONS IN THE WASHINGTON DEPARTMENT OF CORRECTIONS

John is a young man convicted of burglary and sent to prison for the first time. He has a slender build, moderately low IQ, and displays signs of immaturity. While at the reception center, he was involved in a few incidents in which other inmates took advantage of him. He is classified as Close Custody due to his crime of conviction and was transferred to an appropriate facility. John was housed with Sam, an older inmate with several previous incarcerations. Sam is physically intimidating with numerous 'jail house' tattoos and a history of strong-arming, assaults and other major infractions. John is intimidated, but Sam appears to befriend him, explaining life in prison and supplying him with commissary items John could not afford.

Sam lets other inmates know John is not to be harassed and after a few weeks, John begins to like and respect Sam. After a few months, Sam tells John he has heard rumors that John has insulted some dangerous inmates, but not to worry because he would take care of things and keep John safe. John is very appreciative and considers Sam to be a good friend and protector. Soon Sam approaches John and first asks, then later demands that John repay the commissary he has taken as gifts. John is unable to pay and feels that he has let his friend and sponsor down.

Since they were first assigned as cellmates, Sam had been telling John that many men have sex in prison, but this does not mean they are homosexuals. Sam explains that although these sex acts are prohibited, they do occur and are in fact tolerated. After their friendship has established a bond of trust between the two, Sam confesses that he has had sex with other male inmates in the past and convinces John that sex between men in prison is a common thing. One night while in their cell, Sam engages John in conversation about sexual fantasies. The conversation continues until Sam makes some sexual advances toward John. John does not want to lose the friendship he has with Sam and is also afraid that the other inmates Sam indicated he insulted will come after him. Sam is also afraid that if he doesn't please Sam, Sam will use stronger and stronger threats, both physical and emotional, until John agrees. John finally consents but is depressed about what he has done, feeling used and dirty. He wants this to stop, but he is too afraid and too embarrassed to ask for help.

The type of scenario described above is similar to other incidents brought to the attention of the public with the implementation of the Prison Rape Elimination Act of 2003. When one hears of a sexual assault, we seldom think about a male being raped and we usually assume it involves a violent overpowering of the victim – even in a prison setting. Sexual assault in prison can occur as described in the opening scenario. It can also be a violent act. It can also occur when one inmate coerces another into having sex because of a debt or payment for protection from other inmates. An inmate might also be coerced into having sex with a staff member. Even if both the offender and the staff member claim the act was consensual, our state law is quite clear that consent is not a defense.

The Prison Rape Elimination Act (PREA) was passed unanimously by Congress and signed into law in 2003. PREA applies to local, state and federal correctional agencies, and includes private correctional agencies. Its' goal is to eliminate sexual assault and custodial sexual misconduct in both adult and juvenile correctional institutions, facilities and in community settings. It includes adult and juvenile

“PREA applies to local, state and federal correctional agencies, and includes private correctional agencies. Its' goal is to eliminate sexual assault and custodial sexual misconduct in both adult and juvenile correctional institutions, facilities and in community settings. It includes adult and juvenile offenders under community supervision (probation and/or parole).”

offenders under community supervision (probation and/or parole). PREA has generated significant response and interest from corrections officials and many advocates in the community. Corrections officials do not condone sexual assault and we have state laws that prohibit custodial sexual misconduct. However, PREA essentially demands a more proactive approach to the issue by the mere fact it mandates zero tolerance.

Some early research indicated the rate of prison sexual assaults was rather high, a figure disputed by many corrections administrators. At this point in time, no one knows the actual instances of sexual assault in correctional settings or the number of custodial sexual misconduct cases. One of the mandates of PREA directs the Bureau of Justice Statistics to conduct appropriate research in order to better assess the scope of the problem. Regardless, all corrections administrators agree that prison rape and custodial sexual misconduct are unacceptable and negatively impact the safety and security of offenders and staff.

In many ways, it is amazing PREA was passed in Congress. The public sentiment seems to resent the expenditure of any funds for providing educational and training programs to offenders to help in their transition back to the community. The public generally does not consider offenders as victims. In fact, it often seems some folks believe that an inmate gets what they deserve if they are raped or otherwise hurt while in prison. Offenders are sentenced to prison as punishment, not to be punished and No corrections professional believes any person deserves to be raped or sexually compromised while serving time in prison or under supervision in the community. PREA demands that we all pay attention not only to eliminating rape and custodial sexual misconduct, but that we do a better job at providing services for offenders who are victims of a sexual assault in prison or victim of custodial sexual misconduct while under community supervision.

There are many issues raised by this legislation that are complex and far-reaching. Prisons are not like the outside community. Approximately 92 – 94% of incarcerated offenders are male and those institutions are often “macho” haunts permeated with a threat and thread of violence, where inmates far outnumber staff. There are staff codes of fraternity competing with inmate codes of silence and refusal to be a “snitch” (informer). Any form of sexual behavior is forbidden, including consensual sex, leading to an artificial environment in which inmates have to check their sexuality at the gate. It can be dangerous for a victim of prison rape to report the rape because the possibility of retaliation for ‘snitching’ is real. It is a challenge for correctional systems to identify and separate potential victims and potential predators. It is a challenge to find appropriate, safe housing for offender victims of prison sexual assault. Many of our facilities are old and do not provide for line-of-sight supervision of offenders, thus exacerbating the potential for safety of offenders and staff. PREA has highlighted these and other challenges for corrections officials and victim providers both inside our corrections systems and in the community.

It was the belief of Congress that impacting sexual assault within our correctional systems will have a long term effect on society at large, particularly in the areas of decreased violence cycles following release and a decrease in the spread of AID’s and other sexually transmitted diseases. The authors of this legislation recognize that 95% of the inmate population will be released back into the community and ask if we, as a community, want those individuals released more angry from possibly being victimized while incarcerated. Early research indicates that a majority of victims of sexual assault while incarcerated are younger inmates serving relatively short sentences, not the inmates who will be housing in our prisons for long periods of time. Since these individuals will be released quickly, we as a society need to care and support PREA implementation activities,

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“PREA essentially demands a more proactive approach to the issue by the mere fact it mandates zero tolerance..”

“PREA has made corrections agencies take a closer look at our operations and helped us realize that we can do better at preventing and addressing the multitude of issues associated with prison sexual assault and custodial sexual misconduct.”

including the prosecution of perpetrators. To date, we have witnessed little success in this venture, as many prosecutors have few resources to spare for the prosecution of someone who is already incarcerated. Communities need to support these prosecutions because a crime without significant consequences is all but impossible to stop.

Activities to implement PREA have allowed us to reexamine and expand on programs and systems that are working to assist the inmate transition back to society. The Washington State Department of Corrections (DOC) received a grant from funds created by the PREA legislation. With this grant, we have partnered with several agencies, including the following: Washington Coalition of Sexual Assault Programs (WCSAP); the Department of Social and Health Services’ Juvenile Rehabilitation Administration (JRA); and the Office of the Attorney General (OAG) to develop new and expand on existing systems to address the issues of inmate on inmate sexual assault and custodial sexual misconduct. Other implementation activities include the development of better systems to identify vulnerable and predatory inmates at reception, housing alternatives to separate victims from perpetrators, expanded victim services, enhanced orientation for inmates in the areas of prevention and reporting, physical risk assessments for prison facilities, and the development of a database system to better track incidents and identify trends for future prevention strategies.

Additionally, the DOC has embarked on expanded training opportunities for staff to ensure sustainability of grant related initiatives far beyond the grant period. These include training for new employees, medical and mental health first responders, community corrections officers, investigators, counselors, and victim service providers. The grant also allowed DOC to develop a Special Investigations Unit dedicated solely to the investigation of allegations of inmate on inmate sexual assault and custodial sexual misconduct. One final project of the grant will involve a conference in the fall of 2006 that will target various stakeholders and other corrections agencies impacted by PREA in order to share training curriculum, lessons learned and additional information about PREA.

PREA has made corrections agencies take a closer look at our operations and helped us realize that we can do better at preventing and addressing the multitude of issues associated with prison sexual assault and custodial sexual misconduct. PREA has made us more cognizant of our weaknesses – in prevention activities, response, investigations and physical structure.

Similar to sexual assault in the community, our efforts to change our culture is the ultimate goal of PREA. Our biggest challenge is addressing the humiliation, embarrassment, and very real fear associated with sexual assault within a system faced with countless limitations.

LYNNE DeLANO HAS SERVED AS THE ASSISTANT DEPUTY SECRETARY OF OFFICE OF CORRECTIONAL OPERATIONS IN THE WASHINGTON DEPARTMENT OF CORRECTIONS SINCE NOVEMBER OF 1999.

LYNNE HAS OVER 25 YEARS OF EXPERIENCE IN THE CORRECTIONS FIELD, INCLUDING FIVE YEARS AS SECRETARY OF THE SOUTH DAKOTA DEPARTMENT OF CORRECTIONS AND 13 YEARS AS A WARDEN. SHE ALSO SERVED AS VICE PRESIDENT OF PIONEER HUMAN SERVICES IN SEATTLE FOR COMMUNITY CORRECTIONS PROGRAMS. LYNNE SERVED ON THE ADVISORY BOARD OF THE NATIONAL INSTITUTE OF CORRECTIONS FOR 5 YEARS. PRIOR TO ACCEPTING HER CURRENT POSITION, LYNNE LIVED ABROAD AND TAUGHT COLLEGE-LEVEL CRIMINAL JUSTICE COURSES IN ITALY AND TURKEY FOR THREE YEARS.

LYNNE GRADUATED FROM THE UNIVERSITY OF CALIFORNIA WITH A BACHELOR OF SCIENCE DEGREE IN CHILD DEVELOPMENT. SHE RECEIVED HER MASTERS DEGREE IN PUBLIC ADMINISTRATION FROM THE UNIVERSITY OF SOUTH DAKOTA.

Sexual Assault in Prison, Whose Life is More Valuable?

BY ARWEN BIRD AND TERRIE QUINTEROS



As a rape victim I have found sympathy from others, but as a felon and a wife of a felon I found none. When I speak to people about my rape the most common thing that people say is “you didn’t deserve it” but no one says that about the times I spend in jail. No one says I’m not at fault. Instead they say I’m to blame. If I hadn’t violated a law the police wouldn’t be justified in the abuse I suffered. What I hear is rape was OK as long as it is in the name of justice. Theresa Huggins, CSCS Member, Justice Matters Fall 2004

How many times have you heard a joke about sexual assault in prison? We’re talking about everything from passing comments about dropping soap in the shower to rants about the just desserts that prisoners receive when they are assaulted in prison. Now stop and think about the number of times you’ve heard that a woman’s appearance or clothing contributed to her rape. In both situations the violence is being justified because of either where the victim was or what they were doing. In both situations the very humanity of the survivor is being pushed aside and accountability for the person who hurt them is being diminished.

As survivors of various forms of violence we are driven by the desire to prevent what happened to us from ever happening again. It doesn’t matter where, it doesn’t matter who or why, we don’t want others to experience the sadness, pain, hopelessness and fear that we know as a result of violence. One more sexual assault is one more too many. As one of our members, Theresa Huggins, asked in the opening quote—is the suffering of sexual assault survivors in prison okay, just because they are in prison? Are some people more deserving of compassion than others? Is this really a value that we want to have in our culture? We don’t think so.

Part of the dynamic that happens when we diminish the experience of sexual assault survivors inside prisons is that a false hierarchy of human value is being supported. In much the same way a false hierarchy of victimization is supported in mainstream media and culture—rape in cases where the perpetrator was a stranger is often given more coverage than situations where the victim was an intimate partner with their attacker. Energy that we, as survivors or service providers, focus on diminishes the value of the survivor, takes away from our ability to facilitate healing, and to hold the person who committed the harm accountable for their actions.

As Crime Survivors for Community Safety we know that dehumanization must happen in order for violence to occur. It is that dehumanization that allows sexual assault to happen on the streets and for it to be virtually ignored by society. The same process of dehumanization must happen for prison rape to occur and for it to be virtually ignored. As survivors who want to end violence, the question becomes clear. How can we stop this cycle? If violence begets violence, then at what point do we say no. We do not want to facilitate the likelihood of another sexual assault. We believe that addressing the level of violence inside prisons is an

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“As a rape victim I have found sympathy from others, but as a felon and a wife of a felon I found none. When I speak to people about my rape the most common thing that people say is “you didn’t deserve it” but no one says that about the times I spend in jail. No one says I’m not at fault. Instead they say I’m to blame. If I hadn’t violated a law the police wouldn’t be justified in the abuse I suffered. What I hear is rape was OK as long as it is in the name of justice.”

“One more sexual assault is one more too many.”

important step to stopping this cycle. It’s not the only piece of the puzzle, but a very important one.

Crime Survivors for Community Safety believes that everyone should be held accountable for harm they have committed. And that accountability should always include respecting everyone’s basic human rights. We believe that if our society continues to say or imply that any violence is OK, we will only continue the cycle of violence. As survivors and advocates we must begin this dialogue as part of our prevention strategies.

We would like to end with another quote from Theresa Huggins, a rape survivor who very eloquently describes the feelings behind the reasons that we must care about rape inside prisons:

I am now past those dark ages of fear and anguish yet the wounds still haunt me and burden my every breath. I can’t help but think about the man who cries out as he’s being raped in his cell. I can’t help but think about the woman who clutches her pillow after her rape. And, I can’t help but think about the person who finds out today is the day that “they’ll get theirs.”

CRIME SURVIVORS FOR COMMUNITY SAFETY IS A PROGRAM OF THE WESTERN PRISON PROJECT, LOCATED IN PORTLAND OREGON. THE WESTERN PRISON PROJECT WORKS ON CRIMINAL JUSTICE REFORM IN THE WESTERN REGION OF THE UNITED STATES. CRIME SURVIVORS FOR COMMUNITY SAFETY BELIEVES IN HOLDING PEOPLE ACCOUNTABLE FOR THE HARM THEY HAVE DONE AND WE ARE COMMITTED TO RESPECTING THE HUMAN RIGHTS OF EVERYONE INVOLVED IN A CRIME OR ACT OF VIOLENCE. WE DO THIS WITH ONE SIMPLE GOAL IN MIND – TO PREVENT MORE CRIME AND VIOLENCE.

ARWEN BIRD AND TERRIE QUINTEROS BOTH WORK WITH CRIME SURVIVORS FOR COMMUNITY SAFETY (CSCS), A PROGRAM OF WESTERN PRISON PROJECT. ARWEN IS CURRENTLY WORKING AS A JUSTICE ADVOCACY FELLOW FROM THE OPEN SOCIETY INSTITUTE TO BUILD THE VOICE OF PROGRESSIVE SURVIVORS OF VIOLENCE AND CRIME IN WASHINGTON STATE; HER PROJECT IS BASED ON HER OWN EXPERIENCE AS A SURVIVOR WHO HELPED TO FOUND AN ORGANIZATION OF PROGRESSIVE SURVIVORS IN OREGON (NOW KNOWN AS CSCS). TERRIE JOINED THE WESTERN PRISON PROJECT IN FALL OF 2004 AFTER CLOSE TO FIFTEEN YEARS OF WORKING WITH SURVIVORS OF DOMESTIC AND SEXUAL VIOLENCE IN OREGON WITH BRADLEY-ANGLE HOUSE AND THE OREGON COALITION AGAINST DOMESTIC AND SEXUAL VIOLENCE.

Survivor's Story

KENDELL SPRUCE, ARKANSAS



I was sentenced to six years in prison in 1991 on a probation violation. I was originally convicted of forging a check to buy crack cocaine. When I went to prison, I was 28 years old, I weighed 123 pounds, and I was scared to death.

I was right to be afraid. I am bisexual, but that doesn't mean I want to have sex with just anyone. As soon as I got there,

inmates started acting like they were my friends so they could take advantage of me. I told them I wasn't going to put up with that. I didn't want to be robbed of my manhood. But they jumped on me. They beat me. Within two weeks, I was raped at knifepoint.

Being raped at knifepoint was the worst thing I could ever imagine. The physical pain was devastating. But the emotional pain was even worse.

I reported the rape, and was sent into protective custody. But I wasn't safe there either. They put all kinds of people in protective custody, including sexual predators. I was put in a cell with a rapist who had full-blown AIDS. Within two days, he forced me to give him oral sex and anally raped me. I yelled for the guard, but it was so loud in there, no one came to help me. I finally had to flood the cell to get a guard to come.

Because I was raped, I got labeled as a "faggot." Everywhere I walked, everyone looked at me like I was a target. It opened the door for a lot of other predators. Even the administrators thought it was okay for a "faggot" to be raped. They said, 'Oh, you must like it.' I'm here to tell you that no one wants to be raped. No one likes being violently attacked.

I documented the abuse, I filed grievances, I followed all of the procedures to report what was happening to me, but no one cared. They just moved me from cell to cell. This went on for nine months. I went through nine months of torture – nine months of hell - that could have been avoided.

In August, I started bleeding really bad from the rectum. I didn't want to go to the infirmary, because I was still so ashamed about what had happened to me, but I had to. They gave me a test, and that's when I got the devastating news. I was HIV-positive.

I felt suicidal. I felt like my world had come to an end. I cried and cried. I felt ashamed, embarrassed, degraded, and humiliated. I haven't forgotten those feelings. You never forget. You never heal emotionally. There isn't a day that goes by that I don't think about this.

Finally, I was placed in a cell by myself in administrative segregation. The only way I could stay safe was to deliberately disobey the rules so I could get away from my predators.

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"When I went to prison, I was 28 years old, I weighed 123 pounds, and I was scared to death."

“Eventually, I was interviewed by an investigator from the State Police, and I made a report of every assault I survived in prison. I had to list all the inmates who sexually assaulted me, and I came up with 27 names.”

Eventually, I was interviewed by an investigator from the State Police, and I made a report of every assault I survived in prison. I had to list all the inmates who sexually assaulted me, and I came up with 27 names. Sometimes just one inmate assaulted me, and sometimes they attacked me in groups. It went on almost every day for the nine months I spent in that facility.

In 2002, I was diagnosed with full-blown AIDS. I can't even count how many medications I have to take every day. I can't do a lot of things I used to do. I moved from Arkansas to Michigan to be closer to my family. I wanted to get to know my family before I die.

I'm not able to work. I collect disability. Fighting for my life is my full-time job. They took my life, but they didn't take my ability to live my life.

Everything that happened to me could have been avoided if the prison was accountable for inmates' safety. Prisons and jails are too crowded. They mix all kinds of inmates together in dormitories and cells. They need to screen inmates so that people like me don't get thrown in with mass murderers.

I know I had to pay the price for what I did, but I've paid double price. That check I wrote cost me my life. Every day I wake up and I'm just grateful that I'm still here. Sometimes I ask God, 'why me?' Why did this happen to me? I've already accepted that I'm going to die, but before I do, I want to see justice in the prison system.

A Broad and Longstanding Culture

SUZANNE BROWN-McBRIDE, WCSAP



We have never not known about prison rape. It has been a broad and longstanding cultural understanding that those who go into prison might be subjected to rape and brutality. We have heard it uttered as a threat of revenge, we have heard it invoked as a joke on television. Even in the highly contested and reified language of sexual violence, it is the last type of rape that can still get a laugh on a situation comedy.

Some have said that prison rape is about just desserts. Others attribute violence in prisons to the character of those who are incarcerated. Sadly, what this crime says about us outside of prison is far more disturbing than what it says about those in institutions. Prisons represent what is (arguably) an absolutely controlled environment down to the food that is consumed, the clothes that are worn, and the movement between buildings. Instead of the more historical punishment of banishment or expulsion from a community, prisons contain and control offenders. While incarceration of offenders might seem like a short-term exclusion from the perspective of the community, offenders themselves are subject to the management and control of an institution created by the community. At the point the community or the state takes absolute control of the physical wellbeing of an individual – we are all accountable for their health and safety. If we simply turn our head away from the reality of prison rape it concedes that in an environment of our own design – rape is permissible and ignorable.

The Prison Rape Elimination Act provides us in the anti-rape community with the opportunity to revisit our mandate – and the systems that we work within. Our services, staffing and infrastructure was designed, in large part, to exclude relief and redress for these victims. Traditional victim service resources like Crime Victims Compensation and the Victims of Crime Act were not designed – and for the most part expressly preclude – services for individuals who are assaulted in prison or in custody. Advocates have always been creative and energetic problem-solvers and these systemic barriers to the provision of services will require our best thinking to resolve.

Changing systems and agencies requires both courage and patience. Washington has a historic and wide ranging opportunity to make a difference in the lives of victims of prison rape and the communities in which they will return. Washington State's Department of Corrections is to be congratulated on their broad vision for their Prison Rape Elimination work – and their inclusion of victim service practitioners. The Department's leadership in this multidisciplinary initiative is a potential model for the nation. But even with this commitment – change is complex, and time intensive. Corrections are an enormous agency with broad and numerous responsibilities. While policy change can be finite, the cultural shift will take time. I have yet to meet anyone within Corrections who has been overtly resistant to PREA, but the ultimate impact of its changes will profoundly change institutional culture and services.

With that said, we will approach this work as we do the rest of endemic problem of sexual assault – in small, incremental steps. Our broader vision of a world where people are safe and secure will guide us to create services, make recommendations, and provide support to those individuals and agencies that join us in this endeavor. Prisons are not the last place we need to do our work, they are simply the next.

“Sadly, what this crime says about us outside of prison is far more disturbing than what it says about those in institutions.”

Survivor's Story

HOPE HERNANDEZ, WASHINGTON, D.C.

I was raped by a corrections officer in a hospital ward of a Washington, D.C. jail in 1997 while I was going through drug withdrawal.

I started out in a rehabilitation facility, but I was sent to jail after my drug withdrawal symptoms got too severe. When I got to jail, there was so much noise at night that I couldn't sleep. These women were fighting with each other or laughing it up until two or three in the morning.

I think I yelled, 'I can't take this anymore – I need to get some sleep,' and they sent me to the psych doctors, who decided I was a suicide risk. I wasn't – I was basically very tired and very ill and dealing with all of these things I didn't understand.

They put me in a paper jumpsuit in a large room by myself on the medical unit, where there were both male and female inmates. They put me on a lot of medications, and I ended up sleeping a lot. I was in a daze.

I had been begging for a shower for three weeks. Finally, at about 2:30 one morning, this guard came into my cell and said I could go take a shower. He had a towel and a fresh paper jumpsuit and some shampoo.

After being incarcerated for three months you learn to do what the guards tell you to do. If they tell you to squat, you squat. If they said to go in that cell, I went in that cell. If they said eat now, I ate. I was very compliant - I had no desire to cause trouble, and every reason to believe I was being directed by trained professionals. It's the psychology of incarceration – the guards have the power, and the inmates do not.

So when the guard who took me to the shower came in the middle of the night, I had no reason to suspect foul play. He led me down to a separate room with locked doors that had its own bathroom and shower. He waited out in the hall. The light was hurting my eyes so I turned off the light and got undressed. He came in while I was in the shower.

Before I knew it, he was standing in the shower stall having intercourse with me. I wasn't in a position to say no. In addition to being heavily medicated, it was 2:30 or 3 in the morning, and he had awakened me from a dead sleep. It was like I was on a 30-second delay. Before I knew it, he was leading me back to my cell. I felt myself screaming inside and I just couldn't - the sound wasn't making it out of my throat as we passed the night nurses, fast asleep in their office.

I slept through the whole next day, and the next night he did it again. He led me to a bed, and after he had finished he handed me a paper jumpsuit. I was putting it on and still had an arm and a breast exposed as the shift captain walked in. He had already pulled his pants up but the shift captain saw it and asked what he was doing. He said he was helping an inmate get dressed.

Later, I told a nurse what had happened, and they took me to a hospital to do a

rape kit, but the officer had used a condom. The rape kit came back and it was inconclusive. The jail staff just kept saying that I was hallucinating. But I didn't hallucinate what happened in that shower, or the bed on the next night. I didn't hallucinate being raped. It was the shift captain who finally reported the officer and the rapes.

The guard was suspended, but nothing ever came of it. As far as I know, he's still working as a corrections officer. I've never gotten any justice.

What happened to me wasn't an isolated act. There was other sexual activity going on in this facility as well. I met a woman there who was impregnated three times in 11 years by inmates. Another woman was having a sexual relationship with a guard in exchange for cigarettes or other outside "contraband."

Although it's been eight years, I'm still suffering from the effects of that rape. On the one-year anniversary of this rape, I kept seeing the guard's face over me. I got so angry because I wanted to see something besides his face. I punched a wall so hard I broke my hand. I would get so sick thinking about it that I would throw up. When my husband would try to be intimate with me, all I could see was this guard's face flashing back in my mind and I would become ill.

People may think things like this only happen in other places, but this is happening in America's capital. This is happening to young women with low self-esteem who are arrested for the first time after being completely strung out and hopeless.

Behind Prisons Walls in Canada

ALLEN TRIMMINGS, WCSAP



Matsqui Institute, Canada

“I decided to take a trip to Canada to not only see how they started their program, but to also speak with staff and go inside one of their prisons.”

British Columbia actually has a program that goes into the prisons and conduct Sexual Assault Survivor Support Groups. The uniqueness of their sexual assault program is that they are separated. One is for males, and one is for females.

As a result, I decided to take a trip to Canada to not only see how they started their program, but to also speak with staff and go inside one of their prisons. First of all, it was a trip well worth taking. The British Columbia Society for Male Survivors of Sexual Abuse has been conducting these groups for the past two years, and the agency had been operating for the past ten years.

The groups have a twelve week session, and inmates can sign-up to continue with the next group. There are only 10 to 12 inmates per group, and once the group starts, no one can enter. The Therapist works for this agency, and has full access to enter the prison. Inmates have the opportunity to continue service once they leave the institution. If the inmate is transferred to another facility, the therapist follows, therefore, the continuation of therapy between inmate and therapist is uninterrupted.

If the inmate does not have income, the agency will still service him. Inmates sexually assaulted can apply for Crime Victim Assistance (CVA), which is equivalent to our Crime Victim Compensation (CVC) Program. Here in the states, due to Federal restriction, inmates are not allowed to access that service. They also have what they call a “Residential Historical Abuse Program” which is for males who were sexually abused while living in a BC government funded residence. They must be currently living in BC and must have been younger than 19 years of age when the abuse occurred. This is another compensation program that inmates can also access.

The Matsqui Institute is a medium security prison in Canada. This is a 40 year old prison, and looks every bit of it with a few updates. But they have a unique way of operating their prison. In Canada, consensual sex between inmates is allowed, as long as it is not viewed by an officer. If it is, then it is considered “Harassment” and they can be charged. In our institution, when we hear the term “inmate code” we think of something bad. There, the term actually stood for something good. The Inmate Code there means “that sexual assaulting another inmate is not allowed.” They take that very seriously. They have little movement restriction. They can move around as they please, as long as it is not in restricted area.

They basically operate their own program areas. There are no officers posted in areas such as their wood shop or glass shop. They have a very large weight room. They have their own inmate committee, and this committee represents each and every inmate. For example, if an inmate goes to segregation, the committee has a right to know why that inmate was placed in segregation, and they can launch and appeal for that inmate if they feel it was not justified. They have what they call “A Needle Exchange Program” and this program allows inmate who tattoo each other to do it safely and use clean needles. Even though tattooing is not allowed, they want them to do it safely. Yet, they actually have a fully run Tattoo parlor, which is run by an inmate that was trained to

do tattoos. Inmates pay \$5 for a tattoo. Canada has a firm belief that even though they are incarcerated, inmates still have rights, and they cannot be violated. They want to treat them like they are still human beings. Therefore, they program them the way they would like to see them live in society. The relationships that inmates have with officers are totally different. In regards to the officers' roles and security objectives, the officers have a lot of respect from the inmates.

I honestly felt like I was in a time zone. I could not believe what I was seeing, as well as the feeling in the air within this institution. They have a lot of rights to access things that our inmates could or would ever be allowed to access. I even got a chance to do a one on one with two inmates. That was much unexpected. Inmates and officers were very respectful and truly believe, "If you cage a man like an animal then he would act like one." Inmates give credit to the officers on how the institution is run, and hold each other accountable to their own actions.

Even the officer's academy training is different. Speaking with several officers, and asking each of them when have they last dealt with or heard about a sexual assault incident, and neither one could tell me when. Their training on sexual assault is on-going in their three month training.

Overall, as a ex-correction officer I have never thought I could see a prison operate the way theirs do, and have the success they have had in the low number of sexual assaults in their prison. Again, a trip well worth taking!!!!

"Inmates and officers were very respectful and truly believe, "If you cage a man like an animal then he would act like one." Inmates give credit to the officers on how the institution is run, and hold each other accountable to their own actions."

Survivor's Story

MARILYN SHIRLEY, TEXAS



I will never forget that night in March of 2000.

I was convicted of a drug charge and placed in the Federal Medical Center at Carswell in Fort Worth, Texas from January 12, 1998 until September 10, 2000.

While in prison, I took all of the required Bureau of Prisons courses – from substance abuse prevention classes to classes that taught me job skills. I never once had an incident report written against me. In fact, I was rewarded with time credited for good behavior. Upon my release, I walked away with a \$250 check from the Bureau of Prisons and a permanently devastated emotional and mental state as a result of my rape.

On that night in March 2000, I was awakened at approximately 3:30 a.m., by prison guard Michael Miller, a Senior Officer of the Bureau of Prisons. He told me, in the presence of my roommates, that I was wanted at the officer's station.

I was scared to death that they'd called me because maybe something had happened to my husband, who had heart problems and diabetes, or to my twins.

I could not have been more wrong. I should have feared for my own safety. After entering the officer's station, Miller made a phone call stating that if a Lieutenant heads for the Camp to give him 'the signal.'

After hanging up the phone, Miller started forcing himself on me, kissing me and groping my breasts. I was pushed into a storeroom. He continued to assault me; the more that I begged and pleaded for him to stop, the more violent he became. He tried to force me to perform oral sex on him. He then threw me against the wall and violently raped me.

I can still remember him whispering in my ear during the rape: "Do you think you're the only one? Don't even think of telling, because it's your word against mine, and you will lose." Miller also said to me "who do you think they will believe; an inmate or a fine upstanding officer like me?"

The ordeal was finally over after Miller received the abrupt signal of someone clearing their throat over his radio, signaling that someone was coming. I later learned there are no security cameras in the officer's station.

After returning to my room, I took off my sweatpants and put them in plastic and hid them in my locker.

Soon after, I confided in an officer of the Bureau of Prisons, my welding boss, that Officer Miller had raped me. I asked her not to tell anyone because I didn't want anything to interfere with my release date, as I was afraid of what Miller would do to me if I reported it. I also told one of my roommates, and I swore her to secrecy, too.

I stayed silent for months. Having nowhere to hide, I went to sleep every night not knowing if he was going to come for me again. Following the rape, Officer Miller harassed, intimidated and threatened me in many direct and indirect ways.

I lived in fear, until I was released from prison in September 2000. That day, I brought my sweatpants to the Carswell camp administrator and told her about the rape. I gave statements and answered questions. The semen-stained sweatpants were taken as evidence to the FBI Crime Lab. I was then given a lie detector test, which I passed.

About three years after my release Officer Miller was found guilty of rape. He has been put away for 12 years. I owe a lot to my attorneys who believed in me and my family who supported me. I sometimes wonder about other victims who aren't so lucky, either because they are still inside, or because they don't have evidence to confront their attackers.

Now that I am out of prison, I am left with the devastating impacts of the rape. This is very hard to talk about, but I haven't been able to be intimate with my husband since my rape. Sometimes, I fear that he will all of a sudden want an intimacy that I am unable to give. But we love each other and have been married for 30 years, and he is very supportive.

I have paralyzing panic attacks. I can't even hold my grandbaby because I'm afraid of having a panic attack and dropping her. I can't do some of the basic things, like watch certain TV shows, or go over high freeway overpasses because I start to panic.

I have awful nightmares and sometimes I wet the bed, as a result. Sometimes my husband has to come and pull me out of the closet, where I go when I have these attacks. At the request of my therapist, I wear a rubber band around my wrist so that I can "snap" myself back to reality when I have panic attacks. I'm also on five different medications for these conditions.

And, although, my boss understood my situation, it got to a point where I could not work anymore. So I am now unable to work.

I sometimes fear that Officer Miller is going to come after me. Even though he is in prison for 12 years, I'm still afraid that he will somehow get out. My life is a mess and I'm afraid this is never going to go away.

Rape should not have been part of my punishment. Though I am still struggling with the emotional damage I have suffered from this rape, it is important for me to speak out. With God's help, I get strength from knowing that if I refuse to remain silent, maybe others won't have to suffer this way.

UPDATES FROM SEXUAL ASSAULT PROGRAMS

DAVY LONG, CAMBODIAN COMMUNITY ADVOCATE
SAFEPLACE, OLYMPIA, WA

I am really excited and look forward to seeing the results of the 2006 Sexual Assault Awareness Month Campaign Materials.

My thoughts and experiences as a Cambodian Community advocate at SafePlace have evolved over the seven years that I have been working in this capacity. Still, however, sexual assault is not an engaging conversation in the Cambodian Community and other Asian Communities. I still have a lot of pressure from many members of these communities when I talk with them about sexual assault issues.

Most Asian women don't want to disclose this problem to anybody, even in their own family, because she will get blamed, punished, and/or discriminated from their own culture.

My thought about the calendar project would be great because we can distribute the calendars as a useful tool throughout our communities. People can and will use the calendars for reasons of looking for dates, days and months. They will especially embrace the imagery. But the message on the pages will build awareness and educate within our communities in a safe and private setting without the restraints of embarrassment. They can be alone at home empowering themselves and then empowering their children by teaching them what they have learned.

RITA ANDREWS, SOCIAL SERVICES COORDINATOR
SOUTH PUDGET INTERTRIBAL PLANNING AGENCY

I am a proud member of the Skokomish Indian Nation, the Washington Coalition of Sexual Assault Programs, the Northwest Indian Court System, and the South Puget Sound Intertribal Housing Authority. I work for the South Puget Intertribal Planning Agency as the Social Services Coordinator, and specifically with domestic violence and sexual assault programs. The SPIPA tribes are Skokomish, Chehalis, Squaxin Island, Shoalwater Bay, and Nisqually.

I had the opportunity to provide a presentation to TESC, The Evergreen State College's Reservation Based Community Determined class on October 22, 2005 at the Evergreen Campus Longhouse. The audience consisted of approximately sixty Native American scholars that travel for on-campus higher learning and represent the coastal tribes, the western Washington tribes, and the urban population. My topic was sexual assault and included statistics that identified that most sexual assault crimes committed upon children from birth to six years; six years to twelve years are most likely to be committed by immediate family members, close family friends and relatives. The child is taught to trust this group of people but the child's trust is betrayed. The incest criminal activity may be generational and have multiple victims. Severe social problems are manifested in victims, survivors and offenders. The legal system seems to have a perplexing method of dealing with incest crimes. Consider this: the stranger/child rape or molestation is punished more severe than incest

crimes. Incest offenders are most likely to receive a lighter sentence with court-ordered counseling. This is perplexing to me because the incest victim faces more emotional hardships, due to the incest crimes being committed over a longer period of time, and on a more regular basis from a person they love/hate/trust/mistrust and fear.

My presentation included a video that SPIPA produced entitled “A Tear for Sandy”. It is a culturally relevant video that has Native American actors and addresses sexual molestation, incest, domestic violence, alcoholism and healing.

Dialogue that followed was that prior to treaty times, incest was so taboo that Native Americans identified themselves into clans. One clan could not marry within its’ own clan, even when there was no actual blood relationship. Research indicates that the boarding school era that occurred and was forced upon Native Americans is the catapult of incest.

Many of the boarding school disciplinarians and/or teachers were in remote areas and had young children, ranging from 6 to 18 years of age, at their mercy. Physical and sexual abuse was rampant in the boarding schools. This was what the Native American Indian brought with them when they were released to return home. None of these children within this period had any healthy nurturing. They were not allowed to see their parents until they came of age.

The Native American people have survived genocide and ethnic cleansing which included family separation, religion, culture and language cleansing, rape, abortion and legal injustices within the federal, state and county courts. The Indian people believe that tears and blood live forever; therefore, we cry the tears of our Ancestors and our blood is eternal. We agreed that we should challenge the social problems we face today, to speak up for our most vulnerable and sacred, the children.

We left with this thought “Our Creator would not have created us without purpose or mission. Our purpose is to help and love one another, especially those weaker than ourselves, UNTIL our purpose finds us and our mission is complete.

Save The Date

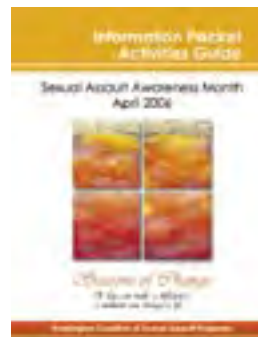
Tuesday, January 17, 2006
10:00 – 4:00

The Washington Coalition of Sexual Assault Programs (WCSAP) is providing meals, logistical support, and training at this important event. We will also provide limited compensation to our member programs for travel expenses. Don't miss this opportunity to advocate for the victims of sexual assault.

- Call your Legislator in advance to schedule an appointment to meet with them. If you need help with this, email policy@wcsap.org.
- Legislative committee members, WCSAP board members and WCSAP staff will be available to attend your appointments with you if you desire.
- This is an important day and we hope you will take this opportunity to discuss with your legislator how they can make a difference in the lives of victims of sexual assault.

What to bring with you: Information about your program (Be prepared to talk about your program). Extra business cards, business attire with comfortable shoes and change for parking meters.

Event Location:
Washington State Capitol, Olympia, WA.
Columbia Room
416 14th Ave SW
Olympia, WA 98504
For more information or to RSVP call 360.754.7583
or email policy@wcsap.org



The history of recognizing sexual assault stems from the early 1970's when survivors of sexual violence came together and began to speak out against the atrocities they suffered. They held rallies and public speak-outs. As a result, they created a movement to end sexual violence.

This year's theme, "Seasons of Change...a day can make a difference, a moment can change a life" continues this vision with a spirit of hope and understanding that circumstances are subject to change.

Season of Change... a day can make a difference, a moment can change a life" lends itself to the spirit of hope. It causes us to stop and process how change occurs. We are excited to announce that 2006 SAAM will be recognized the entire month of April.



The Washington Coalition of Sexual Assault Programs Annual Conference is May 23 – 25, 2006 at Red Lion Hotel on the Park, Spokane, WA. Additional information will be posted at www.wcsap.org

Library Resources



The shores of San Jaun, Puerto Rico.

Books

Gates of Injustice: The Crisis of America's Prisons (2004) by Alan Elsner

My Soul Said to Me: An Unlikely Journey Behind the Walls of Justice (2003) by Robert E. Roberts

Prison Sex: Practice & Policy (2002), Christopher Hensley, ed.

Prison Nation: The Warehousing of America's Poor (2002), Tara Herivel et al

Protecting Your Health & Safety: A Litigation Guide for Inmates (2002) by Robert E. Toone

A Chained Society: Life Inside America's Prisons (20

Visit Us Online...

Suzanne Brown-McBride	Executive Director
Christiane Hurt	Associate Director
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Catherine Carroll	Staff Attorney
Kelly O'Connell	Staff Attorney
Evelyn Larsen	Organizational Services Coordinator
Veronika Morris	Systems Advocacy Coordinator
Yahui Chi	Office Manager
Lydia Guy	Prevention Services Director
Allen Trimmings	Special Project Manager
Janet Anderson	Advocacy Education Director
m. doyle	Event Coordinator
Renee M. Sparks	Advocacy Education Director



We want to hear from you

E-mail your letters or opinions to renee@wcsap.org or mail correspondence to 2415 Pacific Avenue SE, Olympia, WA 98501. Letters chosen for publication will be edited for length and clarity.

For advocacy technical assistance email janet@wcsap.org or renee@wcsap.org.

For information of other departments log on to www.wcsap.org

