

Facts about Sexual Assault in Prison

1. Anyone can be a victim of rape.

Men, women, and children — regardless of age, income or social standing — can be, and are, the victims of sexual violence. Anyone can become the victim of sexual violence, but the most marginalized members of society at-large also tend to be at risk behind bars. In particular, inmates who are gay, transgender, young, mentally ill, or incarcerated for the first time and for non-violent offenses tend to be victimized (Just Detention International, 2009a, 2009b).

2. Sexual violence is never the victim's fault.

Sexual violence is a crime of power, a way for the powerless to feel stronger. In the prison environment, inmates are powerless over almost everything in their lives; sexual assault may be a mechanism for the sexual offender to feel powerful and in control. A new inmate may be naïve and accept offers for protection or commissary items, such as candy or cigarettes, but that does not mean he/she deserved to be assaulted.

3. One in 10 former state prisoners reported one or more incidences of sexual victimization during the most recent period of incarceration.

Of the inmates reporting sexual abuse, 31% were victimized three or more times. (Beck, A.J. & Johnson, C., 2012)

4. Victims of sexual assault will often not report a sexual assault immediately after the event.

Because they are confused by the abuse, blame themselves for the assault, or may be threatened by the abuser, victims don't automatically report a sexual assault. Within the prison culture, reporting a sexual assault can label the victim as a "rat," "snitch," or weak.

5. Sexual assault in prison is a form of torture.

Whether committed by staff or by fellow inmates, sexual assault behind bars is a form of torture that violates international human rights law, the U.S. Constitution, and state criminal law (Just Detention International, 2009d; United Nations, 1966, 1984).

6. Survivors of sexual assault behind bars experience the same reactions during the aftermath of the assault as other sexual assault victims.

The absence of confidential counseling in the aftermath of an assault causes many prisoner rape survivors to develop serious long-term problems such as post-traumatic stress disorder (PTSD), depression, and alcohol and other drug addictions. The high rates of HIV and other sexually transmitted diseases in detention facilities place incarcerated survivors at great risk for infection. Survivors bring their emotional trauma and medical conditions back to their communities once they are released and 95 percent of inmates return home (Just Detention International, 2009c, 2009e).

7. Women are the fastest growing prison population in the United States.

Women are the fastest growing segment of the incarcerated population, with more than one million women behind bars or under the control of the criminal justice system in the U.S. That's an increase at nearly double the rate of men since 1985. Nationally, there are more than eight times as many women incarcerated in state and federal prisons and local jails as there were in 1980, increasing in number from 12,300 in 1980 to 182,271 by 2002 (American Civil Liberties Union, 2007).

8. Prison rape DOES NOT prevent crime.

No causal link has ever been found between prisoner rape and lower crime rates. On the contrary, prisoner rape is a serious crime that rarely is prosecuted. Studies have shown that sexual abuse increases the overall levels of violence in prison. Rather than serve as a deterrent, sexual assault in detention encourages more crime by creating a culture where such violence is permitted and often overlooked (Just Detention International, 2009f).

9. Sexual assault behind bars is a national health problem.

Prisoner rape victims are highly at risk of contracting HIV and other sexually transmitted diseases. The U.N. Office on Drugs and Crime states, “reducing the transmission of HIV in prisons is an integral part of reducing the spread of infection in the broader society, as any diseases contracted in prison, or medical conditions made worse by poor conditions of confinement, become issues of public health for the wider society when people are released.” In 2004, the HIV prevalence rate inside U.S. prisons was more than four times higher than in society overall. Hepatitis C rates are eight to 20 times higher in prisons than on the outside, with 12 to 35% of prison cases involving chronic infection. The rates of infection for Chlamydia,

Gonorrhea, and Syphilis are likewise significantly higher among inmates than in the population at-large. In addition to contracting infectious diseases, many survivors of sexual abuse in detention are plagued by the destabilizing effects of post-traumatic stress disorder (Just Detention International, 2009f).

10. For sexual assault behind bars to end, it will require culture change both within the prisons and the general population.

Joking about the things that make us anxious is sometimes a relief; humor can also trivialize and dehumanize. Regrettably, wisecracks about sexual abuse are commonplace, on late night television, in movies, and in popular culture generally. Such flippant attitudes are one of the major obstacles to ending sexual violence in detention. 

REFERENCES

American Civil Liberties Union. (2007). *Facts about the over-incarceration of women in the United States*. Retrieved from <http://www.aclu.org/womens-rights/facts-about-over-incarceration-women-united-states>

Beck, A.J. & Johnson, C. (2012) *Sexual Victimization Reported by Former State Prisoners*, 2008. [NCJ 237363]. Retrieved from U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics: <http://www.bjs.gov/index.cfm?ty=pbdetail&iid=4312>.

Just Detention International. (2009a). *Incarcerated youth at extreme risk of sexual abuse: Fact sheet*. Retrieved from <http://www.justdetention.org/en/factsheets/jdifactsheetyouth.pdf>

Just Detention International. (2009b). *LGBTQ detainees chief targets for sexual abuse in detention: Fact sheet*. Retrieved from http://www.justdetention.org/en/factsheets/JD_Fact_Sheet_LGBTQ_vD.pdf

Just Detention International. (2009c). *Mental health consequences of sexual abuse in detention: Fact sheet*. Retrieved from http://www.justdetention.org/en/factsheets/JD_Fact_Sheet_Mental_Health_vC.pdf

Just Detention International. (2009d). *Prisoner rape is torture under international law: Fact sheet*. Retrieved from http://www.justdetention.org/en/factsheets/Prisoner_Rape_is_Torture.pdf

Just Detention International. (2009e). *Sexual violence in detention and public health: Fact sheet*. Retrieved from http://www.justdetention.org/en/factsheets/Public_Health_vPrint.pdf

Just Detention International. (2009f). *Truths about sexual abuse in U.S. detention facilities: Fact sheet*. Retrieved from http://www.justdetention.org/en/factsheets/Truth_vWeb.pdf

Struckman-Johnson, C., & Stuckman-Johnson, D. (2002). Sexual coercion reported by women in three midwestern prisons. *The Journal of Sex Research*, 39, 217-227. doi:10.1080/00224490209552144

United Nations. (1966). *International covenant on civil and political rights*, [G.A. res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 52, U.N. Doc. A/6316 (1966), 999 U.N.T.S. 171]. Retrieved from the University of Minnesota: <http://www1.umn.edu/humanrts/instree/b3ccpr.htm>

United Nations. (1984). *Convention against torture and other cruel, inhuman or degrading treatment or punishment*, [G.A. Res.39/46, 39 U.N. GAOR, 39th Sess., Supp. No. 51, at 197, U.N. Doc. A/39/51]. Retrieved from University of Minnesota: <http://www1.umn.edu/humanrts/instree/h2catoc.htm>

This project was supported by Grant No. 2012-SW-AX-0003 awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication are those of the author(s) and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women.



PENNSYLVANIA COALITION AGAINST RAPE

125 North Enola Drive • Enola, PA 17025

717-728-9740 • 800-692-7445 • TTY 877-585-1091 • pcar.org