

Gender Dynamics of Sexual Victimization in United States Prisons

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ABSTRACT

This thesis will examine reported rates of sexual victimization in both male and female institutions, as well as reports of correctional staff misconduct. In addition to reviewing the academic literature on this problem, the thesis will examine media portrayals of these events regarding gender dynamics, the language used to describe the occurrences, and whether there are differences in the perceptions of sexual victimization regarding men or women, inmate or correctional staff. An analysis of both of these resources suggests that media accounts of current and former inmates' experiences differ from what is reported in professional research. There are many reasons as to why sexual misconduct occurs in penal institutions, but this study focuses on why the dynamics are so different in male and female prisons and why reporting may be neglected.

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CHAPTER I

Introduction

Only one federal law addresses sexual victimization inside prisons. This law was signed in 2003 under the name of the Prison Rape Elimination Act (PREA). This is the first and last law that has been produced that applies to all prisons in the nation. The PREA requires the Bureau Justice of Statistics (BJS) to conduct research on the occurrences of rape inside at least 10% of federal, state, and county correctional institutions, with one research survey coming from every state. However, this act persuaded many correctional institutions to enact their own policies regarding sexual misconduct. As of 2006, there are 35 states that have established prevention methods to reduce the number of sexual assault incidents (Zweig, et al., 2006). This means they have programs in place to help prevent events from happening, but this does not mean they have proper investigation methods if sexual violence does occur. In addition, there is only one federal law on prison rape and each facility's policies differ from state to state. For these reasons, sexual victimization remains prevalent in today's prisons.

In 2015 alone, there were 24,661 sexual assaults of inmates reported in adult correctional facilities across the country (Rantala, 2018). This number includes all official reports, substantiated and unsubstantiated. Research suggests that over half of these reported incidents involve correctional staff members as the perpetrators (Sapien, 2014). Sexual victimization in prisons is a common occurrence, yet very few of these instances are investigated to the fullest extent, and even fewer perpetrators are actually punished. The victimization itself happens for many reasons, differing in men and women's prisons, but there are also many reasons as to why incidents go unreported.

Professional research suggests that the rates of sexual victimization are likely not accurate because it goes unreported often just as it does outside of prisons. For the research that has been completed, many reports rely on inmate surveys. Also, those results from the surveys are compared to rates that are documented as officially reported by the institution. There is a large gap between the two, and research shows there are many reasons why. The way research is conducted plays a large role in who is willing to come forward about their experiences. Research has shown that anonymous surveys have much higher rates than face-to-face interviews.

Although not every incident is reported to correctional staff, some inmates have come forward to media outlets to explain their story. Some of these inmates are still behind bars, but more of them have waited to be released to tell their story because the fear of repercussions from other inmates or correctional staff has diminished.

One story published by the American Civil Liberties Union (ACLU) interviewed a woman by the name of Dorothy, who is currently serving a life sentence for killing her abusive husband. She was victimized by one of the male officers, which is harder to control or stop. He forced her to perform sexual acts on him in order for her to receive her daily necessities such as food and hygiene products. As she initially refused because she thought she misunderstood, she noticed fewer resources being distributed to her. She was only getting fed once a day, and she was denied soap and toilet paper until she satisfied his demands. She eventually gained the courage to report it to the prison superintendent and investigative board, but they brushed off her complaints. She tried to utilize her resources such as joining a women's group who spoke out against sexual assault, but nothing changed. After years of abuse, she was eventually raped by the male

officer in which he received no consequences. She decided to tell her story to the ACLU so it would maybe make a difference in how prisons handle sexual victimization in the future. Unfortunately, stories like Dorothy's are not uncommon in women's prisons.

Rates of reported sexual victimization differ depending on numerous factors such as age of the facility, the staff-to-inmate ratio, discipline guidelines, failure to investigate, and failure to separate victims and perpetrators. However, these factors may affect inmates and occurrence of sexual victimization differently depending on if the facility houses men or women. Women have come forward to explain their experiences with sexual misconduct while behind bars, and a common factor is the male officers being the perpetrator. This thesis will analyze these gendered patterns and discuss variations in the rates and reports of sexual victimization inside prisons.

CHAPTER II

Background

Society is structured by gender. Birth-assigned gender comes with certain social and behavioral norms each gender is supposed to follow. For example, in the United States, during and before the 1950s, the nuclear family was defined as the father being the “breadwinner” and the mother being a stay-at-home mom who cooks and cleans. However, over time, notions about gender roles have changed, and this is no different in the prison culture. Even still, gender norms apply and shape how we interpret these events. Examining research and reports of sexual assault in prison highlights these gendered patterns.

Before the Prison Rape Elimination Act (PREA) passed in 2003, sexual victimization in prisons was not a main focus of the justice system. In the 1980s, the country was mainly focused on the War on Drugs, which increased incarceration rates tremendously. Incarceration rates increased through the 1990s, and although questionably linked, the country’s crime rates dropped to some of the lowest numbers seen in decades. This caused many jails and prisons to become extremely overcrowded and understaffed, leaving more room for sexual victimization to occur. Once criminals were behind bars, they were forgotten about.

In 2003, the recurring problem of prison rape was brought up in Congress, which created the PREA. This act required the Bureau Justice of Statistics (BJS) to complete a statistical report every year of the reported sexual victimizations occurring in all detention facilities. However, it was not until 2012 that it was now a requirement for all detention facilities to have policies in place with zero-tolerance for sexual misconduct

while incarcerated, including staff and inmates. Since the act was enacted in 2003, there have been different types of research and reports conducted throughout many correctional facilities. There are the BJS prison rape prevalence reports which are reported by prisons, current inmates, and former inmates. There is academic research from a multitude of researchers, which includes surveys and interviews of inmates currently incarcerated, as well as the different perceptions of prison sexual victimization that live inside the walls of correctional facilities. Then, there are media reports from current and former inmates who have come forward to tell their stories about what they have experienced while being incarcerated. They describe the incident(s), who it involved, how it was handled, and how it has affected them personally. The media reports also include mainstream media outlets that have covered sexual victimizations between officers and inmates. This literature focuses on the incidents and the outcomes.

The BJS reports show all of the occurrences of prison rape that has been *reported*, but that does not include any of the incidents that went unreported. This data is reliable in a way to get a good sense of the misconduct happening behind bars, but there is no way to tell what the true numbers are.

Academic research can be somewhat more reliable because researchers are conducting anonymous interviews and surveys, which can encourage inmates to come forward about their abuse without having to fear consequences. Academic research can include some of the incidents that are reported to the BJS, but it also can include incidents that went unreported, giving a more accurate occurrence rate. It can also identify patterns and difference shown between a men's facility compared to a women's facility.

Media accounts mostly include stories from current and former inmates who have not reported their victimization, or they did report it, and it went uninvestigated. These reports show more about the emotional effects of the victimization, as well as different perspectives that can come from gender dynamics of certain facilities. Media accounts can also show the differences in prison cultures regarding men and women’s institutions.

Another gendered aspect is the definition of sexual victimization. The way these definitions are used and applied to men and women differ. There are many categories addressed throughout the different types of research such as sexual victimization, nonconsensual sexual acts, abusive sexual contact, unwilling activity, willing activity, and staff sexual misconduct. These exact definitions are listed in Table 1.

Definitions	
Sexual Victimization	“all types of sexual activity, e.g., oral, anal, or vaginal penetration; hand jobs; touching of the inmate’s buttocks, thighs, penis, breasts, or vagina in a sexual way; abusive sexual contacts; and both willing and unwilling sexual activity with staff.”
Nonconsensual Sexual Acts	“unwanted contacts with another inmate or any contacts with staff that involved oral, anal, vaginal penetration, hand jobs, and other sexual acts.”
Abusive Sexual Contact	“unwanted contacts with another inmate or any contacts with staff that involved touching of the inmate’s buttocks, thigh, penis, breasts, or vagina in a sexual way. “
Unwilling Activity	“incidents of unwanted sexual contacts with another inmate or staff.”
Willing Activity	“incidents of willing sexual contacts with staff. These contacts are characterized by the reporting inmates as willing; however, all sexual contacts between inmates and staff are legally nonconsensual.”
Staff Sexual Misconduct	“includes all incidents of willing and unwilling sexual contact with facility staff and all incidents of sexual activity that involved oral, anal, vaginal penetration, hand jobs, blow jobs, and other sexual acts with facility staff.”

Table 1. Definitions. Source: BJS National Inmate Survey, 2011-12.

Also, there are physical characteristics that can heighten an inmate’s chance of becoming a sexual abuse victim. Although there is not one single factor that can predict

sexual victimization occurrences, there are several factors that can increase the likelihood of becoming a victim, and there are also common characteristics of perpetrators. Men's prisons are notorious for having prison hierarchy and gang affiliation. Many sexual abuse incidents occur because of power statements. According to one report, victims in men's prisons tend to be small, weak, shy, white, gay, young, and/or first-time offenders. The more risk factors a victim possesses, the higher the chance of being victimized. Most victims are younger than their perpetrator, but there is not a huge difference in age. Mostly all victims and perpetrators are no older than 35, although there are some exceptions (Human Rights Watch, 2001).

Race is one factor that holds weight in men's prisons. Most sexual assaults occur within racial groups unless the victim is white (Human Rights Watch, 2001). White inmates are targeted mainly by African Americans and Latinos. Some suggest that this is due to the fact that Blacks and Latinos feel inferior in the outside world, so prison is where they have the chance to hold power over whites. If there is an interracial assault with a victim who is not white, this could cause disruption between the two racial groups involved in the assault.

Many sexual assaults in men's prisons are not attributed to being homosexual, but they happen because it defines a sense of power and hierarchy. According to this same report, men are more aggressive and assertive than women, so it is common that perpetrators are not considered to be homosexual (Human Rights Watch, 2001). However, if you are the victim, you are then considered less of a man and labeled gay (Human Rights Watch, 2001). Inmates who identify as homosexual can try and hide their identity or find a prison "husband" to protect them from other inmates. A "husband" is

someone who holds power in the inmate hierarchy and will protect the homosexual from abuse from other inmates as long as they meet their demands.

Perpetrators' characteristics are less predictable, but there are some commonalities. Perpetrators tend to be young as well and also strong, powerful, large, and street-smart. They target inmates who possess the opposite characteristics. Some perpetrators target new inmates, especially the youngest ones, and pretend like they are women when they abuse them (Human Rights Watch, 2001). Typically, perpetrators are convicted of violent crimes and are very physically aggressive (Human Rights Watch, 2001). Perpetrators very rarely become victims of sexual victimization.

The environment is different in women's prisons. Victims and perpetrators do not have as many common characteristics that are easy to point out. There are still racial divides in all prisons, but the occurrence of sexual victimization is not about sustaining hierarchical power within the inmates in women's prisons. Trauma affects all people in different ways, but studies show that over half of women that experience sexual victimization in prison also have experienced it in the outside world (Wolff, et al., 2009). The effects of these prior events can lead women to become perpetrators themselves or victims who think they deserve it.

A main perpetrator in women's prisons is the correctional staff. Among women who tend to be more submissive to authority figures, officers may take advantage. There are accounts of women reporting they have been denied necessary products, such as toilet paper, mentioned earlier, until they meet the demands of a corrupt officer (ACLU, 2008).

This background information helps frame the gender dynamics of sexual victimization that happens behind bars. There are specific factors that can lead to

victimization as well as how we understand and respond to victimization, while many of these factors are gender-oriented.

CHAPTER III

Methods

For this thesis, I am conducting a systematic literature review to discover the patterns and themes regarding gender dynamics developed from different sources of sexual victimization in United States prisons. I am using sources from three different types of literature: BJS reports, academic research, and media accounts. I used the most recent BJS reports regarding sexual victimization inside United States prisons that was reported by current inmates, former inmates, and correctional authorities. In order to find sufficient academic research, I used search terms such as “Sexual Victimization Inside Prisons,” “Rape Behind Bars,” “Prison Rape,” and “Sexual Abuse in U.S. Detention Centers.” The search for media accounts came from a plethora of resources, but a main one used in this thesis is Just Detention. It is a non-profit social organization giving a voice to current and former inmates to speak out about the sexual victimization they have endured while behind bars. One specific category also focused on is transgender inmates. I conducted a separate search for media accounts of transgender inmates being sexually victimized. All sources are from the year 2000 to the present. An analysis of each source was conducted to uncover similarities and differences that come from men and women’s prisons. After the analysis of each source, there is a discussion to define the results from the literature. There is a comparison of survivor stories, and then there is a comparison of themes and patterns found in survivor stories and the academic research. This includes why sexual victimization might occur, why gender makes a difference, why some incidents go unreported, and why there is a gap between professional report rates and informal media reports.

CHAPTER IV

Literature Review

BJS Reports and Surveys

A survey was conducted by the BJS (specifically the statistician Ramona Rantala) showed differences in sexual victimization statistics across all 50 states' prisons between 2011 and 2015. The survey reported that staff-on-inmate sexual victimization was responsible for the 63% increase of reports from 2011-2015. They gave numbers on national estimates of allegations of sexual victimization, from 2005 and 2010-2015, investigated or not, and the numbers increased every year significantly, as seen in Table 2. The increase from 2005 to 2010-2011 was not as significant as from 2012-2015. The reasoning for the rates rising exponentially during and after 2012 is because 2012 was when the national standards to investigate and prevent sexual victimization were implemented into the country's correctional facilities. From 2012-2015 there were investigations completed for 91% of allegations, a total of 61,316 out of 67,168. However, only 8% of those investigations were substantiated and found someone at fault (Rantala, 2018). That evidence is extremely concerning considering only 5,187 out of 67,168 were found to be true, as seen in Table 3. Contrary to belief, this is also a huge change for the better compared to substantiated incidents in 2011. After the implementation of national standards in 2012, reports of incidents, investigations, and substantiations raised tremendously, allocating for a change in the corrections system. Although these statistics do not differentiate by gender, it shows there is still an enormous amount of sexual victimization occurring in all state and federal penitentiaries.

National estimates of allegations of sexual victimization, by type of facility, 2005 and 2010–15

Type of facility	2015*	2014	2013	2012	2011	2010	2005
Total	24,661	18,891 †	13,568 †	10,047 †	8,768 †	8,404 †	6,241 †
Prisons ^a	18,666	13,794 †	9,850 †	7,575 †	6,660 †	6,648 †	4,791 †
Public - federal	740	776 †	879 †	718 †	488 †	479 †	268 ^b
Public - state	16,940	12,186 †	8,394 †	6,433 †	5,765 †	5,812 †	4,341 †

Table 2. Allegations by Type of Facility. Source: BJS Sexual Victimization Reported by Adult Correctional Authorities, 2012-15

Type of victimization and outcome	Number of allegations	
	All facilities*	Federal and state prisons
Inmate-on-inmate	30,590	19,202
Substantiated	2,982	1,523
Unsubstantiated	14,596	9,696
Unfounded	10,928	6,397
Under investigation	2,076	1,587
Nonconsensual sexual acts	18,235	11,298
Substantiated	1,137	631
Unsubstantiated	8,333	5,288
Unfounded	7,142	4,100
Under investigation	1,620	1,280
Abusive sexual contact	12,356	7,904
Substantiated	1,845	892
Unsubstantiated	6,263	4,408
Unfounded	3,786	2,297
Under investigation	456	307
Staff-on-inmate	36,578	27,864
Substantiated	2,205	1,419
Unsubstantiated	14,746	11,667
Unfounded	15,858	11,474
Under investigation	3,771	3,305
Sexual misconduct	22,268	16,244
Substantiated	1,678	1,078
Unsubstantiated	8,076	6,129
Unfounded	10,040	6,950
Under investigation	2,477	2,088
Sexual harassment	14,310	11,620
Substantiated	527	341
Unsubstantiated	6,671	5,538
Unfounded	5,819	4,524
Under investigation	1,294	1,217
Total	67,168	47,066

Table 3. Type of Victimization and Outcome. Source: BJS Sexual Victimization Reported by Adult Correctional Authorities, 2012-15

BJS statistician Allen Beck also conducted a nationally representative survey of former state prisoners in 2008. Female inmates reported higher rates of sexual victimization overall compared to males including inmate-on-inmate misconduct (13.7% versus 4.2%) (Table 4, Beck, 2012). A separate rate for staff-on-inmate misconduct categorized by victim and staff gender is shown in Table 5. BJS states that 87% of reports of sexual victimization were only initiated by the opposite-sex staff member. They claim it is less likely for an inmate to report same-sex victimization (Beck, 2012). Male victims reported that most of their incidents involved willing female staff members, totaling to 86%. The percentage of unwilling activity initiated by female staff members onto male inmates was also pretty high at 42.2% (Beck, 2012). The reports of male staff misconduct on male inmates was 23.1%, also higher than female inmates. Female victims reported that 2.8% were victimized by female staff members only pertaining to unwilling activity and 19.2% for unwilling activity with male staff members (Beck, 2012). Another main finding was that inmates who identify as bisexual or homosexual reported much higher rates of victimization for both inmate-on-inmate and staff-on-inmate compared to their fellow heterosexual inmates. This was true for both male and female inmates (Beck, 2012).

Former state prisoners reporting sexual victimization, by sex of inmate

Type of incident	Percent of former prisoners		
	All	Male*	Female
Total^a	9.6%	8.7%	16.1%**
Inmate-on-inmate	5.4%	4.2%	13.7%**
Nonconsensual sexual acts	3.7	2.7	10.5**
Abusive sexual contacts only	1.6	1.3	3.1**
Staff sexual misconduct	5.3%	5.4%	4.4%
Unwilling activity	1.2%	1.1%	2.5%**
Excluding touching	1.0	0.9	1.7**
Touching only	0.2	0.2	0.7**
Willing activity	4.6%	4.8%	2.6%**
Excluding touching	4.3	4.6	2.2**
Touching only	0.2	0.2	0.4

Table 4. Victimization by Sex of Inmate. Source: BJS Sexual Victimization Reported by Former State Prisoners, 2008

	All staff sexual misconduct	Willing activity	Unwilling activity
Total	100%	100%	100%
Male victims			
Female staff only	78.7%	86.0%	42.2%
Male staff only	6.8	4.4	23.1
Both male and female staff	4.6	2.7	10.9
Female victims			
Female staff only	1.3%	1.1%	2.8%
Male staff only	8.1	5.5	19.2
Both male and female staff	0.5	0.3	1.8

Table 5. Staff Sexual Misconduct Rates. Source: BJS Sexual Victimization Reported by Former State Prisoners, 2008

A third BJS report released in 2013 covers sexual victimization in prisons as reported by inmates from 2011 to 2012. Across all state and federal prisons that were

surveyed, 4% of inmates reported being sexually victimized by an inmate or staff member in the past 12 months (Beck, 2013). 2% of those claims had inmate perpetrators, 2.4% involved a staff member, and 0.4% reported abuse by both inmates and staff members (Beck, 2013). Compared to the survey that was released in 2008, the victimization rates are similar. More women reported abuse than men, whites were more likely to report an incident than minorities, and inmates charged with a violent sexual offense were targeted at a higher rate, 3.7%, than inmates charged with other offenses (Beck, 2013). Table 6 categorizes reports of sexual victimization by type of incident and Table 7 shows characteristics of the inmates who were victims and whether the incident was inmate-on-inmate or staff-on-inmate.

Type of incident	Percent of prison inmates		
	NIS-1 2007	NIS-2 2008-09	NIS-3 2011-12*
Total	4.5%	4.4%	4.0%
Inmate-on-inmate	2.1%	2.1%	2.0%
Nonconsensual sexual acts	1.3	1.0	1.1
Abusive sexual contacts only	0.8	1.0	1.0
Staff sexual misconduct	2.9%	2.8%	2.4%
Unwilling activity	1.7	1.7	1.5
Excluding touching	1.3	1.3	1.1
Touching only	0.4	0.4	0.4
Willing activity	1.7	1.8**	1.4
Excluding touching	1.5**	1.5**	1.2
Touching only	0.2	0.3	0.2

Table 6. Type of Incident. Source: BJS National Inmate Survey, 2011-12

Characteristic	Prison inmates reporting sexual victimization ^a		
	Number of inmates ^b	Inmate-on-inmate	Staff sexual misconduct
Sex			
Male*	1,345,200	1.7%	2.4%
Female	96,600	6.9**	2.3
Race/Hispanic origin			
White ^c	430,000	2.9%**	1.6%**
Black ^{c*}	507,900	1.3	2.6
Hispanic	339,800	1.6	2.2
Other ^{c,d}	38,200	1.7	2.6
Two or more races ^c	108,300	4.0**	3.9**
Age			
18–19	18,500	1.6%	2.4%
20–24*	162,500	2.2	3.5
25–34	457,100	2.3	2.9
35–44	398,200	2.0	2.3**
45–54	281,400	2.0	1.7**
55 or older	124,000	1.1**	0.8**
Education			
Less than high school*	813,300	1.9%	2.4%
High school graduate	293,900	1.7	2.3
Some college ^e	231,100	2.7**	1.8
College degree or more	98,700	2.7**	2.4
Marital status			
Married*	265,600	1.4%	1.9%
Widowed, divorced, or separated	390,500	1.9	1.6
Never married	741,200	2.1**	2.5
Body Mass Index			
Underweight	12,500	3.2%	3.6%
Normal*	357,000	2.7	2.7
Overweight	632,200	1.4**	2.0**
Obese	348,700	1.8**	1.8**
Morbidly obese	32,700	2.7	3.7

Table 7. Characteristics of Prisoners Reporting Sexual Victimization. Source: BJS

National Inmate Survey, 2011-12

Academic Research

According to the New York Academy of Medicine, victimization rates can be as high as 41% or as low as 1% (Wolff et al., 2006). There is not a specific number because many cases can go unreported or be fabricated. There are a few survey studies that have been conducted in different prisons and states. Many of the studies done are in male prisons because there are so many more of them. Wolff et al (2006) conducted a survey that was distributed to 12 adult male correctional facilities and one female correctional facility. The survey provided much more information on the men because there were more available to survey. The only data available about the female inmates is the nature of the event such as factors of whether the contact was inmate-on-inmate, staff-on-inmate, and abusive or nonconsensual as well as any incidents that do not fall in the abusive or nonconsensual categories. There were 564 women surveyed compared to 6,964 men (Wolff et al., 2006). The survey was based on a six-month period, and the rate was per 1,000 inmates. However, the sexual victimization rates seemed to be higher for the women regarding inmate-on-inmate misconduct, 212 incidents per 1,000 inmates, but very similar regarding staff-on-inmate victimization, totaling 76 incidents per 1,000 inmates for both men and women (Wolff et al., 2006). Men reported higher rates of staff-on-inmate sexual victimization than inmate-on-inmate victimization. This does not mean that there are more incidents of sexual victimization in women's prisons in contrast to men; it just means that they are reported at a higher rate.

The National Institute of Health published a study by these same researchers on the 12 male prisons and one female prison in a single state. The survey that was distributed addressed questions involving general prison culture, but more specifically,

abuse that has been endured. They asked questions related to physical and sexual abuse by staff as well as other inmates. The 564 women in the female prison reported that 21.3% of them had experienced sexual victimization by another inmate within the last six months (Wolff, et al., 2009). Contrarily, the 6,964 male inmates across 12 state prisons, only reported 4.3% of them had encountered sexual victimization by another inmate (Wolff, et al., 2009). This is significantly different than what women reported. However, the report of staff-on-inmate sexual victimization was almost identical in both male and female facilities being 7.6% for the men and 7.7% for the women (Wolff, et al., 2009). There is major difference in the rates of men and women being sexually abused before the age of 18 who also experiencing sexual victimization in prison. For the men, 27.2% experienced sexual victimization before the age of 18 and also experienced it behind bars (Wolff, et al., 2009). However, 61.8% of women who experienced sexual victimization before the age of 18 also experienced it while incarcerated (Wolff, et al., 2009). The percentage is also significantly higher, 56.8%, for women who experienced sexual victimization before the age of 18 who also experienced sexual victimization by a staff member while incarcerated (Wolff, et al., 2009). The percentage of men who have prior sexual victimization before the age of 18 is 15.6% in comparison (Wolff, et al., 2009). Prior sexual victimization seems to affect women more than men in the prison culture.

Cindy and David Struckman-Johnson (2006) conducted research in 10 mid-western state prisons, surveying or interviewing 7,032 male inmates and 468 female inmates. Out of the entire population, 1,788 of the male surveys and 263 of the female surveys were returned and usable. Out of the 1,788 returned male surveys, 382 of them had answered 'yes' to ever experiencing sexual victimization against their will. Out of the

263 returned female surveys, only 51 answered ‘yes’ to ever experiencing sexual victimization against their will. However, only 22% of men and 34% of women reported their assault to prison staff. Rates were higher for reports to other inmates or outside connections. They mention that because the survey was mailed-in and anonymous, the responses were more than likely accurate (Struckman-Johnson, 2006). They were able to filter out some of the surveys that seemed false or inconsistent. In other research conducted by these same authors, they found that anonymous reporting seems to be more accurate than reporting with the guarantee identities will be kept confidential (Struckman-Johnson, 2006). They point out another important factor that can also affect survey responses. It can really make a difference on how the questions are worded in the survey and how the research is conducted. On top of anonymity, language used in the questions can affect their responses because inmates may interpret certain words differently, and their reporting revolves around those perceptions. For example, an inmate may answer differently if the question asks about “unwanted touching” compared to a question that asks about sexual assault, depending on what their definitions are of those terms.

The last academic research study reviewed was a study that examined inmate’s perceptions as to why they should or should not report sexual assault. This report was written by Shannon K. Fowler, a professor at the University of Texas, and published by *The Prison Journal* in 2010. This study sent a questionnaire to male and female inmates, who were randomly selected, in Southern prisons. There was a total of 912 inmates that participated in the survey. The survey asked the inmates pre-screening questions regarding physical characteristics, education level, previous sexual abuse, and

characteristics of their prison sentence. The next part of the questionnaire became more specific, asking questions regarding experiencing sexual victimization themselves or knowing someone who has experienced sexual victimization. At the end of the survey, they were asked whether they would self-report victimization and if they would recommend self-reporting to other inmates. The results of the questionnaire produced reasons as to why an assault might go unreported. There were eight factors which influenced inmates' perceptions toward self-reporting: age, marital status, identifying as heterosexual before incarceration, time served, being a victim of prison sexual violence, being African American, education level, and recommending reporting the assault to a friend. All of these factors increased the probability that an inmate would self-report. Older inmates, single inmates, heterosexuals, shorter sentences, being African American, having no high school diploma or GED, and inmates who recommend self-reporting all have a higher chance of reporting sexual victimization. Inmates who do not fit these characteristics were unlikely to report. However, to be gender specific, women were 81% more likely to recommend reporting sexual victimization than male inmates. A common theme was that the more "vulnerable" populations, such as homosexuals, were less likely to report because they are more likely to be targeted and face retaliation for reporting. This report is an entrance to discover gaps between the statistics in BJS reports and inmate survey victimization rates and why they occur.

Media Accounts

The media is the biggest outlet in the world to be able to tell a person's story. Although many reports of sexual victimization go unreported to correctional staff, some

inmates decide to tell their stories through media outlets, mostly after being released, or through writing letters. It is sometimes hard for inmates to gain access to media resources while they are behind bars, especially because inmates can be viewed as people who should not be trusted (Lennard, 2017).

It is a current belief of most inmates that if they speak out against sexual victimization, whether it be inmate-on-inmate or staff-on-inmate, there are consequences for doing so. If the incident is reported to a correctional staff member about another inmate, it may get around that the inmate snitched, and he or she will be punished by other inmates for opening his or her mouth. There could be even worse consequences if an inmate speaks out against a correctional officer. The staff members of prisons all work together to keep inmates in-line and well-behaved. If there is a report about an officer abusing an inmate, the inmate may not be believed or receive retaliation from that officer or others (Lennard, 2017). There is a level of power that comes with being a correctional officer, and it can be abused. Lennard states, "...that very power imbalance keeps victims silenced, ignored, and routinely disbelieved." In return, this leads inmates to silence themselves, suppressing the abuse they are experiencing.

To many inmates, the fear of being violently attacked by officers or other inmates outweighs the abuse they have endured. The world inside prison walls is completely different from what people in the free world experience. No one will ever truly know the challenges inmates face until becoming one. The general public—non-offenders—believe that whatever happens inside prisons is none of their business, and offenders get what they deserve. A popular belief is that as soon as someone is sentenced to prison, they lose their rights (Yurkaba, 2018). Regardless, every citizen of this country has rights, some

more diminished than others, and sexual victimization should never be a part of an offender's punishment.

The California Coalition Against Sexual Assault published a report highlighting prison sexual victimization survivor's experiences. They list multiple myths that are commonly believed by the public:

...prisoners who are raped must have deserved it, that only child molesters are sexually assaulted in prison, that a gay man cannot really be raped, that transgender women and feminine men like the attention, [and] that women do not sexually assault other women.

The following stories told by current and former inmates contradict these ideas.

Female Inmate Stories

These are the stories told by current and former female inmates housed in state penitentiaries. Some changed their names for safety purposes.

Nicole Wolfe is a former inmate of the California Correctional Facility for Women. She was sentenced to 17 years for the attempted murder of her abusive ex-husband. She had a history of sexual abuse throughout her childhood, and sadly, it continued during her incarceration. The first person to victimize her was one of the prison's lieutenants. She was on a work assignment that involved working with him, and during her assignments, he would rape her multiple times a week. Sunday was her designated visitation day with her family, and he would make sure and call her to the program office to rape her before allowing her to visit with her family. Because of the continued abuse, she requested to see a psychologist located in the prison's medical

building. As she was waiting, a nurse came to talk to her and offered his support if ever needed. She felt a sense of trust, but when he took her back to his office, he raped her. He controlled when all of her appointments were, and if she did not show up, she would get written up. One Sunday, another correctional officer noticed her in the medical building, which is abnormal, so he reported it. The prison launched a federal investigation on the nurse, but in the meantime, she was sent to administrative segregation, which is separated from the general population. The nurse plead guilty to the sexual abuse, and this encouraged her to report the lieutenant as well. Another investigation was launched, but this time, the correctional staff treated it differently since it involved a lieutenant. They put her in a solitary confinement cell, denying her access to food, water, and the bathroom, until she admitted the sexual abuse was consensual. They threatened her with not letting her out of the room until she confessed. She never gave in, but she is unaware of how the investigation ended. The California Department of Corrections and Rehabilitation stated they are unable to release information on specific reports (Yurkaba, 2018).

Inmate A, who went unnamed, said she was raped by her supervisor during incarceration. She was on a work assignment that required them to go to the gym to fix a wiring shortage. He lured her into a back hallway that connected the gym and the library and locked the door. She tried to fight back and ended up with bite marks and bruises because of the struggle. When she wanted to report the assault, they denied her access to any police officers or detectives (Semple, 2003).

Laura Berry, a former inmate at an Arkansas state prison, was just 17 when she was incarcerated for capital murder. Her boyfriend had killed her aunt, and she helped

him carry out a burglary of her house, unaware of the murder. She was sentenced to life without parole as a minor. Since she was so young, she continued to act out behind bars until her female unit was moved to a much larger prison that housed both men and women. She was told she would only be supervised by female staff, but she had a work assignment with a male officer. He took her to his back office and raped her. He threatened her with violence if she spoke out against him. Consequently, he impregnated her. He forced her to blame another officer as well as tried to abort the unborn child, but she refused. She was placed in solitary confinement in harsh conditions. She was forced to give birth while behind bars. She claims that having a baby helped her realize she can do better with her life, and she was assigned a lawyer to help her son find a good home while she was incarcerated over the next 25 years. Her case was presented to the court again, and she was resentenced and released in 2017 because of a new law passed in Arkansas regarding convictions of minors. However, the officer who is the father of her baby was never indicted on charges in her case, but he was charged with bringing drugs into the facility a year later (Berry, 2018).

Marilyn Shirley is a former inmate of a state prison located in Texas. While she was incarcerated, she claims to have been raped by a male officer. He brought her down into the guard's office in the middle of the night and told her to sit down and shut up before raping her. She was in denial the rest of her sentence, but the day before being released, she told a female supervisor what had happened to her. They allowed her to turn in the sweatpants she was wearing that night to conduct a DNA analysis, and a year later, there was a positive match to the officer's DNA. He was convicted and sentenced to 12 ½

years and sued for \$4 million for his sexual abuse against Marilyn Shirley (“One Woman's Story of Prison Rape, and Recovery,” 2007).

There are many more female-inmate stories that fit the same narrative that is common in the stories above. There are not many stories of inmate-on-inmate sexual assaults from women’s accounts, but a high percentage of them are perpetrated by male staff members.

Male Inmate Stories

This is a sample of stories of men who have experienced sexual victimization while being incarcerated in prison.

Matthew is a former inmate who was housed in a South Carolina state prison. He said his first assault did not occur until having being locked up for over ten years. He did not specify how many attacks he endured, but they led him to become suicidal until he finally found the strength to go to therapy. He still suffers from PTSD, nightmares, and anxiety attacks (Just Detention, 2020).

Kevin, a current inmate in a California state prison, was entered into the correctional system at the age of 22. During a shower after his workday, four other inmates entered the shower and threatened him with a knife until he performed oral sex on all of them before each one raped him. He feared the shower for the next two weeks and had to face his attackers every single day. He did not report the gang rape because he feared death. After a few years, he was assigned a new cellmate, who raped him every night for months. Still, Kevin did not report the victimization. When he was transferred to another facility, he was raped by his cellmate there as well for weeks on end. He resorted

to cutting himself on the arms. Currently, he has learned to be aware of his surroundings and only enter areas with people whom he knows. To this day, he has not reported any of the abuse, which has stopped for the meantime (Just Detention, 2020).

A former inmate in a Texas penitentiary, Joshua, was gang raped by four inmates in 1995. He tried to fight back, but he was outnumbered. He was admitted to Medical where doctors confirmed he was raped and completed a rape kit. The Internal Affairs officer came to talk to him about the incident but informed him he would not be put in protective custody. He denied the chance to name the perpetrators. He waited a year to attack one of the inmates who raped him, and this attack put him in Administrative Segregation to this day. He suffers from depression and cuts himself. He is trying to become stronger every day (Just Detention, 2020).

An inmate who goes by the name “R.G.” was raped in the reception center of the prison he is housed in. He claims his friend is housed in the cell above his, and he can hear him getting raped every single night but can’t do anything about it. He reported his rape in the reception center, but nothing was done about it. He continued to be housed in general population. When he wrote his letter to Just Detention International, he said he was approached by one of the bigger men in the pod, and that only means one thing. After this encounter, he slit his wrists to try to get out of that cellblock. He was placed in a different cell with an even worse offender—one who claims he already “paid” to sexually assault R.G. He attempted to commit suicide for a second time and failed.

Jason, an inmate in protective custody in a Mississippi state prison, testified that he was raped by an inmate who resided in general population. As he was on his way to shower, the inmate called him into his cell and immediately threatened him with a knife,

claiming he would kill Jason if he made a sound. He raped him and sent him back to protective custody, furthering the threat to kill him if he told anybody. After the assault, Jason tried to overdose with pills to commit suicide (McKay, 2020)

These are just a few of the accounts told firsthand by male inmates. The nature of their assaults and victimizations differ from those that have been reported in Women's facilities. Table 9 organizes the previously mentioned incidents into categories of gender, sexuality, who the perpetrator was, if it was reported, and if it was substantiated.

Transgender Inmate Stories

Transgender inmates face extreme discrimination inside prisons, and they are considered one of the most vulnerable populations (Leitsinger, 2020). According to the 2011-12 BJS report of "Sexual Victimization in Prisons and Jails Reported by Inmates," 40% of transgender population reported being victims of some type of sexual victimization within the past year. This statistic is significantly higher than the sexual victimization rate of the general population—which is about 4% (Beck, 2013). Almost all correctional facilities across the country place inmates in detention centers according to their assigned genitalia at birth (Foody, 2018), which can result in higher rates of violence and abuse against them. These are some of the experiences transgender inmates faced while being incarcerated.

The first story from Kern Valley State Prison had the worst outcome possible. Carmen Guerrero was a transgender inmate, a male who identified as a female, housed in a male prison. Another inmate, Miguel Crespo made it clear to the correctional staff that he would kill Guerrero if he was housed in the same cell as her. Unfortunately, his

statements were disregarded, and he was placed in Guerrero's cell. She was in the process of filing a letter with the prosecutors that she was fearful she would be raped again, and she did not feel safe being housed with him. On their first night of living together, Crespo strangled Guerrero to death. After the homicide, he called officers over to his cell to show them he kept his word. He was sentenced to death for the murder (Leitsinger, 2020).

An inmate at the California Medical Facility, a state prison, is named Yekaterina Wesa Patience. She is a female transgender inmate housed in the male facility. She was in the recreation yard playing dominoes when her cellmate, a man much larger than her, got on top of her and raped her (Leitsinger, 2020). Her immediate reaction was to hide her identity, which lasted for the next 20 years. She stated, "I immediately cut all my hair off, kept my head bald ... I grew a mustache and a goatee and tried to adopt the hardest walk I could on the yard. I was terrified of it happening again, and I was not going to be out for somebody else to do it" (Leitsinger, 2020). She was raped again at another prison over a year later (Leitsinger, 2020).

A former federal prison inmate, who chooses to remain anonymous, explains her sexual abuse endured during a six-year prison sentence. She identifies as a female, but during a strip search, the officers made it known she had male anatomy. From that point on, they treated her identical to her male peers. After transferring to another facility, she was placed in solitary confinement for six months and still was sexually victimized by her cellmate. She was scared to tell the staff about the abuse because it would "put an even bigger target on [her] back" (Johnson, 2019). She is now part of an organization, Transgender Gender Variant and Intersex (TGI) Justice Project, which speaks out against transgender sexual victimization.

An inmate in an Oklahoma state prison goes by the name of “Heather.” She is currently serving her sentence in a men’s prison because she is transgender but still considered a male. She has made claims of having been sexually and verbally abused by the male officers saying demeaning things that allude to her being born a male. She has been denied the courtesy of a female officer performing strip-searches no matter how many times she has asked. She was strip-searched by two male officers and threatened with violence in case of noncompliance. Officers have failed to recognize her as a woman, which leads to inadequate medical care and respect (Just Detention, 2020).

The last story defines the transgender inmate as the perpetrator. Some inmates advocate against having transgender inmates housed with them, especially male-to-female transgender inmates, because they still have opposite sex organs (Masterson, 2020). An anonymous inmate housed at the Logan Correctional Center in Illinois claims she was sexually assaulted by a newly housed transgender inmate (Masterson, 2020). The victim was fearful of the transgender inmate because she was much larger than her and apparently was convicted of murder (Masterson, 2020). She reported the assault to the staff but claims she was pressured by internal affairs officers to deny the accusations. She was punished for supposedly filing a false report (Masterson, 2020).

Transgender inmates are rarely accommodated for and often mistreated while incarcerated. Although it is becoming more widely accepted, the prison environment will more than likely be one of the last places to adapt.

Table 8 presents information on this sample of inmates (as reported in media accounts) who have experienced sexual victimization while inside prison and characteristics about their incidents.

Inmate	Male	Female	Sexuality	Perpetrator	Reported?	Substantiated?
Charlie	X		Bisexual	Guard	Yes	No
Heather		X (Trans)	Heterosexual	Guard	Yes	No
Matthew	X			Inmate	No	N/A
Kevin	X		Heterosexual	Inmates	No	N/A
Joshua	X		Heterosexual	Inmates	No	N/A
L	X			Guard	Yes	No
Alairis		X		Guard	Yes	No
James	X			Inmate	Yes	No
James			Heterosexual	Inmate	Yes	No
Eric	X		Heterosexual	Inmate	Yes	No
Clarence	X		Bisexual	Inmates	Yes	No
Katrina		X (Trans)		Both	Yes	No
Derrick		X (Trans)		Inmate	No	N/A
Ernest	X		Bisexual	Inmate	Yes	No
Nicole		X	Heterosexual	Guards	Yes	Yes
Inmate A		X		Guard	No	N/A
Laura		X	Heterosexual	Guard	Yes	No
Marilyn		X		Guard	Yes	Yes
R.G.	X			Inmate	Yes	No
Jason	X			Inmate	No	N/A

Table 8. Inmates Who Experienced Sexual Victimization Inside Prison.

Staff-on-inmate Sexual Victimization

It is not uncommon for correctional officers to cover up sexual abuse perpetrated by inmates as well as to get away with being the perpetrators themselves because of their title. However, there are cases in which correctional officers are investigated and charged with sexually assaulting inmates, mostly being male officers assaulting female inmates. There are patterns seen in stories released by the media that uncover stigmas associated with the gender of the officer and inmate involved.

In early 2018, a sixth officer joined another five from the previous year convicted of sexually assaulting female inmates at Edna Mahan Correctional Facility in New Jersey (Quinlan, 2018). The sixth officer, Ronald Coleman Jr., was charged with 13 sex and/or

misconduct crimes which involved three inmates (Quinlan, 2018). His charges were less severe than the previous five, who were charged with over 24 misconduct crimes involving eight different inmates. This is not the first time this prison has had problems with officers abusing the inmates. In 2010 and 2011, two male officers and one female officer were fired because of abuse accusations (Quinlan, 2018).

In 2016, a female inmate, Anquanette Woodall, on year three of her 15-year sentence, was raped in the bathroom near the prison's kitchen (Penney, 2019). To prevent her from reporting the incident, the officer silenced her with the threat of knowing her mother's address, which also housed Woodall's two children. However, Woodall became pregnant and was not granted the option to have an abortion funded by the state. Her third daughter, who is now three, is being cared for by her sister. A DNA test proved that her abuser, Officer Travis Hinson, is the father of her child. He was indicted and plead guilty to sexual battery (Penney, 2019).

In 2017, an officer, Apolonio Gamez, walked in on a female inmate stealing food from the prison's kitchen (Lyon, 2019). Instead of writing her up for misconduct, he led her to the walk-in refrigerator and demanded oral sex. Although the inmate was in shock, she was able to preserve some of his semen on her clothing. Before this attack, Gamez was known around the prison as a sexual predator, according to inmates. He had previous encounters with other female inmates, with one escaping an assault by running out of the kitchen area before he could act (Lyon, 2019). The inmate with the semen evidence finally gained confidence to tell her peers, who in return, notified investigators. Gamez plead guilty to two counts of sexual abuse of a ward and one count of attempted sexual abuse of a ward, but he was only sentenced to two years in prison (Lyon, 2019).

In 2019, a federal correctional officer was arrested on several counts of sexual abuse of female inmates over the course of six years in a female prison in New York (Carrega, 2019). His modus operandi was to smuggle in female hygiene products and food to try and seduce the inmates or keep them quiet. If victims continued to perform sexual acts on him, he would fulfill certain requests made by the inmates to receive specific products or food. Some of the inmates he abused were released during his tenure, and they reported that he had asked them for their contact information to keep in touch once they were released (Carrega, 2019). The officer could face up to 15 years in prison if convicted on just one of the accounts of sexual abuse against a ward (Carrega, 2019).

These are a few of the stories that media outlets have reported about. All of the mainstream media reports analyzed covered stories in which officers had already been arrested or charged due to significant amounts of evidence. And, they all involved male officers and female inmates. These reports do not cover the abuse that has been covered up by the system or unreported abuse.

CHAPTER V

Discussion

Themes in Men's Prisons

The gender dynamics of sexual victimization within the United States' prison system differ between male and female institutions. As discussed previously, different factors can lead an inmate to become a perpetrator or victim. Men, especially most male criminals, can have an aggressive demeanor to prove authority. This characteristic is enhanced once these men are put together in a confined space, such as prison. All of the analyzed prison rape survivor stories told by men claim their attacker(s) to be other inmates. Some were targeted because of age, looks, weakness, race, and other factors. One commonality between all the stories is they were threatened by violence. If it was not a threat by an actual weapon, they were threatened using hypothetical violent threats and/or physical abuse. The severity of these threats is what led the survivors to comply with the perpetrators. In many instances, the first attack was not the last. In the men's prison, it is severely looked down upon to tell an officer what has been experienced behind closed doors. The threat of violence and death is much higher in male facilities, especially because the perpetrator is usually much bigger than the victim. Violent retaliation is a common method of revenge for all infractions, especially one that involves an inmate snitching.

Another common factor that is seen only in the men's survivor stories is they attempt to commit suicide. It is a very shameful act for men to be victims of sexual assault, and it really affects them mentally. In all four stories, the men tried to commit suicide, mostly by cutting their arms or wrist, and one by trying to overdose. This is the

sad reality that lives inside of prisons. Even if the inmates tried to come forward with their allegations, many have stated that the officers would not believe them, and this could lead to even further punishments. Since the victims tend to be young, small, and weak, they do not have the option to stand up for themselves, protect themselves, or have the resources to make it stop. Because of these factors, they feel suicide is the only way out. Also, attempted suicide, whether they wanted to follow through with it or not, can land them in administrative segregation or on suicide watch, which is ultimately their goal. They will do everything in their power to get away from their attackers.

Prison hierarchy is a commonality in men's institutions, which is not as prevalent in women's institutions. The inmates at the top of the hierarchy are seen as the ones who have the most power and control over what happens inside their units. In almost all rape allegations, the victim is very low in the prison hierarchy, and the perpetrator tends to be extremely high. Sexual assaults that are inmate-on-inmate are used as a method to show who is in power. In many instances, the rape in itself is not for sexual gratification of the perpetrator. Sometimes, they can pretend the victim is a woman if they are especially young, and in those instances, it can be for sexual gratification. In cases like gang rapes, the ultimate goal is to "turn out" the victim and prove the assailants have the power over them. "Turning out" means the perpetrators sexually assault a victim, which qualifies them to become a "boy" or gay, even though it is nonconsensual. Once an inmate has been turned out, it is almost impossible for them to regain their status of being a man in the prison. Consequently, that is why many victims are victimized more than once.

Men, especially men in prison, are publically viewed as "tough." When a male inmate comes forward about a sexual assault, he immediately had lessened his status as a

man. BJS reports that only 4% of male inmates report being sexually abused by another inmate, but the survivor accounts tell a different story. The survivors make it clear that if the incident is spoken out against, they will face consequences. Being a prisoner comes with a lot of cons, one of which is not being able to legally get out of the situation. Inmates have no say as to where they are housed and who they are housed with. Some will argue that it is their fault they are in prison in the first place, but prison in itself is their punishment, not enduring sexual victimization while serving their sentence.

Themes in Women's Prisons

Women's prisons see another side of sexual victimization. In the media accounts that were analyzed of women speaking out on their assaults, all of the perpetrators were male officers. In a sense, this can make it even tougher for women to speak out because their attackers have control over them legally, unlike someone who is higher up in the prison hierarchy. One of the commonalities between the women's stories was they worked with their perpetrators on work assignments. The male officers have to strategize when they can carry out the assault and not get caught. They seemed to find the best time to be during one-on-one work assignments. Bribery seemed to be a common act of defense by the officer. In order to continue having a sexual relationship with the inmate, they would bribe them with luxury hygiene products or, contrarily, threaten them with deprivation of necessities.

Instead of the women being threatened with violence like the men, they were threatened with deprivation of wants and necessities like food, toilet paper, and visitation. The perpetrators know what is most likely going to make their victims consent or keep

quiet. For men, it is the threat of violence, and for women it is taking away necessities. However, the difference can come from who the perpetrator actually is, regardless of gender. If the perpetrator is an inmate, their most useful resource is violence; if the perpetrator is an officer, their most useful resource is control over products and services.

Another theme presented in the female survivor stories is that most of the officers went unpunished, with the exception of one case. It is a social norm to believe the word of someone in uniform over a criminal, so that contributes to why so many officers get away with abuse. The case in which the officer was indicted, the only reason the case moved forward was because the inmate kept a semen-stained pair of sweatpants to be DNA analyzed when she was released, and it came back a match. The common theme is that inmates are not believed unless there is some type of physical evidence.

Media articles reported on correctional officers who have been indicted and/or charged with sexual abuse of a ward. All of the articles analyzed included male officers and female inmates. In two out of four reports, DNA was needed for a conviction. In the other two, it took multiple victims and years of abuse to start an investigation on the officers. After the start of the investigation, it was uncovered that most of the officers in question had abused multiple women, in which few to none came forward at the time of the assaults.

Themes Regarding Transgender Inmates

The nature of transgender inmate assaults is different than the men and women sexual assaults. Men and women can face discrimination by other inmates in prison for multiple reasons, but transgender inmates have to deal with discrimination from officers

and inmates. Being a transgender is a newly accepted social concept; however, it is not accepted by everyone. Inmates, especially male inmates, tend to have problems with transgender inmates, which can sometimes be worse than how homosexuals are viewed. Reporting sexual victimization can be twice as hard for transgender inmates because, as mentioned in some of the transgender survivor stories, the officers turn their heads to any abuse, and sometimes orchestrate it.

A BJS report states that 40% of transgender inmates report being sexually victimized while in prison, which is ten times the rate of general inmates. It is apparent that transgender inmates report a lot more often than male and female inmates, and that can be attributed to having to endure discrimination inside and outside of prison. Transgender people have fought hard to gain the same rights as others, and most have no trouble with speaking out. However, just because an incident is reported does not mean it will be investigated, and there is even less of a chance of it being substantiated. On the other hand, some transgender inmates react to being victimized by suppressing their identity. After an assault, some inmates try to adapt to prison culture as much as possible, so they do not stand out as much. Most instances involving a transgender inmate that were analyzed were men transitioning to women but still housed in a male facility because of genitalia.

Comparison of Survivor Stories and Research

Many of the stories suggest that their abuse went unreported or was swept under the rug. This is one reason as to why there is a gap between professional statistics, academic research, and inmate accounts. Some of the inmates who have come forward

through the media, social organizations, or writing letters, state that they tried to report their experiences, but the correctional officers denied the request for an investigation. Correctional officers, like law enforcement officers, look out for each other. Since inmates are seen as untrustworthy criminals, it can be easy for an officer to deny or cover up a claim made against them by an inmate. BJS reports that only 8% of investigations of sexual abuse were substantiated. That means that 92% of investigations did not have enough evidence, or they found the claim to be fabricated. According to inmate stories, that is not true. It was found that only 22% of male inmates and 34% of female inmates reported their abuse to correctional staff (Struckman-Johnson, 2006). To put it into perspective, there are 78% of male sexual abuse victims and 66% of female sexual abuse victims who have not reported their experiences. Because there are so many factors as to why inmates do not report, it can take a lot of courage and confidence to come forward. There are some instances where an inmate would fabricate an incident for a reason like housing purposes, but investigators claiming that only 8% of reports held true is concerning. There is a clear gap between BJS statistics and what has been uncovered by academic research and presented by inmates.

In all of the academic research, the rates of sexual victimization were higher for both men and women compared to the BJS statistics. Academic research seems to be more reliable by being able to administer anonymous surveys and questionnaires to allow inmates to report abuse without fearing consequences. The inmate survivor stories match up closer with what the academic research has reported, but there are still so many survivors who have not reported their victimization.

Perception of Gender

Although all sexual acts, by inmates and staff, are prohibited in prison, that definitely does not stop them from happening. There is a pattern of language used in regard to the gender of the perpetrator and victim. This especially applies to when the officer is a female and the inmate is a male. In those instances, sexual activity between a female officer and male inmate can be viewed as consensual or “willing.” There is a perception that if the female is a perpetrator, the victim is not necessarily a victim—they wanted it to happen. According to BJS statistics, 86% of men who reported staff-on-inmate sexual abuse classified it as “willing” when it involved a female officer. Similarly, when a male homosexual is sexually abused, it can be considered willing behavior as well. There is a social belief that a gay man cannot be raped because that is his sexual preference. On the other hand, when the incident involves a female inmate and male officer, the inmate is usually looked at as a victim. Occasionally, there is victim blaming on the female inmate for being promiscuous or inviting the inappropriate behavior by the officer. The male in the scenario is usually always the perpetrator and the female the victim, just because of their gender. It is rarely reported, if at all, that a female inmate seduced or victimized a male officer because he “must have wanted it.”

Sexual victimization in prisons is definitely gender constructed in the media. When an incident involves an officer and inmate, it is not automatically assumed the officer abused his/her power to abuse the inmate because the gender of the subjects matters. Even though every incident is different, the media portrays the image that the female cannot be the perpetrator, and if she is, it was consensual activity.

CHAPTER VI

Conclusion

Sexual victimization inside United States prisons is a serious and real problem that is still occurring every day, even after the passing of the PREA. Gender constructs reside in men's and women's facilities that can have patterns and themes regarding sexual victimization. It is evident within the academic research and inmate survivor stories that assaults occurring within male institutions happen (or are allowed to happen) because of the prison inmate hierarchy. Many assaults happen as a statement of power or an addition to punishment. In female institutions, some male officers use their power an opportunity to take advantage of an imprisoned female who has no way out. There are instances where inmates do come forward about their abuse, but, as stated by inmates, punishment is rarely carried out for the perpetrator.

BJS reports only 4% of state and federal prisoners report being victims of sexual victimization, academic research reports numbers higher than that, and inmate survivor stories reports could make the numbers even higher than both of those reports because many claim their assaults were never reported. There is a harsh reality that just because of someone's physical characteristics or sexual orientation, it can determine whether they will fall victim to sexual assault in prison.

After analysis and comparison of these three different types of resources, it is clear that sexual victimization occurs inside all prisons within the United States, but the accurate rate is unknown. Gender dynamics affect rates of victimization as well as rates

of reporting. According to many inmate stories, some assaults were reported but never investigated. This makes it even harder to obtain an accurate rate.

There is limited academic research available regarding sexual victimization in prisons because it was not a main focus until the PREA was passed in 2003. Prevention of rape in prisons is a priority, but more needs to be done inside institutions. According to this research and the media reports, sexual victimization is still extremely prevalent in the country's correctional facilities. There needs to be a way for inmates to report without fearing consequences. For example, female and male-to-female transgender inmates have mentioned they are extremely more comfortable with female officers rather than male officers. Although this is easier said than done, it is possible. A main obstacle is correctional officers being involved, including corruption within and between officers. Since correctional officers represent the authority of prisons, it can be harder to reform sexual victimization inside prisons, especially when so much of it comes from officers and staff. More research needs to be done in this area of study to help lessen, and actually, eliminate sexual victimization inside prisons.

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