

HOW DOES OUR NATION CONFRONT PRISON RAPE:

THE MORAL AND ETHICAL QUESTIONS

MS. STEMPLE: You're welcome. Thank you for including our organization and all of the survivors that spoke this morning.

Before I get into my talk, I just wanted to say one note about my understanding of where the Bureau of Justice Statistics is concerning this issue of who will be in the room when the research is conducted. Now my information comes from the Bureau of Justice Statistics meeting in March. You may have more recent information. But what I learned in March is that the reason there needs to be a person in the room, not, in fact, a correctional staff member, but actually someone hired by BJS is to help administer the computer survey, so to, in others words, actually enter some of the key strokes into the commuter. For technological reasons, that would just be necessary before handing it over to the inmate, something they had changed in the meantime, but that is what I had heard in March.

MR. KANE: As long as we're on that, Ms. Stemple, is that person going to be in the room throughout the questionnaire administration or just as a beginning to get the person off on the right foot?

MS. STEMPLE: My understanding, and this would be better check with Alan Beck, but my understanding is that the person hired by BJS will enter key strokes at the beginning, that there are several questions that that assistant -- I don't think it is necessarily a researcher per se -- but the person who has been hired will, in fact, answer some of the questions him or herself at the outside and instructs the inmate on how to use the computer system, then hand that system over to the inmate and step away from the screen so that that person cannot see the answer that the inmate is entering, but will remain on their own.

MR. KANE: Well, this isn't the place for further discussion of this, but thank you. I don't think we have more recent information, unless any other commissioners do.

MS. STEMPLE: Stop Prisoner Rate is a

national human rights organization that seeks to end sexual violence against men, women and youth in all forms of detention. And by now, you are all familiar with the fundamentals of prisoner rape.

And the commissioner has heard me speak about the challenges of implementing the Prison Rape Elimination Act at Notre Dame in March when I emphasized there the need to grapple realistically with prisoners' sexuality and with the grim fact that rape is essentially the only socially acceptable sexual outlet in many men's prisons.

Today as we focus on why the nation must confront prisoner rape, I would like to instead take the opportunity to highlight the circumstances of some of the survivors of prisoner rape whose voices are hard to hear.

Many Americans choose to ignore the violence that permeates our prisons, reasoning that it will never affect them or anyone they know. But according to the Bureau of Justice Statistics, one in 15 Americans will serve time in prison during their lifetime if current incarceration rates remain unchanged. The vast majority of those

prisoners will eventually be released, indelibly marked by their experiences behind bars.

This morning we heard from Inspector General, Glenn Fine. We heard him speak about solutions called for in his report to address staff sexual abuse. And while some sentences for these abusers do merit review, I think we can do better than to continue to look at incarceration as a solution. We are a nation addicted to incarceration. Prevention and training must also be considered to stop the abuse before it actually occurs.

Countless survivors of prisoner rape reach out to SPR to ask for help and to share their stories. In the past few years, we have begun to track and catalog their letters.

Sadly, the survivors who contact us paint a picture of a chronic pattern of violence, not a series of horrific events. Significantly, more than one out of three of the survivors in our data base were attacked by more than one assailant. More than one-third were assaulted more than once. Four out of five survivors in our data base are men, one in 20 survivors identified themselves to

us as transgender.

Not everyone chooses to tell us about their assailants, but nearly 4/5ths of the women survivors who contacted us were assaulted by a staff member, while only 9 percent say they were victimized by another prisoner.

It's also worth noting and was touched on a moment ago, the problem in Texas. One out of four of the survivors who write to SPR were abused in Texas. And if you noticed this morning, all but one of the survivors who addressed you earlier today were raped at facilities in Texas. The four survivors of prisoner rape who testified before you today told very painful stories. Each of them lost some essential part of themselves during the savage sexual assaults they or in Linda's case, her son, endured. Their stories are important to here and I can ask you to also consider the scores of stories that will never be told for a variety of reasons.

For every survivor story reported by SPR, there are hundreds of thousands of accounts that will remain hidden behind prison walls. Many survivors feel such shame about their attacks that

they may never be able to speak about them.

Although the stigma of sexual assault is slowly shifting from the victim to the attacker, where it belongs, rape behind bars is still widely regarded as one of the acceptable consequences of being locked up or even as a joke. Because of that stigma, many survivors remain silent. Their stories will never be told.

Gay or transgender prisoners are often thought to have, quote, wanted to be raped, as if a person's sexual orientation or gender identify would somehow cause them welcome a violent attack. Because of that bias, many gay or transgender survivors will not report their assaults. Their stories will never be told.

SPR has recently seen an increase in complaints about prison officials who do not want inmates to communicate with our organization. Survivors have reported that confidential legal mail sent by SPR is regularly opened and read and that prison officials have threaten them, stating that they will never be allowed to tell their story while locked up. When staff succeed in

intimidating survivors from speaking up, their stories will never be told.

SPR recently released a report on sexual abuse in immigration detention centers and we urge the commission to remember population. I was glad to hear Senator Kennedy highlight this this morning.

Language barriers and fear of deportation keep many from reporting abuse. More alarmingly, most of the immigration detention facilities SPR approached refused to grant us any access whatsoever. In these facilities, we were unable to reach those who may have been victims of sexual assault. Their stories will never be told.

Still other survivors are dead or dying after being infected with HIV by their attackers. Many of them, like past SPR president Steve Donaldson, who died of AIDS contracted by prison rape for serving time for a non-violent crime when raped. Some of these survivors are engaged in a daily struggle to survive. Others have already succumbed to the ravages of AIDS. Their stories will never be told.

And countless others like Rodney Huland

tragically take their only lives rather than endure ongoing vitality. Others commit suicide even years later after unsuccessfully struggling with overwhelming feels of shame and degradation. It's impossible to say how many suicides can be attributed to prisoner rape, but any number is too high. Their stories will never be told.

Survivors who testified before you today did their best to share the horror that could never be truly put into words. I ask you to not only listen to their stories, and I believe that you have, but also to consider the circumstances of many other survivors you will never hear from, countless stories that will never be told.

THE CHAIRMAN: Thank you very much, Ms. Stemple. I'm sure we'll have some questions for you, but I would like to complete the other testimonies before we open up this panel to the questions.