

Alabama Looked The Other Way As Prison Staff Habitually Raped Women, Demanded Sexual Favors, DOJ Finds

By Carimah Townes on January 28, 2014 at 12:49 pm

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For the past two decades, female inmates in Alabama's Julia Tutwiler Prison for Women have been subjected to atrocious acts of sexual abuse – and the Alabama Department of Corrections (ADOC) did nothing about it.

A Department of Justice report has found that the state's rampant abuse violates the U.S. Constitution's prohibition against cruel and unusual punishment, and calls on Gov. Robert Bentley (R) to make immediate changes or face a lawsuit.

"Tutwiler has a history of unabated staff-on-prisoner sexual abuse and harassment," the report said. "The women at Tutwiler universally fear for their safety. They live in a sexualized environment with repeated and open sexual behavior..."

After interviewing "administrative staff, security staff, medical and mental health staff, facilities" and reviewing internal policies and instructional content, the DOJ concluded that the maximum-security facility grossly violates prisoners' rights, by inflicting physical and mental harm. Staff members habitually rape and sodomize inmates, women are called derogatory names, and are often watched while they shower or dress. In many cases, women provide sexual favors in order to escape punishment. Staff members also withhold privileges and personal items, including clothing and hygiene products, unless the inmates perform sexual acts. For instance:

...Officer B solicits and receives oral sex from prisoners in exchange for gifts or new uniforms and underwear. He has a reputation for being aggressive and threatening, and one prisoner described him as a "sexual predator." In 2012 and 2013, several women reported that he touches prisoners inappropriately, licks his lips at them, and watches them shower at the Tutwiler Annex.

Altogether, 36 percent of all staff members were involved in some form of sexual abuse, creating a "toxic environment." Of 223 letters from prisoners, 25 percent of them described sexual misconduct, and 55 percent mentioned "vile and degrading language directed at prisoners." Nevertheless inmates are hesitant to report the systemic abuse because of backlash for filing complaints. In cases when women did speak up, they "were placed in segregation with limited or no access to a telephone, visitors, or programs for an extended time period," forced to undergo polygraph tests to determine if they were lying, and "verbally harassed" by staff members.

Given these findings, the DOJ confirmed that there was a lack of protocol for reprimanding staff members – which ultimately allowed for "substantial risk of harm" to thrive in Tutwiler. It also discovered that ADOC turned a blind eye to claims of abuse and harassment, enabling systemic mistreatment to continue. Last August, Prison Commissioner Kim Thomas argued that conditions at Tutwiler were improving, listing 58 strategies to remedy ongoing problems – including the

construction of a 24-hour infirmary, the installation of surveillance cameras, and the recruitment of female staffers. He ultimately declared Tutwiler “a safer and healthier facility,” which was later contradicted by the DOJ report.

In light of its discoveries, the DOJ plans to expand its investigation of the prison. In the future it will explore additional rights violations, such as “inadequate conditions of confinement, constitutionally inadequate medical and mental health care, and discriminatory treatment on the basis of national origin, sex, sexual orientation, gender identity, and gender nonconformity,” all of which may be the basis for a lawsuit if the state does not cooperate with DOJ on recommended reforms.

Unfortunately, these transgressions are not unique to Tutwiler. Inmates in three other Alabama prison are protesting against ADOC, in response to “not being paid for prison jobs, unsanitary conditions, overcrowding, sentencing and parole policies and other issues.” Another DOJ report found that sexual abuse in prisons nationwide rose 11 percent, between 2009 and 2011. Prisoners across the country are also denied health care and subjected to excessive force.