The Problem Of Prison Rape In The US And Prison Rape Elimination Act

Prison rape also known as “jail rape” is a rape that occurs in prison. According to a new report released by the Bureau of Justice Statistics (BJS), “4.5 percent of the state and federal prisoners surveyed reported sexual victimization in the past 12 months. Given a national prison population of 1,570,861, the BJS findings suggest that in one year alone more than 70,000 prisoners were sexually abused.” Prisoners fall victims to rape when authorities fail to enforce the zero-tolerance policy on sexual abuse. In an article posted by ABC news, they had described the American prison system as a “sexual jungle”, where there are predators and prey.

In response to these skyrocketing numbers of accusations ,on September 4, 2003 the first act to protect prisoners from sexual abuse while incarcerated was passed. It was called The Prison Rape Elimination Act of 2003. This act applies to all of the correctional facilities as well as Indian country facilities and the U.S. Immigration and Customs Enforcement known as ICE. However, it is reluctant that prisoners that endure any form of physical abuse during their time in prison will want to report it .

In an article I found from The Marshall Project called “Why Showering in Prison is Hell” written by a fellow inmate he describes what he would see on his day to day prison life. For example, he described an incident where guards of the opposite sex would watch them dress and use the restroom and make offensive remarks. Another incident involved a group of 4 men raping another man in his cell, eventually it had turned into a brawl and when the officers had come in to put an end to the fight, they completely disregarded the rape that had just taken place.

Due to the gender segregated nature of prison incarceration, the victims and perpetrator are of the same sex. According to the Humans Right Watch, “at least 140,000 inmates are raped in the U.S. prison each year”. Although there is an act in place to protect prisoners from encountering a rape its almost inevitable to put an end to it due to the nature of the prison and being surrounded by other rapists and criminals.

Having placed The Prison Rape Elimination Act in 2003 in all reality did nothing to actually protect its prisoners hence, there are still rapes being committed to this day.

For example, a women names Alaris from Louisiana was incarcerated for 20 years is a survivor of sexual harassment and abuse. While she is serving her sentence, a male work supervisor would often complement her on her hair or makeup, but she would just brush it off and not think much of it. The comments later escalated to touching where the supervisor would hug Alaris, touch her breasts, and rub himself on her. In the times that she would protest against him, he would laugh. The fondling and comments then progressed into propositioning her to have sex with him and offering money to watch her and another inmate sex. She had reported the assault to a friend that lived outside of the prison and had filed an emergency grievance which was never answered. The PREA investigator “claimed” to have never received it. Unfortunately Alaris’s story is one of too many rape prisons cases that go unaccounted for causing the vicious cycle to continue , adding to one of the many problems with this countries prison system

The psychological and emotional injuries suffered as a result of sexual assaults by prison staff as well as by other prisoners are often overlooked by authorities while inmates are still inside the prison walls. The scars such trauma leaves behind dramatically alter the lives of scores of women and men, and, once outside prison, they can also negatively affect the public at large. One of the most common psychological effects of sexual abuse in prison is rape trauma syndrome,96 which most often results in a loss of self-esteem and an inability to trust others.97 The 1994 study of a state prison in the Midwest conducted by Cindy Struckman-Johnson, found that nearly 80% of inmates who were pressured or forced to have sexual contact suffered significant emotional harms, half experienced depression, and one-third contemplated suicide.98 Further, prison rape victims are seventeen times more likely to attempt suicide than prisoners who have not suffered such abuse.

In terms of psychical harm ,Prisoners who are raped also run a high risk of contracting HIV'0 9 and other sexually transmitted dis- 110 eases. Prisoners often suffer rape-related injuries ranging from broken bones to lost teeth to concussions to bloody gashes requiring dozens of stitches. A few, like former Texas inmate Randy Payne, were killed during sexual assaults.

In conclusion, as previously stated Prison Rape Elimination Act did nothing to protect its prisoners. Unfortunately, rapes in prison still occur on a daily basis regardless of the act being in place. It seems that the only way to prevent this problem is to possibly enforce more security and enclose inmates in a manner that won’t expose them to each other in certain settings and situations. Although this has happened for decades, the only thing necessary is a push forward to ensure physical and psychological safety for the inmates in the prison system.