

ACTION UPDATE

SEPTEMBER 2018

IN THIS *Action Update*, we celebrate the Prison Rape Elimination Act's (PREA) 15th anniversary. I often talk about the changes to policies and practices that this law has inspired — like safe housing for vulnerable inmates, confidential counseling for rape survivors, and better investigations. But PREA has done much more than that. Crucially, it has made corrections officials reexamine their attitudes toward prisoners, and their assumptions about prisoner rape. Using PREA as a tool, prison leaders now emphasize the full humanity of the people in their custody, making sure staff recognize that sexual violence in detention is a huge problem — *their* problem.



While PREA has been transformative, legislation will only take us so far. If we want to make all prisons safe, all the time, for every single inmate, we need culture change. In July, the *New York Times* aired a short documentary featuring Rodney Rousell, a JDI survivor advocate, boldly juxtaposing his rapes with late-night television jokes. Weeks later, in a segment on Samantha Bee's *Full Frontal*, Bee and actor Terry Crews shamed their peers for using prisoner rape as a punchline. Perhaps a cultural shift is finally starting to happen.

Thank you for being part of the movement to stop prisoner rape. We count on you, and we will win this fight.

Lovisa Stannow
Executive Director

Fifteen Years of the Prison Rape Elimination Act!

To Honor PREA's Anniversary, JDI is Celebrating the Movement that Made It Possible

BACK IN 1995, a 17-year-old boy named Rodney Hulin, Jr., was sent to a men's prison for the crime of setting fire to a dumpster. The Clemens Unit was one of the most notorious prisons in Texas, Rodney's home state. Within days of his arrival, Rodney was raped and beaten by other inmates. He reported the abuse, but the staff did nothing to help him. When he asked to be moved away from his abusers, his request was denied. So the assaults continued. Desperate, alone, and with seven years left on his sentence, Rodney committed suicide in his cell.

The case of Rodney Hulin, Jr., would become a potent symbol of the crisis of prisoner rape. Rodney's youth, the harmlessness of his offense, and the

appalling details of his abuse made his story impossible to ignore. But the public outrage might have fizzled out were it not for the dogged determination of Rodney's mother, Linda Bruntmyer.

Linda is one of the heroes in the story of the Prison Rape Elimination Act (PREA), the landmark law that was passed 15 years ago. Fueled by grief and anger over her son's death, Linda joined a JDI-led coalition that was united in its belief that the government has an absolute duty to ensure the safety of the people it locks up. In June 2003, she took part in a historic JDI rally on Capitol Hill to demand PREA's passage in Congress. "This is not what we mean when we say justice," she told the gathering. "Rape should not be considered a part of punishment. Rape is always a crime."

See Fifteen Years of PREA!, continued on page 2



Linda Bruntmyer (in the foreground, at the podium), the mother of Rodney Hulin, Jr., giving a speech in support of PREA at a JDI Capitol Hill rally in 2003

Fifteen Years of PREA!

continued from page 1

At the Capitol Hill rally, Linda was joined by other advocates, including people whose lives had also been ripped apart by sexual violence in detention. One of them was Tom Cahill, JDI's former President and a prisoner rape survivor; it was Tom's tireless advocacy that brought the crisis of prisoner rape to the attention of Frank Wolf, a Congressman from Virginia who would go on to co-sponsor PREA in the House.

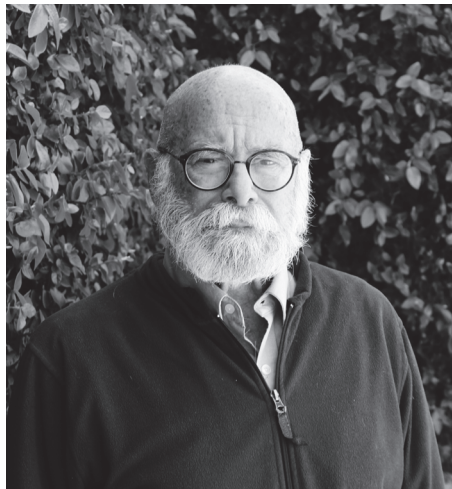
In her advocacy, Linda emphasized that what happened to Rodney was not an isolated tragedy. This abuse was systemic and widespread — it was also totally preventable. After listening to Linda's testimony at a Senate Judiciary Committee hearing on PREA, the late Ted Kennedy, a co-sponsor of the law in the Senate, made her a promise. "The best way that we can try and thank you," he told Linda directly, "is to do something, and we will."

Pushed by Linda and her friends at JDI, Kennedy was true to his word. The late Senator, together with fellow Senate sponsor Jeff Sessions and House sponsors Wolf and Bobby Scott, ensured the bill's smooth passage in Congress. When the law was signed by President George W. Bush, it was hailed as a human rights landmark — the first-ever federal legislation aimed at addressing the crisis of rape in detention.

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At the same time, Linda recognized that PREA's passage did not mean that the fight to end this abuse was over. Together with JDI

and its allies, she pushed for strong federal standards that were required by PREA. "We know that what happened to Rodney could have been prevented," she testified in 2005 before a federal commission tasked with developing the standards. "Rodney tried to ask for help, and I tried too. But nothing was done."



Tom Cahill, former JDI President, JDI Survivor Council member, and a PREA champion, in Los Angeles in 2018

Finalized in 2012, the national PREA standards include provisions that target the dangerous practices that contributed to Rodney's suicide. Today, it is common practice for prisons and jails to train their staff on sexual abuse prevention and response, and specifically on protecting vulnerable detainees. Prisoners are being taught about their rights, and many more feel comfortable coming forward to report abuse. And crucially, staff are explicitly required to act on reports, including when they are made by a loved one on a prisoner's behalf.

Linda did not get to see the full impact of her advocacy. She passed away in December 2012, just months after the PREA standards were finalized. But she remains an inspiration for the movement to fight sexual abuse in detention. And no one who knew her, or heard her tell her son's story, will ever quit until there are no more Rodney Hulins.

An Inside Line for Incarcerated Survivors

Earlier this year, a young prisoner in Michigan named Andrew* felt his life slipping away. He had been raped by his cellmate, and the shame and despair were overwhelming. Andrew found a number for a local rape crisis center, but those calls were expensive and, in any event, he knew they would be monitored by prison staff. Thinking he had no options left, Andrew contemplated suicide.

A depressing number of prisoners have stories similar to Andrew's. There are just so few places incarcerated survivors can safely turn to for help. JDI wasn't the only one to recognize this glaring need — Mary Mitchell, PREA Analyst for the Michigan Department of Corrections, did as well, and she reached out to JDI for help. In August, JDI launched a crisis hotline for prisoners in Michigan. Called *An Inside Line*, it is the first-ever crisis hotline that is exclusively for incarcerated sexual abuse survivors. The hotline is free, and it is completely confidential.

An Inside Line is having an impact — just ask Andrew. The counseling he's received through the hotline has helped stop him from spiraling deeper into depression. "What makes this project so unique is that it provides safe and confidential support in a setting where speaking out, for so long, has been too risky," explained Jessica Serrano Seipel, a JDI Program Director who is part of the team that fields the hotline calls. "For the incarcerated survivors who call us, we're the only people they feel they can trust. It's a literal lifeline."

Right now, *An Inside Line* is only available to people in Michigan state prisons, but our aim is to expand it to other jurisdictions.

A few weeks ago, Andrew got his release papers. He was excited, but also a bit anxious about getting his life back together. So he called *An Inside Line*, and he and Jessica together developed a plan to help ease his transition. He felt better after their conversation — and he knows he can always call again.

** Andrew's name has been changed to protect his privacy*

The People Behind a Landmark Law

The Prison Rape Elimination Act (PREA) stands today as one of the most significant human rights achievements of our time. PREA owes its existence to a JDI-led coalition of advocates and prisoner rape survivors who spoke out against this violence — and to the elected officials who listened to them. Below, we honor some of PREA's champions.

"I felt proud when PREA was passed, and it was meaningful to watch it get signed into law. But while I had a chance to tell my story to some of the most powerful people in the country, there were hundreds of thousands, if not millions, of victims of this violence who never had a chance to be heard at all. That day at the White House in 2003, I was representing all survivors of sexual abuse — and I know that JDI continues to represent them every single day."

Tom Cahill, former JDI President, JDI Survivor Council

"Looking back, I think we've achieved a great deal. We certainly know far more today than ever before about sexual assault in detention, the circumstances surrounding this abuse, and people who are vulnerable to it. The data we brought to bear truly helped convince people who had been skeptics that rape and sexual assault in detention was widespread, and deserved our attention."

Allen Beck, former Chief Statistician at the Bureau of Justice Statistics

"I don't want to live in a world where people are raped in detention. That's why I fought so hard and for so long for PREA — to make sure that prisoner rape ended with me."

Hope Hernandez, JDI Survivor Council

"To me, prisoner rape is an abomination, the worst kind of bullying, an unacceptable failure of American justice. I was involved at the beginning stages of PREA, when Congress was still developing language for the bill. We suggested it be called the National Prison Rape Reduction Act, but Congress changed it to the National Prison Rape Elimination Act — thus declaring its intent. The significance of that change speaks for itself. As a member of the National Prison Rape Elimination Commission (NPREC), I worked on the PREA standards, which are the best tool we have for the complete eradication of this violence. We can end this violence, but it won't happen unless we have rigorous audits of prison compliance of the PREA standards."

John Kaneb, Vice-Chair of NPREC

"On the anniversary of the PREA legislation, I am reminded of the efforts of so many who have committed to this work of creating cultures of safety within our correctional environments. The standards provide us with the tools, yet our vision of 'no more victims' must stay front and center of why we continue this imperfect but critical journey."

Andie Moss, President of the Moss Group

"In the end, and perhaps most importantly, the effort to combat prison rape is a moral imperative. Whatever [a person's] crime and whatever the prescribed punishment for them, in a humane society prison rape should not be a part of it. Prison rape not only derails justice — it destroys human dignity."

Congressman Bobby Scott, PREA's co-sponsor in the House of Representatives

"In the 15 years since the passage of PREA, the way we — as a nation — handle prisoner rape has changed dramatically. Thanks to PREA, tens of thousands of corrections officials are trained to prevent sexual abuse every year; hundreds of thousands of inmates are educated about their right to be safe. And yet, even with this landmark law in place, we are only at the end of the beginning of stopping prisoner rape. JDI will not quit until every single inmate is safe and treated with dignity. No matter what crime someone has committed, rape is not part of the penalty."

Lovisa Stannow, JDI's Executive Director

"Back in 2003, when Congress passed PREA, many corrections leaders were angry. I was one of them. My story could have ended there, but it didn't. I changed my mind. I came to recognize that PREA provides an important structure for running safe prisons, and that JDI is essential to protecting the safety of inmates."

Reggie Wilkinson, Chair of the Review Panel on Prison Rape

"The thought that this violence could happen to anyone is unacceptable, and PREA is doing good work to end it. No one, no matter what crime they committed, should be subjected to sexual assault in detention."

Congressman Frank Wolf, PREA's co-sponsor in the House of Representatives



JDI Survivor Council member Hope Hernandez with President George W. Bush at the signing ceremony for PREA in the Oval Office on September 4, 2003

Long Neglected in the Media, Prisoner Rape is Now Front and Center

FOR DECADES, sexual abuse in detention was largely ignored by journalists. It was taken for granted that prison life was dangerous and that inmates — a group that has never elicited much sympathy — might be raped.

But that's changing. Major media outlets are starting to pay attention to the crisis of prisoner rape, challenging pervasive biases about people behind bars. In July, the *New York Times* published a stirring video — part of their op-doc series — that featured Rodney Roussell, a JDI survivor advocate. In the op-doc, Rodney gives a frank and graphic description of the sexual assaults he endured in a New Orleans jail. As he says in the video, "I felt like dirt, like I didn't even exist." Rodney describes how staff did nothing to protect him; one even laughed as Rodney's rapist forced him to dance.



Rodney Roussell, a JDI survivor advocate who was the subject of a groundbreaking op-doc in the New York Times

The video powerfully juxtaposes Rodney's testimony with prisoner rape jokes that are still fodder for late night television. Perhaps now, after watching Rodney give an account of his time behind bars, television writers and comedians will finally start seeing inmates as people, not punch lines.

A few weeks earlier, the *New York Times* printed an op-ed by JDI Executive Director Lovisa Stannow on prison oversight. For the past few years, prisons and jails nationwide have been getting high marks from auditors on their work to address sexual abuse. Lovisa's op-ed takes a close look at the audits — and wonders how credible they really are. Based on JDI's analysis of thousands of audit reports, Lovisa argues that scores of manifestly unsafe prisons and jails are being deemed compliant with PREA.

A case in point is the East Mississippi Correctional Facility (EMCF). The prison is widely known as a cesspool of staff-supported violence, but you wouldn't know it from the auditor's write-up. His assessment praises the prison leadership for their commitment to PREA; both staff and inmates, per his report, feel that EMCF is a "safe place to serve time." The report seems to be describing a different facility entirely — which it was, in fact. Shockingly, many of the report's observations had simply been lifted from the auditor's reports of other prisons.

The problem of substandard PREA oversight is not limited to one sloppy auditor — it's across the board. The audits are supposed to shed light on what's really going on inside prisons and jails, whether they are keeping inmates safe from sexual abuse. Instead, most are sugar coating and simplifying, creating an illusion of safety. Indeed, if you reviewed only PREA audit reports, you might think that the crisis of prisoner rape has been solved.

Fortunately, the system of assessing PREA compliance is not beyond repair. In the *New York Times* op-ed, Lovisa urges Congress to pass the First Step Act, a piece of legislation that would codify guidelines to vastly improve these audits. In July, the First Step Act was passed by the House of Representatives, and we remain hopeful that it will become law in the coming months.

JDI has been pushing for decades to bring greater attention to the rampant sexual abuse

in our prisons and jails — and to shatter the negative stereotypes about inmates that allow such violence to flourish.

The pair of pieces in the *New York Times* are evidence of the gains that all of us, together, are making in the fight to protect the safety and dignity of people in detention. Let's keep shining a spotlight on the crisis of prisoner rape, so that the suffering of people like Rodney is never again ignored.

Lovisa's op-ed and the op-doc featuring Rodney Roussell can be found on the New York Times' website. JDI has also posted both pieces on our website, at www.justdetention.org/media

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