The Sexual Abuse of Female Inmates in Ohio





Stop Prisoner Rape

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Cover image: The Ohio Reformatory for Women, Marysville, OH. Photo by the Ohio Department of Rehabilitation and Correction.

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Stop Prisoner Rape is a national human rights organization that works to end sexual violence against men, women, and youth in all forms of detention.

SPR offers hope in these three ways: by pushing for policies that ensure institutional accountability, by changing society's attitudes towards prisoner rape, and by promoting access to resources for survivors of sexual assault behind bars.

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Introduction

In the first decade of the twenty-first century, more women are at risk of being sexually abused in American prisons than ever before. As incarceration rates for the general population have soared — from 750,000 incarcerated Americans in 1985 to more than 2 million today¹ — the rate for women has climbed even faster. In the last eight years, the number of women in prison has increased by 42 percent, versus 27 percent for men.² At year-end 2002, 97,491 women were incarcerated in federal or state prisons in the United States.³

Once inside, many of these women are abused and traumatized by the officials and staff charged with their protection. In some women's facilities, rates of sexual abuse (typically of prisoners by corrections staff) have been found to be as high as 27 percent. First-time offenders, young women, and mentally disabled women are particularly vulnerable. In addition to the possibility of disease exposure that rape victims experience, female inmates have been impregnated as a result of staff sexual misconduct. Some of these women have then been further subjected to inappropriate segregation and denial of adequate healthcare services.

The exact extent of the problem remains unknown, as a culture of silence pervades the prison system. All too often, victims are too intimidated or humiliated to speak out. When rape or sexual abuse occurs, some corrections staff close ranks to protect the guilty among them. Administrators and government officials fail to hold perpetrators accountable for their actions. And an indifferent public looks away.

For more than two decades, Stop Prisoner Rape (SPR) has worked to end the abuse of people held in U.S. jails, prisons, and immigration detention centers. In its many years of work, SPR has found the systemic culture of silence to be remarkably persistent and widespread. In its entire time of existence, no prison employee had ever come to the organization willing to speak out publicly about the sexual abuse occurring inside American correctional facilities.

That began to change, however, in December of 2002, when a former prison therapist named Tim Daniell called SPR. Until recently, he said, he had worked inside the Ohio Reformatory for Women (ORW), Ohio's central prison for women. While there, he had become aware of widespread and persistent sexual abuse of female inmates by corrections officers and other prison employees.

SPR investigated Daniell's claims, and in the course of doing so found still other former Ohio corrections employees who were willing to go on the record about the problems they had encountered. Mike Coffey, who spent seven years as a corrections officer at the Ohio Reformatory for Women, and his wife, Traci Douglass-Coffey, who worked at ORW as a nurse and health care administrator for the facility for nearly four years, both spoke candidly with SPR. They described a climate in which inappropriate sexual contact between staff and inmates was common, the punishment of inmates who reported abuse was routine, and efforts to discipline or prosecute staff for criminal sexual behavior were rare.

These perspectives from former ORW staff are not the only cause for concern. SPR also spoke with women who had served time in Ohio facilities and found that they, too, described a climate of abuse. Inmates described a range of incidents, including violent encounters, threats and pressure to submit to sexual advances, trading sex for goods and favors, and relationships that were seemingly consensual. However, for women under near-total control of prison staff, the concept of "consenting" to sex is virtually meaningless (and Ohio law reflects this). The problems arising from this power imbalance are compounded by the past history of sexual abuse that many female inmates have endured.

SPR learned that women who report sexual misconduct are routinely sent to solitary confinement, known as "the hole." This kind of isolation can be devastating in the aftermath of abuse, and the

unusually harsh conditions in the hole at ORW may compound the trauma. This use of isolation emboldens perpetrators who know that the practice discourages women from reporting abuse.

Interviews with prison officials also suggest that institutional response to sexual assault is inadequate and inappropriate. Finally, the fact that 33 Ohio corrections staff members were fired in a single year for engaging in "inappropriate sexual activity" with prisoners points to a culture of widespread sexual abuse.

In short, evidence from an unusually wide range of sources suggests that the Ohio Reformatory for Women has a problem with the sexual abuse of female inmates. Stop Prisoner Rape presents the evidence in this report in hopes that it will lead to greater scrutiny of the conditions for women behind bars in Ohio and a move toward much needed reform.

Background The Ohio Reformatory for Women

The Ohio Reformatory for Women opened in Marysville, Ohio in 1916. In the years since, several additional buildings have been erected alongside the original low stone structure, including a hospital, a psychiatric treatment facility, New Cottage, a unit for juveniles, and a segregation wing, known as "the hole," for punishing inmates with time in solitary confinement. The complete facility sprawls in a 260-acre compound surrounded by chain link fence, topped with razor wire, and patrolled by officers in pick-up trucks.

The facility holds approximately 1,800 inmates. While two smaller "pre-release centers" elsewhere in the state — the 610-inmate Northeast Pre-release Center in Cleveland and the 465-inmate Franklin Pre-Release Center in Columbus — also hold prisoners, ORW is by far the largest correctional facility for women in Ohio. Its prisoners run the gamut from first-time inmates to serious offenders.

What the female inmates have in common is a history of psychological trauma. A vast majority — 95 percent according to one researcher — have suffered sexual abuse prior to their incarceration. It is against this unfortunate backdrop that some staff members take advantage of their position of authority by engaging in sexual misconduct with inmates.

ORW has a 271-member security staff, and both male and female staff guard women. Crossgender guarding is prohibited under international human rights instruments, because it greatly increases the likelihood of sexual abuse of inmates.¹⁰ In the United States, however, anti-discrimination law prevents officials from hiring only female officers for women's prisons.

The Ohio state legislature provides oversight of the prison system through the Correctional Institution Inspection Committee (CIIC), which contains four members from the House and four from the Senate. Budget cuts led to the closure of the CIIC administrative office from July 2001¹¹ through October 2003.¹²

Tim Daniell, Mike Coffey, Traci Douglass-Coffey

Tim Daniell was hired as a clinician in ORW's mental health department in 1998 at the age of 44. In 2000, he was promoted to Program Coordinator of the Intensive Prison Program, a rigorous boot camp-style program. In the course of his work, Daniell came to believe that a disturbing climate of sexual abuse existed at ORW. At first, he told himself that "the administration knew what was going on and was working on it."

When the abusive conditions persisted, Daniell contacted his state representative, the Inspector General's Office, the Ohio Attorney General, and finally the Ohio Highway Patrol, charged with investigating criminal activity within the correctional system. Daniell says that none of the agencies he contacted followed up on his allegations.

Instead, he learned that he was under investigation by the prison administration for improperly keeping records. Investigators sealed his office with crime-scene tape and Daniell was transferred to a less desirable position, actions which he believes were intended as punishment for his attempt at whistleblowing. After a few months, he went on sick leave, and in August 2002 he was fired.¹³

Mike Coffey, 47, spent more than 20 years in the Army before retiring and coming to work as a corrections officer at ORW. In seven years at ORW, he witnessed a wide variety of sexual misconduct and a persistent failure by administration to respond appropriately to reports of abuse. Discipline or prosecution of officers or staff who had sexual contact with inmates was rare, he said, and in some cases staff members accused of misconduct were even transferred to more desirable positions.

Coffey was an outspoken critic of those who failed to follow the rules and abide by the law, making him unpopular with some members of the ORW staff and administration. He resigned from ORW in January 2003 for health reasons.¹⁴

Traci Douglass-Coffey, 40, spent nearly four years at ORW, starting as a nurse in 1996 and eventually being promoted to the position of healthcare administrator. In her time at the facility, she tried hard to make a difference, but she was dismayed to see that inmates were sometimes just "treated like animals." She saw staff use excessive force with inmates and reported that inmates who were sent to the hole for reporting sexual misconduct were subjected to conditions that were "disgusting." Discipline for staff and officers, on the other hand, was rare, often consisting of no more than paid leave. Unable to tolerate the lack of basic ethical standards at ORW, Douglass-Coffey resigned in July 2000. ¹⁵

The Allegations Sexual Abuse and Harassment

In a series of conversations with SPR, Tim Daniell, Mike Coffey, and Traci Douglass-Coffey described ORW as a prison that operates amid a climate of fear, in which sexual abuse of prisoners by staff is commonplace.

Daniell described the attitude among ORW corrections officers as one of machismo, swagger, and domination.¹⁶ He, Coffey, and Douglass-Coffey reported that staff members referred to inmates using derogatory terms like "hos" and "bitches." They reported that some officers and staff members would abuse their authority, yell in inmates' faces, and punish them harshly for minor infractions.¹⁷ Coffey filed a report against one staff member for assigning nicknames to inmates with sexual innuendos.¹⁸

The three former staff members concur that sexual misconduct by staff occurred frequently. Coffey reported that sex between inmates and staff was the subject of almost daily discussion. Daniell said that the staff members routinely abused women inside of locked broom closets. Numerous staff members had keys to the closets, which were not under surveillance and could be locked from the inside. Coffey reported that staff members kept a mattress in a boiler room for the purpose of sexual misconduct, and he also knew of abuse taking place in the laundry room and closets. ¹⁹

Daniell also told of a female officer who frequently pulled an inmate from her cell after the 9 p.m. count to take her away to a secluded location. According to Daniell, a therapist within his own mental health department had sex with a patient in his office.²⁰ On another occasion, an officer was found to have had sex with two female inmates in the juvenile wing.

Coffey witnessed an inmate wearing only underwear with an officer on the observation platform where inmates were not allowed. He knew of a unit manager who received oral sex from an inmate in a supply room. Therapists and clergy were also sometimes involved in abuse, Coffey said, and he said that one therapist had a picture of a nude inmate in his office.²¹

Douglass-Coffey reported that "consensual" relationships between inmates and male and female staff were common. Staff knew these relationships were illegal and an abuse of power, she said, but that did not stop the activity.²²

Failure to Respond Appropriately to Sexual Abuse

The response at ORW to sexual misconduct and sexual assault was frequently inadequate. In Ohio, sex between corrections staff and an inmate is a felony.²³ Despite this legal standard, an individual who engaged in sexual misconduct often did not even lose his or her employment, much less face criminal prosecution, according to all three whistleblowers.²⁴

Even in cases where an investigation did take place, evidence was mishandled. One investigator, Coffey reported, would sometimes take home and then claim to have lost forensic evidence collected in cases of sexual assault.²⁵

Far more common than criminal prosecution were practices such as placing staff and officers on paid administrative leave, ²⁶ or in more serious cases, pushing individuals to "resign under discipline," which meant that they lost their jobs but did not face prosecution. ²⁷

Most common, however, was the practice of simply transferring individuals suspected of misconduct to new positions, according to Coffey. In fact, Coffey said, the unwritten policy of "screw up and move up" seemed to be in effect, as staff caught engaging in inappropriate sexual behavior were in some cases transferred to more desirable positions.²⁸

By transferring perpetrators or quietly showing them the door, all three whistleblowers said, the Ohio Reformatory for Women demonstrated that there was little risk in violating the law.²⁹ The result, not surprisingly, was that, according to Coffey, ORW came to have the worst reputation of any facility among the Ohio corrections community. Coffey called ORW "a bad blemish" on the integrity of the statewide system.³⁰

Punishment and Intimidation

While ORW employees faced little discipline for misconduct, inmates who had the courage to report abuse were generally intimidated and subjected to solitary confinement in the hole, sometimes for weeks at a time, according to the former staff members. Douglass-Coffey said that, in addition to enduring isolation, conditions in segregation were sometimes "disgusting," "dirty," and "dismal," with feces and blood smeared on walls. For women in the hole, telephone and visitation privileges are restricted, outside time is reduced to short periods in a walled-in cage, and conversations with others are limited to yelling through the vents.

Douglass-Coffey said the practice of placing inmates in segregation after they reported abuse was justified by the administration as an effort to protect inmates. In practice, however, the policy had the effect of encouraging inmates "to keep their mouths shut," she said. Coffey said he also felt the use of segregation was intended to "harass inmates," explaining that the women would be left in hole "until they'd break."

Media Accounts of Sexual Abuse

The allegations of Tim Daniell, Mike Coffey, and Traci Douglass-Coffey are supported by several years of media reports on conditions in Ohio prisons — accounts in newspapers such as The Columbus Dispatch, Cleveland Scene, Plain Dealer, and The Herald-Dispatch — that document a recurring problem with sexual abuse and sexual misconduct behind bars throughout the state. As was mentioned earlier, in the last year alone, 33 staff members in the state prison system were fired for engaging in "inappropriate sexual activity" with prisoners. In August, it was reported that the man responsible for investigating sexual abuse of female inmates at Ohio's Northeast Pre-Release Center has himself faced several claims of sexual harassment by co-workers.

In July of this year, Anthony Peterson, a 40-year-old corrections officer at the Franklin Pre-Release Center, was suspended after a 26-year-old inmate revealed that she was pregnant with his child. The Ohio Department of Rehabilitation and Correction reportedly waited a week after learning of the pregnancy before taking action, and then suspended him with pay.³⁷ In 2000, 28-year-old Sean Bannerman, a corrections officer at the Northeast Pre-Release Center, was charged with sexual battery for having sexual relationships with two prisoners. A fellow guard, 32-year-old Earl Morris, was reportedly indicted for complicity to commit gross sexual imposition for helping Bannerman conduct the relationships.³⁸

In 1998, a 30-year-old inmate reportedly sued ORW after she was raped by a corrections officer and then punished for reporting the incident. The victim said that an officer came into her cell at night, turned off the lights, and fondled her breasts. The following night he returned and raped her. She reported the incident and was isolated in segregation.³⁹

County facilities in Ohio have seen problems as well. This January, two women testified at the trial of corrections officer Lester McNary, 35, that they had had sex with him while inmates at the Medina County Jail. One of the women further alleged that McNary had forced her to have sex. In 2002, corrections officer Jason Jenkins, an employee of the Lawrence County jail, was charged with participating in a sexual act with a prisoner in a cellblock at the jail. 41

These news accounts reinforce SPR's concern that the crimes described by the whistleblowers are a regular occurrence rather than an anomaly.

Further Investigation by SPR

During the course of SPR's own investigation, face-to-face and telephone interviews were conducted with a range of individuals including prison officials, former inmates, and prison rights advocates. This research also confirmed many of the whistleblowers' allegations.

Prisoner Amy Hale* told SPR she was sexually assaulted at the Northeast Pre-Release Center in 2001 by a corrections officer who entered her cell, hit her in the face, and raped her. Retaliation for reporting rape is so commonplace that, after she reported the attack, she was transferred for her protection to ORW. However, the staff at ORW were informed of what had happened. Hale reported serious harassment at ORW, beginning with four officers making comments about her, including one who said, "Oh, that's the bitch who told, I know her."

Hale says that seven to eight male correctional officers subsequently entered her cell, put a towel around her neck, and screamed at her, saying, among other things, "Listen bitch, do you know we can kill you? The only person you can call on is God." The officers held her down on the bed, choked her, and spat in her face. Gagging, and about to pass out, Hale believed that she was going to die. In the course of the assault one of Hale's fingers was dislocated.

After the incident, Hale told SPR, staff continued to harass her, joking about the fact that she was afraid, and that she had begged for her life while being attacked.

- Former inmate Michelle Baker, who was incarcerated at ORW from 1995 to 2000, told SPR that corrections staff members regularly traded make-up, perfume, and fast food for sex. She said that if family members complained to the Highway Patrol about an inmate's sexual abuse, the inmate would be locked up incommunicado in the hole, stripped of basic privileges, and forbidden to talk to anyone inside or outside of the prison.
- Marjorie Simmons,* who served nine years at ORW, also told SPR that corrections officers in the prison routinely exchanged favors for sex. She also reported that prisoners who complained of sexual abuse were sent to the hole, and described it as noisy and dirty with no heat, a place where prisoners were served cold food and were allowed to shower only once every two or three days. Simmons said staff would also retaliate against inmates by "tearing up your room" or "making restrictions" on an arbitrary basis. Simmons described the atmosphere as a climate of fear where some staff members make inmates' lives "a living hell."
- In Ohio, state law forbids sexual relations between prisoners and corrections employees, and sexual battery is a third-degree felony punishable by one to five years in prison and a \$10,000 fine. Criminal prosecution of ORW staff members, however, has been rare, despite the firing of dozens of correctional employees for inappropriate sexual activity. One result of this approach is that the details of most investigations into sexual abuse are not matters of public record. Those cases which do go to trial, however, offer an illuminating insight into the circumstances of prison sexual abuse.

On January 17, 2001, 21-year-old Katherine Kershaw* alleged to prison officials that five days earlier she had been alone cleaning a hallway in the juvenile wing at ORW when a corrections officer named Jerome Willis told her to come with him into an empty cell, where he put her in a headlock, covered her mouth, and raped her. Kershaw's shoulder hurt from being pinned, and she bled vaginally for four days.

Soon after Kershaw made her complaint, another inmate reported that she had seen Willis having sex with prisoner Alicia Burnett* in a shower area within the juvenile wing. When investigators questioned Burnett, she initially denied having intercourse with Willis,

and only after failing a polygraph test finally admitted that she had lied because she was afraid that friends of Willis would harm her if she told the truth.

Willis was arrested, and charged with four counts of sexual battery. One of those counts was ultimately dismissed, and Willis was found not guilty of the other charges. 43

^{*} Names of some inmates have been changed.

The Institutional Response A Problem of Denial

As other human rights groups have noted, a contributing factor to the pervasiveness of sexual abuse behind bars is the tendency of officials to deny that the problem exists.⁴⁴ In Ohio, this culture of silence and denial is conspicuous.

The director of the Ohio Department of Rehabilitation and Correction, Reginald Wilkinson, has repeatedly made public statements denying that any problem exists and discouraging suggestions for reform. In December of 2002, Wilkinson published an op-ed piece in The Cincinnati Enquirer specifically to argue that federal legislation to prevent prisoner rape should not be passed. Wilkinson wrote that he believes data on sexual assault in prison to be "highly exaggerated" and based on "disingenuous data (self reporting)."

In July, after the United States House and Senate unanimously passed the Prison Rape Elimination Act of 2003, the legislation Wilkinson had opposed, Wilkinson told The Washington Post that the idea that rape occurs commonly in prison is "a flat-out lie." He also told National Public Radio's All Things Considered that "We know, I know that [the incidence of sexual abuse] is nowhere near what the legislation characterized it to be."

Wilkinson did not offer any evidence to support these claims. Objective, university-led social science data on this issue, however, contradicts his assertions. Cindy Struckman-Johnson of the University of South Dakota investigated sexual abuse of female prisoners in Midwestern facilities and found that in one facility, 27% of inmates had experienced a coerced sexual incident. Even in the best-performing facility, Struckman-Johnson found, 7% of inmates had experienced sexual coercion. 48

Wilkinson is the director of the sixth-largest prison system in the country and serves as the president of the Association of State Correctional Administrators. His dismissive attitude is one of the most irresponsible positions an American corrections official has publicly asserted on the issue of sexual assault behind bars in recent memory, and it sends a message to Ohio corrections staff members that abuse can be committed with impunity.

On an operational level, aspects of Ohio's correctional system are also disturbing. In the course of its investigation into the whistleblowers' allegations, SPR interviewed ORW Warden Deborah Timmerman-Cooper and Toni Brooks, the North Regional Director of the Ohio Department of Rehabilitation and Correction. Timmerman-Cooper confirmed that prisoners who complained of sexual abuse were transferred to segregation, losing their privileges while there. She justified this policy by saying that it was necessary in order to protect the inmate while officials investigated the incident, but could not explain why those inmates should be stripped of basic privileges and locked in isolation for 23 hours a day.

Timmerman-Cooper and Brooks told SPR that sexual misconduct is handled properly at ORW. But their claims often contradicted the experience of the staff members who worked there. For example, Timmerman-Cooper asserted that women who report sexual abuse are routinely provided with a medical exam, even if time has passed since the incident. But Douglass-Coffey said that no inmates to her knowledge were sent to the medical staff for such exams during her four years as a nurse and healthcare administrator.

SPR also asked why the prison buildings had closets with lockable, solid doors, since these provide ready venues for sexual abuse. The warden at first contended that locked doors on closets aren't a problem. Later in the conversation, however, she admitted that the administration had considered replacing solid doors with barred gates, but that the fire marshal had rejected the idea. Timmerman-Cooper confirmed that there are no security cameras in or near utility closets.⁵¹

Brooks and Timmerman-Cooper claimed that the Highway Patrol is routinely called as outside law enforcement in cases of sexual misconduct. 52 This, too, runs counter to the assertions by former

staff and inmates who agree that it was virtually unheard of for ORW officials to treat the sexual abuse of the women in their care as a crime.

Conclusion

In summary, SPR has found extensive and credible evidence that an environment consistently conducive to sexual abuse exists at the Ohio Reformatory for Women and that a pattern of abuse may exist at other Ohio women's facilities. ORW does have some procedures in place to respond to abuse. However, these procedures are inadequate, counterproductive, and in some cases cruel.

The isolation and punishment of inmates who report sexual assault is a practice that punishes victims and encourages staff misconduct. In Ohio, it is a policy that has fostered a climate of abuse and intimidation and undercut respect for human rights. Buildings that are not designed for safe operation are also an invitation to sexual assault, as are administrative attitudes that foster indifference and denial.

The decision of Tim Daniell, Mike Coffey, and Traci Douglass-Coffey to come forward about the abuse they witnessed has helped shed light on these attitudes and practices. It has also provided internal corroboration of a problem that has been suggested by years of news accounts describing rape, sexual assault, and inappropriate segregation. While Ohio prison officials are on record denying the existence of a problem, we hope that the incidents recounted in this report will encourage greater scrutiny of that claim and a movement toward substantive reform.

Notes

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¹⁴ Telephone interview with Mike Coffey, former corrections officer, Ohio Reformatory for Women (Nov. 20, 2003) [hereinafter Coffey].

¹⁵ Telephone interview with Traci Douglass-Coffey, former health care administrator, Ohio Reformatory for Women (Nov. 25, 2003) [hereinafter Douglass-Coffey].

¹⁶ Daniell, supra note 13.

- ¹⁷ Daniell, supra note 13; Coffey, supra note 14; Douglass-Coffey, supra note 15.
- ¹⁸ Coffey, supra note 14.
- ¹⁹ Daniell, supra note 13; Coffey, supra note 14; Douglass-Coffey, supra note 15.
- ²⁰ Daniell, supra note 13.
- ²¹ Coffey, supra note 14.
- ²² Douglass-Coffey, supra note 15.
- ²³ Ohio Rev. Code Ann. §2907.03 (2003).
- ²⁴ Daniell, supra note 13; Coffey, supra note 14; Douglass-Coffey, supra note 15.
- ²⁵ Daniell, supra note 13; Coffey, supra note 14.
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- ²⁹ Daniell, supra note 13; Coffey, supra note 14; Douglass-Coffey, supra note 15.

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² Press Release, U.S. Department of Justice, Office of Justice Programs, U.S. Prison Population Rises 2.6 Percent During 2002 (July 27, 2003), at http://www.eip.ucdoi.gov/procsreleases/RIS03114 htm.//act.vicited Aug. 13, 2003)

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³⁵ Dispatch, supra note 8.

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⁴⁸ Struckman-Johnson & Struckman-Johnson, supra note 4, at 5.

⁴⁹ Interview with Deborah Timmerman-Cooper, Warden, Ohio Reformatory for Women, in Columbus, OH (Feb. 10, 2003) [hereinafter Timmerman-Cooper]. ⁵⁰ Douglass-Coffey, supra note 15.

- ⁵¹ Timmerman-Cooper, supra note 49.
- ⁵² Interview with Toni Brooks, North Regional Director, Ohio Department of Rehabilitation and Correction, in Columbus, OH (Feb. 10, 2003); Timmerman-Cooper, supra note 49.