

Equal Justice Initiative

Criminal Justice Issues and Prisoners' Rights

<https://eji.org/news/justice-department-finds-sexual-abuse-tutwiler-prison-for-women-alabama/>

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01.17.14

The United States Department of Justice today informed Alabama Governor Robert Bentley that its investigation into allegations of sexual abuse and harassment at Tutwiler Prison for Women in Wetumpka, Alabama, found that conditions at the prison violate the constitutional rights of prisoners.

After [EJI filed a complaint](#) with the Department calling for a swift and thorough federal investigation into widespread sexual abuse of women prisoners by male guards at Tutwiler, lawyers with the Civil Rights Division of the Department of Justice [launched a formal inquiry](#) early last year.

In a 36-page letter sent to Governor Bentley, the Justice Department detailed its findings and the remedial steps Alabama must take to address the problems:

Tutwiler has a history of unabated staff-on-prisoner sexual abuse and harassment. The women at Tutwiler universally fear for their safety. They live in a sexualized environment with repeated and open sexual behavior, including: abusive sexual contact between staff and prisoners; sexualized activity, including a strip show condoned by staff; profane and unprofessional sexualized language and harassment; and deliberate cross-gender viewing of prisoners showering, urinating, and defecating. The inappropriate sexual behavior, including sexual abuse, continues, and is grossly underreported, due to insufficient staffing and supervision, inadequate policies and procedures, a heightened fear of retaliation, and an inadequate investigative process.

Federal investigators conducted an on-site inspection at Tutwiler, interviewed staff and dozens of prisoners, and reviewed documents including incident and investigative reports and letters from about a quarter of the prison population. They found an unprecedented amount of corroboration for the womens reports.

The investigation revealed that prison staff have raped, sodomized, fondled, and exposed themselves to prisoners; coerced prisoners to engage in oral sex; engaged in voyeurism, watching women while they shower and use the toilet; and subject women to a daily barrage of sexually explicit verbal abuse. Prison officials punish women who report sexual abuse and do not adequately investigate allegations.

Because the Alabama Department of Corrections failed to do anything about Tutwilers toxic, sexualized environment that permits staff sexual abuse and harassment even though they had repeated notification of the problems, the investigation concluded that the state violated the Constitution. Officials must take remedial steps or face a federal lawsuit. The required remedies include establishing methods for prisoners to privately report sexual abuse and harassment, protecting women who report, and conducting timely and thorough investigations into alleged abuse.

The letter also notified the governor that the Justice Department intends to expand its investigation into Tutwiler, because during its investigation into sexual abuse allegations it found evidence of other constitutional violations, including excessive use of force; inadequate conditions of confinement; inadequate medical and mental health care; and discriminatory treatment based on national origin, sexual orientation, and gender identity.

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