

Equal Justice Initiative

Criminal Justice Issues and Prisoners' Rights

<https://eji.org/news/eji-files-justice-department-complaint-sexual-violence-by-guards-tutwiler-prison-alabama/>

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05.22.12

Today, the Equal Justice Initiative (EJI) filed a complaint with the U.S. Justice Department calling for a swift and thorough federal investigation into widespread sexual abuse of women prisoners by male guards at Tutwiler Prison for Women in Wetumpka, Alabama. In interviews with more than 50 women incarcerated at Tutwiler, EJI uncovered evidence of frequent and severe officer-on-inmate sexual violence. EJI is now asking the Department of Justice to investigate the Alabama Department of Corrections failure to adequately protect prisoners from sexual violence by Tutwiler employees.

EJI's investigation found that several incarcerated women have become pregnant after being raped by prison guards. In the past two years, women in the custody of the Alabama Department of Corrections (ADOC) have given birth to children fathered by correctional officers and have reported incidents of violent sexual attacks.

Rape and sexual assault of incarcerated women is criminal and an outrageous abuse of power, said EJI Executive Director Bryan Stevenson, who wrote the letter to the Justice Department. Any failure by state and federal officials to respond quickly and appropriately to reports of sexual violence will contribute to tragic and shameful conditions of confinement for women.

More than 20 Tutwiler employees have been transferred or terminated in the past five years for having illegal sexual contact with prisoners. From 2009 to 2011, six correctional officers were convicted for criminal sexual abuse of women prisoners but with very minimal responses by state officials; only one of the people convicted of misconduct faced more than five days in jail.

Despite this known high rate of sexual contact between male staff and incarcerated women, the warden and correctional officers at Tutwiler continue to punish and humiliate women who report sexual misconduct, routinely placing them in segregation, stripping them of their property, denying them contact with their families, and forcing them to submit to unwanted medical procedures. This mistreatment of prisoners who speak out about abuse intimidates and discourages women from reporting sexual misconduct.

EJI also found evidence that prison officials are misreporting the frequency of sexual assaults by prison employees. The Department of Corrections reported zero incidents of sexual misconduct or harassment in 2009, but court records show two correctional officers were indicted for custodial sexual misconduct arising out of at least two incidents that year.

Tutwiler's rate of sexual assaults on inmates is among the worst in the country. A [2007 report issued by the federal Bureau of Justice Statistics](#) found Tutwiler had the highest rate of sexual assault in the United States among correctional facilities for women. Of 146 prisons nationwide where federal authorities investigated the number of sexual assaults on inmates, Tutwiler ranked 11th overall.

This troubling cycle of abuse and lack of accountability has established a widespread pattern and practice of custodial sexual misconduct, Stevenson said. EJI is calling on the Department of Justice (DOJ) to investigate officer-on-inmate sexual violence at Tutwiler as part of the department's duties under the federal Prison Rape Elimination Act, which established a policy of zero-tolerance for prison rape, and the Civil Rights of Institutionalized Persons Act, which empowers DOJ to investigate state prisons. Federal law requires DOJ to make the prevention of prison rape a top priority.

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