

Equal Justice Initiative

Criminal Justice Issues and Prisoners' Rights

<https://eji.org/news/justice-department-reaches-agreement-to-protect-alabama-women-prisoners-from-abuse/>

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06.10.15

The Department of Justice on May 28 settled a lawsuit against the Alabama Department of Corrections over conditions at Tutwiler Prison for Women in Wetumpka, Alabama, where women have suffered frequent and severe sexual violence by male guards.

In 2012, EJI released the results of its investigation into [widespread sexual abuse of women prisoners by male guards at Tutwiler](#) and filed a complaint with the Justice Department, which then launched its own investigation.

In January 2014, the Justice Department informed Alabama Governor Robert Bentley that it found 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. The United States Attorney General said the state could avoid a federal lawsuit if it implemented certain reforms by March 7, 2014.

On May 28, 2015, the Justice Department filed a federal lawsuit against the Alabama Department of Corrections, alleging that the Alabama authorities have allowed a sexualized environment to exist at Tutwiler, such that sexual abuse and sexual harassment are constant, and prisoners must sometimes submit to unlawful sexual advances from staff in order to obtain necessities or to avoid punishment.

Federal prosecutors agreed to a settlement that requires that sexual abuse and harassment allegations are properly and thoroughly reported, requires that women are protected from retaliation when reporting abuse, and provides for a rigorous tracking system for prison staff, who will presumptively face firing (rather than transfer) for committing sexual abuse. State officials also agreed to install monitoring cameras and increase privacy in bathrooms, and to hire a full-time compliance manager for the federal Prison Rape Elimination Act.

Policy changes must be implemented within nine months, and the agreement requires an independent monitor to provide compliance reports to the court every six months.

Prisoners are entitled to be safe from sexual predation by staff, and to live in an environment free from sexual assault, sexual harassment and the constant fear of these abuses, said the head of the Civil Rights Division, Principal Deputy Assistant Attorney General Vanita Gupta. Our agreement uses gender-responsive and trauma-informed principles designed to address and eliminate the culture of abuse that Tutwilers women prisoners have suffered from and endured for years.

EJI investigators have observed improved conditions at Tutwiler, but it has taken too long to implement meaningful reforms, and a lot more work remains to be done. Recognizing that, for more than a decade, existing practices at Tutwiler led to an environment that was abusive to both staff (resulting in severe under-staffing) and inmates, the agreement is a comprehensive strategy document that requires a massive overhaul of the culture, policies, and operations at Tutwiler. The agreement does not end the Department of Corrections relationship with the Justice Department, but formalizes it by mandating that Alabama corrections officials work transparently with federal prosecutors to implement new policies and monitor successful compliance.

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