



**Testimony of
the National Organization for Women - New York
before
the New York Senate Standing Committee on Crime Victims,
Crime and Correction
Senate Standing Committee on Ethics and Internal Governance
regarding
Sexual Assault in the Prison System**

***Submitted by: Sonia Ossorio, President, National Organization for Women - New York
on February 24, 2022***

While imprisoned in New York women have been raped, sexually exploited, and sexually harassed by prison guards. Today, I'm going to tell you about just three of the legal cases that are being brought by women who have been assaulted while in prison and under the care of the state and at Bedford Hills Correctional Facility (BHCF), a maximum security women's prison, and Albion Correctional Facility, both run by the New York State Department of Corrections and Community Supervision (DOCCS).

The vast majority of both guards and supervisors are male at BHCF, and what many current and formerly incarcerated women have said - to their therapists, family, in depositions, to the media - is that there is a real problem. Women are not safe at Bedford Hills Correctional Facility.

What has been documented is widespread sexual assault and rape of women inmates, including a widespread practice of women exchanging sex for leniency, and staff working in tandem - organized efforts - to facilitate unlawful and exploitative sexual contact with women inmates. Some of the tactics employed include:

- male staff being permitted regular, unmonitored one on one access to female inmates
- a lack of unpredictable and unannounced supervisory rounds, contributing to officers engaging in illegal sexual activity without fear of being caught

- inadequate surveillance through poor camera placement
- a policy of allowing officers to swap assignments, allowing some officers the ability to stalk and harass female inmates
- poor screening practices for officers, contributing to an influx of contraband items that are then used as a bribery/coercion tool on inmates.

This all points to a structure that enables those in power - those who hold people in their custody - to sexually abuse and exploit inmates, and a culture that allows it with impunity. It is systemic abuse and it is often the most vulnerable, the most damaged women who are targeted and preyed upon.

It is also evident that because of the control that corrections officers exert over the lives of the inmates, the inmates fear retaliation if they report abuse. This threat of retaliation can follow inmates even after they have been released from prison due to the trauma of sexual abuse, ongoing depression, and PTSD.

I want to tell you about Mary Doe. Most of her life she's known sexual abuse. She was forced to start stripping at age 13, she was raped by multiple men the following year, and that attack resulted in a pregnancy. She, as so many vulnerable, young girls who are sexually abused, ended up in the sex trade. Her convictions for prostitution were a calling card for abuse. In early 2019, she was assaulted by a Sergeant while she was on bathroom cleaning duty. She was working alone, he blocked the exit and punched her in the gut, and then forced her to perform oral sex on him. He told her he would make the rest of her time at BHCF difficult and would "make problems" for her when she was released if she refused. All the while, another guard was sitting at the desk station near the bathroom, and he smirked at her when he gave her permission to end her shift and go back to her housing unit.

Another victim, Jane Smith, arrived at BHCF in 2015. A petite woman who stands 4'11" also had a criminal history that included prostitution convictions and her prison intake form noted her mental health illness in detail. Her abuse began in the medical clinic where she received her psychiatric medication. It started with others, from a guard for contraband in exchange for sexual activity, which she did not accept. But soon she faced a personal tragedy when she learned her twin sister was in a coma and two guards took advantage of her fragile state. Working in tandem, the two guards harassed and menaced her, and eventually raped her. While in Therapeutic Behavioral Unit (TBU), she believed she was safe. But this unit, which housed inmates with significant mental health needs,

she and others there were prime targets for routine sexual harassment and victimization. On behalf of the guard who assaulted her, she was tormented by the guards who controlled TBU, including by denying her food, clean sheets, and medical care.

Based on PREA Standards, Smith was at high risk for sexual assault and should never have been placed in the vulnerable situation. Her history of abuse, her record of commercial sexual exploitation, her diminished cognitive abilities and mental health issues, should have been flagged. This is a woman who has had little opportunity in life. In fact, she started life inside a correctional facility, born to a crack-cocaine-addicted mother. She was a runaway by the time she was 13, at which time she was targeted by a pimp and forced into prostitution.

Another victim was housed at Albion beginning in November 2018. She was repeatedly sexually harassed and abused by three corrections officers during her time there. When the abuse began she applied to move out of her dorm, but her application was denied. The guards in her dorm abused her continuously over a period of months, targeting her when she was alone in the bathroom, while she tried to do her laundry, and even while she slept. The victim chose not to report the assaults to the PREA hotline during her time at Albion for fear of retaliation if her identity was revealed. She knew of other inmates who had reported their abuse and had faced retaliation. In her case, camera recordings were recovered that corroborated the attacks, yet no disciplinary action was taken against her perpetrators.

New York State has one of the largest prison populations in the country and the rate of women's incarceration is rising steadily. There are clear structural problems and protocols that are not being adhered to in New York prisons, as well as a culture that enables abuse and protects guards over the inmates they are supposed to protect. We can begin with recruiting more women officers, increase those numbers in women's prisons, investigate and hold accountable guards who break the law, and overhaul DOCCS (Department of Corrections and Community Supervision). A multi-disciplinary, multi-agency task force should be convened to tackle the entrenched problem of sexual assault of incarcerated individuals in our state prison system.