HOW DOES OUR NATION CONFRONT PRISON RAPE:
THE MORAL AND ETHICAL QUESTIONS

THE CHAIRMAN: Our final witness today is Mr. Stanley Richards, who is the Deputy Executive Director of the Fortune Society in a New York based organization that provides services to inmates who are reentering society after having been incarcerated. I think he exemplifies the fact that rehabilitation is not a myth, it's a reality, and that he himself at one time was an inmate, but went on to graduate from Columbia University and is now doing good works and making a difference in the life of people who are coming back into the community. So thank you for that and we will welcome you.

MR. RICHARDS: Thank you. First I'd like to begin by thanking this commission for inviting both the Fortune Society and myself to be part of these hearings to address the issue, specifically around sexual abuse in prison, but violence in prisons and abuse in prisons and how we bring people home.
As you said, my name is Stanley Richards. I'm the Deputy Executive Director for Fortune Society, a nonprofit organization dedicated to providing critical reentry services to ex-prisoners and to advocating for a more humane rehabilitative criminal justice system.

I'm also a former prisoner and a recovering substance abuser. I'm here to share my own personal experience in the criminal justice system. I'm also here to tell of the several thousand individuals who come to the doors of the Fortune Society each year. Most importantly, I'm here to describe how current criminal justice policies have led to over 2,000,000 individuals being incarcerated in the United States and how this incarceration is damaging these individuals, their families, their communities and our society.

Over the past three decades, the prison population in New York state where Fortune Society is headquartered and in the country as a whole has exploded. The prison population in New York state has grown from a little more than 12,000 in 1973 to over 67,000 today, a five-fold increase over 30
years. The U.S. prison population has increased from 501,000 in 1990 to over 2,100,000 today. A four-fold increase in just 15 years. On any given day, there are 6.9,000,000 Americans under some form of criminal justice supervision, prison, jail, probation or parole.

The United States incarcerates a higher percentage of its citizens than any other country in the world. Tens of millions of Americans have been subjected to a stay in prison. For many, prison is a hard fine experience that exacerbates existence social, physical and psychological problems. Prison is lived with the constant fear of violence. Prison is an environment that necessitates the development of survival skills, a kill or be killed mentality. It is an environment that breeds mistrust. And perhaps the most disturbing aspect of life in prison is the prospect of being sexually assaulted.

It is difficult to determine the prevalence of sexual assault or rape in prison, but recent studies have shown that one in five male inmates have experienced a pressured or forced sex
incident. One in ten inmates reported being raped. Considering that there are nearly 2,000,000 men behind bars in this country, hundreds of thousands of men experience rape while incarcerated. The rate of sexual assault on female inmates varies from study to study, from facility to facility.

While it may be difficult to determine the exact prevalence of rape of sexual assault in prison, as a former prisoner I can tell you that it is a very real problem and occurs frequently.

Because Fortune is a trusted friend to prisoners, they write to us for help and guidance. One woman recently wrote to us to share her experience of being raped by a prison guard, and I quote, "He turned me around and told me to get into the dog position. He said that I turned him on and that he always wanted to have sex with a Brazilian woman, that he heard that they had the best sex in the world, and then he raped me without using any protection. I felt my body shake and tears were rolling down my face and I tried to be quiet and agree with everything. I thought that if I let it happen one time, he would leave me alone, but he
didn't. It kept happening. I wish I could say that this is an isolated incident, but it's not."

The Fortune Society's main focus is on prison and reentry. We specialize in helping former prisoners with the difficult task of reintegrating back into their families, neighborhood and communities. We work to break the cycle of crime and incarceration and help former prisoners remain free of incarceration and avoid another damaging stay in prison.

For those who have experienced sexual assault while in prison, transition is much more difficult. Pre and post release rehabilitation programs work. Unfortunately, while the number of people incarcerated has been rapidly increasing, rehabilitation programs in prison are being cut from state budgets.

Individuals turn to crime for a variety of reasons. There are certain characteristics that are prevalent in a prison population and you heard of some of them this afternoon. These characteristics include a history of substance abuse, lack of education, a lack of marketable job
skills, mental illness and a history of physical and emotional abuse and a high prevalence of health related problems, including HIV, TB and Hepatitis.

I can tell you from firsthand experience that addressing these issues is the best crime prevention strategy that we know of. I have seen thousands of individuals walk through the doors of the Fortune Society after years of incarceration of substance abuse walk out clean, sober, and never to set foot in prison again, except to maybe help other prisoners.

The American criminal justice system is deeply flawed. It is absurd that we have chosen to incarcerate substance abusers instead of providing treatment, despite study after study showing that treatment is the most cost effective and humane way to deal with addiction. It is shameful that there are more mentally ill people in prison than in mental institutions. It is disturbing that 6,000,000 children have parents under criminal justice supervision. It is frightening that our prison system has become a breeding ground for HIV,
TB, Hepatitis C and other illnesses. It is inhumane that we have 2,100,000 of our fellow citizen locked in cages, more per capita than any other country in the world. And it is an absolute disgrace that we allow prisoners under our protection to be raped and sexually assaulted.

In our attempt to crack down our crime, our prisons have lost any pretense of rehabilitation and have become exclusively punitive. Unfortunately, sexual assault and rape have become part of the punishment. Individuals who enter prisons often due the social problems return from prison in worse shape than when they arrived, further away from contributing to society in a positive way.

I look forward to a day when we are more far sighted in our criminal justice policies, when we care about what happens to individuals who are under our supervisions in jails and prisons, when we consider what will happen to these individuals when they are released from federal and state supervision, when we begin to see the potential
that former prisoners possess and we work to honest that potential for the good of society.

Yes, we need to have a lawful society and we need to ensure the safety of our citizens. But as a society, we have a power and means to determine how we achieve that goal. Right now we are attempting to achieve this goal by doing massive damage to individuals, families, communities, to our reputation for being a fair and just democracy. I know there is a better way.

Once again, let me thank you for the opportunity to speak here today. I am pleased that this commission is helping to bring to light a serious issue, a topic that is often ignored and even made light of. As a former prisoner, I understand the severity of this problem. I have seen the long-term effects of prison rape. I hope that one day jokes about dropping the soap in the shower will be unacceptable.

I hope we will begin to care more about what happens to our fellow citizens when they're in prison and to see their potential as productive
human beings. Thank you.

THE CHAIRMAN: Thank you, Mr. Richards.