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Submission date: 14-Feb-2021 03:18AM (UTC+0300)

Submission ID: 1508893619

File name: Rape.edited.docx (24.62K)

Word count: 2620

Character count: 14417

Essay on Prison Rape

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Course

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PRISON RAPE**Abstract**

Sexual assaults and rape in prison have drastically grown since the issuance of the national standards in 2012. Prison rape is far from being eliminated despite the government efforts to put up a commission in 2003 to push for people's rights in the incarceration centers. The reports show inconsistent data on the occurrence of white men being raped by the Negroes, reports indicate that white men are proportionately raped. The rape is caused by the desire to express control and power; however, in many cases involving the Black Americans, the rape to vent their frustrations and exploitation by their White counterpart. The prison is thus converted into an arena for the African American to rage war on their White inmates as a show of the oppression by the system. The black community act of raping their white counterpart aims to show the racist nature of criminal justice in the United States. They, therefore, use rape to express their rage (Medina & Nguyen, 2018).

³ The Prison Rape Eliminating Act (PREA) was enacted in 2003 with the aim of stopping sexual abuse and rape in incarceration. ³ The National Prison Rape elimination commission established the PREA. The commission's principal role is to analyze federal and state practices and policies involving prison assault and rape. All the parties involved in fighting for prisoners' rights against the systemic rape and abuse in the prisons should join hands in amending PREA administrative and standardize screening, risk assessment, and strategies to ensure all inmates are safe.

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Introduction

Rape has been defined as a sexual relationship with another person forcibly. The criminal justice has been faced with a challenge of prison rape between people on incarceration, but they have bluntly denied it. Despite the criminal justice becoming social and criminal corrections centers, it has turned out to be a place where inmates are raped and assaulted. The increased numbers of incarcerated people have also contributed to the rise in the number of rape cases in prison. The association between the number of prisoners and the incidences of prison rape has proportionately increased. The criminal justice uses rape to divide, distract and discipline those that are trapped within the system. The prison rape epidemic, effect, and rape victims and the pros and cons of EPEA need to be understood well to understand the problem facing the American justice system in this era.

Prison rape epidemic

In the same way, rape outside the prison, by both prison staff and inmates is not about intimacy but a way of expressing power, control and dominance. In 2011, accusations of rape in prisons by prison staff were half the cases. However, the actual number of rape cases may be misrepresented by the available statistics. The African-American women are the critical victims of prison rape involving prison staffs in the United States. A Pamanicka Hardin, a survivor, testimony in the National Rape Elimination Commission stated that the correction officer permitted boys in the girls' cells. That that were misbehaving or they did not like, three girls spoke the survivor on incidences they were raped by boys permitted in their cells by the correction officers. Besides, the guards raped girls at Spofford Juvenile center in the Bronx. The survivor said she tried to keep a low profile to avoid being targeted (Hull, 2020). In the above scenario, rape was used as a mechanism to control inmate behavior. The use of rape by the prison systems codified their authority over those who led the rape over the victims. Thus the mass incarcerations in America have resulted in systemic rape branded as 'justice'.

The reports show inconsistent data on frequency of white men being raped by the Negroes, reports indicate that white men are proportionately raped. The rape is caused by the desire to express control and power; however, in many cases involving the Black Americans, the rape to vent their frustrations and exploitation by their White counterpart. The prison is thus converted into an arena for the African American to rage war on their White inmates as a show of the oppression by the system. The black community act of raping their white counterpart aims to show the racist nature of criminal justice in the United States. They, therefore, use rape to express their rage (Medina & Nguyen, 2018). The prevalence of rape in prisons has resulted in a division in the prison population on racial lines. Studies show that ethnic sets shielded their members but did not defend others races.

Prison rape divides the prison population and intimidates the prisoners to become informers by destroying potential leaders (Pratt, 2018). Once out of prison, male inmates are perceived as weak or gay. The prison rape revolves on power as those who rape gaining and the once raped losing their control. The culture of rape in prison destroys the ability to develop a leader in the whole prison populace. Thus the system depend on racism and homophobia. Potential and current rape victims have been used as informers on their fellow inmates' conduct in the cells to the prison administration in exchange for safety.

On the other hand, rape has been used as an exchange for protection where fellow inmates offer themselves for rape in exchange for security. The mass incarceration is, therefore based on

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oppression and prison rape. The action of rape, trauma around rape, and rape threats prevents people in detention from organizing themselves in addressing the system and their differences. Rape acts as an immobilizer to inmates emotionally, physically and mentally to be the most vulnerable and unable to change their current conditions they are subjected to.

Effects of Prison Rape

The prison rape has physiological and psychological trauma, longer sentences, the transmission of diseases and suicides. According to testimony on Human Right Watch from Texas, A victim said that he never heard the judge say that you are subjected to hard labour when he was being sentenced. However, when he was taken to prison, he was beaten daily, tortured, raped to the point of considering suicide (Lee, 2019). The inmates who were raped experienced depression, loss of self-esteem, sexual dysfunction, shame hyper-vigilance to danger and diminishing value for life. Suicide is the number three cause of death in prisons. The providers of mental services lack adequate knowledge to prevent suicidal tendencies in trauma cases and prison rape victims (Lee, 2019).

The rape victims experience physiological effects as they are forced and threatened to be attached to submit to sex advances. Both non-penetrative and penetrative intercourse has products based on whether the condoms and lubricants were used. In some situations, the tearing of the anus can result in HIV and Aid transmission (Lee, 2019). There is also a higher chance of contracting STDs because the prison rarely provides condoms; the violence anal or virginal intercourse can result in STDs. Besides, many jails lack the resource to tread the STDs making many inmates live in the trauma.

Prison rape has physical and psychological consequences in that it empowers the system to suppress subjects. One of the prison rape victims testified that a fellow inmate wanted to rape him threatening with a knife. He overpowered him and took the knife. He was charged with attempted murder and sentenced to 12 to 15 years imprisonment he felt that justice was not served to him (Stemple, Flores & Meyer, 2017). This shows that in an attempt to fight back, rape victims have earned longer sentences. To fight from being rape, the prison rape victims get additional penalties because they are found in possession of the weapon. The prison system has failed to protect and provide care to prison rape victims.

Victims of prison rape

New studies by Stemple, Flores and Meyer, (2017) show that African Americans are the most significant casualties of Prison Rape. The prominence of white rape casualties does not indicate a racism-free judicial system but the white's inclusion in preserving the judicial system image of unbiased approach (Mansley, 2016). The white rape cases are just a presentation of the system collateral damage. The prison rape has targeted the Negroes and brown inmates - The white supremacy has subjugated the whole community with only a small percentage of poor or lower-class whites. Most of the Middle Eastern Latin people, Asians, and the African-Americans have been the system-sponsored rape victims. The people of Asia have experienced imprisonment and detention by the American Judicial system. Since September 2011, war on terror declaration, the United States has sexually assaulted, raped and obtained information from the Middle East men by forced anal penetration. According to the recent senate, torture reports show the nature of sponsored rape by the state, especially the anal bleeding case of an inmate, signifying rape (Gaulkin, S. (2020).

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Many immigrants, especially those from Latin America and Asia as a result of the war on terror, have been put in detention centres. Among the demands of the incarcerating officers are sexual favours in exchange for freedom. An example is the Krome detention Centre in Florida, where there are reports of sexual assault, rape, and detainees (Drecun, 2017). Legislatures have also put on policies illegalizing aspects like housing, driving and employment. The guidelines have been used on vulnerable populations like immigrants.

The LGBT communities have also reported high cases of rape. The transgender female and male have been involved in incidences of rape by correctional officers. In some incidences, the prisons have mixed the transgender men who had breast implants on them in male cells resulting to rape and subsequent transmitting HIV. Records show that 50% of LGBT males have been raped and assaulted in the prisons fourteen times their male counterparts (Sexton, Jenness and Sumner, 2010). Other statistics show only 12% of the transgender in assault cases in prison are white compared to 38% Negros. The American justice system has been rocked with instances of racism, islamophobia, xenophobia, transphobia and homophobia. This has resulted in systematic rape and incarceration of these groups of minorities.

Enactments to eliminate the rape in incarceration centers.

The Prison Rape Eliminating Act (PREA) was enacted in 2003 to stop sexual abuse and rape in incarceration. The National Prison Rape elimination commission established the PREA. The commission's principal role is to analyze federal and state practices and policies involving prison assault and rape. The commission also recommends their findings on the president on issues involving rape in prisons. The commission is also mandated the national institute of Corrections to offer technical and training help to facilitate compliance with congress annual reports. There are reports that over 60000 inmates were subject to prison rape in 2012 in the United States. There are further reports that prison staffs abuse 209% of the inmates, 25 are raped by their counterparts (PREA 2021).

The implications of the act

The act has brought about government funding, about 60M dollars have been given to the prison department since the enactment of PREA in 2003. The funds are used for surveillance, investigation structures and for enhancing mental health treatment to the victims of prison rape. The aim of the commission has eliminated sexual misconduct in the prisons. The implementation of mental health and medical are necessary.

For PREA to be effective in its mandate, all states have to comply with federal findings. The States must also ensure zero tolerance for sexual harassment and rape on inmates. Its standards also outline the criteria for supervision, monitoring, and limits searches on cross-gender and facilitate an upgrade of CCTV and Video cameras to prevent the vice. The inmates must also be screened by the security officers seventy-two hours before they are transferred from a facility. The facilities should also implement volunteer and consistent staff training, including training on medical and mental health specialists to help inmates with mental disorders. The commission also elaborates detailed responses to eradicate sexual conducts like establishing forensic investigations and policies around the research.

Undesired outcome

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PREA has not protected the marginalized groups like the people of colour and the LGBT communities. The screening of inmate at arrival within 72 hours is to identify those who are at high risk and keep him or her away from others as a means to protect them. The risk assessment is training all officers to equip them with knowledge on protecting the inmates. Due to the lack of a standard assessment tool, the process has put more inmates on the disadvantage side. Every facility has its way of assessing inmate risk and thus resulting in an ambiguous assessment. The risk assessment also is used to decide where the inmates will be placed in housing. Although this is aimed at protecting the inmates, those at high risk for rape are sometimes placed on the segregated housing against their will power when no other options are available.

The marginalized groups are targeted in the administrative segregation.⁵⁹In this group, the inmate is often assaulted as per the report published in 2007 by Detention International. 40% of LGBT communities in prison are abused sexually per annum per the information. Inmates are asked to disqualify their sexual orientations before being admitted in the housing, and the LGBT should be placed on the protective housing due to their vulnerability (Human Rights Watch, 2001). PREA should consider determining whether personal consideration and sexual orientations are conformed to during the screening process to protect these inmate groups in all prisons in the United States alike.

Conclusion

All the parties involved in fighting for prisoners' rights against the systemic rape and abuse in the prisons should join hands in amending PREA administrative and standardize screening, risk assessment, and strategies to ensure all inmates are safe. Vera Institute and the Bureau for Justice's recommendations on administrative segregation and alternatives techniques must be paired to ensure compliance by all states. Mass imprisonment should be revisited as rape is a common phenomenon there. The rape leaves the people vulnerable and hopeless, afraid and damaged. IPEA must thus address the real issues like the mass criminalization of the vulnerable groups of minorities. It should also improve the lives of the inmates by reviewing the racial and criminal justice system. If this is not addressed appropriately, prison rape, assault, and mass criminalization will define the American judicial system for a long time from now.

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