

## ACTION UPDATE

MARCH 2019

**W**HEN THE STORY broke about a massive power outage at Brooklyn's Metropolitan Detention Center (MDC), I was horrified. In the dead of winter, more than 1,600 inmates went nearly a week without light, heat, or hot water.



It came as no surprise to see MDC in the headlines. The prison has long been on JDI's radar for its rampant staff sexual abuse. Worse still, two prison audits

failed to detect any red flags — an astonishing failure of oversight, which I highlighted in a *Washington Post* op-ed.

The conditions inside MDC are an indictment of the people running it. When prison leaders can't keep the heat on, let alone protect the people in their custody from rape, it is a fundamental failure. At the same time, the scandals at MDC have given me reason to feel hopeful. After the power went out, family members of MDC prisoners protested outside the facility; their efforts got the heat and hot water turned back on and sparked a federal investigation. And when JDI raised the alarm over the lack of proper monitoring at MDC, it helped us secure a law to improve oversight of detention facilities.

The lesson is that it is possible to make a difference in the lives of prisoners. JDI will always stand up for the rights of people who are locked up — and we know that you will, too.

Lovisa Stannow  
Executive Director

## We Called for Prison Reform. Congress Acted.

*In this heated political climate, JDI secured the passage of two laws that will make detention facilities safer*

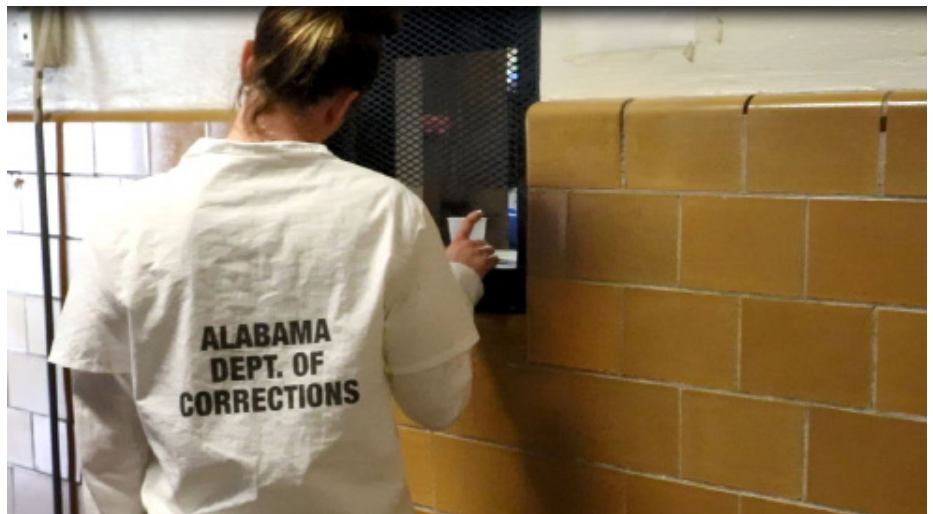
**P**RISONER RAPE IS an unacceptable violation of human rights. Period. This is one of the rare truths on which Democrats and Republicans agree. And yet, in this time of shutdowns and non-stop partisan feuding, to reach consensus is no sure thing.

So it counted as a major breakthrough when, in December, JDI helped push a historic criminal justice bill through a bitterly divided Congress. Called the First Step Act, the new law will lead to dramatic improvements in the way prisoners, especially women, are treated. Under the law, federal women's prisons now have to provide free sanitary items and can no longer shackle inmates who are pregnant.

JDI advocated for these reforms because women routinely tell us about the degrading conditions behind bars. When women are forced to beg for tampons or visit the ob-gyn in shackles and cuffs, it's a violation of their basic dignity. Even worse, by giving abusive staff leverage over inmates, these practices can also be a recipe for sexual assault. Under the First Step Act, prisons will not only have to supply basic hygiene items, but they must do so for free, so that no woman is ever left to choose between calling a loved one or using a clean pad.

The First Step Act recognizes the vital role of trauma-informed programs behind bars. Too often, criminal justice reform has focused exclusively on helping people *after*

*See Congress Acted., continued on page 3*



*The First Step Act will help end the chronic deprivation in women's prisons. When Alabama's Julia Tutwiler Prison (above) lifted restrictions on sanitary items, it made the facility safer.*

## With Strong Prison Audits, Inmates Will Be Heard

**O**NE DAY IN 2014, toward the end of his shift as an inmate janitor, Nathan Jones saw an item on the prison bulletin board that filled him with optimism. It was a notice explaining that his Wyoming prison would soon be audited on its efforts to keep inmates safe from sexual abuse. Any prisoner could meet with the auditor, and their conversations would be kept confidential.

Several of Nathan's friends at the prison were being abused, and none felt comfortable speaking out. A few years earlier, Nathan himself had been sexually assaulted by a staff member while at a different facility.

Nathan arranged to speak with the auditor, and felt hopeful that the meeting would help put a stop to the rampant sexual assaults and harassment. "I believed this was my chance, finally, to have my voice heard," he recalled.

But Nathan never got that chance. His meeting with the auditor was not held somewhere private, but in a room adjacent to the Associate Warden's office. The door to the room was left wide open, and staff were within earshot of everything that was said. So Nathan kept quiet.

Nathan's experience is not uncommon. JDI has learned of many instances of auditors who failed to conduct robust oversight — and who left prisoners in danger. In response, we helped pass the Parole Commission Extension Act, a law that calls on auditors to adhere to strict guidelines on how to do proper assessments, including conducting interviews in a "safe space where inmates can freely discuss their experiences at and perspectives of the facility."

Nathan, who was released in 2016 and recently joined JDI's Survivor Council, is confident that the new law will make a difference.

"When I was locked up, I was denied the chance to speak openly with someone who had the ability to make my life and the lives of others better. But that's going to change, and I'm thrilled."



*Nathan Jones with his wife, Carolyn*

## Free Tampons and Pads Are a First Step to Prison Safety

**F**OR MANY YEARS, the name Julia Tutwiler Prison was practically synonymous with sexual violence. Staff preyed on women with a staggering frequency; per a government report, at least a third of all Tutwiler staff had committed sexual assault.

The prison's problems were the result of leadership's refusal to take seriously the



concerns of the women in their care and to treat them with dignity. Appallingly, Tutwiler's inmates were often denied basic necessities like tampons and toilet paper. The scarcity of hygiene products gave abusers on staff nearly unlimited power. In a number of cases, women were forced to "trade" sex in exchange for tampons.

Women at many other prisons have told us that tampons, pads, and toilet paper are held under lock and key. Not surprisingly, these are also prisons where sexual abuse flourishes. Because of the direct link between deprivation and abuse — and because unfettered access to tampons, pads, and toilet paper is a matter of basic dignity — JDI advocated for the First Step Act, which includes a provision calling on prisons to provide the people in their care with free sanitary products. When the First Step Act was signed into law, in December, it represented a major victory for the rights of women in prison.

For proof that free tampons and pads can lead to safer prisons, one need look no further than Tutwiler. Prompted by a federal civil rights investigation, Tutwiler began giving its prisoners unrestricted access to sanitary items in 2015.

"Tutwiler was once an example of how not to run a facility," explained Julie Abbate, JDI's National Advocacy Director, who, in her previous job at the Department of Justice, ran a civil rights investigation into abuses at the prison.

"Today, Tutwiler is dramatically safer and women have a measure of dignity that had been denied to them before. These improvements are directly related to an end to the pointless and demeaning limits on tampons and pads," she said.

Now that we have the First Step Act, women in prisons nationwide will see their lives improve, too.

# For the Rosebud Sioux Youth, the Future is Bright



*Wanbli Wiconi Tipi staff and advocates from White Buffalo Calf Women's Society — which provides services to youth at the facility — created this "family flag" during a JDI workshop*

**T**HOMAS YELLOW BOY doesn't fit the profile of a stereotypical youth detention officer. When Thomas talks about working at the Wanbli Wiconi Tipi Youth Wellness and Renewal Center — a tribal juvenile detention facility in South Dakota — he doesn't mention security cameras or perimeter fencing. Instead, he'll tell you about the vegetable garden the kids tend to, or the facility's sweat lodge.

"These are bright, talented kids who lost their way," explained Thomas, who, as the facility's Prison Rape Elimination Act (PREA) Coordinator, is tasked with keeping the youth safe. "My job is to provide a supportive and caring environment, so that they can get their lives back on track."

Wanbli Wiconi Tipi is run by the Rosebud Sioux Tribe, a branch of the Lakota people. The facility has long been a safe haven for kids in a community that has been besieged by poverty, addiction, and other social ills stemming from many decades of persecution. The facility's stellar track record can be chalked up to tribal leaders, who leap at any opportunity to give the kids in their custody a chance to flourish.

When the government released the PREA standards — which are aimed at protecting people in custody from rape — Wanbli Wiconi Tipi staff recognized that these rules

are a valuable tool. And, in JDI, they found a partner who could help them use that tool.

In 2015, with the support of a grant from the Bureau of Justice Assistance, JDI and the Rosebud Sioux Tribe began working together to make Wanbli Wiconi Tipi the first tribal facility in the country to adopt the PREA standards. The key staff person behind the project was Miskoo Petite, Sr., a Facility Administrator who led the push to bring the facility into compliance with the rules. Working with Miskoo and Thomas, JDI trained detention staff on best practices for preventing sexual violence and abuse; our team also helped bring outside advocates into the facility to give services and lend a compassionate ear to the youth, many of whom have suffered serious trauma.

"PREA is about treating people with dignity and respect, and those principles will lay a foundation for safety in any facility, whether a massive state prison or a small, community-run tribal facility," said Linda McFarlane, a JDI Deputy Executive Director. "Put simply, PREA works when you have strong, dedicated leaders — like Miskoo and Thomas."

Thomas is proud of the work that Wanbli Wiconi Tipi and JDI have done together. He's also proud of the kids. "I see many of them in the community when they get out, and they're thriving. Their future is bright."

## Congress Acted.

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their release. Yet the vast majority of people in detention have experienced significant trauma — poverty, violence, sexual abuse, and more. As we have seen time and time again, any effort to ensure a smooth reentry will be futile if we do not provide ways for people in detention to develop healthy coping skills. Now, many thousands more prisoners will receive the help they need and deserve.

The passage of the First Step Act comes on the heels of another major human rights victory on Capitol Hill. In October, the Parole Commission Extension Act was signed into law. While this legislation may sound irrelevant to our work fighting prisoner rape, it has the potential to improve dramatically the system of prison oversight.

Over the past year, with the help of survivors who shared their stories, JDI has exposed how prison auditors have failed to detect problems in unsafe facilities. We placed op-eds in the *Washington Post* and the *New York Times* that highlighted some of the most egregious examples of staff sexually abusing inmates in facilities, even as auditors declared they were safe. Yet shaming bad auditors isn't enough. Working directly with lawmakers on both sides of the aisle, we crafted legislation to address the problem.

Our approach paid off — the Parole Commission Extension Act includes the new audit provisions that JDI fought for. Now, the people who conduct facility audits will be held to far stricter standards — and those who fail to do a good job will be barred from doing any more audits. No more turning a blind eye to sexual abuse.

As with every JDI success in the fight against prisoner rape, these two laws would not have happened without the courage of survivors who speak out about the brutal realities of life in prison. Survivors' testimony made it clear that new legislation was urgently needed to tackle chronic deprivation and weak oversight.

These victories are also a credit to the bold support of people like you, who are willing to stand up for human rights.

# "The Cards Made Me Feel Like a Person"

*JDI supporters sent a record-shattering 26,000 Words of Hope messages, bringing hope and kindness to survivors behind bars*



*JDI supporters holding Words of Hope cards they created at a card-writing event organized by Helen (second from left)*

**I**MAGINE SPENDING EVERY day in a cramped cell, with zero privacy, and being subjected to abuse and harassment. Larry knows what it feels like to live this way. Last year, after he was raped by two fellow inmates, he fell into a deep despair. When he tried to report the assault, he was sent to solitary, which only made things worse.

But over the holidays, Larry was thrown a lifeline — by you. Through the *Words of Hope* campaign, JDI supporters sent Larry compassionate messages reminding him that his life has value — that everyone, including prisoners, deserve to be safe and have dignity.



*A handmade thank you card from a survivor*

"These are the only cards I received this year," Larry wrote us in a letter. "They made me feel like a person."

This year, thanks to the kindness of people like you, we delivered a staggering 26,000 *Words of Hope* messages to survivors nationwide. That's easily our best total yet — an extraordinary display of compassion that is changing lives. It wasn't just the record number of cards that made this year special. What made this year truly remarkable is that many JDI supporters held their own card-writing events.

One of those supporters is Jordan, a UCLA law student. After hearing about the campaign from her professor, Jordan decided to get involved — and to get her classmates involved, too. "The campaign is a great way to show solidarity with incarcerated survivors," she said.

Across the country in Virginia, Helen, another supporter, brought together dozens of card writers. This was her second year hosting a card-writing day. Everyone who attended last year's event came back — and, even better, they tripled the number of cards they wrote. "It's important to remind people who are incarcerated they are not alone," she told us.

*Words of Hope* also received a major boost when the *New York Times* published an op-ed

by Sofia Robinson, an eighth grader who is one of the campaign's most prolific card-writers. Sofia has been writing holiday cards since she was five, and this year, she organized her schoolmates to join her. As Sofia writes in her op-ed, "The point of these cards is to make prisoners who have been sexually abused feel better. But it also feels really good to write them. So it's a win-win."

The cards from our supporters were beautifully crafted, with drawings and eye-popping color. Survivors also showed their artistic side, sending us their own lovely thank you cards in return.

The gesture is especially meaningful given that prisoners do not have ready-made cards, nor markers or crayons. Their cards have to be painstakingly created by hand, using ink scraped from magazines and found materials. "This is the best I can do, because I can't do much behind bars," wrote Vernon on a card he made himself. "But I hope that this card shows just how thankful I am for all of your support."

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