

PERSONAL ACCOUNTS FROM SURVIVORS
OF PRISON SEXUAL ASSAULTS

If there was one thing that we can recommend, I would ask what do you think would be the most profound thing that we could recommend that would have an impact on this problem?

MR. CAHILL: May I answer that question?

THE CHAIRMAN: Yes, sir.

MR. CAHILL: The solution to prisoner rape and much of the violence behind bars is so simple and so inexpensive that I have long believed that the criminal justice system has used prisoner rape as a management tool to plea bargain with prisoners, to frighten them into plea bargaining, to create informers to coerce prisoners to become informers as extra punishment, and as a way to racially divide and concur prisoner populations. And this solution has been used for at least 20 and maybe longer, 20 years or longer, in San Francisco's city county jail by Sheriff Michael Hennessy.

He simply separates the obviously violent

prisoners from the obviously vulnerable ones. And I know this works because I have been a guest of his a number of times and a male nurse would interview all incoming prisoners. And I was honest and told him what happened to me earlier and he put me in a cell with nonviolent offenders.

MR. DEBLASIO: If I could give a little bit more detail and answer that kind of in a two-prong way, I think in my case we heard Commissioner Kaneb talk earlier about the FBI investigation of prisoner on prisoner rape.

As a federal inmate, I know that the only link we had and there was another victim who reported this to the psychologist and that's how it got out of the institution to the Attorney General's office, but it was the SIS investigator who was responsible for dealing with both of us and reporting directly to the Attorney General's office. We had no outside policing agency come in and deal with the situation. It was all internal.

I think that the major issue we have to look at is that most rapes go unreported regardless of whether you're inside or outside. The issues that

face a person incarcerated when they're in the custody and control of someone else, they cannot leave the situation. They are burdened by the Prisoner Litigation Reform Act, which makes them file grievances through those who may have been involved in the assaults prior to being able to have court access.

These things make it virtually a stone wall keeping people from reporting their victimization. I think that is probably the biggest thing we have to look at, is how you get around that wall of having individuals report what has happened and how outside agencies can actually go in to investigate.

In Virginia they have an outside Board of Corrections. Unfortunately, many of the appointments are political. And if we look at something like an outside agency, there needs to be medical professionals. There need to be elected officials. There need to be members of families where there is a loved one incarcerated to present a balance that is not a political mechanism that may, as Senator Sessions spoke earlier, continue the psychosis of wanting to keep everything hush

hush and out of the lime light.

So I think those are the two prongs that are the biggest way to take down that wall of reporting and letting people know what is going on.

THE CHAIRMAN: Yes, Mr. Cahill?

MR. CAHILL: Since Mr. Kaneb and Mr. DeBlasio brought up the subject of the FBI, I would like to mention something about the bureau too. I have memos from my FBI files that indicate it may have been the bureau that set me up to silence my dissent against the Vietnam war. And if you'd like, I have copies for all of you.

THE CHAIRMAN: Any other questions?