



April 18, 2003

Dear Mr. Speaker
Senator Frist
Senator Daschle
Majority Leader DeLay
Minority Leader Pelosi:

We write to strongly urge your support for the Sessions-Kennedy-Wolf-Scott Prison Rape Reduction Act of 2003, H.R. 1707.

Those of us who have signed this letter have many disagreements on public policy matters, including a variety of issues relating to criminal law and punishment. But we are united in our unyielding determination to end the scourge of prison rape and to enact the Sessions-Kennedy-Wolf-Scott bill.

Of the 2 million prisoners in the U.S., a conservative estimate is that one in 10 has been raped – more than 200,000 inmates! Further conservative research indicates that inmates who are sexually assaulted are also victimized, on average, nine additional times during their incarceration. In addition, incarcerated youths are more likely to be raped than are adult inmates and, when they are, more likely to be acutely victimized and shattered.

The Sessions-Kennedy-Wolf-Scott bill is a moderate and necessary response to this crisis. It is designed to eliminate prison rape in a manner that is respectful of the primary role of States and local governments in administering correctional institutions and of the federal government's obligation not to impose unfunded mandates on them and to make the problem more fully visible to the American people and those who can combat it. Additionally, the legislation has been carefully drawn to ensure comprehensive study and reporting of prison rape, and to reverse perverse prison administration incentives that now often make it exceedingly difficult for prison officials to engage in priority efforts to abate prison rape.

The Sessions-Kennedy-Wolf-Scott bill is not only a means of protecting inmates. Society pays dearly for ignoring prison rape. Clearly, prison rape costs taxpayers greatly in recidivism and increased violent crime and thus negates federal programs designed to reduce the incidence of crime. Inmates, often non-violent first time offenders, come out of a prison rape experience severely traumatized and thus leave prison far more violent than when they entered. The high incidence of rape within prison also leads to the increased transmission of HIV, hepatitis and other diseases, which in turn imposes costs on all of society.

Fighting prison rape is also affirmatively mandated by the Constitution. As distinguished from federal programs designed to address problems ranging from teenage drinking to declining education standards, the Sessions-Kennedy-Wolf-Scott bill deals with plenary and constitutionally inescapable federal responsibilities – this in light of the determination of a near unanimous Supreme

Court in *Farmer v. Brennan* that deliberate indifference to prison rape violates the 8th Amendment's cruel and unusual punishment provisions.

In the end, perhaps most importantly, the effort to combat prison rape is a moral imperative. Prison rape is nothing short of torture – the infliction of severe emotional and physical pain as punishment and coercion. And, long after bodies have healed, the emotional trauma, shame and stigma of brutal and repeated prison rape lasts and embitters. Thus, prison rape not only derails justice – it destroys human dignity.

The Sessions-Kennedy-Wolf-Scott bill offers great hope that the brutality of prison rape can be sharply curtailed, and our joint effort to enact it is thus a coalition of conscience rather than convenience. As such, we take heart from the Speaker's strong endorsement of the bill, and are determined to see its effective, moderate provisions rapidly brought into effect. As men and women of good will we will not rest while the violence of prison rape continues, and we strongly urge you to join us in an effort also certain to bring credit on the United States at a moment when America's need to show its commitment to democratic values has never been higher.

Working with the bill's sponsors, we stand ready to meet with you at your earliest convenience. If you would like additional information or have any questions please contact Mariam Bell, National Policy Director for Prison Fellowship Ministries, at (703) 478-0100 ext. 3630 or Vincent Schiraldi, President, Justice Policy Institute, at (202) 363-7847.

Very truly yours,

American Values

Amnesty International USA

Center for Religious Freedom

Christian Coalition

Concerned Women of America

Focus on the Family

Human Rights and the Drug War

Human Rights Watch

Institute on Religion and Democracy

Justice Policy Institute

Kids First Coalition

NAACP

National Association of Evangelicals

National Center for Neighborhood Enterprise

National Center on Institutions and Alternatives

National Council of La Raza

Open Society Policy Center

Prison Fellowship

Salvation Army

Southern Baptist Convention

Stop Prisoner Rape

The Sentencing Project

Tradition, Family, Property Inc.

Unitarian Universalists for

Youth Law Center

MALDEF

American Probation and Parole Association

Alliance for Children and Families

Religious Action Center of Reform Judaism

Physicians for Human Rights

**National Association of
Sentencing Advocates (NASA)**

Juvenile Justice

Federal CURE, Inc.

Penal Reform International

Aleph Institute

Presbyterian Church USA

**Union of American Hebrew
Congregations**

Cc: Senator Orrin G. Hatch
Congressman F. James Sensenbrenner, Jr.