December 19, 2007

SUBJECT: Research in Review

TO: Executive Staff
    Superintendents
    Other Readers

FROM: Gary Zajac, Ph.D.   Kristofer Bret Bucklen
        Chief of Research and Evaluation   Chief of Projections and Population Statistics

Enclosed please find Volume 10, Number 4 of Research in Review (RIR). This issue is a special report on research related to the Prison Rape Elimination Act (PREA).

The first piece is a review of a recent study of prison rape prevalence and risk factors for rape conducted in a large state prison system. This review was prepared by Travis Zangrilli, a Pennsylvania Management Associate who had done a rotation in PRSG. The second piece is a summary of some of the research conducted within the PADOC on the topic of prison rape, prepared by Jesse Zortman, Research and Evaluation Analyst within PRSG.

This issue brings to a close Volume 10 of RIR. Volume 11 will continue to present findings from the PADOC’s own evaluation projects, including outcome studies of our reentry programs as well as findings from Phase III of the study of parole violators and parole successes conducted by this office. RIR will also continue with article reviews and briefing papers on topics relevant to corrections.

As always, we welcome your feedback on RIR. We also welcome your suggestions for specific topical areas for future issues. While we cannot promise that we can produce an issue in response to all suggestions offered, we are very much interested in knowing what questions and topics are most interesting to our readers.

Thank you for your ongoing interest in Research in Review.
Special Issue: Prison Rape Elimination Act

The final issue of Volume 10 of Research in Review presents two pieces related to the Prison Rape Elimination Act (PREA). PREA is a federal initiative designed to understand and address the causes and consequences of sexual assault occurring within the nation’s prison systems. PREA was passed by the U.S. Congress and signed into law in 2003. This act provides grants to state and local corrections agencies to encourage and support sexual violence awareness, detection, prevention and reduction efforts. As part of the PREA initiative, corrections agencies are also expected to undertake at least basic data collection efforts to try to gauge the prevalence of sexual assault within their systems. The prevalence of such assault has been a subject of much debate in the scholarly literature, so one goal of PREA was to inform this debate with a broader base of statistics. While this topic is certainly a controversial and sensitive one, it is something that is on the radar screen for most corrections agencies nationwide (due in large part to PREA itself). Accordingly, we at RIR thought it would be appropriate to devote an issue to this emerging topic in corrections research.

The first piece in this issue is a review of a recent article that examines the prevalence of prison rape, and risk factors for such victimization, in an unidentified state. The primary importance of this article, from the point of view of the RIR editors, lies in its attempt to empirically identify risk factors for rape in a large sample of inmates. The identification of such risk factors is critical to the development of effective prevention programs. This review was prepared by Travis Zangrilli, a Pennsylvania Management Associate who recently did a rotation in PRSG. We are grateful to Travis for his contribution to this issue. The second piece is a summary of some of Pennsylvania’s own prison rape research, undertaken pursuant to PREA. This summary was prepared by Jesse Zortman, Research and Evaluation Analyst who was the lead researcher on the PADOC’s original PREA study that is the subject of this summary. Jesse is presently conducting additional research on this topic within the PADOC. Finally, this issue includes the Index to Volume 10 of RIR.

Future issues of RIR will focus on special topics like the third phase of the PADOC Parole Violator Study and will continue to feature summaries of other PADOC research projects, as well as reviews of new and interesting journal articles and books. We at RIR hope that you find these topics to be informative, practical, and relevant to your work in corrections.

The purpose of this research study was to uncover characteristics of inmates and correctional facilities that were associated with incidents of sexual victimization. Prior research in this area identified specific attributes linked to these types of sexual assaults. Research findings about the prevalence of sexual assault and victimization in prisons vary significantly, however, because the definitions of sexual assault vary among agencies. For example, when terms like perpetrator and victimization are defined broadly, findings reveal inflated rates of sexual assault and victimization. In general, prior research showed that inmates who most often fall victim to sexual assault are those who have experienced prior victimization, those who are homosexual, those seen as weak or small in stature, those having a prior sexual offense, and those convicted of child abuse.

Inmates who participated in this study (n=7,785) were drawn from twelve male prisons, one male sex offender treatment prison and one female prison, all of which were located within a single, unspecified state. Data were collected from inmates using a computer-administered survey regarding inmates’ victimization experiences. Excluded from the survey were inmates younger than 18, in administrative custody/detention, on death row or unable to participate due to medical reasons.

Because of the variation between inmate populations across the three facilities, data analysis was conducted on each group (male prisons, a sexual offender facility, and the female prison) separately. Analysis regarding incidents of sexual victimization within prisons focused on any type of sexual victimization and on two sub-categories of victimization – (1) nonconsensual sexual acts (i.e. forced sex acts or what might commonly be called rape) and (2) abusive sexual contacts (e.g. intentional touching). Analysis examined sexual victimization occurring from inmate-on-inmate versus staff-on-inmate assaults.

The results showed that inmate-on-inmate sexual assaults (nonconsensual sexual acts) were rare events, under 5% across all facilities (1.5% for the male general population facilities, 4.7% for the male sex offender facility, and 3.7% for the female general population facility). Reports of abusive sexual contact offenses were higher (3.6% in the male general population, 19.9% in the male sex offender facility, and 21.5% in the female general population). Generally, reports about any sexual victimization were relatively low (4.4% for the male general population, 19.8% for the male sex offender treatment facility, and 22.9% for the female general population).

Analysis of staff-on-inmate sexual assaults showed that nonconsensual victimization was a rare event in all three types of facilities (2.1% in the male general population facilities, 1.6% in the male sex offender facility, and 2.1% in the female facility). The rates for abusive sexual victimization were higher in all three settings (6.9% in the male general population facilities, 2.7% in male sex offender facility, and 7.3% in the female facility). Rates for any type of sexual victimization by staff
toward inmates were 7.8% for the male general population facilities, 3.5% for the male sex offender facilities, and 8.6% for the female facility. This study finds that staff-on-inmate victimization in all three categories (nonconsensual, abusive, and any sexual victimization) occurs more frequently than inmate-on-inmate victimization within the male general population facilities. The opposite pattern was found for the other two categories of facilities (male sex offender, and female), where inmate-on-inmate assault was more common than staff-on-inmate.

The next phase of the research focused on identifying characteristics that best predict the likelihood of an inmate being the victim of sexual assault. Within the male general population facilities inmates at the highest risk for nonconsensual sexual victimization from other inmates were individuals with mental health problems (depression, anxiety, PTSD), inmates who had been sexually victimized prior to the age of 18, and inmates with higher levels of education. In addition, male general population inmates at the highest risk for abusive sexual victimization are those who are African American, believe that gang activity is high within the institution (which may reflect actual prison conditions, or the inmates’ own fear of being victimized which may influence their perceived value as victims by institutional sexual predators), have been diagnosed with schizophrenia or bipolar disorder or other mental health problems (e.g., depression, anxiety, PTSD), have higher levels of education, and have been the victim of sexual assault prior to the age of 18. The characteristics of inmates who reported any sexual victimization in general population adult male prisons are: mental health problems (depression, anxiety, PTSD), the victim of sexual crimes prior to the age of 18, belief that gang activity is high at institution, and having a higher level of education.

Many of the characteristics that predicted inmate-on-inmate sexual victimization also predict staff-on-inmate victimization. There are, however, several additional characteristics that better predict staff-on-inmate sexual victimization. When looking at nonconsensual sexual victimization the key predictors were age (young), being African American, and being the victim of sexual crimes prior to the age of 18. The characteristics that were identified as risk factors for abusive sexual victimization by staff were age (young), being African American, mental health problems (depression, anxiety, PTSD), having committed a violent offense, being the victim of sexual crimes prior to age 18, thinking that gang activity was high in the institution, and having a higher level of education. The final category of any sexual victimization found the following characteristics as predictors: age (young), African American, mental health problems (depression, anxiety, PTSD), committed a violent crime, the victim of sexual victimization prior to the age of 18, and higher level of education.

The risk factors for sexual victimization within the sexual offender facility are limited due to small numbers of incidents of victimization and sample size. Indeed, when looking at nonconsensual victimization no characteristics were identified for either inmate-on-inmate or staff-on-inmate assaults due to the small number of incidents reported. For abusive sexual victimization some predictors identified for inmate-on-inmate assaults were: age (young) and perceptions that gang activity was high in the institution. This analysis could not be conducted for staff-on-inmate abusive sexual victimization because too few incidents were reported. As for any sexual victimization, age (young), mental health problems (depression, anxiety, PTSD), and thinking gang activity was high in the institution were identified. Again, due to low incidents of assault, risk factors for staff-on-inmate victimization could not be isolated.
Within general population adult female facilities few of the predictors reached statistical significance. Indeed, no factors were identified in the nonconsensual sexual contact category for either inmate-on-inmate or staff-on-inmate assaults. For abusive sexual contact, being the victim of sexual crimes prior to the age of 18 and thinking gang activity was high in the institution were identified as risk factors for inmate-on-inmate victimization, while only inmate age (young) was identified as a significant predictor for staff-on-inmate victimization. The risk factors for inmate-on-inmate assaults for any sexual victimization included being the victim of sexual crimes prior to the age of 18 and thinking gang activity was high in the institution. The only characteristic identified for staff-on-inmate victimization for any sexual victimization was higher levels of education.

The findings of this research study were similar to those of prior research which showed lower rates of sexual assaults and a higher rate of abusive sexual contact. Distinct characteristics were found among facilities that elevate the risk of being sexually victimized. Prison staff must learn how to identify and classify inmates who are at risk for sexual violence in the same way they classify inmates regarding their risk of assaulting someone or harming themselves. The authors argue that to reduce incidents of sexual assault and victimization in prisons certain issues must be addressed including: reliably measuring the frequency with which sexual victimization occurs and the reasons why it takes place; identifying inmates who are most at risk for sexual victimization; minimizing at risk inmates’ contact with inmates who have predatory tendencies; and training staff regarding “zero tolerance” so they understand their duties in the monitoring and prevention of sexual victimization.

Sexual assault and its prevalence in prison remains one of the most complex and misunderstood issues facing prison officials, policy makers, and social science researchers today. Few systematic studies have examined sexual violence inside correctional facilities, thus making the magnitude of the problem very difficult to accurately measure. According to Gaes and Goldberg (2004), prior studies of sexual violence inside correctional facilities have found widely varying results and contain a large number of methodological inconsistencies (Zweig, et al, 2006). Furthermore, Gaes and Goldberg (2004) report that the findings section of the Prison Rape Elimination Act of 2003 concluded that there has been an insufficient amount of research on this particular issue.

The detrimental effects and impact of sexual assault in prison are numerous. According to Gaes and Goldberg (2004), prison rape poses significant public safety risks. The spread of infectious diseases
such as hepatitis B and HIV is fostered by sexual assault in prison, as well as general prison violence and racial tension. Those who are sexually assaulted in prison may often have difficulty reintegrating back into society upon their release in addition to severe psychological distress. The victims of prison rape often experience physical and psychological difficulties that are accentuated by the prison environment, creating a deep sense of isolation for those inmates who are sexually assaulted (Zweig et al, 2006).

In response to growing national interest, prisoner rights concerns, and frustration over the lack of solid data on sexual violence in prison, The Prison Rape Elimination Act (PREA) was passed by the United States Congress and signed into law by President Bush in September 2003 (Zweig et al, 2006). Under PREA, a national standard of zero tolerance against sexual violence was mandated. This standard seeks to make sexual violence awareness, prevention, detection, and reduction one of the top priorities for each prison system in the United States (Gaes and Goldberg, 2004). In addition to the zero tolerance policy, PREA also calls for prisons to collect detailed incident reports pertaining to sexual violence and sexual assault, collect data on sexual violence based on a standardized set of definitions, and subsequently makes this information and knowledge available to correctional administrators. Furthermore, inmate security and safety accountability would be increased for each prison system (National Institute of Justice Staff, 2006).

In mid-2006, the Pennsylvania Department of Corrections (PADOC), in compliance with the requirements set forth from the PADOC 2004 PREA Grant, conducted the first of a series of studies focused on exploring the context of sexual assault in the system. The primary objectives of this initial study were to develop a prevalence estimate of sexual assault in our system, understand inmate and staff perspectives on prison sexual activity, and understand institutional/staff preparedness for dealing with issues pertaining to prison rape and sexual assault. Furthermore, the study served as an additional tool to complement information gained from other data sources on sexual assault in our system to determine those factors that put inmates at risk of being sexually assaulted while incarcerated (Zortman, et al, 2007).

**Methods**

Although there were three studies conducted on sexual assault in the PADOC (one completed and two in progress), the following article focuses specifically on the results of the completed first study. Between September and November 2006, a total of 1,230 inmates and 700 staff members were asked to participate in the study through the utilization of an anonymous, self-report survey. The self-report survey instrument included demographic questions, personal history dealing with prior sexual abuse, perceptions of sexual assault in prison, and personal experience with sexual activity in prison. Two separate surveys were created, one for inmates and one for staff, with the inmate survey being slightly longer.

Although there were two separate inmate samples utilized in this study (see following paragraph), the inmate surveys distributed to the samples did not differ in content. In addition, a survey cross-reference was created in order to examine and analyze questions on each survey that corresponded with one another, specifically those questions dealing with demographics and perceptions.
Furthermore, prior to the creation of the staff and inmate surveys, an agreed upon definition of sexual assault was established in order to avoid any disparities or confusion during the subsequent analysis phase of the study (Zortman et al, 2007).

Of the 1,230 inmates, 800 were randomly selected and 430 were labeled as “targeted.” The targeted sample of inmates were those who had received a “charge 19 sexual misconduct” in 2005 or 2006. Our assumption was that inmates who have been identified as engaging in some sort of sexual misconduct may have different perspectives on the issue than a random sample of the general inmate population. Staff members were also randomly selected, and included a wide range of staff positions, including administrative, maintenance, security, treatment, and clerical. All 26 state correctional institutions were represented in the sample, including both female institutions. A contact person at each institution was identified and subsequently contacted by the researchers and given explicit instructions on how the surveys were to be distributed and returned. Inmates and staff were each given one week to complete the survey, and strict measures of confidentiality were utilized throughout the data collection process, such as having inmates complete the survey on an individual-only basis and within the allotted time frame of one week. Participation by inmates and staff was of course voluntary, and no incentives were provided. All survey responses were anonymous; respondents were not required to identify themselves.

In terms of analysis of the findings, particular attention was given to those questions that dealt with predicting sexual assault vulnerability and perceptions of sexual assault in order to generate a better understanding of future risk assessment. In addition to examining quantitative data, qualitative analysis was conducted by examining the comments and concerns section of each survey that was returned to the researchers.

Findings

This survey generated a respectable response rate: responses were received from 59% of the randomly selected inmate group, 36% of the targeted inmate group, and 65% of the staff group. Of the 632 inmates who responded (combined random and targeted), a total of 9% (16% targeted and 7% random) reported being pressured or forced to have sex against their will at some point while incarcerated, while 23% of all inmate respondents reported being touched in a sexual manner (49% targeted and 15% random). These findings are shown in Figure 1 below. Considering that a purely randomly drawn sample (i.e., excluding the respondents in our “targeted” category) represents the best point estimate of a system-wide prevalence of prison rape in our system, we find an estimated prevalence rate of 7% from this sample. However, this may be a high estimate. An internal review of inmate medical records that highlight rates of sexually transmitted diseases acquired within prison and injuries consistent with sexual assault would suggest a prevalence rate much lower than 7%. The “true” rate likely lies somewhere in-between.
Only 20% of inmates who reported that they were sexually assaulted while in prison indicated that they told someone else about the incident. Of the 80% who did not report the incident, reasons given for not reporting included: 34% “didn’t think it would do any good”, 32% said that “they were afraid of retaliation”, 19% “were embarrassed”, 11% “were concerned about possibly being transferred”, and 8% said that “they did not know who to tell.”

A critical component of this study was the measurement and comparison of the perceptions of sexual assault in prison by both inmates and staff. The comparison of what respondents believe is occurring as opposed to what is actually being reported is vital when developing policies and programs related to prison rape. Thus, both the inmate and staff survey instrument contained identical sections focusing specifically on perceptions, enabling the researchers to accurately measure any similarities or disparities between the two groups. One interesting finding was that respondents generally reported a higher *perception* of the prevalence of rape, compared to the actual reported rate of assault. Nearly 40% of all respondents felt that at least 20% of inmates are assaulted while in prison. Recall that our best estimate of the overall rate of actual reported assault as noted above was 7%. Thus, there appears to be a greater perception of rape than is supported by actual inmate self-reports.
of being assaulted. This divergence between “hearsay” evidence of rape and actual self-reported or officially documented incidents has also been noted in the broader prison rape literature.

A total of 80% of inmates and 76% of staff felt the majority of sexual activity in prison was consensual. The most commonly reported locations of perceived sexual assaults were cells, showers, and work locations, while the most common time of these occurrences is between 6pm and 6am. A particularly intriguing aspect of this study is the convergence of many perceptions between inmates and staff. Specifically, the two groups appear to agree that the vast majority of sexual activity in prison is consensual and that most sexual assaults are perpetrated by inmates and not staff. In addition, staff perceptions regarding characteristics that make an inmate vulnerable to sexual assault, as well as those that make an inmate most likely to perpetrate a sexual assault, were comparable to inmate perceptions. Findings regarding these risk factors are summarized in Figure 2 below.

**FIGURE 2: Perceptions of Inmates Most Likely to Become a Victim of Sexual Assault**

![Figure 2: Perceptions of Inmates Most Likely to Become a Victim of Sexual Assault](image)

Although inmate and staff perceptions were similar, many of these perceptions were found to be incongruent with actual reported experiences. From the empirical results (i.e., a step-wise logistical regression model), three factors emerged as significant predictors of which inmates are at the greatest risk of being sexually assaulted in prison: 1) the overall length of time served in prison, 2) having previously engaged in consensual or willing sexual activities in prison, and 3) having committed a violent sexual act against a female at some time before being incarcerated. Inmates having served at least five years and scoring yes on the other two predictors have a 62% predicted probability of being sexually assaulted.

In addition to some seeming perceptual inaccuracies among study respondents, there were various other findings that were equally interesting: 17% of all inmate respondents (45% of targeted inmates) reported having participated in consensual sexual activity in prison, 15% reported having
been in a romantic relationship in prison (40% of targeted inmates), 10% of those in both inmate samples who reported being in a romantic relationship in prison claimed that their relationship was with a staff member, and while no staff members reported having ever engaged in sexual activity with an inmate, 42% of staff and 41% of inmates reported hearing or knowing about a relationship or sexual activity between an inmate and staff member. Again, it is difficult to determine whether these reports reflect actual documentable knowledge of real events, or the sort of hearsay evidence noted above. More research clearly in needed on perceptions of prison rape in relation to actual reported or documented incidents, as this has important implications for both inmate and staff feelings of safety within the prison environment.

Some final questions from the staff survey focused exclusively on staff perceptions of safety in the workplace and preparedness of their institution in dealing with incidences of sexual assault. Nearly two-thirds of staff respondents felt “safe” to “very safe” from a sexual assault in their institution, while only 2% felt “unsafe.” Again, nearly two-thirds also indicated that their institution did an above average job in preventing, reporting, treating, and prosecuting known cases of sexual assault, while 91% indicated that their institution had adequate resources for providing proper safety and security to inmates in relation to sexual assault. Moreover, 89% of staff reported having been educated, informed, or received training from the PADOC on issues of prison rape and sexual assault.

Conclusion

It is important to note that the overall prevalence estimate that was found in this study is comparable with prior research conducted on this issue. The overall estimate of 7% is most likely a high estimate once the limitations of the study are taken into consideration. Given the common public perception that rape and sexual assault occur quite frequently in prison, this relatively low prevalence rate is encouraging. However, it is equally important to note that any level of sexual assault must be taken seriously and addressed with the utmost concern.

In stark contrast to several other empirical studies on sexual assault in prison, those variables which have been shown to be the “traditional” predictors of sexual assault victimization, such as race, age, and physical stature, proved to be largely inconsequential in this study. It could be argued that traditional prison rape stereotypes do exist, but the majority of these notions are perceptions which may not reflect real events within any given prison. Both inmate and staff perceptions did not necessarily mirror actual reported context of sexual activity in prison. Based on the findings in this study, sexual assaults appear to be non-exclusive to one particular race, faction, or age group. The researchers suggest that it is possible that the stereotypes regarding sexual assault vulnerability predictors may be accentuated and reinforced from influences portrayed in the mass media and over-dramatized historical accounts. Consequently, prison rape and sexual assault may be a policy area that at present is driven more by perception than by evidence (Zortman et al, 2007).

There are several possible explanations behind those variables which were shown to be significant factors in predicting sexual assault victimization. The first predictive factor (length of time in prison) suggests that the longer the period of time an inmate serves, the probability that he or she becomes a
sexual assault victim increases significantly. Essentially, the passage of time puts an inmate at risk. In addition, certain behaviors in prison can work to increase the risk of being sexually assaulted. Engaging in consensual sexual relationships in prison was a significant predictor, as well. However, this brings into question the consensual nature of the sexual relationship in prison in the first place, which is an area consumed by controversy and little empirical data. Future examination of this variable may be vital to understanding a large segment of sexual assault victimization in prison.

Theoretical explanations for the third predictive variable (having committed a violent sexual act against a female prior to incarceration) should also be explored in the future. An inmate who has committed this type of crime could be at an increased risk of sexual victimization while incarcerated due to the notion that other inmates may want to “punish” the inmate for an act that they feel is a condemned act in the prison subculture. Since some inmates may sympathize with the female victim through visualizations of their own mother, daughter, or sister, they feel that they must disrespect and vicariously harm the offender who committed the crime through their own form of “justice.” However, this study found no evidence that pedophiles were more likely to be sexually assaulted in prison, which would seem to counter this theory. As a result, additional research and further explanations are needed (Zortman et al, 2007).

Based on this study, there may be two specific types of sexual perpetrators in prison: those who are homosexual and “willing” participants, and those who are heterosexual and vengeful. However, the limitations of the study must be taken into careful consideration. One limitation is that the data collected by this study is all self-reported through an anonymous, self-administered survey. One could argue that inmates might exaggerate rates of victimization to elicit sympathy, or fail to disclose actual victimization due to embarrassment. We felt that the latter was a particularly important consideration, and concluded that inmates would be more likely to report victimization where they could have complete anonymity than if they were being asked very sensitive questions by a stranger in an interview setting. Thus, while one loses the opportunity for probing and follow-up, we felt that a self-administered questionnaire was the best means of eliciting candid disclosures.

Perhaps the greatest limitation centered on the ambiguity of the primary survey question used for gauging our sexual assault prevalence estimate. Question # 25 of the inmate survey reads: “at any time while you were in prison, has anyone ever pressured or forced you to have sex against your will?” Potentially, an inmate could feel “pressured” to have sex with another inmate due to a past debt or some other circumstance. Ultimately, they may consensually agree to the sexual act without being physically forced to engage. Given the limitation of our primary survey question for gauging an accurate prevalence estimate, the overall percentage of 7% may be upwardly biased to an unspecified degree. As a result of this ambiguity, the PADOC decided to devote the overall scope of a second, follow-up study to address the limitation listed above. Recently, a shorter, more direct survey was developed to further separate consensual sexual activity from physically forced sexual activity in order to refine a more precise prevalence estimate of sexual assault in prison. Furthermore, the PADOC has also developed and distributed a third survey focused exclusively on sexual assault inside Community Corrections Centers and Facilities across the Commonwealth. Through the utilization of a Community Corrections sample, the PADOC will gain another source of information on those most likely to be victimized in prison, refine the sexual assault prevalence.
estimate even further, and gather further information on risk factors identifying those who are most likely to perpetrate a sexual assault in prison.

Sexual assault in prison is an issue that cannot be ignored until it is completely eliminated. The low prevalence rate found through this study is encouraging, but further planning, cooperation, and careful strategies must be utilized in order to fully address this issue. The Pennsylvania Board of Probation and Parole (PBPP) is planning to conduct a separate survey or prison sexual assault among a sample of ex-offenders currently on parole in the community. In combination with the already rich dataset from this study, the PBPP study will provide an interesting companion piece to further understand this sensitive issue. Additionally, the PADOC is focusing resources on an evidence-based approach for controlling sexual assaults, utilizing such tools as the Web-enabled Temporal Analysis System in order to monitor sexual assault trends and determine the impact of departmental policy on these trends. While this study has generated a solid foundation to build upon, other jurisdictions and researchers must join us in exploring issues of sexual assault in order to gain additional knowledge and eliminate future incidents inside correctional facilities.

References


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