



Written by [Beverly K. Eakman](#) on July 13, 2009

## American Idle: Stopping the “Prison Rape” Epidemic

The FBI releases annual crime statistics in its Uniform Crime Report, comparing the yearly percentage points for various crime categories. Great glee typically accompanies a drop of two or three percentage points for crimes like rape and murder, but the numbers invariably go back up, surpassing even the best years. Reductions never reach, say, 25 percent in any category, which is the break point for anything noticeable to average citizens.



I first became aware of the ubiquitous nature of sexual assault among inmates when I was detailed briefly to the Office for Civil Rights, an agency within the U.S. Department of Justice where I worked for 12 years. Inmates wrote begging for help. At the time, this was not the type of “civil rights” the office wanted to pursue, and I left shortly before President George W. Bush signed the Prison Rape Elimination Act, which was predictably useless.

The inmates’ letters, however, made an impression. It was clear that confinement *per se* was of less concern to the typical convict than the fear of what other inmates would do to them. Oh, there were complaints about poor heating and cooling, unequal treatment, unappetizing food, noise, and the like. But to imagine all inmates being constantly on alert for sexual predators, with correctional officers looking the other way, was, well, unimaginable. So I asked what I thought was a sensible question: “Whatever happened to ‘hard labor’?”

You’d have thought I was suggesting exile to Siberia in sub-zero winter. We were a civilized nation, I was told — and besides, it violated labor laws.

Come again?

Yes, laws against forced labor. And against public-works contractor laws in particular. Unions leaders were mostly unfriendly to the idea because “in theory, any prison job that involves good training and skills could eventually threaten free-world employment. And any well-manufactured prison product could end up undercutting sales of a small company,” wrote freelance investigative reporter, Reese Erlich, in “[Workin’ for the Man](#),” portions of which appeared in *Solidarity* (a UAW publication) as well as a PBS-TV documentary, “Prison Labor/Prison Blues,” which Erlich co-produced.

It turns out, however, that some union bosses put the good of the country first. Erlich cited Jack Buckhorn, training director for an International Brotherhood of Electrical Workers program at San Quentin Prison. He told Erlich he wanted to help “break the cycle of crime, prison, parole and crime again.” Apparently, the program was successful. “Of the inmates who continued the program after



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release,” wrote Erlich, “90 percent stayed out of prison,” whereas in most U.S. prisons “over half the ex-cons return within three years.” Erlich went on to provide copious examples of work programs, ranging from assembly of circuit board to eyeglasses.

What remains unclear is how many of these successful (albeit small-scale) programs include violent convicts.

According to Ehrlich (and historians like Dr. Paul Lucko), the reluctance to initiate prison labor programs goes back to the 1800s, “when prisoners were leased out to plantation and factory owners. Guards whipped inmates for failing to meet quotas [and] for other work infractions.” Such conditions led to the Coal Creek Rebellion in 1891-92 in Briceville, Tennessee, and African-Americans bore the biggest brunt of maltreatment, which mimicked slavery.

Yet, here we are in the 21st century with older convicts scared to death of younger, incoming inmates who, by all accounts, are considerably more vicious than their predecessors. Old-timers who had grown fairly accustomed to life behind bars and had resigned themselves to a prison environment — with its rudimentary, but free, medical care, food and housing — are suddenly anxious, even desperate, to escape, even if it means sleeping on the street.

How is it that a “progressive” society like ours cannot control its prison population? If our government cannot subdue even its hardened criminals, should we expect it to protect us from terrorists and rogue regimes armed with nukes?

Prison work programs aimed at transmitting skills and rehabilitation are praiseworthy, of course. But they are not solving the problem of inmate sexual assault. Nor are exercise yards, access to religious services, TV, and recreation centers.

“Idle hands” and idle minds equal trouble, especially in overcrowded prisons. Most inmates are between the ages of 18 and 41, with loads of energy and no place to exhaust it. Arizona and Alabama have been criticized for reintroducing chain gangs, but most of their prisoners are sufficiently tired at the end of a day to be amenable upon returning to their cells.

Critics love to trot out ridiculous extremes — whippings, quotas, withholding food and water, forcing the sick and injured into back-breaking work, etc. They overlook the brutishness of today’s violent offenders — immature adults raised mostly without fathers, nurtured on cruelty and lurid video games, barely literate, their role models appalling characters like Eminem and Britney Spears. They typically have a history of run-ins with police, become emboldened by the lack of unpleasant consequences, are coddled by mental health “professionals,” and, thanks to ethically challenged defense attorneys, learn how to “play the system.”

Meanwhile, child “experts” have doled out counterproductive parenting advice for 40 years, while greedy corporate moguls market vulgar clothes, games, and lyrics to children. All this has combined to produce the highest per capita prison population in the free world. Correctional officers are so afraid of the inmates that they cannot maintain control, let alone “correct,” structure, regiment, or discipline their charges.

One can deplore sexual assault, both in prison and society at large, and make a show of forming task forces against it (e.g., National Prison Rape Elimination Commission). But nothing will improve until policymakers send two messages: (1) that rape is, in fact, torture and fraught with societal consequences, including AIDS; and (2) that prison is neither “glamorous” nor a “rite of passage.” Legislators must also revisit the issue of “speedy trial”; convicts should not be sitting on death row for a



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decade.

If we really intend to stop inmate rape, we cannot treat prison time like summer camp. A strict regimen should be imposed, including a military-style cleanliness mentality; “no talking” and “no touch” rules in cafeterias and common areas; no cursing, shoving, or other outbursts; and large doses of latrine duty for infractions. Radios and iPods should not be permitted, as doing so today invites a type of “music” that is awash in sadistic, provocative lyrics that stressed inmates don’t need. Television should be a well-monitored privilege, not a “right.” Video games should be banned, as the kinds inmates favor are of the prurient variety. All material and mail should be prescreened for raw violence and pornography.

Finally, hard labor should be reinstated across the board. If this nation’s infrastructure is truly falling apart, as the president and Congress insist, then there are plenty of jobs not taken.

The bottom line is, if it is not unreasonable to ask taxpayers to subsidize a convict’s medical care, housing, food, and recreation — a tax-free haven for those who have preyed upon law-abiding citizens — then it is not unreasonable to ask those same offenders to “give back,” with zero payment. In the process, we may save thousands of inmates from sexual assault, by reining in the oversupply of idleness of those in confinement.

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