

March 3, 2022

**Written Testimony by Sanctuary for Families  
Submitted for the Public Hearing on Sexual Assault in the Prison System  
Senate Standing Committee on Crime Victims, Crime, and Corrections  
Senate Standing Committee on Ethics and Internal Governance**

Sanctuary for Families (“Sanctuary”) is New York’s leading service provider and advocate for survivors of domestic violence, sex trafficking, and related forms of gender violence. Sanctuary provides holistic, multidisciplinary clinical, and legal services to nearly 9,000 survivors of domestic violence, sex trafficking and related forms of gender-based violence every year. Sanctuary’s services include: counseling by experts in trauma-focused therapies; secure and confidentially-located shelters; and a pioneering Economic Empowerment Program that provides career-readiness and technology training for survivors. Sanctuary’s legal department, CBWLS, is the largest dedicated legal services provider for gender violence survivors in the country and provides survivors with high-quality, culturally-sensitive legal representation in areas including: family, criminal, civil rights, public benefits, housing, and immigration. Of particular relevance to this hearing, through Sanctuary’s Incarcerated Gender Violence Survivors Initiative (“IGVSI”), we directly represent and assist survivors of gender violence who are currently incarcerated in New York State’s women’s prisons.

Wide-spread sexual assault in the New York women’s prison system is a stain on our state’s commitment to protect our most vulnerable populations. We would like to respectfully submit the story of a client who recently experienced the trauma of sexual assault in the prison system, the retaliation that often follows from it, and the added trauma of having her reports ignored by those charged with ensuring her safety, to illustrate the horrors of sexual assault in prison. Unfortunately, her story is far from unique, and many other incarcerated women have similar stories.

Alice<sup>1</sup>, a Black woman in her 40’s, has been incarcerated at Bedford Hills Correctional Facility for approximately ten years. Like many incarcerated women, Alice suffered through a lifetime of severe physical, sexual, and psychological abuse at the hands of family members and a series of intimate partners before her incarceration. Among other things, she was beaten unconscious, threatened with guns, and cut with broken glass. She was ultimately convicted of second-degree murder in connection with the death of one abusive partner, who would beat her and choke her to the point of unconsciousness – a primary lethality factor in domestic abuse. Despite all of this trauma, she has used her time at Bedford Hills to engage in educational opportunities and is currently taking college courses. Most importantly, Alice is a mother and grandmother who maintains a close relationship with her family.

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*\*in memoriam*

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<sup>1</sup> Our client’s name has been changed to protect her privacy.

In late 2018, Alice was residing on the Bedford Hills “honor floor” – a unit reserved for inmates who have demonstrated exemplary behavior. One evening around 5 pm, a corrections officer ordered her to report to an isolated building in the prison complex. She found the request odd because she did not have any appointments in that building; she asked for an explanation but received none. She went to the building as instructed. Upon arriving there, she found the hallways empty. A man’s voice called out to her and directed her to a back room. Upon entering, Alice was confronted by a supervisory officer, who was waiting for her with his penis already exposed. The officer grabbed Alice and pushed her against a desk. Because of her Muslim faith, she was wearing a long skirt. The officer pulled up her skirt and began to rape her. Only footsteps in the hallway brought the assault to an end. Alice ran back to her unit. Shortly thereafter, Alice attended a scheduled medical exam, at which the prison doctor diagnosed her with a sexually transmitted disease and prescribed medication to treat it.

Alice made every attempt to report the sexual assault and to initiate an investigation. She sent her medical records and a letter describing the assault to prison officials. She filed a grievance and sent additional letters. She reported the assault to her assigned therapist. However, without a meaningful investigation, Alice’s reports were dismissed.

As a result of her reports, Alice became the target of a retaliation campaign orchestrated by her abuser and carried out by him and other officers. This included both verbal harassment and physical violence, such as slamming her hands and arms in heavy prison doors and forcing her to pick up a pot of boiling water with her bare hands. Alice was even removed from the “honor floor” and was forced to serve extended periods in both solitary confinement and in units where unsanitary living conditions and inmate violence were prevalent. This retaliation campaign is ongoing and has reached the point where Alice fears leaving her unit. Alice has also stopped wearing long skirts, despite her enduring Muslim faith, because she believes they make her an easier target for rape by corrections officers.

Horribly, Alice’s experience is not an isolated incident. Through our work with clients, we have found that sexual assault in New York women’s prisons has become normalized. A recent federal civil rights action filed against the New York State Department of Corrections and Community Supervision (“DOCCS”) and numerous individuals, including Acting Commissioner Anthony J. Annucci, noted that Bedford Hills in particular “has among the highest rate of allegations of sexual victimization relative to the other DOCCS facilities. DOCCS reported in its May 2020 ‘Annual Report on Sexual Victimization 2013-2017’ that, of all the allegations of sexual victimization reported within DOCCS facilities, 22 took place at [Bedford Hills] in 2013, 40 in 2014, 39 in 2015, 33 in 2016 and 21 in 2017.5 At [Bedford Hills] alone, from 2009 to 2017 there were criminal charges of rape filed against nine different corrections staff members.” (*Smith v. Annucci, et. al*, 1:21-CV-01715-RA-OTW, Docket No. 85, July 15, 2021.) In addition, the same complaint notes that “[i]n its 2020 Report,

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DOCCS reported that [its Office of Special Investigations] received 277 complaints of staff-on-inmate sexual abuse and harassment in 2013, 387 such complaints in 2014, 440 such complaints in 2015, 336 such complaints in 2016, 296 such complaints in 2017 and 400 such complaints in 2018.” (*Id.*)

This pattern of sexual assault of incarcerated women should not be allowed to persist in New York’s women’s prisons. Incidents of sexual assault, retaliation, and inaction by the system demonstrate a lack of oversight and accountability. DOCCS leadership has long been aware of an egregious pattern of prison rape and has done little to prevent it or hold perpetrators accountable. This is unacceptable. We sincerely hope that this public hearing will spur necessary and long-overdue change.

Respectfully submitted,

*/s/ Dorchen Leidholdt*

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*/s/ Ross Kramer*

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