



Amnesty International

Orange County

GROUP 141 ORANGE • GROUP 175 LONG BEACH
GROUP 178 IRVINE • GROUP 596 HUNTINGTON BEACH

March 2006

<http://www.aiusaoc.org>

USA: States Fail to Protect Women from Sexual Misconduct in Prison

This article is taken from an March 1, 2006 AIUSA press release.

Many states fail to adequately protect incarcerated women from sexual misconduct at the hands of corrections staff and allow the dangerous practice of shackling inmates during the third trimester of pregnancy—including during labor and delivery, Amnesty International USA said in a report released at the start of Women's History Month.

The report, *Abuse of Women in Custody: Sexual Misconduct and Shackling of Pregnant Women*, examines the current laws, policies and practices in all 50 states, the District of Columbia and the U.S. Bureau of Prisons regarding custodial sexual misconduct (CSM) and the shackling of inmates who are pregnant or giving birth. The report, an update to a 2001 AIUSA report, finds that while great strides have been made—following the campaigns of AIUSA and others, now only Vermont lacks a law protecting women from custodial sexual misconduct, as compared with five states in 2001 and 14 in 1999—few states provide thorough legal or administrative protection to women in custody.

The report also finds that nearly half (at least 23) of the states and the Federal Bureau of Prisons have policies or practices allowing women to be restrained during labor; thirty eight states and the Federal Bureau of Prisons may use restraints on pregnant women in the third trimester. As part of its ongoing Stop Violence Against Women Campaign, AIUSA will mobilize its activists to combat the practice of shackling or otherwise restraining women during pregnancy and labor, beginning with a focus on six states—Alabama, Arizona, Arkansas, Delaware, Maine and Ohio—and the Federal Bureau of Prisons.

"Incarceration is not a green light for correctional staff to mete out punishments that rob women of their dignity and human rights," said Dr. William F. Schulz, Executive Director of AIUSA. "When a woman can be held criminally liable for sex with a guard, or when a guard can claim consent as a defense, it demonstrates a horrible misuse of power. Furthermore, restraining a woman in the throes of labor endangers her and the child she is carrying. All correctional facilities should review their legislation and policies to ensure that they are protecting women inmates."

To highlight the importance of legislation and policies regarding misconduct in prisons, the report documents numerous cases and allegations of abuse, including:

- Samantha Luther allegedly was taken from Wisconsin's Taycheedah Correctional Institution to the hospital in

handcuffs and leg shackles and informed that, though two weeks from her due date, labor was to be induced. Reportedly she was kept in shackles, leaving 18 inches between her ankles, and told to pace the hallway for several hours. "It was so humiliating. My ankles were raw," Luther said. "I had shackles on up until the baby was coming out and then they took them off for me to push . . . It was unbelievable. Like I was going to go anywhere."

- In Southern Nevada Women's Correctional Facility, former prison guard Randy Easter was indicted for his sexual relationship with inmate Korinda Martin, who reportedly gave birth to his son. Martin herself was indicted and faced one count of voluntary sexual conduct between an inmate and another person. Easter claimed the relations were consensual. Martin denied this, and filed a federal lawsuit asserting that consensual sex between guards and inmates isn't possible due to the inherent power inequity. The case was dismissed for lacking merit.

Only seven states have statutes against custodial sexual misconduct that address Amnesty International's major concerns, though this is an improvement from 2001, when only Oklahoma did so. According to the new AIUSA report, four states still permit holding an inmate criminally liable for engaging in sexual conduct with a prison official—Arizona, California, Delaware and Nevada. Arizona doesn't take into account the inmate's lack of consent, so even an inmate who was raped could be charged under the law. In California, inmates may be penalized for oral sex or sodomy. In Delaware and Nevada, the statutes call for punishment of the inmate if he or she is unable to prove rape.

More than half of state statutes allow for cross-gender "pat-down" searches under certain circumstances; only Minnesota, New Mexico and South Dakota prohibit them. Many states say they try to limit the use of cross-gender searches or the presence of male guards working in female restrooms. However, 12 states do not limit the practice of cross-gender searches, and Tennessee and the Federal Bureau of Prisons do not put any restrictions at all on the duties of male guards.

"While there is no question that progress has been made in changing the laws that govern inappropriate sexual contact between guards and inmates, clearly there is more to be done," said Sheila Dauer, director of AIUSA's Women's Human Rights Program. "We are still a long way from having truly comprehensive protection for all incarcerated women in this country, including during pregnancy, labor, delivery and recovery."

February Meeting Minutes

Group #141 Orange

Attendees

Ravi Alexander, Rukshana Alexander, Jeannine Christensen, Deidre Gaffney, Kevin Gaffney, Cathleen Kilgallen, Josh Pava, Ernie Solheid.

Letter-Writing Actions

The group sent a total of 48 letters to Nepal (calling for the release of political and civil rights activists), Mexico (calling for protection for human rights defenders), and the United States (dealing with force-feeding Guantánamo hunger strikers, the UN Human Rights Council, and executions of the mentally ill).

AI Orange County Website

Jacques Kilchoër is working with a website designer to update and improve the AI Orange County website. We discussed what we would like to include on our section of the site.

Fundraising

Kevin is going to look into a fundraising opportunity involving staffing a food booth at the Home Depot Center in Carson. In return, the group would receive 10% of the proceeds from the booth's sales. The only slight hitch might be Kevin's adamant refusal to serve anyone Budweiser.

Artists Village Tabling

The group is planning to table in an upcoming month at the Santa Ana Artist's Walk, held the first Saturday of each month. Jeannine was going to look into June 3 since this is the anniversary of the Tianamen Square massacre.

Initiatives Fund Committee

Kevin mentioned that Kris Brady is stepping down from the Initiatives Fund Committee, which distributes funding for various AI events and activities. Anyone who has an interest in serving on the committee can contact Kris at kris.simply@yahoo.com for information.

Outfront Coordinator

Cathleen talked about Amnesty's current Outfront Campaign efforts to have local groups contact their police agencies to sign a pledge affirming their commitment to combat discrimination and violence against LGBT people. Darlene Adler, who is the Outfront Coordinator for the state, is visiting local groups as part of this effort.

February Meeting Minutes

Group #175 Long Beach

Attendees

Mary Kay Dunn, Norma Edwards, Bobbi Kendig, Cathleen Kilgallen, Elizabeth Petras, Jim Roberts, Naomi Steinfeld, Steve Wicke

Myanmar

The government is refusing to negotiate with the opposition. Surprisingly (given past actions), the democracy movement in Myanmar has proposed a détente of sorts where they will recognize the government as part of a national reconciliation on the road to civilian government. Still no good for the generals though.

Torture Campaign

Mary Kay brought us a copy of an L.A. Times editorial calling for the closure of Guantanamo Bay. Steve mentioned that the Red Cross has brought attention to the issue of force-feeding at Guantanamo, which many groups consider a form of torture. He also mentioned a British film called *Road to Guantánamo*, which received great acclaim at the Berlin Film Festival. "The true story of four British Muslim boys who go to Pakistan for a wedding and end up in Cuba as tortured prisoners of the U.S. Army . . . retold as a modern horror story." It's not yet available in the U.S. Steve also lamented that no soldiers have been prosecuted in Afghanistan for maltreating prisoners, and a top person at the CIA was reportedly fired/pushed out for opposing torture.

Letter-Writing

The group sent 44 letters and two postcards.

February Meeting Minutes

Group #178 Irvine

Great-American Write-In

We discussed the Great-American Write-In. The tabling schedule looks like the following: 9:00–11:30 AM (Deidre and Kris), 9:30–11:30 am (Cathleen), 11:30 am–1:30 PM (Jacques). We will have 3–4 letters there for everyone to sign. If anyone else who is going wants to table please do as this will give everyone a chance to walk around and enjoy the event.

Website

Jacques shared with us the progress on the Orange County website. We're real excited. We decided on forest green for the Irvine Group's background color as opposed to Jacques's suggestion of beige. If he wanted to keep beige there would have been a rebellion. Yes, of all 3 of us. The other groups are having their discussions on this website as well and we're looking forward to see how it turns out.

Group Business

There are several events that the Irvine group would like to still do. We are going to contact the UCI group to see if they want to lead some of these as we have few members now and limited resources. We also will be looking to see if other groups want to participate. Some of the events include having Reverend James Lawson (civil rights activist and speaker on using non-violence for change) do a one-day workshop in October at UCI, and having Pat (Middle East Co-Group and Syrian Country Specialist) come out to speak in September.

Right now we are focusing on recruiting new members and dividing out group responsibilities. Then we will take on these events.

Looking Back on 12 Years

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You'll hear from me once or twice more before I leave but it's not too early to attest that it has been an honor to be a part of such an enterprise. In one form or another, I trust I always will be.

William Schulz
Executive Director

Great American Write-In

The 21st annual Great American Write-In will be held on Saturday, March 11, 9:30 AM–1:00 PM. The Great American Write-In is sponsored by Women For: Orange County in cooperation with dozens of organization, including Amnesty International, the United Nations Association, and the League of Women Voters. At the Write-In, participants can meet representatives of local and national advocacy groups, learn about vital issues, and write to decision makers.

The Write-In will be held at Lakeview Senior Center, Woodbridge Community Park, off of Lake Road, between Barranca and Alton Parkways in Irvine. Admission, parking, and refreshments are all free! For more information, contact Ruth Gluck at (949) 581-3938 or Elaine Booth at (949) 654-0006.

Southern California Mini-Conference

The 5th Southern California Amnesty Mini-Conference will be held on Saturday, March 25, 9:00 AM–5:30 PM at the California State University, Fullerton campus. There will be a continental breakfast at 9:00 AM. Admission is free and there is no pre-registration required.

The conference will feature invited speakers, workshops, and caucuses. Some of the tentative workshop topics are: Death Penalty, Sexual Violence Against Women Campaign, Introduction to Amnesty International, Making AI Meetings and Events Interesting, Outfront LGBT Campaign, Legislative Action with a War on Terror/Il-treatment-Torture Focus, Corporate Action Network, Economic, Social and Cultural Rights, Juvenile Justice, and BorderIssues.

If you need flyers or a map please contact the Los Angeles office at (310) 815-0450.

Directions

- Cal State Fullerton is located west of the Orange (57) Freeway in Fullerton. The university is bordered by Nutwood Avenue to the south, State College Boulevard to the west, Yorba Linda Boulevard to the north, and the 57 Freeway to the east. For a map, visit <http://www.fullerton.edu/campusmap>.
- Coming from either the south or the north on the 57 Freeway, exit at Nutwood Avenue. Go west on Nutwood. Turn right at the main campus entrance at Commonwealth Avenue. Follow E. Campus Drive through the construction zone to Parking Lot F.
- Follow the signs to University Hall. The registration desk will be outside University Hall Room 252 at the south end of the building on the 2nd floor. There are stairs outside and an elevator inside the building leading to the registration area.

From the Executive Director Looking Back on 12 Years

As I approach the last few months of my tenure as Executive Director (my last day is April 19), it is tempting to reflect on all that has happened in the human rights world and within Amnesty over the past 12 years. When I arrived in 1994, there

was no International Criminal Court, no Truth and Reconciliation Commission in South Africa; Liberia was in the middle of a vicious civil war; bombs were still going off in Northern Ireland; the principle of “sovereign immunity” continued to protect brutal dictators like Augusto Pinochet from prosecution; and the United States was still executing juveniles and the mentally retarded.

All that has changed, and for the better. (I claim no credit.) To take just one example, when I participated in an Amnesty mission to Liberia in 1997, one would have gotten better odds that Charles Taylor (that country’s leading warlord) would take vows of chastity and humility than that eight years later that ravaged country would elect Africa’s first woman president in a relatively peaceful election.

Hard as it is to see sometimes, so close are we to the front lines, human rights are taken far more seriously today than they were a decade ago in most parts of the world. Of course in 1994 the United States was not the world’s human rights pariah that it is today, but then even here a resolution before Congress outlawing the cruel, inhuman and degrading treatment of detainees garners overwhelming support from both parties.

And the changes within Amnesty have been equally as far-ranging. Twelve years ago AIUSA was not permitted, with a few noticeable exceptions, to work on rights issues in our own country. Today we have a whole program devoted to such issues as racial profiling, police brutality, mistreatment of prisoners, etc. in the United States. Twelve years ago Amnesty was reticent to collaborate with other organizations for fear it might taint our credibility in some way. Today we work regularly with everyone from housing advocates to the ACLU. And twelve years ago Amnesty would not touch violations of social, economic and cultural rights. But today the international movement is gearing up for its next international campaign which will be focused on exactly that. All these changes and many more have, I think, been very much for the good.

But it goes without saying that there remain profound challenges before us. Most notably, the slaughter in Darfur drags on even as the world proclaimed in 1994 and the years following that it would never permit another Rwanda. And the United States continues to carry out death sentences (the 1000th execution since the death penalty was reinstated here in 1977 occurred just a few weeks ago) in defiance of a worldwide trend toward abolition. Amnesty is needed as ever before.

Because the truth remains that governments commit human rights violations only because their citizens and the international community allow them to. As more and more folks at the grassroots level learn to understand and claim their rights (and one of the most positive developments of the past twelve years has been the burgeoning growth of indigenous human rights campaigners in almost every part of the world, from Uzbekistan to Cairo to Vietnam) and as international institutions grow stronger, human rights violations will inevitably start to decline. The Amnesty model of citizen campaigners, of a mobilized constituency for human rights, remains the world’s best hope for a gentle planet.

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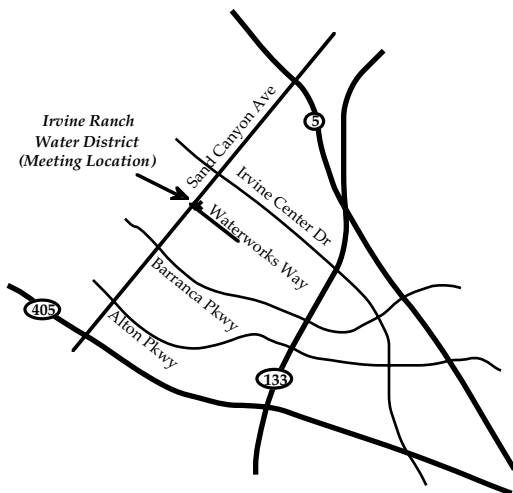
Calendar

March

11 Saturday 9:30 AM–1:00 PM
21st Annual Great American Write-In at Lakeview Senior Center, Woodbridge Community Park, off of Lake Road, between Barranca and Alton Parkways in Irvine. See the article on page 3 of this newsletter for further information.

21 Tuesday 7:00 PM
Group # 141 Orange Monthly Meeting in Classroom 3 at the Sisters of St. Joseph, 480 S. Batavia Street, in Orange. Look for the classroom/ auditorium building behind the main building. Drive around and to the back. Group #141 meets the third Tuesday of each month. For further information about the group, contact Kevin Gaffney at xhusker@aol.com.

22 Wednesday 7:00 PM
Group # 175 Long Beach Monthly Meeting at the Unitarian Universalist Church, Rooms 1 and 2, 5450 Atherton Street, Long Beach. Letter-writing from 7:00–7:30. For further information about the group, contact Norma Edwards at (562) 425-4353.

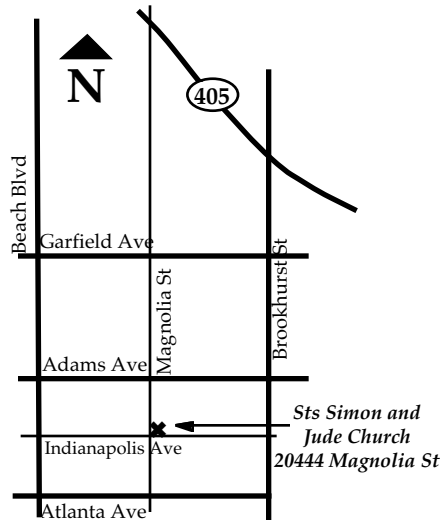


Group # 178 Irvine Meeting Location

25 Saturday 9:00 AM–5:30 PM
Southern California Mini-Conference on the campus of Cal State Fullerton. See the article on page 3 of this newsletter for further information.

27 Monday 7:00 PM
Group #596 Huntington Beach Meeting at Saints Simon and Jude Church, Adult Center, 20444 Magnolia Street in Huntington Beach. See details on the website <http://www.hbamnesty.com/main.htm>.

28 Tuesday 7:00 PM
Group #178 Irvine Monthly Meeting at the Irvine Ranch Water District, 15600 Sand Canyon Avenue, Irvine, between the 5 and 405 freeways. See details on the web page <http://www.aiusaoc.org>. For more information about the group, contact Glen Nielsen at nielsen-electric@cox.net.



Group # 596 Huntington Beach Location

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