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## Male Inmate-on-Inmate Sexual Assault: Characteristics Associated with Risk

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### ABSTRACT AND ARTICLE INFORMATION

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Sexual assault in prisons has received sporadic attention from researchers over the years, though The Prison Rape Elimination Act (PREA) of 2003 has drawn more attention to this problem in the past decade. This study contributes to the growing and more recent literature on characteristics associated with risk for sexual assault in prison. By using unique data and a novel analytic strategy, we examined perpetrator and victim characteristics associated with male inmate-on-inmate sexual assault. Whereas most studies of prison sexual assault have relied on victim data, we examined both perpetrator and victim data for all founded inmate-on-inmate sexual assaults that occurred in the Ohio prison system during a four year period. We compared perpetrators to victims, and both perpetrators and victims to a comparison group that was representative of the general prisoner population. This approach has not previously been used to our knowledge, and we found a number of clear patterns distinguishing perpetrators and victims from each other and from the comparison group.

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In 2001, Human Rights Watch issued a report entitled *No Escape: Male Rape in U.S. Prisons* (Mariner, 2001). This report highlighted the prevalence of sexual assault behind bars and underscored the United States' lack of national prison rape data. It also served as a catalyst for the Prison Rape Elimination Act (PREA) of 2003. PREA has driven fundamental policy changes and has led to an increase in prison rape research, thereby making it one of the most significant developments within

corrections in recent years (Tewksbury, 2010; Tewksbury & Connor, 2014a).

As noted by Human Rights Watch, PREA proponents, and a number of scholars, there are myriad reasons why sexual assault in prison should elicit increased concern. Consequences for victims can include various health problems (O'Donnell, 2004) and physical injuries (Guerino & Beck, 2011; Struckman-Johnson, Struckman-Johnson, Rucker, Bumby, & Donaldson, 1996; Wolff & Shi, 2009a). For instance, victims may experience post-Traumatic

Stress Disorder (Neal & Clements, 2010; Rowell-Cunsolo, Harrison, & Haile, 2014), cognitive challenges (Cotton & Groth, 1982), gender identity struggles (Mariner, 2000), fear (Wolff & Shi, 2009a), nervousness and depression (Struckman-Johnson et al., 1996; Wolff & Shi, 2009a), suicide (Struckman-Johnson & Struckman-Johnson, 2006), and being marked for repeated victimizations while still incarcerated (Cotton & Groth, 1982; Dumond, 1992; Mariner, 2000; Struckman-Johnson & Struckman-Johnson, 2006).

The occurrence of sexual assault evokes a culture of fear within many prisons (Bowker, 1980; Lockwood, 1980; Struckman-Johnson & Struckman-Johnson, 2000; Tewksbury, 1989a; Wooden & Parker, 1982). Some frightened prisoners may therefore engage in violence against attackers (Nacci, 1978) or undertake predatory behavior themselves in order to avoid looking weak (Nacci & Kane, 1984a; O'Donnell, 2004). Free society is jeopardized by prison rape as well, as victims who reenter the community may bring feelings of anger and vengeance (Cotton & Groth, 1982; Dumond, 1992; Mariner, 2000; O'Donnell, 2004; Struckman-Johnson et al., 1996; Weiss & Friar, 1974) and diseases transmitted through forced sexual contact (Restum, 2005; Wolff, Blitz, Shi, Bachman, & Siegel, 2006).

Prison rape is a detriment to those who live within and beyond prison walls, and its concomitant consequences can contribute to cycles of violence and recidivism (Lockwood, 1980). A better understanding of this form of violence is therefore needed. Toward this end, we examine perpetrator and victim characteristics associated with male inmate-on-inmate sexual assault. Our approach is unique in two ways. First, we draw from official prison records that contain information on both perpetrators and victims. Second, we compare perpetrators and victims to each other and also to the general prisoner population. By adopting this strategy of multiple comparisons, we are able to provide further insight into dynamics of inmate-on-inmate sexual assault that have traditionally been difficult to study.

### **Sexual Assault in Prison: Themes and Patterns**

Attention to prison rape has noticeably increased since PREA, but sexual assault in correctional facilities is by no means a new problem. When Stanley reflected on his time at the St. Charles School for Boys in the earlier 1900s in the classic book *The Jack Roller*, he recalled that “there was lots of sex perversions in the form of masturbation and sodomy committed in one of the cottages. The bullies would attack the younger boys in the dormitories and force

them to have relations” (Shaw, 1930, p. 69). Joseph Fishman noted similar instances of sexual coercion back in the 1930s in what became the first study of sex in prison (Fishman, 1934), and sexual exploitation was also referenced in the foundational works on prison culture from the 1940s and 1950s (Clemmer, 1940; Sykes, 1958). A recurring theme in these early studies was the victimization of the vulnerable by the strong, which is consistent with Stanley's firsthand account.

The first systematic examinations to focus specifically on sexual assault in correctional settings were carried out a few decades later, beginning with Davis' (1968) investigation of sexual assaults that occurred in the transport vans and jail system operated by the Philadelphia Sheriff. Additional formative studies were subsequently published in the 1970s and 1980s, including research on prisoners in New York (Lockwood, 1980), California (Wooden & Parker, 1982), Connecticut (Scacco, 1975), and the Federal Prison System (Nacci, 1978; Nacci & Kane, 1983; Nacci & Kane, 1984a; Nacci & Kane, 1984b). These pioneering works focused primarily on two goals that continue to drive much of the contemporary research on prison rape.

#### **Goal #1: Grasping the Scope of the Problem**

Although researchers have made several attempts over the last few decades to establish rates of sexual victimization in prison, a lack of agreement on prevalence persists (English & Heil, 2005; O'Donnell, 2004; Jones & Pratt, 2008; Tewksbury & Connor, 2014a). Davis' (1968) examination of the Philadelphia jail system and Jenness, Maxson, Matsuda, and Sumner's (2010) study of California prisons found prevalence rates of 4.7% and 4.4%, respectively, while Megargee (1976) and Lockwood (1980) each estimated that 30% of the prisoners they studied had experienced sexual pressure. Struckman-Johnson and Struckman-Johnson (2000) found that 21% of the prisoners they surveyed had experienced some form of sexual victimization, with 7% reporting that they had been raped.

A main challenge when establishing prevalence is that researchers have used varying operationalizations of sexual assault (Jones & Pratt, 2008; Wolff, Shi, Blitz, & Siegel, 2007). Definitions focused on forced sexual encounters (i.e. anal rape) yield lower estimates, while more expansive definitions that include unwanted touching, propositions, threats, and other coercive behaviors produce higher rates (Bowker, 1980; Wolff et al., 2006). Encounters involving outright force are more likely to be reported (Wolff & Shi, 2008) and have been focused on most by researchers, yet other forms of less overt perpetration are actually more common

(Struckman-Johnson & Struckman-Johnson, 2006; Warren, Jackson, Loper, & Burnette, 2010).

Additional reasons for divergent estimates include the use of different kinds of research methods and small, unrepresentative samples (Miller, 2009; Jones & Pratt, 2008; Saum, Surratt, Inciardi, & Bennett, 1995). Bearing these challenges in mind, the available quantitative data on prevalence indicate that sexual assault in prison is a relatively rare event (Austin, Fabelo, Gunter, & McGinnis, 2006; Fleisher & Krienert, 2009; Tewksbury, 1989b; Wolff et al., 2007). For instance, a well cited governmental report employing a broad definition of sexual assault and a national sample found that 2.1% of prisoners were sexually assaulted by other inmates over a twelve month period (Beck, Harrison, & Adams, 2007).<sup>1</sup>

Whereas scope has typically been examined using quantitative indicators of prevalence, an alternative approach is to look at the subjective context of sexual assault in prison. Sexual victimization is an overarching theme within the prison culture (Jones & Schmid, 1989; Smith & Batiuk, 1989). Fleisher & Krienert (2009) contend that prison rape is omnipresent in inmates' conversations and oral histories, despite the low rates of sexual victimization that are found in the quantitative data. The cultural emphasis on these crimes results in an exaggerated sense of sexual violence, which likely explains why prisoners have been found to overestimate the extent of these acts relative to their frequency in self-reports (Tewksbury, 1989b).

Prisoners studied by Wolff and Shi (2009b) reported feeling relatively safe while in prison. However, almost half of the prisoners studied by Warren and colleagues (2010) indicated that they did not think they were safe. Tewksbury (1989a) proposed that "perceptions and fear of sexual assaults may be of greater impact and much more common than the actual incidence rates of sexual assaults" (p. 62). Perceptions and fear ultimately cause inmates to feel vulnerable (Jones & Schmid, 1989), and, in turn, they may adopt tough personas (Smith & Batiuk, 1989) and develop proclivities toward violence (Nacci & Kane, 1984a; Warren et al., 2010). Despite the challenges of deciphering the true prevalence of sexual assault in prison, it is clear that the sheer notion of sexual assault is itself pervasive and consequential.

## **Goal #2: Identifying Characteristics Associated With Risk**

Researchers have also sought to identify common characteristics of perpetrators and victims of inmate-on-inmate sexual assault. Although this goal has received less emphasis when compared to

research on prevalence (English & Heil, 2005; Hensley, Tewksbury, & Castle, 2003; Tewksbury & West, 2000), it has similarly been debated over the years and has garnered more recent attention due to PREA (Wolff et al., 2007). To the extent it is possible to distinguish factors associated with risk, there is the potential to develop more effective prevention strategies and prison policies (Tewksbury & Connor, 2014a). We therefore focus on this second goal in this study by examining perpetrators and victims of inmate-on-inmate sexual assault in men's prisons.

## **Perpetrators and Victims**

Much of the research on characteristics associated with risk for inmate-on-inmate sexual assault has focused on prisoners' personal attributes, including age, physical size, mental health status, and race. Additional emphases include type of offense, such as whether one committed a violent crime or a sexual offense, time served, and the extensiveness of prior offending and incarcerations. The main findings on these characteristics are summarized in the following paragraphs.

In his groundbreaking study of transport vans and jails operated by the Philadelphia Sheriff, Davis (1968) found that perpetrators were older than victims. This pattern has been noted by several other scholars as well (Austin et al., 2006; Bartollas, 1974; Morash, Jeong, Bohmert, & Bush, 2012; Moss, Anderson, & Hosford, 1979; Weiss & Friar, 1974; Wooden & Parker, 1982). The victimization of the young by older perpetrators is among the most stable findings in this line of research, though a few studies have yielded different results.

For instance, Chonco (1989) and Nacci and Kane (1984a) found that perpetrators were older than victims but younger than the general prisoner population, while Sander, Freeman, Farrell, and Seto (2013) found that perpetrators tended to be younger prisoners whose likelihood of engaging in sexual assault declined with age. Felson, Cundiff, and Painter-Davis (2012) concluded that younger inmates were victimized by prisoners from all age groups, young and old alike, while Struckman-Johnson and colleagues (1996) found that victims tended to be older than the general prisoner population. In contrast to these findings, Beck, Berzofsky, Caspar, & Krebs (2013) did not find a relationship between age and victimization, aside from victimization rates that were a little lower for prisoners over 55 years of age.

Victims have also been found to be physically smaller (Bartollas, 1974; Morash et al., 2012; Nacci & Kane, 1984a; Warren & Jackson, 2013). Davis (1968) observed that perpetrators were both taller and heavier than victims, and Lockwood (1980) found

that victims weighed less than perpetrators. However, recent research examined Body Mass Index and found that jail inmates who were either below normal weight or obese had higher victimization rates (Beck et al., 2013).<sup>2</sup> Victims of inmate-on-inmate sexual assault have also been more likely than other prisoners to be mentally ill (Austin et al., 2006; Beck et al., 2013; Jenness, Maxson, Matsuda, & Sumner, 2007; Nacci & Kane, 1984a; Wolff, Blitz, & Shi, 2007; Wolff & Shi, 2009b).

The personal attribute that has received the most attention is race. Prior research has consistently found that perpetrators are typically Black and that victims are most often White (Austin et al., 2006; Bartollas, Miller, & Dinitz, 1976; Beck et al., 2013; Carroll, 1977; Davis, 1968; Groth, 1979, p. 120; Guerino & Beck, 2011; Hensley, Koscheski, & Tewksbury, 2005; Lockwood, 1980; Moss et al., 1979; Nacci & Kane, 1984a; Scacco, 1975; Struckman-Johnson et al., 1996; Struckman-Johnson & Struckman-Johnson, 2000, 2006; Toch, 1977; Wooden & Parker, 1982). However, and contrary to this well-established pattern, Wolff, Blitz, and Shi (2007) found that Black and Hispanic inmates who were mentally ill were more likely than their White counterparts to be victimized, and a relatively recent examination of California prisoners found that victims of sexual assault were most often Black (Jenness et al., 2007). Two other patterns that have been found in previous studies are that Black perpetrators were more likely than non-Black perpetrators to offend in groups (Nacci & Kane, 1984a) and to victimize interracial targets (Tewksbury & Connor, 2014a).

A handful of studies have shown that perpetrators and victims vary by the nature of their offenses, their time spent behind bars, and the seriousness of their criminal backgrounds. Most notably, perpetrators were more likely to have committed violent offenses (Austin et al., 2006; Bartollas, Miller, & Dinitz, 1976; Chonco, 1989; Nacci & Kane, 1984a), while victims were more likely to have committed sexual offenses (Austin et al., 2006; Beck et al., 2013; Bowker, 1980; Hensley et al., 2003; Struckman-Johnson et al., 1996; Wolff et al., 2006). Lockwood (1980) found that victims were often new to the prison, but others have found that perpetrators (Austin et al., 2006; Chonco, 1989) and victims (Austin et al., 2006; Beck et al., 2013; Struckman-Johnson et al., 1996) were each in prison longer than the general prisoner population.

Perpetrators have also been found to have more prior offenses than victims (Chonco, 1989; Sander et al., 2013) and to have spent more time in correctional facilities (Bartollas et al., 1976). Victims have often been first time criminals (Chonco, 1989). With this

said, Beck and colleagues (2013) more recently found that inmates who were serving life sentences and had been at their current institutions for over five years reported higher rates of victimization than prisoners who were serving shorter sentences or who were recently admitted.

Some working profiles of perpetrators and victims clearly emerge when these prior findings are taken together. Perpetrators appear to be disproportionately Black, bigger, older, and violent offenders with more extensive criminal histories, while victims appear to be disproportionately White, smaller, younger, sexual offenders, and with more mental illness. However, the literature has been inconsistent at times, and many of the studies that have established these profiles were conducted in the 1960s-1980s. By employing a novel analytic strategy, we contribute to the more recent literature on characteristics associated with risk. We turn now to outlining data issues that are inherent to doing this kind of research.

### Data: Prior Studies

Sexual assault in free society ranks among the most underreported crimes (Langton, Berzofsky, Krebs, & Smiley-McDonald, 2012), and male victims typically go unnoticed (Stemple & Meyer, 2014). The rape of men in prisons is even less likely to be reported to authorities (Garland & Wilson, 2012). The majority of prisoners in a recent study indicated that if they were victimized by sexual assault, they would report it (Fowler, Blackburn, Marquart, & Mullings, 2010), yet those in the sample who had actually been victimized were much less likely to express willingness to report. Indeed, it is estimated that only 25% (Warren & Jackson, 2013) to 29% (Struckman-Johnson et al., 1996) of actual inmate-on-inmate sexual assault victims report their victimizations. Similar to rape victims in free society (Langton et al., 2012), fear of perpetrators and a lack of faith in authorities are main reasons why victims do not report sexual assaults in prison (Struckman-Johnson et al., 1996; Miller, 2009; Weiss & Friar, 1974). More than two-thirds of the inmate-on-inmate sexual assaults that ultimately come to the attention of authorities are discovered through victim reports (Guerino & Beck, 2011), making the ramifications of inmate underreporting crucial.

Concerns about underreporting in official data have often led researchers to turn to personal interviews and self-report surveys (Struckman-Johnson et al., 1996; Thompson, 2009). Underreporting is unfortunately a challenge when collecting these kinds of data as well (Struckman-Johnson et al., 1996). For instance, prison regulations



prohibit sexual behavior, which likely affects self-reports, and prisoners may also underreport due to stigma (Tewksbury, 1989b). Most of these studies have also been based on unrepresentative samples drawn from either one or just a few prisons (Jones & Pratt, 2008; Miller, 2009; Wolff et al., 2007).

A handful of researchers have more recently employed larger samples that are more representative. For instance, Hensley and colleagues (2003) studied minimum, medium, and maximum security institutions in Oklahoma, Austin and colleagues (2006) examined the Texas prison system, Jenness and colleagues (2010) studied the California prison system, and Morash and colleagues (Morash, Jeong, & Zang, 2010; Morash et al., 2012) focused on the prison system for a Midwestern state. Wolff and colleagues also studied incidents from one state, and they published a series of articles based on large representative samples (Wolff et al., 2006; Wolff et al., 2007; Wolff, Blitz, & Shi, 2007; Wolff & Shi, 2008; Wolff & Shi, 2009a; Wolff & Shi, 2009b; Wolff, Shi, & Blitz, 2008). In addition to these state analyses, nationally representative studies have been disseminated by the Bureau of Justice Statistics. For instance, the National Inmate Survey (Beck et al., 2013) examined reports of sexual assaults from a national sample, and the Survey of Sexual Violence (Guerino & Beck, 2011) compiled information on substantiated incidents of sexual assaults in all federal, state, military, and ICE prisons.

It has typically been difficult for researchers to find reliable data on victimization (O'Donnell, 2004), though the use of anonymous surveys has been found to improve upon other modes of administration (Struckman-Johnson et al., 1996). Data on perpetrators are even harder to come by (Tewksbury & Connor, 2014a). It is unlikely that perpetrators would admit to engaging in these kinds of offenses in self reports, and researchers may potentially have a difficult time securing IRB support for this kind of research (Morash et al., 2010). The few studies that have focused on perpetrators have, therefore, primarily relied on official data (Austin et al., 2006; Morash et al., 2010; Moss et al., 1979; but see Lockwood, 1980; Warren et al., 2010).

In sum, sexual assault in prison has received limited and sporadic research attention (English & Heil, 2005; Hensley et al., 2003; Jones & Pratt, 2008; Tewksbury & Connor, 2014a). Studies that have been done have traditionally drawn from unrepresentative samples, and victims have been examined more often than perpetrators. There is still much that is unknown about sexual assault in prison given underreporting and other data limitations. Future study designs can, therefore, improve upon past designs by including

both perpetrator and victim data drawn from multiple institutions.

### **Data: The Current Study**

We employ official prison data from the Ohio Department of Rehabilitation and Correction (ODRC). These data are from an entire prison system rather than a small subset of institutions, and we focus on both perpetrators and victims. Our approach is akin to a handful of other recent studies that have examined comparison groups using official data. Prior researchers working with official data have looked at how perpetrators of sexual assault in prison compare to victims (Austin et al., 2006) and to the general prisoner population (Morash et al., 2010; Moss et al., 1979) and how victims of sexual assault compare to nonvictims (Morash et al., 2012). We similarly compare perpetrators to victims and to the general population, and we also compare victims to the general population. To our knowledge, this particular strategy of multiple comparisons has not been used before, and it enables us to examine how perpetrators and victims compare not only to each other but to the general prisoner population as well.

While we acknowledge that underreporting is a concern when using official data, we agree with Morash and colleagues (2010) that official data are the best option for this kind of study. As they note, it is unlikely that researchers could get self-report data from perpetrators, and it is equally unlikely that victims would be reliable sources for personal information about perpetrators. Moreover, an advantage of official data is that “false reports” are unlikely when founded cases are examined (Morash et al., 2012).

We used a secondary coded dataset provided by the ODRC for all founded inmate-on-inmate sexual assaults during calendar years 2003-2006.<sup>3</sup> The term sexual assault was operationalized in accordance with ODRC policy as any attempted or completed contact between the sex organ of one person and the sex organ, mouth, or anus of another person, or any intrusion of any part of the body of one person, or of any object into the sex organ, mouth, or anus of another person, by the use of force or threat of force, as well as any touching of an erogenous zone of another, including without limitation the thigh, genitals, buttock, pubic region, or if the person is a female, a breast, for the purpose of sexual gratification.

In accordance with PREA, the ODRC began collecting data on sexual assaults within the Ohio Prison system at the beginning of calendar year 2003. The ODRC collected these data from Special Incident Reports filed following the report of a sexual assault

to ODRC staff. These Special Incident Reports were completed in compliance with ODRC's policy and procedure for the reporting of such events to the ODRC's Bureau of Research. Each Special Incident Report of inmate-on-inmate sexual assault identified the perpetrator(s) and victim(s) involved in each sexual assault and also included a narrative description of the incident.

Once the participants in each inmate-on-inmate sexual assault were identified by the ODRC's Bureau of Research via the submitted Special Incident Reports, additional data about the perpetrators and victims were collected from the ODRC's Departmental Offender Tracking System (DOTS) Portal database. The collected variables of interest include demographic variables (age, gender,

**Table 1: Description of Categorical Variables**

	Comparison (n = 400)		Perpetrators (n = 71)		Victims (n = 69)	
	#	%	#	%	#	%
<b>Race/Ethnicity</b>						
White	200	50	14	19.7	57	82.6
African American	189	47.3	56	78.9	11	15.9
Other	11	2.7	1	1.4	1	1.5
<b>Gang Affiliation</b>						
Affiliated	74	18.5	15	21.1	15	21.7
Not Affiliated	326	81.5	56	78.9	54	78.3
<b>On Mental Health Caseload</b>						
Yes	76	19	13	18.3	29	42
No	324	81	58	81.7	40	58
<b>Security Level</b>						
1	129	32.3	11	15.5	18	26.1
2	170	42.5	39	55	37	53.6
3	86	21.5	18	25.3	11	15.9
4	12	3	3	4.2	3	4.4
5	3	0.7	0	0	0	0
<b>Sex Offender</b>						
Yes	77	19.3	25	35.2	27	39.1
No	323	80.7	46	64.8	42	60.9
<b>Sex Offense Against a Minor</b>			(n=25)		(n=27)	
Yes			14	56	25	92.6
No			11	44	2	7.4
<b>Violent Crime Conviction</b>						
Yes	275	68.8	60	84.5	49	71
No	125	31.2	11	15.5	20	29
<b>Prior Incarcerations</b>						
0	245	61.3	35	49.3	49	71
1	83	20.8	15	21.1	13	18.9
2	40	10	10	14.1	5	7.2
3	14	3.5	6	8.5	0	0
4	9	2.3	3	4.2	2	2.9
5	7	1.8	1	1.4	0	0
6	1	0.3	1	1.4	0	0
<b>Min. Aggregate Sentence</b>						
≤ 24months	107	26.8	12	16.9	27	39.1
25-60 months	122	30.5	18	25.4	32	46.4
61-120 months	87	21.8	21	29.6	5	7.2
≥ 121 months	84	21	20	28.2	5	7.2
<b>Max. Aggregate Sentence</b>						
≤ 24 months	107	26.8	12	16.9	27	39.1
25-60 months	112	28	11	15.5	30	43.5
61-120 months	49	12.2	12	16.9	3	4.3
≥ 21 months	132	33	36	50.7	9	13

race, height, weight, and mental health status), institutional security variables (security classification level and security threat group [gang] status), and inmate incarceration history variables (offense type, sex offender status, sentence length, time elapsed between the admittance to DRC and assault, and number of prior incarcerations). These participant data were subsequently entered into a spreadsheet, which allowed them to be quantified.

Our complete dataset ultimately contained two components. The first included all participant information for the 64 founded cases of male inmate-on-inmate sexual assault that occurred during the four aforementioned calendar years. In total, 69 victims and 71 suspects were identified. The second component included data that were compiled in order to establish a comparison group that was reflective of the general inmate population. A group of 400 prisoners (providing a Confidence Interval of 95%) were randomly selected from the January 1, 2005 census of over 42,000 male offenders who were

incarcerated in Ohio. We selected January 1st as the census date because it represents the midpoint of the period for which sexual assault data were collected. The census data for the comparison group include the same variables of interest that were collected for the sexual assault data described above.

Our dependent variable, role in assault, was divided into three categories: (a) perpetrator – aggressor of the sexual assault, (b) victim – target of the sexual assault, and (c) comparison – a member of the comparison population taken from the January 1, 2005 inmate census. Descriptive data, by role in assault, for the categorical independent variables (race, security threat group affiliation, mental health status, security level, sex offense conviction, violent crime conviction and prior incarcerations) are provided in Table 1. Descriptive data for the continuous independent variables (age, height, weight, minimum aggregate sentence, and maximum aggregate sentence) are presented in Table 2.

**Table 2: Description of Continuous Variables**

	Comparison ( <i>n</i> = 400)		Victims ( <i>n</i> = 69)		Perpetrators ( <i>n</i> = 71)	
	<i>Mean</i>	<i>S.D.</i>	<i>Mean</i>	<i>S.D.</i>	<i>Mean</i>	<i>S.D.</i>
Age (years)	29.41	9.553	25.59	6.253	34	10.292
Height (inch.)	70.07	2.93	70.03	3.037	70.49	2.9
Weight (lbs.)	186.2	35.897	168.33	28.387	192.55	33.792
Time Served (years)	4.33	5.68	1.55	2.31	7.67	7.94

## Findings

We found many striking differences in characteristics when comparing perpetrators and victims of inmate-on-inmate sexual assault to each other and to our census group. Independent-samples *t*-tests allowed for the comparison of the mean scores of two different groups. Tests were first run comparing the mean scores of the prisoners in the perpetrator group to the mean scores of the prisoners in the comparison group, and then again comparing the mean scores of the prisoners in the victim group to the mean scores of the prisoners in the comparison group, for the continuous independent variables (age, height, weight, and time served). The findings for this portion of the analysis are presented in Table 3.

The results show a statistically significant difference in mean age for perpetrators ( $M = 34.00$ ,  $SD = 10.292$ ) and the comparison group ( $M = 29.41$ ,  $SD = 9.553$ );  $t_{(469)} = 3.681$ ,  $p = .000$ . There was also a significant difference between the mean age of

victims ( $M = 25.59$ ,  $SD = 6.253$ ) and the comparison group;  $t_{(130.189)} = -4.284$ ,  $p = .000$ . When compared to the general prisoner population, perpetrators were older and victims were younger.

There were no significant differences between the mean height in inches of perpetrators ( $M = 70.49$ ,  $SD = 2.90$ ) and the comparison group ( $M = 70.07$ ,  $SD = 2.93$ );  $t_{(469)} = 1.11$ ,  $p = .268$ . Similarly, there were no significant differences between the mean height in inches of victims ( $M = 70.03$ ,  $SD = 3.037$ ) and the comparison group;  $t_{(467)} = -.114$ ,  $p = .909$ . Moreover, there was not a significant difference in weight between perpetrators ( $M = 192.55$ ,  $SD = 33.792$ ) and the comparison group ( $M = 186.20$ ,  $SD = 35.897$ );  $t_{(102.135)} = 1.48$ ,  $p = .142$ , but there was a significant difference between the mean weight of victims ( $M = 168.33$ ,  $SD = 28.387$ ) and the comparison group;  $t_{(109.272)} = -4.630$ ,  $p = .000$ . Accordingly, although perpetrators and victims were similar to other prisoners in height, in terms of weight victims were smaller than both perpetrators and the general prisoner population.

The findings for time served in years must be interpreted with caution. For both perpetrators and victims, this variable measures the amount of time that elapsed in years between the offender's admittance into the prison system and the incident. However, for the comparison group, this variable measures the amount of time that elapsed in years between the offender's admittance into the prison system and the census date of January 1, 2005. There

was a significant difference between the mean elapsed time in years for perpetrators ( $M = 7.67$ ,  $SD = 7.94$ ) and the comparison group ( $M = 4.33$ ,  $SD = 5.68$ );  $t_{(83.137)} = 3.387$ ,  $p = .001$ . There was also a significant difference between the mean elapsed time in years for victims ( $M = 1.55$ ,  $SD = 2.31$ ) and the comparison group;  $t_{(238.96)} = -7.009$ ,  $p = .000$ . Whereas perpetrators had served more time than the general prisoner population, victims had served less.

**Table 3: Independent-Samples T-Test Results for Continuous Variables (Relative to the Comparison Group)**

	Comparison ( <i>n</i> = 400)	Victims ( <i>n</i> = 69)		Perpetrators ( <i>n</i> = 71)	
	<i>Mean</i>	<i>Mean</i>	p-value	<i>Mean</i>	p-value
Age (years)	29.41	25.59	0.000***	34	0.000***
Height (inches)	70.07	70.03	0.909	70.49	0.268
Weight (pounds)	186.2	168.33	0.000***	192.55	0.142
Time Served (years)	4.33	1.55	0.000***	7.67	0.001**

Notes: \* < .05, \*\* < .01, and \*\*\* < .001

Chi-square tests for independence allowed for the comparison of the frequency of cases found in the three categories of the dependent variable (role in assault) across the different categories of one independent variable to determine whether the two compared variables were related. The test was repeated for all categorical independent variables (aggregate sentence length in months, sex offense conviction, mental health status, violent crime conviction, race, security level, security threat group affiliation, and prior incarceration independent variables). The results for this portion of the analysis are presented in Table 4.

The minimum aggregate sentence time was examined first. Perpetrators did not differ significantly from the comparison group for this variable (Chi-Squared = 5.867,  $p = .118$ ). However, victims were more likely to be serving a shorter minimum aggregate sentence than the comparison group (Chi-Squared = 19.851,  $p = .000$ ). Moreover, both groups differed significantly from the comparison group when the maximum aggregate sentence time was examined. Whereas perpetrators were more likely to be serving longer maximum aggregate sentences than the comparison group (Chi-Squared = 12.233,  $p = .007$ ), victims were more likely to be serving a shorter maximum aggregate sentence (Chi-Squared = 18.924,  $p = .000$ ). Accordingly, the aggregate sentence findings show that perpetrators were serving lengthier sentences than the general prisoner population, while victims' sentences were shorter.

The results for sexually motivated offenders found that both perpetrators (Chi-Squared = 8.138,  $p = .004$ ) and victims (Chi-Squared = 13.477,  $p = .000$ ) were more likely to have been convicted of a sex offense, either for the current commitment or a past commitment, than the comparison group. However, when perpetrators were compared to victims, we found that victims were more likely to have been convicted of a sex offense against a minor (Chi-Squared = 9.489,  $p = .009$ ). Whereas perpetrators and victims were both more likely to be sex offenders than the general prisoner population, victims were more likely than perpetrators to have targeted children.

Mental health status and violent crime conviction were examined next. Perpetrators did not differ in any way from the comparison group in terms of mental health status (Chi-Squared = .000,  $p = 1.0$ ). However, victims were more likely than the comparison group to be on the mental health caseload (Chi-Squared = 16.661,  $p = .000$ ). Conversely, perpetrators were more likely to have been convicted of a violent crime than the comparison group (Chi-Squared = 6.543,  $p = .011$ ). However, victims did not differ significantly from the comparison group when the violent crime conviction variable was examined (Chi-Squared = .055,  $p = .814$ ). In sum, victims were more likely than the general prisoner population to be on the mental health caseload, while perpetrators were more likely to have been convicted of a violent crime.



Finally, our race findings also revealed differences between perpetrators and victims. Perpetrators were significantly more likely than the

comparison group to be Black (Chi-Squared = 24.187,  $p = .000$ ), and victims were significantly more likely than the comparison group to be White

**Table 4: Chi-Square Test for Independence Results for Categorical Variables**

	Comparison ( <i>n</i> = 400)	Perpetrators ( <i>n</i> = 71)	Victims ( <i>n</i> = 69)
	%	%	<i>p</i> -value
<b>Race/Ethnicity</b>			0.000***
White	50	19.7	82.6
African American	47.3	78.9	15.9
Other	2.7	1.4	1.5
<b>Gang Affiliation</b>			0.721
Affiliated	18.5	21.1	21.7
Not Affiliated	81.5	78.9	78.3
<b>On Mental Health Caseload</b>			1
Yes	19	18.3	42
No	81	81.7	58
<b>Security Level</b>			0.061
1	32.3	15.5	26.1
2	42.5	55	53.6
3	21.5	25.3	15.9
4	3	4.2	4.4
5	0.7	0	0
<b>Sex Offender</b>			0.004**
Yes	19.3	35.2	39.1
No	80.7	64.8	60.9
<b>Violent Crime Conviction</b>			0.011*
Yes	68.8	84.5	71
No	31.2	15.5	29
<b>Prior Incarcerations</b>			0.079
0	61.3	49.3	71
1	20.8	21.1	18.9
2	10	14.1	7.2
3	3.5	8.5	0
4	2.3	4.2	2.9
5	1.8	1.4	0
6	0.3	1.4	0
<b>Min. Aggregate Sentence</b>			0.118
≤ 24months	26.8	16.9	39.1
25-60 months	30.5	25.4	46.4
61-120 months	21.8	29.6	7.2
≥ 121months	21	28.2	7.2
<b>Max. Aggregate Sentence</b>			0.007**
≤ 24 months	26.8	16.9	39.1
25-60 months	28	15.5	43.5
61-120 months	12.2	16.9	4.3
≥ 121+ months	33	50.7	13

Notes: \* < .05, \*\* < .01, and \*\*\* < .001

(Chi-Squared = 25.335,  $p = .000$ ). Put simply, perpetrators of inmate-on-inmate sexual assault tended to be Black, while victims tended to be White. Results for security level (Perpetrators: Chi-Squared = 9.018,  $p = .061$ ; Victims: Chi-Squared = 4.094,  $p = .393$ ), security threat group affiliation (Perpetrators: Chi-Squared = .127,  $p = .721$ ; Victims: Chi-Squared = .219,  $p = .640$ ), and prior incarcerations (Perpetrators: Chi-Squared=3.096,  $p=.079$ ; Victims: Chi-Squared=2.000,  $p = .157$ ) did not yield significant differences.

### Discussion

Our analyses found that relative to both the general prisoner population and victims, perpetrators of inmate-on-inmate sexual assault were more likely to be older, Black, convicted of a violent offense, and serving longer sentences. They had also served more time in prison. Relative to both the general prisoner population and perpetrators, victims were more likely to be younger, White, smaller in terms of weight, on the mental health caseload, and serving shorter sentences. They had also served less time in prison and were more likely to have committed sexual offenses against children.

Given our use of official perpetrator and victim data and our comparative approach, these findings represent a unique contribution to the literature on characteristics associated with risk. With this said, there are two important data limitations that need to be noted. First, problems of underreporting and representativeness are inevitable when using official data. Second, our data and analyses reveal significant patterns, but they unfortunately do not explain why these patterns occurred. We further address these limitations in the following paragraphs, where we also contextualize our findings and identify areas for future research.

With respect to personal attributes, our findings indicate that perpetrators were older and victims were younger. One explanation for this pattern is that younger prisoners may stand out among the general population, making them more susceptible targets of sexual assault. Moreover, perpetrators may use their age to gain the trust of younger prisoners, perhaps by offering to take the future victim under their wing or by offering small commissary items perceived as gifts (Chonco, 1989; Lockwood, 1980). This trust and ensuing relationship may then be exploited to facilitate a future sexual assault. The underlying dynamic in these kinds of scenarios is the strong victimizing the weak, which others noted long ago (Clemmer, 1940; Fishman, 1934; Shaw, 1930, p. 69; Sykes, 1958).

When considering that heterosexual men in prison are deprived of sexual contact with women,<sup>4</sup> an alternative explanation is that older perpetrators target the young because they find them sexually attractive. Felson and colleagues (2012) argue that opportunities for consensual sex with other male prisoners are limited as one gets older, which results in older prisoners targeting attractive, younger prisoners for sexual assault. When considering this blocked opportunity thesis, we think it is important to note that prison rape is particularly problematic in the U.S. (Neal & Clements, 2010) and that other researchers have found prison rape to be extremely rare in Israel (Einat, 2009) and the United Kingdom (O'Donnell, 2004), despite the fact that prisoners in these nations likely experience similar deprivations. We are, therefore, inclined to believe that prison rape is "more the sexual expression of aggression than the aggressive expression of sexuality" (Cotton & Groth, 1982, p. 50). Chonco (1989) and Nacci (1978) argued that weakness is a fundamental criterion for victim selection in inmate-on-inmate sexual assault, and we believe our other findings lend support to this conclusion.

For instance, victims were on average 17.87 pounds smaller than the general prisoner population. Nearly half of the victims surveyed by Struckman-Johnson and Struckman-Johnson (2006) reported that they were fearful of perpetrators' larger size. Prior studies have found that size is among the selection criteria taken into account by perpetrators (Warren et al., 2010). Having a slight build may be perceived as a sign of weakness, and smaller prisoners may have trouble defending themselves from larger inmates when attacks actually occur. Being smaller may ultimately contribute to why victims suffered physical injuries in approximately two-thirds of the inmate-on-inmate sexual assaults examined by Wolff and Shi (2009a). Victims were also more likely to be on the mental health caseload. Like being smaller, being mentally ill may suggest weakness in prison environments. The sedative and other side effects of many mental health medications may additionally render one defenseless during an attack.

Like other researchers over the years, we found that perpetrators were more likely to be Black and that victims were more likely to be White. One of the initial explanations for this pattern was that Blacks targeted Whites to enact revenge for the racism they experienced in broader society (Carroll, 1977; Knowles, 1999; Toch 1977). However, others suggested that Whites were more prone to victimization because they had weaker social ties than Blacks within prison (Lockwood, 1980; O'Donnell, 2004) and were less acculturated to the

violent street norms found in inner-city subcultures (Bartollas et al., 1976; Chonco, 1989). Research published more recently (Wolff et al., 2008) further suggests that race itself is not a primary factor in victim selection. It may, therefore, be that victims are picked more for their weakness than their Whiteness (Chonco, 1989; Nacci & Kane, 1984b).

With respect to time served prior to incidents of sexual assault behind bars, perpetrators were found to have served an additional 3.34 years when compared to the general population comparison group, while victims were found to have served 2.78 fewer years. Perpetrators were also more likely to be serving longer sentences than the comparison group, while victims were serving shorter sentences. Although these results must be considered with care, taken together they suggest that perpetrators may target more inexperienced, and hence vulnerable, prisoners for sexual assault.

Perpetrators were also more likely than the comparison group to have been convicted of a violent crime, while victims did not differ significantly from the comparison group in this regard. Perpetrators and victims were both more likely than the comparison group to have committed a sexual offense. However, when perpetrators and victims were compared to each other, victims were more likely to have been convicted of a sexual offense involving a minor. It is likely that these findings reflect social hierarchies in prisons where strength and power are respected and those who prey on children are loathed (Bowker, 1982; Dumond, 1992). Prior research (Chonco, 1989; Groth, 1979) and firsthand accounts from prisoners (Donaldson, 2001; Rideau, 1992) additionally suggest that sexual assault is an expression of power, which would explain why stronger prisoners victimize the weak.

Our emphases on the roles of power and weakness in prison sexual assaults have been informed by the literature. However, we must again note that these explanations are speculative because our official data and descriptive approach do not enable us to examine causes. An additional limitation of our official data is that they may be susceptible to reporting and recording biases.

For instance, an older study by Poole and Regoli (1980) found that Blacks were more likely than Whites to be officially sanctioned in prison despite having engaged in similar patterns of misconduct. It is, therefore, possible that our findings reflect systematic bias rather than, or in addition to, actual prisoner behavior. Prior research (Garland & Wilson, 2012) has also found that prisoners are more likely to equate reporting sexual assault with snitching as they are in prison longer. Accordingly, to the extent that self-reported victimizations came to the attention of

authorities, an alternative explanation for our time served findings is that newer prisoners were more inclined to report being sexually assaulted.

Although we were successful in identifying an array of characteristics associated with inmate-on-inmate sexual assault, there are additional variables of potential interest that fell outside the bounds of our data collection and analyses. For instance, it is possible that day of the week, time of day, location, proximity of perpetrators to victims (i.e. same vs. different housing units or cells), and other opportunity variables are also associated with risk. Research on these kinds of variables is more limited, with location and time being among the most examined to date. Previous studies have found that sexual assaults most frequently occurred in inmates' cells (Austin et al., 2006; Guerino & Beck, 2011; Warren et al., 2010; Wolff & Shi, 2009a), with showers being the next most common location (Austin et al., 2006; Warren et al., 2010), and that they most often occurred between 6:00 p.m. and midnight (Guerino & Beck, 2011; Wolff & Shi, 2009a).

Moreover, prior research has found that transgendered (Jenness et al., 2007) and gay and bisexual (Beck et al., 2013; Hensley et al., 2005; Nacci & Kane, 1984a; Struckman-Johnson et al., 1996; Struckman-Johnson & Struckman-Johnson, 2006; Wooden & Parker, 1982) prisoners are at much greater risk for victimization. Other studies have found that those who were sexually abused as children are more likely to be victimized in prison (Morash et al., 2012; Steiner, Ellison, Butler, & Cain, 2015). Unfortunately, our data did not include information on the gender and sexual identities of perpetrators and victims, nor did we have information on prior experiences with sexual abuse. We, therefore, recommend that future studies examine these dynamics as well as opportunity variables.

We also recommend that future researchers consider expanding upon concepts that are often taken for granted, such as race and victimization. In the case of race, prior research has typically focused on just Blacks and Whites. It turned out that the perpetrators and victims in our study happened to naturally fall into these categories. However, as our nation and its prison population becomes increasingly diverse, it will be necessary to move beyond Black/White dichotomies when examining relationships between race and sexual assault in prison.

In the case of victimization, prior research has typically focused on those who have been directly targeted for sexual assault. Yet, others undoubtedly witness these incidents as well and are potentially traumatized by them. Although Fleisher and Krienert

(2009) maintain that sexual assault in prison is rarely seen by inmates, 23% of the former prisoners studied by Listwan, Daigle, Hartman, and Guastaferrro (2014) reported seeing a sexual assault while incarcerated, and 43% of the prisoners studied by Rowell-Cunsolo and colleagues (2014) reported hearing one. Many others who do not witness sexual assault may, nonetheless, hear about these incidents (Jones & Schmid, 1989). Indirect exposure to inmate-on-inmate sexual violence likely contributes to the pervasive fear of rape in prison and should, therefore, be focused on more in future studies.

We acknowledge a final potential limitation of our study, which is that we draw from data that are now approximately ten years old. These data were collected in conjunction with a previous project. Given our multifaceted design, we are, unfortunately, not in a position to recollect newer data from the various sources needed to reconstruct the different components of our dataset. We believe it is important to look at more recent data given the possibility that inmate-on-inmate sexual assault could be changing in the PREA era. With this said, we still believe that our substantive findings provide an important contribution to the literature.

Much of the research on perpetrator and victim characteristics associated with risk was conducted in the 1960s-1980s, with a sporadic resurgence of interest in these topics occurring in the 2000s (Wolff & Shi, 2009a). The Bureau of Justice Statistics' National Inmate Survey provided comprehensive analyses of more recently collected national data on victimization, and some of its key findings were that victimization was more common among sex offenders, mentally ill prisoners, and White inmates (Beck et al., 2013). Our results lend additional support to these findings and provide further clarification on the role of sex offending. We contribute insights into other perpetrator and victim characteristics as well.

Moreover, and aside from our substantive findings, we believe an equally important contribution of our study is our method. Despite the fact that our data are now approximately ten years old, we have, nonetheless, presented an analytic approach that is novel in its simultaneous comparisons of perpetrators, victims, and inmates from the general prisoner population. Others have performed some of these comparisons (Austin et al., 2006; Morash et al., 2010; Morash et al., 2012; Moss et al., 1979), but none have done them all in the same study. These data are also based on founded cases of inmate-on-inmate sexual assault, whereas the National Inmate Survey examined alleged cases that in some instances may have been unfounded. Accordingly, we believe our multiple comparison

analyses of official data complement the National Inmate Survey and other strategies geared toward advancing knowledge on inmate-on-inmate sexual assault.

## Conclusion

The passage of PREA in 2003 has been one of the most influential developments in corrections over the past decade (Tewksbury, 2010; Tewksbury & Connor, 2014a). Although the prevalence rate of male inmate-on-inmate sexual assault "is perhaps one of the most elusive statistics in the criminal justice field" (Struckman-Johnson & Struckman-Johnson, 2000, p. 379), the literature suggests that there are known characteristics associated with risk (Dumond, 2000). With this said, prison rape has only been examined sporadically since Davis' initial investigation of Philadelphia's sheriff's vans and jails (English & Heil, 2005; Hensley et al., 2003; Jones & Pratt, 2008; Wolff & Shi, 2009a).

Prior studies have traditionally employed samples drawn from either one or just a few prisons (Jones & Pratt, 2008; Miller, 2009; Wolff et al., 2007), and in most cases the emphasis has been on victims. By way of contrast, we drew from four years of official data on founded cases of sexual assault for an entire prison system. We join a handful of more recent scholars who have conducted studies of state prison systems (Austin et al., 2006; Jenness et al., 2010; Hensley et al., 2003; Morash et al., 2010; Morash et al., 2012; Wolff, Blitz, & Shi, 2007; Wolff et al., 2006; Wolff et al., 2007; Wolff et al., 2008; Wolff & Shi, 2008, 2009a, 2009b).

We also compared perpetrators to victims, and both perpetrators and victims to a comparison group that was representative of the general prisoner population. This particular multiple comparison strategy has not previously been used and marks one of our main contributions to the literature. Our unique approach enabled us to further specify similarities and differences between perpetrators, victims, and other prisoners. For instance, a notable finding from employing this strategy was that perpetrators and victims were both more likely than the general population to be sex offenders, yet different kinds of sexual offending correlated with different roles in inmate-on-inmate sexual assaults. We have not seen this pattern identified in previous research.

Our analyses also found that relative to both the general prisoner population and victims, perpetrators of inmate-on-inmate sexual assault were more likely to be older, Black, convicted of a violent offense, and serving longer sentences. They had also served more time in prison. Relative to both the general prisoner population and perpetrators, victims were more likely



to be younger, White, smaller in terms of weight, on the mental health caseload, and serving shorter sentences. They had also served less time in prison and were more likely to have committed sexual offenses against children. Though our data only allow us to speculate on the reasons behind these patterns, our review of prior research leads us to believe that dominance was a key motivator for perpetrators and that victims were selected for their perceived weakness. This being said, Morash and colleagues (2012) found that victim/perpetrator dyads do not typically feature all of these profile elements simultaneously, which further underscores the need for more research on these complicated dynamics.

The presentation of formal policy recommendations goes beyond the scope of this project. However, our findings do provide a basis from which policy can be developed. In many cases, the characteristics that were found to be associated with risk mirrored the findings of previous studies that employed different kinds of methods and samples. As such, we follow Austin and colleagues' (2006) recommendation that characteristics associated with risk be focused on in staff training, case management, risk assessment, classification, and other prison system functions. Further delineating basic profiles for victims and perpetrators can ultimately inform supervision practices (Tewksbury & Connor, 2014a) as well as efforts to identify particularly vulnerable inmates who should be housed alone (Wolf & Shi, 2009a).

Although the current study does not allow for the examination of components of culture, prior studies indicate that sexual assault and the broader prison culture are intertwined (Jones & Schmid, 1989; Smith & Batiuk, 1989) and that those who are more entrenched are more likely to be involved in violence (Warren et al., 2010). An additional insight for policy, therefore, pertains to addressing subcultural immersion. Johnson (2002) endorses developing "niches" in prisons as alternative spaces to the mainstream public prisoner culture. In the case of sexual assault, known characteristics associated with risk could potentially be used to guide the development of niches that either counteract the predatory tendencies of perpetrators or provide protection for victims. Niches could, therefore, be one of many steps taken to alleviate the pressures of the prison culture and to separate the strong from the weak. To the extent it is possible to identify potential perpetrators and victims and to then limit their proximity to one another, we believe that the aims of PREA can be advanced.

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### ENDNOTES

- <sup>1</sup> Beck, Harrison, and Adams (2007) estimated that 4.5% of state and federal prisoners were sexually assaulted, with 2.1% of those surveyed reporting victimization by other inmates, 2.9% reporting victimization by staff, and 0.5% reporting victimization by both.
- <sup>2</sup> These findings are from a national sample of jail and prison inmates. The findings for those serving time in prisons are different, with prisoners whose Body Mass Indexes indicate they are overweight or obese reporting lower rates of sexual victimization (Beck et al., 2013).
- <sup>3</sup> These are the years for which data were available when we did our data collection. We provide more elaboration on this in our discussion section.
- <sup>4</sup> Conjugal visits and sex scandals with female staff notwithstanding.