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Prison Rape Elimination Act, 2003:

Individuals Factors for Victimization and Offending

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Abstract

The Prison Rape Elimination Act of 2003 was passed in order to provide a set of guidelines for reporting and reacting to prison rapes (PREA, 2020). This project uses secondary data from the Survey of Inmates in State and Federal Correctional Facilities to identify factors associated with prison rape victimization. Rates of institutional violence have not decreased as have the rates of violence outside of institutions (Wooldredge, 2020; Morgan & Truman, 2020). One area of institutional violence research that is lacking is prison rape research. As more research is done on prison rape victimization, this project extends on this body of literature by running a series of analytical texts that compare respondents who reported unwanted sexual contact while incarcerated to those who did not. The results yield one significant finding: respondents with prior incarceration histories are two times more likely to report unwanted sexual contact while incarcerated. Implications for research and policy will be discussed.

Chapter 1: Introduction

In 2016, the ‘me too’ movement began as a way to shine a light on and to assist survivors of sexual violence (Burke, 2021). Rape and sexual assault are devastating acts and are far too common in society. As rape victimization has become less stigmatized and there is less support for rape myths, more and more victims have come forward. Despite the increased publicization of rape among the general public, very little is known about sexual assaults that occur in correctional facilities. This project aims to utilize data reported in compliance with the Prison Rape Elimination Act to identify characteristics of prison rape victimization in those who experienced lifetime sexual victimization.

Rape and sexual assault of any kind come with many collateral consequences. Rapes can promote the spread of sexually transmitted diseases and increase the likelihood of mental health challenges for those who are victims (Wolff, et. al., 2006). Prison rapes may pose a greater danger to victims for a variety of reasons. In traumatic experiences, a person responds with either fight or flight. Victims of prison rape, however, are forced to choose to fight or be victimized. For example, Sykes (1958) describes in historical work on prison culture the enduring role that sexual assault had prison life. In an interview about his prior victimization, one man explained the point in which his mindset was changed, and he could either succumb to sexual slavery once more or murder the person trying to rape him; he chose the latter (Scacco, 1982). This is the dilemma faced by many prison rape victims. Many times, these are the only two options an individual has, but the outcome is often the same. An individual may succeed against one aggressor; however, there may be others to take their place. If they attempt to fight off their aggressor(s) and lose, they are subject to face prison rape victimization, and if they fight and win, they might be

approached and overpowered by a group of aggressors (Scacco, 1982). Even if a victim successfully defends themselves from a prison rape, it is possible that they can face a lengthened sentence for engaging in institutional violence when trying to act in self-defense.

Prison rapes differ from non-prison rapes in several ways. Prison rapes violate the victims on many levels; not only are feelings of security lost, but their constitutional rights are also violated under the 8th amendment of the United States Constitution, which was enacted to protect individuals from cruel and unusual punishment (Gaes & Goldberg, 2004). Legislation has been created to protect those who are incarcerated and to minimize the occurrence of prison rapes in institutions throughout the United States, but prison rapes still occur. Oftentimes in cases of prison rapes, the collateral consequences of the offenses differ from those occurring outside of institutions. Inside prisons, those who commit prison rapes are not always considered rapists, nor do they face the same stigmas that are faced by those who commit rape in the outside world (O'Donnell, 2004). Outside institutions, this is often not the case. One's physical proximity to their assailant is much closer in cases of prison rape and individuals typically remain within proximity to perpetrators after the assault occurs (Knowles, 1999). Due to this lack of distance and safety, victims are often forced into repeat, unwanted sexual encounters with their perpetrators (Knowles, 1999). News of prison rapes rarely reaches the public outside institutions, and victims may have more difficulty adapting to life outside of prison (Gaes & Goldberg, 2004).

Prison Rape Elimination Act, 2003

The Prison Rape Elimination Act (PREA) of 2003 was a national policy passed by both parties in congress designed to address challenges created by sexual assaults that occur

in prisons (Dumond, 2003; PREA, 2020). The goal of PREA is to improve the safety of institutions by reviewing data collected from each incident of prison rape (Dumond, 2003). This act emphasizes visibility and accountability for prison rapes and looks at the steps taken by each prison to reduce their occurrence (Dumond, 2003). Similarly, this act created the National Prison Rape Elimination Commission; this commission is responsible for creating standards for eliminating prison rape (PREA, 2020). Finally, PREA holds prison officials accountable for poor responses to prison rapes while also creating standards for training, record keeping, and protecting informants (Dumond, 2003). Despite the creation of uniform regulations for prison rape reacting and reporting, reporting is not consistent across states. Under PREA, each institution is required to develop a plan that promotes the protection of those housed within their facilities from sexual abuse (PREA, 2020). PREA requires that the data collected regarding each instance of sexual abuse that is reported is accurate and uniform (PREA, 2020). As of 2015, 40 jurisdictions (states and territories) certified that they were compliant with the requirements of PREA (USDOJ, 2015).

Rates

Outside of correctional institutions, the nationwide rate of sexual assault has decreased, but the problem remains. In 2018, the National Crime Victimization Survey reported that the nationwide incidence of rape was 2.7 per 1,000 individuals, and the following year this rate dropped to 1.7 (Morgan & Truman, 2020). Despite these nationwide decreases, there is evidence that rates of institutional violence have not changed over time (Wooldredge, 2020). Prison rapes still occur at alarming rates. In a study of self-report victimization data from incarcerated persons, it was found that more than 4% (43 of 1,000) of males were victims of prison rape over the past six months before the study

(Wolff, Blitz, Shi, Bachman, & Siegel, 2006). Additionally, Gaes and Goldberg (2004) estimate roughly 200,000 incarcerated individuals out of the total incarcerated population in the United States had been victims of rape. They identified literature with varying rates of prison rape, ranging from 0.69% to 9%; they attribute this variation to the differing and changing definitions of rape (Gaes & Goldberg, 2004)

Summary

As rates of interpersonal violence have decreased in the United States, the rates of institutional violence have not changed. Despite the impact of legislation and the start of the ‘me too’ movement, prison rapes still occur at alarming rates. The Prison Rape Elimination Act was enacted in 2003 to improve policy and practice regarding prison rape cases to protect victims. The goal of this current project is to examine factors associated with prison rape victimization for those who have experienced lifetime sexual victimization.

This research aims to bring light to the issue of prison rapes by identifying factors associated with an increased likelihood that an individual is victimized. While there has been some prior research on prison rapes, the literature is lacking. This project has the potential to add to prison rape literature, while also identifying more factors that could lead to an individual’s prison rape victimization and proposing solutions to the current prison rape problem. It is the goal of this research to expand on the limited body of research on sexual misconduct in male institutions by expanding on the number of identified factors associated with an individual’s likelihood of prison rape victimization. This project will examine factors such as age, race, and marital status as well as factors such as the level of education, sex offense conviction, and work assignment of the respondent.

This project hopes to bring attention to this issue, contribute to research, identify associated individual factors for victims and propose solutions to this problem by utilizing secondary data analysis of studies of institutional violence. This will be done by utilizing data from the Survey of Inmates in State and Federal Correctional Facilities, 2004. This survey collected detailed self-report data on incarcerated individuals and their lives before and during incarceration. While this de-identified data comes with its own set of limitations, it still provides a representative look into many aspects of the lives of the incarcerated individuals. By identifying these factors, it is possible that more incarcerated individuals are protected from prison rapes and a safer institutional living environment can be created. Implications related to this research are practical. This paper will focus on theories of individual victimization, specifically importation and deprivation, and theories of institutional victimization, such as the administrative control perspective. This paper hopes to bridge the gap between institutional victimization and prison rape violence. This will be done by examining the relationship between unwanted sexual contact while incarcerated with importation and deprivation factors that have been associated with institutional victimization.

Organization of Thesis

The following chapters aim to provide a complete picture of institutional violence and prison rapes. Chapter 2 will provide a review of literature surrounding theory, prison rape, institutions, and individuals. Chapter 3 will go more in-depth on the research methods utilized in this project. This chapter will include an in-depth look at the Survey of Inmates in State and Federal Correctional Facilities, 2004; and the variables that will be used for

this project and its analyses. Chapter 4 will discuss the results. Chapter 5 will provide a discussion of the project in its entirety and concluding thoughts.

Chapter 2: Literature Review

Theories of Victimization

Each theory of individual victimization examines different aspects of this phenomenon and its associated factors (Steiner, et al., 2017; Toman, 2019). Theories of victimization include victim precipitation theory, lifestyle theory, and routine activities theory. These theories predict that certain aspects of a victim's life may have a direct influence on their likelihood of victimization (Muftic & Hunt, 2012; Meier & Miethe, 1993; Miró, 2014).

Victim precipitation theory predicts that an individual's actions are directly related to, or precipitated by, their victimization (Muftic & Hunt, 2012). For example, an individual's choice to interact with delinquent individuals or frequent locations in which criminal behavior is common may increase their likelihood of becoming a victim (Muftic & Hunt, 2012). Likewise, lifestyle theory predicts that certain aspects of one's lifestyle can increase the likelihood of victimization (Meier & Miethe, 1993). These lifestyle factors can include the places one frequents or the people with whom an individual spends their time (Meier & Miethe, 1993). Lastly, routine activities theory predicts that factors from an individual's daily routine can result in an increased likelihood of victimization (Cohen & Felson, 1979). This theory predicts that crime occurs at the convergence of three factors 1) the presence of an individual who is motivated to commit a crime, 2) the presence of a suitable target, and 3) the lack of a capable guardian (Cohen & Felson, 1979). While these three theories are well equipped to explaining individual victimization, they may not be the

best for explaining victimization within the context of correctional facilities as incarcerated populations differ significantly from the general public. These theories of victimization do not account for an individual's responses to living in prison such as how they adapt to or cope with prison life.

Two theories that are better equipped to explain institutional victimization are deprivation and importation theories. While these theories are mainly used to explain institutional offending, they can also be applied to institutional victimization. Deprivation theory examines characteristics from an individual's life while incarcerated, whereas importation theory examines characteristics from an individual's life prior to incarceration (Steiner, et al., 2017; Celinska & Sung, 2014; Butler, Slade, & Diaz, 2018; Wooldredge, 2020). Many studies, including the works of Steiner and colleagues (2017) and Celinska and Sung (2014), identified factors related to an individual's history and incarceration that may make them more prone to engaging in institutional misconduct which are discussed below (Butler, Slade, & Diaz, 2018; Wooldredge, 2020).

Deprivation Theory

This theory focuses on the time an individual spends incarcerated (Steiner, et al., 2017; Celinska & Sung, 2014; Wooldredge, 2020). This theory focuses on the harms and pains of the prison environment and claims that an individual's behavior is shaped by the difficulties of living in prison (Celinska & Sung, 2014; Wooldredge, 2020; Butler, et al., 2018). These pains can lead an individual to behave differently than they would if they were outside of the institution (Butler, et al., 2018; Wooldredge, 2020). In response to these pains, an individual may develop habits or routines that may make them a more likely victim of crime. For example, one's participation in recreational activities may make them

a more likely target since they may be introduced to delinquent individuals, in line with lifestyle theories, or others' knowledge of one's daily routine may make them a suitable target for theft or assaults (Cohen & Felson, 1979; Meier & Miethe, 1993). In all, those who an individual spends their time with behind bars may make a difference in victimization outcomes.

Sykes (1958) argues that there are five fundamental types of deprivation, or pains of imprisonments, experienced in the daily lives of those who are incarcerated. First, individuals lose their liberty when incarcerated. Sykes (1958) argued that the fundamental purpose of prisons, can actually lead individuals to further offending since their liberties are restricted and this can result in weakened social bonds. Second, he argues that individuals lose access to desirable goods and services upon entering prison. This deprivation is due to the austerity of the institution. Sykes (1958) elaborated that due to the norm in Western societies of defining oneself by one's material belongings, individuals end up losing a sense of themselves upon incarceration and that one's loss of material goods can lead to future offending.

Third, individuals lose heterosexual relationships upon incarceration (Sykes, 1958). When an individual is incarcerated, they lose access to voluntary heterosexual relationships. Likewise, engaging in sexual activity during one's incarceration is prohibited. Sykes argues that the lack of heterosexual relations can lead to homosexual tendencies and acts, oftentimes resulting in the victimization of those who appear weaker or more feminine. He continued by explaining that involuntary celibacy can result in emotional, psychological, and physical problems and also anxiety, tension, and a decreased self-image. These problems can increase an individual's likelihood of engaging in

misconduct or offending in the future (Sykes, 1958). This research focuses on this deprivation as outlined by Sykes.

Fourth, Sykes argues that once incarcerated, an individual loses autonomy, or the ability to make decisions for themselves (1958). While there is conflicting research on the loss of autonomy and one's likelihood of offending, Sykes argues that individuals are more likely to offend in response to this loss (1958). Fifth, individuals lose security due to incarceration (Sykes, 1958). Prisons are violent, unsafe places. Sykes argues that prison security is hindered by the prevalence of substance use and dependence, and this can also lead to a decreased level of self-control, increased level of violence, and an increase in illicit transactions (1958).

Other deprivation research identified factors such as the number of violent individuals in a facility, overcrowding, lack of officer supervision, racial conflict, the size of the institution, and the amount of time an individual spends outside of their cell (English & Heil, 2005; Huebner, 2003). This research has identified a number of institutional and individual factors that contribute to misconduct and violence in prisons (English & Heil, 2005; Huebner, 2003).

As Sykes argued, one aspect of prison life that has a significant impact on incarcerated individuals is the institution's administration or management. The administrative control perspective is a theory that states that an institution's administration, or management, has the power to both positively and negatively impact the occurrence of misconduct (Useem & Kimball, 1989). Wooldredge (2020) claimed that institutional violence can reflect an institution's authority and management. Similarly, misconduct may be prevented through stricter prison management, while a breakdown of security and

management may lead to more movement within the facility, contraband, and other issues (DiIulio, 1987). Prior research has shown that poor prison management can lead to inadequate prison conditions, like a lack of control, security, and humanity in the prison, thus resulting in violence (Useem & Kimball, 1989; Huebner, 2003).

In addition to an institution's management, there are individual factors that can impact the likelihood that an individual will engage in misconduct. Huebner (2003) found that remunerative control factors, control factors based on the possibility of rewards (i.e., paid work inside and outside of the prison), are significantly related to a decreased likelihood that individuals are perpetrators of assault in prison, whereas more coercive controls (like solitary confinement) increase the likelihood of violence. The same study also found that incarcerated individuals who were employed before prison were less likely to perpetrate assaults on other incarcerated people or correctional staff (Huebner, 2003). Likewise, Reisig (2002) found that institutions with administrative control issues such as conflict between institutional administration and correctional staff or a stronger gang presence among the institutionalized population tend to have higher rates of institutional homicide. Facilities vary in their vulnerability to prison rape misconduct.

Deprivation theory and victimization. Current research has focused on the influence of deprivation factors on institutional offending; however, very little research has been done in this area. Research linking deprivation to victimization has looked into the impact that deprivation has on victimization. Steiner and colleagues claimed that important factors to predicting violent victimization are characteristics of the facility and an individual's institutional routines and experiences (Steiner, et al., 2017; Steiner & Wooldredge, 2018). Once incarcerated, an individual's access to goods and services is

limited. For example, one's loss of access to goods and services may prompt them to partner with someone, who may be predatory, who has more access to resources (Sykes, 1958). This relates to lifestyle theory through the choices individuals make in their daily lives. Incarcerated individuals who lack resources or access to resources may decide to partner with someone who has this access, even if this individual engages in criminal behavior or adheres to delinquent subcultures. Lastly, individuals who participate in institutional recreation and have a history of misconduct also have an increased likelihood of violent victimization (Steiner, et al., 2017; Steiner & Wooldredge, 2018). These individuals, through their recreation, may be exposed to many potential aggressors or groups of aggressors. Without this introduction, they may not have been considered as a suitable target for victimizations. While prisons are designed to keep the public safe, those housed within them lose security.

Deprivation theory and prison rape victimization. Research regarding deprivation and prison rape factors is lacking. Scacco's *Male Rape* discusses many of the hardships in the lives of incarcerated men that contribute to an individual's susceptibility to prison rape. This research found that in a male youth facility, those who were victims of prison rapes were often accused of "asking for it" by acting in certain ways such as not wearing underwear (Scacco, 1982). Likewise, prior rape victimization while incarcerated is another predictor of prison rape victimization as an attempt at self-preservation and protection. After an individual's first prison rape experience with one or more aggressors, it is common for them to voluntarily partner with an aggressor, consent to sex slavery, and repay their assailant for protection; pairing oneself with an aggressor, or 'man', while incarcerated is one method with which weaker individuals can protect themselves from

more violent prison rapes with multiple aggressors (Scacco, 1982). Other than this work, very little work has been conducted on how deprivation factors might influence the occurrence and likelihood of prison rape.

Importation Theory

Importation theorists argue that deprivation theory does not fully explain institutional misconduct and that research must examine individual and situational factors that expand past the current prison situation that the individual is in (Thomas & Foster, 1973). These existing outside factors often have an impact on an individual's life in prison and their ability to react to prison (Thomas & Foster, 1973; Irwin & Cressey, 1962).

Importation theory considered the characteristics of an individual from before they were incarcerated and implies that individuals do not enter prison as blank slates (Steiner, et al., 2017; Celinska & Sung, 2014; Butler, Slade, & Diaz, 2018; Wooldredge, 2020). This would include the beliefs, norms, and values that an individual had prior to incarceration (Celinska & Sung, 2014; Butler, et al., 2018; Wooldredge, 2020). Steiner and colleagues claimed that important factors to predicting violent victimization are background characteristics of the individual and an individual's experiences prior to incarceration (Steiner, et al., 2017; Steiner & Wooldredge, 2018). These factors could include one's social class, family experiences, and prior criminal behavior (Thomas & Foster, 1973; DeLisi, Trulson, Marquart, Drury, & Kosloski, 2011).

Likewise, Mears and colleagues found that individuals who adhered to the code of the street were more likely to engage in violence while incarcerated (Mears, Stewart, Siennick, & Simons, 2013). Anderson describes the code of the street as "a set of informal rules governing interpersonal public behavior" (Anderson, 1994). This code creates a set

of learned beliefs regarding personal conduct from one's childhood that impact one's future actions (Mears, et al., 2013; Anderson, 1994). These imported street beliefs have been found to motivate individuals to offend behind bars.

In addition to one's adherence to the code of the street, Irwin and Cressey (1962) argue that there are three different subcultures present in correctional institutions: thief, convict, and legitimate. They argue that one's adherence to criminal subcultures outside of prison can increase their likelihood of adhering to deviant subcultures while incarcerated. On the contrary, one who was not part of a criminal subculture before incarceration, is not likely to adhere to a criminal subculture once incarcerated. The thief subculture describes career or sophisticated criminals. Members of this subculture follow many of the norms associated with criminality, and these individuals are expected to be reliable and trustworthy towards one another. The second subculture is that of the convict. Members of the convict subculture tend to thrive in prison as they were raised in prison and value utilitarianism and manipulation. These individuals look for positions of power within the institution and tend to be the most aggressive. Last is the legitimate subculture; this subculture tends to encompass individuals with one-time offenses who were not part of the criminal subculture prior to incarceration. Members of the legitimate subculture tend to be the least aggressive and less likely to engage in prison riots (Irwin & Cressey, 1962).

Importation theory and victimization. Certain factors have been identified to increase one's risk of violent victimization. From their research, Steiner and colleagues (2017) found that an individual's age, participation in prison activities, prior histories of misconduct, and unfavorable attitudes towards staff are all factors that can increase one's likelihood of victimization while incarcerated. Similarly, Listwan and colleagues,

identified race, age, and mental illness as significant predictors of institutional victimization (Listwan, Daigle, Hartman, & Guastafarro, 2014). The same research also found that attending religious services or other recreational activities to be predictors of violent victimization since these activities are ways in which more vulnerable members of the prison population are exposed to potential aggressors (Listwan, et al., 2014).

Importation theory and prison rape victimization. Expanding from institutional victimization, personal factors such as physical stature, mental health, and conviction of a violent offense predicted one's susceptibility to prison rape, (Jenness, et. al., 2007; Scacco, 1982; Steiner, et al., 2017; Steiner & Wooldredge, 2018). Regarding one's physical stature, victims of prison rape were more likely to be individuals who looked younger than their age, appeared to be less athletic and less coordinated, and were considered better looking (Scacco, 1982; Steiner, et al., 2017). On a similar note, Felson, Cundiff, and Painter-Davis (2012) found that sexual attractiveness is an important predictor of sexual victimization in prisons. They identified that those who commit prison rapes prefer younger victims since they are considered more sexually attractive (Felson, Cundiff, & Painter-Davis, 2012). A 1968 study of a Pennsylvania institution found that institutionalized persons who are more prone to prison rape, whether it be for their appearance or other factors, are sexually approached almost immediately after being introduced to the incarcerated population, "virtually every slightly-built young man committed by the courts is sexually approached within a day or two after his admission to prison" (Scacco, 1982). Likewise, prior victimization is an important predictor of prison rape victimization. Wolff and colleagues (2009) found that the males in their sample who reported sexual victimization before the

age of 18 were two to five times more likely to report prison rape victimization than those who did not report victimization prior to age 18.

One's mental health status may make them a more likely victim. One study found that mental illness can lead an individual to act outside of the expected gender roles within the institution, thus leading to victimization (Schnittker & Bacak, 2016). Another study revealed, over 66% of those who self-reported rape victimization also reported having mental health issues, and 66% of the incarcerated population included in the study's random sample were sentenced for a violent offense (Jenness, et. al., 2007; Schnittker & Bacak, 2016). In all, research has identified that those who are the most vulnerable to prison rape victimization were found to be African American, transgender, and/ or non-heterosexual (Jenness, et. al., 2007).

Lastly, one's conviction status can influence the likelihood that they become a target for prison rape victimization. Pinkerton, Galletly, and Seal found that those with sex offense convictions are more likely to be victims of violent prison rapes (2007).

Limitations to Theory

As these theories were designed to predict and explain institutional offending, they are limited in their ability to predict and explain institutional victimization. First, the five deprivations as outlined by Sykes (1958) were designed to predict and explain institutional offending. While deprivation theory may not directly explain why an individual is a more likely victim of institutional violence, but it may explain institutional factors that may increase an individual's likelihood of victimization. Additionally, importation theory was developed to predict and explain how adherence to certain subcultures increase one's likelihood of offending once incarcerated. More recent research on importation,

institutional subcultures, and victimization is lacking. Research on deprivation and importations directly relating to institutional victimization accounts for a large gap in institutional research. A call for future research is warranted.

Summary

Deprivation and importation theories are pivotal to explaining institutional victimization and subsequently prison rape victimization. Deprivation theory consists of five fundamental losses and predicts that factors from an individual's life while incarcerated impact the likelihood that an individual is victimized (Steiner, et al., 2017; Celinska & Sung, 2014; Wooldredge, 2020). Deprivation theory also includes factors related to an institution's administration or management such as the security level of the institution, strictness of the management, and rewards (Useem & Kimball, 1989; Wooldredge, 2020; Huebner, 2003). Importation theory, on the other hand, predicts that factors from an individual's life prior to incarceration impact the likelihood that an individual is victimized (Steiner, et al., 2017; Celinska & Sung, 2014; Butler, Slade, & Diaz, 2018; Wooldredge, 2020). Research on prison rapes is lacking. Research has found that importation factors such as an individual's physical appearance, personal health, and criminal history are related to prison rape victimization (Jenness, et. al., 2007; Scacco, 1982; Steiner, et al., 2017; Steiner & Wooldredge, 2018). Likewise, it was found that an individual's behavior while incarcerated contributed to the likelihood that they would be a target of a prison rape Scacco, 1982). In all, more research on prison rape victimization is necessary in order to ensure PREA compliance and promote the safety of incarcerated populations.

Chapter 3: Methods

Current Study

Prison rapes occur far too frequently, and they have the potential to have a significant, negative impact on an individual's life. Despite the great harms associated with prison rapes, research is still lacking. This thesis project aims to identify factors associated with greater likelihoods that an individual is a victim of prison rape in those who experienced lifetime sexual victimization. The research questions are as follows:

Research Question 1) What factors are associated with a greater likelihood that someone has been a victim of prison rape?

The foundation for this project predicts that certain factors impact an individual's propensity to be a victim of prison rape. Among those who have experienced sexual assault at any point in their lives, this paper proposes three hypotheses.

The first hypothesis predicts that importation factors such as an individual's demographic factors (age, race, and family information) can make an individual more likely to be a victim of a prison rape. On this note, it is predicted that those with an increased likelihood of prison rape victimization will be young, single, non-White, and without children. First, Sykes (1958) identified that those who appeared weaker or more feminine are more likely victims of sexual misconduct within correctional facilities.

The second hypothesis predicts that importation factors relating to an individual's criminal behavior will increase their likelihood of prison rape victimization. This paper predicts that those with prior criminal histories, those who are convicted of violent offenses, and individuals with sex offense convictions will be more likely to be victims of prison rapes. The research of Mears and colleagues (2013) and Irwin and Cressey (1962) discussed an individual's adherence to deviant subcultures and the code of the street. Those

who adhere closely to these codes were found to be at an increased likelihood of engaging in misconduct once incarcerated.

The third and final hypothesis predicts that deprivation factors such as an individual's sentence length, work assignment and work training, and if they were found guilty of assaulting another individual while incarcerated, can increase an individual's likelihood of prison rape victimization. This research predicts that individuals with shorter sentence lengths, who participate in work assignment or training, or were found guilty of assaulting another individual are at an increased likelihood of prison rape victimization. Steiner and colleagues (2017; 2018) found that an individual's participation in prison recreation and other characteristics of the facility may put them at an increased risk of meeting potential aggressors.

It is the goal of this thesis project to close some of the gaps in prison rape research, identify factors that may promote an individual's participation in a prison rape and provide more information that can be used to drive policy that can better protect those who are vulnerable to prison rape victimization. This research can help contribute to the gap between institutional violence and prison rapes. Additionally, by answering the research question and identifying factors associated with an increased likelihood of prison rape victimization, more incarcerated individuals can be protected from prison rapes through improved policy, training, and research.

Definitions

Rape. Rape has been defined in prior research as sexual relations between two individuals in which one participant is either forced, intimidated, or threatened (Scacco,

1982). As time progressed, this definition was broadened to include more types of victims and acts such as men and victims of marital rape (Knowles, 1999).

Research on prison rape has changed over time. These changes followed the change in definition of rape and sexual assault and the progress of movements to destigmatize rape and rape victims. First, the earlier definition of rape was specific in explaining the act that must be committed and stated that the victim be a female (FBI, 2013). The Federal Bureau of Investigations changed its definition of rape in 2012 to be more inclusive of victims and acts. As originally written as “the carnal knowledge of a female forcibly and against her will” was changed to “penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim” (FBI, 2013; USDOJ, 2012). This change removed specificity in regard to characteristics of the victim, so any individual regardless of characteristics such as sex, age, and relationship status would be considered victims. While this change occurred in 2012, PREA was ahead of its time. The Prison Rape Elimination Act included unwanted sexual contact as a reported offense and also made it possible for males to be included as victims well before the official change in the federal definition (PREA, 2020).

Sexual assault. The Federal Bureau of Investigations does not provide a definition for sexual assault as it is included under their definition of rape for the Uniform Crime Report (FBI, 2013). The Bureau of Justice Statistics, however, defines rape and sexual assault differently. They define sexual assault as “a wide range of victimizations, separate from rape or attempted rape” (BJS, n.d.). This definition also includes “attacks or attempted attacks generally involving unwanted sexual contact between victim and offender [...] may or may not involve force and include things such as grabbing or fondling” (BJS, n.d.).

Data Collection Procedures

The analyses for this project consists of secondary data analysis. The dataset being used is the state dataset from the Survey of Inmates in State and Federal Correctional Facilities, 2004. (USDOJ, 2004). The 2004 version is the most recent version of this study that is available. This dataset was found on the Inter-university Consortium for Political and Social Research (ICPSR). This dataset was available for public use and download on the ICPSR website. This project will only look at the state-level data that is available for public use from the 2004 survey.

The Study of Inmates in State and Federal Correctional Facilities, 2004 includes data on people who were incarcerated in State and Federal Correctional facilities at the time of the study (USDOJ, 2004). Interviews for this study were collected from October 2003 to May 2004 within state and federal correctional facilities. Each interview was computer-assisted and approximately one hour long. This study obtained data on the respondent's demographics, criminal history, substance use, and the institution in which they are housed (USDOJ, 2004).

Sample Characteristics

Participants for the Study of Inmates in State and Federal Correctional Facilities, 2004 were selected through a two-stage design (USDOJ, 2004). The first stage consisted of the prison selection, and the second stage consisted of the participant selection. Institutions that housed both males and females were included in the sample. A total of 260 state and three federal facilities were selected. Of the state facilities, 225 housed males and 65 housed females. Of the federal facilities, two housed males and one housed females (USDOJ, 2004).

When selecting participants, individuals were selected from lists provided by each facility (USDOJ, 2004). Those included on the lists were reported to have used a bed in the facility the previous night. Each name on the list was assigned a number, and participants were selected through a random number selection. This sample resulted in a total selection of 21,318 individuals. A total of 16,962 individuals were selected for the state survey and 4,356 for the federal survey. There were 16,445 males and 4,063 females included in this sample. Overall, there were 18,185 completed interviews from both the state and federal surveys (USDOJ, 2004). For this project, only cases for male respondents were utilized. The female respondents accounted for a small number of cases, and there are underlying differences between male and females who are incarcerated that may overcomplicate these analyses.

Measures

The final sample size for this research project is 322. Due to limitations within the questionnaire and the data, the sample size decreased substantially. In response to the differences in how sexual violence in general and sexual violence in prison are viewed, this research only uses respondents who reported experiencing unwanted sexual victimization at some point in their lives. Rather than utilizing the entire sample for the Survey of Inmates in State and Federal Correctional Facilities, respondents who were not asked the question on unwanted sexual victimization in prison were omitted. The dataset does not provide any information on specific prison sexual assault experiences or how many instances of unwanted sexual contact an individual has experienced; however, the information that is available can provide insight into sexual violence in prison.

Dependent variable. Unwanted sexual contact while incarcerated is the dependent variable in this study. Sexual contact is defined for the male population in section 7 (socioeconomic characteristics) of the study as “touching of genitals, or oral or anal sex” (USDOJ, 2004). This variable was formed by combining the following two variables: V1913 (sexual contact occur before or after you were 18 – incident took place while incarcerated?) and V1921 (sexual contacts against your will occurred before/after you were 18 – any of these incidents take place while incarcerated?) from the dataset. These variables were combined and all cases with missing data were removed. This research will only examine data regarding unwanted sexual contact for incarcerated males. Participants were asked their sex in section 1 of the survey (individual characteristics). This question had two possible answers: male and female. To account for only male respondents, 2,930 cases were removed that accounted for incarcerated females in the original sample.

In order for an individual to have been asked if they experienced unwanted sexual contact while incarcerated, they must have previously responded in earlier parts of the instrument that they 1) had ever experienced unwanted sexual contact and 2) that their unwanted sexual contact was committed by someone they did not know or by someone that was a “friend or acquaintance” or “someone else”. This resulted in very few individuals being asked this question. After removing cases that reported no or were missing data for unwanted sex contact while incarcerated, the total number of cases lost was 11,248. The sample size decreased to 322. Respondents were asked if they experienced any unwanted sexual contact while incarcerated in section 7 (socioeconomic characteristics) of the survey. While this variable has its limitations due to missing data, it may provide valuable information regarding unwanted sexual contact in correctional institutions.

Independent variables-demographics.

Race/Black and Race/Hispanic. Race is a factor that was found to be associated with prison rape victimization. This research hopes to replicate this finding. Questions on race were asked to clients in section 1 of the survey (individual characteristics). The first question asked if the respondent was of Spanish, Latino, or Hispanic origin. This question had two possible answers: yes and no. If the respondent selected no, they were asked to select one of seven categories that described their race: 1) White/ non-Hispanic; 2) Black/ non-Hispanic; 3) American Indian or Alaska Native/non-Hispanic; 4) Asian, Native Hawaiian or Pacific Islander/non-Hispanic; 6) all other races/ non-Hispanic; and 7) do not know. For this project, this variable was made dichotomous to compare respondents who are Black and non-Black. For the first variable, those who reported their race as Black were coded as 1; those who reported their race as non-Black were coded as 0. For the second variable, those who reported their race as Hispanic were coded as 1; those who reported their race as non-Hispanic were coded as 0.

Independent variables-deprivation.

Sentence length in months. Sentence length is a factor that has been found to be associated with institutional misconduct. This project hopes to determine if an individual's sentence length is associated with their likelihood of prison rape victimization. Respondents were asked about the length of their current sentence in months in section 4 (current sentence). Respondents were asked to provide the number of months they were sentenced or select the option for life and/or death sentences, if applicable. For this project, this variable is continuous.

Violent offense. This variable compares the respondents by offense type: violent or nonviolent. This research predicts that individuals who are incarcerated due to a violent offense or sex offense will be victims of prison rapes while incarcerated. Section 2 (current offenses) of the survey asked respondents about their current offense(s) for which they are incarcerated. After the respondent listed their current offenses, the interviewer was tasked to compare the respondent's listed offenses to a master list of offenses to determine if the individual's offense was violent or non-violent. This list consists of acts that pose a harm to another individual including, but not limited to, sexual misconduct, physical assaults, and threats of harm. This measure is dichotomous where a violent offense is labeled as 1, and a non-violent offense is labeled as 0.

Work assignment or work training. Work assignment and other activities within the institution were found to introduce individuals to delinquent individuals in the institution. This variable accounts for any work assignment or work training activities the respondents have participated in while incarcerated. Questions on work assignments and training were included in the survey under section 10 (prison programs and activities). Respondents were first asked if they had a work assignment outside the prison facility for which they leave the prison grounds. Next, respondents were asked if they have a work assignment at the facility or on the facility grounds. Lastly, respondents were asked if they have ever been in any vocational or job-training program (not including work assignments) since their admission to prison. This variable is dichotomous, measuring if a respondent reported any work assignment or training during their incarceration. Those who reported having assigned work or work training were coded as 1. Those who did not report this were coded as 0.

Written up or found guilty of a physical or verbal assault on another. This variable measures if a respondent victimized another individual while incarcerated. This variable includes other incarcerated individuals and institutional staff as potential victims. Respondents were asked this question in section 10 (prison programs and activities). Respondents were asked if they were written up for or found guilty of a physical or verbal assault on another individual and how many times. Those who responded yes were coded as 1, and those who responded no were coded as 0.

Independent variables-importation.

Education. Education is a factor that was not discussed in prior literature much, if at all. This variable measures the level of education obtained prior to the respondent's current arrest. Respondents were asked about their education under section 7 (socioeconomics characteristics). Respondents were first asked what the highest grade of school they had attended before their incarceration. Possible responses were available for each year of schooling from never attended or kindergarten only to graduate school. Once a grade level was selected, respondents were asked if they attended that year of schooling. This variable is dichotomous, measuring whether an individual completed high school. Those who completed high school were coded as 1. Those who did not complete high school were coded as 0.

Married. This variable will help determine if an individual's marital status is a factor that has an impact on an individual's likelihood of being victim to a prison rape. Respondents were asked to select their marital status. Individuals were asked if they were (at the time of the interview) married, widowed, divorced, separated, or never married. This variable is dichotomous, measuring if a respondent is married or not married. This question

was asked of respondents in section 1 (individual characteristics) of the survey. Those who reported they were married were coded as 1. Those who reported they were not married were coded as 0.

Has children. This variable will help determine if an individual's parental status has an impact on their likelihood of being victimized in a prison rape. Respondents were asked if they are a parent. The possible responses for this measure were 'yes' and 'no'. Respondents were asked about their children in section 7 (socioeconomic characteristics) of the survey. This measure was continuous, requesting that the respondents answer the question 'how many children do you have?'. For this variable, responses were coded into two categories. Those who responded having children were coded as 1. Those who responded not having children were coded as 0.

Mental history. Prior research identified one's mental health status and mental health history to be predictors of institutional victimization. Respondents were asked if they were ever told that they had at least one mental disorder. The possible responses for this measure were 'yes' and 'no'. Respondents were asked about their mental history in section 9 (medical conditions, mental health, and disabilities). For this variable, those who responded yes to having a mental disorder were coded as 1; those who reported no were coded as 0.

Prior incarceration. One's incarceration history may predict their likelihood of engaging in institutional misconduct. Participants in the study were asked if they were ever sentenced to incarceration prior to their current offense. The responses for this question included no prior incarceration, incarcerated as a juvenile, incarcerated as an adult, and incarcerated as both a juvenile and adult. This question was asked in section 6 (criminal

history). Those who reported prior sentences of incarceration were coded as 1. Those who did not were coded as 0.

Sex offender status. An individual's sex offender status is a factor that may increase their likelihood of prison rape victimization. This factor may add a label to the individual while they are incarcerated that may make them a target. Section 2 (current offenses) of the survey asked respondents about their sex offender status. This variable is dichotomous, measuring if an individual responded 'yes' for their sex offender status. Those who responded yes to this question were coded as 1. Those who responded no were coded as 0.

Missing data. Many cases were lost through the data cleaning process. The state dataset started with 14,499 cases. As female respondents were removed, 11,569 cases remained. Next, respondents who were not asked the question regarding the dependent variable (unwanted sexual contact while incarcerated) were removed. This caused the sample size to decrease to 322. Additional cases were missing for the following two variables: education and sentence length in months. For these two variables, means were imputed to prevent further lost cases.

Analysis Plan

Descriptive analysis. A descriptive analysis of the data is completed and shows descriptive data regarding the sample and data examined. This descriptive analysis is used to describe individuals who reported unwanted sexual contact while incarcerated and compare them to those who did not.

Independent samples test. A chi-squared analysis examines each of the independent variables in the data to determine if each measure significantly impacts prison rape victimization.

Logistic regression. A logistic regression is completed to control for all of the other independent variables in the analysis. This logistic regression identifies which variables are the most important in their relationship with prison rape victimization.

Strengths and Limitations

There are many limitations associated with secondary data on incarcerated populations. Incarcerated populations are offered many research-related protections. While this data is outdated, it can still shed light on factors associated with institutional misconduct, incarcerated populations, and the institutions. In addition to the age of the data, there are some issues with cross-sectional research when looking at institutional violence. When utilizing cross-sectional data, it is impossible for researchers to establish a time-order to the variables with which they work; however, comparing the importation variables to the deprivation variables, many of the time-order issues may be resolved (Grosholz & Semenza, 2018; Daquin & Daigle, 2020). Time-order issues may be problematic, especially when applying theories of victimization to institutionalized populations. Wooldredge (2020) explained how this time-order issue can hinder the use of importation and deportation theories in research on victimization and offending in incarcerated populations.

In addition to the limitations on data on incarcerated populations, there are many limitations to the data collection process. Many studies with incarcerated subjects are self-report, computer-assisted studies. These populations may be less educated than non-

incarcerated populations, and they may have less of an understanding of technology. This can lead to an individual's inability to complete questionnaires due to a lack of comprehension of the questions being asked or how to answer them (Teasdale, et al., 2015). For those who are able to complete self-report questionnaires, the answers may include bias or false answers (Celinska & Sung, 2014; Teasdale, et al., 2015).

The Survey of Inmates in State and Federal Correctional Facilities has limitations in its data. This data looks at facilities from a few select states (New York, Florida, Texas, and California) and regions (Northeast, Midwest, south, and West) (USDOJ, 2004). Out of the total 1,192 male-only state facilities, approximately 17% (211) were selected for participation. This sample was not random; the 14 largest male facilities were selected for participation. The code book does not explain which states or regions from which the facilities included in the final sample were (USDOJ, 2004). Next, the data that is available through the Survey of Inmates in State and Federal Correctional Facilities looks at victimization within institutions on a broader scope. This data lacks information on offender types, so it is impossible to differentiate between violence committed by an incarcerated individual on another incarcerated person and violence committed by an institutional officer on an incarcerated person (Toman, 2019).

Conclusion

In all, this thesis expects to replicate the findings of existing research regarding the factors that are associated with a greater likelihood that an individual has been victim of a prison rape. In addition to replication of findings, this thesis hopes to identify more factors that are associated with a greater likelihood that someone has been a victim of a prison rape.

Chapter 4: Results

The first task of this analysis was to complete a descriptive analysis using the data. The goal of this analysis was to describe the two groups within the data set: those who reported unwanted sexual contact while incarcerated and those who did not. The whole sample reported experiencing sexual victimization at some point in their lives. First, I describe the descriptive statistics of the total sample. Then, I describe the descriptive statistics of those who reported yes to the dependent variable (unwanted sex contact while incarcerated). Lastly, table three compares the means of both groups for all of the variables.

Table 1 includes the descriptive statistics for the sample of 322. 11% of the all-male sample reported experiencing unwanted sexual victimization while incarcerated. The sample was on average of 34.71 years old, average height of 69.94 (approximately 5 feet, 10 inches) inches, and average weight of 189.79 pounds at the time of the study. Of the sample, approximately 32% of the sample reported their race as Black, and 27% of the sample reported their race as Hispanic. The average sentence length was 332.47 months (approximately 27 years), 64% were convicted for violent offenses, and 54.04% were previously incarcerated. One quarter (25%) of the respondents had sex offense convictions at some point in time. Once incarcerated, 73.6% of the sample had work assignments or work training, 51.86% received calls, mail, or visits from their child(ren), and 25.78% were written up or found guilty of a physical or verbal assault on another individual. Approximately half (50.62%) of the sample completed high school, 16.15% were married, and 60% had children. Slightly more than half (51%) reported any mental health history.

	N	Minimum	Maximum	Mean	Std. Deviation
Unwanted sexual contact while incarcerated	322	0.00	1.00	0.11	0.31
Race/Black	322	0.00	1.00	0.32	0.47

Race/Hispanic	322	0.00	1.00	0.27	0.44
Age**	322	18.00	80.00	34.71	10.52
Height – Inches**	322	60.00	82.00	69.91	3.22
Weight – Pounds**	322	102.00	350.00	189.79	38.04
Completed high school	322	0.00	1.00	0.51	0.50
Married	322	0.00	1.00	0.16	0.37
Has children	322	0.00	1.00	0.60	0.49
Month before arrest monthly income**	322	0.00	1.00	0.71	0.46
Mental history	322	0.00	1.00	0.51	0.50
Sentence length in months	322	4.00	1428.00	332.47	422.67
Offense violent	322	0.00	1.00	0.64	0.48
Ever sentenced to prior incarceration	322	0.00	1.00	0.54	0.50
Sex offender	322	0.00	1.00	0.25	0.43
Work assignment or work training	322	0.00	1.00	0.74	0.44
Received calls, mail, or visits from child(ren)**	322	0.00	1.00	0.50	0.50
Written up/found guilty of a verbal or physical assault on another	322	0.00	1.00	0.26	0.44

**these variables are not included in the full model analyses.

For those who reported experiencing unwanted sexual contact while incarcerated, the average age was 33.34 years old, 25.71% were Black, and 40% were Hispanic. The average height was 69.91 inches, and the average weight was 185.09 pounds, both of which are less than the average for the sample. Almost half (48.6%) completed high school, only 8.6% were married, and 57% had children. Likewise, the average sentence length is longer than the average at 382.97 months, 57% were convicted for a violent offense, 68.5% had a work assignment or work training, 54% were able to receive calls, mail, or visits from their child(ren) and 25.7% were written up or found guilty of a verbal or physical assault on another individual. Lastly, 69% earned more than the poverty level, 46% has been diagnosed with at least one mental disorder, 71% has been sentenced to incarceration prior to their current sentence, and 17% was convicted of a sex offense. See table 2 below.

Table 2: Descriptive Statistics by Sexual Contact

Variable Name	Responded “Yes” to unwanted sexual contact mean (n=35)				Responded “No” to unwanted sexual contact mean (n=287)			
	Mean		SD		Mean		SD	
Race/Black	25.71		0.44		32.75		0.47	
Race/Hispanic	40.00		0.50		25.44		0.41	
Completed high school	48.57		0.49		50.87		0.50	
Married	8.57		0.28		17.07		0.38	
Has children	57.00		0.50		60.00		0.49	
Mental history	46.00		0.50		52.00		0.50	
Ever sentenced to prior incarceration	71.43		0.43		51.92		0.50	
Sex offender	17.00		0.38		25.00		0.44	
Offense violent	57.00		0.50		64.00		0.48	
Month before arrest monthly income	69.00		0.47		71.00		0.45	
Work assignment or work training	68.57		0.47		74.22		0.44	
Received calls, mail, or visits from child(ren)	54.29		0.51		51.57		0.50	
Written up/found guilty of a verbal or physical assault on another	25.71		0.44		25.78		0.44	
	Mean	SD	Min	Max	Mean	SD	Min	Max
Age	33.34	8.79	18.00	80.00	34.87	10.71	18.00	80.00
Height – Inches	69.91	3.15	60.00	82.00	69.94	3.24	60.00	69.94
Weight – Pounds	185.09	45.79	102.00	350.00	190.37	37.04	102.00	350.00
Sentence length in months	382.97	506.43	4.00	1428.00	326.31	411.91	4.00	1428.00

Independent Samples T-Test

The second task of this analysis was to test each of the variables individually. This was done through independent samples t-tests. This test was used to compare the means between two groups to determine if each of the independent variables is statistically significant in comparison to the dependent variable (unwanted sex contact). From the

independent samples t-tests, the only variable that was found to be significant is ever sentenced to prior incarceration. These finding reflects those of prior research. Listwan and colleagues (2014) found that factors such as an individual’s history of prior incarceration, sex offense status, and sentence length may reflect one’s propensity to engage in misconduct or violent behavior which can, in turn, expose an individual to other’s who engage in similar deviancy (Steiner, et al, 2017; Mears, et al, 2013). See table 3 below.

Table 3: Independent Samples T-Test						
		Levene's Test for Equality of Variances		t-test for Equality of Means		
		F	Sig.	t	Sig. (2-tailed)	Std. Error Difference
Race/Black	Equal variances assumed	3.75	0.05	-0.84	0.40	0.08
	Equal variances not assumed			-0.88	0.38	0.08
Race/Hispanic	Equal variances assumed	7.51	0.00	1.84	0.07	0.08
	Equal variances not assumed			1.66	0.11	0.09
Age	Equal variances assumed	1.63	0.20	-0.81	0.42	1.88
	Equal variances not assumed			-0.95	0.35	1.61
Height - Inches	Equal variances assumed	0.47	0.49	-0.05	0.96	0.58
	Equal variances not assumed			-0.05	0.96	0.57
Weight - Pounds	Equal variances assumed	0.60	0.44	-0.78	0.44	6.82
	Equal variances not assumed			-0.66	0.52	8.04
Sentence length in months	Equal variances assumed	3.86	0.05	0.75	0.46	75.73
	Equal variances not assumed			0.64	0.53	88.99
Offense violent	Equal variances assumed	1.76	0.19	-0.85	0.40	0.09
	Equal variances not assumed			-0.82	0.42	0.09

Work assignment or work training	Equal variances assumed	1.67	0.20	-0.71	0.48	0.08
	Equal variances not assumed			-0.67	0.50	0.08
Received calls, mail, or visits from child(ren)	Equal variances assumed	0.75	0.39	0.30	0.76	0.09
	Equal variances not assumed			0.30	0.77	0.09
Written up/found guilty of a verbal or physical assault on another	Equal variances assumed	0.00	0.99	-0.01	0.99	0.08
	Equal variances not assumed			-0.01	0.99	0.08
Completed high school	Equal variances assumed	0.02	0.88	-0.26	0.80	0.09
	Equal variances not assumed			-0.25	0.80	0.09
Married	Equal variances assumed	8.18	0.01	-1.29	0.20	0.07
	Equal variances not assumed			-1.61	0.11	0.05
Has children	Equal variances assumed	0.39	0.53	-0.36	0.72	0.09
	Equal variances not assumed			-0.35	0.73	0.09
Month before arrest monthly income	Equal variances assumed	0.34	0.56	-0.31	0.76	0.08
	Equal variances not assumed			-0.30	0.77	0.08
Mental history	Equal variances assumed	0.75	0.39	-0.65	0.52	0.09
	Equal variances not assumed			-0.65	0.52	0.09
Ever sentenced to prior incarceration	Equal variances assumed	58.46	0.00	2.20	0.03	0.09
	Equal variances not assumed			2.35	0.02*	0.08
Sex offender	Equal variances assumed	5.92	0.02	-1.08	0.28	0.08
	Equal variances not assumed			-1.19	0.24	0.07
*Found to be significant at the 0.05 level.						

Bivariate Correlation.

The third task of this analysis was to run a bivariate correlation of the full model.

The purpose of the bivariate correlation was to determine if a relationship exists between

two variables in the model. From the bivariate correlation, only one variable (ever sentenced to prior incarceration) was found to have a significant relationship to the dependent variable (unwanted sex contact while incarcerated), $p=0.029$. In line with prior research, a number of other significant relationships between the independent variables were found. Sentence length was found to be significantly related to mental history, violent offense, work assignment, and if written up or found guilty of assaulting another (Mears, et al., 2013). See appendix A for the full correlation.

Logistic Regression.

The fourth and final task of this analysis was to run logistic regressions for the model. These models consider the strength of the relationship between the independent variables and the dichotomous dependent variable. The purpose of this test was to predict the likelihood of the dichotomous dependent variable (unwanted sex contact while incarcerated).

As found in the logistic regression, participants who reported prior incarceration were found to have an increased likelihood to report unwanted sexual contact while in prison. Additionally, the odds ratio, $EXP(B)=2.332$, shows that those who have a history of prior incarceration are two times more likely to report unwanted sexual contact. The results of both the bivariate correlation and logistic regression fall in line with prior research which identified a predictor for prison rape to be one's history of misconduct (Mears, et al., 2013; Irwin & Cressey, 1962). Those with histories of prior incarceration may be more likely to adhere to criminal codes and be exposed to deviant individuals within the correctional facility (Irwin & Cressey, 1962; Anderson, 1994). While one important relationship between the dependent variable and one of the independent variables

was identified, many relationships that were predicted did not arise. Based on current literature, it was predicted that one's race, mental history, violent offense, and work assignment would be significantly related to the dependent variable (Listwan, et al., 2014; Jenness, et al., 2007; Mears, et al., 2013; Steiner, et al., 2017; Steiner & Wooldredge, 2018). See table #4 below.

Table #4: Logistic Regression				
	B	S.E.	Sig.	Exp(B)
Race/Black	-0.13	0.47	0.76	0.88
Race/Hispanic	0.63	0.43	0.15	1.88
Completed high school	-0.09	0.37	0.80	0.91
Married	-0.94	0.66	0.16	0.39
Has children	0.13	0.39	0.73	1.14
Mental history	-0.20	0.38	0.59	0.82
Sentence length in months	0.00	0.00	0.25	1.00
Offense violent	-0.18	0.45	0.70	0.84
Ever sentenced to prior incarceration*	0.85	0.41	0.04	2.33
Sex offender	-0.17	0.53	0.74	0.84
Work assignment or work training	-0.44	0.42	0.29	0.64
Written up/found guilty of a verbal or physical assault on another	-0.18	0.44	0.68	0.83
*Found to be significant at the 0.05 level.				

The final step of the analysis was to run a smaller regression with the following variables: race/Black, race/Hispanic, completed high school, has children, and married. Out of line with prior research, none of these variables were found to be significant.

Conclusion

This research set out to identify factors associated with a greater likelihood that someone will be a victim of prison rape. Despite the shortcomings in the data, one variable was found to be significant. In all, of those who experienced lifetime sexual victimization,

those with histories of prior incarceration were found to be two times as likely to report unwanted sexual victimization while incarcerated.

Chapter 5: Discussion/Conclusion

The goal of this research was to identify factors associated with prison rape victimization. This research hoped to close the gap in prison rape literature, by replicating existing findings on factors associated with an increased likelihood of prison rape victimization and by identifying new factors. This was done through a series of analytical tests. In all, this project was able to successfully answer the research question ‘what factors are associated with a greater likelihood that someone has been a victim of prison rape?’. This research identified one factor, one’s history of prior incarcerations, to be a significant predictor of one’s likelihood of reporting prison rape victimization in those who experienced lifetime sexual victimization. Not only are those who have prior histories of incarceration at an increased risk for prison rape victimization, but they are also twice as likely to report it. This finding is consistent with the work of Steiner and colleagues and Mears and colleagues who discuss deprivation factors such as individuals’ histories of misconduct, exposure to delinquent peers, and adherence to criminal subcultures (Steiner, et al., 2017; Mears, et al., 2013). These factors can lead an individual to engage in behaviors that may result in reincarceration. This finding can help bridge the gap in prison rape literature as it can lead to legislation and practice that can better protect those with histories of prior incarceration.

In addition to the main finding of this research, many other relationships were found to be significant through the bivariate correlation. These relationships fall in suit with the work of Mears and colleagues (2013), who argue that one’s adherence to criminal

subcultures may have an increased likelihood of engaging in violent behavior. For example, sentence length in months was found to be significantly related to other variables in the model. One's engagement in more violent behaviors can result in increased sentence lengths.

Limitations

This research comes with many limitations. The most significant limitation is the available data. Due to the nature of the questionnaire used in the Survey of Inmates in State and Federal Correctional Facilities from 2004, only a small number of the participants were asked the question on unwanted sexual contact while incarcerated. As discussed previously in the methods section, in order for a respondent to be asked this question, they must have provided specific answers to the prior two questions about prior sexual assault and the nature of the victimization. Likewise, the question on unwanted sexual contact while incarcerated may not as been asked to the members of the incarcerated population who are most at risk for prison rape victimization. The average age of the sample was about 35 years old, while the risk of prison rape victimization severely declines once an individual reaches 25 years old (Felson, Cundiff, Painter-Davis, 2012).

Implications

This project offers implications for research, policy, and practice.

Research. Research implication for this study include recommendations for research, in general, and theory. This project recommends that future research continue working to close the gap in prison rape research by continuing to identify factors associated with prison rape victimization and working close to create a level of trust between researchers and incarcerated populations. Continued research here may demonstrate

changes in prison rape trends over time, for which there is insufficient data at this time. Likewise, future research on prison rape victimization may continue to shed light on incarceration-specific factors that make an individual a more likely victim. Lastly, building rapport between researchers and incarcerated populations may help minimize under- and non-reporting for in person and self-report respondents. Many victims and bystanders of prison rapes may be deterred from reporting. These individuals may fear retaliation or punishment as they may not fully understand the informed consent process, or they may simply not trust the researcher not to divulge their responses to other respondents or institution staff. Building these trusting relationships between researchers and incarcerated populations may help minimize these issues.

A second research implication proposed by this study is continued work looking at importation and deprivation theories on prison rape. These theories have been identified to predict institutional victimization and misconduct; however research looking at how deprivation and importation theories predict prison rape is lacking. Moving forward with importation theory, it may be beneficial to dive deeper into the life histories and experiences of individuals. A more in-depth look may help identify predictors of prison rape that have yet to be considered. This may also be the case with carceral facilities for deprivation research. This research may benefit from analyses that examines the institutions themselves, their histories, and those who are housed within them. Comparing institutions with high rates of misconduct and prison rape to those with low rates may help researchers to identify predictors of prison rape victimization.

Policy and practice. Policy implications for this study include policy and practice implications. The most important implication from this research is improved officer

training on the prevention of prison rapes, identifying factors associated with prison rape victimization, and treating victims of prison rapes. Per PREA, all correctional facilities must train all officers on the “zero-tolerance policy for sexual abuse and sexual harassment, how to fulfil their responsibilities, inmates’ rights, how to detect and respond to sexual abuse, and how to communicate effectively and professionally with inmates, including [LGBT+] inmates” (National PREA Resource Center, 2021). By improving office training in these areas, we can help victims of prison rapes heal and move forward after their experiences and prevent future prison rape victimizations. Likewise, facilities must create safe and secure ways for individuals to report any prison rape victimization.

One possible solution could be implementing anonymous comment or suggestion boxes where individuals can submit concerns. According to PREA, facilities must “provide multiple internal ways for inmates to privately report sexual abuse and sexual harassment [and] shall also provide at least one way for inmates to report abuse or harassment to a public or private entity or office that is not part of the agency” (National PREA Resource Center, 2021). One way to ensure compliance with this tenet of the act, institutions could employ a system in which victims and bystanders can safely report victimization and seek help, resources, and support at their own pace.

A second solution may be to require regular physicals in which a trained Sexual Assault Nurse Examiner (or SANE nurse), who is familiar with warning signs of sexual victimization, is present. This may result in increased reports if these individuals are able to report their findings to an individual who is higher in the administrative hierarchy in the prison than one of the officers who may see victims and those committing these prison rapes on a daily basis. There are many benefits that come from employing medical

professionals who are specifically trained to identify the warning signs of sexual violence. As defined by the U.S Department of Justice, a SANE program “provides 24-hour on call services for all male and female victims of sexual assault or abuse (USDOJ, 1999).

While SANE programs can benefit all who face sexual victimization, they may be especially beneficial to those in prison. Masconda Wheatley, RN, CCHP of Corizon Health describes the experiences of SANE nurses working with the Missouri Department of Corrections (Wheatley, 2017). This program assists those who face sexual victimization in many ways. First, a SANE nurse is sent to the victim’s facility. This prevents long waits and distances traveled for care. This also protects victim’s privacy as other individuals are no longer seeing them leave the facility. Next, “SANE nurses are also nurses who work with patients on a daily basis” (Wheatley, 2017). This means that incarcerated individuals become familiarized with the SANE nurses in their facilities, resulting in more secure relationships in which individuals may be more likely to report their victimization. Lastly, SANE nurses are part of a network of professionals who are familiar with other necessary resources that can help victims succeed after their trauma such as mental health care and STD treatment (2017).

Currently incarcerated populations are subject to physical screening at the time of their intake into their current facility, or transfer to a new facility (National PREA Resource Center, 2021). These screenings take the following into consideration: the individual’s age, physical build, prior incarceration histories, their history as violent offender, and for evidence of prior sexual victimization. PREA also specifies that an individual’s risk level can be reassessed when warranted, but this may not guarantee a physical exam. Requiring regular physicals by a SANE nurse can protect individuals who may not have a voice of

their own, while also ensuring the best detection of the warning signs of sexual victimization.

One final implication may be to introduce the #metoo movement into correctional facilities. News of prison rapes rarely reach the public outside institutions, so it may be possible that the strides that are being taken to combat sexual violence outside prison are not being taken inside them (Gaes & Goldberg, 2004). By introducing the movement and sharing survivor stories, it may be possible to create an environment within correctional facilities in which sexual violence is not tolerated and the subcultures in which it thrives (see Mears, et al, 2013; Irwin and Cressey, 1962) are rejected. Not only could introducing the #metoo movement into facilities successfully combat sexual violence and the environments in which they are encouraged, it could also help victims heal by sharing their experiences and seeking necessary help, which is what four individuals incarcerated at the women's correctional facility in Chowchilla, California. These four individuals made claims of sexual victimization from which the facility failed to protect them or hold the accused parties accountable (Davis, 2020). Jerry Metcalf, an individual serving time at a Midwest facility wrote about his experiences as an incarcerated male and the #metoo movement (2018). He explained the disconnect between those who are younger and older, how the #metoo movement has encouraged himself and his peers to assess their prior behaviors and develop empathy towards others (Metcalf, 2018). As survivor's stories are shared and more come forward, it is possible that reports of sexual violence in prison are taken seriously, and society can reject those who claim prison sexual violence is non-preventable or a laughing-matter.

Conclusion

Prison rape is a problem that plagues many of the most vulnerable individuals in our society. As policy, practice, and research are catching up, this project attempted to contribute to this growing body of literature by answering the question ‘what factors are associated with a greater likelihood that someone has been a victim of a prison rape?’. This was done by utilizing data from the Survey of Inmates in State and Federal Correctional Facilities from 2004. The main finding of this project is that of individuals who experienced lifetime sexual victimization, those with histories of prior incarceration are two times more likely to report prison rape victimization than those without prior incarceration. On the surface, this finding may not seem like much, however, it creates a foundation upon which research, policy, and practice can be developed an improved in order to protect our most vulnerable individuals.

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Appendix A

Bivariate Correlation

Table 8: Bivariate Correlation Full Model

		UNWANTED SEXUAL CONTACT WHILE INCARCERATED	RACE/BLACK	RACE/HISPANIC	COMPLETED HIGH SCHOOL	MARRIED	HAS CHILDREN	MENTAL HISTORY	SENTENCE LENGTH IN MONTHS	OFFENSE VIOLENT	EVER SENTENCED TO PRIOR INCARCERATION	SEX OFFENDER	WORK ASSIGNMENT OR WORK TRAINING	WRITTEN UP/FOUND GUILTY OF A VERBAL OR PHYSICAL ASSAULT ON ANOTHER
UNWANTED SEXUAL CONTACT WHILE INCARCERATED	Pearson Correlation	1.00	-0.05	0.10	-0.01	-0.07	-0.02	-0.04	0.04	-0.05	0.12*	-0.06	-0.04	0.00
	Sig. (2-tailed)		0.40	0.07	0.80	0.20	0.72	0.52	0.46	0.40	0.03	0.28	0.48	0.99
RACE/BLACK	Pearson Correlation	-0.05	1.00	-0.42**	0.03	0.04	-0.04	0.01	0.01	0.02	0.07	-0.00	0.00	-0.01
	Sig. (2-tailed)	0.40		0.00	0.66	0.44	0.51	0.90	0.82	0.72	0.20	0.94	0.96	0.88
RACE/HISPANIC	Pearson Correlation	0.10	-0.42**	1.00	-0.06	-0.00	-0.02	-0.05	0.03	-0.05	0.01	-0.09	0.05	-0.01
	Sig. (2-tailed)	0.07	0.00		0.31	0.99	0.77	0.41	0.63	0.39	0.80	0.12	0.40	0.90

COMPLETED HIGHSCHOOL	Pearson Correlation	-0.01	0.03	-0.06	1.00	0.01	-0.02	-0.06	0.06	0.02	0.04	-0.03	-0.07	0.06
	Sig. (2-tailed)	0.80	0.66	0.31		0.84	0.70	0.27	0.32	0.78	0.52	0.61	0.21	0.31
MARRIED	Pearson Correlation	-0.07	0.04	-0.00	0.01	1.00	0.31**	-0.04	-0.03	0.02	0.02	0.08	-0.04	-0.12*
	Sig. (2-tailed)	0.20	0.44	0.99	0.84		0.00	0.45	0.55	0.78	0.79	0.14	0.44	0.03
HAS CHILDREN	Pearson Correlation	-0.02	-0.03	-0.02	-0.02	0.31**	1.00	-0.00	-0.07	0.04	-0.04	0.11*	0.06	-0.16**
	Sig. (2-tailed)	0.72	0.51	0.77	0.70	0.00		0.95	0.20	0.46	0.45	0.04	0.31	0.01
MENTAL HISTORY	Pearson Correlation	-0.04	0.01	-0.05	-0.06	-0.04	-0.00	1.00	-0.14**	-0.08	-0.06	0.04	-0.08	-0.03
	Sig. (2-tailed)	0.52	0.90	0.41	0.27	0.45	0.95		0.01	0.14	0.30	0.48	0.15	0.56
SENTENCE LENGTH IN MONTHS	Pearson Correlation	0.04	0.01	0.03	0.06	-0.03	-0.07	-0.14**	1.00	0.35**	-0.05	0.04	0.19**	0.21**
	Sig. (2-tailed)	0.46	0.82	0.63	0.32	0.55	0.20	0.01		0.00	0.40	0.51	0.00	0.00
OFFENSE VIOLENT	Pearson Correlation	-0.05	0.02	-0.05	0.02	0.02	0.04	-0.08	0.35**	1.00	-0.23**	0.43**	0.12*	0.14*
	Sig. (2-tailed)	0.40	0.72	0.38	0.78	0.78	0.46	0.14	0.00		0.00	0.00	0.03	0.02
EVER SENTENCED TO PRIOR INCARCERATION	Pearson Correlation	0.12*	0.07	0.01	0.04	0.02	-0.04	-0.06	-0.05	-0.23**	1.00	-0.23**	-0.02	0.05
	Sig. (2-tailed)	0.03	0.20	0.80	0.52	0.79	0.45	0.30	0.40	0.00		0.00	0.79	0.42
SEX OFFENDER	Pearson Correlation	-0.06	-0.00	-0.09	-0.03	0.08	0.11*	0.04	0.04	0.43**	-0.23**	1.00	0.08	-0.07
	Sig. (2-tailed)	0.28	0.94	0.12	0.61	0.14	0.04	0.48	0.51	0.00	0.00		0.16	0.20
WORK ASSIGNMENT OR WORK TRAINING	Pearson Correlation	-0.04	0.00	0.05	-0.07	-0.04	0.06	-0.08	0.19**	0.12*	-0.02	0.08	1.00	0.06
	Sig. (2-tailed)	0.48	0.96	0.40	0.21	0.44	0.31	0.15	0.00	0.03	0.79	0.16		0.26
WRITTEN UP/FOUND GUILTY	Pearson Correlation	0.00	-0.01	-0.01	0.06	-0.12*	-0.13**	-0.03	0.21**	0.14*	0.05	-0.07	0.06	1.00

OF A VERBAL OR PHYSICAL ASSAULT ON ANOTHER	Sig. (2-tailed)	0.99	0.88	0.90	0.31	0.03	0.01	0.56	0.00	0.02	0.42	0.20	0.26	
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*. Correlation is significant at the 0.05 level (2-tailed).

**. Correlation is significant at the 0.01 level (2-tailed).