

PRISONERS PERSPECTIVES

NOTES FROM THE INSIDE

SEX IN PRISON

by Dee Farmer

With the rising numbers of inmates infected with the human immunodeficiency virus (HIV), prison administrators are faced with the complexities of how to prevent the transmission of HIV among prisoners. The options are few: stop sex and intravenous drug use, or issue condoms and hypodermic needles. When one option is impossible and the other highly controversial, what do they do?

Sex in prison is real and alive. Prisoners who are vulnerable and hungry for affection often turn to each other for comfort. The pleasure and sense of caring derived during sexual intercourse can become so essential for some inmates that they become promiscuous. Unfortunately they believe that they are at minimal or no risk of contracting HIV; however, the risk is often great. Studies have consistently shown the existence of sex in prison even among inmates who do not engage in homosexual activity when not incarcerated.

Of course, it is prohibited for inmates to engage in sexual intercourse with one another, but that does not stop them. Prison officials are aware that they could never eliminate sex behind bars. It is a known fact that for years prison officials viewed homosexual activity as a comfort to prisoners and in many instances sanctioned homosexual relationships. Homosexual activity was known to occur in housing areas, bathrooms, showers and other non-monitored areas of the institution. When inmates were caught engaging in sexual acts it was not viewed as a major disciplinary infraction and sanctions were minor, if any.

Now, with the AIDS crisis, prison officials have begun to look for ways to curb the transmission of HIV. But, as one major tabloid recently wrote, "sexual activity is occurring in prison and the chances of stamping it out are slim." Not only slim, but unrealistic—there will always be sex and intravenous drug use in prisons, even more so now with the prison system bulging at its seams. Irrespective of the well-documented fact that prisoners continue to engage in sex and drug use, placing them-

selves at risk for HIV infection, the majority of prison administrators will not allow condoms in their institutions. They claim that distributing condoms would be contrary to their rules. An article in the *Washington Post* quotes Mary Campbell, a health educator for Washington, DC, prisons: "Under the District government law, sodomy is considered illegal. If we were to pass out condoms, then we would be going contrary to our own laws." Sadly, their obligation to abide by rules and laws is greater than their ability to save human lives. While New York City, Philadelphia and a couple of institutions in California issue condoms, the majority of prison systems, including the federal government, seem to be saying, we know our inmates engage in sex—but in doing so they break our rules and run the risk of being infected with HIV—so this is what they deserve and we are not going to do anything to help them.



It is noteworthy that prisoners who are caught engaging in risky behavior may be administratively or criminally charged. The federal prison system places HIV positive inmates whom they believe pose a danger to others in controlled housing. Predictably, this determination by prison officials is arbitrary, causing the policy to be researched and hopefully challenged for constitutional infirmities.

What do we do? As prison officials continue to turn their eyes, hearts and minds in the opposite direction and vulnerable prisoners allow passion to lead them into the world of AIDS—*Unite and lift our voices demanding that prisoners be given protection against HIV transmission.*

Dee Farmer is a federal prisoner and trained paralegal. She has been involved in the research and litigation of numerous cases involving prisoners' rights, including HIV-seropositive inmates. Farmer is currently incarcerated at the U.S. Medical Center for Federal Prisoners (Work Cadre) in Springfield MO.

[Ed. Note: *Notes From the Inside* will continue next month with Carlos Jimenez.]