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### Prisoners' Rights:

The ACLU's National Prison Project is the only national litigation program on behalf of prisoners. Since 1972, the NPP has represented more than 100,000 men, women and children. The NPP continues to fight unconstitutional conditions and the "lock 'em up" mentality that prevails in the legislatures. Learn more about our project and take action to protect the rights guaranteed to all Americans.

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## Texas Officials Complicit in Gang Rape and Sexual Slavery of Gay Black Man, ACLU Charges (4/17/2002)

### FOR IMMEDIATE RELEASE

WASHINGTON--In a case that highlights prison systems' failure to protect vulnerable prisoners -- and the role bias plays in who gets protected -- the American Civil Liberties Union today filed a lawsuit against Texas prison officials who permitted a gay African American man to be repeatedly raped and sold as a sexual slave for \$5.

In a legal complaint that reads like a nightmare scenario from the graphic HBO prison drama "Oz," the ACLU detailed the story of 33-year-old Navy veteran Roderick Johnson of Marshall, Texas, who for the last 18 months has been bought and sold by gangs, raped, abused, and degraded nearly every day.

"Prison officials knew that gangs made Roderick Johnson their sex slave and did nothing to help him," said Margaret Winter, Associate Director of the ACLU's National Prison Project. "Our lawsuit shows that Texas prison officials think black men can't be victims and believe gay men always want sex -- so they threw our client to the wolves."

According to the ACLU complaint, Johnson appeared before the prison's all-white classification committee seven separate times asking to be placed in safe keeping from predatory prisoners. Instead of protecting Johnson, the ACLU complaint charges, the committee members taunted him and called him a "dirty tramp," and one said, "There's no reason why Black punks can't fight if



**Roderick Johnson, a Navy veteran serving time for a non-violent crime, has been bought and sold by gangs, raped, abused, and degraded nearly every day.**

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they don't want to fuck."

Gangs and other prisoners often prey upon prisoners who are gay, as well as those who are young, small, mentally or physically disabled, first-time offenders, shy, perceived as weak, or possessing feminine characteristics, Winter said. In Texas and elsewhere, individuals identified with one or more of these vulnerable characteristics typically qualify for a prison classification known as "safe keeping" or "protective custody."

Johnson informed the prison's staff of his sexual orientation during the intake process. But after leaving the intake unit he was placed in general population. The result, according to the ACLU complaint, was devastating.

The complaint describes how gang members negotiated fees of \$5 to \$10 for sex with Johnson. "He was told that if he refused, he would be beaten and killed. As a sexual slave, he was repeatedly penetrated anally and forced to perform oral sex at the command of gang members," the complaint said.

"I know most people don't care what happens to prisoners, but no matter what Roderick has done he doesn't deserve the abuse he has received," said Johnson's cousin Sharon Bailey, whose calls to prison officials were ignored. "The entire family is horrified and devastated by what's happening to Roderick. We are afraid we will never see him alive again. We have faith that God will protect him, but the prison must also be held responsible for ignoring our pleas for help. Today we are praying for Roderick -- and fighting for him."

Texas was identified as the worst state in the nation for prison rape in Human Rights Watch's 2001 book-length report, *No Escape: Male Rape in U.S. Prisons*. Independent observers, including a federal judge, have said that some prisoners in Texas are vulnerable and need protection -- which they are not getting.

"Evidence has shown that, in fact, prison officials deliberately resist providing reasonable safety to inmates. The result is that individual prisoners who seek protection from their attackers are either not believed, disregarded, or told that there is a lack of evidence to support action by the prison system," wrote U.S. District Judge William Wayne Justice, in a class-action case about Texas prison conditions that has spanned 30 years. He also said evidence "revealed a prison underworld in which rapes, beatings, and servitude are the currency of power."

Nationally, the ACLU has received hundreds of complaints about rape and sexual assault of prisoners. The ACLU's National Prison Project recently filed a lawsuit in Colorado on behalf of a woman who was sexually assaulted while being transported between jails after her arrest. Other cases are being investigated and the ACLU plans to file additional lawsuits in the near future.

ACLU Complaint in Johnson v. Johnson available online at: [prison/conditions/14686lgl20020418.html](http://prison/conditions/14686lgl20020418.html).

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