

Finally, Justice is investigating Tutwiler

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By [Bob Martin](#) , Publisher

In May 2012 a non-profit justice system watchdog group reported inmates at Alabama's Julia Tutwiler Prison for Women had been victims of widespread sexual abuse and sexual harassment by male correctional officers.

The Equal Justice Initiative (EJI), says it "uncovered evidence of frequent and severe officer-on-inmate sexual violence," and the group asked the U.S. Department of Justice to look into the Alabama Department of Corrections' "failure to adequately protect prisoners." Tutwiler, located just north of Montgomery has an inmate capacity of 1,000.

The report alleged that between 2004 and 2011, the Corrections Department has received "dozens of complaints of sexual misconduct" between male staff and female inmates and reports of women becoming pregnant after being raped by guards. Between 2006 and 2011, according to the report, several women inmates were sexually assaulted or coerced into sexual favors in exchange for contraband goods such as food and toiletries.

"This troubling cycle of abuse and lack of accountability has established a widespread pattern and practice of custodial sexual misconduct," said Bryan Stevenson of Montgomery, the Equal Justice Initiative's executive director. This initial work by Stevenson's organization has now borne fruit.

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Just a few days ago, the U. S. Department of Justice wrote Gov. Bentley and informed the governor that the Justice Department's Civil Rights Division has launched an investigation at the prison into allegations of sexual abuse and harassment. The letter states that "inmates almost universally fear for their safety, live in a sexualized environment with repeated and open sexual behavior, including strip shows sponsored by the prison staff; and deliberate cross-gender viewing of inmates in the showers and bathrooms.

Saying that the investigation is not over, DOJ stated: "We conclude the State of Alabama has violated the Eighth Amendment of our Constitution by failing to protect women prisoners from harm due to sexual abuse and harassment from corrections staff."

State prisons say the findings are "off the mark." Stevenson said he hopes the findings will trigger more meaningful reforms by the state. When conditions reach the point of violating the constitution there has to be a remedy. My question is how much is this lack of supervision going to cost the taxpayers?

Correcting flaws to our open meetings law

The Alabama Supreme Court has dealt several major blows to Alabama's open meetings law in a series of decisions. The court ruled in favor of the Montgomery Public School system in *Slagle v. Board of Education* allowing a public body to meet privately in small groups, known as serial meetings, in order to keep the deliberative process secret. In another case the Court limited the right of citizen's to challenge a government body in court except under particular circumstances. Finally, in a ruling last year related to the Alabama Accountability Act the Court ruled that the Alabama Constitution does not require the state legislature to hold open meetings.

This past week new legislation which is supported by the Alabama Press Association (APA) will attempt to remedy these recent court rulings, according to the sponsors, State Sen. Cam Ward of Alabaster and State Rep. Mike Hill of Columbiana. The legislation will propose three amendments to the current 2005 Open Meetings Law.

(1) It expressly states that meetings in small groups without proper notice to discuss issues that

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will come before the full body are not permitted.

(2) It clarifies that any Alabama citizen has a right to bring an action against a governmental body if it believes it has violated the law, and any penalties assessed are payable to the plaintiff.

(3) The legislation reflects that the Alabama Constitution requires the Alabama Legislature to meet with its doors open to the public unless a vote is taken in public that secrecy is required in certain circumstances.

"Transparency is crucial to maintaining the public's trust in our government institutions," Ward and Hill said. "We must do everything we can to ensure that we have the highest level of open access in the operation of government."

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