

Though the U.S. civilian population has grown roughly sixty-one percent since 1970, as of 2012, [the prison population has increased seven hundred percent](#) since the 1970s. This expansion is out of proportion to the general population by roughly eleven and a half times.

According to *Time*, as of 2016, there were, on average, [over three exonerations per week in the U.S.](#) This number is more than double the rate reported by the National Registry of Exonerations in 2011. As Rene Callahan-St. John, who works with the Montreal-based [Prisoner Correspondence Project](#), notes, numerous factors account for the fact that trans people in North America are disproportionately incarcerated.

“Transphobia within families, job discrimination, and inadequate access to trans health care all increase the risk of criminalization,” Callahan-St. John, who is a trans man and advocate for trans rights, tells *Briarpatch*. “Trans people end up depending on survival crimes like selling drugs, street-based sex work, or petty theft to get by.”

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According to a [2003 govinfo.gov report on the Prison Rape Elimination Act](#), rape in U.S. prisons in 2003 was rampant, per Congress’s findings. Experts “conservatively estimated” that, at minimum, thirteen percent of people incarcerated in the U.S. had been sexually assaulted in prison and that many of them had been assaulted repeatedly. The report goes on to detail Congress’s findings:

*(2) ...nearly 200,000 inmates now incarcerated have been or will be the victims of prison rape. The total number of inmates who have been sexually assaulted in the past 20 years likely exceeds 1,000,000.*

*(3) Inmates with mental illness are at increased risk of sexual victimization. America’s jails and prisons house more mentally ill individuals than all of the Nation’s psychiatric hospitals combined. As many as 16 percent of inmates in State prisons and jails, and 7 percent of Federal inmates, suffer from mental illness.*

*(4) Young first-time offenders are at increased risk of sexual victimization. Juveniles are 5 times more likely to be sexually assaulted in adult rather than juvenile facilities—often within the first 48 hours of incarceration.*

Even though, by the U.S. government’s own admission, rape and mental illness were endemic throughout the prison system in 2003, the report went on to acknowledge the staggering inadequacy of prison staff when it came to their ability to address the needs of those incarcerated:

*(5) Most prison staff are not adequately trained or prepared to prevent, report, or treat inmate sexual assaults.*

*(6) Prison rape often goes unreported, and inmate victims often receive inadequate treatment for the severe physical and psychological effects of sexual assault—if they receive treatment at all.*

A more recent PREA report released by the Bureau of Justice is shockingly transparent in stating the U.S. prison system’s refusal to address prison rape, despite the jarring increase in accusations that occurred between 2011 and 2015. According to the study, prison officials deemed a mere [eight percent of the 67,168 sexual assault allegations reported](#) between 2012 and 2015 “substantiated”:

*Allegations of staff-on-inmate sexual misconduct increased 191% from 2,800 in 2011 to 8,151 in 2015. The number of allegations in prisons increased from 6,660 in 2011 to 18,666 in 2015 (up 180%). The number of allegations in jails increased from 2,047 in 2011 to 5,809 in 2015 (up 184%)...Of the 67,168 allegations of sexual victimization reported during 2012-15, correctional administrators completed investigations for 61,316 and found 5,187 (8%) to be substantiated.*