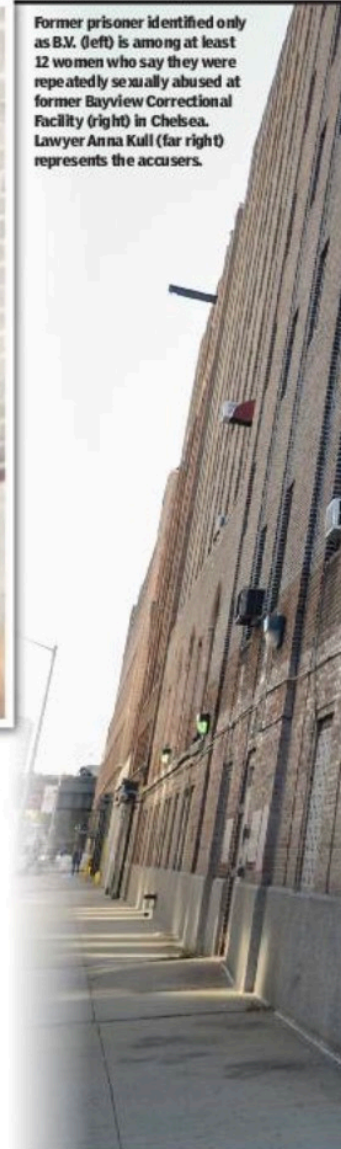




Former prisoner identified only as B.V. (left) is among at least 12 women who say they were repeatedly sexually abused at former Bayview Correctional Facility (right) in Chelsea. Lawyer Anna Kull (far right) represents the accusers.



GUARDS FORCED SEX: EX-INMATES

Plan suit claiming abuse at closed Chelsea jail

BY GRAHAM RAYMAN
NEW YORK DAILY NEWS

Like other state prisoners from New York City, A.Q. wanted to be closer to home — so much so she lobbied the state correction commissioner to finish her sentence at a Manhattan women's prison.

She got the transfer to the Bayview Correctional Facility on W. 20th St. in Chelsea — and became one of numerous women who say they were coerced into sex acts by prison guards who threatened their return to harsher lockups upstate.

Soon after she arrived at Bayview in 2010, A.Q. said, an officer who worked nights would come to her private room and coerce her into groping him.

"Any time he wanted to, he would just barge in," she said. "He knew I wanted to stay at Bayview. He would say, 'Don't tell anyone. You know where you're going to go.'"

A.Q. is one of at least a dozen women who have signed on to a class-action lawsuit to be filed against the state under the Adult Survivors Act, which opens a one-year

window for adult sexual assault survivors to sue outside New York's statute of limitation for such lawsuits. The one-year window opens late in November.

"This particular correctional facility had a persistent and prolific pattern of sexual abuse between correction officers and inmates over the decades," said lawyer Anna Kull of the Levy Konigsberg law firm, which represents the victims.

"The abuse ranged from peeping Tom situations to fondling and molesting them all the way to rape," said Kull. "It became really ingrained in the [prison's] culture."

A.Q. said she suffered the abuse because it seemed the clearest path to getting out of prison and moving forward with her life. "I was just thinking about going home," she said.

A.Q., who now works as a bartender and is six months pregnant, was one of a number of women who told the Daily News their stories of being abused by the prison's staff. Most of them asked to be identified only by their initials or first names.

Bayview, located across 11th Ave. from

the Chelsea Piers complex, became a state prison for women in 1978. In 2012, it was flooded during Hurricane Sandy and the state opted not to reopen it. Several attempts to sell or lease the building failed, and it remains dormant today.

But its grim legacy lives on in the stories of the women who served time there.

Typically, Bayview detainees were either nearing the end of their prison terms or in coveted work release programs with weekend passes. Many were young mothers from the city who benefitted from having their children and extended family close by.

Those factors gave their jailers an enormous amount of leverage over the women — and incentive for them to remain quiet about the sexual abuse they suffered, Kull said.

"They were less likely to report it because you don't want to ruffle feathers," the lawyer said. "A lot of them were being threatened into silence to avoid being sent upstate."

Thomas Mailey, a spokesman for the state Department of Corrections and Community Supervision, declined to comment

on any potential litigation. In a statement, he described the agency as a national leader in preventing prison sexual abuse.

"The department has zero tolerance for sexual abuse, which is illegal, violates department rules and threatens security," he said. "All reports of sexual abuse and sexual harassment are thoroughly investigated, as is retaliation against any individuals who cooperate with those investigations."

But at the time of their incarceration years ago, the women signing on to Levy Konigsberg's planned lawsuit saw no benefit in reporting prison staff's behavior.

"I didn't report it because I saw people write statements, and nothing happened," said A.Q.

"One girl came forward and they just transferred her. They said she was lying and put her in lockdown," she recounted. "I was just thinking about going home."

A.Q. kept the secret until she told her mom about a year ago.

Sometimes officers provided the women with other forms of help in exchange for sex, former detainees said.



"I didn't get visits or packages. He said he would take care of me," former Bayview detainee Georgette B. recalled of an officer she says forced her into sex.

"I would fill out an order [for the prison commissary] and I would give it to him and he would put some money in it," said Georgette B., who is now 56 and lives in the Bronx.

She said she was in the last stages of her prison sentence in 1997 when the officer, who escorted inmates to the mess hall, regularly coerced her into sex acts in the rear of a vacant gym.

Like many of the other victims, Georgette says she had been previously sexually abused and had little self-esteem.

"I was being used," she said. "It was something that I was familiar with. I didn't report it because I always blamed myself. I didn't think people would believe me. It would only make my stay more difficult."

She signed on to the lawsuit because she sees power in numbers. "If more than one person comes forward, it will be more believable," she said. "We suffered for too long in silence, and we're sick of our secrets."

A former detainee who asked to be identified as B.V. arrived at Bayview in 1997 on work release after a conviction for steering — showing two undercover cops where to buy drugs. She was drug-addicted herself at the time.

One night about three months in to her Bayview stay, an officer woke her up and demanded she clean a bathroom. He led her to a toilet stained with feces, pushed her to her knees and forced her to give him oral sex, B.V. recalled.

"I started crying, gagging and choking," said B.V., now 52 years old. "He kept on until he was done and then he said, 'Be careful, you don't want to ruin your weekend passes.'"

C.B. was a Bayview detainee from 1995 to 1997 and worked in the state Department of Motor Vehicles call center that was housed there.

One night an officer told her she had a medical appointment — but when she got to the clinic, no one was there.

She says the officer sexually assaulted her and then told her, "You know you can't tell anyone about this because you'll end up right

back where you came from."

"I was desperate enough to want to remain where I was, so I just stayed quiet," said C.B., now 57.

"I didn't report it. I was warned of what the consequences would be. When people did tell, they would get shipped off and sent to lockdown," she said. "There was no incentive to report it."

On the day she was released, the same officer asked her for her address and said, "We should stay in touch. Where are you going to?"

"The audacity of that!" said C.B. "I didn't respond. I knew then there was nothing more he could do to me."

Sexual abuse was a problem at Bayview long before the plaintiffs in Levy Konigsberg's planned suit were incarcerated there.

A Correctional Association of New York report covering the 1980s noted a shortage of female guards at the prison. "At Bayview, sexual abuse seems to manifest itself in a variety of ways — from verbal harassment to coerced sexual contact," the report said.

Over the years, the state has settled a

handful of sex abuse lawsuits involving Bayview, including a payment of \$300,000 to former inmate Sarene Walsh, who alleged she was pushed into a closet and groped by an officer in 2012, court records show.

In 2003, the Legal Aid Society sued on behalf of 17 women who claimed they were sexually abused in Bayview and seven other state prisons that housed women. One of the women became pregnant by a guard who was charged with a crime and fired.

While several plaintiffs received monetary compensation, the case collided with the range of procedural hurdles that blunted its effect.

The survivors act reopens a door victims thought was long closed.

C.B. was hosting a baby shower for her daughter in July when a friend mentioned a Levy Konigsberg ad seeking women to join the lawsuit.

"I said, 'Send me the information, so I can share with someone who deserves to know about it,'" C.B. said. "That someone, of course, was me."