Sexual Victimization in Prisons: Moving Toward Elimination

Harvard University, Kennedy School of Government
February 7, 2008
Overview of PREA

- Passed unanimously in 2003
- Create zero tolerance for prison sexual violence
- Aims to prevent, reduce and punish sexual violence in custody
- Covers all custodial settings – prison, jail, community corrections, adult, juvenile, immigration, military
Specific Tasks under PREA

- Bureau of Justice Statistics
- National Institute of Corrections
- National Institute of Justice
- Bureau of Justice Assistance
- Bureau of Prisons
- Institutional Review Panel
- National Prison Rape Elimination Commission
PREA’s Aims

- Transparency
- Accountability
- Conformity
Things you should know

- Doesn’t create any new legal rights
- Compels compliance through threat of loss of funding
- Underlying requirements while not creating new rights could be very useful in gaining visibility for sexual violence – media, legislature, litigation
8 members
- Political appointees
- Work very collaboratively
- Have been working together since July 2004
- Charged with producing a report and developing standards
Timeline for Commission

- Plan to have draft standards out for public comment by April ‘08
- Extensive work with the field on the standards
- Doing a readiness assessment with 10 jurisdictions (33 applied)
- Have report and standards to AG by end of ‘08
Issues to Flag

- Prevention
  - Classification
  - Supervision
  - Training
- Investigations
- Victim Services
- Data Collection
- Sanctions
Legal Issues

- Agency and Staff Liability
- Prosecution
- Administrative Sanctions
- Registry issues
- PLRA
- Employment Law
Where to go for resources

- **NIC**
  - Dee Halley – dhalley@bop.gov
  - American University – [www.wcl.american.edu/nic](http://www.wcl.american.edu/nic)
  - Moss Group, amoss@mossgroup.us

- **BJA** – [julius.dupree@usdoj.gov](mailto:julius.dupree@usdoj.gov)

- **NIJ** – [andrew.goldberg@usdoj.gov](mailto:andrew.goldberg@usdoj.gov)

- **SPR** – [www.spr.org](http://www.spr.org)