



Department of Community Justice
Prison Rape Elimination Act (PREA) Summary
Volunteers and Interns

What is PREA?

- Federal law enacted in 2003 – ***Zero tolerance for sexual assault and sexual harassment in prisons, jails, detention centers and treatment facilities used as conditions of supervision/parole and probation.***
 - A legal committee developed National Standards (rules) that outline prevention and response requirements.
 - In 2009, parole and probation offices and home visit spaces were removed from being applicable to PREA. (Sexual misconduct of this nature falls to internal policies and state laws.) **Yet, PREA requires DCJ to inform volunteers and interns of their reporting responsibilities.** If any known or suspected sexual assault or sexual harassment incidents occurred within a secure juvenile detention or a residential treatment program, volunteers/interns must report their knowledge to a DCJ manager or DCJ’s PREA Coordinator (988-4858).

Historical Overview:

- **1996** research showed **12-20%** of incarcerated Americans were subjected to sexual assaults.
- **2012** report revealed **9%** of former prisoners reported 1 or more incidents of sexual victimization. (**5%** - inmate to inmate / **4%** - staff to inmate)

Definitions to consider beyond the more readily understood terms of sexual assault / rape:

Sexual Harassment: (1) Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate, detainee, or resident directed toward another; and (2) Repeated verbal comments or gestures of a sexual nature to an inmate, detainee, or resident by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.

Sexual Misconduct: Behavior or sexual act directed toward a justice involved individual by an employee, volunteer, contractor, or agency representative. Misconduct includes romantic or sexual relationships including: 1) intentional touching of the genitalia, anus, groin, breast, inner thigh or buttocks with the intent to abuse, arouse, or gratify sexual desire; 2) completed, attempted, threatened, or requested sexual acts; 3) occurrences of indecent exposure; or 4) staff voyeurism.

I certify that I have read and understand PREA’s zero tolerance standard and my expectation to report any known or suspected sexual harassment or sexual contact to a Custody Services Manager.

Employee/Volunteer Name – (Print)

Employee/Volunteer (Signature)

Date