

No Excuses: The Prison Rape Elimination Act (PREA)

What is PREA?

The Prison Rape Elimination Act (PREA) is a federal statute focused on sexual assault and victimization in juvenile facilities, prisons, jail, lockups, and other detention facilities. The goal of PREA is to prevent, detect, and respond to sexual abuse in detention and correctional facilities.

By September 2013, Governors must begin auditing detention and correctional facilities to ensure full compliance with PREA or risk losing a percentage of federal funding allocated for justice programs in their state.

Who is affected and why is this important?

- **An estimated 4.4% of prison inmates and 3.1% of jail inmates reported experiencing one or more incidents of sexual victimization by another inmate or facility staff in a 12 month period.** Nationwide, these percentages suggest that approximately 88,500 adults held in prisons and jails had been sexually victimized in a one year time period.ⁱ
- **Even though only 1%ⁱⁱ of all jail inmates were youth under 18 in 2005 and 2006, they accounted for 21% and 13% of the victims of inmate-on-inmate sexual violence in jails respectively.**ⁱⁱⁱ
- To “protect” the youth in adult facilities, **some jails and prisons keep youth in solitary isolation for upwards of 23 hours a day.**
- Due to the extreme conditions of confinement and exposure to adult jails and prisons, youth have the highest suicide rates of all inmates in jails.
 - **Youth are 19 times more likely to commit suicide in jail** than their counterparts in the general population and 36 times more likely to commit suicide in an adult jail than in a juvenile detention facility.^{iv}

No Excuses

Jails and prisons are simply not equipped to protect youth from the dangers of adult jails and prisons. PREA recognizes the inherent dangers of placing youth in adult facilities therefore the **PREA Youth Inmate Standard (§115.14) requires that:**

- No youth under 18 can be placed in a housing unit where contact will occur with adult inmates in a common space, shower area, or sleeping quarters.
- Outside of housing units, agencies must either maintain “sight and sound separation”—*i.e.*, preventing adult inmates from seeing or communicating with youth—or provide direct staff supervision when the two are together.
- Agencies must avoid placing youth in isolation to comply with this provision and, absent exigent circumstances, must afford them daily large-muscle exercise and any legally required special education services, and must provide them access to other programs and work opportunities to the extent possible.

The stakes are too high for noncompliance.

Youth must be removed from adult jails and prisons to fully comply with PREA and protect youth from sexual assault.

To learn more: www.campaignforyouthjustice.org/preac

ⁱ Beck, A.J., Harrison, P.M., Berzofsky, M., Casper, R., Krebs, C. (2010, August). *Sexual Victimization in Prisons and Jails Reported by Inmates, 2008-2009*. Washington, D.C.: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics.

ⁱⁱ Snyder, H.N., Sickmund, M. (2006). *Juvenile Offenders and Victims: 2006 National Report*. Washington, D.C.: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

ⁱⁱⁱ Beck, A.J., Harrison, P.M., Adams, D.B. (2007, August). *Sexual Violence Reported by Correctional Authorities, 2006*. Washington, D.C.: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics.

Beck, A.J., Harrison, P.M., (2006, July). *Sexual Violence Reported by Correctional Authorities, 2005*. Washington, D.C.: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics.

^{iv} Calculations by comparing suicide rates published by the Bureau of Justice Statistics and the Centers for Disease Control. Mumola, C.J. (2005, August). *Suicide and Homicide in State Prisons and Local Jails*. Washington, D.C.: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics.