

## Prison Rape Elimination Act (PREA) Basics for Rape Crisis Center Staff

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### FACT SHEET

#### What Advocates Need to Know

The Prison Rape Elimination Act (PREA) is a federal law passed in 2003. It called for the development of standards to prevent, detect, and respond to rape in correctional facilities. PREA establishes a “zero-tolerance standard” for rape in United States prisons and prioritizes the prevention of prison rape in state and local facilities. The final standards were released in 2012.

PREA aims to eliminate sexual abuse in corrections and law enforcement facilities, increase accountability of agencies, and give incarcerated survivors the same level of care as those in the community.

PREA requires prisons, jails, juvenile facilities, community confinement facilities, and police lockups to attempt to make agreements with rape crisis centers (RCCs) to provide services. PREA does not impose requirements on RCCs, and advocate duties and reporting obligations remain the same. Under PREA, facilities must provide inmates with access to RCC advocates “in as confidential a manner as possible.”

#### **Potential Services:**

- **Crisis Intervention by Phone:** Confidentiality is limited in detention and can be hard to achieve. An advocate may need to ask yes/no questions. Inmates may have strict time limits and only have access during certain hours of the day. *Calls from incarcerated survivors should ideally be answered by trained staff, rather than volunteers.*
- **Crisis Intervention by Mail:** RCCs may want to develop form letters or outlines that can be customized for each individual.
- **In-Person Visits:** Each facility may have a different policy and procedure regarding in-person visits. Be sure to check the facility website or contact the facility for any special instructions.
- **Accompaniment:**
  - **SAFE:** Advocates should be aware that when accompanying inmates during a SAFE, there will likely be custody staff present. They may have to negotiate privacy and work with a survivor who is handcuffed or shackled.
  - **Investigatory Interview:** These interviews will most likely take place at the facility. Be sure to check the facility website or contact the facility for any special instructions regarding entry.

#### Resources for Advocates

*Just Detention International (JDI)* [www.justdetention.org](http://www.justdetention.org)

JDI is a health and human rights organization dedicated specifically to preventing prison rape. A wealth of information is available on their website including webinars, factsheets, articles, and guides for advocates.

*PREA Resource Center* [www.prearesourcecenter.org](http://www.prearesourcecenter.org)

The PREA Resources Center website contains copies of the PREA standards, trainings, curricula, webinars, and an extensive library of PREA-related information.

*Heard- Helping Educate to Advance the Rights of Deaf Communities* <https://behearddc.org>

Heard is an organization that seeks to Create a universally accessible American justice system that equitably serves individuals who are deaf and hard of hearing.

*State PREA Submission* <https://www.bja.gov/state-PREA-submissions>

PREA state level audits for correctional facilities