

Sexual Assault in Custody & Why Inmates Don't Report

FACT SHEET

The Bureau of Justice Statistics's 2012 report estimated **200,000 people** are sexually abused behind bars every year.¹ Nearly half of all reported incidents cite prison guards or staff as the alleged abusers. However, sexual abuse in correctional facilities remain an underreported crime.

Why don't incarcerated survivors report sexual abuse?

- **Some inmates may not know how to report.** Facilities should provide inmates with mailing addresses and telephone numbers, including toll-free hotline numbers for local, state, and national victim advocacy or rape crisis organizations for outside emotional support services related to sexual abuse.
- **Reporting sexual violence can be dangerous.** Inmates who do report sexual abuse may be regarded as a "snitch," viewed as weak, and face consequences.
- **Confidentiality is a concern.** Inmates may fear that staff won't keep their reports confidential, and that they will suffer retaliation.
- **Some inmates feel reports of sexual abuse are not taken seriously.** Officials may not believe that sexual abuse happens in their facility, or that inmates lie to get a transfer.
- **Many inmates who report sexual abuse end up being punished themselves.** A large proportion of inmates receive disciplinary write-ups or are placed in solitary confinement after reporting sexual abuse. **34%** of inmates who reported being sexually abused by other inmates, and **41%** of inmates reporting abuse by staff, were placed in restrictive housing. Confinement could increase the trauma experienced by the survivor as it removes them from programs that provide emotional support. *Too often, corrections staff place survivors of sexual abuse in restrictive housing, not as a last resort for their safety, but by default.*

PREA Inmate Reporting §115.51, 115.151, 115.251, 115.351²

(a) The agency shall provide multiple internal ways for inmates/detainees/residents to privately report sexual abuse and sexual harassment, retaliation by other inmates/detainees/residents or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents.

(b) The agency shall also provide at least one way for inmates/detainees/residents to report abuse or harassment to a public or private entity or office that is not part of the agency, and that is able to receive and immediately forward inmate/detainee/resident reports of sexual abuse and sexual harassment to agency officials, allowing the inmate to remain anonymous upon request.

(c) Staff shall accept reports made verbally, in writing, anonymously, and from third parties and shall promptly document any verbal reports.

(d) The agency shall provide a method for staff to privately report sexual abuse and sexual harassment of inmates/detainees/residents.

PREA Third Party Reporting §115.54, 115.154, 115.254, 115.354³

The agency shall establish a method to receive third-party reports of sexual abuse and sexual harassment and shall distribute publicly information on how to report sexual abuse and sexual harassment on behalf of an inmate.

¹ Allen J. Beck et al, "Sexual Victimization in Prisons and Jails Reported by Inmates, 2011–12", Bureau of Justice Statistics, May 2013.

² The National PREA Resource Center, "§115.51, 115.151, 115.251, 115.351 Inmate Reporting," 2019

³ The National PREA Resource Center, "§115.54, 115.154, 115.254, 115.354 Third Party Reporting," 2019