3.4—The National Prison Rape Elimination Commission (NPREC)

In July 2004, Congress appointed members to the National Prison Rape Elimination Commission to begin the task of developing national standards with the purpose to prevent, detect, and eliminate prison rape. The law also mandated that the Commission consider the impact of cost, current political structures, and the innumerable differences between different types of facilities and systems across the country. The work of the Commission resulted in a set of standards that served as a basis for the draft PREA standards that were issued in 2011.

At the conclusion of four years of hearings, data collection, and public forums, the Commission issued their Final Report of Findings and standards. The final Commission report can be located at: https://www.ncjrs.gov/pdffiles1/226680.pdf.

The following is a summary of their findings, the complete discussion of which can be found in their Final Report published in June 2009.

FINDING 1 Protecting prisoners from sexual abuse remains a challenge in correctional facilities across the country. Too often, in what should be secure environments, men, women, and children are raped or abused by other incarcerated individuals and corrections staff.

FINDING 2 Sexual abuse is not an inevitable feature of incarceration. Leadership matters; corrections administrators can create a culture within facilities that promotes safety instead of one that tolerates abuse.

FINDING 3 Certain individuals are more at risk of sexual abuse than others. Corrections administrators must routinely do more to identify those who are vulnerable and protect them in ways that do not leave them isolated and without access to rehabilitative programming.

FINDING 4 Few correctional facilities are subject to the kind of rigorous internal monitoring and external oversight that would reveal why abuse occurs and how to prevent it. Dramatic reductions in sexual abuse depend on both.

FINDING 5 Many victims cannot safely and easily report sexual abuse, and those who speak out often do so to no avail. Reporting procedures must be improved to instill confidence and protect individuals from retaliation without relying on isolation. Investigations must be thorough and competent. Perpetrators must be held accountable through administrative sanctions and criminal prosecution.

FINDING 6 Victims are unlikely to receive the treatment and support known to minimize the trauma of abuse. Correctional facilities need to ensure immediate and ongoing access to medical and mental health care and supportive services.

FINDING 7 Juveniles in confinement are much more likely than incarcerated adults to be sexually abused, and they are particularly at risk when confined with adults. To be effective, sexual abuse prevention, investigation, and treatment must be tailored to the developmental capacities and needs of youth.

FINDING 8 Individuals under correctional supervision in the community, who outnumber prisoners by more than two to one, are at risk of sexual abuse. The nature and consequences of the abuse are no less severe, and it jeopardizes the likelihood of their successful reentry.

FINDING 9 A large and growing number of detained immigrants are at risk of sexual abuse. Their heightened vulnerability and unusual circumstances require special interventions.

At the conclusion of their work, the National Prison Rape Elimination Commission was sunsetted in June 2009. More information on the NPREC can be found at the University of North Texas Libraries Archive: http://cybercemetery.unt.edu/archive/nprec/20090820154824/http://nprec.us/home/