

PREA & Working with Incarcerated Survivors

A Factsheet for Rape Crisis Advocates

Sexual Victimization of Incarcerated Individuals

It is widely accepted that sexual assault within correctional facilities is chronic and widespread; however, it is difficult to accurately measure the extent of the problem due to a lack of comprehensive research and underreporting. Incarcerated survivors often feel reluctant to report sexual assault due to shame, fear of exposure, fear of not being believed, fear of retaliation by the assailant, and fear of being targeted for future violence by others in the facility, among other concerns. A few statistics about prison rape:

- In a study of correctional facilities in the Midwest, approximately 1 in 10 males reported rape, and as many as 27% of females reported rape.¹
- An estimated 9.6% of former state prisoners reported one or more incidents of sexual victimization during the most recent period of confinement in jail (1.8%), prison (7.5%) or a post-release community facility (0.1%). 5.4% reported an incident involving another inmate, while 5.3% reported an incident involving facility staff.²

Prison Rape Elimination Act

The Prison Rape Elimination Act (PREA) was passed by Congress in 2003 to address the chronic problem of sexual violence suffered by incarcerated individuals. The law created the National Prison Rape Elimination Commission (NPREC) and charged it with developing standards for the elimination of sexual abuse in four kinds of facilities: adult prisons and jails, lockups, community confinement facilities, and juvenile facilities. The law required the Department of Justice (DOJ) to review the NPREC standards, make revisions as necessary, and pass the final standards into law. The final rule was published on June 20, 2012, and became effective on August 20, 2012. PREA standards require confinement facilities to prevent, detect, and respond to sexual abuse through the creation and implementation of new and revised policies, practices, procedures, and professional partnerships.

The Role of the Rape Crisis Advocate

As part of meeting the requirements of PREA, confinement and correctional facilities are beginning to approach rape crisis centers in the community for collaboration. While corrections staff understand the culture of confinement, most do not understand the trauma of sexual assault. Rape crisis advocates can assist corrections staff in a variety of ways, including any or all of the following:

- Training corrections staff about the trauma of sexual assault
- Providing advocacy and support to inmate-survivors during forensic exams in community hospitals
- Providing advocacy and support to inmate-survivors within correctional facilities
- Leading support groups for inmate-survivors within correctional facilities
- Speaking with inmate-survivors via the crisis hotline

¹ *Stop Prisoner Rape (2006)*

² *U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics: "National Former Prisoner Survey: Sexual Victimization Reported by Former State Prisoners, 2008"*

Personal, Ethical and Practical Considerations

Most rape crisis advocates are not accustomed to working with incarcerated survivors, particular male survivors within correctional or confinement facilities. The thought of providing advocacy to this population may seem both simple and daunting to many advocates. A few things advocates should carefully think through and prepare for prior to serving incarcerated survivors include:

- Personal attitudes about incarcerated individuals and the crimes they've committed.
- Any ethical dilemmas and/or sense of personal discomfort about providing support and advocacy to an inmate survivor who has perpetrated acts of violence, including sexual assault and child abuse.
- The program's capacity to meet the needs of incarcerated survivors in addition to survivors from the community. Considerations include staffing/volunteer levels, travel, and funding restrictions.

Working Within the Prison Environment

More than any other site an advocate visits, correctional and confinement facilities prioritize order and safety. This priority impacts every activity that occurs within the facility, including rape crisis advocacy and/or support groups. Advocates who visit a prison or other correctional facility can expect the following restrictions and security measures, among others:

- Professional visitors often must be approved or cleared by facility staff prior to providing services.
- Many correctional facilities have restrictions on what visitors can and cannot wear.
- Advocates may not be permitted to bring in purses, keys, phones, or other personal items.
- Any literature/materials the advocate wants to share with the survivor may not be permitted, or they may be subjected to inspection and approval by facility staff.
- Depending on the facility, a staff member or guard may be required to accompany the advocate at all times, including while speaking with the inmate survivor. In the hospital setting, a guard may be required to stay with the inmate survivor at all times.

Collaborating with Corrections Staff

Prior to providing any formalized advocacy or support services to incarcerated survivors in a correctional facility, it is a good idea for advocates to meet with relevant staff members in order to:

- Share information about each other's roles, expectations, capabilities, and limitations. (Formal or informal cross-training can be particularly helpful).
- Discuss security procedures, requirements and limitations within the correctional facility. This may include allowable visitation times, meeting space, and confidentiality considerations.
- Establish and nurture mutual respect and collaborative working relationships between individual advocates and facility staff members.
- If possible, it is useful if the individual correctional facility and the rape crisis program can agree to a memoranda of understanding (MOU), a document outlining the activities and expectations of both the correctional facility and the rape crisis program in terms of providing advocacy and support to incarcerated survivors.

For additional information about PREA and serving inmate survivors, please visit the National PREA Resource Center website at www.prearesourcecenter.org.