



The **National Prison Rape Elimination Commission** was established by Congress as part of the Prison Rape Elimination Act of 2003 (PREA), 42 U.S.C. § 15601, et seq.

When enacting this legislation, Congress considered that over two million people were incarcerated or detained in the United States as of the end of 2001, and the numbers have continued to grow since that time. Congress noted that the number of inmates who had been sexually assaulted in the twenty years preceding enactment of the Act “likely exceed[ed] 1,000,000,” and that inmates with mental illness and youthful offenders were at increased risk of sexual victimization. Additionally, the impacts of rape within correctional and detention facilities reaches far beyond the walls of the institutions. Victims of prison rape suffer severe physical and psychological effects that often hinder their ability to integrate into their communities and maintain stable lives, employment, and other relationships upon release from incarceration.

Not only does the significant incidence of prison rape and other sexual assault involve crimes, constitutional violations, and human rights violations; it also undermines the effectiveness and efficiency of government and expenditures through grant programs such as those dealing with health care; mental health care; disease prevention; crime prevention, investigation, and prosecution; prison construction, maintenance, and operation; race relations; poverty; unemployment; and homelessness. Recognizing that the effectiveness and efficiency of many federally-supported programs are compromised by failures to adopt policies and procedures that reduce the incidence of prison rape, Congress found it necessary to act to address this problem.

Pursuant to PREA, Congress directed the National Prison Rape Elimination Commission to study Federal, State, and local government policies and practices related to the prevention, detection, and punishment of prison sexual assaults. In order to fulfill its mandate, the Commission has undertaken a comprehensive legal and factual study of the penological, physical, mental, medical, social, and economic impacts of prison sexual assaults on Federal, State, and local governments in the United States, and on communities and social institutions generally.

Upon completion of its study, the Commission will report its findings, conclusions, and recommendations to the President, Congress, the United States Attorney General, and other Federal and State officials. Among its recommendations, the Commission will include national standards for enhancing the detection, prevention, reduction, and punishment of prison sexual assault. Consistent with the stated intent of PREA, the Commission's recommendations will be designed to make the prevention of prison rape a top priority in every prison system in the United States; to establish a zero-tolerance standard for the incidence of prison sexual assault in America's lockups, jails, juvenile facilities, prisons, and detention facilities; and to protect the Eighth Amendment rights of Federal, State and local prisoners.

Currently, there are eight Commissioners serving on the National Prison Rape Elimination Commission. The Honorable Reggie B. Walton serves as Chairman of the Commission, and John Kaneb serves as Vice-Chair. Appointments to the Commission were made by the President, the Speaker of the House, the Minority Leader of the House, the Majority Leader of the Senate, and the Minority Leader of the Senate.