



**For Immediate Release**  
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## **Statement of National Prison Rape Elimination Commission on Bureau of Justice Statistics Report on Sexual Assault in Local Jails**

*Washington, DC* – The bipartisan National Prison Rape Elimination Commission (“the Commission”) released the following statement on the Bureau of Justice Statistics (BJS) report issued today entitled “*Sexual Victimization in Local Jails Reported by Inmates, 2007.*” The study was mandated by the Prison Rape Elimination Act of 2003 (PREA), which also created the Commission and charged it with developing zero-tolerance national standards for enhancing the detection, prevention, reduction and punishment of sexual violence behind bars.

“Today’s report by the Bureau of Justice Statistics confirms that sexual violence and assault is not unique to prisons, but remains a serious problem at correctional facilities of all kinds. From a 2007 survey of 282 jails across the country, the Bureau estimates that 24,700, or 3.2 percent, of inmates experienced sexual victimization by another inmate, correctional staff or both in the six months prior to the interview.

An estimated 13 million persons are admitted by jails each year, staying anywhere from a few days to a year or more. The estimate of 24,700 victims represents 3.2 percent of a midyear population of similar facilities (772,800). But that projection does not take into account that the midyear population represents only a small percentage of the total number of people admitted to jails in 2007. When one considers that jails admitted around 13 million persons over the course of the year, it is likely that the actual incidence of sexual victimization is exponentially higher.

Even with margins of error, the study reveals that these facilities have extraordinarily high rates of sexual assault, highlighting the severity of this national problem.

As in its previous survey of inmates of federal prisons, the Bureau used a voluntary and anonymous self-interview process in which inmates responded to audio questions by computer. Though the information produced by this survey is useful, it’s important to remember that, even when guaranteed anonymity, victims of prison rape may be reluctant to admit sexual assault because of embarrassment or fear of reprisal. The actual incidence of sexual abuse in detention is likely to be higher.

We welcome BJS's stated willingness to adjust future surveys to gather additional information. We hope the agency will develop more questions about inmate reporting efforts, the response of officials and factors that may play into reporting, such as threats of retaliation.

The survey also provides evidence that certain groups of inmates are at a significantly greater risk of sexual assault, including inmates who report being homosexual or bisexual, or who report a high number of sexual partners or a history of sexual assault before their incarceration.

The BJS methodology continues to distinguish between 'willing' and 'unwilling' sexual contact between inmates and staff. We understand there is a difference between a staff member who uses force to overpower and rape an inmate, and a situation in which a relationship develops that includes physical intimacy. Because all staff are in positions of authority, both constitute sexual abuse of the inmate, and both are illegal, as the survey acknowledges.

The Commission has released draft standards for the reduction of sexual assault in adult prisons and jails for public comment from corrections leaders and staff, law enforcement, health and public health professionals, prisoners and detainees and the interested public. Proposed standards for adult prisons, jails and facilities holding immigration detainees will be open for public comment until July 7. Proposed standards for lockups, juvenile facilities, and community corrections facilities will be open for public comment until August 1. Comment may be submitted through the Commission's website at [www.nprec.us](http://www.nprec.us).

We anticipate that robust feedback about the proposed standards will be extremely useful to the Commission as we work to craft effective strategies to ameliorate the problem of sexual abuse in detention."

The Commissioners are the Honorable Reggie B. Walton, who serves as Chairman; Vice Chairman John A. Kaneb; James Aiken; Jamie Fellner, Esq.; Pat Nolan, Esq.; Gus Puryear, Esq.; Brenda V. Smith, Esq., and Cindy Struckman-Johnson, Ph.D. For more information about the Commission and its work, please visit [www.nprec.us](http://www.nprec.us).

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