



For Immediate Release
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Statement of National Prison Rape Elimination Commission on Bureau of Justice Statistics Report on Sexual Victimization in Prisons

Washington, DC – The bipartisan National Prison Rape Elimination Commission (“the Commission”) today released the following statement on a Bureau of Justice Statistics (BJS) report to be released on December 16, 2007 entitled “*Sexual Victimization in State and Federal Prisons 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.

“The report released today by the Bureau of Justice Statistics supplies further evidence that sexual violence in detention is a serious and widespread problem across the country.

“The report tells us that 4.5 percent of the inmates who participated in the BJS survey reported an incident of sexual victimization, either inmate-on-inmate or staff-on-inmate, in the past 12 months. Given a current U.S. prison population of 1,570, 861, that statistic suggests that more than 70,000 prisoners were victims of sexual violence in one year alone.

“This is the first sexual victimization survey of a nationally representative study of prison inmates, and as such, it is an important contribution to our understanding of the prevalence of prison rape. The BJS survey included only inmates in state and federal prisons, and did not take into account the many other settings in which sexual violence occurs, including jails, community corrections, immigration facilities and youth detention facilities. BJS is conducting separate surveys of other types of detention facilities.

“The BJS surveyed inmates in 146 federal and state prisons, administering a voluntary computer “self-interview” in which inmates responded to audio questions by touch screen. The agency acknowledges the problem of sampling errors and the limitations inherent in such self-reporting. In particular, the results may undercount the actual incidence of prison rape because, even when guaranteed anonymity, victims of prison rape may be reluctant to acknowledge the experience because of embarrassment or fear of reprisal.

“More troubling, the survey distinguishes between ‘willing’ and ‘unwilling’ sexual contact between inmates and staff members. Given the inevitable power imbalance between inmates and staff, it is problematic to suggest that staff-on-inmate contact can ever be truly voluntary. Sexual contact between staff and inmates is illegal in every state and in the federal system, and in a large majority of states inmates cannot legally consent to sex with correctional staff.

"The victims of sexual aggression and assault in detention, like sexual abuse victims anywhere, will deal for the rest of their lives with its devastating physical and psychological repercussions. Congress was correct in insisting in PREA that prison officials adopt a zero-tolerance standard for sexual violence in prison.

"The Commission looks forward to public hearings to be conducted by the Review Panel on Prison Rape, also established by PREA, which will examine the facilities identified by BJS as having the highest and lowest incidences of prison rape. Those hearings will be an important part of ongoing research on this important problem."

The Commissioners are the Honorable Reggie B. Walton, who serves as Chairman, Vice Chairman John A. Kaneb, James Aiken, Jamie Fellner, Esq., Pat Nolan, Gus Puryear, Brenda V. Smith, and Dr. Cindy Struckman-Johnson.

For more information about the Commission and its work, please visit www.nprec.us.

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