



For Immediate Release
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**Statement of National Prison Rape Elimination Commission on
Bureau of Justice Statistics Report on Sexual Violence Reported by
Juvenile Correctional Authorities**

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 Violence Reported by Juvenile Correctional Authorities, 2005 - 06.*” 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 is a serious, and especially tragic, problem in the nation’s juvenile correctional facilities.

The study indicates that authorities received reports of 4,072 incidents of sexual violence, either staff-on-youth or youth-on-youth, in state juvenile systems and local or private juvenile facilities in 2005 and 2006. It is particularly striking that fully 43 percent of those incidents were reported to involve misconduct or harassment by correctional staff – the very people who are responsible for protecting these most vulnerable inmates.

Among investigations of allegations of staff-on-youth violence, 18 percent were ‘substantiated,’ meaning they were determined to have occurred; 35 percent were ‘unsubstantiated’ but not unfounded, meaning that the evidence was insufficient to make a final determination that they did or did not occur; and 46 were ‘unfounded,’ or determined not to have occurred. These numbers suggest that fully 53 percent or more of allegations of staff-on-inmate abuse either definitely or may have occurred. Similarly, 61 percent of allegations of youth-on-youth violence either did or may have occurred.

It is deeply troubling that among juveniles who suffered substantiated sexual assaults of the ‘most serious violent forms of sexual assault’ (categorized by the report as ‘nonconsensual sexual acts,’) only 52 percent received a medical examination following the incident.

Also disturbing is the revelation that of staff found to have perpetrated sexual misconduct or harassment in state juvenile systems, only 35 percent were discharged from employment. Fully 41 percent were allowed to resign, either before or after an investigation, raising the concern that these abusers could simply find employment at another detention or correctional facility.

The Commission's work suggests that while the Bureau's statistics are useful, they may nevertheless understate the severity of the problem. Juveniles may be even less likely to report abuse through official channels than their adult counterparts, for fear of reprisal or because they lack access to assistance by outside organizations or counsel. And, as with adult detainees, allegations that present a 'he said, she said' scenario are often dismissed without thorough investigation.

The report provides an important look at the problem of sexual assault within our juvenile detention facilities; however, the questions it leaves unanswered underscore the need for continued and expanded data collection, and a broader understanding of how to prevent and respond to sexual assault in these settings.

The Commission has released draft standards for the reduction of sexual assault in lockups, juvenile facilities, and community corrections facilities for public comment from corrections leaders and staff, law enforcement, advocates, and public health professionals, inmates and residents, and the interested public. These standards will be open for public comment until 5:00 p.m. on August 15, 2008. Comment may be submitted through the Commission's website at www.nprec.us.

We anticipate that robust feedback about the proposed standards, as well as the information provided in this report, will be extremely useful to the Commission as we work to craft effective strategies to ameliorate the problem of sexual abuse in juvenile corrections facilities.”

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

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

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