



Robert Hinchman
Senior Counsel
Office of Legal Policy
Department of Justice
950 Pennsylvania Avenue NW.
Room 4252
Washington, DC 20530

April 28, 2010

RE: Docket No. OAG-131; AG Order No. 3143-2010
National Standards to Prevent, Detect, and Respond to Prison Rape

Dear Attorney General Holder,

On behalf of End Violence Against Women (EVAW) International, I would like to submit comments in support of the recommended national standards developed by the National Prison Rape Elimination Commission. We believe these standards will go a long way toward preventing and responding to sexual violence in corrections facilities, which is committed with horrifying frequency and has a devastating toll on men, women, and children whose safety we are all responsible to protect.

We applaud the U.S. Department of Justice's commitment, as noted in the Advanced Notice of Proposed Rulemaking, to remove the current ban on Victims of Crime Act (VOCA) funding for treatment and rehabilitation services for incarcerated victims of sexual abuse. This funding restriction has prevented many community rape crisis centers from providing counseling to incarcerated survivors of sexual violence, despite their commitment to serving all victims.

We also support other measures in the national standards, such as replacing the language of "rape" with the more general term "sexual abuse." Not only does this term include the full spectrum of sexual abuse -- rather than the narrower category of behaviors that constitute rape -- but it also has the advantage of avoiding confusion that results from statewide variation in legal definitions for rape. At the same time, it excludes consensual sexual activity between inmates; when this is included in the definition of behaviors that are covered, it can serve as a disincentive for reporting actual abuse.

Many of the standards are based on burgeoning knowledge in the field, regarding the dynamics and impact of victimization, and best practices for prevention and response. For example, we know that a variety of sexually abusive behaviors can serve as precursors for sexual assault, and an environment where such behaviors are tolerated will exacerbate the abuse and discourage reporting. We also know that medical forensic examinations are best conducted by professionals with specialized training and expertise, and that advocacy services can offer a powerful force to assist in healing from abuse. It is therefore critical that the standards recognize the importance of offering these services that have known efficacy, for those who suffer from sexual violence while they are incarcerated. The standards also highlight the central role that prevention efforts must have in a comprehensive approach.

As professionals working in the field of sexual violence, we believe that sexual abuse should never be tolerated and that, regardless of custody status or criminal history, anyone who is assaulted deserves proper support by a qualified service provider and a thorough investigation. This does not depend on the type of facility housing the inmate. Therefore, we strongly urge you to promulgate the Commission's standards without delay. Please feel free to contact us if we can be of any assistance.

Thank you for your consideration.

Respectfully,

A handwritten signature in black ink, appearing to read "Joanne Archambault". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Sgt. Joanne Archambault (Ret. SDPD)
Executive Director, EAW International