

Resolution Regarding National Standards on Prison Rape Elimination Released by National Prison Rape Elimination Commission

**Passed by the Board of Directors of the
National Association of Criminal Defense Lawyers
Memphis, TN
May 1, 2010**

Whereas the Prison Rape Elimination Act of 2003 established the National Prison Rape Elimination Commission (NPREC) to carry out a comprehensive study of sexual abuse in detention and develop national standards addressing prisoner rape;

Whereas NPREC conducted a comprehensive study of the problem of sexual abuse in U.S. corrections facilities, including holding public hearings, conducting literature reviews, commissioning reports, and consulting with experts;

Whereas NPREC's final report finds that protecting prisoners from sexual abuse remains a challenge in correctional facilities across the country because few correctional facilities are subject to the kind of rigorous internal monitoring and external oversight that would reveal why abuse occurs and how to prevent it;

Whereas NPREC's final report also finds that (1) many victims cannot safely and easily report sexual abuse, and those who speak out often do so to no avail; (2) juveniles in confinement are much more likely than incarcerated adults to be sexually abused; (3) a large and growing number of detained immigrants are at risk of sexual abuse; and (4) victims of sexual abuse are unlikely to receive the treatment and support known to minimize the trauma of abuse;

Whereas, based on the fact that mentally ill and intellectually disabled prisoners are twice as likely to suffer sexual abuse, NPREC calls for special accommodations for mentally ill and intellectually disabled prisoners to report sexual abuse;

Whereas NPREC released national standards on June 23, 2009, aimed at preventing and addressing sexual abuse in U.S. corrections facilities;

Whereas the national standards are a milestone in the effort to end prisoner rape and, in emphasizing that inmates retain a right to be free from sexual abuse, represent a dramatic shift in the way the U.S. government speaks about sexual abuse in U.S. corrections facilities;

THEREFORE IT IS RESOLVED that NACDL supports the national standards released by NPREC; and

IT IS FURTHER RESOLVED that NACDL urges the Attorney General to swiftly and fully adopt the national standards.

APPROVED this 1st day of May, 2010
Memphis, TN