

Prison Rape Elimination Act (PREA)

In September 2003, Congress enacted the Prison Rape Elimination Act (PREA). The purpose of the act is to establish a zero-tolerance standard regarding sexual abuse and sexual harassment of offenders within a correctional setting. PREA applies to all federal, state and local prisons, jails, lockups, private institutions and community residential facilities. PREA addresses all types of sexual misconduct in which an offender is the victim, including abuse by fellow offenders as well as sexual misconduct committed by staff.

Sexual abuse and sexual harassment in correctional institutions affects offenders, staff and even the public.

The act established a national panel to develop a set of national standards and required the U.S. Attorney General to review and publish a final set of PREA Standards.

Sexual Harassment:

Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature directed toward another

Sexual Abuse:

Sexual abuse of a resident by another resident; and
Sexual abuse of a resident by a staff member, contractor, or volunteer

Includes any of the following acts : if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse. Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person, excluding contact incidental to a physical altercation.

Sexual Assault:

Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire

[Prison Rape Elimination Act standards](#)

CCJDC PREA Policy

The Camden County Juvenile Detention Center (CCJDC) has enacted policies to establish a zero-tolerance of sexual abuse and sexual harassment in its facility, to ensure that all allegations of sexual abuse or sexual harassment are referred for investigation.

Additional CCJDC policies related to PREA compliance include:

The CCJDC has a designated PREA Coordinator. That person is charged with development, implementation, and oversight of the efforts to comply with the PREA standards. The PREA Coordinator is responsible for overseeing efforts to eliminate sexual abuse and sexual harassment at the Camden County Juvenile Detention Center.

The primary responsibilities of the PREA Coordinators are:

Monitor facility efforts to eliminate the occurrence of sexual abuse and sexual harassment in its facility;

Review agency policies and procedures to ensure they are in compliance with federal and state laws and PREA standards;

Report all allegations of sexual abuse and sexual harassment, including third-party and anonymous reports, to the designated investigators at the facility.

Multiple ways of Reporting Sexual Abuse and Sexual Harassment:

The Camden County Juvenile Detention Center has also provided multiple ways for juveniles to report abuse or harassment to a public, private entity or office that is not part of the facility, and that is able to receive and immediately forward juvenile reports of sexual abuse and sexual harassment to facility officials, allowing the juvenile to remain anonymous upon request.

Juveniles detained solely for civil immigration purposes shall be provided information on how to contact relevant consular officials and relevant officials at the Department of Homeland Security.

Staff shall accept reports made verbally, in writing, anonymously, and from third parties and shall promptly document any verbal reports.

Multiple ways for the juvenile to report

Write a grievance
Report to a Coach
Report to the Nurse
Report to a Teacher
Report to the Captain
Report to the Sergeant
Report to Administration
Report to the Pod Officer
Report to the Social Worker
Report to Food Service Worker
Report to the Licensed Clinical Soc. Worker
Allow resident to make anonymous private phone call
Tell a parent
Tell a friend
Tell a volunteer
Tell your lawyer
Tell a family member
Mail an anonymous letter to Administration

Institutional Abuse Hotline (877) 652 – 2873
Camden County Crisis Hotline (866) 295 – 7378
National Sexual Assault Hotline (800) 656 – 4673
Camden County Prosecutors Office (856) 225 - 8400
Division of Child Protection & Permanency Hotline (877) 652 – 2873

CCJDC Annual Review of PREA report :

<http://www.camdencounty.com/corrections/juveniledetentioncenter>.

Q. Investigations

1. Upon learning of an alleged incident of sexual abuse or sexual harassment against a juvenile, the Administrator or designee shall immediately report the allegation to the Camden County Prosecutors Office by telephone.
2. The Camden County Prosecutors Office shall determine whether the allegation involves conducts that:
 - a) Constitutes sexual abuse, in which case responsibility for investigating the allegation shall lie with the Administrator or designee
 - b) Constitutes sexual harassment, or otherwise is deemed to be a PREA violation that does not rise to the level of sexual abuse, in which case the allegation shall be referred to the

Administrator or designee, as appropriate, for a Facility PREA Investigation (FPI), as provided for in Section 16.3; or

c) Is not a violation of PREA, but would otherwise warrant an investigation, in which case shall log the matter in as a non-PREA case; or

d) Is so inconsequential as to not warrant any formal investigation, in which case the matter shall be referred back to the Administrator.

Section 16.3

CCJDC Policy – Investigations 1.2, Investigation of abuse 8.3 Facility PREA Investigation (FPI)

1. Upon referral for an FPI under Section 16(b)2, above, the Administrator, as appropriate, shall assign the case for investigation to the Chief who has received PREA incident investigation training.

2. If at any time during the course of an FPI facts emerge which indicate possible sexual abuse, the Chief shall immediately refer the matter to the Administrator for a consultation and any recommendation.

Section 16.4 115.371 Scope of investigation

All investigations under this Part 5A shall comply with the provisions of 115.371, Criminal and administrative agency investigations.

Section 16.5 115.352

Written findings; investigation time limits: Forwarding finding to Administrator and Chief of Operations

1. At the conclusion of a PREA investigation the Administrator, shall issue written findings documenting that the allegations have been determined by the preponderance of the evidence to be either:

- (a) Substantiated;
- (b) Unsubstantiated; or (c) Unfounded.

2. Absent circumstances requiring additional time, an investigation will be completed within 90 days of the determination under the provisions of Section 16.2(b)1, below; and an FPI will be completed within 30 days of assignment under the provisions of Section 16.3(a).

3. An investigation may be extended upon a determination that more time is necessary in order for it to be concluded properly.

4. Such determination shall be made for an investigation by the Administrator.
5. Each determination shall be documented on a form maintained as part of the case file, and shall be renewed as necessary every 30 days.
6. Upon completion of an FPI the findings shall be forwarded to the Administrator.
7. A copy of all investigation findings shall be forwarded by the Administrator to the Director or designee; in addition, a copy of the findings of the investigation shall be forwarded to the Director.
8. Investigating personnel shall promptly disclose to the Administrator information necessary or appropriate to safety and to the orderly operation of the facility.

All offenders have the right to be free of abuse while in the CCJDC facility. The CCJDC will cooperate in any criminal investigations conducted by the Camden County Prosecutors Office and prosecution of anyone involved in a sexual abuse of a resident in the CCJDC. Due to the serious nature of sexual abuse, anyone knowledgeable of a juvenile-on-juvenile or staff-on-juvenile sexual abuse that occurs within the CCJDC facility is encouraged to immediately report the allegation so that action can be taken to ensure their safety. The CCJDC will respond to all reports and steps will be taken to protect the victim.

Although not mandatory, it is preferable that inquiries be submitted in writing. In the event of eminent harm, phone numbers are provided for immediate action.

When an alleged criminal act is committed against a juvenile, the allegation is reported to both the Department of Family Services as a report of Abuse and Neglect and to the Camden County Prosecutor Office to begin a criminal investigation.

The identity of anyone making a report will remain confidential. All reports are investigated thoroughly and taken very seriously. The sharing of information pertaining to the alleged sexual abuse and identity of the victim will be limited to those who must know. Sharing information regarding the victim and/or

incident shall be conducted in a manner that is in accordance with all applicable policies, state statutes, and professional licensure and ethics standards.

To report an incident of sexual abuse or harassment of a juvenile offender, the public may use the following contact information:

Administrator
8 S. Woodbury-Turnersville Road
Blackwood, New Jersey 08012
(856) 374 – 6100

