

Senate Judiciary Committee
Hearing Before the Subcommittee on Criminal Justice and Counterterrorism
Hearing on
“Sexual Assault in U.S. Prisons Two
Decades After the Prison Rape Elimination Act”
September 25, 2024
Questions for the Record
Senator Amy Klobuchar

Question For Mr. Kenneth L. James, Director of Settlement Compliance at the South Carolina Dept of Juvenile Justice

Nationally, more than 40 percent of people in prisons and jails have a diagnosed mental health condition, and 14 percent of federal prisoners reported having a major depressive disorder. That is one of the reasons why I co-led the Justice and Mental Health Collaboration Reauthorization Act with Senator Cornyn, which President Biden signed into law in 2022.

- In your work as a PREA auditor and with the National PREA Coordinator’s working group, how much focus is there on the psychological impact of abuse?
 - Thank you for this question and thank you for your work on the Justice and Mental Health Collaboration Reauthorization Act of 2022. Yes, there has been a more concerted effort to bring more focus and attention to the psychological impact of sexual abuse. To note, not only is there a large number of incarcerated people who have had a psychological impact from abuse, there is also a large number of incarcerated people who come to confinement having experienced previous sexual abuse. Approximately 40% of incarcerated people live with mental illness, trauma, and emotional scars.

As I discussed in my testimony, the South Carolina (SC) Department of Corrections is the first state correctional agency in the nation to provide work space for local rape crisis centers inside of a prison. These advocates are licensed mental health practitioners and advocates who not only provide trauma informed interventions and services to individual survivors of sexual abuse in incarceration, but they also provide individual and group therapy to survivors of sexual abuse prior to incarceration.

Although work space is offered to most of the jurisdictional rape crisis centers, Pathways to Healing is the only organization that provides onsite counseling, education, and supportive services to incarcerated survivors of sexual abuse to help work through the psychological impact of abuse within the correctional environment. Additionally, Pathways to Healing provides education to the clinical, behavioral health, and medical staff of both the SC Department of Corrections and the SC Department of Juvenile Justice on a yearly basis.

This is all possible through grants provided through the U.S. Department of Justice that may not continue if funding is reduced or discontinued through the sunset provision of the Justice for All Reauthorization Act of 2016 (Pub. L. 114-324) (JFARA).

As a member of the National PREA Coordinators Working Group, we have held discussions with stakeholders, brought forth presentations and subject matter experts at our annual conferences, and discussed programs and processes that are seen as best practices for correctional institutions. Many prisons and jails have developed strong partnerships with the rape crisis centers in their jurisdictions. They provide varying levels of emotional support and advocacy services, and in many cases ancillary services such as support groups addressing various forms of trauma. Many of these partnerships are not limited to victimization that occurred while the survivor was in detention. In many cases, these programs are supported with Victims of Crime Act (VOCA) grants, as made available through the pertinent state VOCA administrator.

Through my experience with auditing, I have recommended to other agencies what South Carolina does to assist with the mental health and well-being of survivors of abuse. The concern is the funding and space needed to provide for this service. This is an area where Congress can continue to assist by helping to improve our focus and resources to address the psychological impact of sexual abuse in correctional institutions.

I have worked with advocacy organizations from all over the United States and presented at multiple conferences on the advantages of victim advocacy organizations providing on-site emotional support to survivors. Through the course of that work, I have consistently been

advised by victim services organizations that advocates and rape crisis centers have a difficult time getting into incarceration facilities due to safety concerns and capacity (funding and space) issues.

The Sexual Abuse Services in Detention Act (SASIDA) (Senate Bill 1422) would lead to a dramatic increase in resources for emotional support services behind bars. Under SASIDA's federal grant program, community-based providers would be able to apply for funding to offer critically needed help to incarcerated survivors of sexual abuse. SASIDA would also create a national resource center, which providers and corrections officials could turn to for expert assistance in reaching people who have endured sexual abuse while in custody.

In addition, there has also been an increase in the number of correctional staff who enter corrections with psychological and mental health related trauma.

- Do you believe mental health resources in prisons are equipped to support not only mental health services but the compounded effects of trauma that stems from sexual abuse that occurs in prisons?
 - Again, thank you for this question. I do not believe that there are enough mental health resources in correctional institutions or that they are equipped to fully support both mental health services and/or the compounded effects of trauma that stems from sexual abuse that occurs in prisons. Speaking from my experience, the high number of individuals with diagnosed mental health conditions in both adult and juvenile correctional facilities puts a strain on resources. In corrections, there is a reliance on medication to address the effects of trauma and not a significant amount of mental health care. This is more than likely a direct consequence of the correctional staffing crisis that not only affects correctional officers, but clinical staff as well.

Correctional agencies must provide various levels of clinical care to incarcerated individuals who, if they were in the community, would be serviced by a dedicated mental health facility. This requires that correctional agencies increasingly hire mental health practitioners, which is at a greater cost in salary than correctional officers and strains an already limited budget.

Additionally, for those individuals with serious mental illness who, at times, may require in-patient care, institutions are often forced to send them out of the facility to community mental health institutions or hospitals, which again strains an already limited budget. This is due to correctional institutions not having the capacity to provide the necessary clinical care within the facility. Therefore, institutions must send the incarcerated person to the hospital and provide security along with them, further depleting resources. This creates a compounding budgetary strain that limits the number of resources available for rehabilitative care and other services intended to help the agency accomplish its mission of protecting the community and rehabilitating incarcerated individuals.

As previously noted, under SASIDA's federal grant program, community-based providers would be able to dramatically increase resources for emotional support services behind bars and offer critically needed help to incarcerated survivors of sexual abuse. In my time working in both adult and juvenile justice agencies, I have seen a significant increase in the number of individuals with mental health needs and resources are greatly needed.

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Question for the Record Submitted October 2, 2024

QUESTIONS FROM SENATOR CORY A. BOOKER

**Questions for Kenneth James, Director of Settlement Compliance, South Carolina
Department of Juvenile Justice**

QUESTIONS FROM SENATOR BOOKER

- 1. Drawing from your experience, what are your recommendations for changes to PREA that would better accomplish its goals of preventing, detecting, and responding to sexual violence in prisons?**

Thank you for the opportunity to answer this important question. From my experience, there are multiple improvements that could help to better accomplish the goals of preventing, detecting, and responding to sexual violence in prisons.

Modernization

First, modernize the National Standards to fit today’s culture and workforce. There are provisions in the standards that are well intended but do not recognize today’s culture. For example, the standards addressing “cross-gender” supervision are outdated and do not recognize a gender diverse workforce and incarcerated population. The PREA Standards requirements of cross-gender, meaning Man/Woman, Woman/Man, is grounded in biological terms. The PREA Standard should be amended to provide guidance to agencies on how to address the expanded gender workforce; aligning the guidance with the provisions that are in place. For example, Standard §115.15 provides that a facility cannot conduct cross-gender strip searches or cross-gender visual body cavity searches except in exigent circumstances. While this is an accepted best practice, the standards do not define cross-gender and do not specify the requirements of a staff member whose gender identity aligns or does not align with the incarcerated population. Addressing this provision within the standards would provide agencies with clear guidance on the allowance or disallowance of searching based on biological and identified gender.

Staffing Ratio Guidelines for Juvenile Correctional Facilities

Secondly, although it is a goal of the juvenile justice system to meet the best practice of high ratios of staff to residents, the current staffing crisis in corrections is prohibiting many juvenile justice facilities from being able to achieve and maintain the ratio mandated in standard §115.313 (c), of 1:8 during resident waking hours and 1:16 ratio during resident sleeping hours. Due to the current staffing crisis, which

shows no signs of abating, the inability to meet this staffing ratio is preventing some agencies from ever achieving compliance. In addition, the requirement for a direct supervision ratio while youth are sleeping in individual cells may be cost prohibitive for some agencies and overly burdensome for others. This will also result in the state being penalized by 5% of certain federal criminal justice funds which already limited budgets cannot take.

Congress could assist by changing the requirement of the 1:8 ratio to a slightly higher, more attainable standard, by requiring research be conducted in conjunction with input from juvenile justice stakeholders on what is attainable and safe for youth in confinement. Alternatively, facilities should adhere to the recommended staffing ratios of 1:8 during waking hours, but allow for consideration of good faith efforts. For example, if a facility is unable to consistently meet these ratios, it is imperative that it provide comprehensive documentation demonstrating active efforts toward achieving compliance.

Furthermore, to ensure adequate supervision and the safety of residents, adjustments to the staff to resident ratio during sleeping hours could be described in facility policy and the mandated Facility Staffing Plan. Facility architecture that houses residents in secure, individual rooms, secure multiple occupancy rooms, or in open bay dormitory settings, poses different risk levels and should be taken into consideration by the facility.

Congress could provide agencies who are working towards compliance with options that allow them to continue their pursuit of meeting the ratios without being punished with a reduction of funding.

Reenacting the Assurance Option for Governors

The Governor's Compliance Certification is a yearly requirement on states governors and the mayor of the District of Columbia to either submit a certification that all confinement facilities under their operational control are in full compliance with the PREA Standards, or submit an assurance to the Department of Justice that not less than 5% of certain DOJ grant funds will be used solely for the purpose of enabling the state to achieve and certify full compliance with the Standards in future years. An amendment under the Justice for All Reauthorization Act of 2016 (Public Law 114-324) issued a sunset date of December 16, 2022, for governors to submit an assurance to the DOJ. The amendment also provided that for the two years following the assurance sunset, a governor may request the submission of an emergency assurance if the state has had audits for at least 90% of facilities covered by the certification.

The sunset of the assurance means that governors who cannot certify compliance are subject to a reduction in DOJ grant programs that directly affects funding tied in pursuit and maintenance of compliance.

Permanently codifying the assurance option would provide additional funding to assist with the hiring of additional qualified staff.

Prosecution of Sexual Abuse in Incarceration Settings

Congress should enhance outreach to prosecuting authorities. The standards require that substantiated allegations of conduct that appears to be criminal must be referred for prosecution (§115.71 (i)). Without the support of federal, state and local prosecutors, appropriate criminal sanctions will not be imposed. While meaningful convictions and sentences can positively impact facility culture, the lack of accountability when a crime has been established can be devastating to agencies and incarcerated survivors who have to live in an environment where sexual abuse is not taken seriously. The standards could mandate that state prosecutors, solicitors, or district attorneys act against perpetrators of sexual abuse in incarceration settings.

In South Carolina (SC), due to the heavy workload of jurisdictional prosecutors, cases out of the Department of Corrections were not taken to court with high priority, therefore, the SC Department of Corrections was authorized to have its own state-wide prosecution team to prosecute cases originating or interacting with corrections. This is not the case for every state, and so cases of abuse as we heard in the hearing go unheard in court.

Reporting

Support efforts to better understand and effectively address bad faith reports. PREA Standard 115.78 (f) provides that a report of sexual abuse made in good faith based upon a reasonable belief that the alleged conduct occurred shall not constitute false reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation. As the PREA Management Office has begun to recognize, this does allow for a determination that certain unfounded complaints may have been made in bad faith.

I have experienced that some incarcerated people take advantage of the well-intentioned protocols for their own deviant purposes. For example, there are reports of a subset of the incarcerated population that make allegations with the intent to have a staff member disciplined or moved from their post by falsely alleging sexual abuse. To promote zero tolerance for sexual abuse, an agency must have equal authority to appropriately address the misuse of PREA. Currently, there is little, if any, data concerning the intentional misuse of the protections afforded under the PREA Standards.

The standards could be improved by providing guidance that strengthens the agency's available response to the misuse of the reporting mechanisms put in place under PREA, while appropriately preserving protections for good faith reports. PREA empowers the Bureau of Justice Statistics (BJS) to research issues concerning sexual abuse and sexual harassment in confinement settings, such as the National Inmate

Survey and the Survey of Sexual Victimization. Congress should specify that BJS include bad faith reporting and other misuse of the protections implemented under PREA as a required component of the ongoing data collection and analysis requirements. This data can then be used to create solutions and guides to assist agencies in dealing with the prevalence of misuse of the PREA provisions to prevent, detect, and respond to allegations of sexual abuse. Additionally, better guidance could be provided based on statistical data to prosecutors and judges who receive criminal referrals from a correctional institution regarding false reporting. This would strengthen the reporting culture overall in the correctional environment.

2. Drawing on your experience working in the juvenile justice system, what are your recommendations for specific adjustments that can be made to improve the problem of sexual abuse in juvenile detention settings considering the unique challenges present in those facilities?

Staffing Crisis

- Since 2019, the correctional profession has seen a significant drop in staffing from between 10% in some states and up to 29% in others. The impact of this crisis on the health and wellbeing of corrections is significant. Prevention of sexual abuse and overall facility safety are compromised when there are an insufficient number of staff to adequately monitor and supervise the people in their care and custody. Absent reducing the number of people incarcerated, we must focus attention on recruiting, hiring, and retaining staff.

It is harder and harder to recruit qualified candidates for positions. As a result agencies are compelled to hire individuals who may not be the best fit to work in a correctional environment, have limited experience working with youth, or have had other work-related concerns that would have precluded their hiring, if it not were the staffing crisis

Additionally, corrections must compete against major corporations for potential employees. For example, in SC, along with other states, large organizations like Amazon and Samsung have built distribution centers relatively close to correctional facilities. It is impossible for the corrections facilities to compete with the wages offered by these large corporations. This is an issue not unique to juvenile justice facilities, however, it has the most impact on juvenile facilities attempting to comply with PREA, because of the reduced staff to inmate ratios that PREA requires for youth. Correctional institutions across the nation have difficulty attracting and retaining quality employees who leave for other jobs that provide higher wages, are less dangerous, have more reliable and stable work hours, and receive greater community recognition and respect. Another challenge presented by the staffing crisis is the inability of intermediate and higher-level staff to conduct their unannounced rounds per standard §115.13/313 (e).

In my experience working in the juvenile justice system, a consistent problem that leads to sexual abuse of youth in juvenile detentions settings is the age of the correctional officers in comparison to the age of the residents. In the juvenile systems of many states, residents' ages range from 13 – 21 years old, depending on the state's statute. In SC, juvenile correctional officers are eligible for hire at age 21. The relative closeness in age can lead to lack of boundaries between residents and staff and unprofessional behavior, which can lead to abuse. A recent Bureau of Justice Statistics report (2023) of Substantiated Incidents of Sexual abuse reported by Juvenile Justice authorities provides that 61% of staff sexual misconduct perpetrators were female and 39% were male. Of the 511 total number of reported staff perpetrators, over half of all cases were under the age of 30, with 17% being under the age of 24 (U.S. Department of Justice and Buehler). This is a significant statistic that should be taken into consideration.

I would advise that research be conducted on this problem and recommendations specific to the hiring age of staff who are tasked with the supervision of youth be made.

My recommendations are as follows:

- Support and assist, through grant funding, development of a system which allows agencies to better identify candidates who are the best fit for working in a correctional environment. This system could also help with retention, such as professional development, to help correctional staff see corrections as a career and not just a stop gap between jobs. The system could provide suggested interview and screening questions, as well as guidance that the agency can use to determine the best candidates to hire.
- Hold individuals in leadership positions accountable for consistent and substantiated sexual abuse that happens under their watch where agency policies, processes, and procedures are sufficiently implemented to prevent, detect, and respond to allegations of sexual abuse and sexual harassment. When audits, allegations, and oversight provide that action should have been taken but was not, leadership of the organization should be held accountable. There are agencies that do not make the sexual safety of incarcerated persons a priority. We should be addressing the problem at the top—when there are proven compliance issues, the agency leadership should be held accountable.
- Help agencies who are struggling to hire high quality staff due to financial needs. I recommend Congress provide grant funding to help agencies fund positions to assist with the staffing crisis. Helping agencies meet the prescribed ratios will provide assistance to the incarcerated population through proper monitoring.

3. **During the hearing, we discussed the benefits and shortcomings of PREA audits, which give auditors and the public a point-in-time understanding of facilities' processes to ensure those facilities adhere to PREA standards. However, there are multiple well-publicized incidents, including at FCI Dublin, of facilities that pass PREA audits but still allow rampant sexual abuse of adults in custody.**

a. In your opinion, what are some of the shortcomings of the PREA audit process?

- The intent of the PREA Audit is to ensure that agencies and institutions have implemented the National PREA Standards in policy and practice. The PREA Audit is a practice-based audit that reviews approximately 350 defined measures to examine a facility's policies and practices as implemented primarily over the twelve-month period before the audit. The audit methodology requires that the facility administration demonstrate to the PREA auditor how their policies and practices meet the requirements of each provision of the Standards. The PREA Audit is not an outcome-based audit, nor, given the structure of the Standards, should it be.

One challenge associated with the audit process is that individuals who do not work in PREA compliance on a regular basis often misunderstand the purpose of the audit. A successful audit does not mean that a facility has eliminated sexual abuse and sexual harassment. Rather, it means that the policies and practices required under the Standards have been ingrained in the facility's day-to-day operations.

Based on my experience with auditing and being audited, I recommend an update to the provisions regarding Auditing and Corrective Action (§115.401 – 405). The auditing and corrective action provisions of this PREA Standard mandates that agencies and facilities be audited by a DOJ Certified Auditor, for which the agency is required to pay. This mandate creates situations that are complicated for many jurisdictions that are bound by state procurement rules and guidelines and may require that the agency or facility accept the lowest bid for the audit. Some procurement processes do not allow the agency to select the best available auditor, but the auditor who will accept the least amount of money to conduct the audit. This provides opportunities for auditors to be unscrupulous in their auditing practices with the intent of gaining additional audits or maintaining a relationship with agencies who were able to have an “easy” audit. Although this is not a large part of the PREA auditing group, even a small few dishonest auditors can create situations where incarcerated people are abused.

Additionally, agencies and facilities who do not have the budgetary allocation for these services are left with limited options for pursuing compliance. To assist with the issue, Congress could appropriate funds for certified auditors to be contracted by the DOJ to conduct audits versus being directly paid by the correctional agency or institution. This could be done by providing the DOJ a budget specifically for ensuring the sexual safety of incarcerated people and requiring them to pay contracted auditors. Congress could also set the rates for audits and auditors so that the price for an audit is consistent across the nation.

More specifically, Congress should create a standard competitive pay scale, specific to the various types and sizes of institutions, for auditing. Institutions could still utilize the current audit initiation process through the PREA Resource Center for requesting an audit/auditor and the auditor's requirements would remain consistent with what is required by the current auditor's handbook. If the audit assignment system was designed to pay auditors, it would decrease the pressure on auditors to satisfy the need of facilities to demonstrate compliance and help ensure higher quality. This will further the mission and goals of PREA by freeing auditors from overwhelming demands to complete high quality audits for low pay in short time frames.

Although this audit process has multiple elements and goals, it is managed by a small group of DOJ officials who are responsible for creating, implementing and overseeing all aspects of PREA implementation, including the PREA audit function. The current system allows for those auditors whose primary source of income is auditing to be unscrupulous in order to maintain their income. For example, there are auditors who do not put agencies into corrective action when they see clear issues with implementation and compliance. This negatively impacts the intent and effect of PREA audits. The goal of the audit is to show that an agency has implemented all relevant agency-wide policies, procedures, and processes required for each facility type by the standards. If performed correctly, the audit would demonstrate that an agency has implemented policies and procedures with the intent to prevent, detect, and respond to sexual abuse and sexual harassment.

Appeals

I recommend that Congress enhance the process for appealing an audit. As written, an agency may request an appeal by the Department of Justice regarding any specific audit finding that it believes to be incorrect (§115.405). This process is inefficient. In my experience, I have submitted multiple appeals to the DOJ and did not receive a response for multiple years, while being instructed that the submitted reports must be posted on the agency's webpage. If DOJ determines that the agency has proffered good cause for a re-evaluation, the agency must pay for a new auditor to re-audit the facility. This standard puts an additional financial burden on the agency/facility when it has demonstrated good cause for an appeal. In addition, there is no provision indicating that an audit must be posted on the agency's website. Even if there was a determination of good cause for an appeal, the appealed audit must remain on the agency's website. This provision should be changed to allow removal of the prior audit, once the re-audit is complete. Mandating that an audit that does not correctly present an agency's compliance status remain posted hurts the agency's hiring and recruitment efforts, the agency's morale, and PREA implementation progress.

Additionally, I recommend that the DOJ adopt an appeal mediation process. Adding a mediation process under Standard §115.405, Audit Appeals, would allow for an audited agency and an auditor to use a third-party mediator to mediate a disputed issue regarding an audited provision. This process would help address some issues raised by agencies regarding an audit during the appeal process.

b. How can Congress change the PREA audit process or procedures to ensure that audits properly identify and correct facilities when they are not compliant with PREA standards?

- There are significant challenges surrounding auditor procurement and the capacity for the PREA Management Office (PMO) and PREA Resource Center to train and certify new PREA Auditors. As mentioned above, Congress should support the DOJ in ways that strengthen the auditing and auditor certification process without putting additional strain on auditors.

As discussed, the auditing process should address how audits are paid for and the assignment of qualified auditors based on objective metrics and the request of the agency. This would help alleviate pressure on auditors to pass institutions in an effort to ensure that they continue to receive future audit contracts. By implementing this process, Congress would also improve audit quality, ensure a fair and equitable process whereby all institutions are audited by a qualified auditor, and remove the competition inherent in bidding for contracts, which can lead to the lowest bidder – and often lowest quality auditor – prevailing.

Congress could also provide additional resources that will enable the PREA Management Office to more efficiently increase the number of certified PREA Auditors. When the PMO interprets standards, an auditor must receive additional training, placing an additional burden on auditors. This requirement is partially responsible for the current shortage of qualified auditors. Auditors must be subject matter experts on over 350 provisions and elements of the standards. Further complicating matters, the PMO continues to proffer FAQ's that adjust the interpretation and audit procedures for standards. If more resources were provided to the PMO and the PREA Resource Center, the need for the consistent continuing education requirements and adjustments to interpretations would be reduced.

4. How can Congress better support prisons across the country that are working to implement PREA at a time when hiring and retaining corrections officers is extraordinarily difficult?

Congressional Recognition

- First and foremost, Congress can greatly assist by helping to recognize the great work being done by correctional agencies and institutions to keep communities and incarcerated people safe. National recognition from the highest institutions in our nation would help elevate the profession and counter the negative public perception of corrections professionals. Currently, the nation recognizes our heroes as those who are traditional law enforcement, fire fighters, emergency medical technicians, and the military, and does not recognize that the field of corrections keeps our nation, communities, and neighborhoods safe from those who have done harm.

There is plenty of visual media that depict the heroic actions of those mentioned above, but none that show the courageous actions of those men and women who show up every day to help rehabilitate and monitor some of the most dangerous people in our nation. Correctional officers are locked into housing units with murderers, rapists, thieves, and violent individuals for 8 to 16 hours per day, ensuring they are housed, fed, safe, and accounted for. According to a 2016 report by the U.S. Centers for Disease Control and Prevention (CDC), “Across the United States between 1999 and 2008, there were a total of 113 fatalities suffered by correctional line staff while on the job. During this same timeframe, officers and administrators experienced over 125,000 nonfatal workplace injuries requiring emergency room visitations (Konda et al., 2013). In 2011, the rate of work-related injuries per 10,000 full-time employees was 254 for correctional officers, eclipsing rates for both nurses and police officers (Konda et al., 2013).” Additionally, the CDC’s website provides that “The Bureau of Justice Statistics, the Bureau of Labor Statistics, and the National Institute for Occupational Safety and Health (NIOSH) produced a statistical report that included incidents of nonfatal workplace violence from 2015 to 2019. Correctional workers had the **highest** average annual victimization rate of nonfatal workplace violence (149 violent crimes per 1,000 workers compared to the average annual rate for all workers of 8.0 violent crimes per 1,000 workers).” (emphasis added).

Funding

Congress should significantly increase the funding for existing and additional grants that support agencies in implementing and maintaining PREA compliance. According to the Prison Policy Initiative, there are over 1.9 million people incarcerated in 1,566 state prisons, 98 federal prisons, 3,116 local jails, 1,323 juvenile correctional facilities, 142 immigration detention facilities, and 80 Indian country jails, as well as in military prisons, civil commitment centers, state psychiatric hospitals, and prisons in the U.S. territories (Prison Policy Initiative).

The FY2022 Implementing the PREA Standards, Protecting People Who Are Incarcerated, and Safeguarding Communities grant program was funded for \$3 million and the award provided up to \$250,000 to 10 (*less than 0.2% of incarceration facilities*) of the intended 12 award recipients. If Congress is interested in fully supporting this work, significantly more funding must be made available to many additional prisons, jails, juvenile facilities, community confinement facilities and

other detention facilities across the nation. Furthermore, the burden of managing grants deters many jurisdictions who are limited in staff capacity from applying. This could be addressed with the grant providing authorities.

Additionally, Congress should also support the use of such funds for a wider scope of objectives. Work to achieve PREA compliance and improve facility safety often involves everything from policy implementation and training to construction and implementation of various structural systems. Grants provided have typically been for programs and equipment but have not historically supported construction or improvements to building infrastructure. There are facilities that were built within the last century that were not built with the intention of keeping incarcerated people safe from sexual abuse. Due to the rising cost of construction, many jurisdictions do not have the financial capacity to make the adjustments necessary to bring the facility's physical plant up to date.

Legislation

Congress could also support legislation that provides resources to agencies like S. 1422, the Sexual Abuse Services in Detention Act. This bill intends to allocate funding to victim advocates to support providing emotional support services inside of correctional settings for incarcerated survivors and victims of sexual abuse. The bill also directs the DOJ to establish a national resource center to provide guidance, training, and information to support the delivery of emotional support services in correctional or detention settings. Providing this legislation would be invaluable to institutions that struggle to provide quality emotional support and trauma services to support people with a history of trauma and being sexually abused as well as those who experience sexual abuse while incarcerated.

References

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