

Analysis
Department of Corrections
Prison Rape Elimination Act Grant

Analyst: Linda Gilbert

Request: Approve the submission of a federal grant application to the U.S. Department of Justice for \$500,000 for a Prison Rape Elimination Act Demonstration Projects grant.

Recommendation: Approve the request.

Analysis: The Prison Rape Elimination Act (PREA), a federal law enacted in 2003, was created to eliminate sexual abuse in confinement. Detention agencies are required to have a written policy mandating zero tolerance toward all forms of sexual abuse within the facility, and outlining the agency's approach to preventing, detecting, and responding to such conduct. Agencies are required to employ a PREA coordinator and compliance managers in facilities.

Federal rulemaking was completed in 2012. Among those rules is an audit requirement of each facility once every three years. The Department is seeking this grant to, in part, prepare for the audits. In addition, the Department would use funding for upgrades to the offender management system to track offenders that are possible victims and aggressors, track incidents of sexual abuse and harassment, and develop a screening tool.

The \$500,000 grant period is two years. Match for the grant is \$500,000 or 50%, which can be met by in-kind work. The Department's PREA Coordinator's work, along with that of staff with part-time PREA responsibilities, will provide match. No additional positions are needed. If the grant is awarded, the Department will return to the Legislature or Emergency Board for expenditure limitation.

The Legislative Fiscal Office recommends approving the submission of a federal grant application to the U.S. Department of Justice for \$500,000 for a Prison Rape Elimination Act Demonstration Project grant.