WHEREAS, in June 2009, the National Prison Rape Elimination Commission released national standards for the prevention, detection, response, and monitoring of sexual abuse in U.S. detention facilities; and

WHEREAS, these standards were mandated by the Prison Rape Elimination Act (PREA), which Congress passed unanimously in 2003 to study the causes and consequences of sexual abuse in confinement and to develop standards for eliminating abuse; and

WHEREAS, these standards are the product of several years of research and extensive consultation with corrections professionals, researchers, advocates, and survivors of sexual abuse in detention; and

WHEREAS, these standards balance the rights of inmates with security interests—calling on corrections agencies to establish zero-tolerance for sexual abuse, to strengthen policies and practices, to improve staff training, to hold perpetrators accountable, and to open facilities up to external scrutiny; and

WHEREAS, there are more than 2.3 million Americans confined in U.S. correctional facilities; and

WHEREAS, given our country’s enormous investment in corrections, we should ensure that these environments are as safe and productive as they can be; and

WHEREAS, prisons, jails, and other detention settings are part of the justice system, not separate from it; and

WHEREAS, institutional violence, including sexual abuse, undermines the purposes of corrections—it makes facilities less safe for everyone, consumes scarce resources, and its consequences extend into our cities and towns as 95 percent of all prisoners are one day released; and

WHEREAS, if fully approved and implemented, these basic measures will dramatically lower the rate of sexual abuse in U.S. detention facilities, and improve the response to prisoners who have been victimized; and

WHEREAS, many standards reflect what corrections professionals recognize as good practices, and are already operational in some places, or are requirements under existing laws; and

WHEREAS, the Eighth Amendment of the U.S. Constitution forbids cruel and unusual punishment; and

THEREFORE, BE IT RESOLVED, that the American Legislative Exchange Council (ALEC) supports efforts at the federal, state, and local levels to protect incarcerated
individuals from sexual abuse; and

BE IT FURTHER RESOLVED, that ALEC earnestly and resolutely supports the National Prison Rape Elimination Commission’s recommended standards.

Adopted by the Public Safety and Elections Task Force at the Spring Task Force Meeting on April 28, 2010.

Approved by the ALEC Board of Directors on June 3, 2010.