



**New York State Coalition
Against Sexual Assault**
Working for a World Without Violence.

Assisting Adults and Children Incarcerated by ICE in Local Detention Centers

The federal Prison Rape Elimination Act (PREA) of 2003 enables people being held at prisons, jails, community confinement centers, and more to be able to report sexual abuse to all staff and volunteers at their facility. PREA also mandates access to a confidential community service provider, as well as an independent third party reporting mechanism.

When you enter facilities and meet with your clients, you are considered a volunteer and are able to act on information that your client shares to you about sexual abuse. **Adults and children detained by ICE in prisons and jails are also protected under PREA.**

What is a PREA Report?

A PREA report is a documentation of an alleged incident of sexual abuse perpetrated against your client by another person incarcerated in the facility, OR by a member of a facility's staff.

To make a report on behalf of your client, you must convey your client's allegations to the *PREA Point Person*.

How do I make a PREA report?

To make a report on behalf of your client, you must convey your client's allegations to any member of the facility's staff and/or the *PREA Point Person*. Each facility will have their own *PREA Point Person* who oversees the facility's response. Ask your facility who that person is. If there is not someone identified, the Watch Commander is usually the default.

What should I ask my client?

During any private meeting with your client, please ask the following questions in an age appropriate manner:

1. Since your arrest, has someone abused you sexually or do you know of someone who has been sexually abused?
2. Do you want to make a formal report of the violence? You are protected under federal law if you decide to do so.
3. You have the right to access a free, confidential resource to talk about the abuse. Would you like to speak to a rape crisis center advocate who does not work here?

What happens after I make a PREA report?

After making a PREA Report, the facility will start an investigation/self-investigation. The PREA Standards outline when the facility needs to update the survivor on the status of an investigation, or [when certain actions have been taken](#). Ask at your facility what additional steps are taken to ensure the survivor's safety.

What do I do if the facility is not cooperating or not taking my report seriously?

Document your efforts as well as the response and report them on the [PREA Auditor Feedback Form](#). You can request an expedited audit of a facility in some circumstances. Audits need to include a conversation with the local community based crisis center if they have an agreement with the facility.

What do I do next?

- For additional concerns, contact Eirik Bjorkman (ebjorkman@nyscasa.org) at the New York State Coalition Against Sexual Assault.
- Report the number of PREA reports that you receive to Eirik Bjorkman and the coordinator that is overseeing your organization's volunteer efforts.