

May 1, 2007

Dear Member of the Senate/House Subcommittee on Commerce, Justice and Science:

The undersigned organizations respectfully request that the House Subcommittee on Commerce, Justice and Science support adequate funding in the FY 2008 Commerce-Justice-Science Appropriations Bill for the activities authorized under the Prison Rape Elimination Act of 2003 (PREA).

PREA's Congressional co-sponsors in the House have asked for \$25 million in FY 2008. (We understand that PREA's Senate co-sponsors will make the same request shortly.) When PREA was passed, Congress authorized annual funding of \$60 million through 2010. However, since then, annual appropriations have dropped by nearly fifty percent. While Congress appropriated \$35 million per year for PREA in both 2004 and 2005, funding in 2006 and 2007 dropped to approximately \$18 million per year. Given the important work that remains in order to ensure full implementation of PREA, we are concerned that this steady decline in funding could be misinterpreted as a signal that Congress is not serious about allotting the necessary resources to make PREA's zero-tolerance standard a living reality. In order to ensure that adequate resources are available and that the continued concern of Congress is clear, we therefore request that this Subcommittee support an increase in PREA funding to its previous \$35 million level for FY 2008.

PREA's co-sponsors are also specifically requesting that the National Prison Rape Elimination Commission receive \$1.3 million for its operations – significantly less than in recent years – and an additional \$500,000 for the Commission to undertake a study to determine how prior appropriations have been used. We support this request and further recommend that the Subcommittee specify that the remaining funds appropriated be used solely for grants to states to support PREA implementation, as specified in PREA, and that no funds should be used by the Department of Justice to supplement its appropriation. We also hope the Subcommittee will specify its expectation that a portion of the state grant monies be used to explore whether and to what extent radio frequency identification (RFID) technologies can be employed to monitor and reduce sexual violence in detention – an approach to eliminating prisoner rape and violence that we, and many other experts in the field, believe to have great potential.

Nearly four years after PREA's passage, advocates continue to receive letters daily from prisoners around the nation who have been sexually assaulted by corrections officers or other inmates. Most of these prisoners do not report the assault, because they fear retaliation or believe that corrections authorities will do nothing to protect them. Facilities that tolerate sexual violence have higher rates of other forms of violence, creating an exceptionally dangerous environment for officers and inmates alike. The impact of sexual abuse and other violence upon these survivors' lives, and the communities to which most of them will eventually return, cannot be overstated. Survivors of prisoner rape in particular suffer physical injuries, contract sexually transmitted diseases, including HIV, and experience devastating emotional trauma.

With PREA in place, prisoner rape has been brought out of the shadows, and most corrections authorities have acknowledged that they must take more proactive steps to end this unconscionable human rights violation in our prisons and jails. At the same time, federal agencies carrying out PREA-related research and other activities have demonstrated that prisoner rape need not be an inevitable part of prison life, and that there are cost-effective, concrete steps that can be taken to prevent it. The National Prison Rape Elimination Commission has held hearings to gather evidence on sexual violence in detention and is currently developing national standards for addressing this issue; the Bureau of Justice Statistics is about to carry out the first-ever inmate surveys about prisoners' experiences of sexual violence; and the Bureau of Justice Assistance has awarded millions of dollars in grants to states to improve their facilities' prevention of and response to this abuse. Also, the National Institute of Corrections has undertaken the critical work of providing training and information to corrections officials around the country who still need guidance on what PREA means for their facilities. If Congress fails to fund PREA adequately in the coming fiscal year, this progress will be undermined, and the promise of PREA—fulfillment of the constitutional protection against sexual violence in detention—will be in jeopardy.

Sexual violence occurs with appalling frequency in prisons, jails, juvenile facilities and detention centers across the United States. The undersigned organizations urge the Subcommittee to take the decisive step of restoring the initial annual appropriation of \$35 million for PREA activities in FY 2008.

Sincerely,

Amnesty International USA, New York, NY

Campaign for Youth Justice, Washington, DC

Center for Children's Law and Policy, Washington, DC

International CURE (Citizens United for Rehabilitation of Errants), Washington, DC

Human Rights Watch, New York, NY

Justice Ministries, Pawley's Island, SC

The Legal Aid Society of New York, NY

National Center for Youth Law, Oakland, CA

National Council of La Raza, Washington, DC

National Partnership for Juvenile Services, Richmond, KY

Penal Reform International, Washington, DC

Prison Fellowship, Landsdowne, VA

Presbyterian Church (USA), Washington, DC

Religious Action Center of Reform Judaism, Washington, DC

Southern Baptist Convention, Nashville, TN

Stop Prisoner Rape, Los Angeles, CA

Texas Civil Rights Project, Austin, TX

Transgender Law Center, San Francisco, CA

Unitarian Universalist Service Committee, Boston, MA

United Methodist Church, General Board of Church and Society, Washington, DC

Washington Lawyers' Committee for Civil Rights and Urban Affairs, Washington, DC

Teena Farmon, Criminal Justice Consultant and Former Warden (Central California Women's Facility), Elk Grove, CA

Cc: Senator Edward M. Kennedy  
Representative Robert C. Scott  
Senator Jeff Sessions  
Representative Frank R. Wolf