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Office of Justice Programs



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ALMOST 2,100 SEXUAL VIOLENCE INCIDENTS TOOK PLACE IN THE NATION'S CORRECTIONAL FACILITIES DURING 2004

WASHINGTON, D.C. — State and federal correctional authorities substantiated nearly 2,100 incidents of sexual violence in adult prisons, local jails and juvenile facilities during 2004, according to a Department of Justice report released today. The Department's Bureau of Justice Statistics (BJS) said this represented one-third of all completed investigations into alleged sexual violence behind bars.

During 2004, an estimated 8,210 allegations of sexual violence were reported by correctional authorities -- the equivalent of 3.2 allegations per 1,000 inmates and youths incarcerated in 2004.

State and federal prison systems reported 42 percent of all allegations, local or private juvenile facilities 23 percent, local jails 21 percent and state juvenile systems 11 percent. Almost 42 percent of the reported allegations of sexual violence involved staff-on-inmate sexual misconduct, 37 percent were inmate-on-inmate nonconsensual sexual acts, 11 percent were staff sexual harassment of inmates, and 10 percent were inmate-on-inmate abusive sexual contacts.

Rates of substantiated incidents were highest in state-operated juvenile facilities (5.2 substantiated incidents per 1,000 youths) as well as in local and private juvenile facilities (5.0 per 1,000 youth). These rates were nearly 10 times higher than those reported in state prisons (0.5 per 1,000 inmates) and 8 times those in local jails (0.6 per 1,000).

In almost 55 percent of the allegations of staff sexual misconduct in prisons and 45 percent of allegations of inmate-on-inmate nonconsensual sexual acts, the evidence was insufficient to determine if the incidents had occurred.

Males comprised 90 percent of the victims and the perpetrators of inmate-on-inmate nonconsensual sexual acts in prisons and jails.

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In state prisons, 69 percent of the victims of staff-on-inmate sexual misconduct were male, while

67 percent of the perpetrators were female. In local jails, 70 percent of the victims of staff sexual misconduct were female and 65 percent of the perpetrators, male. Almost 90 percent of the perpetrators of staff sexual misconduct were discharged or referred for prosecution.

Most prisons and jails imposed legal sanctions on the perpetrators of inmate-on-inmate sexual violence. In addition, authorities in 89 percent of the state prison systems and 74 percent of the local jails with substantiated incidents reported that perpetrators were moved to solitary confinement, moved to a higher custody level or transferred to another facility.

The Bureau of Justice Statistics cautioned that the 2004 survey data should not be used to rank systems or facilities because higher or lower counts might reflect variations in definitions, reporting capacities and the procedures for recording allegations and hence not actual differences in the underlying incidence of sexual violence.

The Bureau is developing future data collections, including victim reports of sexual violence in surveys of current and former inmates, to permit reliable comparisons. This will include developing and testing methods to more fully measure the incidence of sexual violence. Questionnaires and survey procedures will undergo large scale testing later this year.

A national implementation of data collections is scheduled to begin in a sample of 10 percent of the nation's prisons and jails in June 2006 and a sample of 10 percent of the juvenile facilities in December 2006.

The data are collected pursuant to the Prison Rape Elimination Act of 2003 (Public Law 108-79). The publication of the report is required by law and it is prepared on June 30 of each year. The first report was prepared June 30, 2004.

The Act establishes a zero-tolerance policy for inmate-on-inmate and staff-on-inmate sexual violence in correctional facilities. Incidents of inmate-on-inmate sexual violence were separated into two categories: nonconsensual sexual acts and abusive sexual contacts. Incidents of staff-on-inmate sexual violence were categorized into staff sexual misconduct and staff sexual harassment. Most correctional systems and facilities were able to report information on the most serious incidents of sexual violence.

The report, "Sexual Violence Reported by Correctional Authorities, 2004" (NCJ-210333) was written by BJS statisticians Allen J. Beck and Timothy A. Hughes. Following publication, the document can be accessed at: www.ojp.usdoj.gov/bjs/abstract.

Additional information about BJS statistical reports and programs is available from the BJS website at www.ojp.usdoj.gov/bjs.

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