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Secretary Napolitano Announces Standards to Prevent, Detect, and Respond to Sexual Abuse and Assault in Confinement Facilities

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For Immediate Release

DHS Press Office

Contact: 202-282-8010

WASHINGTON— Secretary of Homeland Security Janet Napolitano today announced that the Department of Homeland Security's (DHS) submitted to the [Federal Register](#) a [Notice of Proposed Rulemaking](#) (NPRM) on standards to prevent, detect, and respond to sexual abuse and assault in confinement facilities, in accordance with the Prison Rape Elimination Act of 2003 (PREA), 42 U.S.C. 15601.

"DHS has a zero tolerance policy for sexual abuse and assault in detention facilities," said Secretary Napolitano. "The standards we have put forth today will further enhance our ability to protect the health and safety of individuals in DHS confinement facilities."

On May 17, 2012, President Obama issued a Presidential Memorandum directing Federal agencies with confinement facilities to issue regulations or procedures to satisfy the requirements of PREA. That same day, the Department of Justice (DOJ) announced its final rule to prevent, detect, and respond to sexual abuse in confinement facilities, in accordance with PREA. DHS also announced that day that it would undertake its own rulemaking to apply PREA to immigrant confinement facilities, building upon the zero tolerance policy for sexual assault and abuse in confinement facilities that DHS previously adopted.

Today, following consultation with our Federal, State, and local partners and with input from the public and stakeholders, DHS has proposed standards for DHS immigration detention and holding facilities for the detection, prevention, and reduction of sexual abuse to protect the health and safety of individuals in DHS confinement facilities.

The proposed standards will achieve the three goals of prevention, detection, and response to sexual abuse and assault in confinement facilities by requiring: prevention planning; prompt and coordinated response and intervention; training and education of staff, contractors, volunteers, and detainees; appropriate treatment for victims; procedures for investigation, discipline, and prosecution of perpetrators; data collection and review for corrective action; and audits for compliance with the standards. In addition, the standards require regular audits of each immigration detention facility and each holding facility that houses detainees overnight to assess compliance with the proposed standards.

DHS encourages the public to submit formal input on the proposed rule through www.regulations.gov during the open comment period.

The Presidential Memorandum is available at www.whitehouse.gov/the-press-office/2012/05/17/presidential-memorandum-implementing-prison-rape-elimination-act.

For more information, visit www.dhs.gov.

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Review Date: December 6, 2012



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