

	<p align="center"> <b>State of New Jersey</b>  <b>Department of Corrections</b>  <b>Policy Statement</b> </p>	<p align="center"> <b>Policy Number</b>  <b>PCS.001.005</b> </p>
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<p align="center"> <b>Sexual Assault/Prison Rape Elimination Act (PREA):  Sexual Assault Advisory Committee/Council</b> </p>		
<p> <b>Approved and Issued By: Commissioner Hayman on December 21, 2007.</b> </p>		
<p> <b>Note: This document is provided electronically for informational purposes only. Should you require an official, signed copy for any reason, signed copies are maintained by the APPM Unit.</b> </p>		

<b>Effective Date:</b> December 24, 2007	<b>Reviewed:</b> April 2010 No changes	<b>Enabling Authority: N.J S.A 30:1B-6</b> <b>Related Authority:</b> Federal Prison Rape Elimination Act of 2003 (PREA) 42 U S C §§15601 et seq
<b>Promulgating Office:</b> Office of Internal Support and Outreach Services Division of Programs and Community Services		<b>Professional Association Standard cited:</b>
<b>Applicability</b> This Policy Statement applies to all Organizational Units of the New Jersey Department of Corrections		
<b>Supersedes</b> N/A		
<b>Instructions</b> N/A		
<b>Review Schedule</b> This document is scheduled for annual review on or about April 1, 2011		

**I. PURPOSE**

To establish a thorough review, analysis, and implementation protocol for sexual assault incidences for all reported/suspected sexual assaults and to set forth guidelines and standards for the prevention, detection, protection, and reduction of prison rape within the NJDOC

**II. DEFINITIONS**

The following terms, when used in this policy, shall have the following meanings, unless the context clearly indicates otherwise

**NJDOC** means the New Jersey Department of Corrections

**PREA** means the Federal Prison Rape Elimination Act of 2003 This act was established to provide for the analysis of the incidence and effects of prison rape in Federal, State, and local institutions

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and provide information, resources, and recommendations and funding to protect individuals from prison rape

**Sexual Assault Advisory Committee/Council** means the committee that establishes guidelines and standards and works to support those guidelines and standards for the prevention, detection, protection, and reduction of prison rape within the NJDOC (Referred to as "Committee" in this policy )

**Victim** means a person who reports having been subjected to sexual assault/rape or a person who suffers personal, physical or psychological injury

### III. **POLICY**

The New Jersey Department of Corrections preserves and protects the rights of sexual assault victims in prison settings, consistent with the core principles and philosophy of the Prison Rape Elimination Act of 2003, and in accordance with the NJDOC policies and procedures. Additionally, the Department maintains a zero tolerance for the incidence of sexual assault. Strengthening the partnership between the New Jersey Department of Corrections and the community, and educating departmental staff on the concerns of prison rape victims/victimization via training, and the dissemination of information is vital to the NJDOC. The NJDOC works to ensure the provision of comprehensive services to victims of sexual assault in the NJDOC prison system, and reviews each case, relative to established standards for investigation and prosecution.

### IV **PROCEDURES**

To support this policy, the Commissioner of the NJDOC has established the Sexual Assault Advisory Committee/Council and entrusted the Committee with the responsibilities of

- 1 Establishing an infrastructure that supports continuous development of effective services to victims of sexual assault within the prison
- 2 Completing a comprehensive oversight review of each incident of prison rape within the New Jersey Department of Corrections
- 3 Reviewing and comprehending existing State, Federal, and local government policies and practices with respect to the prevention, detection, and punishment of prison rape
- 4 Completing a review of its effects on the Department as a whole and making appropriate recommendations for improvement of practices, and education that effect the outcome of the steps taken by NJDOC staff
- 5 Making recommendations toward improving the management and administration of standardized protocol surrounding sexual assault in the prison
- 6 Promoting collaborative efforts among officials of state, local government and leaders of appropriate communities to address re-entry issues relative to sexual assault within the prison, (Victim Advocates community groups, etc )

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- 7 Assisting in the development of legislative and departmental proposals to enhance victims' rights, services, and programs
- 8 Ensuring the appropriate documentation and reports are provided to the Commissioner of New Jersey Department of Corrections on the analysis of incidents forwarded to the Committee for review
- 9 Utilizing and coordinating recommended national standards for enhancing the detection, prevention, reduction, and punishment of sexual misconduct within NJDOC

**V. CROSS REFERENCE DOCUMENTS AND POLICIES**

Document/ Policy Number	Title	Effective/ Revision Date
PCS 001 PREA 001	Sexual Assault Advisory Committee/Council Procedures	December 24, 2007
IMM 001 004	Zero Tolerance Policy Prison Sexual Assault	April 21, 2008
<u>ADM 001 000</u>	Mission, Goals, Objectives & Organizational Structure of the New Jersey Department of Corrections	Revised February 1, 2008
<u>PCS 000 000</u>	Division of Programs and Community Services Vision, Mission, Goals and Organizational Structure	Revised February 1, 2008
PCS 007 000	Office of Victim Services Mission, Goals and Objectives	Revised July 17, 2008

**VI. APPLICABLE FORMS**

Form Number	Form Title	Effective/ Revision Date