County of Ocean

Department of Juvenile Services

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PREA Legislation Limitations

While PREA was enacted with the intention of reducing sexual abuse and harassment in correctional facilities, there are still some challenges and problems with its implementation. Some of the issues that have been identified include:

1. Lack of funding: The implementation of PREA requires significant resources, including training, staffing and equipment. However, many correctional agencies and facilities have struggled to secure the funding necessary to implement PREA requirements.
2. Underreporting: Despite efforts to encourage reporting of sexual abuse and harassment many incidents still go unreported. This may be due to fear of retaliation, shame or lack of trust in the reporting process.
3. Staff misconduct: Sexual abuse and harassment can be perpetrated by both inmates and staff. Throughout the country there have been instances of staff members engaging in sexual misconduct with inmates, which can undermine efforts to prevent and address sexual abuse and harassment.
4. Limited accountability: While PREA requires correctional facilities to take steps to prevent and address sexual abuse and harassment, there may be limited accountability for facilities that fail to comply with PREA standards. This can lead to a lack of enforcement and consequences for noncompliance.
5. Continued prevalence of sexual abuse: Despite the implementation of PREA, sexual abuse and harassment in correctional facilities remains a significant problem. While PREA has led to improvements in some areas, more needs to be done to fully address this issue.