

PRISON RAPE ELIMINATION ACT **(PREA)**

The Prison Rape Elimination Act of 2003 was enacted by Congress to address the problem of sexual assault of persons in the custody of U.S. correctional agencies. The Act applies to all public and private institutions that house adult and juvenile offenders and is also relevant to community-based agencies.

POLICY

The New Jersey - Juvenile Justice Commission is committed to and hereby adopts a standard of zero-tolerance of sexual abuse/assault of residents by staff, other residents, volunteers, contractual agents, or individuals having custody or responsibility for the safety, security, care, and/or treatment of residents.

EMPLOYEE RESPONSIBILITIES

As an employee of the NJ JJC you are responsible for the supervision of residents and probationers and/or parolees. You are responsible for the safety and welfare of these individuals while they are under your supervision. It is your responsibility to do whatever is reasonable and necessary to reduce incidents of sexual assault and to respond appropriately when they do occur.

SANCTIONS

As a result, if an employee engages in sexual relations with a resident of the NJ - Juvenile Justice Commission, the employee is subject to the department's disciplinary process as well as criminal prosecution.

REPORTING

Each employee has a duty to report any and all violations of this policy. Reports are made immediately through the chain of command.

N.J.S.A. 2C:14-2. Sexual assault

An actor is guilty of aggravated sexual assault if he commits an act of sexual penetration with another person under any one of the following circumstances:

The victim is at least 13 but less than 16 years old; The actor has supervisory or disciplinary power over the victim by virtue of the actor's legal, professional, or occupational status; The victim is on probation or parole, or is detained in a hospital, prison or other institution and the actor has supervisory or disciplinary power over the victim by virtue of the actor's legal, professional or occupational status.

What this means to NJ - JJC staff: committing a sex act with residents is a crime punishable by law.