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FOR IMMEDIATE RELEASE

## **DOC Agrees to Implement Zero Tolerance Sexual Abuse Policies**

Wilmington, DE (September 22, 2011)—The American Civil Liberties Union of Delaware (ACLU-DE) and the State of Delaware Department of Correction (DOC) have agreed to settle a law suit brought by a women who was raped while incarcerated in Baylor Women’s Correctional Institution. The agreement provides financial compensation and requires the DOC to make changes that will promote zero tolerance sexual abuse policies throughout the prison system, protect women incarcerated in Baylor and provide better services to women if they are the victims of a sexual assault.

“We applaud the Delaware Department of Corrections for agreeing to take important steps to minimize sexual assault in Baylor Women’s Correctional Institution,” said Kathleen MacRae executive director of the ACLU of Delaware. “DOC is actively working to prevent, detect and appropriately respond to the violent, criminal act of rape and other forms of sexual abuse. They are taking nationally recognized steps that will make Delaware a leader in efforts to create a safer prison environment.”

The national Prison Rape Elimination Act, passed unanimously by Congress in 2003, provided for the creation of standards intended to reduce the rape and sexual abuse of men, women and children by other incarcerated individuals and corrections staff. Over the past year, DOC began to implement important changes based on recommendations being developed based on the Act. Under the settlement agreement, DOC will make many additional changes to implement these standards. Some of the changes include the appointment of a Lieutenant-grade ‘prevention of sexual abuse’ coordinator, a

comprehensive inmate reporting system, staff and third-party reporting procedures, improved training for prison employees and inmate education. The new policies also protect inmates and employees from retaliation when they report rape and other forms of sexual abuse.

Prevention is another priority promoted through the settlement agreement. Inmate orientation and an inmate handbook will provide comprehensive information on reporting abuse. Locations in the prison that have been the site of sexual assault because they are isolated or unmonitored will be targeted for more staff rotations or camera instillation. Policies that limit cross-gender strip searches and pat down searches or the viewing of inmates when nude by nonmedical staff of the opposite gender will also be implemented.

“The settlement of this case represented a sustained, sincere effort on the part of the federal court, the attorney general’s office and the DOC to create a safer environment in Baylor prison and to position Delaware as a leader of correctional reform. Strong leadership that promotes zero tolerance of sexual abuse of inmates is a key ingredient to success and I believe that we have that leadership here,” said Richard Morse, ACLU-DE legal director.

According to the federal government, 216,600 men, women and children nationwide are subjected to sexual abuse behind bars each year. However, this crisis is preventable. Implementation of policies and practices, such as those being taken by DOC, combined with effective management and active community oversight can dramatically improve safety within the prison systems.

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