

# PREA, OUTSIDE REPORTING & THE ROLE OF RAPE CRISIS CENTERS

The Prison Rape Elimination Act (PREA) Standards require that every corrections agency provide avenues for prisoners to report sexual abuse, sexual harassment, or retaliation to a separate outside reporting agency. Pursuant to Cal. Evid. Code §1035.4 victim advocates are the only professionals who are not mandated reporters of sexual abuse and sexual harassment in detention in California. Rape crisis centers should never agree to be a corrections agency's outside reporting agency. This sheet will help you understand the proper role for rape crisis centers as it relates to reporting sexual abuse and harassment of people who are incarcerated.

## UNDERSTANDING EVERYONE'S ROLE IN THE REPORTING PROCESS

### RAPE CRISIS CENTERS ARE:

- Required to maintain confidentiality
- Responsible for providing emotional support and crisis intervention to survivors of sexual abuse and harassment
- Able to provide survivors with information about their reporting options via hotline or letter correspondence
- Able to support corrections agencies with identifying an outside reporting agency
- Able to provide training to the outside reporting agency and the facility about trauma-informed, survivor-centered care

### KNOW THE DIFFERENCE BETWEEN AN OUTSIDE REPORTING AGENCY AND RCC COUNSELING HOTLINE

Establishing an outside reporting agency differs from setting up a confidential counseling hotline with your rape crisis center. An outside reporting agency is a pre-established agency that receives and immediately forwards reports of sexual abuse and harassment to facility officials, allowing the survivor to remain anonymous upon request. It is important that facility officials understand the difference between a reporting line and your rape crisis center's confidential counseling line, especially when providing information and referrals to the people in their custody.

## CORRECTIONS STAFF, CONTRACTORS, AND VOLUNTEERS ARE:

- Mandated reporters
- Responsible for preventing, detecting, and responding appropriately to sexual abuse and harassment of people in their care
- Responsible for identifying an outside party reporting agency

## OUTSIDE REPORTING AGENCIES

Generally, an outside reporting agency is governed separately from the correctional facility and may have some investigative responsibilities for crimes committed in the facility. Importantly, the identified agency shall not contract with an answering service because they must be able to forward the reports to the facility. While the identified agency is not the local rape crisis center and is not responsible for providing emotional support or crisis intervention to the survivor, it is recommended that the agency provide a referral to the local rape crisis center.

## POSSIBLE OUTSIDE REPORTING AGENCIES INCLUDE:

- Crime Stoppers
- Police department or other law enforcement agency
- Office of the Inspector General (CDCR facilities)
- District Attorney's office
- Public Defender's office
- Child protective services agency (youth detention facilities)

## AGREEMENT WITH OUTSIDE REPORTING AGENCY

There must be an agreement in place with the correctional facility and the outside reporting agency to formalize the relationship. CDCR-run facilities have an agreement with the Office of the Inspector General. It is recommended that rape crisis centers ask their county-run facilities who their outside reporting agency is.

## TRAINING FOR OUTSIDE REPORTING AGENCIES

Once this agreement is in place, the outside reporting agency must be trained on how to respond to and forward PREA reports to facility officials. To ensure that reports are being responded to in a manner that is trauma-informed and survivor-centered, it is suggested that the rape crisis be part of the training development and facilitation. A survivor who is reporting to an outside reporting agency may distrust facility staff with their experience and may have already experienced retaliation from individuals or groups at the facility. The outside reporting agency must be mindful of these dynamics and allow survivors the option of reporting anonymously.

## ADDITIONAL RESOURCES:

- [Third-Party Reporting Under the PREA Standards: A Fact Sheet for Corrections Officials](#)
- [Untangling the PREA Standards: Outside Reporting, Confidential Support, and Third-Party Reporting Fact Sheet](#)
- [PREA Standards in Focus: Reporting § 115.51, 115.151, 115.251, 115.351 Inmate Reporting](#)

This tip sheet is not intended to replace training and technical assistance, and is not exhaustive. Consult with ValorUS if you have specific questions about outside reporting that are not completely addressed by this sheet.