



STATE OF MICHIGAN  
DEPARTMENT OF CORRECTIONS  
LANSING

RICK SNYDER  
GOVERNOR

HEIDI E. WASHINGTON  
DIRECTOR

**DIRECTOR'S OFFICE MEMORANDUM 2019 - 11**

**EFFECTIVE:** January 1, 2019

**DATE:** December 13, 2018

**TO:** Executive Policy Team  
Administrative Management Team  
Wardens

**FROM:** Heidi E. Washington, Director

**SUBJECT:** Prison Rape Elimination Act (PREA)

**SUPERSEDES DOM 2018 - 11 (effective 01/01/2018)**

The Prison Rape Elimination Act (PREA) of 2003 is a federal law prohibiting sexual misconduct in institutional settings such as correctional facilities and jails. The purpose of the Act is to provide standards for preventing and reporting incidents of prison rape in Federal, State, and local institutions. The act also created the National Prison Rape Elimination Commission and charged it with developing standards requiring the establishment of specific procedures and protections within correctional facilities to ensure consistent response to allegations of prison rape, sexual assault, and sexual harassment. The Department has developed a PREA Manual to enhance existing Department policy on these issues and clarify the scope of implementation required by PREA. The Manual shall be maintained by the PREA Administrator in the Procurement, Monitoring and Compliance Division, Budget and Operations Administration (BOA).

Wardens shall ensure all requirements set forth in the PREA Manual are followed at their respective facilities. This includes ensuring procedures are developed as necessary to implement requirements set forth in the Manual and appropriate policy directives. This requirement includes ensuring that existing procedures are revised or rescinded, as appropriate, if inconsistent with the Manual or resulting changes to policy requirements. The Manual shall control where in conflict with any current policy requirements, including requirements set forth in PD 03.03.140 "Prison Rape Elimination Act (PREA) and Prohibited Sexual Conduct Involving Prisoners."

Additionally, each facility shall be audited to review its compliance with the PREA Manual and any related Department policy. Every facility shall be audited every three years. This is separate from the facility audit process outlined in PD 01.05.100 "Self-Audits and Performance Audits."