



STATE OF MICHIGAN
DEPARTMENT OF CORRECTIONS
LANSING

GRETCHEN WHITMER
GOVERNOR

HEIDI E. WASHINGTON
DIRECTOR

DIRECTOR'S OFFICE MEMORANDUM 2020 - 9

EFFECTIVE: January 1, 2020

DATE: December 16, 2019

TO: Executive Policy Team
Administrative Management Team
Wardens

FROM: Heidi E. Washington, Director

SUBJECT: Prison Rape Elimination Act (PREA)

SUPERSEDES DOM 2019 - 11 (effective 01/01/2019)

The Prison Rape Elimination Act (PREA) of 2003 is a federal law prohibiting sexual misconduct in institutional settings such as prisons, jails, lockups, and community confinement facilities. The PREA Act created the National Prison Rape Elimination Commission and charged it with developing national standards requiring specific procedures and protections within prisons, jails, lockups, and community confinement facilities to ensure consistent response to allegations of prison rape, sexual assault, and sexual harassment. The Department's PREA Manual enhances and clarifies existing Department policy regarding the scope of implementation required by PREA. The PREA Manual shall be maintained by the PREA Manager in the Procurement, Monitoring and Compliance Division (PMCD), Budget and Operations Administration (BOA).

Agency and/or Facility Heads, Administrators, and/or 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 PREA Manual and appropriate policy directives. This requirement includes ensuring that existing procedures are revised or rescinded, as appropriate, if inconsistent with the PREA Manual or resulting changes to policy requirements. The PREA 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 institution shall be audited according to the PREA Standards frequency and scope. This audit process is separate and distinct from the facility audit process outlined in PD 01.05.100 "Self-Audits and Performance Audits."