



PREA Data Collection Activities, 2023

The Prison Rape Elimination Act of 2003 (PREA; P.L. 108–79) requires the Bureau of Justice Statistics (BJS) to carry out, for each calendar year, a comprehensive statistical review and analysis of the incidence and effects of prison rape. PREA further specifies, “The review and analysis...shall be based on a random sample, or other scientifically appropriate sample, of not less than 10 percent of all Federal, State, and county prisons, and a representative sample of municipal prisons.”

The act requires the Attorney General to submit—no later than June 30 of each year—a report that lists institutions in the sample and ranks them according to incidence of prison rape. To implement requirements under PREA, BJS developed a data collection strategy involving multiple measures and modes. The components of this strategy are described below.

For more information about data collections related to PREA, see BJS’s PREA webpage at <https://bjs.ojp.gov/topics/corrections/prea>.

DATA COLLECTIONS AND DEVELOPMENTAL ACTIVITIES DURING 2023

The **Survey of Sexual Victimization (SSV)**, conducted annually by BJS since 2004, is an administrative data collection based on official records kept by adult correctional and juvenile justice facilities in the United States. BJS administers the SSV to a sample of at least 10% of all facilities covered under PREA.

The survey is administered to all federal and state prisons; all facilities operated by the U.S. military and U.S. Immigration and Customs Enforcement; and representative samples of public and private jail jurisdictions, private prisons, and jails holding adults in Indian country. In addition, the survey is administered to all state juvenile systems and a representative sample of locally and privately operated juvenile facilities.

The SSV gathers information on allegations and substantiated incidents that occur within each calendar year. BJS uses uniform definitions to classify each recorded sexual victimization by the type of act and whether the perpetrator was another prisoner or jail inmate, a youth in the facility, or facility staff. In 2013, BJS added and modified certain definitions to align with the PREA standards promulgated in May 2012.

Data collection for the 2021 reference year was initiated in fall 2022 and completed in summer 2023. As in previous collections, administrators completed the forms via PDF or a web-based interface. The response rates for the Bureau of Prisons, state prison systems, and state juvenile justice systems were 100%, while 91% of sampled local jails, 87% of locally or privately operated juvenile

justice facilities, and 92% of other adult correctional facilities responded to the survey. The overall response rate to the 2021 data collection was 90%, down from the 96% response rate in 2020. Response rates were lower in 2021 than in 2020 across all sampled facility types. Data collection for the 2022 reference year began in early fall 2023.

During 2023, BJS published two reports covering data from the SSV substantiated incident forms: *Substantiated Incidents of Sexual Victimization Reported by Adult Correctional Authorities, 2016–2018* (NCJ 304834, BJS, January 2023) and *Substantiated Incidents of Sexual Victimization Reported by Juvenile Justice Authorities, 2013–2018* (NCJ 305192, BJS, March 2023). These reports present estimates on the characteristics of victims, perpetrators, and incidents as reported by adult correctional and juvenile justice authorities. During 2023, BJS analyzed adult summary and incident data from 2019 and 2020 and began preparations for a report on these data.

Also during 2023, BJS completed the following research and development efforts to enhance and improve the SSV data collection. These activities included:

- finalizing recommendations for the sampling designs of adult correctional and juvenile justice facilities
- conducting moderated cognitive testing of changes to the summary and incident forms with 31 adult and juvenile system and facility administrators

- performing unmoderated cognitive testing of a selected number of new and updated items from the incident forms with more than 180 administrators
- finalizing recommendations for changes to the summary and incident forms.

BJS plans to implement all changes to the sampling designs and forms for the 2023 survey reference year that is slated to launch in early fall 2024. To prepare for data collection, BJS plans to conduct outreach and educational activities to publicize the changes and provide guidance on completing the redesigned forms.

The **National Inmate Survey (NIS)** gathers data on sexual victimization in adult prison and local jail facilities as reported by state prisoners and local jail inmates. BJS uses these data to generate statistics on the incidence of prison rape, identify facilities with high and low incidence rates, and identify common characteristics of victims, perpetrators, and facilities. BJS administers the NIS to a sample of at least 10% of correctional facilities, with a minimum of one prison and one jail facility in each state.

BJS conducted the first NIS (NIS-1) in 2007, followed by the NIS-2 during 2008–09 and the NIS-3 during 2011–12. Data collection for the NIS-4 was scheduled to begin in January 2021. However, the challenges that correctional facilities faced due to the COVID-19 pandemic made it infeasible to survey prisoners and jail inmates during 2021 or 2022. Due to concerns for the safety of prisoners, inmates, correctional staff, and data collection agents, as well as associated operational challenges, BJS rescheduled data collection for 2023.

Data collection for the NIS-4 began in jails in February 2023 and in prisons in March 2023. The survey uses audio computer-assisted self-interview (ACASI) technology with a touchscreen-enabled laptop to maximize prisoner and jail inmate confidentiality and a simultaneous audio feed to minimize potential literacy issues. BJS expects to publish the first report from the NIS-4 in late 2024 or early 2025.

The **National Survey of Youth in Custody (NSYC)** provides facility-level estimates of youth reporting sexual victimization in juvenile facilities. BJS conducts the NSYC in 10% of juvenile facilities nationwide, with a minimum of one facility in each state. Youth interviews are conducted using ACASI technology with a touchscreen-enabled laptop. ACASI technology maximizes the confidentiality of responses and addresses potential literacy concerns by simultaneously providing the youth with an audio feed of the questions being read.

BJS has conducted the NSYC three times. The first NSYC (NSYC-1) was conducted from June 2008 to April 2009 and included more than 9,000 youth from 195 juvenile justice facilities. The second NSYC (NSYC-2) was conducted from February 2012 to September 2012 and included more than 8,700 youth from 326 facilities. The third NSYC (NSYC-3) was conducted from March 2018 to December 2018 and included more than 6,000 youth from 327 facilities. The NSYC-3 was the first survey iteration conducted since the U.S. Department of Justice’s PREA standards were released in 2012. BJS did not have any activities related to NYSC in 2023.

NSYC results have shown a decrease over time in the percentage of youth reporting sexual victimization. The overall prevalence of sexual victimization was 12.1% of youth in the NSYC-1,¹ 9.5% in the NSYC-2,² and 7.1% in the NSYC-3.³ The data show that youth in juvenile justice facilities experienced higher rates of sexual victimization (9.5% of youths were victimized in 2012) than adults in prisons (4.0% during 2011–12) or jails (3.2% during 2011–12).⁴

¹See *Sexual Victimization in Juvenile Facilities Reported by Youth, 2008–09* (NCJ 228416, BJS, January 2010).

²See *Sexual Victimization in Juvenile Facilities Reported by Youth, 2012* (NCJ 241708, BJS, June 2013).

³See *Sexual Victimization Reported by Youth in Juvenile Facilities, 2018* (NCJ 253042, BJS, December 2019).

⁴See *Sexual Victimization in Prisons and Jails Reported by Inmates, 2011–12* (NCJ 241399, BJS, May 2013).

REPORTS RELEASED IN 2023

- *Substantiated Incidents of Sexual Victimization Reported by Adult Correctional Authorities, 2016–2018* (NCJ 304834, BJS, January 2023)
- *Substantiated Incidents of Sexual Victimization Reported by Juvenile Justice Authorities, 2013–2018* (NCJ 305192, BJS, March 2023)

PREVIOUSLY RELEASED REPORTS

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- PREA Data Collection Activities
- PREA Publications



The Bureau of Justice Statistics of the U.S. Department of Justice is the principal federal agency responsible for measuring crime, criminal victimization, criminal offenders, victims of crime, correlates of crime, and the operation of criminal and civil justice systems at the federal, state, tribal, and local levels. BJS collects, analyzes, and disseminates reliable statistics on crime and justice systems in the United States, supports improvements to state and local criminal justice information systems, and participates with national and international organizations to develop and recommend national standards for justice statistics. Kevin M. Scott, PhD, is the acting director.

This report was prepared by statisticians within BJS's National Prison Rape Statistics Program (NPRSP). NPRSP statisticians include Emily D. Buehler, Michael B. Field, Rachel Hansen, Shelby Kottke-Weaver, and Amy D. Lauger.

Eric Hendrixson edited the report. Jeffrey Link produced the report.

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