



## Delaware House of Representatives House Majority Caucus

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### **BILL ADDRESSING PRISON SEXUAL ASSAULT REPORTING** **PASSES HOUSE UNANIMOUSLY**

*HB 284 would decriminalize reporting of prison sexual assaults*

DOVER – Legislation mirroring a federal statute designed to eliminate the criminalization of reporting prison sexual assaults unanimously passed the House on Thursday.

Sponsored by Rep. James “J.J.” Johnson, House Bill 284 would allow an inmate to report a sexual assault or rape without fear of facing criminal charges. Current law criminalizes conduct for both the victim and perpetrator, which likely causes such crimes to be underreported out of fear of criminal prosecution. Sexual assault victims would not report those attacks, and Rep. Johnson said some people have taken advantage of that loophole, knowing that the assaults would go unreported.

“If you’re a victim of a sexual assault in prison, you can be charged with a crime, which leads to most incidents going unreported,” said Rep. Johnson, D-Jefferson Farms. “This legislation mirrors the federal Prison Rape Elimination Act, which was signed into law in 2003. This is an issue that should have been addressed years ago in Delaware.”

Rep. Johnson said that he hopes passage of the legislation, which cleared the Senate unanimously on Tuesday, will not only encourage inmates to report such attacks, but also deter offenders from committing sexual assaults because the reporting loophole has been closed.

HB 284 now goes to Governor Jack Markell for his signature.

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