



PRISON RAPE ELIMINATION ACT



Annual PREA Report 2017 Idaho Department of Correction

Mission:

Protect the public, our staff and those within our custody and supervision through safety, accountability, partnerships, and providing opportunities for offender change.

Approved by:

A blue ink signature of Josh Tewalt, the Director of the Idaho Department of Correction. The signature is written in a cursive, flowing style.

Josh Tewalt, Director

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*“Setting goals is the first step
in turning the invisible into the visible.”*

Tony Robbins

The Idaho Department of Correction PREA Annual Report represents one of many steps in IDOC’s goal to achieve PREA compliance and increase safety for inmates, staff, and the community.

Please note that this report includes PREA definitions for sexual abuse. The specific descriptors may be offensive to some people.

Overview

Zero Tolerance

Congress passed the Prison Rape Elimination Act (PREA) in 2003 to support the elimination of sexual abuse in prisons. The Idaho Department of Correction (IDOC) responded quickly. In 2004, IDOC adopted a standard of zero-tolerance for sexual violence. Policy and training set a solid foundation.

Federal PREA Standards adopted in 2012 expanded requirements with 44 standards, and nearly 400 requirements. IDOC and Idaho counties initially attempted to mitigate the financial impact of the standards by simplifying some required elements.

Standard Compliance

In December 2014, IDOC announced that it was working toward full compliance with the PREA Standards. A statewide work group developing new PREA standard compliant procedures finalized changes in 2017, clearing the way for training and policy implementation in 2018. New processes to be implemented include:

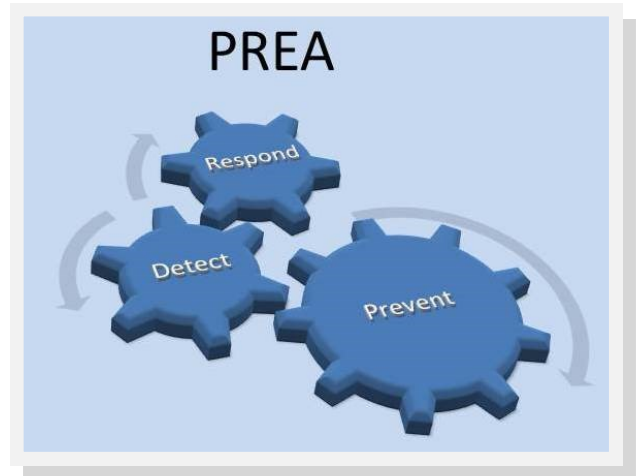
- Zero tolerance is expanded to sexual abuse and sexual harassment, matching PREA Standards.
- Reporting sexual abuse investigation results to inmates.
- Monitoring to ensure no retaliation against inmates and staff involved in reporting sexual abuse.
- Completing incident reviews after each substantiated or unsubstantiated sexual abuse case.
- Added reporting options for inmates.

As 2017, an implementation plan phased in the new policy training and education between February and May.

Purpose of Report

PREA Standards require agencies to aggregate incident-based sexual abuse data annually, use the data to assess and improve the effectiveness of the PREA program, and document data and findings in an annual report.

This report documents IDOC's 2017 aggregated sexual abuse data, compares it to data from prior years, and highlights actions taken in 2017 to improve safety and develop a standard-compliant PREA program statewide.



2017 PREA Annual Report

Agency Achievements

The Idaho Department of Correction prepared and trained for implementation of a new PREA policy. Processes, forms and training materials were enhanced and finalized. Investigators were trained on performing standard-compliant sexual abuse investigations and mental health staff were trained on trauma-informed clinical support for abuse victims.

IDOC leadership reviewed and approved the final revisions to the PREA Standard Operating Procedure in December 2017.

PREPARING IMPLEMENTATION MATERIALS:

During 2017, a statewide PREA workgroup refined in-service training for staff, reviewed on-line training tools for the new operating procedures. The group finalized inmate education and updated pamphlets.

PREA INVESTIGATIONS TRAINING:

IDOC and the Idaho Sheriffs' Association offered investigation training to jail and prison investigators statewide. The 2-day PREA investigations trainings were held in April and offered in two locations. Criminal justice consulting firm, The Moss Group, Inc. (TMG) facilitated all sessions. A total of 51 prison and jail investigators were trained.

- 17 attended an Idaho Falls investigations session
- 34 attended a Meridian session
- 16 investigators attended train-the-trainer sessions



Investigators' cumulative PREA knowledge measured as "C" on a pre-test, and improved to an "A" after the two-day course.

The project was supported under Bureau of Justice Assistance (BJA) FY16 grant funding (BJA-PREA Reallocation) 42 USC 3750, et seq: 42 USC 15607 (c). 2016-Xt-BX-0038.

TRAUMA-INFORMED TRAINING:

IDOC used STOP Violence Against Women grant funding to provide trauma-informed training for all mental health providers.

Approximately 50 law enforcement and prison clinicians attended an April training with Psychologist Jamie Brower. Brower offered tools for addressing trauma, and helping victims be resilient.

IDOC used a portion of the STOP Violence Against Women grant funding to print graphic novels ordered for inmate education to supplement traditional methods of education.

STAFF TRAINING:

New employee orientation (NEO) and Peace Officer Standard Training (POST) for correctional officers are training to meet PREA training standards. Participants in eleven NEO and 5 POST academies were trained to the PREA standard-compliant elements during 2017.



Facility Improvements

CAMERAS:

Year-end funds were used to enhance camera systems in two facilities in 2017. Idaho Correctional Institution-Orofino camera project began in January and was completed in May. Camera upgrades at South Idaho Correctional Institution included adding approximately 120 cameras with 52 new locations. The Idaho State Correctional Institution (ISCI) began a design phase with construction set to start on camera upgrades in 2018.

SIGNS:

IDOC posted opposite gender announcement signs at unit entrances in prisons, and community reentry centers statewide.

FACILITY IMPROVEMENTS:

Facilities were asked to review showers and toilet areas during summer 2017 and identified areas where privacy should be enhanced. Shower curtains were recommended in many facilities and added to prisons without adequate physical barriers for shower privacy. Shower and toilet renovations are being funded and scheduled.



Progress

ASSURANCE:

Idaho submitted a Governor's Assurance for Audit Cycle 2, Year 2. The assurance states that Idaho's adult prison system is working toward compliance with the National Standards to Prevent, Detect, and Respond to Prison Rape, 28 C.F.R. Part 115. The 2017 assurance included a draft audit schedule.

WEBSITES:

An internal EDOC website was created for staff to highlight news internally. The external website was updated with additional progress information, and a link to Human Resources added for employment verification from other correctional agencies.

VICTIM SUPPORT LINE:

IDOC continued work with Just Detention International (JDI), and the Idaho Coalition Against Domestic and Sexual Violence, to develop a victim support line. JDI received grant funding to support the initiative. JDI did site visits as three facilities identified as pilot facilities.

SEXUAL ASSAULT RESPONSE TEAM:

Work to connect with community resources continued in coordination with local and national resources. The SART model initially proposed in the policy was refined after input from wardens during statewide facility visits.

SCREENING WORK GROUP:

IDOC evaluated ways to manage the screening workload and prepared a decision unit to fund staffing to manage the increased workload associated with the screenings.

PREA Data, 2017

Inmate Population

As of December 31, 2017, IDOC managed 8,294 inmates.

- ◆ A total of 7,194 were housed in eight state-owned prisons and five community confinement* facilities.
- ◆ A total of 433 were housed at a privately-operated, contract facility.
- ◆ Jail beds housed the remainder of the inmates.

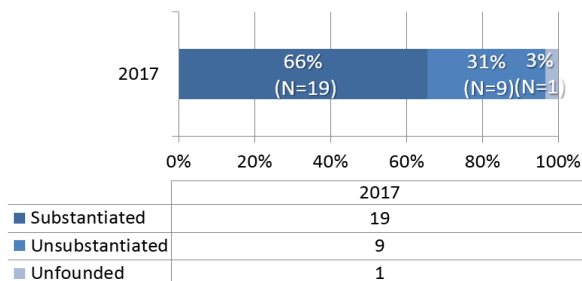
Population data is from the IDOC Standard Report, December 2017.

Sexual Abuse Reports, 2017

For calendar year 2017, IDOC reported 29 sexual abuse allegations in IDOC-managed facilities. Nineteen cases were substantiated. The data was provided to Department of Justice in the Sexual Survey of Victimization.

The sexual abuse data report includes inmate-inmate and staff-inmate sexual abuse allegations. Abuse includes a broad range of misconduct from inappropriate touching to rape. Definitions are on the next two pages.

Survey of Sexual Victimization Reports
All Reports, Sexual Abuse
2017

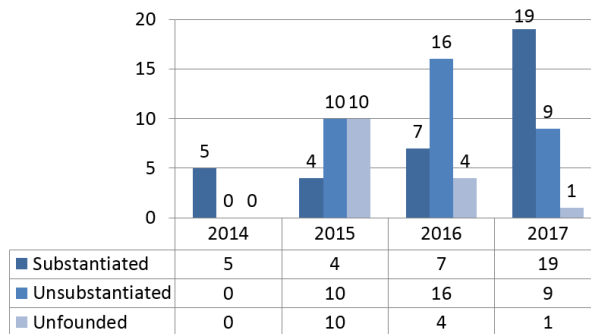


Comparative Data, Changes Noted

IDOC reported an increase in substantiated sexual abuse cases in 2017, and a decrease in unsubstantiated and unfounded allegations. These factors impacted statistics.

1. IDOC **increased PREA awareness** in 2016 and 2017.
2. **IDOC provided** PREA investigations training statewide.
3. IDOC **assumed operation of the Idaho State Correctional Center (ISCC) July 1, 2014**, and began reporting PREA data for the 2,172 bed facility on that date. Prior to the change, Corrections Corporation of America managed the facility as the Idaho Correctional Center (ICC) and reported PREA data.
4. IDOC has traditionally relied on discipline reports as the primary tool to gather PREA data. A new process more effectively tracks inmate allegations in which disciplinary action did not occur.
5. The federal government changed the reporting form and removed reporting of abuse allegations determined to be sexual activity. IDOC removed reporting for unfounded reports determined to be sexual activity or non-PREA concerns.

Survey of Sexual Victimization Reports
All Reports, Sexual Abuse
2014-2017



PREA Data, 2017

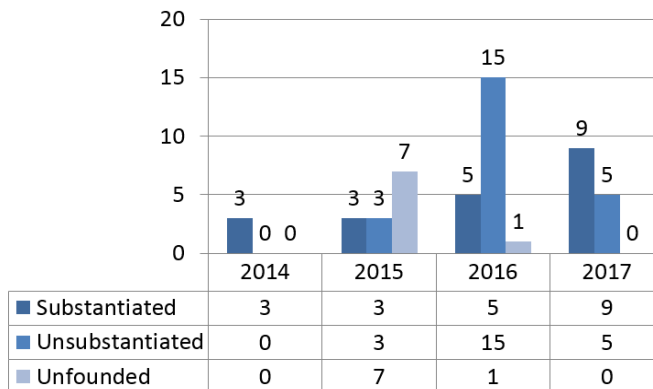
Inmate on Inmate Data

Inmate-inmate sexual abuse cases account for 14 of reported allegations in 2017. IDOC substantiated nine inmate-inmate sexual abuse cases.

Substantiated cases are allegations that were investigated and determined to have occurred. For non-criminal investigations, the agency uses a preponderance of evidence standard, which means that it is 51% likely to have occurred.

Allegations that are potentially criminal in nature are referred to law enforcement for investigation, and potential prosecution.

Survey of Sexual Victimization Reports
Inmate on Inmate Sexual Abuse
2014-2017



Definitions

Inmate-Inmate Sexual Abuse

Sexual contact of any person without his or her consent, or of a person who is unable to consent or refuse; And

- 1) Contact between the penis and the vulva or the penis and the anus including penetration, however slight; Or
- 2) Contact between the mouth and the penis, vulva, or anus; Or
- 3) Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object or other instrument.

Intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person, excluding incidents in which the contact was incidental to a physical altercation.

Definitions are from the Survey of Sexual Victimization, 2017 and based on the PREA Standard definitions.

Findings

Substantiated: An allegation that was investigated and determined to have occurred.

Unsubstantiated: An allegation that was investigated and the investigation produced insufficient evidence to make a final determination as to whether or not the event occurred.

Unfounded: An allegation that was investigated and determined not to have occurred.

PREA Data, 2017

Staff on Inmate Data

Staff-Inmate sexual abuse allegations account for 15 of the PREA allegations in 2017.

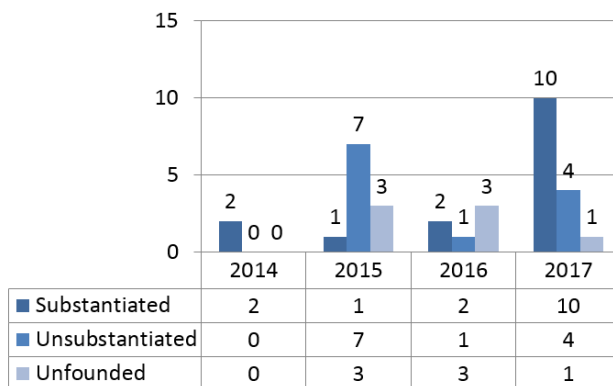
IDOC substantiated ten cases involving staff, contractors, or volunteers.

Substantiated cases that are potentially criminal in nature are referred to law enforcement for investigation, and potential prosecution.

Cases involving staff are usually managed through IDOC's Special Investigations Unit (SIU) in coordination with law enforcement.

A change in Special Investigations Unit data management expanded the number of cases reported.

Survey of Sexual Victimization Reports
Staff on Inmate Sexual Abuse
2014-2017



Definitions

Staff-Inmate Sexual Abuse

Any behavior or act of a sexual nature directed toward an inmate by an employee, volunteer, contractor, official visitor or other agency representative (excluding family, friends or other visitors).

- 1) Sexual relationships of a romantic nature between staff and inmates are included in this definition. Consensual or nonconsensual sexual acts include-
- 2) Intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh or buttocks that is unrelated to official duties or with the intent to abuse, arouse, or gratify sexual desire; OR
- 3) Completed, attempted, threatened, or requested sexual acts; OR
- 4) Occurrences of indecent exposure, invasion of privacy, or staff voyeurism for reasons unrelated to official duties or for sexual gratification.

Findings

Substantiated: An allegation that was investigated and determined to have occurred.

Unsubstantiated: An allegation that was investigated and the investigation produced insufficient evidence to make a final determination as to whether or not the event occurred.

Unfounded: An allegation that was investigated and determined not to have occurred.

Definitions are from the Survey of Sexual Victimization, 2017 and based on the PREA Standard definitions.

Inmate Housing

Institutions (Prisons)	*Total Inmates	Sexual Abuse Reports, 2017
IMSI (Male Inmates)	548	0
ISCI (Male Inmates)	1,462	12
SICI (Male Inmates) (Female Inmates**)	589 114**	3
ICIO (Male Inmates) Idaho Correctional Institution-Orofino	576	3
NICI (Male Inmates)	407	2
ISCC (Male Inmates)	2,178	8
SBWCC (Female Inmates)	291	1
PWCC (Female Inmates)	340	0
Total	6,505	29
Community Reentry & Work Camps	*Total Inmates	Sexual Abuse Reports, 2017
CRC Nampa	107	0
CRC Idaho Falls	108	0
CRC Treasure Valley	108	0
CRC East Boise	108	0
SAWC*** St. Anthony Work Camp	258	0
Total	689	0
Contract & Other	*Total Inmates	Sexual Abuse Reports, 2017
CAPP, Management Training Corp. Correctional Alternative Placement Prg.	432	1
Bonneville County	84	
County Jails	594	
Total	1,100	

Definitions

Prison means an institution under Federal or State jurisdiction whose primary use is for the confinement of individuals convicted of a serious crime, usually in excess of one year in length, or a felony.

Community confinement facility means a community treatment center, halfway house, restitution center, mental health facility, alcohol or drug rehabilitation center, or other community correctional facility (including residential re-entry centers), other than a juvenile facility, in which individuals reside as part of a term of imprisonment or as a condition of pre-trial release or post-release supervision, while participating in gainful employment, employment search efforts, community service, vocational training, treatment, educational programs, or similar facility-approved programs during nonresidential hours.

Non-IDOC Facilities

Contract and local facilities report sexual abuse data separately from the IDOC.

Contract facilities provide their reports to the federal government, and are not included in IDOC submissions.

*All population data is from the IDOC Standard Report, December 2017.

**SICI has a tier of females in a separately-fenced unit.

***SAWC is part of the prisons division, but for PREA audits and reporting meets community confinement criteria.

Reporting

Anyone

Any time

Any method

Employees and contractors are trained to encourage a reporting culture and enhance facility safety by accepting PREA reports from anyone, at any time, by any method. IDOC inmates have multiple ways to report sexual abuse and sexual harassment. One option includes third party reporting.

Third party reporting

Reports outside the facility can be made directly to prison facilities, or through these designated reporting options.

Call: 1-800-361-6286

Email: Victimservices@idoc.idaho.gov

Messages to third party reporting options are checked during normal business hours. Inmate hotline calls from within facilities are continually monitored.

Report prepared by: Teresa Jones, PREA Coordinator

