

Idaho Department of Correction

Prison Rape Elimination Act

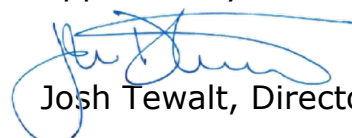
2020 Annual Report

Our **MISSION** is to create a model correctional system that provides equitable access to programming and opportunities that reflect a community experience, foster connections and restore victims of crime.

We **ENVISION** a safer Idaho with fewer people in its correctional system.

We **VALUE** integrity, respect and positive attitude.

Approved by:



Josh Tewalt, Director

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Language throughout the report uses resident to identify those under the agency's care and custody. The agency has adopted 'resident' or 'incarcerated individual' to replace 'inmate.' This reflects a transition to less stigmatizing, people-first language. PREA definitions are modified to use resident for those housed in prisons and community corrections facilities.

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

Overview

Report Purpose

Congress passed the Prison Rape Elimination Act (PREA) in 2003 to support the elimination of sexual abuse in prisons.

The Department of Justice adopted PREA National Standards in 2012. The standards require agencies to aggregate 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 provides the Idaho Department of Correction's 2020 aggregated sexual abuse data, compares it to data from prior years, and highlights actions taken in 2020 to improve facility safety and move the agency toward PREA standards compliance.

Standards Compliance

Entering 2020, PREA screenings for residents were the major remaining hurdle to PREA compliance. Funding was secured to allow the medical contractor to perform the screenings.

COVID response and budget holdbacks impacted the 2020 implementation plan. Despite these challenges the agency began screenings at two state-managed facilities.

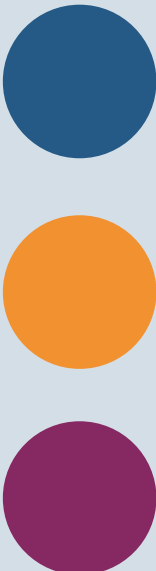
Improvements moved the agency toward compliance with approximately 95% of the PREA requirements implemented.

Governor's Assurance

Idaho Governor Brad Little submitted a Governor's Assurance to the Department of Justice in October 2020. It assured that Idaho's adult prison system continued work toward compliance with the National Standards to Prevent, Detect, and Respond to Prison Rape, 28 C.F.R. Part 115.

Audits

The assurance included a three-year audit schedule to cover all adult state prison and community confinement facilities. A third of facilities will be audited each year to certify compliance with the Prison Rape Elimination Act Standards. The first audits in the required three-year audit cycle began in September 2021. As audits are completed, final audit reports will be posted on the agency website.



The Idaho Department
of Correction has
zero tolerance
for sexual abuse and
sexual harassment.

Achievements

PREVENT

PREA SCREENING IMPLEMENTATION

Idaho Correctional Institution-Orofino (ICIO) began performing PREA screenings using a paper form in the fall of 2020. An electronic tool was tested and implemented at ICIO and the Idaho Falls Community Reentry Center in December.

The tool auto-populates some available resident data. It also enters cautions when a screening indicates, and staff confirm that a resident is potentially vulnerable or predatory. Facility leadership identifies appropriate housing to keep these populations separate to enhance facility safety.

Screenings are being phased in at facilities statewide. COVID and medical contract changes have impacted timelines on this initiative.

Policy changes were drafted to guide the screening process and the use of cautions to protect vulnerable residents and identify potentially abusive residents. The screening policy was adopted in 2021.

DETECT

SYSTEM IMPROVEMENTS

Sexual abuse incident review summaries became a standard agenda item for quarterly meetings of the Statewide PREA Team. This improved timely completion of incident reviews. It also increased visibility and discussion of improvements, raising

team awareness of the quality assurance tool's value.

The PREA Statewide Team standardized a quarterly staffing plan review in the second quarterly meeting of the year.

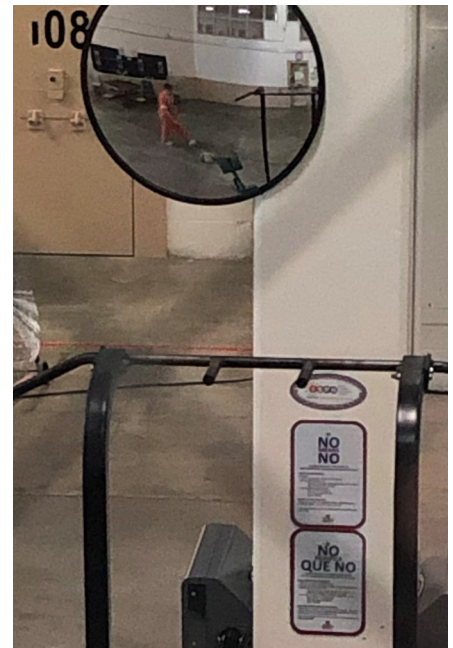
We routinized testing of the PREA phone line to ensure regular testing of the resident hotline.

VICTIM SUPPORT PARTNERS

Voices Against Violence, the rape crisis center in Twin Falls, agreed to provide victim advocates and support for residents. The agreement was in place as the new community reentry center opened its doors. Rape crisis centers in five regions partner with IDOC to provide victim advocate support services to residents.

Just Detention International (JDI) and IDOC signed a memorandum of understanding to formalize a long-standing partnership. JDI provides confidential support to residents in Idaho facilities through the mail.

RESPOND



PREA Reporting signs are posted by phones at all facilities. An internal number allows residents to report concerns for investigation. This photo shows the signs at Idaho Correctional Institution-Orofino.

Facility Additions and Remodels

ADDITIONS

The agency's Capital Construction group managed six projects in 2020. Two projects included bed expansions. The largest project was remodeling an existing building to house a new community confinement facility in Twin Falls. An expansion of St. Anthony Work Camp was also launched.

Twin Falls Community Reentry Center, New Facility

Building acquired and remodeled: 160 beds, new restrooms and cameras, Opened October 2020

St. Anthony Work Camp, Expansion

New 140 bed addition, new kitchen, dining hall, visiting/recreation center, restrooms and cameras, Opening March 2022



Corrections Board Chair Dr. David McClusky with manager Pam McCarroll cutting the ribbon to open the Twin Falls facility.

REMODELS

The four other projects included updating bathrooms and remodeling older units.

Idaho State Correctional Institution, Remodel, Unit 12, 148 bed housing unit remodel with new housing, restrooms and cameras, Completed September 2020

Idaho Falls Community Reentry Center, Restroom Remodel, Completed January 2022

North Idaho Correctional Institution, Restroom Remodels, Unit 1 & Unit 4, Completed Spring 2021

Idaho State Correctional Institution, Remodel Unit 8 & 10 B-C Tiers, Completed Spring 2021

Facility Incident Reviews

PREA Standard 115.86 requires facility leadership complete incident reviews for substantiated and unsubstantiated sexual abuse cases. Review teams evaluate policy concerns, group dynamics, physical plant safety, staffing, and monitoring technology. Six changes were recommended in 2020, most involved adding cameras.

RECOMMENDATIONS BY TYPE	STATUS
POLICY: ICIO recommended that the Special Investigation Unit should conduct an investigation when requested by a facility head.	The agency Executive Leadership team agreed that the Special Investigations Unit shall no longer refuse a case at the outset. When facility leadership requests a PREA investigation, it will be accepted and some preliminary investigating completed.
BARRIERS/MONITORING: NICI noted a lack of cameras in the units make it difficult to assess situations.	NICI received funding for a camera system and design is underway. Installation will begin in 2022. The agency has requested grant funding to provide more camera views.
ICIO recommended additional cameras for stairwells and an elevator.	Cameras were not funded. ICIO leadership added signage to mark off-limit areas not covered by cameras.
PWCC recommended more camera coverage in unit hallways and closet areas.	A camera project in 2020-2021 upgraded cameras and supplemented coverage. *A new camera head end expanded camera viewing from on-unit only viewing to allow investigations access. This completed an action on a 2019 incident review recommendation.
ISCC recommended cameras be added in classrooms and the education main office.	A project to upgrade cameras and install classroom-area cameras is scheduled for 2022.
TRAINING SBWCC requested refresher PREA Training.	Planned face to face training planned was converted to a self-study computer training.

PREA Data, 2020

Incarcerated Population

IDOC managed an average of 8,814 residents daily during 2020.

- An average of 6,878 were housed in eight state-owned prisons and six community confinement¹ facilities.
- An average of 944 were housed at privately-operated, contract facilities.
- An average of 957 were housed in county jails.
- IDOC leased and operated the Orchard Exchange as a temporary facility for COVID quarantine purposes. An average of 162 male residents were housed during its four months of use, 42 residents on an annualized basis.

Population data provided by the IDOC Evaluation and Compliance Group— IDOC 2020 Averages.

¹The St. Anthony Work Camp is a community confinement facility under PREA definitions. See page 11 for definitions.

Survey of Sexual Victimization Totals

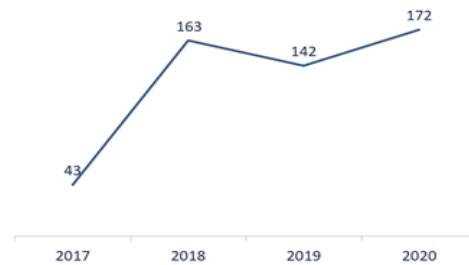
IDOC reported 172 allegations of sexual abuse and sexual harassment in the Department of Justice 2020 Survey of Sexual Victimization.

- Total cases reported in 2020 increased 21% compared to 2019, from 142 to 172 cases for all types of sexual abuse and sexual harassment.
- The rate of total cases that are substantiated remains the same as the prior year at 15%.

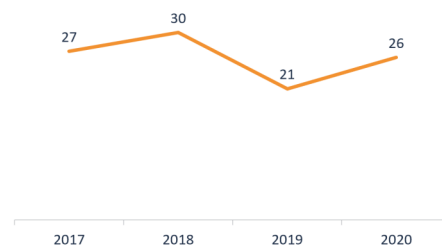
The 2020 data totals by type are below.

The following pages provide more in-depth comparisons on resident-resident sexual abuse, staff sexual misconduct and sexual harassment.

Total Allegations, 2017-2020



Number of Substantiated Allegations, 2017-2020



2020 Survey of Sexual Victimization Totals

Type	Substantiated	Unsubstantiated	Unfounded	Total
Resident-Resident				
Non-consensual Sexual Acts	1	14	4	19
Abusive Sexual Contact	0	7	8	15
Sexual Harassment	12	26	38	76
Staff Sexual Misconduct	10	1	24	35
Staff-Resident Sexual Harassment	3	3	21	27
TOTAL	26	51	95	172

PREA Data, 2020

Sexual Abuse Reports

A total of 69 sexual abuse allegations were reported in IDOC-managed facilities in 2020. Eleven reports were substantiated. Slightly more than half of the abuse reports (52%) were unfounded.

The sexual abuse data includes resident-resident and staff-resident sexual abuse allegations.

Abuse includes a broad range of misconduct, from rape to inappropriate touching and voyeurism. The Department of Justice Sexual Survey of Victimization definitions are on the next two pages.

Comparative Sexual Abuse Data

IDOC introduced a revised PREA policy in 2018. New PREA required elements broadened the scope of what is tracked.

The policy added follow-ups to evaluate the agency and facility PREA program with the goal of continually improving victim and facility safety.

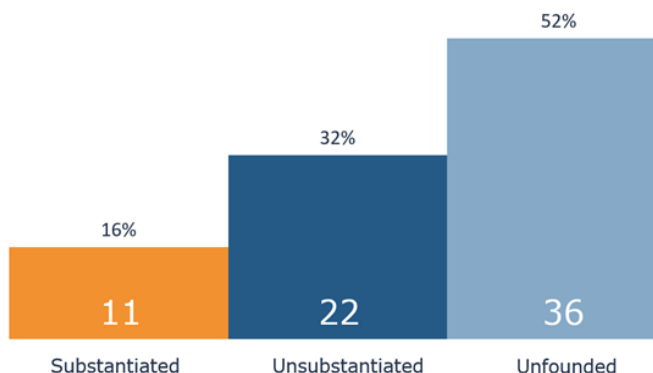
- **Sexual abuse incident reviews** are completed for substantiated and unsubstantiated cases. The 2020 results are on page 5.
- The victim receives a **findings report** in sexual abuse cases.
- Any resident or staff involved who fears retaliation is **monitored** and action is taken to remedy any concerns.

To monitor the expanded requirements, IDOC broaden cases tracked to include all unsubstantiated and unfounded cases.

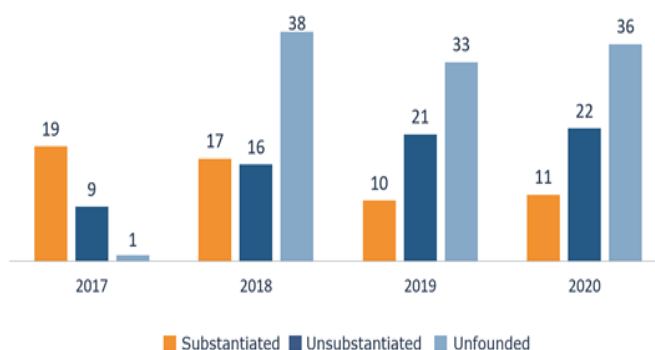
The number of total allegations increased 145% from 29 to 71 between 2017 and 2018.

The chart to the right illustrates how those numbers have stabilized since the policy change in 2018.

Survey of Sexual Victimization
Sexual Abuse Reports 2020



Survey of Sexual Victimization
Sexual Abuse Reports 2017-2020



Federal reporting requires sexual abuse and sexual harassment data be aggregated. IDOC removes all personal identifiers and consolidates data groupings to protect victims as is required by PREA Standard 115.87 (b)-1 and 115.287 (b)-1.

PREA Data, 2020

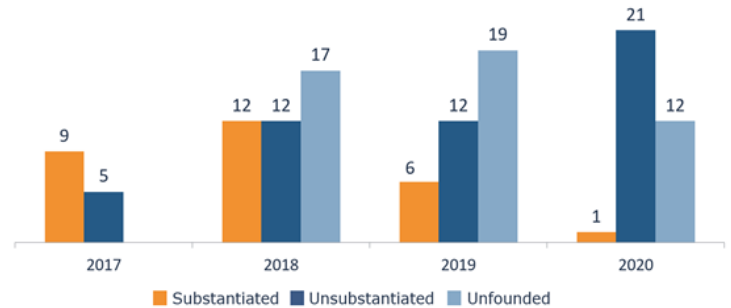
Resident—Resident Sexual Abuse Data

Resident-resident sexual abuse cases accounted for 34 of the 69 reported abuse allegations in 2020. IDOC substantiated 1 resident-resident sexual abuse case.

Substantiated cases are allegations that were investigated and determined to have occurred. The agency uses a preponderance of evidence standard to substantiate a case, 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. One resident-resident case was referred for prosecution during 2020.

Survey of Sexual Victimization
Resident-Resident Sexual Abuse Reports
2017-2020



Definitions

Resident-Resident Sexual Abuse, Level 1

Non-consensual sexual acts

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

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

Resident-Resident Sexual Abuse, Level 2

Abusive Sexual Contact

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

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

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, 2020

Staff—Resident Sexual Abuse Data

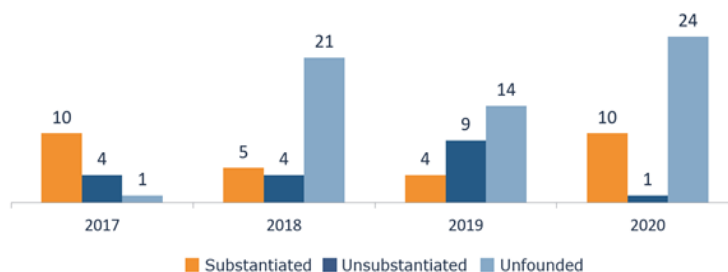
Staff—resident sexual abuse allegations accounted for 35 of the reported abuse cases.

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. Four cases were referred for potential prosecution in 2020.

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

Survey of Sexual Victimization
Staff-Resident Sexual Abuse Reports
2017-2020



Definitions

Staff-Resident Sexual Abuse

Staff Sexual Misconduct

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

Sexual relationships of a romantic nature between staff and residents are included in this definition. Consensual or nonconsensual sexual acts include-

- 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
- Completed, attempted, threatened, or requested sexual acts; OR
- 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, 2020 and based on the PREA Standard definitions.

PREA Data, 2020

Sexual Harassment Data

Expanding the agency zero tolerance standard to directly include sexual harassment resulted in significant increases in sexual harassment reporting since the higher standard was implemented in 2018.

Sexual harassment represented 60% of all PREA allegations received in 2020.

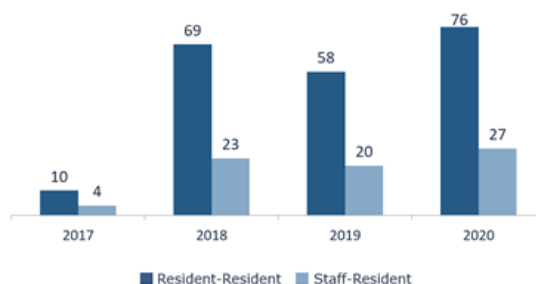
Resident-Resident Sexual Harassment

Resident-resident sexual harassment cases accounted for 76 of reported allegations in 2020. A total of 12 resident-resident cases were substantiated.

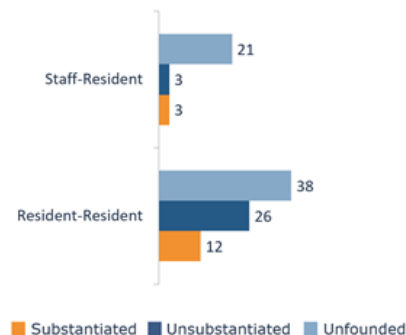
Staff-Resident Sexual Harassment

Staff-resident harassment allegations accounted for 27 reports. A total of three staff-resident cases were substantiated.

Survey of Sexual Victimization
Sexual Harassment Reports 2017-2020



16% of resident-resident sexual harassment reports were substantiated



Definitions

Resident-Resident Sexual Harassment

Repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one resident directed toward another.

Staff-Resident Sexual Harassment

Repeated verbal comments or gestures of a sexual nature to a resident by an employee, volunteer, contractor, official visitor, or other agency representative (excludes family, friends, or other visitors). Includes:

- Demeaning references to gender, or sexually suggestive or derogatory comments about body or clothing; OR
- Repeated profane or obscene language or gestures.

Definitions are from the Survey of Sexual Victimization, 2020 and based on the PREA Standard definitions.

Sexual harassment can be a precursor to abuse.

Predators use it to test, demean, intimidate, challenge or threaten others.

Facility Data

Prisons	Total Residents ²	Sex Abuse Reports
IMSI (Males) Idaho Maximum Security Institution	505	12
ISCI (Males) Idaho State Correctional Institution	1408	17
SICI (Males/Females ³) South Idaho Correctional Institution	329-M 360-F	2
ICIO (Males) Idaho Correctional Institution-Orofino	565	1
NICI (Males) North Idaho Correctional Institution	374	4
ISCC (Males) Idaho State Correctional Center	2,100	22
SBWCC (Females) South Boise Women's Correctional Ctr.	238	2
PWCC (Females) Pocatello Women's Correctional Ctr.	310	8
Total	6,878	68
Community Confinement Facilities		
CRC ⁴ -Nampa (Males)	107	1
CRC-Idaho Falls (Males)	97	
CRC-Treasure Valley (Males)	91	
CRC-East Boise (Females)	128	
CRC-Twin Falls (Males)	6*	
SAWC ⁵ (Males) St. Anthony Work Camp	253	
Total	682	1
Contract Facilities & Jails ⁶		
CAPP, Management Training Corp. (Males) Correctional Alternative Placement Prg.	373	2
Eagle Pass Corr. Center, TX/GEO (Males) ⁷	418	
Saguaro Corr. Center, AZ/CoreCivic (Males) ⁷	153	2
Orchard Exchange (Males) ⁸	42	
County Jails (Males/Females)	957	
Total	1,943	4

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.

Footnotes

² Population data is from the IDOC Evaluation and Compliance-2020 Averages. Rounding errors can create a minor difference in counts.

³ SICI houses females in two separately-fenced units.

⁴ CRC stands for Community Reentry Center.

⁵ SAWC is in the prisons division, but is managed as a community confinement facility based on PREA definitions.

⁶ Contract facilities and jails are required to report PREA incidents separately. The numbers on this table are not reflected in the IDOC data.

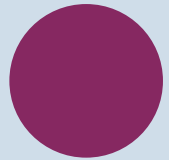
⁷ IDOC residents vacated Eagle Pass by September 2020. IDOC began sending residents to Saguaro in August 2020.

⁸ IDOC leased and operated the Orchard Exchange as a temporary quarantine relief facility from August to November 2020.

Resident Reporting

Residents have multiple ways to report sexual abuse, sexual harassment or retaliation for reporting of PREA-related incidents.

- **Tell staff***
- **Call the PREA hotline***
- Submit a concern form or healthcare request
- Confidential mail:
Idaho Sheriffs' Association
3100 Vista Avenue, Suite 203
Boise, ID 83705



Third Party Reporting

Family and friends outside the facility have multiple ways to report PREA concerns.

- **Call the facility directly***
- Other options checked during normal business hours:
- Call recorded helpline: 1-800-261-6286
 - Email victimservices@idoc.idaho.gov

*Bold, starred options provide the fastest response.

Agency PREA information is available online at idoc.idaho.gov