

# Prison Rape Elimination Act

Annual Report | 2022 Data



A handwritten signature in black ink, appearing to read "Josh Tewalt".

*Josh Tewalt, Director*  
*November 2023*

PREA National Standards 115.87 and 115.88 require agencies to aggregate sexual abuse data annually, use the data to assess and improve the effectiveness of the PREA program and document the data and findings in an annual report.

# Table of Contents

Overview   Achievements	3
Achievements	4
Facility Improvement   Incident Reviews	5
Resident Population   Sexual Victimization Data	6
Sexual Abuse Reports, Comparative Data	7
Resident-Resident Sexual Abuse Data, Definitions	8
Sexual Abuse Resident-Resident Data, by Facility	9
Staff-Resident Sexual Abuse Data, Definitions	10
Sexual Abuse Staff-Resident Data, by Facility	11
Sexual Harassment Data, Definitions	12
Sexual Harassment Data, By Facility   Non-IDOC Facility Data	13

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 correction 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. This report provides the Idaho Department of Correction's 2022 sexual abuse data and actions taken to improve facility safety and PREA standards compliance.

## Governor's Assurance

Idaho Governor Brad Little submitted a Governor's Assurance to the Department of Justice in October 2022. It assured that Idaho's adult prison system continues to work toward compliance with the National Standards to Prevent, Detect, and Respond to Prison Rape, 28 C.F.R. Part 115.

Agencywide compliance for the 2022 assurance was at 98%. Screenings were active in the majority of facilities and half of all agency facilities were audited and PREA compliant. The Assurance included a schedule to complete audits in all facilities by August 2024.

# Achievements

## Audits Begin

### Audit Cycle 3, Year 3 — August 20, 2021 and August 19, 2022

The department completed its first five PREA audits during Audit Cycle 3, Year 3.

The Idaho Falls Community Reentry Center and Idaho Correctional Institution-Orofino passed audits conducted in the fall of 2021. Three more facilities successfully completed PREA audits during the 2022 portion of the audit cycle.

#### North Idaho Correctional Institution, Cottonwood, Idaho

Certified July 27, 2022

The auditor required corrective action on screenings by ensuring all longer-term residents in the facility were screened. The facility completed all required action within three days.

#### East Boise Community Reentry Center, Boise, Idaho

Certified August 3, 2022

The contractor declared it the "best performance of a facility" he'd audited.

#### South Boise Women's Correctional Center

Certified August 8, 2022

The auditor stated SBWCC staff "know what prevent, detect and respond means."

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

Prevent

Detect

Respond



# Achievements

## Auditor observations

### *Nampa*

“Zero tolerance is a part of the culture.”

### *Treasure Valley*

“100% of residents feel safe.”

**IDAHO**  
DEPARTMENT OF  
CORRECTION

## **Audits**

### **Audit Cycle 4, Year 1 — August 20, 2022 and August 19, 2023**

The department launched a second successful audit year on Halloween 2022. Two community confinement facilities were audited that week.

#### **Nampa Community Reentry Center, Nampa Idaho**

#### **Treasure Valley Community Reentry Center, Kuna, Idaho**

Both Certified November 27, 2022

The South Idaho Correctional Institution and Pocatello Women’s Correctional Center were audited and certified in 2023 during the second half of the audit cycle. The final five facilities will be audited during Audit Cycle 4, Year 2.

Final audit reports are on the agency website. [PREA | Idaho Department of Correction](#)

## **Emotional Support Hotline**

The Idaho Crisis and Suicide Hotline was added as a PREA-specific emotional support option in November 2021 during the Orofino prison PREA audit.



Signs were placed in all facilities during the first quarter of 2022 and educational materials were updated.

## **Victim Advocate**

IDOC signed an agreement with Advocates Against Family Violence (AAFV) in Caldwell to provide rape crisis support in the Treasure Valley. AAFV provides services in facilities as needed when a hospital visit is not involved.

## **Screening Implementation**

The agency expanded screenings from two to nine facilities during 2022. The medical contractor began providing PREA screening services in facilities late in 2022.

## **Grants**

The agency received a 2022 Bureau of Justice PREA Reallocation grant of \$28,014. The funds added more cameras to the North Idaho Correctional Institution camera project. IDOC also applied for the 2023 BJA grant. The majority of the \$33,034 funding purchased cameras for blind spots in the Pocatello Correctional Industries area and Idaho State Correctional Institution kitchen.

# Facility Improvements

## Facility Additions and Remodels

### ADDITIONS

#### St. Anthony Work Camp, Expansion

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

#### South Idaho Correctional Institution-East Dorm, Rebuild

New 152 bed dorm with restrooms, laundry, kitchenettes and cameras — *Opened July 2023*

### REMODELS, CAMERAS

Five projects updated restrooms, units and cameras.

⇒ **Pocatello Women's Correctional Center,**  
Upgrade camera system, 120 cameras total with 30-day backup — *Completed November 2022*

⇒ **Idaho State Correctional Institution, Remodel**  
Units 8 & 10, B & C Tiers — *Completed January 2023*

⇒ **Idaho State Correctional Center,** Correctional Industries Print Shop, restrooms, dressing room, cameras — *Completed February 2022*

⇒ **North Idaho Correctional Institution, Cameras**  
Camera installation project — *Completed Summer 2023*

⇒ **Idaho Correctional Institution-Orofino, Remodel**  
McKelway Hall Restrooms — *Active Construction*

### FACILITY-MANAGED PROJECTS

In community reentry centers, the Treasure Valley CRC ordered cameras to remove blind spots in the upper restroom. The cameras were installed in early 2023.

The Twin Falls CRC added windows to laundry doors to improve safety and visibility.

# Incident Reviews

## 2022 Actions

PREA Standard 115.86 requires facility leadership to complete incident reviews in sexual abuse cases. Group dynamic changes were considered but no recommendations made.

RECOMMENDATIONS	STATUS
<b>POLICY/PRACTICE:</b>	Secure door to dry storage area— <i>Completed Idaho State Corr. Ctr.</i>
<b>BARRIERS/MONITORING:</b>	Cameras added to remove blind spots — <i>Completed Pocatello Women's Corr. Ctr.</i> Camera installation will assist in monitoring— <i>Completed Fall 2023 North Idaho Corr. Ctr.</i> Camera redesign to assist with unit blind spots — <i>In design Idaho State Corr. Ctr.</i> Added cameras in the kitchen area were recommended — <i>Purchased 2023, not yet installed Idaho State Corr. Ctr.</i>
<b>STAFFING:</b>	One incident review noted COVID impact on staffing. <i>IDOC has invested in new recruiting and hiring to address staffing issues.</i>
<b>TRAINING:</b>	Policy training on resident/staff field trip ratios— <i>Completed Twin Falls CRC</i> Coach on sexual harassment DOR process— <i>Completed Idaho State Corr. Ctr.</i>

# PREA Data, 2022

## Resident Population Data

IDOC managed an average of 8968 residents during 2022.

- An average of 7338 were housed in eight state-owned prisons and six community confinement facilities.
- An average of 877 were housed at privately-operated facilities.
- An average of 753 were housed in county jails.

*Population data provided by the IDOC Evaluation and Compliance Group—IDOC 2022 Averages.  
PREA definitions and facility designations are explained on page 11.*

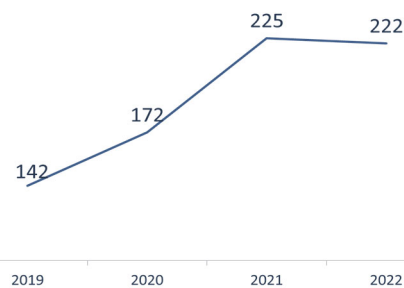
## Sexual Victimization Data

The Idaho Department of Correction reported 222 allegations of sexual abuse and sexual harassment in the Department of Justice 2022 Survey of Sexual Victimization.

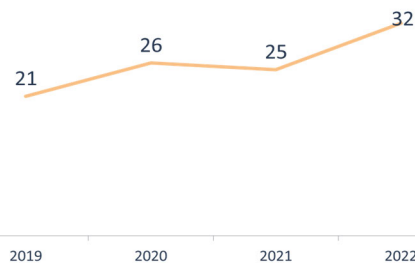
- Total cases reported in 2022 increased 29% compared to 2020, from 172 to 222 cases for all types of sexual abuse and sexual harassment.
- The rate of total cases that are substantiated increased 23% since 2020.

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

Total Allegations, 2019-2022



Total Substantiated Allegations, 2019-2022



## 2022 Survey of Sexual Victimization Totals

Type	Substantiated	Unsubstantiated	Unfounded	Total
<b>Sexual Abuse</b>				
Resident-Resident Sexual Abuse	8	13	28	49
Staff Sexual Misconduct	9	4	24	37
<b>Sexual Harassment</b>				
Resident-Resident Sexual Harassment	14	37	61	112
Staff-Resident Sexual Harassment	1	6	17	24
<b>TOTAL</b>	<b>32</b>	<b>60</b>	<b>130</b>	<b>222</b>

# PREA Data, 2022

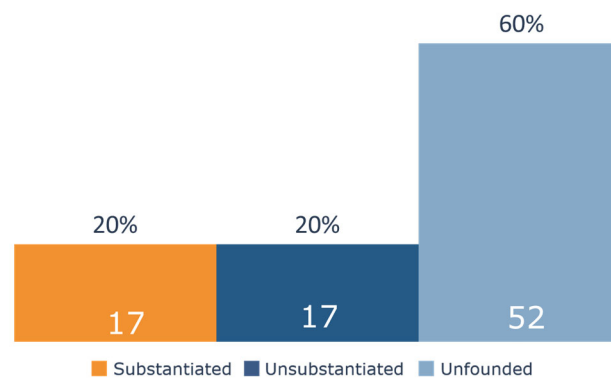
## Sexual Abuse Reports

A total of 86 sexual abuse allegations were reported in IDOC-managed facilities in 2022. Seventeen reports were substantiated. Sixty percent of the abuse reports 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.

Sexual Abuse Reports 2022



## Comparative Sexual Abuse Data

Substantiated sexual abuse allegations more than doubled compared to last year. This trend was true in both resident-resident and staff-resident cases.

Victims are offered mental health support and medical follow-up support.

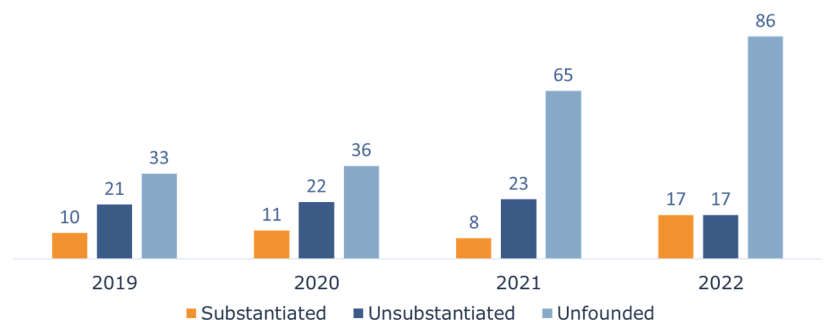
Residents who report sexual abuse receive a report on findings.

Those involved in substantiated and unsubstantiated cases are monitored for retaliation.

The PREA Management Office provided guidance that all abuse reports should be reported. This increased unfounded reports during 2021 and 2022.

The agency previously removed unfounded reports that were recanted or false. With slightly revised guidance, the 2023 data will again remove recanted and false allegations.

Sexual Abuse Reports 2019-2022



*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, 2022

## ***Resident—Resident Sexual Abuse Data***

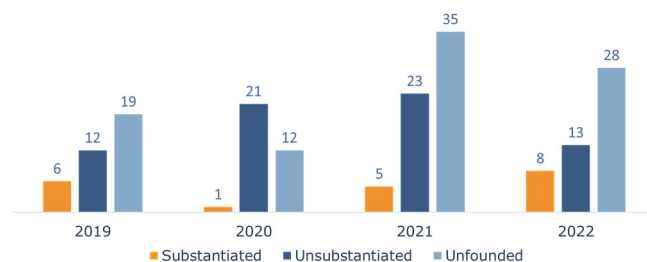
Resident-resident sexual abuse cases accounted for 49 reported abuse allegations in 2022. IDOC substantiated 8 resident-resident sexual abuse cases.

**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.

Law enforcement responded to three resident-resident cases. The responding agencies did not refer any cases for prosecution.

Resident-Resident  
Sexual Abuse Reports 2019-2022



## ***Definitions***

### **Resident-Resident Sexual Abuse**

#### ***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.

#### ***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.

*Definitions are from the Survey of Sexual Victimization, 2022 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.

***Evidentiary Standard:*** The agency shall impose no standard higher than a preponderance of evidence in determining whether PREA allegations are substantiated. Preponderance means more than a 50% likelihood that the incident occurred.



## 2022 Sexual Abuse Resident-Resident Data, By Facility

PRISONS	ADP	Substantiated	Unsubst.	Unfounded	Total
<b>Idaho Correctional Institution - Orofino</b> Medium/Protective Custody/ Work Projects	552-M			1	1
<b>Idaho Maximum Security Institution</b> Close Custody/Segregation	533-M		1	10	11
<b>Idaho State Correctional Center</b> Minimum/Medium/ Close Custody	2052-M	1	3	2	6
<b>Idaho State Correctional Institution</b> Medium Custody/Entry Facility	1525-M	2	5	7	14
<b>North Idaho Correctional Institution</b> Retained Jurisdiction/Treatment	405-M	1		3	4
<b>Pocatello Women's Correctional Center</b> Minimum/Medium/Close Custody/ Entry Facility/Work Projects	352-F		3	4	7
<b>South Boise Women's Correctional Center</b> Retained Jurisdiction/Treatment	257-F	3	1		4
<b>South Idaho Correctional Institution</b> Minimum Custody/Work Projects	291-M 355-F	1		1	2
<b>COMMUNITY CONFINEMENT</b> Minimum Custody/Employment					
<b>St Anthony Work Camp</b>	255-M				
<b>East Boise Community Reentry Ctr.</b>	137-F				
<b>Idaho Falls Community Reentry Ctr.</b>	107-M				
<b>Nampa Community Reentry Ctr.</b>	112-M				
<b>Treasure Valley Reentry Ctr.</b>	104-M				
<b>Twin Falls Community Reentry Ctr.</b>	142-M				
<b>CRC/SAWC Totals</b>		0	0	0	0
<b>TOTAL</b>		<b>8</b>	<b>13</b>	<b>28</b>	<b>49</b>

ADP means average daily population. M indicates male and F indicates female population. Community confinement facilities are smaller with very few PREA incidents. To protect victim identity these are totaled as a group.

# PREA Data, 2022

## **Staff—Resident Sexual Abuse Data**

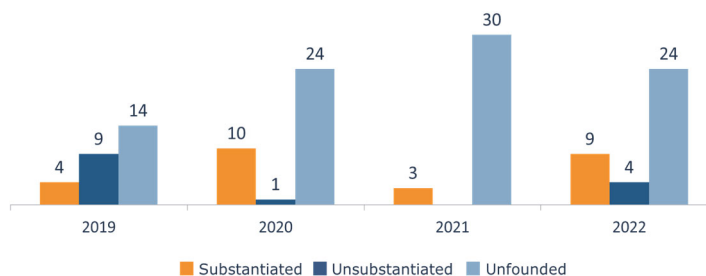
Staff—resident sexual abuse allegations accounted for 37 of reported abuse cases.

IDOC substantiated 9 cases involving staff, contractors or volunteers.

Substantiated cases that are potentially criminal in nature are referred to law enforcement for investigation and potential prosecution. Six staff-resident case was referred for prosecution in 2022.

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

Staff-Resident  
Sexual Abuse Reports 2019-2022



## **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 non-consensual 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.

**Evidentiary Standard:** The agency shall impose no standard higher than a preponderance of evidence in determining whether PREA allegations are substantiated. Preponderance means more than a 50% likelihood that the incident occurred.

*Definitions are from the Survey of Sexual Victimization, 2022 and based on the PREA Standard definitions.*

## 2022 Sexual Abuse Staff-Resident Data, By Facility

PRISONS	ADP	Substantiated	Unsubst.	Unfounded	Total
Idaho Correctional Institution - Orofino	552-M				0
Idaho Maximum Security Institution	533-M	1		5	6
Idaho State Correctional Center	2052-M			3	3
Idaho State Correctional Institution	1525-M	3	2	8	13
North Idaho Correctional Institution	405-M				0
Pocatello Women's Correctional Center	352-F	2		3	5
South Boise Women's Correctional Center	257-F	1	1	1	3
South Idaho Correctional Institution	291-M 355-F	1	1	4	6
COMMUNITY CONFINEMENT					
Saint Anthony Work Camp*	255-M				
East Boise Community Reentry Ctr.	137-F				
Idaho Falls Community Reentry Ctr.	107-M				
Nampa Community Reentry Ctr.	112-M				
Treasure Valley Reentry Ctr.	104-M				
Twin Falls Community Reentry Ctr.	142-M				
CRC/SAWC Totals		1			1
<b>TOTAL</b>		<b>9</b>	<b>4</b>	<b>24</b>	<b>37</b>

### Facility Definitions, PREA Standards

**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 or other community correctional facility in which individuals reside as part of a term of imprisonment while participating in gainful employment, employment search efforts, community service, vocational training, treatment, educational programs, or similar facility-approved programs during nonresidential hours.

\***St. Anthony Work Camp** is managed by the prisons division, but audited as a community confinement facility.

**Contract and local facilities** report sexual abuse data separately from the IDOC. Contract facilities provide their re-

# PREA Data, 2022

## ***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 61% of all PREA allegations received in 2022.

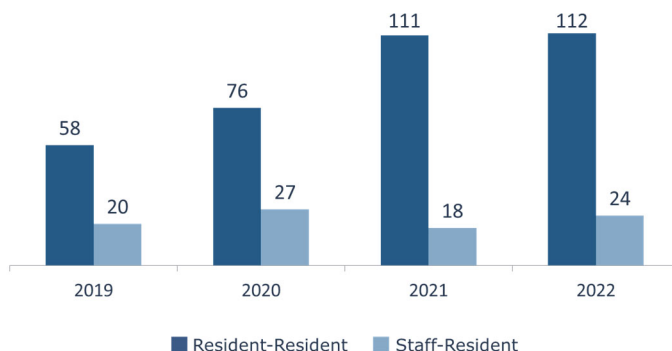
### **Staff-Resident Sexual Harassment**

Staff-resident sexual harassment allegations accounted for 24 reports in 2022. One staff-resident case was substantiated.

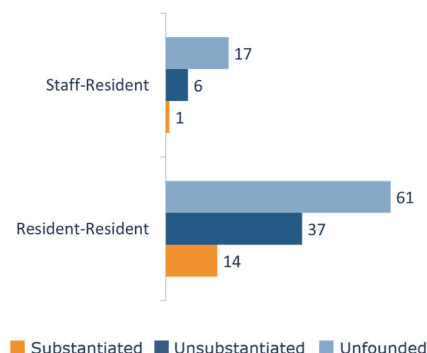
### **Resident-Resident Sexual Harassment**

Resident-resident sexual harassment cases accounted for 112 of reported allegations in 2022. A total of 14 resident-resident cases were substantiated.

Sexual Harassment Reports  
2019-2022



**13%** 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, 2022 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.

***Evidentiary Standard:*** The agency shall impose no standard higher than a preponderance of evidence in determining whether PREA allegations are substantiated. Preponderance means more than a 50% likelihood that the incident occurred.

## 2022 Sexual Harassment Data By Facility

Resident-Resident (R-R)

Staff-Resident (S-R)

PRISONS	R-R Sub.	R-R Unsubst.	R-R Unf.	R-R Total	S-R Sub	S-R Unsubst.	S-R Unf	S-R Total
Idaho Correctional Institution- Orofino			2	2	1	1	2	4
Idaho Maximum Security Institution	2	1	13	16			4	4
Idaho State Correctional Center	1	12	11	24		2	3	5
Idaho State Correctional Institution	7	18	20	45		3	4	7
North Idaho Correctional Institution	3	2	9	14			1	1
Pocatello Women's Correctional Ctr.	1	3	3	7			2	2
South Boise Women's Correctional Ctr.		1	2	3				0
South Idaho Correctional Institution				0			1	1
<b>COMMUNITY CONFINEMENT</b>								
Saint Anthony Work Camp*								
East Boise Community Reentry Ctr.								
Idaho Falls Community Reentry Ctr.								
Nampa Community Reentry Ctr.								
Treasure Valley Reentry Ctr.								
Twin Falls Community Reentry Ctr.								
CRC/SAWC Totals			1	1				0
<b>TOTAL</b>	<b>14</b>	<b>37</b>	<b>61</b>	<b>112</b>	<b>1</b>	<b>6</b>	<b>17</b>	<b>24</b>

## Non-IDOC Facility Data

Contract and jail facilities have their own reporting requirements. That data is not included in the agency's Survey of Sexual Victimization. The IDOC Contract Unit monitors contract facilities and jails for compliance with agency policy, including PREA.

During 2022, contract facilities substantiated three sexual abuse cases involving Idaho Department of Correction residents.

## 2022 Contract, Jail Data

CONTRACT FACILITIES AND JAILS	ADP	Sexual Abuse
CAPP/Management Training Corp. Correctional Alternative Placement Prg.	408-M	1
Saguaro Corr. Center, AZ/CoreCivic	469-M	2
County Jails	454-M/ F	0
<b>TOTAL</b>	<b>1331</b>	<b>2</b>

**Prison Rape Elimination Act  
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Idaho Department of Correction  
1299 N. Orchard Street, Suite #110 | Boise, Idaho 83706

Published November 2022

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