

PRISON RAPE ELIMINATION ACT IN IDAHO

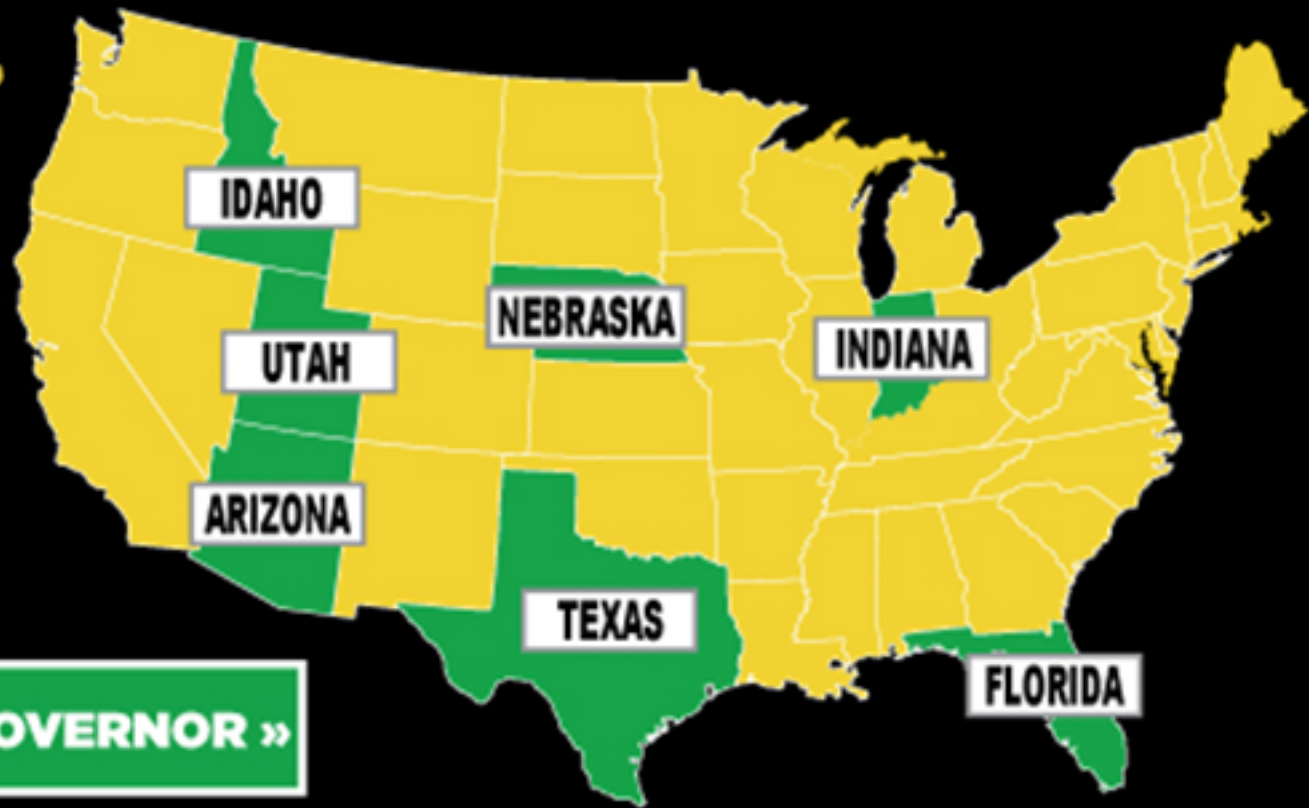
A Brief Overview of PREA



PREA  IPREA

- Prison Rape Elimination Act (PREA) passed by Congress in 2003
- Effective August 2012
- Idaho Declined

THE SHAMEFUL SEVEN




CALL YOUR GOVERNOR >>

~~THE SHAMEFUL SEVEN~~ **SINFUL SIX**

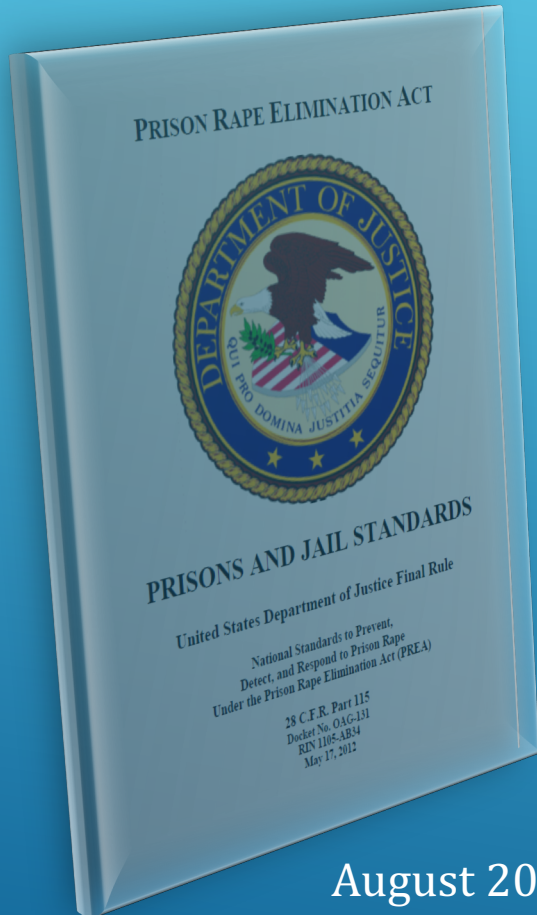


CALL YOUR GOVERNOR »

- Zero Tolerance Task Force created by executive order on January 13, 2014
 - IPREA created by Task Force and adopted by the Idaho Criminal Justice Commission and adopted by Governor Otter in December 2014
 - Idaho Department of Juvenile Corrections went full PREA in 2014
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- IDOC and ISA maintained IPREA
 - IDOC transitioned from IPREA to PREA in 2017
 - ISA is moving to full PREA in 2020
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FEDERAL PREA STANDARDS



- Prevention
- Response
- Training & Education
- Screening for Risk of Sexual Victimization and Abusiveness
- Reporting
- Official response
- Investigations
- Discipline
- Medical & Mental Care
- Data Collection & Review
- Audits
- Auditing and corrective action
- State compliance

August 2012

How Much Time to Complete a PREA Audit

- Pre-audit work consists of flash drive and any supporting documentation needed takes anywhere from 16 to 24 hours.
- On-site audit takes anywhere from 24 hours to 40 hours.
- Post-audit research and verification phone calls and emails take anywhere from 1 hour to 5 hours.
- Interim report takes anywhere from 40 to 60 hours.
- Follow-up review and Final report takes anywhere from 8 hours to 24 hours.
- Auditor can be audited if DOJ wants to verify the work done. Decertification can occur if the auditor is found to be negligent in the audit.
- Auditors can be decertified if their conduct is found to be inappropriate or if they conduct an audit when there is a conflict of interest.
- Auditor must recertify every three years. Study time for the exam takes about 30 to 40 hours and exam takes anywhere from 5 hours to 16 hours.

2016 – IPREA

Kootenai - Passed after Corrective Action Period

Bonneville - Passed after Corrective Action Period

Bingham - Passed after Corrective Action Period

Canyon - Passed after Corrective Action Period

Caribou - Passed after Corrective Action Period

Twin Falls - Passed after Corrective Action Period

Jefferson - Passed after Corrective Action Period

2016 – PREA

Ada - Passed after Corrective Action Period

Bannock - Passed after Corrective Action Period

2017 - IPREA

Bonner – Passed after Corrective Action Period

Gooding - Passed after Corrective Action Period

Jerome - Passed after Corrective Action Period

2017 – PREA

Elmore - Passed after Corrective Action Period

Washington - Passed after Corrective Action Period

Madison - Passed after Corrective Action Period



2018 – IPREA

Valley - Passed after Corrective Action Period

Latah - Passed after Corrective Action Period

Adams - Passed after Corrective Action Period

Blaine - Passed after Corrective Action Period

Gem - Passed after Corrective Action Period

Payette - Passed after Corrective Action Period

2018 – PREA

Nez Perce - Passed after Corrective Action Period

Fremont - Passed after Corrective Action Period

2019 – IPREA

Idaho – Still in Corrective Action Period

Boundary - Still in Corrective Action Period

Shoshone - Still in Corrective Action Period

Clearwater - Still in Corrective Action Period

Owyhee - Still in Corrective Action Period

2019 – PREA

Bannock - Passed last week during on-site audit
(Unless something arises between now and the
report being written)

Ada – Audit in February 2020

Mini-Cassia – Audit in January 2020

2020 – 2021 PREA Audit Schedule

June 15 – 19, 2020

Canyon

July 13 – 17, 2020

Bonneville

August 10 – 13, 2020

Caribou

September 14 – 17, 2020

Twin Falls

October 13 – 16, 2020

Elmore

November 2 – 6, 2020

Washington

Nov 30 – Dec 4, 2020

Bingham


January 11 – 14, 2021

Rexburg


February 16 – 19, 2021

Jefferson

Standards that have been a problem for several agencies to meet:

- Inmate PREA education
 - Risk Screening
 - Providing PREA assistance to Disabled and Limited English Proficient inmates
 - Blind spots in the facility
 - Complete PREA Policy and Procedures
 - Proper control of risk screening forms
 - Care, programs, and housing for transgender inmates
 - Data collection
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Some things that some have done to exceed standards:

- Staff training yearly instead of every two years
 - Inmate education throughout the month instead of monthly
 - Detailed investigation checklists
 - Laminated cards explaining duties of first responder for deputies to carry
 - Cannot discipline inmates for refusing to answer any questions on the risk screening
 - PREA Teams
 - PREA Investigation Teams
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Is PREA Working?

- There were 8,768 allegations of sexual assault in 2011
- There were 24,661 allegations of sexual assault in 2015
- Reporting has improved, however a greater number proved to be unsubstantiated (42%), or unfounded (41%)
- 6% were substantiated and the remainder still under investigation at the time of the 2015 report
- About 8.5% of allegations between 2012 through 2015 were found to be true

Source: Bureau of Justice Statistics 2012-2015 Report



Questions?

