

Annual Idaho Department of Juvenile Corrections Prison Rape Elimination Act Report

2025

History

The Idaho Department of Juvenile Corrections (IDJC) has long embraced the principles supported by the Prison Rape Elimination Act of 2003 (PREA). Years before PREA was passed, IDJC had policies and training sessions on prohibited contact and inappropriate relationships to prevent sexual abuse within its facilities and contract providers. IDJC ensures that contract providers used by the Department to provide services to juveniles outside of the three state facilities adopt a similar stance against any incidents of sexual abuse or sexual harassment (zero tolerance).

After the passage of the final PREA standards, the IDJC pooled resources to create a PREA Implementation Team (PIT). Subsequent to the formation of the PIT, IDJC's PREA Coordinator and Deputy Attorney General assigned to IDJC trained both direct care and administrative staff on obligations under PREA. The PIT refined policies and procedures to further promote a zero-tolerance culture towards sexual abuse and sexual harassment.

Standards

The PREA standards are grouped into 11 categories: prevention planning; responsive planning; training and education; screening for risk of sexual victimization and abusiveness; reporting; official response following a resident report; investigations; discipline; medical and mental care; data collection and review; and audits. The standards contain 182 separate items and contains multiple requirements. Full compliance with the standards will require not only extensive documentation of the agency's efforts to achieve zero tolerance for sexual abuse and sexual harassment, but evidence that these efforts are embraced and in practice. The corrective action period following the audit allows time for the facilities operated by the IDJC to correct deficiencies and come into compliance.

Corrective action is taken, depending on the outcome of the investigation into a report of sexual abuse or sexual harassment, to protect the juveniles in the Department's custody. Results of investigations are used to determine if changes are necessary in the facilities. These changes may include, but are not limited to, policies, procedures, physical plant characteristics, staffing, shifts, trainings, personnel assignments, and supervision.

Definitions

Sexual abuse of a resident by another resident includes any of the following acts, if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse:

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

- 4) Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation.

Sexual abuse of a resident by a staff member, volunteer, intern or contractor (VIC) includes any of the following acts, with or without consent of the resident:

- 1) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
- 2) Contact between the mouth and the penis, vulva, or anus;
- 3) Contact between the mouth and any body part where the staff member or VIC has the intent to abuse, arouse, or gratify sexual desire;
- 4) Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member or VIC has the intent to abuse, arouse, or gratify sexual desire;
- 5) Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member or VIC has the intent to abuse, arouse, or gratify sexual desire;
- 6) Any attempt, threat, or request by a staff member or VIC to engage in the activities described above;
- 7) Any display by a staff member or VIC of his or her uncovered genitalia, buttocks, or breast in the presence of a resident, and
- 8) Voyeurism by a staff member or VIC.

Sexual harassment includes—

- 1) 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; and
- 2) Repeated verbal comments or gestures of a sexual nature to a resident by a staff member or VIC, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.

Comparative Data

All allegations are taken seriously and investigated. The Department of Justice (DOJ) has issued the following definitions for categories of investigative findings:

Substantiated – Investigated and determined to have occurred.

Unfounded – Investigated and determined not to have occurred.

Unsubstantiated – Investigation produced insufficient evidence to make a final determination as to whether or not the event occurred.

In addition to the categories provided by the DOJ above, the IDJC has created additional categories to more comprehensively track its investigations into all allegations of sexual abuse and sexual harassment; they are as follows:

Non-abusive Contact – The contact occurred, but was determined to have been consensual (if of legal age to consent) or incidental to a physical altercation (juvenile w/juvenile only), or the contact was not for sexual gratification.

Not a PREA Incident – Investigated and determined not to meet the definition of a PREA incident.

State Facility and Contract Provider reports that were investigated and determined to be Non-abusive Contact or not meet the definition of a PREA incident.		
Target Year	2023	2024
Between January 1 and December 31 of the Target Year, how many reported allegations of sexual abuse or sexual harassment were investigated and found to be Non-abusive Contact?	11	7
Between January 1 and December 31 of the Target Year, how many reported allegations of sexual abuse or sexual harassment were investigated and found not to meet the definition of a PREA incident?	29	15

Aggregated Sexual Abuse/Sexual Harassment Data Table

Report Based on the Annual Survey of Sexual Violence completed by the Idaho Department of Juvenile Corrections for the Department of Justice/ Bureau of Justice Statistics		
State Facilities		
Target Year	2023	2024
On December 31 of the Target Year, how many males were held in the 3 state facilities?	109	131
On December 31 of the Target Year, how many females were held in the 3 state facilities?	21	28
On December 31 of the Target Year, how many total juveniles were held in the 3 state facilities?	130	159
Between January 1 and December 31 of the Target Year, how many juveniles were admitted to the 3 state facilities?	146	183
Between January 1 and December 31 of the Target Year, how many allegations of youth-to-youth non-consensual sexual acts were reported?	0	1
Of the acts above, how many were substantiated?	0	0
Of the acts above, how many were unsubstantiated?	0	1
Of the acts above, how many were unfounded?	0	0
Of the acts above, how many are still under investigation?	0	0
Between January 1 and December 31 of the Target Year, how many allegations of youth-to-youth abusive sexual contact were reported?	4	7
Of the acts above, how many were substantiated?	2	4
Of the acts above, how many were unsubstantiated?	1	1
Of the acts above, how many were unfounded?	1	2
Of the acts above, how many are still under investigation?	0	0

Between January 1 and December 31 of the Target Year, how many allegations of staff-to-youth sexual misconduct were reported?	0	1
Of the acts above, how many were substantiated?	0	0
Of the acts above, how many were unsubstantiated?	0	0
Of the acts above, how many were unfounded?	0	1
Of the acts above, how many are still under investigation?	0	0
Between January 1 and December 31 of the Target Year, how many allegations of staff-to-youth sexual harassment were reported?	1	0
Of the acts above, how many were substantiated?	0	0
Of the acts above, how many were unsubstantiated?	0	0
Of the acts above, how many were unfounded?	1	0
Of the acts above, how many are still under investigation?	0	0
Between January 1 and December 31 of the Target Year, how many allegations of youth-to-youth sexual harassment were reported?	5	0
Of the acts above, how many were substantiated?	4	0
Of the acts above, how many were unsubstantiated?	0	0
Of the acts above, how many were unfounded?	1	0
Of the acts above, how many are still under investigation?	0	0

State Facilities

In 2023 there were 130 juveniles served in state facilities and 2 substantiated incidents of abuse. There were 4 substantiated allegations of resident on resident sexual harassment.

In 2024 there were 159 juveniles served in state facilities and 4 substantiated incidents of abuse. There were 0 substantiated allegations of resident on resident sexual harassment.

Contract Providers		
Target Year	2023	2024
Between January 1 and December 31 of the Target Year, how many juveniles were placed at contract providers?	97	87
Between January 1 and December 31 of the Target Year, how many youth-to-youth non-consensual sexual acts were reported?	0	0
Of the acts above, how many were substantiated?	0	0
Of the acts above, how many were unsubstantiated?	0	0
Of the acts above, how many were unfounded?	0	0
Of the acts above, how many are still under investigation?	0	0
Between January 1 and December 31 of the Target Year, how many allegations of youth-to-youth abusive sexual contact were reported?	0	0
Of the acts above, how many were substantiated?	0	0

Of the acts above, how many were unsubstantiated?	0	0
Of the acts above, how many were unfounded?	0	0
Of the acts above, how many are still under investigation?	0	0
Between January 1 and December 31 of the Target Year, how many allegations of youth-to-youth sexual harassment were reported?	0	0
Of the acts above, how many were substantiated?	0	0
Of the acts above, how many were unsubstantiated?	0	0
Of the acts above, how many were unfounded?	0	0
Of the acts above, how many are still under investigation?	0	0
Between January 1 and December 31 of the Target Year, how many allegations of staff to youth sexual misconduct were reported?	0	0
Of the acts above, how many were substantiated?	0	0
Of the acts above, how many were unsubstantiated?	0	0
Of the acts above, how many were unfounded?	0	0
Of the acts above, how many are still under investigation?	0	0
Between January 1 and December 31 of the Target Year, how many allegations of staff-to-youth sexual harassment were reported?	0	0
Of the acts above, how many were substantiated?	0	0
Of the acts above, how many were unsubstantiated?	0	0
Of the acts above, how many were unfounded?	0	0
Of the acts above, how many are still under investigation?	0	0

Contract Providers

In 2023 there were 97 juveniles served at contract providers, to include observation and assessment, on behalf of the IDJC and 0 substantiated incidents of sexual abuse or sexual harassment.

In 2024 there were 87 juveniles served at contract providers. to include observation and assessment, on behalf of the IDJC and 0 substantiated incidents of sexual abuse or sexual harassment.

2024 Findings Summary

IDJC will always act upon opportunities to improve reporting methods for juveniles, refine its procedures, and provide effective training for all staff, volunteers, interns and contracted service providers within its facilities. The overall institutionalization of a zero-tolerance culture amongst juveniles and staff has become well embedded.

Moving Forward

In 2012, the National PREA Standards for Juvenile Facilities were released, stating that within 1 year, a 3 year audit cycle would start, requiring 1/3 of all applicable juvenile facilities under the control of the executive branch receive an audit. The IDJC has since done the following:

- 1) In 2013 the IDJC contracted for an audit of PREA compliance at JCC-St. Anthony
- 2) In 2014 all corrective action planning was completed and St. Anthony was determined to be 100% PREA compliant
- 3) In 2015 JCC-Nampa and JCC-Lewiston received their compliance audits and upon completion of their corrective actions were determined to be 100% PREA compliant.
- 4) In 2015 the IDJC Leadership determined that IDJC would no longer contract for residential services with private contractors that were not PREA compliant.
- 5) In 2015 several qualifying private residential contract providers independently contracted for and received PREA compliance audits, eventually certifying them as fully PREA compliant.
- 6) In 2016 the 2nd 3 year audit cycle began and IDJC contracted for St. Anthony to receive its 2nd PREA compliance audit.
- 7) In 2017 all corrective action planning was completed and St. Anthony was determined to be 100% PREA compliant
- 8) In 2017 JCC-Nampa and JCC-Lewiston received their compliance audits and upon completion of their corrective actions were determined to be 100% PREA compliant.
- 9) In 2018 IDJC retrained all staff on their requirements under PREA and all 3 state facilities updated their Staffing Plan documents.
- 10) In 2020 IDJC hired an independent contractor to assess the staff to youth ratio (PREA Ratio) required within the standards. IDJC included PREA ratio in policies and facility staffing plans.
- 11) In 2021 the legislature approved funding for the construction of residential housing in St. Anthony that shifted the population from open dorms to individual rooms, as well as increased shower and bathroom privacy.
- 12) In 2024 JCC-Nampa received their compliance audits and upon completion of their corrective actions were determined to be 100% PREA compliant in January of 2025.

For each of the audits at the state facilities listed above, the IDJC has intentionally utilized a different auditor from the field. The IDJC values the wide perspectives on the interpretation of the intent of the standard as well as the variety of experience the different auditors have brought. The IDJC will continue to contract for PREA compliance audits pursuant to the Department of Justice requirement that audits occur on a 3 year audit cycle. These audits have continued to help IDJC further improve its processes regarding zero tolerance of juvenile sexual abuse and sexual harassment. IDJC has also provided assistance to its various contract providers to ensure that PREA compliance is occurring at an appropriate level.

The IDJC realizes the importance of continuing efforts to maintain a zero tolerance towards sexual abuse and sexual harassment. The IDJC will continue to foster an agency culture that embraces the rights of all juveniles to be free from sexual abuse and sexual harassment. IDJC will seek opportunities to strengthen the PREA standards within the foundation of the organization.