

THE OFFICE OF THE GOVERNOR

**EXECUTIVE DEPARTMENT
STATE OF IDAHO
BOISE**

EXECUTIVE ORDER NO. 2014-01

**GOVERNOR'S TASK FORCE ON ZERO-TOLERANCE OF SEXUAL ASSAULT
AGAINST INCARCERATED PERSONS**

WHEREAS, the State of Idaho recognizes that, historically, incarcerated persons have been subject to sexual assault; and

WHEREAS, the federal Prison Rape Elimination Act of 2003 establishes a zero-tolerance standard for the incidence of sexual assault in prisons; and

WHEREAS, the State of Idaho has zero-tolerance for sexual assault against any incarcerated person, adult or juvenile, whether in State or local correctional or detention facilities, or facilities contracted with the State; and

WHEREAS, the prevention of sexual assault against incarcerated persons is a top priority in Idaho's prisons, jails, and juvenile correctional and detention facilities; and

WHEREAS, it is the responsibility of Idaho's prisons, jails, and juvenile correctional and detention facilities to protect incarcerated individuals from sexual assault; and

WHEREAS, it is the responsibility of Idaho's prisons, jails, and juvenile correctional and detention facilities to respond immediately and appropriately to an incident of sexual assault and to protect the victim and hold those responsible accountable; and

WHEREAS, the National Standards to Detect, Prevent and Respond to Prison Rape requires federal prisons, detention facilities and juvenile corrections facilities to take certain actions to detect, prevent, respond to, and punish for incidents of sexual assault of incarcerated persons; and

WHEREAS, the State of Idaho believes it can best address sexual assault in Idaho's prisons, jails, and juvenile correctional and detention facilities through appropriate and necessary standards developed for the State;

NOW THEREFORE, I, C.L. "Butch" Otter, Governor of the State of Idaho, by the authority vested in me by the Constitution and laws of the State of Idaho, do hereby establish the Governor's Task Force on Zero-Tolerance of Sexual Assault Against Incarcerated Persons:

- 1. The Task Force is responsible for investigating evidence-based best practices to ensure that incarcerated persons in the State of Idaho, or in facilities in another state contracted to house Idaho offenders, are protected from sexual assault.*
- 2. The Task Force is responsible for developing the Idaho Standards for Zero-Tolerance of Sexual Assault Against Incarcerated Persons (Idaho Standards) to address the detection, prevention, response to and punishment for sexual assault in State and local correctional and detention facilities. Further, the Idaho Standards will recognize and address the different needs of adults and juveniles incarcerated in the State of Idaho, as well as the different needs and resources of State and local facilities.*
- 3. The Task Force will consist of the directors of the Idaho Department of Correction and the Idaho Department of Juvenile Corrections, the Idaho State Appellate Public Defender, a member of the Idaho Sheriffs' Association and an administrator of a juvenile detention facility in Idaho for the development of the Idaho Standards.*

4. *The Task Force shall receive administrative support from the State agencies represented on the Task Force.*
5. *The Task Force will report its findings and recommendations to the Idaho Criminal Justice Commission, which then will submit its recommendations for the Idaho Standards for Zero-Tolerance of Sexual Assault Against Incarcerated Persons to the Office of the Governor before December 1, 2014.*



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho in Boise on this 13th day of January in the year of our Lord two thousand and fourteen, and of the Independence of the United States of America the two hundred thirty-eight and of the Statehood of Idaho the one hundred twenty-fourth.

C.L. "BUTCH" OTTER
GOVERNOR

BEN YSURSA
SECRETARY OF STATE