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Illinois Women Prison Reform

Addressing the Violence Women Face in Illinois Prisons.

WRITTEN BY:

Annika Zhou, Harin Jeong, Lillian Valk, Carridee Raymundo,
Berna Ozbey, Mia Quirino, Ruby Velez

By the Future Justice Lawyers of Chicago

Introduction

Sexual violence in prisons is a long-standing issue, and it continues today despite steps taken to address it, even in more progressive states like Illinois. This paper seeks to answer the question of how these processes of sexual violence are reproduced within Illinois women's prisons and jails. In Illinois, incarcerated women are largely consolidated into only one prison facility, which produces worsening prison conditions, especially surrounding sexual violence. Despite federal laws such as the Prison Rape Elimination Act outlining ways for incarcerated women to seek help and report sexual assault, abuse within prison facilities is still going unreported. Illinois has tried to address this through a more thorough application of PREA, but it continues to fall short. Most notably, unreasonable strip searches by correctional officers in Illinois women's prisons violate incarcerated women's autonomy yet are difficult to report under PREA, which more explicitly addresses prison rape. Under gray areas like strip searches, prisons revert to systemic harms such as ignoring grievances, making administrative reporting difficult, and generally discouraging reports. To address these issues, we call for increased social services in Illinois women's correctional facilities, independent oversight, and increased prison education.

The Illinois Women's Carceral Landscape

Illinois operates a narrow and concentrated women's prison system. The Illinois Department of Corrections (IDOC) maintains three women's facilities: Logan Correctional Center in Lincoln, Decatur Correctional Center in Decatur, and the Fox Valley Adult Transition Center, which is a community-based reentry site. This three-facility structure matters. Logan is the only above-minimum-security option for women in the state and also operates the reception and classification function through which women entering IDOC custody are processed; Decatur is a minimum-security facility and administers the prison nursery; Fox Valley handles late-stage reentry. The practical consequence is that women serving substantial sentences in Illinois are concentrated in a single facility. The same facility that has, by Bureau of Justice Statistics (BJS) data and by the 2025 litigation, become the epicenter of documented sexual abuse.

Population trends compound the vulnerability. Although Illinois' overall prison population has declined from its historical peaks, the women's population has not tracked the male population's decline at the same rate, and its demographic composition, marked by high rates of prior trauma, mental illness, and substance-use disorder, shapes both susceptibility to abuse and the difficulty of reporting it. Concentration within a single high-security women's

facility, a population disproportionately composed of prior abuse survivors, and institutional distance between the facility and most incarcerated women's home communities together produce the conditions under which external monitoring thins out and individual vulnerability compounds.

PREA

The Prison Rape Elimination Act (PREA) was passed in Congress in 2003. This was a law with bipartisan support, and it passed unanimously in both houses. Prior to the passing of PREA, prison rape was not an issue that many people were aware of. After a 2001 report from Human Rights Watch titled *No Escape: Male Prisoner Rape* helped raise awareness of the issue, Congress then focused its efforts on passing legislation to remedy the problem of sexual violence in prisons. Though PREA in its initial iterations as a bill only addressed male prison rape, it soon grew to also encompass instances of sexual violence against women in prisons.¹ As a law, it aims to eliminate and prevent all forms of sexual violence against prisoners in all correctional facilities nationwide.²

In practice, PREA did several things to address the issue of sexual violence in correctional facilities. First, it began the requirement of data collection on sexual violence and its effects on prisoners. Second, it provided funding to prisons and jails to begin combating the issue. Third, it established a National Prison Rape Elimination Commission that worked to create standards for correctional facilities to follow to prevent sexual violence against prisoners.³ These standards took effect in 2012 and cover 12 areas: prevention planning; responsive planning; training and education; screening for risk of sexual victimization and abusiveness; reporting; official response following an inmate, detainee, or resident report; investigations; discipline; medical and mental care; data collection and review; audits and state compliance; and state compliance.⁴ These standards are readily available to leadership and staff of correctional facilities.

¹ *Project On Addressing Prison Rape*,
<https://www.american.edu/wcl/impact/initiatives-programs/endsilence/legislative/>.

² *Overview*, Prison Rape Elimination Act (PREA), BUREAU OF JUSTICE ASSISTANCE,
<https://bja.ojp.gov/program/prea/overview>.

³ COLETTE MARCELLIN & EVELYN MCCOY F., PREVENTING AND ADDRESSING SEXUAL VIOLENCE IN CORRECTIONAL FACILITIES: RESEARCH ON THE PRISON RAPE ELIMINATION ACT (2021),
<https://www.urban.org/sites/default/files/publication/104230/preventing-and-addressing-sexual-violence-in-correctional-facilities.pdf>.

⁴ *Prisons and Jail Standards*, NATIONAL PREA RESOURCE CENTER,
<https://www.prearesourcecenter.org/implementation/prea-standards/prisons-and-jail-standards>.

PREA in Illinois

The purpose of this section is to examine the implementation of the Prison Rape Elimination Act (PREA) within Illinois women’s correctional facilities. It begins with an analysis of the 2025 Illinois Department of Corrections (IDOC), most recent PREA audit reports for Illinois’s three women’s facilities—Logan Correctional Facility, Decatur Correctional Facility, and Fox Valley Adult Transition Center—to assess facility-specific implementation and compliance. In addition to evaluating the audit findings, this section analyzes the IDOC’s “zero-tolerance” policy for sexual abuse and sexual harassment in conjunction with the requirements of the PREA statute. Finally, it assesses the extent to which Illinois correctional facilities as a whole comply with the standards established under the Justice for All Reauthorization Act of 2016 (JFARA).⁵

Understanding the background of PREA implementation in Illinois is essential to a broader analysis of the state’s efforts to protect incarcerated individuals from sexual assault, as it demonstrates both the progress achieved through PREA and the areas in which improvement remains necessary. In 2012, the Department of Justice (DOJ) released the final PREA standards, which became effective nationwide on August 20, 2012.⁶ According to IDOC, fiscal year 2014 marked the publication of the state’s first annual PREA report.⁷ These reports document allegations of sexual abuse and harassment that were received, investigated, and resolved by the department.⁸ In addition to the annual reports, Illinois has participated in five cycles of PREA audits, conducted on at least one-third of correctional facilities every three years beginning in 2016.⁹ In 2021, Illinois implemented a formal “zero-tolerance” policy that established internal directives for staff regarding the prevention of and response to offender sexual abuse and harassment.¹⁰ Together, these developments represent the major milestones in the implementation of PREA policy within the state of Illinois.

⁵ FY 2025 LIST OF CERTIFICATION AND EMERGENCY ASSURANCE, <https://bjia.ojp.gov/doc/fy25-prea-certification-assurance-submissions.pdf>.

⁶ *About the Prison Rape Elimination Act*, NATIONAL PREA RESOURCE CENTER, <https://www.prearesourcecenter.org/about/prison-rape-elimination-act>.

⁷ *Prison Rape Elimination Act of 2003*, ILLINOIS DEPARTMENT OF CORRECTIONS, <https://idoc.illinois.gov/programs/prisonrapeeliminationactof2003.html>.

⁸ *Id.*

⁹ *PREA Audit Reports*, ILLINOIS DEPARTMENT OF CORRECTIONS, <https://idoc.illinois.gov/programs/preaauditreports.html>.

¹⁰ SEXUAL ABUSE AND HARASSMENT PREVENTION AND INTERVENTION PROGRAM, <https://idoc.illinois.gov/content/dam/soi/en/web/idoc/programs/documents/401301-sexual-abuse-and-harassment-prevention-and-intervention-program.pdf>.

The implementation of these policies is reflected in the findings of the most recent PREA audits conducted at Illinois's three women's correctional facilities. The 2024 and 2025 PREA audits found that Logan Correctional Center, Decatur Correctional Center, and Fox Valley Adult Transition Center were all determined to comply with PREA standards, indicating that each facility had established the policies, reporting mechanisms, staff training, and oversight procedures required under federal law.

At Decatur Correctional Center, for example, the audit found that the facility met 43 PREA standards, exceeded two, and failed none, citing comprehensive staff training, multiple confidential reporting mechanisms, annual staffing plan reviews, and access to victim advocacy services.¹¹ During the twelve-month review period, the facility reported four allegations of sexual abuse and six allegations of sexual harassment.¹² While none of the sexual abuse allegations were substantiated, one allegation of inmate-on-inmate sexual harassment was substantiated following an administrative investigation.¹³

The auditor also identified blind spots within several areas of the facility that could reduce effective supervision, but the facility corrected these deficiencies by installing additional mirrors before the final report was issued.¹⁴ These findings suggest that Illinois women's correctional facilities have largely institutionalized PREA's procedural requirements and have established mechanisms for investigating allegations and addressing identified deficiencies. At the same time, the continued reporting of sexual abuse and harassment allegations, along with the need for corrective action during the audit process, demonstrates that compliance with PREA standards does not necessarily eliminate the risk of sexual misconduct within correctional facilities. Another important consideration is that cases classified as unsubstantiated do not necessarily indicate that sexual abuse or sexual harassment did not occur; rather, they indicate that there was insufficient evidence to substantiate the allegation. As a result, the true prevalence of sexual abuse and sexual harassment may be higher than the number of substantiated cases suggests.

¹¹ KENDRA PRISK, PREA FACILITY AUDIT REPORT: FINAL (2026), <https://idoc.illinois.gov/content/dam/soi/en/web/idoc/programs/documents/prea-audit-cycle-five/Decatur-Correctional-Center-PREA-Audit-Report.pdf>.

¹² *Id.*

¹³ *Id.*

¹⁴ *Id.*

The 2025 PREA audit of Fox Valley Adult Transition Center similarly found the facility to be compliant with PREA standards, exceeding three standards, meeting thirty-eight, and failing none.¹⁵ However, the audit also illustrates that compliance does not necessarily indicate the absence of safety concerns. During the on-site inspection, the auditor identified significant deficiencies in the facility's surveillance system, including large blind spots, cameras that were not actively monitored, inaccessible camera monitors stored in locked closets, and disconnected equipment.¹⁶ These conditions led the auditor to conclude that the facility's video monitoring was ineffective for supervision and monitoring, requiring corrective action before full compliance could be achieved.¹⁷ The facility subsequently installed mirrors to reduce blind spots and restored functioning surveillance equipment, after which the auditor determined the standard had been met.¹⁸ Although no allegations of sexual abuse or sexual harassment were reported during the twelve months preceding the audit, the identified surveillance deficiencies demonstrate that even PREA-compliant facilities may possess environmental conditions that could hinder the prevention and detection of sexual abuse until corrective measures are implemented.

Logan Correctional Center, Illinois's largest women's prison, also achieved full compliance with PREA standards, meeting 43 standards and exceeding two, with no standards found noncompliant.¹⁹ However, despite this overall compliance, the audit also documented 37 allegations of sexual abuse and 23 allegations of sexual harassment during the 12 months preceding the audit.²⁰ Staff-on-inmate misconduct accounted for most reported allegations, with 23 of the 37 sexual abuse allegations and 14 of the 23 sexual harassment allegations involving staff members.²¹ Administrative investigations substantiated four inmate-on-inmate sexual abuse cases and two inmate-on-inmate sexual harassment cases, while no staff-on-inmate allegations had been substantiated at the time of the audit.²² However, several staff-on-inmate sexual abuse investigations remained ongoing, and three had already been referred for criminal prosecution,

¹⁵ KENDRA PRISK, PREA FACILITY AUDIT REPORT: FINAL (2026), <https://idoc.illinois.gov/content/dam/soi/en/web/idoc/programs/documents/Fox-Valley-Adult-Transition-Center-PREA-Audit-Report.pdf>

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ KENDRA PRISK, PREA FACILITY AUDIT REPORT: FINAL (2026), <https://idoc.illinois.gov/content/dam/soi/en/web/idoc/programs/documents/preaauditcyclefour/Logan-Correctional-Center-PREA-Audit-Report.pdf>

²⁰ *Id.*

²¹ *Id.*

²² *Id.*

indicating that some of the most serious allegations had not yet reached a final determination.²³ These findings demonstrate that although Logan Correctional Center achieved full PREA compliance, allegations of staff sexual misconduct continued to be a significant concern, highlighting the gap that can exist between procedural compliance and the ongoing challenge of preventing sexual abuse within correctional facilities.

During the facility inspection, the auditor identified multiple blind spots in housing unit laundry rooms, ice rooms, the warehouse, and maintenance areas, along with numerous unsecured doors throughout the institution.²⁴ These deficiencies required corrective action, including installing additional surveillance equipment, removing visual obstructions, modifying doors to improve visibility, and retraining staff on securing doors.²⁵ The audit also noted that while cameras were installed throughout much of the facility, only a limited number were actively monitored in real time, with most recordings used primarily for investigations after incidents occurred.²⁶ Additionally, monitors displaying live footage from health services observation cells were positioned where they could be viewed by individuals passing through the area, creating potential privacy concerns.²⁷ Although these issues were addressed during the corrective action period and the facility ultimately maintained compliance, the findings illustrate that PREA compliance does not necessarily eliminate physical vulnerabilities that may create opportunities for sexual abuse or reduce inmates' sense of safety.

While the facility-specific findings provide insight into how PREA standards are implemented in practice, they also highlight the importance of the policies that guide these efforts. The zero tolerance policy implemented by IDOC was established in 2021 to stand in accordance with the PREA policy.²⁸ The formal name of the policy falls under the title "Sexual Abuse and Harassment Prevention and Intervention Program".²⁹ The program requires annual

²³ *Id.*

²⁴ *Id.*

²⁵ *Id.*

²⁶ KENDRA PRISK, PREA FACILITY AUDIT REPORT: FINAL (2026), <https://idoc.illinois.gov/content/dam/soi/en/web/idoc/programs/documents/preaauditcyclefour/Logan-Correctional-Center-PREA-Audit-Report.pdf>

²⁷ *Id.*

²⁸ SEXUAL ABUSE AND HARASSMENT PREVENTION AND INTERVENTION PROGRAM, <https://idoc.illinois.gov/content/dam/soi/en/web/idoc/programs/documents/401301-sexual-abuse-and-harassment-prevention-and-intervention-program.pdf>.

²⁹ *Id.*

reports to ensure compliance with the policy and that a PREA Coordinator be employed at each institution.

To prevent abuse, the policy requires comprehensive staff training, offender education, and screening procedures designed to identify individuals who may be vulnerable to victimization or pose a risk of sexually abusive behavior.³⁰ Facilities must take precautions when making housing assignments, provide privacy protections, and ensure that vulnerable individuals are not housed with known predators.³¹ These measures are intended to reduce opportunities for abuse before incidents occur.

When allegations of sexual abuse or harassment are reported, the policy mandates an immediate response of less than 24 hours after the case is reported.³² Victims must be protected from the alleged perpetrator, provided medical and mental health services, and offered counseling and support.³³ Specific medical support comes from nurses, nurse practitioners, physicians, and physician assistants.

These medical personnel are trained to be either Sexual Assault Forensic Examiners (SAFE) or Sexual Assault Nurse Examiners (SANE).³⁴ Additionally, a physical examination is provided to test for STDs and other sexually transmitted infections.³⁵ Staff are required to document and report all allegations, preserve evidence, and ensure that every report is investigated by trained personnel.³⁶ Substantiated cases may result in disciplinary action, termination of staff, and referral to law enforcement for criminal prosecution.³⁷

The policy also includes safeguards against retaliation for individuals who report abuse or participate in investigations.³⁸ Inmates are disincentivized from reporting abuse from correctional staff based on the nature of incarceration. As Gwyn Troyer, a PREA auditor and Associate Director of the John Howard Association, explained, “Anywhere where you are where someone controls all of your access to things that you need, you’re particularly vulnerable . . . Oftentimes

³⁰ *Id.*

³¹ SEXUAL ABUSE AND HARASSMENT PREVENTION AND INTERVENTION PROGRAM, <https://idoc.illinois.gov/content/dam/soi/en/web/idoc/programs/documents/401301-sexual-abuse-and-harassment-prevention-and-intervention-program.pdf>.

³² *Id.*

³³ *Id.*

³⁴ *Id.*

³⁵ *Id.*

³⁶ *Id.*

³⁷ *Id.*

³⁸ *Id.*

people will be in situations where they don't feel safe to report, or they have reported, but they're still around the same person.”³⁹ Yet PREA attempts to address those challenges, creating pathways both so that people can make a report outside the facility and for reporting internally for an investigation. Facilities must monitor victims, witnesses, and reporters for at least 90 days following an allegation and take corrective action if retaliation occurs.⁴⁰ Additionally, IDOC conducts annual program evaluations and PREA audits to assess compliance, track incidents, and improve institutional practices.⁴¹ Through these requirements, the zero-tolerance policy seeks not only to punish misconduct but also to create a safer correctional environment through prevention, accountability, and victim support.

Illinois has generally maintained a stronger PREA implementation framework than many other states. Despite recent federal efforts to roll back certain PREA provisions protecting transgender individuals who are incarcerated, IDOC has stated that it will continue implementing those protections within its facilities.⁴² Enforcement has also been more consistent within Illinois prisons than county jails because governors have a direct incentive to certify state prison compliance with PREA standards, whereas county jails operate under decentralized local oversight.⁴³ Troyer explained, “Across the 102 counties in Illinois...few [jails] have been audited.” Consequently, while Illinois prisons have made significant progress in PREA compliance over the past decade, oversight of county jails remains far more uneven and often depends on litigation or court-ordered monitoring to address deficiencies.⁴⁴

In addition to this, despite Illinois' adoption of a zero-tolerance policy toward sexual abuse and harassment in correctional facilities, the state has not yet achieved full compliance with PREA standards. According to the U.S. Department of Justice's FY 2025 Prison Rape Elimination Act certification and assurance submissions, Illinois did not certify full compliance with PREA and instead submitted an emergency assurance.⁴⁵ This designation indicates that

³⁹ Interview with Gwyn Troyer, Associate Director, John Howard Association, in Chicago, Ill. (May 15, 2026).

⁴⁰ SEXUAL ABUSE AND HARASSMENT PREVENTION AND INTERVENTION PROGRAM, <https://idoc.illinois.gov/content/dam/soi/en/web/idoc/programs/documents/401301-sexual-abuse-and-harassment-prevention-and-intervention-program.pdf>.

⁴¹ *Id.*

⁴² Jaclyn Diaz, *DOJ Orders Prison Inspectors to Stop Considering LGBTQ Safety Standards*, NPR ILLINOIS, Dec. 4, 2025, <https://www.nprillinois.org/2025-12-04/doj-orders-prison-inspectors-to-stop-considering-lgbtq-safety-standards>.

⁴³ Interview with Gwyn Troyer, Associate Director, John Howard Association, in Chicago, Ill. (May 15, 2026).

⁴⁴ *Id.*

⁴⁵ FY 2025 LIST OF CERTIFICATION AND EMERGENCY ASSURANCE, <https://bja.ojp.gov/doc/fy25-prea-certification-assurance-submissions.pdf>.

while Illinois had audited at least 90 percent of its correctional facilities, it acknowledged that it had not yet met all federal PREA standards.⁴⁶ By submitting an emergency assurance, Illinois committed to dedicating at least 5 percent of certain Department of Justice grant funds toward achieving full PREA compliance rather than facing a reduction in federal funding.⁴⁷ Notably, FY 2025 represented the second and final year that states could utilize the emergency assurance option, highlighting that Illinois continues to face unresolved challenges in fully implementing PREA despite its formal commitment to preventing sexual abuse in correctional facilities.

Beyond PREA: Strip Searches, Systemic Harm

While PREA legislation was integral in offering victims of sexual violence a route to accountability and strengthening monitoring capabilities, it only went so far in capturing systemic harms that fell short of rape. Within the incarceration system, coercion not only persists but is institutionally protected through prison structures. In the context of women's incarceration, sexual coercion by prison staff, particularly male correctional employees, is a recurring abuse in the United States and Illinois specifically. According to the United Nations High Commissioner for Refugees, sexual abuse can come in the form of direct force (explicitly classified as rape and torture), and it can also come in the form of exchange for goods and abuse of power. Take, for example, two cases from Illinois: *Jane Doe v. Margaret Burke* in 2026 and *Doe v. Macleod* in 2023.

One of the most evident cases of institutionalized sexual violence is the practice of strip searches. In recent years, a flush of lawsuits has arisen over the violative practices of strip searches in women's carceral facilities. While cited as necessary for security concerns, strip searches are often found to be unnecessary in a legal context.

Cook County in particular is known for a history of unreasonable strip searches of women.⁴⁸ The Chicago Police were sued by the ACLU in 1979 for a longstanding practice of strip-searching women without reasonable cause during traffic stops. In 1996, two attorneys brought a case against the Cook County Department of Corrections for subjecting women returning to court to strip searches, while men were left unscrutinized. Reports of inciting and disrespectful remarks from COs abounded. As one woman told reporters, "Like I was an animal.

⁴⁶ *Id.*

⁴⁷ *Id.*

⁴⁸ Tori Marlan, *Illegal Strip Searches at the Cook County Jail*, WOMEN AND PRISON, https://www.womenandprison.org/violence/illegal_strip_searches_at_the_cook_county_jail.

Like all my privacy, any kind of right as a woman, as a person, had been violated. I felt angry. I felt humiliated. I felt embarrassed for the older women.”⁴⁹ In 1997, the lawsuit succeeded in getting strip searches banned for women returning from court in Cook County Jail, but implementation was a slower process. For months, the searches continued. It was not until further testimony from women subject to the violating procedure that the Court ruled that new procedures were in place that gave women a choice to opt out.

Through entrenched practices such as these searches, sexual violence can become institutionalized as a normal part of life while incarcerated.

Today, the lack of regard for women’s bodily autonomy persists in strip searches at Cook County Jail. Between January 30, 2004, and March 30, 2009, around 300,000 people held at the jail were strip searched in groups and without privacy.⁵⁰ Plaintiffs Kim Young and Ronald Johnson filed a federal class-action lawsuit, *Young v. County of Cook*, against Cook County’s unconstitutional blanket strip-search policy. This lawsuit ended in a \$55 million settlement, which was then extended by another \$52 million as 5 insurance companies representing Cook County were found guilty of defrauding the county to avoid paying \$20 million in connection to the case.⁵¹ Outside of Cook County, we can point to similar cases. A 2012 federal civil rights lawsuit was filed against the Jerome Combs Detention Center in Kankakee County, one of the poorest counties in the U.S.⁵² Its sheriff demanded that all arrestees brought to the jail be strip searched, whether they had to appear in court or not. The lead plaintiff, Darnell Fonder, appealed to the Fourth Amendment and declared an unconstitutional search and seizure.⁵³ The strip searches at Jerome Combs were as inconsistent as they were frequent: some afforded arrestees the privacy of a curtain and separate shower, while others required the arrestee to undress and shower in the presence of a guard. Because of attorney fees, the county’s insurance carrier called

⁴⁹ *Id.*

⁵⁰ Derek Gilna, *Cook County Strip-Search Class-Action Claimants to Receive Additional Payments*, PRISON LEGAL NEWS (Jan. 8, 2018), <https://www.prisonlegalnews.org/news/2018/jan/8/cook-county-strip-search-class-action-claimants-receive-additional-payments/>.

⁵¹ *Id.*

⁵² Derek Gilna, *Illinois Sheriff Settles Federal Class-action Suit Over Strip Searches*, PRISON LEGAL NEWS (Mar. 6, 2018), <https://www.prisonlegalnews.org/news/2018/mar/6/illinois-sheriff-settles-federal-class-action-suit-over-strip-searches/>.

⁵³ *Id.*

for settlement. Rather than have this kind of sexual surveillance be addressed by way of retrial, incarcerated women were more often told to sweep their issues under the rug.

This legal failure only worsens in Illinois prisons. On March 31, 2011, when Lincoln Correctional Center was still a women's prison, a group of 192 of their women was marched out by correctional officer cadets, a fraction of which constituted Orange Crush, a group of correctional officers notorious for their mistreatment of women in prisons.⁵⁴ The women at Lincoln had not done anything to warrant this specific search—as it was conducted for training purposes—let alone warrant the bodily violations they were forced to face. The cadets stripped the women entirely naked, threatening them with segregation in the case of non-compliance. Michelle Wells, one of the women who endured the mass strip search at Lincoln, reported being stripped even after hitting her head and falling while on medication for high blood pressure.⁵⁵ This incident, along with the forced removal of tampons for women menstruating at the time, indicates a blatant disregard for the women's health.

Despite these explicit bodily violations, the women did not win their settlement until December 8, 2023. On Halloween of 2013, a second, similar incident was filed against Orange Crush, this time at Logan Correctional Facility.⁵⁶ And 2017 saw the class action lawsuit against them: *Henry v. Hulett*. Eventually, the women won their case with an appeal to the 4th Amendment. The 2023 decision of *Henry v. Hulett* set the precedent that there should be a reasonable expectation of privacy for all individuals and that courts are the final arbiters of the treatment of prisoners, not the prison officials.⁵⁷ Though legal victory was achieved, many of the women suffered prolonged mental and emotional consequences following the incidents and legal battles. Especially for survivors of past abuse, these strip searches were a moment of re-traumatization.

PREA has also failed to protect incarcerated women in Illinois from bodily violations during childbirth. There has been a longstanding tendency for prison officials to shackle pregnant

⁵⁴ *After Enduring Degrading Mass Strip Searches, Incarcerated Illinois Women Win Historic \$1.4 Million Settlement*, LOEVY & LOEVY (Dec. 15, 2023), <https://www.lovvy.com/big-wins/illinois-prison-strip-search-settlement/>.

⁵⁵ Brian Dolinar, *12 Years After Degrading Mass Strip Search, Women in Prison Won \$1.4M Settlement*, TRUTHOUT (Feb. 20, 2024), <https://truthout.org/articles/12-years-after-degrading-mass-strip-search-women-in-prison-won-1-4m-settlement/>.

⁵⁶ *Id.*

⁵⁷ Maria Hawilo, *Stripped of Dignity: Appeals Court to Weigh Mass Strip Search at Women's Prison*, INJUSTICE WATCH (May 18, 2020), <https://www.injusticewatch.org/criminal-courts/illinois-prisons/2020/henry-v-hulett-7th-circuit-en-banc-hearing/>.

women using handcuffs, shackles, leg irons, and belly chains as they give birth. Even though every court case pertaining to shackling has found this practice unconstitutional, it still occurs in Illinois prisons. In Diana Delgado's account to Women + Prison, she details challenges to her pregnancy while at Cook County Jail, where, despite her issues with toxemia and high blood pressure, she was not scheduled to see a doctor until her third week at the facility.⁵⁸ Every time she left the jail for visits to the clinic, she was shackled, even though she "could barely walk as it was."⁵⁹ This experience left her humiliated and caused memories of her abusive boyfriend to resurface: "I felt like he was doing it to me... all over again, and I allowed him to do it to me all over again, 'cuz I kept telling myself, okay, you should have left. If you would've left, you wouldn't be here."⁶⁰ Even during her 19 hours of labor, the handcuffs stayed on. The combination of constrained movement and swelling due to pregnancy left bruises on her ankles and wrists. She believes it contributed to her hemorrhaging as well. Even when her doctor requested the handcuffs be taken off, the guard refused because they were "procedure and policy."⁶¹ For Diana and other women with similar experiences, shackling is not merely an inconvenience. It threatens the lives of their unborn children as well as their own. As in Diana's case, it may also trigger memories of past abuse, constituting, then, a second attack on their bodies that is too often unaccounted for.

Challenges to Accountability

We spoke to Russell Ainsworth, a partner at civil rights firm Loevy + Loevy, about his work as counsel in *Henry v. Hulett* and the challenges that the plaintiffs faced in bringing their case. While this case was a success story, inmates faced significant setbacks from the structure of the internal accountability system of carceral institutions, in which the 'grievance' tool available to inmates falls short of its intended purpose. Grievances are complaint slips that inmates can file based on issues with perceived discrimination, housing, cleanliness, accommodation requests, and essentially all other systemic harms.

Every woman represented in *Henry v. Hulett* filed grievances about their experience being strip searched, and almost none of the papers were preserved. Ainsworth explained that the only grievances that existed at the time of trial were one from a woman who was transferred to

⁵⁸ Diana Delgado, *Interview with Diana Delgado*, WOMEN AND PRISON, https://www.womenandprison.org/interviews/interview_with_diana_delgado.

⁵⁹ *Id.*

⁶⁰ *Id.*

⁶¹ *Id.*

another institution, and another that a woman mailed directly to the Illinois Capitol: “They have a grievance procedure, it’s supposed to preserve your documents, but it’s in the hands of the people who perpetrated the abuse . . . Everyone else who grieved through the internal system, their grievances were destroyed.”⁶²

Inmates who are unable to follow the complex and byzantine grievance procedure run the risk of losing their chance to ever have their case investigated by an outside court. Despite the inconsistency of the grievance system, the Prison Litigation Reform Act (PLRA) of 1996 rules that inmates must entirely exhaust internal administrative procedures before being able to take their case to court. While the Act contains multiple provisions that restrict incarcerated peoples’ access to justice, this exhaustion requirement is perceived as the most stringent. Inmates must not only file a grievance about the harm, but appeal it, and file these before internal deadlines. Scholars have noted the intentional barrier the PLRA poses to pro se litigation, and the dangers this poses to incarcerated people experiencing sexual violence. In a 2025 Marquette Law Review article, Rachel Kincaid explained how a nonbinary plaintiff held in a California male prison was barred from bringing a lawsuit about staff’s inaction in the face of ongoing sexual assault from their cellmate due to a failure to exhaust under the PLRA.⁶³ Considering the process before litigation can shed light on just how many cases like *Henry* never make it to court.

When the only routes that victims of abuse have for accountability are overseen by the very institutions that perpetrated the abuse, real change is not a possibility. As Ainsworth describes, “Over time, these abuses kept happening and were perpetuated by the culture. No act of misconduct is done by an officer alone, and the culture that allows it to happen . . . Following the procedures that are already in effect is not enough.” Even when inmates, like the plaintiffs of *Henry*, adhere strictly to these requirements, “people who follow the grievance procedure are still deprived of their rights if prison decides to destroy those grievances.”⁶⁴ This is a much larger issue than the singular law of the PLRA. For meaningful protections like PREA to reach their full potential in changing conditions in carceral facilities, additional measures must be taken to create actionable routes for internal accountability and change the overall culture of impunity.

⁶² Telephone Interview with Russell Ainsworth, Partner, Loevy & Loevy (May 13, 2026).

⁶³ Rachel Kincaid, *Access Denied: The Injustice of PLRA Exhaustion*, MARQUETTE LAW REVIEW (2025), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=5219808.

⁶⁴ Telephone Interview with Russell Ainsworth, Partner, Loevy & Loevy (May 13, 2026) (higher-ranking who).

Calls to Action

1. Increasing Social Services Within Correctional Facilities

Many incarcerated women that are victims of sexual violence are unable to report the abuse due to the power structure of prisons. If their abuser is a corrections officer, it can be difficult for inmates to meet with a higher ranking official without going directly to their assigned CO. This problem positively correlates with the ranking of the abuser. This power imbalance is exemplified even in prison counselors, staff who are supposed to mediate non-punitive related matters with inmates. In *Doe v. Macleod et al.* (2023), inmate Jane Doe was routinely sexually assaulted and harassed by her counselor Richard Macleod at Logan Correctional Center.⁶⁵ Upon finally reporting the abuse to a prison investigator, Doe was involuntarily transferred to another facility leading to withdrawal from many social services such as weekly calls, visits, and career courses. Doe's investigator testified he attempted to look into the matter using alternative methods rather than following PREA guidelines. Mandating PREA regulations within correctional facilities is difficult without an external financial or authoritative incentive.

We would recommend that Illinois women's correctional facilities instead hire contracted staff who serve as third-party, objective individuals who have jurisdiction to investigate sexual abuse reports from inmates. Increasing the availability of social workers, especially those that specialize in rehabilitation for victims of sexual abuse, inside of prisons could allow inmates to work toward processing trauma within a safer environment rather than enabling long-term stressors to materialize into higher rates of recidivism.⁶⁶

Beyond addressing abuse happening within the criminal justice system, providing social workers to incarcerated women also acts as an important resource to support the transition of incarcerated people into resettlement outside. Long-term sentences have lasting effects on people's emotional regulation and can permanently alter people's views on their bodily autonomy and interpersonal skills.⁶⁷ Across the United States, rising incarceration rates and

⁶⁵ *Ill. Woman Wins \$19.3M From Jury In Prison Sex Abuse Case*, KIRKLAND & ELLIS (Sept. 25, 2023), <https://www.kirkland.com/news/in-the-news/2023/09/ill-woman-wins-19m-from-jury-in-prison-sex-abuse-case>.

⁶⁶ Brie A. Williams et al., *The Trauma of Incarceration and the Transition to Adulthood*, HEALTH & JUSTICE (2020), <https://pmc.ncbi.nlm.nih.gov/articles/PMC7113431/>.

⁶⁷ *The Reasons Why Foundation - Beyond the Sentence: Why Long-Term Prisoners Need Healing, Not Just Resettlement*, CLINKS (June 23, 2025), <https://clinks.org/community/blog-posts/reasons-why-foundation-beyond-sentence-why-long-term-prisoners-need-healing>

overcrowded prisons have led to an abandonment of rehabilitation programs, and decentralized the development of meaningful skills during incarceration.⁶⁸ The Office of the Assistant Secretary for Planning and Evaluation found in 2001 that institutionalization “renders some people so depending on external constraints that they gradually lose the capacity to rely on internal organization and self-imposed personal limits to guide their actions and restrain their conduct.”⁶⁹ This regression in the comprehension of indicators of healthy relationships can strain the support systems outside of prison necessary to prevent reentry. This behavior can also be self-destructive in terms of coping with the post-traumatic stress reactions many formerly incarcerated people experience upon release.

The Center for Alternative Sentencing and Employment Services (CASES) is a nonprofit organization based in New York City that focuses on making contact with incarcerated people prior to release to establish what necessities individuals who lack financial support will need immediately after release.⁷⁰ Community programs in Washington D.C., work to connect previously incarcerated people with newly released prisoners as a form of peer guidance and support. Beginning programs like these in Illinois can offer viable pathways for not only staying out of the carceral system, but also laying foundations to rejoin wider communities and social networks.

2. Independent Oversight for County Jails

Enforcement for PREA is generally stronger for prisons than jails, based on the fact that governors are incentivized to certify that the facilities they control (prisons) are PREA compliant. Troyer affirmed that generally, Illinois prisons have reached a much higher level of PREA compliance compared to their state 10 years ago. But jails, due to their county-level oversight, have a much more patchwork level of monitoring. As Troyer explained, “Across the 102 counties in Illinois, few [jails] have been audited.”⁷¹

For jails, solutions for visibility come either from litigation, which forces policy change, or a court-ordered oversight entity. The Philadelphia City Council, for example, recently created an independent oversight committee for its prisons, as well as a Community Oversight Board.

⁶⁸ CRAIG HANEY, *THE PSYCHOLOGICAL IMPACT OF INCARCERATION: IMPLICATIONS FOR POST-PRISON ADJUSTMENT* (2001), <https://aspe.hhs.gov/reports/psychological-impact-incarceration-implications-post-prison-adjustment-0>.

⁶⁹ *Id.*

⁷⁰ Charlotte Huff, *The Formerly Incarcerated Are Helping Newly Released Prisoners Cope with Life after Prison*, AMERICAN PSYCHOLOGICAL ASSOCIATION (Oct. 1, 2022), <https://www.apa.org/monitor/2022/10/life-after-prison>.

⁷¹ Interview with Gwyn Troyer, Associate Director, John Howard Association, in Chicago, Ill. (May 15, 2026).

Creating a similar entity in Illinois for county-level oversight can extend the auditing procedures upheld in prisons to jail settings. Maintaining consistency in jail conditions across county lines is a recurring systemic issue, but certain efforts targeting high-violation counties can foster a culture of accountability; as Troyer told us, “You can’t prevent rape from happening, but you can do a lot to make sure you don’t have a culture that ignores it and condones it.”⁷²

3. Education Plans Within Prison

The Safer Foundation is a nonprofit in Chicago leading Know Your Rights training webinars for incarcerated people covering information such as child welfare systems and criminal records relief.⁷³ By expanding education on the rights people have while incarcerated, especially as it relates to vulnerable information like childcare and custody, we can prevent situations where prisoners’ rights are leveraged as coercion tactics.

The Safer Foundation currently works in partnership with businesses across hospitality, manufacturing, and banking, offering training programs for entry level positions and connecting workers with employers. However, this focus lacks an emphasis on prioritization of the needs of incarcerated individuals. By partnering with local Illinois justice nonprofit organizations, reentry programs like the Safer Foundation can be implemented during sentences so that incarcerated individuals can feel like they have options and access to financial resources and stability after release, instead of allowing monetary vulnerability to be leveraged against them.

Conclusion

Though Illinois has developed tighter implementation of PREA than many other states, many cases of sexual abuse still go unreported or are not adequately addressed. When such degradation appears in the form of mass strip searches or the shackling of pregnant women, it is deemed either not unconstitutional or not worthy of trial, especially when the interest of insurance companies comes into play. Thus, even when reported, these women’s grievances are ignored or worse, destroyed, by the very institutions they testified against. Too often, cases of sexual abuse in prisons stop at reporting, “zero tolerance,” and the offering of resources. When the women may have more to say, they are silenced through coercion and settlement or through the exhaustion of internal procedures. Together, these flaws in implementation indicate ways in which Illinois prisons have found a way to uphold their control over women during sexual

⁷² *Id.*

⁷³ *Know Your Rights, Remedies, and Resources Webinars*, SAFER FOUNDATION, <https://saferfoundation.org/kyr/>; *Partnerships*, SAFER FOUNDATION, <https://saferfoundation.org/partnerships/>.

assault cases. To loosen this control, we suggest a more robust auditing process that involves contracted, third-party staff as investigators, as well as higher-level oversight for jails, which are currently operated at the county level. We also propose a wider bank of resources, specifically of social workers and of reentry support, ranging from immediate necessities to training programs for entry-level positions. Especially for survivors of gender-based violence, it is imperative that they know that they have these opportunities in the first place.

While incremental reforms are necessary for improving the everyday life of those behind bars, the reality remains that safety and security will never be guaranteed in carceral settings which function by the very control of the body. PREA reporting and oversight committees are important steps towards dismantling a culture of impunity for sexual violence, but reforms alone cannot change the inherent violence of incarceration. As such, the final action recommendation we put forward is to endorse campaigns for prison and jail closure, and against the opening of new carceral facilities.

Recent campaigns for prison closures have only been mediated by their replacement with newly built prisons. On June 29, 2026, Rikers Island was closed down after a years-long organizing push. But in its stead, the county plans to open 4 new jails in Brooklyn, Queens, Manhattan, and the Bronx.⁷⁴ In a parallel case in Illinois, the Logan and Stateville Correctional Facilities are closing after years of pushback against dilapidated conditions. An internal IDOC report found the prison to be “inoperable” in 2023.⁷⁵ But in their stead, the state is building two new prisons.⁷⁶ Stateville will be rebuilt on its original property, but Logan, the state’s largest women’s prison, will be relocated. Some hope that with increased scrutiny in newly opened institutions, issues of abuse will be reduced.

⁷⁴ *Closing Rikers Island: The Borough-Based Jails Plan*, NYC: A ROADMAP TO CLOSING RIKERS, <https://rikers.cityofnewyork.us/>.

⁷⁵ FACILITY MASTER PLAN (2023), <https://idoc.illinois.gov/content/dam/soi/en/web/idoc/reportsandstatistics/documents/IDOC-Master-Plan-Report-FINAL-MAY-2023-07-12-23-67.pdf>.

⁷⁶ Blair Paddock, *Logan Prison Is Moving 140 Miles North. Here’s What Employees, Incarcerated Women Have to Say*, WTTW NEWS, July 13, 2026, <https://news.wttw.com/2026/07/13/logan-prison-moving-140-miles-north-here-s-what-employees-incarcerated-women-have-say>.



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