

PRISON RAPE ELIMINATION ACT (PREA) ANNUAL REPORT

Pennsylvania (PA) Department of Corrections (DOC)

2014

Introduction

The Prison Rape Elimination Act (PREA) of 2003 was enacted federally in an effort to prevent and address incidents of sexual abuse occurring against incarcerated individuals. The PA DOC has proactively undertaken measures to enforce PREA, understanding that a crucial part of its elimination must necessarily include determining the frequency with which such incidents occur.

For a comprehensive view of sexual abuse and harassment events as they impact offenders, the PA DOC relies upon multiple information sources, all of which are reported by the Department's 25 State Correctional Institutions (SCIs), Quehanna Boot Camp, and 13 Community Correction Centers (CCCs)¹ operated by the Commonwealth. These sources include:

- Inmate misconducts for sexual harassment and other such sexually related behaviors,
- Extraordinary Occurrence Reports (EORs) of inmate or staff sexual behavior or sexual harassment,
- PREA hotline calls,
- PREA logs maintained by each institution's Security Office,
- PREA log maintained by the Office of Special Investigations and Intelligence (OSII), and
- OSII database of Staff Investigations.

This information is analyzed and compiled in order to obtain the information required for the Bureau of Justice Statistics (BJS) Annual Survey on Sexual Victimization Report. Pennsylvania sends this report each year, summarizing the total number of allegations reported in our institutions and CCCs in the previous year. These numbers are classified by type:

- Inmate-on-Inmate Nonconsensual Sexual Acts
- Inmate-on-Inmate Abusive Sexual Contacts
- Inmate-on-Inmate Sexual Harassment
- Staff-on-Inmate Sexual Misconduct
- Staff-on-Inmate Sexual Harassment

For each substantiated allegation, a five-page Survey of Sexual Victimization Incident Form is completed, specifying details of the incident and the individuals involved.

This report summarizes the incidents from 2014, with data comparative to those reported in 2012 and 2013. The PA DOC is currently in the process of ongoing improvements in reporting methods that relate to PREA allegations. New procedures are being established and numerous other changes have already been enacted. This razor-sharp focus on enhancement, consistency, and progress ensures that the PA DOC can produce the most accurate picture of (and subsequent reductions in) future allegations of sexual abuse against offenders. Increases are clear in the numbers for 2014 when compared with those from 2012 and

¹ Commonwealth operated CCCs house both PA DOC offenders and Pennsylvania Board of Probation and Parole (PBPP) offenders. This report includes all allegations reported at these facilities; however, it is important to note that the numbers PA DOC is required to report to BJS include only those victims who were under the PA DOC's jurisdiction.

2013. These increases show the impact of the PA DOC's continued efforts in improving PREA-related reporting procedures, and in delivering more in-depth training of investigative staff at each facility. Allegations received at SCIs and Commonwealth operated CCCs, by offenders under PA DOC jurisdiction, are reported to BJS. However, this report includes all allegations received at SCIs, CCCs, CCFs, and CCJs.

Part 1: Inmate Perpetrators

In 2014, 257 allegations of inmate-on-inmate sexual abuse or harassment at PA DOC facilities² were made in total. Of these, 36 (or 14 percent) were substantiated. Thirty-seven (37) percent of allegations against inmates were allegations of nonconsensual sexual acts, 25 percent were allegations of abusive sexual contacts, and 38 percent were allegations of inmate-on-inmate sexual harassment.

At CCFs in 2014, 30 allegations of inmate-on-inmate sexual abuse or harassment were made in total. Three of these were allegations of nonconsensual sexual acts, 13 were allegations of abusive sexual contact, and 14 were allegations of inmate-on-inmate sexual harassment.

Nonconsensual Sexual Acts

Two allegations of inmate-on-inmate nonconsensual sexual acts at PA DOC facilities were substantiated, while one out of every four allegations was unfounded (Table 1). At the time of this report, four investigations remained open and the outcomes were unknown.

Table 1: Inmate-on-Inmate Nonconsensual Sexual Acts^{3 4}, PA DOC Facilities, 2012-2014

Inmate-on-Inmate Nonconsensual Sexual Acts	2012	2013	2014
Total Allegations	37	50	94
Substantiated	1	2	2
Unsubstantiated	16	29	65
Unfounded	20	18	23
Investigation Ongoing	0	1	4

At CCFs, three allegations of inmate-on-inmate nonconsensual acts were made in 2014, one of which was substantiated (Table 2). The remaining two allegations were investigated and determined to be unfounded.

Table 2: Inmate-on-Inmate Nonconsensual Sexual Acts⁴, CCFs, 2014

Inmate-on-Inmate Nonconsensual Sexual Acts	2014
Total Allegations	3
Substantiated	1
Unsubstantiated	0
Unfounded	2
Investigation Ongoing	0

² The phrase "PA DOC facilities" includes all 25 SCIs, Quehanna Boot Camp and the 13 Commonwealth operated CCCs.

³ Substantiated allegations were investigated and proven that they did occur. Unsubstantiated allegations were investigated, but there was not enough information to prove the allegation true or false. Unfounded allegations were investigated, and the evidence showed the incident did not occur.

⁴ 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

At PA DOC facilities, 65 allegations of inmate-on-inmate abusive sexual contact were reported in 2014. Total allegations increased by more than 50 percent compared with 2013, likely due to improved tracking of such incidents. Fourteen of the allegations were substantiated, while another 15 allegations were investigated and determined to be false (Table 3).

Table 3: Inmate-on-Inmate Abusive Sexual Contact⁴, PA DOC Facilities, 2012-2014

Inmate-on-Inmate Abusive Sexual Contacts	2012	2013	2014
Total Allegations	11	41	65
Substantiated	2	4	14
Unsubstantiated	5	36	36
Unfounded	4	1	15
Investigation Ongoing	0	0	0

At CCFs, 13 allegations of inmate-on-inmate abusive sexual contact were reported in 2014, with almost half (6) being substantiated (Table 4). In addition, one allegation was still being investigated at the time of this report and one was unfounded.

Table 4: Inmate-on-Inmate Abusive Sexual Contact⁴, CCFs, 2014

Inmate-on-Inmate Abusive Sexual Contacts	2014
Total Allegations	13
Substantiated	6
Unsubstantiated	5
Unfounded	1
Investigation Ongoing	1

Sexual Harassment

As Table 5 illustrates, inmate-on-inmate sexual harassment allegations at PA DOC facilities increased more than threefold in 2014, with a tenfold increase in substantiated allegations. These increases are indicative of the PA DOC's efforts in improved reporting and staff training facility wide.

Table 5: Inmate-on-Inmate Sexual Harassment⁵, PA DOC Facilities, 2012-2014

Inmate-on-Inmate Sexual Harassment	2012 ⁶	2013	2014
Total Allegations	-	30	98
Substantiated	-	2	20
Unsubstantiated	-	27	63
Unfounded	-	1	15
Investigation Ongoing	-	0	0

⁵ Repeated and unwanted sexual advances; requests for sexual favors; or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one inmate directed toward another.

⁶ In 2012, inmate-on-inmate sexual harassment incidents were neither collected nor reported.

The majority of the 14 allegations of inmate-on-inmate sexual harassment reported to CCFs in 2014 were unsubstantiated (12). However, one allegation was substantiated, and the investigation for one allegation was still ongoing at the time of this report (Table 6).

Table 6: Inmate-on-Inmate Sexual Harassment⁵, CCFs, 2014

Inmate-on-Inmate Sexual Harassment	2014
Total Allegations	14
Substantiated	1
Unsubstantiated	12
Unfounded	0
Investigation Ongoing	1

Part 2: Staff Perpetrators

The majority of allegations of inmate sexual assault or harassment at PA DOC facilities were alleged against staff. A total of 500 allegations against staff were reported in 2014, up from 345 the year before. This increase can be attributed to better tracking and investigative procedures for the allegations. The number of substantiated allegations against staff increased by one in 2014.

In CCFs, a total of 19 allegations of staff-on-inmate sexual abuse or harassment were reported in 2014. Seventeen of the 19 allegations were of staff sexual misconduct, and the remaining two allegations were of sexual harassment.

Staff Sexual Misconduct

Of the 299 staff sexual misconduct allegations at PA DOC facilities in 2014, over half (170) were unsubstantiated. Almost 40 percent of the allegations were unfounded, while nine were substantiated. In addition, two investigations of staff sexual misconduct were still ongoing at the time of this report (Table 7).

Table 7: Staff-on-Inmate Sexual Misconduct⁷, PA DOC Facilities, 2012-2014

Staff-on-Inmate Sexual Misconduct	2012	2013	2014
Total Allegations	69	122	299
Substantiated	5	5	9
Unsubstantiated	27	70	170
Unfounded	37	47	118
Investigation Ongoing	0	0	2

At CCFs, 17 allegations of staff sexual misconduct were reported in 2014. Two of the allegations were substantiated, and two were unfounded. Eight of the remaining allegations were unsubstantiated, and investigations for five of the allegations were still ongoing at the time of this report (Table 8).

⁷ Any behavior or act of sexual nature directed toward an inmate 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 inmates are included in this definition. Consensual or nonconsensual 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.

Table 8: Staff-on-Inmate Sexual Misconduct⁷, CCFs, 2014

Staff-on-Inmate Sexual Misconduct	2014
Total Allegations	17
Substantiated	2
Unsubstantiated	8
Unfounded	2
Investigation Ongoing	5

Staff Sexual Harassment

As illustrated in Table 9, the total number of staff sexual harassment allegations at PA DOC facilities decreased slightly in 2014, from 223 down to 201. The majority were unsubstantiated (163 allegations), while approximately 18 percent were unfounded (36 allegations). One allegation in 2014 was substantiated and one investigation was not yet complete at the time of this report.

Table 9: Staff-on-Inmate Sexual Harassment⁸, PA DOC Facilities, 2012-2014

Staff-on-Inmate Sexual Harassment	2012	2013	2014
Total Allegations	3	223	201
Substantiated	1	4	1
Unsubstantiated	1	191	163
Unfounded	1	28	36
Investigation Ongoing	0	0	1

At CCFs, two allegations of staff sexual misconduct were reported in 2014, both of which were unsubstantiated (Table 10).

Table 10: Staff-on-Inmate Sexual Harassment⁸, CCFs, 2014

Staff-on-Inmate Sexual Harassment	2014
Total Allegations	2
Substantiated	0
Unsubstantiated	2
Unfounded	0
Investigation Ongoing	0

Part 3: Contracted County Jails (CCJs)

The PA DOC contracts with a number of county jails to house inmates who would have otherwise returned to an SCI under the Justice Reinvestment Initiative (JRI). Table 11 below provides a breakdown of the county jails with whom PA DOC contracts, and whether or not they submitted their sexual abuse and sexual

⁸ Repeated verbal statements, comments, or gestures of a sexual nature to an inmate 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.

harassment numbers to PA DOC for this report. CCJs that did not report numbers are excluded from Tables 12 and 13.

Table 11: CCJs, by Status of Reporting Sexual Abuse and Harassment Numbers to PA DOC, 2014

Contracted County Jail	Reported
Armstrong	No
Beaver	No
Berks	Yes
Butler	Yes
Cambria	No
Centre	Yes
Chester	Yes
Clinton	No
Columbia	Yes
Franklin	No
Indiana	Yes
Lackawanna	Yes
Lawrence	Yes
Lehigh	Yes
Luzerne	No
Lycoming	No
McKean	No
Montgomery	Yes
Perry	Yes
Pike	No
Wayne	No
York	Yes

A total of 61 allegations of sexual abuse were made at CCJs in 2014, four of which were substantiated. More than half (35 allegations) were unfounded, and four allegations were reported to have investigations that were ongoing at the time of this report.

Table 12: Sexual Abuse⁹, CCJs, 2014

Sexual Abuse	2014
Total Allegations	61
Substantiated	4
Unsubstantiated	18
Unfounded	35
Investigation Ongoing	4

Of the 59 allegations of sexual harassment at CCJs in 2014, 20 percent (12 allegations) were substantiated. Thirty-three allegations were unsubstantiated, 13 were unfounded, and one investigation was not yet complete at the time of this report.

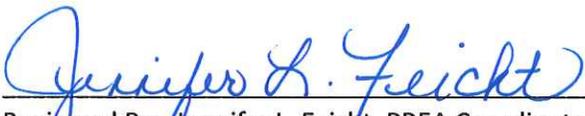
⁹ Tables 12 and 13 exclude the following contracted county jails, who did not report: Armstrong, Beaver, Cambria, Clinton, Franklin, Luzerne, Lycoming, McKean, Pike, and Wayne.

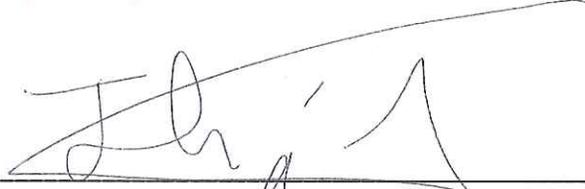
Table 13: Sexual Harassment⁹, CCJs, 2014

Sexual Harassment	2014
Total Allegations	59
Substantiated	12
Unsubstantiated	33
Unfounded	13
Investigation Ongoing	1

Conclusion

This is the second annual PREA report prepared by the State of Pennsylvania. To date, it remains challenging to determine notable trends or major areas of concern. Pennsylvania's resolute PREA efforts continue to drive forward with the implementation of a Risk Assessment Tool at all institutions and the development of a Comprehensive Incident Tracking System. This system will track all information required for the Annual Survey of Sexual Violence Report, serving as an early warning system for the Department's PREA Coordinator and for each institution's PREA Compliance Manager. It will also elevate the collaboration and investigative processes among PA DOC Investigative Staff and the PA State Police Investigative Staff. Moving forward, the PA DOC expects to generate even more illuminating reports as it continues to advance its effort and solid commitment to eradicating sexual abuse, sexual harassment and retaliation for reporting such incidents, across its facilities.


Reviewed By: Jennifer L. Feicht, PREA Coordinator


Approved By: John E. Wetzels, Secretary

Appendix A: Allegations of Inmate-on-Inmate Nonconsensual Acts, Abusive Sexual Contacts, or Sexual Harassment at PA DOC Facilities (by Facility and Investigation Outcome), 2014

Institution	Total Allegations	Substantiated	Unsubstantiated	Unfounded	Investigation Ongoing
CCCs	5	2	3	0	0
SCI Albion	9	0	8	0	1
SCI Benner	9	1	3	4	1
SCI Cambridge Springs	15	1	11	3	0
SCI Camp Hill	13	1	10	2	0
SCI Chester	1	0	0	1	0
SCI Coal Township	3	0	2	1	0
SCI Cresson	0	0	0	0	0
SCI Dallas	5	1	4	0	0
SCI Fayette	10	2	8	0	0
SCI Forest	19	4	11	4	0
SCI Frackville	2	2	0	0	0
SCI Graterford	6	0	4	2	0
SCI Greene	7	1	4	1	1
SCI Greensburg	0	0	0	0	0
SCI Houtzdale	30	1	21	8	0
SCI Huntingdon	6	1	3	2	0
SCI Laurel Highlands	8	2	4	2	0
SCI Mahanoy	7	0	5	2	0
SCI Mercer	1	0	1	0	0
SCI Muncy	39	6	27	6	0
SCI Pine Grove	2	1	1	0	0
SCI Pittsburgh	12	1	8	3	0
Quehanna Boot Camp	3	3	0	0	0
SCI Retreat	3	0	2	0	1
SCI Rockview	13	3	7	3	0
SCI Smithfield	7	1	6	0	0
SCI Somerset	16	0	8	8	0
SCI Waymart	6	2	3	1	0
TOTAL	257	36	164	53	4

**Appendix B: Allegations of Staff-on-Inmate Sexual Misconduct or Sexual Harassment at PA DOC
Facilities (by Facility and Investigation Outcome), 2014**

Institution	Total Allegations	Substantiated	Unsubstantiated	Unfounded	Investigation Ongoing
CCCs	7	1	5	1	0
SCI Albion	38	0	27	11	0
SCI Benner	4	0	3	1	0
SCI Cambridge Springs	6	1	4	1	0
SCI Camp Hill	38	1	36	1	0
SCI Chester	6	1	4	1	0
SCI Coal Township	17	0	11	6	0
SCI Cresson	1	0	1	0	0
SCI Dallas	13	0	7	6	0
SCI Fayette	36	0	29	5	2
SCI Forest	20	0	13	7	0
SCI Frackville	16	0	8	8	0
SCI Graterford	16	0	8	7	1
SCI Greene	32	0	20	12	0
SCI Greensburg	0	0	0	0	0
SCI Houtzdale	55	0	38	17	0
SCI Huntingdon	25	1	21	3	0
SCI Laurel Highlands	4	0	1	3	0
SCI Mahanoy	10	0	9	1	0
SCI Mercer	2	0	0	2	0
SCI Muncy	34	1	16	17	0
SCI Pine Grove	13	0	11	2	0
SCI Pittsburgh	27	2	18	7	0
Quehanna Boot Camp	0	0	0	0	0
SCI Retreat	3	0	2	1	0
SCI Rockview	28	1	10	17	0
SCI Smithfield	27	0	18	9	0
SCI Somerset	21	0	13	8	0
SCI Waymart	1	1	0	0	0
TOTAL	500	10	333	154	3