



2019 ANNUAL PREA REPORT



A Letter from the Warden

At the Allegheny County Jail, we take our mission to provide for the care of the inmates who have been committed to our facility seriously. With over 30,000 people moving through the facility each year, there are a number of considerations that go into making certain that they are safe while in our custody. Continuing to improve upon and strengthen our practices and procedures related to the Prison Rape Elimination Act (PREA) is just one of those items.

In the past year, we have hosted a PREA investigator training at the jail. Of the 43 participants, seven of them were Bureau of Corrections employees, bringing our total number of investigators to nine. We have also hosted a Sexual Assault Response Team meeting with Pittsburgh Action Against Rape. As a result, we streamlined our coordinate response and identified opportunities to prevent sexual violence and harassment. Additional trainings attended this year by investigators have included how to support LGBTI inmates, supporting incarcerated young men of color who have experienced sexual abuse, and networking with other project sites to learn from each other on shared strategic planning areas.

After-incident reviews are conducted on all incidents at the jail but are particularly important in cases of sexual abuse to determine if corrective action is needed in relation to sexual abuse. While not all incidents require corrective actions, if improvements are needed after the review, we will make all necessary improvements.

We are continuing to work towards PREA accreditation while also improving the facility, strengthening our practices and procedures, and exploring new and innovative ways to help those in our custody reenter and succeed in society.



The Prison Rape Elimination Act (PREA)

The Prison Rape Elimination Act (PREA) was signed into law on September 4, 2003. It is the first United States federal law to deter the sexual assault of prisoners. Specifically, the act called for the analysis of the incidence and effects of prison rape in federal, state, and local institutions and to provide information, resources, recommendations, and funding to protect individuals from prison rape. The U.S. Department of Justice is mandated to perform a variety of functions under the act.

National Institute of Corrections

Under the Department of Justice, the National Institute of Corrections (NIC) was mandated to offer training and technical assistance, provide a clearinghouse for information, and produce its own annual report to Congress. More information on NIC and its assistance and resources can be found online at <https://nicic.gov/>.

Annual Reports

In December 2007, the U.S. Department of Justice published its first report – based on 2006 data – about rapes and sexual violence in American prisons.

The most recent data was published in 2018 and presents data for each year from 2012 through 2015. Correctional administrators reported 24,661 allegations of sexual victimization in 2015, nearly triple the number recorded in 2011. The increase in allegations of sexual victimization from 2011 to 2015 coincided with the release in 2012 of the National Standards to Prevent, Detect, and Respond to Prison Rape. In 2015, an estimated 1,473 allegations were substantiated with 58% of substantiated incidents of sexual victimization perpetrated by inmates, while 42% were perpetrated by staff members.

Our Policy

The Allegheny County Bureau of Corrections adheres to the requirements set forth in the Prison Rape Elimination Act (PREA) and has zero tolerance for sexual misconduct. Any form of sexual misconduct by any staff member is deemed an abuse of authority. All allegations of sexual misconduct directed towards an inmate or staff member within the facility will be thoroughly investigated and, when warranted, sanctions imposed – up to and including termination of employment and criminal prosecution.

Purpose of Sexual Assault/Abuse Prevention Policy

The purpose of the Sexual Assault/Abuse Prevention Policy is to address the prevention, intervention, treatment, investigation, tracking and reporting of all allegations of sexual assault/battery, sexual misconduct or sexual harassment involving an inmate, prison employee, volunteer, contractor, or visitor.

Prevention/Intervention

All authorized personnel who have access to inmates with the facility shall be provided training and education and information on inmate-on-inmate sexual violence.

An initial inmate assessment is conducted during the intake process to determine if the newly-arrested inmate is a victim or potential victim of sexual assault or battery or shows tendencies of acting out with sexually aggressive behavior. During the classification assessment, specific criteria is used to identify an inmate who has a history of sexual assault/abuse behavior and/or of being sexually victimized. All inmates also receive education on the zero-tolerance policy during intake. Additionally, information is contained in the inmate handbook and a sexual assault awareness pamphlet made available to the inmate.

After assignment to a pod, education for inmates continues through signage in the facility. A video is shown daily on CCTV in the facility on each pod. Procedures for reporting attempts and incidents of sexual assault or battery are outlined, and information on available support services as well as self-protection and prevention techniques are included. Detail on a toll-free Rape Crisis Hotline phone number are part of the video and materials. That information is also posted prominently throughout the facility. Inmates can contact the hotline from any inmate phone.

Response to Allegations

When authorized personnel become aware of, discover, or observe a possible incident involving sexual assault/battery, that individual must immediately notify the respective Shift Commander at which time specific protocols are completed including, but not limited to, the separation of the suspected victim from the suspected offender; examination of the suspected victim by qualified medical personnel; segregation of the suspected offender so that trace evidence, if appropriate, can be collected by Internal Affairs; testing, counseling, treatment and follow-up for sexually transmitted diseases; and evaluation and access to mental health personnel and rape treatment centers. Notification of the incident is made to the Warden's office, Internal Affairs, and the PREA Coordinator to ensure that all policies and procedures are followed.

Examination of the suspected victim is done off-site. When such an incident presents itself, the Shift Commander shall notify the 24/7 Emergency Room Supervisor to give the staff time to prepare for a victim of sexual assault.

Types of Allegations

For reporting purposes, allegations are defined by the Department of Justice as Inmate on Inmate Non-Consensual Acts, Inmate on Inmate Abusive Sexual Contact, Inmate on Inmate Sexual Harassment, Staff on Inmate Sexual Misconduct, and Staff on Inmate Sexual Harassment.

Definitions

Inmate on Inmate Sexual Victimization involves sexual contact with a victim without his or her consent, or with a victim who cannot consent or refuse.

Inmate on Inmate Nonconsensual Sexual Acts are the most serious victimizations and include (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; and, (3) penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument.

Inmate on Inmate Abusive Sexual Contact is less serious and includes intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any persons. Incidents in which the contact was incidental to a physical altercation are excluded.

Inmate on Inmate Sexual Harassment includes (1) repeated and unwelcome sexual advances; (2) requests for sexual favors; and, (3) verbal comments, gestures or actions of a derogatory or offensive sexual nature.

Staff on Inmate Sexual Victimization includes both consensual and nonconsensual acts perpetrated on an inmate by staff. Staff includes an employee, volunteer, contractor, official visitor, or other agency representative. Family, friends, and other visitors are excluded.

Staff Sexual Misconduct includes any behavior or act of a sexual nature directed toward an inmate by staff, including romantic relationships. Such acts include (1) 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; (2) completed, attempted, threatened, or requested sexual acts; and, (3) occurrences of indecent exposure, invasion of privacy, or staff voyeurism for reasons unrelated to official duties or for sexual gratification.

Staff Sexual Harassment includes repeated verbal statements or comments of a sexual nature to an inmate by staff. Such statements include (1) demeaning references to an inmate's sex or derogatory comments about his or her body or clothing; and, (2) repeated profane or obscene language or gestures.

Our Statistics

The investigative findings of all inmate-on-inmate sexual violence or all authorized personnel sexual misconduct/harassment towards inmates are compiled monthly and presented to the U.S. Department of Justice on an annual basis.

Findings

There are four potential findings of an allegation: (1) Substantiated – the incident was investigated and determined to have occurred; (2) Unsubstantiated – the incident was investigated, but evidence was insufficient to make a final determination that the incident occurred; (3) Unfounded – the incident was investigated, but determined not to have occurred; or, (4) Ongoing – the incident is being investigated and a final determination has not yet been reached as to whether the incident occurred.

Allegations Made

The statistics for calendar year 2019 follow:

	Substantiated	Unsubstantiated	Unfounded	Total
Inmate on Inmate Non-Consensual Acts	1	6	4	11
Inmate on Inmate Abusive Sexual Contact	3	0	4	7
Inmate on Inmate Sexual Harassment	1	1	1	3
Staff on Inmate Sexual Misconduct	0	0	5	5
Staff Sexual Harassment	0	2	7	9

For comparison purposes, following are the statistics for 2018:

2018 Reports	Substantiated	Unsubstantiated	Unfounded	Total
Inmate on Inmate Non- Consensual Acts	4	0	0	4
Inmate on Inmate Abusive Sexual Contact	1	3	2	6
Inmate on Inmate Sexual Harassment	1	2	1	4
Staff on Inmate Sexual Misconduct	1	0	8	9
Staff Sexual Harassment	2	3	11	16

Contracted Providers

The jail also requires additional protections and reporting from the programs that are contracted to provide alternative housing for the inmates that receive sentencing to those. For calendar year 2020, the county has contracted with The Program for Offenders and Renewal, Inc. In calendar year 2019, the county had also contracted with Goodwill.

Allegations Made (The Program for Offenders)

Calendar Year 2019	Substantiated	Unsubstantiated	Unfounded	Total
Inmate on Inmate Non-Consensual Acts	0	0	0	0
Inmate on Inmate Abusive Sexual Contact	0	0	0	0
Inmate on Inmate Sexual Harassment	0	0	0	0
Staff on Inmate Sexual Misconduct	0	0	0	0
Staff Sexual Harassment	0	0	1	1

For comparison purposes, following are the statistics for 2018:

Calendar Year 2018	Substantiated	Unsubstantiated	Unfounded	Total
Inmate on Inmate Non-Consensual Acts	0	0	0	0
Inmate on Inmate Abusive Sexual Contact	0	0	0	0
Inmate on Inmate Sexual Harassment	0	0	0	0
Staff on Inmate Sexual Misconduct	0	0	0	0
Staff Sexual Harassment	0	0	0	0

Allegations Made (Renewal, Inc.)

Calendar Year 2019	Substantiated	Unsubstantiated	Unfounded	Total
Inmate on Inmate Non-Consensual Acts	0	0	0	0
Inmate on Inmate Abusive Sexual Contact	0	0	0	0
Inmate on Inmate Sexual Harassment	1	0	0	1
Staff on Inmate Sexual Misconduct	0	0	0	0
Staff Sexual Harassment	0	1	0	1

For comparison purposes, following are the statistics for 2018:

Calendar Year 2018	Substantiated	Unsubstantiated	Unfounded	Total
Inmate on Inmate Non-Consensual Acts	0	0	0	0
Inmate on Inmate Abusive Sexual Contact	0	0	0	0
Inmate on Inmate Sexual Harassment	2	1	0	3
Staff on Inmate Sexual Misconduct	0	0	0	0
Staff Sexual Harassment	0	1	0	1

Allegations Made (Goodwill Center)

Calendar Year 2019	Substantiated	Unsubstantiated	Unfounded	Total
Inmate on Inmate Non-Consensual Acts	0	0	0	0
Inmate on Inmate Abusive Sexual Contact	0	0	0	0
Inmate on Inmate Sexual Harassment	0	0	0	0
Staff on Inmate Sexual Misconduct	0	0	0	0
Staff Sexual Harassment	0	0	0	0

Partnership with Pittsburgh Action Against Rape

The Allegheny County Jail has been fortunate to have a unique partnership with Pittsburgh Action Against Rape (PAAR). The organization has been serving the Pittsburgh community for more than 43 years through advocacy, counseling, prevention and education. In addition to providing training to jail staff, the organization has also responsible for handling calls to the jail's helpline, accompanies victims for medical examinations, and provides individual and group crisis counseling to inmate who are victims of sexual assault, regardless of when that assault occurred. During 2019, PAAR began accepting referrals from counseling groups at the facility as well.

	Medical Accompaniment	Individual Crisis Counseling	Referral from PAAR Group	Call to PAAR Helpline
2019	11	110	10	63
2018	10	56	n/a	62

About the Allegheny County Jail

Mission

The mission of the Bureau of Corrections is to increase public safety in Allegheny County by providing care, custody and control of persons incarcerated, and to reduce recidivism through programs that help persons reenter and succeed in society.

Leadership

The Bureau of Corrections, and the Allegheny County Jail, is under the leadership of Warden Orlando L. Harper, Chief Deputy Warden for Operations David Zetwo, Chief Deputy Warden for Healthcare Services Laura K. Williams, and Deputy Warden for Operations Jason Beasom.