

PRISON RAPE ELIMINATION ACT ANNUAL REPORT

Pennsylvania Department of Corrections

2022

Introduction

The Pennsylvania Department of Corrections (PA DOC) achieved compliance in each of its 14 audits in calendar year 2022 through an audit by Department of Justice (DOJ) certified auditors. Calendar year 2022 overlaps the third year of the third PREA audit cycle and the first year of the fourth PREA audit cycle. Four of these audits were attributed to the third year of the third audit cycle and enabled the Commonwealth to certify state compliance for the final year of the third audit cycle. The remaining ten audits were credited to the first year of the fourth audit cycle. Ten of these audits were completed at State Correctional Institutions (SCIs) and four were completed at Community Corrections Centers (CCCs). By the conclusion of calendar year 2022, each of the PA DOC's facilities have been audited as compliant with the PREA standards three times, with ten of those audited as compliant for a fourth time. As the audit results reflect, the PA DOC continues its commitment to meeting the goals of the United States Department of Justice Prison Rape Elimination Act (PREA) of 2003 (28 C.F.R. Part 115).

Prevention

In 2022, the PA DOC updated and released its PREA specialized investigator's training course. The course was converted into a 12 module web-based course to accommodate the needs of facilities to train additional investigators between former in-person trainings and to ensure more consistent delivery of required material that varied between in-person instructors. Revisions expanded focus on identifying the acts prohibited by the standards, the concept of credibility assessments, and effective review of available evidence sources. As subsequent aggregate data will show, the revisions to this training curriculum appears to have influenced investigative outcomes, inasmuch as there was a statistical increase in the number of allegations determined to be substantiated following the implementation of the revised training protocol.

During calendar year 2021, the PA DOC was awarded a Bureau of Justice Assistance grant to revamp its PREA Risk Assessment Tool (PRAT) and its PREA Tracking System (PTS) to enhance compliance with standards §115.41, §115.42, §115.81, §115.86, §115.87, §115.88, and §115.89. Significant progress towards these goals occurred in calendar year 2022. Enhancements to the search functionality of the PTS were completed and tested in late 2022, with deployment in January 2023. This forward step greatly increased the ability of investigators to research prior incidents involving the alleged abusers and alleged victims, particularly with respect to those allegations occurring outside of their respective facilities, by resolving search time-outs experienced on agency wide searches. Additional enhancements continue to be under development at this time to further enhance future data collection and reporting.

Regarding the PREA Risk Assessment Tool (PRAT), the research component was completed during calendar year 2022 in an effort to arrive at a validated risk screening tool. This first phase of the project involved replicating previous validation analysis of the 2014 version of the assessment that was completed in 2018. The analysis of the current 2018 version of the assessment provided insights into those questions that demonstrated relevancy towards predicting sexual victimization and sexual abusiveness. Further analysis of 34 consistently collected administrative data sets, and a machine learning analysis of over 100 potential variables, was conducted on both admission cohorts and identified victims and abusers through substantiated investigations; however, no validated model could be produced. The research did result in

a statistically significant increase in the predictivity of the revised tool and identified additional unweighted data with predictivity potential that will be collected for future analysis. Piloting of this revised assessment occurred in early 2023 and deployment in the automated system is anticipated in late summer 2023.

During a 2022 audit of a CCC, a need for corrective action was identified in the area of contractor training and documentation of security rounds. Statewide meetings with the agency's Bureau of Community Corrections (BCC) occurred in April and May of 2022 to ensure consistency of policy application across all community confinement facilities.

Contract monitoring procedures, relative to PREA standard §115.12/212, were further revised in 2022 to develop an internal operations inspection in the agency's electronic file application and incorporated an enhanced array of inspected items that are tied to a facility's contract compliance rating. These enhanced procedures now include a designated PREA Compliance Division (PCD) staff member to participate as a team member in the operations inspection process to provide a greater level of consistency and further technical assistance to contracted facilities. Ultimately, these inspections commenced in February 2023 and ensure contracted sites are monitored by the agency's PCD twice per calendar year.

Finally, policy revisions to the Department's PREA policy, DC-ADM 008, were drafted in 2022 to account for changes to contract monitoring procedures, enhance inmate educational resources, clarify actions safeguarded under a staff member's official duties that are frequently misreported (i.e. staff removal of unauthorized in-cell privacy barriers), and further formalize investigative responsibilities. Furthermore, significant revisions to the inmate handbook were drafted in 2022 for the purposes of providing educational information for release in 2023.

Training

The PA DOC completed its PREA essentials refresher training with all staff and engaged in other significant training initiatives in calendar year 2022 as follows:

- The PA DOC revamped its PREA policy update and key refresher information course in 2022 for deployment in 2023. The revisions to this course incorporated several of the areas of auditor feedback from audit interviews where staff articulation of knowledge could be enhanced. This included refresher information on facility compliance teams, searches, reporting mechanisms, and follow-up procedures after an allegation is made.
- The PA DOC revised its specialized investigator's course required by standard §115.34 in 2022 and deployed it to its web-based training platform due to an ongoing need by facilities to train investigators. The course was divided into a 12 module course with comprehension questions to verify understanding and retention of the course materials. As the aggregate data section of this report will reflect, the change in curriculum resulted in an increased identification of substantiated incidents.
- A PREA Compliance Manager training was held in May of 2022 with all PA DOC compliance managers. Due to significant turnover in the ranks during the previous year, nearly half of the compliance managers were within the first year of service in said position. The two-day training consisted of a systematic breakdown of each PREA standard, its intent, its requirements, relevant intersection with PA DOC policy, and how standard provision requirements are documented or proven for audit purposes, all of which provided the foundation to sustain compliance.

External Collaboration

In 2022, the PA DOC continued to be limited in its external collaboration due to pandemic related precautions; however, continued its partnerships with key external agencies to assist with Administrative PREA Accommodation Committee activity.

- The PA DOC continued its partnership with Trans Advocacy Pennsylvania and the Pennsylvania Department of Health to provide consultation on transgender related topics.
- The PA DOC continued its partnership with the Pennsylvania Coalition Against Rape (PCAR) and its local sites to provide victim advocacy services to all Department sites.
- The PA DOC's PREA Coordinator continues to serve as a member of the National PREA Coordinator's Working Group (NPCWG), collaborating with fellow state PREA Coordinators on developing and maintaining compliant practices.
- The PA DOC continued to participate in the Governor's LGBTQ workgroup that endeavors to ensure all state agencies develop and maintain welcoming and affirming policies and practices to meet the needs of vulnerable populations.

Incident Based Analysis

As part of its ongoing commitment to enhance sexual safety within its facilities, and in compliance with PREA standards §115.87 and §115.88, the Department submits the following statistical report of PREA activity within its facilities for the purpose of assessing and improving the effectiveness of its sexual abuse prevention, detection, response policies, and practices in accordance with §115.88(a).

The statistical data referenced in this report for PA DOC operated facilities and Contract Community Confinement Facilities (CCFs) was compiled from electronic records maintained in the PA DOC's Bureau of Investigations and Intelligence (BII) case management system and the PTS as the PA DOC investigates all allegations within CCFs involving PA DOC reentrants. Statistical data pertaining to Contract County Jails (CCJs) was captured through self-reported data each facility is required to generate pursuant to their own compliance with §115.87, §115.88 and §115.89. The BII tracks reported investigations conducted within the Department's facilities¹, including 23 SCIs, the Quehanna Boot Camp, 9 CCCs, and 20 parole lockups. This report also includes data from the PA DOC's Training Academy, which resumed as a work location for a cadre of inmates from SCI Camp Hill who are transported to and from the work site each day for various work assignments under the supervision of DOC staff. The PREA incident-based data is recorded in accordance with the federal standards, and BII reviews every PREA investigation conducted at PA DOC facilities² for quality assurance purposes.

The PTS was first deployed in April of 2016 and was designed to be a centralized electronic repository for all allegations reported under PREA, regardless of whether the allegation met the PREA standard's definition of sexual abuse or sexual harassment. The PTS was originally designed to capture all information necessary to generate the US Department of Justice, Bureau of Justice Statistics (BJS) Survey of Sexual Victimization (SSV). While originally intended to serve as a repository for the SSV, the PA DOC recognized the potential for improvement of the PTS to collect, extrapolate, and analyze data for prevention, strategic deployment of resources, and audit preparation. Thus, the PA DOC embarked on

¹ Commonwealth operated CCCs house both PA DOC inmates and paroled reentrants released from custody and reentering the community. This report includes all allegations reported at these facilities.

² PA DOC facilities includes the 23 SCIs, Quehanna Boot Camp, 9 Commonwealth operated CCCs, and 20 Parole Lockups in operation at any time during 2022.

enhancements towards those ends in calendar year 2022, with anticipated completion in calendar year 2023. Calendar year 2022 marks the seventh full year of data available for analysis within the system.

The incident-based data gathered by BII and the PTS serves as the foundation for completion of the SSV. Pennsylvania submits this report annually, summarizing the total number of allegations reported in PA DOC facilities in the previous calendar year. These numbers are classified by type:

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

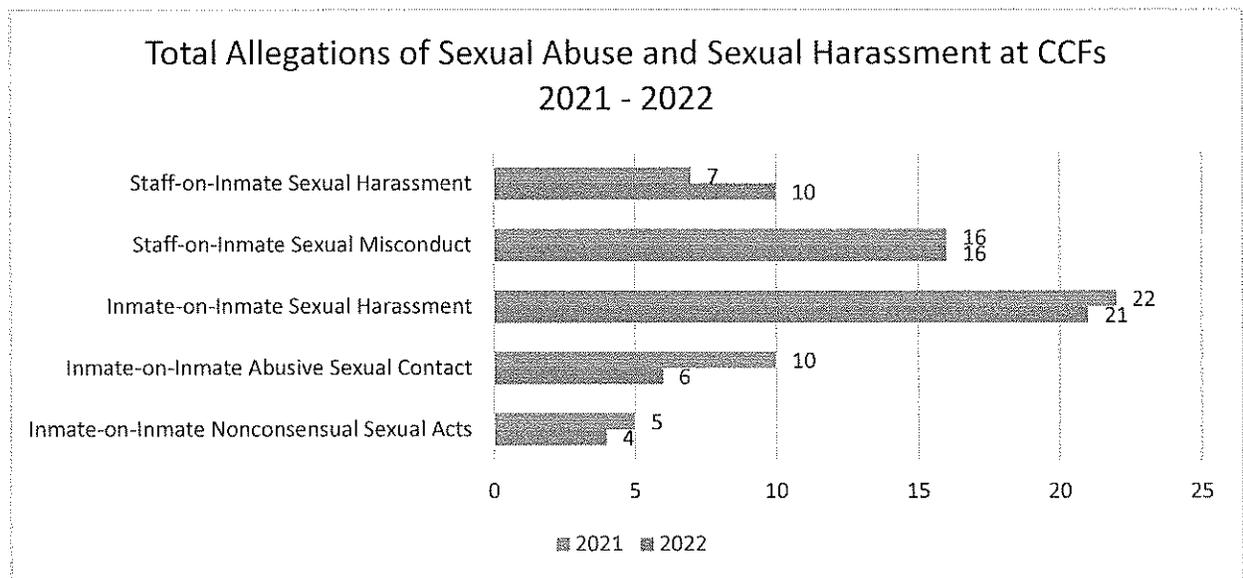
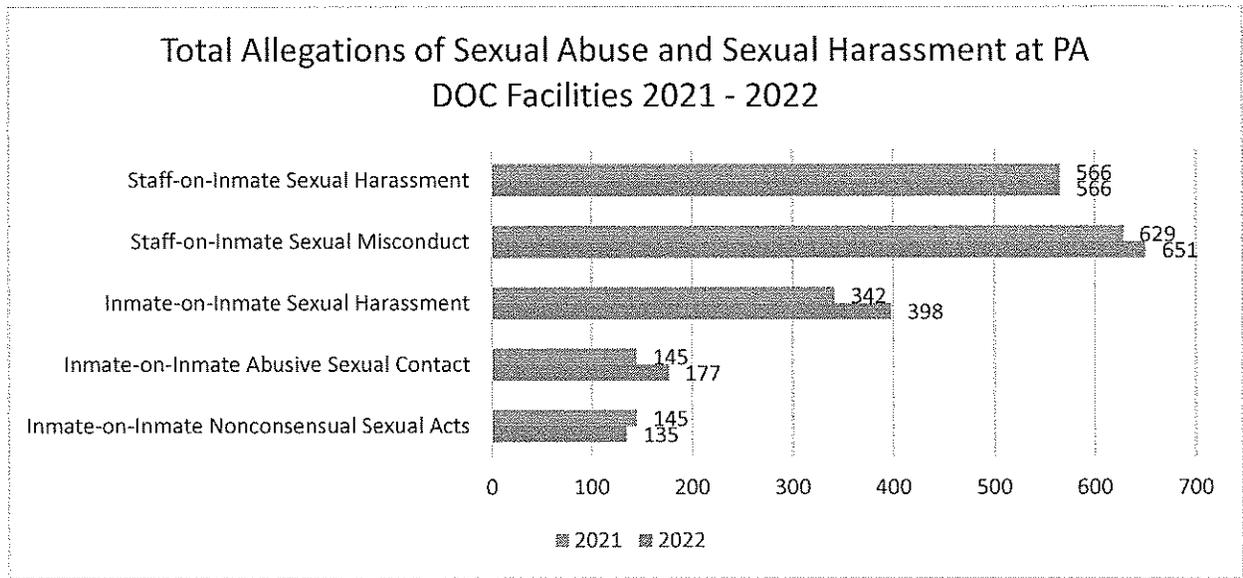
For each substantiated³ allegation, of any type, a Survey of Sexual Victimization Incident Form (SSV-IA) is completed, specifying details of the incident and the individuals involved.

This report summarizes the specific types of allegations⁴ reported at PA DOC facilities in calendar year 2022, as well as allegations reported at CCFs and CCJs, with incident data comparative to those reported in 2021. Because a single reported incident may contain multiple allegation types, such as an allegation of sexual abuse and sexual harassment, the aggregate data reported within this report will vary from the total number of incidents investigated. For illustrative purposes, although there are a total of 1927 unique allegation types reported and investigated by PA DOC staff in PA DOC facilities, those allegations were contained within 1747 total investigated incidents. More specifically, multiple incidents contained both a sexual abuse and sexual harassment allegation, or multiple types of sexually abusive conduct. This means that some single incidents contained two or more allegations types, such as an investigated allegation of a sexual relationship involving both allegations of sexual abuse for the coercive sexual acts and sexual harassment for the communications preceding the coercive sexual act.

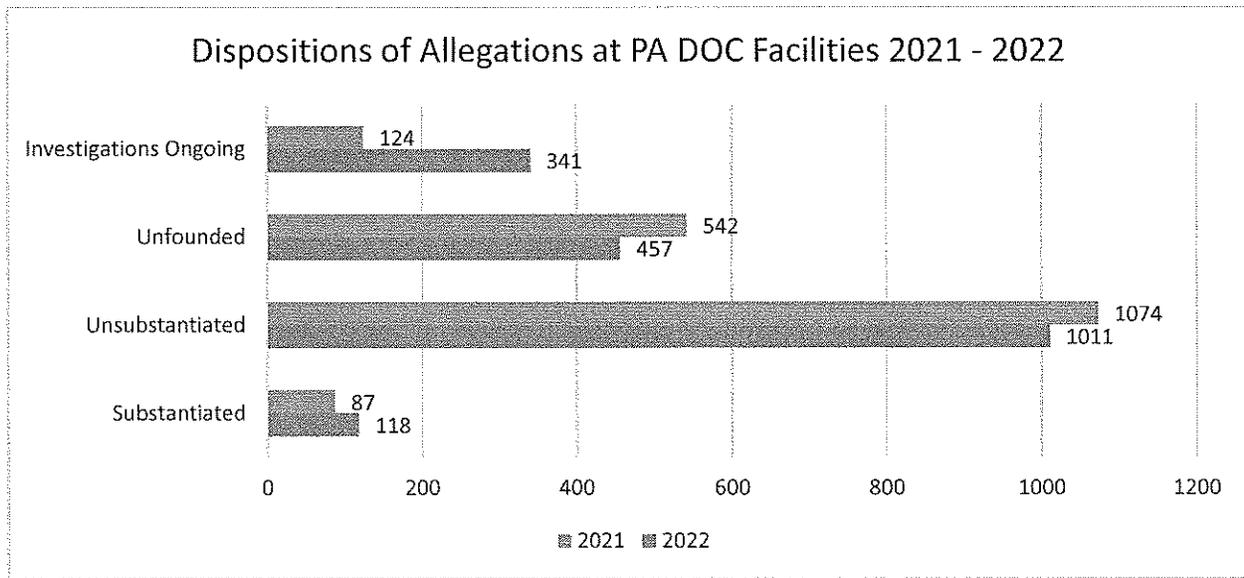
As the numbers reflect for PA DOC facilities, there is a net increase of 100 (5.5 percent) of inmate-on-inmate and staff-on-inmate allegation types. At CCFs, there was a net decrease of three (5.0 percent) of inmate-on-inmate and staff-on-inmate allegation types. At CCJs, total allegations decreased by 32 (33.7 percent).

³ Substantiated investigative outcomes were determined to have occurred based on a preponderance of the evidence.

⁴ Allegations refers to each specific type(s) of incident(s) alleged to have occurred within a report. A single report may contain multiple "allegation types", such as a single report containing both an allegation of sexual abuse and sexual harassment. For purposes of this report, this type of single report is recorded as both an "allegation type" of sexual abuse and sexual harassment consistent with SSV reporting requirements.



Collectively, at the time of this report's writing, approximately 6.1 percent of the total allegations made in PA DOC facilities in 2022 were substantiated, 52.5 percent were unsubstantiated, and 23.7 percent of the total allegations made in PA DOC facilities were unfounded. Comparatively, in 2021 approximately 4.8 percent of the total allegations made in PA DOC facilities were substantiated, 58.9 percent were unsubstantiated, while 29.7 percent of all allegations made in PA DOC facilities were unfounded. Notably, because this report is being generated several weeks earlier in the calendar year than previous reports, a greater number of allegation types remain open at the time of this report, where there is the potential for a greater percentage of allegations to fall into the respective disposition categories.

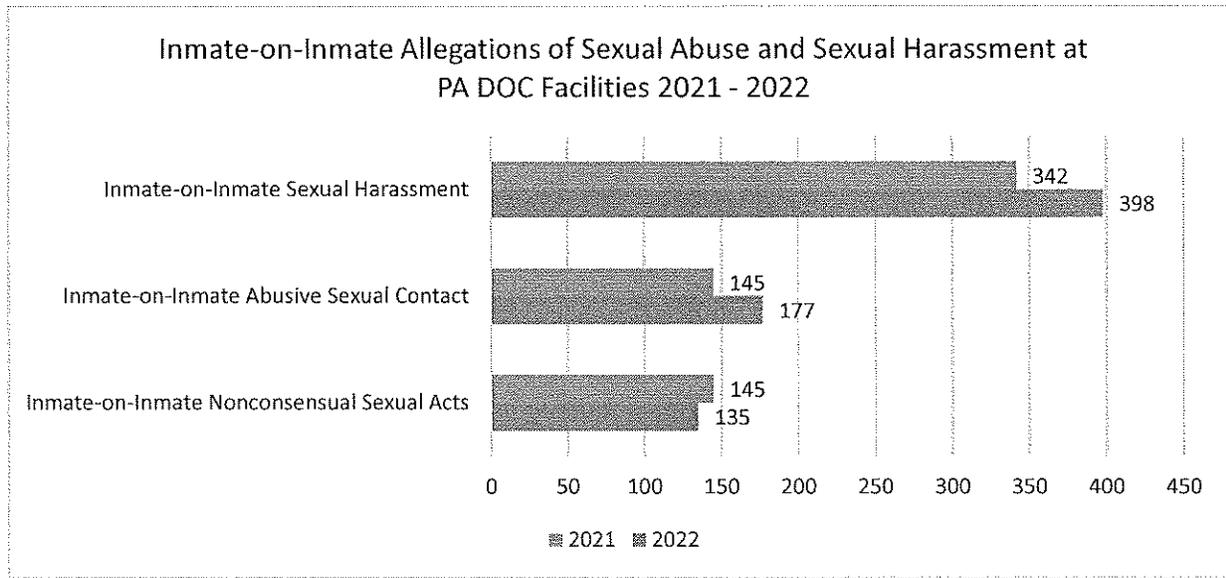


The net increase in allegations at Department facilities in 2022, was mainly attributed to an increase in inmate-on-inmate allegations, with 78 percent of the additional allegations occurring between inmates. As revealed by the subsequent analysis, it is likely that these increases are attributable to the elimination of most pandemic related precautions in 2022; increasing the number and frequency of interactions between inmates beyond formerly limited cohorts.

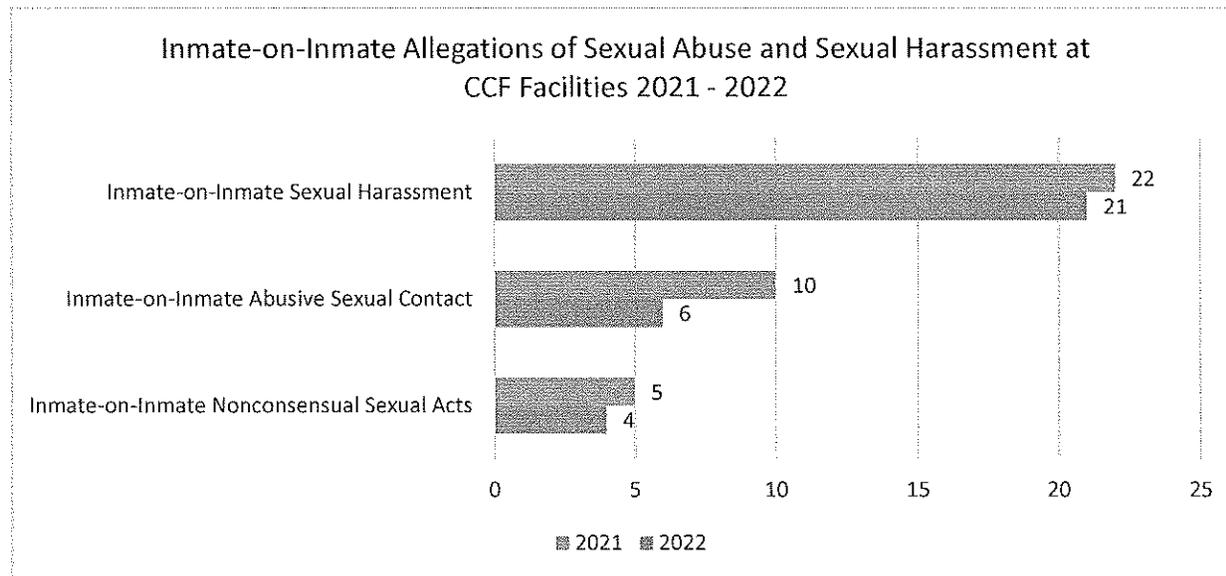
Part 1: Inmate Perpetrators

In 2022, a combined total of 710 inmate-on-inmate sexual abuse and sexual harassment allegations were reported within PA DOC facilities, representing a net increase of 78 allegations (12.3 percent) from 2021. Of these inmate-on-inmate complaints, 92 allegations (13 percent)⁵ were substantiated, while 108 (15.2 percent) were unfounded. In 2022, a total of 135 (19 percent) inmate perpetrator allegations involved nonconsensual sexual acts, 177 (24.9 percent) involved allegations of abusive sexual contact and 398 (56.1 percent) involved inmate-on-inmate sexual harassment.

⁵ Percentages provided in this report are approximate and may not total one hundred due to rounding up of numbers



In 2022, a combined total of 31 allegations of inmate-on-inmate sexual abuse and sexual harassment were reported within CCFs, representing a net decrease of six allegations (16.2 percent). Of these inmate-on-inmate allegations, none (0.0 percent) were substantiated while seven (22.6 percent) were unfounded. Of these inmate perpetrator complaints, four (12.9 percent) allegations involved nonconsensual sexual acts, six (19.4 percent) involved allegations of abusive sexual contact and 21 (67.7 percent) involved inmate-on-inmate sexual harassment.



Nonconsensual Sexual Acts⁶

Table 1 demonstrates that inmate-on-inmate nonconsensual sexual act allegations decreased by ten (6.9 percent) between 2021 and 2022 at PA DOC facilities. Seven allegations (5.2 percent) of inmate-on-inmate nonconsensual sexual acts were substantiated during 2022, while 64 (47.4 percent) of these allegations were unsubstantiated and 33 (24.4 percent) were unfounded. At the time of this report, 31 allegations of this category remained under investigation and the outcomes were not yet determined.

Two of the substantiated incidents involved a male inmate engaging in unwanted sexual acts in exchange for commissary or repayment of debts, three incidents involved male inmates assaulting their victims unexpectedly, one incident involved a male inmate verbally coercing another inmate to submit to sexual acts, and the final incident involved a transgender female coercing a male inmate to engage in sexual acts beyond those to which they had consented.

Table 1: Inmate-on-Inmate Nonconsensual Sexual Acts, PA DOC Facilities, 2021-2022

Inmate-on-Inmate Nonconsensual Sexual Acts	2021	2022
Total Allegations	145	135
Substantiated	1	7
Unsubstantiated	75	64
Unfounded	45	33
Investigations Ongoing	24	31

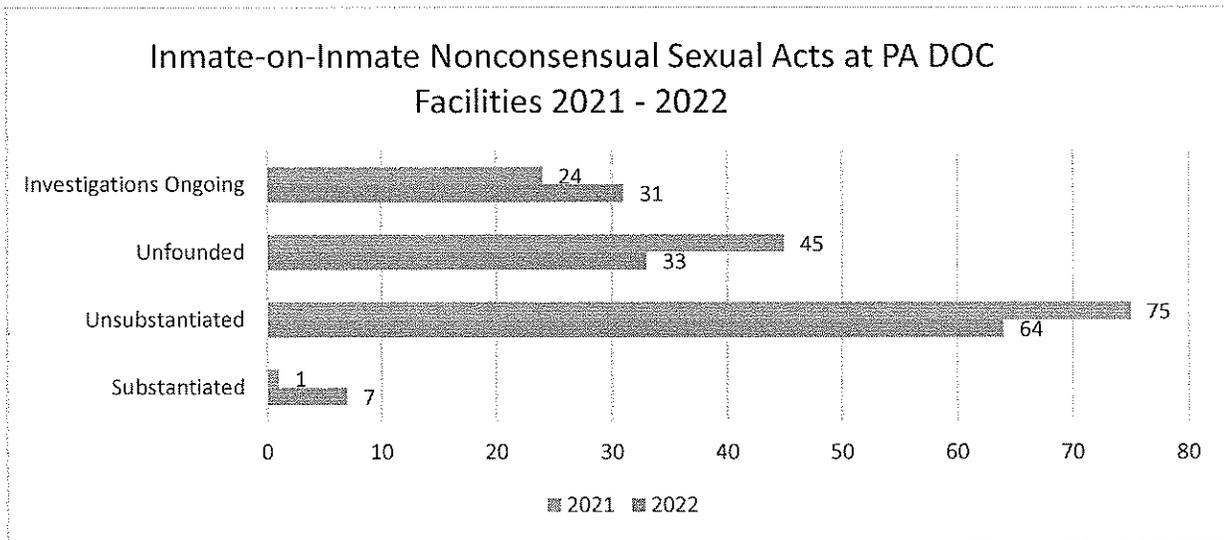


Table 2 reveals that four allegations of inmate-on-inmate nonconsensual sexual acts were made within CCFs in 2022. No allegations were substantiated, one allegation was unsubstantiated (25 percent), and

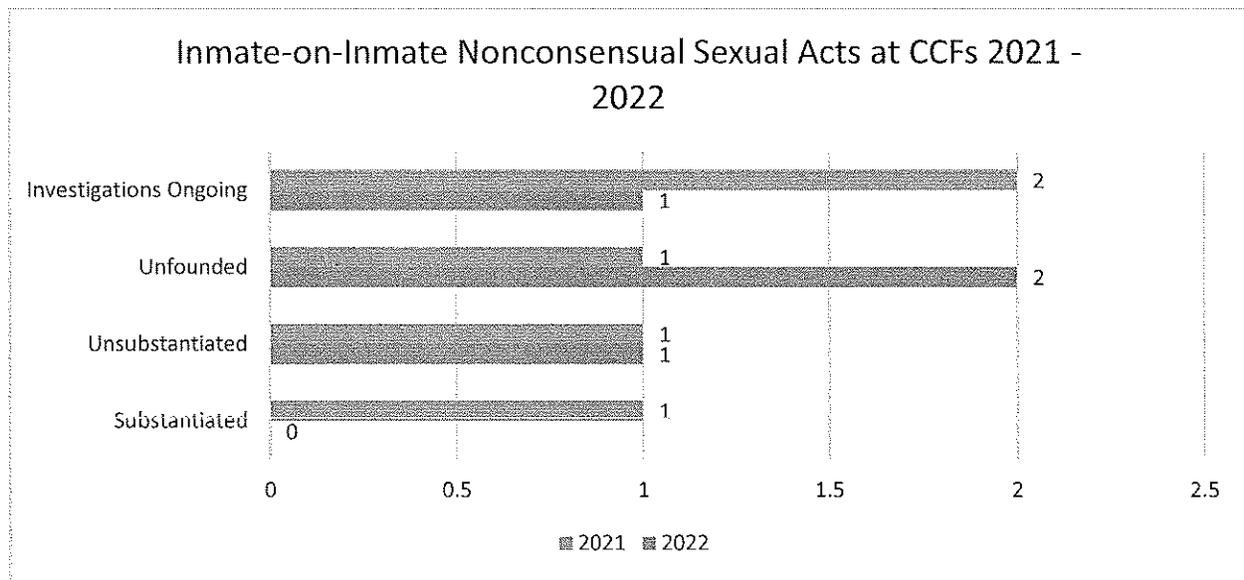
⁶Sexual contact of any person without his or her consent, or of a person who is unable to consent or refuse; AND contact between the penis and the vulva, or the penis and the anus including penetration, however slight; OR contact between the mouth and the penis, vulva, or anus; OR penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument.

(28 C.F.R § 115.88)

two allegations (50 percent) were unfounded. At the time of this report, one allegation of this category remains under investigation and the outcome is not yet determined.

Table 2: Inmate-on-Inmate Nonconsensual Sexual Acts, CCFs, 2021-2022

Inmate-on-Inmate Nonconsensual Sexual Acts	2021	2022
Total Allegations	5	4
Substantiated	1	0
Unsubstantiated	1	1
Unfounded	1	2
Investigation Ongoing	2	1



Abusive Sexual Contact⁷

Table 3 shows that allegations of inmate-on-inmate abusive sexual contact increased by 32 allegations (22.1 percent) between 2021 and 2022. A total of 177 allegations of inmate-on-inmate abusive sexual contact were made in PA DOC facilities in 2022. Of those allegations, 18 (10.2 percent) were substantiated, 94 (53.1 percent) were unsubstantiated and 34 (19.2 percent) were determined to be unfounded. At the time of this report, 31 investigations of this category type remain open and the outcomes are not yet determined.

Of the substantiated incidents, 14 involved unwanted touching of the groin, buttocks, or genitals between male inmates and two involved similar unwanted touching between female inmates. One of the incidents involved a male inmate touching the breast of a transgender female inmate. One of the incidents involved additional allegations from an incident of inmate-on-inmate nonconsensual sexual acts described in the

⁷ Sexual contact of any person without his or her consent, or of a person who is unable to consent or refuse; AND intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person. Excluded are incidents in which the contact was incidental to a physical altercation.

preceding section of this report. Three of the incidents between male inmates appeared to be motivated by the incurring of a debt to the perpetrator.

Table 3: Inmate-on-Inmate Abusive Sexual Contact, PA DOC Facilities, 2021-2022

Inmate-on-Inmate Abusive Sexual Contact	2021	2022
Total Allegations	145	177
Substantiated	9	18
Unsubstantiated	92	94
Unfounded	30	34
Investigation Ongoing	14	31

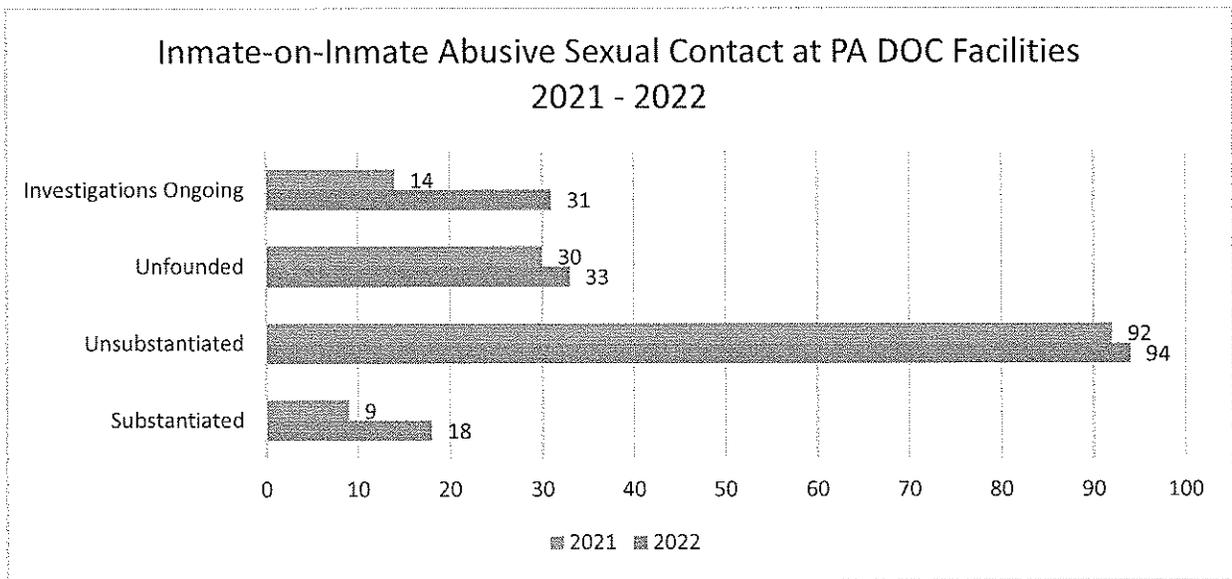
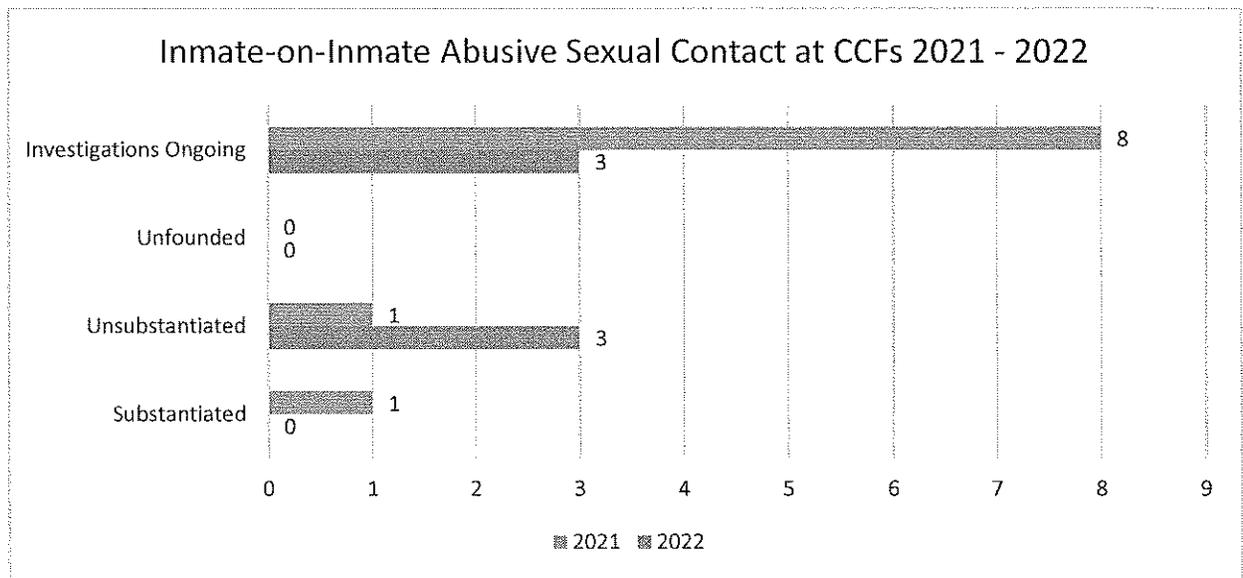


Table 4 demonstrates that the number of allegations of inmate-on-inmate abusive sexual contact at CCFs decreased by four (40 percent) between 2021 and 2022. A total of six allegations of inmate-on-inmate abusive sexual contact were made within CCFs in 2022. None of these allegations were substantiated, three (50 percent) were unsubstantiated and none (0 percent) were unfounded. At the time of this report, three of these allegations of this type remained under investigation and the outcomes are unknown.

Table 4: Inmate-on-Inmate Abusive Sexual Contact, CCFs, 2021-2022

Inmate-on-Inmate Abusive Sexual Contact	2021	2022
Total Allegations	10	6
Substantiated	1	0
Unsubstantiated	1	3
Unfounded	0	0
Investigation Ongoing	8	3



Sexual Harassment⁸

Table 5 illustrates that inmate-on-inmate sexual harassment allegations within PA DOC facilities increased by 56 incidents (16.3 percent) from 2021 to 2022. Of the 398 allegations of inmate-on-inmate sexual harassment within PA DOC facilities, 67 (16.8 percent) were substantiated, 232 (58.2 percent) were unsubstantiated and 41 (10.3 percent) were unfounded. At the time of this report, 58 allegations of this type remained under investigation and the outcomes are unknown.

Table 5: Inmate-on-Inmate Sexual Harassment, PA DOC Facilities, 2021-2022

Inmate-on-Inmate Sexual Harassment	2021	2022
Total Allegations	342	398
Substantiated	54	67
Unsubstantiated	234	232
Unfounded	32	41
Investigation Ongoing	22	58

⁸ 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.

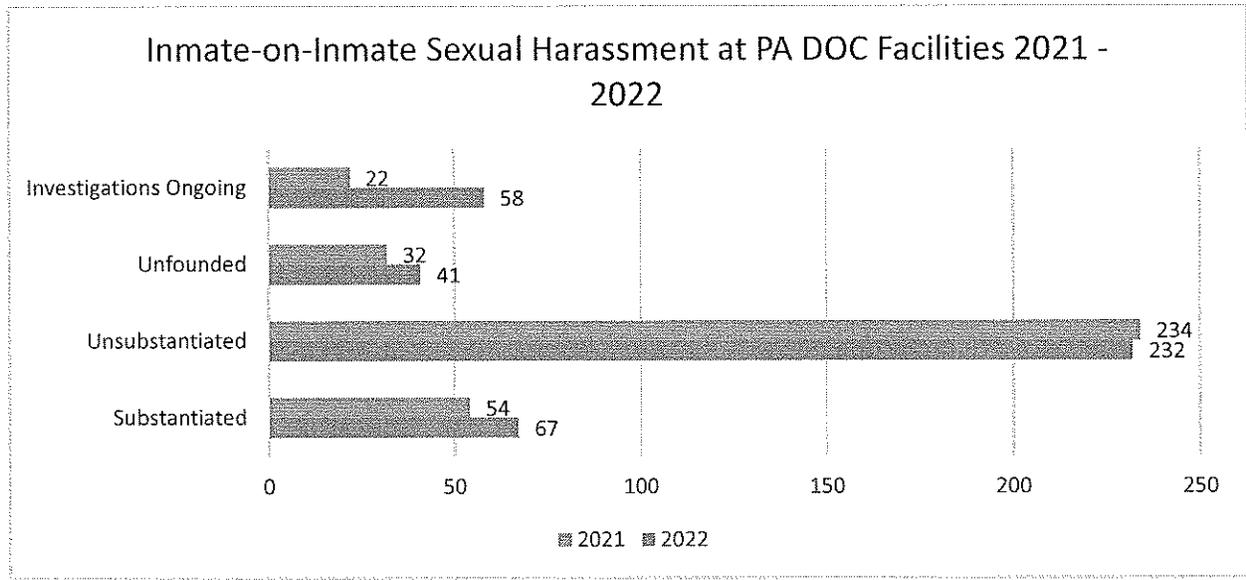
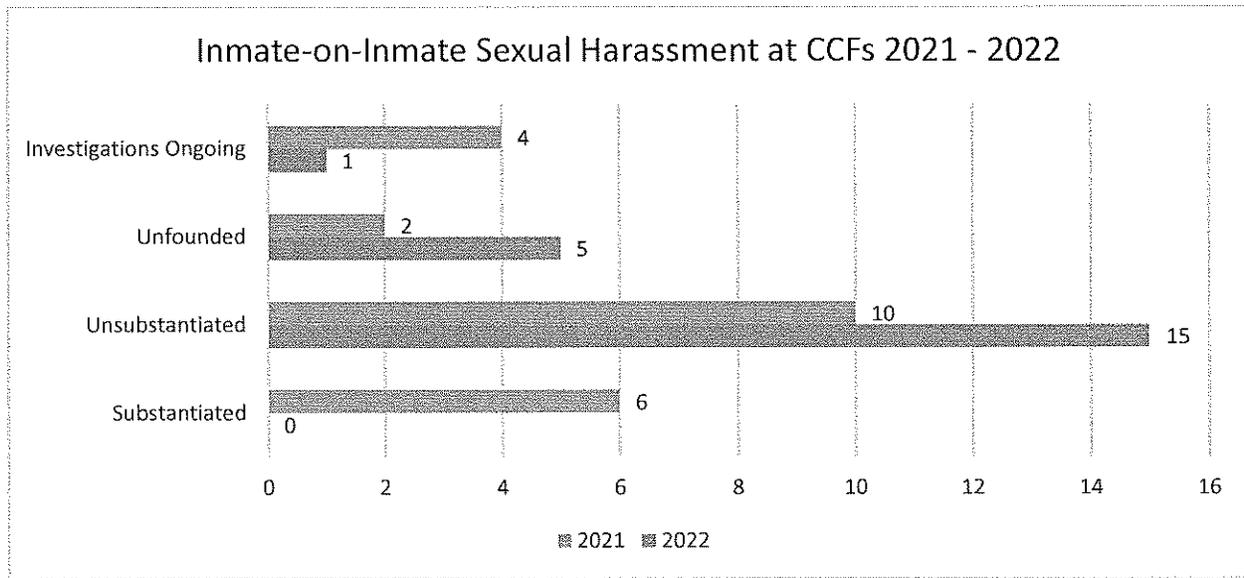


Table 6 indicates that allegations of inmate-on-inmate sexual harassment reports at CCFs decreased by one allegation (4.5 percent) between 2021 and 2022. Of the 21 allegations of inmate-on-inmate sexual harassment reported in CCFs, none were substantiated and 15 (71.4 percent) were unsubstantiated. Five allegations (23.8 percent) of this category were unfounded and one investigation of this type remains under investigation and the outcome is unknown.

Table 6: Inmate-on-Inmate Sexual Harassment, CCFs, 2021-2022

Inmate-on-Inmate Sexual Harassment	2021	2022
Total Allegations	22	21
Substantiated	6	0
Unsubstantiated	10	15
Unfounded	2	5
Investigation Ongoing	4	1



Part 2: Staff Perpetrators

Approximately 63.2 percent of combined sexual abuse and sexual harassment allegations made at PA DOC facilities primarily involved staff. A total of 1217 allegations against staff were reported in 2022, representing an increase of 22 (1.8 percent) from 2021 totals. The total substantiated allegations against staff increased by three between 2021 and 2022, with a total of 26 (2.1 percent) of allegations being substantiated in 2022.

While sexual abuse and sexual harassment allegations against staff overshadow the aggregate allegation totals within this report, for perspective, it is noted that this imbalance of most allegations skewing against staff has been historically consistent within the PA DOC, and has been observed in comparably larger sized state incarceration systems. While specific empirical data is unavailable, reports against staff frequently follow disciplinary action against the alleged victim by the alleged staff, contain concurrent claims of a denial of a privilege by staff, focus on an unresolved issue with the alleged victim’s property or cell contents, or contain a plea for transfer to another facility which suggests that PREA reporting mechanisms are utilized to draw attention to matters that should be pursued or have received an unfavorable response through the administrative remedies or other business processes.

Consistent with prior years, there is a select subset of the population that is overrepresented in allegation data. Specifically, the top 25 alleged victims, out of a roughly 37,000 inmate population, accounted for 17.2 percent of all allegations in the PA DOC in 2022. It is noted that five of these 25 most frequently reporting inmates were among the top ten inmates who exercised the grievance process in 2022, further supporting the theory that allegations are tied to other unresolved factors outside the scope of PREA.

Because the standards consider purported comments or non-verbal gestures, such as a sexual request, sexual threat, derogatory reference, or simply purportedly lip syncing sexual words, without a finding of intent, as constituting sexual abuse and sexual harassment, it creates an opportune mechanism to file an untruthful complaint with a low likelihood of accountability for making a false report, absent a means of continuous, detailed, audio and video surveillance beyond which is currently available within PA DOC facilities.

Consistent with prior annual reports, the data indicates that PA DOC facilities with specialized custody level 5 (CL5) management units and specialized CL5 mental health units generally continued to experience a higher number of allegations against staff than lower custody level facilities with fewer inmates in restrictive housing. Enhancements to the PTS have been added during May of 2023 to begin collecting custody level and other demographic information beyond the scope of the SSV for alleged victims and alleged inmate abusers in anticipation of more accurately reporting this information for calendar year 2024.

Consistent with previous years, allegations of sexual abuse and sexual harassment occurring in male facilities were predominately made against staff, while allegations occurring in female facilities were predominately made against other inmates. Of the 1217 allegation types made against staff in PA DOC facilities, 1166 of those allegations (95.8 percent) originated in male facilities, while only 51 (4.2 percent) originated in female facilities. Conversely, of the 710 allegations of sexual abuse and sexual harassment made against another inmate, 117 (16.4 percent) originated at female facilities, while 593 (83.5 percent) originated at male facilities. Because female inmates currently represent approximately 5.4 percent of the PA DOC's overall population, the dynamics of allegations of sexual abuse and sexual harassment remain apparent between male and female facilities, with female facilities demonstrating a disproportionately lower level of allegations against staff and a disproportionately higher level of allegations between inmates compared to male facilities.

In CCFs, a total of 26 allegations of staff-on-inmate sexual abuse and sexual harassment were reported in 2022. This represents an increase of three allegations (13.0 percent) from the previous year. Additionally, the number of substantiated staff related incidents at CCFs continued to remain at zero in 2022.

Staff Sexual Misconduct⁹

Table 7 illustrates that allegations of staff-on-inmate sexual misconduct increased by 22 allegations (3.5 percent) from 2021 to 2022. Of the 651 allegations of staff-on-inmate sexual misconduct, 15 (2.3 percent) allegations were substantiated, 288 (44.2 percent) were unsubstantiated and 232 (35.6 percent) were unfounded. At the time of this report, 116 allegations of this category type remain under investigation and outcomes are not yet determined. Of the 15 substantiated incidents, ten of the incidents involved female staff sexual contact, sexual requests, or exchanges of sexual correspondence with male inmates; one involved a female staff member engaging in sexual contact with a female inmate; and four involved male staff sexually threatening male inmates.

⁹ 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 7: Staff-on-Inmate Sexual Misconduct, PA DOC facilities, 2021-2022

Staff-on-Inmate Sexual Misconduct	2021	2022
Total Allegations	629	651
Substantiated	13	15
Unsubstantiated	286	288
Unfounded	291	232
Investigation Ongoing	39	116

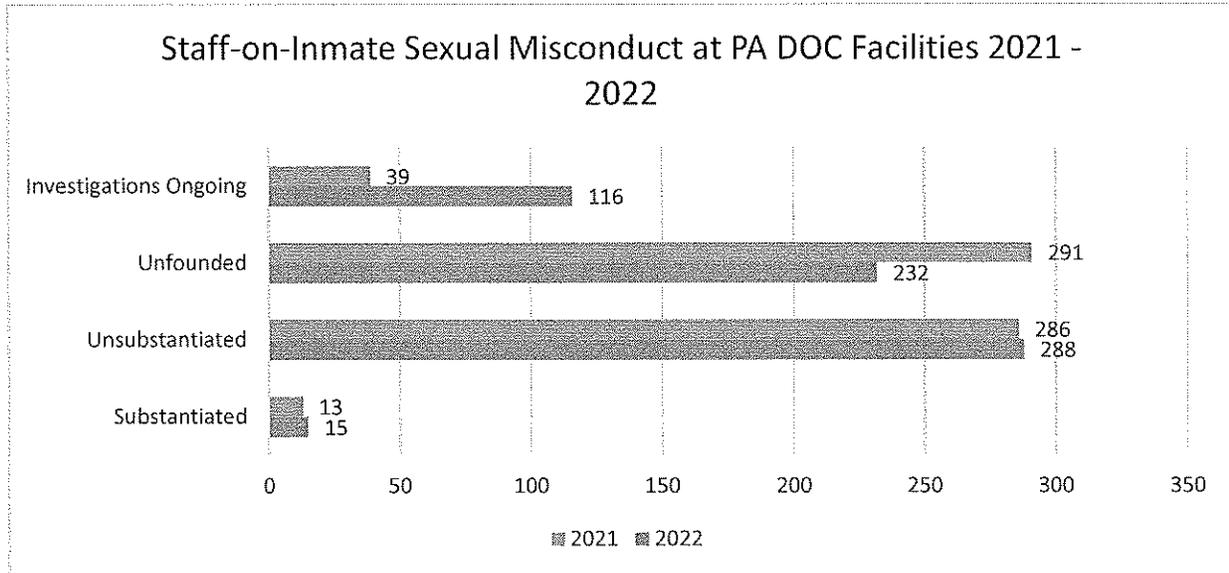
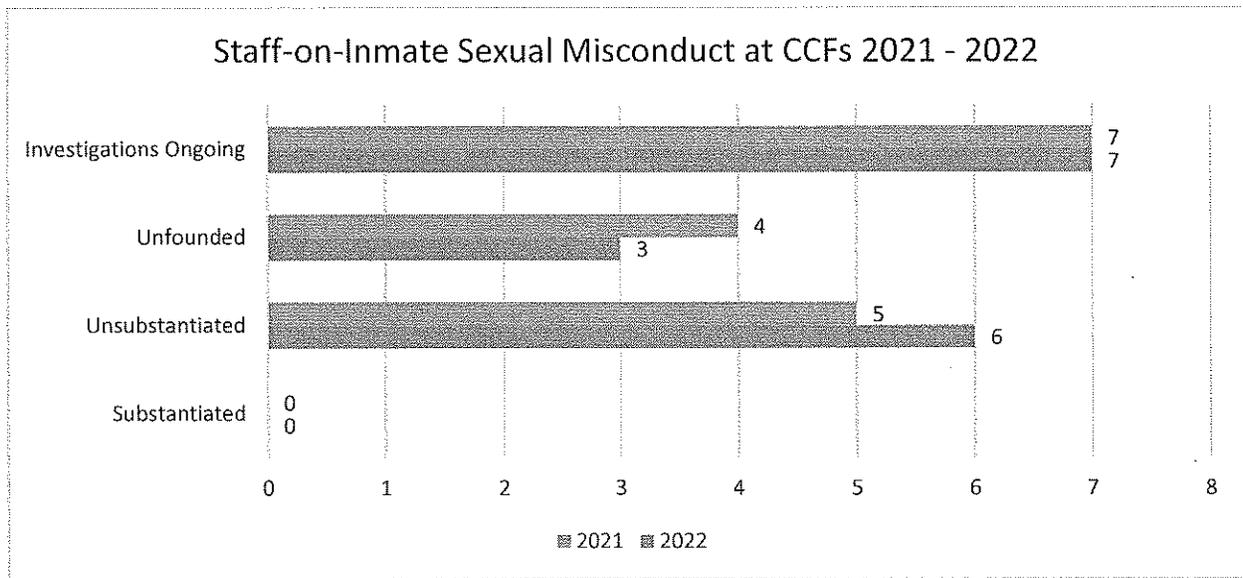


Table 8 reveals that allegations of staff-on-inmate sexual misconduct in CCFs remained the same between 2021 and 2022. A total of 16 allegations of staff-on-inmate sexual misconduct were made within CCFs in 2022, none were substantiated, six (37.5 percent) were determined to be unsubstantiated, and three (18.8 percent) were unfounded. At the time of this report, seven investigations remain open and the outcomes are unknown.

Table 8: Staff-on-Inmate Sexual Misconduct, CCFs, 2021-2022

Staff-on-Inmate Sexual Misconduct	2021	2022
Total Allegations	16	16
Substantiated	0	0
Unsubstantiated	5	6
Unfounded	4	3
Investigation Ongoing	7	7



Staff Sexual Harassment¹⁰

As Table 9 illustrates, staff-on-inmate sexual harassment allegations within PA DOC facilities remained the same between 2021 and 2022. In 2022, a total of 566 allegations of staff-on-inmate sexual harassment were made within PA DOC facilities. Of those allegations, 11 (1.9 percent) were substantiated, 333 (58.8 percent) were unsubstantiated, and 117 (20.7 percent) were unfounded. At the time of this report, 105 investigations remain open and the outcome is unknown. Of note, four of the substantiated allegations were also connected to and were components of substantiated sexual abuse allegations. Specifically, incidents of sexually harassing behavior were substantiated during investigations that also substantiated sexually abusive behavior and were not separate incidents themselves.

Table 9: Staff-on-Inmate Sexual Harassment, PA DOC facilities, 2021-2022

Staff-on-Inmate Sexual Harassment	2021	2022
Total Allegations	566	566
Substantiated	10	11
Unsubstantiated	387	333
Unfounded	144	117
Investigation Ongoing	25	105

¹⁰ Repeated verbal statements, comments or gestures of a sexual nature to an inmate by an employee, volunteer, contractor, official visitor, or other agency representative (excluding 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.

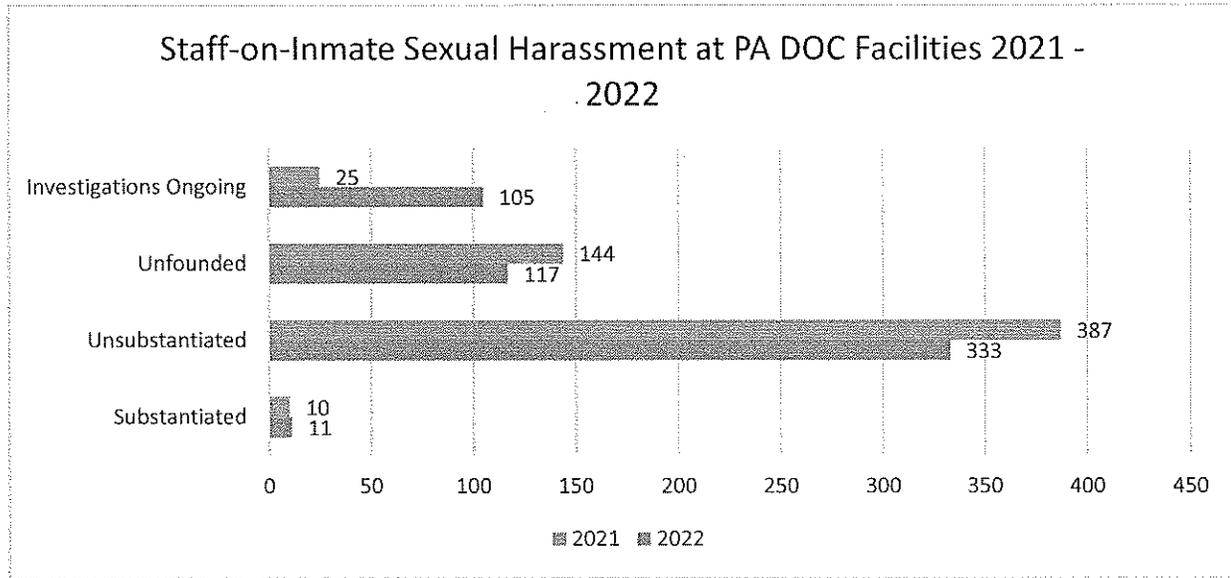
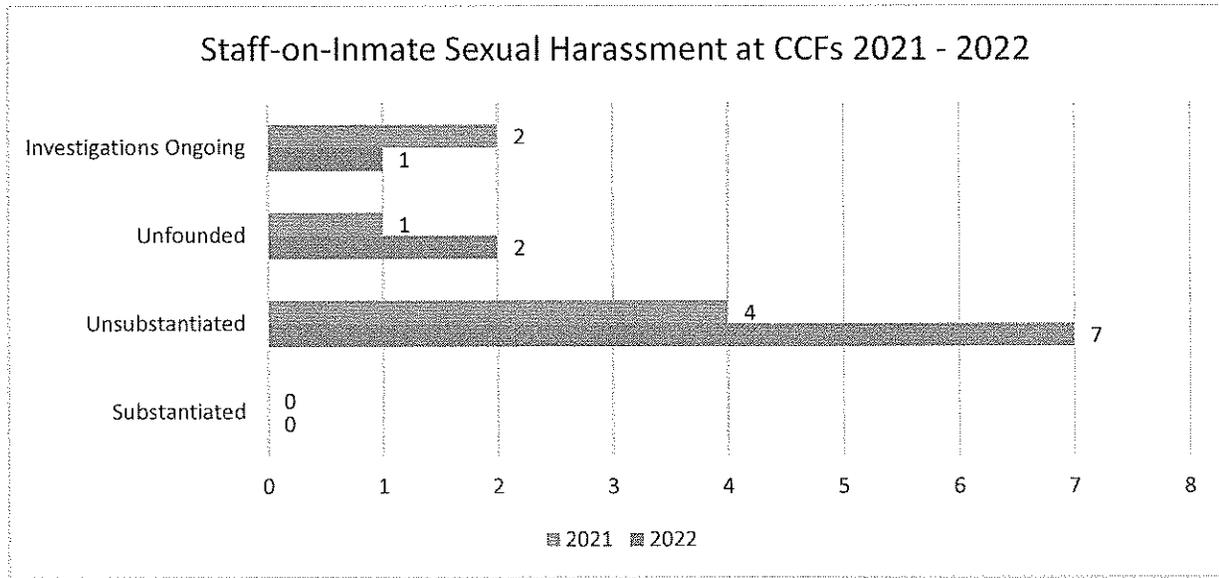


Table 10 reveals that allegations of staff-on-inmate sexual harassment increased by three (42.9 percent) between 2021 and 2022 at CCFs. Of the ten allegations of staff-on-inmate sexual harassment reported in CCFs in 2022, none of the allegations were substantiated, seven (70 percent) of the allegations were unsubstantiated, and two (20 percent) allegation were unfounded. At the time of this report, one investigation of this allegation type remains open.

Table 10: Staff-on-Inmate Sexual Harassment, CCFs, 2021-2022

Staff-on-Inmate Sexual Harassment	2021	2022
Total Allegations	7	10
Substantiated	0	0
Unsubstantiated	4	7
Unfounded	1	2
Investigation Ongoing	2	1



Part 3: Contracted County Jails (CCJs)

The PA DOC contracts with two county jails to house inmates who would have otherwise returned to an SCI under the Justice Reinvestment Initiative (JRI). As part of the PA DOC’s reduction in the use of CCJs, it is noted that the PA DOC has not housed any individual at either of these facilities, pursuant to its contract, since March of 2020. Yet, since the contract remains open, the statistical information is provided in compliance with §115.89(b).

The PA DOC’s Parole Field Services also contracts with two county jails to house parole violators for approximately 24 hours or less for regional transportation coordination purposes. In emergency circumstances, these contracts may be utilized to house individuals up to 72 hours. These contracts were established in early 2021. Please note that the subsequent allegation data does not involve any individual housed at these facilities pursuant to the contracts.

A total of 16 allegations of inmate-on-inmate sexual abuse were made at CCJs in 2022. Of those allegations, four (25 percent) were substantiated, eight (50 percent) were unsubstantiated, and four (25 percent) were unfounded. At the time of this report, all investigations into allegations of this category were complete.

A total of four allegations of staff-on-inmate sexual abuse were made at CCJs in 2022. None of the allegations were substantiated or unsubstantiated. Three (75 percent) were unfounded. At the time of this report, one investigation into allegations of this category remains open.

Table 11: Sexual Abuse, CCJs, 2021-2022

Sexual Abuse	2021		2022	
	Inmate-on-Inmate	Staff-on-Inmate	Inmate-on-Inmate	Staff-on-Inmate
Total Allegations	29	13	16	4
Substantiated	4	0	4	0
Unsubstantiated	10	4	6	0
Unfounded	15	9	4	3
Investigation Ongoing	0	0	0	1

A total of 31 allegations of inmate-on-inmate sexual harassment were made at CCJs in 2022. Of those allegations, eight (25.8 percent) were substantiated, eight (25.8 percent) were unsubstantiated, and 15 (48.4 percent) were unfounded. At the time of this report, all investigations into allegations of this category were complete.

A total of 12 allegations of staff-on-inmate sexual harassment were made at CCJs in 2022. A total of four (33.3 percent) were substantiated, none were unsubstantiated, and eight (66.7 percent) were unfounded. All investigations of this category were complete at the time of this report.

Table 12: Sexual Harassment, CCJs, 2021-2022

Sexual Harassment	2021		2022	
	Inmate-on-Inmate	Staff-on-Inmate	Inmate-on-Inmate	Staff-on-Inmate
Total Allegations	22	31	31	12
Substantiated	2	2	8	4
Unsubstantiated	17	13	8	0
Unfounded	3	16	15	8
Investigation Ongoing	0	0	0	0

Actions to Improve Effectiveness

Consistent with the PA DOC’s mission to meet and exceed prevention, detection and response practices for allegations of sexual abuse and sexual harassment, the agency and its facilities have actively considered findings from each of its compliance audits and sexual abuse incident reviews to enhance the effectiveness of its sexual abuse prevention, detection and response policies. One audited community corrections facility in calendar year 2022 underwent a corrective action period to monitor its documentation of contractor PREA training, in part, due to an inconsistent understanding of what constituted a contractor with recurring contact necessitating training. Following this incident, a state-wide training was implemented to define those individuals falling under the definition of a contractor, more aggressive central office oversight was implemented, and a new requirement instituted for annual updates to contractor acknowledgement of reporting obligations were initiated.

Accomplishments and enhancements made by the PA DOC, as an agency, in calendar year 2022 include, to name a few:

- Recertification of compliance through PREA audits at 14 of its facilities.
- Revision of the specialized investigator’s curriculum that ensures greater consistency in the delivery of required content and analysis of credibility assessments, which appears to have influenced the greater proportion of substantiated incidents in calendar year 2022.
- Development of an on-site PREA operations inspection system for contracted facilities, conducted by the agency’s PREA Compliance Division, where more effective technical assistance may be provided to contracted sites and ensures in-depth monitoring by subject matter experts at least twice per year.
- Completion of research for revisions to the agency’s risk assessment required by standard §115.41. Although the goal of validation was not achieved, incremental improvements in

predictivity were achieved and targets for future analysis were identified. Changes are anticipated to be deployed in the summer of 2023.

- Development of updates to the agency's PREA Tracking System to enhance the ability to both analyze, target, and report aggregate allegation trends beyond that which is currently collected for SSV purposes. These deployments are incrementally occurring throughout calendar year 2023.
- Facility specific upgrades and purchases of new CCTV systems continued as funding was available.
- A PREA Compliance Manager training was held in May 2022 to address each PREA standard, its triggering requirements, and agency methods of documentation for audit purposes.
- The agency's PREA policy was updated to account for changes in operational procedures, enhance inmate education, and further clarify investigative responsibilities.
- Facility compliance and technical assistance site reviews continued to ensure sustainability of compliance.
- Continuation of desk audit file reviews for all facilities to spot-check ongoing compliance with key standards at various intervals throughout the year.
- The PREA Coordinator continued to serve on the National PREA Coordinators Working Group, collaborating with other state agencies on compliance challenges, and increased communication with the National PREA Resource Center and PREA Management Office.

Conclusions and Recommendations

This tenth annual PREA report memorializes the PA DOC's efforts to address sexual safety and effectively respond to allegations of sexual abuse and sexual harassment throughout the agency. Each facility within the PA DOC has been formally audited as compliant at least three times, with ten of its facilities having been audited as compliant for a fourth time by the conclusion of calendar year 2022. Audit results during the 2022 calendar year reinforce and reflect that the Department's facilities continued to adhere to the agency's zero tolerance standard, PREA policies, and protocols.

Although allegation statistics trended slightly upward during calendar year 2022, it is likely that these increases can be attributed to the relaxing and eliminating of COVID precautions implemented in 2020 that increased the number and frequency of staff and inmate interactions.

Allegation statistics continue to suggest that inmates are more than adequately aware of reporting mechanisms, feel confident in making reports within PA DOC facilities, and trust that action will be taken in response to those reports.

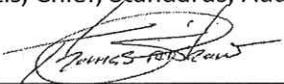
Departing from trends during the previous two years, the number of unfounded allegations decreased, while the number of substantiated allegations increased. It is believed that such findings may be influenced by changes to the specialized investigator's training, a fresh group of investigators trained under the new protocol, and more effective credibility assessments of investigation participants, which in turn, may have encouraged the reporting of additional credible reports. Moreover, there remains an increased number of unresolved allegations at the time this report was generated, which may ultimately increase totals in each dispositional category once investigations are finalized. Regardless, the increase in substantiated outcomes is encouraging, inasmuch as perpetrators are held accountable for their actions and preventative measures are implemented to prevent future abuses.

The data collected in support of this annual report supports that robust reporting culture continues to exist, the inmate population maintains confidence in prevention efforts, and response practices employed

by the PA DOC continue to improve investigative outcomes. Each annual analysis of aggregate allegation data and audit findings continue to provide insights into opportunities for development that are targeted through training, education, and new protocols where applicable. The PA DOC continues to incrementally refine its established procedures based upon observed trends to promote sexual safety and continues to demonstrate itself as an innovative national leader in developing sustainable strategies for both maintaining and enhancing compliance with the PREA standards.

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Allegations of Inmate-on-Inmate Nonconsensual Sexual Acts,
Abusive Sexual Contact, or Sexual Harassment at PA DOC Facilities, 2022

Facility	Total Allegations	Substantiated	Unsubstantiated	Unfounded	Ongoing
SCI Albion	47	5	21	7	14
SCI Benner					
Township	23	10	9	3	1
SCI Cambridge Springs	5	0	3	1	1
SCI Camp Hill	40	2	21	1	16
SCI Chester	12	1	11	0	0
SCI Coal Township	50	1	23	10	16
SCI Cresson	2	0	1	0	1
SCI Dallas	3	0	0	1	2
SCI Fayette	29	0	17	4	8
SCI Forest	27	0	20	4	3
SCI Frackville	19	4	12	1	2
SCI Graterford	5	0	5	0	0
SCI Greene	52	14	25	4	9
SCI Greensburg	1	0	0	0	1
SCI Houtzdale	45	2	37	6	0
SCI Huntingdon	31	8	16	6	1
SCI Laurel Highlands	15	4	8	3	0
SCI Mahanoy	22	2	12	6	2
SCI Mercer	21	4	11	0	6
SCI Muncy	112	8	79	14	11
SCI Phoenix	23	1	9	4	9
SCI Pine Grove	4	0	2	2	0
SCI Pittsburgh	3	0	3	0	0
Quehanna Boot Camp	4	2	2	0	0
SCI Retreat	0	0	0	0	0
SCI Rockview	30	6	12	8	4
SCI Smithfield	24	6	14	4	0
SCI Somerset	37	10	10	7	10
SCI Waymart	17	2	4	11	0
Training Academy	0	0	0	0	0
BCC	7	0	3	1	3
Parole	0	0	0	0	0
Totals	710	92	390	108	120

* Allegations occurred in the past, prior to the facility's closing, but were reported in calendar year 2022

Allegations of Staff-on-Inmate Sexual Misconduct or Sexual Harassment at PA DOC Facilities, 2022

Facility	Total Allegations	Substantiated	Unsubstantiated	Unfounded	Ongoing
SCI Albion	62	2	32	11	17
SCI Benner Township	59	1	42	13	3
SCI Cambridge Springs	7	1	2	4	0
SCI Camp Hill	90	1	43	11	35
SCI Chester	25	6	13	3	3
SCI Coal Township	69	0	18	16	35
SCI Cresson	1	0	1	0	0
SCI Dallas	24	3	1	7	13
SCI Fayette	95	0	60	27	8
SCI Forest	73	0	63	6	4
SCI Frackville	73	0	43	23	7
SCI Graterford	1	0	1	0	0
SCI Greene	127	0	82	26	19
SCI Greensburg	0	0	0	0	0
SCI Houtzdale	158	2	98	58	0
SCI Huntingdon	30	1	12	17	0
SCI Laurel Highlands	8	0	5	1	2
SCI Mahanoy	21	0	14	7	0
SCI Mercer	7	1	3	0	3
SCI Muncy	44	0	11	32	1
SCI Phoenix	65	1	18	9	37
SCI Pine Grove	21	0	6	5	10
SCI Pittsburgh	0	0	0	0	0
Quehanna Boot Camp	3	0	3	0	0
SCI Retreat	0	0	0	0	0
SCI Rockview	58	1	15	41	1
SCI Smithfield	23	1	14	8	0
SCI Somerset	45	3	12	13	17
SCI Waymart	15	0	4	10	1
Training Academy	2	2	0	0	0
BCC	9	0	5	1	3
PBPP	2	0	0	0	2
Totals	1217	26	621	349	221

* Allegations occurred in the past, prior to the facility's closing, but were reported in calendar year 2022