

THE PROGRAM for Offenders
Prison Rape Elimination Act Annual Report for 2019

Introduction

The Prison Rape Elimination Act (PREA) was passed by Congress in 2003 to establish national standards for the detection, prevention and reduction of sexual assault in confinement settings. It establishes a zero-tolerance culture for institutional sexual assault and makes prevention a priority in the US prison and jail system.

To comply with PREA standards, THE PROGRAM for Offenders provides a safe, secure and humane environment for offenders, which includes the right to be free from all forms of sexual abuse, sexual harassment and sexual misconduct. The facility has a zero-tolerance policy for offender-on-offender sexual assault, staff sexual misconduct and sexual harassment. All allegations of sexual abuse will be investigated. Investigations which reveal criminal conduct will be referred to law enforcement for further investigation and prosecution. The agency also recognizes the right of staff and offenders to be free from retaliation for reporting sexual misconduct.

Purpose

The Prison Rape Elimination Act requires that each agency collect data for every allegation of sexual abuse and aggregate the data at least annually. This report is a summary of THE PROGRAM's activities regarding PREA compliance in 2019. This document serves as an annual review to assess the effectiveness of sexual abuse prevention/detection procedures and to initiate process improvement where needed.

PREA Activities in 2019

- Staff training on PREA requirements continued. PREA training was provided to all newly hired employees so that they would be aware of PREA requirements before they were assigned to a duty post. Training also continued with existing employees as required by policy.
- Institutional response plans were reviewed. The response plans meet the requirements of the PREA federal rule. No changes were made to the response plans.
- Intake specialists continue to provide a PREA orientation to all new residents. All residents receive a PREA orientation within five days of reception.

- Intake specialists continue to assess all new residents using PREA assessment tools to determine potential predatory behavior and potential victimization. All residents are assessed for predatory behavior/victimization within five days of reception and again after 20 days. They are also reassessed any time a resident is out of the facility overnight (for example, out to court) and returns.
- THE PROGRAM for Offenders website was updated to include additional PREA information. A copy of the 2018 agency PREA annual report was uploaded to the site. A copy of the final audit report was also uploaded.
- Representatives from the Hugh Lane Wellness Foundation provided several sessions of training to staff regarding LGBTI issues.
- Questions regarding previous PREA violations (as required by the federal rule) were added to the agency’s employment application.
- Data collection continued. Audit files were updated with 2019 data as necessary. Monthly data reports regarding PREA activities in ACTA and the West Homestead facility were recorded.

2019 PREA Data

Resident on Resident Allegations			
	Substantiated	Unsubstantiated	Unfounded
Sexual Contact	0	0	0
Nonconsensual Sex Acts	0	0	0
Sexual Harassment	0	0	0
Staff Sexual Misconduct			
	Substantiated	Unsubstantiated	Unfounded
Sexual Contact	0	0	0
Nonconsensual Sex Acts	0	0	0
Sexual Harassment	0	0	1

The sexual harassment incident involved a resident who was returned to the Allegheny County jail who then alleged that a TPFO staff member made negative statements about his wife as well as other statements which he interpreted as her wanting to initiate a potential relationship. The allegation was determined to be unfounded.

Comparative Analysis 2018-2019

THE PROGRAM had no substantiated, unsubstantiated or unfounded incidents of PREA violations during 2018. In 2019, the agency had one unfounded incident of sexual harassment. Given the degree of understanding that residents have of their rights regarding PREA and their knowledge of how to report PREA violations, the single unfounded PREA violation is not viewed as a statistical indicator of increased resident on resident sexual activity or of increased staff sexual misconduct.

PREA Deficit Analysis/2020 Goals

THE PROGRAM has established the following goals regarding PREA for 2020:

- Provide PREA training to all employees during 2020.
- Continue to provide internal training as well as seek external sources for training regarding transgender and LGBTI issues.
- Ensure that employees meet 100% of PREA training requirements for 2020.
- Ensure that all residents receive PREA orientation within the prescribed time frames.
- Ensure that all residents are screened for potential predatory behavior and victimization within the prescribed time frames.
- Have additional individuals trained as certified PREA investigators.
- Continue to collect data/documentation to update PREA standard files in preparation for the next PREA audit.

- Periodically review PREA audit files to ensure continued compliance with PREA standards.

Conclusions

Even though THE PROGRAM had one unfounded complaint regarding sexual harassment, there is no indication of increased predatory sexual behavior or staff sexual misconduct at THE PROGRAM for Offenders. Both staff and residents continue to be trained regarding the requirements of the PREA policy, how to report PREA violations and how to respond to PREA violations.

THE PROGRAM continued to look at transgender housing issues progressively and proactively by expanding training on LGBTI issues.

Through continued staff/resident education and the advancement of a zero-tolerance culture, it is hoped that THE PROGRAM for Offenders will improve its ability to prevent, detect and respond to sexual abuse in its facilities.

Approved by:  Executive Director