

BCJS Annual PREA Report: January 1, 2022 – December 31, 2022

Sexual abuse and sexual harassment of inmates by other inmates or by staff negatively impacts the mission of the Berks County Jail System (BCJS) to maintain a secure institutional environment that serves to provide protection and safety for the legally incarcerated of Berks County. In accordance with the Prison Rape Elimination Act (PREA), the BCJS has established a zero-tolerance policy for substantiated acts or threats of sexual abuse, sexual harassment, or retaliation for the reporting of sexual abuse or harassment.

By providing training, education, and reviewing our policy and procedures on a yearly basis we are confident that we are providing the inmates, staff, contractors, and volunteers everything we can, so they are confident and comfortable with the PREA mandates. We are also confident that all our staff, contractors, and volunteers have a thorough knowledge and understanding of the PREA mandates and the BCJS policies and procedures to effectively provide sexual abuse and harassment prevention, detection, and response to those allegations.

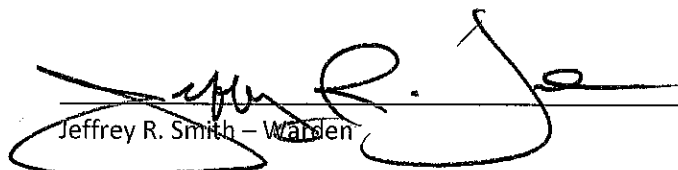
The Berks County Jail System had its PREA Audit on April 6, 2022, through April 8, 2022. The final audit report noted 100% compliance with the PREA standards. Currently, major changes are not necessary to the BCJS policies regarding sexual abuse and sexual harassment.

Based upon a comparative analysis of PREA incidents in the year 2021, the number of overall reported incidents dipped slightly. In the year 2021, there were a total of eight PREA-related incidents, all of which were unfounded. In the year 2022, there were a total of six PREA-related incidents: two were substantiated, one was unsubstantiated, and three were unfounded. The relatively low number of PREA-related allegations in both 2021 and 2022 can be attributed to several factors related to COVID-19: our average daily population has remained lower compared to previous years, and operations have changed to limit inmate contact. In addition, 2020 saw the introduction of electronic tablets to inmates which have allowed for more prosocial resources.

Most reported incidents in 2022 allegedly took place outside of cells in highly visible areas covered by our video monitoring system. Custody and supervisory staff responded to and intervened in each incident in accordance with policy. All incidents were reported to the PREA Coordinator in accordance with established procedure. The only two allegations of sexual abuse were both determined to be unfounded, resulting in no need for additional medical, mental health or treatment services. Two inmates were cited for False Reporting when it was established their allegations were both knowingly false and done with malicious intent.

The Inmate Classification Committee, or ICC (which consists of treatment supervisor, a representative from the medical/mental health department, and a PREA Investigator), was not instructed to conduct reviews of each alleged victim of or witness to reported sexual abuse because each incident was considered unfounded. Throughout the year, the ICC did conduct monthly interviews with all inmates who identified themselves as transgender.

There are no recommendations for changes to the BCJS PREA policy, training, or protocols entering the year 2023. The Berks County Jail System is scheduled to have its next PREA Audit on March 25-27, 2025, and remains committed to a zero-tolerance policy as described above.


Jeffrey R. Smith – Warden

13 APR 2023
Date