

BCJS Annual PREA Report: January 1, 2021 – December 31, 2021

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 of our staff, contractors, and volunteers have a thorough knowledge and understanding of the PREA mandates and the BCJS policies and procedures in order to effectively provide sexual abuse and harassment prevention, detection, and response to those allegations.

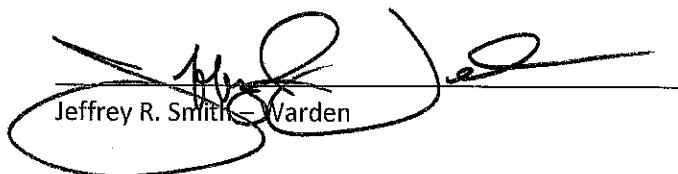
The Berks County Jail System had its first PREA Audit on June 27 and June 28, 2016. The final audit report noted 100% compliance with the PREA standards. The Jail had its second audit on March 13 and March 14, 2017. The final report for this audit also noted 100% compliance. At this time, major changes are not necessary to the current BCJS policies with regard to sexual abuse and sexual harassment. There are some references to the former Community Re-Entry Center that need to be removed.

Based upon a comparative analysis of PREA incidents in the year 2020, the number of overall reported incidents increased slightly. In the year 2020, there were a total of 3 PREA-related incidents, all of which were unfounded. In the year 2021, there were a total of 8 PREA-related incidents, all of which were unfounded. The relatively low number of PREA-related allegations in both 2020 and 2021 can be attributed to several factors related to COVID-19: our average daily population has decreased significantly from 2019, and operations have changed to limit inmate contact. In addition, 2020 saw the introduction of electronic tablets which have allowed for more prosocial resources.

Most reported incidents in 2021 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. Since all the allegations were unfounded, there was no need for additional medical, mental health or treatment services. One inmate was sent to a hospital for forensic examination, but no exam was performed at the discretion of the Sexual Abuse Nurse Examiner. Three 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 2022. The Berks County Jail System is scheduled to have its next PREA Audit on April 6-8, 2022 and remains committed to a zero-tolerance policy as described above. The audit was originally planned for 2020 but was rescheduled due to COVID-19.


Jeffrey R. Smith, Warden

06 Apr 2022
Date