

The monthly meeting of the Allegheny County Jail Oversight Board was held on Thursday May 3, 2018 in Conference Room #1 of the Allegheny County Courthouse in Pittsburgh, Pennsylvania at 4:00 PM.

### **Members Present**

Honorable Judge David Cashman  
Ken Varhola representing County Council President John DeFazio  
County Controller Chelsa Wagner  
Barbara Pareas representing County Executive Rich Fitzgerald  
Kevin Kraus representing County Sheriff William Mullen  
Terri Klein  
Abass Kamara

Others in attendance:  
Warden Orlando Harper  
Marion Damick of the Pennsylvania Prison Society

### **1. Public Comment**

Ms. Damick: Judge you mentioned last meeting that there are multiple entities that put people in the County Jail. What other entities beside the State and the Fed use the County Jail?

Judge Cashman: What you have is inmates who will subpoena state inmates and we will need to bring people in. We also have naturalization and immigration that hold people until their status is cleared and we also have people from other counties being held in our jail.

Ms. Damick: I was just at the Westmorland County Jail and one of the things they have is a full body scanner. I understand that our warden is interested in that. They found extremely helpful in cutting down on drugs entering the institution. I do hope that something is being done with over time at the jail. I also noticed that looking at the census of security classification 39% are minimum and 40% and medium; that gets you to approximately 80% of the inmates that are not maximum security. Unfortunately there seems to be 16 juveniles in the jail. Moving on to services offered, there are a great number of services but only 1% of the services are employment and training services. I noticed that unfortunately Renewal has a large number sent back to jail at 13.

Ms. Damick presented the following news articles:

- Wall Street Journal Over Time Pay Becomes Costly 4/14
- Post-Gazette We Can Treat Chronic Pain Without Opioids 4/28
- Post-Gazette Ex Wife of Ex Penguin Found Dead at County Jail 4/29

Judge Cashman: there are 16 juveniles in the jail; they are all male, there hasn't been a female in over a year and half. All of these juveniles have been charged with very violent crimes; they have all either had or are awaiting their Act 33 hearing. They are in a separate pod and we have seven spaces set aside for juvenile females in the infirmary, which actually came into use because of a trans gender individual who was being assaulted on the male pod and was switched to the female pod but has not completed the gender reassignment surgeries so was then placed in one of those seven reserved space. In respect to Ms. Taglianetti, it is a shame that she couldn't make the 10% bond payment of \$500 but she couldn't

even get the money from her own children. She had stolen money from them and had significant alcohol and drug issues. She was in the jail for 12 days, so this was not an instance that no one was paying attention, the family has been through it on both sides of this and the family has been going through this for 10 years since their divorce. It is one of those situations that no one was going to prevent it.

Susan Winstow (Inmate Family Member): I have a niece at the Allegheny County Jail who is struggling with heroin addiction. I wanted to comment that I was really surprised that the drug court does not allow medically assisted treatment. So if she stays in drug court she won't be allowed the medicine that is the gold standard and proven to be the best, and she is also not allowed this treatment, it is only offered to pregnant inmates. I guess my comment would be, she can get other medicine but I was hoping this medically assisted treatment would be offered to the inmates struggling with those addictions.

Judge Cashman: Well we have started a Vivitrol program in the jail.

Ms. Winstow: My niece does not like Vivitrol; that last week of the four week shot a lot of addicts will use a lot more knowing it will take more to get them high. She wants to be on Suboxone.

Judge Cashman: We doing this as a pilot project to see if it can be incorporated into drug court. Right now we have 18 active clients; 12 males and 6 females. We are monitoring it, it is a very new project and hopefully we can expand it to more people.

Doug Shugrue (Criminal Defense Lawyer): I have four main concerns, the first being inquiring about the change to 11 am count and the associated attorney visits. For years it was no admission to the jail, and then that changed to allow some visitation. It appears that when the jail went for the accreditation that all of that changed. So one I would ask the board why and can we change it back to the way it was. The simple reason is that lawyers that are not based in downtown may come in to the morning session of criminal court, handle their business and then on the way out of town, stop at the jail to visit their clients being around that 10:30 – 11:30 time period. There has been several lawyers check in with me being turned away at the jail, part of that is the lawyer didn't want to hang around until count ended. The old way was that we could arrive at any time and inmates could meet with their lawyers, the 3:30 count always stayed the same; no movement no lawyers and we were fine with that. I appreciate the board reconsidering why that change was made. I do know that is a lawyer is in having a visit that no one will be asked to leave so I do appreciate that.

The second this associated with those visits are the inmates being stripped searched afterwards. Has a little bit of a chilling effect to inmates even coming out the visit with their lawyer. Some may have some very substantive work to do and it might be worth it to the inmate, but some may just stop to say their hearing is going to be continued and then they have to go through a strip search. I do understand that lawyers have been known to bring stuff in from time to time and we have to be concerned about lawyers hand stuff to inmates. The intrusion of a strip search is perhaps too much.

Third issue is confidentiality of attorney client privilege in those meeting rooms. Since the jail was build we have been meeting in a joint room, which has been fine for the 19 years I have been a lawyer. The problem recently has been there have been more probation officers and parole agents in those same visiting rooms that do not have the same confidentiality that all of the criminal defense lawyers have. When I am in that room with five other lawyers, sure it is loud but I know they will not go and talk about what has been said. That has already been done, parole officers and probation officers have reported to county judges that this lawyer said this or this defendant said that. Now I have only heard this in one

instance but one is already too many. In my humble opinion, the jail should have a separate space for probation officers and parole officers to meet.

Last thing would be calendars. Some of us have gone more paperless than others but it would be nice if we could have a procedure to bring simple electronic devices into the jail. I know that while handling cases we can get permission to bring in electronics, but I kind of mean on an easier basis. I think there could be some balance for attorneys to use electronic calendars while in visits.

Warden Harper: First of all, I wish that you could have made arrangements to meet with us so that we could discuss these issues before the Jail Oversight Board Meeting. In the future I would just like the opportunity to address these issues before it is brought to the board. I have noted all of your issues; confidentiality in the attorneys room, separate places for the lawyers to visit, bringing in electronic devices and being able to visit during the count. If you can give my team members a card we can definitely get back with you, we will address these issues immediately.

## **2. Review of the Minutes for April 5, 2018**

The Board unanimously approved a motion by Terri Klein, duly seconded by Barbara Parees, to approve the minutes of the April 5, 2018 Board meeting.

## **3. President's Report**

Judge Cashman: I had my thunder stolen as to the Vivitrol project that would have been part of my report. It's a project that we think is important and will benefit a lot of inmates. As we get more information from the initial 18 we will be going out to get more funding for the initial treatments, I will keep everyone posted as we continue on.

Terri Klein: Can I ask clarification, are you talking about the initial treatment of Vivitrol instead of Suboxone? I thought the drug company was paying for that initial treatment.

Judge Cashman: Yes, they pay for the initial but we are hoping to set up funding for the treatments made outside of the jail. My report of the population; of the jail we have 2368 people, currently detained are 1,000 of those people. Judge Williams has the most people detained and myself with the second most people. Judge Williams has a no tolerance policy regarding failing a drug test; but he doesn't have enough cases to warrant setting aside a whole day of each month, so they build up his cases. We are going to try and work on Judge Williams and getting that number down. As a general rule, we are doing a good job of maintaining the population at the jail.

## **4. Warden's Report**

Warden Harper: I would like to remind the board we have correction officers' week next week 5/7-5/11 and a memorial service 5/9 at 10 am. We also have nurses' week from 5/7-5/11. County Council is going to give a proclamation to the nurses and corrections officers on 5/8 at 5 pm. And we had a graduation of 21 officers on April 27<sup>th</sup>, so we have 21 more officers on board.

## **5. Deputy Warden's Report**

In front of you, you have a four page handout with an over view of the discharge and release center we have. It was opened in 2010 and serves as our central release point, and as you all know they offer services to inmates being released. They offer public and human resource services and bus ticket and the opportunity to have Narcan.

We are requesting a 2% increase, which is \$3,370 over the last year from the inmate general fund for staffing that facility.

The Board unanimously approved a motion by Abass Kamara, duly seconded by Kevin Kraus, to approve the request.

**6. Old Business**

Nothing to report.

**7. New Business**

Chelsa Wagner: I would like to get an update for the board beyond the initial email we received; I believe that was on Saturday.

Warden Harper: An update pertaining to this case? We have a police investigation going on Ms. Wagner that is something I cannot get into right now.

Chelsa Wagner: I ask that we hold an executive session, I understand that when there is an investigation it can be discussed publicly but it is something we can discuss in executive session.

Judge Cashman: Sure, we can do that.

Terri Klein: I am still trying to get my head around the people being held at the jail on a detainer at the jail because there aren't enough of them to warrant a court date with Judge Williams, but yet we are holding them at, the last figure I had was \$77 per day, it is probably more than that now. It seems penny wise and pound foolish to keep costing money to hold these people.

Judge Cashman: I do not run Judge Williams calendar; I can talk to him, and I have but he thinks its fit. They aren't going to bring two people up for one hearing. When I had violation hearings I generally take up my entire first Monday of every month. He's not in my division anymore; I can't dictate to him what to do. All I can say is Joe, you have the second highest number of people detained, he can say fine or he can say mind your own business.

Terri Klein: Okay, thanks for the clarification.

**8. Allegheny County Jail Medical Services**

**a. Allegheny County Health Network**

Nothing new to report other than, at the jail we work to fulfill the national commission of correctional standards of health care. We are updating from 2014 to 2018 standards. Laura Williams attended the conference and will be working to meet those revised standards.

Terri Klein: Will it be including medically assisted treatment.

There is a lot more pertaining to substance abuse and that will be something the health team will be looking at.

**9. Community Corrections Reports**

**a. The Program for Offenders**

Mike Gilmore: Report that we partnered with Catholic Charities to bring additional programs to our male and female units. Representatives have initiated a creative arts therapy group, we do not have a lot more information but we have received positive feedback about it.

**b. The Renewal Center**

Frank Declare: Happy to announce last Sunday we kicked off our side walk power washing project in conjunction with the Pittsburgh Downtown Partnership. We currently have two re-entrants working on that 5 days a week along with two supervisory staff members that alternate weeks. We also started a flower program with that where we will be watering 150 of Western PA Conservancy's flower pots downtown. Today we hosted a tour by the senior justice advisor of Tunisia and the Senior Corrections Advisor of the US Embassy in Tunisia. They toured our 2<sup>nd</sup> avenue location.

**c. Electronic Monitoring**

Steve\*\*: During the reporting period we had 721 people on the bracelet. During that time we had 112 come off successfully and 13 that were removed for various violations.

**d. Goodwill**

May 24<sup>th</sup> and 25<sup>th</sup> will have a PREA Audit (Prison Rape Elimination Act)

**10. Adjournment**

The Board unanimously approved a motion by Abass Kamara, duly seconded by Kevin Kraus to adjourn.

Respectfully Submitted,



Chelsa Wagner

Secretary