

The monthly meeting of the Allegheny County Jail Oversight Board was held on Thursday March 7, 2019 in Conference Room #1 of the Allegheny County Courthouse in Pittsburgh, Pennsylvania at 4:00 PM.

Members Present

Honorable Judge David Cashman

Sheriff Mullen

Brad Korniski representing County Controller Chelsa Wagner

Barbara Parees representing County Executive Rich Fitzgerald

Councilman DeFazio

Terri Klein

Abass Kamara

Others in attendance:

Warden Orlando Harper

Marion Damick of the Pennsylvania Prison Society

1. Public Comment

Speaker 1 - Ms. Damick: It does seem that we can't get it out of the news. Now the latest thing of course is hot water and that isn't your fault for sure. I'm thinking it might be done you know the French because they did the elevators and the elevators are continually breaking down. However, you've got five floors, one of which means the kitchen. The kitchen worries me, it's got a dishwasher and dishwashers definitely can't work without hot water. And I'm concerned that you've got staff who eat in the in the jail and I'm concerned, you know, they've got dishes and if they're not washed, things are bad. That's unfortunate. Very unfortunate. I just don't see how that helping the people. Well they're getting hot showers, I imagine in other floors. It is hard to tell from the news how many people are under lockdown, but I'm really sorry that that's happened.

Articles from Ms. Damick:

- PG 3/7 Some Floors at Jail Have no Hot Water
- 2/28 No Urgency Here: Prison Board Needs to Ramp up Suicide Prevention
- PG 3/3 State Superior Court Urges Supreme Court to Review Issues of Brain Maturity in Convicts
- NY Times 2/28 Divided Supreme Court Rules for Death Row Inmate with Dementia

I did notice no suicides, which is excellent. However, he did have one attempt, which I'm sorry to hear. I'm glad it was an attempt, but it is a problem. In fact, the whole thing is a problem, which is what we're, we're looking at it.

There're some more things, but one that I came to me somewhat as a surprise, which is strange because I'm an ACLU person, the eighth amendment, the only people in the United States in America who have guaranteed health care are the inmates. It's under the eighth amendment. There's also a case on it in 1976. I'm presuming, hopefully, that that's what we're doing. But keep in mind they have a constitutional right to health care.

Speaker 2 - Bethany Hallam: Well, thank you for having me here tonight. My name is Bethany. I am a candidate for Allegheny county council at large. I felt it was important to come here and address all of you today because this is not just an issue of there being no hot water in our county jail. I personally spent months in our county jail a few years back and I took dozens of freezing cold showers as did everyone else who was housed in the county jail and we never went on a lockdown because of that. I want to know why are we on a lockdown for something that has been going on for so many years and

nobody's ever talked about? Why are we taking away services from inmates because of facilities issue, something that was of no fault to them whatsoever. Children are not able to visit their parents.

Educational services, the access to which is being taken away from inmate's, mental health treatment and other programs that are being provided that are restricted when the facility is on a lockdown. Why are we punishing inmates for something that they had nothing to do with? There are many people right now sitting in our county jail who have never even been convicted of a crime who were sitting there simply because they did not have the money to be able to post bail sitting in there awaiting trial for something they have never even been convicted of a crime. Not to mention all the nonviolent offenders, people addicted to drugs and other petty crimes that they've committed that landed them in our county jail and now they're being treated inhumanely as if being incarcerated is not punishment enough. When are going to get answers as to why the inmates are going to suffer for problems that are resulting from the facilities lack of maintenance. When are we going to give a voice to the people who were sitting in our county jail who for so long already have felt like they have not had a voice. And now we're exacerbating the issue by taking away their access to the outside world, what little they may have left. I'm hoping that you all are going to be able to provide these answers to myself into so many other people that have been looking for these answers and who have not had the opportunities to speak out for themselves. So, thank you all so much.

Speaker 3 – Ciora Thomas: Hello, my name is Ciora Thomas. I was here on October 26 to be exact. I'm the president and executive director of Sisters Pgh and the Commissioner of Pennsylvania Governors commission on LGBTQIA+ Affairs. And when I was here before we had discussed a few things and I want to talk about the water and the heat issue, but I want to jump into our previous actions in and things that have happened since then. On October 26 when we came to your meeting we hit several questions for your warden and these questions went unanswered, one of those being the safety of transgender inmates within the jail; transgender inmates continued to come out of the jail reporting sexual assault, continue reporting things about being raped by inmates and guards. And we brought this to this table. And Sir, you walked out as we were having this conversation,

Judge Cashman: We weren't having a conversation, you were lecturing people and you refuse to identify yourself and the other people who were talking also refuse to identify.

Ms. Thomas: Okay. But when I started my conversation off when I was here on October 26, I started with introducing who I am and why I'm here. So being so that you didn't know that that's not my fault. That's something you need to do; as far as getting in the community and handling and dealing with grassroots workers like myself. Moving forward. We talked about how transgender inmates are treated within the prison and not only did you walk out the room, but several other people walked out the room when we talked about this, we talked about the policy that myself and other groups, organizations, nonprofits in Pittsburgh sat down with the warden and his team to train him on how to treat a transgender and gender nonconforming inmates.

That went unsuccessful. The warden did not know anything about the policy when we came here and hit no specifics. When we left, we had planned to action at ACG. I don't know if he's holding on the news, but we had a protest outside of ACJ. Before this the warden with reaching out through the community, asking people for this training again that we gave him in 2016. During this time of him reaching out there no one was willing to support him because we already know that the warden and likes to just talk. And doesn't like to implement anything within the jail. So we did our action, that day myself, some of my staff and our volunteers were arrested, because we were out there to protect those who are raped and

sexually assaulted and hurt inside the jail.

Now, after that day, again, I just want to make sure I introduce myself. I'm a commissioner of the state. The warden was introduced to two other commissioners that are not from Pittsburgh. These two commissioners, they met in confidence without my presence and since then that has been taking care of those commissioners were out of line. I was not involved in that conversation and this is the conversation that commissioners in Pittsburgh specifically are going to be taking care of and handling. Now, I talked about the abuse that is happening within the jail and we had a few demands during this time. I just want to go over these demands and to see if any of these things have been met. The first one was the adoption and enforcement of comprehensive policy regarding, the interaction and support of transgender or nonbinary individuals in county custody, which will include access and required training for all Allegheny county jail employees who manage and interact with individuals in the jail. Has that happened?

Warden Harper: Ms. Thomas, we've tried to contact you on several different occasions.

Ms. Thomas: I just asked if that happened. It's like yes or no question.

Warden Harper: Ms. Thomas, we tried to reach out to you and asked you...

Ms. Thomas: It's a yes or no question. Number two was to allow my organization and other grassroots organizations within the community to be direct contacts for transgender or nonbinary people housed within Allegheny county jail in order to help ensure their safety through advocacy and support. That also has not happened. Number three, bring the Allegheny county jail in compliance with PREA regulations as set forth in 2012 in the effort to prevent sexual assault and harassment against transgender and non-binary individuals has happen because that's federal. Has that happened? No, I'm assuming not. Number four create a special housing unit, specifically affirming transgender and gender non or non binary individuals. That definitely has not happened because I have girls who are down at the county jail right now and men pods. Um, and what's even more interesting.

Unable to hear on recording

Demand 5 safety of transgender and non-binary individuals within solitary confinement

Demand 6

Demand 7 an independent investigation into transgender policy at the jail.

Ms. Thomas: We will be at monthly meetings regularly after today. I would like to share a testimony from an inmate at the Allegheny County Jail.

will be requesting transcript that was read from Ms. Thomas

Our Demands are not unreasonable, we have been having these conversations for some time now. We would like to provide the public with transparency from the jail.

Speaker 4 – John Kenstowicz: John from the PA Prison Society. I would like to ask about the unannounced inspection of the jail. There are to be 2 per year but last year there was only 1.

Judge Cashman: We are trying to change that for this year, it can be difficult with everyone's schedules.

Speaker 5 – Jordan Malloy: I am here with the PA Student Power Center and Thomas Merton Center. *Unable to hear on recording* Directed questions on heat and hot water in the jail to Warden Harper with no response from Warden Harper.

2. Review of the Minutes for February 7, 2019

The Board unanimously approved a motion by Councilman DeFazio, duly seconded by Sheriff Mullen to approve the minutes of the February 7, 2019 Board meeting.

3. President's Report

No president's report for March.

4. Warden's Report

To address the public comments. Our process regarding transgender inmates is a committee decides housing in line with PREA guidelines. We have a hotline to PAAR available to all inmates to report harassment. We will be going for our PREA accreditation. Segregation is used only in the case where an inmate is a threat to others (the term solitary is no longer used.) The issue of hot water is being handled. We have a team to move 21 pods of inmates from the ground level to levels 6, 7, and 8. These levels have hot water. The modified lockdown was to keep separated inmates separate during this transport to new levels. Saturday repairs to the water should be made, it should take about 12 hours. The jail has heat; we never lost it and the kitchen and laundry have hot water.

Mr. Korinski: Has the RFP been sent out for the Jail Suicide Prevention study?

Warden: The scope will be done mid-March then hopefully posted for 3 months not 6. There will then be a panel to discuss and pick best proposal.

Ms. Klein: Are the inmates able to meet with attorneys?

Warden: Yes, attorney visits, visits to the library etc. are all still available under the modified lockdown.

Councilman DeFazio: Are the inmates all able to take showers?

Warden: Hopefully we will have all inmates showered by Friday morning and then start the process over.

5. Deputy Warden's Report

We provided a memo requesting \$10,000 from the inmate welfare fund to provide catering services to inmates housed in our jail participating in Re-Entry and Drug & Alcohol programs. Serves approximately 600 inmates and it is an incentive for inmates to complete the programs.

The Board unanimously approved a motion by Mr. Kamara, duly seconded by Councilman DeFazio to approve \$10,000 request for funds from the inmate welfare fund for catering.

6. Old Business

Nothing to report.

7. New Business

Ms. Klein: I am working with Shelly from Renewal to schedule a visit on March 22nd. Everyone is welcome to join, and I will send out final information.

8. Allegheny County Jail Medical Services

a. Allegheny County Health Network

Laura Williams: One of the updates I would like to share is we have onboarded an infectious disease coordinator, this is very important to us as this helps with continuity of care for this like Hepatitis C and other communicable disease that some of our patients face in our facility. We are also looking at our numbers of pregnant females and the number this month is 24, which I know is a very high number, but the report of today is 11. So again that 24 number is just the range of individuals that we had come in through that time period.

9. Community Corrections Reports

a. The Program for Offenders

Mike Gilmore – Happy to report that four of our monitors completed course work and passed the test to become recovery specialists. We are looking to put more of our people through that program so our staff can provide the best service to the residents.

b. The Renewal Center

Frank DeClair – Next Tuesday we will be providing mental health training for all of our staff which is a training that we provide on a quarterly basis. We are happy to report that we purchased a new building 329 Blvd of the Allies where our corporate office will be moving.

c. Electronic Monitoring

Steve Esswin – Our numbers are back up over 700 on the bracelet, our retainer number has dropped since last month. About 12 people are back at the ACJ due to various violations last month.

d. Goodwill

This week ten of our residents have signed up with Mercy Behavioral Health to take parenting classes. There will be three sessions and the last class will have their families and children all together for a reception.

10. Adjournment

The Board unanimously approved a motion by Councilman DeFazio, duly seconded by Sheriff Mullen to adjourn at 4:46 pm.

Respectfully Submitted,



Chelsa Wagner, Secretary