

The monthly meeting of the Allegheny County Jail Oversight Board was held on Thursday, January 2, 2020 held in Room 327 of the Allegheny County Courthouse in Pittsburgh, Pennsylvania at 4:04 P.M.

**Members Present**

Honorable Judge Clark, President Judge  
Honorable Judge Lazzara  
Sheriff William Mullen  
Amy Weise representing County Controller Chelsa Wagner  
Barbara Pareas representing County Executive Rich Fitzgerald  
Terri Klein  
Abass Kamara

Others in Attendance:

Warden Harper  
Deputy Warden Williams

**Meeting guidelines –**

1. Everyone in this room will be treated with dignity and respect. No exception
2. Everyone will have the opportunity to be heard, within reason. Depending on the number of public comments that sign up to speak there may be a time limit imposed.
3. Profanity and yelling will not be tolerated. Anyone using profanity or anyone who is yelling will be removed from this meeting.

**Announcements – None**

**1. Old Business**

- A. **Inmate Suicide Attempts:** 2016 – 14; 2017 – 17; 2018 -15; and 2019 – 17
- B. **Inmates placed in Suicide Gowns:** 2017 – 722; 2018 – 844; and 2019 – 749  
**Judge Clark:** While we continue to address the issue of suicide attempts, I would like to thank the Warden for addressing the issues and taking them (suicide and suicide attempts) seriously.
- C. **Death at ACJ on December 30, 2019** – Warden Harper confirmed there was a death at the jail which appears to be of natural causes and was unable to comment further due to the death is under investigation and will provide a final conclusion at a later date.

**2. Public Comment**

**A. Mrs. Damick**

I do want to wish you all a healthy New Year and a prosperous one. I’m talking about how important visits are to the inmates. How to keep them connected to the family. So that when you get out, you’re still connected to the family. Speaking of family. Families have to pay – particularly, obviously, families of those who don’t have funds of their own, if they had funds of their own they’d be out on bail, which is another whole issue which might come up - however, for those who can’t, who are in because they can’t pay bail, the bail that has been assigned to them, they’re often... what happens is that they, 1) their families have to pay for commissary. Families that already don’t have their, they generally don’t have their father or their mother, they don’t have family together, and they’re running around or whatever trying to get money. They had to pay for the commissary, for anyone, any inmate

who wants to eat. I would say if you're looking to spend money from the commissary fund. Spend in on the kitchen. Get the food better, get the food tasty. I know how much bread, vegetables, and soup costs, but they're important. And when they're not getting them, what do they do? They go to the commissary. *If* the family has paid money to get funds in the commissary. Eating commissary food is not healthy. You don't want sick people, you don't want to let out sick people. You want to keep them basically healthy, so that they can get out and get a job.

Also, families have to pay a lot of money toward their phone calls. For me, it wouldn't be a lot of money. For most of the families, it is a lot of money. They have to pay every month to be in touch, and to keep in touch. It's costing the family! And the family hasn't done anything wrong. The *family's* not guilty. Something ruined [unrecognizable] somewhere. Maybe apathy, maybe the county council upstairs - what to do about this relationship where you're depending on poor families to keep poor inmates in jail who don't have money to get out of jail. It's a round circle, it's not, can't be solved, but should be done to do that.

Unfortunately, we still have suicide attempts. The whole purpose of getting someone an organization or someone to look at the suicide is to revise, which I gather is going to be done by the money from the commissary fund, funding this group of people who have joined discharge. You have too many people in jail who are mentally ill, and it's extremely difficult to manage that, and I honor the COs for being able to manage that without some action, they've been very good. Unless they're overworked, that's unless they have to do overtime. Then I don't expect anyone to be very good. You're too tired and too worried and whatever. But the COs I'm commenting on, the ones I've met, the ones who've helped me, obviously they're helping me out. But they're all good, the ones I've got, or have seen. That doesn't mean you take advantage of them. That doesn't mean that they don't have a lot of work to do. That does mean that you have to look at what is basic, to keep together with their families. I do have one person, a member of the family, who hasn't been in jail before. And she wrote and asked, do I know any group of families who have inmates in jail. At the moment, I don't know any group of that, and I had to pass that on to her. But she wants to talk to others. Families, people do want to talk, get together, to find out what you're doing and to help you. Families outside want the help. They want their member out, they want productive work, they want healthy people. And that's why I'm urging you, look at your kitchen.

## **B. Gabrielle Monroe**

Good evening everyone, happy new year, and thank you for giving me an opportunity to speak. My name is Gabrielle Monroe, she/her. I am with an organization called Community Gone Rogue [?], which is a grassroots organization dedicated to ending sexual abuse and rape in the sex worker community in Allegheny County. In 2020, I would like to set a meeting to discuss how we can end sexual assault and rape among inmates as well as jail employees and police who are bringing inmates who are sexually assaulted and/or raped into ACJ. Can we do that in 2020?

**Judge Clark**

Well it's something we can certainly look at and see.

**C. Monica Ruiz**

Hello, my name is Monica Ruiz, and I'm the Executive Director of Casa San Jose, we're a small non-profit organization located in the South Hills, and we work primarily with immigrants and refugees that are coming from Mexico, Central, and South America. I'm here today because I'd like to see if you can provide the public with a list of which authorities who are physically permitted in the discharge area. I'd also like to make a comment about something that we're seeing. About 10 years ago, thousands of pages of the ACA documents and video were made in Spanish. Judge Mary Jo McDaniel, the Hispanic Committee of Allegheny County Bar Association, Clerk of Courts, and other folks were all involved in this project. From speaking with multiple Spanish-speaking community members who have been in the ACJ, we know that those Spanish resources are not being used. As a result, basic services like orientation on their rights within the jail, medical attention, pre-release services, phone calls, and counseling, are not being provided. And we have been in contact with Chief Deputy Warden Williams, but we would like this to go on public record. And then the third thing is that Pittsburgh has a wonderful program called Book'Em, it sends inmates books that they request, and we understand that the security contraband challenges associated with this, that there are some with this, but is there any way that perhaps the inmate welfare fund could be used in order to make this program possible?

**Judge Clark**

Thank you. Warden, there was a question about who was permitted in the discharge area of the jail. Are there restrictions on who's in the discharge area of the jail, and could that information be provided to Miss Ruiz?

**Warden Harper**

I want to make sure I understand by what you mean by discharge area. Are you talking about our intake area, in which law enforcement officers bring inmates into our facility?

**Monica Ruiz**

No. I'm asking about once someone's been discharged, once they've been released, in that area there.

**Warden Harper**

We can provide you with a list of individuals that are authorized in the discharge area. We can provide that.

**Judge Clark**

I remember some years ago when the Bar Association and Judge McDaniel and others started working on the documents and forms in the jail to make sure that there are Spanish documents. Your specific issue is that they are not being utilized? Or is there also an issue that there needs to be more documents in terms of things for orientation and things where documents may not exist? Or both?

**Monica Ruiz**

I think that since this was done ten years ago, maybe there are additional

documents that need to be translated, but the fact that people are not getting sources while they're there... every person I've talked to that has come out of the Allegheny County Jail, not one of them was allowed to have a phone call.

**Warden Harper**

I don't believe that that's true. We really make sure that everybody in our facility is given what they need to be successful. Our Spanish-speaking inmates, and really any inmates that have English language barriers... our orientation is in Spanish and English, our posters and information are in Spanish and English, so I'm concerned that this was brought to our attention, and we will be willing to speak to you about this and show you a lot of the services that we provide to our non-English-speaking individuals. I would really like to get your contact information and meet with you before the next meeting to discuss these issues that you've brought to our attention.

**Monica Ruiz**

Absolutely.

**Judge Clark**

And I would just say that if there is a need to update or add additional documents, that perhaps maybe we can go back to the Bar Association and ask for their assistance in doing the translation of the documents, which they provide before. But I think the first step is your meeting with Warden Harper to talk about what the issues are, so I'm glad that you're willing to do that. Thank you. And I guess the final thing she said was about the program called Book'em, to get books into the jail. What are the current restrictions? I know that there have been a lot of restrictions, particularly with the utilization of paper documents to transmit contraband to the jail, so is there a way that inmates – do they have access to books and reading, and how does that happen, and is there any way that there could be other access to books?

**Warden Harper**

Inmates do have access to books in the pod. On each of our pods we have a leisure library in which the inmates can sign out books. Also, inmates are allowed to purchase books from a vendor from the outside, Amazon, Nooks, and they can bring those books in from the outside to the facilities. We have different avenues as to how the inmates are able to read books. When we implement the new tablet program, they will have the opportunity to order books utilizing the tablets, but right now they do not.

**d. Olivia Bennett**

Good evening, thank you so much, I'm Liv Bennet, Olivia Bennet, I'm the District 13 Representative on County Council. One of my things for wanting to make comment has already been addressed, the death in the Allegheny County Jail, I just would like to put on record that once that information is found and that investigation is complete that we are followed up with at this meeting and it's put on record what was the cause of death. Secondly, Warden Harper, I believe in the last meeting, stated that he was unable to publicize the costs for iPads in the jail or tablets in the jail because the vendor was not yet made public, so I was wondering if that has changed, if that is able to be told to us now, and what the costs to inmates will be to access those tablets.

### **Warden Harper**

The vendor is still going over the proposal. As soon as I am able to announce who the vendor is, I will let everybody know *and* let you know what the cost will be for all the services on the tablet.

### **Judge Clark**

Miss Bennet. The Warden will be extending an invitation for all of the new county council members to have a tour of the jail, so he will be contacting you to do that. You'll get to see things in the jail if you have any other questions, and that will be happening probably in the next couple of weeks.

### **3. Review of the Minutes for December 5, 2019 meeting**

*The Board unanimously approved a motion by Judge Lazzara, duly seconded by Abass Kamara to approve the minutes from the December 5, 2019 meeting.*

### **4. President's Report**

#### **Judge Clark –**

Board members have indicated having a subcommittee to talk about how to deal with investigation of incidents within the jail, and a subcommittee to look at how the Inmate Welfare Funds are spent. Two sign up sheets were presented and Judge Clark's Executive Assistant will propose dates and times for the meetings.

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

#### **Warden Harper**

First thing I want to do is thank the board for the approval of the thermal shirts for the inmate population. On December 12<sup>th</sup>, 2019, our Chaplin's department delivered 2600 Christmas gifts to individuals living in our jail. These packages consisted of thermal long-sleeve shirts, a calendar, a 10x30 decorated envelope, writing pad, pen, hard candies, comb, deck of cards, plastic coke cup with lid, a Chaplin letter, cocoa, and candy bar for all the inmates in our jail. I just wanted to thank the jail oversight board for that expenditure for t-shirts. Also, I wanted to thank the Jewish Federation of Greater Pittsburgh for providing Christmas cards for all employees at the Allegheny County Jail. They came to the jail on the 25<sup>th</sup> to present Christmas cards to the employees, and I really want to thank them for just thinking about us during the holidays. Also, on December 10<sup>th</sup>, members from the Pittsburgh Symphony Orchestra played for our female inmates, and on December 12<sup>th</sup>, Fox Chapel High School orchestra played holiday songs for our male inmates for the Christmas holidays.

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

#### **Deputy Warden Williams**

The Warden thanked you for the approval for the thermal shirts, but there's been a lot of news articles related to Narcan in the area, and the reduction of funding, which is happening statewide, so I wanted to thank you again for the consideration of spending the inmate welfare funds so that we can continue these initiatives (Narcan), as we do believe them to be really important. So thank you for that.

For your consideration, I do have 3 different proposals for the inmate welfare fund. These are annual proposals that we typically produce.

- **Family Activity Center:** provided on the weekends so that we can allow for some support of families that come in for visits, this is manned by two professionals, and they alternate weekends. It is through Great Lakes Behavioral Research contract. ... services which are provided, this is an area of opportunity which we recognize that this is an intervention point much like the statement we spoke about earlier, it's important to be able to provide support for families, because it is a very difficult challenge to deal with a family member or a loved one who is incarcerated. This can be an opportunity for us to support those families who would like to do so by extending some intervention or referral resources that they might be better able to utilize. The fund request for the following year is \$23,768 – this is less than last year's request, we were able to do that because we actually have two part-time employees, so we're not expecting any benefits to add to the cost. With the part-time employees instead of full-time staff, the cost-expenditure is lower this year.

***The Board unanimously approved a motion by Judge Lazzara to approve the proposal for the Family Activity Center, \$23,768, which was seconded by Mr. Kamara.***

- **Wesley Family Services:** provide Batterers Intervention Program services within the facility. Not to be confused with anger management, this is a very specific curriculum that is CBT based, modeled after the Duluth Model, which is in Minnesota. It's a 24-week program, and many individuals within our facility get court-ordered to this treatment. It is a cost when they're in the community, so as many services they get provided it within the jail, the less burdened to them to continue treatment in the community as part of their sentence or their release process. Wesley Family Services has been able to deliver, and we would like to continue to expend this benefit within their time, while they're incarcerated. The request to continue these services is \$53,828, and that is not a change from the last time we made this request.

#### **Judge Clark**

This is a valuable service to have, many inmates are court ordered to Batterer's Intervention Program.

#### **Judge Lazzara**

As the Domestic Violence current Supervising Judge this program is invaluable. So many people who are incarcerated can complete it for free, while on the street the 24 sessions can be very costly. Starting the process in jail is beneficial to the offender who will have learned somethings before being released. So if they have any violent contact they will have a better understanding of what is expected of them and their behavior will be better and we won't see them back, hopefully. I order it in almost all domestic violence cases. Domestic Violence is very different than anger management, it is not about anger, it is about control. This program focuses on that root cause which is so important to get to to change that behavior.

***The Board unanimously approved a motion by Judge Lazzara to approve the proposal for Wesley Family Services contract, \$53,828, which was seconded by Mr. Kamara.***

**Gabrielle Monroe (public commenter)**

Questioned what is the recidivism rate for Domestic Violence cases (related charges)?

**Judge Lazzara**

I would note that the people who have to get this service in the community, there's often a long wait. So the fact that they can start it in jail is also incredibly important, they can start on it so much sooner. When they get out, there's often anything from an 8, 12, 16-week period before they can even get into services, so the fact that it's available in the jail is really invaluable.

**Judge Clark**

This is cognitive-based intervention, evidence-based treatment, as Judge Lazzara said it's very different from your general anger management classes. This designed to actually reduce the likelihood of reoffending for domestic violence and to utilize this skills, there aren't that many programs and when you have to wait for this kind of program, it can be problematic when you're a defendant and the judge has ordered you to do it and you're waiting, it takes you that much longer to complete any of your conditions of supervision. And you're more likely to then reoffend, because you have not yet received the treatment. I just want to thank the board for re-approving it.

**Deputy Warden Williams**

It is \$15 a session, which does not account for travel, or any arrangements someone might have to make if they have children and they're the primary caregiver. This can be very expensive in the community, thank you for the approval.

- **Lexis Nexis:** Typically, a biannual request. Lexis Nexis, which provides our legal services for the kiosks and housing units, so that individuals can reference case law as they may be representing themselves, or if they're not and they have legal aid available to them so that they can continue to do research and better pose questions towards their council as they're preparing for their legal defense. The annual contract expenditure is \$60,048 a year, we are asking for a two-year contract with the vendor, and the vendor is committed to doing a transition with us as we move to the inmate tablets so that everyone will be able to simultaneously access case law when they may need to when we do issue those tablets. The total request is for the two-year contract and that's \$120,096.

**Terri Klein**

Judge, may I pass this out to the people on the board? It's just about who I need a law library [?] in my... I apologize, this is last minute, but I have a question about

spending the inmate welfare fund on this, because, and I am not an attorney, so please bear with me, but my understanding through this is that we are constitutionally required to provide reasonable access to legal materials and the court. Is this \$120,000, the total cost? What the county would provide to make legal materials available to inmates, or is this above and beyond what the county provides for inmate services? Does that make sense?

**Judge Clark**

I would say this is sort of the law library that inmates would have access to. Everybody... mostly legal research is done online through some company such as Lexus Nexus or Westlaw, so it's all done online, the traditional law libraries where they have books and they're researching, that's a thing of the past. That would be... now within a law library, depending on how specific they search, there may be other legal materials that might be specific to Pennsylvania, like the rules and standardized forms, so if you're looking up Pennsylvania rules, in some rules they require things to be presented in a certain format, and they will have the format contained within the rule, how the motion that you're supposed to file or the petition that you're supposed to file will be contained within the motion. Additionally, though, there may be other legal materials that the court may provide, for example the Family Division has a family court manual, which is on the court website. Anyone wanting to file something self-represented in the family division could go to the court website and access the different forms that you could utilize, the legal documents and forms so that people can handwrite them or what have you. And I do know that inmates do that, because in family division, while there's, if you have a custody case, and you're an inmate in the jail and you want to see your child, and you have to file a complaint for custody, you have a right to representation but there is no right to free representation, so you're kind of doing it on your own. An inmate would then fill out the forms and they usually mail them to the family court and then it gets processed through the system like that. I would say yes and no, there are other things that might be outside of Lexus Nexus that an inmate could utilize in preparing for a particular type of court hearing, but this would be your typical law library.

**Terri Klein**

I would question whether it's appropriate that 100% of the expenditure for a constitutionally required law library come out of the inmate welfare fund, that's just my personal concern.

**Amy Weise, Deputy Controller**

I know, I have too – I had a conversation with Brad Korinski earlier today and he had the same question, whether 100% should be borne by the prisoner welfare fund. Is it an option to, since the 2-year cost is just a doubling of the one-year, is there a reason to fund the 2-year instead of the 1-year? Or are they requiring the 2 years to be paid up front?

**Judge Clark**

I can't say that I necessarily disagree with that, but there is a budget that the taxpayers pay for all of the things, and so that may be that's something the board should discuss in the future, and whether that's something that should be included in the jail budget for the county council to approve monies for that. I'm not saying that it should, but, traditionally, right now that's where it's come from. And so there's sort of a need to have it. The danger in that though(1 year contract), is that the danger of locking in the price, so the danger of doing just one year is that if you don't get money from county council to increase the budget or to pay for it, and then you have to renew the contract the next year, it could be higher.

**Judge Lazzara**

Is there any budget in the county budget for a law library? Was there a budget for law library book, previously?

**Warden Harper**

No ma'am. Law books were provided through Duquesne Law Library.

**Judge Clark**

Well, it was Duquesne, but it was the county law library, which I think was on the 9<sup>th</sup> floor of the city county building, and it's not there anymore.

**Warden Harper**

I would have to speak with the vendor to see if they would be willing to... We did not look at other vendors to my knowledge. We understand that Lexus Nexus have an array of more and different laws and stuff that's accessible to the inmates...

**Judge Lazzara**

Well the one thing that Lexus has is that Nexus *Lexus* is the legal arm of it, *Nexus* is more periodicals and publications and things like that, so when you have Lexus Nexus you have not just the legal research, but you also get access to periodicals that you can also use to maybe find data or facts that might support your motion, whereas Westlaw, I'm not sure it has that same... theirs is a lot more focused on just the legal research. Nexus certainly goes beyond the legal research.

**Judge Clark**

I think – I certainly would be in favor of approving this, but I think going forward there are some things that we need to look at. 1) whether this is the best vendor, 2) how often it is utilized, are inmates really using it –

**Warden Harper and Judge Lazzara**

Yes, they are.

**Judge Clark**

Alright, alright, and I would just say that it is probably... this electronic delivery of a library and periodicals is the most-effective way...you might have a cheaper vendor,

but you're not going to get a cheaper delivery of this any other way. It is the most cost-effective. The issue is, I think – and it's a good one, and it's something that we need to look at – should this 100% be coming out of the inmate welfare fund? And for that subcommittee, that's one of the issues that we can look at and address and see.

**Judge Lazzara**

Does it need approved now? I mean, do they have to have it right this minute, or is it something that we can sort of check into a little bit, before... and maybe do it at the February meeting?

**Deputy Warden**

If we need to defer it, we'll find a way to defer it.

**Amy Weise**

But I guess that another option would be is if the board approved it to be initially funded from the prisoner welfare fund, but if subsequent meetings were to find that it can be funded by other sources, like the jail operating budget, have a reimbursement to the prisoner welfare fund. Just a suggestion.

[unrecognizable]

**Terri Klein**

And I would ask is the contract up at the end of December? So would the inmates be without something for a month if we deferred it?

**Deputy Warden**

The contract was up December 31, 2020.  
They're still providing these legal services, so we will not have a lapse in services.

**Mrs. Damick**

May I make one comment? I notice that quite often the Nexus is down, and it says 'repairs are coming in.' Could you make some sort of contract arrangement that they promise, or whatever, to repair when there is a lapse.

**Judge Clark**

we go down a lot. And it is not the software, it's the hardware, so right now I can tell you that the court, in order to do the things that we need to do to make our system work, we need about 1.2 million dollars to fix things, so it may not be the vendor. It may just be we're in old buildings that need rewiring, that need better WIFI capabilities, a lot of things. So those are kind of separate issues.

***The Board agreed to table the discussion and vote on the Lexis Nexis Contract renewal until the February meeting.***

## 7. Allegheny County Jail Medical Services

### Deputy Warden Williams

We're excited to announce that we have been continuing efforts with medication-assisted treatment, and I know that's something that's come up in many meetings. [unrecognizable] some providers who need to get their DEAX waiver so that they can prescribe buprenorphine and we're making significant progress towards that. We have also received some state transfers who are on medication-assisted treatment, and we've been able to maintain them on that, which was one of our first steps onto this initiative. It's nice to be able to report that we did meet at least *part* of our year-end deadline, which we had committed to and said we would provide an update during these meetings. The accountability has helped, it's really kept us on track.

Today, we have 9 individuals who identify as either transgender, intersex, or nonbinary, I know that has come up quite a bit, and we will continue providing those data points. And then also, we have currently 5 individuals who are pregnant with us. Other than that, we're very proud of the work that was done within the healthcare department, so we're looking forward to a new year, really hopeful that we'll be able to recruit some new staff as schools are beginning to graduate some of their programs.

## 8. New Business

No new business

## 9. Community Corrections Reports

### A. The Program for Offenders

#### Mike Gilmore

The dress for success program came to our female facility in December, they did a presentation on job interviewing and also [unrecognizable] clothing, shoes, outer ware and things like that that they provided for the residents. They play on coming back quarterly to do that same presentation and the clothing distribution of course. And we also had a Christmas party for the residents and their children in December.

### B. The Renewal Center

#### Adam Zach

We too hosted a holiday party, on December 19<sup>th</sup>, 21<sup>st</sup> and the 22<sup>nd</sup> for reentrants to our facilities. Provided an opportunity for reentrance and our provide valuable time to spend with their families, enjoying some delicious food.

### C. Electronic Monitoring

#### Steve Esswein

754 individuals are enrolled

106 completed

6 were returned

4 Absconders

**10. Adjournment**

***The Board unanimously approved a motion by Judge Clark, duly seconded by Sheriff Mullen to adjourn the meeting at 4:53 pm.***

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Chelsa Wagner", is centered below the text "Respectfully Submitted,". The signature is written in a cursive style.

Chelsa Wagner, Secretary