

The monthly meeting of the Allegheny County Jail Oversight Board was held on Thursday, November 3, 2016, in Conference Room #1 of the Courthouse in Pittsburgh, Pennsylvania, at 4:00 PM.

Members present:

Honorable Judge Joseph Williams  
Honorable Judge David Cashman  
County Council President John DeFazio  
County Controller Chelsa Wagner  
Austin Davis representing County Executive Rich Fitzgerald  
Sheriff William Mullen  
Rev. Earlene Coleman  
Ms. Terri Klein

Also attending: Warden Harper, Marion Damick, Deputy Warden Wainwright and other interested parties.

### **1. Public Comment**

Ms. Damick, representing the Pennsylvania Prison Society, presented the following:

- The month of April was missing from the Warden's report data on arrest numbers (page 1).
- It was positive that almost half of inmates received visits in the last month. It helps develop and continue family relationships.
- Infirmary admissions are up again (94 admissions), but not as much as January (119 admissions). ER runs are also relatively high with 32 in the last month.
- Commitments to Torrance State Psychiatric Hospital are always a problem given the poor conditions there. It is considered to be one of the worst mental institutions in the state and it is currently the subject of an ACLU lawsuit. She recognizes that the Jail is at times forced to send inmates to Torrance, but the board should not expect good results from inmates sent there.

Judge Williams remarked that inmates are sent to Torrance only as a last resort, and those inmates who are sent there typically suffer from severe levels of mental illness where they may not be able to stand trial or are acting out in bizarre fashions. Judge Williams sends inmates there to get them stabilized and treated so they can come back and be able to work with their attorney and function within in the County Jail. It is not a first choice to send inmates to Torrance for treatment, rather it is the only treatment option for those inmates who are severely mentally ill. Judge Williams remarked that he has had inmates come back from Torrance who were then able to communicate with their attorney, but he still wishes he had a more delicate set of tools treat this population.

In response to a question from Judge Williams as to how he views the Torrance facility, Judge Cashman responded that the problem is multifaceted as many inmates suffer from a multiplicity of challenges ranging from drug addiction to a lack of job skills. Not all of these challenges can be addressed at the same time. As a result the recidivism rate is high. The problem with Torrance is that the County does not really have access to it. It is the mental health solution for all of the surrounding counties, and as a result the Allegheny County Jail may only have the option to send 3 or 4 inmates there a month. When the County had access to the Mayview Psychiatric Hospital they were able to send more inmates for treatment. Now the County has to shoulder the burden of severe mental health issues in the Jail. The Jail is being forced to act as both a penal facility and a psychiatric facility. Judge Cashman says he sends

inmates to Torrance if they are referred by the County Jail mental health staff, otherwise inmates will not be accepted at the facility due to space restrictions there.

Ms. Damick commented that she wishes the County had access to a better facility to send inmates struggling with severe mental health issues. There is a waiting list to send inmates to Torrance. Judge Cashman stated that this situation is analogous to the Allegheny County crime lab which is a significant expense, and is the only crime lab in Western PA. Other nearby counties use the state crime lab. Similarly, the County spends a significant amount on mental health treatment in the Jail to make up for a lack of state resources as there is little room in the state facilities after the closing of the Mayview facility. Ms. Damick remarked that this Mayview facility was a better option for treating mental illness, but it was discontinued for financial reasons. Creating a County mental health treatment facility would transfer to the county a significant cost that should be borne by the state. The County should be receiving some form of reimbursement from the state for the maintenance of its crime lab.

Chelsa Wagner remarked that the State is finally this year starting to give some money to the County to help offset the costs of the County's crime lab. Judge Cashman believes that the mental health treatment should be a project for the State, as the County is already spending a lot of money on the Jail. At around \$75 million, Jail expenses are the largest line item in the budget.

Judge Cashman suggested that spending County money on a new psychiatric facility will not be politically popular given the high cost. Ms. Damick responds that improved psychiatric treatment for inmates would be a benefit to the entire community as it would help former inmates return to and reintegrate with society. Judge Cashman remarked that too often, inmates learn to become better criminals in the Jail rather than being rehabilitated.

Judge Williams responded bringing up the discussion of reentry from the last meeting, restating that we need to, as a larger society, rebrand reentry. This means giving former inmates dignity and a path forward to find a job and a sense of stability. This is a large problem that will take collaboration between legislators and their communities. Ms. Damick brought up the importance of working with businesses to hire formerly incarcerated inmates. Ex-offenders will be discouraged from re-offending if they are given this opportunity. Judge Williams commented that many in the community will question why jobs should be given to ex-offenders when there are many non-ex-offenders who are also in need of jobs.

Ms. Damick commented that there are not enough nurses employed by the County and Allegheny Health. Allegheny Health has a budget deficit of \$17 million so it may not be an opportune time to request more funding from them. High turnover, part time nurses cannot operate as well as the regular nurses and they reduce the overall efficiency and quality of care. More regular nurses are needed. The County is not paying enough to attract them.

Chelsa Wagner agreed that the healthcare position shortages are a problem and references the October vacancies report from Dr. Joseph. Drawing on her experiences from an unannounced visit to the Jail in the previous week, Chelsa reported that small things such as the \$10 parking fee for Jail employees are reported to be a hindrance. Progress can be made on issues such as this through collaboration with relevant agencies.

Ms. Damick agreed and replied that these kinds of things would help in the long run with quality of care. For example, Jail staff have reported that finding parking has been a challenge that can cause them to arrive late for work.

## **2. Review of the Minutes for October 6, 2016.**

Chelsa Wagner requested an amendment be made to the October minutes to add the numbers on healthcare staff vacancies that were provided by Dr. Joseph. Judge Williams agrees that chronicling the vacancies is important to prevent the issue from falling through the cracks.

A motion to approve the minutes from October 6<sup>th</sup> 2016 was submitted by Terri Klein and seconded by Sheriff William Mullen.

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

Judge Williams reported that Judge Dwayne Woodruff may be coming on as his successor to head the Jail Oversight Board, he has close to twelve years of experience on the juvenile court. He has been a very strong male role model and a positive presence in the juvenile court. He is very sensitive to a number of community issues and his experience with the juvenile court could be a benefit the Jail Oversight Board and its goals. Judge Williams commented that the Board is beginning to think, even about its inadequacies and faults, and this is important. Creative thought is important to improve the inmate experience. Judge Williams sees incarceration as a core societal issue and plans on staying involved even after the end of his role at the head of the Oversight Board. Incarceration policies have derailed the lives of many people. He believes that as the County's approach to incarceration evolves, we will need to start spending more on reentry and less on incarceration. It is wasteful to spend money on incarceration without rehabilitation. To increase efficiency, the County should drug test all incoming inmates as a basis for the creation of behavior modification plan that would help reduce the recidivism rate. To forego this and simply ask inmates questions about their drug use is inefficient and buys into the sometimes distorted realities of struggling inmates. If inmates have opiates in their system it needs to be addressed. The inmate population needs to be viewed as an asset. They are a group that reflects epidemiological trends that may have not yet caught up with the rest of society. Looking at how drugs have changed recently, new powerful opiates like fentanyl are becoming extremely concentrated and potent even to a fatal degree. Concentrated opiates such as fentanyl are beginning to show up in Westmoreland and Allegheny County. We are becoming a focal point for research between the two counties. Westmoreland County has some of the highest rates of opiate related deaths. The theory is that people are coming to the City to buy drugs and heading back to outlying counties distribute them. Historically opiate overdoses have been disproportionately black, now they are spread out in a racial manner reflective of the majority white population, which has helped lead to it being viewed as a public health crises rather than a criminal issue.

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

Warden Harper commented that the new female juvenile area is ready to house inmates. The juvenile population can now be separated from the adult population. Warden Harper also remarked that he appreciated the unannounced Jail visit from Chelsa Wagner and Terri Klein. He understands the trip

went smoothly and commented that visits like this help dispel some of the negative reputations of Jail conditions that are not accurate. He is thankful for the visit and it angers him to hear jail spoken about negatively without people taking time to actually visit the Jail and see the good work of people there.

Chelsa thanked the Warden for the kind and professional treatment received during the Jail visit. Captain Kohler and the Jail staff were very accommodating and helpful. Overall the visit to the Jail was a very positive experience. The new tablet computers have really helped inmates and people were sharing information on this. Speaking to the juveniles revealed how helpful the juvenile area efforts have been.

Terri Klein agreed with Chelsa's statement. All employees were very helpful, professional, and accommodating. Nobody was flustered by the unannounced visit. This is a positive reflection of the Warden's leadership. A written report of the visit will be submitted shortly. Terri Klein encouraged others to visit the facility as well. Visiting the Jail as part of a small group was helpful. Chelsa Wagner agreed that the smaller visit group was helpful. Small groups are less onerous on everyone and allow for more constructive, one on one interaction with inmates and staff.

Judge Cashman remarked that the Jail was acting as a warehouse for the federal government, with inmates, for example, still in the County Jail in April after being sentenced in December. No one picked them up to be taken to the federal correctional institution. Many inmates that were interviewed in past Jail visits misremembered events gave inaccurate information. For example one woman who had claimed to have been incarcerated twenty eight times had actually been incarcerated five times. Many inmates' accounts have to be taken with a grain of salt as some inmates are trying to manipulate visiting officials.

Rev. Coleman commented that the Jail touches almost everyone's life. The father of her great grandchildren has received positive counseling in the jail. She is also aware of a friend who has volunteered to become a mentor to inmates in the jail. The inmates who have worked with the mentor have given positive reports of their experience in the jail and the guidance they received from jail employees and volunteers. Her great granddaughter wanted to visit her father in the Jail, and the visit contained positive interactions with correctional officers who were kind and helpful.

Commenting on Rev. Coleman's story of her great granddaughter's visit to the jail, Deputy Warden Wainwright stated that these were correctional officers who do not often work in the limelight and he is elated to hear that they are doing good work, as is evidenced also by the unannounced visit.

Judge Williams speaking of probation violation hearings recalled one man who had to be forced to his hearing and had been interned at the Jail 19 times for assaults. He struggles with mental health disorders including ADHD and bipolar disorder and he refuses to take his medication. He and his mother did not want to accept the reality of his mental health issues. He does not want to comply with treatment because he does not want to identify as mentally ill. What are judges supposed to do with individuals like this who refuse rehabilitative treatment? This individual has to be held in a special unit in the Jail, and shows little hope for rehabilitation. These are deeply complex problems. Given the lack of institutions for mental health treatment, more inmates than necessary end up in the County Jail.

Terri Klein commented that when Mayview closed there was an expectation that community based care programs would be developed, but the funding for this never arrived.

Judge Williams pointed out there is a social cost exhibited by the 19 individuals that have been assaulted by the inmate spoken of above. This is an example of the cost of the County not having a way to stabilize or treat the mental illness of inmates. How much longer can the judge stay sensitive to this inmate while risking a twentieth victim to assault?

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

Chief Deputy Warden LaToya Warren reported that the annual request for thermal shirts for the inmates is being made as part of the holiday package. Chief Deputy Warden Warren introduced Rev. Kimberly Greway, director of chaplaincy services in the Jail. Rev. Greway explained that, for nearly two decades a holiday gift has been given to all jail inmates that is made up of an envelope that includes basic personal care items and a long sleeve thermal T-Shirt. This request has been approved in past years, and is yearly occurrence. The cost is \$8,262 for just over 2,500 shirts.

Judge Williams commented that the jail can be cold in the winter months and the inmates do appreciate the thermal shirts.

Austin Davis made a motion to approve the expense, Sherriff Mullen seconded the motion, and the request was approved unanimously by the Board.

## **6. Old Business**

Nothing to report.

## **7. New Business**

Judge Cashman mentioned that he had participated in an interview with Rick Earle from Channel 11 about the Jail, looking at the numbers of who should be in and who should be out, looking at how to reduce the population from two years ago when the Jail was up against its maximum population of 2,850. The population was reduced by looking at people who were in on charges compared to those who were in on technical violation. Probation officers did a great job getting the information necessary to identify the problem. In 2014 almost half the population was in the Jail on detainers. In this two year period the Jail population has been reduced below 2,400 which has lowered medical expenses and freed up space to enable the creation of the new juvenile population area. November is the sweeps month and he is awaiting an update on this. The interviewer was surprised by the high costs of the Jail, and that it is the largest line item in the budget at 75 million dollars, 15 million of which is devoted exclusively to medical expenses within the Jail. Judge Cashman explained the rest of the costs in the interview and that the county is looking for ways to lower the cost of incarceration.

Chelsa Wagner introduced the new minutes taker Daniel Kusbit. Terri Klein commented positively on the last month's minutes.

## **8. Allegheny County Jail Medical Services**

### **a. Allegheny Health Network**

Dr. Joseph remarked that filling open staff positions is still a challenge but that they are providing the best service they can under the current circumstances. Now that the county is providing the healthcare, communication has improved between the healthcare and custody departments. The mindset of separation between these departments is beginning to go away.

Chelsa Wagner inquired if, when it comes to the open health staff positions, the Jail should focus primarily on the mental health vacancies.

Dr. Joseph agreed and commented that new part time mental health nurses have recently started.

Chelsa Wagner remarked that there are ways that we can address this problem. Nurse pay at the Jail is relatively low and uncompetitive. On top of this they have to pay \$10 a day for parking. Chelsa suggested that problems like these can be solved by working with relevant outside agencies and authorities. For example, we should be able to get reduced parking rates for all jail staff, including nurses. From the prospective of the jail board, if we could direct resources or attention to the issue of staff vacancies, we should be able to come up with ways to address the problem.

Warden Harper stated that they're constantly looking at new ways to incentivize the hiring of new staff. The job fairs have been moderately successful. They are doing everything in their power to hire for the medical staff vacancies.

Chelsa Wagner understands and appreciates the Warden's efforts and adds that we should think outside the box in addition to current efforts, with an understanding of how difficult the problems are. This tends to be a recurring issue.

Terri Klein brought up the report from the Allegheny County Health Department about the 90 percent increase in syphilis rates since 2013. This is a real public health issue with implications for the jail.

Chelsa Wagner requested that Allegheny Health Network provide a list of open staff positions to the Board on a monthly basis.

At this point Councilman DeFazio left the meeting after announcing he had another commitment to attend to.

## **9. Community Corrections Reports**

### **a. The Program for Offenders**

Carol Hertz director for the Program for Offenders reported that The Program For Offenders applied to the PA Department of Drug and Alcohol Programs (DDAP) for a drug and alcohol treatment license for its West Homestead facility; DDAP conducted a license inspection of the facility on Thursday, November 3; the inspection went very well; and they anticipate DDAP will issue the license within the next few days.

**b. The Renewal Center**

Adam Zak reported the following:

- The jail participated in Bureau of Justice inmate survey on October 18<sup>th</sup> and 19<sup>th</sup>. They interviewed a random sample of female reentrants.
- On Sunday October 16<sup>th</sup> the Center participated in a Community Service Project to clean Exchange Way. It was such a success, the Pittsburgh Downtown Partnership recognized the inmates on their website. They will be cleaning Delray Street in Market Square this Sunday.

**c. Electronic Monitoring**

Steve Esswein from probation reported that there were 824 individuals in the program of which 112 individuals had completed successfully and 11 were returned for violations.

**d. Goodwill**

Danielle Brown case manager Goodwill center reported that the center was given a grant of 1 million dollars for renovations of the Southside facility. She also reported that Goodwill will be doing a meals delivery program in partnership with Community Kitchen

**10. Adjournment**

A motion to adjourn was submitted by Austin Davis, seconded by Sheriff Mullen, and approved by the Board.

Respectfully submitted,



Chelsa Wagner  
Secretary