

The monthly meeting of the Allegheny County Jail Oversight Board was held on Thursday, May 7, 2020 held as a virtual conference at 4:00 P.M.

Members Present

Honorable Judge Clark
Honorable Judge Lazzara
Sheriff William Mullen
Chelsa Wagner
Barbara Pares representing County Executive Rich Fitzgerald
At-Large Council Member, Bethany Hallam
Ms. Terri Klein
Ms. Gayle Moss
Mr. Abass Kamara

Others in Attendance:

Luann Brink, Ph. D, Health Department, Allegheny County
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

Mr. Sykes from Court Administration is here facilitating this meeting, and he can post any of the documents he has received of the packet, and so they can be posted if you have not printed them and you don't want to search through your computers or your devices to look for them.

The meeting began with a report from Dr. Luann Brink, ACHD and time was allotted for questions from the board.

See attached transcription page 3 line 1 through page 56 line 12.

1. Old Business

See attached transcript page 74 line 8 through page 79 line 23

- A. COVID-19
- B. Policy Book
- C. Suicide Prevention Report Presentation
- D. NARCAN – Funding Report
- E. Religious Items Policy
- F. 2020 Elections Update – Town Halls, number of eligible and number of registered inmate voters
- G. Employee Training Programs
- H. Commissary Price Lists, Phone Call Price List

2. Public Comment

There were 44 submitted comments, due to time restraints only a portion were able to read.
See attached transcript page 56 line 13 through page 74 line 7.

3. Review of the Minutes for March 6, 2020 meeting

The Board unanimously approved a motion by Judge Lazzara, duly seconded by Sherriff Mullen to approve the minutes from the March 6 , 2020 meeting.

4. President’s Report

Judge Clark took the time to discuss the communication between the Warden, herself, and the board. The concerted effort between the Court, DA, Public Defender, Jail, and county administration to reduce the population during the pandemic. See attached transcript page 81 line 5 to line 92 line 6.

5. Warden’s Report

Warden Harper – The Warden took the time to thank the employees and contractors for the work they do. Correctional Employees Week, Nurses’ Week and Teachers Appreciation Week.
See transcript page 91 line 4 through 92 line 6

6. Deputy Warden’s Report

Deputy Warden Williams - Deputy Warden discussed the Batterers Intervention Program, education continues within the PODs via packets provided by Allegheny Intervention, and changes made to the medical clinic during the COVID19 pandemic.
See attached transcript page 92 line 7 through 97 line 1

7. New Business

- A. *A motion by MS. Hallam, duly seconded by Ms. Wagner to approve universal COVID19 testing at ACJ failed, 3 yes (Ms. Hallam, Ms. Wagner and Ms. Klein) and 5 no (Judge Lazzara, Sheriff Mullen, Mr. Kamara, Ms. Pazees, Ms. Moss). The No votes requested additional information prior to approving the motion. An audio conference will be set up with the medical director. See attached transcript page 97 line 2 to page 121.*
- B. *The Board unanimously approved a motion by Ms. Hallam, duly seconded by Ms. Klein to approve the placement of fifty dollars (\$50) from the Prisoner Welfare Fund on the commissary fund for all current incarcerated persons at the Allegheny County Jail. See attached transcript page 121 line 14 to page 123 line 15*

8. Community Corrections Reports

A. The Program for Offenders

Mike Gilmore

Active:27; exited: 17; successful completion: 4

B. The Renewal Center

Adam Zach

Active: 153; Exited: 109; successful completion: 99

C. Electronic Monitoring

Steve Esswein

New Cases: 105

Active: 852

Successful completions: 136

Absconders: 2

9. Adjournment

A motion was brought forth by Judge Lazzara to adjourn the meeting at 6:15 pm.

See attached transcript page 127 line 10 to page 131.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Chelsa Wagner".

Chelsa Wagner, Secretary

HON. KIM BERKELEY CLARK: -- Allegheny County Oversight Board.

If you let us know, Mr. Sykes from Court Administration is here facilitating this meeting, and he can post any of the documents he has received of the packet, and so they can be posted if you have not printed them and you don't want to search through your computers or your devices to look for them.

So we are going to start off with a report from Dr. LuAnn Brink from the Health Department and I want to thank Dr. Brink for being our invited guest today.

In this time, I am sure she is very busy and has a lot of other things that she could be attending to; but the Board had a lot of questions and Dr. Brink has graciously given us some of her time to answer some of the questions that the Board had.

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1 I just want to give a brief bio on Dr.
2 Brink so everyone will know who she is.
3 So Dr. LuAnn Brink has served as the chief
4 epidemiologist for the Allegheny County Health
5 Department since April of 2014; and in this
6 role, Dr. Brink leads the Bureau's -- the
7 Department's Bureau of Epidemiology and
8 Biostatistics.
9 As a member of the Senior Leadership Team,
10 Dr. Brink spearheads efforts to develop the
11 Department's surveillance systems, including
12 health and disease monitoring. She has also
13 led the needs assessment process.
14 She is an Adjunct Assistant Professor of
15 Epidemiology at the University of Pittsburgh
16 Graduate School of Public Health.
17 Prior to joining the Health Department,
18 Dr. Brink worked for the University of
19 Pittsburgh Graduate School of Public Health,
20 where she served as Co-Director for the
21 Academic Center of Excellence to the U.S.
22 Centers for Disease Control and Prevention's
23 Environmental Public Health Tracking Network.

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1 She previously worked for the Health
2 Department as an epidemiology manager from 2004
3 to 2008, supervising disease outbreak
4 investigations, conducted environmental hazard
5 assessments, and developing acting surveillance
6 systems for monitoring hospital emergency
7 department visits.
8 Dr. Brink has a Ph.D. and Master of Public
9 Health in Epidemiology from the University of
10 Pittsburgh and a Bachelor of Science in Biology
11 from the University of Notre Dame.
12 She and her family reside in Oakmont. So
13 welcome, Dr. Brink.
14 DR. BRINK: Thank you for the kind
15 introduction, Judge Clark.
16 So I just want to take this opportunity to
17 first thank Warden Harper and Chief Williams
18 for their commitment during this unprecedented
19 event.
20 Also, the Health Department began working
21 with the jail and other congregated care
22 settings in Allegheny County even before the
23 first case of COVID happened, and we continue

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1 to do so.
2 So we have discussed testing, personal
3 protective equipment, and conferring with our
4 colleagues at the State Department of Health on
5 these complex issues.
6 In doing so, the jail has identified and
7 appropriately isolated and quarantined ill or
8 exposed inmates and staff. We have provided
9 the links to CDC guidance since the pandemic
10 was involved.
11 It is important to remember that this
12 virus has only been transmitted human to human
13 for three months, and the guidance on testing
14 and PPE has changed frequently.
15 Because of the quick implementation of the
16 Stay-At-Home Order in Pennsylvania, as well as
17 vigilant case investigation and contact tracing
18 done at the Health Department, we have not had
19 an overwhelming number of cases here which has
20 helped tremendously guide our decision-making,
21 which includes testing of only symptomatic
22 individuals.
23 The County Health Department will continue

6

1 to remain in close contact with the jail and
2 work with it to keep staff and inmates as safe
3 as possible.
4 HON. KIM BERKELEY CLARK: All right.
5 Thank you, Dr. Brink. So I neglected before
6 you spoke to ask all the participants in the
7 meeting to put their devices on "mute," until
8 you are ready to speak, so that we don't have
9 any background noise.
10 So, Dr. Brink, we submitted a number of
11 questions to you in advance; and I believe that
12 you are prepared to answer some of those
13 questions.
14 Some of the questions, I guess, were for
15 maybe the medical department staff. So I don't
16 know, do you want me to ask the question and
17 then you answer?
18 DR. BRINK: That is fine.
19 HON. KIM BERKELEY CLARK: Is that how you
20 would like me to do it?
21 DR. BRINK: That is entirely up to you. I
22 am happy to do it as you prefer.
23 HON. KIM BERKELEY CLARK: All right.

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1 Question No. 6 is: What is the current R
2 nought for confirmed COVID-19 cases?
3 DR. BRINK: So an R nought is the -- the R
4 nought for SARS COVID-2 is thought to be
5 between 1.7 and 3. So the R nought is a
6 calculation that indicates the number of people
7 who become ill from any one ill individual, and
8 that is static for the virus.
9 The infected R nought is dependent upon
10 environmental conditions, as well as the status
11 of the exposed.
12 Although the ACHD actually investigates
13 every case of COVID-19 that happens and works
14 with the jail to investigate every one of their
15 cases, we have not been able to determine the
16 exact source of infection for every individual,
17 and that was -- that is what would be required
18 to actually complement an R nought, either for
19 the County or for the jail environment.
20 (Moment of no audio.)
21 MS. HALLAM: Judge Clark, you are on mute.
22 HON. KIM BERKELEY CLARK: Thank you. I
23 muted myself.

8

1 How long do you estimate the ACJ, the
2 Allegheny County Jail, will need to maintain
3 its current state of operation, in light of the
4 COVID-19 virus?
5 DR. BRINK: So as I mentioned before, the
6 Health Department has been working with the
7 jail since the beginning before the pandemic,
8 even before we had cases here, and we are going
9 to continue working with them until it is over.
10 When this is over, you know, we are going
11 to continue to gather data on all of our cases
12 and continue to work with the Department of
13 Health and CDC. This is an ongoing event for
14 the foreseeable future.
15 HON. KIM BERKELEY CLARK: Thank you.
16 Other County jails and State facilities
17 throughout the country have conducted mass
18 testing on inmates and staff.
19 To your knowledge, is there any reason why
20 Allegheny County could not or should not
21 conduct testing on all inmates and all staff?
22 DR. BRINK: So we continue to follow CDC
23 guidance for testing, both in our community and

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1 in our congregated care settings.
2 We consulted with the Pennsylvania
3 Department of Health Liaison for Corrections
4 about this approach, testing only symptomatic
5 individuals, and so in our conversations with
6 them, we have agreed that doing the partial
7 testing does not inform both public health
8 practice.
9 And one test is not going to -- like, one
10 test in one moment of time for everybody is not
11 going to be enough to ensure proper isolation
12 quarantine. It only informs you at that
13 moment; and repeat tests would, therefore, be
14 required to continue this assurance.
15 HON. KIM BERKELEY CLARK: Thank you. Why
16 hasn't the Allegheny County Jail tested every
17 inmate on the pods from which people tested
18 positive? And what has the Health
19 Department -- what has the Health Department --
20 what has the Health Department informed jail
21 officials about whether to test everyone on
22 these pods, especially since they have not met
23 the requirement of coming in direct contact

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1 with confirmed cases?
2 DR. BRINK: So even coming into contact
3 with a case is not a criteria for testing.
4 HON. KIM BERKELEY CLARK: So can you -- I
5 am not sure I understand. So can you repeat
6 that? Some of it was really kind of fuzzy,
7 what you just said.
8 DR. BRINK: Well -- so I said that coming
9 into contact with a case is not a criteria for
10 testing. It requires quarantine of that
11 individual instead, because they are then at
12 risk of becoming ill, so they are quarantined
13 and watched.
14 HON. KIM BERKELEY CLARK: The positive-to-
15 overall testing ratio is currently 56.25
16 percent, at least at the time these questions
17 were submitted, 27 of 48 people. The World
18 Health Organization's benchmark is 10 percent.
19 In order to reach that benchmark, the jail
20 would have to more than quintuple its current
21 testing numbers, and all results would have to
22 come back negative.
23 Why is the jail not testing more as would

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1 clearly be appropriate, particularly given the
2 likelihood of a significant number of
3 asymptomatic infections present in the jail's
4 population?
5 DR. BRINK: So the WHO criteria or
6 benchmark of 10 percent is for communities. It
7 is not well-published and practical. So that
8 is not something that we are eyeing up in any
9 circumstance.
10 We follow Public Health Practice
11 Guidelines, the Allegheny County Health
12 Department, as well as CDC and Pennsylvania
13 Department of Health guidelines, to test
14 symptomatic individuals in the community and in
15 congregated care settings, such as the jail,
16 homeless shelters, and in halfway houses.
17 We test to find disease in order to
18 incorporate group measures. You don't test to
19 calculate the positivity rate or especially for
20 a congregated community.
21 HON. KIM BERKELEY CLARK: So I guess that
22 is a good segue into the next question.
23 Are all individuals who are showing

12

1 symptoms tested? And if not, why not?
2 CHIEF DEPUTY WARDEN WILLIAMS: If it is
3 okay, I can answer this one.
4 So we have been in constant communication
5 with the Allegheny County Health Department;
6 and before the expansion of the CDC symptoms,
7 we were primarily testing individuals who
8 presented with fever, and we lowered the
9 threshold within our setting, so that we would
10 be able to test more individuals.
11 So a fever is typically established at
12 100.4 degrees Fahrenheit; but we did, with the
13 support of the Allegheny County Health
14 Department, lower that threshold to 99 degrees
15 Fahrenheit.
16 We also tested individuals with cough or
17 shortness of breath. We since expanded to
18 include sore throat, GI concerns, myalgia, as
19 well as a number of the other symptoms listed
20 on the CDC website underneath COVID-19.
21 We have also discussed with them whether
22 or not it is worthwhile testing somebody who
23 has a clear presentation of another known

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1 diagnosed condition.
2 So we specifically test individuals who
3 have a new onset of symptoms. So somebody who
4 might have a baseline cough or shortness of
5 breath related to COPD, which may be a known
6 chronic care condition, may not qualify for
7 testing unless it is a new baseline or they
8 changed their baseline of symptoms.
9 HON. KIM BERKELEY CLARK: Dr. Brink, is
10 there anything that you want to add to what
11 Deputy Warden Williams has just stated?
12 DR. BRINK: No nothing else. We have had
13 these conversations every other day.
14 HON. KIM BERKELEY CLARK: So, Dr. Brink,
15 is there anything else that you want to add or
16 anything that you want to say to the Board at
17 this particular time?
18 DR. BRINK: No. I can remain available.
19 HON. KIM BERKELEY CLARK: All right. So,
20 let's go to -- because there is other
21 questions, and I think Deputy Warden Williams
22 is going to deal with the other questions, so
23 she is on.

14

1 So let's go into the next set of
2 questions, and then we can see if there is any
3 follow-up, so that we can see which questions
4 are answered.
5 Deputy Warden Williams, I didn't -- I
6 mean, I don't know which -- I sent the
7 questions to you, so I don't know how you wish
8 to answer them.
9 But if you just want to go through the
10 questions that you feel that you can respond to
11 concerning the medical department and the care
12 of the inmates in the County Jail.
13 DEPUTY WARDEN WILLIAMS: Absolutely.
14 So one of the questions asked was: How
15 many inmates have been quarantined, isolated,
16 tested, and confirmed for COVID-19 in the ACJ?
17 And we have been providing the data daily
18 on the website to include transparent reporting
19 of those informations.
20 It is important to note that quarantining
21 is part of our process with all intake and
22 imports. So somebody could be under a
23 quarantine status because they are part of a

<p style="text-align: right;">15</p> <p>1 contact study, meaning they may have been in 2 close contact with a confirmed or suspected 3 case, or they could be a new import within 4 their first 14 days of admission.</p> <p>5 So it is hard for me to go back -- we 6 weren't previously tracking daily -- for how 7 many individuals met that criteria.</p> <p>8 I can indicate, though, that those that 9 are isolated are tested, and they are isolated 10 because they meet criteria for testing, and 11 they are demonstrating symptoms, and we need to 12 keep them separate from others.</p> <p>13 So to date, on the website -- and we have 14 updated it as recently as yesterday -- 59 15 tested, 28 positive, 29 negative, and pending 16 two tests.</p> <p>17 And as we were starting this meeting, I 18 got notification of one of those pending 19 results is an another negative. So we have 30 20 negatives with one pending for our inmate 21 population.</p> <p>22 Our first diagnosed inmate was on April 23 6th.</p>	<p style="text-align: right;">17</p> <p>1 contact tracing utilizing our CCTV camera 2 system, and we placed 19 employees on furlough 3 and our first case of an employee.</p> <p>4 The next question was: Has contact 5 tracing been performed on each confirmed case 6 of COVID-19?</p> <p>7 And the answer is yes. Some have been 8 more extensive based on the individual. So if 9 it is an employee, we monitor them from entry 10 point into the facility to all of their 11 activities throughout their shift, as well as 12 their exit point.</p> <p>13 If it is an inmate we have less cameras 14 that we have to produce the --</p> <p>15 (Interruption for someone now joining the 16 meeting.)</p> <p>17 DEPUTY WARDEN WILLIAMS: -- but we have 18 done that in support of the Health Department. 19 And what their recommendations have indicated 20 is that we review everything for 48 hours prior 21 to the individual becoming symptomatic.</p> <p>22 So this does take quite a bit of time to 23 review the camera, as I have just described.</p>
<p style="text-align: right;">16</p> <p>1 The next question was related to staff 2 members, employees, contractors, et cetera. So 3 we have had a number of employees who either 4 have elected to self-quarantine, with expanded 5 benefit time utilization, or have been directed 6 to quarantine, because they have been part of 7 the contact study within our institution, and 8 they have been placed on administrative leave 9 status.</p> <p>10 Again, very difficult for me to quantify, 11 as we weren't previously tracking those numbers 12 daily.</p> <p>13 We do have three employees who are 14 currently pending results, we have had five 15 employees who have tested positive, 36 that 16 have tested negative, and 44 that have been 17 tested in total.</p> <p>18 The first staff member that was diagnosed 19 as a positive COVID-19 case was announced on 20 March 27th. That was not a direct care 21 employee; but we did follow all appropriate 22 procedures with the support of the Allegheny 23 County Health Department; and we completed</p>	<p style="text-align: right;">18</p> <p>1 So contact tracing? I tried to answer 2 that in my last response.</p> <p>3 We do have members of our administrative 4 team who have access to the camera system who 5 are doing these reviews.</p> <p>6 Every time we have had a positive case, we 7 always get on the phone with matters of the 8 Allegheny County Health Department. That has 9 included Dr. Brink at times. It has mostly 10 included Dr. Kristen Mertz, as well as Jennifer 11 Bittner, and Ron Sugar, who is Deputy Director, 12 who has been on some of those calls, as well.</p> <p>13 We determine a contact exposure as being 14 somebody who is within a six-foot perimeter, 15 typically, face-to-face interactions, or ten 16 minutes.</p> <p>17 Prior to the use of universal masking 18 within the facility, we did a much shorter 19 duration of time.</p> <p>20 So our first employee contact that we 21 looked at were individuals who were face-to- 22 face contact, within six feet, for less than 23 three minutes.</p>

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1 So that is why the amount of employees
 2 were placed on furlough -- some of those
 3 employees did get tested as a recommendation of
 4 their health care providers, and none of the
 5 employees tested during that contact tracing
 6 were positive.

7 If we have a positive test for an inmate,
 8 because we don't have case investigators from
 9 the Health Department, we have taken guidance
 10 from them and myself and other members of the
 11 health care team and/or jail administration
 12 have personally met with our positive cases to
 13 do contact study interface.

14 So we will get a perspective of them
 15 before we even look at the camera review to see
 16 who their known contacts were, if they can
 17 recall when their first onset of symptoms were.

18 We go back to talking about runny noses or
 19 sore throats or any other differences in their
 20 baseline health condition.

21 We assume that the inmate is the expert on
 22 their health and body, so we think that that is
 23 an important first step in our contact

20

1 interviews.

2 Then we also discuss with them any
 3 individuals they may have shared meals with,
 4 phone calls with, spent time at a commissary
 5 machine, spent time working out with, sat at a
 6 table with, within a certain designated period
 7 of time.

8 We additionally review the camera system,
 9 and we also look at all of their previous
 10 cellmates, if they had any. If they had a
 11 cellmate, that person is immediately placed on
 12 a quarantine status, and they are monitored no
 13 less than two times a day to make sure that we
 14 are taking, at minimum, their temperature, and
 15 asking if they are experiencing any symptoms.

16 If they were to become symptomatic, we
 17 would also test their cellmate. We have tested
 18 some cellmates, and we have not tested some,
 19 because they never presented with symptoms.

20 The next question was: Please outline in
 21 detail how tests are being administered, what
 22 labs are analyzing, and what the turnaround
 23 time is to return a positive or negative

21

1 result.

2 So tests are administered on site in a
 3 secure setting; but we prefer to do so in a
 4 cell. We did do mass testing for a group of
 5 individuals that was done within a designated
 6 housing unit spaced apart with tables with
 7 everybody present wearing the appropriate
 8 protective equipment.

9 The individuals who are conducting the
 10 testing -- and we use NP swabs, which is a
 11 nasopharyngeal swab, which is placed into a
 12 VTM, or a vital transport media -- is done by
 13 an R.N. or higher.

14 So it must be done by an R.N., a physician
 15 assistant, a certified registered nurse
 16 practitioner, or a physician that is doing the
 17 testing within our facility. They have been
 18 trained to conduct these tests.

19 And then we package those with a person --
 20 or it is a person-under-investigation number,
 21 we fill out all of the appropriate lab work,
 22 and we send that to the Health Department,
 23 either by their courier, or sometimes, our

22

1 staff has delivered those to the Allegheny
 2 County Health Department lab.

3 The Allegheny County Health Department is
 4 eligible to do those testings on site now.
 5 Earlier on into the pandemic response, we were
 6 sending our samples to the Bureau of Labs
 7 outside of Philadelphia.

8 So our time range for a response has
 9 ranged anywhere from approximately 24 hours to
 10 72 hours.

11 Now that we are doing a lot of local
 12 testing, we are getting our results in a much
 13 faster timeline, and we have really appreciated
 14 the support that we have with that.

15 What symptoms trigger a test for COVID-19?
 16 As I discussed earlier, we were initially
 17 testing for those who were febrile or had a
 18 shortness of breath or a cough.

19 We have expanded under the guidance of the
 20 CDC as well as the PA Department of Health to
 21 trigger testing for cough, shortness of breath,
 22 fever, chills, repeated shaking with chills,
 23 muscle pain or myalgia, headache, sore throat,

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1 loss of taste and smell.

2 The symptoms are either observed or

3 reported by the individual who is experiencing

4 them. They can report them either verbally

5 during a health care encounter, through sick

6 call requests, or informing an employee who is

7 not a health care worker who can signal the

8 appropriate individual.

9 Inmates, upon identifying that they are

10 presenting with symptoms, are quarantined until

11 assessment; and if it is indicated to test,

12 then we test them and put them on isolation

13 protocols until we receive the results of the

14 test.

15 Has the ACJ determined which inmates are

16 medically vulnerable for higher risk of

17 complications?

18 We did; and what we did was we utilized

19 the guidance from the CDC, specific to the

20 interim guidance within correctional or

21 detention centers, which identified health

22 conditions that placed somebody at a medically

23 vulnerable status. And some of the conditions,

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1 but not all, may include asthma, diabetes,

2 severe obesity with a BMI over 40, people age

3 65 years and older, and somebody who may be

4 immunocompromised, and that can be related to

5 one of their known health conditions or it can

6 be related to a medication that they are taking

7 that places them at a higher risk for becoming

8 immunocompromised.

9 What is the capacity of the Allegheny

10 County Jail to isolate inmates testing

11 positive?

12 We have the capacity within our

13 institution to do so, and we have been able to

14 isolate inmates into single cells.

15 The capacity of the Medical Housing Unit

16 is 48. As of today's date, we have nine on

17 that housing unit. We did open another housing

18 unit to house some of our positive cases.

19 Of the nine, six are COVID-19 related.

20 Three are in a different wing of the Medical

21 Housing Unit, and they are individuals who meet

22 criteria to be housed on the unit with more

23 frequent monitoring from health care staff.

25

1 We make sure that individuals are wearing

2 all appropriate PPE if they are on an isolation

3 status or on a quarantine status; and we ensure

4 that all health care staff appropriately don

5 and doff all PPE. They are not risking cross-

6 contamination with individuals who are not

7 impacted by this disease.

8 And there was a question regarding current

9 levels of medical staffing and whether or not

10 the current level of staffing can meet the

11 needs within the ACJ during this pandemic?

12 I am not certain what information is being

13 sought in this question. I can say that each

14 month, we provide the Health Care Vacancy

15 Report. I think sometimes this report might be

16 a little bit confusing in the way that it is

17 reported out.

18 These are County positions that are

19 vacant, and we are actively seeking to fill

20 those vacant positions. But when we cannot, we

21 have approved all of the employees through

22 agency staff to ensure that each shift has the

23 allotted minimum of staff in order to ensure

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1 operations within the facility.

2 So every month, we develop a schedule, and

3 we have vacant shifts that may be open, due to

4 filled time spots not being filled, in which we

5 have agency staffing or agency out-cams

6 (phonetic) agency MAs, et cetera, that fill

7 those vacant shifts.

8 When we cannot fill all of them, we seek

9 additional volunteers, so that we can ensure

10 that we fill those spots.

11 We are also eligible as managers, so I

12 have Assistant Directors of Nursing, who are

13 R.N.s, as well, that can fill those positions.

14 The next question was previously addressed

15 by Dr. Brink.

16 Under what circumstances do you believe

17 the Allegheny County Jail could relax the

18 prohibitions on movement, visitors, or

19 surfaces?

20 You know, this one is -- I wish we knew.

21 I think that we remain open to anything, and we

22 recognize certainly within this population the

23 importance of remaining connected to family and

<p style="text-align: right;">27</p> <p>1 having access to visitors.</p> <p>2 But we want to be cautious, and I think</p> <p>3 that it is important that we be cautious that</p> <p>4 we think things through. We don't want to</p> <p>5 place our population at an unnecessary risk;</p> <p>6 and we certainly don't want to place visitors</p> <p>7 in our institution at an unnecessary risk.</p> <p>8 So as we continue as a county to evolve</p> <p>9 through this situation, we will remain open,</p> <p>10 and we will also look to what other agencies</p> <p>11 are doing.</p> <p>12 In some of the areas where counties have</p> <p>13 started to relax some of their prohibitions,</p> <p>14 the County correctional agencies have not yet</p> <p>15 done that.</p> <p>16 So we are going to continue to watch,</p> <p>17 observe, and consult with experts who are</p> <p>18 already experiencing some of these transitions,</p> <p>19 before we make definitive projections on what</p> <p>20 we will do.</p> <p>21 The next question was previously answered</p> <p>22 by Dr. Brink.</p> <p>23 What is being done to keep staff members</p>	<p style="text-align: right;">29</p> <p>1 which is probably misunderstood, is that when</p> <p>2 you see something, you say something; and</p> <p>3 anything can be a safety risk, and it is</p> <p>4 unbelievably important to all of us that we</p> <p>5 leave in the same condition that we arrived.</p> <p>6 That is something that is an important</p> <p>7 tenet within a professional agency, and it is</p> <p>8 not something that we take lightly, especially</p> <p>9 during a pandemic.</p> <p>10 We have discussed the concept of</p> <p>11 asymptomatic transmission in a congregated care</p> <p>12 setting like the ACJ.</p> <p>13 What steps are being taken to mitigate</p> <p>14 asymptomatic transmission? Do you believe any</p> <p>15 cases of COVID-19 in the ACJ are attributable</p> <p>16 to asymptomatic spread? And please explain why</p> <p>17 or why not you believe such cases are or are</p> <p>18 not related to asymptomatic spread.</p> <p>19 So some of the mitigation efforts that we</p> <p>20 have, we have already discussed as far as</p> <p>21 environmental cleaning goes, with special</p> <p>22 attention to commonly touched areas like</p> <p>23 phones.</p>
<p style="text-align: right;">28</p> <p>1 safe and from taking the virus home to their</p> <p>2 families and communities?</p> <p>3 We are doing staff screening prior to</p> <p>4 individuals entering the workspace. We have</p> <p>5 changed some of our shift orientations, so that</p> <p>6 employees are reporting to work less. We have</p> <p>7 some employees who are working remotely, if</p> <p>8 they are not indicated as an essential on-site</p> <p>9 employee for their five-day-a-week shift.</p> <p>10 All employees are mandated to wear masks,</p> <p>11 and we clean all commonly touched areas with a</p> <p>12 bleach and water or BPA disinfectant solution.</p> <p>13 And we have inmates clean all commonly touched</p> <p>14 areas.</p> <p>15 We have made alcohol-based hand sanitizer</p> <p>16 available. It did take us some time to source</p> <p>17 that, but that is now available in the</p> <p>18 facility.</p> <p>19 We physically distance from inmates and</p> <p>20 peers. We encourage frequent hand washing. We</p> <p>21 have signage throughout the entire facility,</p> <p>22 and we look out for each other.</p> <p>23 One of the biggest things in our facility,</p>	<p style="text-align: right;">30</p> <p>1 Additionally, we have reduced the amount</p> <p>2 of individuals that can be out in a dayroom at</p> <p>3 any given time, so that they can appropriately</p> <p>4 socially distance.</p> <p>5 All inmates are mandated to wear masks</p> <p>6 when they are outside of their cell, to test</p> <p>7 individuals for disease spread if they should</p> <p>8 be carrying the virus and not demonstrating any</p> <p>9 symptoms.</p> <p>10 We continue to use appropriate cleaners.</p> <p>11 We continue to encourage individuals to</p> <p>12 maintain hygiene.</p> <p>13 We have had individuals who have become or</p> <p>14 who have tested as positive without having a,</p> <p>15 you know, great number of symptoms per day.</p> <p>16 So the most common symptom that we are</p> <p>17 seeing in our population has been fevers. So</p> <p>18 we also recognize that we have an extra-</p> <p>19 ordinarily small sample size, and that is not</p> <p>20 to indicate that that is the only symptom that</p> <p>21 is being expressed.</p> <p>22 Are all inmates who are ill with COVID-19</p> <p>23 being treated in the medical unit? Do we have</p>

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1 the capacity in the medical unit to house
 2 non-COVID sick inmates and keep them isolated
 3 from the COVID patients? Is there a plan for
 4 an overflow medical unit?

5 So when this question, I think, was posed
 6 we were in a different situation where we had
 7 not opened another housing unit.

8 We do have a medical holding unit which is
 9 in three separate sections; and we have
 10 isolation cells that are fully equipped with
 11 showers, sinks, and toilets. We have
 12 quarantine capacities, and then we have a wing
 13 where we do have our non-COVID medically
 14 compromised individuals, who are separated in
 15 it.

16 We also do have an overflow unit where we
 17 currently have individuals who are on
 18 quarantine status, as well as isolation status.

19 Who is cleaning pods after someone is
 20 removed from it to go to isolation or
 21 quarantine?

22 We have an inmate biohazard team that is
 23 designated to clean cells when somebody is

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1 transferred to isolation or quarantine. Part
 2 of our staff, our infectious disease
 3 coordinator, has met with our biohazard team
 4 workers to ensure that they have the
 5 appropriate knowledge, as well as equipment, so
 6 that they have personal protective equipment
 7 available to them while they are cleaning.

8 This team uses a bleach and water
 9 solution, a K-pack if that is indicated, and
 10 other cleaners also if indicated.

11 The cellmate is placed on a quarantine
 12 status, if they are -- if that individual
 13 removed had a cellmate.

14 We also have people before they move from
 15 their entire cell pack up all of their
 16 belongings to take with them; and then the
 17 transport between housing units is done in a
 18 secure setting.

19 Who specifically has been consulting with
 20 the ACJ for equipment?

21 It would depend on what matter we are
 22 talking; but I have listed Dr. Debra Bogen,
 23 Deputy Director Ron Sugar, Dr. Kristen Mertz,

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1 Dr. LuAnn Brink, and epidemiologist, Jennifer
 2 Bittner.

3 What types of masks do officers wear to
 4 transfer inmates to quarantine or isolation
 5 pods? And what other PPE do they have?

6 So we have provided surgical masks, as
 7 well as N95 respirators -- in some cases, N100,
 8 if the N95 testing was needed, but the N100
 9 would be more appropriate.

10 We have utilized gowns, gloves, face
 11 shields, goggles, glasses, and any other
 12 indicated PPE.

13 Did the Health Department support the use
 14 of cloth masks by employees?

15 WARDEN HARPER: Allegheny County Jail
 16 employees were provided cloth masks that were
 17 sourced for the PA Department of Corrections.
 18 Cloth masks have been utilized in State
 19 Correctional Institutions statewide. These
 20 masks are not made from inmates' worn uniforms.

21 Current CDC guides recommend a surgical
 22 masks and N95 respirators are reserved for
 23 health care workers, and those are supplied to

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1 health care staff and correctional staff that
 2 are working around confirmed and suspected
 3 cases of COVID-19.

4 CDC recommends wearing cloth face
 5 coverings in settings where social distancing
 6 measures are difficult to maintain.

7 The Allegheny County Jail employees are
 8 additionally permitted to bring their own mask,
 9 as long as it meets or exceeds the minimum
 10 requirements of the previously issued mask.

11 DEPUTY WARDEN WILLIAMS: One question is
 12 regarding a personnel individual. We don't
 13 provide personnel -- or details about personnel
 14 matters.

15 We can confirm that we conducted contact
 16 tracing in partnership with the Allegheny
 17 County Health Department.

18 Which pods have had inmates test positive?
 19 So we had inmates from the populations from the
 20 following housing units: 3 Bravo, 3 Alpha, and
 21 4 Alpha. 4 Alpha is one of our contained
 22 housing units.

23 And we do anticipate that as long as we

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1 have community disease spread in Allegheny
 2 County, that the Allegheny County Jail will
 3 continue to experience positive cases, as we
 4 continue to accept new inmates into custody.
 5 Does the jail have a finite number of
 6 tests? Does it currently have access to tests?
 7 Why are there zero pending results when the
 8 number of individuals testing positive has more
 9 than tripled in the past week?
 10 So this question is partly outdated. We
 11 do have one pending test. The website
 12 currently reports two, because we have not
 13 updated it for today; but we will continue to
 14 do so.
 15 And we will continue to test individuals
 16 as clinically indicated and in accordance to
 17 the guidance from CDC, PA DOH, and the
 18 Allegheny County Health Department.
 19 The jail has over 100 tests available
 20 right now, and we can continue to seek out test
 21 capability, should we need to.
 22 How much would testing every individual in
 23 the jail, staff and incarcerated persons, cost?

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1 We have not determined the cost for such
 2 testing, because that is not part of our
 3 decision-making process. If indicated to test
 4 individuals, we will do so.
 5 Next, I am trying to see -- is everyone
 6 who is medically vulnerable provided with a
 7 single cell?
 8 We have accommodated this. So on the
 9 housing units of which somebody is classified,
 10 they are able to be in a single cell and
 11 separate from others while they are sleeping.
 12 If they are in quarantine or isolation, we also
 13 have them housed in a single cell.
 14 But I would say the exception would be
 15 that our intake housing units, for safety and
 16 security reasons, have individuals who are
 17 double-celled.
 18 And as part of our procedures and because
 19 we have individuals who are double-celled, we
 20 do very frequent monitoring to make sure that
 21 if there is any onset of symptoms, we separate
 22 those individuals as quickly as possible and
 23 increase monitoring.

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1 Are individuals showing symptoms removed
 2 from the pod and quarantined elsewhere as
 3 appropriate? Yes.
 4 Are individuals potentially exposed to
 5 individuals showing symptoms quarantined? Yes.
 6 We are going to quarantine individuals who
 7 have been exposed to a known or suspected case;
 8 and then we have our initial 14-day quarantine
 9 period for all inmates exposed.
 10 Are all individuals shown symptoms tested?
 11 Yes, and we have discussed the reasons why.
 12 There were a number of general questions
 13 that followed unrelated, I think, specifically
 14 to the health care department, but within the
 15 facility itself.
 16 What are you doing to make sure people on
 17 quarantine and isolation have access to their
 18 lawyers, are able to communicate with them and
 19 with their families?
 20 So on medical isolation status, it is a
 21 risk, too much of a risk, to have individuals
 22 out on the phones, because there is a potential
 23 for disease spread.

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1 So what we do instead is we have frequent
 2 conversations with individuals who are on
 3 medical isolation status, and we obtain consent
 4 from them to contact whomever they need us to;
 5 and we provide updates to those individuals on
 6 regular intervals.
 7 Individuals who are in quarantine or
 8 isolation can also write, and we will transmit
 9 that mail should it need to happen.
 10 Which pods are currently empty? We have
 11 three housing units on Level 1, and one housing
 12 unit on level 7 that are currently empty.
 13 Has 7D been re-opened? If so, for what
 14 purpose?
 15 Yes. 7 Delta has been opened, and we
 16 utilize that right now for confirmed cases. We
 17 have a pending case who is on 7 Delta, and we
 18 have individuals who were tested and negative
 19 who were quarantined within a protective unit
 20 of that housing unit. So they are still
 21 separate from others. They are able to come
 22 out, briefly, from their cells and utilize the
 23 phones, as well.

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1 Why have other previously empty pods not
2 yet been re-opened? We continue to evaluate
3 the situation and ensure that we have necessary
4 resources available to us so we can continue to
5 provide a safe environment for our population.
6 If we have an influx of confirmed or
7 suspected cases, we want to ensure that we have
8 the capacity to segregate them from the general
9 population and to do so safely.
10 There are many reports of lower quality
11 and amounts of food since the outbreak. Has
12 the provision of meals changed since the
13 outbreak began? No.
14 Is the quality and quantity of food
15 incarcerated individuals receiving the same?
16 We have made no changes with our dietary vendor
17 during this pandemic.
18 WARDEN HARPER: Are their correctional
19 staffing shortages?
20 We do everything in our power to make sure
21 that we are properly staffed at the Allegheny
22 County Jail.
23 I am not going to discuss any further

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1 staffing shortages, because of security
2 reasons; but I want to assure you that we have
3 done everything in our power to assure
4 appropriate staffing.
5 DEPUTY WARDEN WILLIAMS: So judged by our
6 recollection, those were all of the questions
7 posed to us from the Board, unless we missed
8 some.
9 HON. KIM BERKELEY CLARK: Good. I went
10 through the questions. I believe all of the
11 questions were answered by Dr. Brink, Deputy
12 Warden Williams, and Warden Harper.
13 Dr. Brink is here as our guest, and she
14 is, I believe, still on. I would give her the
15 opportunity to -- if she wished to say
16 something else, and if not, she is free to
17 leave the meeting if she wishes, but she is
18 certainly welcomed to stay. It is a public
19 meeting, and she is certainly welcome.
20 So, Dr. Brink, is there anything else that
21 you would like to add at this time?
22 DR. BRINK: No. I would just like to
23 thank the entire group for, you know, letting

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1 me present and, you know, just show my
2 appreciation for the collaboration that we have
3 even before the pandemic with the jail and
4 continuing. So thank you.
5 MS. HALLAM: Judge Clark, while Dr. Brink
6 is still here -- this is Bethany Hallam -- can
7 I ask one question that wasn't on the list?
8 HON. KIM BERKELEY CLARK: Oh, sure.
9 MS. HALLAM: Okay. Thank you very much.
10 So my question is regarding you spoke
11 about following the PA Health Department's
12 guidelines about when it comes to testing
13 folks.
14 But as many of you may have seen in the
15 news recently, both the Montgomery County Jail
16 over near Philadelphia has tested all of its
17 incarcerated folks and staff members, whether
18 symptomatic or asymptomatic, and more recently,
19 UPMC is testing all new admissions and all
20 folks coming in for elective procedures,
21 whether symptomatic or asymptomatic.
22 So what is preventing us from testing all
23 symptomatic and asymptomatic folks in the jail

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1 if those are just examples of places where it
2 is happening already?
3 DR. BRINK: Well -- you know, this is
4 LuAnn, again. I think --
5 WOMAN SPEAKING: I can't hear her. I
6 think she -- are you muted?
7 DR. BRINK: I think the Centers for
8 Disease --
9 MS. HALLAM: Dr. Brink, we weren't able to
10 hear you at the beginning. Can you start over
11 with your answer, please?
12 DR. BRINK: Yes. I was -- yes.
13 MS. HALLAM: Thank you.
14 DR. BRINK: Sorry about that. Yeah. What
15 I was saying is that I think it is apparent
16 that those really are the exceptions to the
17 rule, if there are just two groups that are
18 doing that and, obviously, with different
19 motivations.
20 I did have the opportunity to speak with
21 Montgomery County, because I did want to
22 evaluate the rationale behind that; and without
23 going into great detail, I will state that some

<p style="text-align: right;">43</p> <p>1 circumstances around their facility are 2 different and why those implementations. 3 Should we contemplate? You know, we 4 certainly did contemplate going that route, as 5 well. But it doesn't seem to fit with our 6 circumstances with the number of inmates coming 7 into the jail at this point. 8 And that potential for continual 9 importation from the community, as Ms. Williams 10 pointed out, we do still have community COVID 11 teams, and any one of those people coming into 12 the jail could have it, which would require 13 then serial testing of that population. 14 Just because somebody doesn't have it 15 today doesn't mean they are going to pick it up 16 tomorrow, and we do hope and believe that we 17 would be able to pick it up with the onset of 18 symptoms better than burning through those 19 tests and burning through that for somebody who 20 has critical needs in times of this pandemic. 21 MS. HALLAM: But to clarify, there is 22 nothing preventing us from doing it? We are 23 allowed to if we decide to do so?</p>	<p style="text-align: right;">45</p> <p>1 some on the level of response and interaction 2 and just hands-on that you have had. 3 I know in one of your answers, you 4 reference, I believe, with the biohazard team, 5 the Infectious Disease Coordinator's 6 advisement; but I would like to understand more 7 deeply, because in terms of our jail, these are 8 the health officials, as we all know, with whom 9 we contract, who have obligations as medical 10 personnel. 11 So without more commentary, I am deeply, 12 deeply disappointed that they were not able to 13 participate here. So in the absence of that, I 14 would just like to get some information on 15 what, in fact, they have been providing in 16 terms of our COVID response. 17 (No response.) 18 HON. KIM BERKELEY CLARK: So do you 19 understand? I am not sure I understand the 20 question. 21 Do you understand the question, Deputy 22 Warden? Or, Ms. Wagner, can you be more 23 specific about what you are asking -- what,</p>
<p style="text-align: right;">44</p> <p>1 DR. BRINK: There is no rules preventing 2 it, other than the things that I spoke about. 3 MS. HALLAM: Okay. Thank you, Dr. Brink. 4 I really appreciate that. 5 HON. KIM BERKELEY CLARK: Thank you. 6 So Dr. Brink, if you would -- you are 7 welcomed to stay, as I stated, or you may leave 8 the meeting. And we really thank you for 9 taking the time to review the questions and 10 answer them and participate in our Board 11 meeting today. So thank you and stay healthy. 12 DR. BRINK: Again, thanks for having me. 13 HON. KIM BERKELEY CLARK: So the next item 14 on the agenda are the public comments. 15 MS. WAGNER: Judge Clark, may I ask one 16 follow-up question to the Deputy Warden, since 17 neither the Infectious Disease Coordinator, nor 18 the Medical Director, to my understanding, will 19 be able to be here? 20 HON. KIM BERKELEY CLARK: Yes. 21 MS. WAGNER: Okay. I would just like to 22 ask generally -- and thank you -- for perhaps 23 Deputy Warden Williams, if you could elaborate</p>	<p style="text-align: right;">46</p> <p>1 specifically? 2 MS. WAGNER: Sure. You know, so I 3 appreciate that both Dr. Brink and Deputy 4 Warden provided answers to all of those 5 questions, but just in terms -- maybe to set 6 the table more broadly -- in terms of our 7 responsibility as a board -- and my computer is 8 saying my mic is muted. 9 Can you all still hear me? 10 HON. KIM BERKELEY CLARK: No. I can hear 11 you, yes. 12 MS. WAGNER: Okay. But in terms of our 13 responsibility as this body, this board, is to 14 ensure the health and safety of inmates. 15 So that being said, we contract with a 16 Medical Director and an Infectious Disease 17 Coordinator. Obviously, this is an infectious 18 disease circumstance and a medical circumstance 19 unlike none other that we have faced as a 20 community, but also as an institution. 21 So being that neither of them are here to 22 be able to provide information, I would like to 23 get information from the jail administration as</p>

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1 to what the involvement has been with the
2 Medical Director and with the Infectious
3 Disease Coordinator in the plan, that you
4 outlined in detail in response to these
5 questions, with all of those operations in
6 response to COVID-19 within the jail.
7 (No response.)
8 HON. KIM BERKELEY CLARK: Are you on mute
9 Deputy Warden? She is still there, but I don't
10 hear. Are you on mute?
11 (No response.)
12 HON. KIM BERKELEY CLARK: I am not hearing
13 her, so let's -- can we hold that question?
14 Can we come back to that question, so we
15 can move the agenda along? Is that okay?
16 MS. WAGNER: Yes.
17 HON. KIM BERKELEY CLARK: All right. So
18 while we are trying to do that, I have -- there
19 were a number of public comments that we
20 received, and as I mentioned to -- I emailed
21 the Board this afternoon to -- I did a
22 read-through very quickly, and so we are going
23 to have to -- and I did post on the website

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1 that I would present the comments in the order
2 in which they were received, so first come gets
3 to have their comments presented.
4 So it is my recommendation that, you know,
5 I read some of them; and if there are some
6 questions in them -- some of them are just
7 comments, and some of them are comments and
8 questions.
9 And then all of the comments will be --
10 have been given to the Board. All of the
11 comments will be made part of the record, and
12 it is my recommendation that the questions that
13 we do not get to at this meeting that we
14 provide the answers at the next meeting in old
15 business, which we would do if this were a live
16 meeting and people were asking the questions.
17 So I am going to read some of the
18 comments, and then I am going to sort of set a
19 timer so that I can -- so we need to get to the
20 business of the Board at hand.
21 So if you will just give me a second --
22 DEPUTY WARDEN WILLIAMS: Judge?
23 HON. KIM BERKELEY CLARK: Yes. Did

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1 somebody say something?
2 DEPUTY WARDEN WILLIAMS: Yes. This is
3 Deputy Williams. Greg assisted me in getting
4 un-muted.
5 HON. KIM BERKELEY CLARK: Okay. You can
6 answer that question.
7 DEPUTY WARDEN WILLIAMS: I should be
8 better at Teams at this point, but I'm so
9 sorry.
10 HON. KIM BERKELEY CLARK: Okay. You can
11 answer.
12 DEPUTY WARDEN WILLIAMS: So I wanted to
13 try to answer Ms. Wagner's question.
14 We do contract with a Medical Director, as
15 well as all of our providers. They are
16 employed officially by the Allegheny Health
17 Network; and our Medical Director is Dr. Don
18 Stechsulte, Jr. He has been employed at the
19 facility since July of 2015.
20 He will attest to the frequent communica-
21 tion that he and I have all hours of the night,
22 seven days a week. He has been on site four
23 days a week. We are very lucky that we have

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1 such an unbelievably hands-on Medical Director,
2 who is providing constant and continuous
3 guidance to the remaining providers that are
4 working on site.
5 We do almost daily what we call morning
6 huddles where we talk about our current
7 situation, positive cases, the status of those
8 individuals, discharge planning, treatment, et
9 cetera.
10 He has been consistently involved. He has
11 been able to review, and he has weighed in on a
12 lot of the operational plans within our plan.
13 The majority of our continuing operations plan
14 actually comes from CDC guidance of which he is
15 in agreement with.
16 There have been times when we have
17 actually exceeded the standard, and we are
18 happy that we have done that, because the CDC
19 recently changed their release from treatment
20 or isolation or quarantine, so we were very,
21 very happy that we had been previously abiding
22 by the new and now current recommendations; and
23 that was with his support that we have been

<p style="text-align: right;">51</p> <p>1 able to do that.</p> <p>2 Our Infectious Disease Coordinator is a</p> <p>3 County employee. She has been on site and</p> <p>4 actively involved. She has been doing a lot of</p> <p>5 the on-site education with not just our</p> <p>6 biohazard inmate workers, but also staff.</p> <p>7 Before Allegheny County even saw their</p> <p>8 first case, she was hanging signage personally</p> <p>9 on every single housing unit. She has been</p> <p>10 engaged in constant and continuous education.</p> <p>11 She has been a resource for staff, and she has</p> <p>12 been in constant communication with members of</p> <p>13 the Allegheny County Health Department, as</p> <p>14 well.</p> <p>15 She, too, has advised within our plan and</p> <p>16 offered comments, suggestions, and feedback.</p> <p>17 She has also developed some of our other</p> <p>18 workflow processes within the facility and/or</p> <p>19 come up with a lot of the different signage and</p> <p>20 information that we utilize.</p> <p>21 I don't want it to sound like there is any</p> <p>22 discredit to them for their not being present.</p> <p>23 They have been working around the clock, and I</p>	<p style="text-align: right;">53</p> <p>1 being a forum.</p> <p>2 HON. KIM BERKELEY CLARK: Sorry. Can you</p> <p>3 repeat that? You froze in the middle, and it</p> <p>4 got sort of garbled.</p> <p>5 MS. WAGNER: Okay. I'm sorry. I don't</p> <p>6 know if it is the storm coming through.</p> <p>7 So, you know, we all greatly, greatly</p> <p>8 appreciate their service, and there is no</p> <p>9 discredit to that.</p> <p>10 The fact that they are the medical</p> <p>11 providers who are on site at the jail -- and</p> <p>12 this is no discredit to the Deputy Warden,</p> <p>13 neither.</p> <p>14 But I think on the specific questions that</p> <p>15 we have, it is important for this Board, with</p> <p>16 our specific jurisdiction and charges, to be</p> <p>17 able to communicate directly with them.</p> <p>18 So my hope is that, especially in the</p> <p>19 format of this type of meeting, they would be</p> <p>20 available at our next board meeting.</p> <p>21 But as one follow-up, I would like to know</p> <p>22 what information they have provided</p> <p>23 specifically on any reasons why our jail should</p>
<p style="text-align: right;">52</p> <p>1 value and appreciate them so much that they</p> <p>2 have been willing to commit their lives, truly,</p> <p>3 to responding to this pandemic and the</p> <p>4 facility.</p> <p>5 So they're not present because they are</p> <p>6 hard at work, and I am thankful for that; and I</p> <p>7 feel very privileged to be able to work</p> <p>8 alongside such competent and intelligent and</p> <p>9 compassionate people. I have learned so much</p> <p>10 from them. Thank you.</p> <p>11 HON. KIM BERKELEY CLARK: Thank you,</p> <p>12 Deputy.</p> <p>13 MS. WAGNER: May I follow up, please?</p> <p>14 HON. KIM BERKELEY CLARK: Yes.</p> <p>15 MS. WAGNER: Because I think one of the</p> <p>16 specific questions -- and everybody is</p> <p>17 incredibly appreciative of the commitment of</p> <p>18 all of our medical staff, all of our jail</p> <p>19 staff, and all of our County employees.</p> <p>20 The question, though, is because --</p> <p>21 HON. KIM BERKELEY CLARK: Sorry. You</p> <p>22 froze.</p> <p>23 MS. WAGNER: -- medical providers and</p>	<p style="text-align: right;">54</p> <p>1 not be doing medical universal testing for</p> <p>2 COVID?</p> <p>3 HON. KIM BERKELEY CLARK: Okay.</p> <p>4 DEPUTY WARDEN WILLIAMS: I can directly</p> <p>5 respond to that. Because we are in support and</p> <p>6 in line with CDC guidance, PA Department of</p> <p>7 Health, and we trust the advisement from the</p> <p>8 Allegheny County Health Department, and we have</p> <p>9 full capacity to test anybody who is</p> <p>10 symptomatic within our facilities, and we have</p> <p>11 done so.</p> <p>12 HON. KIM BERKELEY CLARK: Okay. But --</p> <p>13 MS. WAGNER: I'm sorry, but that doesn't</p> <p>14 answer my question. I would like to ask the</p> <p>15 medical doctors if they have opinions on this,</p> <p>16 because I think this is a critically,</p> <p>17 critically important question, so if we have</p> <p>18 to --</p> <p>19 HON. KIM BERKELEY CLARK: So I will say</p> <p>20 that Ms. Williams -- Deputy Warden Williams is</p> <p>21 not the Medical Director. So in all fairness</p> <p>22 to the Medical Director, when I asked that</p> <p>23 someone from the medical department be present</p>

<p style="text-align: right;">55</p> <p>1 along with someone from the Health Department, 2 I didn't specify who I wanted. 3 When you made a specific request for 4 persons, it was close before the meeting. So I 5 will reach out and try to get -- if not at this 6 meeting, maybe we can convene a meeting to meet 7 with them to answer those questions. 8 I don't think she can -- she is not the 9 Medical Director. So I don't think she can 10 answer that. 11 I think we have had lots of information 12 from Dr. Brink about why, in this case, they 13 would not necessarily do it. 14 So we can talk about that with the Medical 15 Director, if you want. 16 So I would like to move to the public 17 comments at this time. I am going to -- 18 MS. HALLAM: Judge, can I -- this is 19 Bethany Hallam. 20 HON. KIM BERKELEY CLARK: Yes. 21 MS. HALLAM: Can I suggest that maybe in 22 new business, we bring this up again 23 potentially to schedule a date and time for</p>	<p style="text-align: right;">57</p> <p>1 history of severe asthma and history of 2 pneumonia." 3 "He states that my son is very subjected 4 to contracting COVID-19 and this will be 5 detrimental to his health. This letter was 6 presented in a motion to lift the detainer and 7 was denied by the Judge." 8 "My son also has keratoconus. This is a 9 rare degenerative disease of the cornea. 10 Without his contacts or glasses, he is nearly 11 blind. The jail does not have the equipment to 12 get his required prescription, and without his 13 contacts or glasses, he is nearly blind." 14 "Due to the current lockdown, I am not 15 allowed to bring his contacts to the jail. He 16 has been without his contacts for over a 17 month." 18 "I do not know if this Oversight Board can 19 assist in having the detainer lifted, but I am 20 asking for any help and information as to how I 21 might be able to convince the Judge to lift 22 this detainer. My son has paid all of his 23 fines and restitution."</p>
<p style="text-align: right;">56</p> <p>1 that communication with the jail medical staff 2 or Medical Director to happen, because I don't 3 think that we can wait another month -- or two 4 months since our last meeting -- another month 5 to get these updates. 6 HON. KIM BERKELEY CLARK: You are free -- 7 yes. In new business, you can raise anything 8 you like in new business. All right. 9 So I am going to -- I think I am going to 10 go -- I had planned to do, maybe, like 20 11 minutes, but we are already pretty much at the 12 5 o'clock mark. 13 And so I am going to read a few of the 14 public comments. I might not read all of them 15 in their entirety. And so then, as I stated, 16 the ones that have questions in, we will try 17 and make sure that those questions are answered 18 for the next board meeting. 19 So the first comment came from Jodi 20 Perozich, and her comment and questions are, 21 "My son is currently incarcerated in the County 22 Jail. His PCP issued a letter stating that his 23 health is in severe risk due to his medical</p>	<p style="text-align: right;">58</p> <p>1 "His trial was to be on March 3rd, 2020, 2 but was postponed due to some officers not 3 attending and a noninjury trial was in session. 4 My primary concern is how to have his detainer 5 lifted." 6 So there is more to her letter, but the 7 basic thing is that the Board can't lift the 8 detainer. She had a motion in front of the 9 Judge, or he did, and it was denied. Even I as 10 the President Judge can't overrule the decision 11 of another judge, and it would be improper for 12 me to talk to him about that. 13 I did try to personally send an email to 14 her, and it bounced back. I am going to try to 15 send it again. 16 I did reach out to Deputy Warden Williams 17 about the contact lenses, and she has contacted 18 Ms. Perozich to tell her when she can bring the 19 contact lenses to the jail. 20 I don't know whether she responded to you, 21 back to you, Deputy Warden. I did see the 22 email that you sent her. 23 DEPUTY WARDEN WILLIAMS: So I actually</p>

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1 spoke with her via telephone.
2 HON. KIM BERKELEY CLARK: Okay.
3 DEPUTY WARDEN WILLIAMS: I was able to get
4 contact with her that way.
5 HON. KIM BERKELEY CLARK: Okay.
6 DEPUTY WARDEN WILLIAMS: We set up a date
7 and time.
8 Because it is a public meeting, I think it
9 important to note that we do still have the
10 information listed on the jail website for how
11 we can accept medical supplies, to include
12 glasses and contact lenses.
13 Despite the pandemic, that process has not
14 changed. So we do still require preauthoriza-
15 tion in order to bring something in. Every-
16 thing is searched upon arrival. Contact lenses
17 must be in their original packaging, the lens
18 cases must be empty and dry, and any item that
19 has the appearance of tampering will not be
20 accepted.
21 HON. KIM BERKELEY CLARK: Thank you.
22 The second comment is from Mrs. Damick,
23 Marion Damick, the co-convenor of the

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1 Pennsylvania Prison Society. Her comment is
2 this: "First, we appreciate the work of the
3 frontline workers in the jail, including the
4 COs, health care workers, and various jail
5 staff in these unprecedented times."
6 "Comments and questions follow. A, it
7 appears that COVID-19 information about the
8 number of infected tested inmates and COs, et
9 cetera, is only being released as a press
10 release at the time convenient for the jail
11 administration."
12 "Allegheny County has an informative
13 dashboard regarding the County as a whole that
14 has been in place for several weeks listing
15 various aspects of tests administered, total
16 cases, deaths, et cetera."
17 "Why hasn't the jail provided such a
18 dashboard on their web to be transparent and to
19 update the community, families, and employees
20 of the impact of the virus of the ACJ?"
21 Warden, do you want to answer about what
22 is on the website and when it is posted?
23 WARDEN HARPER: We post our data

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1 pertaining to COVID-19 on our website every day
2 daily and sometimes hourly. So right now,
3 inmates tested, 59; inmates positive, 28;
4 inmates negative, 30; inmates, pending, 1.
5 And we also indicate the state of the
6 staff. Staff tested, 44; staff positive, 5;
7 staff negative, 36. So we already put that
8 information on our website.
9 HON. KIM BERKELEY CLARK: And you put it
10 on pretty much at the time you get the
11 information; is that correct?
12 WARDEN HARPER: Yes, ma'am.
13 HON. KIM BERKELEY CLARK: All right.
14 Thank you.
15 Then the rest of her comment, "It should
16 be" -- "it should provide such statistics about
17 the impact of the virus on inmates, COs, and
18 staff, such as testing numbers, positive rates,
19 et cetera."
20 "The dashboard should also include the
21 number of inmates also sent outside the
22 facility for treatments, as well."
23 "Being we have received various inquiries

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1 as to the opening of the commissary, many of
2 these inquiries are written by inmates noting
3 about the lack of nourishment in the current
4 meals being distributed."
5 "Anecdotally, we have been told of various
6 samples of what the meals consist, and it
7 appears very laden with starches, but lacks
8 fruits or vegetables."
9 "Inmates note the restrictions on
10 commissary have resulted in them not being able
11 to buy certain food items to supplement the
12 meals. Of course, lack of proper nutrition can
13 compromise the immune system, which benefits
14 the spread of any virus."
15 "Is and how are the nutrition for the day
16 being monitored? And are your current
17 guidelines adequate? Thank you."
18 Warden?
19 WARDEN HARPER: Well, pertaining to our
20 food, the dieticians of our food contractor
21 indicates that each inmate at our jail should
22 get 3,200 calories a day. We monitor the food
23 on each meal, and the meal will suffice for the

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1 inmate population.

2 Pertaining to commissary, the inmates in

3 our jail is able to get commissary. Now, there

4 was a time period in which we did have some

5 issues with the commissary, but those issues

6 have been resolved.

7 So I am confident we are serving good

8 wholesome meals to our inmate population; and

9 we are in guidance with a dietician from our

10 vendor to assure that the inmates are getting

11 3,200 calories a day.

12 HON. KIM BERKELEY CLARK: So the

13 commissary is open at this time, Warden?

14 WARDEN HARPER: Yes, ma'am.

15 HON. KIM BERKELEY CLARK: Is it possible,

16 Warden, for the Board members to get a copy of

17 the menu to see what is on the menu?

18 WARDEN HARPER: Yes, ma'am.

19 HON. KIM BERKELEY CLARK: All right. So

20 can you get that sent out?

21 MS. HALLAM: Judge Clark?

22 HON. KIM BERKELEY CLARK: Yes.

23 MS. HALLAM: I'm sorry. I would just like

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1 to clarify: Incarcerated folks who are on

2 quarantine or isolation, do they also have

3 access to commissary right now?

4 DEPUTY WARDEN WILLIAMS: Yes, they are

5 able to order from bubble sheets since they

6 cannot come out to utilize the commissary

7 machines. But they are able to order, and the

8 commissary will deliver to the housing unit;

9 and correctional officers dressed in the

10 appropriate PPE will deliver to the inmates.

11 MS. HALLAM: Thank you.

12 HON. KIM BERKELEY CLARK: All right. So

13 the third comment is from Greg Dober, who is a

14 co-convenor of the Allegheny County Chapter of

15 the PA Prison Society.

16 His comment is, "Thank you for the time to

17 answer questions. A, as the contracted medical

18 provider for the jail, what is being done by

19 Allegheny Health Network to ensure more

20 substantial COVID-19 testing gets conducted at

21 the facility for staff and inmates? Of course,

22 testing with a goal of 100 percent."

23 I think there has been discussion about

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1 that, and we are going to have to get maybe

2 more information from the Medical Director

3 about that.

4 "B, the Allegheny County Jail COVID-19

5 alert? Our response website notification

6 indicates, 'in order to mitigate the effects of

7 no outside contact, inmates are being allowed

8 one free daily five-minute phone call.'"

9 "Is the jail holding to this policy and

10 ensuring all inmates are offered this

11 opportunity? How are those in strict

12 quarantine and medical isolation accessing

13 communications for at least this call?"

14 And I think there was some discussion

15 about that; but, Warden, or, Deputy Warden

16 Williams, if you could talk just briefly about

17 the phone call and who is getting it and

18 whether the inmates that are in quarantine or

19 in isolation are getting the ability to make

20 the call.

21 DEPUTY WARDEN WILLIAMS: As I had

22 discussed in one of the previous questions,

23 those that are on a medical isolation status

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1 are not eligible to utilize the phones right

2 now.

3 They do provide consent for us to contact

4 their family members to provide updates, of

5 which we do; and then we will communicate those

6 messages back to them. They are eligible to

7 write at this time.

8 When they are placed on quarantine status,

9 they are eligible to use the phone; but they

10 have to be without symptoms and not at risk for

11 disease spread at that time in order to have

12 those phone calls.

13 Those that are in our setting that are on

14 a restricted status, based on sanctions that

15 are upheld due to rule violations, are also not

16 eligible to receive those phone calls. They

17 can still write to their family members, as

18 well.

19 HON. KIM BERKELEY CLARK: All right.

20 Thank you.

21 MS. HALLAM: Excuse me, Judge Clark. Is

22 that not a violation of the incarcerated folks'

23 rights to have contact with their legal

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1 representation? It doesn't sound like they are
2 provided any contact, that instead it is more
3 of a middle man situation with them trusting a
4 staff member with a message and then that
5 message then being forwarded along to their
6 legal counsel.
7 I am worried about confidentiality, you
8 know, client privilege amongst the lawyers, if
9 that is not -- if that is the process for doing
10 so.
11 WARDEN HARPER: One of the things we have
12 got to remember is inmates that is on medical
13 isolation, we are trying to stop the spread of
14 the virus. And for us to allow individuals to
15 use the telephone, et cetera, et cetera, could
16 potentially continue the spread of the virus.
17 So I understand what you are saying. They
18 are still able to write to their attorney, et
19 cetera, et cetera; but while they are on
20 medical isolation, our primary responsibility
21 is stopping the spread of this virus.
22 HON. KIM BERKELEY CLARK: And I do believe
23 that some attorneys have contacted the jail, as

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1 well, and they were able to sort of still be
2 able to file motions and do things on behalf of
3 their clients through that method.
4 It is not ideal, and I don't know what the
5 solution would be to that. I mean, we -- there
6 is a system that they put in place for inmates
7 that are not in isolation; but because there
8 aren't any attorney visits, to have secure
9 phone calls with their lawyer, so that the
10 phone calls are not monitored or recorded, and
11 so that process is in place.
12 That information on how to do that has
13 been sent to the Bar Association who did sort
14 of an e-Blast about it. It is on, I think, the
15 jail website, as well. So there is a mechanism
16 for that.
17 It is very, very complicated; and it is an
18 issue that I think the criminal defense bar and
19 the Court will continue to address to see if
20 there is any other methods that we can come up
21 with or develop to address this situation.
22 But right now, we don't have any good
23 answer for that; but we are working on it, Ms.

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1 Hallam.
2 MS. HALLAM: Okay. Thank you.
3 What about the tablets that we had
4 discussed at previous meetings? Wouldn't that
5 be great way for incarcerated folks to be able
6 to keep in contact right now?
7 HON. KIM BERKELEY CLARK: It would be --
8 WARDEN HARPER: But that is --
9 HON. KIM BERKELEY CLARK: And there is a
10 lot of -- a lot of the comments, and you all
11 have read them, also mentioned the tablets.
12 But since that is part of the questions,
13 we will ask the Warden to address that. What
14 is the status of the tablets?
15 MS. HALLAM: Thank you. Thank you.
16 WARDEN HARPER: You know, right now, the
17 vendor is not doing anything pertaining to the
18 tablets because of the pandemic.
19 And I agree with everybody. I would love
20 to get the tablets in as soon as possible.
21 Right now, we have a crisis that is going on in
22 that jail, and we cannot risk individuals
23 coming into that jail that could spread the

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1 virus any more.
2 But right now, the tablets are on hold
3 during this pandemic.
4 HON. KIM BERKELEY CLARK: The next comment
5 is from Ray Englert, son of a Corrections
6 Officer; and Mr. Englert states, "Why were some
7 officers who worked around inmates that were
8 confirmed infected or quarantined not advised
9 that they were around an individual who tested
10 positive? The inmate need not be named to
11 notify the officer they were around an inmate
12 under quarantine or confirmed infected.
13 Notification isn't happening proactively.
14 Why?"
15 Warden, or, Deputy Warden Williams, can
16 you address that issue of how staff is
17 notified?
18 WARDEN HARPER: Contact tracing occurs
19 with the guidance and support of the Allegheny
20 County Health Department. Contact exposures
21 are defined as face-to-face interactions, ten
22 or more minutes, within six feet.
23 If there is a concern that a contact

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1 exposure has occurred, the employee is notified
2 and may be directed to quarantine.
3 Additionally, if other inmates are
4 identified as having a contact exposure, they
5 are placed on quarantine status and monitored
6 until determined if symptoms develop.
7 HON. KIM BERKELEY CLARK: Thank you.
8 Comment No. 5, which was addressed in the
9 presentations by Dr. Brink and Deputy Warden
10 Williams is from Mike Barone from the Allegheny
11 County jail. "Other facilities have tested the
12 entire population. Is this possible for the
13 Allegheny County Jail, including officers and
14 civilian personnel?"
15 So that was already discussed.
16 Number 6 is just from a concerned officer,
17 "Why are the ACJ officers and medical staffing
18 ordered to wear cloth masks made by state
19 inmates made from old inmate uniforms?"
20 Warden Harper already addressed that that
21 is not so. "They certainly do not appear to be
22 of CDC guidelines. Also, per the CDC, cloth
23 masks are recommended for the general public.

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1 Officers and medical staff inside the jail are
2 not the general public."
3 "A few other reasons not to wear a cloth
4 mask: A facility that has an over 50 percent
5 testing result, a facility that is refusing to
6 do mass testing to control the spread of the
7 inmates, to staff, our families, and to you, a
8 facility that is not protecting the staff and
9 refuses to allow us to protect ourselves by
10 bringing in our own better PPEs."
11 So this was all was answered in the
12 presentation.
13 The next comment is from another concerned
14 officer. "Due to taking officers to 12-hour
15 shifts, there have been several days where the
16 intake department is severely understaffed. As
17 recently as April 30th, there were only eight
18 officers working in intake on the 19:00 to 7:00
19 shift, a department that should take 15 to 17
20 officers to properly staff the p.m. shift."
21 This is utterly unsafe and unacceptable.
22 Clearly, the 12-hour shifts was a very
23 premature decision, as only one correctional

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1 officer thus far has tested positive for
2 COVID-19, and they are making it nearly
3 impossible to properly staff the jail."
4 So this is more a comment and not a
5 question. Is there understaffing in the intake
6 department, I guess, is the question?
7 WARDEN HARPER: Absolutely not, Your
8 Honor. And like I stated previously, we ensure
9 that our staff needs is appropriate at all
10 times.
11 So, you know, I cannot get into any other
12 issues pertaining to staffing because of
13 security issues; but, again, I want to assure
14 you and the Board that we make sure that our
15 jail is appropriately staffed.
16 HON. KIM BERKELEY CLARK: So it has been
17 about 16 minutes, so I think we can't -- we
18 will have to save the other comments or
19 questions for the next meeting.
20 I just would like to thank the public for
21 responding to the comments. We had a real
22 large number of comments, more than we would
23 ever get at a meeting where people would come

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1 and present their comments and questions in
2 person.
3 And I would like to thank the public for
4 that; and also, I would like to thank them for
5 their concern for the vulnerable population in
6 the jail and for the staff that is working in
7 the jail. So thank you all for that.
8 And so now, we will move to do old
9 business. There were a number of items of old
10 business. I believe some of them in terms of
11 COVID-19, that has really been answered.
12 And so, Warden, if you could go through
13 the items of old business.
14 WARDEN HARPER: Well, for the policy book,
15 we have not been able to do anything with the
16 policy book. I think at the last meeting that
17 we were in, we stated that we were going to put
18 a policy on line.
19 But with this pandemic going on, we have
20 not even started that process. So we will try
21 to get to that as soon as possible; but right
22 now, our primary responsibility is this
23 pandemic.

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1 HON. KIM BERKELEY CLARK: All right. The
2 suicide prevention report presentation? We
3 were going to do that.
4 I, quite frankly, have not had an
5 opportunity to work with the Warden on that
6 presentation. It was a lengthy report; but I
7 don't know whether the Warden has been able to
8 do it and wants to make any comment about that
9 at this time.
10 WARDEN HARPER: Well, Your Honor, the only
11 thing that I could report was before this
12 pandemic started, we were on track of really
13 trying to do a lot of things.
14 So some of the things that was
15 recommended, but since this pandemic has taken
16 place, you know that has fallen to the wayside
17 a little bit; but that is something we can look
18 at a little bit in the future, Your Honor.
19 HON. KIM BERKELEY CLARK: All right. So
20 the Narcan funding report?
21 WARDEN HARPER: Okay. I am not really
22 sure what this is referring to. So can
23 somebody remind me exactly what they are

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1 talking about?
2 HON. KIM BERKELEY CLARK: I don't recall,
3 either.
4 All right. Well, let's skip to the
5 religious items policy. I thought we covered
6 that at the last meeting.
7 WARDEN HARPER: I thought we did, too.
8 HON. KIM BERKELEY CLARK: So the 2020
9 elections update, can you talk about that? I
10 know there were plans to have town halls and to
11 have sort of outside people coming in for the
12 town halls.
13 So what is the status of the town halls
14 and the voter registration and absentee ballots
15 within the jail?
16 WARDEN HARPER: Well, Your Honor, we were
17 not able to do the town halls, because of the
18 pandemic. But what we have done is put
19 publications out to the inmate population
20 indicating to the inmates that can vote that
21 they will have to submit their resumé or their
22 applications to the Elections Department so
23 that they can do a mail-in vote.

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1 So this must -- this form must be turned
2 in to our administrator of programs by May the
3 15th, 2020, so that they can actually be able
4 to vote. So it is going to be done by mail.
5 HON. KIM BERKELEY CLARK: Do you know how
6 many eligible voters are in the jail and how
7 many registered voters are in the jail? That
8 was one of the questions. And I don't know
9 what the --
10 WARDEN HARPER: No, ma'am, I do not. I do
11 not; but I can get that information.
12 HON. KIM BERKELEY CLARK: Have people been
13 registering and applying to vote? Has there
14 been an interest by the inmates in voting?
15 WARDEN HARPER: I just know, Your Honor,
16 that we put the publications on the pods. I
17 did not get information as to how many or who
18 was interested; but I can get that information
19 and report back to you.
20 HON. KIM BERKELEY CLARK: All right.
21 MS. HALLAM: To clarify -- sorry, Judge
22 Clark -- you are saying you gave everyone who
23 was registered and eligible to vote

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1 publications. Does that mean you gave them all
2 mail-in ballot applications like all of the
3 voters in Allegheny County are being sent, or
4 did you just give them a piece of paper that
5 said, "You can request an application"?
6 WARDEN HARPER: We put publications on the
7 pods for the inmate population to read to show
8 them or to inform them that if they are
9 eligible to vote, they can fill out the
10 application and submit it to our program
11 administrator.
12 MS. HALLAM: Okay. So they have to --
13 WARDEN HARPER: I think that has been the
14 case for --
15 MS. HALLAM: Okay. So they were not
16 provided applications like every registered
17 voter in Allegheny County has been, correct?
18 WARDEN HARPER: So the caseworker has the
19 applications, and they will furnish the
20 applications to the inmate, if the inmate
21 intends to vote.
22 MS. HALLAM: So they have to request it?
23 They are not automatically given it, like

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1 everyone else in the County?

2 WARDEN HARPER: They have to request it

3 from the caseworker, yes, ma'am.

4 MS. HALLAM: Okay. Thank you very much.

5 WARDEN HARPER: You're welcome.

6 HON. KIM BERKELEY CLARK: Then the

7 employee training program? If you could please

8 speak to the training programs.

9 WARDEN HARPER: Your Honor, I am not sure

10 what that is, Your Honor.

11 HON. KIM BERKELEY CLARK: All right. And

12 I think -- and I don't know whether this was

13 submitted.

14 I think there was a request to see the

15 commissary price list and the phone call price

16 list.

17 WARDEN HARPER: I do have that, Your

18 Honor; and I will email that to you after this

19 meeting. I do have the commissary listing for

20 the males, for the females, and the telephone

21 call rate.

22 HON. KIM BERKELEY CLARK: And we can send

23 that -- I will send that out to all the Board

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1 member.

2 So with respect to item No. 5, you all

3 received from Ms. Rowland, the minutes from the

4 meeting, the Board meeting on March 5th.

5 I would ask if anyone has any questions or

6 comments or corrections to the minutes; and if

7 not, I would entertain a motion to approve

8 those minutes. And if you are making a motion

9 or a second, please take yourself off of mute.

10 Is there a motion to approve the minutes?

11 HON. BETH LAZZARA: So moved. Beth

12 Lazzara.

13 HON. KIM BERKELEY CLARK: All right. Is

14 there a second?

15 MS. KLEIN: I'll second. Terry Klein.

16 HON. KIM BERKELEY CLARK: Are there any

17 questions or discussions about them?

18 (No response.)

19 HON. KIM BERKELEY CLARK: All those in

20 favor, please state "aye." Take your phones

21 off mute or your devices off mute, and please

22 respond by saying, "Aye."

23 (Group response of "Aye.")

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1 HON. KIM BERKELEY CLARK: All opposed?

2 (No response.)

3 HON. KIM BERKELEY CLARK: All right. So

4 the minutes are approved.

5 So the President's Report? I don't really

6 have anything to report that hasn't already

7 been discussed, except I did provide you and I

8 have been providing on a regular basis to the

9 Board all information on COVID-19 cases in the

10 jail.

11 The Warden calls me day and night, on the

12 weekends, or emails me or texts me; and then I

13 provide the information to the Board. But I

14 have also been providing you the Court

15 statistics, the information that the Court has

16 provided on the jail population from our

17 prospective.

18 And so I provided -- I sent to you today

19 the jail population statistics that the Court

20 had gathered since May 1st of 2020 in terms of

21 the number of releases and how the Court views

22 them.

23 So there are, of course, some things that

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1 are-- that make it sort of complicated in terms

2 of who gets released.

3 So at the onset of sort of the pandemic,

4 the Court, the District Attorney, the Public

5 Defender, the jail, the County administration,

6 there was a concerted effort to have the bail

7 hearings and the ability for lawyers to file

8 motions remotely, so that the Court could

9 consider reducing bond or lifting detainers and

10 so forth; and that has been a very good

11 process.

12 Over time, of course, the numbers are

13 reduced because the people that are left are

14 the more serious -- the people that have more

15 serious charges, and so there is a higher risk,

16 perhaps, for the safety of the community.

17 It doesn't mean that we are not continuing

18 to review them. We review them every day; and

19 some people are reviewed again. So just

20 because you weren't -- your detainer wasn't

21 lifted the first time, circumstances may

22 change, and a judge may reconsider.

23 I see Judge Lazzara shaking her head, so I

83

1 don't know if she wants to pipe anything in
 2 about this since she is a judge in the Criminal
 3 Division before whom some of these cases would
 4 be presented.
 5 Judge Lazzara, do you want to say anything
 6 about it?
 7 HON. BETH LAZZARA: Yes. My colleagues
 8 and I have been working really hard on all of
 9 the requests to lift detainee; and there have
 10 been a great number of them, and many people
 11 file more than one time.
 12 And so a lot of people have been
 13 considered more than one time. Some of those
 14 people are granted a release on the second
 15 time, and some of them are denied on the third.
 16 We are all very much aware of the fact
 17 that no one wants to be in the jail during this
 18 time, especially because of COVID-19; but that
 19 is not always the sole reason or the sole thing
 20 that we have to look at.
 21 We have many factors to look at. We have
 22 to look at danger to community, danger to
 23 victims, and quite frankly, sometimes even

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1 danger to the defendant themselves.
 2 I certainly can't release somebody who has
 3 just overdosed and almost killed themselves on
 4 heroin and just let them go back out on the
 5 street. That is not a very safe thing for me
 6 to do.
 7 We are getting people into treatment, so
 8 there are people leaving the Allegheny County
 9 Jail and going to inpatient locations; and we
 10 have been very happy about the fact that some
 11 of the inpatient providers have still been
 12 willing to take people there, so that we can
 13 make sure that folks with drug addictions are
 14 able to get the help that they need during this
 15 time.
 16 So we have been very cognizant about
 17 trying to make sure that they are reviewed for
 18 inpatient treatment.
 19 It is a very complicated process. I know
 20 that all of my colleagues have been working
 21 really hard on it; and we know that sometimes
 22 people are disappointed with our decisions, but
 23 we have to make the decisions that we think are

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1 best for jail population, the defendants, the
 2 community, the victims, everyone involved.
 3 And so it is a really complicated calculus
 4 that we are all taking an awful lot of time to
 5 try to get right.
 6 MS. HALLAM: Judge Lazzara --
 7 HON. BETH LAZZARA: Yes.
 8 MS. HALLAM: -- this is Bethany Hallam. I
 9 just want to, first of all, speak to the fact
 10 that there is actually nothing that shows that
 11 housing substance use, people with substance
 12 use disorder, in jail is actually safer for
 13 them.
 14 It actually increases their likelihood of
 15 overdose once they are released into the
 16 community.
 17 What I would like to suggest and ask if
 18 there is anything in the works for this is: I
 19 know that there are some folks who are waiting
 20 for drug and alcohol assessments that are
 21 supposed to be performed by the jail, and that
 22 is kind of what is holding up their detainee,
 23 and -- no? I mean, is that --

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1 HON. BETH LAZZARA: I mean, there are
 2 certainly people waiting for those reviews.
 3 But I can tell you that when I tell somebody
 4 that I want a drug and alcohol evaluation done,
 5 it is done almost immediately. It is done
 6 incredibly quickly.
 7 Part of the problem is that a lot of the
 8 providers stopped coming into the jail, a lot
 9 of the providers stopped having bed
 10 availability.
 11 So, you know, there are several -- Teen
 12 Challenge in Cheswick, a phenomenal place, they
 13 will immediately assess by telephone, and we
 14 can get those folks out within a day or two.
 15 But some of the providers have simply
 16 stopped accepting people, so any delays could
 17 be because there is more of a need than there
 18 is bed space available at this point in time.
 19 But the evaluations are occurring, and
 20 they are occurring quickly. It is fantastic to
 21 see how fast everybody is moving on it.
 22 So the diversion program is still
 23 operating. They are diverting people when they

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1 can; and any judge that makes a request, I am
2 telling you, it is happening very quickly. So
3 it has been very impressive.

4 MS. HALLAM: Okay. Thank you.

5 HON. KIM BERKELEY CLARK: And I think
6 there has been a good response. You know, the
7 complicating factor is that all of our Court
8 facilities are still closed; and so there
9 aren't any in-person things that are happening.

10 But we have a really good system where
11 people have access to do things like clear
12 warrants. So if I have a bench warrant, they
13 can't go to the walk-in counter in the criminal
14 courthouse; but there is a phone number they
15 can call. And many of those warrants are taken
16 care of by a phone call, so that someone
17 doesn't have to be arrested and be detained.

18 So if you look at the jail -- our
19 statistics since -- as of May 1st, so the next
20 report will come out, of course, tomorrow
21 because we do them weekly, the Court has sent
22 release paperwork on 870 inmates.

23 And that does not include the inmates who

88

1 were released because they were paroled, they
2 had finished their sentence, that were under
3 the Pennsylvania Parole Board. That doesn't
4 include the out-of-county detainees that may
5 have been lifted by out-of-county judges. It
6 doesn't include the Family Division folks that
7 were there on child support, or those that were
8 lifted. These are just the criminal ones and
9 the federal paroles, if they were released.

10 Those are also cases that we -- over which
11 we have no control. We can't do anything about
12 the federal prisoners that are in the County
13 Jail in terms of their release. We can't do
14 anything if someone is detained from another
15 county, particularly, if the detainee is for a
16 serious charge.

17 So we just have to just kind of hold them
18 until the other county comes and gets them. So
19 it is a very complicated process, but I am
20 very -- as the President Judge, I am very, very
21 proud of my colleagues in the Criminal Division
22 under the leadership of Judge Rangos and then
23 the Court Administrator, Tom McCaffrey, the

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1 Public Defender, the District Attorney, and the
2 staff at the jail, the Warden and the staff at
3 the jail, who have all worked very hard and are
4 still doing it.

5 I mean, it is not going to stop. I mean,
6 that is it. It is just going to keep going, so
7 they are doing it every day.

8 HON. BETH LAZZARA: Judge Clark, can I
9 just add one more thing?

10 HON. KIM BERKELEY CLARK: Yes.

11 HON. BETH LAZZARA: I know that there has
12 been a concern about the fact that some of
13 these folks can't access their attorneys, and
14 so you may be wondering how they are able to
15 file motions to lift detainees without
16 attorneys.

17 However, I can tell you that at least
18 me -- and I am quite sure that all of my
19 colleagues, certainly, everybody that I have
20 talked to -- you know, we are taking pro se
21 letters, and we are treating those as motions
22 to lift detainee.

23 The Probation Office is proactively going

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1 through detainee lists and getting us names.
2 Counselors from the jail are contacting the
3 Probation Department, and they will then email
4 me.

5 So this process is occurring, despite the
6 fact that sometimes attorneys are not involved.
7 We are taking phone calls from people, family
8 members, on the outside and treating those as
9 motions to lift detainee.

10 So pretty much, everything that we can do
11 we are doing, and we are doing it without the
12 filing, a lot of times, of a formal motion by
13 an attorney.

14 So just so you know that that process of
15 not being able to talk to attorneys as often as
16 they want to is not hampering things.

17 HON. KIM BERKELEY CLARK: And I do get a
18 lot of emails from family members or letters,
19 mostly emails now, and I forward those to the
20 Criminal Division, and they address all -- each
21 and every one of them.

22 So no letter, email, phone call, text,
23 whatever it is, goes unaddressed. So thank

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1 you, and that is all I have to report.

2 Warden, do you have anything to report

3 today?

4 WARDEN HARPER: I do, Your Honor. The

5 first thing I would like to do is I want to

6 thank all of my employees, contractors, and all

7 of the great work that they are doing during

8 this pandemic.

9 This is an ever-changing situation, and

10 the employees and the contractors at the jail,

11 I just wanted to tell you that I appreciate

12 you, and I thank you for everything that you

13 have done.

14 Also, I wanted to say thank you to the

15 Court's Pretrial Services and the Public

16 Defenders for getting all of these inmates

17 released from my jail, so we can better manage

18 the jail during this pandemic, Your Honor.

19 And the last thing I wanted to report is

20 this the Correctional Employees' Week; and we

21 have been still trying to appreciate our

22 employees during this week, so that we can show

23 them that we really appreciate them. This is

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1 also Nurses' Week and also Teachers'

2 Appreciation Week.

3 So I just wanted to say for the jail and

4 everybody working in the jail, we appreciate

5 everything that you do. Your Honor, that is

6 all I have to report.

7 HON. KIM BERKELEY CLARK: Thank you,

8 Warden. Deputy Warden Williams?

9 DEPUTY WARDEN WILLIAMS: Yes. Thank you.

10 So I wanted to go through, you know, the

11 health care services report that we submit

12 every month because there have been numbers

13 that have drastically changed, and I want to

14 make sure that it is fully understood the

15 reason why.

16 So we have had a decreased number of

17 intakes in our institution which will impact

18 the prescreens, (inaudible) and in the agency.

19 But you will see probably an alarming shift in

20 clinic visits from last month to this month.

21 So we went from around 700 to 97. Now, I

22 need to ensure that anybody -- everybody has an

23 understanding of what that has changed.

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1 So we record clinic visits of individuals

2 who are physically transported to our clinic,

3 which is on Level 5, to receive services within

4 one of the clinic exam rooms.

5 Because of the pandemic, we had to reduce

6 movement throughout the facility for a number

7 of really good reasons. We don't want

8 individuals communing in areas where we can't

9 appropriately socially distance. We also don't

10 want to mix individuals from different housing

11 units if we don't have to, should there be an

12 impacted pod and then community disease spread.

13 So, instead, what we have done is we have

14 deployed our staff onto the housing units

15 and/or allowed them to have clinic visits on

16 confidential settings, either in interview

17 rooms on the housing units or attorney rooms on

18 the levels.

19 So within this time period, we actually

20 had 1,433 face-to-face encounters from a

21 medical nurse; and that would be an R.N. We

22 had 1,655 medical provider face-to-face visits.

23 I cannot believe when we pulled this data

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1 how hard this staff has worked; and there have

2 been a lot of different reports that we are

3 understaffed or that we can't appropriately

4 meet the needs of the facility; and I think

5 that is beyond damaging to the people who

6 continue to show up to work every single day

7 and work hard throughout the duration of their

8 shift.

9 These patients matter to us. It is why we

10 choose correctional health care every single

11 day.

12 And in light of Nurses' Week this week, I

13 had to highlight that our staff has such an

14 outstanding job making sure that these

15 individuals are not left behind, that they

16 don't remain fearful during a time where we are

17 facing two different pandemics: One of

18 coronavirus, COVID-19, and one of fear within

19 our institution.

20 So I wanted to make sure that everybody

21 was well aware that the patients are continuing

22 to be seen. Those appointments are face-to-

23 face encounters and do not include medication

95

1 pass, which, of course, is L.P.N.s or R.N.s.
 2 So the patients in the facility are being
 3 seen even more routinely and regularly. This
 4 also does not include the b.i.d. temperature
 5 screens or the t.i.d. temperature screens that
 6 we have done on affected housing units.
 7 So I wanted to extend my gratitude to the
 8 hardworking staff in the facility. The amount
 9 of adversity that we have faced as an
 10 institution and the capacity to come together
 11 as a team is a true testament to everybody who
 12 works in the facility and continues to find
 13 solutions, instead of problems.
 14 Additionally, I wanted to report that we
 15 have had to come up with some really creative
 16 ways to ensure that we have times that are
 17 meeting the needs or the demands of Court
 18 orders.
 19 I know that the Batterer's Intervention
 20 Program has been a topic of conversation in
 21 past meetings. So we have had our program
 22 administrator, Jack Pischke, who is just
 23 incredible and innovative and creative and

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1 always looking for ways to find a solution, he
 2 has worked with the contracted providers to
 3 ensure that we have packets continuously being
 4 provided to these individuals.
 5 They have to complete those in order to
 6 get credit. Despite the fact that we are
 7 dealing with a pandemic, enrollment is
 8 something that we are working on; but we have
 9 had individuals continue to make progress.
 10 We currently have 15 men in the program.
 11 We had 23 originally when we started the
 12 program. Six have been released, so they can
 13 continue into the community, one has been
 14 transferred to the Pennsylvania Department of
 15 Corrections, and one has completed.
 16 I can say that, additionally, in our
 17 Allegheny Intervention -- or in the Allegheny
 18 Intermediate Unit, we have done similar packets
 19 for continued education for the population
 20 within our facility, as well.
 21 So I want to thank, again, everybody for
 22 their incredible ingenuity, as well as
 23 commitment to continuing to serve such a

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1 vulnerable population. That's all.
 2 HON. KIM BERKELEY CLARK: Thank you.
 3 So new business?
 4 MS. HALLAM: Judge Clark?
 5 HON. KIM BERKELEY CLARK: Yes. Ms.
 6 Hallam?
 7 MS. HALLAM: Yes. So first of all, I
 8 would like to start off and remind everyone
 9 that within this past week, the Auditor General
 10 of Pennsylvania recommended universal testing
 11 at all county jails across the state, along
 12 with the ACLU, entire states who are testing
 13 their corrections, like, Tennessee, New Jersey,
 14 and then random facilities in a slew of other
 15 states across the country, not to mention
 16 Montgomery County, our neighbor a little over
 17 to the east who is doing it, as well.
 18 So I would like to remind everyone on this
 19 Board that it is our statutory responsibility
 20 as members of the Jail Oversight Board to
 21 protect the health and safekeeping of our
 22 incarcerated population, and to ensure that
 23 their living conditions are safe and healthful.

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1 So with that, I would like to motion to do
 2 universal testing at the Allegheny County Jail,
 3 not only the incarcerated folks but the staff
 4 members, as well.
 5 HON. KIM BERKELEY CLARK: So there is a
 6 motion. Is there a second?
 7 MS. WAGNER: I will second the motion; and
 8 I would just add that our office -- and I know
 9 Councilwoman Hallam was in contact with
 10 Montgomery County just this week, I guess, or
 11 last week in terms of the cost, and it
 12 certainly is not cost prohibitive.
 13 And I know -- I believe it was Deputy
 14 Warden Williams that had testified earlier that
 15 that is not a factor, but I think it is a fair
 16 thing just to acknowledge in terms of this.
 17 And I would also add that I have heard
 18 nothing in terms of why we should not be doing
 19 universal testing on this call, only saying
 20 that we are following the CDC. And I would
 21 just add -- maybe this is my opinion, but -- in
 22 this era, I think the CDC is certainly the
 23 floor, and I think it is our responsibility to

99

1 do more.

2 HON. KIM BERKELEY CLARK: So -- this is

3 Judge Clark. So I would just say that I would

4 like to hear more from the Medical Director,

5 but I would just say I am not sure what does

6 "universal testing" mean? So we test everybody

7 today, and then what happens?

8 MS. HALLAM: Judge Clark, I can speak to

9 that.

10 After my conversation with Montgomery

11 County the other day, along with Controller

12 Wagner's office, when we spoke with them, these

13 are some of the questions we asked.

14 So, basically, as Controller Wagner

15 mentioned, the cost, which is not prohibitive

16 at all. But then what happens, it is a two-day

17 window that all of the incarcerated folks

18 should be tested.

19 As a reminder, when Montgomery County

20 decided to do this, they only had six confirmed

21 cases; and within the 48 hours that it took to

22 conduct all that testing, it jumped up to near

23 180 confirmed cases.

100

1 And those were all asymptomatic folks who

2 were carrying COVID-19 throughout the jail, not

3 under quarantine and not under isolation prior,

4 and potentially infecting staff members and

5 corrections officers, who were bringing the

6 COVID-19 home into their family and into the

7 community, incarcerated folks, as well.

8 So the timeline that was given was 48

9 hours to get everybody tested; and then we have

10 seen some great turnaround with results in

11 Allegheny County. There are some tests that I

12 have seen, you know, from pending results in

13 the jail that actually turned either confirmed

14 or negative overnight.

15 So I think that that is something that we

16 could logistically work out later. You know,

17 the Warden and Deputy Warden have been very

18 adamant that we have adequate staffing at the

19 jail.

20 So I don't think that it should be a

21 problem at all logistically, based off of what

22 I have heard from other people who have done

23 this already.

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1 HON. BETH LAZZARA: But I think, Ms.

2 Hallam -- and I think it is what Judge Clark

3 was getting at, too, is, okay, so we test, and

4 it is a 24-hour period, and so we test next

5 week. Okay? Then what happens?

6 Because more people are coming into the

7 jail, both guards and new people in the

8 population. So do we have to do this every

9 week, set aside two days for testing? Every

10 month?

11 Because there are some people that are not

12 going to test positive because the incubation

13 period is up to 14 days.

14 So the question is: How often? Once we

15 get the initial tests, when do we repeat it?

16 How often are we required to repeat it? What

17 is going to assure safety? Because it is not

18 going to be one single test of everybody, that

19 is going to ensure safety.

20 MS. HALLAM: I think the initial test is

21 where we will get our barometer of where to go

22 from here; and, again, hopefully, we can have a

23 meeting in the coming week or so with the

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1 medical experts who are inside the jail who are

2 working in there regularly who can advise us on

3 the next steps.

4 But I think it is the only way for us to

5 comprehend the level of COVID-19 inside our

6 jail and the potential for that to spread out

7 into other communities is to do the universal

8 testing now, and then we can work out the

9 logistics later.

10 If you think there needs to be another

11 test in the future, we can hold a meeting or

12 convene a vote to vote on doing that again.

13 MS. PAREES: I would like to express a

14 different opinion -- not different, but just a

15 balance, maybe.

16 When you look to Montgomery County and

17 make a comparison with us, Montgomery County

18 has about 800,000 people, and I think currently

19 they have over 5,000 cases of COVID and 500

20 deaths, as compared to Allegheny County that

21 has a million two. We have 1,439 cases and 117

22 deaths.

23 So I don't think that -- you know, there

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1 are states everywhere doing different things;
2 but I think each of us has to make a decision
3 based on what is happening in our area, and
4 that is what I hear.

5 I think I did hear a lot of medical advice
6 today from Dr. Brink, and I do trust our Health
7 Department is not just looking at CDC guidance,
8 but looking to places that really speak to what
9 is going on here; and I think that it is
10 incumbent upon us to look to our health care
11 professionals for that information.

12 So I would like us just to a strike a
13 balance in the information that we are making
14 these decisions on.

15 MS. HALLAM: Well, I hope you are right.

16 MS. WAGNER: I'm sorry, but we haven't
17 heard from any medical professionals not to do
18 this.

19 I'm sorry. I wasn't on.

20 We haven't heard from any medical
21 professionals telling us not to do this. We
22 have heard answers not specific to questions.

23 And so with this, I would add that our

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1 jail is uniquely situated that we would even
2 better benefit from this than Montgomery
3 County.

4 When you look at our jail, the way that it
5 is arranged and isolated into pods -- and to
6 Judge Lazzara's point, I absolutely agree.
7 This is imperfect. You know, it is just like
8 the general public testing, that testing once
9 isn't great for everybody. It is not
10 definitive, because somebody can get it the
11 next day; but frankly, it is the best that we
12 have right now.

13 We know that it is something that we can
14 do in terms of cost; and then looking at how
15 the jail is set up, the way that our pods are
16 isolated, I think the benefit here to
17 containing this within our jail and within our
18 county is really something that we need to
19 consider.

20 And to me, the fact that Montgomery County
21 has more cases than us does not speak to the
22 importance of every single case we have. They
23 may be fewer; but from the initial information

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1 that I saw, I don't think they were fewer than
2 in our jail.

3 MS. KLEIN: This is Terry, and I would
4 just like to comment that my understanding is
5 in Allegheny County, we have only tested around
6 one percent of the population. So I think it
7 is very difficult to say what our actual cases
8 are when, I believe, 20 -- up to 20 to 50
9 percent could be asymptomatic.

10 So I understand -- and I am not sure what
11 percent of the population Montgomery County has
12 tested; but I don't feel like I have heard a
13 good handle on what the cases are in Allegheny
14 County with such limited testing in the
15 community.

16 MS. HALLAM: And also, what do we have to
17 lose, really? I don't see what the downside of
18 universal testing in the jail is.

19 HON. KIM BERKELEY CLARK: Any other
20 comments or questions?

21 HON. BETH LAZZARA: Ms. Hallam, just to
22 play devil's advocate, the downside could be
23 that it gives people a false sense of security

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1 that they don't have it, and they let their
2 guard down, because, you know, again, there is
3 that 5-to-14-day period during which you don't
4 have symptoms and you may not test positive for
5 it.

6 So the downside that I can see, playing
7 devil's advocate, is that people feel that,
8 "Okay. We don't have a big problem in the
9 jail. So, therefore, we can let our guard
10 down," and then that just makes it more likely
11 later on to spread.

12 And if we don't test again, if we don't
13 have something in place to test later, then we
14 are really not doing a whole lot of good.

15 I would really like to see a plan in
16 place. If we are going to test everybody,
17 let's have a plan in place for how we are going
18 to do it now and when we are going to follow
19 up, so that we can truly do something with the
20 results.

21 MS. HALLAM: So you would like to see a
22 motion that suggested an additional test now
23 and a follow-up test in a month?

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1 HON. BETH LAZZARA: Is a month a good -- I
 2 am not a medical professional. I can't say
 3 that a month is a good timeframe.
 4 I would like to see from the medical
 5 people that if we engage in testing for
 6 everybody in the jail right now, what their
 7 recommendations would be on a going-forward
 8 basis to continue to keep the jail population
 9 safe.
 10 That is what I would like to see, because
 11 I am not a medical person so I can't say a
 12 month, two months. Okay?
 13 MS. HALLAM: I would like to see that,
 14 too; but, unfortunately, they weren't able to
 15 join us today despite their invitation. So I
 16 think we cannot wait any longer.
 17 We have to move forward with taking
 18 whatever action it takes to protect the
 19 incarcerated population and the staff members
 20 who are coming and going each day.
 21 DEPUTY WARDEN WILLIAMS: I would also like
 22 to add, though my opinion may not be qualified
 23 to provide, that I have observed a number of

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1 tests that have occurred within the facility,
 2 and I think we just have to have a broad
 3 understanding of how these tests are conducted
 4 and that there is a rate of exposure when
 5 people are being tested.
 6 Additionally, it is part of our procedure
 7 that we place individuals on an isolation
 8 status whenever we are pending test results
 9 and/or quarantine them, which is a reduced
 10 amount of time out of cell.
 11 I don't take it as an objection to some of
 12 the points that have been raised; but I think
 13 you have to consider that people are then
 14 exposed when these swabs are conducted.
 15 It is an uncomfortable process. A lot of
 16 patients even when they are not feeling well
 17 and understand that this will help diagnose and
 18 treat and observe them, still don't want to
 19 comply with the testing. This is not an
 20 enjoyable process.
 21 So we would be subjecting people,
 22 potentially against their will, to a test
 23 because of something that is desired by this

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1 Board.
 2 Additionally, we would be burning through
 3 a rate of PPE at an extreme amount due to the
 4 amount of testing that would need to be done,
 5 as well as disinfecting after each test. To do
 6 so appropriately and to ensure that we don't
 7 have cross-contamination, we would need to
 8 bring in additional staff specifically for
 9 this.
 10 So we talked about staffing levels within
 11 the facility of which we do have ample and
 12 qualified members; but that is to provide the
 13 provision of services that we are currently
 14 doing, not to be mass testing within the
 15 facility.
 16 So we would be bringing in a number of
 17 other individuals who could also potentially
 18 place our population at risk.
 19 I'm just asking that all things be
 20 considered, that it has certainly been things
 21 that we weigh out on a day-to-day basis; and
 22 though I am not a medical professional, I am
 23 constantly in constant consultation with our

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1 Medical Director, and these are some of the
 2 risks and benefits that we have identified
 3 within testing our population.
 4 I appreciate the advocacy, and we are
 5 certainly willing to participate in any ongoing
 6 conversations moving forward.
 7 HON. KIM BERKELEY CLARK: So I had another
 8 question, too, in addition to -- I didn't even
 9 think about the issue of sort of burning
 10 through the PPE.
 11 But earlier in the presentations, it
 12 was -- there was some -- there was some mention
 13 that there were a hundred tests that the jail
 14 had available right now. So that is an issue
 15 in my mind. Are we going to be able to get
 16 them? Are they available? Where would we get
 17 them from, and so forth?
 18 This is what I think: I think, certainly,
 19 the motion is worthy of consideration; but I
 20 think -- and I guess I don't get a vote unless
 21 there is a tie.
 22 So I think that I would like to hear more
 23 from the medical side, and I would like to hear

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1 those things about how many test kits we need
2 and then how you would retest and then how many
3 we would need and about the PPE.
4 I would like to have -- if I were voting,
5 I would like to have that information.
6 MS. HALLAM: With all due respect, Judge
7 Clark, those were questions that were
8 submitted; but since the Medical Director from
9 the jail did not attend today, that is the
10 reason you do not have the answer to those
11 questions.
12 So I would like to present a hypothetical
13 situation for Deputy Warden Williams, because
14 let's say that we had 500 confirmed cases in
15 the jail, symptomatic individuals who warranted
16 testing, as per her guidelines and who received
17 the testing.
18 What is the plan then to deal with that if
19 you are saying that it is not possible to do
20 mass testing? If we had mass symptoms, we
21 would have to do it anyway. So there should be
22 a plan in place to handle that.
23 And correct me if I am wrong, but whenever

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1 that statement was made that said that there
2 was 100 tests available, it was immediately
3 followed by the statement that we would
4 continue seeking out tests and procure more
5 tests, if necessary. So I think that that
6 is --
7 DEPUTY WARDEN WILLIAMS: So I don't mean
8 to be combative with you, Ms. Hallam, and I
9 think that we can continue to discuss this.
10 At no time did I say that it was
11 impossible; but we would certainly have to
12 organize this, and it would not be done within
13 the timeline of which was previously projected.
14 Montgomery County has a much smaller
15 census than our facility does. So we would
16 have to plan for this.
17 We do currently have over 100 tests on
18 site. We would need to procure more; but
19 through our partnership with Allegheny Health
20 Network, as well as the Allegheny County Health
21 Department, I am certain we would be able to
22 get any testing equipment that was needed.
23 I will say that I believe our gowns, in

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1 particular, have been an extraordinarily
2 difficult thing to come by. We have had
3 multiple issues, as has many different health
4 care providers in the country.
5 Because of customs issues, we have had
6 facilities and shipment centers that have been
7 shut down because of their own impact with
8 COVID-19.
9 So if we were going to be doing this and
10 if there were clinical indications to do so, we
11 have had other county entities donate PPE to us
12 when we have needed it and our supplies have
13 not come in yet.
14 So I am sure that we would be in touch
15 with County EMS and regional centers, et
16 cetera, as we have been thus far when we have
17 been unable to obtain equipment or personal
18 protective equipment up until this point.
19 So I just offer those things as
20 considerations, not in opposition, and
21 certainly not to project that these things
22 would be impossible.
23 MS. HALLAM: Okay. So do you think it is

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1 possible, Deputy Warden Williams, that within
2 the next 48 hours that your medical
3 professionals, along with yourself and the
4 Warden, could develop a plan for universal
5 testing to present to this Board?
6 HON. KIM BERKELEY CLARK: I don't think
7 that is a fair question for her, since she is
8 not the Medical Director.
9 What I can do is try to arrange for maybe
10 a special Board meeting with the Medical
11 Director, or at least someone high up in the
12 medical department, to discuss this. I can do
13 that.
14 I don't think that is a fair question for
15 Deputy Warden Williams.
16 MS. HALLAM: Then I think it is important
17 because of the timeliness that we move forward
18 with a vote on this motion.
19 HON. KIM BERKELEY CLARK: Well, there is a
20 motion and a second, so we will move forward,
21 because we are going to follow the Rules of
22 Order for a meeting.
23 Is there any other discussion?

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1 (No response.)
2 HON. KIM BERKELEY CLARK: All right. So
3 then we will take a vote. Is everyone -- I
4 think everyone is still present. So I would
5 ask that -- so I guess that I would ask to take
6 maybe out -- since I can't see everybody and
7 some people are on the phone, I guess I will --
8 hold on -- do a roll call vote, so that we can
9 vote, and I make sure I get everybody, if that
10 is okay?
11 MS. KLEIN: And, Judge, can I ask you to
12 repeat the motion before we vote, please?
13 HON. KIM BERKELEY CLARK: Yes. Ms.
14 Hallam, it is your motion. Can you repeat it,
15 please?
16 MS. HALLAM: Yes. I motion to do
17 universal testing of all incarcerated folks and
18 staff members at the Allegheny County Jail.
19 HON. KIM BERKELEY CLARK: All right. And
20 there was a second by Ms. Wagner; is that
21 correct?
22 MS. WAGNER: Yes, that's correct.
23 HON. KIM BERKELEY CLARK: So I will take a

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1 vote. Ms. Hallam?
2 MS. HALLAM: Yes.
3 HON. KIM BERKELEY CLARK: Ms. Wagner?
4 MS. WAGNER: Yes.
5 HON. KIM BERKELEY CLARK: Ms. -- Judge
6 Lazzara?
7 HON. BETH LAZZARA: I am going to say no
8 at this point without more information about
9 how we are going to proceed and being able to
10 solve the problems and making sure we have
11 enough tests and making sure that we do follow-
12 up.
13 So with that, I do think we need to know a
14 little bit more overall in the entire world
15 about testing. But I think based on what we
16 have now, I have to say no.
17 HON. KIM BERKELEY CLARK: Ms. Moss?
18 (No response.)
19 HON. KIM BERKELEY CLARK: Ms. Moss, are
20 you still there?
21 MS. MOSS: Yes, I am. I am also going to
22 have to vote no, because I need to know
23 information before I can do -- I think testing,

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1 I am an advocate of testing, even for just our
2 general population out here, because that is
3 one of the problems.
4 But I need to know more about how this
5 would be -- how you would proceed with it and
6 also what you would do if you did universal
7 testing there, how would you quarantine -- you
8 have to go in quarantine for so many days, how
9 would that all happen? I need to know more, so
10 I have to vote no.
11 HON. KIM BERKELEY CLARK: Sheriff Mullen?
12 SHERIFF MULLEN: (No audio response
13 heard.)
14 HON. KIM BERKELEY CLARK: Ms. Parees?
15 MS. PAREES: I would vote no, and I would
16 say the same thing. I am not concerned that we
17 couldn't do it if we chose to do it.
18 My decision is based on needing more
19 medical information to say it was the right
20 thing to do, because right now, we are
21 following the guidelines in our community and
22 testing based on symptoms; and we are doing the
23 same thing in the jail.

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1 So I would like to have assurance from a
2 medical -- strong medical opinions that it is
3 the right thing to do before I could vote to do
4 it.
5 HON. KIM BERKELEY CLARK: Ms. Klein?
6 MS. KLEIN: I am going to vote yes.
7 HON. KIM BERKELEY CLARK: Mr. Kamara?
8 MR. KAMARA: (Inaudible response.)
9 HON. KIM BERKELEY CLARK: Okay. I think
10 you said you wanted to vote no, but I can
11 barely hear you. So I don't --
12 MR. KAMARA: I apologize. I told you I
13 want to vote no, based on your need on having
14 conversations with the Medical Director and/or
15 whomever they appoint to speak to the Board.
16 Obviously, as was mentioned before, I
17 think we are -- we need some context before we
18 take the next step.
19 HON. KIM BERKELEY CLARK: Did I miss
20 anybody?
21 (No response.)
22 HON. KIM BERKELEY CLARK: We have three
23 yes and five no, so the motion fails.

1 So I still will follow up with trying to
2 arrange a special Board meeting, and this issue
3 can be revisited.

4 MS. HALLAM: Judge?

5 HON. KIM BERKELEY CLARK: Yes.

6 MS. HALLAM: I would like to make a motion
7 for a call to happen with medical staff members
8 and the Medical Director of the jail. I would
9 like a motion for that to happen to be
10 scheduled by Monday.

11 HON. KIM BERKELEY CLARK: Well, I can't
12 guarantee that it is going to be scheduled by
13 Monday. I am going to schedule a meeting
14 with -- I am going to try to schedule -- I will
15 schedule a meeting, and my intention is to have
16 a special Board meeting with the Medical
17 Director from the -- from the Health
18 Department, but I can't say that it is going to
19 be Monday.

20 It is already Thursday, so that gives us
21 one day to do it, and I am not -- I don't know
22 what that -- where that person is, whether they
23 are in town, whether they are quarantined, what

1 their work schedule is, and I don't even know
2 what my work schedule is.

3 But I will try to do it within the next
4 week, Ms. Hallam.

5 MS. WAGNER: Judge, may I just ask that --

6 HON. KIM BERKELEY CLARK: And if I
7 can't -- and if there is some road block that I
8 have that I can't do it, I will let you know.
9 I will email you.

10 MS. WAGNER: Judge Clark?

11 HON. KIM BERKELEY CLARK: Yes. Who's
12 speaking?

13 MS. WAGNER: Chelsa Wagner.

14 HON. KIM BERKELEY CLARK: Oh, yes. Okay.

15 MS. WAGNER: Because I think it is very
16 specific, I think it is important that we speak
17 to the right people, so -- and I don't know if
18 all the Board knows this, but I had requested
19 that we would be able to speak to the
20 infectious disease coordinator and the Medical
21 Director at this meeting, so I would ask that
22 specifically we hear from those two
23 individuals.

1 HON. KIM BERKELEY CLARK: All right.

2 MS. WAGNER: Because, of course, we went
3 through a lot on this Board to move, years ago,
4 from the bad decisions with Corizon Health Care
5 to AHN. So I think now is really the time that
6 we should be able to speak to them, and doing
7 so in this manner should be, hopefully,
8 convenient.

9 HON. KIM BERKELEY CLARK: All right.

10 Thank you.

11 MS. WAGNER: Thank you.

12 HON. KIM BERKELEY CLARK: So any other new
13 business?

14 MS. HALLAM: Yes. I would like to make
15 one final motion. Because of the fact that we
16 have so many individuals in quarantine and
17 isolation right now and because we have an
18 Inmate Welfare Fund of close to \$3 million
19 currently, I would like to motion that we put
20 \$50 on the commissary fund of every
21 incarcerated person right now as of a specific
22 date from the Inmate Welfare Fund.

23 HON. KIM BERKELEY CLARK: All right. Is

1 there a second to that motion?

2 MS. KLEIN: This is Terry. I will second
3 that.

4 HON. KIM BERKELEY CLARK: All right. Any
5 other discussion about that?

6 (No response.)

7 HON. KIM BERKELEY CLARK: All right. I
8 will call for a vote.

9 DEPUTY WARDEN WILLIAMS: If I could just
10 make a comment, I think these are very
11 difficult times, and I think we are all, with
12 the privileges that we have, are finding it
13 very difficult, so I can only imagine how hard
14 it is to be incarcerated to not have family
15 visits.

16 HON. KIM BERKELEY CLARK: Right.

17 MS. KLEIN: I think this is a small
18 thing -- and I thank you, Ms. Hallam, for
19 recommending this.

20 I think this is a small thing that we can
21 do that can perhaps help make their life at the
22 Allegheny County Jail a little less difficult.

23 HON. KIM BERKELEY CLARK: All right. Does

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1 anyone else have any comments or anything that
2 they want to add to that?
3 MS. WAGNER: I would only add -- I believe
4 this was brought up at the last meeting by my
5 deputy, Amy Weiss, that, you know, that that
6 fund is certainly healthy financially, and it
7 is also --
8 HON. KIM BERKELEY CLARK: It is. It is,
9 and I think there is -- I think you received a
10 report on the fund. It is in there.
11 So any other comments or questions?
12 (No response.)
13 HON. KIM BERKELEY CLARK: All those in
14 favor?
15 (Group response of "Aye.")
16 HON. KIM BERKELEY CLARK: And any opposed?
17 (No response.)
18 HON. KIM BERKELEY CLARK: All right. So
19 the motion is carried.
20 Anything else in new business?
21 (No response.)
22 HON. KIM BERKELEY CLARK: Any old
23 business? I mean, typically, we have the

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1 Community Corrections Reports. I mean, they
2 are in there, so I would just ask that you read
3 them.
4 Any other old business that anyone wants
5 to mention?
6 MS. KLEIN: Judge Clark, I'm so sorry. I
7 did not put this to be asked for a question;
8 but very quickly, are juveniles still getting
9 instruction?
10 HON. KIM BERKELEY CLARK: So that is a
11 good question, and I don't know the answer to
12 that. Are you talking about the ones that are
13 in the County jail?
14 MS. KLEIN: Yes. Yes.
15 HON. KIM BERKELEY CLARK: Deputy Warden
16 Williams, are you able to tell us what the
17 school situation is?
18 I know that with all other -- with the
19 juvenile placements -- not the jail, but the
20 kids that are in placement in juvenile
21 facilities, even in the secure programs, they
22 are all doing online school. None of the
23 teachers are coming into the facilities.

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1 So I am assuming that there is something
2 similar in the jail that is going on -- I would
3 hope anyway.
4 Miss Deputy Warden Williams, can you
5 answer that about the education of the
6 juveniles that are in the jail?
7 DEPUTY WARDEN WILLIAMS: Yes, ma'am. So I
8 briefly discussed this earlier that the
9 Allegheny Intermediate Unit has been providing
10 weekly packets. Those are disseminated by our
11 staff, given to the inmate population, and
12 those are then collected, graded and then
13 reported back to those individuals, so that
14 they can continue to make progress.
15 We do not have our teachers coming on site
16 every single day, because we reduced
17 dramatically the number of individuals that
18 come into the building; but those services are
19 still being provided in an alternate fashion.
20 HON. KIM BERKELEY CLARK: Any other
21 questions.
22 MS. HALLAM: I have a question for Deputy
23 Warden Williams. What is the timeline that we

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1 can expect that \$50 to be deposited into the
2 incarcerated folks' commissary fund? How long
3 do you think you need to get that done?
4 DEPUTY WARDEN WILLIAMS: You know, I
5 didn't hear an ultimate specified date. You
6 indicated that you wanted that completed by a
7 certain date and time? Was there one
8 indicated?
9 MS. HALLAM: Well, I would like to ask
10 from you what you think is a feasible time to
11 give you time to accomplish this properly; and
12 then, Judge Clark, would we need another motion
13 to confirm a date by which it would happen?
14 HON. KIM BERKELEY CLARK: I don't know. I
15 mean, I think if we are all satisfied if it can
16 happen reasonably soon, I don't think -- I
17 think we don't need another vote for that, I
18 don't think, unless you don't feel that it is
19 soon enough.
20 So I think she is asking you what is the
21 turnaround? When do you feel that you can
22 accomplish that?
23 MS. HALLAM: Can we do it within a week?

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1 Is that possible?

2 DEPUTY WARDEN WILLIAMS: We can do it when

3 feasible. I believe so. So we will get with

4 our finance manager who will be able to submit

5 the executive action to make that happen.

6 MS. HALLAM: Thank you very much.

7 HON. KIM BERKELEY CLARK: All right.

8 Anything else? Any other business?

9 (No response.)

10 HON. KIM BERKELEY CLARK: So before I

11 would entertain a motion for adjournment, I

12 would like to thank you all for participating

13 in our virtual meeting. I think it is very

14 likely that we will doing this again for our

15 June meeting, because even though there will be

16 some -- there may very well be some relaxation

17 of sort of the requirements, I understand that

18 there is a possibility that Allegheny County

19 will go to the yellow phase, but there will

20 still be requirements for social distancing,

21 there may be requirements for masking and so

22 forth; and so I think the safest way is for us

23 to have a virtual meeting.

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1 So I appreciate everybody participating in

2 the meeting, and there was a lot of stuff that

3 you had to read and review, and I think that

4 everybody did a good job at that.

5 And I want to thank -- well, Dr. Brink is

6 gone, but thank her again; and Deputy Warden

7 Williams and the Warden. There were a lot of

8 questions that were sent to them to answer; and

9 I think they did a really good job at doing

10 that, despite the fact that they are all busy

11 doing other things.

12 I know -- and I do want to, again, thank

13 the public for their submission of comments,

14 and I am very sorry that I was not able to read

15 more of them at the meeting.

16 What I will do, the ones that actually

17 have questions, I will compile the questions.

18 A lot of the questions are the same, and then

19 we will make sure that we have answers for

20 those questions at the next meeting, so that

21 their questions do not go unanswered.

22 But I just want to thank everyone for

23 their interest, the public for their interest,

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1 in the vulnerable population in the County Jail

2 and for the welfare of the staff that works in

3 the County Jail, as well. It is very

4 important.

5 And with that, I will entertain a motion

6 to adjourn.

7 MS. HALLAM: I'm sorry. Real quick, Judge

8 Clark. Before we adjourn, was there any

9 reports from the Community Corrections, like

10 Renewal Center or Access?

11 HON. KIM BERKELEY CLARK: I believe they

12 are in the report. I believe they are in the

13 report that you -- in the packet that Ms.

14 Rowland sent out.

15 MS. HALLAM: Okay. They just weren't

16 available to join us today?

17 HON. KIM BERKELEY CLARK: Well, I guess I

18 didn't think about it until much later, that in

19 order for them to participate, they needed to

20 be a participant.

21 MS. HALLAM: Okay.

22 HON. KIM BERKELEY CLARK: So if you want

23 to verbally hear from them at the next meeting,

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1 then we will have to do that. And there is no

2 reason that we can't do that; but I didn't

3 think about it.

4 And so they may be sitting out there

5 listening as with the rest of the population,

6 but I just didn't think about it. So that is

7 why they are not actually speaking. So the

8 reports are there; but if you want to hear from

9 them, then let me know, and then we can -- then

10 I can include them. They can be added to the

11 invitation for the participant part of the

12 meeting.

13 MS. HALLAM: Okay.

14 HON. KIM BERKELEY CLARK: Anything else?

15 HON. BETH LAZZARA: Judge Clark, before I

16 do the motion to adjourn, can I also put out a

17 thank you for the tech people --

18 HON. KIM BERKELEY CLARK: Yes.

19 HON. BETH LAZZARA: -- who helped put this

20 together and get everybody online --

21 HON. KIM BERKELEY CLARK: Yes.

22 HON. BETH LAZZARA: -- and the things that

23 you had to do with the computers, because my

