

The monthly meeting of the Allegheny County Jail Oversight Board was held Thursday, December 3, 2020 as a virtual conference at 4:00 P.M.

### **Members Present**

Honorable Judge Clark  
Honorable Judge Lazzara  
County Controller Chelsa Wagner  
Barbara Parees representing County Executive  
Bethany Hallam At-Large Council  
Gayle Moss  
Sheriff Mullen  
Terri Klein  
Abass Kamara

Others in Attendance:

Warden Harper  
Deputy Warden Williams

### **Meeting Guidelines —**

1. Everyone in this meeting 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**

#### **1. Public Comments**

#### **Judge Clark:**

We're going to start our meeting with the public comments. We received a lot of public comments this month. Many of them had to do with the issue of the books. I'm going to ask the Warden to update the public and the board about the books. I did send a communication with the board this afternoon. But before we get to that I'm going to read some of the other comments. Some of the comments or at least one of the comments indicated that they thought we did not spend enough time reading comments at these virtual meetings. Some of them we have in categories. So, I won't read every comment that basically asks the same question but I'm going to read a few of the comments and some of them we may not be able to answer during this meeting, but we will provide answers at subsequent meetings. There were several comments concerning COVID-19 and what's happening in the jail. One of the comments came from Christine Szejka, it says *"What is the specific protocol for COVID 19 testing of inmates and staff? Are Corrections Officers routinely given tests or does ACJ wait until an inmate or staff member becomes ill? What specific tests are given? (taking someone's temperature is not a test) What is the specific plan to protect the inmates, staff, and community from the consequences of an outbreak in your facility?"* and then we have another question from an Anonymous person which basically focuses on the staff and an entire workers pod. *"An entire workers pod (Kitchen workers) is being quarantined at the jail for COVID-19, specifically the kitchen workers for the jail food & lounge workers for the officers. Why is the same Trinity worker still working in the lounge with officers and new lounge workers vs. being quarantined also? How does this tracing actually work to determine who should be quarantined or not? How long does one have to be around someone to be notified of possible exposure? Also why are*

*couples not both being quarantined when someone has been around exposure? Example one person works the jail and their spouse, significant other, live in partner, etc. has been exposed to someone who test positive, but the partner is still able to report to work! Why is that allowed to happen? If one person within the same household has been exposed should everyone within the house be quarantined? If no then why not? They both share the same space and air. So should they both not be quarantined or tested to avoid later exposure? I work at the jail."*

So, Warden can you briefly update us on how the testing and contact tracing works in the jail? And address the issue of spouses that may both be employed at the Allegheny County jail?

**Chief Williams:**

I'll break it down because there's multiple parts for this. The first part of the question I believe was asking about contact tracing. Early on in the pandemic we've been consulting very frequently with members of the health department. Some of them have been present for our meetings and have discussed that process. We have not changed the style in which we do it, but we have adapted to the different parameters when they've changed as far as the guidelines go. We do contract tracing utilizing video review. So, we're very fortunate in our facility that we have multiple cameras that we can access so we can actually look and see with a true timeline how much people are interacting with each other. When somebody tests positive or when somebody has a onset of symptoms. We do 48 hours prior to their onset of symptoms and do a full contract tracing video review. This is done within many different areas within the administration area and in direct consultation with the Health Department. We will review any other inmates that might qualify. If it's an inmate that is currently testing positive or if it's staff, we're reviewing their engagement with the inmate population as well as other staff members and we're tracking their behavior from point of entry to the facility and exit from the facility. We are using a 15-minute timeline if the individuals are both wearing masks within six feet. If they are not wearing safe coverings appropriately, then we are forced to use the lower threshold for timeline because they could be communicating the virus within a shorter time frame. When video review is not available, we are then meeting with the individuals and making sure that we're identifying any close contact. We've been doing that pretty consistently even when we are doing video reviews because we do know, particularly staff, do engage with each other outside of the building. A lot has developed friendships or other relationships so it's important that we get as much information as possible. When it comes to spouses or partners, it is a difficult question to answer with a blanket response because some staff members we've placed off on secondary exposure so, out of an abundance of caution they were not a primary exposure to a positive case but we did think that there was a likelihood that who they did come in contact with was exposed to somebody else. In the case where somebody's spouse or partner is a secondary exposure, it would not be necessary for their partner to be quarantined unless they started to develop symptoms. This again has been done with the Allegheny County Health Department. If they were a primary exposure, then we are also asking whether or not they are capable of quarantining or isolating within their home. If they are able to do so, then we allow the other individual to work. If they can't then they also have to quarantine. I'm not sure if I missed any other components. I was reviewing the questions that you were asking.

**Judge Clark:**

Thank you I think that's good. Thank you, Deputy Warden Williams.

**Bethany Hallam:**

Judge Clark can I ask a question about that?

**Judge Clark:**

Yes, you may.

**Bethany Hallam:**

In regard to the public comment, I know Deputy Warden Williams was asking if there was anything that was missing. The comment that starts “We at the jail keep hearing that contact tracing is being done”. If you have that one in front of you. It says that they have gone to the administration to let them know that they have had numerous contact with the people that are exposed and they’re told not to worry about it. So, I was just wondering if Deputy Warden Williams could speak to that. When an employee comes to you and says I have been around this other employee who has tested positive and is being quarantined. Why am I not also being told to quarantine? Basically, they are doing the contact tracing for you.

**Chief Williams:**

I can respond to that in as much that I don’t recall any employee coming to me directly and claiming that they had multiple exposures with a confirmed positive. We have had a number of employees who don’t necessarily understand the parameter. So, they may have hugged somebody, the Health Department has told us that, that does not qualify as a close contact. You have to have prolonged exposure within six feet of an individual for 15 minutes or less if there are no masks. So, there has been a number of employees that we work with to try to educate along the way. Again, in consultation with the Health Department. We are trying to do the right thing, but it has been very confusing. You can have contact with somebody but that does not mean you are a contact exposure. There is a difference.

**Bethany Hallam:**

Thank you. It doesn’t specifically say that the folks have come to you, but just that they have come to the folks in administration. If an employee had come to someone in the administration, maybe someone who reports to you but not you directly. Would you know about that?

**Chief Williams:**

I would hope that I would. We have been communicating with each other pretty constantly regarding all of the contact tracing. We’ve developed spread sheets and communicated with the Health Department. I don’t want to say that everybody reports everything to me because that would not be true. But I do believe that we have done what we’ve been directed to do with the guidelines from the Health Department.

**Warden Harper:**

Can I add something? One of the things that we have to realize is this, if an individual goes to a supervisory staff at the ACJ and does not get the response that they feel is right, they can come through the Chain of Command so they can get more advice. So, Ms. Hallam what I’m saying is if employees are not satisfied with the answer, they can always come to the admin. area and we will actually provide them with the resources or give them the answers that we can give them based on CDC guidelines and the Department of Health.

**Bethany Hallam:**

So, you’re saying that no one has come to you? Because that’s what I’m getting from this answer here is that no one has come to you or the administration and expressed these concerns.

**Warden Harper:**

Nobody has come to Warden Harper.

**Chief Williams:**

Ms. Hallam I said that people have come and they have asked questions because they have had contact with individuals who are positive but it did not meet the parameters and we've met with the Health Department to discuss that. So, we've had a lot of very anxious employees who have said "well I hugged this person" or "I was in the hallway with them" or "I walked with them to this place". And the contact that they had was real legitimate and that person may have been positive but have not met the guidelines that the Health Department has indicated that would require them to quarantine. I don't know if that makes sense.

**Bethany Hallam:**

No, it makes sense. You're saying they haven't been in a 15-minute prolonged contact. You're saying that they may be weren't in six feet for more than a couple minutes. I get what you're saying, I'm just wondering what we're doing because that doesn't eliminate the possibility that they could get COVID-19. So, I'm wondering if we're at least testing them if they express concern or if we're doing anything to ease their anxiety about working in such a vulnerable place during a pandemic.

**Chief Williams:**

I can say that we don't test them onsite and that I think has been discussed at other meetings but we are very comfortable with providing them with the information to contact Work Partners to open up a leave of absents. We provide them with a full list of testing sites including the McKeesport testing site that the county set up. Many of the MedExpress can do day of testing if you call starting at 8am. Or we direct them to their healthcare provider. But we can't make those determinations for them. They have to, in concert with their physical health provider, make the best decision with the information that they have at hand but we can tell them whether or not they qualify for contract exposure within the 15 minutes.

**Bethany Hallam:**

Thank you.

**Judge Clark:**

Thank you. Any other questions? The next set of questions were about the tablets. One was specifically about headphones and ear buds. *"When an inmate's headphone/microphone ear bud unit breaks, they are told to purchase a replacement on commissary. These earbuds are necessary for video visits. Staff has been notified that the earbuds are not listed on the inmate commissary machine, yet they continue to tell inmates to buy replacements. Inmates can't purchase something that's not there, so they can't get their video visit."* Warden can you talk about what the situation is with the earbuds at this time?

**Warden Harper:**

First of all, good afternoon everybody. The situation is this, the earbuds that were on the commissary list we deemed, were not appropriate for the inmate population. Therefore, we ordered new earbuds that are appropriate for the inmate population. That was done today once I saw that comment your honor.

**Judge Clark:**

So, those should be coming in soon?

**Warden Harper:**

Yes ma'am. If any inmate does not have earbuds, they just need to let their supervisory staff know that they don't. We do have some available that they can purchase, and we will get that to them until the order comes in for the commissary.

**Judge Clark:**

Thank you.

**Bethany Hallam:**

Warden Harper can I ask a quick question? When you say that they were deemed not appropriate, can you explain what you mean by that?

**Warden Harper:**

I really don't want to explain in this open form right here Ms. Hallam. But I would be more than willing to talk about that offline ma'am.

**Judge Clark:**

We do have an executive session attentively scheduled after this meeting. So, Ms. Hallam if you'd like we can address that at that time.

**Bethany Hallam:**

I would. But first, regarding the executive session for both of those issues. I'm just wondering what the justification is for keeping these conversations in executive session. Specifically, the earbuds and the books. There needs to be an exception of the open meeting requirement that we need to site for having that discussion in a closed meeting, otherwise we will be violating the Sunshine Act.

**Judge Clark:**

We may not have to discuss the books at all when we get to that presentation. But some things involve security issues and I think that's the reason that we've asked to do them on executive session. I don't know the answer about the earbuds. Right now, the Warden is not comfortable answering that. We don't have to do it in executive session, but you won't have any idea of an answer. That's the best I can say Ms. Hallam. You have to be mindful of the security issues. We can put this question off until the next meeting and then maybe the Warden will be able to answer that. I'm assuming, generally speaking, the things we discuss in executive session are ... well we did have one that was sort of informational for the board or things that involve security issues that we don't want to explain to the general public because we need to maintain the security of the jail. So, I don't know the answer to that but I'm assuming that's why. Is that correct Warden?

**Warden Harper:**

That is absolutely correct your honor.

**Bethany Hallam:**

Okay, the security issue. That's really been a sufficient answer for me as to why they aren't appropriate. It is a security threat. I just want to make sure when we talk about executive session that we're treading very lightly. Carefully making sure that we're not violating the Sunshine Act.

**Judge Clark:**

We'll we're trying to make sure of that. That's why we have very few executive sessions. We try to do everything in the public and so we don't really have many of them and we do announce when we're having them so at least somebody knows that we are having them. We're not doing them in secret.

**Bethany Hallam:**

Thank you.

**Judge Clark:**

The other question is *"How much revenue has the tablet program generated in the first 30 days gross, and then the County's share?"* Are you able to answer that today Warden?

**Warden Harper:**

Your honor, I am not able to answer that today but what I will try to do at the next meeting is provide that information to the board ma'am.

**Judge Clark:**

Alright. Thank you. Then we had a couple of questions about the CARES Act funding that the county received and whether jail staff was paid overtime or hazard pay. So, one from Cue Anonymous, *"Why have jail employees been denied hazard pay that was given and provided for by the federal government? Surely the ever increasing number of confirmed cases - including members of the jail administration who have no direct involvement with inmates proves the danger. Was the money appropriated for something else?"* Then the second question was from Concerned Officer, *"Did any of the \$212 Million dollars in CARES act funding go to pay overtime at the jail?"* Warden?

**Warden Harper:**

So, I can respond to the second question your honor. The CARES Act funding has been used for overtime expenditures. As far as the first question your honor, that's a collective bargaining issue and that's something I can not discuss in this meeting.

**Judge Clark:**

Alright so you're saying that some of the employees did get overtime through the CARES Act? Is that the answer to the second question? I'm not sure I understood.

**Warden Harper:**

CARES Act funding has been used for correctional officers' overtime.

**Judge Clark:**

Alright thank you. There's a question I guess about the painting of the cells that was recommended by the Suicide Risk Assessment. This is from Concerned Officer, *"The new suicide risk assessment stated that cells should be painted white. The Warden stated this would take months. Yet each night he sends painters to paint the common areas of housing units (walls and pillars) when they could be completing painting of cells. Or he has two inmates waxing sally ports that could be painting. Our computer based mental health service training is not even 8 hours, yet the Warden stated that we are given 8 hours of mental health training. Who do we ask questions of while doing the testing?"* Warden?

**Warden Harper:**

The first thing I want to say to the board is this, right now we are in a pandemic. COVID-19 cases have risen to a high level in Allegheny County and at the Allegheny County jail. Right now, the COVID-19 case increase, only 10 inmates are allowed out of cell recreation. My primary responsibility is to provide as much out of cell time for the inmates as possible. As the individual stated, inmates are painting common areas. If I were to send a detail to paint cells that means that less inmates will be allowed out of cell for recreation. Now, some of the employees that have numbers low on their pods are able to do some of this painting. But I just need the board and everybody to understand that I've got to get these guys out as much as possible and there's no way that I'm going to be able to paint all of these cells white right now during this time period.

**Judge Clark:**

Thank you. Then we continue to have questions about the Health Department and healthcare. I'm going to read the one from Laura Perkins from the PA Prison Society, *"My name is Laura Perkins. I am an Official Visitor with the PA Prison Society. On September 15th, four inmates sued Allegheny County Jail Warden Orlando Harper (someone who, despite not having any mandated role on this board, continues to interject his opinions into a space that is supposed to be independent from the jail), Deputy Warden of Healthcare Services Laura Williams (who we believe to be making medical decisions she is grossly unqualified to make), and Mental Health Director Michael Barfield, who has since, to our knowledge, resigned. The full complaint can be found here: <https://www.publicsource.org/acj-sued-inmates-psychiatric-disabilities-mental-health/> It provides evidence of "inadequate" treatment and "dehumanizing and unlawful" conditions for inmates with psychiatric disabilities. Roughly 75% of the jail population has a mental health or substance abuse issue. This isn't just happening to a select few at the jail, this is an abuse of the the rights of the majority of jail residents. Some issues I would like to highlight are: - Solitary confinement continues to be used in response to those who ask for mental health treatment in the jail. - ACJ intake employees are not trained to ask questions about psychiatric conditions. - Mental health intake and treatment is conducted in open, public spaces. - ACJ employee use of force is not properly evaluated and connections are not made between ACJ employee use of force and inmate suicide attempts. - ACJ correctional staff do not receive de-escalation training. - "There are such systemic and gross deficiencies in staffing, facilities and procedures that [inmates] are effectively denied access to adequate mental health care." - Counseling and therapy are not provided at the jail. Let me repeat that. Counseling and therapy are not provided at the jail. The Jail Oversight Board has the mandate to make independent evaluations and investigations into jail practices. I formally request that every single member of the Board read this complaint before next month's meeting and that there be time allotted in next month's agenda for questions and discussion of the report. The second issue I want to address is the spread of COVID19 in the jail. Firstly, it is inappropriate for someone like Deputy Warden Williams who is not a medically trained professional to be making decisions regarding whether to test an individual for COVID19. In order to address the fact that many ACJ employees have tested positive to COVID19, I first request that every inmate on 4F be tested, since staff on that pod actively had the virus while working. Secondly, I request that that contract tracing be preformed in regard to all people who have been in proximity to staff who have tested positive or are on quarantine." Lastly, I request that these monthly meetings be extended to more than one hour if that is necessary in order for all comments to be heard." That's why I decided to read comments today, based upon Ms. Perkins request. And I think that's a reasonable request. And the other comment concerning the medical care is from concerned nurse. She also mentions "the mental health doctor resigned, the new medical manager who came with years of experience running medical at state facilities quit within 90 days. Are exit interviews being done to see why people are leaving? I also find it unacceptable that intake*

*nurse staffing remains at unacceptable levels down in processing.*” So, I think Deputy Warden Williams did answer the question concerning COVID-19 contact tracing and the testing. At every meeting we do keep going over the staffing issue, which continues to be a problem so I would ask either the Warden or the Deputy Warden to kind of update us on what’s happening with the staffing in the Health Department at the jail. And then there’s a question about whether exit interviews are being done with any of the staff who have resigned to see what the issues are.

**Chief Williams:**

On 4F contact tracing was completed and those identified meaning quarantining or effected staff were advised and placed off duty. We also had providers go to 4F and assess multiple females who were reporting they were having symptoms to make a clinical determination whether or not they needed to be tested. I don’t want to say that I do not make any determinations for test because that would be inaccurate. I am the person who coordinates all of the transfers to Torrance State Hospital, other counties that require test, as well as state PA parole transfers, and DOC transfers. So, I am the person that is submitting for a large number of tests. When it comes to clinical determination, that is made by one of our physicians or advance practitioners. So, either a physician’s assistant or nurse practitioner. I do not authorize those tests and I do not reject those tests. That is up to the medical provider to make a determination. I can assist with transferring them to the appropriate unit and getting a person under investigation number also known as PUI Number. I also assist in tracking and communicating the results, but I am not the person that makes the decision regarding whether or not they can be tested. When it comes to staffing, we’ve talked about this at pretty much every meeting. And I really don’t have any intentions of side stepping. We submit the vacancy report before each meeting, but this is a complicated answer. In one job classification I have two full-time individuals who are on an extended leave of absents. So, it appears that I have two full-time staff that I can not replace by other full-time county employees, but they cannot come into the building for appropriate reasons. We do our best to fill those positions with agency PRN or overtime. Right now, with the continued rising of cases in the county, we can’t take the chance to have a spread in our facility. We have had over 50 employees, some from the healthcare department place on quarantine status. We’ve also had healthcare employees who have tested positive and are not able to come into the facility. And then through contact tracing, quarantined additional staff. We are working very hard to man all areas of the building. It is a very big building. It is a very big task. The healthcare staff that does the work, direct care work, work extremely hard every single day. Every shift, they pick up what they can. I don’t think I’ve ever said that we have not been short especially through this pandemic. It’s never been my intent to not be transparent, but it is very difficult for us to get more nursing staff when we just don’t have the capacity. We are seeing this in pretty much every healthcare environment right now. We are all perplexed by how we can all overcome this other than just continuing through each day doing absolute best that we can. I am so thankful for the staff that continues to come to work and is dedicated to the cause. We would not be able to provide care if it weren’t for them.

**Judge Clark:**

There was one question about whether exit interviews are being done with any of the employees who have resigned.

**Chief Williams:**

There have not been formal exit interviews. To my knowledge that’s not necessarily a practice in the whole county. But we have had meetings with some individuals who have left. Particularly those in some of the higher end positions that have recently vacated to determine. We do have a new mental health psychiatrist that is starting on Monday. Our previous psychiatrist was a



temporary contract, so we knew that one was ending, and we worked hard to make sure that we would be filling that position to transition.

**Judge Clark:**

Thank you. Ms. Hallam?

**Bethany Hallam:**

Yes, thank you Judge Clark. My first question is, I know that the public comment had mentioned on 4F. I have been told that an officer tested positive on 4F and had direct contact with incarcerated folks who then developed symptoms, then you or your administration refused to test them despite the onset of symptoms. Can you speak to that and why that decision was made? Not to test folks that had confirmed contact with a positive case.

**Chief Williams:**

So again, contact and a contact exposure are different. All of the individuals who were reporting that they were having symptoms were assessed by a physician's assistant and a medical doctor. Not myself. They consulted with each other and they determined that they did not meet criteria for being tested. Therefore, were not tested. We continued to follow the guidelines and I trust the providers that we have in the facility to do the right thing and to provide care. We do not want to keep people around each other if they need to be quarantined, isolated, and tested. So, we will do the right thing and test them if there's indication to do so.

**Bethany Hallam:**

Okay. I don't want to say okay because I don't agree with how this should be done. I mean if I was in the same situation, myself not being incarcerated, if I was exposed to a confirmed positive case I could right now go and get a COVID-19 test. I just don't see why we're not going to afford that same level of protection to folks who are incarcerated. But I see that that's not something that we're arguing here. So, I'm going to go on to my next question which is about the resignations that you've received since our last meeting. Can you confirm that it's 2 ADON? The director of mental health, Barfield and the newly hired HSA. They have all resigned since our last jail oversight board meeting.

**Chief Williams:**

No, I can't confirm that.

**Bethany Hallam:**

Okay. Is it false? Or you just can't confirm it? Because I actually know it's true.

**Chief Williams:**

Your information is not accurate. The health services administrator resigned. The director of mental health and a director of nursing. Not ADON.

**Bethany Hallam:**

Got it. So, it was the director of nursing I was confusing with 2 ADONs. Okay, and then I just want to remind everyone that in the past few meetings I would almost say all year when we've been talking about mental health and staffing vacancies and how difficult it is to get folks. Over and over again the response that we've received from you Deputy Warden Williams, is corrections is tough. It's not for everyone one. But these folks have been in corrections their entire career. I remember looking at the resume of the newly hired HSA and being so impressed that she had been in corrections for decades. Same with Barfield, he's been with us for a long time as well. Can you speak to why they left? And I think for my colleagues on this board, I

really do believe that we should now be talking about the possibility of exit interviews conducted by us as a board or by an outside agency that reports to us as a board. Because this problem can no longer be blamed on corrections isn't for everyone when these folks have decades of experience within corrections and come to the Allegheny County jail and leave. So, can you speak to any reasons they gave you as to why they left or why you think they left?

**Chief Williams:**

No. Because I have a great deal of professional respect for everybody who chose to discontinue their employment with us. I think that everybody has their own reasons, and should they like to chose to share those for themselves, I think they should have the opportunity to. I can say that it is very complex. Corrections is difficult and adding a pandemic on top of it is also extremely difficult. And having years and years of experience doesn't make things less difficult. It provides years and years of experience. I think that the candidate that we had for health services administrator, obviously was a worthy one. We were very excited. Dr. Barfield has dedicated over a decade within this facility in multiple different roles. And when he transitions, that will be a loss to the facility. But I will not speak on behalf of those individuals and I don't think it's fair for you to call for that to happen during this meeting. Should they want to do that, they can.

**Bethany Hallam:**

It is our statutory duty to protect the folks in the jail. To me, the best way to protect the folks in the jail is to make sure that the staff members are taken care of as well. Judge Clark, maybe that's something we can talk about later in the meeting.

**Judge Clark:**

I think Ms. Klein is going to have a matter of new business that she will raise in new business that will be relevant to it. I think Deputy Warden Williams point is that it's not for her to share reasons that are someone else's in the meeting. There's a danger in that because unless you're reading from a transcript verbatim, it could be inaccurate, and that person may not want to share that. When Ms. Klein brings up her matter of new business, we can discuss some other things with regard to that. But I understand Deputy Warden Williams point. I think if I were in her position, without having asked those folks if I could share, I would not share either. Alright so the last obviously big group of public comments dealt with the books. I'm going to ask the Warden to address that. There was a press release that was issued regarding the resumption of books. But there's some other things that he is going to inform the board about with regard to the books. So, I'm going to turn it over to Warden Harper at this time.

**Warden Harper:**

On November 16, 2020 I made a decision to temporarily suspend the ordering of books from 'Barnes & Noble' and 'Christian Books'. Due to an ongoing investigation regarding the safety and security concerns over contraband. While this investigation remains open, I decided to allow family members and friends to order books from these vendors. I also want to announce that the ACJ has never banned books. Presently we are working with overdrive who has a catalog of Six million titles free of charge for individuals living in our facility and the ACJ has contributed over \$10,000 in their initial purchase of these books. We are working diligently to have this service up this month. We have also partnered with Carnegie Library, in which the individuals living in our facility will have access to a catalog of 160,000 eBooks, magazines, and audio books free of charge to individuals living in our facility. We are working with Carnegie Library to get this service up as soon as possible and I will keep the board posted of our progress.

**Judge Clark:**

Does anyone have any questions for the Warden concerning the books at this time?

**Bethany Hallam:**

I have one Judge Clark. So, Warden Harper you said that you made the decision to not allow books from those two distributors. Did you consult the county solicitor before making that decision?

**Warden Harper:**

There were several people that I did consult, and I did consult our law department. Yes ma'am.

**Bethany Hallam:**

Okay.

**Warden Harper:**

No that's a negative. I did not consult the law department when I initially made that decision. So, I did not.

**Bethany Hallam:**

Thank you very much.

**Judge Clark:**

Any other questions?

**Terri Klein:**

I have a question. I'm very excited to hear about the collaboration with Overdrive. I think it gives access to a lot of books. My question is, will that be free tablet time that they'll be able to access that library?

**Warden Harper:**

Ms. Klein, the inmates will have free tablet time from 9am to 10pm daily.

**Terri Klein:**

So, that will include any books that they access through Overdrive or the Carnegie Library will be free? That's a free service for them?

**Warden Harper:**

Yes ma'am.

**Terri Klein:**

Thank you.

**Bethany Hallam:**

Can I just piggyback off that? So, your saying unlimited usage? If somebody wanted to read books on Overdrive from 9am to 10pm, there would be no problem with that?

**Warden Harper:**

There would be no problem with that ma'am.

**Bethany Hallam:**

Great. Thanks.

**Chelsa Wagner:**

If I may just ask one follow up? Warden Harper I appreciate the explanation of the concerns with an ongoing investigation. Just to clarify, is there a believe or suspicion that either 'Barnes & Noble' or 'Christian Books' somehow either of those or both of those could be a vector for drugs into the facility?

**Judge Clark:**

I would just say, Mrs. Wagner, I think the investigation is still ongoing and I'll leave it up to the Warden to decide whether he should answer that. But I think that we need to let the investigation happen. I think the Warden made a decision initially because there was a safety risk and then decided that he could restore the books to the inmates at this time even though the investigation is ongoing. But I would not want, in a public meeting, to have things stated that might interfere with the investigation. And I don't know at this point whether it's relevant to the decision that the Warden has made whether it's 'Barnes & Noble' or 'Christian Books' or some third party who's involved in it, in terms of the decision and the safety of jail staff and inmates. But I'll leave it to the Warden to answer that if you choose.

**Warden Harper:**

Yes, your honor I would prefer not to answer that right now due to the ongoing open investigation ma'am.

**Judge Clark:**

I think once the investigation plays out then the board should receive some information about what has happened and what the conclusion is. It could be an investigation that they're not really able to make any conclusion, but it may be that someone charges or filed against someone and I wouldn't want to interfere with that. So, I hope that you will understand that at this time Mrs. Wagner.

**Chelsa Wagner:**

Yes. And if I could just ask a follow up question for clarification because I believe there could have been some more clarity certainly in the public comments, so all of the concern was raised on this. With the ongoing investigation, is that internal and county police? Could you just specify on who is conducting the investigation and what some anticipated time frame is for when the board might be able to get that information?

**Warden Harper:**

The only thing that I could respond is that the county is doing the investigation. I don't know how long Mrs. Wagner.

**Chelsa Wagner:**

Okay. Thank you.

**Warden Harper:**

Yes ma'am.

**Judge Clark:**

Any other questions for the Warden?

**Bethany Hallam:**

I'd just like to ask one more about the Wi-Fi access in the jail. I know I think we mentioned this at last month's meeting and I've gotten reports all month since, that the incarcerated folks are

still having issues accessing and being able to fully use the tablets in their cell because of the lack of Wi-Fi access. I know that the Warden had mentioned before that it's a struggle because the building that they are in. I'm wondering if there's anything we could do as a board. If maybe we can maybe buy hotspots to place on each pod or what we can do to ensure, since this is the main form of recreation, the main form of communication that the incarcerated folks now have. Is there something that maybe the Warden recommends that we do as a board to make sure that the Wi-Fi access is indeed accessible to folks in their cells?

**Warden Harper:**

Can I just say this to the board? Every time that I walk the jail, inmates state that they can't get access to certain things on the tablets. But when I go to these cells and have them show me on the tablet. Guess what? They're able to get on the tablet. I'm just really concerned about this allegation because every time an inmate brings to my attention it ends up being not true.

**Bethany Hallam:**

Okay. So, are there specific pods where they're telling you that they don't have access to tablets? Because I'm getting reports from incarcerated folks, their family members on the outside, and staff members from inside the jail. So, I find it hard to believe that all three of those categories are people coordinated to lying about this.

**Warden Harper:**

Well I'm just going to say this. What we can do Ms. Hallam is when I make my rounds or my staff members make their rounds again we can actually pinpoint areas in which they're may be some difficulty in tapping into the Wi-Fi and then I'll try to report out to the board our findings.

**Bethany Hallam:**

Okay. If you could do that prior to next month's meeting. Where there are specifically the most complaints about the Wi-Fi so that we can figure out how to address that I would really appreciate that. And also, are there any pods where they do not get access to tablets at all?

**Warden Harper:**

Right now, the only inmates that do not get access to the tablets are inmates that have been deemed acutely mentally ill and/or we have a couple of inmates that have intentionally broken the tablet. So, we're trying to come up with a process as to how we can still give them the services that they need. So, we just ran into that issue.

**Bethany Hallam:**

Okay. Why do the folks on the mental health pods not get access to the tablets?

**Warden Harper:**

Well we want to make sure that the doctor and provider authorizes it first. If the provider authorizes it then we will make sure that they get a tablet.

**Bethany Hallam:**

Okay. So, it's not a blanket prohibition on the mental health pod? It's only specific people on those pods that can't have them.

**Warden Harper:**

Yes ma'am.

**Bethany Hallam:**  
Okay. Thank you.

**Judge Clark:**  
Any other questions regarding the books?

**2. Old Business**  
**a. Inmate Welfare Expense Fund Sub-Committee Report**

**Judge Clark:**  
I think that we can move to old business. I believe that we do not have a report from the Inmate Welfare Fund Subcommittee. Is that correct Judge Lazzara?

**Judge Lazzara:**  
That is correct. Unfortunately, things seem to have got away from me this month in terms of business and so we were not able to coordinate a meeting. We will certainly have one in December.

**b. Suicide Prevention Sub-Committee Report**

**Judge Clark:**  
Thank you. Warden, are there any updates on the suicide prevention subcommittee report? Basically, we we're to get a monthly update on what was happening with the recommendations.

**Warden Harper:**  
Your honor this month has been a difficult month where we were not able to do any updates pertaining to the NCCHC.

**Judge Clark:**  
Alright. Thank you.

**c. COVID-19 Update**

**Judge Clark:**  
Any update on COVID-19 at this time? I know that there have been some cases that have been posted on the website and we've had some discussion about the contact tracing. Do you want to give a brief update as to COVID-19?

**Chief Williams:**  
Your honor I can do that. We've tested 681 of the inmate population. Since the beginning of the pandemic we've had 41 total positive cases. Within the last week we have had 3 positives within our facility. One was released to the community, so they were able to maintain quarantine measures and we made sure of that prior to their release. We currently have 2 positive inmates that are in the facility on a medical isolation status. We have had 626 negatives, 5 indeterminate and we have 9 pending tests. We have two housing units aside from our intake housing unit. So, these are in addition to those that are currently on quarantine status. And we will be expanding testing on those housing units within the next couple of days we will see our number of pending tests climb. It will be because of those housing units that are affected. We have 212 employees that have been tested, 50 have been positive, 159 have been negative and, we have 3 employees that are currently pending tests, we have 23 that are recovered and back to work.

So, from those numbers you can tell that we've had a large amount of our staff recently testing as positive. That's all that I have for COVID-19 updates.

**Judge Clark:**

Does anyone have any questions?

**Bethany Hallam:**

Yes, I wanted to specifically ask about 2A and 4F, those two pods. I've been told that the kitchen workers are being quarantined and that workers from another pod, I think it was 2C, are being forced to work in the kitchen and their place. Can you speak to those specific pods? 2A and 4F and the positives there.

**Warden Harper:**

Let me start off first Chief. We don't force anybody to work in our kitchen at all. They all volunteered to work. So, you're right 2A is our kitchen workers and they are quarantined. We have solicited inmates to volunteer to work from 2C so that we can make sure that the jail is fed.

**Chief Williams:**

We do not have any positive cases from 4F. That is not one of the units that we are discussing. The Warden already noted that the kitchen worker unit is currently on a quarantine status. 2C houses other workers in the facility so that might be other workers that are already working in areas of intake and we have also identified volunteers from 2B to do kitchen work in the interim.

**Bethany Hallam:**

Okay. And what are you doing for the pods where the folks are on quarantine? What are we doing to ensure that they meet their court date if they're on quarantine and can't leave the pod to go on to their TEAMS meeting for their court date?

**Chief Williams:**

We do it case by case. We are trying our hardest to make sure that we have a better understanding of what is going on. But our primary responsibility is to mitigate risk within the facility.

**Judge Clark:**

So, assuming that the court either through the attorney or some way is notified and if they can't participate because they are quarantined the case would be continued. Is that right Judge Lazzara?

**Judge Lazzara:**

We actually had 3 cases today that were postponed. Well, not even postponed. We're rolling them for the next available date when the defended would be available for their hearings. 2 were domestic violence review cases and 1 was a flee. So, they were just going to be rolled. We were informed this morning that they were unavailable.

**Bethany Hallam:**

Thank you very much for answering that Judge Lazzara.

**Judge Clark:**

Any other questions? Alright.

### **3. Review of November 5, 2020 Minutes**

**Judge Clark:**

The minutes from the November meeting were sent out with your board material. I hope you have an opportunity to review the minutes. And if so, I would entertain any questions, discussion, or motion.

***The Board unanimously approved a motion by Bethany Hallam, duly seconded by Judge Lazzara to approve the minutes from the November 5, 2020 Meeting***

**4. President's Report**

**Judge Clark:**

I don't really have anything to report other than I just want to say that on behalf of the board and certainly on behalf of the court as president judge. I really do appreciate the effort of the Warden and Deputy Warden to ensure the safety of inmates and employees at the jail. And also working with the court to get inmates to court when possible. I will report that due to the shortage of staff in the jail because of the large number of staff being quarantined that I did send a letter to all the magisterial district judges requesting that they really consider releasing or not giving a cash bail or holding people in jail that do not pose a threat to the safety of the community that they really look at the public safety issues as a only reason to incarcerate right now. The jail is really strapped with staff, so we really need to keep the numbers down. So, I did send that communication to the magisterial district judges. I don't know whether that has had any affect yet. Warden can you tell me whether the numbers of people being admitted to the jail have declined at all since I sent the letter? I sent the Warden a copy so, he knew that it was sent.

**Warden Harper:**

Your honor I haven't done an analysis on that yet, but I will do that as quickly as possible and I'll report back to you.

**Judge Clark:**

Alright thank you. So, I did do that to help try to keep the numbers down.

**Bethany Hallam:**

Judge Clark? Two things about that. Is there any way that we as members of the board could see that letter if you wouldn't mind sharing?

**Judge Clark:**

Sure, I can send it to you. I mean it was just from me as the president judge to the magisterial district judges. But yeah, I can send a copy out to the board.

**Bethany Hallam:**

I appreciate that and thank you so much for doing that. I didn't know about that and I really appreciate it. I'm sure a lot of other people do too.

**Judge Clark:**

I can't totally take credit for that. My Chief Deputy Court administrator, Angharad Stock, was the one who thought it would be a good idea and she actually draft something for me to send out to them. So, we sent it out to them. It's always a team effort. Many of the great ideas are certainly not mine but I'm very happy to receive them.



**Bethany Hallam:**

Well that's amazing. Did you also send it to the federal magistrate?

**Judge Clark:**

I have no authority over them. So, I can't send anything to them. I oversee the magisterial district judges in Allegheny County, so I have the right to send them such a communication. I have no authority to send to federal magistrate. They can overturn a decision of mine, so I really don't think I have the authority to send them anything.

**Bethany Hallam:**

I have to ask. What about probation? Do you have any authority over asking probation officers to not incarcerate folks?

**Judge Clark:**

Yes. That goes without saying. I don't have to send them a letter to do that. We continue to have that conversation. Let me just say this. Probation does not just incarcerate anyone they have to have a court order in order to do that so it's not that probation officers can just do it without a court order. We have since the pandemic been fixated on trying to keep the numbers down. Everyday there are bail hearings and motions that occur and everyday we try to let as many people as possible out. But probation officers, if the judge orders someone to be detained the probation officer has to do that. But it's an ongoing concern and consideration. I think the beginning of the pandemic as you know we issued orders to release more than 1,200 people from the jail and other things that kept the numbers down were that police weren't making as many arrests. One, because there was a stay at home order and people weren't out after the stay at home order was released the numbers did creep up a bit but they're not as high as they ever been and the court has actually set some goals in terms of trying to get the numbers down as low as possible. So, it's an ongoing process. It's an ongoing effort. I receive information on a regular basis about what we're trying to do. We're working on it. We're trying to keep the numbers down I can assure you that.

**Judge Lazzara:**

Ms. Hallam, it's something that every one of my colleagues on the bench. We consider every single time that we have to either sign off to detain someone or sentence someone. It is a consideration in every single case that we deal with. While we would like to see less people in the jail, we also cannot help but to detain someone i.e. domestic violence court. The number of domestic violence cases in Allegheny County right now is simply exploding. And these are very violent cases in a lot of situations. We had a person today who put a person's head through the back windshield of a car, and I can imagine you would know how much force would be required to do that. So, these are very difficult situations and we are trying our best to keep the numbers down in the jail but it's not always possible and we would ask that you and the public understand that we are balancing the risk of disease, infection, with the risk of public safety. We are doing that very carefully every single day.

**Judge Clark:**

I would just add that in terms of the domestic violence cases, that is actually nationally a trend right now through this pandemic and I think for many reasons. People are sort of stuck together, a lot of the times where people could get out of the house decreased with job layoffs etc. A lot of that is not happening with people being required to stay home to make sure that their children are doing their online and virtual education. There are a lot of issues and I will say that the court lost one of its own, a juvenile probation supervisor, to domestic violence. So, the public safety is the number one concern. We can deal with the other issues, but it is our obligation to keep the

public safe. And sometimes unfortunately even in a pandemic people have to remain incarcerated or be incarcerated to ensure the safety of the public or an individual victim. So, thank you for sharing that Judge Lazzara.

**Bethany Hallam:**

Really what I'm concerned about is the incarcerated person, his name has been reported in the press, so I think it's important that we do say his name and not just make him a number. But Daniel Pastorek lost his life on Thanksgiving Day. And the only reason he was incarcerated was for a technical probation violation. Someone died serving time in the jail for a technical probation violation.

**Judge Clark:**

I can't comment. I don't know what the reason. Whether it was a technical violation or other violation. Sometimes there are reasons that judges chose to detain someone on what appears to be a technical violation. Sometimes information is not always reported accurately. So, I don't know the answer to that. I don't know whether Judge Lazzara does. But there are times where people are incarcerated, and I'll give you an example. Someone who is really at risk of overdosing, if they are not detained and go straight to treatment. In the beginning of the pandemic when we let a lot of people out, we let some of those people out and we lost some of them to overdoses. We took the chance and thought that it was better to let them out than to have them remain in and in retrospect maybe that wasn't the right decision. But at the beginning of the pandemic it was really hard to get treatment beds as well because people weren't necessarily taking in new people. But we did lose some folks to overdose, who we let out under those circumstances.

**Judge Lazzara:**

Ms. Hallam when you say technical violation, you make it sound like it's not a big deal. A technical violation can be a violation of a no contact order in a domestic violence case. I don't know anything about the circumstances of the individual who unfortunately died in the jail. But I know that a technical violation could be a violation of my no contact order. Or my no violent contact order. So, please just so you understand, a technical violation isn't just because they weren't reporting, or they had a positive drug screen. It can be something much more serious and I just think that the public and you need to understand that.

**Bethany Hallam:**

I absolutely do understand that, and I appreciate you explaining that to everyone else. I absolutely do understand what wide variety technical violations could be, but this man had no violent charges, had no domestic violence charges. Every single docket on his record was for alcohol use disorder or related charges. This was someone who needed help and instead was locked in the jail on technical violations and lost his life.

**Judge Clark:**

I get that. But I'm going to just say this, and I have said this many times at the meetings. That maybe an issue for the court to take up as to who's there. It really doesn't have anything to do with the Warden and the operations of the jail. Warden Harper has no say who gets admitted to the jail or how long they're there, or who gets released. That is the burden of the court. So, that's an issue I will certainly look into, but I think we need to move on because it's really not appropriate for the jail oversight meeting at this time.

**Bethany Hallam:**

Okay.

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

### **Judge Clark:**

Warden is there anything else that you have to report?

### **Warden Harper:**

Your honor I just want to thank you for the letter that you sent out to the judges. Hopefully we'll see a reduction in individuals being brought to our facility. The first thing I want to do is thank all of the employees, contractors, and volunteers that work at the Allegheny County jail. These are trying times that we are encountering at the jail and I just wanted to say to all of the employees, contractors, and volunteers, thank you for everything that you do. The last thing I want to say you honor is this, since the beginning of the pandemic we have offered individuals living in our facility with one free 5-minute daily call at a cost of \$40,000 per month. Effective today, we are going to give all inmates living in our facility one free 10-minute call per day until further notice. Your honor that's all I have.

### **Judge Clark:**

That's very exciting. Thank you, Warden.

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

### **Judge Clark:**

Deputy Warden Williams is there anything else that you wish to report?

### **Chief Williams:**

I do want to extend congratulations to the entire substance abuse department despite our operations looking significantly different this year and not being able to host group sessions they continue to face that adversity and offering individual sessions, doing rounds on our detox units, and they recently got a compliant SCA monitoring visit for this last year so despite every other challenge that they had against them they still passed the most recent monitoring visit. So, we're very proud of them and thankful that they continued those efforts. That's all I have.

### **Judge Clark:**

Thank you.

## **7. New Business**

### **Judge Clark:**

So, we'll move to new business. We have two action items that are on your agenda by Ms. Hallam and then Ms. Klein has an item that she would like to bring up in new business. So, we'll start with Ms. Hallam.

### **Bethany Hallam:**

Thank you so much Judge Clark. So, by now I think you all are familiar with what these two agenda items are. The first one that I would like to ask for your support for is the request for funds to be added to the commissary account of everyone in the jail at the time that I submitted this to be put on the agenda there were 1,704 people incarcerated in the jail. So, \$50 from the inmate welfare fund to each of their commissary account. The total would be \$85,200. I would like to move to approve this motion.

***The board unanimously approved a motion by Ms. Hallam, duly seconded by Chelsa Wagner to approve the placement of fifty dollars (\$50) from the Prisoner Welfare Fund on the commissary account for all current incarcerated persons at the Allegheny County Jail.***

**Bethany Hallam:**

The second motion that I would like to bring forward to you all is \$50 on the tablet account of each person in the jail. Again, at the time that I submitted this there were 1,704 folks incarcerated in the Allegheny County jail. \$50 each from the inmate welfare fund to their tablet account for a total of \$85,200. Again, I want to clarify that it's a specific account that they need to use to pay for things on their tablets. They can not use the commissary funds to pay for the tablets. So, that's why the separate money. So, I would like to move to approve this motion.

**Chelsa Wagner:**

May I just add one point from the last meeting on this? So, I said that our office would follow up just to understand if this category, specific to communication on tablets or phone calls would be funding that we could perhaps draw down from the county CAREs Act funding. We are still actually awaiting an answer from the budget office on that. Though we understand that it would certainly be eligible not so much the commissary. However, we are not sure how in terms of how the county is going to use the remainder of the funding. So, that's an open question to the budget office.

**Judge Clark:**

Alright. Will you be able to report on that at the next meeting?

**Chelsa Wagner:**

Absolutely.

**Judge Clark:**

Alright. Thank you.

***The board unanimously approved a motion by Ms. Hallam, duly seconded by Gayle Moss to approve the placement of fifty dollars (\$50) from the Prisoner Welfare Fund on the tablet account for all current incarcerated persons at the Allegheny County Jail.***

**Judge Clark:**

Ms. Klein?

**Chelsa Wagner:**

I have some general information that maybe helpful to share while we wait for her to get back on in regard to what I understand her to be offering as a motion.

**Judge Clark:**

Okay. We can do that. Mr. Sykes can you email her and if she can't get back on, she can call in so we can have her item of new business? But we'll start with Mrs. Wagner.

**Chelsa Wagner:**

Thank you. And I'm not saying that I will be able to do Terri justice but from what I understand, she was going to ask the board to attempt to conduct an exit interview in regard to the departed health services administrator regarding our staffing issues. I will just say that I'm certainly in

support of this although I guess it would take someone making the motion and then seconding it for discussion if that's what we want to do.

**Judge Clark:**

That is what she wanted to bring up, about the possibility of doing an exit interview.

**Terri Klein:**

I'm so sorry about that my computer died. I am recommending that the board request an exit interview with the former health services administrator. I believe that we have the duty to find out why it is so hard to retain administrative staff at the Allegheny County jail. I'm personally willing to reach out to her to see if she'd be willing to participate. If she is, to help organize a time we could as a board complete the exit interview.

**Judge Clark:**

Is that a motion that you're making Ms. Klein?

**Terri Klein:**

Yes, it is.

**Judge Clark:**

Let's have some discussion on it. If you want to have discussion. I don't know if anyone has any thoughts or ideas about this. The floor is open for discussion at this time.

**Chelsa Wagner:**

I think just in terms of our responsibilities as a board, this has obviously been a very chronic problem for a long time. I think this follows under our responsibilities as a board to be able to really go directly and essentially do some investigating of our own so that we can be assured that we best understand what the issues are and how we can perhaps resolve them.

**Judge Clark:**

Thank you. Judge Lazzara?

**Judge Lazzara:**

I would be interested not just in the health services administrator but someone like Dr. Barfield who I had a wonderful working relationship with, and this has come as a complete shock to me. He's really a wonderful guy and I'd like to know why someone who has been there long term is also deciding at this point to leave. I would hope to be able to extend it to more than just the health service administrator.

**Judge Clark:**

I would just add that even if, let's say Dr. Barfield, decided he just didn't want to work anymore, there is still value to an exit interview in terms of going forward. Like what the issues are, valuable information that an organization can have from someone that's leaving. Sometimes once people sort of made the decision to disconnect, they give you more information than you would have got if they were still there. Are you asking for sort of friendly amendment to Ms. Klein's motion to extend not just for the HSA but for other significant employees as well?

**Judge Lazzara:**

That is exactly what I'm asking for. Thank you Judge.

**Judge Clark:**

Ms. Klein do you accept that?

**Terri Klein:**

Yes. I am happy to accept that. That's a wonderful idea.

**Judge Clark:**

Ms. Hallam do you second that?

**Bethany Hallam:**

Absolutely. Yes.

**Barbara Parees:**

May I add something? If as a board, we are concerned about any number of people leaving the jail. These people, the current HSA who was only with us less than 90 days and Dr. Barfield who was there a long time. I think not to just interview these people who have left recently but to put something in place where we do exit interviews and that we have the appropriate people do them. The county does have an HR department and in HR there are people who work routinely with the Allegheny County jail and I would have a preference for not having board members who really have no training in human resources doing exit interviews. But to ask to put something formal in place where the HR department would conduct those interviews. I don't see that as our board's responsibility. I think it's our responsibility to request that it happens by the appropriate staff. That's my two cents and it would change what Ms. Klein requested so I put that out there for consideration.

**Judge Clark:**

Thank you. Ms. Klein it was your motion, Ms. Parees is obviously supporting the idea for exit interviews but feels that the HR professionals should be conducting the exit interviews.

**Terri Klein:**

I am not a HR professional and I would certainly want to coordinate with them but I wonder if we would get more fruitful information being a third party and that is my consideration for having us do it, is when we get more fruitful honest information then someone who might be looking to apply for another county job.

**Bethany Hallam:**

I agree.

**Barbara Parees:**

I would add to that, the operational aspect of doing that, I don't know if you're expecting the whole board to conduct this interview which I don't think it's appropriate in any shape or form, and to get us together which we have difficulties doing once a month and if three more people leave the jail in the next six weeks are we capable of in an appropriate asking the same questions to people. I don't think, because at this moment in time and these people that have chosen to leave that we should put in place the fact that we as a board would give exit interviews to everyone leaving the jail for reasons that we want to know about. I just think it's totally unprofessional and should again be conducted by people who do this for a living and are trained to do it.

**Judge Clark:**

Thank you. Mrs. Wagner?

**Chelsa Wagner:**

Thank you. I'll be brief. I'd just like to respond to Ms. Parees. I respect her opinion, but I certainly differ because I think very specific to the independent function of this board, we need to be able to go directly to the source. One of the topics that I don't think we'll have time to discuss in this meeting and this goes along with us needing to do an inspection which we haven't been able to do in the last year. I know there are difficulties with all of this during the pandemic. I believe that it's even more important and there are certainly ways, just like we're meeting now. But I believe it goes very directly to the independent function of this board with our own duties to ensure the health and welfare. I know Barbara, you and I have been around for a while on this issue from our offices going back to the time where we started making sure that we were getting that report every month in terms of the staffing shortages. This has been to long an issue and I think the most recent departing's at this time with their specific backgrounds. The definition of insanity is doing the same thing over and over again and expecting different results and I think we need to take on as this board the ability to just dig through for answers the best that we can.

**Judge Clark:**

Thank you. So, I think because this is a significant issue. I'm going to go down the roll and ask each board member to kind of give their opinion. It seems at least from the opinions that we have stated right now that there's a consensus that exit interviews should be done. Judge Lazzara wanted to expand it and I think what Ms. Parees is saying that it should probably just be done as a matter of course when people leave but that the professional county HR should be the ones that do it. That's kind of where we are. I'm going to go down the roll and ask everyone to kind of throw their two cents in. I'm going to start with Sheriff Mullen.

**Sheriff Mullen:**

I believe it should be done by HR experts for everyone that exits. That's what they do here in the Sheriffs office.

**Judge Clark:**

Thank you. Ms. Moss?

**Gayle Moss:**

I'm for exit interviews but I believe it should be professionally done. I also think that a lot of this right now with all the stuff that's going on and the different things with COVID-19. Everything is out of sort around us. I believe there should be exit interviews, but I don't know if it should be this committee doing it. I'm not for that.

**Judge Clark:**

Thank you. Judge Lazzara?

**Judge Lazzara:**

I certainly believe that there should be exit interviews and I think it should not just be high level officials because we're going to hear things differently from people that are lower on the totem pole than people that are higher. I think there's benefit to doing exit interviews for everyone. I personally would like this board to do it. But I also understand that there are constraints with time. I think that we would get more if this board were to ask the questions than a county agency. Because I just think that there's going to be skepticism from the people that are being

interviewed if they are being interviewed by the HR department. I think we would get more out of it, but I do have some concerns about how we would manage that in terms of the timing.

**Judge Clark:**

I'm going to skip Ms. Klein because it's her motion and come back to her.

**Terri Klein:**

Actually, can I say something? I guess I appreciate what everyone is saying and perhaps I would like to amend my motion that it not be called an exit interview. I think because maybe that is under the purview of HR, but I think we could conduct a very focused informational interview. I mean I don't think we need to ask very many questions trying to dig at why people are leaving and if there's something that might have changed their mind. I don't think it needs to be extensive and I would prefer that we consider it more informational than a formal HR exit interview.

**Judge Clark:**

Okay. I think that's a distinction without a difference so to speak. I don't know, it's your motion you can amend that, and I'll ask Ms. Hallam to second it if she'll accept that but I'm not so sure that it's really a difference.

**Bethany Hallam:**

I'll second it Judge Clark because I completely agree that if we're saying that the reason that we shouldn't be conducting exit interviews because we are not HR professionals than I agree. If HR wants to do exit interviews that is fine but I second, this motion that we do something additional as a board.

**Terri Klein:**

Are we going to be specific about who? Is it just these two last people who left or are we as a board going to do it if someone leaves in the next two weeks and do them as well? What are we actually saying?

**Bethany Hallam:**

I think that was Judge Lazzara's amendment if I understood correctly that she wanted to make sure that it was all levels. Am I correct on that Judge Lazzara?

**Judge Lazzara:**

That is correct.

**Gayle Moss:**

Can I say something? I agree with what Bethany just said. I think that an exit interview is good but maybe after we had someone from HR to do the exit interview and then we could see what they find and then come up with something that we think needs to be done differently. We as a board rather than us doing the exit interviews.

**Judge Clark:**

Thank you. Mr. Kamara?

**Abass Kamara:**

I'd like to echo Judge Lazzara's comment. I think the information that we as a body could gather from any departures is helpful. I also would say that this maybe extremely amendment, if we could create a rotating subcommittee of this body to do these interviews. That might be the best



way to facilitate firsthand now that goes directly to this board as well as takes some of the pressure off the meeting of the entire body every time to have these conversations.

**Judge Clark:**

Thank you. I think that was everyone. So, Ms. Hallam was there something else that you wanted to say?

**Bethany Hallam:**

Really, I just wanted to clarify. I know there's a motion and a second on the floor. I just want to know what exactly it is. Because it sounds like we're in agreement about interviewing everyone who leaves the jail. Are we also now amending to say, "sure HR can do an exit interview but we as members of the board want to do our own thing also"?

**Judge Clark:**

The motion as I understand it was amended was exit interviews of employees that are leaving the county jail. First it started with the HSA and then it was extended to basically include everyone. The motion was that the board do it. So, that's the motion that's on the floor. There was some discussion about whether it should be the board or whether it should be HR or whether it should be a combination. But the motion is, as I understand it, for the board to conduct exit interviews of employees who are leaving the county jail. Is that correct Ms. Klein?

**Terri Klein:**

I don't think I am suggesting that we conduct exit or informational interviews on everyone who leaves the jail. I would like to target it to high profile positions like the HSA and maybe the long-term mental health person. I'm not in favor of conducting these on every person who leaves the jail.

**Judge Clark:**

Alright. So, then if you could just restate your motion so that we have it and then we'll ask Ms. Hallam or someone to second the motion. Because there has been an amendment and there has been a lot of discussion.

**Chelsa Wagner:**

I'd like to make a suggestion if this is helpful, on the language of the motion.

**Terri Klein:**

Please.

**Chelsa Wagner:**

If this was summarized. This board would direct independent post-employment interview with employees as determined by the board, immediately to include the health services administrator, director of nursing, and director of mental health and thereafter determined by the board. Would that be fair?

**Terri Klein:**

Thank you. That summarizes my thoughts precisely.

**Bethany Hallam:**

I second that motion. Ms. Klein.

**Judge Clark:**

Alright. So, is there any other discussion? No. I'll do a roll call.

**Bethany Hallam:**

Yes

**Barbara Parees:**

No

**Abass Kamara:**

Yes

**Terri Klein:**

Yes

**Judge Lazzara:**

Yes

**Gayle Moss:**

Abstain

**Sheriff Mullen:**

Yes

**Chelsa Wagner:**

Yes

***The non-unanimous board approved a motion by Terri Klein, duly seconded by Bethany Hallam for the jail oversight board to conduct independent post-employment interviews with Allegheny County Jail employees determined by the jail oversight board.***

**Judge Clark:**

Here's what I would suggest. Interviews are a very special thing and as much as we all think that we are probably really good at it, we're all probably not unless you are experienced and trained in it. So, my suggestion would be to actually get some guidance whether it comes from HR or we could ask HR. Or whether it comes from other sources of information before we undertake this. Then what ever group is going to need to do, that we figure out what questions. I don't think it should just be a free for all. That's just my suggestion and that we should have some sort of plan as to who's going to take the lead, and how we're going to follow up. I would prefer that there are some styles of interviewing such as motivational interviewing that works better for getting to the truth of the information that's not confrontational, that isn't aggressive, it doesn't make people feel intimidated, but it gets to the truth of the matter really quickly. I would recommend that style of interviewing but that's just my suggestion. So, I would ask, since it was your motion Ms. Klein, I'm assuming that you want to be a part of this?

**Terri Klein:**

Absolutely.

**Judge Clark:**

Alright. Is there anyone else? I feel like it should not be the whole board. We should not have everybody sitting there. I think that's not productive. Anyone else that would want to do it please let me know.

**Bethany Hallam:**

I would Judge Clark.

**Chelsa Wagner:**

I would.

**Judge Clark:**

Alright. What I'm going to do is, probably tomorrow, send out something about setting up a meeting. What I will do, and you're all free to bring whatever information you want to the table. Our court actually has its own HR that's not related to the county HR, just to get some guidelines on what a good exit interviews should be. I would suggest that we still check with the county HR to see what a good exit interview should be and then what ever other information anyone else wants to bring to the table please do that. I would ask Mrs. Wagner if you would be willing to contact county HR to get some information and guideline?

**Chelsa Wagner:**

Absolutely.

**Judge Clark:**

Alright. Then we can do that and then I will send out an email tomorrow getting some dates that we can do this rather quickly. Any other discussion about that?

## **8. Community Corrections Reports**

**Judge Clark:**

I'm going to move to the community corrections report. They've been very patient. Can we have someone from The Program for Offenders?

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

**Carol Bender (The Program for Offenders):**

Hi Judge. I'm on. We're hunkering down with COVID-19 trying to keep everyone safe and we've limited any excess people coming in and out of the facilities right now. We're trying to again, keep staff and clients safe. We can report we had excellent thanksgiving dinners at both facilities. And our men reported never having participated in cooking some of thanksgiving dinner and actually thoroughly enjoyed. So, staff and clients together prepped and made traditional thanksgiving meals this year. We are in the process of trying to plan a holiday celebration since again, it will be limited due to COVID-19 and we can't have family members coming in right now so that's in the planning phases. Thank you.

**Judge Clark:**

Thank you. Any questions?

### **b. The Renewal Center**

**Judge Clark:**  
The Renewal Center?

**Adam Zach (The Renewal Center):**

We're continuing to do our best to combat the spread of the corona virus. We're utilizing hygiene and sanitization and distancing practices. Just recently we made it that all of the mental health and drug and alcohol outpatient appointments are being conducted remotely and the residence can attend their sessions using cellular devices. Also, the majority of the court cases are being conducted remotely too. So, we're doing our best to hunker down with the Corona Virus and we're trying to be as diligent as possible.

**Judge Clark:**  
Any questions?

**Judge Lazzara:**

I just have a comment. I'd like to give a public shoutout to Mr. Zach because he has been arranging to have folks that are at renewal, be present for court hearing and sometimes I've very late notice because we don't know when somebody gets transferred there and he has done a really fantastic job of making sure that we're able to reach these folks for court hearing. I just wanted everybody to know what a great job he has done.

**Adam Zach (The Renewal Center):**  
Thank you, your honor.

### **c. Electronic Monitoring**

**Judge Clark:**  
Electronic monitoring?

**Electronic Monitoring:**

Good evening. Outside of our report that you all have. I have nothing really new to report. If there's any questions I'd be happy to answer them.

**Judge Clark:**  
Any questions?

### **9. Adjournment**

**Judge Clark:**  
If there's no other business to cover, I will ask for a motion to adjourn.

**Bethany Hallam:**

Judge Clark before we adjourn could I quickly just ask. I know you had mentioned an executive session, which is now no longer needed. But there are pending litigations against the jail currently. The first one is one that we've discussed at the last meeting and had never been able to have a discussion about because it was pending litigation. And then that's about the lack of adequate mental health treatment in the jail. The second one that was just filed this week is about the use of force in the Allegheny County jail. I understand that those pending litigations are something that qualifies as an exemption from the Sunshine Act. So, I'm wondering if we can schedule an executive session before today's meeting is over. We can schedule it for a future date to specifically talk about these two pieces of litigation. I know that one of the public

comments that we received asked for every single member of the jail oversight board to read the complaints before the next meeting. So, I'm just wondering if that's something that before we adjourn, we could schedule to have a discussion about those two very serious lawsuits about what's going on in the jail. It's our duty, I think to protect the folks in the jail. That's my request.

**Judge Clark:**

I would not be prepared to schedule it now because I would need to look at my court calendar and schedule so I can't do that while I'm on this meeting because it's all electronic and I need to access it through the computer that I'm on. But what I can do is send out some communication to see when people would be available. If the board agrees that they would like to do that. So, I guess that's the question. Is there a consensus that you would like to discuss this in an executive session?

**Terri Klein:**

Yes, I think it is. It falls under our statutory duty.

**Judge Clark:**

Alright. Is there anybody who feels that we shouldn't do it? Okay. So, what I will try to do is try to get the complaint and the information to you so that you can review them and then send out for some dates. It's getting hard as we get into December so we may not be able to actually do it until the beginning of the year. I kind of would like to do it before the end of the year because Ms. Parees will not be on the board next year. Is that correct?

**Barbara Parees:**

Yes. That is my understanding.

**Judge Clark:**

Yes. So, I think I would like to have her input as to have been a board member all this time. So, I will try to do it before the end of the year and get it scheduled so that we can have her thoughts and input in it. Then it will be done before the next board meeting. That's my proposal if that satisfactory. I don't feel like we need to have the executive session at this point because I think we had extensive conversation about the books that was sort of the plan. If everyone is in agreement, I would just ask for a motion to adjourn unless there's any other business that someone wishes to raise at this time.

***The Board approved a motion to adjourn the meeting at 5:53 pm by Judge Clark.***

Kindest regard,



**Chelsa Wagner**

## Public Comments

**Name:** Gregory Dober

**Organization:** Official Visitor, PA Prison Society

**Comment:** On August 5th, the volunteers of the PPS, Allegheny County submitted a letter regarding the use of the excess surplus of IWF. Two of the proposals involved books. 1) Screening system for donations and 3rd party vendors and 2) a library. Judge Lazzera noted at September's meeting that a motion be voted on to look into a book processing system. It passed. Both Judge Clark and Judge Lazzara reacted positively to this and extolled the value of getting books into ACJ. On November 16, 2020, the ACJ banned third parties and make Project Gutenberg the primary access to books. Why?

**ACJ Response:**

### **Carnegie Library, Jail Announce Expanded Partnership**

#### *Shipment of Books from Third Party Providers Resumes with Additional Controls*

**PITTSBURGH** – The Allegheny County Jail and the Carnegie Library of Pittsburgh today announced an expanded partnership to provide access to additional eBooks and audiobooks to incarcerated individuals inside the facility.

“We are grateful to the staff at the Carnegie Library of Pittsburgh for their continued and ongoing support of literacy at the Allegheny County Jail,” said Warden Orlando Harper. “They have been an important partner to us in providing services to the individuals who are incarcerated here as well as a trusted voice as we work through how best to provide more access to a variety of mediums in the facility.”

The two organizations have an existing relationship that included, pre-pandemic, monthly visits to the jail's Family Center for read-alouds and family engagement, work readiness programming, movie and book discussions, and aid for their physical book collection. The expanded partnership will include access by inmates to the Carnegie's eBook and physical book collection. The ongoing discussions are also exploring ways to continue pre-pandemic services, outreach and programs virtually.

Last week, the jail announced a new partnership with Overdrive, a digital distributor of eBooks. The partnership provides access to OverDrive's catalog of over 6 million titles to incarcerated individuals with the jail having committed over \$10,000 to the initial purchase of services. With the Carnegie Library relationship, individuals also have the ability to access that catalog of over 160,000 eBooks, magazines, audiobooks and videos available.

The OverDrive collection of eBooks will be available to inmates on tablets later this month and work is currently underway to make the Carnegie Library collection available more quickly.

This newest announcement brings the number of free titles available to incarcerated individuals well over 6 million. The facility's library already includes over 10,000 titles and continues to grow through ongoing book drives organized through the HOPE Chaplaincy Services office. These collections include a variety of genres, reading levels, authors and languages. A physical lending library is located on each housing unit where inmates may sign out books. Books are rotated on and off of the housing units from a central location.

Warden Harper also announced that the ability of family members and friends to order books for inmates from barnesandnoble.com and christianbooks.com has been restored effective today. It had been temporarily suspended on November 16 due to an ongoing investigation regarding safety and security concerns over contraband. While the investigation remains ongoing, additional staff training has been completed and other controls have been put in place related to the testing of printed materials to allow the program to resume. Approximately 30-60 books are sent to inmates at the facility in this manner each month.

Since the beginning of the pandemic, the jail has restricted social and professional visits to limit the spread of COVID-19 in the facility. In order to offset the impact of those changes, the jail has funded free, daily 5-minute phone calls for incarcerated individuals at a cost of \$40,000 a month. With those restrictions still in place for the foreseeable future, the jail has provided additional funding to increase the free calls to 10-minutes daily which become available facility-wide today. The calls may be made through the tablets, or by using the phones located on each housing unit.

The facility has also partnered with Human Services to ensure continued family visits via video while the restrictions are in place. With the installation of wireless throughout the facility, expanding the utilization of the tablets for that purpose is currently being explored with a focus on how to provide those services without a financial burden on the families of those who are incarcerated.

The inmate tablet program began at the facility in October with the purchase of 2,200 devices. Incarcerated individuals have unlimited daily use of tablets between 9 a.m. and 10 p.m. Besides books, inmates have free access to health and wellness and educational programs and a legal library. Paid services include video visitation, phone calls (beyond the free 10 minutes provided by the jail), text messaging, video games, news and streaming services for movies and music.

The facility's current book drive continues through Monday, December 28, 2020. Those wishing to donate to the facility may inquire with HOPE Chaplaincy Services at 412-350-2057 or [jailchaplains@allegHENYcounty.us](mailto:jailchaplains@allegHENYcounty.us). All donated books will go through a physical review to ensure that there is no contraband.

More information on the library services available to inmates can be found here: <https://www.allegHENYcounty.us/jail/library-services.aspx>.

**Name:** Michelle Dillon

**Organization:** Books to Prisoners

**Comment:** The new policy at Allegheny County Jail, introduced on November 16, which restricts book access to the jail's small library and the handful of e-books available on electronic tablets, must be immediately repealed. People in jail need access to a wide range of reading materials and also need a connection with the outside community that will be severed by the removal of the ability to receive books and magazines through the mail. This policy eliminates access to the majority of books in publication and severely hampers the educational, vocational, and self-improvement goals that many people use books to achieve. Additionally, we ask you not just to restore but to expand the available sources for book delivery to include community organizations like Book 'Em, which provide free, donated materials to people in this jail. Books are beneficial things and your obligation should be to make as many of them as possible available at no cost to incarcerated readers.

**ACJ Response:** Comment

**Name:** Doug Baker

**Comment:** I strongly object to the policy of banning physical books and only allowing access to reading material via a curated list of ebooks, and possibly forcing inmates to pay for access. Inmates should have unfettered access to whatever reading material they may be interested in. To foreclose on this avenue of activity strikes me as leaning in the direction of cruel and unusual punishment. The inmates are human, whatever crimes they may be convicted, or even only accused of. We should treat them humanely. Access to reading for relaxation or entertainment purposes is a minimum we should grant people in custody. It is even more important for anyone who wishes to use their time to learn while in jail. Whatever concerns there are over the physical books that enter the facility, they can be addressed through means other than simply banning the books themselves. That's just the laziest approach to solving the problem, not the best. And no book should be banned outright, unless it is a direct and unequivocal threat to the safety of the staff and inmates in the facility. I find it hard to believe any but a minuscule number of books would fall into that category.

**ACJ Response:** Comment

**Name:** Dana C Hackley

**Organization:** Book 'Em

**Comment:** The individual's right to read is and also the individual's right to freely choose what they would like to read is a fundamental tenet of democracy. Simply because someone has been incarcerated, does not mean they forfeit this right regardless of whether it makes regulatory functions of the prison simpler. Regardless of your reasoning, prohibiting inmates from receiving the reading materials they desire is inhuman, unjust, and goes against the moral compass of this country. Also, research shows that reading among inmates reduces recidivism. Specifically, reading "teaches empathy, complexity, how to face shame, and how to build personal dignity." Qualities that one would hope a prison oversight board had already learned.

**ACJ Response:** Comment

**Name:** Joyce DeFrancesco

**Organization:** The Human Race

**Comment:** It is shameful that the board is even considering restricting access to physical books for inmates at the Allegheny County Jail, which includes many MANY people who are there simply because they cannot afford bail. It is cruel and unusual punishment to prevent people who are trapped in a small room for 20 hours a day the small comfort of educating themselves or mentally escaping their situation through the power of the written word. I'm not sure if this is incompetence, ignorance, greed or pettiness on the part of the board but I do know what you're considering is wrong.

**ACJ Response:** Comment



**Name:** Harsh Jain

**Comment:** Hi, My Name is Harsh Jain and I'm writing about the new ACJ policy that bans books. Learning is an innate human need and imperative, denying anyone of that is inhumane and by extension this policy is inhumane. I believe that human beings should have the right to access books while incarcerated. 150 years ago Victor Hugo wrote Les Miserables to remind us of the inhumane treatment of inmates and the immense power of believing in second chances. I hope as a society in 2020, we have the civility to grant basic human dignity to inmates. I believe books can give people a way to discover what they could do with their second chance. Even if it's only a small chance or affects a small number of the incarcerated, it is the least we can do. Thank you, Harsh Jain harshvjain@gmail.com

**ACJ Response:** Comment

**Name:** Julia Sero

**Comment:** Please give inmates access to real, physical books and library time. Reading is a right, not a privilege. We must treat prisoners with respect and compassion if we want to have a just and humane society.

**ACJ Response:** Comment

**Name:** Christine M Szejik

**Comment:** What is the specific protocol for COVID 19 testing of inmates and staff? Are Corrections Officers routinely given tests or does ACJ wait until an inmate or staff member becomes ill? What specific tests are given? (taking someone's temperature is not a test) What is the specific plan to protect the inmates, staff, and community from the consequences of an outbreak in your facility?

**ACJ Response:** The ACJ follows the guidelines of the Center for Disease Control, PA Department of Health and the Allegheny County Department of Health. We test inmates who are symptomatic for COVID-19. Employees are also directed not to report to work and quarantine themselves for 14 days, if they display symptoms of COVID-19, in attendance of anyone that has tested positive for COVID-19. We also mandate the wearing of mask within the facility, physical distancing and frequent cleaning of commonly touched areas.

**Name:** Claire Singer

**Comment:** I'm writing to address the book ban at ACJ. This ban needs to end immediately - barring people from access to books is not going to make anyone safer from covid or otherwise, and only causes an incredible amount of harm. People deserve access to books, and you have a responsibility to address this issue immediately.

**ACJ Response:** Comment

**Name:** Mike Montague

**Comment:** This issue is close to my heart. Though I am not incarcerated, I am aware how critical it is to my mental health and wellbeing to have access to the words and thoughts of others, through the written word. Especially during bad times, this is so important. I would lose my sanity if I were denied this. But every individual has a unique situation, beliefs, and outlook, and must have the ability to pursue ideas and content that is specifically relevant and meaningful to them. The policy to limit book choices to a limited physical library and/or limited titles on e-books is simply insufficient to fill this need. Restricting access to reading materials hinders a person's ability to grow, encounter new ideas, and improve themselves. Restricting access will only serve to increase people's feelings of isolation and desperation. Even a library of hundreds or a few thousand titles cannot come close to meeting the needs of specific individuals, each so unique. People inside of the jail must be allowed to have books of their choosing mailed to them. This is essential for mental health, anything less is just cruelty.

**ACJ Response:** Comment

**Name:** Erika Carmona

**Comment:** I am extremely concerned about the proposed book ban - inmates have few ways to enrich themselves productively as it is, and the prison has no business policing what they are allowed to read. Is it really such a concern? Please reconsider this, it seems unnecessary at best and cruel at worst.

**ACJ Response:** Comment

**Name:** Jamie Schechter

**Organization:** Prisoners Literacy Project

**Comment:** Limiting incarcerated people's access to books is cruel and unnecessary punishment. Books help people stay sane, educated, and connected to the outside. Ebooks and facility libraries cannot meet the need. Please stop limiting access to books for prisoners.

**ACJ Response:** Comment

**Name:** Maria Wheeler-Dubas

**Comment:** I am very concerned about the purported book situation at the jail. (I actually organized a book drive myself about five years ago and donated over 500 books.) Access to educational materials plays a huge role in decreasing recidivism, so it's in the best interest of prisoners to have access to books at least. Crikey, we're not asking for them to have lavish spa days and whatever video game is popular today - we just want them to have books!

**ACJ Response:** Comment

**Name:** Barbara Blackmond

**Comment:** I strongly urge the jail to allow outside books, to provide books by African American authors and allow free access to reading on tablets. This is necessary for mental health of people in the jail. they are presumed innocent.

**ACJ Response:** Comment

**Name:** Concerned Employees

**Comment:** I am a concerned about multiple employees at the jail Are involved in sexual misconduct going on and nothing is being done about it? It is making a already uncomfortable work environment worse then it is?

**ACJ Response:** We at the ACJ have a non-tolerance policy pertaining to sexual misconduct and we have different avenues an individual can take, when they have knowledge of any wrong doings at the ACJ. We have county police on site, supervisory staff and Human Resources available.

**Name:** Cameron LeViere

**Comment:** How much money does ACJ stand to make over the next year by reducing access to physical books in favor of using a for-profit tablet/eBook program?

**ACJ Response:** The ACJ does not make any money providing ebooks. This new access to books will be free of charge to the inmate population.

**Name:** Bri Pentuk

**Comment:** Good afternoon. My name is Bri Pentuk and I am a local Pittsburgh resident. I believe the Allegheny County Jail (ACJ) needs to restore and expand access to books, and the recent policy change limiting access to only >300 books is unacceptable and inhumane. Learning is a right. If the true purpose of incarceration is rehabilitation, if the jail truly aims to support those incarcerated within its walls to no longer take up a jail cell and successfully re-enter the City of Pittsburgh, then access to learning materials should be foundational to the ACJ and its policies. The book ban is an inhumane punishment inflicted upon the individuals residing within the county jail, especially during the time of COVID-19 where greater restrictions aimed to reduce the spread of the virus ultimately leads to greater isolation. Everyone deserves access to books. For me personally, books have played a crucial, formative role in my life. I think it's safe to say everyone (on this board, incarcerated within the ACJ, working at the ACJ, reading this comment, etc.) can name a book that has helped them through a challenging time in their life or has been particularly impactful on an individual level. The ability to experience a world outside of ones own is fundamental to the human experience as it teaches empathy, compassion, the importance of information, the reality that everyone has a story to tell. Nationally, about 75% of all individuals incarcerated within local jails have not been convicted of a crime; however, regardless of this statistic, the focus of the ACJ should be providing individuals who acted outside of the law with opportunities to

learn and grow in order to be "better" and reduce recidivism. I believe books are among our greatest tools for reducing crime and recidivism, as it serves a restorative resource that connects actions to consequences; a resource that connects those in isolation to others -- which is ultimately what everyone needs in a time of isolation, especially those society has deemed criminal. I will end this comment by noting that in college I volunteered at a local detention center for young adults under the age of 18. Each week, I'd visit their unit to provide one-on-one literacy tutoring and together we'd read books. Every single person I worked with wanted to be at those sessions, wanted to learn to read, wanted to connect with a stranger, wanted to connect with a fictional character. Not only is this book ban inhumane, ridiculous, terrible, synonyms!, but I also believe it is counter-productive to the role of the ACJ, as connecting those within its walls to books, information, and educational materials ultimately creates greater connection to the community of Pittsburgh. The ACJ is tasked with providing care, custody, and control of persons committed to its facility, but without access to basic restorative rights such as books, they are failing on their duty of providing "care". Thank you.

**ACJ Response:** Comment

**Name:** Mark Nernberg

**Comment:** How does restricting book shipments from publishers benefit the jail population? With inmates locked-in 23 hours per day, it should be incumbent on the jail to provide reading material and other means of distraction in order to help assuage and prevent mental illness which can result from boredom. The cost of the tablets and the limited ability for inmates to not only use the tablets but to obtain reasonable reading material is inherently discriminatory against the less-well-off inmates and may ultimately lead to more violence.

**ACJ Response:** Comment

**Name:** Kathleen M Smith

**Comment:** I was very sad to read that the jail has decided to limit access to books for prisoners. We should be encouraging, not discouraging reading. Reading should not be a profit center for the jail.

**ACJ Response:** Comment

**Name:** Patricia E Boyd

**Organization:** American Copyeditors Society, Book 'Em Project of Thomas Merton Center

**Comment:** As a book editor, I understand that books fulfill a critical need for all of us. They provide education and intellectual stimulation; they offer solace to people in trouble or depressed; and they inspire human curiosity and creativity. As a volunteer at Book' Em, I have read countless handwritten letters from prisoners, thanking our group for the free books they received. Many of these letter writers

have said that receiving a book from us was what saved them from despair. Others have humbly said they try to give back by sharing the books if they can. One man sent us a small toy animal he had crocheted as "payment" for the books he received, saying he'd send more so that we could share them with the kids we knew. Sure, there are nearly incorrigible people in prison. But they are human. Whether an incarcerated person has done a major crime or a minor one, society benefits by allowing these people to have books. Since 95 percent of prisoners are ultimately released back into society, do we want them to be better educated and in a better psychological state? The present limitations on access to physical books cast an extreme burden on some of society's most vulnerable people. Please consider how you'd feel if your own son or daughter took a wrong turn and was stuck in ACJ, particularly now, with limited interaction and with limited reading material. Few people advocate for folks in prison, because there's no practical or financial gain in doing so. But in each of our hearts, there is an intangible but important benefit in helping another human being. Thank you for your patience in reading this comment.

**ACJ Response:** Comment

**Name:** Summer D.

**Comment:** I'm writing today to urge you to restore and expand access to books at ACJ. Education is a right and only having access to 300 titles is unacceptable, especially during a pandemic where people are in their cells for many hours during the day.

**ACJ Response:** Comment

**Name:** Andrea Coleman

**Organization:** Civic Leadership Academy, Garden of Different Abilities

**Comment:** Having lost my oldest son shortly after being released after a 3-year stay at the Allegheny County Jail, who was an avid reader of books I mailed him through the internal/electronic system. I would always tell my son at the time he was there to pass the books on, when he was finished. Now that he is no longer here I have a Pen-pal Ministry where I communicate with a known inmate with documentation and some copies of quotes and inspirations of encouragement via postal mail. They are sometimes screened by ACJ staff and returned to me due to violating policy procedures. I understand that policies need to be in place, but sometimes keeping correspondence to a 1-2 sheet minimum can be very difficult and expensive if returned back to me. I would like to advocate for books and reading to be an entitlement to prisoners and inmates as priorities. Reading is Rehabilitation. Thank you for hearing my words, Andrea Coleman-Betts

**ACJ Response:** Comment

**Name:** Eric Baker

**Organization:** UUJustice

**Comment:** I'm a former Pittsburgh resident volunteer with the Thomas Merton Center's books-to-prisoners "Book'Em" project. Through the project, I saw first-hand what it meant for prisoners to have access to physical books. Through Book'Em, we fulfilled handwritten requests from prisoners and mailed out books--everything from nutrition books to woodworking, from Bibles to novels. Reading can be restorative and educational. Allowing access to books can help to fulfill the Allegheny County Jail's mission to reduce recidivism through programs that help people reenter and succeed in society. Please restore and expand access to physical books to prisoners in Allegheny County. Thank you

**ACJ Response:** Comment

**Name:** Katherine Colwell

**Comment:** Please restore and expand access to physical books at ACJ. It is unacceptable to limit free and easy access to educational resources for people that are incarcerated. The tablet program does a disservice to the people of ACJ. Access to an expansive selection of books is important to the mental health and quality of life for both incarcerated people and their families during and after time spent at ACJ. Please do the right thing and restore and expand access to physical books at ACJ.

**ACJ Response:** Comment

**Name:** Daniel J Webb

**Organization:** Book 'Em Pittsburgh

**Comment:** I am deeply concerned with the banning on physical books at the Allegheny County Jail. While making Overdrive available is better than nothing, it is not a replacement for inmates being able to request, and own actual books within the jail.

**ACJ Response:** Comment

**Name:** Peter Mann

**Comment:** I can personally attest to the great importance of physical books to inmates in our correctional systems. Books are often the only tool an incarcerated person has to maintain sanity and remain grounded in reality. If we truly want a safer, more harmonious world we must make ever effort to help inmates prepare to reenter civil society; the mental and emotional benefits of physical books are crucial to that endeavor.

**ACJ Response:** Comment

**Name:** Nadia Narnor

**Organization:** Abolitionist Law Center

**Comment:** Please restore physical books for inmates. The tablets are not doing enough because the inmates have to pay for everything. In addition there is an ethnocentric pattern to all the books provided that barely gives inmates real mental challenge and imagination.

**ACJ Response:** Comment

**Name:** Elizabeth Labacz

**Comment:** It is inhumane to restrict book delivery to inmates, particularly when the new restriction is so baldly an attempt to profit further from the suffering of incarcerated people. Perhaps incarceration is a necessary evil in society but no one should be making a profit off of it, especially not from activities like reading and education that can aid in rehabilitation.

**ACJ Response:** Comment

**Name:** Jody Handley

**Comment:** I'm sure I won't say anything new here. Please stop treating the prisoners at AC Jail so abominably. Give them their books. Clean up their living quarters. Treat them as the humans they are-- as the INNOCENT humans many of them are. Their lack of money does not make them criminals, and whether or not they're guilty, they're human. Stop being cruel. There's no need for it, and only shows your own lack of humanity and compassion.

**ACJ Response:** Comment

**Name:** Cue Anonymous

**Comment:** Why have jail employees been denied hazard pay that was given and provided for by the federal government? Surely the ever increasing number of confirmed cases - including members of the jail administration who have no direct involvement with inmates proves the danger. Was the money appropriated for something else?

**ACJ Response:** discussions related to personnel matters or matters subjected to collective bargaining will not be discussed

**Name:** Inmate Family

**Comment:** How much revenue has the tablet program generated in the first 30 days gross, and then the County's share?

**ACJ Response:** I do not have this information at this time, I will try to provide at the next meeting

**Name:** Taxpayer

**Comment:** Question for the Controller's Office. Is it common to allow a vendor like Trinity to rebid on a contract, when they were sanctioned for failing to provide menu items in the bid they won? IF they failed to provide the food they bid on before, why are they allowed to bid on the new contract? The warden and trinity already stated that the food choices would be healthier and more robust, at an increased cost. Why allow them to rebid when they couldn't provide basics such as pancakes and eggs? And is there a relationship with this vendor and Chief Zetwo? Were they his vendor at SCI Pittsburgh?

**ACJ Response:** Controllers Office

**Name:** Concerned officer

**Organization:** Jail

**Comment:** The new suicide risk assessment stated that cells should be painted white. The Warden stated this would take months. Yet each night he sends painters to paint the common areas of housing units (walls and pillars) when they could be completing painting of cells. Or he has two inmates waxing sally ports that could be painting. Our computer based mental health service training is not even 8 hours, yet the Warden stated that we are given 8 hours of mental health training. Who do we ask questions of while doing the testing?

**ACJ Response:** My primary responsibility at this time is to give the inmates as much out of cell time as possible. With the rise in COVID cases in our county and our jail, only 10 inmates are allowed out of cell. If I was to mandate painting of cells, the inmates would get less out of cell time. There is limited painting going on and the directive is to paint all cells white.

**Name:** Concerned Nurse

**Organization:** Jail

**Comment:** Despite what the chief of medical services tells you, healthcare is a mess. The mental health doctor resigned. The new medical manager who came with years of experience running medical at state facilities quit within 90 days. Are exit interviews being done to see why people are leaving? I also find it



unacceptable that intake nurse staffing remains at unacceptable levels down in processing. We were understaffed or had no staffing on the following dates: 10/ 17 3X11, 10/ 18 ON 11X7, 10/ 19 ON 7X3 SHIFT OR 11X7 , 10/ 21 ON 3X11, 10/ 22 ON 7X3, 10/25 ON 11X7, 10/ 27 ON 3X11, 10/ 28 ON 3X11, 10/ 30 ON 7X3 AND 3X11, 11/2 ON 3X11, 11/3 ON 3X11

**ACJ Response:** Staffing has been a challenge, especially recruiting healthcare employees who have so many other options to work in our county. With the rise in COVID-19 cases in the county and the jail, employees have tested positive for COVID-19 and employees have been quarantined, therefore we are facing additional challenges. We continue to do everything possible to complete the mission of our healthcare department.

**Name:** Earbuds please

**Organization:** Jail

**Comment:** When an inmate's headphone/microphone ear bud unit breaks, they are told to purchase a replacement on commissary. These earbuds are necessary for video visits. Staff has been notified that the earbuds are not listed on the inmate commissary machine, yet they continue to tell inmates to buy replacements. Inmates can't purchase something that's not there, so they can't get the

**ACJ Response:** The headphones will be ordered

**Name:** Anonymous

**Comment:** We at the jail keep hearing that contact tracing is being done, but many of us have had contact with people who have tested positive, yet we were never contacted. Furthermore, some of us have come to the administration to let you know we have had numerous contacts with one of these people and we are told we will be fine and will not be quarantined. We are scared for ourselves and our families, but it feels like nobody cares. Second, there have been numerous people who tested positive who have a spouse who also works at the jail and they SHARE A BED WITH. Yet when we assume you will quarantine the spouse for our safety, you don't. We are addressed more about inmates and their tablets that we are about our health, morale is down to nothing, and a banner or pizza party isn't going to fix it. What do we do from here?

**ACJ Response:** The ACJ follow the guidelines of the Center for Disease Control, PA Department of Health and the Allegheny

County Department of Health, to determine whether an employee or an inmate is quarantined. Employees must inform the ACJ, if they have been in contact with a suspected or positive COVID-19 case and they will be directed to quarantined. All employees and inmates are mandated to wear a mask and contact tracing is conducted on all positive cases within the facility and in order to be quarantined in accordance to the above entities, you must be within 6 feet of a positive individual for 15 minutes.

**Name:** Anonymous

**Comment:** An entire workers pod (Kitchen workers) is being quarantined at the jail for COVID-19, specifically the kitchen workers for the jail food & lounge workers for the officers. Why is the same Trinity worker still working in the lounge with officers and new lounge workers vs. being quarantined also? How does this tracing actually work to determine who should be quarantined or not? How long does one have to be around someone to be notified of possible exposure? Also why are couples not both being quarantined when someone has been around exposure? Example one person works the jail and their spouse, significant other, live in partner, etc. has been exposed to someone who test positive, but the partner is still able to report to work! Why is that allowed to happen? If one person within the same household has been exposed should everyone within the house be quarantined? If no then why not? They both share the same space and air. So should they both not be quarantined or tested to avoid later exposure? I work at the jail.

**ACJ Response:** The ACJ follow the guidelines of the Center for Disease Control, PA Department of Health and the Allegheny County Department of Health, to determine whether an employee or an inmate is quarantined. Employees must inform the ACJ, if they have been in contact with a suspected or positive COVID-19 case and they will be directed to quarantined. All employees and inmates are mandated to wear a mask and contact tracing is conducted on all positive cases within the facility and in order to be quarantined in accordance to the above entities, you must be within 6 feet of a positive individual for 15 minutes.

**Name:** Concerned officer

**Comment:** Did any of the \$212 Million dollars in CARES act funding go to pay overtime at the jail?

**ACJ Response:** Yes

**Name:** Essential Employee

**Comment:** We walk into a building where we are told we are essential employees. Yet as cases grown in our jail right now, we aren't receiving any hazard pay. As the kitchen worker housing unit quarantines for a second time, why does Trinity still use the same supervisor that was exposed to the male inmates the very next night when she supervises the female inmates.

**ACJ Response:** The ACJ follow the guidelines of the Center for Disease Control, PA Department of Health and the Allegheny County Department of Health, to determine whether an employee or an inmate is quarantined.

**Name:** Zack Furness

**Comment:** My name is Zack Furness and I am a Pittsburgh resident and a Communications professor at Penn State University's Greater Allegheny campus. As both a concerned citizen and an educator for the past 21 years of my life, I was absolutely shocked to learn about Allegheny County Jail's new policy change that, for all intents and purposes, amounts to a ban on books. By any technological, logistical, or moral measure, this policy is an abject failure that represents everything that is rotten about the way incarcerated people are treated in the United States. Details about the book ban, as well as ample background research and supporting interviews, have been published in several local newspapers in recent weeks, so there is no need for me to review them all here. Nevertheless, I want to emphasize that denying incarcerated people access to books is counterproductive in every way imaginable. It does nothing to advance the goals of rehabilitation. It does nothing to improve the mental health of inmates. And it does nothing to foster a better environment inside the jail, whether for inmates or AJC staff. From what I gather, the only conceivable beneficiary of this ill-founded policy is Global Tel\*Link, the private corporation that has already been profiting from the exploitation of AJC inmates, who are required to pay by the minute for the use of the company's tablets. While AJC and Global Tel\*Link may imagine that their financial shakedown of inmates has thus far been justified, the new policy will make it so that tablets become inmates' sole source of entertainment and their only option for accessing both educational materials and an extremely limited range of books (most of which, incidentally, are in the public domain and thus cost Global Tel\*Link nothing to procure). Banning books is both an unjustified act of collective punishment and it is fundamentally cruel, particularly at a time when inmates are locked down in their cells 23 hours per day due to Covid and unable to socialize with other people. If there was ever a time that AJC should be actively promoting education and dramatically increasing access to reading materials, it is at a moment like this. Instead, AJC has taken the complete opposite approach and seeks to destroy what little opportunity inmates have to both entertain and educate themselves. To put it bluntly, this policy is an abomination and it needs to be terminated immediately. Moreover, the officials responsible for its creation and implementation should be held accountable for abusing their authority, wasting taxpayer resources, and thoroughly embarrassing the county and its residents. In addition, there should be a thorough investigation to determine how the contract with the tablet vendor was secured and whether Allegheny County Jail followed the correct legal process in awarding the contracts. In all honesty, it is both profoundly disturbing and difficult for me to believe that public employees have been given license to dehumanize and exploit the people under their care in this way. As someone who has devoted his life to teaching, the idea of banning prisoners' access to books is abhorrent. It goes against everything I believe about the power of education to help people improve their lives and shape the way they see the world, and each other. Banning books is effectively no different from burning them, and we should be treating such retrograde, shameful policies with the same gravity when they are being carried out by public officials, in the name of public safety. Thank you for taking the time to read my comment and have it entered into the public record. Sincerely, Dr. Zack Furness

**ACJ Response:** Comment

**Name:** Kristen Ehrenberger

**Comment:** The plan to switch from actual books to tablets seems like a blatant attempt to make money off the people held in the jail. I have yet to hear of credible, recurrent threats to either staff or prisoners from physical books, but plenty of complaints about the tablets, what they have access to, for how long, and for how much. Until we achieve bail reform, I'd like to see the ACJ live up to its name as part of the correctional system and allow inmates (some of whom have not been convicted of any crime) to improve themselves or otherwise quietly occupy their time. To unduly restrict their access to reading material is cruel and unusual.

**ACJ Response:** Comment

**Name:** Sam Sung

**Organization:** Just friend of 2 inmates

**Comment:** Due to Covid are there any plans for another release of non violent offenders? Also why can't inmates receive books from Barnes & Nobel anymore? My friends in jail enjoy reading to put themselves to sleep which occurs after the tablets are collected so they have nothing to read.

**ACJ Response:** Comment

**Name:** Laura Perkins

**Organization:** PA Prison Society

**Comment:** My name is Laura Perkins. I am an Official Visitor with the PA Prison Society. On September 15th, four inmates sued Allegheny County Jail Warden Orlando Harper (someone who, despite not having any mandated role on this board, continues to interject his opinions into a space that is supposed to be independent from the jail), Deputy Warden of Healthcare Services Laura Williams (who we believe to be making medical decisions she is grossly unqualified to make), and Mental Health Director Michael Barfield, who has since, to our knowledge, resigned. The full complaint can be found here: <https://www.publicsource.org/acj-sued-inmates-psychiatric-disabilities-mental-health/> It provides evidence of "inadequate" treatment and "dehumanizing and unlawful" conditions for inmates with psychiatric disabilities. Roughly 75% of the jail population has a mental health or substance abuse issue. This isn't just happening to a select few at the jail, this is an abuse of the the rights of the majority of jail residents. Some issues I would like to highlight are: - Solitary confinement continues to be used in response to those who ask for mental health treatment in the jail. - ACJ intake employees are not trained to ask questions about psychiatric conditions. - Mental health intake and treatment is conducted in open, public spaces. - ACJ employee use of force is not properly evaluated and connections are not made between ACJ employee use of force and inmate suicide attempts. - ACJ correctional staff do not receive de-escalation training. - "There are such systemic and gross deficiencies in staffing, facilities and procedures that [inmates] are effectively denied access to adequate mental health care." - Counseling and therapy are not provided at the jail. Let me repeat that. Counseling and therapy are not provided at

the jail. The Jail Oversight Board has the mandate to make independent evaluations and investigations into jail practices. I formally request that every single member of the Board read this complaint before next month's meeting and that there be time allotted in next month's agenda for questions and discussion of the report. The second issue I want to address is the spread of COVID19 in the jail. Firstly, it is inappropriate for someone like Deputy Warden Williams who is not a medically trained professional to be making decisions regarding whether to test an individual for COVID19. In order to address the fact that many ACJ employees have tested positive to COVID19, I first request that every inmate on 4F be tested, since staff on that pod actively had the virus while working. Secondly, I request that that contract tracing be preformed in regard to all people who have been in proximity to staff who have tested positive or are on quarantine." Lastly, I request that these monthly meetings be extended to more than one hour if that is necessary in order for all comments to be heard. If there are copy-paste comments those can be counted and reported as one, but only if they are facsimiles. Thank you for your time and dedication to transparency and justice.

**ACJ Response:** Comment

**Name:** Jodi Lincoln

**Comment:** In the midst of a pandemic that has worsened the already atrocious conditions at the Allegheny County Jail, ACJ announced a new policy that bans people who are incarcerated from receiving books. The previous policy was nowhere near sufficient, but did allow people to receive books from Barnesandnobles.com and christianbooks.com. With the introduction of tablets from Global Tel\*Link,, even this is no longer allowed. The jail argues that this is necessary for "security" as a measure to prevent contraband; however they have not provided any evidence or data showing that books are a risk. Even with the addition of the Overdrive library, incarcerated people need access to more than what ACJ offers. Pittsburgh's Books to Prisoners Program, Book 'Em sends free books directly to people incarcerated across the state based on specific requests. They send a huge array of books including literature but also educational materials like GED study books, textbooks, nonfiction books and business and trade books, and individualized work books designed for self improvement or focused on the needs of minority populations like LGBTQ inmates. Not only should people be able to receive books directly from bookstores, but they should also be able to receive free books from programs like Book 'Em. Because our criminal justice system disproportionately incarcerates low income individuals, primarily Black men, not everyone is able to purchase books, especially while incarcerated. Free and unfettered access to books dramatically improves the lives of incarcerated individuals. Reading is a productive way to pass the time and can offer immense emotional and mental relief. Especially during the middle of a pandemic while people are forced in their cells for 23 hours a day, books can be a life saver. An important part of our work is also breaking down barriers. Getting books from the outside provides an important avenue for human connection. When people have someone to write to and get something back in the mail it means a lot -- mail call is a really important time for people. This new policy is not only dehumanizing and punitive but defended by an incredible argument. If the jail is concerned about contraband they can do what the State Department of Corrections does and screen the books for contraband. It is also centered in the ever pervasive and nefarious monetization of people who are incarcerated. GTL and ACJ are making millions of dollars off of these tablets coming directly from the pockets of incarcerated individuals and their families. Putting profit over people is not the role of our

county jail. This is not the first time a jail or prison has tried to ban books and it won't be the last, but the residents of Allegheny County do not have to stand for this ridiculous policy. Warden Orlando Harper and County Executive Rich Fitzgerald should be ashamed and should act immediately to restore and EXPAND access to books for people at ACJ. Myself and Book 'Em are asking the JOB to take immediate action on this new policy. People at ACJ need to be able to receive books from the outside from approved vendors that includes Book 'Em.

**ACJ Response:** Comment

**Name:** Brianna Lewis

**Comment:** The recently enacted ban on inmates receiving physical books in the mail is shameful, harmful, and unnecessary. The mental and intellectual health of incarcerated folks -matters-. By restricting their access to a tiny online library and whatever you may have on hand, you have put both at risk. I strongly urge you to reconsider this rule.

**ACJ Response:** Comment

**Name:** Jane Johnson

**Comment:** Will you guys be releasing non violent offenders due to the recent spike of Covid

**ACJ Response:** Comment

**Name:** Adeline Lord

**Comment:** To the members of the board: I was appalled to learn a couple weeks ago of the new policy regarding access to books for people who are incarcerated at the Allegheny County Jail, and I ask that you review and rescind the policy that only allows access to jail library and tablet-accessible books. It is important that we treat those who are incarcerated with respect, humanity and basic decency. The pure disrespect of limiting access to any reading materials, even when they needed to be ordered through two online vendors, is astounding to me. The fact that the jail has begun to place further restrictions, during a pandemic where the entertainment, exercise, and visits are massively restricted, taking away the freedom to read by limiting access breaks my heart. There is no reasonable excuse, even if contraband is the concern, to finding other solutions that do not put the burden on the mental health and education of folks incarcerated in our county. We can be far more creative than putting blanket ban on outside books. Furthermore, placing the financial burden and the restrictions on the incarcerated their loved ones, is a failure of the entire county to protect and care for one another, and will cause further harm down the road. I also ask that you consider those incarcerated at the Jail who may experience eye-strain by reading on a tablet, or who may wish to access newer titles. With respect, I ask that those incarcerated at Allegheny County Jail are once again afforded the small freedom of access to the great many reading materials for their benefit. Please open up the avenues for access, even through

donations to the jail library, online vendors, and directly from family and let us show we all care through this small gesture for these members of our community. It feels like the least we can do.

**ACJ Response:** Comment