

JOB

Good afternoon, I am **Judge Kim Clark**. I would like to welcome you to the monthly Jail Oversight Board.

We are going to start with a roll call of the board members

Ms. Hallam here

Mr. Kamara present

Ms. Klein here

Judge Lazzara present

Mrs. Moss present

Sherriff Mullen here

Ms. Parees here

Ms. Wagner (muted) Clark: I can see her It doesn't have sound right now, but that's good

We are going to do things differently this afternoon. We are going to start with some presentations. We thought it would be a good idea to start some things that are going on in the jail that people might not be aware of.

### **Presentations**

**Judge Clark:** The first one is a presentation on the Words without Walls program. I am going to turn it over to Warden Harper. He has other people that will be doing this presentation. Warden Harper?

**Warden:** Good afternoon and thank you. I am going to have Jack Pischke do a presentation of the Words Without Walls.

**Pischke:** Thanks for the opportunity to present on our creative writing program here at the Allegheny County Jail, Words Without Walls. We did have some positive press recently. Gretchen McKay on January 24 in the Pittsburgh Post-Gazette titled it "Jail Juveniles find a collective voice through collaborative play. This play was created over the last 2 years by 45 of our juvenile participants and Mr. Michael Bennett of Chatham University and Christine Authory our English teacher from the AIU. It's a given them a chance for their voices to be heard in something positive. It's a 3-act play. It was done a live reading on January 16 over on Facebook and Zoom. There is a link to that that I can provide later if you want to watch. It also coincided with the mission of the Words without Walls program which gives inmates an opportunity to create a supportive and positive community within the jail. We've seen the participation in the creative writing program provide an increased sense of self-worth allowing a healthy outlet for their emotions. When we created this program in 2004 it was always my goal, better to put those emotions down on paper than getting into arguments, getting into fights. We have seen that come to fruition. Participation in the program was offered not only to juveniles, but to our male and female population also. We opened it up to medium and maximum-security classified inmates. The reason being they can take programs together without living in the same housing pods. The class meets in the adult education area for the males/ females on specified assigned days. Again, this is pre pandemic and the class is listed to 20 participants. We offer wide range of genres in writing which include poetry, fiction, memoir. The cohorts are usually 9 weeks. 8 weeks of classroom work, working and putting their writing in the computer and we have a final reading in the 9th week. At the final reading, the participants have a chance to come together with all other classes male, female, juvenile, and do a presentation of their work.

Words without walls and Chatham also publishes a chat book of the best works of each writer. If you are a participant in this program you can leave as a published author. Our creative writing program has had award winning writers in the Penn National contest. Former teachers in our program from Chatham have continued to work in Pittsburgh and other areas in the US.

**Judge Clark:** Any questions:?

**Hallam:** I have a question

**Judge Clark:** Ms. Hallam

**Hallam:** I just want to say that I was able to watch the play live and I enjoyed it so much and was just so blown away by all the talent. My question is a general question since we are talking about juveniles and their writing program. Could we speak to why children are held at the ACJ in the first place and maybe what we can do to change that?

**Judge Clark:** I can answer that. because One of our public comments is about that. With juveniles, there's a law that mandates that juveniles of a certain age charged with felonies that are committed with a weapon are charged as adults. They start out as adults. They can petition the court to have their case transferred to juvenile court. The reason they're held in the county jail is that right now there has to be an agreement by the district attorney that they can be housed in the juvenile detention center. They could be housed in the detention center. The law provides for that, but the district attorney does not have to agree. Right now, we don't have a current agreement from our district attorney to house the juveniles who were charged as adults in Shuman detention center.

**Hallam:** Can we invite the district attorney to our next jail oversight board meeting and talk about an agreement?

**Judge Clark:** I could say sure, it's a public meeting, anyone can attend. I can extend an invitation. I say this as an aside. Last year Gov. Wolf convened a task force on juvenile justice of which I am a member along with 3 other people from Allegheny County. I think Allegheny County has the largest representation on the group. Our report is due to the governor in March and there will probably be some sweeping recommendations. Some of them will require legislative changes but the four co-chairs of the task force are two members from the State Senate, two members from the State House, one Republican and one Democrat each. We're optimistic that if our recommendations offer some major legislative changes, that may happen. As you know, the numbers in detention are way down. There has been a concerted effort by juvenile courts all over Pennsylvania to utilize risk assessments and to only detain juveniles that pose a risk to the safety of the community. So, for example, when I first started as a judge almost 21 years ago, Shuman was to capacity and over capacity. We had kids sleeping in the hall on cots. Now most of the detention center is not used and I feel there are ways that we can repurpose Shuman Center and many people agree. I think that is something we should look at, repurposing the detention center and include some of those things. So, if you want to invite the DA, I will be happy to extend an invitation to him to attend the next oversight meeting. But, I think what probably should happen is that that you should have a conversation with him and not just invite him to a meeting and sort of blind side him with that. I think it would be better for you to have a conversation with him to see how that goes first before we just invite him to a meeting and if he were to attend then sort of throw those questions out. I don't think that's the way to do it, myself.

**Hallam:** OK, I'm on board for that. I didn't understand what set of agreement was needed so thank you for explaining.

**Judge Clark:** Getting back to Words without Walls, I did follow the play presentation live and it was fabulous. It was very powerful, and it was really heartening to see that we have a program like this in the county jail. Leadership Pittsburgh also had a recent class and their justice day usually where they spend time in a court but this time virtually and we did have a presentation from an adult former inmate about Words without Walls and it was very powerful. It's a great program. Any other questions. comments?

**Moss:** I also watched the presentation. Very enlightening. They did a great job I wanted to compliment them on that

**Judge Clark:** I think they worked with the Alumni Theater Co., which is a theater company of young people that started out of the Urban League Charter School. They have their own theater now in Homewood-Brushton named for Bill Nunn who was an actor from Pittsburgh. It will be nice when we can get back and see some of these things in person. Any other questions/ comments? Thank you, Mr. Pischke, that was wonderful .

Next, we are going to have a presentation from our new director of DHS, Erin Dalton. For those of you who did not know, Marc Cherna has retired, and Erin is the new director of DHS. She and some other folks are going to do a presentation on the engagement center, pathways to recovery.

**Dalton:** Glad to be here and glad to share this important component of our substance use program that we think can help keep people out of jail and be a helpful resource as people are re-entering from the jail. You can see Denise Macerelli And Misha Howse. Ms. Howse is in charge of our substance abuse programs and is an assistant deputy director at DHS. She is going to do the presentation. I am going to pull up slides and we will go from there

**Howse:** Pathways to Care and Recovery. Backstory, about five years ago we were able to see through our numbers and data that more people needed to access substance abuse treatment and related services. They were not receiving services in real time. We issued an RFP and Renewal was the awardee of this RFP. They have now named this program Pathways to Care and Recovery. That program began in November of last year so it's fairly new.

ACDHS Community Care and Allegheny Health Choices Inc partnered to improve the continuum of services toward addressing the growing prevalence of addictive disease and recurring disorders using evidence-based models. The mission was an innovative program that works at a system level to respond to community needs and service gaps as identified by key stakeholders. This service provides residents with direct access to information, supports and services as needed for substance use related needs. We collaborate with treatment and service providers, community support, and referral sources to enhance access to needed services. Just so we are clear, those referral sources can come from anywhere. It's not just specifically the sources that are on the power point.

Pathways to Care & Recovery is a front door to information service and support 365, 24/ 7. Located downtown. Walk-up services, mobile response team, coordinated and supported linkage to treatment/ services. Who is it for? Residents who have challenges around alcohol and/ or other drugs and want info/ support; ages 15 and over. Working closely with first responders who may come across someone in need of help or support. MAT education, case management, connect other human services through warm hand offs - literally handing the person off so they are not

given a # or website, includes transportation. The program features multidisciplinary staff principals, nurse, clinical service coordinators, assessment specialists and certified recovery experts. There are two mobile teams that will see individuals in the community emergency departments, crisis response teams, acute units and family members or loved ones. There's another component to the Pathways to Care, that is a "Safe Place to Stay." The idea of the Safe Place to Stay is to give those individuals in danger of an overdose a safe place to stay. Some of the services offered: case management, peer support, motivational, interviewing which is a clinical approach that is used with this population often and then transitioned treatment services including the warm hand offs.

When we look at the jail population, we understand that the risk specifically of overdose or relapse is higher once they are released from jail. We are hoping that we will receive more services and linkage from the jail so that we can continue to work together and when people are released from the discharge and release center that they contact Renewal or that they are at least given that information. Because the Pathway Center is staffed with nurses, case managers, certified recovery specialist and other supports, and that it is open 24/7 our hope is that we capture some of those people that are leaving the jail that are in need of that immediate support. So here is the contact information. The number (412)- 325-7550. You can also walk up, it's 326 Third Avenue, Downtown, Pittsburgh 15222. We also have a statewide number that people can call, PA Health Now 1-800-662-HEALTH and they will link you to the pathway to care recovery. We also have Renewal on the call in case there are questions on the day to day.

**Judge Clark** Any questions. Miss Klein? then Ms. Hallam .

**Klein:** Thank you. That program sounds very exciting. Can you tell me if your recovery specialists use trauma informed care?

**Renewal:** Melissa, Director of Pathway to Care: yes. We do have six on staff currently, working to hire a 7th.

**Klein:** Specifically, I am asking if you utilize trauma informed care because we know so many of the women in ACJ have suffered personal trauma

**Melissa:** Yes. The certified recovery specialists we have do not do treatment. They are just for an extra layer of support

**Howse:** They use the motivational interview to assess the stage that the person is in. More than likely the trauma informed care would be utilized at the treatment center that they then go to once assessed.

**Dalton:** Is it fair to say that the entire center and staff are set up with the programs and principles in mind of healing, welcome and recovery in mind? And understanding the trauma that people have been through? So even if not using a specific evidence-based practice, it's set up as a therapeutic community at least in principle?

**Melissa:** Absolutely. It is set up as soon as someone walks in the door or we go out to get someone because that's what we find a lot that we are getting calls from the community whether it's a police department, an emergency department or a family member or the person themselves. From the second they walk through the doors, it is 100% compassionate. Their voices are heard. We do assessments and bring them in. We put them initially in our lobby which is very comfortable. and while we get everything going a certified recovery specialist talks to them. And

they are all certified recovery specialists so they are able to advocate and meet them where they are at. And the clinical coordinators conduct medical assessment to see if they are medically stable or they need detox. Throughout this entire time that person has someone with them. I wish we weren't in a pandemic and people could come and see because it absolutely is the most compassionate group of people working together to serve anybody that walks through that door, right down to the assessment specialist, who has the last word on what is going to happen from there. It just completely happens in a very smooth and compassionate way and I'm very passionate about this program obviously and I can't wait till we can open it up so people can come and see and feel. Because you will feel it the second you walk in the door. It is the most compassionate group I have ever worked with

**Hallam:** I have a couple question. The first one is two-parts. I heard a lot about the recovery specialists, the peer to peer support network thing, but I didn't hear anything about certified mental health professionals and knowing that so many folks with substance abuse disorder are dual diagnosed, I was wondering what sort of mental health you have on staff at the center.

**Renewal:** It is a substance abuse facility; however, you are right people do come in that are dually diagnosed. If they were in a mental health crisis, we would reach out to one of the mental health partners, we would reach out to Resolve, we've had to take people who were in a mental health crisis to Western Psych and get them evaluated there. So, what we are is a linkage to whatever service that person might need. We've had people walk through the door that weren't ready to go to inpatient treatment, they didn't want any real treatment, but they needed housing. So, we call the shelters, we work with the shelters. Do we have specific mental health like a psychiatrist or a licensed clinical social worker? No, we do not, but everyone is highly skilled to be able to do that assessment and find out if that is what they need.

**Howse:** Thank you for mentioning Resolve because when you think of the design of this service, it is kind of the sister to Resolve. Resolve focuses on mental health and this is a service that is a substance use disorder: it's the linkage and they are utilizing the expertise and the services that Resolve has.

**Hallam:** Is there ever a situation where someone is having a mental health crisis where the police will be notified?

**Shelly:** The only time that might happen is if someone is becoming violent. Has it happened? No. Will it happen? Maybe? At that point we would have to call the police but that would be the only reason.

**Hallam:** My next question: Will the Center be using Twelve Step-based program recovery or do you utilize a SMART method or a different method?

**Shelly:** Again, we're a linkage, we don't do any kind of treatment inside 326 Third Ave., we link them to inpatient providers. We don't use any program.

**Howse:** That is a good point. Though they are not necessarily providing that service, we are hosting Twelve Step Programs and SMART Programs.

**Hallam:** My next question is reporting. Will you be reporting to this board? Or on some sort of county dashboard how many folks you've served? What kind of services you've provided?

**Dalton:** It's a good idea. We do a pretty good job putting information up on Allegheny County Analytics and this is certainly an area that people are interested in so we can work as the program really gets up and running to get that data and display it. I will also mention that this coincides with some other crisis data/ crisis stakeholder work that we've been doing trying to look at how to improve those systems overall so we have been working across Resolve and with police departments and other stakeholders to look are some recommendations to improve those systems and there's been requests there to make sure that we are publishing data around their crisis systems and really trying to see them as one system of care. So, as Shelly said, if someone comes into the pathway to recovery and they are really better served in the mental health system, or the homeless system that we can get them where they would need to be. So would love to produce information and see how these crisis systems are really working together

**Hallam:** I have 2 more questions. As someone who has lost people close to me due to deaths from overdoses, I'm wondering if you'll have any sort of relationship with reporting to probation, parole, police. Because I know folks who have maybe not sought treatment because they have an active warrant or maybe are on probation or parole and that was their barrier and they ended up using their life to an overdose as a result of it?

**Shelly:** This program is separate from criminal justice. Anybody can walk out of ACJ and we will help anybody where they are at. We don't have any obligation to report to probation or parole or the state. Our obligation is to report to DHS. It is not a criminal justice model. It is completely separate from Renewal program and we are not required to report.

**Dalton:** That said councilwoman, probation might be an important report referral source. There are people that go to jail because people think that is the best way to get them treatment and too often that kind of things happens. So, if probation officers are trying to keep people out of jail and get them the help they need, I think this is a good service to support the whole system so fewer people go to jail just to get the required help.

**Hallam:** I am more worried about the reverse situation. I understand that there is no obligation to turn in anyone with a warrant. I want to know if there is a prohibition from folks whom come into the center from being reported to any law agency?

**Dalton:** [indicated that individuals would not be reported in response to the question]

**Judge Clark:** Anyone else have any questions? Ms. Hallam, you can engage after with Ms. Dalton.

**Parees:** Assuming this is a fairly new project. How many agencies know this exists?

**Dalton:** There has been a big marketing outreach effort.

**Shelly:** Prior to opening and shortly after opening every provider that has an SCA we reached out to all of them and Melissa you did a lot of that. It is a pretty extensive list. DHS has been instrumental in that things at the bus stop a variety of things.

**Hallam:** Can I ask my last question please Judge Clark

**Judge Clark:** I think we really need to move on. Thank you this was a wonderful presentation. We have a lot of public comments that we need to get through. and we have a lot of business for the board. This was meant to be informational and I think it's a good idea to hear what's happening

and to report to the board some new programs and existing programs, so we are going to move on, and we have public comments.

### **Public Comments**

I am going to start because at the last meeting we had many public comments. I grouped them together and then I received an email from Lee Burkhart who indicated that I should not have buried the comments together and so I sent Lee Burkhart's comments to Warden Harper and asked him to address them. So, we are going to address that comment first. I did apologize for that we have many and sometimes we can't get to them all and some of them are the same so that was an oversight on my part. So, warden can you answer, read the comment and provide an answer please.

### **Warden**

Good afternoon. The chaplain's office is continuing to distribute books that they had in the collection before the donations were halted. Because of the generosity of the public, the ACJ received 1000's of donated books and magazines over the month in December. Due to the sheer volume of donations it took several weeks for all books and magazines to pass through the security phase of the process which meant going through each book and magazine and removing hard back books, contraband or inappropriate materials. Presently, the ACJ is organizing and recording all of the books into a system that will allow the facility to maintain a database for the donated books. The ACJ is grateful to everyone that donated a book and once the books are searched and recorded, they will be distributed to the housing units as quickly as possible.

**Judge Clark:** Thank you warden. So, the first of the new comments actually comes from one of our presenters this afternoon. Mr. Kenstowicz from the Pa. Prison Society and it's ... a recommendation that the county contract with the correctional nursing consultant to assess nursing practices at the ACJ. And it begins: As you know, Janet Bunz left after working 3 months of services as health services administrator at ACJ. There was a question in many people's minds as to why she left. She had 26 years of experience in correctional nursing and could not be labeled as someone who was green and not aware of the many complexities of the job and providing correctional nursing care. We also know that there has been a constant decline in medical and mental health staff in the last 5 years. NCCHC cited the problem in their suicide prevention report and anonymous statements by ACJ staff have been made such as being given double, triple and quadruple assignments that should be distributed ... two recent lawsuits are alleging an absence of mental health services. There have been inappropriate uses of restraints which are issues that have a basis in nursing care. On the other hand, the county and the warden do not feel Janet's critiques of the office of policies are accurate because she came from a federal institutional background and she's not aware of the complexities of the operations of the county jail.

So I would just say Mr. Kenstowicz , some members of the board did exit interview with Dr. Garfield and Ms. Bunz and we are going to meet to go through what we heard and develop some recommendations. I would say that there's more to come with that. I would just ask you to stay posted. I don't know if there is anything else that anyone on the board wishes to comment or if the warden or deputy warden want to say. We recognize the issues in the medical department and we're hoping that we will have some recommendations that will address some of these concerns. Is that fair to say Ms. Hallam? Klein? Parees? Wagner? They are shaking heads yes.

#2 Tina Dickson

“The jail has been short staffed for months. People have posted numerous comments asking the board to investigate the jail because of the lack of medical staff. It continues to be a topic of conversation each month. Why isn't the board looking into this? The board needs to talk to the staff to find out what is going on. How many more months is this going to go on? Investigate the acj and how staff and inmate's safety are being put at risk daily. It is being covered up. The board cannot say they didn't know because they have been informed numerous times. The board needs to interview the frontline workers immediately.”

**Judge Clark:** As I stated, hopefully, we will have recommendations based on our exit interviews.

#3 Rachel Perry

“My son is currently in jail. I don't understand why he gets his medications at so many different times. He said his meds will come at 5pm or 10pm or anywhere in between or later when he is already asleep. My son said this has been happening for months. With all the publicity in the paper, can the board look at what is happening and why this continues to go on.

ACJ Response: The COVID-19 pandemic has affected some of the operations of the facility, especially when employees have to be quarantined. But we still ensure medications are delivered as timely as possible.”

**Judge Clark:** We may have a recommendation about based on exit interviews, I don't know if Deputy Warden Williams wants to make any comment about this at this time

**Warden:** I want to say that everybody has to remember that we have a pandemic going on worldwide and we do the best that we can to get the medications out in a timely fashion. I just want to remind everyone that we do have a pandemic going on

**Judge Clark:** Thank you

**Hallam:** Judge Clark I would like to add something, while it still is a pandemic, do we still have a constitutional obligation to provide adequate health care to the people who are incarcerated at the ACJ? Many medications, especially mental health medications, are very dependent on the time of day that they are given, and so I think this is something we should make a priority and do something more than just say this is a pandemic, because these are people's medications and brain chemistries we are talking about.

**Warden:** Ms. Hallam, I want to comment. I don't want you to think we aren't doing that, and I want to make sure that we get these medications to inmates in a timely fashion. We are, and we are still trying to do it. I want everybody to understand that we understand the seriousness of giving medications to our inmates in a timely fashion and we are doing everything in our power to do that Ms. Hallam

**Hallam:** Can I ask how we as a board can support you in getting the medications to the folks in a timely manner.

**Warden** I would really have to think about that Ms. Hallam, and I'll get back to you as to how the board can help.

**Hallam:** Ok, thank you very much.



**Judge Clark:** Anyone else? Next comment

#4 Sabrina R.

"My child's father is housed on 8E. Before the pandemic, we were able to visit once a week for 30 minutes but now we can't visit on video. My son isn't able to see his father while on 8E but can when he is on a regular pod. Why isn't 8E permitted video visits? The rest of the jail continues with their video visits now but 8e can't? Even though they had visiting privileges prior to the pandemic? Why is my son being withheld the chance to visit with his father? This needs to be fixed."

**Warden:** 8E has the capability of video visitations. Individuals that do not have that capability have violated the rules and regulations of the facility and that privilege has been removed for some period

**Judge Clark:** Thank you warden.

#5 Jodi Lincoln, PA Prison Society

"Will the Board be conducting inspections in 2021? In 2020 there was not a single inspection conducted on site at the Jail. This is an important part of the statute to ensure that the JOB gets firsthand knowledge of what is happening on the ground at ACJ. Additionally, it is a central part of the state statute that created the JOB. "The board shall investigate allegations of inadequate prison conditions and improper practices occurring within the prison and may make such other investigations or reviews of prison operation and maintenance. The books, papers and records of the prison, including, but not limited to, the papers and records of the warden and those relating to individual inmates, shall at all times be available for inspection by the board." By not conducting the investigations and instead relying on testimony from the Deputy Warden and Warden, the JOB is failing in it's duty. I ask that the JOB commits to making at least two unannounced visits to ACJ in 2021, create an official report and make it public. There are so many issues that continue to come before the JOB that have not been resolved or addressed that the JOB could investigate first hand - food conditions, the medical care, use of restraints, mental health access, cleanliness, abuse from staff, issues at intake, etc. It is EXTREMELY important that these inspections are conducted independently, without the guidance or involvement of the Warden or Deputy Warden and that the JOB is not denied access to paperwork and areas of the jail they request to see. Additionally, while recognizing COVID is a concern that may have delayed investigations in 2020, staff and people incarcerated have to be at the jail every day. If the JOB is unwilling to go to the jail themselves how can it be deemed a legitimate body to oversee the interest of incarcerated individuals who have to be there? The jail apparently has safety protocols in place to protect staff and people detained. If those protocols are good enough for them, they should be good enough for the JOB. It is the JOBs duty to conduct independent investigations. Without them, you are not fulfilling your duty."

**Judge Clark:** Basically, the question is will we be conducting visits? The reason that we haven't is because of the pandemic and numbers at this point being sort of high. But it is my intention, the board's intention to do those visits and inspections in 2021. The Board may make a decision if the pandemic is still raging that we might try to find a way in spite of the pandemic. But I think that we were all waiting and trying to see there be some resolution. I think if we get vaccinated, we might feel more comfortable doing it. So, yes, it is the intention of the board to do it this year.

**Hallam:** My reading of this was not just about an in-person inspection. It was overall about the statutory mandate of us to look out for the welfare of those incarcerated. One of those things the

statute guarantees is that we will ensure that the ACJ is operated in accordance with its regulations and the laws. The warden has refused to allow us to read unredacted ACJ policies even in executive session. When we as a board can't view the policies, how are we to ensure that the ACJ is operated in accordance with regulations and laws? I want to remind the board that the Fayette County Board was subject to a lawsuit because of a very similar situation. What was claimed is that there were numerous ongoing problems with the jail in Fayette County and the board was responsible for not fulfilling their mandate to provide oversight. I just want to remind the members for what I feel like is the umpteenth time that this isn't just a matter of we should do this cause it's the right thing. There is a state statute that mandates that we provide oversight and that we are not just doing inspections but that we are investigation allegations of inadequate conditions of which we get many and improper practices occurring of which we hear many and I just want to warn folks that it is not beyond the realm of possibility that we as a JOB are subject to a lawsuit if we fail to fulfill that mandate

**Warden:** Can I respond to that? Ms., Hallam we have not stopped the board from reviewing the policies. We stated that the board can come to the jail or we can meet you guys at a location where we could bring the policies to you for your review. So please don't put out the information that we are not going to allow you guys to review it. We will.

**Hallam:** Unredacted?

**Warden:** If you come to the jail or we can meet at a central location, we will bring the unredacted policies for your review

**Hallam:** Ok, at a previous meeting you stated we could only see the policies as redacted for security and I was never told that we could go to a different location. If members are aware of that and I am not then I do apologize, but it has always been the understanding the information that was given to the board was that we would have to come to the jail. I would like to ask if we could schedule a meeting to do this, not at the jail. Could we please schedule a meeting prior to our next meeting, next month where we could go and review these policies?

**Judge Clark:** Yes, we can try to do that. We can talk about that after the meeting. I can send out an inquiry, But I would just ask that for point of clarification. It was my understanding that the warden said we could come to the jail and see the unreacted copies. I am just saying, it depends where and when we see them if I will be comfortable going in a pandemic, but we can talk about it and I guess it can be offered for members who wish to do it. I'm trying to be very cautious so that I don't pass anything on to any family members, but we can talk about that certainly and for members that wish to do it right now, they can certainly do it. I think the point is that for security reasons, we want to make sure that those policies do not get copied and leave the jail so that is an important thing.

#6 Jessica P

"Agency nurses are being denied shifts when the shifts are open on the schedule. Nurses have been denied shifts that have multiple openings...fast forward to the shift they were denied... and the staff working that day are given extra assignments that day...despite the fact that a nurse tried to pick it up. Does this sound like something that boosts morale? Why is the new normal at ACJ being given extra assignments? Why are shifts being denied in the middle of a pandemic when there are usually call offs and quarantines? Every staff member has worked so hard throughout the pandemic...ACJ has been so short staffed in medical and staff have been given a multitude of extra assignments almost on a daily basis. Denying shifts is a huge kick in the face and basically insinuates management is fine with giving staff extra assignments in an attempt to force staff to

pick up other shifts....instead of working with the staff to solve the problem and fill shifts. It's basically a dictatorship that management runs with no regard for staff and inmate safety despite all the complaints from staff and inmates."

**Judge Clark:** Warden or Deputy Warden?

**Warden:** I did a review of that and we did have one instance that took place and that was corrected immediately

#7 Tina Smith

"I have a family member in the jail. Why do I see all these posts on Facebook about the terrible food and lack of staff? If the issues are all over Facebook and they have been for weeks along with the newspapers, what is the board doing to investigate? With all the bad publicity, it seems like a cover up. What does the board plan to do to address these issues that keep resurfacing?"

**Judge Clark:** When an issue arises we contact the warden and we try to get some resolution of that situation. We will be developing some recommendations based upon our exit interviews and presenting those for the board's consideration, so that is what I would say about that. Issues are always going to happen, so we try to address them or resolve them in a timely manner. So we had the issue with the food and there was an issue with the staff quarantined and I think that the warden has sufficiently addressed that with the food service provider to make sure that if the situation were to arise again that there would be sufficient meals to heat up so they wouldn't have to have a situation that they had before.

# 8 Lee Burkhart

"Why are there children at ACJ? According to the jail's population reports from late 2020, there are a number of children being held in the county jail. I am baffled by this for a number of reasons. Please consider: -There seems to be ample room at Shuman Juvenile Detention Center, that is to say a children's prison, for individuals ranging 10-17 years old. As of January 26th, Shuman's population was 31 children, well below their maximum capacity of 126. -ACJ's population averages around 1,560. Due to covid, we know that those at ACJ are isolated, and confined to their cells 23 hours a day. This schedule, as stated by Warden Harper, is to allow for proper social distancing as ACJ seems to have a shortage of pods available. -Keeping these children at ACJ means further isolating them in an institution made up entirely of adults. Without any peer support and in an environment that isn't focused on the specific needs of children, they stand to be greatly harmed by the additional confinement and isolation at ACJ. It is my opinion there is no excuse or reason that children are being held at ACJ. I don't believe children, or adults, should be incarcerated at all. I appreciate this board's novel task of ensuring proper management of the jail, and the well-being of those incarcerated. While I do not doubt that some of you believe the inherent value of those goals, I implore you to act on them. What will the members of this board do to get the children out of ACJ? How will you prevent such a deplorable practice moving forward? Thank you, Lee"

**Judge Clark:** Shuman population is low. Another issue is that, if we house juveniles at Shuman that are tried as adults, we would have to separate them from other juveniles, so there would be some design things. That would have to happen with Shuman Center. But as I stated earlier, the jail has no say in who the jail gets. If there is a court order for someone to be detained, even if it is a juvenile tried as an adult, the jail doesn't have a right to refuse. You need the consent of the DA.

#9 Gym Rat

"Warden Harper, if I've received both COVID shots, can I access the weight room? We have cameras in there, I'll wear a mask, and I'll carry my vaccination card. Will you open the weight room to those quarantined? You can check my papers any time sir."

**Warden:** We aren't going to open the gym until the cases in our county have been drastically reduced. We're not going to allow individuals to go in the gym where the spread could increase. When the cases decrease in the community, we will talk about opening up our gym.

#10 Anonymous Officer

"Dear Prison Board and Administration, It has been months now since the 1M Officer's/ Employee Gym has been closed now with little to no information in regards to its reopening. We have heard that once cameras were installed then we could reopen it with social distancing practices in place. We have also heard that this room will be repurposed for additional office spacing for HR. My question to the board is this; do we have a plan of action for the reopening of this 1M gym? Or do we have an idea what we could do in aspects of physical activity during our 1 hour lunch break, besides walking laps around Central Control on 1M? Due to this increased forcing due to multiple different force lists being projected, FMLA refusal of OT, and multiple officers off TFM, it has been hard for myself and multiple other employees to exercise and relive some pent up frustration that is occurred on our shifts. Working 13-16 plus hours a day for multiple days does not allow us the time to make it to an outside gym or workout from home as Warden Harper has advised us to do as an alternative. Please consider the mental and physical health of the employees of the ACJ and reach a solution to this predicament. Thank you for your time."

**Judge Clark:** I think the Warden has answered. This must be the decision of the warden.

**Judge Lazzara:** He said when the cases decreased. Is there a number that he wants to get to? That would be something that the officers themselves could look forward to? If they see it reached below 100 per day or 50 per day. Is there a statistic he could provide?

**Warden:** I want my employees to be able to workout but my main concern right now is the mitigation of the spread. We will consult the health department when we think we can open the gym safely. I do not have a number but I think I will listen to what is going on around the county and when other gyms are opening and the health department thinks we can open safely, we will open.

#11 Monica Taylor

"Is it true the agencies that supply the jail with medical personnel will not send ACJ any more new agency staff? It was reported that because the conditions of the current staffing levels including being understaffed, overutilized, and staff having multiple shifts denied were some of the factors in the decision. Could you provide the number of agency staff utilized at the jail over the past individual six months including RN, LPN, and MA? Statistics don't lie."

**Judge Clark:** Do we have this information right now or should we save it for the next meeting?

**Warden:** We don't have that information right now your honor. Agency staff is still providing nurses to the ACJ

**Clark:** We will save until the next meeting

#12 Lisa Broughnboro

“Warden why are you giving hearings to people who refuse forced overtime when our contract allows it. How does a code of ethics charge for alertness, awareness, and uniform policy relate to refusing forced overtime. What will you do when a strong union is voted into office this year and holds you and the county accountable for violating every article of our contract?”

**Judge Clark:** Not sure what this means

**Warden:** We do follow all policies and procedures at all times and that’s all I have to say pertaining to that

#13 Suzy Lynn

“My concern has to do with the COVID vaccine roll-out at the jail. At the end of December and the beginning of January, the Allegheny County Health Department came down to the jail to administer the shots to employees who wanted to receive them. Now due to the community clinics being set up & run by the Health Department, they are unable to return to the jail to administer the second round of shots. Fine, I can understand their position. What I can’t understand is why employees are not being given the necessary information on how to get their second shot. The jail says they are trying to get from the Health Department the necessary information/link to give to the employees. The Health Department says the information about where and how to get the second dose will come from the jail. Talk about a run around...what is the truth?? Now I don’t know whether the employees who received their first shot in December have received their second shot or not. I do know that those who received their first shot on January 8th should be getting their second shot tomorrow, Friday, February 5th, but apparently that is not happening. WHY??Who is at fault here??? It seems clear to me that someone has obviously “dropped the ball” and it needs rectified ASAP!”

**Judge Clark:** Will ask the Warden to talk about this in his Covid update

#14 Jane Doe

“Why did you feel compelled to vote down additional monies to the COs at the jail simply because the union did not make an effort to initiate the process? So because the union did not make an effort nor did the union start the process for hazard pay you chose not to pay COUNTY officers hazard pay? Sometimes you just simply need someone to start to get a movement going with an idea! It was not encouraging to know that I'm good enough for an award, but not good enough to be paid for my time and effort and due diligence to report to work amongst a pandemic and still do my job to the best of my ability. As a front line worker, remember someone has to do it, but compensation for a job being done never hurt.”

**Judge Clark:** Not sure who this is directed to

**Hallam:** County Council it sounds like, we just voted on that last week. I will relay the information to my colleagues who voted no on it

# 15 Joe Pasqualetti

“Mandatory corona virus testing employees and optional for inmates. As prior rates have shown there is a huge risk to the incarcerated population and to the broader community”

**Judge Clark:** Again, to addressed during Warden’s Covid update.

#16 Leah Stevens health care worker and member of the East Liberty Community. Brutal conditions. Restraints more than any other jail in PA. Not proper mental health care.

**Judge Clark:** Some of that information is detailed within lawsuits filed. Mr. Bacharach is to deal with legal issues.

#17 Erica Brosalars Allegheny County Court Watch

"I am a court observer with Allegheny Court Watch. Over the past weeks, I have viewed approximately 20-30 court events at least 2 of these the defendants were in custody at ACJ. It was clear that the pandemic had caused their incarceration to be longer than it would otherwise. In one case the defendant was repeatedly in quarantine pods which meant that he was unable to attend court events or appointments with specialists. I imagine there were dozens quite possibly hundreds more cases of our loved ones being held longer because of the pandemic. What is being done to proactively manage the affect on our incarcerated loved ones and what is being done by the courts to quantify and alleviate the reality of longer pretrial confinements? Why isn't a more robust testing and monitoring and time off system in place for jail employees? What advocacy and planning is the board and the jail doing to get the vaccine to our loved ones who are being confined in such unsafe circumstances? Separately we have been hearing much about tablets in recent meetings. Is any of this revenue shared back to the jail as part of the agreement with the for profit vendor? If so, what are the specifics of the revenue sharing? If not, how do the actual usage and revenue streams compare to what was assumed when the contract was written? The public needs to understand what entities are profiting from this revenue stream both generally and with the exceptional confinement that the pandemic and jail management have created. "

**Judge Clark:** Court is complicated during a pandemic and there are cases that have been delayed due to the pandemic. Right now we are not hearing jury trials because we believe it is not safe to convene juries. Anyone requesting a jury trial, we are not able to do it right now. But we are hearing as many other cases as we can. Mostly anything that we can hear remotely we do. There was an issue with inmates being in quarantine and not being able to attend hearings but the warden has obtained video conferencing equipment for the quarantine pods, that they can now participate. And I am now going to punt to Judge Lazzara who has her hand up

**Judge Lazzara:** I have a question. I understood the remote set ups were going be for the quarantine pod and yet in the last two days I have had to postpone three cases because we were told somebody was in quarantine. And, I said, well what about the quarantine remote things and nobody seemed to have any idea. So I don't know whether they've started or not. I guess that's my question: have they started to use these remote systems on the quarantine pods? If so, I think everybody needs to understand how they work and that they can work, so we can get things done.

**Warden:** We did have some technological issues but those were addressed and those are up and running now

**Judge Lazzara:** When did it start? I literally had to cancel somebody today and a couple of people yesterday because of those issues.

**Warden:** We had the first video conference today.

**Judge Lazzara:** OK. Is there something we should do if we get an email that someone is on quarantine? Is there someone that we should reach out to for the remote quarantine system?

**Warden:** There's a process that all notifications should be going through. There's one particular email address, but if you have any issues you can always reach out to the admin team that day.

**Judge Lazzara:** OK. I was just wondering who my tipstave should reach out to? Because he gets notice from the jail to the court that we can't get somebody because of quarantine and I want to know who he should contact to say we would like to have that person on a remote system in their quarantine pod.

**Deputy Warden:** I will reach out to you by email so you and your staff have that information. We would respectfully decline to provide that during this public meeting.

**Judge Lazzara:** I get it. As long as someone gets me an email, I'd appreciate it. It would just be helpful and we can then make the arrangements so we could still get that person on for the day.

**Judge Clark:** It might be good Deputy Warden Williams if you could share that information with Judge Rangos who is the AJ so she can pass that along to other judges so everyone is on the same page about inmates that may be in quarantine. And you probably should send to the family division judges particularly on the dependency cases, who have parents that are incarcerated and need to participate in hearings. Please send that information to Judge Eaton who is the AJ of the family division. It's probably not as big of an issue with them but it could be,

**Judge Lazzara :** By the way, I want to thank you at the jail for getting the system up as quickly as you did. I had mentioned something to Kim that I thought we needed something like that and it seems like it was only a couple of days before we got confirmation that would be working. I just want to make sure it works because I hate having to reschedule things if we don't need to.

**Judge Clark:** Next part of the comment dealt with tablets and the cost to the inmate to have the tablets and whether any of the revenue was shared back to the jail as part of the agreement and if so what are the specifics.

**Warden:** I cannot address that this week

**Judge Clark:** We will save that for later

#18 Allegheny County Resident

"What are the JOB's oversight powers? Can the JOB investigate or seek an audit of the jail's use of force, denial of mental health care, solitary confinement or the other harmful conditions of confinement at the jail that have been raised in lawsuits and covered in news articles? What is the board doing aside from asking Warden Harper and Deputy Warden Williams questions at the monthly meetings? What is the board doing and what else can the board do to investigate these serious allegations? How can the board investigate complaints at the jail when Warden Harper refuses to allow the members to review the unreacted use of force policies in executive session? Last December the Board said it would have an executive session to review the complaints filed against the jail. One of the complaints cited the jail's use of force figures that the jail reported to a state agency. Over the years, the use of force has doubled at the jail while the jails population has decreased. In 2019 ACJ had 720 use of force incidents, far more than any other jail in the state. That year the jail used the restraint chair 339 times which was almost 4x times more per person than the rate of all other jails in Pennsylvania. In comparison, all 5 Philadelphia jails combined did not use the restraint chair on a single occasion in 2019. Repeatedly we have heard the warden and deputy and even members deflect and ignore complaints about the jail, claiming jails are different from other correctional facilities or that persons making the complaints are not

credible or biased. Will the board dismiss or minimize the use of force figures which the jail reported and are compared to state jails. What more evidence does the board need to see before it will take substantive action”

**Judge Clark :** Some of this has been answered. I would say to the board’s oversight powers, the board could do any of the things that this person raised in comments so I would say yes. And I would say that we did have an executive session to review the lawsuits and we have not yet made a decision what we as a board want to do at this point while the lawsuits are pending so that is still up for discussion with the board.

**Hallam:** I would just like to ask if Warden Harper can respond to the issue of the restraint chair. ACJ using it more than any other facility, the article in Public Source about the use of the restraint chair, and any potential for banning this practice at the jail?

**Judge Clark:** I would say Mr. Bacharach is on here and there’s the lawsuits pending. I would defer to him to determine whether the warden at this meeting could answer those questions.

**Bacharach:** I would instruct the warden not to discuss those in detail because there are pending lawsuits that raise those issues.

**Hallam:** Is there anything that can be stated about the use of restraint chair that doesn’t violate what’s being discussed in the lawsuit.

**Bacharach:** Yes. But I think we would have to address that separately. But I couldn’t talk about that right now. The answer is yes, but I can’t get into specifics right now.

**Hallam:** Is there a possibility Judge Clark if you and Solicitor Bacharach were open to it that we could have an executive session with him specifically about these lawsuits?

**Judge Clark:** I would have to discuss that with Mr Bacharach. It is complicated. There’s a lawsuit pending and so the warden is one of those people named in the lawsuit. He could say things to us that we could then be called upon as witnesses to testify. I think that is the situation. If you have specific questions you want the warden to answer then my suggestion would be to put those questions in writing and we can send to Mr. Bacharach. It’s complicated, but especially in this virtual world. They can’t even confer right now and so I think that’s the answer to the question. If you want to have an executive session, typically though the warden would not be part of the executive session, it would be the board, but sometimes I have been on boards where we have had an executive session and the COO has been present for part of the executive session to provide information or something like that and then they leave because the board is going to make some decision. I would say the short answer is maybe the board should have an executive session to further flesh this out. You raised a question and this person raised a question about the restraint chair. Does the board want to try to verify information that was in the newspaper article? And if you want to do that, how should we go about doing that? Does the board want to say, ask the jail not to use the restraint chair? I don’t know. I don’t know enough about the use of the restraint chair. We did receive some information, some of the information that was requested was provided and we’re going to have some discussion about that later in this board meeting. I think it is something that if we want to have an executive session. If we have some specific things we want the warden to address, we should put those in writing and send to Mr. Bacharach so he can advise him as to whether he should attend the executive session and so he can advise him whether he should be answering those particular question.



**Hallam:** My understanding of executive session is that the primary purpose is to discuss pending litigation. I also understood executive session to be confidential information so that we cannot be compelled to testify about information received during executive session. Is that true?

**Judge Clark:** I don't know

**Bacharach** I'm not aware. These are federal court lawsuits too, so...what privileges apply I am not aware.

**Judge Clark:** I can't imagine. Say this isn't the jail. Say this is corporation X that is having an executive session and the board agrees to cover up something. I don't think that what goes on in an executive session would be totally privileged. I think, yes, we can have an executive session to discuss pending lawsuits. The issue that you are asking that the warden be there ... If you want the warden to be there, I think you need to figure out why we want the warden to be there and provide Mr. Bacharach with questions. So, yes if you want to have an executive session we can do that and I think it might be a good idea to do it now that we have gotten some of the information that has been requested. I think it would be appropriate to schedule an executive session.

**Hallam:** I would appreciate that. Also, if Solicitor Bacharach could research whether or not we are protected and held to confidentiality by any information that we receive at executive session.

**Wagner:** May I just make one comment. In a larger sense, the jail is always going to be subject to lawsuits. My interest here is to make sure that we are fulfilling our duties in getting data. In this instance talking about the restraint chair. It would be easy for us from my perspective to just itemize the data that we're requesting and decide if that is most appropriate for an executive session or the general meeting. I think that can be specifically noted. This isn't about the lawsuit but instead is about us making sure that we have data

**Judge Clark:** For example in the letter it says the restraint chair was used so many times and I think that's data that the board can receive so if you want that data, you're requesting it, we can ask the that data be provided. That's separate and apart and I think that's data that can and should be presented at the public meeting because it is something that the public I think has a right to know. So are you requesting that.?

**Wagner:** Yes, I am also interested in knowing the specific inmates, their information can be redacted but specifically those with mental health issues to understand the extent to which that restraint chair is being used. I think when we look at the Public Source article there are issues that raise what we as a board should know. I can send that by email and itemize that.

**Judge Clark:** That would be helpful. If you can do that and then we will ask if the information can be provided to the board.

**Wagner:** Thank you.

### **Approval of January Minutes**

**Judge Clark:** Review and approval of the minutes from January meeting ... those were sent out and I hope you had an opportunity to review. I will entertain any corrections to the minutes and if not, I will entertain a motion to approve. Ms, Hallam? A second? Judge Lazzara. Any corrections? All these in favor? Any opposed? The Minutes are approved.

## Old Business

**Judge Clark:** We are going to go to some of the old business. Is Mr. Kenstowicz on?

**Judge Clark:** Alright and I didn't get an email from him saying he couldn't get on so I will just briefly sum up. At the last meeting I agreed to meet with him. The board had discussed doing exit interviews of inmates and so I met preliminarily. We had a nice meeting, a lengthy meeting with Mr. Kenstowicz from the prison society. He provided a draft of a form that discharged could complete about their experiences. As a caveat he indicated he had reviewed it with other members of the prison society. They thought it was too long. We both decided there wasn't a big rush to do it because we wanted to do it right but these are some of the issues that came up for discussion so we felt that it should be for inmates who have sort of a length of stay. We didn't find necessarily what the number of days was but certainly more than 2-3 days. We felt it should not be available on the tablets but they should be completing it in the discharge center. But we don't know enough about the discharge center for example to know how long a person spends in there; how many people are in there; whether it would slow down the discharge process; whether people would want to fill it out, etc. So we need to find out more about how the discharge center operates, how many sort of computers or terminals we would need to do it and if someone needed assistance would an employee be able to give them assistance. We should have it available in spanish and english as well. And, he thought there should be some short PSA that could be on the tablets for the inmates to just encourage them to complete the survey, that we want their voice in making conditions better. So there's a number of things we'll have to decide. But I thought it was really a good meeting. I sent the draft form out to the board. I don't know whether you've had a chance to look at it, but I encourage you to look at it. I'm probably going to schedule some further meetings and if anyone interested in working on this particular issue, just let me know so I can include you in any meetings. And maybe one of you will agree to chair and be in charge of it. I am certainly interested in it and I think it's a great thing. I think this is a good way to get information. The other thing is where does it go? My thought was that, much like we have it set up now for the public comments for the pandemic, they fill it out, they access it online and as soon as they complete it and hit submit, it comes to a mailbox which comes to me. We would want somebody to collect it and then how do we analyze whatever is collected so that we have information? That is the next step of who gets it, who is going to be the recipient of these forms and then how do we collect and analyze any data information that's collected from the exit interviews. So that's where our discussions were. I don't know if anyone has any questions for me? So, the next thing is the inmate welfare expense fund committee, Judge Lazzara.

**Judge Lazzara:** The IWF committee did have a few meetings this month. As you recall, this subcommittee recommended at the November meeting a needs assessment be conducted by the Pitt School of Social Work. That was unanimously approved at the November meeting and the folks at Pitt got right on it. Unfortunately, this week, no, I guess last week, it came to light that there was a problem with getting the contract from the County. There was a problem with getting the contract and there were many, many requirements for this contract that the board was not aware of and the subcommittee was not aware of and that were not brought to anyone's attention before a week and a half ago. I had a meeting with the warden and Erin Dalton and we were hopefully going to resolve it. At that meeting, I indicated I would like to have copies of all of the information. that the county is saying need to be provided for the contracts so that if we are going to enter into a contract again we can see that we are meeting those requirements. So, we would like to have all of the county purchasing agreements, contracts, requirements so we are able to evaluate that for ourselves and that was a request I made. I also made a request that all of the contracts that have already been approved by the IWF that we provide analysis to the board to know whether these contract requirements are being met by all of the monies that are being

expended by the board. Over the course of the last week, I received communication from Ms. Dalton that there is a way to do it without jumping through the numerous hoops proposed and she had requested to receive copies of the correspondence from Pitt to the IWF committee and that has been provided to her. That was provided to her the next day. I have not yet heard whether Ms. Dalton has had a chance to review that information. We are certainly hoping this problem can be resolved as soon as possible. because they've already done three months of work and we want to get this needs assessment conducted as quickly as possible.

**Judge Clark:** Ms Dalton is on so we can ask her to explain that. So, the process is and I did not think about it because the court has to do it to. Everything has to go out for bid and sometimes we don't like it either because we might have someone in mind that we want to have do a certain thing so we have to do it too and I didn't think about it. And probably because I wasn't thinking because I know the board can't enter into contracts, so it just never crossed my mind.

**Judge Lazzara:** That's why I would like to see the documentation that shows if the IWF is subject to these and what all the different levels of contracts are. There seems to be a million of them. Some require three competitive bids, some don't require anything and so it really would be nice to know whether what we have done where it falls under.

**Judge Clark:** I spoke with Ms. Dalton and I think the issue has been resolved because they can in some circumstances make an exception and that is going to happen in this case and it should happen very quickly and she's ready to comment on that. It's probably rare that the board is using the IWF other than for the benefit of the inmates in terms of them purchasing and voting on that. We are not entering into contracts. So, for example, today Ms. Hallam again will make motions to take money from the IWF and put that on the accounts of inmates so obviously there's no bids for utilizing those funds because we are just giving it to inmates. But I can assure you that when the jail was in the process of purchasing the tablets for inmates, they had to put it up for bid that was one of the things that took so long was putting up for bids and getting those things so that was the issue. I am going to ask Ms. Dalton to comment on what's happening with this particular contract. The other thing I would just say though and I did not know that work had begun because we had not signed a contract so while I appreciate the fact that Pitt did work, there was no contract yet.

**Judge Lazzara:** In all fairness to Pitt we discussed the fact we were having meetings with people from the jail at this board meeting so it was quite public that Pitt had started to do the inquiries necessary to develop the needs assessment so that certainly was something that we discussed, I believe at the December meeting as well as the January meeting. So, I think that it was out there that that was happening. And with all due respect, I understand there are ways to do contracts and things. We just want to be able to see them. I don't think that there is any reason that we shouldn't be able to and the IWF doesn't always pay for things like blankets or basketballs. It also pays for services. These contracts apply to services. There are two requests for services that are in front of this board right now. I would like to make sure they have gone through those same proper proceedings and I can't do that if I don't know.

**Judge Clark:** The County has decided they won't be expending the IWF for any of those things. Whatever things have been pending are now withdrawn and this is going to come out of the regular operating budget. So the IWF is for the inmates and whatever the board decides. They are not going to be requesting funds for IWF. So, for example the motion we had last meeting from Chief Williams for the discharge center. They will get them, but they will not come from the IWF. Is that correct warden?

**Warden:** Yes.

**Judge Clark:** Thank you. Alright, Ms. Dalton.

**Dalton:** Thank you judge. One quick comment and I think that warden and I both expressed to Judge Lazzara that we both had also missed this and not thinking about this funding in the typical county procurement procedure so we do apologize. I knew about this study and thought it was proceeding and had not thought about the county contract procedures. I'm sure we can make those available. In this case, DHS had issued an RFQ with university partners. In 2018 I think, that qualified 8 universities and schools to work on all kinds of different projects and the School of Social Work at Pitt was one of those qualified applicants. Because of that RFQ process, it allows us to also issue a task order to all of those qualified schools. For something like this, like a survey of jail inmates or other kinds of research or analysis or evaluation or we can choose to sole source to one of them. So, we can take that option and the county manager has taken my recommendation that we take that option to sole source to the Pitt School of Social Work for the purposes of conducting this study. The county still has to write that statement of work and has to contract with the Pitt and we are going through that process. The first step in that process is to produce an executive action. DHS produced that today. And it's with the county manager's office and I expect he'll push that through. So, we're getting that process underway and do apologize for the delay on our part. I think from the county's perspective, the county has to enter into those contracts but we don't want to delay these processes we want to make it clear how we have to do that work and we're with the board in those instances where it makes sense, where we are partnering in this way

**Judge Clark:** Does anyone have any questions for Ms Dalton?

**Wagner:** I just want to make a point and Erin if you'd like to respond to this, but just from our office's standpoint, of course, the Controller's Office, we review the many contracts within the county - and I hadn't heard it mentioned, but part of our understanding as this proceeded was that the professional services provision would apply. So, I think there are multiple ways this could be categorized that is fully compliant with the county's contracting processes and I only point that out to the extent that we encounter any of this in the future.

**Dalton:** Thanks you are probably more expert on that than us we certainly bid a lot of our professional services so you may know more than I do on that but in this particular case we are in a good spot because we've already qualified Pitt, so it is really solid .

**Klein:** I want to say thank you for fast tracking this because due to the pandemic we weren't able to make our unannounced visits so some of the information we could have gleaned from in person visits we were not able to which is why we thought it so important that this take place which is why we were so upset when it seemed like there was this unforeseen roadblock. I am very thankful that we can move ahead expeditiously.

**Judge Clark:** Any other questions or comments? Judge Lazzara if you could just shoot me an email to let me know what it is specifically that you want I would appreciate that.

**Judge Lazzara:** I will do that. Thank you very much and our committee did not really accomplish much else during this past month because this little speed bump that was tossed at us took up the majority of our time. How we were going to choose to proceed and so we really didn't get any farther on what we wanted to do. We are all very grateful as Ms Klein indicated

that we're able to go forward with the needs assessment. We think it's an important part of our oversight responsibilities.

**Judge Clark:** Next, we have Warden Harper and an update on the suicide prevention

**Warden:** The ACJ has completed 9 of the 13 recommendations from the National Committee of Correctional Healthcare. Within this last month we put up the plexiglass and the dividers in our receiving area and in intake and also the training module for interpersonal communication skills has been completed and employees are being trained on that subject.

**Judge Clark:** Is Mr. Kamara still there?

**Kamara:** I am your honor

**Judge Clark:** Some board members met with Jodi Lincoln about Book Em. Can you give us a report on what happened and what the next steps are?

**Kamara:** Sure, I'll be brief. It was a pretty positive conversation. I also ask if anyone else, any other board members who sat on the conversation, to edit and add to my brief summary. I think the content was positive to get a greater understanding of what Book Em does and their desire to be an additional asset to the literature and available at the ACJ. One of the next steps we discussed was to have the chaplain's office talk about their process of getting books to folks in ACJ. In addition, there is the possibility of working with the State Dept. of Corrections and learning about their process of providing books through Book Em. That way we could offer broader options to the ACJ. I think this group is going to meet this month before our next meeting and I don't want to put a time frame on it but see if we can have any next steps and/ or suggestions for the entire board.

**Judge Clark:** Does anyone have any questions or do any of the other board members who participated in the meeting want to add anything? Yes, Ms. Klein?

**Klein:** Yes, I was involved. Book Em sends books for free to state and federal prisons and as Mr. Kamara said that they'd like to partner with the ACJ. When they send their books to the state facilities, they go through a central facility processing center which also happens to be where the main commissary warehouse is, so when the commissary gets shipped out, the books get shipped out then and there. So, the question was where does our commissary, do we go from the same warehouse that the state does? Because then perhaps we could just tie into their security. So that was the only other question that I had.

**Judge Clark:** I don't know, is that a question just in general?

**Klein:** Well I think maybe something that could be answered, where is the source of the commissary for the ACJ? Is it the same central that the state facilities use?

**Hallam:** The sergeant who oversees this for the DOC has said he's willing to come to the ACJ and tell us, oh this is enough space or this is how much space used. Because right now what they're using is sort of like a big barn. And that's what their central facility is that Terry is speaking about and so I know that he said that he would be interested in that when he talks to us just asking us, what do you have available? Could this be done on one of the unused pods? Would this have to be in its whole own separate facility? Just talk about the options

**Judge Clark:** So maybe we can talk to the Warden about how that can happen. I think there was also you wanted to meet with the chaplain's office as well, is that correct?

**Kamara:** Yes

**Judge Clark:** So maybe that can be set up as well. We'll try to get some of those things scheduled or maybe if someone wants to take the lead and talk to the warden about trying to schedule a meeting with the chaplain's office. I'm happy to if somebody want to use Teams or Zoom or something, I can schedule it for you. But just to try to get the dates and then Bethany maybe you can get the person that you know from the DOC reach out to the warden and talk that way and some communication about that. Maybe they can set up something where they can figure out what the space requirements are and so forth.

**Kamara:** Your honor, this is Abass speaking. I volunteer to coordinate with the warden and your office on some of the follow up meetings and conversations.

**Judge Clark:** Thank you. Then we will go back to the warden on updates on cover 19. We've had some questions in the public comments about testing and the plans for vaccine distribution in the ACJ, so if you could talk about that, so thank you warden.

**Williams:** Your honor

**Judge Clark:** Yes, or deputy warden

**Williams:** Ok, the jail website includes 1,458 inmates that have been tested. Of those 127 have been found to be positive throughout the duration of the pandemic. 4 are presently positive in the building. We've had 1252 negative tests. We have 71 tests currently pending and 0 inmates in the hospital. Out of our staff, 296 have been tested. 107 have been positive. 189 have been negative, 0 pending, to my knowledge. And 98 recovered with 9 staff currently out. So, some of those staff who are currently out are not believed to still be positive but they've had some health complications as a result of contracting the virus and they are still in their recovery process.

I wanted to make sure I clarified because there have been articles that have been inaccurate in reporting the 296 employees that have been tested have been employees of this institution. They are not all correctional officers. It does include health care staff, correctional staff, civilian staff, and we've even reported staff that have been deemed as nonessential, meaning they are not required to report to the facility every single day they are scheduled to work that have tested positive in the community. But, because they are represented by our institution, we've included them in our numbers so I wanted to make sure to clarify that because it had been reported I believe by a few sources that 296 officers had been tested and 107 were positive and that is not accurate. We currently have one unit that's under medical isolation and we have two units that are under quarantine status. As far as vaccinations go, there was one comment regarding the ball being dropped and I want to be very clear in that the ACHD has been absolutely incredible throughout the duration of this pandemic. We would not be doing as well as we've been doing without their partnership and their commitment and their prioritization of our employees and getting vaccinated. We have been working very closely with them, around the clock, 7 days a week and working to coordinate when the most amount of our employees can be vaccinated so we are not reducing their workforce and resources. It's probably not known, but the health department has done some extraordinary efforts and they've opened up a vaccination clinic in Monroeville which has been advertised as they are continuing to expand to the advanced age population within the community. They've also been coordinating an obscene amount of

volunteers in health care who should also be credited for the success and the safety in Allegheny County for dedicating their time as a volunteer on top of many of them having their full time jobs and high risk jobs within the community setting as well. I'm proud to report though I won't say their names for their own anonymity. We've had ACJ staff who have volunteered not just their time here when the call has been made, but also to these clinics in Monroeville to make sure that AC residents can get vaccinated.

We've been providing the Moderna vaccine to our employees with the partnership of ACHD. We have 683 employees who are eligible and that includes correctional staff, health care staff, and other essential employees. People may not be aware of how many people hold this building up. That is not inclusive of everybody that works here but those are 683 people who have direct care with the inmate population to varying degrees. 102 or 15% of our employees have received both doses. 189 minus those who have been fully inoculated have received at least one dose for a total of 291 employees that have received some form of the Moderna vaccine which is actually 43% of our employee base which is pretty incredible because the health department only started assisting us with this process at the very end of December and we're at the very beginning of February, so to have that many people vaccinated is a huge feat. We have 71 employees that are awaiting their first dose that remain interested. Some of them are not part of the 1A group so they're still not eligible to receive the vaccine. Others have been previously positive and have been recommended to defer their dose at this time. We've had 102 employees, 15% refuse the opportunity to be vaccinated for a varying level of reasons. As far as inmate vaccines go, I know this came up last month, we remain very motivated to get our inmate population vaccinated. We applied in December as soon as we were able to as an institution to be able to provide vaccines. We're still awaiting response from the government, as to whether or not we've been approved and will receive doses. We are going to work collaboratively with multiple different entities to make sure that individuals who may be receiving vaccines in the community and may have contact with the criminal justice system and may be due for their next doses that we will find ways to coordinate so the they will have that timely. As far as cover updates, that's all I have for the board.

**Judge Clark:** Does anyone have any questions for deputy warden Williams?

**Hallam:** I do judge Clark

**Judge Clark:** Yes, Ms. Hallam

**Hallam:** My first question is about vaccines. Is there a written plan that the jail has in place for vaccinating the staff and separate for vaccinating the incarcerated folks? I know that I had sent an email a couple of data ago requesting this, I don't know if it got through to you deputy warden Williams

**Williams:** I actually did not receive any email from you lately Ms. Hallam Perhaps I'll shoot one to you and make sure that you have the right email address?

**Hallam:** Oh no, it wasn't from me to you, I sent it to Judge Clark and asked if we could request that for this meeting, I was just asking, wondering if you got that request.

**Judge Clark:** I think I missed that Ms Hallam

**Hallam:** It was in my email where I asked that this be added on to the agenda. If this was going to be on the agenda that we could get the written plan sent to us ahead of time.

**Judge Clark:** I think I missed the written plan part. So, I'm sorry that's my fault, I did not communicate that to Deputy Warden Williams.

**Hallam:** No, that's totally ok. Does a written plan exist?

**Williams:** We have varying degrees of a process. I wouldn't say that it's necessarily a formal plan like our continuing operations plan that you've familiarized yourself with.

**Hallam:** Ok. So. I do know that one of the public comments had talked about employees at the jail, and I don't think that they specified what kind of employees that they were, but getting their first dose via the department actually coming into the jail and that that has ceased to happen. Can you speak to that and maybe what is the plan if ACHD isn't coming into the jail anymore? How are those employees are getting their second dose in a timely manner?

**Williams:** I can speak to that. They only came on site for 3 clinics and that was at the end of December and very early January. We've been coordinating with them to do an alternate location, again one that I am not going to disclose during a public meeting. I don't know if the health department would consent to that because I certainly don't want them to be bombarded. But it is very convenient to our location. It is within walking distance. We've been working very hard with our operational staff to relieve employees during their work hours so that they are able to get the vaccine. We do have a number of employees, approximately 114 that are due for their injection within the next week and we've been working with the health department to schedule them. They will receive those next week.

**Hallam:** Ok. I think that you said it's 43% of the staff so far that has received the vaccine who is eligible to has received it. Can you tell us how many of those were through the jail and how many got their vaccines individually out in the community?

**Williams:** I will give an approximate number but some of our aides and our contracted employees elected to get those at AHN where they received a Pfizer dose. I believe the numbers reflect only 5 that received the vaccine outside of our processing. So 5 out of the 291, but I will verify that and if that's a request for future meetings, I'll also make sure that those data points are kept separate.

**Hallam:** My last thing is the plan for when 1B hits. We're still in 1A for now. 1B as I understand it. is when the incarcerated population is eligible for their vaccines. I want to know what the plan is. Are we going to go pod by pod. Are we going to prioritize certain folks? Are there any incarcerated people who have received the vaccine already? Because. I have to imagine that we have a 1A population incarcerated at the jail. If you could just speak to those things.

**Williams:** I'd love to. So, some incarcerated individuals have received the vaccine. Torrance State Hospital has been able to provide some of those inmates the vaccine prior to their return to our facility. They've done both doses. So some of our inmate population has already received it. So you are absolutely accurate. Some of our inmate population is part of 1B which is why we have been working so hard to obtain doses. We will seek guidance from the health department but we'll also be following those priority populations. Thankfully with the electronic health record that we have we can go by age or medically vulnerable conditions and prioritize those based on the recommendations.

**Hallam:** Has the ACJ administered the vaccine to anyone incarcerated at the jail or only folks from Torrance after already receiving it have got it?



**Williams:** I think I made myself clear earlier in my response that we have not yet done that for the inmate population

**Hallam:** OK, so not even the inmate population that falls under 1A?

**Williams:** No.

**Hallam:** OK. Is there any plan or are you waiting until the state transitions to 1B to vaccinate anyone designated as incarcerated?

**Williams:** We're waiting for the government to respond to our application to receive vaccinations and as soon as they do, we will be happy to administer those on site.

**Hallam:** OK, and are you waiting for the government to respond to make your plan on how you will administer those to the incarcerated population? Or is that something that you're working on now foreseeing the government approving your plan?

**Williams:** We've been working on it for quite some time now.

**Hallam:** Ok. Is that something that you would be willing to share with this board?

**Williams:** We can share some of it but not in specific detail for the vaccine. We have not yet decided if we'll go pod by pod. We still have some things to figure out and if the board would be interested in that information, sure we can.

**Hallam:** I would be very interested in that information especially how you are deciding and which order folks who are incarcerated. Once you get approval, are you going to vaccinate medically vulnerable? I just want to know how it's going to be done.

**Williams:** I am so appreciative of your enthusiasm and I've indicated that we will go with the guidelines of those that are the most vulnerable first and then roll out the following. But it does sound like you would like the specifics and I would be happy to provide those at a later date.

**Hallam:** I would, yes, thank you very much. And then after someone is vaccinated, are they no longer contagious? Is this something where we would no longer be quarantining folks even after the vaccine? What's the plan for that?

**Williams:** Well you know Ms. Hallam, I will have to consult with medical professionals to answer that question.

**Hallam:** OK. I would really appreciate an answer to that at the next meeting. I just don't want us to get into a position where we just caught off guard. Let's say we get a vaccine approved, you get the doses that you need to vaccinate our population and yet there's not a plan for how everything is going to be rolled out. So, yes, I would very much so like those specifics. I think that is why it was placed on the agenda so that there could be preparation to get us those specifics and I do think that it is something that we should be making a priority going forward. So if you could do that, I would really appreciate it.

**Williams:** So I'd like to clarify just one thing whether it's important or not. Here at the ACJ throughout the pandemic we have been preplanning this preventative and proactive every step of the way. We've been cautious to publish things as its important to work out kinks. We've dealt

with as many professionals as possible. Our very first edition of the continuing operations plan in this institution was drafted on the 8th of March which was before Allegheny County announced their first case. We take our jobs very seriously in protecting the inmate population and those of us who work within this institution. So though I appreciate your concern, I do find it offensive that you continue to believe that we're not working towards these efforts ahead of time.

**Hallam:** No, it's not that I'm trying to be offensive at all. I would just like information. I feel like that's the purpose of these meetings. That's the purpose of putting things on the agenda. So I personally find it offensive that I'm...

**Judge Clark:** OK, that's enough we're going to stop this conversation. I think that emotions are sort of guiding the conversation. I do have one question, Deputy Warden Williams. Can you explain the application process you have to make for the federal government. What does that mean? Do they get to decide how many doses of the vaccine that you get? Is there a chance that you will have a finite number that might not cover all inmates?

**Williams:** The application process included demographic information and I think that was for them to try to determine vaccine allotment. Because this is unprecedented for everybody, not just here at the ACJ, we're all learning as best we can. We submitted demographic information, average daily population of our institution. I was able to provide break downs of some of our medically vulnerable as well as the other positions as well as other eligibility requirements that have been mirrored within the phasing of the community as well. I would imagine they would be using those data points to determine which facilities will get the vaccines first. They will also probably be establishing that based on facilities that have 24/7 medical care who can do emergency services in the event somebody has a reaction to the vaccine as well as partnering with community agencies. Some health departments in different jurisdictions are assisting with overseeing during the pandemic in correctional agencies and may be the ones administering to the inmate population. I do believe that there is a large amount of planning that they've been doing which is why they asked us to submit these applications as soon as possible. so that they can be reviewed.

**Judge Clark:** Thank you, I understand. Thank you. Does anyone else have any questions for Deputy Warden Williams?

**Wagner:** I just have one quick question

**Judge Clark:** Yes, Ms. Wagner

**Wagner:** Just for clarification, I'm trying to understand how the jail is receiving the vaccines and I know there are a lot of different parts to this so I apologize if this was something that I missed. Is it coming directly from the health department or is it coming from, and I know there are some outliers, or is it coming from Allegheny Health Network?

**Williams:** Some of our contracted staff, advanced practitioners and physicians are employees of AHN. They were given the option to get vaccinated at one of the local hospitals or we were willing to provide it to them here if we were able to vaccinate them faster than AHN would have been able to accommodate them. I believe AHN was considering some of our providers as part of the outpatient clinic so not necessarily a top priority on their vaccination levels as their inpatient hospital workers would have been. So, we did extend the offer to them to vaccinate here in partnership with AHN and the ACHD. There are strict chain of custody guidelines when it comes to the vaccination. Though the ACHD received the doses and they were able to assist in vaccinating, our employees. So they have either done that during on site clinics here of course

adhering to all of the temperature and storage requirements and making sure that no doses were wasted. Many people on the board are aware that a vial, it contains 10 - 11 doses and when you open the vial, it must be used within 6 hours. Once its delivered, it has to be used within 30 days. So its a very planned process that is done in coordination with the health department.

**Wagner:** OK, thank you.

**Judge Clark:** Thank you Deputy Warden Williams. The next thing on the agenda is just sort of a recap of some requested information that was to be provided to the board. We requested that at the last meeting which included the information that was contained in the Public Source article which was the psychiatric queue, the health care shift report, the medical schedules, the mental health medical queue, the medical sick call queue and the medical SRC queue and the incident report and so I did meet with the County Solicitor. There was other information, too, that has been provided in terms of some of the policies. A picture of the restraint chair and those kinds of things. But these items have not yet been provided and I did have a conversation with Deputy Warden Williams, so its part of a work in progress because some of this information changes on a daily basis and I think Mr. Bacharach is here to speak about what is forthcoming to get this information to the board. So, John

**Bacharach :** We are reviewing it with the solicitor to see what we can provide.

**Judge Clark:** Can I add one thing? Some of the information in the Public Source article, a lot of it, did not come from a RTK request so a lot of information was provided to Public Source I guess through maybe other people that work at the jail or something like that. It wasn't through normal channels and requests for information through the RTK act. Maybe a little bit did but I believe the bulk of it did not because when they went to check to see what was requested, it was not. Is that fair to say Mr. Bacharach?

**Bacharach** Yes. We don't know all the sources. Some of it might have come from information that was provided as required in the lawsuits that we had to provide that but I don't know the specifics of it. We'll provide the board with all the information we can, so let's put it that way

**Judge Clark:** I think the board's position is whatever was covered in the Pubic Source article is already out there and since the general public has seen it, that the board should receive it. I think that in my discussions with Mr. Szefi, it was that a lot of it did not come from. They were not sure what the sources were, but they are looking to provide that information. It is kind of a lot of information. It's not just that they can go and dip it out and give it to you, but they are working on that information. Is there anything on this list that you will not be able to provide to the Board.

**Bacharach:** Not that I can tell you off the top of my head your honor

**Judge Clark:** Alright. And do you have any anticipated date or time frame in which the board might be able to receive this information?

**Bacharach:** I think that we should be able to have it and get it to you within 30-45 days

**Williams:** I wanted to clarify, too, because we would like to meet the request. The sheer volume of some of the requests will be abundant, so I do want members to be aware that the request for health care shift reports, it is a 24/7 facility, so there will be many of those in a monthly period. And my request would be that the board be lenient and understanding that probably the week of the JOB meeting. I don't know if we'll have the capacity to redact everything that would be

necessary within those shift reports so that week might be missing from the monthly packages that go to the board. Additionally, I wanted to point out that the queues, they are point in time, so they are very fluid queues. I can provide the numbers that were taken today. The total numbers as well as the longest waiting appointment in the queue. But again those are very fluid and ever changing so I guess I would ask the board to identify would they like the day of the JOB for those total queue numbers in the future so that we can make sure that we are meeting the request.

**Judge Clark:** I think that would be a good idea. If I am remembering correctly when I was on the board previously and that was many years ago just prior to Warden Ruston being hired and then after he was hired we used to get at every meeting information about how many people were waiting for beds at Torrance and how many people were waiting in the queue, so if you could provide that in the monthly board packet. I think that would be informative for the board to know how many people are waiting for different things. So, if that's not difficult to provide I would say sure, I think the board would like to have that information.

**Williams:** Your honor, we do still provide those statistics for Torrance specifically in the healthcare report. So, if you would like we can add on queues to that report as well.

**Judge Clark:** I guess the question is, this is a lot of information. In my conversations with Mr. Szefi, I am assuming that it's going to come in some email form though I think it could come in some other form like in a thumb drive or something might actually be better, but I don't know. Does anyone have any thoughts on that.

**Hallam:** Since it was my request, I would say, I don't want to speak for the whole board, but to me, if the week of our JOB meeting, if the data was compiled for the month previous, I think I'd be ok with that. That would give them the time to get it

**Judge Clark:** I was more talking about the Public Source documents and compiling that information.

**Hallam:** That's what I mean. It will be a lot. Especially like the shift report for the different shifts that all of the people are working.

**Judge Clark:** I think that the issue is that they have to actually compile it. If all of it had come under the RTK they would already have it there and they could just give it to you so they gave you a go and do it and it's a lot of information, so that's one thing. The ongoing report that Deputy Warden Williams is going to provide is another thing. But you wanted specifically at the last board meeting you requested and the board agreed that you wanted all of these pieces of information that were contained in the Public Source article. So my question to you is, I don't know, maybe we need to wait and see how much information it is, how big the document is, how much information there is, before we decide how it is disseminated to the board so I'll leave that alone at this time because it may not even be ready before the next board meeting anyway so if its 10000 pages of something then I wouldn't want that in just a regular email and Judge Lazzara is shaking her head no, so I think we need to have some idea what we are talking about.

**Hallam:** Maybe a zip file? As we figure that out is there a way that maybe for the time being we could get something like: What was the longest wait time this month? What was the shortest? What was the average? Just so that we can have something to operate off of while we are waiting for all of the documentation.

**Williams:** Ms Hallam, I can provide those numbers right now.

**Hallam:** Great

**Williams:** In the psychiatrist queue there are 42 waiting appointments with the longest appointment being 9 days. For the mental health specialist queue there are 9 waiting appointments with the longest appointment 6 days. For the medical SCR queue, for those of you that are not familiar what the SCR stands for, that's sick call request. There are 7 with the longest waiting 2 days. For the mental health SCR queue, there are 22 total with the longest waiting 3 days.

**Hallam:** I really do appreciate those numbers. Thank you

**Judge Clark:** Any other questions concerning this information?

**Hallam:** One more question for Solicitor Bacharach. I know you had said something about a lot of these documents were requested with RTK but a lot of them weren't. I just want to know for the ones that were provided via RTK request, is there any situation in which we as the board wouldn't have access to the same amount of information that was provided via RTK request?

**Bacharach:** No

**Hallam:** OK, Thank you.

**Judge Clark:** Anything else? Thank you. So the next thing was my report which was just to talk about and announce the disbandment of the operations committee but I already did that so we will skip to Warden Harper to see if he has any other things that he wishes to report. Warden?

**Warden:** First of all, I wanted to thank the employees at the ACJ for the outstanding work they do and that they continue to do. The only thing I would like to report on is that even during the pandemic, the ACJ was still able to have a correctional officer cadet program and on Friday of last week, 21 correctional officers graduated from our academy.

**Judge Clark:** That's great. I'm assuming, was this a virtual graduation or program?

**Warden:** We had 21 cadets do 9 weeks inside our facility just as we've done when the pandemic was not going on and nobody became positive because of the outstanding mitigation that we do to assure our staff safety.

**Judge Clark:** That's outstanding. So then Deputy Warden Williams is there anything additional that you would like to report today that might not be contained in any of the reports that you've submitted?

**Williams:** I would. Unfortunately in the vacancies there was an error in the numbers. It is indicated as 3 vacancies for the assistant nursing position. There's only 2. That's not a huge difference in our overall numbers, but I wanted to make the Board aware of it. Also, we will be updating this and proposing it to the board. It will look differently next month. We've had really exciting new hourly rates, increases for a lot of our health care staff. Our registered nurses are at a \$34/ hour rate and our LPN's are at a \$28/ hour rate. And we need to strategize to maybe move some positions around to make sure that we are within our budget as well. We will have some changes

in the vacancies next month because we are going to be moving some positions around. I'll make sure that when the numbers are reported when the discrepancies are noted we'll discuss whether or not it was a loss of a position that was allocated or if it was one that was actually filled because I want to make sure that differentiation is made. Additionally, the health care staffing report does not include 2 key positions that have been added to the health care department within the last couple of months. One of them is a health care social worker. She's working primarily out of our medical housing unit and in close proximity to our extended providers as well as physicians and prioritizing the discharge needs of those that are most vulnerable and how they are going into the community and also working with individuals who have returned from the hospital recently due to surgeries maybe they were victims of gunshot wounds or stabbings, motor vehicle accidents and come to incarceration to make sure that they have all of their needs met in the event that they are discharged from our institution.

Additionally, we've added a Substance Use Case manager, whose primary focus is going to be on building our MAT efforts within the institution and providing referrals to community providers if individuals are being released and have not yet been connected to care.

Lastly, we had multiple employees that we recognized within the institution that were named as the 2020 health care department employees of the year. So we did select a medical assistant, a nurse, a substance use employee, a mental health employee, a physical health provider, a behavioral health provider, an overall employee of the year as well as largest impact and most influential employee. And they were recognized within the department. I will leave their identities out of it just because I didn't ask their permission to say their names in this public meeting. But we really, really value the employees and the work that they have given to our institution not just this year, but especially this year. And you've already noted that the financial request that I submitted earlier are officially withdrawn.

**Judge Clark:** Thank you. Any questions for Deputy Warden Williams?

**Hallam:** I just have one. I think I just missed what you said. There's like a specific staff member who's working towards implementing MAT at the jail?

**Williams:** I'm sorry can you repeat that one more time, you broke out

**Hallam:** Yeah, sorry I was just asking you to repeat something you said. You had mentioned something about a specific staff member that's dedicated to rolling out increased access to MAT in the jail. Can you just repeat that part?

**Williams:** I apologize if that's how that was communicated. We have a substance use case manager; one of the things she is doing is initial assessments to determine the most successful form of treatment that a client would like to engage in, which includes MAT. We are looking to expand and the majority of our providers have received training. We are also making sure that we do better hand offs to the community. We've always talked about warm send offs but we want to schedule appointments for those that are transitioning back to the community. If they are already engaged with their health care providers we want them to know that there going to be coming out so they can get those appointments to reengage in services and if they've not yet engaged we want to connect them to care before they do

**Hallam:** Can you give a timeline for when the program will be fully implemented? Specifically people who come in off the streets already on nuprinorphrene or actively using opioids, when they will have access to MAT?

**Williams:** I wish I could with a crystal ball but I cannot give a timeline.

**Hallam:** Alright, thanks

**Judge Clark:** Any other questions

**Parees:** I have just a quick question. Can you say, are any of these positions, are they all full time equivalent or part time?

**Williams:** The ones that I named are full time positions but we are going to be looking at our staffing numbers to make determinations as to what's most appropriate and needed within the facility.

**Parees:** Great, that's what I wanted, the new positions. Thanks.

**Judge Clark:** Thank you Deputy Warden Williams. So now I would entertain new business and I believe Ms. Hallam has 2 motions that she would like to make.

### **New business**

**Hallam:** Thank you. The first one I would like to ask for a motion \$50 on the commissary account of each person at the jail as of the day I got the population 2 days ago there's 1570 folks at the jail, \$50 a person that would be \$78,500 from the inmate welfare fund to their commissary accounts. So I'd like to make the motion to approve that.

**Judge Lazzara:** And I will second.

**Judge Clark:** OK. All those in favor? Any opposed? Alright, the motion is carried. Ms. Hallam.

**Hallam:** The second one is a request for money from the inmate welfare fund for the tablet accounts of each person. Again, 1570 folks, \$50 per person, \$78,500 from the inmate welfare fund to put on their tablet accounts. So I would like to make the motion to approve that expenditure.

**Wagner:** I'll second the motion.

**Judge Clark:** Ms. Wagner, the second. Any questions?

**Judge Lazzara:** Can I just ask one question? Like I know with the commissary fund when the inmates leave the jail they would be able to take that money with them. What happens with the tablet funds since it goes somewhere else? So say we put \$50 on John Smith's books today and he is discharged tomorrow, what happens to that \$50? I just have no idea, so I just wanted to know.

**Warden:** I am definitely going to look into that and I will give you accurate answers

**Judge Lazzara:** So I just didn't know, does it stay in some general fund? Does it somehow go back to them? It would be helpful if we would know.

**Judge Clark:** I think that's a good point, so I would request the warden find out. I don't have any problems with the inmate if it's on their books, them taking it with them. But we have designated this money for a certain purpose, so if I'm in the jail today and I get my \$50 and then I leave and I haven't used it for the tablet or to make phone calls, I just get to take it with me. And you may be alright with that. I'm not suggesting that we not do that. I'm just suggesting that it is something that Judge Lazzara your committee should think about. Because we have purpose for that money and should that money then go back into the inmate welfare fund so that some inmate who stays in the jail say for 60 days and could benefit for that because who knows how long we will be in this state. If you asked me last year when we first started these virtual meetings that we would still be in these virtual meetings now I would have said no. I just want you to think about it. The warden will provide the answers and then maybe you might have some recommendation about it. I'm not suggesting anything one way or the other, I'm just thinking that it's something you ought to think about. Because there's a difference between somebody that's there a week and somebody that's there 9 months. The person that is there 9 months really needs that because they need that contact with family and the outside world and the person that's there a week, yeah, they need it but they're now out and so should they be able to take that \$50 with them that they didn't spend. I don't have any answer to that. I'm just asking that you guys think about it at your committee and maybe have a recommendation for the board.

**Judge Lazzara:** Absolutely, we will do that.

**Judge Clark:** Alright. Any other questions/ comments regarding the second motion? All those in favor? any opposed? The motion is carried.

Any other new business?

**Hallam:** Can I just ask one quick question. I was just wondering now that it seems that testing is readily available including rapid testing, is there any plans in the future to do universal testing of the entire population to try to identify asymptomatic carriers and things such as that?

**Judge Clark:** Warden?

**Williams:** No ma'am

**Judge Clark:** Alright then. Is there any other new business? OK, then I think we have our community corrections reports. Anyone still here from the program.

**Program for Offenders staff:** Yes. Good evening. I just wanted to report that in regards to our staff and our staff being vaccinated so we've been working with ACHD along with Giant Eagle and Giant Eagle came into our West Homestead facility on January 20 and provided the first vaccination to our staff, so currently right now we have 37 staff members who've already received the first vaccine and we're scheduled to have our second one on February the 17th. There are a few of the staff members who probably will be receiving their vaccine a week prior to that so somewhere around February 11. So at that time, February 17, we'll have all the staff who have requested to be vaccinated have received both their vaccinations. We're currently working with multiple pharmacies as well as additional medical institutions to try to provide vaccines for our inpatient clients at the West Homestead and our other facilities.



**Judge Clark.** Thank you. Any questions. Next, Renewal?

Adam Zach reporting for Renewal. Just like the Program for Offenders, last Friday, January 29 Giant Eagle came to our facility and we had 92 members of our staff receive the first dose of the Moderna vaccine. They will be coming again on February the 26th, administering the second dose including individuals who went off site, we had 103 staff members receive the vaccine and we are also coordinating with central outreach for anybody else that wants to receive it.

**Judge Clark:** Thank you. Any questions? And last but not least, electronic monitoring?

Thank you. Steve E. reporting for the probation office. We have nothing new to report outside of the report that we submitted in the packet. I would just highlight that we had 98 individuals successfully complete the program during that period.

**Judge Clark:** And any of the folks that have installed the monitors, have they been vaccinated? I actually know the answer to this question.

They have not your honor.

**Judge Clark:** So the court, our staff has not received vaccines yet


That is correct

**Judge Clark:** any other questions? Alright, if there's no other business for the good of this body then I will entertain a motion to adjourn this very long meeting.

**Hallam:** So moved

**Judge Clark:** Alright, we are adjourned. Everyone please stay safe. Thank you.

Kindest Regard,



Chelsa Wagner

## Public Comment – Jail Oversight Board Meeting – 3/4/2021

**Comment: Darwin Leuba:** At the February 4th Jail Oversight Board meeting, Deputy Warden Williams indicated that there is a plan to vaccinate vulnerable incarcerated individuals. I submitted a right to know law request for that plan, and was told that there are no records of a plan on February 24th. I understand there is a plan to "follow CDC guidelines" but are there any specific records detailing plans to vaccinate the population of the jail? The response to the right to know request would seem to indicate the plan does not exist in any records. On what day will a publicly available document be available detailing the jail's plan for: vaccine procurement, education to and sign-up by incarcerated individuals, prioritization of who receives doses, dose tracking (especially for those who are released after a single dose), symptom monitoring, and other relevant details? In addition, what is the jail's plan for vaccinating staff? The public, the workers, incarcerated individuals, and all their families deserve to know how the jail plans to competently and professionally vaccinate its population. Recent spikes in cases and the bologna in apple sauce incident demonstrate a dire need for competent vaccine policy and practice. To begin answering this question, I ask the Board to repeatedly ask Deputy Warden Williams and Warden Harper for a direct answer to the following questions: Does a plan to vaccinate incarcerated individuals exist digitally or on paper, and when will it be released (in draft or final form) to the board and the public? Beyond fear of public scrutiny and transparency, is there any downside in releasing a draft form for public review?

**Response:** During the February 4<sup>th</sup> meeting, Chief Deputy Warden Williams indicated that a plan is in process. The plan is still in draft form and has not been finalized. It was reported that the facility has applied (and been approved) to be a vaccine provider and has submitted requests for vaccines. We have not received any allotment of vaccines at this present time. The Pennsylvania Department of Health has drafted an Interim Vaccination Plan (currently in its 5<sup>th</sup> edition) that articulates the phased approach to vaccine administration. The jail has assisted in the coordination of vaccinations for many employees and remains motivated to offer vaccinations for the inmate population.

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**Comment: Janice Roberts:** You all at the prison board claim to read questions as they are submitted, it seems this is a lie. I submitted a question last month that was not read. I will ask again, my son was in the jail and said he was in the area called process in intake for two days without seeing a nurse. He sat there for over 5 shifts waiting to be seen, waiting to get detox meds, waiting to have his medical issues addressed. This is unacceptable and when something happens it will be catastrophic. Every month people bring up lack of staff, how can a building run like this? Every month they site the pandemic or people call off. That place is so understaffed as it is, articles are in the paper weekly, no one wants to work there. Something has to give. The great pay increases they claim to have given sure doesn't seem to bring more staff in to treat the prisoners needs. I am often called by my son who claims staffing is horrendous, evening meds are passed at times at 4pm. Medical needs are not tended to, and people running the jail have no medical background.

**Response:** This is a comment.

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**Comment: Employees Employees:** It is not fair that if we want the second dose of the Covid vaccine we have to go to Monroeville on our own time. What about those that have responsibilities before or after work the clinic is only until 4? What about those that take the bus? These vaccinations will be wasted when people can't make it there. This is not right!

**Response:** Due to extenuating circumstances, the Commonwealth of Pennsylvania received delayed shipments of vaccines and resources were scarce. Employees were not required to go to Monroeville, but were offered that opportunity to receive their second vaccination. Efforts will continue to ensure that employees are fully vaccinated. Ultimately, employees will need to weigh out these personal challenges to make the best choice for them.

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**Comment: Concerned Parent:** Why does the CDC recommend mass testing in jails and prisons yet it is not being done at ACJ despite the fact it is always being said "we follow the guidance of the CDC" Especially when numbers are increasing at the jail, why wouldn't you all want to play it safe?

**Response:** Throughout the pandemic, the recommendations have changed/adapted. The processes in the Allegheny County Jail have mirrored those changes and have closely consulted with experts at the Allegheny County Health Department. The CDC does not recommend mass testing in jails. The CDC allows and supports broader testing, which does occur in the Allegheny County Jail. The most recent recommendations (advised by the CDC) indicate that testing may be needed in the following 3 scenarios: testing individuals with signs/symptoms consistent with COVID-19, testing asymptomatic individuals with recent known or suspected exposure

to SARS-CoV-2 to control transmission, and testing asymptomatic individuals without known or suspected exposure to SARS-CoV-2 for early identification.

The Allegheny County Jail employs all 3 recommended strategies. Individuals who are displaying symptoms or report a recent exposure are immediately isolated from the rest of the population and tested. Individuals who are known contacts of those that are displaying symptoms or known to be positive (i.e. cell mates) are tested. Lastly, full housing units are tested when there is evidence of “disease spread” (i.e. 2 positive cases or more). In January 2021, 3 full housing units were tested. In February 2021, 6 full housing units were tested. In this month, 4 full housing units have been tested. When indicated, housing units are “retested” (all known negatives) 4-7 days after their original negative testing to determine if there is any continued evidence of disease within the unit. It is important to remember that testing gives you a “point in time” sample and that additional strategies (like 14 day quarantine periods) are still recommended, by the CDC, even when testing occurs.

The numbers have increased in the Allegheny County Jail and containment efforts have also increased on these units. Additional precautions are being taken on a number of housing units to increase safety measures. Every correctional agency is different. The Allegheny County Jail does not have dormitory style living. There have been indications to increase broader testing when dormitory style living environments exist due to the limited capacity to contain or manage disease spread.

Throughout the pandemic, continuous consultation and collaboration has occurred with the Allegheny County Health Department.

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**Comment: John Kenstowicz – PA Prison Society:** Questions Regarding ACJ Mental Health Services The following statements are taken directly from the National Center Correctional Health Care’s report on suicide prevention at ACJ and then is followed by my questions. Regarding Cell Side Interviews: “We were told that most patient interviews are at cell side, creating privacy issues and barriers to clinical-client relationships” ... “We observed and were told that communication is largely at cell side. This is not conducive to establishing rapport and trust” ...” All mental health residential units have interview rooms, but from our observations and conversations with staff we do not think they are used regularly”. Concern: One cannot develop a therapeutic relationship with a client if the communication is heard by a third party. Question: Are the mental health visits now being conducted in interview rooms? // Regarding Treatment Plans: “Treatment plans for suicidal inmates were incomplete and did not meet NCCHC standards” ... Our record review found that treatment plans were incomplete and not well documented”. Concern: Treatment plans are a blueprint of how and why treatment will be provided. Providing treatment without a treatment plan is like driving a car with no brakes. Question: Are treatment plans being created and completed for every person in treatment at ACJ? // Regarding Individual Therapy: “Therapeutic programming on mental health residential units is limited” ....” It (the schedule) listed only 1 hour of individual sessions for the entire week conducted by a bachelor’s level intern” Concern: NCCHC’s standard, J-F-03, requires individual counseling “for all inmates who need them.” Questions: How many individual counseling sessions are being conducted weekly at ACJ? Is everyone receiving individual counseling who needs the service? // Note: A subcommittee of the Jail Oversight Board was charged with the responsibility of overseeing ACJ’s compliance with NCCHC ‘s recommendations. What actions has the committee taken on these issues? Did the subcommittee examine people’s individual charts?

**Response:** Mental Health visits, if indicated by the healthcare staff, are able to meet in an interview room or a confidential setting. Not all conversations, with mental health professionals, require this interaction – this is indicated by the determination made by the clinician. Treatment plans are being completed. The survey was completed by NCCHC in September and October of 2019, many changes were made before, during, and after the survey. Individual counseling is provided by a licensed psychologist as indicated.

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**Comment: Maddy Kirk:** My boyfriend lives on 8e. Why were positive coronavirus inmates kept on the same pod as him? He said everyone that is positive moves to another product but none of those inmates moved. My boyfriend has significant asthma and health issues. There were over ten inmates on that pod that remained on the pod instead of being moved. Why is my boyfriend being put at risk to be exposed?

**Response:** We are able to medically isolate individuals on several different housing units. 8E has the capacity to medically isolate individuals.

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**Comment: Carrie Washington:** My son was recently arrested and went through the intake process. He said there were multiple shifts where there were not any nurses in the back seeing inmates. The response he received was there was no medical staff in the building

to put back there. He sat down there multiple shifts before seeing a nurse. How often is this happening because he said other inmates were complaining that this happens all the time now. I have read multiple news paper articles about the jail and short staffing.

**Response:** There have been nurses staffing intake during every shift. Our intake department is divided into several areas and the nurse may be primarily stationed in the "front" on intake. It would be helpful to have dates or names to investigate this. During review, there were a few exceptional circumstances, in the last month, in which an inmate was in intake for more than 24 hours. Lastly, employees at the ACJ can use approved benefit time and there are times in which nursing staff are quarantined due to the pandemic. We have discussed staffing every month and have reported the same response. There are continued efforts to ensure staffing, but this is largely out of control of the building.

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**Comment: Amanda S:** More staff have left over the past month including three agency nurses and others have submitted their two week notices including a medical assistant and mental health staff. Did ACJ administration notify the prison board of these staff leaving? Does the prison board plan to interview these staff members? Everyone is leaving....no new staff are coming in. How much longer will this happen before the prison board actually investigates what is going on?

**Response:** The administration has not notified the board when these staff have submitted their notice. New staff are scheduled to begin this month. Over the last month, the following reasons have been provided for individuals leaving their employment at the ACJ: physical health reasons, new job opportunities, personal reasons.

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**Comment: Mae Menk:** It is unacceptable that the JOB has not had a walk through of the jail in over a year. How are you supposed to monitor conditions that way? Additionally Ritch Fitzgerald should be attending these meetings instead of a proxy. The electronic tablets the prisoners use also require better maintenance, including making sure they are charged, and the fee to use them should be reduced.

**Response:** This is a comment.

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**Comment: Charnita Thomas: Former Officer:** This question is for Chief Williams. As of February 21, the jail had 14 of 30 units no movement on/off, with 4 of them isolation status. Meanwhile, inmates on the other housing units are not getting an hour rec due to the increase in population from the lack of open units. First, knowing all of this, who thought it would be a wonderful idea to resume Hope programming on 2C, when you have the most units closed EVER during this pandemic? Does it make sense to house 32 inmates on that unit while other levels that are NOT isolated or on no movement struggle to provide an hour of rec with their high population numbers? Why not increase 2C back to 65 by taking 5 or 6 inmates off of Level 3, to ensure their entire population is getting their one hour rec? OR . . . With 4 units open, that's an additional 440 beds. Why not open another unit to accommodate the transfer of inmates off of the pods with high numbers, so inmates are getting their one hour rec, under federal law.

**Response:** Throughout the pandemic, many programs have had to adapt in the services that are provided. When individuals are housed on a housing unit together – they are a group/cohort. If services can be provided in that setting, we strive to provide those services. Many inmates have requested resuming services as they are supportive of their overall health/happiness and reintegration. Other housing units are able to receive their recreation time unless they are subject to isolation.

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**Comment: Jodi Lincoln – PA Prison Society:** Concerns and suggestions regarding COVID Vaccination : Can Warden Harper or Dept Warden Williams provide an update on # and % of staff members that have been fully vaccinated. Having this data available on the Jail's covid Dashboard would be extremely helpful. Has the jail developed a policy for reassigning staff members who refuse to get vaccinated so they are not working in contact with incarcerated people? What is the jail's current plan for distributing the vaccine to incarcerated people? Please provide any details about anticipated timeline for vaccination, plan for distributing the vaccine (prioritization, availability to people on intake, logistics, etc.). I encourage the JOB to ask specific questions and for a copy of the policy that has hopefully been developed and written down. I would also like to know specifics about the Jail's plan for educating individuals about the vaccine. How will they be distributing information, answering questions and concerns, etc. Will the medical staff be readily available to speak with folks about the vaccine. Using the tablets could be a great strategy to provide educational materials about the vaccine. As a vulnerable population, it's extremely understandable that people incarcerated at the Jail could be distrustful of the jail's vaccination efforts. How are you taking this into consideration? Thank you for your time and again, I encourage the JOB to push for details and specifics from Jail leadership.

**Response:** Since the jail began vaccinating employees, that information has been provided on the website (though the percentages have not been). The ACJ has not developed a policy to reassign employees who have refused the vaccination. As an institution, there are many mitigating factors to consider in assignment of duties. We do not have a finalized written plan for vaccinations with the inmate population. Information to educate the inmate population is being sent via the tablets, first, and then in person consultations will occur with the healthcare providers when vaccinations begin. The information being sent to the inmate population includes the Emergency Use Authorization for Moderna, Understanding mRNA vaccines, FDA's explanation of emergency use authorization, and some frequently asked questions. We cannot control individuals' belief systems and whether or not they trust our efforts. We will continue to make decisions based on recommendations from the CDC, PA Department of Health, and Allegheny County Health Department.

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**Comment: Rosalie Garfinkle:** As you know, the Jail Oversight Board is mandated to protect the well-being of those incarcerated and ensure the proper management of Allegheny County Jail. How can this be done when the board has not walked through the jail in at least a year? Regular visits are a necessary function of this board. Those incarcerated at Allegheny County Jail are experiencing horrible conditions, including a lack of care given to those sick with COVID. Put yourselves in ACJ to understand what needs to be done to correct conditions and as well as hold the management and administration accountable.

**Response:** This is a comment.

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**Comment: Anonymous123 124:** I am writing on behalf of Michael Kiselka. Mr. Kiselka is a former cancer patient. He is immunocompromised and suffers from residual neuropathy, which causes him severe pain. As you recall, the Jail Oversight Board learned about Mr. Kiselka's plight at ACJ last year. Specifically, Mr. Kiselka's court hearing was postponed eight times because of repeated Covid outbreaks at the jail. After Councilwoman Hallam inform the Board of Mr. Kiselka's situation, he was transferred to Renewal. Unfortunately, for weeks, Renewal refused to provide Mr. Kiselka with neurontin, which had been prescribed for his neuropathy condition, and he received at ACJ. Mr. Kiselka was in extreme pain without his medication. A lawyer attempted to assist Mr. Kiselka and repeatedly called his caseworker at Renewal, seeking to resolve the matter and alleviate Mr. Kiselka's pain. Outrageously, the caseworker threatened to send Mr. Kiselka back to ACJ if he or the lawyer continued to ask for his prescribed medication. The caseworker also refused to speak with the lawyer even though Mr. Kiselka had executed two medical releases. After this threat, Mr. Kiselka was returned to ACJ. Around that same time, Mr. Kiselka's judge for his criminal case changed from Judge Lazarra to Judge Mariani—the judge currently being sued for civil right violations. Judge Mariani ignored Mr. Kiselka's treatment plan and sentenced him to 1-2 years for a DUI. However, that same day, Judge Mariani gave lighter sentences to people convicted more serious offenses. Mr. Kiselka is glad to hear that the JOB and courts are now requiring ACJ to ensure that inmates on quarantine or isolation pods are able to attend their video court hearings. Nevertheless, Mr. Kiselka raises two issues for JOB to address: (1) What is JOB doing to ensure that individuals at Renewal receive their prescribed medications in a timely manner? (2) Why was Mr. Kiselka's case transferred to Judge Mariani?

**Response:** This is for the Board to respond.

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**Comment: Erica Brusselars:** My name is Erica Rocchi Brusselars. I am a volunteer with ALC Court Watch. Thank you for continuing to take time to read and respond to the public's questions. First, I will reiterate my question about tablet revenue, as the J.O.B. and Warden Harper did not answer my query last month. Is any of the revenue from tablets shared back to ACJ part of the contract with the for-profit vendor? If so, what are the specifics of the revenue sharing? How do the actual usage and revenue streams compare to what was assumed or projected when the contract was executed? The public needs to understand what entities are profiting from this revenue stream both generally and with the exceptional confinement that the pandemic, our courts, and ACJ management continue to foster. Second, would the J.O.B. and leadership and staff of ACJ consider using person-centered language when referring to our loved ones who are incarcerated? The simple change from saying "inmate" or "prisoner" to "person who is incarcerated" or "people in our jail" has power. This could be considered for the name of the Inmate Welfare Fund; potentially considering a shift to something like the "Welfare Fund [for People in ACJ]." Our loved ones on the inside are people first and this should be reflected in the words we use.

**Response:** Response regarding revenue will be included in the Warden's presentation.

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**Comment: Alexander Berkman:** Inmates at ACJ are routinely subjected to unsafe and cruel treatment. I would like to ask Warden Harper if he has ever experienced the violence he is comfortable inflicting on others. Warden Harper: Have you ever been arrested or jailed? Have you ever been tasered? Have you ever been sprayed with a chemical irritant? Have you ever been forcibly placed in a restraint chair? Were you left there for more than eight hours with no breaks? Have you ever been solitarily confined? What is the

longest you have been confined with little or no human contact? It seems only fair to me that if the Warden allows inmates at his facility to be subjected to these methods he should actually understand the pain and suffering he is causing.

**Response:** As part of my correctional training, throughout my career, I have been exposed to the taser and chemical munitions. The response to all other inquiries would be no. Additionally, we do subject inmates to unsafe, cruel, or inhumane treatment.

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**Comment: Jesse Dillon:** I recently saw a photo of the food being given to incarcerated folks and it is repulsive. I have heard from someone that there are major inconsistencies with the food, where it will be fine one day and inedible the next. Why is that? What is causing these inconsistencies? The food I received a photo of looked as appetizing as dog food. The incarcerated people at ACJ are human beings and deserve, at the very least, edible food. Maybe the oversight board would be aware of these issues if they did a walkthrough of the facility. Warden Harper has previously stated that the facility follows a contract provided by a food supplier. However, this seems impossible given inconsistencies. The food people are being given at ACJ is inexcusable and must be fixed.

**Response:** This is a comment.

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**Comment: Emma Goldman:** The conditions at Allegheny County Jail include inedible food, freezing temperatures, inadequate medical and mental healthcare, the use of torture such as solitary confinement and restraint chairs, and other horrifying abuses. Any one of these issues on its own would be unacceptable; together they paint the picture of a jail administration that is either unable or unwilling to provide a basic standard of living to those under its care. If the Warden and Deputy Warden are capable of resolving these issues, it is absolutely inexcusable that they allow them to continue. If they are not capable of fixing them, they must resign and allow others to do so. If ACJ cannot be run safely and humanely it should be permanently closed.

**Response:** This is a comment.

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**Comment: Alexander Vanlaningham:** In every one of the past 4 months of the JOB meetings I've attended, questions have gone unanswered regarding the current conditions of the ACJ medical facilities and its staffing levels, the inappropriate use of force and restraint chairs, and the general well-being of incarcerated individuals at ACJ. When asked about these issues individually, warden Harper and deputy warden Williams deflect, dismiss, and outright deny any issue. There's a unifying theme in their attitude that these concerns need not be taken seriously and they have repeatedly avoided responsibility by blaming the pandemic, staffing issues, and other inconveniences. So my question is simple: what do you need to do your jobs? The constant barrage of excuses and dismissals are getting old. Make a wish list and submit it immediately so that the county can go about doing its constitutionally mandated job of providing humane conditions at ACJ. Hell, make it public! And if you and the rest of the JOB board continue to behave flippantly about the lives you are destroying through inhumane conditions at ACJ, there is no measurement for how fast the people of Allegheny county will find others to replace you who will take these matters more seriously.

**Response:** This is a comment.

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**Comment: Abhishek V:** Hello I am writing to demand that the county executive attend future meetings of the jail oversight board. It is unacceptable that in his place, he is sending a retired former employee. I also demand that the jail follow CDC guidelines and provide universal COVID-19 testing for those held in ACJ and make sure that they are able to follow social distancing guidelines and keep each other safe. I would also like to know what the process for charging tablets at the jail is, and would like a walk through of the facility so that we can get a clearer picture of the conditions inside and so jail admin can be accountable. There are complaints of no heat in jail cells - I would like to remind the administrators that people in the jail are human beings and deserve basic amenities and human rights. Not only that, but they also deserve love and kindness and to be treated with respect and compassion. Lastly I want to demand that the warden stop being such a jag off. Thank you.

**Response:** This is a comment.

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**Comment: Michael Latady:** Hello! I'm wondering what the JOB is doing to address the very low testing rates (before and during the pandemic) for Hep C and HIV at ACJ. The "Opt in" model during jail intakes for HIV testing is stigmatizing and leads to further undiagnosed cases. We have seen a shocking increase in Hep C incidence in the area and testing and linkage to care is incredibly crucial, no matter the cost or the criminal history of the individual. This disproportionately impacts vulnerable populations. Thank you for your consideration

**Response:** There are concerted efforts and initiatives to broaden testing for HIV and other infectious diseases and implementations of mobile phlebotomy carts have begun to increase the capacity of those that wish to be tested.

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**Comment: Lee Burkhardt:** If the Jail Oversight Board is supposed to protect the well-being of those incarcerated at ACJ, and ensure the proper management of the facility... and JOB's monthly meetings are supposed to offer the public a voice to advocate for the individuals subject of so many abuses at ACJ... and to offer transparent, readily accessible information collected in warden reports etc. using every metric of measurement this board has objectively failed. During the past several meetings I have often wondered if the members of this board take seriously the tasks they are statutorily required. The list of examples is so long it is painful, nothing short of a tragedy, as the consequences of inaction harm, traumatize, and dehumanize incarcerated individuals. The stakes are much higher. And so, with every excuse for the warden and deputy warden that is made by the JOB. Every day that this board doesn't walk through the facility. Every time a member says "I didn't get around to it this month" or victim blames the failures of improper management and maintenance on the supposed mistakes or "bad behavior" of those held at ACJ: I am horrified. If this forum is the way the public has any hope of protecting, supporting, caring for our loved ones inside the odds are stacked so high against us. Some examples that support my concerns of the apathy of this board are also areas that I can see some immediate steps to increase effectiveness (I request that each of these examples/suggestions be addressed directly by the board): -Demand that county executive, Rich Fitzgerald, attend monthly JOB meetings. It is no secret he is sending a retired, former city employee in his place. His benevolence is offensive. - This board needs to do a walkthrough of the facility. I believe it should be monthly. Covid is not new, and this health crisis should not remain an excuse for inaction. Put some PPE on and do your jobs. -The meeting minutes and warden reports made available on the county controller website are published at an exorbitant delay... the most current warden report available to me as a concerned citizen is December 2020. Oh, and the information presented in the report is from data collected in OCTOBER-NOVEMBER. A four month delay is not transparency, it is insulting. Fix this. Until next time -Lee Burkhardt

**Response:** This is a comment.

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**Comment: Brenda Williams:** My son has been retaliated against and placed in RHU without a hearing simply for filing grievances about the horrendous conditions at ACJ. There is no due process at the jail, and my son says that the warden and jail administrators are taking advantage of the outbreak by further restricting prisoners rights to movement, including to the law library, phones, and rec. COs are coming to work sick with the virus, further adding to the rot of ACJ. I have tried many times to get in touch with Rich Fitzgerald to voice my outrage, including here at these meetings, but he refuses to abide by his own responsibilities by not showing up. When will Rich Fitzgerald start doing his job and come to these meetings so that I may ask him my questions directly? I do not want to speak with a surrogate. Thank you.

**Response:** This is a comment.

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**Comment: Sheila Marr:** Why are you sending captains around telling Officers that we are going to get written up if the inmate workers are caught not cleaning everything on the sanitization list. Or they are telling the workers they are getting fired. With only 8 actual inmates out besides the worker, many areas of the pod are not in contact with the inmates out. Eight inmates aren't sitting at all 15 tables, because the chairs are removed. They aren't touching both railings. Or all the door handles. The pod workers can't get commissary, shoes, or even extra trays most times and you are telling them if it's not all cleaned they'll be fired. Your outbreak isn't related solely to cleaning. You don't have Officers down in intake wearing face shields and N95 masks with new arrests coming in. Then these Officers go all over the building in the elevators for lunch, the locker room, and then forced to other areas for work after their initial 8 hour shift. How many people have been quarantined from all three shifts in intake in the last 30 days and how many of them get forced to some of the pods on isolation now? Are you going to suspend the employees that are able to come to work? ALL of the sergeants, captains majors, deputy wardens, chief deputy wardens, and yourself are not enough to run ONE single shift in this jail. When will the harassment end? Is it easier to do this then test entire units to catch the positive cases and isolate them faster? Because the average overtime hour is running \$39.50, is that cheaper than testing? You won't even ask your bosses to give your employees hazard pay now you gonna send us all home because an inmate worker not getting anything either missed something? Where was this staff attention to detail when we were getting stabbed in your building four years ago sir?

**Response:** This is a comment.

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**Comment: Consuelo Cruz-Martinez:** I do my volunteer work with inmates who belong to the Latino community. I am the only person who visits inmates that speaks Spanish there (there is 1 guard that speaks Spanish). I go there only once a week. I pray with them and

help them cope with their pain of being incarcerated and disconnected from their families. Latino prisoners do not speak English therefore some of them have no idea why they are there, what their rights are and who can help them. They need someone that speaks Spanish in different areas: Social worker, doctor, nurse, teacher, lawyer, paralegal... What you can do to help them? They need a person to represent them and defend their rights and solve the problems of racism and many other problems inside the jail. GRACIAS por everything that you can do to help them. Blessings.

**Response:** We do have staff (correctional officers and healthcare staff) that are multilingual. These individuals do not work 24/7, but are available to provide care. Ideally, we will increase our number of employees who speak varying languages to have a more diverse representation in our employment pool that represents that of those in our care. Also, our tablets have the capability for inmates that speak French and Spanish.

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**Comment: Laura Perkins:** Good afternoon. Today I would like to address two issues: Language access at the jail and the work done at the Discharge and Release Center. I submitted these comments last month and they were not read, so I am submitting them again. Every non-English Speaker I have spoken with that has passed through Allegheny County Jail has told me that adequate language access is NOT provided in ACJ's settings and procedures, from intake to medical requests; jail policies to discharge. Casa San Jose has met with the Warden and provided translated documents and resources to the jail, yet we consistently hear that these resources are not being used. It is the jail's obligation to provide essential information in the adequate language, and this is not being done. I am happy to be a part of solutions, but this is the jail's responsibility. In addition, I request that the jail prioritize hiring Spanish-speaking social workers, nurses, and therapists. Secondly, I know there has been discussion at the Jail Oversight Board over the funding of the Discharge and Release Center. I was shocked that this essential service was not funded in the same way that other essential services like food, medical, and intake are funded. The Discharge and Release Center should not be thought of as a luxury. In the two years I have interacted with employees at the Center, I believe it has changed leadership three times, and each leadership has been very poorly versed in the services available to people leaving the jail. I have shared resources with employees multiple times and the information is not retained. Thus, I request that the Jail Oversight Board recommend that D&RC employees meet with service providers regularly so that they can provide up-to-date information to folks being released. None of the funding for the D&RC should come out of the Inmate Welfare Fund. This part of the jail is essential to its operation, and it should be treated and funded as such.

**Response:** The inmate welfare fund is not responsible for paying for the Discharge and Release center. There have been 2 Lead Discharge Coordinators in the last 2 years. The allegation that they are not well versed in resources is inaccurate and an unfair characterization of the hardworking employees within that department. There has been a lot of proactive initiatives to ensure that individuals receive very supportive services upon their release from the facility.

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**Comment: Peter K:** Last month I submitted a comment to the Jail Oversight Board regarding the use of solitary confinement (also known as segregated housing) at Allegheny County Jail. In that comment I pointed out that experts who study incarceration agree solitary confinement is a form of torture and does not contribute to rehabilitating inmates. I would like to follow-up on the answers I received from Warden Harper. In my previous comment I asked the Warden how many inmates had been placed in segregation in the last month, and the Warden responded that he does not have this data. Can the Warden please clarify – does this mean nobody at ACJ is tracking basic information about the frequency, duration, and reason for the use of solitary confinement? Allegheny County Jail Disciplinary Procedures require that this information be recorded before placing an inmate in solitary. Is this policy being followed? The JOB cannot oversee the jail if it does not have access to basic information about the jail's operation. I request that information about inmate segregation, including the number of inmates segregated, the reasons for them being segregated, and the duration of their segregation, be included in the Warden's Report each month. In my previous comment I also asked the Warden to explain how the use of solitary confinement contributes to the rehabilitation or safety of inmates at ACJ. The Warden responded by listing the reasons an inmate may be placed in solitary, but did not explain why solitary confinement is necessary in any of those situations. Inmates at ACJ spend 23 hours per day alone in their cells, in conditions that could already be defined as solitary confinement. If the purpose of segregating inmates is to physically separate them from others, this is already achieved in their usual housing. Can the Warden explain how placing inmates in segregated housing makes anyone safer, or rehabilitates those in solitary?

**Response:** My response to this comment last month, I do not have the data as to how many inmates have been isolated since the last JOB. Today's segregated inmate count is 241, the length of segregation is determined by the inmates conduct, whether they are a threat to themselves and the orderly operation of the facility and every 30 days each inmate in segregation is reviewed. All inmates must be cleared by our healthcare department prior to being placed in segregation. Supervisory staff and healthcare employees



determine when someone is to be segregated. Guidelines used to determine whether an inmate is segregated is based on the following. Threat to themselves and others, threat to the orderly operation of the facility, violation of policies and procedures.

The Allegheny County Jail segregates inmates from general population for the following reasons, the inmate has committed a violation of jail policies and procedures, threat to themselves or others and deemed a threat to the orderly operation of the facility. We have 2 agencies that review and approve all our policies and procedures of this facility.

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**Comment: Concerned Officer:** Why do we have Officers passing trays by themselves on isolation units. The CDS has reported repeat short term exposure to infected people in a jail setting increases the likelihood of transmission. Why aren't you allowing a pod worker out to assist with meal pass? The guidelines are in the link at the end. Why not have another officer assist or a biohazard worker assist? That Officer increases his chances of catching COVID, but also transmitting it throughout the building going into the elevator to go to lunch. Going into the locker room. Going into the lunch room. Then going back up. Then getting forced again and walking among another housing unit for 7 hours, with a lunch time elevator ride to the break room, locker room, elevators then back up. The numbers are getting worse why not try something different? <https://www.cdc.gov/mmwr/volumes/69/wr/mm6943e1.htm>

**Response:** There are additional staff available for assistance. If an officer needs support, they can reach out to their Unit Managers at any time.

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**Comment: Joe Pasqualetti:** The county executive must join the jail oversight board meetings. What authority does he have to send a proxy? What qualifies this proxy? If the county executive cannot attend meetings then he is unfit for his office. 2. When is the last time the oversight board evaluated, in person and photographs, the meals served at the ACJ? When will the next evaluation occur? This must occur regularly and in-person. 3. When is the last time the oversight board evaluated the conditions with a walk through? When will the next walk through occur? This must occur regularly and in-person. 4. More infectious strains of covid have been identified in the US. I demand regular universal testing in order to identify and treat anyone with covid before the spread gets worse. This would comply with CDC guidelines. 5. With your desire to switch to tablets what is the process for charging tablets, what about repairing tablets with under-performing batteries? Do not restrict access to books and printed materials, these do not require electrical charging!

**Response:** This is a comment.

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**Comment: Elizabeth Schongar:** Considering 1)the very frequent use of the restraint chair & solitary on people suffering breakdowns due to mental illness & drug withdrawal 2)the poor medical care & the overriding of recommended medical care 3)the lack of adequate heating & food When will the Wardens be fired?

**Response:** This is a comment.

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