

The monthly meeting of the Allegheny County Jail Oversight Board was held Thursday, January 7, 2021 as a virtual conference at 4:00 P.M.

Members Present

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

Others in Attendance:

Warden Harper
Deputy Warden Williams

Meeting Guidelines —

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

Announcements

1. Public Comments

Judge Clark:

We're going to start with public comments, and we had a number of them. Some of them were duplicates. People from one organization, essentially providing the same comment so I will not read all of them, I will read one of them. We had a number of them that dealt with issues regarding COVID-19, regarding access to books, and a number of other things. The first comment that I'm going to read the name was "doesn't matter" and it says,

"Why does it state that you will read all comments in entirety as long as they are shorter than five minutes yet you selectively read comments regularly ignoring the bulk of them, This committee seems to appear for paper purposes only oh wait I forgot the spending of the inmate welfare fund"

So, I would just say that we do try to read as many of the comments as we can. It takes a long time to read them and we have other business that we have to discuss. If this were an in-person meeting, we would also limit the length that anyone can speak and the number of comments because the board has to get to business. I apologize if people feel that we're ignoring their comments. We do answer all of the comments in writing and they are posted. If you've made a comment that was not read, if you go to the website, you should be able to see the answer to your comment. I do look forward to when we're back in-person so that personally you can address your issues to the board. I know this is not the ideal way and so I apologize for that. We're going to move to some of the questions, there were a number that dealt with the issue of

COVID-19 in the jail, testing, vaccines, and quarantine. I'm going to read a couple of them and then I'm going to turn it over to Warden Harper and Deputy Warden Williams to address those issues. The first one is from Brian Williams a corrections officer, who states,

"Since December over 50 officers were ordered to quarantine by jail administration before, during, or after their work shift. Some of these officers were on a second or third quarantine order not covered by FFCRA time. Officers filed for unemployment while they quarantined unpaid. Much to their surprise the jail submitted family leave paperwork on their behalf which will interfere with receiving unemployment benefits. County sheriffs and police are paid on every employer ordered quarantine due to their inclusion in the expanded heart and lung act benefit. Act 17 signed by Governor Wolfe in December. Officers at the jail are not covered. Please take every action available to cover those employer ordered quarantine for officers as we are exposed to the risk of infection at a much higher possibility than our law enforcement counterparts. As of December 30th, the county had \$22M in CARES fund on hand and that should be used to aid essential employees at the jail. I'm requesting that the members of council representatives, the county executive's office, and the county managers office do the right thing and cover the wages of those forced to quarantine by Allegheny County"

There's a similar question from Inquiring Mind from someone at the Allegheny County prison employee's independent union.

"Why does the jail board and Warden Harper continue refusing to answer why jail officers and medical staff aren't receiving hazard pay from the CARES Act? For the last three meetings you have actively avoided asking and answering this question. What happened to the money and what is the justification for not giving it to us? The county has the audacity to buy two vinyl banners that tell us we're essential and appreciated and yet we take our staffing to a minimum due to the pandemic and have gone almost an entire year working in this environment without receiving hazard pay."

And there's another one from Concerned Officer,

"why does the county police and the sheriffs get paid when they are quarantined for two or three times, but we do not? Administration is sending officers home for contact tracing and we are forced to go without a paycheck for two weeks with a wife and kids. Why does the county not pay us and who is deciding not to pay us?"

I'm going to stop there, Warden or Deputy Warden Williams so that you can talk about these comments focused on quarantining and the hazard pay or CARES Act fund.

Warden Harper:

Good afternoon and happy new year to everybody. Your honor, we do have people that have been quarantined several times and we will look into that. I can't speak as to what the sheriffs and what the police do, but that's something we can look into. As far as the hazard pay, I can not discuss union because it's negotiated business pertaining to the hazard pay as I stated before. I can not talk about the hazard pay because that's under the collective bargaining agreement. I'm still going to stick to my statement from before.

Bethany Hallam:

May I ask a question? Since we are fortunate enough to have the sheriff on the jail oversight board, I thought maybe he could speak to if that is true. That the folks under him are being paid

when they are forced to quarantine. Because if that is true and it's happening for the other departments, I do believe that's something we should be looking into as part of this board. So, Sheriff Mullen, basically what I'm asking is if you could just confirm what the public comment claimed. When folks in the sheriff's department are testing positive or being forced to quarantine due to COVID-19, are they being paid for that time?

Sheriff Mullen:

Some are and some aren't. If you look at what happened at the 'Broken Egg' where the two deputies had their picture taken when the place was supposed to be closed. We made them take sick days and they were quarantined. They had to use their sick days and take a test before they could come back. Some people who we thought were exposed while on duty, yes, they will be paid for that.

Bethany Hallam:

Okay. Thank you very much. One more thing. Is there anyone other than that incident with the 'Broken Egg' that comes to mind where you have made them take sick time?

Sheriff Mullen:

There may have been some but obviously that was newsworthy and stayed in my head. I don't think so, but I may have missed something. If it was, it was something minor.

Bethany Hallam:

Thank you, Sheriff Mullen. And Judge Clark, I do know that that is something that I've been hearing over and over again from the staff at the jail. They are upset that they are being exposed to COVID-19 and having to quarantine and not getting paid. I don't know what we can do about that. If anyone else has any suggestions but I do know that month after month that's a complaint that we've been hearing from the staff.

Judge Clark:

I guess there may be an issue of whether staff have been exposed in the jail or whether staff were exposed outside of the jail in their own behavior. I'm not going to ask the Warden to comment on that, but I think that's something that we can look into. It's complicated. I think depending on what the situation is. I think probably different county departments are doing some things differently and then some things I think do depend on their selective bargaining unit the things that they get or do not get. I think what might be good as the board is if we frame some specific questions about this issue and maybe we can shoot them to the Warden or the county solicitor to ask for clarification on it. That's the best I can offer at this time.

Judge Lazzara:

Are there CARES Act funds that would be available to help pay? Perhaps it doesn't have to come out of the jail budget, it could come out of the CARES Act. Could we make a request that the CARES Act be used for that?

Judge Clark:

Right now, I think the CARES Act money, I believe the county has received has been allocated. I don't think at this time we would be able to. I don't know the answer to that question. I know for example if we're making people quarantine involuntarily because we believe they were exposed on the work site. For example, if someone came into the court and we found out that person

was positive, and they had significant contact with court staff, and we asked them to quarantine. We would not make them take their personal time. I can't speak on if we thought someone in the court had a party and invited all of their friends and didn't wear a mask and then they test positive and we ordered them to quarantine or if several people from the courts got together and had a party and others were exposed and we made them quarantine. I don't know whether under those circumstances we would pay them or make them use their sick time. So, I think it's complicated and I don't think it's appropriate in a public meeting to try to discuss personnel issues. I think there's a lot of possibilities. I don't know whether CARES Act money can be used for that. But we can find that out and whether that has happened. The Warden sort of said he would check into that, so we can do that. But I think what we should do as the board is to try to frame some specific questions that we can ask with regards to that so we can have some answers and that we may be able to provide. I would just say that we're talking about employees, so they do have a right to know what the issues are and why there might be differences between them and other county departments, like the county police or sheriff's department. I know that we have differences in the court and other county departments and even within the court there are differences in different jobs because of the bargaining unit to which those jobs are attached. So, when they go for their collective bargaining, they discuss those issues and I guess that's what they ultimately agree upon. So, there may even be some differences within an organization depending on your job. Whether you are management, a supervisor, or whatever your job is. Sometimes even in my mind they don't seem to be fair but that's the way it is with the bargaining unit and the unions. That's the best I can say right now. I don't know if there's anything else you want to add Warden. Or whether anyone else has any questions.

Chelsa Wagner:

May I just add one thing Judge Clark? I think this can go to us submitting questions for clarification. But when we're talking about the collective bargaining agreements and I came up against this in our office initially where there was a lot of misconceptions, especially in a time like this. Those are the floor and not the ceiling. So, those agreements should never prohibit the county from extending necessary benefits as I see it. But I think that could be pieced out with some of the questions that we could ask.

Judge Clark:

Okay. Thank you. Anything else that anybody wants to add? So, the next question kind of deal with the vaccinations. This is from anonymous227 44,

"Vaccinations (I) Educating Inmates about the Vaccine What's ACJ plan to educate inmates about the vaccine(s) that will be offered to them. What specific materials are ACJ providing inmates so they can make an informed decision? Who wrote them? How is the ACJ providing or presenting this information to inmates? Can it be put on the tablets and in paper packets? (II) Employees Who Refuse Vaccination If there are correctional officers or other ACJ employees who refuse to be vaccinated, will they be permitted to have a work detail where they work in direct or close contact with medically vulnerable inmates? Employees who are not vaccinated can continue to spread the virus. How is ACJ protecting these inmates from getting infected? How many employees have refused to be vaccinated thus far?"

Warden or Deputy Warden Williams is there a plan for the vaccine so far in the jail?

Warden Harper:

Right now, we do not have a plan to vaccinate the inmates at the Allegheny County jail, at this moment. As far as the other questions pertaining to employees refusing the vaccine. You know people can refuse the vaccine. We just haven't got to a point as to what exactly we're going to do when it comes to employees that are refusing the vaccine.

Judge Clark:

Has the vaccine been started in the jail yet? I know there is a sort of roll out of the vaccine nationally so has any rolled out to the jail yet?

Chief Williams:

If I may respond to that. The CDC has come up with interim vaccination plans. Pennsylvania has one specifically as well. We're very fortunate that we've been offering very recently within the last 10 days, started offering vaccines to employees. So far 110 employees have elected to be vaccinated. We have another clinic for employees that will take place tomorrow and over 130 have expressed additional interest in getting vaccinated. As the Warden spoke before, choosing to be vaccinated is still a personal choice. People have to evaluate that with the information that's available. We're providing the Moderna vaccine onsite in collaboration with the Allegheny County Health Department. We wouldn't have been able to do this without them and we appreciate that they have prioritized our population as well. So, we've continued to provide the manufacturer information for the Moderna vaccine as well as encourage employees to meet with their personal healthcare providers so that they can evaluate those decisions for themselves. We are not mandating our employees to get the vaccine. We are still ensuring that all different diseases mitigation efforts are continuing to be followed such as the mandatory mask wearing, as well as all the environmental cleaning, social distancing, and continuing recommendations with screening employees. We will follow a roll out plan as well for the inmates and we will not require them to be vaccinated either. So, we have done clinics in our institution for flu vaccines for both inmates and employees and we will be following the same strategy which is identifying those that are the most vulnerable to be vaccinated first in our inmate population and then extending that to general population. We're still finalizing those details, that will be done with our infectious disease coordinator, guidance from the Allegheny County Health department any additional guidance that we can get from the CDC or the PACOH and our medical director.

Judge Clark:

So, part of the question dealt with is there going to be any effort to educate the inmates about the benefits of the vaccine, the side effects, and those kinds of things? And if so, how will that happen? Who is preparing that information? The question was, can it be put on the tablets as well as given in some other written form to the inmates so that they can make an informed decision as to whether or not they should be vaccinated.

Chief Williams:

We're going to explore any and all avenues. Typically, what we do for education with the inmates is townhall meetings. Those are in person meetings with individuals who are readily available to answer questions. We will have signage posted so the individuals can read and educate themselves. Now that we do have a tablet platform, that would be an ideal scenario to get that information out. But we would still want our healthcare providers to be able to answer those specific questions for the inmate population so that they can make those decisions.

Judge Clark:

Sure. I'm assuming that there are some existing public service announcements or videos about the vaccine. If possible, it might be a good idea to try to get those and have them accessible on the tablets so that the inmates could view them. Does anyone have any questions?

Bethany Hallam:

I do. I thought I just heard you say, Deputy Warden Williams, that you would not be mandating that the staff at the jail get the vaccine.

Chief Williams:

No. We will not be mandating employees to get the vaccine.

Bethany Hallam:

And why is that? Why are you not mandating that?

Chief Williams:

We're not permitted to mandate. There are some populations that have exceptions. Additionally, individuals have the right to make those choices for themselves.

Bethany Hallam:

Okay so you're saying that the Allegheny County jail is not allowed to mandate that the staff members get the vaccine? I don't know that I read that anywhere.

Judge Clark:

I don't think you can force anybody to get a vaccine. If there's an issue in terms of the job, I think they can say that you can't have this kind of contact with certain people. But I don't think we could order our court employees to have the vaccine either. But if there's an issue with that I think we can reassign them to a different job.

Bethany Hallam:

That's what I'm wondering. For the corrections officers that have direct incarcerated population contact, we can mandate that if you want to continue having direct incarcerated population contact that you have to get the vaccine in order to do that.

Warden Harper:

No, we have not done that and we're not going to do that at this time Ms. Hallam. We can not mandate these guys. These guys work under a CBA and we just have not and will not do that at this time.

Bethany Hallam:

Okay. So, just to clarify. Are you saying that the CBA is what prohibits you from mandating vaccines?

Warden Harper:

I did not say that. I said that employees have bids and we can not arbitrarily take them from their bid. So, it's a whole lot involved and just trying to remove someone from a post if they refuse a vaccine. So, right now these guys can refuse the vaccine at this time.

Bethany Hallam:

Thank you for that information.

Judge Clark:

Anybody else? We have a long comment from the Prison Society, from Mr. Kenstowicz. It says,

“THE JAIL OVERSIGHT BOARD’S DUTY TO INVESTIGATE “INADEQUATE PRISON CONDITIONS AND IMPROPER PRACTICES” AT ACJ The state statute regarding the Oversight Board’s duty to conduct investigations at ACJ reads as follows: 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. I have never known the Allegheny County Oversight Board to have conducted an investigation of ACJ by interviewing staff, interviewing people incarcerated, reviewing records and completing a report. The Board relies too much on information that the Warden provides. The authors of the statute governing the power and duties of the board purposely did not include the warden on the board because oversight must be done by an independent body and not the warden. ACJ experienced 7 successful suicides from March of 2016 to September of 2018. This suicide rate was one of the highest rates in the country. Did the Board conduct its own investigation of these many deaths by interviewing staff, people incarcerated and reviewing records? After much delay, the National Commission on Correctional Health Care(NCCHC)found many problem areas needing improvement regarding suicide prevention. During the period of time when there were many allegations of transgender people being mistreated at the jail, did the Board respond to the complaints by conducting an independent investigation of the problem by questioning staff and people incarcerated, and looking at records? People providing comment at the oversight board meeting possibly would not have become as “loud or unruly” if they were informed that the Board conducted its own independent investigation of the problem. When the Warden announced that there were no Covid cases among people incarcerated but there were 10 cases among staff, did the board contact medical to assess whether there were medical complaints of Covid like symptoms from people incarcerated? Regarding the two law suits, has the Oversight Board conducted its own investigation of how restraint chairs are used at the jail? Have they conducted their own investigation regarding the allegations of abuse and the absence of mental health services? Has the Board looked at the records of the person who recently died at the jail and talked with staff? Recognizing the dangers of the pandemic and stopping the spread, it seems that the Board could interview staff and people incarcerated by phone or zoom and review records which are electronic. As a last statement, it is possible that if Janet Bunts, the HSA hire who recently left, had a relationship with the Board and felt support from the Board, she might be still working at the jail.”

That’s a lot so I would just say I can’t comment on what the board did in March of 2016 to September 2018. But I would just say that with the NCCHC report, the jail is making every effort to follow and implement the recommendations that that report has. With respect to the transgender population, we did sort of have a discussion about that. I had a law student intern this past semester who did some research on it. He wrote a very good memorandum and I sent it to the board to look at. We will have some discussion about that at our next board meeting. That will be on the agenda to discuss. Erin Dalton from the department of human services has

reached out to the Warden to work on doing some training with the staff on those issues. So, there are some efforts being made to work on the issues of the transgender population. I agree there's a lot of work that needs to be done on that and I am hopeful that we will be able to make some changes with regard to that once we have reviewed the memorandum and once there is some training in place. In terms of the lawsuit, the board did have an executive session to review the complaints that were filed and as a result of that the board has instructed me to contact the county solicitor to ask for information on some of which is mentioned in this comment. I have contacted the county solicitor. We will be meeting to discuss it and hopefully we will be able to get some of the information requested. I don't know whether the county will agree. It's certainly inappropriate for me to ask the Warden for that because he's part of the lawsuit so we have to go through the county's solicitor. We are trying to do that. I don't know whether anyone else on the board wants to respond to this particular comment? Or whether the Warden or Deputy Warden has anything that they'd like to say? But the board members, were all apart of the executive session. Is there anything that anyone wants to add? So, we've received seven comments from Casa San Jose, which were essentially the same so I'm going to read one of them. This one is from Anna Clark. It says,

"I am very concerned with how the jail is handling Covid cases and I call for universal COVID testing of all jail employees and inmates. While the Deputy Warden may not consider this a necessary precaution, the Inmate Welfare Fund can be used to pay for these expenses. Covid precautions are necessary and the Jail Oversight Board can determine that universal testing be required."

I think sort of at the beginning or sort of in the middle of the pandemic we did have a lot of discussion about this and whether there would be universal testing. The board had an executive session with the medical director to receive the additional information to be able to respond to these questions. And there was a significant period of time where there were no inmates testing positive and I think again while there was an issue I think things are sort of under control but I will turn it over to the Warden and Deputy Warden to provide any additional information or comment.

Warden Harper:

Thank you, your honor. First of all I just want to say again, thank you to all the employees that work at the Allegheny County jail for doing everything that they are doing to mitigate the spread of the virus in our jail. If you look at surrounding jurisdictions in Pennsylvania and the nation, you will see the jails of our size we are doing pretty well when it comes to the mitigation of the virus inside our jail. All I'm saying is we're doing really good for a jail our size. It's the largest jail in Pennsylvania and I just want to commend the men and women in their mitigation efforts at the Allegheny County jail.

Judge Clark:

Does anyone have any questions or comments?

Bethany Hallam:

I do Judge Clark. Since our last meeting the CDC has updated their guidance in favor of universal COVID-19 testing in congregate settings such as jails. It was on December 3rd, 2020 that they updated their guidance. I know that over and over again when asked why we haven't been universal testing; the jail administrations response has been we are following CDC

guidelines and they are not telling us to test asymptomatic folks. Well now they are. So, I'm wondering why we are not now continuing to follow the CDC guidance and implement universal testing at the Allegheny County jail.

Chief Williams:

I can respond to that. That's not accurate. We are not doing that we've not done that facility wide. But we've been working the entire time with the Allegheny County Health Department under their guidance when ever we have a positive case. And there have been several housing units that were tested very recently due to positive inmates on those housing units. And there were asymptomatic individuals who were also found to be positive on those housing units. I think it's important to understand that we are still following the guidance. This isn't anyone's personal opinion within the institution. We are doing what we are advised to do, and we have done so in a number of designated units.

Bethany Hallam:

Can I ask what is the rate of COVID-19 among the incarcerated folks who are asymptomatic at the jail?

Chief Williams:

I do not have those statistics right now.

Bethany Hallam:

Right, because the only way to get those statics would be to follow the CDC's updated guidance and do universal testing. No just on selected pods. Not just testing the same people over and over again. And not just testing people that have come into contact with a confirmed positive case. I can forward you the updated CDC guidelines if you would like to read them.

Warden Harper:

You can forward us the CDC guidelines Ms. Hallam. We would really appreciate that, but as the Chief said, we're following guidance from our health department and when our health department determines that everybody needs to be tested then we'll do that. That's what we've done thus far.

Bethany Hallam:

No. Actually to correct you on that, every month you have stated over and over again that we are following the CDC's guidance. And the CDC's guidance has changed and yet now you're not following the CDC's guidance anymore. I'm just wondering if you could explain to me why we are no longer following their guidance when that has been the answer that we've been given month after month.

Warden Harper:

I want to correct you Ms. Hallam because we have not just stated that we are following the CDC guidelines. We've also said CDC, Pennsylvania Health Department, and the Allegheny County Health Department. So, a collaboration of all. We are in Allegheny County so of course we're going to take a lot of our directions from the County Health Department. So, that's what we're going to do Ms. Hallam.

Chief Williams:

I think it's also important to comment that the guidance has expanded which also includes rapid testing which is not something that we currently do in the facility. You have to have a clear waiver lab in order to do rapid testing. We have done universal testing on housing units where there has been a prevalence. I do not have the statistics because I was not prepared for that question. But I'm certain I could give you that information at a later time. We are continuing to follow the CDC guidance as well as the advisement of the Allegheny County health department because not every institution is the same and we are doing what we believe to be in the best interest of the institution.

Bethany Hallam:

Thank you. I would appreciate that information that you offered. Also, if you could tell us if there is a certain person at the Allegheny County health department who has ordered you to stop following the CDC guidelines? Is there a specific person that we as members of the jail oversight board should talk to, to get them to start doing that? I'm just wondering who you're in connection with that I should reach out to?

Chief Williams:

Nobody at the Allegheny County health department has advised us to stop following the guidelines. I think that you're very liberally applying the expanded availability of testing underneath the CDC updates from December 3rd, 2020. We are continuing to communicate very frequently some of those members have been present in the jail oversight board meeting including Dr. Brinkmen. We primarily speak with Jennifer Fitner and Dr. Christian Mertz. When available, because Dr. Depbogan is very busy we do also coordinate and consult with her.

Bethany Hallam:

Okay. Thank you very much. I will send you over a copy of that guidance just to help you out.

Judge Clark:

We have a comment from Lori Laber about the conditions at the jail. The comment says,

*“*23 hrs in 1 hr out... (Driving inmates insane) *Mildew on the ceiling of 2F *No hot water/No heat (how many will die from pneumonia and ACJ classify it as covid) *Water leaking down the walls of 4B *72 Hr lock-ins with no reason (guards in full PPE) *ICE... it's so cold in the jail there is ice on the INside on some windows. *Redactions *Laundry * conditions (Rat feces) *Kitchen* conditions (Rats, feces, expired... rotten food, calcium so bad in the water... that when it's boiled... workers have to dig it all of the top. *Suicide attempts (a woman on video with an inmate saw the man fall behind. He fell from 2E and landed on 2C. Family hardly notified. ACJ cover ups) *inmate care* They need blankets... Real Food... Real mental health care... * Hush money... ACJ providing \$50 hush dollars to keep inmates quiet. *Pills... how many inmates came in UNmedicated and are now taking pills daily. Nighttime pills... how many are now taking them? How many inmates came in the jail with minor mental issues and now have things as bad as PTSD? These inmates are human beings!!! They are loved ones! Some are only in there still due to postponements and holds. Get it together!!!”*

So, I guess I'd ask the Warden and Deputy Warden to address the issues that were raised in this comment about the conditions.

Warden Harper:

Let me start off your honor. As I stated before on many different occasions that the ACJ is under a federal court decree, in which we can only allow 10 inmates out of cell at one time. Therefore, that decree has made the inmates only get about an hour out a day. We have to follow that decree. Recently, about a month ago we did get the approval to allow 25 inmates out but of course I'm not going to do that with the COVID-19 cases rising in the county. So, there's no way I'm going to allow 25 inmates out and there's an increase in COVID-19 cases in the county. As far as the hot water, we did have an issue with the hot water, and it was fixed immediately. It's just like your home, you know sometimes in your home your plumbing goes down or something like that and you have to call the repair man to fix it. The same things happen with the jail. When we did have a hot water issue our maintenance department was notified and it was fixed immediately. As far as the temperatures in the cell blocks, I walk the cell block frequently and it is very comfortable in the cell block. And if the inmates are complaining, we know the corner cells are colder, we'll move the inmate from the corner cell. We give them two suicide heavy blankets so that they are warm. And the "\$50 hush money", the ACJ doesn't give any money to the inmates. I really have a lot of issues with the comment that this person made because it's just not true, some of the stuff that's in the comment.

Judge Clark:

Thank you. Does anyone have any comments or questions concerning this particular comment?

Bethany Hallam:

I do Judge Clark. Just a couple. The first one and the one that the Warden did not address was about the incarcerated person who fell over the railing.

Judge Clark:

I think the Warden is going to address that later. I asked him to address that during his report. So, he will address that later.

Bethany Hallam:

Okay. Thank you so much for that. The next question I have is about the lack of real recreation time. How many pods in the jail right now are closed?

Warden Harper:

Five.

Bethany Hallam:

Okay. So, we have five closed pods with no one on them. Has the jail administration at all considered opening up the closed pods so that we could spread folks out and give them increased recreation time?

Warden Harper:

We're not going to do that Ms. Hallam because we have to be prepared for another increase in COVID-19 at the jail. Now when we have outbreaks, we will open up pods like we've done with 7E etc. But there's no way we can sit up there and open up every pod where I don't have anywhere to put people when every pod is contaminated. So, there's no way that I can do that Ms. Hallam. I've got to have places available for when we do get an outbreak, we can move

individuals. If I occupied every pod, every pod is going to be contaminated and I can't move anybody.

Bethany Hallam:

Okay so, it's just out of a precaution for protentional future COIVD-19 cases?

Warden Harper:

Just as we've been preparing for this whole year that we've been in this pandemic. With these pods being open, we're able to open up pods so that we can mitigate this virus from spreading.

Judge Clark:

Anything else? Alright. So, the new group of comments and there were so many of them dealing with books. I will just state who they're from. We had a comment from Sister Karen A Stoila, who was a past board member for Lydia's Place and a past advisory board member for Renewal and volunteer at the jail. We have one from Laura L Burkhardt. We have a comment from Jodi Lincoln. And we have a comment from Ruth Craig. And a comment from Abhishek Viswanathan. So, those are the comments that deal primarily with the books. I'm going to read the one from Jodi Lincoln, she's with Book'em; PA Prison Society; and CADBI West. She says,

"I'm the Co-Chair of Book 'Em and was highly involved with the organizing around ACJ's Book Ban this winter. We were all very glad to see that the Jail has restored access to ordering from Barnes and Nobles.com and christianbooks.com. It's a shame this was done in the first place, especially without any consideration to the legal implications and harm it would cause people at ACJ. The expansion of ebook titles with OverDrive and CLPGH partnerships is also encouraging. We would; however, push the Jail Oversight Board to do more when it comes to expanding book access at ACJ. Book 'Em would love to be able to send books to individuals at the jail and I'm sure friends and family would like the option to purchase from other vendors, especially given current cultural emphasis on supporting local and black owned bookstores. It was a shame that at the last meeting, you did not end up having a discussion about access to books, especially since this has been a topic of the IWF subcommittee and at the September JOB meeting Judge Clark and Judge Lazzara both specifically talked about your commitment and interest in expanding access to books and there was a unanimous vote that the Jail should investigate ways to expand access by implementing a screening system. Please do not abandon this work and process just because of the introduction of tablets. Our petition, which was sent to all JOB members before the December meeting outlined 5 specific demands, none of which have been met by the current policy (they are outlined below as well). This petition got over 1,700 signatures. We will continue to push for better policies for book access and better conditions overall for people at the jail. I would be more than happy to talk to you about this personally or continue the conversation via a phone call. I have immense personal experience dealing with book access in prisons - both locally in Pennsylvania and working on Censorship campaigns around the country. There is a wonderful network of experts and professionals who are committed to extensive book and educational access in jails and prisons and it would be wonderful for the JOB to join those ranks. Petition Demands - The ability to order books for our incarcerated loved ones, friends and clients from an expanded list of approved vendors, The recognition by county officials of the rights of incarcerated persons at the ACJ to access, use, and read physical materials (book, magazines, manuals, etc Book 'Em, Pittsburgh's local Books to Prisoners Program, be allowed to send books directly to individuals at the jail so they can have FREE access to books. The immediate establishment of a comprehensive, expanding and

funded library of culturally, legally, and educationally enriching materials that meets or exceeds the best practices and standards of carceral libraries, accompanied by regular and universal access for all. Public transparency from Allegheny County Jail about which titles are currently available on the tablets and how they are selected ; the rules, regulations, and restrictions for the use of tablets including time allotments and the qualifiers and rationale used to determine which individuals are prohibited from use of the tablets.”

In advance of the meeting I think I communicated to the board that I would like to have a little bit of discussion about the issue of books. In particular, whether we wanted to partner or be involved with ‘Book’em’ to expand access to books for inmates in the county jail. So, I’m going to ask the board members to tell me what you think.

Abass Kamara:

I would just say on faith and I don’t want to assume I know all the complexities here. From what I heard and read about ‘Book’em’, they seem to be a pretty reputable and thorough organization in terms of connecting the incarcerated with reading material which is really helpful. I know Jodi Lincoln from some other work and respect her, her energy and passion on this issue and heard some other folks asking about this issue in particular. I want to be mindful of the security issues that are always top of mind at the jail but I obviously want to see how we as an entity can try to push the envelope in a way to provide more robust services. Especially in terms of literature and reading for incarcerated.

Judge Clark:

Thank you. Does anyone else have any comments or suggestions? I guess the question is, Mr. Kamara has indicated that he is familiar with Ms. Lincoln and he would be willing to have a conversation, would anyone else like to be apart of that or join him? Obviously, there needs to be some discussion with the Warden about whether there are any security issues. But I would say that this is something that ‘Book’em’ does within jails and prisons with the issues of books. I think that would be an ideal way to expand it, to work with an organization that already does this. If we’re going to do it. That would be my two cents on it.

Bethany Hallam:

I just wanted to let you know that after we mentioned this a few months ago. I reached out to sergeant; I believe he is at the DOC. Who’s in charge of this for the statewide prison system who’s in charge of the screening process for the books. And he has offered to come to Allegheny County in person if we need help making a plan for how we can implement the screening process for ‘book’em’. He has offered to virtually attend our meetings and answer any questions we may have. So, I just wanted to let you know that that resource is there if/when we decide to move forward with these conversations. And I would like to be apart of them.

Judge Clark:

Alright. Anyone else have any comments or thoughts? Personally, I think that books are always a good idea and if books can help people that only get a couple hours out of the cell, a book is a productive way to pass time. I would like to explore and maybe start by setting up a meeting with Ms. Lincoln and obviously the Warden or who ever his designee would be and any of the board members who would care to do it. Just to talk and get some more details about how ‘Book’em’ operates and then to move forward from there. Does that sound like a good idea?

Judge Lazzara:

I think it's a wonderful idea Judge Clark. And I think physical books are a wonderful thing. I don't have a kindle. I read physical books. It's really important for people to be able to sit there and have that book and be able to read. Especially if they get charged for reading them on their tablets because there's too much time. I think it's a really important thing to do. It was one of the priorities that we wanted to use the inmate welfare fund on. I think we can even ask that there be some inquires made by the folks down at the ACJ to look into what it would take to satisfy their security concerns with the books. I'm certainly all in and if you need me to be on a committee, I will volunteer to do so.

Judge Clark:

What I would propose. I don't think this really needs a motion but if it does, I would ask someone to make one. I would reach out to Jodi Lincoln and try to get some time that she might be available and we can set up a meeting and I can send that out to the board and who ever wants to be apart of it and is able then I would ask that we then begin the discussion as soon as possible. Does that sound like a good idea?

Judge Lazzara:

That sounds awesome. And if you need a motion, I so move that we proceed in that way.

Bethany Hallam:

I second it.

The board unanimously approved a motion by Judge Lazzara, duly seconded by Bethany Hallam to approve a meeting with Joni Lincoln to discuss Book'Em program.

Judge Clark:

I don't know if Ms. Lincoln is participating in the live meeting. I do have her email address and I will contact her probably when this meeting is over. I'll send her an email and try to get that set up. So, we have a comment from Laura Perkins, who is an official visitor with the PA Prison Society and also the Emergency Response Organizer at Casa San Jose. She says,

"First, I want to commend the Jail Oversight Board on voting in favor of doing exit interviews with ACJ employees. I know you all have a lot on your plates, and I appreciate this show of commitment to the Board's mission. Secondly, in my public comments at last month's meeting, I made a formal request that every single member of the Board read this complaint before next month's meeting and that there be time allotted in next month's agenda for questions and discussion of the report. I respect that because this is an open legal case that individual board members don't want to comment publicly. In response, I want to point out two things - 1) The Warden and his employees are NOT official members of this oversight board. I try to express this in all my comments, and yet his voice and opinions continue to be heard and valued far above others'. 2) I am simply asking for a roll-call of each board member for each to answer, Yes or No, whether they have read the Complaint. Can we do that right now? Third - I want to make yet another request that all jail employees and inmates get a COVID test. The last time I asked this question in my Oversight Board comments, Deputy Warden Williams said that one of the reasons that could not be done was because they didn't have the resources for all the necessary PPE involved. She also mentioned, if I remember correctly, that if ACJ tests

everyone, they will not have the resources to address the potentially large number of positive results. In response to the first, I propose that the Inmate Welfare Fund to be used to make up for any costs associated with the universal Covid19 testing that cannot otherwise be met. In response to the second, I would like to say two things. This decision should not be made by Deputy Williams, who does not have the adequate medical experience. Secondly, if an inmate or employee has Covid, we need to know about it. We are at a tipping point for Covid cases and in the jail. Simply living or working in the jail should be enough justification for a Covid test. I formally request that the proposal for universal Covid testing for both ACJ employees and inmates be reconsidered. Thank you for your time and dedication to transparency and justice.”

I would just say that, and I have mentioned some of the other things. I'm not going to do a roll call, but every board member was given the complaint. We had an executive session and I'm assuming they read it. I'm not going to do roll call to ask them whether they did. And as I stated I've reached out to the county solicitor for some more information on behalf of the board. I don't think I can really discuss any more than that at this particular meeting. With respect to the presence of the Warden and the Deputy Warden, no they are not members of the board but I can say I have served and continue to serve on several boards and I would say that I've never been on a board where the CEO or executive director, or person in charge did not attend a board meeting and provide information. The board members don't work at the jail and don't have all of the information, so we do have to rely on the Warden and the Deputy Warden and other jail staff in order to get information. I personally do value the information and their opinions, but I am willing to listen to anybody that has information and an opinion. I think that's all I have to say about that comment. I don't know if anyone else has anything to say at this time.

Bethany Hallam:

Judge Clark, I want to say something. I sent an email earlier to the members of the board with a link to a source article that has a lot to do with what the lawsuit is about and I wanted to use this time to make a formal request of the Warden for certain documents. I'm just wondering if now is the time? Or should I wait until the Warden's report later?

Judge Clark:

You can do it now.

Bethany Hallam:

Okay. Again, this is kind of based off the lawsuit and also based off the fact that I learned a lot of the things I've been wanting to learn about the things happening at the jail through a journalist. And that has been happening a lot lately and as much as I love local journalism and respect our local journalist, I just kind of hate being blindsided by them especially as a member of the jail oversight board. There are some documents that were used to write an article and since they were given to the journalist, I assume that it would be no harm in members of the jail oversight board having these documents. Warden Harper, I know you submit us a pretty detailed packet every month for the meeting and I'd like to give you a list of the things I would like to see in that packet going forward. The first thing is the psychiatrist que. The next thing is a healthcare shift report, this shows the number of people approaching the 24hr mark of being in intake. The medical schedules, which shows the number of people who are scheduled to be at intake for each shift. Then, the mental health specialist que, this is where incarcerated folks request to see a mental health specialist are logged. And the medical sick call que, also known

as the medical SCR que. Those are documents again that journalists were able to get a hold of and I think those documents would answer a lot of questions that we as a board have had. Since the jail is already required to have these documents and maintain them. I would like to request that each month with the rest of the Warden's report that we get this information as well.

Warden Harper:

Ms. Hallam, what I'm going to do is, I'm going to consult with my law department to see if I have to provide that information. And once I get guidance from the law department then I'll let you guys know whether or not I can send those documents.

Judge Clark:

I guess the point of Ms. Hallam is if they were provided to the news media then they should be provided to the board. I would tend to agree. I mean, everybody on the board may not choose to read them all but if these are things under the right to know law or other law that the jail has already provided to the news media then there shouldn't be an impediment to providing them to the board. I don't have any problem with you checking with the solicitor and that's one thing when I talked with Mr. Szefi, I can ask him about that myself as well. I think that the point of Ms. Hallam is that we would like to also know too and not find out about it in the news media. If these are things that you already provided or can provide to the news media, then she's requesting that you provide them to the board. Is that accurate?

Bethany Hallam:

That is accurate. And additionally, section 1724 Part E of the statute that actually authorizes us as a jail oversight board, specifically says "the book, paper, and records of the prison shall at all times be available for inspection by the board".

Judge Clark:

Well there's a difference between inspections. There are things that we can go and look, and we may not be able to have a copy and have physically sent to us. So, that's a different issue. There may be things that we can go see if we want to go to the jail to see them. We can make sure that they're seen. I am of the opinion that if they have been provided to the news media then we should have them. That's what I would say. Maybe the news media got them and weren't supposed to have them and someone else gave them to them. So, I think it is fair for the Warden to check with the solicitor, but I'm just saying in my opinion if this is something that was given at the new medias request then there should not be any reason that the board can't have these documents. So, we'll get back to you on that. Is there anything else?

Bethany Hallam:

I agree with you completely Judge Clark. I just wanted to thank you for explaining that.

Judge Clark:

Sure. So, I have another comment from anonymous,

"Did the jail lose it's contract to house federal inmates? If not, why are federal inmates being transferred to other jails in the area? Is it true it's because of how poor the conditions are in the ACJ?"

Warden Harper:

We have not lost our contract with United States Marshal Service. And I just can't answer as to why inmates at Marshal Service decided to make those transfers. So, that's something I can't answer at this time. But we do have several marshals here and we have not lost the contract.

Judge Clark:

I can say for the board's information. With the latest sort of COVID-19 outbreak, of course as the president judge I requested that our pre-trial services, our magisterial district judges, and judges try to release as many people as possible and when setting bail, consider the issue of public safety. To only incarcerate those that pose a safety risk so that people are in for very serious charges. I also reached out to Judge Hornack the chief judge of the US district court for the western district of Pennsylvania and asked him to let his magistrate judges know of the situation at the jail so, when there setting and arranging bail that they also make the same considerations. That could have been part of it. I don't know but I did reach out to everyone to try to help with that effort. I just want to throw that out there. The next comment is from Amanda James,

"The jail has been on the news lately along with a lengthy article where 15 former employees spoke out about the conditions and management at the jail. Over the past few months, multiple questions have been posted to this board asking for the oversight board to investigate the jail, talk to the staff. NOTHING has been done so far and conditions continue to get worse. Administration continues to lie. You haven't been doing anything to address the concerns posted on this board. When is enough going to be enough?"

I'm not sure that there's a response that goes with that but it's a comment I decided to read. There's a comment from anonymous347 345 about missing court hearings,

"Missing Court Hearings Currently, for an inmate to attend a court hearing, he must be escorted to the video conferencing room on level 5. The inmate sits in a cubicle, and the hearing is conducted using a computer. However, dozens of inmates have repeatedly missed their hearings because of ACJ's near daily lockdowns and quarantining of housing pods. This has delayed the release of many individuals from the jail. Why can't the hearings be conducted with the tablets? Inmates would be able to attend their hearings even if their pods were on lockdown. Privacy wouldn't be a problem because these hearings are public. Also, it's just as noisy when speaking with the judge in the cubicle as it would be in a person's cell. Hearings on the tablet would also decrease the correctional officers' workload because they wouldn't have to escort inmates to the video conferencing room."

I did reach out to our criminal division administrator and also our chief deputy court administrator who oversees the MDJ offices. There really have not been a lot of delays in court hearings and scheduled court hearings because of the lockdown. I can ask Judge Lazzara to give her personal feedback on that. Ms. Stock, the deputy court administrator and Angharad Stock indicated that there was one day where, because of the quarantine that all the preliminary hearings couldn't be held but that was just the one day. And they didn't feel it would be much of a problem. We can not do them on the tablets. Our IT department said for security issues that's not going to happen. So, inmates will not be able to do their court hearings through the tablets. Judge Lazzara I don't know what your experiences have been with the quarantining of inmates and whether you have experienced significant delays. I would just say that if someone has to be

quarantined, they have to be quarantined. I don't know any way around it. It would have been useful if you could use the tablets but we're not able to do that.

Judge Lazzara:

Well for the two weeks before Christmas, our docket was absolutely impacted by people on quarantine. And some of them were people that when they would have pled out, they would have been going home because they had probationary sentences that were agreed to by the commonwealth and the defendants. So, there is no doubt that my docket was impacted by the quarantine. I don't know who said that wasn't happening but maybe it was just me that it was happening to, but it was certainly happening on my docket. I do not believe that using the tablets would work because of the noise that you would have to try to do a plea with all of the noise. The people on the pod and it's pretty hard as is in the video rooms because there's noise from other hearings and other outside noise. It really makes it very difficult as is to hear and for people to hear me and for me to hear them. There's an awful amount of feedback so, I'm not sure that would ever work with somebody who's in a cell with a tablet with other ambient and noises around. I'm just not sure that we'd really be able to have that done. That would be my concern certainly with the tablets as well as other people would be surrounding them giving them answers or telling them things on the tablet. Whereas in our little video rooms we sort of know that there's only one person in there and they're actually answering the questions. That would just be a concern that I would have. But we definitely were impacted by the quarantine and had multiple people that were unable to engage in hearings. We tried to reschedule them as quickly as we would. That's the best that we could do. We had to wait until the quarantine period was over and as soon as the quarantine period was over, we tried to reschedule. Some of those people were not off quarantine yet and we had to reschedule them again. We've been trying to put them on as quickly as we possibly can.

Judge Clark:

Thank you. Anyone have any comments or questions? We have comment from Nicole Dee,

"Hello, I am commenting on the availability of cleaning products in the jail. I was told that folks are only able to access cleaning products from 8:30-2:30 and if you aren't let out for your one hour "break" during those hours you won't have access to cleaning products. During a pandemic this seems absolutely inhumane and unnecessarily restrictive. The food in the jail is also a big problem - lacking nutrition value and not meeting the caloric needs of folks inside. Please use the inmate trust fund and put at least \$150 on the books for everyone in acj. You have the money and folks will be able to make up some of the nutritional/caloric deficits by buying food via commissary. Be humane. These are living breathing people you claim to be rehabilitating. Stop treating them WORSE than animals."

So, I think we have sort of talked about the food and then we have another comment about that so I would just ask the Warden to talk about the issue of the availability of cleaning products.

Warden Harper:

The inmates are required to clean their cells at least once a week they get to come out of their cells and clean the cell. And if they want cleaning products while they are in the cells, they are allowed to clean their cells while they are in the cells. So, they do have the capability of cleaning their cells and not just during those time periods as that individual has stated.

Judge Clark:

Alright. Thank you.

Bethany Hallam:

Judge Clark I was just wondering if there are any times of the day or days of the week that access to cleaning products aren't allowed?

Warden Harper:

Of course, on the midnight shift and anytime after 8pm we are not going to be providing any cleaning supplies. So, normally from 8am to 8pm.

Bethany Hallam:

Is when they are allowed to? Correct?

Warden Harper:

Inmates that ask us for the cleaning supplies we will make sure that they get them. Yes ma'am.

Bethany Hallam:

Okay. Thank you

Judge Clark:

We have a comment from Bailey Brown,

"My name is Bailey Brown. I am a concerned resident of Wilkinsburg. I am writing to express my unmeasurable frustration and deep concern for the welfare of those incarcerated at Allegheny County Jail. I am writing to demand the removal of Warden Orlando Harper and his administration immediately to pave the way for significant reforms to protect the health and wellbeing of prisoners. The abhorrent reputation of ACJ and its correction staff have long been publically known, but today I am referencing 5 articles published in Public Source and the Pittsburgh Current Nov-December 2020. To address just a few of my concerns raised by the articles: - Failure to provide adequate medical and mental health care – during a deadly pandemic. Obviously residents of ACJ deserve quality health care at ALL TIMES, pandemic or not. Letting the spread of the virus go unchecked without regard for prisoners' pre-existing medical conditions is not justified, regardless of the level of any individual's offense. At the same time, extreme mitigation efforts such as keeping prisoners confined to their cells 23 hours a day, are also inhumane. It is for these reasons that I urge this board as a whole, representing Allegheny County, and all individuals listening to contact our State of PA Departments of Health and Corrections to urge that all PA Prisoners be added to section 1 of the Covid Interim Vaccination Plan. Expecting residents to live under these conditions without access to mental health care is even more cruel and criminal. To have David Sacks, a Correctional Mental Health physician with over 13 years experience in our state, arrive at ACJ this fall and rate the standard of care as "non-existent" is a dirty, dirty shame – one which I fully expect this board to take drastic actions to correct. In a similar example of failing to provide basic care, I was appalled by the baloney, apple sauce, and teddy grahams meals being served to prisoners as of early December. This is a meal barely befitting of a toddler or a dog, and certainly not of a grown man or woman eaten as daily sustenance. While Harper claimed this was the result of kitchen staff quarantine, this is another example of both sacrificing one health measure for another, when all measures must be taken in balance. It is also an example of a wider issue touched upon by all

of these articles: It is made abundantly clear by these articles that the conditions created for staff by management at ACJ are beyond toxic, leading to low morale that sadly increases either the hostility of officers toward inmates, or the likelihood of the staff member's resignation, which only perpetuates the problem. I ask you pointedly: What is it going to take for you to realize that this administration is utterly incompetent and uncaring, and beyond reproach? It feels obvious that Harper his management are not interested whatsoever in meeting the standards of humanity set forth in our current system. As Ms. Hallam has highlighted, this board is not even given the names of individuals who die at the jail – Is that not a callous example of inhumanity? You must demand better. I am asking a representative among you for a personal response and willingness to dialog civilly, a kindness shown to me by City Councilwoman Strassberger. I want you to be honest with me about any legal web that disempowers you to manage the jail you are charged with. I want to know what is being done to change the overall culture of the jail .I want you to don PPE and go inside. I want you to confirm with your own eyes over a series of weeks that the pre-prepared meals are always available, to actively advocate for vaccination, to make sure that the hundreds of books that were donated are making it to the cell pods, and to resume donations. I want you to release CO's with violent histories from duty. I want you to hold these meetings at accessible times and allow people to video call in. I want things to change. I want you to do your job”

So, some of these topics have already been raised and answered. I did think that there was an issue I will call the bologna and apple sauce meal. And I do want the Warden to address that and explain what plan is in place to prevent that scenario from arising again.

Warden Harper:

Your honor. First I want to say is we ordered thousands and thousands of prepared meals so that if we ever run into a situation again, we will be able to make sure that we have enough food to feed the inmates. That's all I can say is that we ordered thousands of prepared meals to ensure that this doesn't happen again.

Judge Clark:

Does anyone else have anything in regard to this comment that they want to specifically ask about?

Chelsa Wagner:

I'd just like to ask if the Warden could elaborate a little bit more on food. I'm still getting some communications from inmates that are raising questions on what is actually being provided in terms of nutritional value. Are we operating presently in accordance with the contract that we have for food services or are there different arrangements currently in place?

Warden Harper:

We are operating in accordance to the contract and we have been operating in accordance to the contract. These inmates are given two hot meals and we can give them one cold meal. So, we are operating in accordance to the contract. A dietitian reviews the meals to ensure that they get their caloric intake. So yes, we are complying to the contract

Chelsa Wagner:

I'll forward this that came, to the rest of the board following the meeting. But the reports that I've been getting, to the extent that they have to be looked into, are that some inmates aren't getting

the two warm meals. This individual provided a lot of detail and kind of logging daily, not being provided those. That's why I wanted to raise that. Thank you.

Judge Clark:

Thank you. Anything else? Okay, the last comment is from Margaret M Martin,

“Dear Members of the Board and ACJ Jail Staff, Having a loved one incarcerated over the holidays is particularly heartbreaking. However, in speaking with my son, the efforts of the Board, ACJ Staff and the Chaplain's Office did much to lift the spirits of the inmates. From the holiday meals, to the Chaplain's gift packages and mailing of Christmas cards, to the \$50 Commissary and Tablet contributions, the true spirit of Christmas was evident. Thank you so much to everyone involved. May you find peace, good health, and happiness in the New Year. Sincerely, Maggie Martin”

So, that's a nice comment on which to end the comment section. Now we can move to the agenda.

2. Old Business

a. Inmate Welfare Expense Fund Sub-Committee Report

Judge Clark:

We have a report from the inmate welfare expense fund subcommittee. Judge Lazzara?

Judge Lazzara:

We had our latest meeting on December 18, 2020. Primarily one of the biggest issues that we talked about was the needs assessment which the inmate welfare fund is going to pay for so we can get a better idea of what the inmate needs while inside the jail. We wanted an update on that and Terri Klein, who has been working very closely with Dean Elizabeth Farmer from the University of Pittsburgh School of Social Work, provided the update. The PITT team, which is going to be doing the needs assessment met with Rev. Greenway on December 21, 2020 in order to get some additional background information for the creation of the needs assessment survey. There was also contact between the Warden and Ms. Klein asking if the jail collaborative could somehow be included in the needs assessment. Ms. Klein spoke with Jen Battertin of the collaborative and agreed that there would be a meeting with the PITT team and some members of the jail collaborative and a few members from the inmate welfare fund subcommittee to discuss some additional information that perhaps the jail collaborative could provide to again help inform the creation of the needs assessment survey. I would simply note that we are happy to work with the jail collaborative and we were hoping to be able to have a seat at the table with the jail collaborative but apparently, they rejected that idea. But despite their rejection to us, we are opening our needs assessment up to them so they can provide input. It should be noted that no matter how much input the jail collaborative provides to us, this needs assessment is being done independently of the jail collaborative, it's being done by the University of Pittsburgh School of Social Work. They will be the only ones analyzing the data. But if we can have background information to make it a more effective survey, we're obviously interested in doing that. We also discussed making sure that the PITT team gets paid for their work. None of us on this committee were sure as to how that would happen. We don't know if a contract has to be executed between the county and the University of Pittsburgh, but we are

hoping that that was going to occur. Ms. Parees, I think was going to be working on some additional information to figure out how we could make sure that they get paid for the work that they do. And the subcommittee talked about maybe having a second professional survey of the staff in the jail so that we can again, get some additional information that will help inform this board as to what the needs are inside the jail. And I think especially in light of all the comments that we receive, that might be another good thing to look into. The second thing that the committee discussed during our meeting was Judge Clark had asked us to specially look at the disbursements being made to the inmates during the COVID-19 pandemic and the impact on the inmate welfare fund. I asked the Controller's office to provide us with some information about the financial impact and there certainly has been a financial impact on the inmate welfare fund from disbursements. The expenditures from the fund are exceeding the revenue that we're getting in from the fund. So, there has been somewhat of a depletion from the fund. But the fund still maintains a healthy balance. As of December 17, 2020, it was about \$2.3M. The Controller's office has indicated that they believe the fund can make about 12 more payments of \$50 each to the commissary and tablets, which would be approximately \$180,000 a month without totally depleting the fund. The results are an idea from the Controller's office that perhaps we should ask for CARES money to at least try to get back some of the communication costs that we've been paying. We actually asked Judge Clark to make that request and Mrs. Wagner's office provided the financial information so that Judge Clark could make that request so that request was in fact made. I don't know if there has been an answer to that. I'm out of the loop on that.

Judge Clark:

There has. All the CARES money has been allocated and some of it has actually been reallocated where they've taken it from other departments that they have given it to, to put towards other departments. Specifically, there was a great need for food and meals for children. Many children, because they aren't going to school, are not getting their meals. Many of the schools were trying to provide those meals but kids weren't coming to pick them up. And then there's some other places where money was reallocated to Kane Hospital I believe and other places. Because there is money in the inmate welfare fund right now to cover it. The county will not be giving us CARES Act funds for that. It's going to those departments and other things where it's needed, and they don't have an inmate welfare fund to cover it. So, that is the answer.

Judge Lazzara:

Okay. The committee had a really good discussion about whether to continue both payments every month. There was a suggestion that maybe perhaps we should only do the tablets to allow for communication but given the reporting on the food situation in the jail it was agreed by everyone on the committee that we continue this month to do the \$50 on both the commissary and the tablet while we look into some more of this situation with the food in the jail to make sure that the contracted amount is being provided to the inmates so that they do have sufficient nutritional needs met. The concern with using the inmate welfare fund is this committee has some ideas about how it might require a lot of money if we were to do some of the ideas that we have. We don't want to totally deplete the fund. One of those ideas being bringing books into the jail. We may need to use a substantial portion to come up with a way to screen the books and that may cost a lot of money. So, that was a competing interest with these disbursements being made. Those are conversations that we're going to continue to have at our monthly meetings but we're going to try to have a recommendation every month for the overall board about Ms.

Hallam's request for the \$50 every month for commissary and for tablets. For the month of January, the committee is unanimous in its recommendation that we authorize both payments.

Judge Clark:

Alright. Since we were going to put that in new business but since you mentioned it maybe we should have the motion. Are you making a motion on behalf of your committee?

Judge Lazzara:

Yes. I'll make the motion on behalf of the committee so that we make a \$50 payment for the commissary for every inmate that is in the jail at this point in time and \$50 also paid to the entity that takes the payments for the tablets so additional communications can occur.

Judge Clark:

And given the number of inmates that were in the jail at the time that the committee made the request, it would be approximately \$160,400 for both. Is there a second to the motion?

The board unanimously approved a motion by Judge Lazzara, duly seconded by Bethany Hallam to approve the placement of fifty dollars (\$50) from the Prisoner Welfare Fund on the commissary and tablet accounts for all current incarcerated persons at the Allegheny County Jail.

Judge Clark:

Does anyone have any questions or comments for Judge Lazzara? They've been working very hard and that's really good to see.

Judge Lazzara:

We have a great committee that's very engaged and very much interested in making things better and we understand the frustration of the folks out there that it takes a lot of time but we are trying to come up with ideas that we can use the inmate welfare fund to improve the conditions for the inmates and the population of the jail. We're welcoming additional ideas and we're hoping to be able to have good ideas come before this board shortly.

Judge Clark:

Alright. Thank you.

b. Suicide Prevention Sub-Committee Report

Judge Clark:

Warden do you want to make a report on the suicide prevention?

Warden Harper:

Yes, your honor. I sent Judge Clark a photograph...

Judge Clark:

Yes. I forgot to send it out to them. I'm sorry Warden.

Warden Harper:

That's alright.

Judge Clark:

I had so many things to send out. I did not send that to the board. But I will send it to you after this meeting.

Warden Harper:

Yes ma'am. We did renovate the receiving and screening area in our intake department. The only thing that has to be done now is for the plexiglass to be installed to ensure that the inmates have privacy once they come into our facility. So, that was completed. Also, we did complete a mental health program and residential care policy MH2610 and it's just in review by the administration. Once the administration reviews it, we will approve that policy. Those are the only two updates that I have for the NCCHC review you honor.

Judge Clark:

Does anyone have any questions for the Warden?

c. COVID-19 Update

Judge Clark:

Okay and the last thing under old business is COVID-19. We had a lot of discussion, so I don't know whether there's anything you want to add about that at this time Warden or Deputy Warden Williams?

Chief Williams:

The numbers are posted on the website each month. I've been providing those to the board. We've tested 1,181 inmates. Historically throughout the pandemic 120 have tested positive and we currently have 2 positive inmates in the facility. 1,050 have been negative and we have 3 test that are pending. They were just tested today. For employees, 276 have been tested. 95 have been positive. 181 have been negative and we have 0 pending at present.

Judge Clark:

Anyone have any questions?

Bethany Hallam:

Yes. I just have one question. I'm sorry. How many unique people have been tested? Not how many tests but how many unique individuals have been tested? Both staff and incarcerated folks?

Chief Williams:

I will have to look at those numbers and provide those at a later time.

Bethany Hallam:

Okay, please do. Thank you.

3. Review of December 3, 2020 Minutes

Judge Clark:

Alright. So, we'll move to the review of the minutes. You've been sent the minutes from the December 3rd, 2020 meeting. I'm hoping that you've had a chance to review them and if so, I would ask if there are any additions or corrections. I actually do have one correction. The pages aren't numbered but it's on page 5 at the bottom. Where it says Judge Clark, I think it should be Warden Harper. So, I would ask for that correction. Are there any other additions or corrections to the minutes? If not, I'll entertain a motion to approve.

The Board unanimously approved a motion by Gayle Moss, duly seconded by Sheriff Mullen to approve the minutes from the December 3, 2020 Meeting

4. President's Report

Judge Clark:

The next thing is the President's report. I just have a brief comment. At the last meeting we did vote to do some exit interviews and the board is in the process of doing them. I will say personally, and I can ask the others who participated if they want to comment that it was very beneficial. I was sort of iffy on whether or not it would be beneficial, but it was. I think what we decided was when we complete our work, we will then get together and maybe have some recommendations as to what happened. We sort of talked about that at the conclusion of the one exit interview. So, I think there was some information that was useful. I thought it was a really good exit interview I will say that the board members that participated all had excellent questions and I think the persons that participated were Ms. Klein, Ms. Parees, Mrs. Wagner, Ms. Hallam, and myself. And I thought it went very well. I don't know if any of the others want to comment on it. So, I know that was in one of the comments. I didn't read that part in some of the comments. There were comments about the exit interviews. I guess that the issue is, I think it was Mr. Kenstowicz that had a suggestion that maybe we try to do some exit interviews of inmates and I think that's something that I would ask the board to think about. The board is going to do surveys and I think that's a good place to start through the inmate welfare fund but it could be that we just have sort of a written exit interview that inmates could be offered to complete in an easy fashion and it could go to a mailbox for the board just like the public comments do at this time. I would ask the board to think about that and maybe someone will have a motion at the next meeting. I would just say that we're a very small board and we keep creating all these tasks. Everyone has a job so; I would say if we're going to do something like that to create a form with exit interviews. Maybe the Prison Society would help us do that. I would reach out to them and ask them to assist us with that if the board feels comfortable with that. Alright. That's all I have.

5. Warden's Report

Judge Clark:

Warden?

Warden Harper:

The only thing I want to talk about, because we already talked about the COVID-19 testing for the employees and the renovation of the receiving screening, so the only thing I want to talk further about is Judge Clark and I had a conversation pertaining to an incident that took place. And she expressed her concern that I need to notify her about those situations, and I assured her that I will make sure that she is advised of situations of that nature in the future. That's all I have your honor.

Judge Clark:

The information that I contacted the Warden about because I read it in the newspaper about the inmate who jumped and/or fell and was injured. One of the things that was concerning that I read was that family was trying to figure out what happened. And I know that there are a lot of confidentiality issues so, I don't know if the Warden or Deputy Warden can share for example whether the inmate was seriously injured. I couldn't tell from the newspaper article what the condition of the inmate was and why the wife or whoever it was, was not able to receive information because there is actually a legitimate reason for that so I would ask them to speak on that at this time.

Warden Harper:

I'll start off your honor. One of the things that we want to do is honor the inmates request as to who is notified as the emergency contact and/or next of kin. Every time an inmate enters our facility, he advises us as to who he wants notified. We will not notify anyone else other than that. Regardless whether it's a wife, brother, sister, whomever they put on the notification is who we notify. Normally the practice is, we only notify for a death or serious injuries that could cause death. But Judge Clark stated that she wants to know about any other extraordinary occurrence so I will make sure that that happens. I hope that answers your question your honor.

Judge Clark:

Yes. So, what I said to the Warden because apparently despite what happened, this person was not seriously injured but I thought it was an extraordinary incident that I needed to know, to advise the board so that we wouldn't be reading it in the paper and finding out that way. I think the Warden, because he sends me so many emails and contacts me so much, didn't want to inundate me with information but I felt that the event was extraordinary regardless of the outcome. The event was extraordinary and something that would likely lead to a newspaper article or be newsworthy and that we should not find out about it that way. Somebody sent me a text with the link to the news article and that's how I found out.

Bethany Hallam:

Judge Clark if I may? I have a couple questions about this one. I appreciate you 100%. I was going to ask for that, like when a significant incident happens. So, thank you for being proactive and doing that. I just wanted to add that I know that another thing that has been reported on is the incident report. That's something that journalist have been able to get access to. I was just wondering, I forgot to mention it earlier in my request for documents each month, but if we could also get the incident reports. I understand that there are some redactions in those. Again, I would ask that we get unredacted versions as members of the jail oversight board but really anything more than what we're getting now would be very helpful.

Judge Clark:

Thank you. We'll add that to the list. Any other comments?

Bethany Hallam:

Judge Clark I just have one more thing. Can the Warden or Deputy Warden explain why the person who was the emergency contact, the mother of the incarcerated person that fell over the railing, why it took the jail a week to contact her and let her know of her son's conditions?

Warden Harper:

Ms. Hallam, as I stated before we only notify the next of kin or emergency contact for a death or an injury that could cause death. That's why we didn't do it at that time. As I talked to Judge Clark, that will not happen in the future.

Bethany Hallam:

So, in the future any incident with an incarcerated person that you deem serious enough? I just want to understand what the guideline is here.

Warden Harper:

What I understood from Judge Clark is anything that was significant or substantial as the incident that she talked about. She wants to be informed of.

Bethany Hallam:

Okay. I guess I was just looking for an interpretation of significant.

Judge Clark:

It's probably more subjective than objective. Incidents happen all the time. Somebody could slip on the floor and have a sprained ankle or something. I don't know whether that's significant and if the next of kin would necessarily be notified if that person was not a life threatening injury. I thought this one, regardless of the injury, it was what happened that was significant and unusual, and I thought that's why the board should be notified. It's something that would likely appear in the news media if somebody disclosed it. I think to that extent, that should extend to the next of kin or the contact person because if it were my loved one, I wouldn't want to read about this in the newspaper and not know. Regardless of the outcome of the injury because it wasn't clear in the news article to me, whether this person was seriously injured. So, if I'm his mother and I'm reading it I would be frantic. I would want to know because they could tell me "he's okay" and I would be okay with that. I don't know if we can say for every incident or how we can define it. That one clearly was extraordinary and that's why I thought the board should have been notified. Sometimes it's going to be on a case by case basis. Obviously, someone that has a serious injury that's life threatening or requires surgery or a stay in the hospital, the next of kin should know. I don't know whether necessarily the board should know all of those. Somebody could just be sick and require a hospitalization and they weren't injured. Obviously, we're notified when somebody dies. So, I think the key is death or serious injury and extraordinary events we should know about.

Bethany Hallam:

And then to clarify going forward I know that we will be notified. I mean I think this was a serious injury that the gentleman was hospitalized for a week. But going forward will next of kin also be notified for hospitalizations? Or is it just us that will be notified?

Warden Harper:

I think the Judge just made it clear that she wants the board notified and the emergency/ next of kin.

Bethany Hallam:

Thank you very much. I just wanted to make sure.

Judge Clark:

Any other questions or comments? Anything else Warden?

Warden Harper:

No ma'am.

6. Deputy Warden's Report

Judge Clark:

Deputy Warden Williams anything that you want to report today?

Chief Williams:

Yes ma'am. I actually have two proposals in front of the board. And these requests are for inmate welfare funds and I know that that has been predominately going to the tablets and commissary funds but historically we've utilized those funds to expand or extend services to the inmate population. We're making those requests again today. These would be to fund 2 different initiatives that are under contract with Great Lakes. The first one is the family activity center and you'll see that the budget request that was proposed is a total of \$23,768 which is a maximum number that would be spent. We hope within 2021 and vaccinations and continued efforts within the county to reduce the set of COVID-19, that we will be able to restore visits onsite at some point. When we're able to do so, the family activity center is typically manned by professionals who assist in providing resource engagement with families that do come to our institution to visit. It's a necessary resource and one that has been valued by a number of visitors at the institution. And if we are able to open up, we would like to continue per the contract. A budget request also from Great Lakes is for the discharge and release center. The board has actually been very critical in our evaluation of the discharge and release center over the last couple of years and continuing to modify the efforts that we provide within that organization. You can see within the request that there pre-September 2020 services that were provided as well as post-September 2020 services provided. We had a change in our discharge and release center lead clinician. She has taken a lot of different initiatives to provide additional services and referrals to inmate population. And we're currently working on ways to establish through the inmates tablets a discharge sort of resource engagement so that before individuals are released to the community, they can self-identify some needs. Which I know has also been discussed within this board. The discharge and release center continues to provide Narcan or Naloxone nasal spray to individuals upon their release. They've also been providing socks, sweatshirts,

sweatpants (which the board actually approved continued funding for in the past), as well as mask. So, we've also been providing that to individuals upon release into the community since that is an expectation when you are visiting establishments, you must wear a mask. If the board would be willing to consider that request, it's also for \$244,835.

Judge Clark:

Does anyone have any questions for Deputy Warden Williams?

Barbara Parees:

I have one question. Deputy Warden Williams does that still include transportation if needed?

Chief Williams:

Yes, that still includes the bus pass as well as all of the other services that have been previously provided by the discharge and release center. We've been continuing to expand services and referrals including making appointments for drug and alcohol treatment facilities in the community.

Barbara Parees:

Thank you. I thought there were a few more things. Thank you.

Judge Clark:

Any other questions?

Chelsa Wagner:

May I ask a question? Thank you, Deputy Warden. I am trying to toggle back and forth the best I can working remotely where this is outlined in the Warden's report. I was hoping just in terms of work that we're doing with the subcommittee of the inmate welfare fund. I have outlined by Judge Lazzara that I think has been very meaningful and important. I am trying to understand. I understood this request to be from the jail collaborative is that correct? Or could you perhaps elaborate on that for me.

Chief Williams:

The Great Lakes contracts are managed within the jail collaborative entities. So, they have always overseen those contracts in collaboration with jail administration. These are onsite employees that work in our institution, but they are employed through those contracts.

Chelsa Wagner:

Okay. If I could sort of drill down on that a little bit more because I think even when I look up the reports and I know Judge Lazzara talked about how the jail collaborative denied request for us to be engaged with them particularly on the inmate welfare fund as we're really trying among other things but in the larger sense to understand what are the expenditures that should be going through this fund and what are the ones that should be a given for county expenditures for basic measures that should be provided? So, you're saying that these go through the jail collaborative. Could you explain more fully, who is that? What is a hierarchy? Who are these request? Because to me elusive is not even beginning to describe it. It's very limited information and I think it's very contradictory given the lack of response or the willful not wanting to have anything to do with this board per the request of the inmate welfare fund.

Judge Clark:

I don't think that's accurate and it's not the jail collaborative. The jail collaborative is the collaborative between the department of human services and the Allegheny County jail and the court of common pleas to provide discharge services and other services in the jail in which the inmates benefit. There's another sort of group that oversees the funding and I can't remember the name of it right now. I don't think there's a refusal for the jail collaborative to do anything. They've been working with the jail and with the courts since it's inception and I think it was actually a partnership created when Judge McDaniel was the administrative judge of the criminal division, I believe, and subsequently then president judge. But I think that's an unfair description. I think there is certainly room for dialog and discussion about that. But I think at the inception that there were traditionally funds that came from the inmate welfare to help assist with this collaborative. The bulk of the money that comes to fund the jail collaborative, comes from the department of human services and it's a lot of money so this is a small piece of the pie that they are asking from the inmate welfare fund. All of the other services, which are many, that are included in the jail collaborative are primarily funded by the department of human services. I just wanted to throw that out there and I don't know whether anyone else wants to add anything about that.

Judge Lazzara:

And I guess that's why we really wanted to be some part of the discussion with the collaborative because we're responsible for the inmate welfare fund and we have a lot of ideas on where we can go and if we have no idea that these expenses are coming or that maybe they should be better paid by the county because we're not part of the discussion. It could lead to a serious depletion of the funds.

Judge Clark:

Which is why I made the request to kind of monitor that because there are other things that have traditionally come out of the inmate welfare fund and of course the board has the right to say "No we're not going to fund this anymore". But that doesn't mean the money is going to come from the county because the county primarily funds the jail at about \$85M a year. The county may say "that's fine but this other \$300,000 the county also funds the department of human services that primarily funds jail collaborative". It's sort of complicated. I can make that request again if you'd like. Nobody said yes but nobody really said no either. I think people don't feel like there is a purpose for that but there's a good point when you're looking at, we have our own committee looking at utilizing these funds for other things and then there's request coming in from outside of the jail oversight board to use them. I think it is a legitimate request and I will ask again for that to happen.

Chelsa Wagner:

I've looked at their annual reports and when I say I find it to be elusive given the work with this jail. I'm just curious even for when that request is being made who is responding? I understand it's a collaborative but ultimately who are the individuals?

Judge Clark:

Whoever sits on the collaborative. I can't say for sure other than I know Marc Cherna and I think other people from the department of human services, maybe Ms. Dalton sits on it. I think Mr.

McCappre from criminal courts may sit on it or some other court personnel. The Warden I'm assuming is on it. Maybe the Warden can shed some light on who is on it. We could've looked it up if I knew that was going to be a question.

Chelsa Wagner:

I have looked it up and it's not publicly available. Which is part of why I'm asking. Prior year reports go back I think to when it was established which I believe was 2000 and it generally states it as a 17 member. So, I'd really like to know not only the membership but really the hierarchy or leadership. Because of course with these questions that we have, and this is not a new question to me, this has been elusive to me. I recognize the good work that comes from out of them. Absolutely. But I still think that not being able to answer the basic questions or understand who's making a request or denial of a request, that's troublesome to me.

Chief Williams:

Although I can't speak to all of the members by name, it would be representatives from department of human services, courts, probation, reentry services, and the jail. That would be the broad general view. But I can get the list of those, because that does sound like it's important, and share that with the board.

Chelsa Wagner:

I would personally appreciate that. Within that, is there some composition? Is there a chair? How does that work? Logistically you don't just put 17 people in a room. I'm still trying to understand more of it since we haven't been able to have an open conversation with them.

Judge Lazzara:

And I think that there's sort of an entity of fewer people than 17 who oversee that group of 17. We don't want to work across purposes with them. We want to collaborate, which is part of their name. Right? We want this all to work together so that we are doing the most that we can to benefit the inmates. And if we're sort of in the dark about how they come up with their recommendations and how they might fit with things that we might want to do, you know, we don't want to duplicate services. We don't want to duplicate work. We want there to be some cooperation so that we can understand what they're doing and they can understand what we want to do and it's possible that if we do that, these questions don't come up when there's an ask for money.

Chief Williams:

I can certainly respect that Judge Lazzara. I will say that these two requests that are posed in front of the board are not new. They have historically been presented. I think they've been part of the mission. I personally made those request. Especially for the discharge and release center. I think that it would be important in the future that maybe we provide more educational reference for the board about what services are being offered because that may help informed decisions for everybody involved who's advocating for expanded services and making sure that we're not duplicating effort. I am trying to determine whether or not these will be voted on today.

Bethany Hallam:

I was going to ask if possible can we table a vote on this issue until the next meeting so that we have time for the inmate welfare fund to possibly meet and discuss whether these are even

expenses the inmate welfare fund should be being used for. I mean that's my favorite part. When we created the inmate welfare fund subcommittee, that's what the purpose was, to decide the things that should be paid out of the inmate welfare fund and what should be paid out of the county general fund.

Judge Clark:

Is that a motion to table?

Bethany Hallam:

Yes. That is a motion to table.

The board unanimously approved a motion by Ms. Hallam, duly seconded by Chelsa Wagner to table the use of Inmate Welfare Fund for jail collaborative to extend or expand inmate services in the Allegheny County Jail.

Judge Clark:

That's the best we can do today Deputy Warden Williams. It's tabled and we can bring it up at the next meeting.

Chelsa Wagner:

And if I may. One additional question. As I understood the request, the request came from the Allegheny County jail Collaborative operations committee and if you could just clarify that for me. It doesn't have to be right now.

Judge Clark:

Yes. That is correct.

Chelsa Wagner:

Thank you.

Judge Clark:

That's what I requested the board have a seat on. I couldn't think of the name of it. Thank you. So, that is tabled is there anything else Deputy Warden Williams?

Chief Williams:

No ma'am. Thank you.

7. New Business

Judge Clark:

Any other new business or old business?

Bethany Hallam:

I just have one new business question. It was actually from a public comment that was not read, and I was just hoping that the Warden or Deputy Warden could respond to the issue of filing grievances. Since the tablets were implemented, the intention is that you can file grievances on your tablet. But that function is not yet available and paper grievances have ...

Judge Clark:

I thought that was one we took off.

Bethany Hallam:

It's a question that I have, nonetheless.

Judge Clark:

We'll that's why we didn't read it or ask it.

Bethany Hallam:

I'm so sorry. I totally understand. But I still want to know. Paper grievances were apparently removed from the pods or at the very least a lot of the pods have had paper grievances removed. And you can not yet file electronic grievances on the tablets. The grievance button is for grievance with your tablet. It basically sends you to tech support for the tablets. So, I was just wondering if the Warden could speak to if we can get paper grievances back on all of the pods until that function is available on the tablets?

Warden Harper:

Paper grievances are already on the pods and they have always been on the pods. Now there has been some occasions where they run out and we have to replenish them, yes. But I read that comment today and we ensured that those paper grievances were on the pods.

Bethany Hallam:

Okay. So, I guess then may ask would just be that going forward if we could be more proactive in making sure that none of the pods run out of the grievances.

Warden Harper:

Absolutely.

8. Community Corrections Reports

Judge Clark:

Do we have our folks from community corrections? Is there someone here from the program for offenders? Is someone there from the renewal? Electronic monitoring?

Electronic Monitoring:

I'm here from the probation office. Outside of the report that you guys all have. We have nothing new to report from Electronic Monitoring. But I will be happy to answer any questions that anybody may have.

9. Adjournment

Judge Clark:

If there's no other business for the board today, I will entertain a motion to adjourn.

Bethany Hallam:

I do have one last thing before we adjourn please. I had one more thing that I wanted to add. There's a TribLive article that I read recently, and it was about a medically vulnerable kitchen worker over on 2A named Michael K. I actually should have brought this up when we were talking about the postponed hearings and everything due to quarantine. He is a cancer survivor, immunocompromised, and every single time his pod gets quarantined, which as we all know the kitchen pod has been getting quarantined a lot, his court date gets moved. So, he's been there for 8 months and has had his court date rescheduled 7 times. I'm sure he's not the only one that this has happened to it's just the one that caught my attention because it was in the TribLive. I really appreciate all the work that you're doing and that the jail is doing to reduce the jail. This just seems like it's kind of an easy, I don't want to call it an easy solution, I want us to figure out a solution to what we were talking about earlier before we get off the meeting. We can't apparently do court hearings on the tablets.

Judge Clark:

We can't do court hearings on the tablets because there's all kinds of security issues that we can't do that. I can tell you that's not going to happen. But If you want to shoot me either the link to the article or his name. I can check to see what exactly happened with his case to see if it was solely because of multiple quarantines or some other reason. Or to see if there's a reason that maybe the judge of records can consider doing something to get him out. But I have no idea what the charges are and what the circumstances are. I do know that it's difficult as you know we resumed jury trials in October but because of social distancing and all of those things, we can only at maximum do 2 jury trials at one time in criminal division. And then because the numbers are high now, we had to suspend jury trials again for a period of time to see because we can't ask people to come in and sit on a jury and the numbers are high. They were high yesterday. I checked them. I don't know what they are today. Anybody that's really wanting a jury trial, I feel horrible about it because they're sitting. It's really complicated. But I can check on this one individual if you want to share that with me Ms. Hallam.

Bethany Hallam:

Yes, I can do that. This one specifically is a bench trial it's a non-jury trial. But I will definitely share that article. I'm just worried that there's more people like him in there in a similar situation that aren't interviewed by the media.

Judge Clark:

Yeah, I'm sure there are people that are. Frank S. our director of probation said, "if it's a probation violation matter, just send him the name and he will get me an update". So, we can do it that way.

Judge Lazzara:

Ms. Hallam, if it's a non-jury trial, I know we've done non-jury trials remotely. And a lot of the judges are doing such so it may be up to him whether or not he wants a remote non-jury trial. A lot of the judges have been having those non-jury trials done remotely. Just so you know.

Bethany Hallam:

The problem Judge Lazzara is he is on pod 2A. The kitchen worker pod that keeps getting quarantined. So, he's not able to go up to the remote trial. But if we could figure out a solution or

something to just make sure that people like this have options. I know the tablets sound like an easy fix, but I understand that we can't do that. Just wondering if we could all collectively brainstorm for a solution to make sure that people in this situation aren't sitting in the jail when they don't need to be.

Judge Lazzara:

Well the question needs to be what their charges are. You have to understand that there's not going to be an easy fix for everybody.

Bethany Hallam:

Right. Thank you for letting me add that at the end. I really appreciate it everyone.

The Board approved a motion to adjourn the meeting at 6:15pm by Judge Clark.

Kindest regard,

A handwritten signature in blue ink that reads "Chelsa Wagner". The signature is written in a cursive style with a long horizontal stroke at the end.

Chelsa Wagner

Public Comments

Name: Lori Laber

Comment : *23 hrs in 1 hr out... (Driving inmates insane) *Mildew on the ceiling of 2F *No hot water/No heat (how many will die from pneumonia and ACJ classify it as covid) *Water leaking down the walls of 4B *72 Hr lock-ins with no reason (guards in full PPE) *ICE... it's so cold in the jail there is ice on the inside on some windows. *Redactions *Laundry * conditions (Rat feces) *Kitchen* conditions (Rats, feces, expired... rotten food, calcium so bad in the water... that when it's boiled... workers have to dig it all of the top. *Suicide attempts (a woman on video with an inmate saw the man fall behind.

He fell from 2E and landed on 2C. Family hardly notified. ACJ cover ups) *inmate care* They need blankets... Real Food... Real mental health care... * Hush money... ACJ providing \$50 hush dollars to keep inmates quiet. *Pills... how many inmates came in UNmedicated and are now taking pills daily. Nighttime pills... how many are now taking them? How many inmates came in the jail with minor mental issues and now have things as bad as PTSD? These inmates are human beings!!! They are loved ones! Some are only in there still due to postponements and holds. Get it together!!!

ACJ Response: Comment

Name: Anna Clark

Organization(s): Casa San Jose

Comment: I am very concerned with how the jail is handling Covid cases and I call for universal COVID testing of all jail employees and inmates. While the Deputy Warden may not consider this a necessary precaution, the Inmate Welfare Fund can be used to pay for these expenses. Covid precautions are necessary and the Jail Oversight Board can determine that universal testing be required.

ACJ Response: Comment

Name: Andrea Padilla

Organization(s): Casa San Jose

Comment: I am deeply concerned with the way that COVID-19 cases are being handled at the jail,

and I call for universal COVID testing of all jail employees and inmates. I know that the Deputy Warden has expressed her opinion that this is unnecessary, but the Jail Oversight Board can decide to use the Inmate Welfare Fund to pay for any related expenses. This is the bare minimum that should be done.

ACJ Response: Comment

Name: Spencer Sutter

Organization(s): Pennsylvania Prison Society

Comment: Is there an entity/governing body that conducts and collects exit interviews/feedback from released persons from ACJ? If so, what data & themes have you gleaned from the feedback and how do you use them to ensure substantive improvement? If such entity doesn't exist, is the JOB willing to implement an initiative that conducts & collects exit interviews from released persons? The feedback from formerly incarcerated individuals could be extremely useful in addressing systemic issues found in ACJ (e.g. food quality, C.O. behavior, medical attention, cleanliness, etc.).

ACJ Response: We do not know of an entity that conducts exit interviews with inmates that are released from jail

Name: Sister Karen A Stoila

Organization(s): Past board member for Lydia's Place and past Advisory Board for Renewal. Volunteer in the jail also

Comment: I believe that every employee of the jail as well as every inmate should get the vaccine as soon as humanly possible. (Those who want it) I also believe that every inmate should have access to books, magazines and reading material of both a spiritual nature and topics of interest that do not go against public safety. Fiction and biographies can be very helpful. There are many wonderful authors like Kristen Hannah and Jodi Picoult who bring up timely topics. I believe that education should be continued, as well as AA and NA groups, as soon as the pandemic is under control. Addicts should have treatment. I believe in restorative justice, helping those not mentally ill to learn to reintegrate into society. Those who are mentally ill should be given proper medication and a least restrictive setting which meets their medical needs. Those who are diabetic should be given special diets. Those who are pregnant should be given proper nutrition and pre-natal care. Read about Sweden, Denmark and Norway and

what happens in jails in those countries. I also believe that there is NO PLACE for FOR PROFIT companies to run anything in the jail. They cut corners and returning someone to a healthy functioning human being should not be a place to cut corners. Those who are dangerous or sociopaths should be kept away from others; learn to segment the

population more carefully. Kindness and respect go a long way. All guards should also have mental health screening and evaluation as well as education relevant to understanding issues of those who commit crimes.

ACJ Response: Comment

Name: Pilar Caballero

Organization(s): Casa San Jose

Comment: I am concerned with the way that Covid cases are being handled at the jail, and I call for universal COVID testing of all jail employees and inmates. I know that the Deputy Warden expressed her opinion that this is unnecessary, but the Jail Oversight Board can decide to use the Inmate Welfare Fund to pay for any related expenses. This is the bare minimum that should be done.

ACJ Response: Comment

Name: Amanda Welby

Organization(s): Casa San Jose

Comment: I call for universal COVID testing of all jail employees and inmates. As Nelson Mandela said, "It is said that no one truly knows a nation until one has been inside its jails. A nation should not be judged by how it treats its highest citizens, but its lowest ones." I hope we treat this health concern with high importance. My family is connected to the staff and inmates and therefore depends on their safety and health. We do not want this to spread; it's too deadly.

ACJ Response: Comment

Name: William P Reeves

Organization(s):

Comment: As a citizen, I want to express my grievance that I am deeply concerned with the way that COVID cases are being handled at the jail. A solution which I feel would greatly benefit the welfare and safety of both the CO' s and inmates would be to implement a system of universal COVID testing of all jail employees (CO's , private and public stuff)

and inmates. I know that the Deputy Warden has expressed her opinion that this would be unnecessary, but the Jail Oversight Board can decide to use the Inmate Welfare Fund to pay for any related expenses. In addition, these measures would benefit both the staff and inmates. I believe this is first step in the right direction for the Allegheny County Jail.

ACJ Response: Comment

Name: Jodi Lincoln

Organization(s): Book Em ; Pa Prison Society, CADBI WEST

Comment: I'm the Co-Chair of Book 'Em and was highly involved with the organizing around ACJ's Book Ban this winter. We were all very glad to see that the Jail has restored access to ordering from Barnes and Nobles.com and christianbooks.com. It's a shame this was done in the first place, especially without any consideration to the legal implications and harm it would cause people at ACJ. The expansion of ebook titles with OverDrive and CLPGH partnerships is also encouraging. We would; however, push the Jail Oversight Board to do more when it comes to expanding book access at ACJ. Book 'Em would love to be able to send books to individuals at the jail and I'm sure friends and family would like the option to purchase from other vendors, especially given current cultural emphasis on supporting local and black owned bookstores. It was a shame that at the last meeting, you did not end up having a discussion about access to books, especially since this has been a topic of the IWF subcommittee and at the September JOB meeting Judge Clark and Judge Lazzara both specifically talked about your commitment and interest in expanding access to books and there was a unanimous vote that the Jail should investigate ways to expand access by implementing a screening system. Please do not abandon this work and process just because of the introduction of tablets. Our petition, which was sent to all JOB members before the December meeting outlined 5 specific demands, none of which have been met by the current policy (they are outlined below as well). This petition got over 1,700 signatures. We will continue to push for better policies for book access and better conditions overall for people at the jail. I would be more than happy to talk to you about this personally or continue the conversation via a phone call. I have immense personal experience dealing with book access in prisons - both locally in Pennsylvania and working on Censorship campaigns around the country. There is a wonderful network of experts and professionals who are committed to extensive book and educational access in jails and prisons and it would be wonderful for the JOB to join those ranks. Petition Demands - The ability to order books for our incarcerated loved ones, friends and clients from an expanded list of approved vendors, The recognition by county officials of the rights of incarcerated persons at the ACJ to access, use, and read physical materials (book, magazines, manuals, etc Book 'Em, Pittsburgh's local Books to Prisoners Program, be allowed to send books directly to individuals at the jail so they can have FREE access to books. The immediate establishment of a comprehensive, expanding and funded library of culturally, legally, and educationally enriching materials that meets or exceeds the best practices and standards of carceral

libraries, accompanied by regular and universal access for all. Public transparency from Allegheny County Jail about which titles are currently available on the tablets and how they are selected ; the rules, regulations, and restrictions for the use of tablets including time allotments and the qualifiers and rationale used to determine which individuals are prohibited from use of the tablets.

ACJ Response: Comment

Name: Ruth H Craig

Organization(s):

Comment: While I am delighted that the Allegheny County Jail has restored access to book purchases from Barnes & Noble and ChristianBooks.com for prisoners incarcerated at ACJ, I am still very concerned that "Book 'Em" is not able to provide books to ACJ prisoners. Book 'Em performs an important community function in helping to source and select reading preferred reading materials for prisoners who may not have access to books purchased via the allowed sources. Even if you don't have someone who has the money to send you a book from Barnes & Noble, you should have access to reading material! In addition, ACJ does not have any dedicated library space. It seems so obvious to me that there is a basic issue here, not just of human dignity and respect for the bodies, minds, and souls of those you hold in your jail....but also an understanding that reading helps us ALL to learn skills, understand ourselves, understand our place in the world, pass the time, restore ourselves spiritually, help ourselves legally, etc. Why on earth would we want to ever deny those things to this incredibly vulnerable population?

ACJ Response: Comment

Name: Laura Perkins

Organization(s): PA Prison Society, Casa San Jose

Comment: My name is Laura Perkins. I am an Official Visitor with the PA Prison Society and also the Emergency Response Organizer at Casa San Jose, a Latinx community organization. First, I want to commend the Jail Oversight Board on voting in favor of doing exit interviews with ACJ employees. I know you all have a lot on your plates, and I appreciate this show of commitment to the Board's mission. Secondly, in my public comments at last month's meeting, I made a formal request that every single member of the Board read this complaint before next month's meeting and that there be time allotted in next month's agenda for questions and discussion of the report. I respect that because this is an open legal case that individual board members don't want to comment publicly. In response, I want to point out two things - 1) The Warden and his employees are NOT official members of this oversight board. I try to express this in all my comments, and yet his voice and opinions continue to be heard and valued far above others'. 2) I am simply asking for a roll-call of each board member for each to answer, Yes or No, whether they have read the Complaint. Can we do that right now? Third - I want to make yet another request that all jail employees and inmates get a COVID test. The last time I asked this question in my Oversight Board comments, Deputy Warden Williams said that one of the reasons that could not be done was

because they didn't have the resources for all the necessary PPE involved. She also mentioned, if I remember correctly, that if ACJ tests everyone, they will not have the resources to address the potentially large number of positive results. In response to the first, I propose that the Inmate Welfare Fund to be used to make up for any costs associated with the universal Covid19 testing that cannot otherwise be met. In response to the second, I would like to say two things. This decision should not be made by Deputy Williams, who does not have the adequate medical experience. Secondly, if an inmate or employee has Covid, we need to know about it. We are at a tipping point for Covid cases and in the jail. Simply living or working in the jail should be enough justification for a Covid test. I formally request that the proposal for universal Covid testing for both ACJ employees and inmates be reconsidered. Thank you for your time and dedication to transparency and justice.

ACJ Response: Comment

Name: Anonymous Anonymous

Organization(s):

Comment: Did the jail lose it's contract to house federal inmates? If not, why are federal inmates being transferred to other jails in the area? Is it true it's because of how poor the conditions are in the ACJ?

ACJ Response: The Allegheny County Jail still maintains a contract with the United States Marshall Service. In a collaborative effort to reduce the ACJ population, there have been recent transfers. Any further comment would need to be directed to the USMS.

Name: Abhishek Viswanathan

Organization(s):

Comment: The jail's policies on books that inmates have access to, has been appalling in the past, citing absurd reasons and taking extreme steps like outright bans. What steps is ACJ taking to ensure that people have access to books during this pandemic? After PublicSource's report about the state of mental healthcare in ACJ, what is being done to ensure that inmates have access to proper healthcare (mental and physical)? What resources are being diverted towards this end and what is the breakdown of time and money spent providing this care?

ACJ Response: We have contracted with OverDrive to provide inmates free access to e-books. We have received approximately 13,000 donated books and the inmates have been granted access to purchase books from Barnes and Noble.

Name: Amanda James

Organization(s):

Comment: The jail has been on the news lately along with a lengthy article where 15 former employees spoke out about the conditions and management at the jail. Over the past few months, multiple questions have been posted to this board asking for the oversight board to investigate the jail, talk to the staff. NOTHING has been done so far and conditions continue to get worse. Administration continues to lie. You haven't been doing anything to address the concerns posted on this board. When is enough going to be enough?

ACJ Response: Comment

Name: Ruth Farrell

Organization(s): Casa San Jose volunteer

Comment: I am deeply concerned with the way that Covid cases are being handled at the jail. I believe COVID testing of all jail employees and inmates should be done routinely and certainly jail employees should be considered frontline workers who receive the vaccine. Jail inmates have a right to health and safety and should not be exposed to COVID. Our local government should protect them and employees as much as possible by testing and then following public health protocols. Thank you.

ACJ Response: Comment

Name: Margaret M Martin

Organization(s): None

Comment: Dear Members of the Board and ACJ Jail Staff, Having a loved one incarcerated over the holidays is particularly heartbreaking. However, in speaking with my son, the efforts of the Board, ACJ Staff and the Chaplain's Office did much to lift the spirits of the inmates. From the holiday meals, to the Chaplain's gift packages and mailing of Christmas cards, to the \$50 Commissary and Tablet contributions, the true spirit of Christmas was evident. Thank you so much to everyone involved. May you find peace, good health, and happiness in the New Year. Sincerely, Maggie Martin

ACJ Response: Comment

Name: Bailey Brown

Organization(s):

Comment: My name is Bailey Brown. I am a concerned resident of Wilkinsburg. I am writing to express my unmeasurable frustration and deep concern for the welfare of those incarcerated at Allegheny County Jail. I am writing to demand the removal of Warden Orlando Harper and his administration immediately to pave the way for significant reforms to protect the health and wellbeing of prisoners. The abhorrent reputation of ACJ and its correction staff have long been publically known, but today I am referencing 5 articles published in Public Source and the Pittsburgh Current NovDecember 2020. To address just a few of my concerns raised by the articles: - Failure to provide adequate medical and mental health care – during a deadly pandemic. Obviously residents of ACJ deserve quality health care at ALL TIMES, pandemic or not. Letting the spread of the virus go unchecked without regard for prisoners’ pre-existing medical conditions is not justified, regardless of the level of any individual’s offense. At the same time, extreme mitigation efforts such as keeping prisoners confined to their cells 23 hours a day, are also inhumane. It is for these reasons that I urge this board as a whole, representing Allegheny County, and all individuals listening to contact our State of PA Departments of Health and Corrections to urge that all PA Prisoners be added to section 1 of the Covid Interim Vaccination Plan. Expecting residents to live under these conditions without access to mental health care is even more cruel and criminal. To have David Sacks, a Correctional Mental Health physician with over 13 years experience in our state, arrive at ACJ this fall and rate the standard of care as “non-existent” is a dirty, dirty shame – one which I fully expect this board to take drastic actions to correct. In a similar example of failing to provide basic care, I was appalled by the baloney, apple sauce, and teddy grahams meals being served to

prisoners as of early December. This is a meal barely befitting of a toddler or a dog, and certainly not of a grown man or woman eaten as daily sustenance. While Harper claimed this was the result of kitchen staff quarantine, this is another example of both sacrificing one health measure for another, when all measures must be taken in balance. It is also an example of a wider issue touched upon by all of these articles: It is made abundantly clear by these articles that the conditions created for staff by management at ACJ are beyond toxic, leading to low morale that sadly increases either the hostility of officers toward inmates, or the likelihood of the staff member’s resignation, which only perpetuates the problem. I ask you pointedly: What is it going to take for you to realize that this administration is utterly incompetent and uncaring, and beyond reproach? It feels obvious that Harper his management are not interested whatsoever in meeting the standards of humanity set forth in our current system. As Ms. Hallam has highlighted, this board is not even given the names of individuals who die at the jail – Is that not a callous example of inhumanity? You must demand better. I am asking a representative among you for a personal response and willingness to dialog civilly, a kindness shown to me by City Councilwoman Strassberger. I want you to be honest with me about any legal web that disempowers you to manage the jail you are charged with. I want to know what is being done to change the overall culture of the jail .I want you to don PPE and go inside. I want you to confirm with your own eyes over a series of weeks that the pre-prepared meals are always available, to actively advocate for vaccination, to make sure that the hundreds of books that were

donated are making it to the cell pods, and to resume donations. I want you to release CO's with violent histories from duty. I want you to hold these meetings at accessible times and allow people to video call in. I want things to change. I want you to do your j

ACJ Response: Comment

Name: Anonymous227 44

Organization(s):

Comment: Vaccinations (I) Educating Inmates about the Vaccine What's ACJ plan to educate inmates about the vaccine(s) that will be offered to them. What specific materials are ACJ providing inmates so they can make an informed decision? Who wrote them? How is the ACJ providing or presenting this information to inmates? Can it be put on the tablets and in paper packets? (II) Employees Who Refuse Vaccination If there are correctional officers or other ACJ employees who refuse to be vaccinated, will they be permitted to have a work detail where they work in direct or close contact with medically vulnerable inmates? Employees who are not vaccinated can continue to spread the virus. How is ACJ protecting these inmates from getting infected? How many employees have refused to be vaccinated thus far?

ACJ Response: We have not begun the process of educating inmates about the vaccine. We shall not discuss what processes will take place of employees that refuse to take the test.

Name: Anonymous347 345

Organization(s):

Comment: Missing Court Hearings Currently, for an inmate to attend a court hearing, he must be escorted to the video conferencing room on level 5. The inmate sits in a cubicle, and the hearing is conducted using a computer. However, dozens of inmates have repeatedly missed their hearings because of ACJ's near daily lockdowns and quarantining of housing pods. This has delayed the release of many individuals from the jail. Why can't the hearings be conducted with the tablets? Inmates would be able to attend their hearings even if their pods were on lockdown. Privacy wouldn't be a problem because these hearings are public. Also, it's just as noisy when speaking with the judge in the cubicle as it would be in a person's cell. Hearings on the tablet would also decrease the correctional officers' workload because they wouldn't have to escort inmates to the video conferencing room.

ACJ Response: Our tablets are not capable of conducting court proceedings

Name: Nicole Dee

Organization(s):

Comment: Hello, I am commenting on the availability of cleaning products in the jail. I was told that folks are only able to access cleaning products from 8:30-2:30 and if you aren't let out for your one hour "break" during those hours you won't have access to cleaning products. During a pandemic this seems absolutely inhumane and unnecessarily restrictive. The food in the jail is also a big problem - lacking nutrition value and not meeting the caloric needs of folks inside. Please use the inmate trust fund and put at least \$150 on the books for everyone in acj. You have the money and folks will be able to make up some of the nutritional/caloric deficits by buying food via commissary. Be humane. These are living breathing people you claim to be rehabilitating. Stop treating them WORSE than animals.

ACJ Response: Comment

Name: Laura L Burkhardt

Organization(s):

Comment: In November of 2020 there were changes made to the policies of ACJ accepting books, both from approved vendors and donations received by the chaplaincy program. The response to these draconian restrictions forced those in power at the jail to back pedal, restoring the acceptance of only two vendors, and announce a new partnership with Carnegie library that will grant those incarcerated access to many more titles *via tablet*. I, along with peers independently, coordinated pick ups and collections of thousands of books from the community to be distributed to those incarcerated by dropping off books to the loading dock. Due to the arbitrary deadline of donations being the last Monday of 2020, we worked hard and hastily to get as many books to the Jail. What is troubling and baffling is the lack of transparency of how these books are being distributed to those incarcerated. When the chaplain's office was asked to report back on what the book situation is presently, they provided vague reports of a "small library on every pod." I have gotten word from numerous individuals currently held prisoner at ACJ that they have not received any books. Why haven't they gotten any books? Or, why haven't they been told how to access them? Further, why hasn't the deadline for book donations been reversed, when every other policy that was rolled out suddenly due to "security concerns" has been reversed or revised?

ACJ Response: We have received approximately 13,000 donated books and we are working on a plan to distribute these books to the inmates

Name: Laura L Burkhardt

Organization(s):

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both from approved vendors and donations received by the chaplaincy program. The response to these draconian restrictions forced those in power at the jail to back pedal, restoring the acceptance of only two vendors, and announce a new partnership with Carnegie library that will grant those incarcerated access to many more titles *via tablet*. I, along with peers independently, coordinated pick ups and collections of thousands of books from the community to be distributed to those incarcerated by dropping off books to the loading dock. Due to the arbitrary deadline of donations being the last Monday of 2020, we worked hard and hastily to get as many books to the Jail. What is troubling and baffling is the lack of transparency of how these books are being distributed to those incarcerated. When the chaplain's office was asked to report back on what the book situation is presently, they provided vague reports of a "small library on every pod." I have gotten word from numerous individuals currently held prisoner at ACJ that they have not received any books. Why haven't they gotten any books? Or, why haven't they been told how to access them? Further, why hasn't the deadline for book donations been reversed, when every other policy that was rolled out suddenly due to "security concerns" has been reversed or revised?

ACJ Response: We have received approximately 13,000 donated books and we are working on a plan to distribute these books to the inmates.