

The monthly meeting of the Allegheny County Jail Oversight Board was held on Thursday, April 1, 2021 held as a virtual conference at 4:00 P.M.

**MEMBERS PRESENT**

**Ms. Hallam:** Present

**Judge Lazzara:** Present

**Ms. Moss:** Present

**Sheriff Mullen:** Present

**Ms. Parees for County Executive Fitzgerald:** Present

**Mr. Korinski for County Controller Ms. Wagner:** Present

**Others in Attendance:**

Warden Harper

Deputy Warden Williams

**MEETING GUIDELINES**

**Judge Clark:**

Good afternoon. Welcome to the Allegheny County Jail Oversight Board meeting. Before we get started, I want to remind everyone of the rules of this meeting. Even though it is a virtual meeting the rules still apply, and everyone will be treated with dignity and respect. There are no exceptions to this rule. Everyone, within reason, will have an opportunity to be heard. I would ask everyone please be respectful of the time that you are speaking and questioning to allow every board member that wishes to comment to have the opportunity to do so. Lastly, I like to reiterate that everyone will be treated with dignity and respect, no exceptions to this rule.

**1. PRESENTATION ON DONATED BOOK DISTRIBUTION PROCESS**

I am going to start with Deputy Warden Zetwo with the presentation on the donated distribution process.

**Deputy Warden Zetwo:**

Ladies and gentlemen, what I have here is one of the carts that we utilize for the distribution of the books inside the ACJ. Between the books we already have on hand and the donated books up through 2020, is upwards of 20,000, a little bit over, books that are available. Now these books, that have been donated and the ones that we had currently had, have already been searched by the ACJ security staff to ensure there is not any kind of contraband that could be sent in from the outside, any improper information, or any type of material that would be inappropriate to send to the inmates. The jail has purchased 25 of these mobile charts and the books are placed on the carts down in our education area. The carts are then taken up to the pods themselves and the inmates are given the opportunity to look through the carts themselves and pick out a book. They can maintain that book for as long as they want. Once a week, we rotate the carts through all the inmates again, so they have the ability to switch out books or change out books. Every once in a while, the carts are taken back downstairs to the education area and they are loaded up with other books. It gives people a wide variety of different types of reading material that they could have and there is no limit. If they want to hold onto the book for a couple weeks they can, or they can switch out every week.

**Warden Harper:**

Does anyone have any questions related to the donated book distribution process?

**Judge Clark:**

I just have a question, are the residents taking advantage of the book cart and the book donations?

**Deputy Warden Zetwo:**

Yes. We have been tracking the books as they are signed out. We maintain logs that are downloaded into OnBase. So that way we maintain some type of tracking on the number of books that are signed out on a weekly basis by how many inmates are on each pod. So, we can track that.

**Judge Clark:**

Thank you. Does anyone else have any questions?

**Ms. Hallam:**

I just like to hear some details on the screening process. I know we have something coming up on the agenda, maybe next, about potentially bringing Book'Em into the jail and so I would just like to hear what the screening process for these books are particularly to see if that's something we can replicate on a larger scale.

**Judge Clark:**

Warden Harper, can you talk about the screening process?

**Warden Harper:**

The only thing I would say pertaining to the screening process, your Honor, is that we go through the books to make sure that there is no contraband. I do not want to give great detail about that during this meeting.

**Judge Clark:**

Is there any other type of screening that is done, in terms of types of books or is it pretty much open that any type of book can be donated or utilized?

**Warden Harper:**

Well, we do not want to give the inmate population anything that shows nudity or stuff like that. So, of course we do not let stuff like that go up to the pod.

**Judge Clark:**

Thank you. Any other questions? Alright, thank you and thank you Deputy Warden Zetwo.

## **2. OLD BUSINESS**

### **A. Report on Exit Interviews of Residents of the Allegheny County Jail (Mr. Kenstowicz—Prison Society)**

**Judge Clark:**

We are going to start as usual with some of the old business that was left over from the last meeting and some of the regular reports that we have. The first thing on the agenda is the report on the exit interviews of residents of the ACJ and Mr. Kenstowicz from the Prison Society is here. I asked him if he would report out. Ms. Moss and I met with him, maybe a week ago, to talk further on some plans as to how we would like to do this. I am going to turn the floor over to Mr. Kenstowicz. If you could just introduce yourself to the board and then give your presentation.

**Mr. Kenstowicz:**

My name is John Kenstowicz, I am an official prison visitor with the Pennsylvania Prison Society. In our meeting last week, we discussed the format for how this is actually going to work with the exit interviews. We came up with six items that I would like to go over briefly. The first issue was who should really participate in the exit interview. We came up with a figure of three months. Because we are looking for people that have experience at the jail and can really speak to the conditions and operations of the jail. So that is why we choose that particular number...three months. Confidentiality is very important us for the success of this program. We would like to see separate computers to be used for the people doing this exit interview. That way, they can associate doing the interview with a computer that is not going to be part of the ACJ. A third item, we talked about was conducting a sample of interviewing 30 people that have completed the exit interview. To find out about what they thought of the form and what they thought of the process...the format. Judge Clark and I discussed this about who would actually do that. We came up with the idea that the Pennsylvania Prison Society could do that. On our Chapter Meeting last week, I brought this up and I got six official prison visitors that are willing to participate in this, so we do have that that covered. Another item we talked about, which I think is very important, is how people are going to become aware of this exit interview process. We thought at the start it would be best if people coming in at intake would become aware of it. Then at that point, they would get their tablet and an appointed time. On the tablet, we could have a message, probably from Judge Clark, about the exit interview: the purpose of it, why they are chosen to participate in this, the issues of confidentiality, and an important part what is actually going to be done with the exit interview form when they are finished. That would be explained. I do not think it would have to be that long, two or three minutes. That would give them the orientation. We were thinking this would be done in the release center, not right before they leave but at a point in time before they leave. Another issue we talked about was how the data is going to be analyzed. For that, we thought DHS could be helpful. Judge Clark is arranging a meeting with Erin Dalton to discuss how we can actually analyze and use this data. The last thing we talked about is a token for people that are participating in this project. Something like a gift card for food or maybe a weekly bus pass for one week. Judge Clark was going to contact the Port Authority about that. So those are the issues of what we covered. I think, Judge, I will turn this back over to you to discuss things that you have done and what is our next best steps in terms of moving this forward.

**Judge Clark:**

After we met, I did reach out to Erin Dalton, from DHS who was happy to help; one, with how we would collect and analyze the data and two, to work on the issues of having some kind of token for the persons who complete the exit interview. We were thinking that either a one-week bus pass that someone can utilize once they leave or a Giant Eagle or other food gift card because that would be important. Something of a value of 10 or \$15 or something like that. She was going to help with that. I do have a meeting that I was invited to by Mrs. Shubik from the Prison Society. So, I think Erin has talked to Claire Shubik and we will work-out some of these details about the data collection and other things. Then, I did reach out to Warden Harper to see if we could put sort of the public service message on the tablets, so they would get something while they were in intake being processed. Anyone waiting for admission into the jail, there would be some way to play the public service announcement. It would also be on their tablet. So, during their stay in the jail they would be able to see it more than one time, as often as they want. Just to stress the importance of completing that exit interview. This will assist the board in determining what is working in the jail, what is not, whether they feel safe, and all those kinds of things. It looks like

we are well on the road to getting this accomplished. I am really excited about it and I want to thank John and the Prison Society for their work. I mean they developed the form and I think it will work really well. I am going to ask Ms. Moss, since she was at the last meeting, if there is anything that she wants to add to it. Ms. Moss?

**Ms. Moss:**

Well, I will just add to what you said Judge and John that it was good meeting and then I saw every other response after you looked into talking to Erin Dalton. I think it is going to be good and I think it is going to happen probably pretty quickly too. I think it is a good job.

**Judge Clark:**

John, is there anything else you want to add before I open it up for questions from the from the board?

**Mr. Kenstowicz:**

I think this is where we are at, at this point.

**Judge Clark:**

Thanks. Are there any questions?

**Ms. Hallam:**

I wanted to ask if we could potentially consider giving folks who take the exit interview an option of what incentive they want. I do not think we should be picking if a bus pass is most helpful to them or a giant eagle card. I know for most people I have talked to leaving jail, they would prefer a \$20 visa gift card. I would just like us to either: A. considering offering actual money as an incentive or B. asking them if they want a bus pass or a Giant Eagle card.

**Judge Clark:**

We have not decided. I would say it depends on what we can get. We are dependent upon others to donate. We are hoping Giant Eagle, but we have not asked anybody yet. We just decided gift cards if that is what they would donate. I was going to reach out to Port Authority and ask if they would donate a number of one-week bus passes. Then I think we had discussed coming to the JOB and asking for money from the IWF to be utilized to do something else. Whatever is in stock at that time. If we had different things, they could probably choose that day, I want the gift card, or I want the bus pass. But we are dependent upon sort of the kindness of others to give us things. I do not know whether that is feasible, but we did feel it was important to offer them something they could really use. Most people can use a bus pass or can use a card to buy food. We will consider that depending on what kind of resources we have for the token. That is still up in the air that has not really been decided. Those were just examples of what kinds of things we were discussing. That is not etched in stone. The Port Authority could say they are not going to give us those and so then we have to go back to the drawing board. We have not asked anybody yet. We just discussed the kinds of things we want.

**Ms. Hallam:**

I know that it was brought up in a previous meeting, maybe by Deputy Warden Williams, that she was planning to reach out to Port Authority even without the exit interviews to get bus passes for folks being released from jail. Is there any update on that happening?

**Judge Clark:**

That was me. I did meet with the Director of PAT. Since Covid, we have not touched base. When I talk to her, I will talk about this. But that was just for a bus ticket for somebody exiting the jail because normally there is a request to get bus tickets from the IWF. I was going to ask, which I did, and there was supposed to be a follow up with PAT and that did not happen.

**Ms. Hallam:**

Okay, thank you for clarifying that. I appreciate it.

**Judge Clark:**

Any other questions or comments?

**Ms. Parees:**

I assume it is in the form of a questionnaire. Have the questions been developed yet? And what would be the nature of some of the questions?

**Judge Clark:**

Yes, it has, and I thought I sent that the original draft out to the board. If not, I will send the most recent draft that we have. There are questions around different areas: safety, medical care, I think the intake process, food. John, maybe you can add some other things. There are groups of different types of questions, but I can send that out to all the board members. I thought I had, and I apologize for that.

**Ms. Parees:**

Thank you. That would be helpful.

**Mr. Kenstowicz:**

The only thing I want to add is the way we designed this exit interview. We have close ended questions with specific answers and then we have open ended space, where people can talk about their experience at the jail. I believe there are nine sections. In each of these sections, they will have the opportunity to answer the questions. There will be a specific response but then we can hear from them about their experience. If they would want to further explain something related to medical or their safety or whatever. We would like to have both options because we have seen an advantage of both.

**Judge Clark:**

Any other questions?

**Mr. Korinski:**

Yes, Mr. K. and Judge Clark, thanks for your leadership on this issue. I started on the Jail Board back in 2013. This is just great that we are taking such a proactive approach and I do not think many county jails in Pennsylvania are doing this, so thank you all. John, we are doing the Needs Assessment through the IWF with the Pitt School of Social Work. Perhaps you and I could touch base and we could collaborate with the Pitt School of Social Work on some of the questions to prevent recreating the wheel on some items. I think some of the issues that that you are interested in we are also interested in on the Needs Assessment. I think this is a really good thing and I think we can leverage our efforts to get some good data.

**Mr. Kenstowicz:**

Yes, I think we would obviously want to take advantage of that. We have given the form to returning citizens. I think their input is very important and how they how they think this is going to work. We tried not to make it too long because we know that first day out of jail other people have a lot of things to do. Brad, I would be pleased to do that.

**Mr. Korinski:**

Maybe we can get some of that information you want to through that Needs Assessment for people or current residents in the jail as well. Just their experience so we can get both the coming and going as it is.

**Judge Clark:**

Thanks. Any other questions? Thanks John. We appreciate all your work. Thanks to the Prison Society. We are fortunate to have the Prison Society, who works so hard and diligently to make sure that the residents of the County Jail are being served in the best possible way, to attend the board meetings and to hold the board accountable as well. Thank you!

**B. Inmate Welfare Expense Fund Sub-Committee Report**

Next is the IWF Subcommittee Report. Judge Lazzara told me she would have someone report out in her stead and she was unable to at least be at the beginning of the meeting.

**Mr. Korinski:**

Judge Clark, that person would be I.

**Judge Clark:**

Okay Mr. Korinski, you are up.

**Mr. Korinski:**

We did have a meeting yesterday. We have renamed the Inmate Welfare Fund the Incarcerated Individual's Welfare Fund (IIWF). I will have the Controller's Office internally change our reporting from the former Prisoner's Welfare Fund and will be labeling it the IIWF in the future. We also would like to report that our contract with the Pitt School of Social Work for the Need's Assessment is in the process of being completed. We have heard from the Department of Human Services that Pitt is ongoing with their efforts, even though the contract is pending. We expect that contract to be completed soon. Then we do have some ongoing projects. We just had a very productive one-hour meeting recently and we will have some reports to make to the board, hopefully at the May meeting. I know Judge Lazzara wishes me to convey to everyone the subcommittee making very meaningful efforts for the board and thank them for their efforts.

**Judge Clark:**

Thank you, Mr. Korinski. Does anyone have any questions?

**Ms. Hallam:**

I was just wondering if Mr. Korinski was making a motion to officially change the name. If so, I would like to 2nd that.

**Judge Clark:**

I think maybe it does take a motion. So, I think we can do that. Mr. Korinski is that a motion?

**Mr. Korinski:**

I think perhaps it should. So, a motion to change the name to the Incarcerated Individual's Welfare Fund for which Ms. Parees should take responsibility. It was her idea.

**Judge Clark:**

Thank you, Ms. Parees. It has been seconded by Ms. Hallam. Any questions or discussions? All those in favor?

**Others:**

Aye

**Judge Clark:**

Any opposed? Any extensions? Alright, we have a new name. Thank you.

*The board unanimously approved a motion by Mr. Korinski, duly seconded by Ms. Hallam to change the name of the Prisoner's Welfare Fund to the Incarcerated Individual's Welfare Fund.*

**C. Report on Book 'Em**

**Judge Clark:**

Is Mr. Kamara present?

**Ms. Hallam:**

I am not sure if you had a chance to see it before the meeting, but he had emailed with us and said that he was going to miss today's meeting for a work-related emergency. He just asked if he could have a conference call with the board later this month. But that he did have conversations with the Warden and the point person at the jail in charge of the books. He needs more time to connect those individuals with Ms. Lincoln at Book'Em and talk about next steps. He just asked if we could have a meeting, after this meeting and discuss it at the main meeting instead.

**Judge Clark:**

Do you mean the committee?

**Ms. Hallam:**

Yes, about the books.

**Judge Clark:**

Alright, because the board cannot have a meeting, but the committee can. Okay, that is fine. So, we will expect to report out at the next meeting.

**D. Suicide Prevention Update Report**

Alright, Suicide Prevention update...Warden Harper?

**Warden Harper:**

Two of our recommended policies have been published this month: our Mental Health Programs and Service Policy and our Medical Housing Level of Care Policy. The Mental Health Program of Residential Care Policy MH-2610 is in the final stage of approval by this administration. The following operational policies are in the process of being revised: Suicide Prevention and Intervention Policy 304 and Mental Health Policy 305. That is all pertaining to the NCHCC Report.

**Judge Clark:**

Any questions for the Warden concerning the NCHCC Report?

**Ms. Hallam:**

Yes, Warden Harper, you said they were published. Were they published online?

**Warden Harper:**

They were published inside the jails in our powered EMS system.

**Ms. Hallam:**

Okay, are we able to access those?

**Warden Harper:**

No. If you would like to see any policy Ms. Hallam, all you have to do is give me a couple of dates and I will meet you at the courthouse. I can bring any policy that you would like to review.

**Judge Clark:**

Thank you. Any other questions?

**E. Restraint Chair Usage Data Report**

Alright, we have a report on the Restraining Chair Usage Data Report.

**Warden Harper:**

During March, we used the restraint chair 12 times. That is all I have to report on that ma'am.

**Judge Clark:**

Any questions for the Warden?

**Mr. Korinski:**

Thank you for the Restraint Chair Form that we saw. It is a very complete form and seems to have a lot of detail that we would be provided. Are we able to see the completed restraint chair forms at the courthouse or at the jail?

**Warden Harper:**

Absolutely. Give me some dates and times and we could bring some of those reports out for your review Sir.

**Judge Clark:**

Thank you. Any other questions?



## F. COVID-19

### **Deputy Warden Williams:**

This is rather extensive so give me some time.

### **Judge Clark:**

I understand, but it is important. So, I would ask everyone for their patience. There is a lot of things that Deputy Warden Williams needs to report to the board this month.

### **Deputy Warden Williams:**

I have broken the report into two different sections, so I will discuss infection rates and testing first, and then vaccinations second. The numbers on the ACJ website have been updated to reflect 2,425 incarcerated individuals have been tested. Of those, 340 or 14% have been found to be positive throughout the duration of the pandemic. We have 10 incarcerated individuals that are presently positive in the facility and those are primarily from one housing unit. We have had 2,071 negative tests and we currently have 3 pending tests. We have 0 incarcerated individuals hospitalized from COVID-19 at this present time. We have had reports from 337 employees who have been tested, with 130 that have been positive, 217 have been tested negative, and 0 pending tests. We are happy that we have 127 recovered and back to work at present time. We have 3 employees that remain out or currently in their recovery process. In the institution we have two housing units under quarantine status and one housing unit under isolation status. That housing unit is the one primarily utilized for testing purposes. All of the data that I have provided is specific to testing practices for those that have had a PCR or a diagnostic test that determines if you are infected by analyzing a sample from an NP swab to see if it contains genetic material of the SARS-CoV-2 Virus. These samples and specimens are obtained on site by qualified health care professionals and then send to be processed at the Allegheny County Health Department or Bureau of Labs with the state. As many of you know, the recommendations for testing have continued to evolve. Early in the pandemic, it was not recommended to test asymptomatic individuals with contact exposure. In fact, it was not recommended to test asymptomatic individuals at all. These recommendations have continued to change, and we have continued to work with the Health Department to ensure that we will be able to implement the standard practices recommended. Our agency applied to receive CLIA waivers for the rapid antigen testing and were granted that capacity recently. CLIA, which also stands for Clinical Laboratory Improvement Amendments, had not previously been obtained because though we as an agency have an onsite lab that is utilized for urine specimen or blood sample specimen, other specimens that may be sent to a lab is not processed on site but processed elsewhere. Currently in our contracts our lab specimens are processed at AHN. Our facility had to work towards this application and waiver process. Once obtained, we were able to coordinate with the Health Department and receive recommendations for rapid antigen testing. At the recommendation of experts, we will be moving forward with increasing our testing efforts by adding surveillance testing. Surveillance testing refers to the process of utilizing rapid antigen tests universally for all new commitments who are not displaying any symptoms. This increased testing will not change or impact our previous testing standards, which include immediate separation of those presenting with symptoms or have had reported recent exposures to known cases. All other asymptomatic, new commitments will be tested and if negative will be sent to an intake housing unit to participate in routine quarantine procedures. Testing will occur again at a later interval, approximately 5 to 7 days post booking. If the individual continues to remain as negative, they will complete their routine quarantine procedure. Increased surveillance testing requires all

qualified health care professionals to be fully trained to ensure quality controls remain in place for testing individuals and for interpreting their results. Additionally, every test will need to be recorded within the electronic health record and the state database, which is PA.net, also known as Pennsylvania's National Electronic Disease Surveillance System. This is no small feat and will require additional workloads and burdens to staff for both testing and data entry. The Allegheny County Jail has been abiding by the recommendations and standards set by experts and governing bodies. The health care staff has been diligent to assess that identify individuals who fit within the testing criteria. We have demonstrated our willingness to complete viral PCR testing in volume whenever indicated to root out disease presence. The health care employees have been diligent, relentless and persistent for finding disease and taking the appropriate steps to care for individuals throughout this pandemic.

In terms of vaccination updates, we have been partnering with the Allegheny County Health Department who has received I think approximately 10% of the allocated doses in the Commonwealth of Pennsylvania. They have worked very hard to assist in getting the majority of our employees vaccinated as quickly as possible. In partnership with the Health Department, we began vaccinating employees on December 29, 2020 and continue those efforts today. We have 675 eligible employees. We have 45 or 6.67% who have received one dose, 301 employees or 44.59% who have received both doses, 346 or 51.26% who have received any doses, 166 or 24.59% who have refused, and 63 employees who are currently still waiting to receive doses and are in their registration period. We have 9 out of the 346 employees that have been vaccinated with both vaccines that had it done elsewhere, either through UPMC, AHN, Rite Aid, Walgreens, or at fire departments. All other employees, that I noted, have been vaccinated through the efforts of the Allegheny County Health Department. Many employees remain interested but were previously positive for Covid-19 and have been deferring their vaccine in order to assist with the efforts in contributing to herd immunity. As they reach their 90-day post-positive time period, many employees have elected to start receiving their vaccine. As we previously reported, our facility applied to be a vaccine provider in December of 2020. We received approval and are fully equipped with storage procedures to store vaccines on site. We have applied with the state to receive vaccines every week but have not received any allotment of stock up to this date. Because we have not been able to obtain any vaccines as an independent agency, our partners with AHN have committed to mobilizing their team to work towards vaccinating the entire inmate population. Vaccine deployment efforts have been incredible and challenging throughout the Commonwealth due to availability and supply. As we all know there are three vaccines available and we will ensure that we have the capacity to provide these vaccines to the current population. This process, moving forward, will include educating the entire population on the 3 available vaccines Moderna, Pfizer and J&J. Healthcare professionals will additionally make themselves available to respond to questions regarding the benefits and risks of vaccines. Incarcerated individuals will elect to receive the vaccine and will still maintain their right to refuse. We plan to deploy the education on the tablets and have been able to work with the vendor GTL to get all of that information to the incarcerated population. There will also be a form available on the tablets in which the incarcerated individual is able to submit a request to receive a vaccine. This request will then go to designated individuals. Those individuals will be prioritized based on conditions and we will work to get them registered for vaccinations and then quickly vaccinated thereafter. We are still coordinating with our agent partners to determine dates for vaccination clinics, in the event that we do not begin to receive necessary stock of vaccines. As the Commonwealth continued vaccination efforts, we are very excited with the expansion of Phase 1B on April 5, 2021. We are very hopeful that with these continued efforts, our facility will be able to obtain the

allotment of vaccines that we will need moving forward to continue vaccination efforts for the inmate population. We are exceedingly thankful for our partners at AHN to be willing to assist us until we are able to gain vaccines independently. That is my COVID-19 update.

**Judge Clark:**

Thank you. I am going to ask the board if they have any questions at this time.

**Judge Clark:**

Yes, Ms. Hallam?

**Ms. Hallam:**

I appreciate you giving us an update on how many positive tests there have been since the beginning of the pandemic, but I think it would be more helpful if we are looking at a more recent sample. Could you, going forward and today if possible, tell us how many positive tests there were in the previous month or two? So, for example, how many positive tests of incarcerated individuals were there in February and March?

**Deputy Warden Williams:**

I can absolutely do that moving forward Ms. Hallam.

**Ms. Hallam:**

Okay, thank you. I would really appreciate that.

**Judge Clark:**

I think because they post that information on the website. I think it would be good to have it at the meetings but that would also be available on the website. Would it not?

**Deputy Warden Williams:**

Not currently but moving forward we can add that information. Perhaps on the first of the month will do a look back and total the previous month as to how many positives, negatives, etc.

**Judge Clark:**

Thank you. That would be a great idea. Any other questions from the board?

**Ms. Hallam:**

Since we referenced the jail's Covid dashboard, I notice that recovered and release are grouped together. Is there a way that we could separate those two categories because they are two very different categories?

**Deputy Warden Williams:**

I do not want to say no. It would be difficult to do that. We could potentially do that in the look back in the month but the majority of individuals who have been previously positive and recovered have since been released. I do believe you may be seeking information of how many individuals have been released while positive. Is that accurate?

**Ms. Hallam:**

Yes, that is what I would like to know.

**Deputy Warden Williams:**

Okay, I will double check numbers, but we have had seven individuals who have been released while they were positive. All were identified with secure transfer and if they did not have that available, we actually utilized partners with EMS to securely transfer them to their homes where they would isolate. We provided PPE for them and their family members to ensure that they could complete their medical isolation period. Moving forward, I will make sure to include any positive release individuals in our report.

**Ms. Hallam:**

My next question is about the vaccination education materials that you talked about. You said the education materials will be available on the tablets but that there were also be medical staff available to answer questions. What about the folks who do not have tablets for whatever reason? Will there be hardcopy education materials available?

**Deputy Warden Williams:**

Yes. I failed to mention we have both the Spanish and English versions available on the tablets. We have physical copies of the information available in hardcopy form. Additionally, if we have individuals who have language barriers that are not primarily English or Spanish, our infectious disease coordinator is working on getting the EUA form in other languages, so it can be provided to the individual in their native language.

**Ms. Hallam:**

Can we get a copy of those education materials and the vaccine plan you just went over please?

**Deputy Warden Williams:**

I will be happy to send those materials through as well as the briefing of the plan.

**Judge Clark:**

Any other questions for Deputy Warden Williams? Alright, thank you. That was a wonderful report and I know a lot of work goes into preparing that report each month for the board.

**G. Tablet Update: Usage Data and Revenue**

We will move next to our tablet update and this would include any usage data, the revenue, and then a report on the status of money left on the tablets from the IWF. Warden Harper?

**Warden Harper:**

I am going to start with December 2020, the tablet revenue was \$242,170. In January 2021, the tablet revenue was \$246,069. In February of 2021, it was \$257,511. That is all I have, your Honor.

**Status of Money Left on Tablets from Welfare Fund**

**Judge Clark:**

Do you have an update on the status of money left on the tablets? I think there was a question about could that be returned to the to the residence so that they could take it with them upon discharge. I think you were going to check with GTL to see if that was possible.

**Warden Harper:**

We have been working on this process since the last JOB and I thought I would be able to report that we had a solution at this meeting but we're close to a solution. I hope that I will be able to report that we will be able to provide those monies to individuals leaving our facility at the next meeting.

**Judge Clark:**

I would just say, if it cannot be returned to the resident, this is money that came from the fund to put on their books. At the very least it should be returned to the fund because it should not go to GTL. I just want that made clear to GTL that they should not be keeping that money. If it cannot go to the inmates, then it should go back to the IIWF. But it looks like that they will be able to work out that process, so we will wait until next month to hear from you.

**H. Report of Individual Counseling Sessions Conducted Weekly**

Alright, we have some leftover questions from the last meeting. The board wanted to receive a report on the number of individual counseling sessions conducted weekly.

**Deputy Warden Williams:**

I had hoped I would have this worked out in our electronic health record. We are still trying to extrapolate this in a reliable way. The information I can provide right now is that in the last month, our psychologist provided 80 counseling sessions. That was what I was able to get from our electronic health record. Moving forward, we are going to find a more reliable way to provide this data, but I have not yet achieved that at this present moment.

**Judge Clark:**

Are the counseling sessions done because someone is requesting them? is that how it is usually initiated? Or is there some recommendation that is needed because of mental health diagnosis and that is part of a treatment plan while someone is a resident of the jail?

**Deputy Warden Williams:**

Right now, our psychologist is providing counseling sessions for those that are prescribed. Now you had indicated that somebody might be making a request for those services and that can certainly be an initiation point or referral source for those counseling services to be provided. Then based on an advanced practitioner's assessment it needs to be deemed appropriate. Some individuals would like somebody to talk to. We have spoken a great deal that a large number of the services are brief intermittent, crisis oriented, case management supportive. We also provide spiritual counseling through the Chaplaincy Department. There are a number of different resources but when I am reporting out on specific counseling at this time it will be at the psychologist level and that would be based on prescription.

**Judge Clark:**

Could the report then include how many residents are prescribed counseling sessions and then how many counseling sessions occur just to see what the how it pans out? Could then be part of the report?

**Deputy Warden Williams:**

That will be a change in our process right now which is why I am having a difficult time with that data. Although we have an incredible electronic health record system there is not a treatment order that is typically placed for the psychologist. That comes from a psychiatrist and it may be embedded within a treatment plan. There is no report that currently runs how many individuals are prescribed that. We can certainly find ways to do that. We have just not been able to accomplish that in the last month.

**Judge Clark:**

Thank you. Any questions for Deputy Warden Williams?

**Ms. Hallam:**

I would like a basic description of what one of these counseling sessions look like. For example, are they happening through the cell door or are they happening in a private room? What is the average length of them? if you could just give us a brief description of what that looks like.

**Deputy Warden Williams:**

I did not pull data for average length and I would not feel comfortable speculating on that. I can say that the psychologist would spend the amount of time that she deemed clinically appropriate to be meeting with the individual based on whatever their symptoms or treatment plan would indicate. That would also affect the frequency, also known as the dosage, in which somebody would be seen. The majority of the sessions need to take place in a confidential setting. So, unless that individual was a risk to self or others, we have been accommodating these sessions to happen in a confidential setting.

**Ms. Hallam:**

Thank you. For the next meeting, if you could give us, I know you said you are working on it and I very much so appreciate that, just I just the average time frame. Is it a 5-minute check-in or an hour-long counseling session? If we could get some data on them for the next meeting, I think that would be very helpful.

**Deputy Warden Williams:**

These would all be longer than five-minute check-ins, but I will see. We do not have a start and end time indicated in our electronic health record which is why I would not be able to at this time provide reliable data for how much time they are taking. I can certainly work with a psychologist to see if we can figure out a way.

**Judge Clark:**

Alright thank you. I would note that Judge Lazzara has now joined us. Welcome Judge Lazzara. The minutes should reflect her presence at the meeting.

**I. Staffing—Specifically as it Relates to Medication Pass**

**Judge Clark:**

The next of the old business was staffing, as it relates to the medication pass. I guess that would be Deputy Warden Williams as well.

**Deputy Warden Williams:**

I was a little bit confused in reference to the page where it was discussing medication pass and it appeared from the notes that this was from an individual who was in in-take. We have a nurse, stationed at intake, who is able to complete medication pass. That happens at least two times daily and if not indicated more. So, for somebody who might be insulin dependent diabetic and requires four times a day glucose checks and coverage with insulin it would happen with a higher level of frequency. That information is obtained when the order is obtained within our electronic health record which would indicate that the person needs to be administered their medications. If we were talking about medication pass in the facility in general because I do know that there were several comments last month related to timeliness of medications, I can state that with a reduced population in the facility, some of the medication pass assignments have changed. Historically, we had six nurses providing medications to the population, when our overall numbers were approximately 2,300 as an average daily population. Now not all 2,300 individuals are prescribed medications but that was our average daily population. Right now, we are hovering around 1,700 individuals and because of our reduced numbers, we have reduced the number of nurses that do medication pass by 1. So, although we have reduced our average daily population by 600, we have reduced our nurse staffing only by 1. Medication passes follow a schedule. We do medication pass or administration 2 times a day. Morning medication administrations begin at approximately 700 hours and evening medications begin at approximately 1600 hours. Before pandemic that was when our start times for medication passes began. I understand that there are some individuals who would prefer that their nighttime or their evening medications come at a little bit of a later time. Historically in our facility that has been when we have started.

**Judge Clark:**

Thank you. Any questions?

**J. ACJ Residents' One-Hour Rec Time**

**Judge Clark:**

Alright, then there was a question about the one-hour rec time. Warden, can you talk about the rec time? I think this was a relation to so many people being quarantined and COVID and so forth.

**Warden Harper:**

During the quarantine time individuals in our facility are still provided at a minimum of one-hour of recreational time. Even if the pods are at a 76-individual level, we can still provide at a minimum of 1 hour of recreation a day. As you just heard the Chief speak about with our partnership at AHN and us starting to vaccinate the inmate population very soon, hopefully we will have some normalcy coming back to the jail in the near future. We are really excited about that. So, every individual at our facility is given at least at a minimum of 1 hour of recreation.

**Judge Clark:**

Thank you. Any questions?

**Ms. Hallam:**

The pods that are not on quarantine or isolation, how much rec time are they given?

**Warden Harper:**

All individuals within our facility, in accordance with the court order, I cannot have any more than 25 individuals out but with the increase of COVID in our community, we have still stuck with the 10 individuals being out of cell. As soon as we can get everybody vaccinated, which will be very soon, we will hopefully be back to normal operations.

**Ms. Hallam:**

I am just concerned because we are going on over a year of this lock down. I am very concerned that folks have been getting an hour out of their cell each day for a year. That's solitary confinement for a year. I want to make sure there is a solid plan in place. How many people have been vaccinated before you will be able to increase it to more than an hour? I am just wondering if there is a timeline or projection or metrics that you are using to increase the rec time.

**Warden Harper:**

Right now, we want individuals out of cell as much as possible also. We don't have a specific timeline as to how we're going to implement this but hopefully by the next Jail Oversight Board I will be to give you guys a little insight as to how we're going to provide more out of cell time.

**Ms. Hallam:**

Is there any plan that utilized the vacant pods to spread folks out a little bit more and maybe give them increase rec time?

**Warden Harper:**

Right now, absolutely not because we still have to be prepared just in case we have a high influx of positive people in the future. So, no ma'am.

**Judge Clark:**

Any other questions or comments?

**K. Accessibility for Lawyer Visits for Quarantined Residents via In-person or Video Call**

**Judge Clark:**

Warden, can you give an update on the accessibility for lawyer visits for quarantine residents, either in person or by video?

**Warden Harper:**

As the Chief reported to the board, we have to quarantine pods and an isolation pod. We just purchased 32 Polycom machines. Those Polycom machines will be placed on each pod so that we can continue attorney visits and court visits for individuals that are quarantined and not just quarantine but also for our regular population so they don't have to leave the pod to go to our video complex. We have 21 Polycom machines up and running right now. We are going to start developing a process as to how we are going to utilize the Polycom machines. We are very excited about the implementation of the Polycom machines.

**Judge Clark:**

Any questions or comments?



**Judge Lazzara:**

Warden, I think it is wonderful that you have been making the inmates available so that we can have hearings and for the courts. I think it is really great as well that we are going to be making them available for attorneys to be able to talk to their clients before they come to court. Will these additional Polycom units also be used by providers who need to do meetings in order to get people out of the jail? For example, like a CRR that needs to have an interview with an incarcerated individual before that they can accept them into the CRR program or somebody who is going to inpatient treatment. Will the inpatient provider be able to use them as well?

**Warden Harper:**

Your Honor, that is a great question. To be honest with you, I have not gotten that far yet but thank you for bringing it to our attention. We will definitely consider that ma'am.

**Judge Lazzara:**

It would be really helpful if JRS, the inpatient providers, the CRR providers, if those folks would be able to have access to folks on quarantine. Sometimes we cannot get them out of the jail as quickly as we would like because they cannot be seen. If you could consider adding them, I would really appreciate it. Thank you.

**Judge Clark:**

Great suggestion, Judge Lazzara. Thank you. Any other questions or comments?

**Ms. Hallam:**

Judge Clark, I just want to add, I agree with everything Judge Lazzara said. That is just awesome this new accessibility is happening. I am wondering if since these new devices have been implemented, have there been enough that folks are not having to miss their trial or not having to miss appointments with their legal representation and have their court cases delayed? Have you had any data collection on that?

**Warden Harper:**

Ms. Hallam, we do not have any data pertaining to missed court dates. We know that they missed court dates and attorney visits. We know that is taking place because at the time we did not have enough video conferencing machines and the first floor and fifth floor visit video visitation center was just not enough to handle the amount of attorneys that want to see our clients. I really just want to say to the board and everybody, that attorneys do not have to wait for Teams invite or video conference. They can come to our jail and see their clients. We take appropriate precautions to make sure that everybody is safe. I would just hope that some attorneys come down to our facility to see their clients if they cannot get a video visitation.

**Ms. Hallam:**

Are they able to do that even if their client is on quarantine or isolation?

**Warden Harper:**

Absolutely.

**Ms. Hallam:**

I appreciate that. One more question, you had mentioned in a previous meeting, and we had suggested, using the tablets for these sorts of visits. You said you were going to talk to GTL, I think, about the capabilities of doing that. Has there been any progress on that?

**Warden Harper:**

Ms. Hallam, I have not spoken to GTL about that, but I will make sure I speak to them before the next meeting.

**Judge Lazzara:**

A follow up on Ms. Hallam's comments, I can't provide you with any data but I can tell you that anecdotally we are seeing less postponements as a result of people not having access to their counsel. For a while it was pretty bad, and it has really been quite good lately. For what that is worth, it is just an anecdotal thing.

#### **L. Diagram of Exterminations and Identification of Company and Contract**

**Judge Clark:**

The last of old business was about the exterminations: the company and the contract.

**Warden Harper:**

Our exterminating vendor is Complete Pest Control. They come to our facility twice a week, on Tuesdays and Thursdays. On Tuesdays and Thursdays, they split up, exterminating the entire facility. They also exterminate the outside of our facility to reduce the amount of pests inside of our facility.

**Judge Clark:**

Any questions or comments?

**Ms. Hallam:**

I was just wondering if the board could get a copy of that contract.

**Warden Harper:**

Yes ma'am.

**Ms. Hallam:**

Thank you very much this. One more thing. This is preventative extermination you said. I never heard of anywhere getting sprayed twice a week, every week just in perpetuity. Why that is?

**Warden Harper:**

ACJ is 1,000,000 square feet. There is no way that we will be able to exterminate 1,000,000 square feet less than two times a week.

**Ms. Hallam:**

Okay, but the whole million square feet is getting sprayed twice a week?

**Judge Clark:**

No

**Ms. Hallam:**

Okay, I must have misunderstood that. Can you explain that again? How the process is?

**Warden Harper:**

What happens is, the ground floor, the cell block, the exterior of the facility, and our kitchen is exterminated twice a week.

**Ms. Hallam:**

Is that normal? I mean I do not know; I have not had to call an exterminator before, but just twice a week the spray anywhere just seems a little excessive. I am just wondering the rationale behind it.

**Warden Harper:**

Ms. Hallam, I do not know the answer to that. I will try to have the answer to that at the next meeting, but I think that twice a week 1,000,000 square feet is appropriate ma'am.

**Ms. Hallam:**

Where did that recommendation come?

**Warden Harper:**

From the exterminating company ma'am.

**Ms. Hallam:**

Thank you very much.

**Judge Clark:**

Any other comments?

Alright, I want to thank all those who made report out and the Warden and Deputy Warden for their reports. It is really appreciated. An incredible amount of work goes into them to prepare for these meetings and I really appreciate it.

### **3. PUBLIC COMMENTS**

**Judge Clark:**

Now we are going to move to public comments and I just want to say before I get to the public comment. I received in excess of 30 comments and there have been a number of them that dealt with, I don't want to say complaints but I guess concerns I will say, that I am not addressing the public comments in an appropriate way. Some of them deal with not allowing the public to present comments in a live fashion. Also, that I am choosing comments to read. I am summarizing comments. I am deliberately leaving things out. I would just say if this were an in-person meetings like we had before COVID we always limited the number of comments and the time that people got to speak. We cannot just go on forever. Many boards, for example the Pittsburgh School Board, if you want to make comments, I believe you have to submit them in writing prior to the meeting. You are not allowed just to get up and make comments in many board meetings. We felt that when we had to go to a virtual format that it would be very difficult to have the public participate live in the meetings and to maintain order in the meetings. We felt we should have a website where people could present

their comments in writing. The website is open for an entire week before the board meeting and we do receive lots of comments. Far more comments than we would ever get, I believe, if we were in person. Some people write very lengthy comments because we have not limited the number of characters that you can put in there. I do my best to try to read as many of the comments that I can. At one meeting I read every comment. It took a very long time. It took up a lot of time from the board meeting. It gets to be sort of unwieldy. Many of the comments touch upon the same issues and I try to summarize them. For example, this month I got a number of them complaining or making comments or raising concerns about the presentation of the comments. I will read a couple of them. I am not going to read them all. I think the board has a right to kind of limit that. There are a number of comments about other things. I can assure you that the board is given every comment. Also, if there is a comment that is not read and a board member wishes me to read that comment or read a particular comment, they can do that. I have even responded outside of the board meeting or ask the board to respond when somebody has said, "you didn't read my comment at the board meeting and it wasn't exactly the same as the ones you group them with." We have answered those individually. Then some people just send them to my personal email and do not even bother to send them to the website and I try, if I can, answer those as well. I would just say that we are doing the best that we can to address the comments. We are not, at this time, going to open the meeting and have the public participate in a live manner at the board meetings. It is already 5:12 and we are just at the public comments. As you can see, there is a lot of business that the board has conducted. In some of the comments dealing with other things, I will address that.

**Lee Burkhart:**

"I'd like to highlight this board's decision to use person-first language when speaking about the people who are incarcerated at ACJ. However, the sentiment of humanizing language is completely empty unless you truly put the person – their dignity, needs, and humanity – FIRST."

**Judge Clark:**

I agree and thank you for that comment.

**Peter Kay:**

"The last few JOB meetings have demonstrated that the current system for receiving and addressing public comments is not working for the board. There have been repeated issues with submitted comments not being read at meetings. At the January meeting, Judge Clark chose not to read all the comments because she felt some were too similar to others. In February, she decided not to read one comment because she felt it had been addressed earlier in the meeting, and failed to read several others. In March, Judge Clark allowed only a short time at the meeting to respond to comments, and arbitrarily decided which comment to read first. I believe Judge Clark does her best to do her job fairly, but it is absolutely unacceptable for any one person to exercise this level of control over public comments. They are supposed to be for the public, and the process needs to be more transparent. As citizens, it is extremely frustrating that we are only able to submit one comment per month, and our comments often go unaddressed. At ACJ there are reports of inedible food, inhospitable temperatures, violence against those incarcerated, and serious gaps in medical and mental health services, among many other pressing issues. Submitting comments to the oversight board is the only option that citizens have to try to resolve these ongoing problems, and when our public comments are ignored, our only voice is taken away. During the March JOB Judge Clark said that any comments she didn't get to would be addressed at this meeting. I appreciate Judge Clark's dedication to reading and responding to public comments, but this solution simply will not work. There are new comments submitted for

this meeting, so it won't be possible to get through the leftover comments from this month and all the new ones. Comments will simply accumulate forever, and never be addressed. Therefore, I am calling on Judge Clark to begin holding JOB meetings in a public meeting room that citizens can remotely join and voice our concerns directly to the board. Other agencies within Allegheny County including the County Council have held meetings this way, so the JOB should be able to do the same. This system would be more transparent and Democratic, and would also allow the board to respond to more comments as reading pre-written comments aloud takes far longer than letting us speak to the board directly.”

**Judge Clark:**

I think I have addressed those things. I would say, I believe that comments are also posted on the website. I have not checked recently, but I would just say that they should be posted since they are public comments.

**Henry Wiens:**

“The monthly Jail Oversight Board meetings have been virtually hosted due to Covid for the last year. It seems to me, a concerned citizen, that these meetings will continue to be held remotely for some time to reduce the risk of transmission. This entity’s use of Microsoft Teams to only stream as opposed to hosting a more participatory meeting using a different service has been a failure in my opinion. It is inefficient, ineffective, and frustrating to have comments and questions filtered through a single person who mostly paraphrases and leaves out crucial words from the public. Please consider moving to a forum that would allow the public to ask, in their own words, questions for the board.”

**Jesse Dylan:**

“I am concerned about the format of these meetings. Having every single public comment filter through one person is, evidently, not working. Time and time again, Clark has ignored, paraphrased and overlooked comments. It has become abundantly clear that his task is too much for Clark, so why not change the format? It feels as though it would be better to allow community members to make their comments themselves. This way, the board can hear directly from the people whose loved ones are trapped in ACJ. This would also eliminate the issue of paraphrasing. Clark does not always read the entire comment, which can completely diminish its power. What is the point of reading public comments if they are not properly being addressed?”

**Christine Daae:**

“Last month Laura Williams informed us that, almost one year to the pandemic, the Jail had not yet created a plan to protect incarcerated people from the virus. What changes have been made over the past month to correct this? Has ACJ designed a plan for vaccine distribution to those incarcerated? Please provide as many details as possible.”

**Judge Clark:**

Deputy Warden Williams gave a very detailed Covid update. I do not know if there is anything you want to add to that Deputy Warden Williams.

**Deputy Warden Williams:**

I wanted to clarify is that I had not indicated that we had not created a plan to protect the individuals in our facility. We actually had our first continuing of operations plan on March 9th and the pandemic was announced as a pandemic on March 11<sup>th</sup>. So, we have

always had plans to protect the incarcerated individuals in our facility as well as the employees who worked hard throughout the pandemic. Last month I reported that I was not able to share it finalized plan for vaccination and that it was in draft. I think that I have provided that information today.

**Judge Clark:**

Then there were a number of comments about the presence or lack of presence of the County Executive at the oversight board meetings and the failure of the oversight board to do this twice-yearly inspection. I will read that sampling of those.

**JT Walker:**

“Please make sure County Executive Rich Fitzgerald attends the meeting as he is required to as reported in the Pittsburgh Current. Please conduct an inspection as the Jail Oversight Board is required to do. Please allow the Jail Oversight Board to actually perform its oversight function in the jail by allowing it full access to the jail. Jail Oversight Board members should not be hearing news from the jail from the newspaper.”

**Monica Counihan:**

“It seems like the task of overseeing goings on at the jail is pretty difficult to do without full inspection of facilities and access to recent changes in protocol due to the Covid 19 pandemic. How does an oversight board operate without the county's chief executive, Rich Fitzgerald attending meetings? It seems important that these things should change in order for your organization to properly oversee and enact the necessary changes that ACJ needs. Reported conditions in the jail in the past year have many of us very concerned about overuse of solitary, access to enough sunlight, air, and exercise. The extortionary fees to reach out to family virtually, and all of the issue’s prisoners have had with that technology needs to be remedied. Due to visitation restrictions, there needs to be much more emphasis on access to properly working devices. Without proper oversight things cannot be fixed. If Warden Harper is responsible for making it more difficult for you to do the overseeing then that needs to be made public so that the process can begin to call for his resignation or termination. I think the most reasonable thing to happen is for you as an organization to work to remove all barriers to proper oversight. Are you committed to that, or is this group largely just symbolic/performative. What is your plan to get better at doing your jobs?”

**Judge Clark:**

There are some other comments about us not having visited the jail. I believe the last inspection by the board was in May of 2019. I cannot remember when I came on the board. It was prior to me coming onto the board. Judge Cashman had been the President Judge’s Designee for the President Judge on the board. When he resigned, I decided as President Judge, I would join the board. It was our intention, or the board's intention, to do inspections in 2020 and then Covid hit. I think it was the best thing not to add the board to the mix of people in the jail doing board inspections during Covid. I realize there is a statute that requires that. During pandemics, statutes can be waived, and certain rules can be waived for the safety of the public, which would include the safety of the residents of the Allegheny County Jail. It is still the intention of the board, hopefully this year to do inspections. Ms. Hallam has been in contact with someone who actually will do training for the board. We will be setting up a training for the board members as to how we should do an inspection of the jail, what we should be looking for and what we

should see. We are going to even do the inspections in a different way, in a more sorted, organized way. Not just drop in and just look around. Somebody is going to train us and teach us as to what we should be looking for and how we should make our observations in the jail. We are actually preparing to do something different and better. I would say this for the board, any of the board members are free to chime in, I think given everything that this board, which is I will say very small, has done a great job at trying to do more things as an oversight board that has ever been done before. We have many committees and many board members are on more than one committee because there is only nine of us. They are working, so there have been changes in the use of the Incarcerated Individuals Welfare Fund. There is going to be a survey done by the University of Pittsburgh to determine what residents of the jail need and whether we can use that fund in a better way. We have tablets in the jail. While there are issues maybe sometimes with technology, I have issues with technology too. We are all using it. I am using it every day more than ever. They have access. They have the tablets. Residents that I have talked to when I have a resident from the jail that is participating in a hearing in in my courtroom, my virtual courtroom now, I asked about the tablets. Many of them are very appreciative to have them because, at least during a pandemic, they can have visual contact with families. We have utilized this Incarcerated Individuals Welfare Fund at the motion every meeting of Ms. Hallam to provide funding for those residents to be able to make those calls and have those video visits with their relatives. I think is something that never happened before. We did the planning to do an exit interviews of the residents of the jail to give us more information. There is a lot happening with the board. We are looking at things. Later on, I will give sort of a very short report about exit interviews of staff from the Medical Department and the Mental Health Department to try to figure out some of the issues around staffing and what is going on there. Even though we have not physically been in the jail, we are working hard to address the concerns that you have raised, that the residents have raised, and that their families have raised. I think this is a very dedicated board that is working hard. They put a lot of hours in outside of their own jobs to really address this and they are not complaining about it. It is worth it. Some of the most vulnerable residents in our County are the residents of the Allegheny County Jail. They deserve the time and attention of the board. Quite frankly, I think we are giving them a lot of time and attention. I think if we did not have other jobs, we would give them more time and attention. But I think we are working really hard and I am looking forward to the day when we can convene in person. When I can look out and see the members of the public who care about the residence in the jail and come to the board meeting. When we can go into the into the jail safely to make those inspections. I do not know if anyone on the board wants to add anything. You do not have to.

**Ms. Hallam:**

Judge Clark, I have two comments that I would like to request be read.

**Judge Clark:**

I am not done with the comments, I may still read them but yes.

**Ms. Hallam:**

Okay and then also I am wondering if I could propose a compromise with the public comments because I do feel like you are constantly getting attacked for the way that you are reading public comments and it is undeserved. I do not think people necessarily

understand how many we get and how long some of them are. So, to kind of find a common ground here, I am wondering if there is a way that we could do something like limit to 100 words or limit whatever the word count may be. Just to allow everyone's full comments to be read but allow them to figure out their own way to have the important parts included.

**Judge Clark:**

We could probably limit the number of characters and I have been thinking about doing that, but I do not know that is the route we should go. If any of the board members have any other suggestions. But we can do that. I have been thinking about limiting the number of characters. Sometimes though, given the volume I do not know if that would solve the issues. Some of them are just really the same issue and even worded exactly the same sometimes. Not so much this month, but at times they are because there is a push for people to send a comment about a concern with their suggested text. I am not going to read five comments that essentially say the same thing. There are times I get it wrong and I have acknowledged that. People send me an email and I am apologetic for that. Sometimes I answer their questions, or we try to bring it up at the next board meeting. I do apologize. I make mistakes and I know that, but I really do try to sort of group them together when they are the same issues. Sometimes by the time I get to the comments that questions have already been answered in a report that Deputy Warden Williams has already given or something that the board has already addressed. I will say that I believe those things have been answered. I am open to any suggestions. If any of the board members have any suggestions, just shoot me an email. We can have an email discussion about how to do it better.

**Ms. Hallam:**

I think limiting the words is a great solution because then everyone can have their comment heard. They just need to figure out how to limit their comments themselves.

**Judge Clark:**

Alright, thank you. Judge Lazzara?

**Judge Lazzara:**

Judge Clark, I just wanted to thank you, number one for informing the public about the fact that we are really trying to do our jobs. We all do have other, very time consuming jobs and we are trying, very desperately, to make sure that we get the incarcerated people what they need from the jail: to make sure that there is appropriate food; clothing; safety; time out of their cells; everything else. We are concerned about it. That is why we dedicate ourselves to being on this board. I appreciate your comments. I also wanted to tell the public that you are doing yeoman's work. This is not your only thing you are involved in. You do so much for this board but then you are also the President Judge of the entire court system for Allegheny County. It has been an unbelievable year in the court system. Trying to make sure that all of us have the ability to do our jobs with the appropriate remote access. We never had the ability to do pleas online at the jail. We did not have those abilities and you being able to get all of us the technology that we need, the training that we need, and the number of orders that you have had to do to change the things at the court level. It is just unbelievable the amount of work that you have put into this entire court system because of the pandemic. I do not think people recognize



that you do that all the time. I cannot imagine that you are living on more than about three or four hours of sleep at night because I know what time I get emails and what time I see things from you. I just think that the public needs to understand that this is an unprecedented time and you are doing unprecedented work. We all appreciate it. You are doing your best. Maybe people should consider that when they are making their comments because certainly some of them have not been nice in any way shape or form. Given what you have been doing this year it is really unfortunate that is the tact they are taking. Thank you very much, Judge Clark.

**Judge Clark:**

I appreciate it, Judge Lazzara. I will say this, I do not take the comments personally because I am appreciative that so many people are interested in the residents of the jail. I think that is first and foremost where I am coming from. I just want them to understand that we are really working hard, and we are hearing them. Even though sometimes it may seem to them like we are not. I am a big believer in in their perception is their reality and if I am not conveying that then I need to change the way I am doing business. That is why I am saying that. But thank you.

**Mr. Korinski:**

I just want to add, I do agree with Ms. Hallam on the word count issue. Maybe if we could have some emails back and forth on that. Also, I would like to remind everyone that for a lot of years I attended these meetings and they would end at 4:30. We probably had two public comments and a half hour of discussion and not even meaningful if that. I think we have come a long way in in the short time and there is more that I think a lot of us would like to do. I think the pandemic is thrown some obstacles in our path but really the accomplishments we made the year. It is a far different board than it was. If you go back to minutes in 2018 and 2017. People should look at that. Thank you.

**Judge Clark:**

Thank you, Brad.

There were a number of comments about County Executive Fitzgerald not participating. He is participating. He has a designee, Ms. Parees, who has been working very hard. She served on several committees. As you see tonight and many meetings Ms. Wagner, who is also a County official, has had Mr. Korinski, who also works very hard. Even though Ms. Wagner and County Executive Fitzgerald are not actually, physically present they are participating in the meetings in a meaningful way. That is all I am going to say about that.

**Concerned Parent:**

“My son has been in and out of the of ACJ like a revolving door. The place is getting worse and worse. I understand the food service has changed, but not much has changed with the quantity/quality of food. On Sat March 27 the meals consisted of farina, 2 pieces of bread, peaches, lunch with scoops of rice with red sauce, 2 spoons of applesauce, and spoon of a veggie. Dinner was 2 hot dogs, gr. Beans, baked beans, applesauce. Really. No salt, pepper, butter, jelly, sugar, milk?? I have had to call Mr. Fitzgeralds office to get him medical care. He has tested positive for Covid. When I asked Louis in medical what were they doing to treat this, he laughed at me. I spoke with Jen, who always had the phone out on a pod and couldnt answer any

questions. How are drugs getting into the jail?? I have been told guards are being well paid to bring them in. Also what is being done about Atty Gettleman??”

**Judge Clark:**

That is not an issue for the board he has to go through his criminal trial process. We cannot answer that.

**Concerned Parent cont...**

“I have been told there is black mold in the showers, and black standing water in some of them. Why? What medical training does Laura Williams have to be making medical decisions at the jail? Also what qualifications does Ashley Brinkman have in mental health, (D & A is different than mental health). Maybe the ACJ judges need to spend some time touring the jail with health dept officials, unannounced, to see the conditions.” “This place is a total disgrace”.

**Judge Clark:**

There is a lot of comments but there are a couple of questions about the food service, about Warden.

## **POWER OUTAGE**

**Ms. Hallam:**

Sorry Judge Clark, I do not mean to interrupt but someone just texted me that the public has been kicked off the meeting and they were not able to get back in. I just wanted to see before we proceed if we can get that fixed. I tried it myself and it is not working for me via the public link.

**Judge Clark:**

Mr. Sykes, are you still with us? I do not see him either.

**Ms. Hallam:**

I wonder if he got kicked out too. I am going email him.

**Ms. Parees:**

I texted Greg and he said he also got kicked out. He said “I have also lost connection. It is all down.”

**Mr. Bacharach:**

I just tried and I cannot get on the County website. Maybe that is the problem.

**Judge Clark:**

Let me just see something.

**Ms. Parees:**

Judge, are you also in contact with Greg? He also texted me that he is contacting IT manager. He thinks it is beyond him. “I cannot even join now to broadcast people etc. Send my apologies. I think it might be a Microsoft issue.”

**Judge Clark:**

I tried to get it to enter the public website.

**Ms. Parees:**

I have heard from other people in the public who texted me that they got kicked off too.

**Judge Clark:**

I guess I want to ask the board what they want to do. We do have some action items. I guess I will stop with the public comments because the public's not on there. We have some action items that I think we should take care.

**Ms. Hallam:**

Judge Clark, I would like to ask if we move forward with the motions and then reconvene at a later date to discuss the rest.

**REVIEW OF MINUTES FROM MARCH 4, 2021**

**Judge Clark:**

I think that is what we have to do. I am going to so stop with the public comments. We need to approve the minutes and so I would ask if there is any additions or corrections or a motion at this time concerning the minutes.

**Ms. Moss:**

I will make a motion to receive the minutes of March 4<sup>th</sup>.

**Judge Lazzara:**

I will second that motion.

**Judge Clark:**

There is a motion by Ms. Moss and a second by Judge Lazzara. Any discussion? All in favor?

**Others:**

Aye

**Judge Clark:**

Any opposed?

***The board unanimously approved a motion by Ms. Moss, duly seconded by Judge Lazzara, to receive the Jail Oversight Board Meeting Minutes from March 4, 2021.***

**4. PRESIDENT'S REPORT**

Due to time constraints, reports held until a later date.

**5. WARDEN'S REPORT**

Due to time constraints, reports held until a later date.

**6. DEPUTY WARDEN'S REPORT**

Due to time constraints, reports held until a later date.

## 7. NEW BUSINESS

**Judge Clark:**

We are going to move straight I think to the new business, which are the motions and then I think we can adjourn. We will leave the Warden's report and the other things, my report, for another time. We have a request from the Probation Department for approval of the Intermediate Punishment Plan. The board is required to approve this. We have Frank Shearer, who is the Director of Adult Probation, to present the plan. Once he does that I will ask for a motion.

**Ms. Hallam:**

Excuse me, Judge Clark. If possible, can we just do the ones that are urgent right now?

**Judge Clark:**

I think this is urgent because it has to get in.

**Ms. Hallam:**

I just think this should be presented to the public so if we're going to debate these sort of things now, is there a way that we can post the recording from our end? It looks like the recording has not been interrupted. Is there a way that this can be done?

**Judge Clark:**

I think we can do that.

**Ms. Hallam:**

That would be great.

**Judge Clark:**

I think there is some urgency to this for approval because they need that to get the grant. Is that correct Mr. Shearer?

**Mr. Shearer:**

Yes

**Judge Clark:**

And it is time sensitive. Mr. Shearer?

- A. Request from the Probation Department for approval of the Intermediate Punishment (IP) plan (Director Scherer)

**Mr. Shearer:**

Just to echo with Judge Lazarre said about you. I emailed this to Judge Clark Monday night at 9:30 and she answered me Monday night at 10:30. I appreciate everything you do.

My name is Frank Shearer. I am the Director of Adult Probation. I recognize a lot of faces and I am sure most of you know me. We are required by statute to present what is called our Intermediate Punishment Plan. Like most everything in the courts, we call IP. We have a tendency to abbreviate everything. In a nutshell, I will answer any questions obviously when I am finished,

IP is the form of sentencing permitted by statute that allows judges on certain cases to avoid incarceration. A lot of them deal with drug offenses or deal with DUI offenses that have mandatory statutes attached to them. In Allegheny County, we use electronic monitoring as our form of intermediate punishment. We have been in business in electronic monitoring for over 33 years. Each year, we are required to present a plan to the board. I will apologize, last year I missed it. We were supposed to submit this in March for the April meeting, and we all know what happened in March. Honestly, it fell off my radar. I apologize, but we did not have an active plan last year, at least not an approved active plan. As I said, it is required as far as a statute. It is also required that we have an active Intermediate Punishment Program in order to apply for PCCB Funding. Just to give everyone a background, we generally receive anywhere from 1.4M to 2M, depending on funding, from PCCB every year to operate our electronic monitoring program. It is obviously vital for us to continue this program. The seven areas in the report that was sent to you are required. Again, I can get into as much details as you folks would like, if you have questions, but in general our electronic monitoring program operates 24 hours a day 7 days a week. Easter Sunday, I will have staff working. Christmas Eve, I have staff working to handle any emergencies. On a monthly average, we are anywhere from 600 to 1,000 people wearing an ankle bracelet at a given time. When you break those down, and we do give a report every month that shows the breakdown, but if you do break those down those numbers, if we did not have an IP program in Allegheny County, those folks would all be serving that sentence in the County jail. Needless to say, it saves precious jail space, money to taxpayers, and so forth. Over COVID, we worked with the jail and I do want to formally thank Warden Harper and Chief Williams for their assistance over COVID. We moved quite a number of individuals out of the jail who were high risk, medical type cases. We were able to successfully move them to the ankle bracelet program. As you all know, we have been able to really lower the population during COVID. The seven areas that we are required to report on, #1 is just a general assessment of the correctional services and future needs. These are just real generic statistics that we get from the jail and jail's website. It talks about how many inmates at holds and so forth. It also talks a little bit about electronic monitoring program and what we do. We are also required to list any other potential programs are available. There are two. One is the Therapeutic Housing Program through an old center which are mainly for DUI cases up to 90 days. Again, it keeps folks out of jail. It allows them to do work release, treatment and so forth. The second is program, which most people called the DUI Hotel, has a long formal name, DUI Alternate to Jail Program, for folks who have short DUI sentences. It allows him to spend four days at a local hotel. They get all their required treatment by law done and in fact satisfy their sentence. It is fairly unique. It is very successful that is actually run by our pretrial program. Once again, the theme here is to keep these folks out of the County jail. There's procedural statistics under #2 regarding probation. Then #3 deals with our pretrial statistics and #4 deals with the existing resources. The funding we normally get from intermediate punishments, the majority of that is spent on our drug and DUI Court Programs, which again are mandatory sentence programs. The funding helps pay for salaries and benefits for some officers, JRS staff, treatment, electronic monitoring equipment, supplies, batteries, things like that it takes to run the equipment. There is some information on that. Number 5 is our mission statement as far as probation and as far as electronic monitoring. Number 6 deals with our goals and objectives. Number 7 deals with reporting, which as you know we report every month to the board here. So that was a very fast cliff note version of this report. Some of the folks that have been on the board, you know Bill, you probably remember him standing up and presenting this over the years. Again, this is something that is statutorily required. I am available for questions

**Judge Clark:**

Does anyone have any questions for Frank? Mr. Korinski, do you have a question?

**Mr. Korinski:**

Thank you, Judge Clark and thank you, Mr. Shearer for all the hard work that you and your falling have done during a pandemic.

**Mr. Korinski:**

How much is the cost of electronic monitoring?

**Mr. Shearer:**

I am not sure. Do you mean like on a daily rate?

**Mr. Korinski:**

Do the persons who are subject to it pay?

**Mr. Shearer:**

There is a fee. It is a sliding scale, starting as low as \$1.50 per day and it goes up based on income. However, we do not turn anyone away for income purposes. Folks that have the ability to work, but are not, we have some job development programming as well. We will have them go to those types of things. Occasionally, the courts will waive the fees but there is a daily fee based on equipment rental. It does cost a decent amount of money to run this program.

**Mr. Korinski:**

If someone does not have the money, they are not denied the monitoring, right?

**Mr. Shearer:**

That is correct.

**Judge Clark:**

We eat the fee basically. Now in some counties, if they do not have the money, they do not get in but in Allegheny County we do not keep anybody out if they do not have the money. We do have a sliding scale, as Frank told you, for as low as \$1.50 a day and it goes up depending on income. Judges do have the ability to waive and they have waived it in some instances.

**Mr. Korinski:**

I did see in some counties work where they do bar people and, in some circumstances, they chase after people with money. So, if you were in the program and then you could not pay monthly you would still remain in it?

**Mr. Shearer:**

That is correct. Occasionally, we do have folks that have the ability to pay that do not and then we refer those folks back of courts. Sometimes folks like Judge Lazzara has a talk with them. We would not take them off for that reason. To be honest, my officers are busy doing a lot of things, I would rather they not run around to collect money. That is at the lower end of what we do.

**Mr. Korinski:**

Thank you for that and I think the County should be commended for that approach. I have a similar question regarding the DUI Hotel, is the lack of resources a barrier for folks to enter the DUI Hotel? Is it a situation where maybe if I am a middle-class person, I get in, if I do not have the money, I go to jail? What are your thoughts on and statistics on barriers to poverty?

**Mr. Shearer:**

To be honest, Brad, that program actually is run through our Pretrial Department, so I do not want to misspeak. I am not exactly sure of the ins and outs, but I know there are different options with payments. Now this was probably pre-COVID, but they would allow for folks to share rooms to keep the expenses down or from my understanding, you could pay extra and have your own room for those few days. What I will do, if judge Clark is okay with this, is get Janice Dean, the Director of Pretrial, to give me some statistics and I can send them to Judge Clark. I just do not feel comfortable answering the question that I may misspeak on.

**Judge Lazzara:**

I can tell you Brad, anecdotally, there has never been a problem. It is like \$500 for the weekend. It is 4 days. It includes all their food and lessons. That is the price for a double. Anytime I have had somebody who does not have the money, we have had no problems with sort of extending their time to pay. I know that is not the preferred method. They would like it in one fell swoop. But there has never been a time where they have not worked with somebody, to make sure the amount could be paid overtime. So that the person could take advantage of it instead of going to jail for the 48 or 72 hours that is required the statute.

**Judge Clark:**

Any other questions for Frank? If not, then I would entertain a motion to approve, or I guess not to approve, but a motion to approve the Intermediate Punishment Plan.

**Judge Lazzara:**

Motion to approve the Intermediate Punishment Plan.

**Ms. Moss:**

I second.

**Judge Clark:**

The motion has been properly moved and seconded. Is there any other discussion? All those in favor?

**Others:**

Aye

**Judge Clark:**

Any opposed? Alright, the IP Plan is approved.

***The board unanimously approved a motion by Judge Lazzara, duly seconded by Ms. Moss, to approve the Probation Department's Intermediate Punishment Plan.***

- B. Motion to request money from the Inmate Welfare Fund to be put on the commissary accounts of each person. 1,727 residents in the jail x \$50 for each person = \$86,350.  
Motion to request money from the Inmate Welfare Fund to be put on the tablet accounts of each person. 1,727 residents in the jail x \$50 for each person = \$86,350.

**Judge Clark:**

Ms. Hallam, I don't know if you want to present the next two motions together or you can present them separately, but we have the usual motions from Ms. Hallam concerning money from what is now the Incarcerated Individuals' Welfare Fund.

**Ms. Hallam:**

Thank you so much, Judge Clark. At time that I submitted this for the agenda is consideration there were 1,727 residents in the jail, \$50.00 for each person would be \$86,350 from the Incarcerated Individuals' Welfare Funds the commissary accounts of each person. Then that same amount \$86,350 from the Incarcerated Individuals' Welfare Fund to be put on the tablet account. Do we want to combine them and just do one motion?

**Judge Clark:**

That is fine. Yes. So, there is a motion by Ms. Hallam. Is there a second?

**Judge Lazzara:**

Second

**Judge Clark:**

It has been moved and seconded. All those in favor?

**Others:**

Aye

**Judge Clark:**

Any opposed?

Alright, the motion is carried.

***The board unanimously approved a motion by Ms. Hallam, duly seconded by Judge Lazzara, to request money from the IIWF to be put into the commissary accounts for each resident (\$50 x 1,727 residents = \$86,350 ) and on the tablet accounts for each resident (\$50 x 1,727 residents = \$86,350).***

- C. Motion to require the jail administration to immediately provide all incarcerated persons who are qualified under 1A the opportunity to be vaccinated. This includes persons over the age of 65 and persons ages 16-64 with high-risk conditions. This may include contracting with a private provider, working with the current provider (AHN) to provide vaccinations, or another comparable system.



**Ms. Hallam:**

For this next agenda item, I do not think that we need to consider it anymore. It sounds as by Monday everyone is eligible for the vaccine and this will start happening soon. So, if it is cool with everyone else in the board, I would like to remove this motion.

**Judge Clark:**

Thank you. So that motion was withdrawn.

***Ms. Hallam withdrew motion to require the jail administration to immediately provide all incarcerated persons who are qualified under 1A the opportunity to be vaccinated. This includes persons over the age of 65 and persons ages 16-64 with high-risk conditions. This may include contracting with a private provider, working with the current provider (AHN) to provide vaccinations, or other comparable system.***

**Judge Clark:**

There is another motion. Ms. Hallam?

- D. Motion to request money from the Inmate Welfare Fund to pay \$25 to each incarcerated person who gets the COVID-19 vaccine, in accordance with PA DOC incentive policy.

**Ms. Hallam:**

Yes, so the next one is something I found out .The Pennsylvania Department of Corrections has found with their education that they provided to incarcerated folks surrounding the vaccine that the most effective way to get folks to get the vaccine was to incentivize them. The PA Department of Corrections is giving \$25.00 to each incarcerated folk who gets the COVID-19 vaccine. If you remember, the jail staff and County employees who get the vaccine are getting \$100. So, we are just asking for \$25 to each incarcerated person who gets the Covid vaccine.

**Deputy Warden Williams:**

I just have a question or clarifying point because if it passes, we will have to implement. If we do the one series vaccine that would be obvious, but do they have to wait to receive both doses to receive the \$25. Right now, the County employees receive \$100 after proof of their second dose. I just wanted to clarify that point because we actually are in great support of this but want to make sure that we can adhere to it appropriately.

**Judge Clark:**

One of the issues may be that someone could get the first dose and then be discharged before they get the second dose.

**Ms. Hallam:**

That is my concern too. I would be open to suggestions. I would like to see \$25 per dose. That way even if they just get the first one in the jail, they are still getting their \$25 and they do not think we are playing them by making them wait for the second one. I would prefer that, but I am open to suggestions on this. But I would like to make the motion for \$25 COVID vaccine, so per shot. if anyone is against that.

**Judge Clark:**

Well we have a motion, so I would first ask is there a second to the motion.

**Mr. Korinski:**

I would second the motion. I would also say I think it benefits public health in general. I would like to see the County explore whether any of the cares money or stimulus money could reimburse us for that. Again, just like the County employees getting the vaccine for \$100, I like to think we are benefiting the County as a whole by encouraging vulnerable populations to get it.

**Judge Clark:**

We have a motion and a second. Are there any other comments or questions or discussion concerning this?

**Ms. Parees:**

I have a question and perhaps Chief Deputy Williams, you know the answer to this. I was in a situation where I got my first dose and the clinic where I went had to cancel their second doses. This happened a number of places. I became in limbo and then that was rectified but I got my second dose at 36 days instead of the 28. So, if an incarcerated individual gets their first dose in the ACJ through Allegheny Health System, will they be able to go there to get their second dose. I was told, when I came into my situation, only the place that gave you the first shot could give you your second. That you could not shop around for the second.

**Deputy Warden Williams:**

I do not know if I can articulate the response appropriately, but I can say that my understanding is the same. That was a lot due to the vaccine deployment and availability. In order to make sure that there was not an overrun, essentially, of individuals receiving first dose and then limited or no supply for second doses, all of the vaccine providers were told you are responsible for first and second dose, so if you get 100 doses you better save 50 to be given at a later time because we cannot guarantee that that availability will be around. Now with the expansion of vaccine availability, as well as three different vaccines, it is possible that we are going to see hopefully some movement in this. It is unfortunate that the incarcerated population has not truly been considered when we talk about this because they are transient. Nationwide, I am certain we are not the only facility that is dealing with this. I know that we have received a small population of individuals who have received their first dose in the community. We have actually worked very hard to follow up with those providers since we have not yet received an allotment of vaccines to make sure that we can get the second dose within the appropriate timeline. I am very hopeful that if we utilized AHN as a partner that their Centers for Inclusion Health might be able to participate in second dose for individual who are released or other Federally Qualified Health Centers (FQHCs) might be able to support them. Then we can easily verify first dose because it will be placed within the appropriate database. I am not yet certain how this will work out nationwide, but I know that we maintain motivation to at least get as many people vaccinated as possible and then link in the community when they are released.

**Judge Clark:**

Any other questions or comments? We have a motion by Ms. Hallam to take money from the Incarcerated Individual's Welfare Fund to pay \$25 per dose to each incarcerated person who receives the vaccine. It has been seconded. Call for the vote at this time. All those in favor?

**Others:**

Aye

**Judge Clark:**  
Any opposed?

Alright, the motion is carried.

***The board unanimously approved a motion by Ms. Hallam, duly seconded by Mr. Korinski, to request money from the IIWF to pay \$25 (per shot) to each incarcerated person who gets the COVID-19 vaccine, in accordance with PA DOC incentive policy.***

**Judge Clark:**  
Then finally Ms. Hallam?

- E. Motion to require the jail administration to reassign all staff who have refused vaccination to positions where they do not have direct contact with incarcerated persons. (Ms. Hallam)

**Ms. Hallam:**

Yes, last one for the evening. This motion is to require the jail administration to reassign all staff who have refused the vaccination to positions where they do not have direct contact with incarcerated person. This is actually allowable as per the correction officers' contract. It says in extenuating circumstances, reassignment is permitted, and, in my opinion, there is no question that the COVID pandemic and resulting crisis are extenuating circumstances. I know I am alarmed by the refusal rate of vaccinations amongst the staff. I think it was something around 24% of staff members have refused the vaccine. I am asking is that the folks who refused to get the vaccine are reassigned to a position where they do not have direct contact with incarcerated individuals. I would like to make that motion.

**Judge Clark:**  
Is there a second?

**Mr. Korinski:**  
I will second.

**Judge Clark:**

I know that Mr. Bacharach is here. I would like to ask him if there are any issues with that in terms of the contracts: union contracts, the collective bargaining contracts or anything that the board should be understanding before we take a vote on this motion.

**Mr. Bacharach:**

We think there are issues with the contract that need to get resolved on this. Certainly, at a minimum, it would be a grievance and potentially other litigation related to it. In addition, there are potential staffing issues that I am unable to address but it is not even clear that it can be done under the circumstances. For the legal reasons, we think it is premature to attempt to do this. In addition, while the board quite a bit of authority, it is not clear that it can override a collective bargaining agreement, particularly when the collective bargaining representative is not here to give their side of the story. For those reasons, we would not recommend is this motion be adopted at this time.

**Judge Clark:**

Warden Harper, I do not know if there is anything that you want to add about the practical things like reassigning the staff. I know there are always staffing issues with the jail, so if there is something that you would like to say at this time, I would like to hear that.

**Warden Harper:**

Thank you. First of all, your Honor, I want to applaud the ACJ employees, volunteers, and contractors for the work that they have done to mitigate the virus in our facility. I totally agree with Mr. Bacharach, our lawyer, it would be violating our Collective Bargaining Agreement. I have been in constant communication with our union leaders and we have worked together, as a team, to mitigate the virus in Allegheny County Jail. I strongly agree with Mr. Bacharach, that it would violate the Collective Bargaining Agreement and it could also lead to some staffing issues, your Honor.

**Deputy Warden Williams:**

If I can also add, the operationalization of this proposal would take extensive time because we would have to strongly consider who would no longer be eligible to work an assigned post and we would have to equalize all three shifts, we are 24/7 and a direct supervision facility, to ensure that there were no inmate contact. I want to just add on a layer that this is not a lack of willingness to do the right thing. I think we have demonstrated that we have been working collaboratively with multiple entities, but it is not as simple as reducing this to just stating now we are going to reassign all of these employees. Just to revisit the number, it is 166 individuals who are employed in our facility and provide excellent care. Some of whom have refused vaccinations because they were previously positive and had deferred the vaccine. They have done the responsible thing throughout the pandemic and then would be reassigned as a result of this motion. I just wanted to offer that for consideration because it is not as simplistic or reductive as it sounds at this present time.

**Warden Harper:**

I want to tell the board also, just imagine if you were an employee and you all of a sudden get reassigned because you refused to take the policy and it could be because you were previously positive for COVID. The morale would go down even more with our employees. I really think that this is a bad move for us.

**Deputy Warden Williams:**

One other consideration, I am so sorry, we also need to consider that we have 30 housing units within the facility. We do have some that are closed. We have a number of housing units that also require specialized training. I am thinking specifically to our medical housing units, our acute mental health units, and our segregation housing units where employees have to receive additional certifications, training or consideration. We have areas in the facility where people have to go through extensive training for the safety of the individuals that are in their care. Again, the timeline, should this go through, would not be able to be immediately met because it is not that simple as simply removing and reassigning these individuals.

**Mr. Bacharach:**

There also may be people who cannot take the vaccine for medical or religious reasons. Those matters would have to be accommodated as well.

**Ms. Hallam:**

Judge, may I ask a question for whoever can answer it?

**Judge Clark:**

One second because Ms. Parees was trying to ask a question previously. Let us get her first and then we will come back to you.

**Ms. Parees:**

My question is to see if I have the number right. I have 346 refused. Is that correct?

**Deputy Warden Williams:**

No, 166 have refused and 346 have received at least one vaccine.

**Ms. Parees:**

Okay and I just was concerned about you being the administration at the jail being able to maintain safety and security. Also, to provide services, especially medical, without having a staff member have contact with an inmate. I do not see how you maintain safety and security at all times, on all shifts with that constraint put on you with regard to staffing. I do not think it is our job as an oversight board to give that kind of directive to you. I understand the underlying point of it, but I do not think in a facility like the Allegheny County Jail we can accommodate that kind of direction.

**Judge Clark:**

Thank you. Ms. Hallam?

**Ms. Hallam:**

My first question is, I don't know who would be best to answer this, what percentage of the people who have refused to vaccines did so because of the example that you gave because they had tested positive for COVID.

**Deputy Warden Williams:**

I do not have those numbers I can tell you that 136 are correctional officers and 21 are healthcare employees. Some are related to previous positives; some are related to religious or personal reasons; and some are also related to employees who previously had anaphylaxis reactions to previous vaccines and it is not currently recommended by their health care providers to get the vaccine.

**Ms. Hallam:**

How many of the people who expressed interest in getting it at a later date?

**Deputy Warden Williams:**

I recently had 15 individuals who previously refused express interest to receive the vaccine.

**Ms. Hallam:**

My second thing, I think this is for Mr. Bacharach, what part of the Collective Bargaining Agreement does this motion violate? Which section?

**Mr. Bacharach:**

I do not have it in front of me, but I can tell you it is the section on bidding. That is the primary section that it would violate. I understand your point about emergencies but that is a point of the debate.

**Ms. Hallam:**

What that COVID is an extenuating circumstance? Is that the point of debate?

**Mr. Bacharach:**

Not necessarily for me, but for some people it is.

**Ms. Hallam:**

I just know that in the contract it does say that reassignment is permitted in extenuating circumstances. Can you confirm that?

**Mr. Bacharach:**

I agree that it says that.

**Ms. Hallam:**

Is there a way that we can discuss at a later date or reconvene in a different time to decide what extenuating circumstances? Especially now that vaccinations are being made available to the incarcerated population. I just worry that they could be put at risk, especially during that crucial time between the first and second shots. I am worried that being exposed to staff members who have refused the vaccine intentionally, is going to put the incarcerated folks at risk, who have no other choice but to be where they are.

**Mr. Bacharach:**

We certainly can discuss it.

**Ms. Hallam:**

I would very much appreciate that. Thank you, Sir.

**Judge Clark:**

Mr. Korinski?

**Mr. Korinski:**

I am sure every warden in every County jail would wave a magic wand and make everybody get the vaccine. Do we have any sense of how other jails in Pennsylvania are handling this? Are there any other jails, to our knowledge, requiring vaccines? Is this an issue in corrections overall? For the Warden or Mr. Bacharach, is there any comment on how other institutions are handling this issue, which I am sure other folks are grappling with?

**Warden Harper:**

Mr. Korinski, I want to say this, I did not come prepared to discuss what other facilities are doing but if you give me the opportunity at the next meeting, I could probably give you some data.

**Mr. Korinski:**

Yeah, do you have a Warden's Association and you guys get together? I would think this would be an issue for all the Commonwealth but thank you.

**Deputy Warden Williams:**

I appreciate the fact that you are normalizing that this is difficult. We are not the only agency that is going through this. We see in the hospital systems as well, that there is a large rate of refusal in healthcare workers as well. We've also seen, as Ms. Hallam pointed out, that some people that previously refused have become more open minded to vaccination as more individuals have received it and they have not seen people to have disastrous effects from the vaccine. I echo what the warden indicated that it is difficult to give the data points. We have been speaking with many different partners in the Commonwealth, in both the County and the State level. We all wish that we could make this go away as quickly as possible.

**Mr. Korinski:**

Thank you. Do you keep after people when they refuse? Or is there a constant effort every couple of weeks to try to do this?

**Deputy Warden Williams:**

We have asked, re-asked, asked again, and provided significant education and opportunity. Because we are reopening to 1B, we were going to be doing another effort within our employee population to let them know that if they were deferring for maybe their own personal reasons because they wanted to make sure vaccines were available to people they care about. We have had some employees say, I do not want to take the opportunity away from somebody who is of an age or has a medical condition. We are going to utilize the opening of Phase 1B on Monday to reeducate our staff about the opportunities for vaccinations.

**Judge Clark:**

Any other questions or comments? Then I will call for a vote.

All those in favor?

**Ms. Hallam:**

Aye

**Judge Clark:**

Did you say aye, Mr. Korinski?

**Mr. Korinski:**

I did.

**Judge Clark:**

All those opposed?

**Others:**

Nay

**Judge Clark:**

The motion did not pass.

***The board did not approve a motion (2 Yea, 4 Nay) by Ms. Hallam, duly seconded by Mr. Korinski, to require the jail administration to reassign all staff who have refused vaccination to positions where they do not have direct contact with incarcerated persons.***

**Judge Clark:**

I see Mr. Sykes back, so I think the live meeting is back on. Mr. Sykes, is that correct?

**Mr. Sykes:**

No, we are still having technical difficulties. I am sorry.

**Judge Clark:**

I think we are going to probably adjourn at this time. With respect to the public comments, what I propose is that the ones that I was going to read that I did not get to I answer, if there's no objection, I will answer them via email. I just want to make sure that all the comments are published on the website, along with the minutes and other things. Then there was a question, Mr. Sykes, has the meeting continued to record?

**Mr. Sykes:**

I will not be able to tell until the end. I will get you an answer as soon as everyone leaves the meeting.

**Judge Clark:**

If the meeting has continued to be recorded and can we post it and make that available for the public to view what they missed?

**Mr. Sykes:**

Absolutely, I can get it posted.

**Judge Clark:**

Okay

**Ms. Hallam:**

Maybe we can send out a doodle or something to reconvene either next week or some other time to finish up the rest of the meeting.

**Judge Clark:**

My weeks are very full. I have conflicting meetings and more meetings. I really cannot do it. We got the business of the meeting the minutes will be posted. We could ask that the results of the motions that were in the agenda can be posted, saying what was approved and what was not approved. We will find out if we can have the recording posted. I will try to answer the other public comments myself and if there is something that deals with the operation of the jail, I will defer that to Warden and Deputy Warden Williams to fashion an answer. I will make sure that all of you are blind copied so that the public does not have your email addresses, but you can see the answers that are given. I think the only things that we did not get to were the Community Corrections Report and the Warden's Report. I was going to report on the exit interviews. We will probably have a report at the next meeting. We are going to do something for the folks that participate in the exit interviews. We talked about crafting some recommendations, but



I think we do want to have a conversation with the Warden about those and then we will have some recommendations that we would present at the next meeting. That is all I was going to report on that anyway.

**Question about methadone treatment:**

**Ms. Hallam:**

If we are not reconvening until our next regularly scheduled meeting, may I ask question that I was planning to ask during the Deputy Warden's Report.

**Judge Clark:**

Yes, go ahead.

**Ms. Hallam:**

There was a letter that we as the board received from the PA Institutional Law Project about a 71-year-old male being denied access to his prescription methadone, medication assisted treatment (MAT). The response the organization got was that the jail is not federally licensed to provide MAT, but I know for a fact that pregnant women who come in on either methadone or opioids of any sort are given methadone. But they are the only population who is given that. I am wondering, I know it has been asked meeting after meeting, what is the plan to introduce MAT to folks who come in on it. We never got an answer. I am just wondering if we could get a response to the conflicting information that they are not federally licensed to provide it but incarcerated individuals who are pregnant are provided it.

**Mr. Bacharach:**

I don't have a problem with the Deputy Warden talking about this in general, but in addition to the inquiry in that letter there was a threat of litigation on that matter I certainly would object or advise the Deputy Warden not to talk about it in specifics but she can talk about it in general.

**Deputy Warden Williams:**

I would be happy to provide comment. I think that, Ms. Hallam, prior to your being elected as a Councilwoman you had attended some of the Jail Oversight Board meetings in which we had talked about the hopes for greater expansion of Medication Assisted Treatment within the facility. This has been something that there have been a large number of County stakeholders that have been working on, through a multitude of different entities, including Vital Strategies, who has been providing technical assistance. As one of the many duties that Judge Clark maintains, she has also been heading those efforts as well. To speak specifically towards the jail not being a federally qualified opioid use provider for methadone, that is accurate. The federal government regulates methadone and treatment providers who are eligible to give that as a prescribed treatment. We could provide methadone if it were for pain management but not for opioid replacement therapy. We would need to apply for a separate license in order to provide that as a full entity and institution. The way we were able to do that for our pregnant population, is that we contracted with a service provider in the community, who is currently contracted to provide for our pregnant population but is not currently providing any further contracts for any additional populations within our facility. This is one of the initiatives that we have been working towards. The timeline of events has not occurred in the way that we have wanted to. I do not want to utilize Covid 19 as an excuse but I can state that our current provider of methadone has had to go through an entire restructuring in the way that they provide services to their client population as

well. I think some grace with all of the treatment providers who are trying to do the best that they can to deliver necessary services throughout the pandemic should also be noted. We will be seeking an RFP for a provider who is willing to extend beyond the pregnant population within our facility. That has been something that I have reported on in the past and we continue that motivation. We have not yet achieved it. As far as the Buprenorphine dose, they used to require the DEA X waiver and that is no longer. It was one of the benefits of the pandemic to increase prescribers. We had all of our providers trained, they obtain the waiver and we do provide continued Buprenorphine for individuals in our facility. That has not increased to the population, in which I, and I am personally invested in this, would like to see but this is something that we do have internal workgroups to increase the number of individuals who are continued on their medication assisted treatment. Additionally, we have expanded Vivitrol or Naltrexone within the facility. We have been committed to doing that. It is one of the forms of MAT and has been the primary, though that will probably shift within the future. There is some truth in that we are not a federally qualified institution that is licensed to provide Methadone. We do provide Methadone to our pregnant population through a contract. We are seeking to expand medication assisted treatment, in general, to the entire incarcerated population. We also recognize the effects that this has had, specifically during the pandemic, and that the continuation of care is exceedingly important.

**Judge Clark:**

I would just add in terms of our work with Vital Strategy. We have sort of an opioid task force and they have identified three areas that they want to work on as priority. One is MAT in the Allegheny County Jail; the other is education; and the third is diversion. There is a position of staff person that Vital Strategies is funding, who will report to Erin Dalton in the Department of Human Services. We are really excited about that. Ms. Hallam, we are really working on it.

**Ms. Hallam:**

I appreciate that and I do appreciate any progress that has been made. I am just concerned about individuals who are struggling in the jail detoxing today as we speak. As someone who has personally gone through a detox, thankfully not from methadone, but having seen people go through methadone detox at the jail it is something I would not wish upon my worst enemy. To know that there are people going through this right now month, after month, after month and we say oh it is in the works. The RFP still has not gone out. The person specifically that I brought up tonight is sitting on a technical probation violation detoxing from methadone. I am just wondering if there is any solution that we can propose now.

**Deputy Warden Williams:**

Ms. Hallam, I want to note that individuals who are placed on detox protocol are seen by nurses. They are rounded on by providers, who can change or modify their detox protocols to make sure that they are receiving the level of care that is appropriate. Detoxification is not a comfortable process that is absolutely true. We see individuals detoxing from multitude of substances not just Opioids but that is certainly one of them. They are not sitting alone to get through this completely by themselves, where they are lost and forgotten. There are Substance Use Counselors that are doing rounds on these units to make sure that we can connect individuals take care. We have in Substance Use Case Manager who is also doing rounds to make sure that she can provide outreach and support. You are not articulating what is actually happening here and I have a strong inclination to defend the hard-working staff in this building because they have not been represented well. That is not fair to them either. I understand that things are not happening in

the timeline at wish you would desire. There are many things in life that have not happened in the timeline of which I desire. But your reflections of what is going on are not accurate.

**Ms. Hallam:**

Please do not misrepresent my words. I said nothing negative against the hard-working folks at the jail because I know what they go through every day. I talk to them regularly and hear about the conditions in there for them and the incarcerated folks. What I am saying is I am very accurate in my representation that there is, at least, at a very minimum, one person who is right now suffering in the jail because he was denied his prescription medication when he entered the jail. I know he is not the only one, I have seen other people going through that similar detox with my own eyes. I am not going to allow my words to be misrepresented because the issue at hand here is that month, after month, after month, as you said yourself, even before I was on this board, even before I was a Council Member, this is an issue that we keep saying is going to be addressed. It never is because it keeps getting pushed back. All I am asking is what is the holdup and when can we remedy this?

**Judge Clark:**

I think the questions have been answered. The jail is not licensed to distribute methadone and they are working on it. I think there has been, in the recent months, since last year, a concerted effort to make that happen. We will see more information forthcoming on that.

**Judge Clark**

Alright so if there is no other business that we can attend to at this time, I would entertain a motion to adjourn and as I stated I will respond to the public comments in writing to those submitted them. Mr. Sykes will let us know if the video can be posted. I would ask that all the public comments be posted on the website. Maybe we can also post the results of the votes on the motions. There was one motion that was withdrawn, and we can include that as well so that the public knows what happened with those things. It will be a little while before the minutes get done, as it is a lot of work to do them. I think if we could put those things on the website. I will draft something about the results of the motions and ask those to be posted on the website, along with all the public comments and if we have the recording that be posted as well. If there's nothing else at this time ,I just wish everyone that celebrates the Easter holiday or any other holiday, I think I'm not sure whether Passover has occurred or not or is on the way, but whatever your religious holiday is or if you don't have one, I still wish you peace at the time should reflect on a lot of things to be thankful for. I think all of us participating in this meeting, if nothing else, we have our health and that is really crucial at this particular time. Enjoy the long weekend. I think most government offices are closed tomorrow. The County is closed. The Courts are closed. Stay safe. I will entertain a motion to adjourn at this time.

**8. COMMUNITY CORRECTIONS REPORTS**

Due to time constraints, reports held until a later date.

**9. ADJOURNMENT**

**Sheriff Mullen:**

Motion to adjourn.

**Judge Clark:**

Thank you, Sheriff. That does not need a second.

All those in favor?

**Others:**

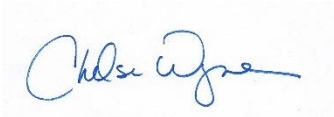
Aye

**Judge Clark:**

Any oppose?

Alright thank you all.

Kindest regard,

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

Chelsa Wagner

## Public Comment – Jail Oversight Board Meeting – 5/6/2021

**Comment: Elle H:** When was the last time the Board did a walkthrough of the Jail?

**Response:** This question is directed to the Board.

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**Comment: Marie Dressler:** Why hasn't the Warden's monthly report for March been posted online yet? When can we expect to see it posted?

**Response:** Review of the website of the Allegheny County Controller (<https://alleghenycontroller.com/the-controller/jail-oversight-board/>) indicates that the March 2021 Warden's Report has been published. The April 2021 Warden's report is also available.

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**Comment: Celia Johnson:** In a December 2020 story in Public Source ["Daniel Pastorek Died in ACJ but He Shouldn't Have Been There in the First Place," accessed online 4/28/21] Brittany Hailer wrote that "When asked about the county's future plans and grant funding for decarcerating the ACJ, Berkley Clark said, "The county executive [Rich Fitzgerald] would like to tear down this jail. We need to work on something much much smaller." What are Judge Clark and Mr. Fitzgerald's plans to make the jail "much much smaller"? If Mr. Fitzgerald is so passionate about decarceration, why has he never attended a JOB meeting? Is it Mr. Fitzgerald's and/or the County's official stance that ACJ should be abolished? Please be as specific as possible in your answer.

**Response:** This question is directed to the County Executive.

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**Comment: Dorothy McGuire:** In the JOB's April meeting minutes, Judge Clark stated that the Board is "in the process of receiving training from an expert on how to most effectively conduct" a jail walkthrough. Can you be more specific about the kind of training the Board is receiving? Who is the expert performing the training and what is their area of expertise?

**Response:** This question is directed to the Board.

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**Comment: JOB Watcher:** [It is not necessary to read this aloud during Public Comment.] At last months' meeting Judge Clark stumbled over a commenter's name, apparently unsure whether to address them as "Mr." or "Ms.," before stating that she wasn't sure about the commenter's gender. Although I believe no harm was meant, this was an inappropriate comment. I respectfully suggest that going forward Judge Clark avoid remarking or speculating about anyone's gender, in any context.

**Response:** This is a comment.

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**Comment: Jane Wyman:** Two separate comments submitted for the March JOB meeting referenced a lack of resources at ACJ for incarcerated people whose primary language is Spanish. According to one commenter, some of them "have no idea why they are there," what their rights are and who can help them" and stated that the jail does not provide Spanish-speaking social workers, doctors, nurses, and other professionals. Judge Clark: Please provide an update on the current number and availability of Spanish-speaking staff at ACJ. How many employees are bilingual and what are their positions? How often, if ever, is a Spanish-speaking employee on call for translation services? Does the Jail employ and professional translation services?

**Response:** Presently, the Jail has several employees (through a range of job classifications) that are proficient or fluent in languages other than English. Specific to the Spanish language, we have 1 correctional officer who is fluent in Spanish, 1 dentist proficient in Spanish, 1 physical health provider fluent in Spanish. We have accessibility to translation services through a translator (available via phone) in several areas throughout the facility. Additionally, other employees have fluency or proficiency in the following languages: American Sign Language (ASL), Serbo-Croatian, Turkish, Arabic, Italian, Russian, and Polish. Other languages are available through phone and translation services.

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**Comment: Albert Basserman:** At last month's meeting, Warden Harper claimed that the entire jail is serviced by exterminators twice a week. However, according to Complete Pest Solutions' contract with ACJ, "The Contractor shall provide extermination services to all kitchen areas, supply areas, laundry areas, [...] on a weekly basis" and "The Contractor shall service all 35 housing pods on a bi-weekly basis." It seems obvious that the bi-weekly here means every other week, not twice a week. Can the Warden or the board comment on this apparent discrepancy? How frequently are kitchens, supply areas, etc. actually being serviced? How often are housing pods actually being serviced?

**Response:** Exterminating services are provided twice a week.

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**Comment: John P Kenstowicz:** People in Segregation and the Need for Increased Staff Support People in segregation are at an increased risk for mental health and medical decompensation. The American Correctional Association (ACA) recognizes the critical importance of this population's increased needs for monitoring and services, they require: Inmates in segregation receive daily visits from the senior correctional supervisor in charge, daily visits from a qualified health care official unless medical attention is needed more frequently, and visits from members of their program staff upon request. Is a "senior correctional supervisor" and a "qualified health care official" at ACJ making daily visits to people in segregation including people in administrative custody? What do the "daily visits" consist of? How much conversation takes place? I appreciate your time. John Kenstowicz Prison Society

**Response:** A captain or higher ranking official visits the segregation unit a minimum of 1x per day, but could occur each shift, or more frequently, if necessary. Daily segregation rounds are completed by a "qualified health care official." Mental Health professionals and physical health professionals have designated scheduled days to visit the housing unit. If additional attention and care are indicated from a health (behavioral or physical) perspective, the necessary referrals are made for follow up. Daily visits include a basic assessment of the stability and wellness of the inmate. As an accredited facility of the ACA, we ensure that we meet or exceed all minimum standard requirements.

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**Comment: Cecil Kellaway:** How do JOB members get information about conditions inside the Jail? Do they rely exclusively on official information provided by the Warden and other ACJ staff? If not, what other sources do JOB members use to stay informed?

**Response:** This question is directed to the Board.

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**Comment: Susan Hayward:** How is it legal for County Executive Fitzgerald to miss every JOB meeting? The 2009 statute that created the JOB (61 Pa. C.S. § 1721, et seq.) says that the President Judge of the Court of Common Pleas and the President of County Council are each permitted to designate a representative to serve in their place. It does NOT give that option to any other Board member. According to Jaclyn Kurin of the Abolitionist Law Center, "that's really important in terms of statutory interpretation, because it shows that had the legislators meant or authorized the county executive to assign a designee, then they would have said so in the text of the statute." So isn't Mr. Fitzgerald violating that statute by failing to attend?

**Response:** This question is directed to the County Executive.

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**Comment: Jose Ferrer:** In her response to public comments from the April JOB meeting, Judge Clark stated that "The Board is working on increasing access to books and reading materials in the ACJ." I hope Judge Clark's comment doesn't refer to the recent book drive, as that was organized entirely by community members acting in solidarity with those inside and it would be inappropriate and inaccurate for the Board to take credit for its success. So what is Judge Clark referring to? What has the Board done to increase access?

**Response:** This is a comment.

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**Comment: Akim Tamiroff:** Statute dictates that after each jail walkthrough, "the [jail oversight] board shall prepare a written report setting forth its findings and determinations which shall be available for public inspection" (61 Pa. C.S. § 1724©). How can the public access the Allegheny County JOB's past walkthrough reports?

**Response:** This question is directed to the Board.

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**Comment: Theresa Wright:** As Rich Fitzgerald's apparent designee to the Board, does Ms. Parees also possess the jail oversight powers granted to the County Executive by statute? For example, because "the warden shall serve at the pleasure of the chief executive," could Mr. Parees fire Warden Harper? (61 Pa. C.S. § 1726(a))

**Response:** This question is directed to the Board.

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**Comment: Martha Scott:** In March, a concerned citizen submitted a comment stating that "Casa San Jose has met with the Warden and provided translated documents and resources to the jail, yet we consistently hear that these resources are not being used." Are Spanish-language documents being provided to incarcerated people? If not, why not?

**Response:** Yes.

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**Comment: Charles Coburn:** I understand that walkthroughs of the Jail have been suspended due to COVID. When and how was that decision made? Under what circumstances will walkthroughs resume? (ex: once each JOB member is vaccinated...?)

**Response:** This question is directed to the Board.

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**Comment: Anne R Christ:** Have you considered just freeing them all?

**Response:** No.

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**Comment: Denise Rocco:** Hi, I'm looking for answers on 2 issues. 1. How did the courts get away with delaying trials 7-8-9 months 2 and 3 times, when did people not convicted of anything lose their rights? 2. People are having a hard enough time trying to keep their family members in \$\$, so now to have the commissary raise their prices double – triple is ridiculous! It would be different if the food they were fed was decent, it's not! But to now have Tuna packs from 2.00 for 8 oz to 1.60 for 2oz is crazy!! Please the family's are already struggling to help their inmates of it's just a bigger financial burden. Please advise!!

**Response:** The new commissary vendor, Summit's rise in some commissary prices are in accordance to the contract.

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**Comment: Thomas Gomez:** In her response to public comments from the April JOB meeting, Judge Clark stated that "a survey developed by the University of Pittsburgh School of Social Work will provide the Board with information on the needs of the residents of the jail" and also stated that "the Board in collaboration with the Prison Society, is developing an exit interview process for jail residents to assist the Board in identifying issues from perspective of the citizens who reside there." Who will evaluate the results of these surveys and exit interviews, and for what purpose? Will the evaluator(s) provide the Board with recommendations? When does the Board expect these projects to be completed? Will results be made publicly available?

**Response:** This question is directed to the Board.

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**Comment: Jane Darwell:** ACJ is indisputably rife with medical neglect. It is clear that understaffing is a big contributor to these untenable conditions. What is the Board doing to ensure that incarcerated people have access to medical care?

**Response:** This question is directed to the Board.

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**Comment: Robert Miller:** In 2015 the United Nations adopted rules named for Nelson Mandela, saying no one should be in solitary confinement for more than 15 days, and defines that as torture. Many nations adopted the Mandela rule, so have states like New York. Yet ACJ regularly places people solitary even though it calls it "restricted housing." Recently, those formerly incarcerated at ACJ reported being in solitary for weeks and months for minor infractions; of being abused, humiliated and denied medical treatment. They were treated like dogs in a cage – and many are not even convicted of a crime! Why hasn't the JOB in its oversight role abolished solitary confinement at ACJ? Does the JOB endorse a practice internationally condemned as torture? Vote note and tell us.

**Response:** This question is directed to the Board.

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**Comment: Jane Jones:** According to international standards no prisoner should be subjected to solitary confinement if it would make their medical condition or mental health worse. But that is what the Allegheny County Jail does all the time. It puts mentally ill inmates in solitary rather than treats them. It punishes and tortures them for their condition. It denies them meds and counseling. In short, it makes them more desperate to commit suicide and damages them terribly – something that stays with them after their release into the community. Why does the JOB allow Warden Harper and Deputy Warden Williams to treat people in this awful way? The JOB should vote to eliminate solitary confinement at ACJ.

**Response:** This is a comment.

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**Comment: Ruth Hussey:** Month after month commenters ask about ACE Fitzgerald's absence but receive no explanation. Ms. Pares: as his proxy, will you tell us why Mr. Fitzgerald refuses to attend these meetings himself?

**Response:** This question is directed to the Board.

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**Comment: Elizabeth Schongar:** Hello, I am still deeply disturbed that the medical advice of appropriately qualified staff and of the personal doctors of people who are incarcerated is being overridden by the wardens and the jail procedures. Given the repeated occurrences, despite public outcry and legal challenges, I believe the wardens should be fired. In any case, it is the responsibility of the Oversight Board to ensure this changes. Thank you for addressing this horrific situation, Beth Schongar.

**Response:** Medical advice is not overridden by the wardens or jail procedures.

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**Comment: Sara Allgood:** Is Warden Harper aware that by law “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 [Jail Oversight Board]”? (61 Pa. C.S. § 1724e) Does the Board find it concerning that Warden Harper regularly denies board members access to jail records and policies?

**Response:** The jail records and policies are the physical property of the Allegheny County Bureau of Corrections and subject to confidentiality regulations. The documents are always made accessible, but this accessibility and production of documents is at the discretion of the Administration to ensure adherence to appropriate security protocols.

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**Comment: J. Carrol Naish:** Why has the Board suspended walkthroughs? Isn't this the very time when close oversight is more vital than ever?! Even if walkthroughs were not the Board's legal obligation, one would hope they would consider it a moral obligation well worth the hassle of wearing masks indoors for a few hours. Note that this is not a comment, I would genuinely like a detailed explanation of how the Board justifies this decision to ignore its statutory responsibility.

**Response:** This question is directed to the Board.

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**Comment: Deborah Kerr:** In her response to public comments from the April JOB meeting, Judge Clark stated that “Exit Interviews of key staff from the medical and mental health departments were completed to provide the Board with insight into the issues with staffing in those departments and may provide solutions to staff retention.” What insight has the Board gleaned so far, and can it propose any solutions to ACJ's long-standing staffing problems?

**Response:** This question is directed to the Board.

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**Comment: Claire Trevor:** Cody T. Still died at ACJ on October 1, 2020 after being injured in an “incident” that took place September 20, 2020. The cause of death was not reported and I haven't been able to find any updates or news stories on Mr. Still's death since October. What happened to him? What was the cause of death?

**Response:** The Office of the Medical Examiner will release the cause of death.

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**Comment: Donald Crisp:** In a recent story in The Current, several ACJ kitchen employees described extreme pest infestation. One person said “There's a rat the size of a cat down in the kitchen. There's so many roaches it's not unusual to see an albino roach;” another said “It ain't sanitary for a kitchen. I wouldn't want none of my family eating off the trays, or any of the food that comes out there. There's a mouse problem, roaches;” a third said “there's rats, roaches, and mice running all over the place.” When the Allegheny County Health Department inspected the ACJ kitchen on April 22<sup>nd</sup>, they also reported finding rat droppings. What will the Board do over the following month to ensure that the ACJ kitchen is, and remains, sanitary?

**Response:** This question is directed to the Board.

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**Comment: Amy G:** I'm writing regarding the Prison Society survey to be completed when someone is released. Realistically, how do you see this going? It's a correctional facility. Do you really think someone's going to say "5/5 stars, best stay, highly recommend and want to bring my family"? Seriously, what do you think is going to come of these? People will learn fast that the survey means you're getting out. No one's going to delay leaving the building to complete a survey. If they do, they'll speed through it, likely not giving it a second's thought. And you can't require they do it, then you'd be keeping them incarcerated longer than necessary. What about people who are blind? Can't read? Have a learning disability? How will their opinions be captured? (Cont'd): You really don't understand how things are if you think this survey is going to work. And the PS volunteers – are they all older white men? Cause that's not going to instill a sense of safety and trust. To the board overall, particularly Ms. Hallam – have you ever considered how your constant criticism of ACJ impacts the staff who work there? Who would want to work somewhere where you're constantly criticized? Strong professionals



want to work with this population because of a passion, but that passion can be quickly eliminated when you are constantly reading false articles and accusations. You think Warden Harper and Chief Deputy Warden Williams are the problem? YOU are the problem. YOU make it hard to recruit and keep strong staff.

**Response:** This is a comment.

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**Comment: Judith Anderson:** Have the Commonwealth's other county jail oversight boards suspended their walkthroughs during the pandemic, or is Allegheny County unique in this particular abdication of responsibility?

**Response:** This question is directed to the Board.

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**Comment: John Dall:** On April 23, people incarcerated in pod 8E started a fire in protest of medical neglect and inhumane conditions inside the Jail. I hope the Board respects the enormous risks they took to draw attention to their plight, and I hope you will respond with the appropriate urgency. Has the Board reached out to people living in pod 8E yet and asked to hear their concerns? Do they have plans to do so? Furthermore I am certain that if you looked up medical grievance reports filed by people on the pod, you would see many formal requests for help that went unanswered before they chose this method of protest. Has the Board requested to examine medical grievances filed to the Jail from people on 8E.

**Response:** An internet blog inappropriately, irresponsibly, and erroneously reported that inmates set fire in protest.

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**Comment: James Stephenson:** Does the Board support Ms. Hallam's proposal to pay incarcerated kitchen workers for their essential labor?

**Response:** This question is directed to the Board.

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**Comment: Gladly Cooper:** The Board has put \$100/mo on commissary for each incarcerated person throughout the pandemic and I applaud its generosity and consideration!! However, it should also be noted that unsanitary kitchen conditions are poor food quality force most incarcerated people to supplement their nutrition through commissary. Even if meals provided by the Jail were edible, calories per meal would not be enough to sustain adults. Until adequate food is provided to incarcerated people at the Jail, the Board should fund all commissary purchases. Will the Board consider this suggestion? And what will they do to ensure all incarcerated people are provided with fresh and health food, so no one is forced to rely on overpriced unhealthy commissary food?

**Response:** The daily caloric value of the menus meet a minimum of 3200 calories/day and the menus are reviewed by a dietician.

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**Comment: ACJ Staff:** Why is Ashley Brinkman, who requires all staff to call her by the title of Doctor even though her PhD is only in "Counselor Supervision," now running all medical departments with no competence to do so? Why are you forcing staff, such as Medical Aids and Mental Health Specialists, to conduct clearances at the door to ACJ? Why is ACJ unable to find and maintain Directors for the Substance Use and Mental Health departments? Aside from increased pay rates, how is this being addressed? Recently a Substance Abuse Counselor put in their resignation. Is an exit interview going to be conducted with that individual? Why are individuals being provided Suboxone without substance abuse counseling being provided along with the prescription medication?

**Response:** Ashley Brinkman currently serves in the role of Deputy Health Services Administrator and is qualified to fill the duties and functions of her position. She has advanced education, to include a Doctorate. It is common practice for individuals, who have achieved a doctorate, to be referred to as Doctor. Recruitment for all vacancies remain a priority and significant strides have been made to recruit, hire, and onboard new staff. Individuals are being prescribed Suboxone because it is clinically indicated to prescribe the medication. Unlike methadone, buprenorphine does not have regulatory requirements of counseling services. Although it is most efficacious to have individuals receive counseling in conjunction with their buprenorphine, they are not prohibited from receiving a medication for opioid use disorder because counseling is not simultaneously occurring. The jail continues to support the expansion of Medication assisted treatment and increased counseling services.

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