

The monthly meeting of the Allegheny County Jail Oversight Board was held on Thursday, May 6, 2021 held as a virtual conference at 4:00 P.M.

MEMBERS PRESENT

Ms. Hallam: Present

Ms. Klein: Present

Ms. Moss: Present

County Controller Ms. Wagner: Present

Sheriff Kraus for Sheriff Mullen: Present

Ms. Pares for County Executive Fitzgerald: Present

Others in Attendance:

Warden Harper

Deputy Warden Williams

1. Welcome, Call to Order and Rules

Judge Clark:

Good afternoon. Welcome to the monthly meeting of the Allegheny County Jail Oversight Board. I am Judge Kim Clark, the Chair of the Board. I am going to call the meeting to order. Before we get started, I am going to state the rules. Even though we are in a virtual world the rules still apply. I want to remind everyone that everyone in this meeting will get be treated with dignity and respect. There is no exception to that rule. Everyone will get an opportunity to be heard within reason, though we do have an agenda to get through. With that, we are going to start open our meeting.

2. Presentation from DHS: Accelerated Support for Older Persons

We are going to begin with a presentation by the DHS on Accelerated Support for Older Persons. Ms. Dalton?

Ms. Dalton:

Thank you. Brian Heywood is going to do the majority of the presentation. I will provide a little introduction and a little bit of data because you would expect no less from me. I am going to share my screen. As Judge Clark said, this is the accelerated support for older persons. We wanted to provide an overview. We know there are so many services that are available, and it is hard to know, given all of the diversity of services, what is available for whom. This is just a short presentation to explain that. This is a service for older adults. This chart shows, as of May 4th, who, at our county jail, is part of this cohort who would be eligible for a service like this. A very small percentage of the jail is 60 plus, which is about 3% on any given day. In this case, on May 4th, it would be 56 individuals. Just to look at the change over recent time, the top view is from January 2019, so pre-COVID through May 4, 2021. There are between 70 and 75 people, on average, meeting this description, 60 plus in the jail through 2019. COVID absolutely presented opportunities for many more releases and less arrests. You can see that dip in around April of 2020 and then it has remained pretty flat over the past period. The lower chart is essentially just the same look but just the last 12 months. You can see it has been pretty flat between 52 and 56 books in the in the jail meeting this description. And just looking by gender and race mostly male at this point in time, 93% male, only 7% female. It is currently 55% African American and 45% white. This is a little bit less compared to the overall African American population in the jail, so slightly less likely to be African American in this group, on this day. In terms of their holding reasons, they look similar to the jail as a whole. Only a small percent is sentenced to the jail, about 5%. That is probably a little bit lower but the sentenced population in the jail is going down in recent months and years. A little over third are on a probation violation as the holding reason and there is likely a case there too. There are 36% on a pending case only. I would say that is a little bit atypical and that the other reasons cases are that high. Those could be holds for other jurisdictions and so on. Then the last data slide, we are just looking at the highest charge. The majority of them, 65%, are being held on a

felony. Another 6% on folks in the jail that are being held in the jail accused of homicide. About 1/4 are misdemeanor and then we have 1 or 3% on summary charges. I am going to turn it over to Brian.

Ms. Hallam:

Can I ask you a question? Is this information going to be a new dashboard or is this just a presentation?

Ms. Dalton:

This is just presentation, but I believe you can get all of what I just presented from the dashboards already on Allegheny County Analytics just by filtering by the age group. The only one I am kind of hedging on is the highest charge, but definitely the holding status, definitely the demographics and age. That is all there. I will check while we are on the call and put something in the chat about the highest charge. So, it is likely all available given the existing dashboards.

Ms. Hallam:

Awesome. This is great. I really appreciate it.

Mr. Heywood:

I am not going to belabor you by reading the bullet points that you see there but you can follow through. I am with the Area Agency on Aging and as part of DHS we have a goal of trying to meet the needs of everyone, no matter what their need from age 60 on up. The things we know about individuals who are reaching age 60 and up is that their needs change: their medical needs change; their housing needs change; they have needs for support and resources for supports that change. A lot of times that change consists of loss. When you are looking at individuals who are involved with the legal system, with individuals who have spent time in jail and are anticipated release from jail some of those needs related to those changes can be exaggerated. It really helps to give these individuals' access to some of the things they need. The demographic changes in society, as well as changes in sentencing guidelines can contribute to the growth of aging populations of prisoners and of course the expenses and loss of privileges associated with seniors contribute to disconnection from services. So that is the goal of the Accelerated Support for Older Persons Program. The ASOP Program, for short, has been around for quite a while. It started in 1998, when the Hill House Association began a pilot program. Now the Area Agency on Aging has had the program for several years. It is no longer the Hill House Association. It is now Macedonia FACE, which is well known, multifaceted human services agency in the area became the ASOP provider for DHS/AAA. Our goals to help older adults reestablish themselves in the community and to achieve stability in the communities that they live. Let us look for a moment at who the ASOP serves. The age eligibility for the program is really simple, age 60 and up. It is for individuals who are in the community who have a history of law enforcement involvement or more at risk for law enforcement involvement and court involvement. I would like to give a tiny bit of background on that. The original design for the ASOP Program and the general stream of referrals that the program had received were from the Allegheny County Jail. They had been in a cooperative relationship in providing services. Two years ago, we took a look at the scope of what the program provides, and we saw the opportunity for the program to also provide focus on prevention. So, we have done some outreach to individuals who may not be in the status where they are being released from jail, but they may have some legal involvement within the community. Either they may be on verge of incarceration or be in more serious trouble. We would like to focus some of our attention on those individuals as well as preventive measures. In doing that we have had some conversations with the law enforcement and DHS to reach the district justice court to try and reach individuals who may be appropriate for these services. The referral process for ASOP is pretty easy. The DHS senior line is a resource we wish everyone would know. All the programs are supported through the AAA and can be accessed through the senior line at that number. For a direct conversation about the program as well a referral, you can also contact Christina Hughey, the Program Supervisor at Macedonia FACE, who oversees ASOP for us, or myself at the Area Agency on Aging. Let us take a look at some of the services provided through ASOP. Referral is probably one of the most meaningful of the resources that we provide. Thanks again to the resources available through the senior line. We just have a plethora of resources that already exist in the community. Sometimes it's a matter of just accessing people to them, so part of the standard in the practice of the ASOP Program is to point them directly to the Area Agency on Aging to have a better understanding of the programs offered through the agency and the community.

Care Management, just a regular contact that helps indicate support and provides more stability to the individual. We also have a care plan and that care plan, as you can read, touches several specific domains we found that individuals having need to address. Little anecdote, the first gentlemen, who was referred since I had the program, he needed specific help in getting his prescriptions refilled. We connected him with the pharmacy. Also, assisted him in arranging for transportation. He was staying with his daughter in Mount Washington. We were able to enroll him with access so that he could get to his medical appointments. So, a care plan which addresses various domains. The other thing we provide is resource identification referral. We have a lot of community resources available and we help to connect individuals to those to keep them connected to the community. What our goal is, by design this is a 9-month program that much of the care plan is centered around, but what we're looking for in working with an individual in the ASOP program is to help them establish 3-months' worth of stability as part of the care plan.

Ms. Dalton:

Thank you, Brian. Any questions?

Judge Clark:

Yes. Does a lot of this happened in the discharge center at the jail? If someone is in the jail that is 60 and over, does this happen at discharge?

Mr. Heywood:

Yes, we have had referrals come to us as a result of discharge planning.

Judge Clark:

You said that you were working with the MDJ's. Can you tell me what you have done with the MDJ's to make them aware of ASOP?

Mr. Heywood:

We have had meetings with other DHS offices and we produced fliers which we've asked to be distributed to the MDJ offices to raise awareness about the resource.

Judge Clark:

Have you gotten any referrals from the MDJ's so far?

Mr. Heywood:

I cannot say that we have. I am sorry.

Judge Clark:

Maybe what could happen is some type of training for the MDJ's on that. I think that would be valuable. Also, for the judges, in particular in criminal division, so that they know what is there. Can the board get a copy of the PowerPoint?

Ms. Dalton:

Of course. Also, Judge Clark, we are happy to work with court staff to incorporate existing trainings and/or have a special training about this service and perhaps other services for the aging population that folks may not be aware of.

Judge Clark:

Thank you. What I will do is the Supreme Court AOPC, through the Supreme Court, is Justice Todd's initiative of elder justice in the courts but I am going to send her copy of the PowerPoint and say this is something that you might be interested in. Do not be surprised, Brian or Erin, if you get a call from Justice Todd, or someone from her staff, from the Supreme Court because she is really spearheading elder justice in the courts. I think this is fabulous because I do not think we think about incarcerated individuals who are our seniors. We think of them in terms of the PFAs and landlord tenant actions; being victims of criminal offenses with people taking advantage of them. We do not think

about that population that is in our County jails and I think that we really need to address their needs. I was shocked a couple of years ago at the budget hearings in Harrisburg when Secretary Wetzel presented his budget. I should not have been shocked, but I was, to hear about they are now providing geriatric care in the state correctional facilities because of the long sentences that get imposed. In many cases, there is an aging population in our state correctional facilities. They have to provide services for residents in the state correctional system that have Alzheimer's and dementia and all kinds of medical issues. It is a complicated issue as we age and are incarcerated, whether it is a state facility or County jail, and what happens when you are released. Does anyone else have any questions?

Ms. Moss:

This is for Erin. I am very pleased to see this program too. What percentage did you say is there now?

Ms. Dalton:

About 3% or 54 folks. It is either 54 or 56 folks on May 4th. As Judge Clark said, the long stayers end up in this in the state prison. The jail is a holding facility. When we have looked at big shifts in the jail population, one of the things we have seen in the past is very big increases in this demographic. Now, I just showed you slides and data that suggests that it is pretty flat and actually declining, in part because of COVID. We do not see that in the most recent data but longer-term trends we see it both in state corrections and in the local jail. I suspect the Warden and his team have to think about geriatric services too.

Judge Clark:

Any other questions? Thank you, Erin and Brian.

3. Old Business

A. Incarcerated Individual's Welfare Fund Sub-Committee Report

Judge Clark:

We are going to start with an update or report by the Incarcerated Individuals Welfare Fund Sub-Committee. Ms. Klein is going to do the reporting for Judge Lazzara.

Ms. Klein:

Thank you. I just want to report that the Pitt School of Social Work Needs Assessment study is moving forward. Last I heard the contract was not finalized but that does not seem to be an impediment to the process moving forward. A couple other people and I looked at the questionnaires and made some suggestions. I think it is pretty close to the final form. I think it was submitted to the folks of the jail for their input. I am hoping that the survey can begin in 30 days. We have also been discussing in our meetings, ways that we can use the fund to obtain assistance in conducting our oversight activities. I know I am being very opaque about that, but we are still in discussions. I just do want to let the community know that we are diligently working on that.

Judge Clark:

Thank you. Does anyone have any questions for Ms. Klein?

B. Report on Book'Em

Judge Clark:

Mr. Kamara is not here. I do not know whether anyone else can get a report on Book'Em. I think Ms. Hallam was on that sub-committee.

Ms. Hallam:

Yes, we are meeting in the coming weeks with the folks who we contacted prior to try to move that forward but nothing additional was happened since the last meeting.

C. Suicide Prevention Sub-Committee Report

Judge Clark:

Thank you. Warden Harper can we get an update on the suicide prevention?

Warden Harper:

In regard to the NCCHC reporting, we finalized our final policy pertaining to mental health and residential care policy. All the policies that were recommended by the NCCHC have been finalized and published.

Judge Clark:

Any questions for the Warden?

D. COVID-19 Report

Judge Clark:

The next thing on the agenda is the COVID-19 report but I want to skip that because I think Deputy Warden Williams as a lengthy report to give. Let us take some of these others first and then we can circle back to her.

E. Status of Money Left on Tablets and Update Regarding Discussion with GTL for Using Tablets for Virtual Meetings

Judge Clark:

Can you update us what you learn about from GTL above the status of the money left on tablets and any discussion with GTL for using tablets for virtual meetings?

Warden Harper:

We have been in constant communication with GTL pertaining to money funding from the tablets for individuals leaving our facility. GTL will not have a solution for this until the end of summer. We are going to continuously meet with them to try to move this up, but they say they will not have a solution until the end of summer. I will report out every month where we are, Your Honor.

Judge Clark:

I could see some looks of puzzlement on the faces of the board members. Can you give them some more detail as to what they told you about why they are not able to do this at this time and what needs to happen?

Warden Harper:

What they reported was that they have many entities putting money on the tablet of the inmate and it would be difficult to differentiate whether or not the jail oversight board sent it and if the money should be going back to the jail oversight board. They are having difficulties with that. As soon as they can figure that out is when they will have a plan in motion by the end of the summer.

Judge Clark:

I do not think it really matters who put the money on the tablets. As long as they can identify that this money is connected with a particular resident, it should not matter where the money is coming from. If I am a resident of the County jail and my mother put \$50 on my account and the board gave me \$50. If I only spent \$75 of it, then I would have \$25 left. As long as it is attached to me, does it really matter. The board is not asking that the money

be returned to the Incarcerated Individual Welfare Fund. They are asking that if follow the resident who is being discharged from the jail. I do not know what difference it makes as long as they can connect it to a particular resident.

Warden Harper:

I understand what you are saying, Your Honor, but that is the issues they brought to my attention. I will communicate that to them again, but it has been communicated them, and they just cannot find a solution as of this time.

Judge Clark:

If they cannot, I would like for them to be present at the meeting, so a representative can explain that. To me, as long as they can attach it to a particular person, it should not matter where the money came from. That is my point. So, if they say that cannot happen then I think the board needs to be able to hear from them because I am confused about it.

Warden Harper:

I will definitely make sure they are available at the next Jail Oversight Board Meeting.

Judge Clark:

Thank you. I think the will of the board was that the money goes with the inmates but if they could not then it should be returned to the welfare fund for other inmates to use. That was the mindset we had. If they cannot figure that out between now and the next meeting then I think we need to hear from them, so that we are able to ask question of them. Obviously, there is some technicalities. You are reporting what they told you, but we need to be able to hear from them.

Ms. Hallam:

Judge, can I ask a quick question about that?

Ms. Hallam:

Where is the money going right now? I guess the money for folks who have left the jail, is it being held in a trust while they figure out how to get it back to the folks who has left the jail with monies left on their account? Is it going into GTL's pocket? We know it is not going into this Incarcerated Individual Welfare Fund and we know it is not going into the incarcerated individuals that are released. Where is the leftover money going right now?

Warden Harper:

Presently GTL has access to those funding. When an individual leaves our facility, they are giving a card in which they can call GTL and GTL will send the money to them. So presently it is GTL's hands. They have the money.

Ms. Hallam:

What happens to the money if they do not call GTL?

Warden Harper:

It is in a holding fund until they come back or something. They still hold it; they do not spend it.

Judge Clark:

Any other questions? Alright, thank you.

F. Report on the Number of Individual Counseling Sessions Conducted Weekly

Judge Clark:

The next item under old business is a report on the number of individual counseling sessions conducted weekly, if possible, with the average time frame. Deputy Warden Williams, are you able to report on that today?

Deputy Warden Williams:

I can provide an update, but unfortunately, it is still not going to meet the current request. We are working with the vendor, which is TechCare. We do not have a present way in the electronic health record to place the average length of session engagement and that part may not be a functionality in the future. Our facility psychologist has approximately 140 patients currently in her awareness or purview and is routinely interacting with approximately 50 to 60 patients per week. We are working on a new process that will be added to the electronic health record which will permit us to have better data analysis of these counseling efforts.

Judge Clark:

Thank you. Any questions for Deputy Warden Williams?

Ms. Hallam:

Yes, this is the first time I am hearing of TechCare. I guess I was falsely under the impression that it was medical staff, either County employees or AHN that we contract with, that was providing these sessions. Can you talk a little bit about exactly what TechCare is? Is that AHN, just like the virtual side of it?

Deputy Warden Williams:

I apologize, I thought I had referenced it in the past. TechCare is the software for our electronic health record. We conduct all of our services and documentation of the health services within the electronic health records to include counseling services. That is what I am referring to. The official company for that is NaphCare. That is the company that we are presently working with to make changes within the software to reflect some of the requests that have been made during these meetings. The psychologist that is providing the services is employed through a contract by AHN.

Ms. Hallam:

Thank you for clarifying.

Judge Clark:

Any other questions? Alright, thank you.

G. Update on Timeline for Increasing Rec Time

Judge Clark:

Warden Harper, can you give us an update on the timeline for increasing the Rec time?

Warden Harper:

This week, we did increase the number of individuals living in our facility from 10 to 15 individuals being out of cell. With 15 individuals being out of cell, we should be able to provide between an hour and a half to two hours of recreation for these individuals, dependent upon the number of individuals on the pod.

Judge Clark:

Thank you, any questions?

Ms. Hallam:

Yes, are these people prioritized, like folks who are vaccinated are able to get the two hours or is everybody able to get the two hours? The incarcerated individuals who are vaccinated, are they eligible for more rec time? If you could explain how vaccination status affect the amount of rec time.

Warden Harper:

Right now, every individual in our facility is going to be provided more out of cell time.

Ms. Hallam:

Is there any potential for folks who have received the vaccination for additional rec time to be used as an incentive for them?

Warden Harper:

We are trying to come up with the process. We have not worked that process out as of yet, but we are trying to work out a process to do that, Ma'am.

H. Update if other providers (CRR, Inpatient Programs, etc.) will be able to use Polycom Devices for Meetings

Judge Clark:

Warden, I think the last meeting it was raised whether we would be able to use the Polycom devices for some of the meetings with other providers (CRR, inpatient programs, and so forth). Do you have an update on that for us?

Warden Harper:

We are in the process of writing a policy pertaining to that. I just had to reach out to the exterior programs to see how they would be able to provide services using the Polycom machine. That is the next step. We wrote the policy, but we cannot complete the policy until we actually talk to the vendors that want to do the service. We plan on doing that in the near future.

Deputy Warden Williams:

It should be noted that many of our service providers are already accommodated through our Level One and Level Five video arraignment. Either for purposes of assessment or housing determination meetings. That process has been in place. We have had a number of individuals released to CRR or JRS throughout the pandemic. This would be an expansion on those services without inundating the video arraignment areas, which do need to prioritize legal meetings, either with counsel or court proceedings.

Judge Clark:

Thank you. Any questions?

I. Follow up Regarding Research on How Other Institutions are Handling Employee Refusal of Vaccine

Judge Clark:

If you have any information on how other similar institutions are handling employee refusal of vaccine?

Warden Harper:

I reached out to a couple of my fellow jails and they are having the same issues that we are having. We cannot mandate individuals to take the vaccine. There is nothing else that we can do.

Judge Clark:

Are there any plans to restrict the movement or change the work that people do, if they do not have the vaccine? If you even know whether or not they have a vaccine. Are you for your requiring them to let you know? I am asking because you know the courts will have similar situations and issues to face as well. I think most agencies will have the same issue about whether you can mandate it, whether you can ask if they have had it and if not, can you change their work. Mr. Bacharach is on, maybe he can shed some light on that in terms of the Collective Bargaining Agreements and what can happen.

Mr. Bacharach:

Not much. First of all, I do not do labor management type work at the County or at the jail other than some peripheral things. We talked about it and there is not a specific answer right now from the people at the jail who do labor management. I think it is just an undetermined matter at the moment. That is as much as I can say.

Ms. Hallam:

Is there a labor law specialist the County employees that we can invite the next meeting? It was my understanding from the last conversation we had about this, that we thought it was possible we could reassign staff members at the jail who were refusing the vaccine. Is there someone Mr. Bacharach recommends we invite to ask that question?

Warden Harper:

I just want to make a correction really quick. We stated that it would be a violation of the CBA if we were to do that. Now, we do have a labor attorney that we can invite but we definitely stated that in accordance with the CBA, we would be in violation if we did that.

Judge Clark:

Why don't we do this? Why don't we ask Mr. Bacharach to take it back to the solicitor's office and present us with an update? I do not know what's the board's pleasure will be in terms of whether they will take any action, but I just think we need to hear what the legal opinion is from the County Solicitor. It can either be Mr. Bacharach presenting the report on behalf of whoever handles those situations in the County or that person certainly can attend the meeting as well.

Ms. Hallam:

My understanding of the CBA is that it says members may be reassigned in extraordinary circumstances, so I would appreciate that Mr. Bacharach.

Mr. Bacharach:

I understand what you are talking about I will bring it up with the solicitor and let them know you would like to somebody speak on that issue with more authority than me at the next meeting.

Ms. Hallam:

I very much appreciate that. My next question is for Warden Harper. You said you spoke to folks at other jails about refusal for vaccines. What facilities were those that you spoke about that?

Warden Harper:

I spoke to the DC jail where I did 24 years at and a couple of state facilities. I cannot remember off hand, but I can have that information to you next time.

Ms. Hallam:

Did you speak to anybody from any County jails within Pennsylvania?

Warden Harper:

I did.

Ms. Hallam:

I would really appreciate that. The last question is about the Polycom that you were referencing, I just did not get a question in before that last part. Are those able to be used for legal visits as well.

Deputy Warden Williams:

The Polycoms are presently used for legal visits, I believe, on the quarantine units, specifically. We have not added them to all of the housing units, but we did purchase them and have been working on getting those up in action.

Ms. Hallam

Are the tablets able to be used for virtual meetings as well?

Warden Harper:

I consulted GTL pertaining to the tablets being used for virtual meetings and attorney business and GTL stated that it would be a cost in order for us to do that. They can talk about that at the next Jail Oversight Board meeting.

Ms. Hallam:

Did they give you an idea how much that was?

Warden Harper:

No, Ma'am, they did not.

Ms. Hallam:

Thank you very much.

Judge Clark:

Ms. Wagner?

Ms. Wagner:

Yes, thank you. I just wanted to follow up on the last subject with regards to someone from the solicitor's office presenting. I just wanted to ask if perhaps, for clarification, we could request that person, whoever that authority is, would provide us some details and be available to attend the next meeting, so we are able to ask questions.

Judge Clark:

Sure, we can do that. Thank you.

4. Public Comment

Judge Clark:

Let us move to public comment. So, there is a requirement on the online form to enter your name, sometimes people enter "anonymous" or "jail staff". I do not know that the name is so important, it just gives a perspective on why they are submitting this comment. But I noted that a number of them, this time, had clearly fictitious names. They are the names of actors and actresses. I am a big Turner Classic Movie fan, so I recognize them all. While some people may think it is amusing, I do not really think it is amusing because I think we take the comments seriously. I would ask in the future that people who are submitting comments, if you do not want to submit your actual name, to just say why you are interested. It could be because you are the parent someone is in the jail or you are a former resident of the jail or you are jail staff or something. I just feel that it, sort of, makes light of the situation. Maybe that was not the intention. I know they are serious comments and should be taken seriously. It is like people got together and decided we are just going to submit all of these comments under the names of actors and actresses from the Golden era of Hollywood. I am just putting that out there.

A. John P. Kenstowicz – Pennsylvania Prison Society

"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.5 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.”

Judge Clark:

Warden or Deputy Warden, are you able to answer this question?

Warden Harper:

A captain or high-ranking segregated unit one time per day but could occur on each shift, or more frequently, if necessary. Daily rounds are completed by a qualified health care official. Mental health professionals and physical health professionals have designated scheduled days to visit the housing units. If additional attention and care are indicated from health (behavior 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 standards requirements.

Judge Clark:

Thank you. We had a number of comments about the condition of the jail. Some of them deal with the same issues and I am not going to read all of them. I know that there has been some objection to that, but all comments will be posted on the website. The board has received every comment that was submitted.

B. John Doe

“I am concerned about intake conditions at ACJ. For the past month, newly admitted inmates have been held in crowded holding cells for many hours and even days at a time. There’s no social distancing. Many aren’t given masks. There’s not enough medical providers to assess inmates or prescribe medication--leading those with substance abuse disorders to suffer harmful withdrawal and those who are epileptic to suffer seizures. What is the Board doing to address these dangerous and possibly life-threatening problems? Merely asking Harper about these conditions--which he will obfuscate or deny, doesn’t relieve you of the responsibility to investigate in order to ensure constitutional treatment of incarcerated at ACJ.”

Judge Clark:

I do not know if the board has an answer for that because this is directed to the board. Warden, I guess I would have a question about that the conditions that are described by John Doe, in terms of the Intake Department, about the crowding, no social distancing and lack of masks. Is that accurate?

Warden Harper:

Absolutely not. it is incorrect. Every individual that comes into our facilities is met by healthcare staff person at the door. They get their temperature read and are asked questioned pertaining to whether or not they had COVID-19 exposure, are symptomatic, etc. Every individual that enters our facility is given a mask and mandated to wear the mask. If an individual is symptomatic or says they have been exposed to somebody that has COVID-19 is quarantined. We do not overly crowd any of our cells. We make sure that we put just enough individuals in the cell so they can physically distance. Whether or not they physically distance in the cell is dependent upon the individual. I totally disagree with everything that was in that comment.

Judge Clark:

What about the issue of medication? The second part of the comment was that people come in with substance abuse disorders and are suffering withdrawal. Some obviously are coming in without medication and are not assessed for and given medication when they are entering the jail.

Warden Harper:

If it is determined that a person is detoxing and needs medication, we do provide them with the medications that they need. It might not be the medication that they used to detoxing off of, but we do provide medications for these individuals.

Ms. Hallam:

Judge Clark, I would like to respond to the public comment too and let John Doe know that a lot of board members had a really fantastic training yesterday on how to do a proper jail inspection.

Judge Clark:

We are going to get to that because there was a question about that, and I was going to ask you to explain that.

C. Elsa Lanchester

“Complete Pest Solutions is the vendor meant to be providing extermination services at ACJ. For ease of reference, Complete Pest Control is vendor number 2301354 and the contract is #220701. Based on consistent reports of pest infestation at ACJ it seems they are either not fulfilling their contract OR the amount they have been contracted for is insufficient to actually keep the Jail sanitary. Jail contracts have been audited in the past for compliance, can the Board begin an auditing process here?”

Judge Clark:

There is a number of comments about pest infestation at the jail and there was a recent article in one of the newspapers, I cannot remember which, about that. Warden, can you comment on the pest infestation at the jail? I know that the extermination is going on, as you described at the last meeting. The contract was sent out to the board members. Can you just talk a little bit about those issues that have been described in this comment and in the news media?

Warden Harper:

As I stated before, the jail is 1,000,000 square feet. Our exterminator comes twice a week, Tuesday and Thursday, to ensure that every area of this jail is exterminated. We have preventive measures to try to reduce the amount of infestation and pests in our facilities. I think that we are doing a great job. A lot of the articles that you are reading is just not factual at all. We do not have rats the size of cats and cockroaches the size of your thumb. It is not true at all. I stand by what I said before we are doing everything to exterminate to prevent these rodent and infestation. I think that we are doing a good job. Not to say that you might not see a little roach or a little mouse here or there. This is 1,000,000 square feet and we serve 8,000 meals a day in our kitchen. I think that we are doing a great job.

D. Gail Sondergaard

“So many pre-existing problems at ACJ are made so, so much worse by understaffing. Even when the Jail is able to hire new people the turnover rate is high, and just about any media interview with any current or former staff at ACJ say it’s a terrible work environment with unreasonably high workloads. People simply don’t want to work there and I don’t blame them. It doesn’t seem like anyone has any solution to the understaffing problem and it doesn’t seem like anyone is trying very hard either, so maybe the Jail should just release more incarcerated people. Fewer people locked away, fewer staff needed. Simple, yet elegant. Then just keep it going til the everyone is free. What does the Board think of this idea?”

Judge Clark:

Well the jail cannot release anybody because the jail does not incarcerate anyone, that is the responsibility of the court. Everyone that is in the jail has been court ordered to be there by some judge, whether it is a judge of the court of common pleas or a federal judge. Everyone in the jail is there because there is a court order. The jail cannot release everyone and the courts not going to release everyone either. We continue to review on a regular

basis, daily basis, the number of people that are in the county jail and we are trying to make steps to release as many as we can, safely into the community. That is the response to that.

E. 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 and 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 healthy food, so no one is forced to rely on overpriced unhealthy commissary food?”

Judge Clark:

We cannot pay for all the commissary for every incarcerated individual at the jail. We do give \$50 a month for commissary and \$50 a month for the tablet. The food vendor has changed as a result of complaints and we still have many complaints. There are many comments about the quality of the food in the jail. I think the board will continue to try to address that. We have looked at menus. I do not know if the menus have been posted or whether we are still getting the menus. I think the request, maybe by Ms. Klein, was to continue to receive the menus on a regular basis. Also, to note when the menu has been changed. There is a menu that is made but sometimes it gets changed at the last minute. I think the point is there are many complaints about the quality, quantity, and overall healthy balance of the foods in the jail. I do not know, Warden, if you want to address that. When we get to Ms. Hallam about jail inspections, the quality of food will be one of the things that the board will be able to determine when we make our unannounced inspections. I am not the best person to judge that because I have really high expectations of food. But what we want is a healthy balance diet for residents of the jail. I do not know if you want to add anything, Warden, about the current state of the food in the jail.

Warden Harper:

The only thing I want to say is that the quality of the food is reviewed by supervisory staff and the management team of the jail. The daily caloric value of this menu meets the required minimum, 3200 calories a day. The menus are reviewed by dietitian. So, we have a dietitian that reviews the menus and a management team and supervisory team review the trays every day to make sure that they are presentable and enough food for individuals to eat.

Ms. Hallam:

Does the jail administration eat the same meals that the incarcerated folks are provided?

Warden Harper:

The employees do not eat the same meals as the individuals in our facility.

Ms. Hallam:

Thank you for that. Then, since the question was also about commissary, I have been looking through the prices of the new commissary menu and it is just absurd when you compare the Keefe prices to the Summit prices. I mean a lot of them are two or three times for the same product that they were getting for one price from Keefe compared to what they are paying in Summit. I mean same products, same size and the cost is two or three, even four times the amount. I am wondering why the jail entered into a contract with a company that one, was the same company responsible for providing the meal to the incarcerated folks and two, why it was not some sort of agreement in the contract that said that the prices needed to be comparable as what they were paying before. I am just looking at these menus and it really is just doing a disservice both to the folks who are incarcerated and their loved ones on the outside who were responsible for financially supporting them while they're in the jail. Can you just speak to why this is that we see cough drops going from \$1.50 to \$2.70 or a multi vitamin going from

\$3.50 to \$6.30? That is just in the medication, when we get to the food is even worse. I mean 6 ounces of Kool-Aid going from \$2.42 to \$3.99. The same exact product, just astronomical markup. There is no one category of commissary items that are exempt from this markup. A laundry bag went from \$8 to \$17. I am just wondering, what are we supposed to tell the people who are incarcerated and their family members who are forced to shoulder the costs of a contract that the jail/County entered into. Was there no consideration taken to make sure that the prices, even if they were not the same, at the very least comparable. Because the prices I am looking at are not even comparable to what they were before Summit took over.

Warden Harper:

Ms. Hallam, Keefe did not raise their prices with the commissary for three years. When Summit came aboard, in accordance with the contract, the contract states that they could not raise the prices any higher than 10% of a 10-mile radius of the jail. We have done an analysis to make sure they are complying to the contract and they are in compliance. A lot of these items that you see on the commissary that have went up, such as sardines and the fish, it went up, but the quantity went up. Instead of 4 ounces they are getting 7 ounces. Plus, with summit, they are getting brand name items as opposed to generic items. We reviewed the increase and it is within the contract. I mean we have done everything we are supposed to do to make sure they are following the contract.

Ms. Hallam:

So, the prices of Twizzlers in my convenience store have not gone from \$1.37 to \$2.99 in the past three years. Maybe, if we were talking 10 years 15 years but not just in the past three years. For the folks who are incarcerated, this change happened overnight. Are there any plans that we could subsidize the increase in costs or that we could go back to generic? I know if I only have a dollar for Twizzlers, I would rather have a whole package of the generic brand then to be charged \$3 because it has the name Twizzlers on the bag. Are there any plans to make this fairer for the people who are in our jail?

Warden Harper:

The contract is the contract. As long as they are following the language in the contract, I do not know much more I can do but we can definitely look into it.

Ms. Hallam:

Were you able to see this price list and this menu of Summit prior to negotiating the contract?

Warden Harper:

We were able to see the items that were presented, and we knew that the items would be no more than 10%.

Ms. Hallam:

Right but were you able to see the price difference between what Keefe was charging for the same items in what Summit was charging?

Warden Harper:

We did when we did the analysis.

Judge Clark:

Ms. Hallam, we were going to have to move the meeting along, so what I would suggest is maybe the board can do some sort of study and make an analysis of like if I were to buy these things at my grocery store what they would be and do some comparison with the other contract. Then maybe come up with a suggestion because right now, I mean we can have this debate, but there is a contract. So, what can the board do, if anything, about the contract, if the board wants to do something. I would suggest that if you want something to happen, that you come up with a plan that you present to the board about what you think we should do about this contract and if we are able to. Having this debate with the warden is not going to change the situation right now. I think we have

a clear picture of what the issue is with the commissary, the cost of the items and the big jump in the costs of the items from the old contract the new one.

Ms. Hallam:

I would very much appreciate that and also the controller's office has already prepared that document. If would like me to send it along to the Warden or to the board, I can do that.

Judge Clark:

Yes, that would be helpful if it would be sent out to all of us. Thank you.

Ms. Hallam:

Maybe we can have some discussion in the future about the Jail Oversight Board participating in contract negotiations that will impact the folks who we are statutory obligated to oversee in the jail.

F. 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?"

Judge Clark:

I do not know. I have not talked with any other members of any other jail oversight boards.

G. J. Carroll Nash

"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."

Judge Clark:

I think the board generally felt it would not be appropriate to go into the jail during a pandemic. It is not an inconvenience of wearing a mask for a few hours. We all wear them, sometimes all day long, for our jobs and other things depending on what we are doing. There were times when the numbers of COVID cases were very high and when no one was vaccinated. I personally felt that it was inappropriate and not safe for the board to go in and not safe for the residents of the jail for the board to go in. That being the case, the board is preparing to resume its statutory obligation to do the inspections at the jail. Later you are going to hear from Ms. Hallam about some of the preparations were making to do that. Obviously, I'm not going to say when we're going to do it because there supposed to be unannounced but now that I think most of us have been vaccinated I think it is appropriate to undergo our responsibility. I will say that in many instances where things for statutory are mandated procedures have been suspended due to the pandemic. I thought it was appropriate. Many cases in court or continue or we have court in a virtual world because of the pandemic. The Supreme Court allowed the president judges great latitude in suspending rules and statutes in order to keep everyone. That is the bottom line, the safety of everyone. We will be resuming those in the very near future.

H. 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?"

Judge Clark:

The records are available to board members. The Warden, in an abundance of caution and maybe in consultation with the solicitor, has determined that the board can inspect them. There's concern about the nature of what may be contained in those policies and papers. I think recently, on behalf of Ms. Wagner, Mr. Korinski, did review records regarding the use of the restraint chair. We will be probably discussing that in an executive session at the next meeting. We will hear from him because he inspected those. I concede that it is cumbersome, but I would just say that the records are available. I do not know whether anyone else wants to comment.

I. 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?"

Judge Clark:

There was another question that dealt with the exit interviews of some of the staff. Let me see if I can find that one. I probably should have put them together. I will say this, the board has done exit interviews of some of the staff and we are in the process of working through our recommendations to the board, which are likely to be presented at the next board oversight meeting. Based upon the exit interviews we had, I think all of the board members that participated in those found the information we received to be very useful and gave us insight on some of the issues in the medical and mental health departments. That is one thing that we are doing to deal with some of those issues regarding the medical care and the mental health services. I do not know if anyone else wants to comment. Thank you.

J. 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 thier prices double - triple is ridiculous! It would be different if the food they were fed was deceit , it's not ! But to now have Tuna packs go from 2.00 for 8oz 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 !!"

Judge Clark:

The first one is really not an issue for the board, but I will answer that. There is a judicial emergency, which we were unable to do certain types of proceedings but there are proceedings going on. We had not been able to do jury trials was the one thing that we have not been able to do in any significant way. Jury trials resumed in Allegheny County this week. We completed one jury trial and another one is ready to start. They are picking another one. The issue with the jury trials is that we only have two courtrooms, one in the City County Building and one in the Courthouse, that are large enough to socially distance the necessary parties needed for a jury trial. We tried to resume jury trials in October. We picked three jury trials and then the numbers of COVID cases went sky high in Allegheny County. We all determined it was not safe. Many of the defense bar did not want to try to jury trials and did not want to hear cases in the courthouse. Many of the continuances were at the request of defense counsel, who represents the incarcerated individuals in the County jail. So that is how it happened.

For the second issue, I think we have had discussion on that. The board will definitely be looking into that and having some recommendations.

K. 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?"

Judge Clark:

This question I am going to defer to Ms. Hallam.

Ms. Hallam:

This is something I am really excited about. Yesterday, a lot of members of the JOB, had a very in-depth training with Professor James Cavallaro. He formally worked for Harvard and Stanford law schools. He has spent his entire career dedicated to his own inspections of jails, prisons, and detention centers all over the country. He also taught his law school students how to conduct those types of inspections themselves. We are so fortunate that he took the time to train us yesterday. He taught us a lot about what to look for when we go in the jail, how to structure our visit, how many people should go at a time, and what areas we should focus on. I can tell you; I know I am trained and ready to go. We will hopefully be having lots of jail inspections regularly from here on out. I am very excited for that. We will report back on any findings from those inspections.

Judge Clark:

I have a question and I think I sent you an email about this. The date that was selected was the one day that I absolutely could not participate. I was busy yesterday from starting at 8:00 AM until 9:00 PM. Are they going to do it again? I know it was not recorded. For the members that could not attend, will he do another session.

Ms. Hallam:

Definitely. I am going to ask him to do a follow up and make sure, specifically, that the folks who were not able to be there for this one will be able to be there for the next one. Unfortunately, we just had to pick the date that worked for the most members of the board. But yes, I will definitely reach out soon because, I only speak for myself, it was a really thought-provoking training. I learned a lot and so I really look forward to you all having the opportunity to do that as well.

Ms. Wagner:

If I could also add, if I may, I took notes and I will gladly volunteer to put them together and share with the members who were not able to attend. I would also add on his credentials, not only in the US but internationally for Human Rights Watch. It was just incredibly, impressive wealth of knowledge that I think he gave us. We spent a bit of the time explaining the set up and flow of things within our County and our jail, which of course is different to other places where he has been. I think it might be helpful first for us to share just those kinds of distilled recommendations that came out during that call with everybody before going back to him. Maybe, we can all agree on some points that we might want further guidance on. But I agree with Bethany, he was a wealth of knowledge.

Judge Clark:

That would be great. I would appreciate that. Thank you.

Ms. Moss:

I wanted to apologize because I did put down that I would be there and then I had a family crisis. By the time I finish you were just about through with it, so I did not get on. I would like to attend or find out the information. Whatever way we can do that, I appreciate it. Ms. Hallam, I did call you and left a message.

Ms. Hallam:

I did get the message. I will reach out to him as soon as this meeting is over, and I will get some dates that are good for him. I will forward them along to the folks who were not able to be there.

L. 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?”

Judge Clark:

I am going to start it and anybody that wants to pipe in. I know that there are probably many members of the Prison Society who are viewing this meeting. I want to give a shout out and thanks to the Prison Society and its volunteers for the service that they give to the residents in the County jail ,which is actually a service to all of us in the in Allegheny County. We get a lot of information from the volunteers from the Prison Society. Many of the board members get calls, emails and so forth from the members when there are concerns. Sometimes they inform us of things that happen in the jail in which we were unaware. Obviously, we do get lots of information from the Warden and Deputy Warden. We get information from people who have been residents in the jail or are residents of the jail. They will write letters or communicate through their families. I do not know whether any of the other board members want to chime in about how they receive information.

Ms. Hallam:

I know a lot of the information I get is from people who are currently incarcerated and their family members, like you said. One of my favorite things is interoffice mail for folks who are incarcerated and may not be able to afford the prepaid postage envelopes. You can use interoffice mail for free to any County office. A lot of the mail that comes to my County address is interoffice mail from folks who are currently incarcerated. That is one of the best ways, I would say, to reach out to a lot of the members of the Jail Oversight Board because you don't have to worry about using a prepaid postage envelopes that you may want to save for writing home. I get a lot of letters to my house as well. Then also family members. I mean they are a lot of the times, really holding down the folks who are incarcerated and advocating on their behalf every single day. So, it is really them, you know, who also we owe a debt of gratitude for keeping us informed on what is going inside, even when the folks on the inside cannot get hold of us.

Judge Clark:

Thank you and I also get a lot of interoffice mail. My previous law clerk did a good job going through and responding to the letters. Now I do not have anybody to help me with that. I am trying to get through the mail myself right now until I get a new law clerk.

M. 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?”

And

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 any professional translation services?”

Judge Clark:

Warden or Deputy Warden, can you comment on that please?

Warden Harper:

Presently, the jail has several employees (through a range of job classifications) that are proficient and 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. I also wanted to say that with the Spanish individuals, we converted a lot of our handouts, including those for orientation and rules and regulations, from English to Spanish. We place those items on our tablets.

N. 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?”

And

Cecilia 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.”

Judge Clark:

There were a number of comments regarding the absence or presence of Mr. Fitzgerald at the board meetings in addition to ones from Susan Hayward and Cecilia Johnson. I am not going to read all of them. In reference to Cecilia Johnson’s comment, I do not believe that was an accurate quote of mine regarding tearing down the jail. The jail is was built to be very large. I think many people feel that like anything else “if you build it, they will come” to quote Field of Dreams. I think we have all worked very collaboratively during this pandemic: including the staff at the jail; the Public Defender, Matt Dugan and his attorneys; the County Executive and his office; the Department of Human Services; our pre-trial services in the court; and the district attorney's office. We really take a hard look at the number of people that are in jail and release as many that can be released safely into the community. Meaning, they are not posing a risk of safety to another person or to a victim or to the community and in some instances to themselves. We monitor those numbers every day and so I think many of us feel and I personally feel that we could do with a smaller jail. Because of the size of the jail, it is really easy to fill. We have not filled the jail for a long time, and we are continuing to look at those numbers. The numbers went way down, and they went up a bit because some arrests increased. Part of the issue is, as one of the comments pointed out, people are waiting for jury trials and have been waiting for a long time. Once we get back to some normalcy and trials are in a more regular pace, I am hoping that the numbers will continue to decrease. We will look at other ways to safely release people into the community. Every day we look at the numbers. I personally meet monthly with court staff. We

discuss the numbers and what we are going to do and look at next. We are really trying to keep it down. I would say that the County Executive is very committed to making sure that people are not incarcerated that do not pose a risk to the safety of the community. I think I can vouch for that, despite the fact that he may or may not attend the board meetings. I would just want to say one thing because I get the impression from many of the comments that because I am a judge, people expect me to order Mr. Fitzgerald to come to the meetings. I do not feel I can do that. This is not a court setting where I have that kind of authority. He is not the only board member that does not attend meetings. He may have missed more than most, but we have a representative. When she was retiring and we thought she was not going to be there, some of the board members were not happy because she is working very hard on the board. I just want to give a shout out to the board, I have been on this board in a previous administration, with an interim Warden and then a new Warden. Then I was off of the board and now I am back. This board is very different than the Jail Oversight Board that we had in the past. Ms. Moss is shaking her head because she was there then to. This board is working really hard. I am not saying there are not issues that the board needs to address. I am just saying that the board is really working hard to trying to address the issues, from my estimation, more than I have ever seen the Jail Oversight Board do. This is a small board and we keep creating these subcommittees, which many of the people you are looking at that are serving on this board have full time jobs. This is not the only thing they do but it might be one of the most important things they do. I think it is one of the most important duties I have, as the President Judge. I think is extremely important. But we are dividing in all these subcommittees and some great things are happening with this board. We are going to do surveys of the residents to determine how we should spend their money in the Incarcerated Individuals Welfare Fund. It is really more in control of the board. It is no longer being spent on buying clothing items and things that maybe it should not have been spent on, but it did. We are preparing to do exit interviews of the residents of the jail. We are partnering with the Prison Society to make this happen. it is a great collaboration. Everyone that knows me knows two things I always say: collaboration rocks and kindness is underrated. We are working hard and partnering with everybody in the County. We are very fortunate. We have a fabulous Director of the Department of Human Services and you heard presentations from her at these board meetings. I am very excited about the work that is happening. We are getting ready to resume the walkthroughs for the jail through the jail and probably some more exciting things will happen because of that. I just want to give a shout out to our board because I think they are doing a great job and I think they deserve a pat on the back. I would just say that I do not think the way to get anybody to attend a meeting is to bombard the Jail Oversight Board with comments about it or to bombard the office of the President Judge with comments. That is not the collaborative and kind way to do it. I just feel that there is a better way for us to engage. If you want the County Executive to attend these meetings this is not the way to go about it. If it were me, I would just kind of turn away. I have learned in the 21 years that I have been on the bench, that being kind is just the easiest thing. Approaching it with an air of kindness and respect is the best way to handle anything. I get so much more information as a judge, court is calm, and I think when I transitioned that to the rest of my life, it just has worked much better. That is all I am going to say about that. We have many comments about it and so I am going to end there.

O. Katina Paxinou

“Why are there children being held at ACJ?”

Judge Clark:

We had this comment last time and I thought we answered it, but I know that we had some disruption in the in the meeting with the video. I would just say that there are children being held at the Allegheny County Jail because there is a statute that provides that. Right now, certain children that are alleged to have committed serious felony offenses while in possession of a deadly weapon are charged as adults. Their cases start out as adults. They can petition the court to have their case transferred to juvenile court, but they can be housed in the County jail if they do not ever otherwise make bond. The only way that they can be housed elsewhere, in a detention center, is the District Attorney has to agree to it and that just has not happened in Allegheny County.

I see a couple of hands up, Ms. Wagner?

Ms. Wagner:

Thank you. I just wanted to respond to the last comments on the letter. I think it is important for me to just speak to what I believe is, in my own capacity as a board member, to be certainly legitimate concerns. If I just give one example that we have discussed in recent board meetings is a transparency issue with matters of the jail. Even we, as board members, are sometimes reading things and news media that we have not heard from. There are certainly a lot of different concerns, but I think with this meeting being the only public forum where any issues on the jail are discussed, I think in my estimation, I can certainly understand why these organizations raised it to this board. It is the only way I see they are able to raise this issue publicly. I just wanted to note that. Thank you.

Judge Clark:

Thank you. Ms. Hallam?

Ms. Hallam:

I know you said that you, as the President Judge, cannot force the County Executive to come to these meetings, nor do you want to, but I was wondering; one, who is the body who ensures that the statute is fulfilled? The County Executive is statutorily mandated to come to these meetings and is not. He is not allowed a designee.

Judge Clark:

I get it but you know the statute does not give a whole lot of guidance. The statute forces the president judge to be a member of the oversight board. I guess I get to have a designee if I do not want to, but I feel that the decision to have Ms. Parees was a good decision. She has been a wonderful board member and has contributed a lot to the board, so much that members of the board did not want her to go. She is the representative for him, and I think she does a fine job. I cannot answer that question, Ms. Hallam, what the issue is. I am just I am just saying that I think there is a better way to address this. I am not saying that the that the public does not have a right to comment. I am not saying that. I think they do have a right to comment. they certainly have a right to free speech, which I certainly respect and will uphold. What I am saying is that I think it is the approach. I feel that there is a better way to do it. I am fine with people calling my office and sending me emails about it, but I think the way is for us to talk about it and maybe talked about it in another way. I think it is like drawing the line in the sand, which I do not think is productive. I just really do not think it is the productive way. That is all I am saying. I am not saying that anyone does not have the right to raise this as an issue. They certainly do. Members of the board have a right to raise this as an issue as well. I just feel that there is just a better way to do it. I just do not think this way is going to change the situation. That is all.

Ms. Hallam:

I totally understand, a different approach, maybe a softer approach could the oversight board send a letter to the County Executive reminding him. The statute is very clear about this, there are two positions on the Jail Oversight Board that are not allowed to have a representative or designee. The County Executive's office is one of them. I can only imagine the reason that the statute is written that way it is because the County Executive has a sort of unilateral authority over what happens in the County. I just feel like we are doing a disservice to the people in the jail, the folks with loved ones in the jail, and really just the taxpayers of Allegheny County.

Judge Clark:

Then we should say that no board members get to have designees.

Ms. Hallam:

That is not what the statute says.

Judge Clark:

There were other times, for significant period of times, when board members have not attended the meetings and send designees. We all were alright with that. I am not saying it is not an issue that should be addressed. I just feel that this is not the way to address it. So, I am going to end there. Alright, just a couple of things because we get stuck in the public comments and but there are a couple that I think that we should address.

P. Barry Fitzgerald

“The Pennsylvania Department of Corrections provides Medication Assisted Treatment (MAT) for substance use disorders at some of its institutions and plans to eventually provide it throughout the state. When will ACJ begin providing MAT to those inside?”

Judge Clark:

I am just going to say this because I think at some point, we will have a presentation about this. We are working with Vital Strategy on opioid use disorder in Allegheny County. We had a convening of a large group of stakeholders, I want to say, with COVID my time gets off, at the end 2019. Then we were going to begin our work in the beginning of 2020, and we got sidetracked because of COVID. We regrouped and met again. They identified three things they wanted to work on in Allegheny County. One is diversion. We are looking to divert people from the criminal justice system or to divert from adjudication or incarceration. Diversion happens in many forms. The second one is to work on MAT in the Allegheny County Jail. That was a big one and we have a group working on that. Then the third thing is an education piece. Educating stakeholders, in particular the court, on opioid use disorder, the use of MAT and all kinds of things. We have been meeting regularly. I am very energized by the work of these committees. Diversion from the criminal justice system, has been one of my big issues. I am really excited about the work that is happening and the buy in from Chief Schubert and others on this work. There is more to come. The issue of MAT in the Allegheny County Jail is really going to be addressing in a meaningful way. Vital Strategies has a position that they are paying for and that person will be working under Erin Dalton and the Department of Human Services. I am really excited about that work. There will be more to come on that.

Q. Flora Robson

“Please provide an update on Mr. Jerome Maynor, a man in his 70s has been held at the Jail without access to his prescribed methadone treatment since March. At his most recent detainer hearing, on April 22, he stated he still has not received his medicine and that he is still experiencing intense painful withdrawal symptoms. Has he been released yet? If not, has he been given his medicine? What is the Board doing to make sure his situation is resolved?”

Judge Clark:

I am not sure whether the Warden or Deputy Warden can comment on his medical information. I will say this, I did receive an update on his case. The board really can't do anything to make his case go but I can just tell you briefly, recently his case was in front of his judge and his attorney at requested a postponement for reasons that I don't remember right now. I am going to look it up. So, no, his case has not yet proceeded to trial, but the board would have nothing to do with that. The board does not have anything to do nor does the Warden have anything to do with him being in the jail. The court has determined that, at this particular time, he needs to remain detained and his attorney submitted a request for JRS services. The case is coming back in front of the court soon and maybe there will be some resolution of the case then. That is all I can really say about that particular case.

R. Marie Dressler

“Why hasn't the Warden's monthly report for March been posted online yet? When can we expect to see it posted?”

Judge Clark:

Warden, can you answer that? It may be now since this comment was received.

Warden Harper:

In review of the website of the Allegheny County Controller's office indicates that the March 2021 Warden report has been published and April 2021 Warden report is also published.

Judge Clark:

Thank you. That is it for the public comments.

5. Review of the Minutes for April 1, 2021

Judge Clark:

I am assuming that everyone has had an opportunity to review the draft of the minutes from the last meeting. I will entertain any additions or corrections or a motion at this time.

Ms. Hallam:

I will move.

Judge Clark:

Is there a second?

Ms. Moss:

Second

Judge Clark:

All those in favor? Looks like it is unanimous.

Any opposed?

The board unanimously approved a motion by Ms. Hallam, duly seconded by Ms. Moss, to receive the Jail Oversight Board Meeting Minutes from April 1, 2021.

6. President's Report

Judge Clark:

I do not have anything additional to report that cannot wait until another time.

7. Warden's Report

Judge Clark:

Warden, do you have anything else that you want to report?

Warden Harper:

Yes, ma'am. First, I wanted to say that this is Correctional Employees' Week and correctional professionals throughout the world are celebrating our great profession. I just want to say Happy Correctional Employees' Week to all of the Allegheny County Jail employees, volunteers, and contractors. Next, I would just like to report you 60 individuals at the Allegheny County Jail have registered to vote for the May 18, 2021 election. What we have done differently this year is we put an electronic request on the tablets and individuals interested in voting can submit an electronic request to our program administrator. They will get the documentation to them individually so they can vote. Prior to us

putting the electronic request on the tablet, we did have town hall meetings with every pod to advise them of the election and our public information officer is sending weekly reminders to the individuals in our facility the election.

Judge Clark:

Yes, Ms. Klein?

Ms. Klein:

Warden, may I ask you a question about your report? When I was reading it, it lists visitations. When I thought about that in the past, I always thought the visitations were family members who came in but obviously there is no family coming in. Can you explain to me what counts as a visitation?

Warden Harper:

There is no visitation of family members coming into our jail. What page are you exactly referred to Ms. Klein?

Ms. Klein:

Visitations total regular visits 316. I am sorry I do not have it in front of me.

Ms. Moss:

It is on page 8.

Warden Harper:

Ok, I see what you are saying. I am going to have to look into this and report out to the board next month pertaining to this. I cannot answer that at this time.

Ms. Klein:

I would suggest if it is chaplain visits then I would put that under services and not visits or just have a better explanation of who is visiting.

Warden Harper:

We will definitely look into that.

Judge Clark:

Yes, Ms. Hallam?

Ms. Hallam:

Yes, I just have a question or two for the Warden before we go on further. First, can you say how many unused/closed pods there are right now?

Warden Harper:

5 pods that are not being used right now.

Ms. Hallam:

Thank you. I have gotten a report from a couple different staff members that there was an email that was circulated around about them working on Election Day. Can you elaborate on that memo? It gave some employees the impression that they were being forced to work, either overtime or regular time, but is not normal for them, on Election Day.

Warden Harper:

Employees are going to be required to work on Election Day to help us with the election process.

Ms. Hallam:

The election process of the people voting in the jail or are they going to be reassigned to another location?

Warden Harper:

Other areas within Allegheny County.

Ms. Hallam:

What will be doing? Is it only Corrections Officers? Is it medical staff and administrative staff? What it is that they are doing? And if this is mandatory?

Warden Harper:

It is non-unionized individuals and they will be working at either the warehouse or as a poll coordinator.

Ms. Hallam:

Okay, so the corrections officers, who are not in management who are unionized employees, are not required to work?

Warden Harper:

Non-unionized employees will be working.

Ms. Hallam:

So this is mandatory? That is, they cannot volunteer to work they are forced to work on that day.

Warden Harper:

We are asking them to work. If they cannot work, they have to give us a reason why they cannot.

Ms. Hallam:

The memo that I saw had some conflicting language like it is mandatory that you volunteered to work on Election Day. I was just confused by that. Are they volunteering or do they have to work?

Warden Harper:

We are asking them to work. If they cannot work, they have to give a reason.

8. Deputy Warden's Report

Judge Clark:

Thank you. Can we move to Deputy Warden Williams report? I think she has a lengthy report for us today.

Deputy Warden Williams:

I am prepared to move on if everyone else is. In addition to Correctional Employees' Week, today also starts National Nurses' Week. I want to join the Warden in celebrating our employees. We have more than just nurses in the healthcare department, but we certainly could not do it without our nurses. We want to make sure that we recognize their efforts, particularly through one of the most exhausting years I think any of us have ever endured. With that, I will move to the COVID-19 report. For incarcerated individuals, we have updated the Allegheny County Jail website to reflect the 2,578 incarcerated individuals have received a PCR viral diagnostic test for COVID-19. For the duration of the pandemic, 346 of those individuals or 13% have been found to be positive. Two incarcerated individuals are presently positive in the facility. We have had 2,222 negative tests. We have zero pending tests but will be doing more this evening for purposes of transfer. We have zero incarcerated individuals hospitalized from COVID-19 at this present time. One of the inquiries last month was from Ms. Hallam regarding those that are released while known to be positive. Within the last calendar month, we released three individuals while they were known to be positive. Two

of those releases were symptomatic at time of intake and were tested immediately due to the fact that they had symptoms. They were known to be positive, were not committed to the jail, and were released through the pre-arraignment process. One individual was released after they had been fully booked. When that occurs, what happens is that we interview the patient and we see where they're going to be going, make sure that they understand the date that they were tested, how many days they should remain in medical isolation, ensure that they have appropriate PPE for themselves and any other household members may have to be in contact with them, and understand the recommendations. If they do not have secure transport, meaning transport other than public transportation, we will arrange that for them. The individual that was released was able to meet all of those needs. We did provide some additional PPE.

Additionally, as requested in past meetings, we are now providing a look back of the comprehensive numbers for the previous month. Right now, on the jail website, you will see that in April 2021, 150 individuals received a PCR viral diagnostic tests for COVID-19. Of these 151 individuals, only 4 were found to be positive (that is a positivity rate of 3%), 144 were negative, and 3 were indeterminant and retested. All three were found to be negative upon retesting. In the event that participants or viewers missed the March numbers that were posted on the website, I wanted to make sure that we knew that 532 individuals received a PCR viral diagnostic tests. Of those 532 individuals, 70 or 13% were positive, 461 were negative, and 1 was indeterminant.

Additionally, we have had some changes since the last meeting. On April 12, 2021, in compliance with the federal consent decree, our facility began rapid antigen testing for increased surveillance for new admissions in intake and on the intake housing units. These rapid surveillance tests are required to be offered by the facility. There is no punishment or punitive action taken it to the incarcerated individual if they refuse the surveillance testing. If, however, they refuse surveillance testing and they have symptoms, they will be maintained on a medical isolation status. All others participate in the routine, quarantine measures that have been recommended and supported throughout the pandemic. Since we started doing rapid antigen tests on April 12, 2021, we have completed 628 rapid antigen tests with the following results: 6 were positive, which is 1%; 567 or 90% were negative; 55 refused accounting for 9%. None of our positive rapid antigen tests were for asymptomatic individuals. All individuals had already been placed on medical isolation status due to symptoms and tested positive with the rapid antigen test. Because the results were congruent with their symptoms, additional PCR testing was not completed to confirm. This increased surveillance testing has added an extraordinary burden to the resources within the healthcare department, due to the time indicated for testing and the resources designated for data entry. This has been a significant undertaking and all staff who have had this additional burden have demonstrated their commitment to their expertise and training. In regard to employees and tests, throughout the pandemic we have had 347 staff report that they have been tested, with 139 positives and 208 negatives. We presently have 3 individuals who continue their recovery process and have not yet returned back to work.

In terms of vaccination updates for incarcerated individuals, our facility applied to be a vaccine provider in December 2020 and I previously reported that we have struggled to obtain her own supply vaccines despite continuous weekly application and requests. We were fortunate, and maintain being fortunate, to have the commitment in our partner organization of Allegheny Health Network to support onsite vaccination clinics. On April 12, 2021, our facility was able to host our first vaccination clinic for the incarcerated population. On that date, 284 Janssen, also known as Johnson and Johnson vaccine, were provided to incarcerated individuals at the facility, which accounted for 16% of that day's population. We had plans to host our second vaccination clinic on April 14th but observes the recommended pause or halt and Janssen vaccination, as was recommended by the FDA and CDC. When the hold was lifted on April 23rd, we resumed conversations with AHN to determine when we could continue vaccination efforts. We were able to host our second vaccination clinic on April 28, 2021. On that date we provided 164 individuals with the Janssen vaccine. We had many individuals who hesitated to proceed forward with vaccinations due too the belief that it would not be safe. We have been working to make sure that we can restore some faith in the incarcerated population and proceeding forward with vaccinations. In total, thus far, the Allegheny County Jail has supported the vaccination of 448 incarcerated individuals, accounting for approximately 25% of the total population. Vaccines will remain available

and will continue to work to those efforts. As incarcerated individuals decide that they would like to receive this they can express interest to receive a vaccine and we will work to get them that vaccine. We recently received our own allotment of Moderna vaccine. We are very excited that we have been approved as a provider and finally have started to receive stock of the vaccine. We are going to be prioritizing those individuals who are currently within their vaccine series. There are some individuals who are incarcerated who have received dose 1 of the Moderna series and need to receive their second dose. We are prioritizing those. We have to plan this very well because each vial has 10 doses. We do not want to waste any doses. Once you thaw that vial, it can be refrigerated for 30 days. Once you open that vial, it must be used within 6 hours. We are evaluating all of the current patients, who are incarcerated, who meet the criteria for that vaccine and those that continue to express interest. Additionally, we are working with stakeholders to provide those that are within their series of Pfizer vaccines. We do not have access to those within our facility, but some of our stakeholders do, and they are willing to make sure that we can complete the vaccination series for those individuals. We are going to continue to gauge interest and we have expressed support from AHN to continue to offer the Janssen vaccine for those that prefer receiving one dosage instead of two. But again, we do not have our own supply of that. All individuals who have received a vaccine have had the \$25 applied to their account from the board's motion to utilized funds from the Incarcerated Individual Welfare Fund. We were able to, I believe, complete that for every individual that we have asked vaccinated thus far.

In terms of employee vaccinations, because everybody is that is adult is eligible, we went from having under 700 to over 700 employees that are now eligible to be vaccinated. We have 35 who have received one of their two dose series, which is 5% of our employee base. We have 345 employees or 47% that have been deemed fully immunized. Either receiving one vaccine from Janssen or both vaccines of Pfizer and Moderna. We look forward, as an institution, to the privileges that increase vaccinations will allow our facility to have in the future. We are continuously working to increase interests and the number of those that are immunized while supporting the individualized determination to receive a vaccine. Vaccination is not mandated within the Allegheny County Jail. Though I have other things to report, I know that that was a lot of information and if there are questions, I would be happy to attempt to answer those now.

Judge Clark:

Ms. Hallam?

Ms. Hallam:

Thank you for that information. I really do appreciate it. I just have a couple of questions about the intake testing. The first thing is, you said that some folks have refused. When they refused the intake testing, is there something that they sign, like a waiver, or anything like that?

Deputy Warden Williams:

They do not sign a waiver, but it is marked as part of their health record by the health care professional that is completing the testing. The results are available within 15 minutes of completing the test and the individual is either listed as a positive, negative, or refusal. Then frequently it will be placed within the progress notes for the individual, in addition to whatever other assessments took place during that time period.

Ms. Hallam:

Aside from the refusal, is every single other person that comes into intake receiving a test? Is there any population or situation where someone would come into intake and not receive a COVID test?

Deputy Warden Williams:

We had at least one circumstance, there was an individual who was a medical emergency and just by human error he was not tested after the medical emergency before going to a housing unit. But we are absolutely doing our best to do all admissions to the facility.

Ms. Hallam:

How long after they are brought into intake are they given the rapid test?

Deputy Warden Williams:

That is dependent. I think we have talked about this before. It is not something we can always control. Individuals who come into the facility, who have symptoms, because we have the rapid antigen test, can be tested when they are in their initial process to decide whether or not they should be isolated. I will state that if somebody has symptoms and they test negative utilizing the rapid antigen tests, we still isolate them. That is the current recommendations. If you have a discordant result, somebody who is symptomatic but tests negative, you should do a viral test to make the determination. The reliability of the antigen tests is not as secure as a diagnostic test would be. So those individuals who might have an exposure that is known to us and are presenting with symptoms are tested right away. Others are based on their timeline of admission through the process.

Judge Clark:

Any other questions? You can continue Deputy Warden Williams.

Deputy Warden Williams:

You had brought up earlier, Judge Clark, about the efforts with Vital Strategies. I wanted to provide a bit more context to that. We did speak about this at the Vital Strategies meeting most recently held. I think it is important to bring to the attention of other board members where we currently sit as far as these efforts go. In the past, I know that we have historically talked about that Medication Assisted Treatment is only available to those that are presently pregnant, so pregnant, opioid-dependent females. That is not the present case. We have been talking about for months, and I know that the timeline was certainly longer than what anybody was hoping for, increased staffing with training for medication that supports opioid use disorders, as well as the DEA waivers and that restriction was recently changed as well. We have all of our providers have been engaged in participating in training, they are permitted to prescribe, and we have been increasing those that receive Buprenorphine within the facility. We have nine patients that are presently prescribed Buprenorphine that is currently incarcerated. Though we have certainly had more in the program since we began these efforts. Of those nine, only one is presently pregnant, so eight of the nine are either males or females who are not pregnant, but this is a continuation of their Buprenorphine medication. We also have 16 individuals who are prescribed oral Naltrexone. That is different. Buprenorphine is a partial agonist and it is working on the receptors in a much different way. Whereas Naltrexone is something that blocks and also reduces or inhibits cravings. We are still considering that to be a medication with an opioid use disorder that is being continued within the facility. We are working on the RFP process to ensure that we can have qualified providers come in house to provide Methadone services. We have not achieved that goal yet, but we are actively working towards that. We have been utilizing a lot of the support of our stakeholders at AHN again to increase accessibility to some other forms. Sublocade, which is an injection of Buprenorphine, is not something that we presently have access to, but we are a 340B qualified entity and may be able to gain access to Sublocade through AHN. We are continuing to work towards what our ultimate mission is which is to provide time equal accessibility to all forms of medication for opioid use disorder. Those are the present updates there.

Then, I have been reporting on the status of ques. For sick call requests for medical we have 88 appointments presently and the longest waiting is 5 days. For the sick call request for mental health 1 appointment with the longest waiting less than 1 day. It was submitted today. For psychiatrists we have 60 appointments waiting and the longest is 11 days. Mental health specialists we have 4 appointments waiting with the longest is 2 days. Those are all of the updates regarding requests.

Lastly, because we have received a lot of feedback over the months and it has been a topic of discussion related to staffing, I just wanted to provide some additional updates as to our efforts there. Since the last meeting, we have onboarded the following positions: 2 full-time LPNs, 1 full-time RN, 1 full-time Assistant Director of Nursing, and 1 part-time LPN. This month we also intend to onboard: 2 full-time RNs, 1 part-time Psychiatric Aide, 1 full-time

Substance Use Counselor and we are awaiting start dates for 2 full-time LPNs and 1 full-time RN. We also have at least 5 other employees that are within either their drug screening or TB testing, some kind of pre-employment screening process for full-time employment that we believe will be able to start within our facility, if not by the end of May, early June. We have been very fortunate that with the increased pay rates, which make us a more competitive healthcare entity in the City of Pittsburgh, we have been able to recruit additional employees to our institution. That is all I have.

Judge Clark:

Ms. Hallam?

Ms. Hallam:

My first question, you just talked about the new hires how many staff members at the jail left in that same period of time.

Deputy Warden Williams:

I do not want to provide inaccurate numbers, but I would say we have received resignation of three employees. That is an approximate number if you do not hold me to the exact number.

Ms. Hallam:

Is that medical and mental health staff? Or the corrections officers? What type of employees were those?

Deputy Warden Williams:

I was speaking specifically towards the Health Care Department I thought that is why your request was.

Ms. Hallam:

It was. I just wanted to make sure I clarified that. My next question is, I really appreciate you reporting all the numbers on vaccinations and everything, what I think would be helpful is the number of people who are in the jail right now who have been vaccinated. I can only assume that some of the people we vaccinated in the jail have since left the jail or transferred to another facility.

Deputy Warden Williams:

If you give me maybe one minute and ask your next question, I will pull up that report for you.

Ms. Hallam:

I can do that. My next question is about the sick call slip. I know in previous meetings we have talked about how the sick calls are now done on the tablets. First of all, are there paper medical slips on every single pod? Also, the medical slips that are submitted via the tablet, have we found a remedy to make sure there is a receipt of that request being submitted?

Deputy Warden Williams:

We have not finalized the way that they communicate with each other, so they cannot actually submit their sick call requests and that does not go into the electronic health care record yet. They can write to the Healthcare Department through the tablets, but sick calls are still done in a paper process. Sick calls are also done in a verbal process. If you see a nurse and they are in the middle of medication pass, and they say hey I need to talk to mental health, the nurse can actually submit a sick call appointment on behalf of the patient. I think it is an important distinction that we have not yet moved to an interface, that was the word I was looking for, where they could submit the sick calls from the tablet to the healthcare record. We are still working on finalizing those IT details.

Ms. Hallam:

Great. I guess my question, so there is no sick calls at this moment that on tablets? It is all paper and they are available on every pod? I am only clarifying because I had heard from people who were having issues submitting sick calls via the tablet. Is that because the service is not available yet?

Deputy Warden Williams:

That would be because that is not the appropriate way to do that. Sometimes people confuse interoffice requests with sick calls. If they are writing to the Healthcare Department, based on an inquiry not related to their own medical needs, they may be doing that through the tablets. Sick call is completed in the fashion I just described.

Ms. Hallam:

Then my last question is I had heard from some folks on the Pod 4C that they were sharing tablets amongst themselves. Each person is not having access to a tablet every day. Can you speak to that?

Deputy Warden Williams:

I can. I think that ideally, we would have tablets for everybody. We have a large number of tablets that are currently out for servicing because they have been broken by somebody who was utilizing them. The vendor right now, as well as many other vendors, because of the raise in technology in the nation they put a huge demand on the tablet production. We have not been able to secure additional supply at this present time. In order to make sure that we can provide accessibility of the tablets some, primarily cell mates, are currently sharing those resources until we can get more. Certainly not an ideal scenario. It was the only problem solving that we could come up with since we cannot control the availability. We have certainly made the request to receive more and the vendor knows that we are definitely at of deficit.

Ms. Hallam:

Is that happening on all the pods or specific ones? Or just 4C?

Deputy Warden Williams:

It is not happening at all of the pods but 4C is one of them and there are several others where that is presently in issue for us.

Ms. Hallam:

Thank you. Did you get the number of incarcerated folks currently vaccinated?

Deputy Warden Williams:

I did and I want to clarify this number before I say it out loud because I do not want it to seem I am taking any credit. Because this has been so complicated and so many different layers, we have a flag, or an alert, within somebody's healthcare record that indicates when they are vaccinated. Torrance State Hospital, because they were 1A from the gate, was able to vaccinate some of our patients prior to them coming back to us. Additionally, we have people who have come in from the community who had already received their vaccine and we can verify that information. We make it part of their healthcare records to make sure that we understand what the status is of that particular individual. So, we presently have 429 incarcerated individuals who has received their full vaccine. I do not want to imply that we are taking credit for being the origin of vaccination for all of those individuals. I cannot separate that out based on the report that we have as to who is the origin of the vaccine.

Ms. Hallam:

I did not need the origin just how many people are in there now. Does that mean that our vaccination plan is final, and you can share it with the board?

Deputy Warden Williams:

I would say that we still have to figure out Pfizer and how we are going to do that. I have given you guys the bullets. If you are okay with it not being fully complete, we can talk about getting that to you.

Ms. Hallam:

That would be very helpful, and I would very much appreciate it. Thank you for all your answers.

Judge Clark:

Any other questions for Deputy Warden Williams?

I just want to thank Deputy Warden Williams for a very thorough report. It is a lot of information. I am sure it takes some work to compile that for the board. I think it is important that the board and the public knows what efforts are being undertaken in the jail, especially with respect to COVID, but just generally in terms of the medical and mental health care of the residents of the jail. Thank you.

9. New Business

Judge Clark:

We will move to new business. We have a number of motions on the table.

A. Motion for a plaque to be placed outside of jail medical honoring the late Dr. Michael B. Patterson

Judge Clark:

I am going to start with Ms. Klein. She has a motion.

Ms. Klein:

I have a motion to put a plaque outside of jail medical honoring Dr. Michael Patterson. Just a little background, I personally did not know Dr. Patterson but was reading about him. He really dedicated his medical career to taking care of vulnerable people. Mr. John Kenstowicz, who is a member of the Prison Society, brought this to my attention. He is willing to pay for the plaque out of his own monies, not Prison Society monies, as a tribute to Dr. Patterson and also send a message that the work people do in jail medical is appreciated. You receive the copy of the template for the plaque, but I can read it out loud for the public. "In grateful recognition of Dr. Michael D Patterson, Medical Director of the Allegheny County Jail 2000-2014. He dedicated his life to serving those in need with compassion, mercy, and respect. Time will never erase the work he accomplished here and the difference he made in people's lives." I am happy to answer any questions or move that we permit Mr. Kenstowicz to purchase this for us and the Warden needs to sign off on it as well.

Judge Clark:

I just want to point out that that was actually submitted in the comments by Mr. Kenstowicz at the last meeting but as you know the power went down and the public was booted from the meeting. I did not get to present that at the last meeting, and I am glad that you presented it on his behalf. Are there any questions or comments for Ms. Klein? If not, she made a motion, is there a second to her motion?

Ms. Hallam:

Second.

Judge Clark:

All those in favor? It looks like unanimous.

Any opposed?

The motion is carried.

The board unanimously approved a motion by Ms. Klein, duly seconded by Ms. Hallam, for a plaque to be placed outside of jail medical honoring the late, Dr. Michael B. Patterson.

Judge Clark:

Warden, is there any problem with that?

Warden Harper:

Your Honor, I just want to say, words cannot express the hard work and dedication that Dr. Patterson presented to the Allegheny County Jail while he was here. We will be better honored to accept and sign off on anything pertaining to Dr. Patterson.

Deputy Warden Williams:

The Warden and I both had the privilege of working with Dr. Patterson. I know many individuals had a closer relationship to him than we may have but many people do not know that he worked very long hours here. In addition, he would do rounds in Mercy. He was well regarded and respected by the patient population and deeply cared about them. He knew them. We had a contract with UPMC Mercy, where if an individual required a higher level of care, they would be there. He would go see them, as frequently as possible. He had the right to do that, but he also wanted them to know that they were not alone. Since I had the opportunity to offer that information about him, since many people may not be aware, he was a legend in this building. I think it is a great recommendation.

Judge Clark:

I guess the question is, I know I am grateful for the generosity of Mr. Kenstowicz in agreeing to pay for the plaque, somehow, I feel that he should not pay for the plaque. I do not know whether anyone else has any thoughts on that. I feel it is very generous for him to do that, but does anyone else have any other feelings on that?

Ms. Klein:

I felt that it was not appropriate that it come out of the Incarcerated Individuals Welfare Fund. When we were talking about it, Mr. Kenstowicz offered to pay for it, but I would love to talk about another funding stream too.

Judge Clark:

Warden Harper, were you going to say something?

Warden Harper:

Your Honor, we would be happy to pay for the plaque from the Allegheny County Jail.

Judge Clark:

I think the language that Mr. Kenstowicz has chosen is lovely. I would ask that maybe Mr. Kenstowicz, since he is the person that really wanted to do this, work with the Warden to pick the plaque and all of those kinds of things. I am assuming Mr. Kenstowicz listening to this meeting, so I am going to ask that he contacts you Warden to work out the arrangement.

Warden Harper:

Yes Ma'am.

Ms. Klein:

I would ask that we include his widow, maybe when the plaque is installed, in some way we can bring her into the process as well.

Judge Clark:

Yes, I think it would be nice when we are sort of out of COVID that we have a dedication for it. I know there is a couple of things, I think there is still going to be a dedication to name the Veteran's Ward or Pod after Judge John Zottola. I think they were waiting for a time when the public could come in. They can certainly go ahead and order the plaque and then we can have some type of dedication. I think that is a lovely idea. Thank you. Any other discussion about that? We should have ended the meeting with that. It is just such a lovely thing. That would have been a nice way to end the meeting.

B. Motion to request money from the Incarcerated Individual's Welfare Fund to be put on the commissary accounts of each incarcerated individual.

Judge Clark:

The next motion is that we have two motions the expenses from the Incarcerated Individual's Welfare Fund from Ms. Hallam.

Ms. Hallam:

Thank you, Judge Clark. The first one is a motion to request money from the Incarcerated Individual's Welfare Funds to be put on the commissary accounts of each incarcerated individual. When I did this the other day there were 1,796 individuals in the jail at \$50 per person equals \$89,800. I would like to make the motion to approve.

Judge Clark:

Is there a second? Ms. Klein

Judge Clark:

Any discussion?

All those in favor?

Others:

Aye

Judge Clark:

Any opposed?

The motion is carried.

The board unanimously approved a motion by Ms. Hallam, duly seconded by Ms. Klein, to request money from Incarcerated Individual's Welfare Fund to be put on the commissary accounts of each incarcerated individual (1,796 individuals x \$50.00 = Total \$89,800).

C. Motion to request money from Incarcerated Individual's Welfare Fund to be put on the tablet accounts of each incarcerated individual.

Ms. Hallam:

The next one is a motion to request money from incarcerated individual's Welfare Fund to be put on the tablet accounts of each incarcerated individual. So, 1,796 people at \$50 a piece with total request for the tablet accounts of \$89,800. I would like to make a motion to approve that.

Judge Clark:
Is there a second?

Ms. Klein:
Second.

Judge Clark:
Any discussion?

All those in favor?

Others:
Aye

Judge Clark:
Any opposed?

The motion is carried.

The board unanimously approved a motion by Ms. Hallam, duly seconded by Ms. Klein, to request money from Incarcerated Individual's Welfare Fund to be put on the tablet accounts of each incarcerated individual (1,796 individuals x \$50.00 = Total \$89,800).

- D. Motion to expand the use of all federally permitted medications for opioid use disorder (MOUD) and other medication-assisted treatment (MAT) in the ACJ from the subgroup of only currently incarcerated pregnant women to every incarcerated person who has been legally prescribed those treatments, as directed by a physician or other licensed medical provider.**

Judge Clark:
Then you have a third motion, Ms. Hallam?

Ms. Hallam:
Yes, it is nice because there was some discussion about medication assisted treatment throughout the meeting. This is a motion to expand the use of all federally permitted medications for opioid use disorder and other medication assisted treatment in the Allegheny County Jail from the subgroup of only currently incarcerated pregnant women, and the other people but Deputy Warden William said were currently on it, to every incarcerated person who has been legally prescribed those treatments, as directed by a physician or other licensed medical provider. I would like to make a motion to approve that.

Judge Clark:
Is there a second?

Ms. Wagner:
Second.

Judge Clark:

I think we need some discussion and maybe some input to see if, at this particular time, this is feasible. I would like to hear from Deputy Warden Williams.

Deputy Warden Williams:

At the present time, we do not have a prescriber who can prescribe Methadone on site. We do not have the license to do so, which is why we are not currently engaged in that. We will be presenting an RFP or request for proposal to have vendors or treatment providers bid on the capacity to provide those services within the Allegheny County Jail.

Ms. Hallam:

The motion is not asking for this medication to be prescribed to anyone. This would not be for someone who comes in off the street on drugs and is detoxing. This is only for people who have already been prescribed that medication.

Judge Clark:

If that is the case, is there something that has to happen for the jail to be able to have on site, say methadone for example, and to dispense it, even if someone has a prescription?

Ms. Hallam:

There is a contract with Tadiso to prescribe the methadone that the pregnant individuals were receiving already. This would just be making that same medication available. It would not need to be prescribed by the jail or any provider at the jail. This would only include people who come in with a prescription the same way they would with any other sort of medication that their doctor may have prescribe them prior to their incarceration and allow the jail to facilitate that.

Deputy Warden Williams:

I want to clarify because I believe that is minimization on the efforts that go into that. Ideally, a provider would come on site to our facility that could provide the services, under methadone regulations, they are required to do a minimum number of counseling hours each month, as well. Typically, that is provided by the opioid treatment provider. We do not currently have a contract with Tadiso or any other vendor that would increase the population of individuals that are currently supported under the contract, so that would have to be negotiated. Additionally, because we do not have a license to prescribe it onsite, all individuals who are prescribed that medication would be transported offsite at present. I need to make sure that everybody understands the nuances of that because the individuals need to be physically evaluated by the prescriber under the regulations and they have to meet their counseling requirements for Methadone. This is not to sound resistant. We are certainly moving towards this and we discussed that earlier in the presentation. It is just to make sure that everybody has the context because they can be complicated. Methadone is federally regulated, as it should be. Buprenorphine, we had a significantly easier time reducing the barriers by allowing our prescribers to achieve their own training and certification to be able to continue those treatments ,which is why we've been able to do those much sooner.

Ms. Klein:

Can you explain what happens when someone comes into the jail who is prescribed methadone currently and they are admitted to the jail?

Deputy Warden Williams:

Presently, an individual who is not pregnant, they are evaluated by health care professionals and are placed on detox protocols if they are on Methadone.

Judge Clark:

Any other questions?

There is a motion made by Ms. Hallam and the second by Ms. Wagner to expand the use of all federally permitted medications for opioid use disorder and other medication assisted treatment in the jail from this subgroup of incarcerated pregnant women to all incarcerated persons who have been legally prescribed those treatments, as directed by a physician or other licensed medical provider.

Ms. Hallam:

May I put that in plain English before we vote. I know it is a long paragraph and I see some people's faces. Basically, if you are prescribed medicated assisted treatment on the street, when you come into the jail, you would get your medication in the jail. No new prescriptions. Only people who had on the street would get it in the jail.

Ms. Moss:

I have a question. Does this mean after they get the Methadone or whatever, because from what I am understanding, we do not have that yet?

Ms. Hallam:

We do have it. Currently, they give it to pregnant women, who come from the streets, and they get it in the jail but only pregnant women.

Ms. Moss:

So, we do have it?

Ms. Hallam:

Yes

Ms. Parees:

My question is for Chief Williams. Did you say in your presentation that you do have the capacity to support those people with counseling and whatever else they need as a part of that treatment?

Deputy Warden Williams:

We do not.

Judge Clark:

I guess that is part of the overall plan. But right now, how long would it take to do that? Do you have any idea?

Deputy Warden Williams:

As we discussed with Vital Strategies it would be the RFP process with the request for proposal. Under the current contracts we do not have contracted with the vendor to provide to more than just our pregnant population. We would either have to renegotiate that contract, work with the Sheriff's Department to do transport, or do a new RFP so that we could have a vendor who would be willing to come onsite to support and provide services to the expanded population. That is our ideal scenario, that we would be able to have access to all, but it's not an immediate process so that's what I had tried to allude to before, we have to go through the RFP process.

Judge Clark:

But this is something that you are working on and you are planning to do?

Deputy Warden Williams:

Yes, we verbally stated that. We have not shown that. We have shown progress towards Buprenorphine but not towards all medications for opioid use disorder. We remain committed to; we have just not completed that process yet.

Ms. Klein:

May I ask a question to Mr. Bacharach? Is the County taking a risk by not supplying medication that has been legally prescribed?

Mr. Bacharach:

There is a risk either way. Yes, there is a risk but there is also a risk if we are providing it in a way that is not consistent with existing law or you are doing it without proper preparation. So, yes there is a risk either way. I think the way that Deputy Warden describe it is going through a structured process where you get RFP and you do things according to proper medical and legal procedures is the way to do it. Just ordering it by the board without being sure that the means are there too to do it in the right way I think is more dangerous, frankly.

Judge Clark:

I don't know whether Ms. Hallam would consider any kind of amendment to her motion, since the jail was working on this and it is part of the project with vital strategies to have them work toward it and try to have this in place in x months or whatever time. I take it as if the board approves this motion that then they will have to start doing this tomorrow or next week or immediately. From what I am hearing, I do not think that they have the capacity to do that right now or do it in the manner that they believe is sound.

Ms. Hallam:

Yes, a couple things. Judge Clark. First of all, the County and the Department of Human Services already required that all of the different vendors that they contract with: Alpha House, Family Links and Holy Family already had threatened in their contract with them that if a person is prescribed MAT and is not provided it then they lose any state funding. The County has already taken a stance that we will not do business with any entity that does not allow people who have legally prescribed MAT to receive their legal prescriptions. I think it is kind of conflicting if we are saying, well you have to do this in order to contract with us. I mean, there is 45 different vendors that we contract with: White Deer Run, UPMC, Tadiso is one of them, where it specifically says they need to provide MAT the people who are legally prescribed it. I think it is conflicting if we do not also offer the same thing as ourselves, the County, to people that are incarcerated in our jail. As far as the transportation, if that is a concern, I mean I personally have seen people given doses of methadone inside the jail without having to leave the facility, so I am a little confused about that. If there is not a need for someone to leave the facility, would it not be with a Sheriff's Department transfer. If so, why is it that they need to leave when other folks are able to receive their Methadone at the jail.

Deputy Warden Williams:

Ms. Hallam, I can directly speak to that. Under federal regulations, patients are permitted to have take-home dose bottles that are secured in a lock box. They have to be doubled locked in standards with controlled substances. Those are also then administered and witnessed by health care professional who is trained to provide that medication and also understands what the adverse reactions may be or symptoms of withdrawal. Within our partnership with our contract we are able to receive a stock supply, it is for a very short duration of time and I'm not interested in providing that level of detail in a public meeting, to be provided to the facility and we become the custodian of the medication. So, it would not be a daily transportation, at no time did I suggest that. I stated that this would be something that would have to be renegotiated within the current contracts and would additionally have to be supported by the Sheriff's Department.

Judge Clark:

Thank you. That is what I thought. I just misunderstood the way you explained it the first time.

Judge Clark:

Any other questions or comments?

We will call for a vote. All those in favor?

Ms. Hallam and

Ms. Wagner:

Aye

Judge Clark:

All those opposed?

Ms. Moss:

I am not really opposed. I just think it needs to be put in the order.

Ms. Hallam:

My understanding is that anything that the Jail Oversight Board passes the jail is still responsible for implementing about anything.

Judge Clark:

I understand. I am going to start again.

All those in favor? Miss Wagner and Ms. Hallam

All those opposed? Ms. Parees and Ms. Moss

Any abstentions? Sheriff Kraus

Ms. Klein:

I am abstaining. My heart is there. I think it is the right thing to do but I am so conflicted if we can implement it the way the regulations state.

The board did not approve a motion (2 Yea, 2 Nay, 2 Abstained) by Ms. Hallam, duly seconded by Ms. Wagner, to expand the use of all federally permitted medications for opioid use disorder (MOUD) and other medication-assisted treatment (MAT) in the ACJ from the subgroup of only currently incarcerated pregnant women to every incarcerated person who has been legally prescribed those treatments, as directed by a physician or other licensed medical provider.

Judge Clark:

What I will ask because the motion is not carried because we have two opposed and two abstentions, I would just say that because of the work with Vital Strategies and the plans for the jail to implement this, I would ask that Chief Williams give us a regular update on the progress of where this is. That is what I will state today.

Are there any other items for new business or any business that needs to be covered?

10. Community Corrections Reports

Judge Clark:

I think we have some folks to present the community corrections reports. I do not know whether everyone is here.

A. The Program for Offenders

Michele Morris:

Good evening. For the program, we just wanted to state, regarding our staff being vaccinated, we currently have 43 of our staff fully vaccinated. At our residential facilities, both the male and female facilities, we have 15 residents who are fully vaccinated, about 6 residents who are scheduled to receive their second dose of the vaccine this coming Monday, and 2 residents who will be receiving their first dose of the vaccine this coming Monday as well.

B. The Renewal Center

Judge Clark:

Thank you. The renewal center, anybody from Renewal here?

C. Electronic Monitoring

Judge Clark:

Is there anyone from electronic monitoring?

Judge Clark:

The reports are submitted and so we can read them. They will be posted on the website.

11. Adjournment

Judge Clark:

If there is no other business before the board, I will entertain a motion to adjourn.

Ms. Moss:

Motion to adjourn.

Judge Clark:

That was Ms. Moss. That motion does not need a second.

All those in favor?

Others:

Aye

Judge Clark:

Alright, we are adjourned. Please everyone, stay safe.

Kindest regard,



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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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

Response: No.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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 22nd, 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.

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.

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.

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.

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.

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.

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.
