

The monthly meeting of the Allegheny County Jail Oversight Board, Thursday, December 2, 2021 held as a virtual conference at 4:00 P.M.

MEMBERS PRESENT

Honorable Judge Kim Clark

Bethany Hallam

Stephen Pilarski for County Executive Rich Fitzgerald

Abass Kamara

Terri Klein

Judge Beth Lazzara

Gayle Moss (joined after roll call due to technical difficulties)

Chief Deputy Kevin Kraus for Sheriff Mullen (joined after roll call due to technical difficulties)

County Controller Chelsa Wagner (joined after roll call due to technical difficulties)

Others in Attendance:

Warden Harper

Deputy Warden Williams

1. Welcome, Call to Order and Rules

Judge Clark:

Good afternoon everyone. Welcome to the December Allegheny County Jail Oversight Board meeting. I am Judge Kim Clark and I have the privilege of chairing the board meetings. We also have with us Warden Harper and Chief Williams. And I cannot tell who else is there with you Warden Harper.

Warden Harper:

We have Chief Deputy Warden Jason Beasom and I would like to announce to everybody our new Health Service Administrator, John Sciulli.

Judge Clark:

Thank you. Then we also have, of course, our wonderful Ms. Jennifer Carroll, who takes such wonderful minutes and organizes us. So, thank you. We have Mr. Bacharach from the County Solicitor's. I think we have Renewal and the Program on. Mr. Esswein from Electronic Monitoring unfortunately had a family emergency and will not be with us. Then we have Mr. Sykes from the Court who sets up these meeting for us. Just a reminder of the roles, even though this is a virtual meeting I just want to reiterate that everyone should be treated with dignity and respect. Everyone will have the opportunity to be heard, of course within reason. We have a number of public comments and I will try to get to as many of them as I can or at least address all of the issues that are raised in the public comments. We do not have any presentation this at this meeting today, so we are going to start with community corrections reports.

2. Community Corrections Reports

A. The Program for Offenders

Judge Clark:

Is there anything from the Program for Offenders?

Kevin Kordzi:

Yes. In the recent past we did a vaccination clinic for boosters and folks who have not been vaccinated in the program. Also had couple of staff that had tested positive for Covid. It was not a situation that put anyone at risk. They had self-identified while they were off and not in the building and went through that whole process. Also,

within the program, we have been kind of working on adding some additional evidence-based practice curriculums to the program. That is pretty much it.

Judge Clark:

Thank you. Does anyone have any questions?

B. The Renewal Center

Judge Clark:

Renewal?

Adam Zak:

Good afternoon. Adam Zak, reporting for Renewal, Inc. I do not have anything to report this month. Just that we continue to encourage the men and women to get vaccinated if they have not already done so and also get the booster shot. Also wear their masks and perform good hygiene practices. We had a booster clinic for the staff come in this past week. We are hoping the rest of the men and women re-entrants get vaccinated and get the booster shots. That is all I have to report this month.

Judge Clark:

Thank you. Does anyone have any questions for Mr. Zak?

C. Electronic Monitoring

(Mr. Esswein had an emergency and was unable to attend.)

3. Review of the Minutes for November 4, 2021

Judge Clark:

Alright. Thank you. The next item on the agenda is a review of the minutes for the November 4th meeting. I do have one addition or correction. Mr. Kamara was actually present at the last meeting by phone. It was the phone number that we were not able to identify and he was not able to unmute. I would just ask that the minutes reflect that he did participate by telephone. Are there any other additions or corrections to the minutes? If not, then I will entertain a motion.

Ms. Klein:

Moved.

Judge Clark:

Is there a second?

Judge Lazzara:

Second.

Judge Clark:

Any discussion? All those in favor?

Others:

Aye

Judge Clark:

Any opposed? The minutes are approved.

The board unanimously approved a motion by Ms. Klein, duly seconded by Judge Lazzara, to receive the Jail Oversight Board Meeting Minutes from November 4, 2021 with correction of adding Mr. Kamara's attendance.

4. Old Business

A. Resuming In-Person Meetings for January 2022

Judge Clark:

Alright, so now we are going to go to old business. We keep putting this on. We had at the last meeting stated that we would return to in-person meetings of January 2022 but I felt like I should bring it up before the board again because the numbers in Allegheny County are high and now we have a new variant. I thought we might have some discussion see if we still felt comfortable with having in-person meetings. Anyone have any thoughts? We have a couple of hands. Ms. Klein and then Ms. Hallam, did you have your hand up as well? We will start with Ms. Klein and then Ms. Hallam.

Ms. Klein:

My thought would be if everyone is proof of vaccination and we can distance in the gold room with masks, I think we should go back to in-person. Although noting it is way more convenient for me to be in my own home then going downtown.

Judge Clark:

Ms. Hallam?

Ms. Hallam:

I obviously prefer to say virtually. I just read an email I think from yesterday that said we are averaging over 700 cases every day in Allegheny County. We are actually at a higher rate of COVID than we were at the time that we decided to go virtual and that we decided we were going to go back. I think we should wait until the numbers come down a little bit.

Judge Clark:

Any other thoughts? If someone wants to make a motion. We had decided at the last meeting that we would go back in January. It appears that Ms. Hallam has a different opinion, but I do not hear anything from anybody else. So, I do not know whether anyone wants to make a motion, or we are just going to come back in January.

Judge Lazzara:

I was going to make a motion to adopt Ms. Klein's approach with proof of vaccination required, masking and social distancing. Then we are able to go forward.

Judge Clark:

So we have a motion from Judge Lazzara? Is there a second?

Ms. Klein:

Second.

Judge Clark:

Ms. Hallam?

Ms. Hallam:

My concern about that is what about the public coming to the meetings. Are we going to require that of the public as well? If we are, what are we going to do to make sure that people who are not vaccinated, not able to be vaccinated or who do not feel comfortable coming down even if they are vaccinated because of the new variant, how are we going to make sure that they are still able to participate in the meetings like they have been?

Judge Clark:

We are still going to live stream the meetings.

Ms. Hallam:

And accept the online public comments as well?

Judge Clark:

I think we could do that. Sure. At least for a while anyway, until everyone is back.

Ms. Hallam:

Is the live streaming as we discussed? I know we have already secured a vendor to live stream the meetings. If we are still going to accept the online public comments, I am uncomfortable supporting the motion of us returning in-person.

Judge Clark:

Ms. Moss?

Ms. Moss:

You just answered my question. I was going to ask the same question about what you were going to do about the public.

Judge Clark:

Alright, so we have a motion and a second to return to in-person meetings with proof of vaccination, masking, and social distancing. We will livestream meetings and we will continue to accept the public comments in written form until such time it is safe for everyone to return. Any other discussion? All those in favor?

Others:

Aye

Judge Clark:

Any opposed? Any abstentions. Thank you.

The board unanimously approved a motion by Judge Lazzara, duly seconded by Ms. Klein, to return to in-person meeting in January 2022 with proof of vaccination, masking, and social distancing required for all attending. Meetings will be livestreamed, and public will still be able to submit comments online.

B. Suicide Prevention Sub-Committee

Judge Clark:

Okay, for suicide prevention, can you give us an update on the status of the recommendations from the NCCHC report? Then, I guess, updates from the subcommittee. I am still not sure who the subcommittee is, but it is on the agenda regarding a re-inspection of the completed recommendations.

Warden Harper:

Good afternoon, board members. I would like to report to the board that were in the process of having 2 suicide resistant cells being installed in one of our housing units at the Allegheny County Jail. As you know, according to the NCCHC report, that was one of the recommendations that they made, was to ensure that we get some suicide resistant cells. I did send emails out to the subcommittee trying to get a couple of dates in which we can get together and unfortunately, we were not able to come up with a date and time to meet.

Judge Clark:

Thank you. Any questions or comments? Ms. Hallam?

Ms. Hallam:

I think you said that there were only 2 suicide resistant cells. Was that number in the report? Did they give a number of how many they would like to see? How did you come up with that number to put in 2?

Warden Harper:

Right now, we are in the process of completing 2. At the end of approximately January we will have 7 installed. The NCCHC did not give us a number as to how many that we need.

Ms. Hallam:

Thank you.

Warden Harper:

You are welcome.

Judge Clark:

Judge Lazzara, did you have a question or comment?

Judge Lazzara:

No, I just wanted to say that the Warden certainly reached out to whoever is left on the committee, which I am not sure who is still on it and the chair is, but we had a hard time scheduling. I have been a little crazy and I think some other people on the committee, but we should probably try to figure out who should be in charge of that committee. I am not volunteering to do so. I am just pointing out that somebody probably ought to be.

Ms. Moss:

I never knew who was on. I know that was a question I asked last time. I was on and Barb Parees was the chair, but I was never really sure who else is there because we only have one meeting in the very beginning.

Judge Clark:

I think Ms. Hallam was on that committee. So, if you could just find a date to meet then maybe you all can decide who wants to be the chair or who is willing to be the chair. I would just suggest you know Judge Lazzara is already the chair of a rather large committee that is doing a lot of work so if someone else could volunteer be on the committee or to chair the committee that would be helpful. I know scheduling, especially at the end of the year seems to be hard. Everyone is trying to finish up things before the holidays set in and before the end of the year and the beginning of next year. I would just say that they might want to shoot for some time in January for a meeting just because it might be a little bit easier. Just a suggestion.

C. Update on Polycom Devices to be Used for Meetings with Other Providers (CRR, Inpatient Programs, etc.)

Judge Clark:

Warden, any update on the policy for Polycom devices to be used for meeting with other providers? I think you gave an update in the last meeting.

Warden Harper:

Yes, ma'am I did. I just want to report to the board that we did have the Polycoms up and running. We had language on our website but unfortunately, we ran into some technical difficulties where attorneys were not able to register as we wanted them to. Tomorrow I am going to pull that, and we are going to have to start back at the drawing board again because we ran into some serious technical issues. We are going to try to abate these issues by the next meeting.

Judge Clark:

Thank you. Ms. Hallam?

Ms. Hallam:

I was going to ask a question later but since it was brought up, is that why the attorneys have to go in person to register right now? That is not something that is intended to be long term? That is just until the technical difficulties are figured out?

Warden Harper:

What we ran into was that in OMSe, if the attorney was already registered, it was supposed to automatically send it to Renovo. That did not take place. That was one of the technical issues. individuals that have not registered with Renovo, or with us, would have to come in in-person to register. That was one of the technical issues that we had.

Ms. Hallam:

I heard from attorneys who were already registered who were being told that even they had to come register in person.

Warden Harper:

That is why I said we had technical issues. We are going to resolve it. I had to pull it. Hopefully, we have the technical issues resolved by next meeting.

Ms. Hallam:

Thank you very much.

Judge Clark:

Any other questions?

D. Update on Plan to Resume Visitations in the Jail

Judge Clark:

Warden, is there any update on the plan to resume visitation, any form of visitation in the jail?

Warden Harper:

Your Honor, initially we were thinking about trying to have visitation at our jail this month but as you guys stated with the increase of COVID cases in our community and the new variant I do not know if I feel safe, or we feel safe, having visitation at this time. We want to get visitation as quickly as possible but as everybody stated the cases have increased and we have a new variant. When we had the new delta variant, when we had everybody out, we had a real increase in COVID cases. We are going to try to get it up and running as quickly as possible, but we want to ensure the safety of everybody before we do it.

Judge Clark:

Will you have a requirement when you resume visitation for people visiting that they will have to be fully vaccinated and show proof of vaccination?

Warden Harper:

Your Honor, the plan that we came up with is exactly that. Family and friends that want to visit would have to be fully vaccinated and prove that upon entry and only vaccinated incarcerated individuals will be allowed to visit.

Judge Clark:

Any questions for the Warden? Ms. Wagner?

Ms. Wagner:

I just had a question because I understand Warden, as you discussed, with the new concerns that were discussed earlier, but I am just curious if there is been planning with the health department. I am just concerned that if we are in a better place, we all know this is very dynamic, but say we were in a better place, hypothetically, in two months, if we are restarting things again, I just like to see some definition to a timetable and perhaps a little bit more from the health department's input. You may have some of that that you might be able to share.

Warden Harper:

What exactly is the question Ms. Wagner? Have a consulted with the health department?

Ms. Wagner:

I will break it in parts then. What have the communications been with the health department?

Warden Harper:

We have had some communication with the health department.

Ms. Wagner:

And what have their suggestions been?

Deputy Warden Williams:

They do not have a present number. I think that that is what we are all looking for, like what would be a case count that would be reasonable or vaccinated persons within Allegheny County or what would the effect of the omicron variant be within the disease spread of Allegheny County in general. Right now, the full county received an update from the health department related to the presence of a new variant which they are actively studying and researching. So, our conversations will continue with them. They have assisted in helping us gain additional resources to continue surveillance testing with rapid antigen tests. So, at this time we are hopeful to have an actual commitment to a deadline or a case count number that would allow us to function differently, but we are not there yet. In my report I will provide the vaccination numbers within the incarcerated population. We are still not at 50 despite the fact that we have provided close to 1,000 different vaccines for the incarcerated individuals within the last month. You did site that it was dynamic, and I appreciate your understanding of that. We do not intend to be evasive, but we cannot commit without being able to predict what is going on right now.

Ms. Wagner:

One of the questions that is in the public comments I think points this out very well with the setup for visitation, being screened, and perhaps somebody making sure, as we discussed, that they are presenting their vaccination card and particularly if it is a resident who is vaccinated. I would like to be able to see the health department specifically respond to those things. This may be a slightly odd request for me because I will not be on this board next month, but I would make the request that the health department be here. So, we can have that discussion with the health department. I think that we owe the residents of the jail, as well as the families, some more definition on this. Again, understanding it is dynamic, but we have to be able to present some more specifics to

them. I think we have the resources of a health department that other counties do not and that is something that we should be able to provide.

Warden Harper:

We will look into that.

Judge Clark:

We can ask them if they would be willing to come and give us some guidance. I think, what I am hearing is though, they really have not given the jail any sort of real firm commitment because of the dynamic situation of COVID and that is what they are hoping for in terms of the numbers. I think it would be beneficial for the board to hear directly from the health department and to be able to ask questions. I would appreciate it if someone from the health department would attend the next meeting. Ms. Klein, did you have a question or comment? Anyone else? Thank you.

E. Update on Plan for Compliance with the Solitary Confinement Ban Ballot Referendum

Judge Clark:

Any update, Warden, on the plans to comply with the solitary confinement referendum?

Warden Harper:

All that I would like to say to the board that we will be in compliance.

Judge Clark:

I have an email from Erin Dalton with me here and she said that the training is ongoing throughout the jail. Can you comment upon the training or is that part of your report later Warden?

Warden Harper:

That will be part of the Warden's report.

Judge Clark:

Alright, thank you. Ms. Hallam?

Ms. Hallam:

Yeah, about the referendum, I obviously would like more information about your plan to comply with it but for now my question is about all of the staff members and incarcerated folks at the jail, have they been given a copy of the language of their rights under the referendum?

Warden Harper:

All employees and incarcerated individuals have a copy of Chapter 205.

Ms. Hallam:

Did they receive a paper copy or is it uploaded on the tablet?

Warden Harper:

For incarcerated individuals, it is uploaded on the tablets and for all of our employees, they were sent an email.

Ms. Hallam:

Okay and any individuals who do not have a tablet, have they been given a paper copy of the referendum language?

Warden Harper:

They have not.

Ms. Hallam:

There is a jail policy that says all incarcerated individuals and staff shall have access to any rules, new or revised. What is the plan to make sure that people who do not have access to tablets, for whatever that reason may be, are able to see the language of the referendum?

Warden Harper:

I will give them a paper copy, Ms. Hallam.

Ms. Hallam:

Do they need to request that, or will you just distribute those?

Warden Harper:

Once we find out who these individuals are, we have that information, we will make sure they get a paper copy.

Ms. Hallam:

Is there any way that maybe it could be posted on the pod as well just to make that easy?

Warden Harper:

We could.

Ms. Hallam:

I would appreciate that. Thank you very much.

Warden Harper:

You are welcome.

Judge Clark:

Any other questions or comments? Thank you, Warden. I would assume that when the Warden says that they will comply with the statute that means they will not be using shackles, they will not be using pepper spray, and they will not be using the restraint chair. So that would be compliant with the referendum.

F. IIWF Report to Include Update on Survey and Liaison Position

Judge Clark:

Next, we have a report from the IIWF committee. Judge Lazzara?

Judge Lazzara:

We are a very busy subcommittee. The first thing is an update on the survey. I do not know if Terri or Brad has an update that they could provide to everybody.

Ms. Klein:

I am so sorry I did not reach out to Dean Farmer. I do not have anything. Do you Brad?

Mr. Korinski:

Hi everybody. Brad Korinski here. I did speak to Dean Farmer. I reached out to her this week. They are finishing data entry. They are down to the last box of interviews. The analysis is being prepared and they should have a preliminary report by late January or February. So, if I were just to give them a little wiggle room, by March of

2022 we should have a full survey and report for this board. I get the sense from her that it is been a lot of data. I think from a sociologist perspective it is been really good, useful, and interesting data. They have a team now putting it together. Within the next few months, we can expect to see some results.

Judge Lazzara:

That is fantastic. Thank you. We also have been working on, as you know, the issue of a liaison to help the board manage its oversight duties and perhaps be able to respond to issues, to complaints, to all kinds of things faster and with better information. We have entered into some conversations with both Claire and Noah of the Pennsylvania Prison Society. They have offered to partner with us. Basically, we would be subcontracting someone through the Prison Society. So, the Prison Society would hire a person who would be working on behalf of the board. The Prison Society is a group that is statutorily mandated. They are an independent group. They are, I think, in a very good position. They already have knowledge of how to go into jails, how to talk to folks, and so it really seems like a wonderful partnership. I had a conversation with Judge Clark and then the members of the subcommittee have had several conversations along with Claire and Noah. I think we have also had some email exchanges. We think that this is the best way to pursue having a liaison. We are in a position to make a motion to do so. If we are ready for that. *(The entire motion is included below)*

**ALLEGHENY COUNTY JAIL OVERSIGHT BOARD
INCARCERATED INDIVIDUALS WELFARE FUND SUBCOMMITTEE**

MOTION

WHEREAS, on June 3, 2021, the JOB voted in favor of a Motion presented by the IWF Sub-Committee which authorized a Liaison position for the JOB in order to assist it in fulfilling its statutory obligations;

WHEREAS, on September 2, 2021, the JOB voted in favor of a Motion presented by the IWF Sub-Committee which mandated creation of a full-time salaried position of JOB Liaison, incorporated the proposed job description into the position, authorized a search to be conducted by the IWF Sub-Committee to fill the position, and authorized payment of salary and benefits not to exceed \$85,000 from the IWF, said salary and benefits to be subject to regular review by the JOB;

WHEREAS search and research efforts have been conducted by the IWF Sub-Committee to fill the JOB Liaison position, including extensive conversations with the Pennsylvania Prison Society (PPS), a statutorily authorized organization, since 1829, serving the Commonwealth of Pennsylvania as an independent prison and jail monitor and ombuds;

IT IS HEREBY MOVED that the JOB shall enter into a contract with the PPS in which the PPS shall supply a full-time employee to the JOB on a contract basis to perform the duties of the JOB Liaison as described in the aforementioned job description. The PPS shall provide administrative and supervisory support to the JOB for the management of the position. The JOB Liaison shall receive assignments and report findings directly to the JOB. The Allegheny County Controller's Office, as Secretary of the JOB, shall negotiate and execute the contract. Payment to the PPS for the contracted position shall be made from the IWF unless and until other funding sources, such as grants or budget line items, are approved for such payment.

Submitted: December 2, 2021

Judge Clark:

The motion was sent out in advance of the meeting to all of you for you to review. I just would make one comment about the motion. First of all, just let me say this, I am fully in support of this partnership with the PA Prison Society. When the board voted to have a liaison, one of my concerns were how would that person be supervised and who would hold that person accountable to do the things they need to do. I did not feel that the board should

do it because inherently there could be conflicts. For example, the court commits people to the jail and that any of us really had the time to do it or the expertise to do it. So, I am fully in support of that. I would just say that the proposed motion though calls for the board to enter into a contract with the Pennsylvania Prison Society and that the Allegheny County Controller's office, as secretary of the board, shall negotiate and execute the contract. I do not believe that the board has the authority to enter into the contract or that the Controller's office can enter into the contract with the board. I believe that there is law establishing how the board can enter contracts and purchases and so forth. I believe that they do have to go through the county. I think the county would be willing to do this for us, but I just feel that the current motion, the way that the contract would be entered, would be contrary to the law governing that. Even with the court, all contracts that the courts enter in are also approved and executed by the county. That would be my only comment about the motion. I would ask Judge Lazzara if she would consider a friendly amendment to the motion before there is a second and the board votes on it. Or does anyone else have any discussion about that. I am not trying to say that no one should comment on that. Maybe Mr. Bacharach or Mr. Pilarski might be able to shed some light on it and we have Judge Howsie joining us tonight.

Mr. Pilarski:

I echo Judge Clark's sentiments with some of the legalities of the motion as it sits right now, and I have talked about it with the law department. I mean I would be willing to volunteer to work with the county manager to get that contract. I think the same end result could be achieved here. I do not think there is any opposition to getting that through the PPS. I am willing to volunteer to work with the county manager to try to get us to that point but I do not think the motion as it is written now is legal, for lack of a better term. But John maybe can reply better than I can.

Mr. Bacharach:

County contracts have to go through the county, to the extent that you are interested.

Judge Lazzara:

So perhaps we can indicate the county will contract with the PPS and that Mr. Pilarski and another member from the Incarcerated Inmate Welfare Fund can be a part of those negotiations. So that there would be somebody from the committee who could report and also make sure that the ideas that we had with going forward with the liaison position would be fully represented. Mr. Pilarski came on a little bit late on those conversations.

Judge Clark:

Judge Lazzara, since you are in the courthouse, in the same building, would you be willing to work with Mr. Pilarski just to make sure that he understands the perspective on behalf of your committee?

Judge Lazzara:

Yeah absolutely.

Mr. Pilarski:

I listened in before he was actually coming, physically present. I was listening to all the Jail Oversight Board meetings. I think I have a good perspective on the intentions of what everyone is trying to do here. No disrespect. I am just saying I listened in well before I started attending.

Judge Lazzara:

I think Chelsa has a comment.

Judge Clark:

Ms. Wagner?

Ms. Wagner:

Thank you. I just wanted to make one clarification in terms of what our office has done in the past. I think one of the things that is an issue that was just discussed for the next board meeting our office did in fact enter into the contract for the live stream meeting. So, there is some background there. However, I would certainly agree that the objective here is to get this done. I think that was why we were understanding that we would be able to work with the prison society as we have and move forward. So if the county is in fact able to do that, I would certainly be agreeable to it but the concern is that we in fact get this done as it has been worked on for quite some time by the folks on the Inmate Welfare Fund and the larger board.

Judge Lazzara:

Right. I mean that was that was definitely our concern. We first passed the liaison motion back on June 3rd and we are in December now. There has not been really any movement despite another motion on September 2nd saying that we need to have someone working on it. So that was one of the reasons why the Controller's office offered to deal with the Prison Society and negotiate the contract. If that is the proper way to do it, we can certainly do that. We would really like to make sure that we get this position going soon because we think it would be beneficial to both the folks at the jail, the folks that are incarcerated at the jail, and the general public.

Judge Clark:

Well I would agree but I would just say I do not think the county had anything to do with the delay in us getting there. I think the problem was figuring out, you know, we did get a job description but then figuring out how we were going to do it. Quite frankly, that was my concern. It was the prison society that reached out because they attend the meetings and said we could help you on this. I am very grateful for them to do that because I was really wondering how we were going to hire this person, supervise the person, and so forth. So that is why I am fully in support of this and I think now we are at a place where we are ready to move on the contract. I think Mr. Pilarski has agreed to help us with that. Judge Lazzara you are in the courthouse with him. So, you can meet with him and make sure that whatever it is that your committee wants is there. I think that would be the way to do it. Judge Lazzara, are you in agreement for an amendment to your motion to reflect that the county would be the one executing the contract and that Mr. Pilarski would volunteer to help with that effort.

Judge Lazzara:

Yeah, I mean, that is in the fourth paragraph, we can amend it to, "Allegheny County shall negotiate and execute the contract with the aid of Mr. Pilarski and myself as the representative of the IIWF."

Mr. Pilarski:

I would just ask if John Bacharach is okay with the language. I do not have any issues with it, I am just asking John if he has any comments.

Judge Clark:

Is that okay Mr. Bacharach?

Mr. Bacharach:

It just sounds like it is mandatory, directing the county. I think that it can request that the county enter into the contract. I mean, Mr. Pilarski says he will cooperate, but I do not know if the board has authority to require the county to enter into the contract. That would be my only suggestion.

Judge Clark:

Well okay, I mean, that can be your suggestion, but I think it is clear that the board intends for this to happen. So, if the county does not want to do it then I guess the board will do something else.

Mr. Pilarski:

What I am saying is the county is willing to work to get to this end result.

Judge Clark:

Yes, and I understand that. I just want to make sure that it gets done because even though I did not necessarily, personally vote for the liaison, I was glad when the prison society reached out. I think there is a lot of work this board is trying to do and the board needs help. This is a small board and so we need someone to assist us. I think this is the best kind of thing that we can do in the most effective way. So, we have a motion. Is there a second to Judge Lazzara's motion?

Ms. Hallam:

Second.

Judge Clark:

Any other discussion? Ms. Klein?

Ms. Klein:

I am not involved with contracts, but my concern is that we waited an awfully long time for the county to execute the contract with the School of Social Work at Pitt. I guess I am asking if there is any way this could be executed more expeditiously than that contract was or is there any sense that you could give about the timeline that you think is reasonable to have this contract completed?

Mr. Pilarski:

And again, contracts with time, it comes down to both parties signing. Sometimes the blame is not always on the county. It is a process. I can tell you that we can commit to fast-tracking it best we can to make sure there is no unnecessary delays. Again, there are two parties, the Prison Society and here. The best we can do is commit that we are willing to move as fast as we can to get this done. We understand the importance of getting this in here. I cannot sit here and make any guarantees other than to say that we will work as quickly as possible. I am more than happy to meet with Judge Lazzara as many times as necessary to get it to move forward.

Judge Clark:

Ms. Wagner?

Ms. Wagner:

I was going to ask a question because, I apologize, as the other members of the subcommittee know, I was not able to participate personally in our last meeting, but Mr. Korinski represented me. So, as we are discussing this issue I am wondering if we had arrived at a likely start date as we have been discussing the hiring and so forth. Was there any better idea on that from our last discussion with the Prison Society?

Judge Lazzara:

No there was not because we need to finalize a contract. There has to be a contract first.

Ms. Wagner:

Understood. I am just trying to get to what would be the reasonable date to request of the county, a reasonable time frame.

Judge Lazzara:

We would like it as soon as possible because we think it would be so beneficial for everybody involved. That was the whole idea behind the liaison. It helps the jail because they are sometimes accused of things that do not really happen down there and this would be a way to verify what truly happens. For people that live there, they get the help that they need. It will be a very beneficial thing, so we want it as soon as possible. You have to understand, Mr. Pilarski, we on the committee, are just a little frustrated because since June we have been like "hey let's do

this” and there always seems to be a process that comes in between getting anything done. Maybe it is just because we are not all county folks and we do not understand what that process is. We would just like to get it done as soon as possible.

Mr. Pilarski:

We fully understand that, and I will admit that sometimes the wheels of government turn slow and other times they can turn quick but as long as we stay on top of it. Like I said, I am committed to meet with you as much as possible, working with the county manager to get it moving forward so there is no unnecessary delays. We can sit here and pick a day but there is no guarantee.

Judge Clark:

Ms. Wagner?

Ms. Wagner:

Just quickly, thank you. I would just like to add from my prospective in our office and Brad knows this better than anyone because he is the person in our office who reviews all of the county contracts, I think it would be very fair for us to give, and it would be a generous workable especially understanding that we are in the holiday season, for us to ask that this be completed no more than six weeks from now. That would allow for an update at the next board meeting.

Mr. Pilarski:

Again, the best I can commit to you is we will work hard to get it as fast as we can.

Ms. Wagner:

Well you can discuss that at the next meeting, Mr. Pilarski. I think, again, it is the will of this board to try to do it and that is what our office could guarantee.

Mr. Pilarski:

I am not against that. I am for the same end result as you are. We just have to get there the proper way.

Judge Clark:

I do not think it is unreasonable to ask that the county try to get the contract executed in six weeks. I think that is reasonable.

Mr. Pilarski:

We will make every effort.

Judge Clark:

They can make every effort to do so. We will have an update as to where they are at the next meeting. I think that is fair. Any other discussion? Alright. Ms. Hallam?

Ms. Hallam:

I would just like to hear from Mr. Bacharach about why this is distinguished as different, the contractual process, from the Controller's office as Controller Wagner mention entering into the contract with the vendor who is going to live stream the meetings. Why the Controller's office may do that but why his opinion is different about the liaison position? I am just confused about what the difference is and why this has suddenly become such a more complicated process. Mr. Bacharach, could you speak to that?

Mr. Bacharach:

I know nothing about the contract with the Controller's office. I do not know anything about that. So, I cannot really speak to that other than to say my knowledge contracts that involve the county go through the normal county process with the manager's office. If there is a way for the Controller to enter into contracts on her own, through her office, I am unaware of it. I am not saying it is impossible, I just do not know the answer.

Ms. Hallam:

Is it also a different process if the funding is not coming from the county budget because the funding for this liaison position is not coming from the county budget, it is coming from Incarcerated Individuals Welfare Fund? I am wondering if you, Mr. Bacharach, could speak to if that makes a difference or not.

Judge Clark:

I would say that does make a difference because the board cannot enter into contracts, but the board controls the Incarcerated Individuals Welfare Fund. I think it is a very different thing than the Controller graciously agreeing to be responsible for the continued live streaming of the meetings during a pandemic. I think is two completely different things.

Mr. Bacharach:

The only thing I would say to that is I think that the best thing for everyone is if it goes through the regular county process. If for some reason that fails and people want to look at alternative method, then that would be the time to do that. But usually you are better off doing things the regular way if you can do it that way.

Judge Clark:

It is the hope that perhaps at some point the county or some other entity will pick up the balance of the funding. So, I think if that is the direction in which we want to go then we ought to follow the rules and have the contract executed in the way that the rules prescribe. Any other discussion? Then I am going to call for a vote at this time. All those in favor?

Judge Lazzara:

I think Mr. Pilarski has been trying to say something.

Mr. Pilarski:

I was just going to say, going back to John's thing, again, we are committed to do this, but if the motion says that is going to require the county, as opposed to request, I know there is no trust here but we are committed to doing it...

Judge Clark:

I trust that the county will do it.

Mr. Pilarski:

I just unfortunately cannot vote for the motion if it says required. I think the end result will be the same. Everyone here is committed to the same end result.

Judge Clark:

Alright. All those in favor?

Others:

Aye

Judge Clark:

Any oppose?

Mr. Pilarski:

Nay

Any abstentions? Alright. So, the motion is carried.

The board approved a motion (8 Yea, 1 Nay) by Judge Lazzara, duly seconded by Ms. Hallam, that the Allegheny County Jail Oversight Board shall enter into a contract with PA Prison Society for the JOB liaison position with the amendment to paragraph 4, sentence 4 to replace with "Allegheny County shall negotiate and execute the contract with the aid of Mr. Pilarski and myself as the representative of the IIWF."

Judge Clark:

I am going to I want to say thanks again to Mr. Pilarski for volunteering to help with this effort. Anything else Judge Lazzara from your committee.

Judge Lazzara:

The subcommittee was also discussing the issue of providing compensation for work performed by inmates at the Allegheny County Jail. We had talked about perhaps doing a motion. I think we wanted to back off that a little bit and provide a recommendation from the subcommittee that the jail should provide compensation for work performed by inmates. That amount of compensation should be at the level of current minimum wage. Ultimately the compensation should be paid for by the county, however, the subcommittee did talk about perhaps for a year we can pay for maybe an initial pilot program to see how it would all work. We also believe that further analysis is needed before we put this in the form of motion. So, we think that we need to assess the impact on the Inmate Welfare Fund. Judge Clark and I spoke before the meeting and we think that perhaps we should also assess any problems that there would be with collective bargaining agreements. Those things should be looked at before we enter into the motion, but the committee firmly wanted to recommend to the board that work performed by inmates should be compensated.

Judge Clark:

Alright so I guess there will be follow up at subsequent meetings about what the recommendations might be and ultimately at some time there may be motion. I would just say that on the juvenile justice side, juveniles that are place with the state, they do work but there were a lot of union issues when that happened. There has to be a lot of negotiating that. Then there are rules, obviously, we want if somebody owes restitution to have that paid, what they can keep and what they cannot. There is a lot of things that have to be studied about this. I think it is wise to continue to analyze the situation before a motion as presented. Yes, Ms. Hallam?

Ms. Hallam:

I just wanted to add on to the discussion about that, just for everyone on the board's information, there is actually a state statute that says the incarcerated workers keep 1/4 of their compensation and they send 3/4 of any compensation home to any dependents. If they do not have any dependents, then those last 3/4 are broken up to money they get the release and then money they get at two different periods after their release. Not only does incarcerated worker pay support themselves in their release and preparations for future post-incarceration but it also is legally required to go to their dependents and support any of their loved ones at home. I am just really excited about this and I look forward to the analysis from the Controller's office on the financial side of things and to move this motion forward in the future.

Judge Clark:

For the benefit of the board members, the statute that Ms. Hallam was speaking of is Title 61, Chapter 31, which deals with inmate labor. I think it would be good for all of you to look it up and read it. I can actually send it out to the board and then you will not have to look it up.

Ms. Hallam:

Judge Clark, can you also send a copy of the language of the 13th amendment that talks about the fact that unpaid labor is illegal, unless there is a conviction. The majority of the population of the Allegheny County Jail is not convicted but just so they have that kind of side by side. If you are already sending out the email, I would appreciate that.

Judge Clark:

Alright. Anything else?

Judge Lazzara:

Judge Clark, just one more thing. So that we do not run into a problem where we get further along on this potential motion, is there someone in particular in the county that we should talk to in regards to the collective bargaining agreements and how this idea may affect the collective bargaining agreements? So that we can loop that person in early and that we do not end up having some issues down the line.

Mr. Pilarski:

That would most likely myself and Diego Correa from the law department. We handle all of the labor agreements now for the county.

Judge Lazzara:

Alright. Mr. Pilarski, I think you and I might be going to be spending a lot of time together.

Judge Clark:

Alright. Thank you for that report. That was a very thorough report and we can see that the committee has been very busy.

Judge Lazzara:

I am sorry it took longer than was allocated but we had a lot.

G. Update regarding Summit Contract

Judge Clark:

Warden Harper, any update on the Summit contract?

Warden Harper:

I did have a meeting with Summit earlier this week. They were not able to respond to some of the issues that was brought from the Jail Oversight Board. They asked to reconvene around mid-month. I will have another meeting with them mid-month and I will be to report out in January's meeting.

Judge Clark:

Alright, thank you.

Ms. Hallam:

Judge Clark, can I just ask a question about that? Since this kind of ties back into what we were just talking about and since Warden Harper, it seems that you are in communication with Summit. It would be helpful for us, as the Incarcerated Individual Welfare Fund subcommittee to have information from Summit on how many incarcerated individuals are working with them and how many hours a day or a week they are using unpaid incarcerated individuals labor. I know that was something we had been talking about. We had a number of how many workers

there are that are incarcerated in the jail but not how many hours they are working. So, if you are talking with someone, if you could ask them for that information for us, I think it would be very helpful in moving forward.

Warden Harper:

Summit will not be able to provide that information. That is something that we will track. So, we will try to have that Ms. Hallam.

Ms. Hallam:

Okay, thank you. If it is you that is doing it, then can you get us all of the workers that are working in the jail?

Warden Harper:

We will try to do that ma'am.

Ms. Hallam:

Thank you.

H. Update for Incarcerated Folks to Submit Comments and Watch Live Stream of Meeting

Judge Clark:

Alright. Then Warden, at the last meeting we talked about whether incarcerated individuals would be able to submit public comments electronically or whether they would be able to watch a live stream of the meeting. Can you tell us if you have any information on that?

Warden Harper:

Your Honor, I did talk to GTL and that is no to both of them.

Judge Clark:

Did they indicate why?

Warden Harper:

They just do not have the platform to do livestreaming utilizing the tablet and they do not have the method of doing public comments using tablet.

Judge Clark:

Can I ask a question? Are the folks that are residing at the jail are they able to access the courts public website?

Warden Harper:

No, ma'am.

Judge Clark:

The cannot. Okay. Ms. Hallam?

Ms. Hallam:

On the tablets, instead of the livestream, even if they could get the recorded video after the meeting is over, I think that would be, maybe not as helpful as watching it live, but we do know that they have tablets and they have access to watching other sorts of videos on their tablets. Then also what about taking advantage of the grievance process as a way to submit public comments. I know that the incarcerated individuals are submitting grievances via their tablets. If they are able to do that process and the jail is able to collect that data when grievances are filed, is that process or a similar process able to be used to allow them to submit public comments as well? Maybe just make the deadline a few days earlier so that the jail could put those public comments together for us.

Warden Harper:

I am totally against both those avenues that you just presented. If you think that I am not able to talk now in a public meeting, if we give access to individuals to view our meetings I am really not going to be able to say not much at all because I am not going to jeopardize the safety and security of the facility. So, with the recorded video I really feel like that would be a detriment to safety and security. I feel as though I would really not be able to say a lot because incarcerated individuals will get that information. As far as grievances and doing public comments using the grievance process, I feel as though that we already have a process. The incarcerated individuals have access to their family and friends in which they could tell their family and friends what they need the Jail Oversight Board to post for the public comment. I feel as though we already have a process for them to place whatever issues they have through public comments through their families and friends.

Ms. Hallam:

With all due respect, Warden Harper, the family members of incarcerated folks are already watching, are already submitting public comments. Again, you are very aware that this is a public meeting. So, nothing that is said here is secretive. You very often site safety and security concerns for things that I question are actually safety and security concerns for you to answer. I just do not understand why what you would say in a public meeting is not the same as what you would say in a public meeting that incarcerated individuals, who are members of the public, were also able to participate in. Can you elaborate on that?

Warden Harper:

I am not going to elaborate on that because me and you are going to never come to an agreement on that. I am still going to stick to what I said. I do not think that it would be wise to do that.

Judge Clark:

I have a couple of thoughts. One, with incarcerated individuals submitting public comments that may be something that the liaison could help us with. We do get a lot of comments from family members on behalf of folks in the jail. Then we get some from folks who have been released from the jail that submit comments. Also, in my capacity as President Judge I get many letters from incarcerated individuals, which we try to answer all of them or if I feel like there is something needs to happen, like a referral to the county police or something, I try to do that. The one thing that I am hopeful that the liaison would be able to assist with is sometimes when I do make, for example, a referral to the county police, I never get any follow up. I just do not really have time to go back with the police and contact them. That would certainly be very helpful. I think this is something that, especially with respect to them having to be able to submit comments to the board in some fashion, it doesn't have to be on the tablet, there are other ways that they could have access to the board. I think the Warden's concerns about the live streaming is something that we need to think about. He is very concerned about that and I am not so sure that I personally would want to interfere with the Warden's decision on that. I think that is something that we all can think about. He has his concerns about that. I do feel that the inmates could appropriately submit public comments like it could be in writing, collected, and given to the board. There is many ways that that can happen. I think when we have a liaison, the liaison can help with that. Yes, Ms. Hallam?

Ms. Hallam:

Judge, what about the meeting minutes? If not the live stream, what about the after the fact that the meeting minutes be available to the incarcerated individuals?

Judge Clark:

What I would say is, I feel like that somebody should meet and discuss this and not have a discussion at the meeting. It is too hard when something new is brought up to have this round robin discussion. I think if that is something that you are interested in, then you could meet and then we could talk to the Warden about it. We

could see what the situation is. I am not comfortable just having this open-ended kind of discussion in the meeting, that is off agenda and we do not have time to think things through.

Ms. Moss:

I agree.

Ms. Hallam:

Alright. That works. I will reach out after the after this meeting to schedule a meeting about that. Thank you.

Judge Clark:

Anything else regarding this particular issue?

5. Public Comments

Judge Clark:

I am going to go to the public comments. Actually, some of the questions that have been raised by the board members came from the public comments so some of them have been answered.

A. Sheila Johnson

“Every morning oatmeal and runny grape jelly hot dog bun Lunchables for lunch and dinner sometimes they have rice some sort of ground meat a salad consist of lettuce there's no fresh fruit Gordon says it could be used as a weapon if that's the case get them free Cut apple slices in bags yesterday at 7:30 in the morning they were served breakfast trays with roaches crawling all over the trees in the food Sergeant Lee had to send the trays back cabinet holding trays was infested with roaches as well they receive Lunchables like I said and if somebody is grown that's a snack if that people are being paid for a service and I truly believe that somebody is a lining their pockets my husband states that they get served moldy bread as well”

Judge Clark:

there continue to be complaints about the food. I will say one of the other concerns about fruit is that sometimes it is utilized to make alcohol. that is the concern about the fresh fruit as well. Judge Lazzara is nodding. We have all been there and had cases involving that. So that is one of the other concerns about it. I just would ask that as the board members continue to make our inspections at the jail that we always look at the food and if we have time to sit down and eat a meal like Ms. Klein did. I think Ms. Hallam, did you eat there as well? Just to monitor the food situation because we continue to get public comments about the food.

Judge Lazzara:

Can I ask a quick question? I had an attorney approached me and said she has a client who is vegetarian and says that he cannot get a vegetarian meal. I just needed to know who I should direct her to talk to at the jail about that issue.

Deputy Warden Williams:

Judge Lazzara, you can give them my contact information.

Judge Lazzara:

Thank you so much. I appreciate that. She sent an email today and we were just wondering who the best person would be. I know you deal with an awful lot of stuff and I did not want to put something else on your plate if it was not supposed to be you.

B. Concerned C.O. Who loves their job

“Dec. 1st, 2021, due to not only an unfair, but unamerican mandate, I lost several brothers and sisters because they did not believe it was in their best interest to receive the vaccine. These were brothers and sisters that I and many other officers depend on everyday to not only save our lives, but the lives of inmates. How can you force public safety officers to get a vaccine, who are mostly not in close contact with one another, but NOT force inmates who are in close contact with one another?? (I really want an answer to that!!) We are over worked and our moral is non-existent. When will the JAIL OVERSIGHT BOARD start to worry about everyone in the jail, not just the inmates??”

Judge Clark:

This comment came up at the last meeting and I do not think I read it. So, I think there is a distinction between people who are paid to work in the facility because they have an option. You can choose to work there or not work there. I think the employer can require somebody to be vaccinated. The people that are incarcerated in the county jail, as much as I would like all of them to agree to have the vaccine, they are not there voluntarily. They cannot just get up and leave. So, I think there is a big distinction between those who are forced to be in the jail and those who choose to work there as their job, unfortunately.

C. Miriam Osorio

“What is the process or procedure to file a formal complaint against an officer at the jail including the names and contact information of the person the complaint is to be submitted to? I have a formal complaint against female officer Wain.”

Judge Clark:

I think someone else asked this question at another meeting. What is that process Warden or Chief Williams?

Warden Harper:

There are several different processes for which an individual can report anything. They can email webmaster@allegHENYcounty.us. They can also call 412-350-2102. They can also email any one of us and we will address the issue.

Judge Clark:

Thank you.

D. John Kenstowicz

“Deanne Kulscar, the new Director of Mental Health at ACJ, who was hired in August, is resigning. Excessive staff turnover markedly disrupts the operations of the jail and the "health and safekeeping" of the residents at the jail. It appeared that the JOB gleaned very helpful insights from Michael Barfield, the former Director of Mental Health at ACJ and Janet Bunts, the former HSA director. when members of the Board conducted exit interviews with both individuals not long ago. Is the Board planning on doing an exit interview with Deanne Kulscar?”

Judge Clark:

There were lots of comments about the medical and mental health department. I would put that to the board to see if you are interested in doing an exit interview. Ms. Hallam?

Ms. Hallam:

I would be very interested in that. I thought we got a lot of information from the exit interviews that we did do. I know we had discussed maybe do we want to do it with every single staff person that leaves. I thought there was some kind of consensus around doing it with the higher-level positions. Especially when there has been such drastic turnover. Especially when this specific person had such a prominent job at the jail and was there for such a short time. I do think the board can gain a lot of information about what is going on in the jail if we can talk to that person. So, I, for one, would be very much in favor of talking to them.

Mr. Pilarski:

Your Honor, we instituted a policy at the jail where they do ask each employee that leaves in any position for an exit interview. A lot of the percentage refuse to participate but we do ask every employee who leaves that gives us notice. Some just call in and say they are not coming back anymore but anybody that gives us notice we do ask them to submit an exit interview. I do not know if Ms. Kulscar has completed that yet or has been officially asked to do that but we do have a process for every employee that leaves the jail.

Judge Clark:

Right and I appreciate that. I do think there is a difference between having the board do an exit interview as opposed to other staff in the county. I will speak with the Warden about this. I think the last time we did them the county manager was gracious enough to contact the people so that we could do the exit interview. I will see if that can happen again. If you are interested in being a part of that, if you would just shoot me an email then I will know who wants to be a part of it.

E. Concerned Staff

"The medical department has recently had the director of mental health, the director of nursing and an assistant director of nursing resign. In addition since the last prison board a mental health RN, 2 RN's, and an LPN resigned, also a mental health specialist quit full time. Is anyone reaching out to them to ask about what is going on at the jail and why staff are resigning at an alarming rate?? If not, why is nobody talking to the employees? It is not COVID, or the fact that people want to spend more time with families, or go back to school, or corrections isn't for them.?"

Judge Clark:

This is the same as the previous comment. I think Mr. Pilarski did say that they do request that folks participate in exit interviews and the board has agreed that we will try to interview Ms. Kulscar if she is willing to do that.

F. Attorney for Residents

"Since the pandemic started, attorneys have been permitted to register virtually with ACJ's Internal Affairs or the courts. However, this week, while facing a new Omicron variant, ACJ changed its process, requiring all attorneys to register in-person, including those already registered. This requirement makes it difficult for medically vulnerable attorneys and those who live outside the local area from registering and thus prevents them from visiting with clients by video. It will deny incarcerated effective assistance of counsel and prolong cases. Can the JOB reverse this in-person registration policy, and if not insure accommodation for medically vulnerable attorneys so as to allow them virtual registration and continued video visits?"

Judge Clark:

I think Ms. Hallam already asked this question. I think that one was answered.

G. Brett Collins

"Are there any updates on the money left on GTL tablets after people leave the jail? Can we make sure that money goes back to the loved ones who put it on the tablet in the first place, or at least goes back into the IIWF?"

Judge Clark:

I think Warden was asked and answered this at the last meeting, but I am just going to ask that if you could provide the answer again.

Warden Harper:

Yes ma'am. GTL did do the upgrade of OMSe. Now we are in the process of doing our part of the upgrade of OMSe. We are trying to expedite it as quickly as possible. We are looking at around the first quarter in 2022, we will be able to provide incarcerated individuals funding from their tablet.

H. Concerned Resident

"I wrote last month about being concerned about a friend when their tablet access was suspended. Without their tablet we couldn't communicate with each other. Warden Harper said if that happens again I should contact the Jail by phone or email to make sure my friend is okay-- what are the phone number and email address I should use? Who would I ask to speak to and what information would I need to have on hand? I just want to be prepared if this happens again."

Warden Harper:

It is the same response...webmaster@alleghenycounty.us or 412-350-2102 or this individual can email any one of us.

I. Concerned Resident

*"I don't follow the logic of not allowing visits. Prior to the mandate there were lots of unvaccinated employees and about half of the incarcerated population is unvaccinated. New unvaccinated arrestees enter the jail constantly. So it's not like *vaccinated* people visiting their *vaccinated* loved ones is extremely risky, it's far less risky than what's happening at ACJ on a normal day. Is the concern for the safety of visitors? I can't make sense of that either though, because how can it be too dangerous for a family member to visit but safe enough for COs to come into work every day? How was it safe for the Board to tour the facility but it's dangerous for a masked & vaxxed mother to speak to her masked & vaxxed son through plexiglass?"*

Judge Clark:

I think we had a lot of discussion about that and so I am not sure if there is anything else that the Warden or Chief Williams wants to say about that.

Warden Harper:

Your Honor, my response is the same as it was earlier. With the increase in the COVID cases in our community and the new variant that is going on, we just want to make sure that these individuals are safe. We want to do visiting as quickly as possible. We are trying to do that for our vaccinated population and family and friends. We are going to try to get it up and running as quickly as possible. We want to ensure the safety of the facility first.

J. Conrad Oliver

"The solitary confinement ban goes into effect this month. I've heard from many people at the jail both staff and incarcerated individuals that they do not have a copy of the referendum. When will it be distributed? All staff members need to know if they are complying with the law. Equally important, incarcerated individuals need to know their rights under the referendum, which define what solitary confinement is and the process for challenging it in court. Warden Harper just saying off the cuff that inmates know the law is not satisfactory, especially when the JOB and ACJ can ensure that everybody actually can know by providing a copy of it."

Judge Clark:

I believe that Ms. Hallam asked about this too, about the jail staff and incarcerated individuals having a copy of the referendum. So that was already answered.

K. Tonya Romero

"Can the Warden tell us more about the new "CRU" (correctional response unit)? He said that their job is to respond to emergencies at the jail but also said that they were not being trained in mental health first aid and de-escalation."

It seems like developing those skills would be absolutely essential for members of the CRU unit. What is the CRU being trained in? Were any of them trained by Joseph Garcia while he was at ACJ?"

Warden Harper:

Our CRU was trained by Mr. Garcia for 6½ weeks. They were trained in de-escalation and mental health training. They will continue to receive more mental health first aid and de-escalation training. That is all I want to say about our correctional response team.

L. William Johnston

"Last meeting, Warden Harper said that several housing pods might be consolidated or collapsed. What is the average population on these collapsed housing pods? Is it harder to socially distance on these pods and get more out of cell time?"

Warden Harper:

Your Honor, I really do not want to give what the population is going to be on the pod, but we did collapse cells.

Ms. Hallam:

Judge Clark, can I just add a follow up to that? Why did you collapse pods?

Warden Harper:

I am not going to discuss that in this forum, Ms. Hallam. We can talk about that in an executive session.

Ms. Hallam:

Okay. How many pods did you collapse?

Warden Harper:

9

Ms. Hallam:

Okay, thank you.

Warden Harper:

You are welcome.

Judge Clark:

I want to again thank all those members of the public that submitted public comments. Thank you for your care and concern of some of our most vulnerable residents in Allegheny County, those are currently housed in the Allegheny County Jail.

6. President's Report

Judge Clark:

Next in my report I just have two things. One is I did meet with Mr. Kenstowicz from Prison Society regarding the deaths in the Allegheny County Jail. He did provide a report. We had some good discussion about it. There are some things that I want to find out before I really make a report to the board. For example, what information could the board receive about deaths in the jail. We know that the jail does not receive, for example, the medical examiner's report and those kinds of things. There are some things that I want to look into and then I will be making a report to the board about that.

Just a couple of other things. As Ms. Wagner said this will be her last meeting because she is joining Judge Lazzara and me on the bench effective January 3rd. We are happy to have her, but this is also going to be my last meeting as a board member. I am a sort of running out of steam. Since I am allowed to have a designee, I am asking Judge Howsie to be my designee on the board, which is why he is sitting in on the meeting today. There are committees I am on and I will still be more than happy to work on those committees. I will probably, as a spectator, sit and watch the meetings because I still have an interest as to what goes on in the jail. I really appreciate the work of this board. This board has I think really taken the responsibilities as an oversight board very seriously. I am very proud of the work that has been done these past couple years. You all are pretty awesome. I will continue to work with you. It is sort of a little bit bittersweet, but it is been, for me, a lot of work. The court has been challenging during Covid. So, Judge Howsie has agreed, at least for some period of time, to be my designee. We just want to welcome Judge Howsie. Ms. Wagner, is there anything that you want to say as your last meeting as the Controller on the board?

Ms. Wagner:

Sure, thank you. First, let me say, and I think all of us feel this way for your leadership on the board Judge Clark, that we have gotten a heck of a lot accomplished during your tenure. So, I am really, really grateful for that. I can tell you for my 10 years now is Controller, which is hard to believe that has gone by pretty quickly, we have spent a lot of time on issues from my office's perspective, and it has been a real passion certainly of Brad's in working on these different issues with the jail. I am very encouraged by what has been able to be accomplished in the last few years. It is a credit to you, and it is a credit to the other hardworking members of the board in partnership with the administration of the jail and the county. I want to say thank you because I do think we are in a much better place. I also want to say congratulations, this is news to all of us that Judge Howsie will be joining the board, but I think that is really promising as well. I think that is very exciting. I did miss one thing. I was going to ask on the last agenda item, I put my hand up a little bit too late, if at some point I can read a public comment that was passed along to me from one of the corrections officers.

Judge Clark:

You can do that. Do you want to do that now?

Ms. Wagner:

Sure. Thank you. This was just received during our meeting. This is a statement for the prison board meeting. *"Hello my name is Brian Englert and I am President of the Corrections Officers' Union. I just want to formally go on record that Warden Harper has only provided the Ordinance 205 about solitary confinement, shackles, and the restraint chair to the officers today. As of today, we have no idea how we are going to ensure the 4-hour rec requirements since administration has 8 vacant housing units yet continues to cram inmates into less units with COVID still an issue. There has been no plan communicated to the officers on how we will meet the recreation requirements."* Thank you for allowing me to respond to that.

Judge Clark:

Warden, I do not know whether you want to comment on that. I guess if it got submitted during the meeting, it was once submitted timely. I feel like I do not really get to read all of the public comments. So, I feel like there were some others that submitted theirs timely that should have been read but I do not know if the Warden wants to say anything about that.

Warden Harper:

I sure do, your Honor. Officer President Englert is available to meet with me at any time. We communicate with our majors, captains, and sergeants about how we are going to provide more than 4 hours of out of cell time to our correctional employees. We increased our out of cell time for incarcerated individuals from 10 inmates, 15 inmates, 20 inmates, and we are going to go to 25 inmates starting next week. We are making sure that our staff know what is going on. I did just put it out today, but this administration has been communicating with our majors, captains, and sergeants for this information to be disseminated to the officers. What Mr. Englert is saying is just totally untrue.

Judge Clark:
Ms. Hallam?

Ms. Hallam:

Yes, in light of this comment and some other ones we have gotten from correction officers in the past, does anyone have any objections to going forward that we invite the Corrections Officer's Union President to...

Mr. Pilarski:

They have no role here. They have absolutely no role.

Ms. Hallam:

I am speaking. Please do not interrupt me. I would appreciate that.

Mr. Pilarski:

You are correct. I apologize.

Ms. Hallam:

Thank you. I will go back to my question, is there any way that we could invite, just to get the workers' perspective, we hear a lot of anonymous comments and stuff from corrections officers, since there is a union president who is now willing to interact with the board, does anyone other than obviously Mr. Pilarski have any objections to inviting the union president to come and speak with us?

Ms. Moss:

I am not for that. I think if that is going to happen, we need discussion on that.

Judge Clark:

Yeah, I kind of agree. I think there may be some particular meeting where we want to discuss issues that we need to have them, but I feel like the meetings would become very combative and contentious and we would lose focus on the residents of the jail.

Ms. Moss:

Absolutely.

Judge Clark:

I realize that we want the staff and employees to be safe and I really am appreciative of the staff. That was one of the things that I want to say because this is my last meeting, at least for a while. I am extremely appreciative of the Warden, Deputy Chief Williams and all of the jail administration and the people on the front lines, like the medical professionals and the CO's that work with the residents every day in jail. It is a hard job. It is a difficult job. I think the goal is for everyone to be as safe as possible in a difficult situation. I am just really appreciative of that, but I think that is something that would need a lot of thought before we would allow that to happen. I do not know if anyone else has a comment. Alright. Thank you.

7. Warden's Report

Judge Clark:

Then we will move to the Warden's report. Warden Harper?

Warden Harper:

Good afternoon board. The first thing I would like to bring up is that all you guys have been sent a copy of the letter from the Pennsylvania Department of Correction pertaining to inspection that was done on August 3rd. Again, the Allegheny County Jail passed with flying colors. I just want to read this one sentence here. *“Receiving full compliance is a distinction that is earned when a facility and staff have met or exceeded Title 37, Chapter 95 expectations. Due to this achievement, the Allegheny County Jail is exempt from the normal one-year inspection cycle. As such, the next inspection cycle for this facility will be 2023.”* Again, the men and women of the Allegheny County Jail did a wonderful job in passing this inspection from the Pennsylvania Department of Corrections.

Next thing I would like to talk about is the training that has been taking place in Allegheny County Jail. So far, we have 36 employees that have been trained in mental health first aid and we have 10 employees that have been trained in de-escalation. We also have 1 employee right now that is a certified trainer in mental health first aid. I would like to congratulate all those employees about this training. We have another training that schedule on December 14th. where We are going to send another 30 employees for mental health first aid training.

The last thing that I would like to bring to the board is we put an RFP for vendors that would be interested in training our Correctional Response Unit. No one responded to this RFP. We tried to make sure we had a vendor that is going to train us but right now nobody responded to this RFP. Your Honor, that is all I have to report to the board.

Judge Clark:

Does anyone have any questions for Warden Harper? Ms. Hallam?

Ms. Hallam:

My first question is about the Title 37 inspection. Was the jail in compliance with Title 37 when the NCCHC found that the jail had critical deficiencies in its process for preventing suicides?

Warden Harper:

We have been in compliance my nine years being at Allegheny County Jail. So, the answer is yes.

Ms. Hallam:

So, it is possible for there to be issues in a facility that is Title 37 compliant?

Warden Harper:

There can also be issues at your place of employment. There is going to be issues everywhere, Ms. Hallam.

Ms. Hallam:

I am just concerned about skipping a year, being exempt from the next years inspection, whenever, obviously, there are still issues going on even despite having the certification.

Warden Harper:

I am not going to get into that Ms. Hallam, but I just want to commend the men and women of the outstanding job they have done. I hope the board, including yourself, will talk about the great accomplishment.

Ms. Hallam:

I would really love to talk to the people who are working in the jail, but it seems that there is been some pushback and allowing them to come here and speak with us.

Warden Harper:

That is not what I said, Ms. Hallam. I said that I would hope that you Councilwoman would agree and say publicly that this is a great accomplishment that we received this accreditation.

Ms. Hallam:

Sure, maybe if I could have a little more information about it. Can you explain the Title 37 inspection process? What specifically is inspected? Is it healthcare? Suicide prevention? Deaths? The bedding? How the inspection is conducted? What documents are reviewed? Is the information that they are getting self-reported or they actually coming in and doing an investigation? Do they do an on-site inspection? I could maybe speak to that if I would have a little more information than just the letter that was sent over that you passed and are exempt.

Deputy Warden Williams:

Ms. Hallam...

Warden Harper:

No let me get this...

Ms. Moss:

Can we move on?

Judge Clark:

I think you have to be specific...

Warden Harper:

Ms. Hallam, when you schedule a meeting with me, I will be more than happy to show you all of that.

Ms. Hallam:

I will definitely do that. Thank you. I am going to move on to my next question then. On December 21st, all jails in the country are required, as a result of House Resolution 6964, to remove all children from adult facilities. Actually, House Resolution 6964 closes the loophole to remove minors from adult detention facilities.

Judge Clark:

I am going to talk about that, Ms. Hallam, because obviously those minors are court ordered to be there. So, both the Juvenile Court Judges Commission and AOPC will be giving the court some guidance about what happens with that. So, the court still can have minors in the jail but there has to be just cause hearings every 30 days. We will provide the board with some information once we get our guidance from the Juvenile Court Judges Commission and also from the AOPC. One of the problems is every state was supposed to come up with a state plan and the Commonwealth of Pennsylvania has not developed a state plan. So, we are working on it, but I do not believe that is really in the Warden's department, it is the courts' department to deal with that. It is really not a question for the Warden. It is something that the court has to address.

Ms. Hallam:

Okay. I guess the reason for my concern is, my follow-up question was going to be, how the jail was going to facilitate the mandatory hearings because there is also a provision in there, I know from my personal visit to the jail, that I talked to children incarcerated there, who have been held there for more than 180 days. This specifically says that even in the interest of justice that children cannot be held for more than 180 days pretrial. Are we going to talk about that? I just did not see it on the agenda, so I figured the Warden's report...

Judge Clark:

Well it is not going to be on the agenda for the Jail Oversight Board because it is really not, I do not believe, an oversight board matter per say. It is a court issue and the courts are working on what we are going to do about that. During the pandemic, the Pennsylvania Supreme Court allowed President Judges to suspend rules. One of the rules that I suspended during the pandemic was Rule 600 dealing with the speedy trial rights. It is a complicated situation. I am happy to sit down with anyone at the appropriate time once we have a plan in place, but I am not prepared to discuss

it at this meeting. I do not really think at this meeting and I do not really think the Warden can answer any of those questions. Those are questions that would be directed towards the court and we are working on it.

Ms. Hallam:

So, I should reach out to you after to have a discussion with you from a court's perspective.

Judge Clark:

You can reach out to me. Yes.

Ms. Hallam:

Okay, thank you.

Judge Clark:

Anything else?

8. Deputy Warden's Report

Judge Clark:

Alright. Can we move to the Deputy Warden's report? Chief Williams?

A. COVID Update

Deputy Warden Williams:

Sure thing. The website has been updated to reflect the number of PCR tests, as well as the rapid antigen tests. I will not bore everybody with the statistics, they are available by Googling the Allegheny County Jail. It is right on our home page. What is most relevant is that we have maintained essentially a 13% positivity rate out of those that we have tested in terms of our PCR diagnostic testing. With our rapid testing, it has been a 1% positive rate. We have 10 individuals who are currently incarcerated who are presently positive with COVID-19 and 9 of those individuals have been recent admissions from the community that tested positive at the door. So, upon receiving them into our facility we tested them, and they were positive for Covid-19. We have 0 individuals presently hospitalized for COVID-19 at this time. For employees, throughout the pandemic we have had 182 staff report positive results and we presently have 5 individuals who are continuing their recovery process and have not yet returned to work. As you know, we have been providing vaccines on-site for an extensive period of time. Our first clinic on-site with the incarcerated population was on April 12th. We have supported the vaccination of over 2,000 incarcerated individuals throughout this time. We have also administered over 150 booster vaccine doses. The incarcerated population has been making requests to receive those and we have been connecting them with doses as soon as possible. We continuously offer these vaccines. We have our infectious disease coordinator, as well as a public health nurse, who have been focusing on those efforts. Despite the fact that they have been continuously working, we have discussed this before the transient nature of our population, when we vaccinate persons they are also released. So, though we are continuing these efforts, our present population is 748 incarcerated individuals, which is 47%, are vaccinated with us presently. We have continued to apply \$25 to their accounts as the incentive for vaccination. We are about a week behind due to the holiday and processing and tracking all of those to get those applied to the accounts of the individuals. Any questions related to COVID before I move on to the other items in which I report? Yes, Ms. Hallam?

Ms. Hallam:

Yes, thank you. My first question is, do you have any concern about the collapsing of pods with the increase of and the new COVID variant being present and more people now being on the on the pods? Are there any additional mitigation efforts that you are taking since there will now be a new variant and more people on pods as a result of the collapsing?

Deputy Warden Williams:

We still have the capacity to social distance within all of the volumes of the housing units that we presently support. We are continuing to do mandatory masking within the entire facility, including the incarcerated population who gets new masks every day. We are continuing to support vaccinations for individuals, which is one of the best efforts in stopping or slowing the spread of COVID-19. We are continuing to do surveillance testing, as well as the diagnostic testing and monitoring for symptoms. We are continuing to do 14 days of quarantine for every new person that comes into the institution. They are also additionally tested 3x prior to their release into general population anytime. Anytime we have movements, so those units that were collapsed or re-distributed within the population, we tested the entire body of those units before moving them to make sure that there was no disease present first. I believe that we are taking every necessary step for mitigation supported by the recommendations at present.

Ms. Hallam:

Okay, thank you. Then also since you are talking about vaccines, how many staff members opted to lose their job as a result of the vaccine mandate?

Deputy Warden Williams:

I am not going to discuss personnel issues. Especially those that are so personally close to those employees.

Ms. Hallam:

Okay, so we have been getting a report each month about how many staff members were vaccinated. So as of November 30th, how many staff members still had not provided proof of vaccination again?

Deputy Warden Williams:

Again, I will not be more explicit. I will not be discussing this or providing that information to you.

Ms. Hallam:

That is information that we have been provided every month. Can you specify what has changed?

Deputy Warden Williams:

Historically, I was providing that and that was not potentially identifying persons who have made difficult decisions. We as an agency will not be discussing it.

Ms. Hallam:

I am not asking them to be identified. I am asking for you to tell me as of the end of the month of November, how many staff members in the Allegheny County Jail, just a number, had not provided proof of vaccination? Again, we have gotten this number every month before. I would appreciate if you tell me as of November 30th, not who was fired, but how many people had not yet provided proof of vaccination.

Deputy Warden Williams:

Ms. Hallam, you can ask the question over and over my answer is no.

Ms. Hallam:

Okay, so you are refusing to provide that information of how many staff members did not provide proof of vaccination by November 30th?

Deputy Warden Williams:

I am.

Ms. Hallam:

Okay, thank you very much.

Deputy Warden Williams:

Any other COVID related questions before I move on to the remainder of my report?

C. Medication Assisted Treatment Update

Deputy Warden Williams:

Presently in the facility we have 52 individuals who are prescribed Buprenorphine. We are working with our providers. We do have the pharmacy, I know we have talked about the long acting injectable Buprenorphine, we are working through to see who is going to be eligible for this. That clinical determination is being made by the medication assisted treatment team. In the last month 97 unique individuals were prescribed Buprenorphine. Today we actually have one of the highest volume of persons presently incarcerated at one time who is prescribed Buprenorphine, but we did see a decrease in the number of unique individuals within the last month. I have made two months in a row some vague references to an organization that we were extraordinarily hopeful was going to be expanding our Methadone services. We are continuing those discussions, but we have not been able to finalize details nor work through all of the obstacles and barriers. We will be publishing an RFP, a request for proposal, to see if there are any other bidders who may be interested in supporting these services on-site in the facility.

In terms of new business for the healthcare department, I know that we frequently talk about sentinel events in the institution that do not result in the outcomes that we would like but we had a very serious medical event on November 18, 2021 related to a cardiac arrest in the intake department. It was an extraordinary effort between both correctional officers, who are first responders, as well as health care staff. Because of their quick actions and the care that they provided to him his life was preserved and he was able to be transported to an off-site medical provider for additional monitoring and clearance. He was undergoing compressions during the time of the medical emergency. There was an AED that was utilized. There was also multiple medications and additional interventions. It required a lot of skillful work and before he left the facility he was sitting up and actually speaking with staff. I want to recognize that the person's responsible for saving the life of this individual: Officer Bruce Kelly, Officer David Onyshko, Sergeant William Sundy, Director of Nursing Jen Kelly, Dr. Slava Winters, Nurse Practitioner Sandy Simms, and Register Nurse Mike Warner.

D. Tracking Commitment to Torrance

Deputy Warden Williams:

Last month I was also asked about the Torrance commitment list and I provided brief response that we do not typically track how long somebody is waiting because that information is not relevant to the care that we provide. Meaning, we will care for the person no matter how long they are with us and do the absolute best that we can. There are a number of different commitment types that somebody can be ordered. Judge Lazzara can probably speak to the legalities far better than I could. We do have a present list of 32 persons who are awaiting Competency Restoration Treatment at Torrance State Hospital. Of those 32, 26 have been waiting more than 30 days. There are some individuals within this list who have been waiting more than 6 months to go to Torrance State Hospital. I do not want to imply anything with reporting this. I have to say that because Torrance has been doing an incredible job with the resources that they have available to them, which are not many, because the Commonwealth does not have very many Forensic Competency Restoration Programs within the Commonwealth. Their staff works extraordinarily hard. I have been on-site. I have seen what they do. I do not want that to imply that in any way the Allegheny County Jail is indicating that they have not done their job or that they are doing something incorrectly. They too have been battling different outbreaks with Covid, or mitigation measures, which has definitely impacted the transition timelines. So, I will provide these numbers each month. We have discussed

this with Torrance, but it is important to understand that these are not under our control, and frequently not under theirs either. That is all I have for my report. Thank you.

Judge Clark:

We have 3 hands up. I am going to go with Judge Lazzara, Ms. Klein, and Ms. Hallam.

Judge Lazzara:

I just had a quick question. Because I work with JRS all the time and they work with a bunch of other providers I sometimes hear if there are issues. Lately I have been hearing that there has been a problem with turnover of medically necessary documents to get people out of the jail. So, like they need test results sent to different facilities and they need information, or they need doctors to sign off on things and they are being told that they cannot get those signatures. It is delaying us getting some people out of jail. I just wanted to know what the problem is. Is it a staffing issue? When we can expect a resolution so that we can get some of these folks out of there in the timeliest fashion?

Deputy Warden Williams:

JRS, and I am sure that you are aware of this Judge Lazzara, they are, unfortunately, the middleman. They are subject to whatever the providers in the community make requests for and that has constantly evolved and changed. So, one of the things that you referenced is that the providers, in order to accept somebody, require a medication list. I am not certain of the regulation, but they require the medication list to be signed a psychiatrist. We have psychiatrists but we also have a large volume of extraordinarily mentally ill individuals who require the attention of our psychiatrists on-site. We have very competent midlevel's: physicians' assistants and nurse practitioners. For some reason, again, I do not understand if there is a legal issue, or what the requirement is specifically with some of the CRR's or the LTSR's or CTT teams, that they require it to be signed off by a psychiatrist. That has delayed us multiple times. So, the changing requirements has been difficult for us to navigate. Some individual places also require Covid testing, which we manage but we have had to re-test multiple people, again not at the fault of JRS, but because the admissions get cancelled, because the treatment entity is no longer able to accept that person for whatever extra reason there might be. I do not know how we resolve it. I think that we continue communication and we do the best that we can. We certainly do not want people to stay in this facility longer than is legally necessary. I do know that Lee Richardson, who is one of the Directors, has been working with us to make sure that we can navigate these issues as well.

Judge Lazzara:

Thank you. I appreciate that. If there is anything that we can do at all to pass along things to JRS, please you know let me know. I am working with more frontline people and you are working with the administrative people. So, if there is anything we can do to get messages through on what they can do, how they can help the situation, please let me know because I see them every Monday.

Deputy Warden Williams:

Okay, thank you. Maybe it is time that we convene another meeting. We have not done one in a little with JRS. I will talk to my team about setting one up.

Judge Lazzara:

That be great.

Judge Clark:

Ms. Klein?

Ms. Klein:

I just have a comment. I am so appreciative and congratulations with the rollout of the MAT. I think that is really an important step in the care of incarcerated people. So, thank you.

Judge Clark:

Thanks. Ms. Hallam?

Ms. Hallam:

Yes, I was just going to ask if you got permission from the incarcerated person whose medical emergency you just detailed to us. Did you get his or her consent to tell us about that?

Deputy Warden Williams:

I did not provide any defining information other than gender and the date. So, no.

Ms. Hallam:

Right, and multiple times this board has asked for information that we did not require any more information than a date of an incident, we did not ask for a name or any identifying information and you refuse to provide information to this board because of that. So, that is why I am just wondering why we get the information when it is something that you want to get praised for, but not when it is something that is concerning to this board.

Deputy Warden Williams:

I would object and say that is inaccurate because every time there has been a sentinel event that resulted in an unfortunate, or a I will say fatal experience, we have provided that information to the best of our ability. We cannot provide all of the details of the final outcomes, but we have always made notification to the board about that.

Ms. Hallam:

With details about what happens in each situation?

Judge Clark:

Let me just say this and we are going to end the conversation here. I specifically asked Chief Williams to report on that. I feel like when staff do good things, we do not acknowledge that. I feel like at every meeting if there are a staff person at the jail that do some extraordinary or lifesaving things, the board ought to acknowledge that. So that was presented at my request.

Ms. Hallam:

I appreciate that Judge Clark and I do not disagree with that whatsoever. I think we should hear that as well. I just think that same rights should be afforded to things that do not go well and things that go wrong in the same light that we are giving the positive things that happened.

Judge Clark:

We can have this debate, but I think I agree with Chief Williams. I think you are not really accurately reflecting what is going on. But we are going to move on because I do not find this is really productive. If there are no other questions for Chief Williams, I just want to thank her for her report. I find the information that she provides at every meeting very valuable and very useful. I echo Ms. Klein's comments about the increased use of MAT. I know the jail has been working very hard on that. It was one of the things that I was really hoping for and I am really happy about that. So, thank you.

Ms. Moss:

Judge Clark, may I say something? I also wanted to tell Chief Williams to pass on from the board how appreciative we are of the people that help save lives.

Judge Clark:

Yes, thank you. I was thinking as I was sitting here that I may send a letter, as one of my final acts as a board member, on behalf of the board to the folks that she named just thanking them and how much we appreciate that. If the board is in agreement with that, I will do that.

9. New Business

A. Recent Jail Inspection

Judge Clark:

So, we are going to go to new business. We did have a recent jail inspection by Ms. Moss. I asked if she could briefly report out on that.

Ms. Moss:

Yes, I would be glad to. It was quite an interesting visit. I went with the agenda to look at the mental health pods, male and female, and the housing of the youth. While I was there, I did get a chance to see and watch some of the interactions of the residents as they use their tablets, which was very interesting. I will say I think it is a good thing we have them, especially since Covid, because I saw families talking to each other with children watching, which I thought was very good. I went to the acute mental health pod, male and female. It is very depressing because we have a lot of mental illness going on. I saw the location where they are going to put a recreation area that the contractors are working on when they closed it in. So, they can get out of their cells more often than they do now and they will use this area. I was pretty impressed with that. Then I went to the area that the youth are housed. I looked over the curriculum. They have a very good curriculum for these young people. Right now, there are 21 youth there. I believe after this week there will be one that will turn 18 and be going into general population. But the curriculum was very good. They have 6 teachers and 1 counselor, who seem to be very committed. I talked to a couple. I did not realize but they go to regular school hours from 8:00 to 2:30 every day and have a 1/2 an hour lunch. I was pretty pleased with that. Then I toured the kitchen and the dry storage because I know we get a lot of comments from the community saying that there are rats, rodents, roaches, and all kind of things. I went into the dry goods storage. I guess maybe some of the other people that visit the jail looked at the same things, but I see they have all the flour, sugar, and everything up off the floor on steel pallets. They flip them every day. They have about 32 residents that work down into the kitchen in the food service. I watched them mix the mashed potatoes and clean up. I thought it was done pretty well because all we ever hear is negativity. There are a lot of people there working very hard trying to make it as decent as they can. I thought I would share that with everyone. That is what I viewed while I was there. I was there about 2 hours.

Judge Clark:

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

B. Motion to request money from the IIWF to be put on the commissary accounts of each person.

Judge Clark:

Next, we have motions by Ms. Hallam.

Ms. Hallam:

Thank you, Judge Clark. The first motion is a motion for money from the Incarcerated Individual's Welfare Fund to be put on the commissary account of each person in the ACJ. As of my drafting of this motion there were 1,616 folks incarcerated in the jail at \$50 per person. Total cost for this motion is \$80,800. I would like to move to approve.

Judge Clark:

Is there a second to the motion?

Ms. Moss:

Second

Judge Clark:

There is a second by Ms. Moss. Any discussion? All those in favor?

Others:

Aye

Judge Clark:

Any opposed? Any abstentions. The motion is carried.

The board unanimously approved a motion by Ms. Hallam, duly seconded by Ms. Moss, to request money from IIWF to be put on the commissary accounts of each incarcerated individual (1,616 individuals x \$50.00 = Total \$80,800).

C. Motion to request money from the IIWF to be put on the tablet accounts of each person.

Judge Clark:

Ms. Hallam?

Ms. Hallam:

Thank you. The second motion is a motion to request money from the Incarcerated Individual's Welfare Fund to be put on the tablet accounts of each person in the ACJ. Again, 1,616 folks incarcerated in the jail, at \$50 per person. Total cost for this motion is \$80,800. I would like to move to approve.

Ms. Moss:

Moved

Judge Clark:

There is a second by Ms. Moss. Any discussion? All those in favor?

Others:

Aye

Judge Clark:

Any opposed? Any abstentions. The motion is approved.

The board unanimously approved a motion by Ms. Hallam, duly seconded by Ms. Moss, to request money from Incarcerated Individual's Welfare Fund to be put on the tablet accounts of each incarcerated individual (1,616 individuals x \$50.00 = Total \$80,800).

Judge Clark:

Is there any other business for the good of the order? I sound like Judge McGregor. Remember he used to always say that Judge Lazzara?

10. Adjournment

Judge Clark:

I will entertain a motion to adjourn.

Chief Deputy Kraus:

Judge, if you can hear me. This is Kevin Kraus.

Judge Clark:

Yes.

Chief Deputy Kraus:

I am in for Sheriff Mullen on his last meeting. That was always his task, to make the motion to adjourn. So, on his behalf I am doing it now.

Judge Clark:

Alright, we have the motion to adjourn. That has always been the tradition that the Sheriff makes the motion to adjourn.

Chief Deputy Kraus:

He always says do not say anything except motion to adjourn.

Judge Clark:

Alright. All those in favor?

Others:

Aye

Judge Clark:

I just want to thank you all. Everyone please stay safe. Enjoy your holiday. Many of you I will not see or talk to probably after this meeting, or during the rest of December, but have a wonderful and safe holiday.

Ms. Hallam:

Judge Clark, I want to thank you. I know it is not easy being the Chair of this board. Especially with some of us that are on this board. So, thank you for everything. Thank you for taking on that burden, putting up with us and caring and understanding.

Judge Clark:

Judge Howsie, do you want to say anything before we adjourn?

Judge Howsie:

I just wanted to say hello. It is important work. I am definitely impressed with the commitment of everyone to make the jail better for the inmates. I think it is necessary work. So, keep up the good work and looking forward to playing a small role in the progress of the board.

Judge Clark:

Thank you. Alright. Well that will conclude our meeting. Thank you. Thanks Mr. Sykes.

Mr. Sykes:

You are welcome.

Ms. Moss:

Thank you, Judge Clark, for all of your work.

Ms. Hallam:

We will miss you too Chelsa.

Kind regards,

A handwritten signature in blue ink, appearing to read 'Tracy Royston', with a large, stylized initial 'T'.

Tracy Royston

NAME	CONCERN
Concerned Staff	The medical department has recently had the director of mental health, the director of nursing and an assistant director of nursing resign. In addition since the last prison board a mental health RN, 2 RN's, and an LPN resigned, also a mental health specialist quit full time. Is anyone reaching out to them to ask about what is going on at the jail and why staff are resigning at an alarming rate?? If not, why is nobody talking to the employees? It is not COVID, or the fact that people want to spend more time with families, or go back to school, or corrections isn't for them.
Justine Baker	Why is the jail subjecting the medical staff and officers to basic elementary education/training? Is it to make it look good to the community? Like administration is training acj staff on mental health? Allegheny County residents, please be aware, this is only helping administration look good. Its not helping staff or inmates. If you really want to train staff, seems to me like they are going to need self defense training after December 1st and 6th as opposed to basic talk de-escalation. When is this board really going to take care of the staff and inmates in that building??
Bailey Ford	I heard the NEWLY hired Director of Mental Health already quit. She has been in her position for more about a month maybe 2. The board said they were going to do exit interviews. Are these happening? If so, with the amount of staff leaving, it should be obvious the problem in the medical department. If they are not being conducted, shame on you guys! It's (staffing) an obvious ongoing problem in the medical department, yet it seems like everyone just throws their hands up in the air and shakes their heads in confusion like the problem isn't smacking them in the face. Let's be honest, it looks and sounds like they don't want to fix the problem
Greg Zaccole	At the last meeting Warden Harper brought up a story in the Philadelphia Inquirer about jail deaths in Philly. When the story was published on November 4th, there had been at least 21 deaths in Philadelphia jails throughout the pandemic. Over the same time period of time there were at least 10 deaths at ACJ. Warden Harper said that was evidence of ACJ's high performance. However, the Philadelphia jail system is about 3x bigger than ACJ. When you correct for size differences ACJ actually has a higher death rate than the Philly Dept of Prisons. I think that should be very concerning to us all. It is not normal for so many people to die, and we still don't know the cause of death for most of them.
Concerned Resident	I don't follow the logic of not allowing visits. Prior to the mandate there were lots of unvaccinated employees and about half of the incarcerated population is unvaccinated. New unvaccinated arrestees enter the jail constantly. So it's not like "vaccinated" people visiting their "vaccinated" loved ones is extremely risky, it's far less risky than what's happening at ACJ on a normal day. Is the concern for the safety of visitors? I can't make sense of that either though, because how can it be too dangerous for a family member to visit but safe enough for COs to come into work every day? How was it safe for the Board to tour the facility but it's dangerous for a masked & vaxxed mother to speak to her masked & vaxxed son through plexiglass?
Brett Collins	Are there any updates on the money left on GTL tablets after people leave the jail? Can we make sure that money goes back to the loved ones who put it on the tablet in the first place, or at least goes back into the IIWF?
Tonya Romero	Can the Warden tell us more about the new "CRU" (correctional response unit)? He said that their job is to respond to emergencies at the jail but also said that they were not being trained in mental health first aid and de-escalation. It seems like developing those skills would be absolutely essential for members of the CRU unit. What is the CRU being trained in? Were any of them trained by Joseph Garcia while he was at ACJ?
Alexandra Smith	At the last meeting the Warden said they weren't planning to tell any of the incarcerated people about the new solitary confinement law taking effect. But this made me wonder, if the people inside don't know that restraint chairs are no longer allowed, then couldn't COs just keep on using restraint chairs? An incarcerated person wouldn't even know that their rights were being violated, so they wouldn't know that they could report it. I think the Jail needs to officially inform everyone about all of the new rules to make absolutely sure that this doesn't happen.
John Kenstowicz	Deanne Kulscar, the new Director of Mental Health at ACJ, who was hired in August, is resigning. Excessive staff turnover markedly disrupts the operations of the jail and the "health and safekeeping" of the residents at the jail. It appeared that the JOB gleaned very helpful insights from Michael Barfield, the former Director of Mental Health at ACJ and Janet Bunts, the former HSA director. when members of the Board conducted exit interviews with both individuals not long ago. Is the Board planning on doing an exit interview with Deanne Kulscar?
Concerned C.O. Who loves their job	Dec. 1st, 2021, due to not only an unfair, but unamerican mandate, I lost several brothers and sisters because they did not believe it was in their best interest to receive the vaccine. These were brothers and sisters that I and many other officers depend on everyday to not only save our lives, but the lives of inmates. How can you force public safety officers to get a vaccine, who are mostly not in close contact with one another, but NOT force inmates who are in close contact with one another?? (I really want an answer to that!!) We are over worked and our moral is non-existent. When will the IAIL OVERSIGHT BOARD start to worry about everyone in the jail, not just the inmates??
Tina Rae	The prison board should consider having an outside company come in and look at the medical department including the way administration operates and why they can't keep staff. So many staff have quit over the past two months. There is obviously something going out. It appears the county is corrupt and hiding the disaster that is going on inside the walls of the jail. Shouldn't the prison board take the step to figure out what is going on? Someone needs to come into that jail and talk to staff...not just show up on Saturday morning for a tour and a fake front put on by administration.
Valarie Hertich	The jail is currently offering an incentive to particular groups in the medical department including RNs, LPNs, medical Assistants, and a few others to pick up extra shifts. However, the jail is not offering the same incentive to other employees including substance use, mental health, and medical records. All three of the departments that are not receiving the incentive have open shifts and work going undone because of lack of staffing. The prison board should investigate why only certain positions were offered the incentive. Ill save you the trouble and give you the answer. The jail cannot hide inmates not receiving medication. They must have nurses. The jail can hide the fact that inmates are not receiving other services such as mh and su
Amanda Dixon	The prison board has been informed for over one year that medical staffing ratios are unsafe at the jail. Inmates are being put at risk. Staff are being put at risk. Yet, nothing has been done. Don't you have a moral and ethical obligation to investigate what is happening at the jail? Multiple questions and statements have been submitted on this forum over the past year. Yet, nothing has been looked into. When a traumatic event occurs at the jail, because it is going to happen, who will be held responsible? The prison board has been informed of the unsafe conditions and ignored the concerns.
Katie Finneran	One of my friends just recently took a job in the medical dept. She also just left her job in the medical dept. In less than 1 month. She said management put her in unsafe situations and asked her to do work not related to her job. This is about the 6th staff to leave in the past month due to poor management. When is this board going to open their eyes and make changes? Perhaps the board should do performance reviews on the managers in the dept. Has anyone thought about doing that?
Malcolm Durrigde	I have been doing some research about pepper spray in correctional settings and learned some really surprising facts. I learned that it was not common for COs at PA state prison facilities to carry pepper spray until 2016 (when it became mandatory under state law). I haven't been able to find many details on pepper spray in county jails but found out that Luzerne County only started using pepper spray in their jail in 2017. Most surprisingly, the federal Bureau of Prisons did not allow COs to carry pepper spray until 2016. At that point federal COs starting carrying pepper spray in medium- and maximum-security facilities, but they still do not use it in minimum-security facilities. So please keep in mind that not every facility uses it!!!
Tracey Figg	Just want to thank the Board again for making the right call and voting to stop the CSAU training with Joseph Garcia. In York County they chose not to cancel their contract with CSAU, and the result has been even more scandal and accusations of abuse. I am so glad the Board decided to act before anyone at ACJ got hurt and I hope that in the future York County (and every other county that employs Garcia) will follow their example.
Concerned Resident	I wrote last month about being concerned about a friend when their tablet access was suspended. Without their tablet we couldn't communicate with each other. Warden Harper said if that happens again I should contact the Jail by phone or email to make sure my friend is okay-- what are the phone number and email address I should use? Who would I ask to speak to and what information would I need to have on hand? I just want to be prepared if this happens again.
Miriam Osorio	What is the process or procedure to file a formal complaint against an officer at the jail including the names and contact information of the person the complaint is to be submitted to? I have a formal complaint against female officer Wain.
Garret Wassermann	Why has Fitzgerald not replaced Warden Harper yet, or the JOB asked for Harper to resign? My list of human rights violations and problems in the jail keeps growing every month yet and I keep leaving these comments every month. As a resident of Allegheny, I want to see human rights protected and some accountability for the problems in the jail. For reference, see the list of news stories I have compiled on problems at the jail at: https://garretwassermann.medium.com/allegheny-county-jail-warden-harper-should-resign-or-be-removed-from-office-84407a455426
Darwin Leuba	At the 9/20/2021 JOB meeting, Mr. Pilarski indicated that he "had seen [Garcia's resume] prior as the Senior Deputy County Manager when they selected Mr. Garcia." He further stated that he "did review the whole thing." In what format did Mr. Pilarski review Mr. Garcia's resume? Was it a word document, a pdf, or a paper copy?
Sheila Johnson	Every morning oatmeal and runny grape jelly hot dog bun Lunchables for lunch and dinner sometimes they have rice some sort of ground meat a salad consist of lettuce there's no fresh fruit Gordon says it could be used as a weapon if that's the case get them free Cut apple slices in bags yesterday at 7:30 in the morning they were served breakfast trays with roaches crawling all over the trees in the food Sergeant Lee had to send the trays back cabinet holding trays was infested with roaches as well they receive Lunchables like I said and if somebody is grown that's a snack if that people are being paid for a service and I truly believe that somebody is lining their pockets my husband states that they get served moldy bread as well
Conrad Oliver	The solitary confinement ban goes into effect this month. I've heard from many people at the jail both staff and incarcerated individuals that they do not have a copy of the referendum. When will it be distributed? All staff members need to know if they are complying with the law. Equally important, incarcerated individuals need to know their rights under the referendum, which define what solitary confinement is and the process for challenging it in court. Warden Harper just saying off the cuff that inmates know the law is not satisfactory, especially when the JOB and ACJ can ensure that everybody actually can know by providing a copy of it.
LeShawn Smith	What's the current relationship with the union? And how is the warden navigating the opposition to vaccination? And what is his position with regard to his staff getting the vaccine?
William Johnston	Last meeting, Warden Harper said that several housing pods might be consolidated or collapsed. What is the average population on these collapsed housing pods? Is it harder to socially distance on these pods and get more out of cell time?
Jane Jones	Warden Harper has used the term "classification" several times in JOB meeting discussions. But I'm not sure what it means. Does it relate to where inmates are housed, or who they are, or what they are charged with, or what. Can he please explain? Thanks.
Richard Bland	At the Nov meeting, board members expressed interest in allowing incarcerated individuals to participate in JOB meetings. What progress has been made? Meeting minutes and videos of meetings can be uploaded to the tablets and accessed just like educational material and jail policies. The tablets could allow individuals to submit comments electronically to the JOB as well. In addition, individuals could submit their questions or comments on a paper form, which could be collected several days before the meeting
Attorney for Residents	Since the pandemic started, attorneys have been permitted to register virtually with ACJ's Internal Affairs or the courts. However, this week, while facing a new Omicron variant, ACJ changed its process, requiring all attorneys to register in-person, including those already registered. This requirement makes it difficult for medically vulnerable attorneys and those who live outside the local area from registering and thus prevents them from visiting with clients by video. It will deny incarcerated effective assistance of counsel and prolong cases. Can the JOB reverse this in-person registration policy, and if not insure accommodation for medically vulnerable attorneys so as to allow them virtual registration and continued video visits?
Rachael Neffshade	It states above this form that "will be read in their entirety provided they do not exceed 5 minutes and will be presented in the order in which they were received." However, that is not what happens at JOB meetings. Why is Judge Clark not following this procedure? The County Jail is supposed to be in compliance with the Solitary Confinement ballot initiative by December 5th. It appears that the Jail will not, in fact, be in compliance by then. Why? Why is County Executive Rich Fitzgerald not present at JOB meetings when it is explicitly part of his job description?