

The monthly meeting of the Allegheny County Jail Oversight Board, Wednesday, March 2, 2022 held in the Gold Room at 4:00 P.M.

Recording available at <https://www.youtube.com/watch?v=HHCPU1EwCAE> (Each agenda item is time stamped for referencing the YouTube recording)

MEMBERS PRESENT

Judge Elliot Howsie

Councilman Catena

Stephen Pilarski for County Executive Rich Fitzgerald

Terri Klein

Gayle Moss

Abass Kamara (arrived after roll call)

Acting Controller Tracy Royston

Sheriff Kevin Kraus

Others in Attendance:

Warden Harper

Chief Deputy Warden Beasom

Deputy HSA Dr. Brinkman

Director Tom Baumgartner

1. Welcome, Call to Order and Rules (0:00)

Board Chair Judge Howsie (0:00):

Meeting called to order, roll call was taken, and rules were recited. Judge Howsie thanked everyone for attending in-person and announced the plan is to continue in-person meetings going forward.

2. Presentation (1:50)

Maisha Howze, Assistant Deputy Director, Bureau of Drug and Alcohol Services (1:50):

Presentation on the update of the expansion of providing Methadone at the Allegheny County Jail with the existing vendor Tadiso. This service will provide Methadone to individuals coming into the jail who screen positive for Methadone and have an active prescription from a community-based treatment provider. This project is for individuals already connected and they may look at induction at some point. This is an important service to keep clients engaged in the program and to help decrease the risk of overdose after release. Tadiso, DHS, and ACJ have been meeting regularly to go over the logistics: communication protocols, intake process, service delivery, federal grant reporting responsibilities, data collection, compliance with federal and state regulations, jail security and others.

Dr. Brinkman (6:40):

Presented the logistics of this service within the jail. Upon booking at intake, the medication verification process will begin as it can take some time and there is short window to be able to make sure patients will have access to their next dose. Once the individual is on their housing unit, there will be daily dosing available. The jail is procuring a medication safe to safely house the medications. The individual will be able to participate in counseling with Tadiso.

Detailed the medication verification process, which is a process that is done with any individual that is going through intake that states they are on a specific medication. The jail goes through a process with local pharmacies and community treatment providers to be able to continue what they have been on. With Methadone, they need to make a quick connection with the community treatment providers to obtain current status and treatment for the individual. The same speedy connection is made upon discharge of the individual, with Tadiso passing on the records of the

individual's course of treatment while in the jail back to the community provider to prevent time lapse between doses. By having direct contact with community providers, as well as a daily process in place for new admissions, they can plan for the new admissions to have the delivered medications on site.

Maisha Howze (10:19):

they hosted a meeting with the other providers within Allegheny County last month. The other providers were excited that their clients will continue to receive their medications while at the jail and that they will be notified when their client leaves the jail for them to continue providing services.

There was further discussion regarding challenges with this new project; making sure they have all of the right contacts for community providers and getting everyone comfortable with the process to be able to have a quick turnaround.

3. Community Corrections Reports (13:55)

A. Passages to Recovery (13:55)

No update.

B. The Renewal Center (14:12)

Adam Zak:

The board members of The Renewal Center started a scholarship fund in the name of former board member, Betty Esber. They will reward two \$1,000 scholarships to two current or former re-entrants. They are still working on the development and requirements. Some of the criteria, as of now: demonstrating a commitment to community service, submitting an essay, support/recommendation from their current/former counselor or case manager, and participation in treatment.

C. Electronic Monitoring (16:28)

Frank Shearer, Director of Adult Probation:

Electronic Monitoring finished the month with a population of 621 individuals. They had 0 violations last month. Generally, violations are around 3-5 individuals that are returned to jail, stemming from the individual violating their windows, cutting the bracelet off or other serious offense. A drug or alcohol violation, they try the treatment route first. Of the 621 individuals, 131 are there for pretrial. Electronic monitoring is now back in the jail, which eliminates the risk of releasing folks without the bracelet on. Also trying to get the re-entry folks back in the jail as soon as next month.

4. Review of the Minutes for February 3, 2022 (19:40)

The board approved a motion (6 Yea, 1 Abstained) by Ms. Royston, duly seconded by Ms. Moss, to receive the Jail Oversight Board Meeting Minutes from February 3, 2022.

5. Old Business (20:09)

A. Suicide Prevention Sub-Committee (20:09)

No update, Judge Lazzara had a conflict and was unable to attend.

Chief Deputy Beasom (20:40):

Since the last meeting suicide resistant cells number 5 and 6 will be complete by close of business tomorrow or very early next week. There will be 10 in total.

B. Update on policy for Polycom devices to be used for meeting with other providers (22:07)

Warden Harper:

They are still having technical issues with the scheduling program with the vendor Renovo for the Polycom machines. You can still schedule Polycom visits through the website using the request form. To complete request online, go to ACJ website, go to the area that says professional visits, fill out the request slip, an email will be sent to the video arraignment team, and they will schedule the visit. The visits can be scheduled for same day. These can be set up same day. In January there were 711 Polycom visits and in February there were 644.

C. Update on compliance with solitary confinement ban ballot referendum (23:38)

Warden Harper:

ACJ is in total compliance with Chapter 205.

D. IIWF Report (23:56)

Ms. Klein:

Expect a complete report from the survey with Pitt School of Social Work at the end of March. Discussions between the sub-committee and the PA Prison Society continue regarding a contract that is agreeable with both parties for the liaison position.

There are ongoing conversations regarding logistics of compensation for inmate workers to be considered.

6. Public Comments (26:00)

A. John Kenstowicz (26:00):

Addressed staffing at ACJ. Concerned about the need of the jail to comply with the referendum and the loss of staff because of the pandemic. He suggested confronting the staffing concerns head on with a proactive approach, assistance from other organizations, and the following 4 recommendations: 1) Convene a task force of subject experts to examine the staffing problems and provide solutions. The task force would include faculty from Schools of Nursing, Criminology, Human Resources, Office of Behavioral Health, and Departments of Human Services leadership, Marketing and Communications Specialist, a Jail Oversight Board member, and representatives from frontline and correctional nursing and mental health staff at ACJ, and a returning citizen. Objectives would include: identifying barriers to ACJ recruitment, develop proactive/innovative recruitment methods, design an exit interview process, design/conduct/analyze staff retention survey to provide comprehensive retention plan, recommend best practices to make ACJ a workplace of choice, and develop a regional/national recruitment marketing strategy. 2) Focus on utilizing an exit interview process. 3) Develop a statement of best practice to make ACJ a workplace of choice. 4) Institute measures to make ACJ a competitive workforce in harmony with collective bargaining agreements, including: large hiring bonuses, discontinuing application fees, parking reimbursement, more time off, hazard pay, retention bonuses, stop use of vacation time for Covid-related reasons, maximize flexibility with work shifts, and higher overtime pay.

B. Jonas Caballero (35:08):

Commented in disagreement with the County Executive Fitzgerald's choice to appoint William Stickman III in replacement of Terri Klein, who's term has expired, as the citizen member on the Jail Oversight Board. He is concerned with a former employee being appointed as a citizen member and the statute qualifications to act in the interest of the public. Also, questioned when in-person visitation will resume at the jail.

Ms. Klein clarified that a tenure of the community board members is 3 years, appointed by the Executive and confirmed by County Council. Ms. Klein took a moment to make it clear that she was unaware of Mr. Caballero commenting today. Her term is expired and will serve until there is another appointee.

C. Brian Englert (42:07):

Staffing concern. Referendum, Chapter 205 took away tools used for inmate and officer safety. Concerned about lack of staff needed to perform yearly safety training as stated in PA Title 37, example of training is defensive tactics. County is lacking a recruitment plan for staffing the jail. GTL provides the tablets that the inmates utilize between 7:30 am and 10:00 am, the corrections officers do not provide tech support. Inmate recreation time is limited. Offered to help with recruitment. Lack of medical staffing is a safety concern for both inmate and officers: 1) dispensing of Methadone/Suboxone 2) New inmates being sent upstairs without being 3 page, which means they were not seen by medical/mental health (unaware if they are detoxing or suicidal) 4) Class 1 substances being passed without training. Lastly, ACJ staff morale issues due to safety concerns, required overtime, lack of communication with management, lack of training, and the need for additional staff.

D. Public Comments via email (48:02): summarized by Judge Howsie, there are some comments the Warden will address during the Warden's Report.

- i. **(48: 16)** Mace being used at ACJ on incarcerated individuals. How long will these tools continue to be used as they are life-threatening? What is the plan for eliminating mace and pepper spray?

Warden's Response: Chemical agents have not been used since December 5, 2021 in accordance with Chapter 205.

- ii. **(48:48)** Concern over the promotion of officer while the jail is understaffed, there will be fewer officers for essential tasks and the concern of the ability to recruit guards and correctional officers.

Warden's Response: We are actively recruiting and person's that are interested in becoming a correctional officer at ACJ may apply at <https://www.alleghenycounty.us/jail/careers.aspx>

- iii. **(49:34)** Family member is on Level 5; the concern is the treatment of residents on this level. Being locked in rooms, lack of jail staff, and social distancing issues.

Warden's Response: Level 5 was not the only level, as we reported last month the jail had a high # of COVID cases. To contain the virus, we had to reduce the amount of out of cell time to and ensure residents were properly wearing the masks and social distancing. COVID cases have dropped since then.

- iv. **(50:23)** What are the steps taken to provide barrier assistance to non-speaking English individuals?

Warden's Response: We have the appropriate amount of mechanisms to address the barriers.

- v. **(50:38)** Family member in POD 8E, concern is that medical and mental health staff coming to his door for segregation rounds. Why is this happening if there is no segregation in the jail?

Warden's Response: It is part of our health care departments responsibility to go to our segregated units to take care of the welfare of our incarcerated individuals.

- vi. **(51:19)** Quality of the food at the jail. Concern is the incarcerated individuals are being given roach and rodent infested food, spoiled or contaminated food.

Warden's Response: Those allegations are not true.

Judge Howsie:

Public comments may be submitted online or in-person at the Jail Oversight Board meetings. In-person comment speakers, please arrive prior to the start of the meeting to sign-in.

7. President's report (52:00)

Judge Howsie:

The Board held an executive session today with the Warden. It was a productive meeting and time well spent. The Warden discussed some of his concerns and some issues related to the ability to do his job affectively when it comes to the care and maintenance of the facility. Board members expressed their concerns as well. As a result of the productivity of the executive meeting, everyone agreed and is committed to continuing to hold executive session prior to the regularly scheduled board meetings.

8. Warden's report (52:56)

Warden Harper:

Commended the men and women working at the Allegheny County Jail for the outstanding work they do. COVID cases last month were close to 300 and 15 to 16 PODS were isolated. Today, we have 4 COVID positive residents and 1 Unit isolated. The plan is to resume social visitation at the jail for loved ones that are vaccinated and for inmates that are vaccinated. As long as COVID cases do not rise in the facility, the social visitation shall resume by the next board meeting April 7, 2022.

(54:01) Time was allowed for follow up questions from the board in regard to public comments. There was further discussion on staffing concerns at the ACJ.

9. Chief Deputy Warden's report (56:48)

Deputy Warden Beasom:

Ms. Blythe Thoma was promoted to Deputy Warden of Administrative Operations and Employee Development. The physical agility portion of the hiring process for the Cadet class was completed with 15 candidates successfully completing that portion. They will move on to the psychological test next week. This academy is scheduled to begin in early April.

Further detail was provided after discussion with board. There were 106 applications received from November 1st-February 1st. Only 30 of those applicants signed up to take the written portion. Of those 30, 21 passed and moved on to physical agility test, which 15 completed. Traditionally there has always been a large gap between applicants and candidates signing up for the written portion.

A. COVID update (1:00:26):

Dr Brinkman:

Incarcerated Individuals: As updated on the ACJ website, 3,938 incarcerated individuals have received PCR viral diagnostic test, with 479 (12%) positive and 3,448 (88%) negative (for the duration of the pandemic). There are 2 incarcerated individuals presently positive and 20 pending tests. There are no individuals currently hospitalized with Covid. Today's institutional count is 1,506. From February 1 – February 28, 2022, 1,716 rapid antigen tests were offered, with 30 (2%) positive and 1,674 (98%) negative. Since April 12, 2021, 27,464 rapid antigen tests

were offered, with 948 positive and 722 refused. Since the first positive case on April 6, 2021, there have been 955 positive cases.

Employees: Surveillance testing on all employees began August 30, 2021, both County and contracted, that have not demonstrated proof of vaccination. All presently working have, at minimum, initiated the vaccine process. There have been 259 staff members that have reported positive results since pandemic began. There are 3 staff members currently recovering from Covid.

Vaccination: ACJ is an authorized vaccine provider and clinics are held continuously with Pfizer, Moderna and Jansen vaccines stored on site. Thus far, the ACJ has supported vaccination of over 2,415 incarcerated individuals and provided over 420 booster vaccines. There has been a decrease in interest in vaccinations within the incarcerated population with only 89 persons interested in receiving the vaccine in February. Last month it was reported that 724 individuals received their full series and this month we have 672 (45% of incarcerated individuals).

B. Medication Assisted Treatment (1:05:41):

Director Baumgartner:

The ACJ continues to provide medications including Naltrexone and Vivitrol to treat incarcerated individuals with alcoholism and Suboxone and Sublocade to treat opioid use disorder. In February, there are currently 19 individuals prescribed oral Naltrexone, 22 unique individuals were prescribed oral Naltrexone for the month of February. Presently, 51 individuals prescribed Buprenorphine. Of that, 12 individuals receiving Sublocade, which is the long-acting injectable form of Suboxone.

There was further discussion on staff shortages and medications being administered on time. Warden Harper let the board know they do everything in their power to get the incarcerated individuals their medications in a timely fashion but sometimes they are late.

C. Tracking commitment to Torrance (1:09:00):

Dr Brinkman:

Admissions resumed this past month with 8 people admitted to Torrance. There are 20 who are waiting. The longest waiting is from April 2021. The ones waiting longer than December are typically due to their illness and compliance with the admission process. These numbers are higher with longer wait times than pre-pandemic.

D. Update on plan to resume visitations in the jail (1:10:19):

Warden Harper:

Visitation plan is not finalized. They are still formulating a plan on how to do it safely. The plan is to have social visitation before the next meeting if the cases remain low.

10. New Business (1:11:15):

Ms. Royston:

With meeting being in person, Ms. Royston suggested there be an option for board members to attend remotely as well if they are unable to attend in person. Also, since the board meetings are now being recorded and uploaded online (<https://www.youtube.com/watch?v=HHCPU1EwCAE>), Ms. Royston suggested that we go back to summary minutes, as opposed to verbatim.

Judge Howsie would like to discuss remote attendance further in the next executive session. He will look into legal obligations regarding taking notes and come up with an informed decision.

There was further discussion regarding allowing members of the public to speak that were unable to sign up due to not arriving on time. Judge Howsie reiterated the process for public comments. Please arrive prior to the meeting to sign-in.

The board unanimously approved a motion by Ms. Royston, duly seconded by Ms. Moss, to request money from Incarcerated Individual's Welfare Fund to be put on the commissary and tablet joint account of each incarcerated individual (1,506 individuals x \$100.00 = Total \$150,600).

11. Adjournment (1:16:43)

Sheriff Kraus made the motion to adjourn, duly seconded by Mr. Pilarski. The meeting adjourned approximately 5:20pm.

Kind regards,



Tracy Royston

March 2022 Jail Oversight Board Public Comments

Used Force in Jail

Name: Jane W Hobbes

Comment: Just wondering which Jail employees carry tasers? How much of the staff is trained to use them? Thanks.

Name: Concerned Resident

Comment: I have heard reports that mace is still being used on incarcerated people, in violation of Ch 205. Has anyone actually checked to see if the Jail has gotten rid of chemical agents? How and when will the County confirm that the Jail is no longer in possession of illegal tools? We can't afford to wait for the Liaison to be hired before looking into serious life threatening issues like this. (I say life threatening because people DO die from exposure to chemical agents, for example Tyrone Briggs at SCI Fayette)

Name: La'Tasha D Mayes

Organization(s): New Voices for Reproductive Justice

Comment: New Voices for Reproductive Justice began our work for Black maternal health in 2009 after an effort to improve conditions for pregnant inmates. This was prompted by the fact the Sheriff's office was shackling pregnant incarcerated in transport and they were being shackled before, during and after childbirth. New Voices worked in coalition with organizations across the state to pass Pennsylvania Senate Bill 1074 to end shackling in all correctional facilities but still allowed constraint in extraordinary circumstances. Shackling still continues in ACJ and the law requires monthly reporting. Does the ACJ continue to shackle pregnant inmates at any point before, during or after pregnancy? Does ACJ report these instances as required by law?

Employment/Staffing

Name: Charlie Gough

Comment: Why did Warden Harper promote so many officers at the last Board meeting? The jail is so understaffed and now there will be even fewer COs able to help with essential tasks like supervision recreation time. I am also wondering what specifically the jail is doing to employ more officers so that it can give everyone their legally required 4+ hours of rec time every day. I know staffing is an issue at all correctional facilities but the rate of employee turnover and number of empty positions is still unusually high. To make matters worse I don't feel like the Jail or the County are making it a priority to address the issue.

Name: Not a Candidate For employment

Comment: I had interviewed and was escorted around the jail for a potential job in the medical department. I would love to know why every employee I passed looked unhappy? Why is it that not one employee had anything of value or good to say about working there? That alone speaks volumes to an outsider looking in. No thank you, I will take my services elsewhere.

Name: Frustrated In ACJ

Comment: How can the warden promote a secretary Toma Blythe, with zero correctional experience to a made up deputy warden position? Doing the same job for a much higher salary. While the number of officers is grossly depleted.

Name: Andrew Ruffner

Organization(s): Allegheny County Jail

Comment: I worked 72 hours the week prior to my wife delivering our newborn. It was NOT fun being FORCED to work that much in a SINGLE week and come home to my wife and not even be able to offer her support because I needed to sleep in order to be rested for work in the next 5 hours. Driving home from work takes me half an hour and by the time I get ready for bed, you'll be lucky to close your eyes for 5 and a half hours just to get up and half to do it again. What are your plans to help with the shortage of staff situation? It is detrimental to our mental health which has a direct effect on the inmate population. The public cares more about the inmate population than the officers that work there but this directly effect the inmate population also!

Name: Janet Burrell

Comment: My son was an inmate worker on level 5. He is telling me that the inmates are still Locked in 23 and 1 because of a lack of officers, yet they are using several officers to watch guys build desks for staff. He said that they are putting the frontline staff into small spaces that the staff will not be able to be socially distanced in, but the big wigs are going in huge offices alone. I Believe the staff are the super spreaders of covid in the jail. So if it's okay to throw your frontline staff into offices like a heard of cattle, why can't the inmates come out of covid lockdown?? Please explain.

Name: Amanda Pataglia

Comment: Is the JOB aware of the number of staff that has left over the past 6-12 months? Tge numbers are substantial. Are exit interviews being completed to find out the source of staffing leaving the jail? Every meeting there are numerous comments and questions written to the JOB regarding the bleak and abysmal outlook at the jail in regards to staffing. What is the JOB doing to address these concerns? Are there any upcoming plans to interview staff and go into the jail to meet with staff? If not, why not? They are the eyes and ears of the operations at the jail. Listening to the Healthcare Services Administrator tell lies during the job meeting isn't benefiting anyone. The inmates need better care which will only come with improved staffing.

Suicide Prevention

Name: John Kenstowicz

Organization(s): Pa. Prison Society, Duq. University Think Tank for Restorative Justice, The Corrections Collective

Comment: Beyond Warden Harper's statements that ACJ has complied with the recommendations of the NCCHC Report regarding suicide prevention at ACJ, what process or investigation has been done by the JOB to assure ACJ's compliance? Has the Board accessed charts to determine whether treatment plans are completed? Page 2 Has the Board accessed charts and talked with staff regarding mental health visits(excluding MH units) not being conducted at cell side? Page 23 Has the Board found that the intake area is no longer often shut down because the intake nurse has to handle an emergency somewhere else? Page 4 Has the Board accessed charts to assess whether or not mental health conditions are routinely entered on the problem list? page 12

Miscellaneous

Name: Bex Tasker

Comment: Are there any times that those who are incarcerated in the ACJ who do not speak English (including any deaf or hard of hearing incarcerated people who may use ASL) do not have access to interpreters?

Name: Harriet McGhee

Comment: My son is currently housed on pod 8E. He said daily, or what is supposed to be daily, a medical or mental health staff comes to his door to do what the staff call "segregation rounds." If there is no more segregation in the jail, why are the staff doing these visits? Ty Concerned parent

Name: Symone M Saul

Comment: I am horrified at the reports of jail employees being forced to feed expired, rodent and insect-infested food to incarcerated people. No one deserves to be given food that is bad and will make them sick and no employee should be put in a position of inflicting undue harm onto others at the risk of doing their jobs. On top of the many reports of cruel and inhumane treatment at ACJ, this is absolutely insane and disgusting. This is easily fixable in requiring higher standards from employers in any role at the jail and following the same health and safety codes that anyone else in our county is entitled to. Jail should support rehabilitation, not torture.

Name: Anne McCafferty

Comment: Why aren't The JOB meeting notices posted conspicuously on ACJs website, similar to the practices of other county departments with advisory boards? Right now, they are buried on the Controllers website under Submit Comments or Questions. This clearly results diminishing citizen participation. Few people would think to go to the Controllers website to find a meeting notice for the JOB and even if they did, fewer still would think to click on the Submit Comments and Questions Link to find the meeting notice. Totally illogical, and intentionally or not, this suppresses access and transparency. I suggest this be fixed as soon as possible in the spirit of good government.