

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

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

#### **MEMBERS PRESENT**

**Judge Elliot Howsie**

**Bethany Hallam for Councilman Catena**

**Stephen Pilarski for County Executive Rich Fitzgerald**

**Acting Controller Tracy Royston**

**Chief Deputy Jack Kearney for Sheriff Kevin Kraus**

**Abas Kamara**

**Judge Beth Lazzara**

#### **Others in Attendance:**

Warden Orlando Harper

Chief Deputy Warden Jason Beasom

Deputy Warden of Administrative Operations and Employee Development Blythe Toma

#### **1. Welcome, Call to Order and Rules (18:34)**

##### **Board Chair Judge Howsie (18:34):**

Meeting called to order and roll call was taken. The rules for public comments were once again recited and it was stated that the board agreed to allot 3 minutes to each public speaker. Judge Howsie also stated that the meeting would be slightly out of regular order due to some board members time constraints.

#### **8. New Business (20:32)**

##### **A. Motion to request money from IIWF to put on accounts of incarcerated individuals (20:36):**

###### **Ms. Hallam:**

Motion to request money from the IIWF to be put on the joint tablet commissary accounts of each person incarcerated at the ACJ.

*The board unanimously approved a motion by Ms. Hallam, duly seconded by Judge Lazzara, to request money from Incarcerated Individual's Welfare Fund to be put on the commissary and tablet joint account of each incarcerated individual (1,594 individuals x \$100.00 = Total \$159,400).*

##### **B. Motion for jail to notify JOB of menu changes (21:11):**

###### **Ms. Hallam:**

Motion requiring the ACJ to notify the Jail Oversight Board members over email within 24 hours anytime the food served to incarcerated individuals differs from what is on the posted menu. Ms. Hallam noted that the motion was created due to seeing an increase in the number of differing meals and "emergency boxes" being served and provided. The notification to board members would require the ACJ to state the reasoning for the menu deviation and what was served instead.

There was further discussion and Ms. Hallam stated that it would be someone in the administration department at the ACJ to send the daily email. There was concern over this taking the time away from administration performing their daily tasks.

***The motion by Ms. Hallam, to require the jail to notify the JOB members via email within 24 hours each time the food served to incarcerated individuals deviates from the posted menu, was not seconded.***

**Judge Lazzara:**

Judge Lazzara proposed an amendment to Ms. Hallam's motion requiring that the ACJ would instead only be required to notify the board at the end of each week.

***The board did not approve an amendment motion (3 Yea, 4 Nay) by Judge Lazzara, duly seconded by Ms. Hallam, to require the jail to notify the JOB members via email once per week about how many times the food served to incarcerated individuals deviates from the posted menu.***

**2. Community Corrections Reports (27:30)**

**A. Passages to Recovery (27:30):**

**Kevin Kordzi, Director of Residential Services:**

The programs under Passages to Recovery are continuing to consolidate since moving to their new location on April 19<sup>th</sup>. They have also added an additional peer support agency to provide services for clients.

There was further discussion regarding the number of residents at the facility. At this time there is believed to be 36 with the average stay being between 3-3.5 months. There have been some issues with the co-ed facility with people becoming too familiar, but it is believed to be a clinical issue and is dealt with as a distraction.

**B. The Renewal Center (29:23):**

**Adam Zak:**

In a couple weeks from the 13<sup>th</sup>-17<sup>th</sup> the Renewal Center will have its PREA (Prison Rape Elimination Act) Audit, which takes place every 3 years. The Renewal Center is making sure its facilities, paperwork, procedures, and practices are all up to standard for the PREA.

Further detail was provided on the inspection. The assessments that are done on every re-entry are reviewed for compliance, as well as making sure the facility is up to code at the audit.

**C. Electronic Monitoring (30:47):**

**Steve Esswein, Probation Office:**

Their numbers are quite static from last month, down approximately 2 people from end of month and 60 individuals have successfully completed the program during the month of April.

There was further discussion regarding the use of Soberlink. Their reporting does not show individuals on Soberlink but there were 3 individuals last month, all in mental health. Soberlink is an alternative option from the ankle bracelet to monitor alcohol use. Soberlink is used with a smartphone, and it has the user blow into it as the app takes their picture to ensure it is them. Soberlink is meant to be an easier option that is less intrusive. The cost is similar to the ankle bracelet.

**3. Review of the Minutes for May 5, 2022 (33:20)**

*The board unanimously approved a motion by Ms. Hallam, duly seconded by Acting Controller Royston, to receive the Jail Oversight Board Meeting Minutes from May 5, 2022.*

**4. Old Business (33:35)**

**A. Suicide Prevention Sub-Committee (33:35):**

**Warden Harper:**

Reiterated from last month that the ACJ met with the National Commission for Correctional Healthcare (NCCHC) on May 3<sup>rd</sup>. The NCCHC will present a plan and cost for them to return to review the recommendations they previously made to the jail. It is expected for the NCCHC to return to the jail around August to conduct their review. Warden Harper stated that he will make the exact date clear once they make the final determination. As far as the suicide resistant cells, seven of the ten are complete and ready to be used, if needed. Three more cells are still being worked on to be completed.

Further discussion on what materials and documents the ACJ provides to the NCCHC and how could board members be provided with these documents. Warden Harper stated that they provide any materials the NCCHC requests and that he is willing to meet any board member in person to let them review the materials. Documents that compromise safety or security will not be sent out to the board and must be reviewed in person. All other documents are posted on the website.

**B. IJWF Report (36:56):**

**i. Update on Liaison Position (36:56):**

**Judge Lazzara:**

Reiterated that the PA Prison Society and the IJWF committee were unable to come to an agreement for the contract of the liaison position. It was decided the jail liaison will be housed at the Sheriff's Department, since they are an independently elected position and also have an obligation to protect the courts and the system as a whole. The Jail Oversight Board will be in control of the position, not the Sheriff's Department. The job description is still being finalized and research is being done on where to post the job description. The IJWF is looking to have a motion for the board to approve regarding the liaison position at the next board meeting.

**ii. Update on survey with Pitt School of Social Work (39:48):**

**Erin Dalton, Department of Human Services (DHS):**

DHS provided comments to the School of Social Work around the first of May. Ms. Dalton and Dean Farmer had planned on the school getting back to DHS and the Jail Oversight Board Subcommittee around the week of June 13<sup>th</sup> and it is believed they are still on schedule but may take an additional week.

A reminder to the public that the survey was designed to find out what the needs of the incarcerated individuals are and what they believe the IJWF should be spent on.

**iii. Update on compensation for work performed by incarcerated individuals at ACJ (41:20)**

**Tracy Royston, Acting-Controller:**

The controller's office has submitted a Right-to-Know to the ACJ for information regarding incarcerated individuals working hours and has just received a 30-day extension request for them to provide that information.

There was further discussion as Ms. Hallam's office has also filed requests for the same information for over a year and has not received a response. Ms. Hallam will be sending a report to the JOB regarding her discussion with a tax attorney about the logistics of paying incarcerated individual workers, as well as the collective bargaining agreements for every worker in the jail. Ms. Hallam believes the incarcerated individual's working at the jail should make \$15/hour and that most of these folks are pre-trial detainees and is a 14<sup>th</sup> amendment violation but will agree to paying them at least the federal minimum of \$7.25/hour with leaving that open for discussion due to her inability to determine an adequate financial cost without being provided the number of hours worked. She continued by saying the county should pay this amount but is also opened to using the IIWF. This money would be in addition to the \$100 given to all incarcerated individuals monthly through the IIWF.

Judge Howsie and Judge Lazzara both made statements clarifying Ms. Hallam's statement that most people in the jail are pre-trial. There are many people in the jail that have been sentenced, either for a probation violation or have been sentenced to serve time at the county jail. If they are there for a probation violation, they are not unsentenced. There was discussion on the phrase "catching charges" and that probation violations are not detained in every case, only when there is a risk to the public or that individual.

**iv. Update on ADA compliance (50:15):**

**Warden Harper:**

An incarcerated individual just needs to let an ACJ staff member know either verbally, written or through their electronic tablet that they are seeking or need an accommodation.

It was further discussed that Ms. Hallam had previously requested the person in charge of ensuring ADA compliance regarding the incarcerated individuals is being met from a legal standpoint to come in-person to a Board Meeting. Warden Harper will need to research who would be the appropriate person to speak to. There was also a discussion over the tier system used at the jail when evaluating incarcerated individuals and it was requested by Judge Lazzara that a copy of the tier system is given to the board, Warden Harper agreed to send this.

**v. Update on RFP for commissary vendor (57:10):**

**Warden Harper:**

There would be a delay on posting the RFP for Commissary as the boards suggestions from previous meetings are being implemented into the RFP.

There was a concern that was previously mentioned regarding having the same vendor for commissary and food, with the thought that the food provider could be encouraged to make lower quality meals to be served so incarcerated individuals would buy more from commissary, which provides higher profits. The commissary and the food contract would be separate, with the commissary contract going up as soon as it is finalized, while the food contract will not expire until next year. The commissary bid is going out as an RFP, which uses a scoring process instead of just taking the lowest bid. This may help the chances of having two different providers in the jail and it will also help ensure products such as women's shoes and menstrual products will be available.

There was further discussion on what specifics the jail is looking for in the RFP process. They will be looking menu, so that there are more varieties, healthy options and options for people who may be vegan or vegetarian. More factors include the commission rate, the on-boarding and off-boarding for seamless

transition between vendors, and price specifications. By going with an RFP, the jail can weigh the different variables, as to not be required to pick the vendor that gave the highest commission. An RFP also allows for negotiation on pricing. The board is unable to participate in the selection process due to fairness of the awarding process. The bids can only be reviewed by those appointed.

**vi. Number of incarcerated individuals at ACJ waiting to go upstate (1:05:38):**

**Warden Harper:**

As of Monday, there are 42 individuals that have in total 300B's to be transferred to the state and on 6/6 12 of these individuals are scheduled to be transferred to the state. The remaining 30 individuals are waiting for transfer logistics from the sheriff's department.

**5. Public Comments (1:06:38)**

**A. John Kenstowicz (1:07:27):**

Mr. Kenstowicz gave some recommendations for the board: The Board should access the administrative review and the clinical mortality review completed by the ACJ of all the 14 deaths. Recommends the ACJ comply with the NCCCHC standard JA09 procedure in the event of an incarcerated individual's death, by completing a clinical mortality review within 30 days and an administrative review. A psychological autopsy is required in death by suicide. Emphasizes that the Board has access to these reviews as per the statute and the claim to deny access to the board because the cases could be in litigation does not ring true. Mr. Kenstowicz also recommends that the Board should conduct at least one exit interview with a recent correctional officer recruit who has resigned. Of the last 2 recruiting classes of 14 CEOs, 7 have resigned. In 5 months, half of the new officers have resigned. The Board voted last year by a vote of 6-1 to conduct exit interviews of staff at ACJ. Concerned that the high turnover rate of new recruits dims the light of hope that the staff turnover problem will be improved. Recommends the Board should conduct unannounced inspections as they are required to conduct two unannounced inspections each year as per the State Statute.

**B. Sydney Stephenson (1:11:02):**

Ms. Stephenson is reading examples from someone who could not be there but who was incarcerated at ACJ. Multiple mistakes by the jail occurred which delayed the incarcerated individual's hearing for months. Concerned with the jail's lack of nurses and night medicine like sleep aids, anti-depressants, anti-anxiety could come at any time from 4-11pm, or even later, or sometimes not at all. The food was unsafe. The same food was used for multiple days and trays were not always clean. There was a pod for vaccinated people only, and someone who had not been tested was brought in. Then 15 people caught COVID-19 and they stopped the vaccine pod. Ms. Stephenson speaks on the psychological effects of solitary confinement, stating Warden Harper claims that there is not solitary confinement, but segregated housing yet 294 people as of December 2021 were in segregated housing. Research shows that solitary confinement can cause long-term harm, increases risk of death due to opioid overdose, homicide, and suicide, and can cause PTSD.

**C. Kimberly Andrews (1:13:14):**

Ms. Andrews believes the Board is messy. As a former incarcerated individual, she has experienced the neglect and has developed PTSD. Stated that Ms. Hallam is the only one to have fought for the incarcerated individuals, and questions why the Board did not approve the motion mentioned earlier about the food. Concerned with the lack of medical staff, mentions other incarcerated folks that were in processing with her being unable to receive necessary medication. Upset that the Board is not doing their job and states that the Board would not be able to work if people were not incarcerated and that is why the Board needs them to be.

**D. Edwan Cwal (1:15:50):**

Mr. Cwal emphasizes the duty of governance to the Board. Believes the Board should be acting to better people's lives and come with results. Concerned about lack of care from the Warden knowing the conditions of the humans in the ACJ and loss of many lives. Words in the air mean nothing, and Mr. Cwal urges the Board to take action. Recognized the board as making a great attempt but suggested they do not get complacent.

**E. Ronna Davis Moore (1:18:50):**

Requests that Warden Harper's conduct for the inmates for medical conditions and for the death of inmates be looked at. Pleads to the Board to investigate what happens at the ACJ. Ms. Moore was previously incarcerated herself and now runs Z'kiyah House for people returning from jail. States that people who come from the ACJ are in need of physical and mental care. Believes people make mistakes but still need to be treated like humans. Concerned regarding the lack of communication from the jail for her family when her cousin died while incarcerated. Concerned regarding the criminal justice system being able to help someone become a better person under the current administration.

**F. Juana Saunders (1:22:15):**

Ms. Saunderson's son passed away in the ACJ in March. Concerned as to the delay, weeks, it took to receive a returned phone call from the Warden, as well as the lack of empathy. Concerned with the amount of Board members who do not always show up and neglect their responsibilities. Ms. Saunderson is upset regarding the length of time it took for her to be notified of her son's emergency by the jail staff. Concerned with the understaffed medical staff.

**G. Nadia Narnor (1:25:48):**

Condemns Mr. Fitzgerald for his lack of attendance. Upset that the family was not notified in a timely manner for their son's death at the ACJ. Does not believe these are isolated incidents and that it is a never-ending cycle. Ms. Narnor demands two things: 1. change how people and families are contacted and 2. allow people to update the emergency contact anytime.

**H. Tanisha Long (1:28:10):**

Commented on the argument on the language of "catching a charge", stating she has caught a charge for something she has not done. Emphasizes the responsibility of the Board for what happens to the incarcerated individuals. Believes simple motions such as food and the way people are notified are important. Concerned with the lawfulness of Steve Pilarski sitting in for Mr. Fitzgerald. Believes Mr. Fitzgerald is the only person who can make the jail a safer place. Concerned with the Board members not holding him accountable and advocating for Warden Harper through inaction.

**I. Jonas Caballero (1:31:20):**

Believes that if Ms. Hallam is not allowed to say "catch a charge" then a judge should not be able to say "my people" as it implies ownership. Confused how the Board could not pass a motion to notify the Board members each time that the food served deviates from the posted menu, as the ACJ food services procedure policy number 314 currently requires its food manager to do what was asked in the motion. Concerned that his request last month to provide a copy of the incident report to the family of the incarcerated individual that discovered a portion of a cooked rat on his dinner tray on January 19<sup>th</sup>. Requests the jail dietician to attend the next meeting to ask questions about the food being served as previously requested by the board. Asks for Rich Fitzgerald to attend.

\*Acting Controller Tracy Royston for the record that when Judge Lazzara is talking about "her people", she is referring to mental health court, which become family. She added that the mental health court graduation is a phenomenal experience and extended the invitation on behalf of Judge Lazzara for everyone to attend the next ceremony.

**J. Brian Englert (1:37:17):**

Concerned with the staffing crisis at the jail. Mentions the difficulty with retaining officers and an increase in disciplinary actions towards them. Other jails are offering as much as \$10,000 signing bonuses. A second officer was cut without following proper protocols for safety. Memorial Day weekend was dangerously understaffed. Also stated that weened the food service vendor did not come in and he had to order a \$1,000 worth of pizza to feed his workers. Concerned about the lack of adequate training. Concerned that they still do not have uniforms or proper safety gear. Agrees with public that nothing is running right in the jail and the board has an oversight to it. He gave the board a petition that was signed for the Warden to step down or be removed.

**K. Michael Barone (1:41:17):**

Previous employee of the jail. States the Administration creates policies and that there is a lack of correspondence between the policy makers and the actual enforcement of these policies. Concerned with morale of employees. Concerned with lack of experience of some employees who may not understand the process and not taking feedback from officers. Employees need to be treated with respect or the jail is not going to get quality employees and will continue to lose more. Believes officers have too much responsibility and instead of writing people up, rather a conversation would help. Believes that unless the Administration changes direction that this is going to continue.

**L. Sister of Gerald Thomas (1:44:55):**

She was working at Mercy Hospital when her brother was transferred there and suffers from PTSD. Upset by the lack of empathy. Ms. Thomas is traumatized by her experience and is upset that she has to change her job now because of what happened.

**M. Yvonne Brown (1:47:03):**

Concerned that they are releasing incarcerated folks wearing summer clothes in the wintertime. Believes the dispatchers should be police officers. Concerned about racial disparity between the dispatchers and the way they treat White vs. Black folks who are armed. Concerned with the condition of the food. Believes the Board should demand documents from the Warden.

**N. Darwin Leuba (1:50:34):**

Believes "trusting the process" has brought everyone to meetings that are awful to sit through. States that when there are abolitionists and correctional officers agreeing on what is happening in the jail demonstrates that there is some basic oversight and incompetency issues that are occurring. Believes everyone should think about judicial ethics and allowing an illegal designee for someone that donated to the chair's campaign account when running for judge is a conflict of interest according to the judicial ethics conducts rules. Does not understand how people can trust the process when meeting after meeting there is open contempt for any sort of transparency or action. Believes meetings would be smoother if there was evidence of good faith coming from the Board.

**O. Marian Damick (1:54:04):**

States that years ago the issue of death was brought up in the jail and how the jail does not notify of deaths right away because they said they do not want too many people running to the hospital. Believes this problem needs to be solved by now. Believes that the food has gotten worse. States that the people want to pay for food that incarcerated folks can eat. Concerned about the closing of Shuman Detention Center and believes it was beneficial to younger kids. Feels we county should open another facility for juveniles.

**6. Warden's Report (1:58:32)**

**Warden Harper:**

Stated that he believes all deaths are tragedies and that according to the Bureau of Justice mortality in local jails has increased in recent years. Between 2018 and 2019 there was an increase of 5% for mortality and an overall 33%

increase since 2000. The ACJ deaths decreased by 25% between 2018 and 2019. According to the Bureau of Justice, there are many jails similar to the size of ACJ that have more deaths than the ACJ, as does the state county jails.

There was discussion regarding Summit's dietician attending a meeting and will be requested for the next meeting. There was concern about an email sent regarding an incarcerated individual needing medication and no response was received. The jail administration will not respond to emails regarding an incarcerated individual's medical condition due to HIPAA. As stated in previous meetings, the jail is working with a vendor to provide Methadone to anyone that comes into the jail with an active prescription, currently it is only provided to pregnant women.

There was discussion on HIPAA being given as the reason for protecting medical details of deceased individuals within the jail. According to the county solicitor present, HIPAA survives death and the jail cannot discuss medical information of an incarcerated individual even after they have passed, unless it is specifically requested by the individual or a representative of their estate. The solicitor also stated that they advise the jail not to discuss any death as there is a possibility that it could turn into litigation. There was additional conversation regarding determining how the next of kin is determined and the process of providing updates to family members.

There was discussion on whether Summit is in violation of their contract with ACJ for with Summit, the ACJ, if they do not provide three meals each day in accordance as to what is posted. Summit does have a responsibility to provide three meals every day, but because of COVID-19 they face issues staffing the kitchen and providing freshly made meals for the incarcerated individuals every day. Policy 314, Food Service Procedures, states that the jail must keep a record of all menus and self-substitutions must be recorded. The jail does keep a record.

There was a concern if lawyers are ever denied from seeing their client at the ACJ as there have been multiple complaints. If the lawyer is or was violating policies, then they would be denied or if there were technical difficulties with a video visit. Warden Harper will look into if there was two days of technical difficulties with video visits.

There was concerns over incarcerated individuals being released at all hours of the night, even while discharge center is closed. Concern that people do not have a way to charge their cell phone, they don't have any money or bus passes, they are lost or don't know where to go and don't have appropriate clothing for the weather when they are released. The jail has ability to make sure individuals have appropriate clothing in intake if the discharge center is closed. Cell phone chargers are not provided and will confirm if bus passes are provided.

There was a discussion regarding how Jail Oversight Board meetings from 2016, as per the minutes, provided much more information from medical doctors at the ACJ and from the jail administration about deaths that occurred in the ACJ. There was a concern that jail policies or HIPAA policies may have changed that would prevent the same level of information that was shared then to be shared today. There will be a review of the minutes referenced and a report back from the Warden.

Another concern is the morale of the staff and if there was anything the ACJ was actively doing to boost morale. The jail is implementing an employee of the month program, beginning June 15<sup>th</sup>. The staff is always provided adequate meals every day. Mr. Englert's comment regarding purchasing pizzas was clarified, Mr. Englert was not forced to buy any pizza and he asked to buy the pizza prior to any food provider workers calling off. The captain on shift did not call Summit to bring someone in due to the fact that there was plenty of pizza there for the employees to eat. The Summit dietician is Amy Kubal. It was suggested that the board prepare questions ahead of time for Ms. Kubal to be prepared to respond to at the next meeting.

There was discussion regarding shortage of uniforms. It is a supply and demand issue and they were waiting for their vendor to be able to supply more uniforms. As of May 6<sup>th</sup>, all outstanding uniforms have now been supplied, except short sleeve shirts from 2 companies, socks, and shoes. It is not believed the vendor has made any contractual violation.

## **7. Chief Deputy Warden's report (2:25:13)**

### **A. Staffing promotions and hiring (2:25:13):**

#### **Warden Harper:**

There are 11 individuals in the cadet program who are in the OJT process. There are still attempts to recruit more to get all of the employee vacancies filled.

### **B. COVID update (2:25:45):**

#### **Deputy Toma on behalf of Dr. Brinkman:**

The number of incarcerated individuals tested for COVID-19 during May 2022 was 2,630, and of those 148, equivalent to 6%, were found to be positive. There are currently 110 incarcerated individuals presently positive in the facility with zero hospitalizations. There has been an overall positivity rate of 4.3% at the Allegheny County jail since the first diagnosed case of an incarcerated individual on April 6, 2020. Regarding employees, there have been 281 staff report positive throughout the pandemic. As of June 1<sup>st</sup>, we presently have 12 individuals who continue through their recovery process and have not yet returned to work.

Vaccination: The ACJ has supported the vaccination of incarcerated individuals by providing over 2,698 total doses thus far. The ACJ has continued to store Pfizer Moderna and the Janssen vaccine. Last month, there were 647 individuals reported to have their full series. This month there is 592 individuals, which is 38%, that have received their full series. This is down 9% from last month. Since May 5<sup>th</sup>, 36 doses have been administered and a multi-day vaccine clinic is scheduled for next week.

### **C. Medication Assisted Treatment (2:27:16):**

Regarding medications for opioid use disorder and the expansion of these efforts, the jail continues to provide medication and assisted treatment for opioid disorder and alcoholism by offering medications including Naltrexone and Vivitrol for the treatment of alcoholism and opioid disorder and Suboxone and Sublocade for the treatment of opioid use disorder. During the month of May, there were 23 individuals prescribed oral Naltrexone, and the ACJ did not have any Vivitrol injections for the month of May. 102 individuals were treated with Suboxone, and 14 individuals were treated with Sublocade. The jail continues in its contract expansion with Tadiso, its Methadone provider, and is actively developing the implementation of the methadone services for individuals currently taking Methadone. The ACJ has developed a process flow chart for the program, and the ACJ continue to discuss staffing responsibilities and recruitment. Tadiso is actively recruiting for one nurse coordinator, who is an RN and functions as a case manager, one CRNP, and one data entry specialist. Hiring for these positions will bring us one step closer to implementation and expanding of the Methadone treatment in the facility.

### **D. Tracking commitment to Torrance (2:28:24):**

During the month of May, 6 persons were admitted and transferred to Torrance State Hospital. There was 1 return from Torrance, 2 are pending return from Torrance to the facility, and 2 were released from Torrance to the community programs. In May, 7 new persons were committed and there are currently 14 patients awaiting admission. The longest wait is from March 18<sup>th</sup>.

### **E. Tier 4 and Tier 5 (2:28:56):**

A procedure to record the information in the tech care systems as in a reportable manner was implemented mid-month and the ACJ does not have a complete data set to report at this time, but the information should be at its entirety for the ACJ to be able to report at the next meeting.

There is concern about the lack of knowledge among jail staff regarding the myth fentanyl aerosolizing and that officers may be hesitant to assist someone overdosing with fear of exposure. Fentanyl education will be looked into to possibly be provided with Narcan training.

It was requested that the jail administration provide the number of individuals waiting for a BAU determination and a competency hearing at each meeting.

It was requested that the jail provide the board the number of days since the last JOB meeting was there a period of time without at least one medical staff person at intake at each meeting. The jail will provide that information but not in the public forum.

There was a discussion regarding an exception of HIPAA that is for oversight agencies and a concern that the Jail Oversight Board is unable to do their duties making sure the jail is in compliance without being provided this information. The county solicitor will look into it.

It was clarified that request for BAU and competency is not a function of the jail and is done by either a district judge or a judge in the Court of Common Pleas.

There was a question as to how many staff members were lost due to the vaccine mandate? The jail did not have that information available at that time. It was requested to be provided at next meeting

There was discussion regarding an exit process for departing staff members. The jail does attempt to conduct an exit interview. The employee cannot be forced but the jail does maintain any information provided. Due to staffing crisis, a summary of any information the jail has obtained was requested from the board. Some of the board members are looking to conduct exit interviews as in the past.

## 9. Adjournment (2:39:55)

***Chief Deputy Kearney made the motion to adjourn, duly seconded by Mr. Pilarski. The meeting adjourned approximately 6:30pm.***

Kind regards,



Tracy Royston

## June 2022 Jail Oversight Board Public Comments

### Staffing

**Name: Malcolm Durrige**

**Address: Cranberry Township, PA 16066**

Comment: I think the jail, the Board, and the public are all tired of what feels like the same conversation month after month. I'm not sure where the disconnect is. I think everyone understands that the jail is doing their best with limited staff, and that it's very difficult to fill these positions, and that shortages are a problem nationwide. BUT..... what is the plan to try to deal with any of it? It sometimes feels like the Warden and Mr. Pilarski want to shrug their shoulders and say there's nothing more they can do. I hope that's not really the case but that's how it comes off sometimes. The jail's budget is increasing \$11 million this year, is any of that being spent on raises, bonuses, & other stuff that helps with staffing issues?

**Name: John D**

**Address: McKeesport, Pa 15132**

Comment: If you are "adequately staffed", why are the officers being forced 4-5 days a week? Why are the force lists minus more officers than available to force? Why are there no nurses to see inmates or pass medication in a timely manner?

### Public Comments

**Name: Mike Farrar**

**Address: Homestead, PA 15210**

Comment: How can incarcerated people submit questions and comments to the Oversight Board, and how can they access meeting minutes? Not everyone has friends or family on the outside who can submit those things for them or mail them copies of the minutes. Judge Clark sounded really excited about making sure incarcerated people could access that stuff and said she would update us about it in the new year, even with Judge Howsie temporarily filling in for her on the Board. Would love to hear from her or others about progress on that front.

**Name: Jesse Hale**

**Address: Pittsburgh, PA 15206**

Comment: I always find it informative when jail staff or employees submit comments. It seems like the Board isn't interested in their input though. Mr. Pilarski has stated outright that jail employees have no place at meetings, and Mr. Englert has been disciplined by the jail just for speaking at meetings. Honestly this ties into a larger feeling that the Board doesn't really want ANY members of the public to participate. Usually feels like they just want to rush through as quickly as possible. I mean Judge Howsie just arbitrarily cut speaking time from 5 minutes to 2 minutes, and for what? To shave off like 15 minutes total of meeting time? I hope you all realize the message that sends to the public.

## Food

**Name: Stuart Ness**

**Address: Pittsburgh, PA 15210**

Comment: It's been months since the the board has told the warden to ask the dietician to come to a meeting and it still hasn't happened. When will the jail dietician attend a jail oversight board meeting to answer questions about the food that's served to incarcerated people?

## Miscellaneous

**Name: Michael Buchleitner**

**Address: Pittsburgh, PA 15227**

Comment: Why do current ACJ inmates on RHU restrictive housing get 4 hours of rec time while general pop only receives 1 hour of rec per day

**Name: Lynette Powell**

**Address: Braddock, Pa 15104**

Comment: Hi. I have a Love one in there. Why is the condition bad. I know they are paying for there consequences. Why is it bad. Mold. Mold on trays. They are human to. I will keep emailing until something is done. Done as in better food .spray for bugs. I voted. Why can't they do there jobs. I will go to the news. Mental health, programs to help them. .. what other food can they have..

**Name: Samantha Adirondack**

**Address: Pittsburgh, PA 15217**

Comment: When is Judge Clark coming back?

**Name: Hannah K**

**Address: Pittsburgh, PA 15232**

Comment: With staffing shortages and COVID numbers rising rapidly, we must revisit the early pandemic policy of decreasing jail population by releasing low-risk individuals. Allegheny Analytics (who presented last month about gathering solitary confinement data) studied the effects of the policy and found that it did not result in any additional risk to public safety. In fact, they observed that recidivism rates were lower among the COVID releases. I hope that the jail, county, and courts will take advantage of this safe and effective strategy again as we continue the fight against COVID. [Allegheny Analytics report: [http://www.alleghenycountyanalytics.us/wp-content/uploads/2021/04/21-ACDHS-04-Covid-Response-Brief\\_v4b.pdf](http://www.alleghenycountyanalytics.us/wp-content/uploads/2021/04/21-ACDHS-04-Covid-Response-Brief_v4b.pdf)]

**Name: Garret Wassermann**

**Address: Coraopolis, PA 15108**

Comment: I am deeply concerned about reports on social media this weekend that Summit Foods may not be fulfilling its food service contract with the jail. The staff union reportedly had to purchase pizzas for staff instead, but I have seen no mention if those being held in jail are also getting food and proper nutrition. I have heard reports of inadequate food in the past, which leads me to believe this is a serious on-going problem. This needs to be corrected immediately. Also, Warden Harper should be fired if he refuses to resign.

**Name: Dan McCoy**

**Address: Pittsburgh, PA 15213**

Comment: Allegheny County voters voted for the solitary confinement ballot initiative because they wanted reform at the jail. With the whole CSAU debacle, Allegheny County residents again made very clear that they wanted reform at the jail. Last month the Warden said that nothing has changed about the way the jail is run except that shackles, restraint chairs, and chemical agents are no longer allowed. This question is for Chief Executive Fitzgerald or at least Mr. Pilarsky: do the Fitzgerald administration support any kind of jail reform? Are they ignoring the new laws because they think everything is going great already?

**Name: Mary Jones**

**Address: Pittsburgh, PA 15213**

Comment: Who is responsible for appointing the warden for ACJ? How long is the warden's term? Who does the warden report to? Will the warden change at the next election cycle in 2023?

**Name: Joseph Winthrop**

**Address: Pittsburgh, PA 15206**

Comment: Have uses of force increased or decreased at Allegheny County Jail since the implementation of the referendum? And how do you know?