

Feb. 21, 2023

To Allegheny County Council Members:

Today, I am submitting an update on a report our groups issued to the Jail Oversight Board (JOB) earlier this month, on **19 Ways to Fix the Jail**. We thought we would serve a purpose by putting many of the jail's problems in one place. Many of the items could be addressed quickly if the will existed to do so.

That's why tonight we are asking that you form a subcommittee to review the work of the JOB which has known about many of the conditions below for many months without acting. Please review the failure of the Jail Oversight Board to act. If you choose to conduct a review, here are the major areas of concern which we hope can provide you with a roadmap to guide your research.

19 Ways to Fix the Jail

A Roadmap to Recognizing Problems and Implementing Reforms

This report creates a record of reforms needed to transform the jail from a cruel and inhumane institution – where people in the county's care are dying at a rate well in excess of the national average – to a national model. The need for change couldn't be more urgent. Since March 2020, 17 (update 6/27/23: now 19) people have died either while they were incarcerated or hours after the jail released them to a hospital. We hope this document will serve as a useful first step, creating a Roadmap for Change which can be followed now -- and when there is a new county executive and a new warden in place.

NOTIFYING THE FAMILIES

Proposed motion: Families of jail residents and the Allegheny County Jail Oversight Board are to be notified immediately of any unscheduled prisoner visits to the hospital.

There has been discussion by the Jail Oversight Board of an earlier motion, requiring notification of any "emergency" visits to the hospital. Apparently, the warden interpreted "emergency" as meaning "near death," which severely limited any notification of the families. The proposed new motion would eliminate that ambiguity.

FOOD FOR PRISONERS OVERNIGHT

Food needs to be provided for people in jail during the 14 hours between dinner served at 4 p.m. and breakfast served at 6 a.m. (or later). Jail residents should have access to food and beverages whether they had money to buy food from the commissary or not. It is unhealthy and inhumane to deny anyone food or drink for 14 hours.

We are asking the Jail Oversight Board to find out what it would take, and what it would cost, to change this inhumane practice. Previous responses from the warden have cited the number of calories provided during a 24-hour period.

There is a difference between strictly following what is required by law and using common sense to relieve the hunger being experienced by jail residents, as they expressed in the Pitt survey that was released in September. Many jail residents are also on medications which require that they don't go 14 hours without food.

We don't see any reason why overnight snacks and a beverage can't be provided. With a little imagination, this cruel practice of denying prisoners food and beverages overnight can and should be solved promptly.

TRANSLATION SERVICES, ESPECIALLY IN INTAKE

The county should provide translation services for people in jail, especially in the intake unit. We have been told that people who don't speak English have a difficult time telling jail personnel about their medical history, prescriptions they are taking and other needs. Intake can be a traumatic experience for people dealing with addiction or mental health issues – and the trauma is only increased when the people being processed have a hard time communicating with their jailers.

ROACHES IN THE KITCHEN

Jail Oversight Board member Terri Klein spoke with workers in the kitchen during her surprise visit to the facility this fall. Despite recent denials by the warden, the workers in the kitchen, once again, said they often saw roaches where food is prepared.

It is not enough for the warden and his staff to say that they have a contract with an exterminator. Obviously, a few glue traps placed in some areas of the kitchen are not enough to get the job done. We are asking: What services does the contract with the exterminator call for? How much money is being allocated? When does the contract expire? Other companies should be contacted, and they should identify what must be done to free the kitchen and the jail from disease-carrying pests. What would it cost to get the job done right?

FIXING 'THE BEAST'

For far too many months, prisoners have complained about conditions in the jail kitchen, so it was no surprise that in a report from her recent surprise visit to the jail, JOB member Terri Klein reported substandard conditions.

“Staff were concerned that trays were not properly cleaned,” Klein wrote about what she was told during surprise visits to the jail in October and November 2022. “I observed trays coming out of the cleaner (‘the beast’). Food material was still present in some of the trays. A kitchen worker would segregate these trays to be cleaned again. “Trays are not dried after coming out of the washer but are stacked in preparation for the next meal. Bread or cake can be placed into wet compartments and will be wet upon their arrival to the pod. According to Summit staff, dinner is served between 3 and 4:30 p.m. This leaves residents waiting until 6-8 a.m. for breakfast,” Klein wrote.

Food that remains on the trays is not “sterilized” as a jail administrator said at the January JOB meeting. Instead, it is grotesque and unacceptable. We are asking: Does the jail need to

purchase a new dishwasher that works better? How much would that cost? Should food service staff be retrained so that inedible, soggy food is not presented to the prisoners? What needs to be done?

Please consider that the prisoners are people. Nearly 80% of the people in jail are awaiting trial, meaning they have not been convicted of a crime. For many of the jail residents, they are only guilty of being too poor to afford an attorney who could get them out of the prison. No one deserves to be fed soggy food on dirty trays.

WHAT IS HAPPENING TO THE CHILDREN OF THE PEOPLE IN JAIL?

County Controller Corey O'Connor is auditing the quality of care provided by the Department of Human Services for the children of the people in jail. On Sept. 22, O'Connor announced his plan to conduct the audit. We would like to know, in detail, what the audit will be exploring. What are the questions being asked; what surveys are being conducted? When will the audit be finished, and when will the results be made public?

RELEASE THE NATIONAL COMMISSION REPORT ON JAIL DEATHS

O'Connor told us that he expected to have a draft report by the National Commission on Correctional Health Care before the Feb. 2 JOB meeting. This report, we believe, should be released to the public. It is expected to examine how 17 prisoners died between March 2020 and September 2022 – a number of unexpected deaths that is well over the national average.

COUNT THE DEATHS IN THE JAIL HONESTLY

There has been much discussion about how the warden currently hides the true number of people who have died while the jail was responsible for their care. Between March 2020 and September 2022, 17 prisoners died, but the warden maintains that only 13 died. When an inmate is dying, the jail releases that individual to a hospital, where he dies a few hours later. The warden and his administration say that, since the people died in the hospital, and not in the jail, that they cannot be counted as deaths incurred while under jail custody.

If the warden were honest, he would say that the person was released to the hospital by the jail hours before he died. In the pursuit of an honest reporting of conditions in the jail, we believe the Allegheny County Jail should go beyond the bare minimum standards required by federal law. There is nothing in federal law that prohibits an honest accounting of how jail residents died, either from illness or from injuries either while they were prisoners, or shortly after they were released to die in a hospital. The deceitful practices of the jail have been thoroughly chronicled by the Pittsburgh Institute for Nonprofit Journalism in a [series of stories available here](#).

DELIVER MEDICATIONS TO PRISONERS ON TIME

Ongoing medical staff shortages are interfering with the delivery of necessary medications to prisoners, both in the intake unit and while people are residents in the jail. O'Connor and JOB member Terri Klein documented these problems during their recent surprise visits to the jail. The medical personnel who reported these problems should be consulted directly to

see if the problems continue to exist. JOB members have the right to conduct such interviews, and they should not accept the warden's blithe assurance that conditions have improved since Klein and O'Connor made their surprise visits. Please follow up and report your findings to our groups and to all members of the public.

STOP IGNORING LETTERS FROM THE PUBLIC

Our experience has been that when we write to the county executive, to the warden, and to members of the JOB about the alarming abuse of prisoners, our letters are ignored. For example, on Oct. 18, 2022, B-PEP Chairman and CEO Tim Stevens wrote about the abuse suffered by Aaron Tipton. According to Aaron's mother, Janelle, Aaron was handcuffed while he was naked, and his arm was broken by jail guards. In his letter, Stevens wrote: "According to Janelle Tipton, she was not notified that her son had been taken to Allegheny General Hospital, and that he had major surgery, until three days later, on September 19." Tim Stevens's letter was addressed to the county executive, the warden and to every member of the Jail Oversight Board.

About Tipton, Stevens wrote, "The fact that he has a rod and several screws in his arm certainly seems to indicate that something very serious occurred on Sept. 16.... The Black Political Empowerment Project (B-PEP) is calling for a full investigation (and) ... the identification of what staff members were involved." If the allegations are true, Stevens said the staff members should be "seriously disciplined and possibly fired." JOB members received this letter on Oct. 18, 2022. We are asking the county council to find out what action has been taken to find out what happened. Have the officers involved been disciplined or not? Further, no letter from the public, concerning serious apparent abuses at the jail, should ever be ignored. When the JOB gets a letter, who responds? If the answer is "no one," that is an unacceptable practice for any elected or appointed official.

FIX THE CAMERAS MONITORING BEHAVIOR IN THE JAIL

We understand that the head of the correctional officers' union has reported that some of the cameras which monitor activity in the jail are broken. They should be fixed. Please find out how many cameras are broken and what it would take to get them fixed.

SWAT TEAMS IN MENTAL HEALTH PODS

SWAT teams are operating in the mental health units of the jail. Why? People with mental illness shouldn't be subjected to raids or other actions by the SWAT teams. People in the mental health wards are there because they need treatment. Are SWAT team members trained on how to interact with people who have mental illness? What effort has the jail made to limit such destructive interference with those being treated for mental illness?

STOP THE STRIP-SEARCHING OF CHILDREN IN THE JAIL

During the January JOB meeting, a question was raised about why juveniles in the facility were strip-searched. A jail administrator said that any jail resident could be strip searched by guards at any time.

We believe that children should not be in the jail, and that they should not be treated as adults. Further, children – no matter if they are suspected of committing crimes – deserve to be treated by people who are trained in how to deal with youth. The jail should make every effort to limit strip searches. We are asking to know: How many strip searches were conducted last year in the jail? How many youth were strip-searched? What precautions are taken when a child undergoes a strip search? What efforts are being made to limit such searches?

IMPROVE THE JOB’S CHAOTIC MANNER OF DOING BUSINESS

The Jail Oversight Board is not governed by a set of by-laws or by Roberts Rules of Order. There was some discussion, also, of how JOB motions are archived. It is difficult to find motions without combing through long transcripts of public meetings.

Under the current way of doing business, the public transcripts of meetings show lengthy discussions about motions. Motions are debated; the wording is changed. Often, there is no final agreement on exactly what a motion says before a vote is taken.

If JOB motions are to be taken seriously, and if they are to guide the jail policy that can impact the lives of more than 1,500 jail residents, they must be accessible and clear. Motions should be listed, by title and by number, on the agenda of public meetings. Motions that are adopted, and those that fail, should be attached as PDF documents to the public minutes of a meeting. In this way, a member of the public, or a member of the jail administration, can quickly search to see if the JOB has issued guidance on a topic. Many public boards and agencies list motions and ordinances by title and by number.

Most school boards, government agencies and boards routinely store and preserve their motions this way. During JOB meetings, board members often can’t recall if they have passed a motion on a topic, or if they did, when the vote occurred. The JOB must improve its haphazard way of doing business.

RETHINKING THE JAIL PLAN

What is the status of a \$700,000 plan to rethink the county jail by redesigning the facility and to reduce the number of people housed there to about 500 to 1,000 people – a sharp decline from the current population of approximately 1,500 people in the jail now.

According to a timeline published by the county, input from the public should now be solicited. Details about the proposal are [available in this article by Public Source](#). We would appreciate any information he can obtain about the status of the plan.

MEMORANDUM OF UNDERSTANDING

Before the county acts to hire a liaison, the county should approve a Memorandum of Understanding (MOU) and a source of funding for the new position. If an MOU sets forth, in writing, the duties and powers of the incoming liaison, the person can be an effective advocate. Any strong MOU will clearly define what information and cooperation the liaison must be provided. The liaison should have the authority to see jail records, medical files, personnel files, contracts, and proposals. Any powers not included in the MOU can lead to troubles later, especially if the county continues to employ a warden who is reluctant to supply information.

EXIT INTERVIEWS

Why isn't the county conducting exit interviews with employees who have left the jail? We believe that information from the exit interview questions, aggregated to shield the identify of exiting employees, should be shared with the public.

A NEW PITT SURVEY?

Jail Oversight Board members have discussed conducting a new Pitt survey of conditions in the jail. The last survey, released in September 2022, reported that prisoners went to bed hungry and cold at night, that long waits occurred to see the dentist and other medical staff, and that staff shortages caused long delays in the administration of necessary medications to prisoners. We would like to see the warden's detailed response to the last survey. Given that medical staff shortages continue to the delivery of health care, we are not certain that a new survey will show different results.

But we are very concerned that, given the outcry generated by the last survey, that the warden and his administration will try to interfere with the researchers as they conduct the survey. The county must make sure that the Pitt researchers will have the same freedom to interview prisoners confidentially, as they had the last time. If a new survey is to take place, what is the timeline for delivery? Most importantly, how will it be funded?

WHY IS IT SO DIFFICULT TO FILL POSITIONS AT THE JAIL?

In April 2022, the warden reported 53 medical positions at the jail were unfilled. In his report released in December 2022, the warden reported 67 vacancies. This is clearly going in the wrong direction. Sixty-two of the vacancies were for county positions.

We are asking: Why is it so hard to fill these vacancies? We have been told that part of the problem may be that a two-question screening exam may be failing too many people. If applicants miss one question, they score 50% and cannot be hired. A two-question qualifying exam, if that's true, would be a very poor way to assess potential employees. There should be an immediate review of the exam to determine its appropriateness and identify any needed corrections.

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