

Minutes of the Monthly
Meeting of the
Lancaster County Prison Board
February 17, 2022

The meeting was called to order by Commissioner Joshua Parsons at 9:15 a.m. in the Public Meeting Room at the Lancaster County Administrative Office Building.

Members Present: Commissioner Joshua Parsons, Commissioner Ray D'Agostino, President Judge David Ashworth, District Attorney Heather Adams, Sheriff Chris Leppler, and Deputy Controller Kathy Kunkel.

Not Present: Commissioner John Trescot and Controller Lisa Colón.

Others Present: Cheryl Steberger, William Aberts, Joseph Shiffer, Kim Wolfe, Arla Brown, Toni Warfel, Christina Fluegel, Kristal Abenshon, Richard Fritchman, Kyle Phillip, Crystal Farmer, William Paul, Nicole Colton, Brian Alexander, Samuel Coleman, Ashley Garcia, Larry George, Bob Devonshire, Louis Chirichello, Karlee Shambaugh, Diana Martin, Kent Kroehler, Kelly Ehrich, Todd Haskins, Tom Zeager, Helen Zeager, Eric Kennel, Carrie Kurtz, Damen Landis, Kathleen Morrison, Michelle Gallo, Chris Tallarico, Jonathan Fox, Kim McDevitt, Susan Gascho-Cooke, Beth Crosby, Michelle Batt, Peggy Lou Platt, Lydia Kovalchuk, Tom Lisi, and Diana Rivera.

Commissioner Parsons stated that the Prison Board met in executive session on Thursday, February 17, 2022 at 8:45 a.m. to discuss possible litigation and personnel matters. Specifically under litigation, the Board discussed the Bellamy (22-00422), Howland (22-00306), Melendez (22-00571), and Tyler (20-02919) cases.

President Judge Ashworth moved to approve the minutes of the January 20, 2022 Prison Board Meeting. Commissioner D'Agostino seconded. The motion carried unanimously.

Cheryl Steberger, Warden; William Aberts, Deputy Warden for Operations; Joseph Shiffer, Deputy Warden for Inmate Services; Arla Brown, Director of Administration; and Bob Devonshire, Director of Facilities; gave reports on their areas of responsibility. All of these reports, including operations and statistical information, are posted on the County's website.

Cheryl Steberger, Warden, provided an update on the death of an inmate at the Prison. She reported that on February 1, 2022, inmate Paul Reardon was found unresponsive in his cell during a routine check. She stated that Prison staff conducted CPR, utilized an AED, and called 911. Lancaster City Police, Fire personnel, and EMS personnel conducted lifesaving efforts on this inmate, who was transported to Lancaster General Hospital. On February 5, 2022, Mr. Reardon's death was announced by Lancaster General Hospital medical staff. Warden Steberger reported that both the Lancaster City Police and the in-house investigator are conducting an investigation, as they always do

with any incident. She stated that she received the Lancaster County Coroner's report, and the cause of death was passive hanging, with the manner of death being a suicide.

Warden Steberger provided an update on staffing. She reported the current staffing complement: allotment of 229, current staffing of 154, making it 75 officers short at the facility. She stated that they were short 80 officers at last month's Prison Board meeting. Warden Steberger stated that they are continuing to see an improvement in staffing numbers. Warden Steberger stated that she along with Deputy Warden Aberts and Major Chirichello are conducting interviews for the new correctional officer applicants on Mondays and Fridays. She stated that they had 47 interviews scheduled since the beginning of the year and have made 23 offers. Warden Steberger reported that a new class of ten correctional officers are in attendance today.

Warden Steberger reported the inmate population this morning is 745. The inmate population in January 2021 was 741 and 624 in January 2020.

Jonathan Fox, Have A Heart, asked for a root cause analysis for the death of the inmate. Warden Steberger stated that a mortality review will be held today after the meeting with the PrimeCare staff. Commissioner Parsons noted that there is an ongoing police investigation so until that time, there cannot be a lot of details shared about the incident.

Tim Lisi, LNP, asked if any more details of what occurred can be disclosed at this time. Warden Steberger stated that she cannot disclose any more details.

William Aberts, Deputy Warden for Operations, reported the officer of the month for January: First Shift, Officer Ross Kauffman. Officer Kauffman was unable to attend the meeting.

Deputy Warden Aberts reported that beginning February 15, 2022, a new block out schedule was implemented on the remaining half tier block out but providing two hours rather than one hour. He stated that the schedule required some rearranging of other tasks, and times will be adjusted as required.

Deputy Warden Aberts reported that the control panel project work continues to be a slow process and that no further improvement was seen following a virtual update that did not fix existing issues.

Joseph Shiffer, Deputy Warden for Inmate Services, provided a COVID update. Deputy Warden Shiffer reported that there has been a total of 322 positive cases in the inmate population since January 1, 2021, which includes 124 cases since January 1, 2022. He stated that currently there are four active cases and zero hospitalizations. Deputy Warden Shiffer reported that in January, 11 inmates were vaccinated. Thus far the total number of vaccinated inmates is 450. Deputy Warden Shiffer reported that 64 staff

previously tested positive, with zero out of the office and one test pending. He noted that since January 1, 2021, 9,556 tests have been conducted at the facility. Deputy Warden Shiffer stated they are doing well and they continue to trend downwards.

Deputy Warden Shiffer provided a staffing update for his department. He reported that interviews were held for the Drug and Alcohol Counselor position last week and they are in the process of following up with the candidates. Deputy Warden Shiffer stated that they plan to start interviews for the Recreation Director and General Specialist position next week. He stated that the three candidates for the Drug and Alcohol Counselor position were all very well qualified.

Deputy Warden Shiffer provided a reentry services update. He stated that after a meeting was held with Prison staff, they plan to open chaplain visits and chaplain groups effective February 28, 2022. Deputy Warden Shiffer reported that reentry classes will begin on March 8, 2022. He stated that they ran a pilot through January with the Pathways Home Grant program with 15 participants. Deputy Warden Shiffer stated that they will have another meeting in March to see what other services and treatment offerings they can start.

President Judge Ashworth thanked the Prison staff for the ability to process matters remotely by the Advanced Communication Technology (ACT). He stated that the Supreme Court is giving the Courts the authority to continue the ACT through April 1, 2022.

Arla Brown, Director of Administration, reported that barber services were offered in January, with 52 haircuts. She stated that they are attempting to continue the services once per month, which may increase to twice per month.

Ms. Brown reported that visitation will restart on February 28, 2022. She stated that the guidelines and process is posted on their website. The visitation time is by housing unit and those who wish to schedule a visit, must do so by calling the Prison the day before the planned visit.

Ms. Brown stated that Prison Stat was held in January with increased public participation. She stated that they found the interaction process beneficial, and as a result, they are adapting their reporting data based on input.

Ms. Brown reported that the remaining vacancy in her department continues to be under review to assess the needs of the department.

Ms. Brown stated that she will continue to include the employee separation data in the statistical data that is provided. Please note the December tablet data is not available.

Bob Devonshire, Director of Facilities Management, reported on his areas of responsibility:

- CGL is currently fully staffed.
- The contract for building maintenance was awarded to CGL on February 9, 2022.
- They continue to assist Deputy Warden Aberts on the door access control system upgrades.
- There were 47 work orders closed in January.

Mr. Fox asked Mr. Devonshire if he will be involved in the design phase of the new prison. Mr. Devonshire stated that so far, he has been involved in the land purchase and looks forward to continuing to be involved in the planning of the new prison.

Commissioner D'Agostino provided a land acquisition update for the new prison. He reported that this past Friday the County became the new owner of the property for the new prison. He stated that he and Mr. Devonshire looked at the property to post it for no trespassing and limit access. He noted that it will continue to be farmed by the previous owner until further notice. Commissioner D'Agostino stated that next month the work group that has been working on the acquisition plan will work on a proposed timeline for the remainder of the project.

Commissioner Parsons and Commissioner D'Agostino congratulated the new class of correctional officers in attendance.

In business from guests, Kent Kroehler, Have A Heart, gave a handout to the Board members regarding a "white paper" they are working on about the design of the new Prison (attached). Mr. Kroehler stated that they will be addressing specific areas of design that they believe should be considered in the new facility. He noted that this phase is crucial to ensure that those incarcerated will receive not only required care, custody, and control, but that they receive the necessary preparation to return to the community in a better condition than when they entered. Mr. Kroehler stated that they plan to present the rest of their report at the next Prison Board meeting with hopes that the members of the Board and County Commissioners will consider their recommendations.

President Judge Ashworth commented that the County has made a lot of innovations and he looks forward to collaborating with the Commissioners in designing a prison that really does what is needed.

Commissioner D'Agostino commented that he appreciates the collaborative work to date on the project. He stated that we have a great community with a lot of expertise,

which will be important during the next phase and that there will be ample time and opportunity for public participation.

Mr. Kroehler commented that they get anecdotal information from current and former inmates regarding the food at the Prison. He stated that inmates are saying that they are receiving undersized portions and less fruits and vegetables. He stated that some inmates go to bed hungry because they either cannot, or do not, eat what is there. Mr. Kroehler asked how the food vendor and nutrition is supervised.

Mr. Kroehler also commented about the inmates' tablets. He stated that he thinks the tablets are great, however, one consequence of having them, is the costs of local calls to families. He stated that one local call a day for 15 minutes costs \$76.50 per month and \$80.00 per month for one inter-state call. Mr. Kroehler stated that it is untenable to charge that rate to lower income families.

Deputy Warden Shiffer commented in regards to the food at the facility. He stated that Aramark does employ a certified dietician and all menus are reviewed at least once a year. Deputy Warden Shiffer stated that the menu was reviewed multiple times last year due to special diets and Aramark permanently added some of the items the inmates liked to the menu. He stated as far as oversight, he along with the officers oversee the meals. Deputy Warden Shiffer stated that if there is an issue with a meal it is clearly communicated with Aramark, the supervisors, and kitchen staff and a meal that is appropriate is given to the inmate. He stated that fruits and vegetables are provided every day. Deputy Warden Shiffer stated that he is pleased with the contract with Aramark and the food is much better than the previous contractor.

Ms. Brown commented on the phone costs. She stated that she is aware of the issue and if she is provided with the specifics, she will look into it and will verify the costs with Mr. Kroehler.

Warden Steberger commented that the cost of a local phone call was reduced from \$0.21 to \$0.17. She stated that she is willing to address Mr. Kroehler's concerns and look at the current phone contract.

Commissioner Parsons commented that they can certainly look at the phone contract when it is up again for renewal.

Commissioner Parsons commented regarding the food at the Prison. He stated that it is institutional food and similar to what he ate when he was in the Army. Commissioner Parsons stated that specific issues regarding the food will be addressed if it is brought to their attention.

Mr. Kroehler suggested that the County provide their own nutritionist or dietician to make sure the vendor is fulfilling their contract.

Commissioner Parsons commented that the County does not have a dietician and it is ultimately Prison staff's job to ensure that any vendor is meeting the standards in the contract. He stated that they can discuss this issue with Deputy Warden Shiffer to make sure the vendor is meeting the standards within the contract. Warden Steberger commented that PrimeCare has a dietician that reviews the menus per Title 37.

Mr. Fox reiterated the goals that Have A Heart listed in their report for the new facility.

Michelle Batt commented that she wanted to address another death that occurred recently. She stated that on February 2, 2022, John Choma posted secured bail for \$5,000 for a misdemeanor of a second degree retail theft. She stated that he was alleged to have stolen \$28 from Sheetz. Ms. Batt stated that Mr. Choma was incarcerated anywhere from 36-48 hours and was not receiving his medications for his chronic illnesses. She stated that she picked up Mr. Choma the evening of February 2, 2022, from the Prison and on the way back to his hotel they stopped at CVS to refill his 20 plus medications that he was not receiving at the Prison. Ms. Batt stated that she is requesting an investigation to look into whether he was given the opportunity to provide information regarding his prescription medications. She stated that Mr. Choma passed away five days after his release from the Prison. Ms. Batt stated that she is addressing this issue in hopes that it will spark some interest into looking into the matter. She stated that the Prison staff is in charge of the safe keeping and wellbeing of people in the County that are incarcerated at the Prison. Ms. Batt stated that her hope would be to use this incident to review bail practices in the County and to also ensure that everyone who is detained does not have their medical treatment disrupted.

President Judge Ashworth commented that Ms. Batt stated a lot of misinformation in this incident. He stated that Mr. Choma had eight outstanding warrants, five of them were due to failure to make any effort to pay outstanding prior matters, and three of them were for failure to appear. President Judge Ashworth stated that all the information he received from the Prison indicates that this individual was receiving all his medications and there was nothing to suggest that he did not receive any medications in which the Prison was aware. President Judge Ashworth stated that it is inappropriate to take federal issues that may exist elsewhere and apply them to Lancaster County without looking at the specifics. He stated that there are at least six or seven opportunities where people can address any bail issues that exist if they wish to address them. He stated oftentimes, people who are in jail receive the best health services that are provided at the Prison. President Judge Ashworth stated that having someone post bail is not always the best avenue immediately before services can be implemented. He stated that bail serves two purposes: the protection of the community and to ensure that people show up to court proceedings. President Judge Ashworth stated that in this situation it was proper bail, for Mr. Choma's long standing history of failure to appear. Because of his short stay, the Prison never had the opportunity to

provide the services that he desperately needed, and to suggest that the Prison did something wrong or failed to provide medication is not accurate.

Warden Steberger commented that this individual was only incarcerated at the Prison for 30 hours and was given all of his prescribed medication, except for one and that was because he was released. She stated that there are PrimeCare staff that are in attendance today that worked directly with this individual. Warden Steberger stated that they do not know why this individual passed away and to blame the staff at the Prison for a death that occurred outside of the facility days after being released, is wrong.

Commissioner Parsons commented that Mr. Choma had multiple charges including pending charges and that \$5,000 bail is rather low for someone who refuses to show up to proceedings and continues to steal. He stated that this is not San Francisco where we let people continue to steal no matter what. Commissioner Parsons stated that there is a rational place for rational conversations about who should be in prison and who shouldn't, but when information is thrown out like this that is so inaccurate, it is not helping the community.

Ms. Batt stated that she is not blaming the Prison and she knows that the staff does the best they can and that there is only so much that can be done when someone is locked out of their lives. She stated that she felt there was no planning that went into having a smooth transition with Mr. Choma's medical care from the streets to the jail. Ms. Batt stated that sometimes these disruptions can be fatal.

Tom Zeager, Justice & Mercy, commented regarding the new Prison's design, food, and bail issues. He stated that he agrees with the new Prison ideas that Mr. Kroehler talked about. He stated that there were issues with the food in the past and one of the ways that they solved them was allowing small groups into the facility to have a meal and talk about it. Regarding bail, Mr. Zeager stated that he is not a fan of bail, and he thinks either the person should be in prison or out. Mr. Zeager stated that too often the wealthy get by because they can afford bail.

President Judge Ashworth moved to adjourn the meeting at 10:27 a.m. Commissioner D'Agostino seconded. The motion carried unanimously. The next meeting is March 17, 2022, at 9:15 a.m.

Respectfully submitted,

Lisa K. Colón
Secretary