

Minutes of the Monthly
Meeting of the
Lancaster County Prison Board
August 18, 2022

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

Members Present: Commissioner Joshua Parsons, Commissioner Ray D'Agostino, Commissioner John Trescot, President Judge David Ashworth, Sheriff Christopher Leppler, Assistant District Attorney Mark Fetterman, and Controller Lisa Colón.

Not Present: District Attorney Heather Adams.

Others Present: Cheryl Steberger, William Aberts, Joseph Shiffer, Kim Wolfe, Arla Brown, Bob Devonshire, Toni Warfel, Kristal Abenshon, Tammy Moyer, Dan Klinger, Judy Erb, Julie Holtry, Rebecca Sangrey, Rachel Hess, Karlee Shambaugh, Anne Weiss, Michelle Gallo, Shayne Goodman, Jenna Stonesifer, Ashley Garcia, Kent Kroehler, Jonathan Fox, Todd Haskins, Emily Scordelis, Tom Weber, Kelly Rhoads, Jason Perkowski, Kathleen Morrison, Peggy Lou Platt, Neil Ward, Tom Lisi, and Diana Rivera.

Commissioner Parsons stated that the Prison Board met in executive session on Thursday, August 18, 2022, at 8:45 a.m. to discuss litigation, potential litigation, personnel matters related to the discipline, suspension, and termination of employees, and labor negotiation matters. Specifically, under litigation, the Board discussed the Bingham (22-02769), Eldredge (22-02990), Howland (22-00306), and Melendez (20-02635) & (22-00571) cases.

President Judge David Ashworth moved to approve the minutes of the June 16, 2022, Prison Board Meeting. Commissioner Trescot 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 staffing. Warden Steberger reported the current staffing complement: allotment of 229, current staffing of 175, making it 54 officers short at the facility. She stated that 39 interviews were conducted in the month of June and 19 jobs were offered. In July, there were 34 interviews, and 11 jobs were offered.

Warden Steberger reported the inmate population this morning is 776. The average inmate population in June 2021 was 670 and 751 in June 2022. The average inmate population in July 2021 was 670 and 753 in July 2022.

Jonathan Fox, Have a Heart, asked the Warden how she is handling understaffing and maintaining the facility. Warden Steberger stated that every position is filled on the roster each day with mandatory overtime. She stated that the officers will work with each other to cover shifts by splitting their shifts.

Jason Perkowski, Power Interfaith, asked what the numbers are for those who are awaiting their preliminary trial versus those who have been sentenced. Warden Steberger stated that in July, there were 61% waiting for trial.

Mr. Fox asked the Warden how she feels about the amount of people awaiting trial and what she would suggest reducing that number. Warden Steberger stated that she would suggest the current initiatives continue, such as getting people to Court faster now that the pandemic has ended and continuing video conferences. She stated that she thinks the Courts are doing a wonderful job moving people through the court system.

President Judge Ashworth commented that recognizing that Lancaster County Prison is the place for pre-adjudication, rather than state prison which is post-adjudication. He stated that they have a lot of methods of reducing the population, such as house arrest. He noted that they have increased the number of house arrest electronic monitoring units/devices.

Kent Kroehler, Have a Heart, commented that he does not remember a 39% sentenced population ever in the past 12 years that he has been attending the meetings. He stated that it used to be a close 80/20 split and now it is 60/40. He stated that it is worthy of noting the increase.

President Judge Ashworth commented that often if they are able to keep people in the county where their families and jobs are located, that is preferred instead of sending them to state prison. He stated that it is best for everyone to keep people locally so they can maintain their relationships and jobs.

William Aberts, Deputy Warden for Operations, reported the officers of the month for July: First Shift, Officer Kaylee Long; Third Shift, Officer Caitlyn Ashelman. Officers Long and Ashelman were unable to attend the meeting.

Deputy Warden Aberts reported that they are currently working with the owner's representative for the new prison to provide the required information pertaining to jail statistics which will be required for the design phase of the new facility.

Deputy Warden Aberts reported that no changes have been made on the control panel project since the last meeting. He stated that certain vendors continue to be unresponsive and appear unwilling to bring this project to a completion due to the number of continued issues that are foreseen in the pending installs.

Joseph Shiffer, Deputy Warden for Inmate Services, reported that they have met with 30 inmates and have orientated them with Mental Health America (MHA) services that will be offered both within the facility and when they are released. He stated that there will be weekly orientations for new commitments.

Deputy Warden Shiffer reported that the National Commission on Correctional Health Care Certification (NCCHC) audit was held on May 3, 2022, and they received 100% on the audit. The NCCHC audit focuses on the Prison's standards that they must meet in their healthcare offerings. Deputy Warden Shiffer thanked the staff at PrimeCare for their help in obtaining their certification.

Deputy Warden Shiffer reported that there was an all-day staff training in July. He stated that the day was split up into leadership training, in-service training, and team building exercises to improve their continuity as a team. Deputy Warden Shiffer stated that they will continue to have periodic trainings with their staff on various topics.

Deputy Warden Shiffer provided a reentry services update. He reported a recidivism rate of 34% at two years for the reentry class. There have been 56 graduates this year since they opened from COVID. Deputy Warden Shiffer stated that their revamped drug and alcohol programming has had a great response from the inmates.

Deputy Warden Shiffer invited Ryan Forbes and Karaliz Ortiz to the podium to recognize them for their hard work. He read an email from Chaplain Stacy regarding a former inmate who spoke about the help she received from Mr. Forbes and Ms. Ortiz while incarcerated. The former inmate stated that Mr. Forbes and Ms. Ortiz stayed late to help her and reminded her that she was worth saving and as long as she was willing to put forward the hard work, they would support her. Chaplain Stacy mentioned the former inmate wept in gratitude for the support she received by her counselors while incarcerated. Mr. Forbes and Ms. Ortiz received an applause from those in attendance.

Mr. Fox asked Deputy Warden Shiffer why none of the 59 grievances filed against PrimeCare in the last two months were deemed unfounded. Deputy Warden Shiffer stated that the majority of those grievances were filed by 3-4 inmates. He stated that every grievance is thoroughly reviewed and investigated, and an answer is provided to the inmate. Mr. Fox stated that there are over 100 grievances filed throughout the year with not one listed as being founded or justified. Deputy Warden Shiffer stated that if you look at the totality of all of the grievances they receive, it is not unusual. He stated

that they receive calls constantly on the inmate's behalf about medical care or other care. He stated that they take great effort in reviewing each one. Deputy Warden Shiffer stated it may not be what the inmate wants or what they would expect but it is per policy and procedure. Mr. Fox asked how he can obtain redacted listings of the investigations for the 59 grievances over the last two months. Commissioner Parsons stated that when Mr. Fox asked for this information last time, he was asked to file a "Right to Know Request".

Mr. Perkowski asked how they track a family member's concerns for an inmate if it would not be filed as a grievance if the inmate did not officially file a grievance. Deputy Warden Shiffer stated that he does not track them but retains all of the information. Mr. Perkowski asked if it would be possible to have the family member who is calling with a concern fill out a similar form as the inmate, that would then make it easier to track. Deputy Warden Shiffer stated that it is something to think about, but he thinks that it would be very cumbersome. He stated that he would probably find that many families would fail to fill out the form.

Arla Brown, Director of Administration, reported that her department currently has two vacancies, and one staff member is on an extended absence. She stated that they anticipate filling one of the positions next month.

Ms. Brown introduced the new Inmate Accounts Specialist, Joanna Carballo, to those in attendance.

Ms. Brown reported that monthly barbering services continue to run smoothly. In July and August, 29 haircuts, 11 shaves, and 61 combinations of a haircut and shave were completed. Ms. Brown reported the total number of inmates receiving these services were 101, with 32 inmates designated as indigent and therefore were not charged.

Ms. Brown thanked the security supervisors and the correctional officers who continue to assist with visitation during the staffing shortage.

Ms. Brown reported that a Prison Stat meeting was held in July. She stated that members of the public were present and interacted, providing helpful feedback for consideration.

Ms. Brown reported that their policy committee has not met during the summer months but will be resuming in September.

Ms. Brown reported that the statistical information on the overall operations of the Prison is provided online with the monthly report.

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

- CGL's new supervisor has started and is doing a great job. There is a HVAC position open.
- They continue to assist Deputy Warden Aberts on the door access control system upgrades. They are also working on the new prison facility project.
- There were 131 work orders closed in June, 133 work orders closed in July, with 557 closed year-to-date.

Controller Lisa Colón presented the financial report on the Prison as of July 31, 2022. The increase to personnel services was approximately \$3.2 million, \$45,000 for supplies, \$1.3 million for purchased services, and \$10,000 for capital expenditures.

In new business, Warden Steberger discussed the new facility work-group report. Warden Steberger reported that CGL has been chosen as the owner's representative for the new jail project. An Advisory Committee has been formed with a diverse group of county staff, prison personnel, and two members from the community. Those members of the committee are Commissioner Ray D'Agostino, Commissioner Josh Parsons, Commissioner John Trescot, Chief Clerk Larry George, Deputy Chief Clerk Tammy Moyer, Facilities Director Robert Devonshire, Pat Mulligan of Budget Services, Controller Lisa Colón, Steve Clements and Brian Koenig from IT, Warden Cheryl Steberger, Deputy Warden William Aberts, Purchasing Director Linda Schreiner, Solicitor Jackie Pfursich, Kathleen Morrison, two community members: Austin Beiler and Carrie Kurtz, and the consultants from CGL. Commissioner Trescot is representing the Board of Commissioners on the Advisory Committee at this time. The Advisory Committee kicked off the project with the county's owner's representative, CGL Companies, on Wednesday, August 3, 2022, with a tour of the existing jail along with an afternoon of meetings focused on developing the approach for the committee moving forward. The committee will meet every Wednesday. With the assistance of the Advisory Committee, CGL's team has begun meeting with various committee members and county stakeholders to gather the necessary data to begin the needs assessment phase of the project. The data generated from our facility will be compiled with national data and trends as well as historical data from the County to prepare a needs assessment report for the County. The Advisory Committee will provide comments and a final report will be presented for approval to the Board of Commissioners. CGL's public outreach and communication team has been introduced to the Advisory Committee to build trust and transparency in the process. The Advisory Committee has begun working on several exercises with the communication team to create a vision and mission for the new facility. The Board of Commissioners will approve the

communication plan prior to the outreach with the public. The intent is to have the plan presented to the Board of Commissioners prior to the next Prison Board meeting.

Commissioner Trescot commented that CGL has shown a lot of depth and experience in their staff confirming their selection. He stated that they have reached out to Berks County, who also has a jail project and received information of what they have been doing. He noted that the needs assessment program is critical to decide what services and what type of jail they will be building. Commissioner Trescot stated that they will have public meetings after they get further along with the needs assessment, which will be announced to the public.

Neil Ward, Have a Heart, asked if the Advisory Committee meetings are public. Warden Steberger stated that they are not public meetings. Mr. Ward asked if there will be any documentation from the meetings that they can view online. Commissioner Parsons stated that there will be minutes documented that will be made available to the public. Commissioner Trescot stated that there will be a website created by CGL to put all the public facing information available to the public in about three weeks.

Mr. Kroehler suggested having members of the community be a part of naming the new facility. He noted that the name should be driven by the mission statement.

Commissioner Trescot discussed his proposal to change policy B-4, II.B of the Inmate General Welfare Fund policy. Commissioner Parsons noted that the transfer of the excess funds from the Inmate Welfare Fund was not done last year. He stated that the policy was in place and the transfer should happen regardless of what they decide today. Commissioner Trescot agreed. Following a lengthy discussion, Commissioner Trescot moved to change the Inmate General Welfare Fund cap from \$500,000 to \$1 million. President Judge Ashworth seconded.

and Voting Yes: Commissioner Trescot, President Judge Ashworth,
Controller Colón.

Voting No: Commissioner Parsons, Commissioner D'Agostino,
Sheriff Lepper, and Mark Fetterman.

Motion failed 3 to 4.

Commissioner Parsons voted no to protect the taxpayers.

Commissioner D'Agostino voted no because first, they did not have any historical data showing income, expenses, and transfers to the General Fund to determine an appropriate level of fund reserve; and second, with respect to transferring funds to the General Fund, taxpayers should not pay the full cost of providing services at the Prison,

it is appropriate for those being provided services to pay something toward that service. This is a standard practice for the provision of government services at all levels.

Sheriff Christopher Lepper voted no and stated that he agrees with Commissioner Parsons and Commissioner D'Agostino. He stated that he cannot see raising or doubling the reserve and maybe looking at general increases instead of doubling or tripling the reserve at one time.

Assistant District Attorney Mark Fetterman voted no as he also agrees with Commissioner D'Agostino's comments about the math involved and the need for more historical data to make a more thorough analysis and informed decision.

Following discussion, Controller Colón moved to update the Inmate General Welfare Fund policy to read "2A Class County" under III. Approved Expenditures. Commissioner Trescot seconded. The motion carried unanimously.

In business from guests, Mr. Perkowski, encouraged the Warden and her staff to think carefully about ways they could impact the lives of the inmates by using the excess funds. He stated that there is an opportunity to get creative about what new programs or other needs that might be of assistance, rather than having the funds go back into the Inmate General Welfare Fund.

Commissioner Parsons commented that they have been willing to compromise with these issues. He noted that with regard to using these funds appropriately, there is a requirement that they are audited each year as well. Commissioner Parsons stated that sometimes he feels that there is a general feeling that they are having to pull money from frugal people, which is the opposite. He stated that if the County had not been frugal by building up their reserves, paying down debt, and keeping taxes low, there would not be a discussion of a new prison. He stated that the reason the community has faith that they can do this in a responsible way is because they have been very responsible with taxpayer dollars.

Controller Colón commented that the County cannot spend the excess funds from the Inmate General Welfare Fund however they wish. She stated that the money must abide by the policy and even though the inmates may pay above the actual cost for an item it benefits them in the long run. Controller Colón stated that the Controller's Office audits this program every year and to date they have never had any issues with this money being used inappropriately.

Warden Steberger stated that the Prison also has a store account and some of the programs are funded out of that. Funds may be used for inmate service provider contracts such as mental health programs, child services, sexual victimization, and reentry services.

Tom Lisi, LNP, asked what the position is of the \$410,000 transfer that did not occur last year. Commissioner Parsons stated that he is not sure why the \$410,000 transfer did not occur, and that the policy was in place and should still occur. Commissioner Parsons stated that they are all in agreement with the transfer and he will ask the Controller to work with the Prison to find out why that did not happen.

Controller Colón commented that since the policy was in place and the transfer did not occur, her office will take care of transferring the funds today.

Mr. Ward asked who would be involved in naming the new facility and how will the input be gathered. Commissioner Trescot stated that they are working on the public facing website and ultimately the final vote on the name of the new facility will be done by the Prison Board and the Board of Commissioners with input by the community. Mr. Ward suggested a few names for the new facility.

Commissioner D'Agostino moved to adjourn the meeting at 11:02 a.m. Commissioner Trescot seconded. The motion carried unanimously. The next meeting is September 15, 2022, at 9:15 a.m.

Respectfully submitted,

Lisa K. Colón
Secretary