

Minutes of the Monthly  
Meeting of the  
Lancaster County Prison Board  
May 21, 2020

The meeting was called to order by Commissioner Joshua Parsons at 9:15 a.m. The meeting was conducted remotely due to the COVID-19 Pandemic State of Emergency Declaration and was livestreamed to the public.

Members Present: Commissioner Joshua Parsons, Commissioner Ray D'Agostino, Commissioner Craig Lehman, President Judge David Ashworth, District Attorney Heather Adams, Sheriff Christopher Leppler, and Controller Brian Hurter.

Others Present: Cheryl Steberger, Arla Brown, Larry George, Kathleen Morrison, Todd Haskins, Jonathan Fox, and Diana Rivera.

Commissioner Parsons stated that the Prison Board met remotely on Thursday, May 21, 2020 at 8:45 a.m. to discuss labor negotiations, litigation, and personnel matters related to the discipline, suspension, and termination of employees. Specifically under litigation, the Board discussed the Cox (18-08525), Gbotoe (5:20 CV 00890), Lausell (16-11551), Reinhart (19-04061), Rodriguez (5:19 CV 03988), Vasquez (5:18 CV 04999), and Witherspoon (20-02288) cases.

Commissioner Lehman moved to approve the minutes of the April 16, 2020 Prison Board Meeting. Commissioner D'Agostino seconded. The motion carried unanimously.

Cheryl Steberger, Warden, gave the report for the entire Prison. The report, including operations and statistical information, is posted on the County's website.

Warden Steberger reported that the population today at the facility is 631. She stated that the Prison hit a low with 605 inmates on April 30, 2020. The average population for April 2020 was 714 and 809 in April 2019.

Warden Steberger reported that they are continuing COVID-19 testing for the inmates and staff in the facility. As of today, 157 tests have been conducted for the inmates. She stated that there were 16 positive cases and 141 negative cases. Warden Steberger reported that they have had no new positive inmate cases since May 1, 2020. She stated that 77 staff members have been tested with 64 negative cases, nine positive cases, and two that are pending. She stated that there is an employee who has tested positive twice. There have been no new positive staff cases since May 2, 2020.

Warden Steberger reported that PrimeCare has offered to perform focus testing to determine COVID-19 infiltration of individuals with asymptomatic characteristics of the virus. She stated that PrimeCare conducted 37 focus tests on inmates and the intake unit on May 6, 2020 and all were negative.

Warden Steberger reported that there has been an increase of positive cases in the female population. She stated that 15 out of the 16 positive inmate cases are females. She stated, after discussion with PrimeCare, they tested all female inmates on April 30, 2020. Warden Steberger reported that 60 female inmates were tested with four being positive. She stated those four inmates were isolated appropriately. She stated that testing was also offered to all female correctional staff. Warden Steberger reported that there were 35 staff tested with two of those being males. She stated there were two positive cases and the individuals were self-quarantining. Warden Steberger reported that seven out of the nine staff cases have been cleared by their doctors to return to work.

Warden Steberger reported that G1, 2-2, and the Classification D Block areas serve as the 14-day quarantine blocks. She reported that as of May 22, 2020, all COVID-19 positive inmates will be cleared off status.

Warden Steberger reported that as of May 12, 2020, antibody testing began at the facility by PrimeCare. She stated that the test determines if a person has been previously exposed to the virus and the antibody levels show that the body has begun to develop immunity. She stated that the test is beneficial to the inmates and allows the classification department at the facility to move new commitments more efficiently through the housing units. Warden Steberger reported that out of the 55 new commitments, 28 of those individuals refused testing, 10 are pending, and 17 tests returned with no antibodies detected. She stated that they will continue to conduct antibody testing of all inmates as they enter the facility.

Warden Steberger reported on some of the mitigation efforts taken at the facility. Quarter tier block outs for inmates are being done to allow social distancing and exposure to smaller groups. Warden Steberger stated that the inmates are not receiving the same amount of block out as they were before COVID-19; however, this needs to be done for the safety of the inmates and staff. She reported that temperature checks continue twice per week for all inmates. Teleconferencing for outside medical appointments are being conducted when appropriate. Warden Steberger reported that all state transfers are tested prior to leaving the facility and all releases to rehab are tested prior to transport. She stated that inmates who leave the facility for medical appointments and/or furloughs are quarantined for 14 days when they return to the facility. Warden Steberger reported that a hand wash station was placed outside of the facility for staff and vendors to use before they enter the building. She stated temperature checks and face masks are mandatory for anyone entering the facility.

President Judge Ashworth asked if hospitalization was required for any of the inmates who tested positive. Warden Steberger reported that there were no hospitalizations. She stated that several of the inmates were not aware that they were positive as they had no

symptoms other than a headache or some aches and pains. She stated that the staff are doing well also.

Warden Steberger stated that she is fully aware of the anxiety caused by the decrease in block out and loss of visitation due to COVID-19. She stated that they are seeing an increase in suicide attempts. She stated that they remain extra vigilant and are providing reminders to the staff. Warden Steberger stated that counselors remain on every block and free phone calls are still being offered to the inmates twice a week, which is scheduled to end in the next week or so.

Warden Steberger reported that Deputy Warden Wolfe has retired after 28 years of service. She stated that Major Aberts is acting Deputy Warden until the position is filled. Warden Steberger thanked the community for all of their support and donation of masks. She thanked Max's Eatery for their donation of 300 boxed lunches for the staff.

Warden Steberger recognized the treatment staff at the facility for the hundreds of phone calls they are making and doing the work of the individuals from the community that cannot come into the facility to assist. She reported that the reentry program continues as the staff follow up with the graduates and assist them with finding employment. She stated that there is a 6% recidivism rate for the reentry program. Warden Steberger stated that they continue to follow through with their work and the implementation of the pandemic procedures and policies. She stated that it is overwhelming for the staff at the facility during this time and she appreciates all the work that is being done.

Commissioner Parsons commented that it shows how hard the Warden and the staff are working at the facility to stop the spread of the virus, given the fact that it is hard to social distance in such a closed environment.

District Attorney Adams asked for clarification on the staff member who tested positive for the COVID-19 twice. Arla Brown stated that they are requiring a retest prior to returning to work along with the clearance from the primary care physician of the employee. Ms. Brown stated that the employee tested positive at the retest. Warden Steberger reported that three tests are required.

Commissioner Parsons commented that he has read that the body sheds the virus for a long period of time, and it has happened at other places where people have tested positive after being sick.

District Attorney Adams asked if any of the inmates have shared cups or anything to purposely try to get themselves sick. Warden Steberger stated that she has not seen or heard that happening at the facility. She stated that she feels it is safer for inmates to eat inside of their cells instead of them eating at a table full of inmates without a mask.

Commissioner D'Agostino commented that he is impressed to hear that there have been no new cases since the beginning of May.

Commissioner D'Agostino asked the Warden to explain why the mental health screenings are going up with the population being low. Todd Haskins, PrimeCare, stated that they made a request that all quarantine and isolation units conduct mental health screenings at a minimum of one to two times per week. He stated that they do believe with the second wave that there is going to be a mental health crisis, so that is partly why there is an increase in the mental health patients. Warden Steberger stated that they are seeing an increase in substance abuse and mental health individuals entering the facility.

Commissioner D'Agostino asked if there is anything further happening with looking at numbers of people coming in and leaving the facility as was done last month. President Judge Ashworth stated that the administrative order that was previously issued will expire at the end of the month. He stated that he will be issuing another administrative order which is going to continue the judicial emergency primarily for the purpose of controlling the access to the Courthouse and to the Magisterial District Justices offices to make sure it is done in a gradual and safe manner. President Judge Ashworth stated that they have been addressing the guilty pleas and a lot of the procedures that do not involve transport to the jail. He stated those cases are being disposed out of necessity and will be addressing those guilty plea cases which result in people going into the jail. He stated that they have been trying to give the Prison as much time as possible to allow them to handle things, but inevitably they will be getting into those cases as a result of the guilty pleas that require incarceration. President Judge Ashworth stated that the Court and the Sheriff's Office will be working together on transports from the Courthouse or remote locations to the Prison. He stated that they have been doing an increasing number of guilty pleas on the first floor with remote locations, but they have not been transporting to the Prison. He stated that they will start transports to the Prison at some point which will result in an increase in the Prison population. Warden Steberger stated that Lieutenant Brian Secor, Sergeant Jen Wingler, and the staff that they have assigned, have worked out 1,144 video conferences during this time.

District Attorney Adams thanked the Warden and her staff for the communication between her staff and her office in regard to certain people being picked up on warrants out of County and whether or not they should be transported to the Prison. She stated that they are both working with one another to prioritize those people who are getting picked up on warrants. District Attorney Adams stated that it is great to see the Prison population so low, but once we reopen and certain warrants are opened across the board, that number is bound to increase.

Commissioner Lehman commended the work of the staff and the Warden in mitigating the COVID-19 cases because they could have seen a different impact than what has occurred at the jail.

In business from guests, Larry George read a question from Jonathan Fox. Mr. Fox asked what protocols are in place to deal with new inmates who decline to be tested. Warden Steberger stated that individuals who refuse to be tested are quarantined as if they have the virus and PrimeCare would continue to assess them.

Sheriff Leppler moved to adjourn the meeting at 9:42 a.m. Commissioner Lehman seconded. The motion carried unanimously. The next meeting is June 18, 2020 at 9:15 a.m.

Respectfully submitted,

Brian K. Hurter  
Secretary