

Minutes of the Monthly
Meeting of the
Lancaster County Prison Board
August 19, 2021

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 Craig Lehman, President Judge David Ashworth, District Attorney Heather Adams, Sheriff Christopher Leppler, and Controller Brian Hurter.

Others Present: Cheryl Steberger, William Aberts, Joseph Shiffer, Kim Wolfe, Arla Brown, Bob Devonshire, Larry George, Tammy Moyer, Kathleen Morrison, Toni Warfel, Miguel Albino, Michelle Gallo, Anthony Kern, Peggy Lou Platt, Neil Ward, Jonathan Fox, Kelly Rhoads, John Maina, Nicole Vasquez, Teddy Vasquez, Jeff Hawkes, Michelle Akritas, Lydia Kovalchuk, Tom Lisi, and Diana Rivera.

Commissioner Parsons stated that the Prison Board met in executive session on Thursday, August 19, 2021 at 8:45 a.m. to discuss litigation, personnel, and labor matters. Specifically under litigation, the Board discussed the Gbotoe (20-00890), Jackson (20-5207), Lausell (16-11551), Leisure (18-02822), Melendez (20-02635), Silva (18-11127), and Tyler (20-02919) cases.

Controller Hurter moved to approve the minutes of the June 17, 2021 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 staffing issues at the Prison. She reported that she has a complement of 228 Correctional Officers and currently has 167 Correctional Officers. Warden Steberger stated that the starting hourly rate for a correctional officer in Lancaster County is \$18.50, whereas surrounding counties' starting rate for correctional officers is \$20.00 and above. She also stated that they are not only competing with neighboring counties, but also with businesses in Lancaster County. Warden Steberger stated that they do not have the option to run short and cannot shut down housing units. She stated that Correctional Officers are being forced to work mandatory overtime which results in them working 16 hours a day. Warden Steberger stated that her team has been working with Michelle Gallo in Human Resources (HR) to come up with different ideas for recruitment. She stated that they

have created a Facebook page and are on Indeed.com. She stated that they will be hanging banners informing the public that they are hiring on the front and back of the Prison. In addition, it will be noted on their website and ads will be placed in the local Merchandiser. Warden Steberger reported that a job fair will be held on September 8th and 25th, where onsite interviews will be held. She stated that new hires will be on the floor instead of being in class. Warden Steberger reported that she has been discussing taking a look at the starting wage as she cannot wait until the union contract expires in another year and a half to increase the starting rate. She stated that she also wants to make sure they are retaining the employees she currently has. She stated that they are not only losing employees recently hired, but also employees that have been at the Prison for 5-10 years. Warden Steberger stated that even though they are short staffed, they are still able to maintain the facility. She stated that there have been zero deaths, where last year at this time there were three deaths. Warden Steberger stated that her staff is doing an amazing job despite the working conditions and being exhausted from the mandatory overtime. She stated that she is grateful for the work that they do.

William Aberts, Deputy Warden of Operations, reported the officers of the month for July: Second Shift, Officer Travis Reifsnyder and Third Shift, Officer Jonathan Tenuto. Officer Reifsnyder and Officer Tenuto were unable to attend the meeting.

Deputy Warden Aberts reported the inmate population this morning is 741. The average inmate population in August 2021 was 709 and 651 in August 2020. A year ago on August 19, 2020, the population was 648.

Deputy Warden Aberts reported that a system was established to allow Magisterial District Judge (MDJ) arraignments to be viewed in the Prison lobby on a large screen television and is available for civilian viewing. He stated that Russ Glass has established an email address that civilians can email which provides the time that arraignments will be taking place.

Commissioner Lehman commented that when staffing levels are depleted and the population increases, it will create a more challenging environment to work in. He stated that we need to figure out how to deal with the staffing recruitment issue and make sure that we are doing whatever we can to keep the population as manageable as possible.

Warden Steberger commented that she had to open two more housing units just for isolation and quarantine purposes due to the recent spike in COVID cases. She stated that they also added video conferencing officers. She stated that due to the COVID pandemic, she has had to add more staff because of the precautions they are taking.

President Judge Ashworth thanked the Prison staff for making accommodations for the video conferencing and allowing them to do things remotely. He stated that Adult Probation & Parole are exploring options for electronic monitoring to reduce the population as best as they can.

Joseph Shiffer, Deputy Warden for Inmate Services, provided a COVID-19 update. Due to a new spike in COVID cases, the facility closed as they did during the pandemic in 2020. Deputy Warden Shiffer reported that there have been 108 cases in the inmate population since January 1, 2021. He stated that 63 of those cases occurred in the past week. Deputy Warden Shiffer stated that inmates are required to wear masks anytime they are out of their cells and there are quarter tier block outs and medications. He stated that additional cleaning continues in the high traffic areas of the facility. Deputy Warden Shiffer stated that 75 staff tested positive since the beginning of the pandemic and currently there are zero staff that are positive. He stated that there is a fair number of inmates who have been vaccinated prior to testing positive for COVID. Most of the inmates are asymptomatic or have very mild symptoms. Deputy Warden Shiffer reported that 437 inmates have tested positive since January 20, 2021, and 165 inmates have received the vaccination. He stated that there has been a total of 6,386 COVID tests since January 1, 2021, and overall 14,431 COVID tests have been conducted at the facility. Deputy Warden Shiffer stated that all programming has ceased due to the recent spike in cases.

Deputy Warden Shiffer reported that they have been working with Scott Theurer, Donegal Substance Abuse Alliance Partnership, to help them with peer counseling and treatment education groups for the individuals who are graduating from the reentry classes. He stated that today was the proposed start date for the program, which is now on hold due to the pandemic.

Deputy Warden Shiffer thanked the Commissioners for approving the Compass Mark Child Advocate Program contract. He stated that COVID has drastically impacted that delivery of service. Deputy Warden Shiffer stated that the program focuses specifically on the children of incarcerated parents and getting them the services that they need to maintain their health and safety in the community.

Deputy Warden Shiffer reported that the Vivitrol program is up and running and will continue to run during this COVID period.

Deputy Warden Shiffer reported that his department is short five employees. He stated that there is an individual who is scheduled to start at the end of this month and an offer is out to another individual. The remaining positions that are open are a Drug & Alcohol Specialist, a Recreation Director position, and a General Specialist position.

Deputy Warden Shiffer provided a reentry services update. He stated that there is a male class of seven individuals who are scheduled to graduate tomorrow. He stated

that there has been a total of 87 participants since the beginning of the program. There was a total of 25 participants since May when the program restarted. Deputy Warden Shiffer stated that the Reentry Specialist will be providing case management outside of the facility, as well as services in the facility for the inmates who graduate from the program.

Arla Brown, Director of Administration, reported that her department is short three employees. She stated that Business Manager, Cody Scheid, has transferred to the County's IT department. Ms. Brown introduced the new HR Manager, Kristal Abenshon, to those in attendance. She stated that they are still seeking applicants for the vacant Mail Clerk position.

Ms. Brown reported that preparation continues for the annual budget and it should be finalized by tomorrow. She stated that they are also getting ready for the Title 37 inspection which will be conducted by the Pennsylvania Department of Corrections.

Ms. Brown reported that the statistical data is available on the Prison website for viewing.

Commissioner Lehman asked where the Prison is in terms of their budget and how the staffing shortage is impacting the overall budget. Ms. Brown stated that even with the staffing shortage and huge amount of overtime, she does not believe that they have exceeded their personnel budget. She stated that she will verify the information.

Bob Devonshire, Director of Facilities Management, reported on his area of responsibilities:

- CGL is currently fully staffed.
- The work has been completed on the masonry repairs.
- They continue to work with Deputy Warden Aberts on the door access control system upgrades.
- The 2022 budget has been submitted.
- There were 154 work orders closed in July, with 1,047 closed year-to-date. This is an average of 150 work orders at the Prison closed per month for 2021 and 173 closed work orders per month in a five year average.

In business from guests, Jonathan Fox, Have A Heart, asked what the starting rate is for Correctional Officers and if there is a gradual increase after serving 5 or 10 years. Warden Steberger stated that the starting rate is \$18.50 per hour with differentials for

certain shifts. She stated that there will be a \$0.90 increase in the final year of the union contract.

Commissioner Lehman stated that there are two ways that salary is adjusted in County government: employees who are non-collective bargaining agreement and employees who are collective bargaining agreement. He stated that whatever is negotiated between the union and the County as it relates to the collective bargaining agreement governs salary changes each year for every year of the contract. Mr. Fox stated that he is concerned with the Prison losing people who have been there a long time prior to their retirement. He asked the Board to comment on this subject.

Commissioner Parsons stated that this is an issue that is countywide and nationwide. He stated that there is currently massive inflation and enhanced unemployment benefits in place through September. He believes both of these issues contributed to the problems across the whole labor market in Lancaster County. Commissioner Parsons stated that they also have a challenging working environment at the Prison and a pandemic. He stated that there are people who have served heroically throughout the pandemic, but it is a very tough environment for them and law enforcement in general. Commissioner Parsons stated that normally the County would never discuss opening a union agreement but because he believes this is a serious problem, they are working with HR to decide if they should consider opening the contract or doing a side agreement. Commissioner Parsons stated that it is not an easy thing to do, but they want to support the people who have worked so hard and offer competitive rates so that they are getting good staff members. He stated that they will talk to the union and are hopeful that they will have some kind of agreement to address the problem.

Mr. Fox asked where he can find a list of arraignments or daily sessions of virtual arraignments held at the Prison. President Judge Ashworth stated that the arraignments are scheduled when necessary. He stated that Russ Glass has made information available when there is an arraignment. Mr. Fox stated that he receives that information, but he is asking for a list of arraignments on certain days. President Judge Ashworth stated that he will look into it.

John Maina, Central Pennsylvania Equity Project, acknowledged the progress made to have the preliminary arraignments made available to the public; however, he would like to find a better process, as the information is only being made available 5 to 15 minutes before the scheduled arraignments. Mr. Maina commented on the mandated overtime at the Prison. He suggested to make the salaries more competitive and to review the cash bail issue. Mr. Maina stated that recently an individual received a cash bail for \$500 for simple possession of paraphernalia and he feels that the individual should not have been incarcerated.

Miguel Albino, Union President, stated that they have done everything they can to alleviate the mandated overtime. He stated that the overtime is out of control, and it is time to offer competitive wages compared to the surrounding counties to recruit people. Mr. Albino stated that the working conditions are not the best and he is appreciative that a new facility will be built. He stated that Correctional Officers spend more time in the Prison than they do with their own families. Mr. Albino stated that two years ago he was in a serious car accident on his way home because he fell asleep after working two double shifts. He stated that he was very thankful that he survived and does not want that to happen to any of his staff. He stated that he and his staff are physically and mentally exhausted. Mr. Albino stated that they are in a crisis mode, and he is hoping that the Board can help with this issue.

Michelle Akritas asked a question regarding the inmate population. She wanted to know how many of those individuals are pre-trial versus serving their sentences. Deputy Warden Aberts stated that he does not have the information but will get it for her.

Tom Lisi, Lancaster Newspaper (LNP), asked for an update on the due diligence period for the proposed site for the new prison. Commissioner D'Agostino stated that the Board of Commissioners approved an extension for the due diligence period at yesterday's Board of Commissioners' meeting because they were late getting on the property due to waiting for the crops to be harvested. He stated that this extension will not extend the time period of the purchase process. In addition, he stated they are still working on other aspects of the process.

Mr. Lisi asked the Prison Administration why the recent COVID cases at the Prison are being relegated to the incarcerated population and not the staff. Warden Steberger stated it is a difficult question and she doesn't know the answer. She noted that even though a number of her staff have been vaccinated, there are still some that have tested positive after the vaccination. She also noted that anyone experiencing symptoms is supposed to let HR know and they are asked to stay home.

Mr. Lisi asked what the average work week is for Correctional Officers. Warden Steberger stated that it varies every week, as it depends on the individual and the shift that they are on. In addition, she stated that it depends on how much overtime they have volunteered for or have been mandated to work.

Neil Ward, Have A Heart, asked to consider moving the meetings to a larger room due to the increase in COVID cases. Commissioner Parsons stated that the County is back to normal operations and the meetings are livestreamed if anyone is concerned about COVID.

Mr. Ward asked if meetings could be scheduled in the evening once every quarter as a lot of the public is unable to attend the meetings during the workday. Commissioner Parsons stated that there are a couple of Commissioners' meetings held in the evening during the year and the public is welcomed to attend those to address Prison Board issues. He stated that if the Board is interested and if there is public interest, they could consider having evening Prison Board meetings.

Commissioner Lehman commented that assuming the County moves forward with the development of a new jail, it would be prudent on the County's part to have an evening meeting as it relates to that project.

Commissioner D'Agostino moved to adjourn the meeting at 10:25 a.m. Commissioner Lehman seconded. The motion carried unanimously. The next meeting is September 16, 2021, at 9:15 a.m.

Respectfully submitted,

Brian K. Hurter
Secretary