

Minutes of the Monthly
Meeting of the
Lancaster County Prison Board
October 21, 2021

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, Commissioner Craig Lehman, President Judge David Ashworth, Assistant District Attorney Mark Fetterman, Chief Deputy Christopher Riggs (left at 10:30 a.m.), and Controller Brian Hurter.

Not Present: District Attorney Heather Adams and Sheriff Christopher Leppler.

Others Present: Cheryl Steberger, William Aberts, Joseph Shiffer, Kim Wolfe, Arla Brown, Larry George, Kathleen Morrison, Jackie Pfursich, Louis Chirichello, Kristal Abenshon, Peggy Lou Platt, Jonathan Fox, Kent Kroehler, Kelly Rhoads, Shayne Goodman, Michelle Gallo, Michelle Batt, Lisa Wolf, Chris Tallarico, Kelly Ehrich, Carrie Kurtz, Todd Haskins, Lydia Kovalchuk, Carter Walker, and Diana Rivera.

Controller Hurter moved to approve the minutes of the September 16, 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; and Arla Brown, Director of Administration; 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, reported that the staffing issue continues to be a struggle at the facility. She reported the staffing complement, allotment: 228, current: 144. Warden Steberger stated that 77 job applications for Correctional Officers were received in September and 20 applications were received so far this month. She stated that they continue to work with the Human Resources Director, Michelle Gallo, and a marketing firm to raise awareness to increase applications. This will consist of social media, Google ads, outdoor ads, print, and broadcasting. Warden Steberger stated that due to Act 57, there are a lot of steps to hire someone at the Prison which prolongs the process. She reported that they continue to discuss negotiations regarding wages with their union officials and a meeting is scheduled for tomorrow. She stated that four individuals have been hired, 14 are active in the post-app processing, and 32 job applications are being reviewed.

Warden Steberger reported the inmate population this morning is 746. The inmate population in September 2021 was 732 and 682 on September 2020.

Ms. Gallo commented that it is a challenge getting people hired due to the Act 57 requirements. She noted that they have to wait for some things from the State and unfortunately, they cannot make the reports come in any faster than they are.

Commissioner Lehman asked for an update from the Prison staff regarding the data of first-time offenders versus non-violent offenders that was discussed at last month's meeting. Deputy Warden Shiffer stated that they are still working on sorting the data. He stated that he thinks they will have the information by the next PrisonStat meeting.

Kent Kroehler, Have A Heart, asked what the top three reasons Correctional Officers are indicating when they leave the Prison during their exit interview. Arla Brown stated that the information is maintained in their PrisonStat information and should be available on the website from the last PrisonStat meeting held in July.

Commissioner Parsons recognized Warden Steberger for receiving the Pennsylvania Prison Society 2021 Correctional Employee of the Year Award. Warden Steberger received a standing ovation from those in attendance.

William Aberts, Deputy Warden for Operations, reported the staffing complement, allotment: 228, current: 144. He reported that one new officer started shadowing on October 18, 2021 and another officer will start on October 25, 2021.

Deputy Warden Aberts reported on some of the items the Prison is doing to assist with the staffing shortage. He stated that the Prison now has an official Facebook page and job vacancies are being advertised on that page. He stated that two job fairs were conducted with a positive turnout. Deputy Warden Aberts stated that banners have been placed on the front and rear of the building advertising current job openings. He noted an advertisement was placed in the "Advertiser" for five weeks. He stated that eligible staff will start immediately, rather than waiting until a class is scheduled. He reported that training has been shortened to include only mandatory subjects before a trainee can be placed on the floor. Deputy Warden Aberts stated that hiring and pay incentives were approved by the Board of Commissioners. He noted that they are currently working with a professional advertising agency.

Deputy Warden Aberts reported that the control panel project remains very slow, and they have met with Purchasing and the Solicitor to discuss how to move forward.

Deputy Warden Aberts reported on the numbers for mandatory overtime. He stated that from October 1 to October 18, 2021, there were six Correctional Officers on the 12-8 shift, four Correctional Officers on the 8-4 shift, and one Correctional Officer on the 4-12 shift, who were mandated to work overtime three days in a row. Deputy Warden Aberts noted that any of those days may have been voluntary overtime in the books and if it comes to the Correctional Officer, they will cancel the voluntary overtime and the mandatory overtime takes effect. Deputy Warden Aberts reported on the numbers of

double time for the last three pay periods. He reported there were 176.5 hours of double time for pay period ending September 11, 2021, 88 hours of double time for pay period ending September 25, 2021, and 96 hours of double time for pay period ending October 9, 2021. Deputy Warden Aberts reported there were 1,332 hours of mandatory overtime for pay period ending September 11, 2021, 1,324.5 hours of mandatory overtime for pay period ending September 25, 2021, and 507.5 hours of mandatory overtime for the pay period ending October 9, 2021. Deputy Warden Aberts reported that there were 2,697.5 hours of regular overtime for pay period ending September 11, 2021, 2,506 hours of regular overtime for pay period ending September 25, 2021, and 2,177.5 hours regular overtime for the pay period ending on October 9, 2021. Deputy Warden Aberts stated that they are seeing a decrease in overtime as peak vacation times are over.

Mr. Kroehler asked if there is a limit on how much overtime a Correctional Officer can work. Deputy Warden Aberts reported that there is no maximum amount of regular or mandatory overtime hours a Correctional Officer can work. He stated that Correctional Officers can only work mandatories for five days in a row and then have two days off. He stated that the Correctional Officers have the capability of volunteer overtime per the union contract.

Jonathan Fox, Have A Heart, asked what the consequences are if a Correctional Officer refuses mandatory overtime. Deputy Warden Aberts stated that currently they are giving Correctional Officers a work suspension if they refuse a mandatory. Warden Steberger stated that they are also excusing staff for tardiness. Deputy Warden Aberts stated that they are giving staff an additional five minutes to get ready for their shift.

Joseph Shiffer, Deputy Warden for Inmate Services, provided a COVID update. Deputy Warden Shiffer reported that there has been a total of 249 positive cases in the inmate population since January 1, 2021, which includes 204 cases since August 1, 2021, and 15 cases since October 1, 2021. Deputy Warden Shiffer reported that there are currently no hospitalizations related to COVID issues. He reported that there was a vaccination clinic held earlier this week and to date there have been 359 COVID vaccinated inmates. Deputy Warden Shiffer reported that currently there are no active positives with staff. Since January 1, 2021, 7,126 tests have been conducted at the facility.

Deputy Warden Shiffer provided a staffing update on his department. He reported that there are three open positions, and they are in the process of filling two of the three positions. He stated that the third position will be reposted as they could not get qualified candidates for that position.

Deputy Warden Shiffer provided a reentry services update. He stated that they have started a data collection and research project through Millersville University and the Community Action Program (CAP). He stated that these agencies will collect data

related to barriers inmates face as they come into the facility. He stated that they worked closely with the Solicitor's Office to ensure that the data that is being collected is done in an appropriate manner where HIPPA and other privacy issues are addressed. Deputy Warden Shiffer stated that the data will be utilized to improve their program.

Arla Brown, Director of Administration, reported that her department has three vacancies. She stated that she has reposted the part-time mail clerk position due to not having qualified applicants.

Ms. Brown stated that they are making good progress in preparation of the Title 37 inspection coming up on November 16, 2021. She stated that Tammy Moyer, former Director of Administration at the Prison, has agreed to assist them with the preparation.

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

Commissioner D'Agostino gave an update on the new prison process. He reported that the Lancaster Township Planning Commission unanimously voted to recommend approval of rezoning to the Board of Supervisors for the land that the County is looking to purchase for the new prison. He stated that a County Planning Commission meeting is scheduled for Monday and then the Lancaster Township Supervisors will take this up at a hearing at a date to be determined. Commissioner D'Agostino stated that they are continuing to look at having the completion of the due diligence period by November 21, 2021 and having a report provided to the working group before it goes any further. He stated that after Lancaster Township has a hearing, a vote, and the due diligence report is received, the County is able to purchase the property. He stated that a timeline of the remaining project will be presented to the Prison Board and the Board of Commissioners after that time.

Commissioner Parsons thanked Lancaster Township for being deliberative and interested in a project that is important for the whole community. He also thanked members of the community and Have A Heart for expressing their interest and acknowledging the importance in having a new prison facility.

In business from guests, Mr. Kroehler, commented regarding the staffing crisis and maximum overtime at the Prison. He asked the Board to review whether there are any best practices by established agencies relating to jails or prisons regarding maximum overtime. Mr. Kroehler stated that the Prison's mission is to provide humane and secure care, custody, and control, and it is inhumane to allow unlimited overtime indefinitely. Mr. Kroehler stated that he still thinks that we should be looking at reducing the inmate population and asked why that is not a vital issue in this crisis. Warden Steberger stated that she disagrees with Mr. Kroehler as the issue is the current pandemic, not the inmate population. She stated that if we did not have the current pandemic, she could close 2-3 housing units today. Judge Ashworth commented that

the Prison has done a great job of continuing to use technology and allowing the Courts to do proceedings without transporting prisoners and making things worse. Mr. Kroehler stated that with regards to the design, building, and financing of the new prison, this room is notable for its lack of knowledge and experience. He stated that nobody here has ever built a new jail. Mr. Kroehler suggested spending \$25,000 for four trips to unique places in the United States or outside of the United States with the Warden, Commissioner, and the engineer to experience what other places are doing. He stated that we need to look beyond Pennsylvania.

Mr. Fox asked the Board if they are willing to consider Mr. Kroehler's suggestion and finance the in-person, out-of-state, and possibly international travel to view facilities that are considered state of the art as far as designing a new facility. Commissioner D'Agostino stated that he is willing to have a conversation when the time comes. He stated that they need to look at the process first. Commissioner Lehman commented that when the County built a new morgue, they interviewed professionals who had expertise in that area and did not have to travel to do that. He stated that he would be supportive of that process to make sure that we are getting the best expertise that we can to assist with building a new jail. However, he believes that the proposed travel idea is unnecessary. Controller Hurter commented that he would rely on the Warden and her staff for their opinions and what they feel is important to get the best facility.

Mr. Fox asked if the retention bonuses and the hiring incentives for the Correctional Officers that were funded out of American Rescue Plan Act (ARPA) could include travel and the review and design of the new prison. Commissioner Parsons stated that travel would not be eligible as it is restricted on how you can use with ARPA funds. He stated that each municipality has four years to spend the funds and the guidance continues to change. Controller Hurter commented that it is important to wait for the final guidance with ARPA to know how it can be used. Commissioner Lehman commented that he would vote no on that idea. Mr. Fox asked Commissioner Lehman if the remaining ARPA or the Coronavirus Aid, Relief, and Economic Security Act (CARES) funds are sitting in a bank collecting interest. Commissioner Lehman stated that there is ARPA money currently collecting interest and that any interest earned on the principal amount can be used without being restricted by Treasury's guidance. Mr. Fox asked if any of the ARPA funds can be used for pay raises for Court employees. Commissioner Parsons stated that the ARPA funds cannot be used for pay raises.

Commissioner D'Agostino moved to adjourn the meeting at 10:34 a.m. Commissioner Lehman seconded. The motion carried unanimously. The next meeting is November 18, 2021, at 9:15 a.m.

Respectfully submitted,

Prison Board Minutes
October 21, 2021
Page 6

Brian K. Hurter
Secretary