

BERKS COUNTY PRISON BOARD MINUTES

MAY 27, 2020

The Berks County Prison Board met in a regular session on Wednesday, May 27, 2020 at 9:00 A.M. in a Microsoft Teams Meeting.

CALL TO ORDER:

District Attorney Adams called the meeting to order at 9:00 A.M.

The following members were in attendance:

- District Attorney John Adams
- Commissioner Kevin Barnhardt
- Commissioner Christian Leinbach
- Commissioner Michael Rivera
- Controller Sandra Graffius
- Judge Scott Lash
- Sheriff Eric Weaknecht District

The following County staff also attended:

- Chief Administrative Officer Ronald Seaman
- Human Resources Director Jessica Weaknecht
- Solicitor Christine Sadler

APPROVAL OF MINUTES

DA Adams noted the last meeting was in February as a result of cancelling the March and April meetings due to the pandemic. A motion was made by Commissioner Barnhardt, second by Commissioner Rivera to approve the February 26, 2020 meeting minutes as presented. Motion carried.

PUBLIC COMMENT

None.

JAIL SENIOR STAFF REPORTS

INMATE POPULATION: Warden Quigley explained that there was a stark reduction in the population compared to the average daily population of 2018; 1,100 and 2019; 1,044. As of January 2020, the average daily population was 912 and as of the meeting date there were 570 inmates. Of those reported, 520 inmates were male, 50 were female, and 6 were juveniles being held at Chester County prison. The reasons for the reductions were because there were less commitments and comparably more inmates that were discharged than usual. She explained, in January, there were about 500 commitments and typically the discharges are about equal balancing the population numbers throughout the year. In April, there were 94 commitments and 228 discharges.

The Warden explained the low daily populations helped to isolate inmates in their own cell rather than double celling. They were able to better cohort their units. She provided the example

of limiting recreation time to the same group of 10-12 inmates in the same time period, to follow the aggressive protocols. Warden Quigley said in order to keep the court cases moving the Jail maximized technology beyond what they thought was possible. Referencing the prison population report, the Warden explained there was a video conference report that was expanded. In the past, guilty pleas were never done through technology but instead inmates would be transferred down to the Services Center to the court and back to the Jail. She explained that a 10-minute meeting in court could take the inmate out of the Jail for hours.

By video conferencing, the Jail did not have to process the inmate, transport, wait for court, consider the threat of contraband or public safety. The Warden said they struggled in the beginning, but she foresees continuing this process in the future. In January, they did 229 contacts through technology for the courts compared to April where they did 770. The Warden will present the numbers to the President Judge to figure out what the process and numbers will look like in the future, to see what technology is needed. To continue this process, two full-time employees were needed so one was brought back from furlough.

Commissioner Barnhardt said to the Warden that the scenario plays into Phase 3 and the set group. He explained the meeting with her will be the most extensive for the set group to look at technological enhancements at the Jail. He agreed with her points and added, it is what they should be doing now and into the future.

Commissioner Barnhardt asked DA Adams how many individuals were in the queue awaiting trial that were out on bail and does it seem manageable? DA Adams explained the DUI arrests had plummeted the last 3 months. DA spoke about the recent superior court case that will have an impact on the amount of jail time of what a 1st, 2nd, 3rd and 4th offender will serve. The new case law, which he believed will not be appealed, will give a free pass for the first DUI and it will not be a sentence enhancement for the 2nd DUI. Originally, the first offender would expect 30 days in jail, now it will be 3 days in jail. This will impact the Jail population as they get through the backlog of DUI cases, which are probably the biggest backlog of out-of-custody cases in any court room. He noted Judge Geishauser did a good job moving cases, but the out-of-custody cases had not been impacted.

He believed they will move through time-served cases easily. He said they were stuck on moving individuals out of Berks County Jail who were moving to State Prison. DA Adams explained they were not pleading as quickly as they should and may be waiting for trial. The first jury trial was scheduled for June 15, which will be an experiment. He said the unknown factor was when they could get trials started regularly again. He confirmed they had a lot of cases at the preliminary hearing stages waiting for preliminary court. Judge Fegley had about 100 cases pending but he doubted many of those cases will impact the Jail as much as probation and parole. DA Adams said there was a rise in violence and they had a lot of juveniles at Chester County. Even though they had not been reported like they used to be, there was a lot of gang related activity and shootings in the city. There had only been one reportable homicide case this year which was lower than any year he could recall.

Controller Graffius asked the Warden if the Jail was doing video arrangements with the MDJ courts. The Warden answered yes.

Commissioner Leinbach spoke about the previous meeting with the Jail as part of Phase 3. He said he would like to see the Prison Board aggressively involved in doing what they were able to influence to help keep the Jail population down. He mentioned he knew they had people on ankle bracelets and thought this was better for the taxpayers. He appreciated the involvement of the DA, Jail and President Judge and their well thought out process. He believed this will help lower the cost going forward and will have a major impact when they talk about new construction of the Jail. He did not expect the discussion about new construction to happen this year or next, but they should take advantage of the time to reinvent the way the Jail system works in Berks County.

Commissioner Barnhardt referenced the discussion from the prior meeting about the antiquated system at the Jail, which required a manual process to gather data to find the portion of the inmate population that recidivated and returned to jail. He said a report from Berks Heim showed how they do a re-admission rate spreadsheet from real time medical systems. This made him believe there were systems that could be implemented to give the Jail real time data and avoid making someone spend 30 hours to answer a question. He added, real time data was important to manage the courts and the admissions and discharges from the Jail. He was excited about the technological changes moving forward and said being forced to use technology had opened their eyes to the abilities they could have.

The Warden said their contract with GTL gave them the upgrade in their database system to track inmates. She explained it takes time to prepare the data to transfer to the new system and expects they should be able to transition in a year. She was hopeful the new system will give them the ability to produce more reports than they currently could.

DA Adams said he was not as optimistic as everyone about the Jail population staying low because it will rise as they see a lot more criminal activity and more enforcement taking place. He believed the tone was set that they can have a lower prison population and do the right thing. He said they need the courts to really move cases because a lot of individuals sit in Jail a long time pending trials sometimes, because continuances are granted routinely. DA Adams said there were 27 individuals pending murder trials which he believed was too many. He added he complained about the amount of people in the County Jail pending serious charges. He emphasized to his staff that they need to move the cases, but they also needed a commitment from the court to do the same.

ANTIBODY TESTING: The Warden mentioned antibody testing for new commitments to determine who might have had COVID previously. They might be able to move them out of the quarantine period sooner, so they are gearing up with PrimeCare medical staff to begin testing for antibodies. She explained they were fortunate that they had not experienced some of what other Jails and Prison had. If required, they will use the nasal swab and test for COVID. For now, the Warden thought they should wait to use the nasal swab because the tests were expensive and the results were only for one day. She does not believe the nasal swabs were necessary at that time but would like to move forward with antibody testing.

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STAFFING: Chief Deputy Jeffrey Smith updated the Board on the status of the staffing; there were fourteen correctional officer vacancies; 13 custodial and 1 maintenance. Six cadets were enrolled in the academy and job shadowing. Their graduation date was to be determined and the next correctional officer testing had not been scheduled.

FACILITIES & MAINTENANCE PROJECTS: Deputy Warden Mike Buono reported the status of the facilities and maintenance projects:

On March 9 there was an emergency cracked sewer pipe repair which involved an excavating company for a sewage pumping service. They had to buy materials and replace the grease trap at the same time which cost a total of \$33,833 for the emergency repair.

On March 30 there was a power outage due to a fried transformer. Met Ed was able to restore power, but they had to bypass the Jail's metering. They were in the process of getting quotes to repair the transformer. He explained that it involved repurposing the cabinet the transformers were held in because the new transformers were different sizes than what they had.

CHM began the chapel roof project on April 2 and completed the project on May 7 to recoat the chapel roof. During this project they discovered a section of the chapel wall was damaged and were in the process of obtaining estimates for the repair.

On May 2 they experienced power outages that were traced back to the HVAC system that services the C-unit. The disconnect was fried which occurred in the A-unit a short time prior. Both issues caused the compressors in the HVAC system to burn out which required replacement. While checking older disconnects, Lt. Himic realized some of the older systems were failing and will require replacement.

On April 20 Pagoda Electric began running the electrical infrastructure needed to support the tablet charging stations. GTL would begin installing the wireless access points and the docking mounts the following week.

SOCIAL DISTANCING PROGRAMMING: Deputy Stephanie Smith explained in March they chose to suspend all group activity due to requirements for social distancing. At the time of the meeting, they had 125 inmates waiting for programming that would normally happen in a group setting. Beginning June 8th, they plan to open programming for in-cell work with counselors dedicated to distributing the packets they would normally get in groups. The counselor will collect the packets twice a week to review, give feedback and comments and get inmates back through the programming system.

SOLICITOR'S REPORT

Executive session items needed to be discussed requiring no action.

COMMENTS FROM THE JAIL BOARD

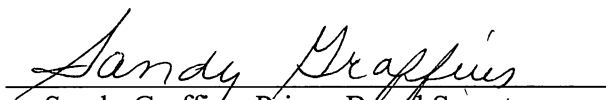
None.

PUBLIC COMMENT

None.

ADJOURNMENT

The Board adjourned at 9:27 A.M into Executive session which adjourned at 9:42 A.M. The next Prison Board meeting will be held in a Microsoft Teams Meeting.


Sandy Graffius, Prison Board Secretary