

Allegheny County Council

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Meeting Minutes

Thursday, March 26, 2020

4:00 PM

Conference Room 1

Committee on Public Safety

*Liv Bennett, Chair; Sam DeMarco, Bethany Hallam, Cindy Kirk, Paul Klein, Bob Macey
and Bob Palmosina, Members*

I. Call to Order

The meeting was called to order at 4:02.

President Judge Clark was present from the Fifth Judicial District.

Ms. Spangler was present from the Office of the District Attorney.

Mr. Barker and Mr. Varhola were present from the Office of County Council.

II. Roll Call

Members Present: 7 - Sam DeMarco ,Bethany Hallam,Cindy Kirk,Paul Klein,Bob Macey,Robert Pamosina andOlivia Bennett

Members Absent: 0

III. Approval of Minutes

[11463-20](#)

Motion to approve the minutes of the February 4, 2020 meeting of the Public Safety Committee.

A motion was made by Macey, seconded by Pamosina, that this matter be Passed. The motion carried by a unanimous vote.

IV. Agenda Items

Discussion Topic - Allegheny County Jail population during the COVID-19 Outbreak

The Chair noted that the agenda had been changed slightly, and that her desire is to obtain additional information regarding the ACJ. The Chair indicated that her understanding is that approximately 422 inmates had been released to date, and commended all involved for their efforts to reduce the ACJ population to the extent that it can be done safely.

Mr. Duerr indicated that he supports the concept of releasing as many individuals as possible, noting that the count of released inmates as of an hour ago was 458, with 14 more scheduled for release and another 15 scheduled for motions court today. Mr. Duerr expressed appreciation for the conversion of the ordinance into a sense of Council motion, and thanked the Chair and Ms. Hallam for their efforts.

President Judge Clark provided an overview of the Court's efforts to reduce staff presence while maintaining essential court operations in adherence to the PA Supreme Court's orders, noting that her orders regarding operations are posted on the Court's website, with another order to be posted today. As of right now, President Judge Clark indicated that all courts are closed to the public, with all essential services being conducted via teleconferencing. President Judge Clark indicated that the Court is keenly aware of the dangers regarding COVID-19 transmission in facilities like the County Jail, noting that the County Jail population as of March 25 was down to 1,725, and provided a breakdown of the categories into which those 1,725 fall. President Judge Clark noted that reviews of all inmates' commitments are ongoing, and involve a collaborative process between the Public Defender, District Attorney and the Courts, with a total of 485 individuals having been released as of the time of the Committee's meeting. President Judge Clark also discussed the factors that are taken into consideration when reviewing an inmate's release, and noted that the courts began their considerations with inmates

who were identified as being at high risk for COVID-19, and are ongoing in motions court, with bail modification motions being screened through the existing online system and probation detainees being lifted for suitable inmates with the assistance of Adult Probation. President Judge Clark noted that once the decision to release an inmate is made, the release order is processed expeditiously enough to ensure the release of the inmate in question that same day. President Judge Clark noted that many inmates have multiple issues that resulted in their commitment to the County Jail, and that all of those issues must be properly evaluated prior to making a decision to release them.

In response to questions from Ms. Hallam, President Judge Clark offered to provide a copy of the data that she had summarized for the Committee, but asked that the Members bear in mind that the numbers will change on a daily basis. President Judge Clark indicated that she did not have a number for motions relating to inmate release that had been denied, but noted that even violent offenders are requesting release, which will obviously skew the denial numbers insofar as those individuals would not be deemed eligible for release. President Judge Clark indicated that individuals who are in the County Jail due to an inability to post bail are being evaluated by Pretrial Services in terms of their suitability for release, but also noted that very often individuals who have not posted bail also have other issues keeping them in the County Jail. President Judge Clark indicated that she does not have the authority to eliminate bail in Allegheny County, as it remains legal within the Commonwealth. President Judge Clark also indicated that while there are relatively few individuals in the County jail solely due to technical probation violations (over 75% of the 725 individuals currently on probation detainees have committed a new offense, rather than technical violations), the Court is releasing the individuals with only technical violations for the most part, with others who require drug or mental health treatment or who lack of housing being detained in order to try to release them to an appropriate setting.

In response to questions from Mr. Macey, President Judge Clark indicated that individuals who are released are re-arrested for some other offense will have to be evaluated on a case by case basis, but noted that the Court will consider the totality of circumstances before deciding how to proceed.

In response to questions from Ms. Kirk, President Judge Clark noted that release conditions vary, with some individuals on home detention and other monitoring undertaken, be it in the form of calls to probation officers or otherwise. President Judge Clark noted that at least some of the Jail's population is homeless, and the Court is trying to arrange it such that individuals are released to a safe environment, whether that be in the form of a treatment environment or otherwise. President Judge Clark highlighted the complexity that is sometimes involved in determining suitability for release, citing PFA orders as an example of something that can be a complicating factor as the Court attempts to assess risk of violent behavior or recidivism.

In response to questions from Mr. Duerr, President Judge Clark indicated that the efforts to review every inmate's suitability for release will be ongoing, because new inmates will be committed to the County Jail as time passes, and because release is a more complex process for any individuals who are committed to the County Jail to serve their sentences after trial. President Judge Clark noted that her personal expectation is that the COVID-19 crisis will last for at least several weeks or months, and is preparing accordingly, while the Courts and other agencies like the Jail itself, the Public Defender, the defense bar, and the Office of the District Attorney are working extremely hard and around the clock to ensure that individuals do not remain in the County Jail unnecessarily.

The Chair asked that some additional information that had been forwarded to the committee by the County Jail be read into the record by Mr. Varhola.

Ms. Hallam asked if it would be possible to obtain information relating to staffing levels at the County Jail, most particularly medical staff, and the Chair indicated that she would be willing to have staff forward those questions to the County Manager for response.

Mr. Duerr requested information relating to additional psychological care or counselling that may be made available to inmates at the County Jail who are not able to be released.

The Chair asked that the members submit all of their questions for responses from the County Manager no later than Tuesday.

The Chair and Committee members discussed the mechanics of introducing a sense of Council motion on the subject matter.

V. Adjournment

The meeting was adjourned at 5:18.