



DETENTION CENTER AD HOC COMMITTEE
May 4, 2020 – 1:00PM
Zoom Meeting

COMMITTEE MEMBERS PRESENT: Dalhi Myers, Chair, Yvonne McBride and Allison Terracio

OTHERS PRESENT: Chakisse Newton, John Thompson, Michelle Onley, Ronaldo Myers, Shane Kitchen, Kimberly Williams-Roberts, Angela Weathersby, Kyle Holsclaw, Leonardo Brown and Larry Smith

1. **CALL TO ORDER** – Ms. Myers called the meeting to order at approximately 1:03 p.m.
2. **APPROVAL OF MINUTES**
 - a. **February 25, 2020** – Ms. Terracio moved, seconded by Ms. McBride, to approve the minutes as submitted.

In Favor: Terracio, McBride and Myers

The vote in favor was unanimous.
 - b. **April 7, 2020** – Ms. Terracio moved, seconded by Ms. McBride, to approve the minutes as submitted.

In Favor: Terracio, McBride and Myers

The vote in favor was unanimous.
3. **ADOPTION OF THE AGENDA** – Ms. McBride moved, seconded by Ms. Terracio, to adopt the agenda as published.

In Favor: Terracio, McBride and Myers

The vote in favor was unanimous.
4. **COVID-19 UPDATE** – Mr. Myers stated COVID-19 is their #1 pressing issue. They are continuing to screen all persons (staff, bond court personnel, attorneys and law enforcement officers) coming into the jail. They have increased the issuance of soap, so the detainees have enough on hand. Officers remind the detainees daily to maintain social distancing. If they do not maintain social distancing, then rec time has been modified to allow only so many detainees out at one time. Staff is screening detainees prior to them coming into the facility, even though the detainees will still have to be admitted. If the detainee is running a temperature, they are placed in quarantine. Once they have been quarantined, medical will be give them a physical and decide if they can go to general population. If it deemed the detainee cannot go into general population, they will be placed in the medical unit or potentially keep them in quarantine. They have received their non-contact thermometers, and they have been issued to booking, front desk and juvenile.

Ms. D. Myers inquired if a detainee is to be held for a short period (i.e. overnight), how does that work?

Mr. Myers responded they are screened and held in a dorm that keeps them away from the general population.

Ms. McBride inquired if the screening is only taking the detainee's temperature.

Mr. Myers responded they follow the CDC guidelines for jails, which is to do temperature and to ask four (4) questions: Have you traveled out of the county? Have you traveled to any of the "hot" states?...

Ms. McBride inquired how the quarantine is set up.

Mr. Myers responded it is in a housing unit with 56 single cells. Each detainee has their own cell. The new detainees are positioned away from everyone else. Once they complete their quarantine the cell is thoroughly cleaned. Once cleared by medical, the detainee is placed in general population.

The courts have started using video court. General Sessions uses it on Mondays, Wednesdays and Fridays for motions and pleas. They have assisted the Public Defender's Office with seeing some of their clients in the late afternoon on Tuesdays. Bond Court is also utilized the video court for bond hearings. It is functional for Family Court, but they have not utilized it yet. To assist with the Public Defender and Court Appointed attorneys being able to speak with their clients, they maintain a list and those detainees are able to call their attorneys free of charge for up to 2 hours a day.

Ms. D. Myers inquired about those detainees that have private attorneys.

Mr. Myers responded those detainees are presently not able to speak with their attorneys free of charge. He stated they tried video visitation for the Public Defender's Office, at first, but it became cost prohibitive for the company. Therefore, the company allowed them to utilize the free calls. He has not spoken to the company about allowing detainees with private attorneys to also speak with their attorneys free of charge, but they may be willing to allow it.

Ms. D. Myers stated it seems to her, if people who have private attorneys have to pay to speak to their attorneys, but those that have court appointed attorneys do not have to pay, it creates a problem.

Mr. Smith stated he either had a conversation, or sent an email, to Mr. Myers about this issue. Obviously, detainees have a constitutional right to have access to their attorney, and he does not know if that can be contingent upon their ability to pay for the access. If we are continuing to be in a situation where the private attorneys have a different standard than the Public Defender for having access to their client, it potentially represents a problem for us.

Ms. McBride commended our efforts to make sure the Public Defender's Office has the opportunity to visit with the detainees, given that their caseload is extremely high, and these people are indigent individuals.

Ms. D. Myers requested that Mr. Smith work with Mr. Myers and the County Administrator to be sure there is nothing we are doing at the Detention Center that looks like it might be abridging someone's rights.

Mr. Brown stated the screening protocol that was initiated at the Detention Center were provided by DHEC and PRISMA. There were employees and, at least, one detainee that had to be quarantined.

Ms. D. Myers inquired if the cleaning protocols, discussed at the last meeting, have been standardized.

Mr. Brown responded, besides the routine cleaning that is done, any time there is a concern of an indirect or direct exposure, we bring in outside professional cleaners to sanitize those areas.

Mr. Myers stated they have received PPEs from the National Stockpile. Currently they have enough masks for 90 days, have approximately 100 gowns and 20,000 gloves. They do not use gloves that often. There is also a location where officers have access to goggles.

Ms. D. Myers inquired if there are enough mask to cover detainees, when required.

Mr. Myers responded in the affirmative.

Ms. D. Myers inquired if the detainees are still video conferencing with their attorneys in the front area of the Detention Center.

Mr. Myers responded they can, if they choose to do so. If they need to have privacy, there are 4 booths in front of the administrative area of the Detention Center that attorneys can utilize. The attorneys are encouraged to call ahead, so a spot can be reserved for them.

Ms. D. Myers stated she is concerned that we honoring everybody's rights and the detainees have access to their attorneys, when they need to, and in a manner that does not discriminate against them for either being able to afford an attorney, or not being able to afford an attorney.

5. **CURRENT ISSUES**

- a. **Policies and Procedures** – Mr. Myers stated policies and procedures development is always ongoing. It is updated as current case law dictates or if the State comes up with a new statute (i.e. changing the juvenile age to 18).

Ms. D. Myers requested a copy of the policy manual for the committee members.

Ms. McBride requested that we stop using the term “inmate” and refer to those being detained as “detainees”.

Mr. Myers stated, as you know, staffing has been an ongoing issue at the facility. We are constantly recruiting. The recruiter is doing virtual job fairs and is continuing to review applications. Currently there are 109 vacancies, which is dramatically down from 130. There are 9 employees starting next week, and there are 17 awaiting final HR authorization, so they can go through employee orientation. The biggest issue with keeping employees is, a lot of people do not consider that you are locked down with the detainees, even though the officers do get breaks throughout the day. Also, they do not get holidays or weekends off, when others may have time off. They do not think about the sacrifices you have to make as a correctional officer, so they may not stay long once they realize they cannot get time off or do things on Friday afternoons.

Ms. McBride inquired about the starting salary for the correctional officers.

Mr. Myers stated it is approximately \$31,500.

Ms. D. Myers inquired, when we are recruiting, do we make it clear to the potential employees that the work hours are a little bit odd, and the conditions reflect the fact that you are working at a detention center; therefore, they will not be able to leave the building once they arrive for their shift, and they may not be able to be off on weekends or holidays.

Mr. Myers responded they conduct a jail tour and the potential employee has to sign a document stating they do not have any issues working holidays, weekends and shift work.

Ms. D. Myers inquired about what Mr. Myers feels is driving the turnover.

Mr. Myers responded it is a hodgepodge of everything. Some leave because they do not feel the salary is enough, and others do not adjust to the conditions/requirements of the position. Currently they are working a lot of overtime because we are short.

Ms. D. Myers inquired about the optimal number of hires we need to alleviate the tension.

Mr. Myers responded once we get down to 30 vacancies it should alleviate the need for mandatory overtime, and the employees would be able to volunteer for overtime.

Ms. McBride inquired if there is additional pay with the overtime.

Ms. Newton stated her understanding is the situation the Detention Center faces, in regard to recruiting, is not unique, and is a situation that is happening at detention centers nationwide. She inquired if there are any best practices that Mr. Myers has seen at other detention centers that we have tried, and did not work for us, or are on the horizon.

Mr. Myers responded public safety areas are having a hard time maintaining employees. It is easier for police departments because they are not locked down. We try to listen to the employees, but there are some things they just cannot do.

- b. Inmate Issues – Mr. Myers stated, as you may recall, we released 5 detainees because of COVID-19. They worked with the Solicitor and the Public Defender’s Office, and potentially one private attorney, to facilitate their release on bond reductions or their bond was changed to a personal recognizance bond. They still sent a lot of detainees out for outpatient services (i.e. HIV clinics, dialysis, orthopedics and OB/GYN), which takes a great deal of the budget.

Ms. D. Myers inquired if we are working with the Budget Office to ensure that we are harmonizing the cost of those services, and giving the Administrator a clear look at what the actual cost of housing and caring for a detainee is so we are sure the fees we are charging other municipalities is accurate so the Detention Center can be adequately funded.

Mr. Myers responded the ADP, which is how a jail determines a daily cost, fluctuates every day. They try to do it annually, so they can say what the expected cost will be.

Ms. D. Myers stated she does not have a clear understanding of what the actual cost of operating the Detention Center and the Richland County Bond Court. She knows we look at the budget is, and then divide it by the number of detainees to get the per head costs. It should be we look at all the costs, and get a total and divide that total by the average number of detainees to arrive at the fee we charge the municipalities. She requested the Administrator to have staff give us an analysis of what the numbers mean.

- c. Current Conditions – Mr. Myers stated the Detention Center expansion project has been put on hold because of COVID-19. They have not been able to meet and have the architect come down to walk through the facility. As soon as the County opens back up, he is prepared to start working on this once again.

Ms. D. Myers requested for the next meeting to have Mr. Myers provide information on what the actual upgrades are and its long-term projections, in terms of meeting the needs of the detainees and the employees.

Ms. Terracio stated that Ms. Pringle was on the line, and wanted to give her an opportunity to share, if she had anything to add.

Ms. D. Myers inquired if the Public Defender's Office has had ease of access with meeting with their clients.

Ms. Pringle responded Mr. Myers and his staff has been working with the Public Defender's Office to overcome various obstacles which have arisen, through no fault of Mr. Myers. The current situation is not ideal. They were meeting via video conference, which was helpful. This apparently became a budgetary issue for the phone company, so they were converted to telephone access only. The public defenders were issued Google numbers, which the detainees are able to call in on according to a schedule that has been arranged. In addition, the public defenders can go into the lobby to speak with the detainees on the phones. This is not ideal because it is not very confidential. There is also an area further into the Detention Center where they can have a no contact visit with the clients. She would prefer her staff not do that unless it is absolutely necessary. Sometimes the timing of things get so compressed that they have had to do that. It would be ideal if they could go back to the videoconferencing, but that was prohibitively expensive from her perspective, and the phone company's perspective, as well. The only other issue was the detainee that was assaulted.

Ms. D. Myers requested Mr. Myers, Mr. Smith and Mr. Brown to work with Ms. Pringle and the Solicitor's Office to come up with a work around. It sounds like, from what Ms. Pringle is saying that they are still having difficulty with client access and communication.

Ms. Pringle responded they are, in a sense, in that it is more cumbersome. She does not know there is a solution to it, other than setting up the videoconferencing, which Mr. Myers would have to speak to the cost, and what ultimately led to that not being an option. The videoconferencing was ideal because they could look at discovery and other documents with the clients. In order to do that now, they have to go into the Detention Center to meet with the clients.

Ms. D. Myers stated that sounds like a contract/pricing matter. She requested Mr. Smith to review the contract for access at the Detention Center because COVID-19 is going to be around for a while and people's rights have to be respected and preserved. There may need to be a recommendation from staff, to this committee, and ultimately Council, of an alternate way for people to communicate.

Mr. Smith stated, when we were discussing the costs of housing detainees, from other municipalities, it was not clear if we were dealing with extraordinary medical costs for a detainee, if that cost was being passed onto the municipality or if it was wrapped up into the basic daily costs.

Mr. Brown stated his understanding of Ms. Myers' direction was that we find out the actual costs, whether the actual costs are associated with, which would give us guidance as to how those costs should be apportioned. The committee and Council could take up a discussion whether the County will continue to pay for whatever share, or how much we will begin to apportion out to those areas.

Mr. Myers responded they currently develop the budget, and everything else fits inside the budget, so the extraordinary costs are borne by the County.

Ms. Terracio inquired why the cost is prohibitive. And, if looking at another provider is an option should would like to get additional information on that alternative.

Mr. Myers responded that the current vendor uses a third-party to do the videoconferencing, which means they have to pay the third-party contractor. The RFP for phones services just

closed in February, and they are going through the evaluation process. Therefore, it may not be an issue if we go to another vendor.

Ms. D. Myers requested a copy of the RFP.

Ms. Terracio stated it would be great if the whole committee could receive a copy of the RFP. She stated she is confused about the flow of funds, in relation to that service.

6. **ADJOURNMENT** - The meeting adjourned at approximately 1:54 p.m.