



Editorial: The Allegheny County Jail needs new leadership



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Whether Warden Orlando Harper was lying or simply didn't know better when he reported a false mortality rate for the Allegheny County Jail really doesn't matter. Either way, it's another example of his penchant for dismissing problems instead of fixing them.

As long as Mr. Harper calls the shots, the jail's troubles will fester and grow. Among them: high death rates, costly lawsuits, chronic staff shortages, improperly housing transgender inmates, substandard health care and questionable practices on solitary confinement.

Allegheny County's jail mortality rate is now twice the national average, despite the warden's fiery denial in [an op-ed published by the Post-Gazette](#). So far this year, four prisoners have died, including Victor Zilinek, 39, who died last week; 15 have died since April 2020.

Mr. Harper has refused to release medical records to the county's Jail Oversight Board, which state law tasks with overseeing the health and safekeeping of inmates. This month, Warden Harper withheld the records of Gerald Thomas, Jr., 26, who died in March, citing the possibility of future litigation. This sweeping exemption permits Mr. Harper to withhold practically any information the Jail Oversight Board needs to investigate deaths and hold people accountable.

It's unclear how many Allegheny County prisoners could have been saved with better care. Many of them enter the jail in poor health, and a lack of transparency has aroused suspicions that might be unwarranted. An open culture must replace the fortress mentality, cultivated by the warden, that is suffocating the jail and stymying progress.

In truth, the county jail has no effective oversight, aside from costly lawsuits. In the last four years, Allegheny County taxpayers have paid out more than \$1 million in lawsuits related to care in the jail, including a \$300,000 settlement last month for Jules Williams, a transgender woman who was sexually assaulted in the jail multiple times by a male sex offender.

Mr. Harper's misstatements about death rates don't bode well for changes in the treatment of the thousands of pretrial detainees for whom he is, ultimately, responsible. With six deaths in 2021, he said, the jail's mortality rate was 65 per 100,000. That's less than half the national average, reported by the U.S. Bureau of Justice Statistics for 2019, the most recent year those statistics are available.

But Mr. Harper's figures don't stand up. The national jail mortality rate for 2019 was 167 per 100,000 inmates, the BJS reports. With six deaths in the Allegheny County Jail last year, and an average daily population of 1,803, the mortality rate per 100,000 inmates was 332 — nearly double the latest reported national rate.

County officials said late Wednesday they used annual admissions, not average daily population, to calculate last year's mortality rate. Annual admissions are roughly five times the average daily population, yielding a misleadingly low death rate.

Most Allegheny County prisoners — and those in jails nationwide — are pretrial detainees. They are legally innocent but often too poor to bail out.

Many are mentally ill or addicted. In the past three months, 673 of the 2,618 people committed to the Allegheny County Jail, or more than 25%, reported illicit opioid use.

Prisoners today have needs that most jails were not designed to meet — but they must. Like inmates in state and federal prisons, county jail prisoners have a constitutional right to adequate health care, even though, in practice, much of the care is abysmal.

Mr. Harper has a legitimate gripe: The jail doesn't get credit for its successes, including effective education and re-entry programs to cut recidivism and prepare inmates for better lives. The next warden should build on those successes, but they don't erase the myriad of pressing problems that embroil the jail. Mr. Harper has taken the jail as far as he can take it.

The jail is part of the community. Nearly 10,000 people cycle in and out of it during the year. It's a place where they can get better or return to the community worse than when they went in — if they return at all.

The jail's employee union has [called for Mr. Harper's resignation or removal](#). This month, during a Jail Oversight Board meeting, Juana Saunders, the mother of Mr. Thomas, the second inmate to die this year, asked the warden if he was running a jail or a cemetery. Bickering and beefs between the warden and his employees, the community and the Jail Oversight Board can't continue. County Executive Rich Fitzgerald, who appointed Mr. Harper in 2012, should ponder whether he wants more costly lawsuits and unnecessary suffering and deaths to become part of his legacy.


Allegheny County can't afford to wait until the county executive steps down at the end of next year to replace Mr. Harper. For the good of the jail and community, Mr. Fitzgerald should show him the gate.

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