

Erie County Human Relations Commission
Minutes—September 25, 2018

Attendance

Commissioners: Tracy Leet, Amy Danzer, Willie McAdory, Tony Logue (left at 7:33pm); Shawnta Pulliam-Brown; Mary Jo Campbell (left at 7:38pm)
Staff: Charlotte Scalise, Wayne Harbison
Guest: Doug Smith
Solicitor: Bryan Spry
Advisory Board Members: none in attendance

Commission Members Not in Attendance

Hallie Hilinski, Connie Manus

The position from Kathy Dahlkemper on the Commission is still open.

Meeting was called to order at 6:33p.m.

Approval of Minutes

Tracy Leet moved to approve the minutes from July, Tony Logue seconded and they passed unanimously.

Directors Report (Staff report by Wayne Harbison)

Reduced total number of cases by five and have had some new inquiries. Bryan Spry docketed new case today and formulated some standard documents that accompany complaints that were not in the file. Ensuring documents are present that are needed.

Public hearing scheduled for October 30, 2018. There was a meeting and discovery deadlines were set. Waiting for documents to come in and right now it is moving forward. Attempts for mediation were made but no agreement has been made. Another effort for settling will be made outside of a public hearing.

Old Business

None

New Business

Many at this meeting attended the meeting with PA-HRC at the Tom Ridge Center last week. The impression is they were trying to foster a relationship between Pittsburgh and Erie and how does the Erie HRC fit into the State map. This was more of an informational session. They want to be helpful and not take over. They passed out materials and contact information and solicited questions. It was informative and helpful.

Wayne will provide a sign in sheet from the meeting as well as anything they provided at the meeting. This will be distributed to all members of the commission and the advisory board.

They made distinctions on duties of HRC staff members. There is one attorney for 23 counties for the Western portion of the PA-HRC.

They may return for another meeting in October. They may be able to help with training in the future.

Willie has a question about why legal council approved the list of cases instead of the commission members. He doesn't understand why the commission is not making more decisions instead of the staff members.

Commission members want to know what warrants a case to have merit and to be heard vs. being investigated and closed without a public hearing. Members should review ordinance and understand the process through the ordinance. Members cannot hear details of the investigation prior to a hearing as it will interfere with due process and could impact perceptions of the members hearing the case if it goes to public hearing in front of the commission members.

Members encouraging more transparency about cases that do not come to public hearing and are not heard by the commission. There has to be prima facie evidence and evidence of harm caused. Members feel the commission should know what the solicitor is doing for the commission. If members know the details of the case and someone files an appeal and commission knows details of a case, the commission would not be able to hear the cases after this.

The details of the last case closure were emailed to all commission members and since Willie doesn't email, it was dropped off at his house and he reports he did not get it. There needs to be an agreed upon procedure for Willie getting the information that other members get via email. Documents will be mailed to him.

Next month, the commission would like more information about case closures without disclosing details that will cause problems in a public hearing.

Set up a separate committee on the board that works with the solicitor to make case determinations that cannot hear hearings. Tony Logue will look at the ordinance and see if such a committee can be formed. This could be a role of the motions committee.

Is there a practical reason why the commission can't cast votes on decisions?

Willie wants to know what the commission is doing because he feels it has no real role.

There is a difference between filling out a form and filing a complaint. When Erie County gets a call, Wayne sends out the appropriate questionnaire for their concern that solicits the factual basis for filing said complaint. The burden of filing the complaint is put on the commission instead of the

individual. The solicitor is suggesting that the forms are changed to put the burden to file the complaint on the individual to file. This would be the same as other Pennsylvania state forms.

Willie McAdory asked questions about who fills out the questionnaire and Wayne or HRC staff cannot fill out the form for the complainant. He can help them prepare it and solicitor can draft a complaint.

The new process will have the complainant filing their complaint. HRC will develop a cover page or overview page with the steps needed to file a complaint. Solicitor can assist with this form development and timeline for filing.

Tracy Leet moved to approve the form be changed to match that of other Pennsylvania state forms to place burden to file a complaint on the complainant. This was seconded by Mary Jo Campbell. Approved unanimously

The old process was the complaints come in by telephone. The complainant fills out the questionnaire in writing and brings it back to HRC staff by appointment.

Ordinance changes were to take place in September, but are now moved to October 22, 2018. Positions applications were due today. County Council will select the new hires for the HRC.

Elections:

Amy Danzer is only sitting in the position of chair due to former chair completing term.

These positions will be until the end of the year.

Mary Jo Campbell nominated Amy Danzer as the chair, Tracy Leet second the motion.

Amy will accept nomination for the end of the year but will not accept this nomination in January.

Willie McAdory nominates Tony Logue for vice chair, seconded by Mary Jo Campbell. He accepted.

Mary Jo Campbell nominated Tracy Leet for secretary. Tracy declined.

Willie McAdory nominated Shawnta Pulliam-Brown and seconded by Tony Logue. She accepted.

Panel vote for all nominations presented. Passed unanimously.

HRC resolution for City CDBG contract for TV PSA's. There is \$8,000 that comes from CDBG through the city. Commission needs to approve the use of these funds. Tracy Leet moved to approve the use of these funds, second by Mary Jo Campbell.

Public Comment or Open Discussion

Adjournment

Tracy Leet moved that the meeting be adjourned. Shawnta Pulliam-Brown seconded the motion.

Passed unanimously

Meeting adjourned at 7:40pm.