

Allegheny County Council

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Meeting Minutes

Thursday, July 9, 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.

Invited Guests:

Elizabeth C. Pittinger, Executive Director, Pittsburgh Citizen Police Review Board

Ms. Pittinger was present from the City of Pittsburgh Police Review Board.

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

II. Roll Call

Members Present: 1 - Bob Macey

Members Absent: 0

Members Phone: 6 - Sam DeMarco ,Bethany Hallam,Cindy Kirk,Paul Klein,Robert Palmosina andOlivia Bennett

Members Non-Members: 6 - Patrick Catena,DeWitt Walton, Tom Baker, Tom Duerr, Paul Zavarella and Nick Futules

III. Approval of Minutes

[11554-20](#)

Motion to approve the minutes of the June 17, 2020 meeting of the Committee on Public Safety.

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

IV. Agenda Items

Ordinances

[11370-20](#)

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending the Allegheny County Code of Ordinances through the establishment of a new Division 9, entitled "Conduct," and a new Chapter 905, entitled "Independent Police Review Board," in order to establish a mechanism for citizen review of allegations of misconduct undertaken by police officers within Allegheny County.

Sponsors: Council Member Walton, Council Member Duerr and Council Member Klein

At the request of the Chair Ms. Pittinger gave a brief presentation regarding the proposed IPRB, highlighting that in her view, the primary goal is to assure the public that there is a mechanism for assuring the public that its voice would be heard, the limits of jurisdiction regarding local municipalities, the potential benefits of opting for an ombudsman program instead of a board, the importance of officer training, and her view of potential roles for an oversight board.

In response to questions from Mr. DeMarco, Ms. Pittinger indicated that in her opinion many of the board functions could be fulfilled by an ombudsman, and that she sees value in gathering information from the municipalities prior to proceeding.

In response to a question from Ms. Hallam, Ms. Pittinger indicated that she views the Pittsburgh review board ordinance as imperfect for a variety of reasons, but that some of those issues have been mitigated over time through litigation. Ms. Pittinger highlighted how the CHRIA does impede access to some records, and discussed the importance of access to information and the subpoena power.

In response to questions from Ms. Kirk, Ms. Pittinger distinguished between administrative investigations and criminal investigations and noted the importance of departmental policies and procedures. Ms. Pittinger also highlighted the importance of professionalizing police activities through standards, accreditation, and the like.

In response to questions from Mr. Klein, Ms. Pittinger indicated that she had not considered the willingness of local investigations to be critical of their own officers' actions, and that the oversight power of the ombudsman would largely consist of asking for additional actions. Ms. Pittinger discussed potential appointment methodologies for the ombudsman.

In response to questions from Mr. Macey, Ms. Pittinger indicated that her advice would be not to make the ombudsman an elected office in order to retain impartiality, an stressed the importance of independence for whomever is selected. Ms. Pittinger also noted that the ombudsman would have no authority to mandate sanctions or other specific actions, but rather would serve as an advocate.

In response to a question from Mr. Palmosina, Ms. Pittinger indicated that the local municipalities would conduct their internal investigations at their own discretion.

Mr. Walton expressed concerns regarding some of the information that had been shared, and the Chair offered to talk with him regarding those considerations.

[11507-20](#)

An ordinance of the County of Allegheny, Commonwealth of Pennsylvania requiring that the County test all residents of the Kane hospitals, all inmates at the Allegheny County Jail, and all County employees and contractors performing work at either location for current COVID-19 infection.

Sponsors: Council Member Hallam and Council Member Bennett

At the request of the Chair, Ms. Hallam explained her amendment, noting that the intent is to include other County employees due to confirmed COVID-19 cases among several County departments and the increasing number of cases countywide.

In response to a question from Mr. Palmosina, Ms. Hallam indicated that her intent is not to force testing on any County employee, if they would not wish to be tested.

Ms. Kirk expressed concern regarding the effectiveness of testing in the absence of travel restrictions and the full panoply of efforts to avoid infection after the tests are completed, in order to avoid a false sense of security among County employees based on a single snapshot.

Ms. Hallam noted that there is an out of state quarantine order in place from the Commonwealth Department of Health, and indicated that a number of County employees asked her to pursue the amendment because they have a desire to be tested.

Mr. DeMarco noted that the language contained within the ordinance does appear to indicate that all employees should be tested, and that the concept runs contrary to the advice of many experts who recommend symptom-based testing.

Mr. Klein suggested that the better approach may be to present the testing concept as a motion rather than an ordinance allowing for testing in the event that County employees wish to be tested.

Ms. Hallam indicated that her desire was to require that the County offer the tests to all employees, and allow the employees to avail themselves at their own discretion.

Ms. Kirk and Ms. Hallam discussed the current testing situation in the Allegheny County Jail.

Ms. Kirk expressed support for Mr. Klein's suggestion regarding testing the broader universe of County employees.

The Chair noted that she is interpreting the conversation as cutting toward creating a motion to address testing for County employees in general.

Mr. Klein suggested that there may be wisdom in re-formulating the bill from scratch.

Mr. Macey noted that testing centers are present in various areas of the County, some of which offer free testing, although appointments may be necessary. Mr. Macey indicated that the County employees he has spoken with about the issue break down to roughly 70% not desiring to be tested.

Mr. Klein expressed concerns regarding the current language of the ordinance.

Ms. Kirk moved to proceed on the amendment, Mr. Macey seconded, and the motion to amend failed with the Chair, Ms. Hallam and Mr. Pamosina voting in favor, and Mr. DeMarco, Ms. Kirk, Mr. Klein, and Mr. Macey voting against.

A motion was made by Hallam, seconded by Bennett, that this matter be Affirmatively Recommended. The motion carried by the following vote:

Members No: 1 - Macey

Members Absent: 0

Members Yes Phone: 4 - Hallam, Klein, Pamosina and Bennett

Members No Phone: 2 - DeMarco and Kirk

Members 6 - Catena, Walton, Baker, Duerr, Zavarella and Futules
Non-Member:

V. Adjournment

The meeting was adjourned at 5:25.