



Allegheny County Council

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Legislation Text

File #: 12263-22, **Version:** 1

Motion of the Council of Allegheny County censuring Council Member Thomas Duerr for conduct detrimental to County Council, specifically his actions immediately following the March 22, 2022 regular meeting of Council.

WHEREAS, Allegheny County Council conducted a regular meeting on March 22, 2022, at which Council President Patrick Catena presided with all members of Council in attendance; and

WHEREAS, while debate during the course of this meeting was, at times, contentious, all members of Council cast their votes appropriately and in accordance with the Rules of Council and all applicable County and Commonwealth law; and

WHEREAS, according to reports made to the presiding officer by multiple members of Council, immediately after the conclusion of the meeting, Council Member Thomas Duerr approached Council Vice President John Palmiere; and

WHEREAS, according to these same reports, Mr. Duerr accosted Vice President Palmiere in a hostile tone of voice and stated to Mr. Palmiere “I always knew you were a [expletive deleted] coward”; and

WHEREAS, it appeared to observers and Vice President Palmiere that this verbal attack was unmistakably based upon one or more votes that Mr. Palmiere had validly cast during the course of the March 22 regular meeting; and

WHEREAS, this conversation took place within the Council’s meeting chamber (the Gold Room), with the vast majority of the members of Council, Council staff, other County employees and contractors, and members of the public present; and

WHEREAS, Article II, §M.1. of the Rules of Allegheny County Council indicate that “Robert’s Rules of Order shall serve as the determinant of proper decorum” ; and

WHEREAS, at §4, Robert’s Rules clearly and unambiguously speak to decorum during debate: “[s]peakers must address their remarks to the chair, maintain a courteous tone, and - *especially in reference to any divergence of opinion* - should avoid injecting a personal note into debate. To this end, they must never attack or make any allusions to the motives of members.” Robert’s Rules, 11th Ed., §4, p. 43, lines 15-20 (emphasis added); and

WHEREAS, the Rule established by §4 of Robert’s Rules is in full accord with Article III, §M.3.: “[a] council member who has the floor shall refrain from dealing in personalities and impugning the motives of others.”; and

WHEREAS, it is the judgment of Council that Mr. Duerr’s utterance to Vice President Palmiere, while not taking place during debate, was public rather than private in nature, was so inextricably close in both time

and place to the March 22 regular meeting that it cannot be viewed as behavior that took place separate and apart from that proceeding, and clearly and unambiguously entailed injection of a personal note based upon a difference of opinion before a number of witnesses; and

WHEREAS, it is further the judgment of Council that Mr. Duerr's utterance specifically and unambiguously attacked, impugned, and made allusions to the motives of Vice President Palmiere, also in a public rather than private setting; and

WHEREAS, it is further the judgment of Council that Mr. Duerr's utterance implicitly was both threatening and coercive in nature to Vice President Palmiere and all other members of Council, to the extent that it raised the possibility of similar confrontations based on differences of opinion in the future; and

WHEREAS, it is the determination of Council that Mr. Duerr's behavior is precisely the type of action that both Robert's Rules and the Rules of Council are designed to prevent, and therefore Mr. Duerr's actions stand in direct opposition to both Robert's Rules and the Rules of Council; and

WHEREAS, it is further the determination of Council that Mr. Duerr's public behavior served to undermine the respect and confidence of his fellow Council members; and

WHEREAS, Council additionally finds that Mr. Duerr's public behavior has significant potential to erode the public's trust in Council as a legislative body, insofar as it calls Allegheny County Council's ability to undertake dispassionate and deliberative evaluation of the matters before it into question; and

NOW THEREFORE, IT IS MOVED, BY THE COUNCIL OF ALLEGHENY COUNTY,

That Council Member Thomas Duerr is hereby censured by Allegheny County Council for his public behavior after the March 22, 2022 regular meeting of Council, and is directed to:

- A. Issue an apology to Vice President Palmiere on the record no later than the April 26, 2022 regular meeting of Council; and
- B. Refrain from any such public behavior at all times in the future.