

**THE ACCOUNTABILITY CONDUCT AND ETHICS
COMMISSION OF ALLEGHENY COUNTY**

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Honorable Patrick Catena, President
Allegheny County Council
119 Allegheny County Courthouse
436 Grant Street
Pittsburgh, PA 15219

ANNUAL REPORT – 2021

Dear President Catena:

Pursuant to Section 105.10 of The Accountability, Conduct and Ethics Code of Allegheny County (the “Ethics Code”), this letter shall provide an Annual Report to the Allegheny County Council.

Meetings, Procedures and Website

The calendar year 2021 was the 19th full year of operation for The Accountability, Conduct and Ethics Commission of Allegheny County, PA (the “ACE Commission” or “Commission”). During the year, the Commission held four public meetings, with portions of those meetings being conducted in executive session. Due to the restrictions caused by the global pandemic of COVID-19, most of the Commission’s meetings in 2020 were conducted virtually.

The Ethics Code, information about the ACE Commission and its Members, and a Complaint Form remain available on the County’s website at:
<http://www.alleghenycounty.us/commissions/accountability/index.aspx>.

To further publicize and educate the public regarding the Commission’s existence and purpose, minutes of the Commission’s meetings and the Commission’s Annual Reports are posted to the County’s website.

On March 11, 2021, the Commissioners welcomed its newest Commissioner, Ms. Kimberly Dunlevy, who was appointed to the ACE Commission in December 2020.

Theodore Trbovich, Esquire, continues to serve as the Legal Advisor to the ACE Commission. The Commission appreciates the valued assistance of the Department of Human Resources and the appointed Legal Advisor.

Public Disclosure of Interest Statements

The Public Disclosure of Interest Statement (“the Statement”) must be filed annually by all elected and appointed “county officers, county officials and public employees,” as defined in Section 101.03 of the Ethics Code. We rely upon Department heads and employees themselves to determine whether their positions in County government require that they file the Statement.

Complaints Received

The ACE Commission has received a total of 51 Complaints since its inception. The Commission received only one complaint during 2021:

Complaint #51 was filed on September 22, 2021. After a preliminary inquiry was conducted, the case was terminated because the Commission did not have jurisdiction over the Respondent.

Confidentiality

Confidentiality continues to remain critical to the work of the ACE Commission, thus limiting the amount of information that can be revealed to the County Executive, County Council or to the public.

In order to gain the trust and confidence of Complainants and Respondents, confidentiality is necessary, as required by the Ethics Code. The Commission remains committed to the Confidentiality provisions enacted by County Council.

However, due to the current procedures in the Ethics Code, confidentiality must be preserved even when the Commission provides notice to a Respondent regarding the filing of a sworn complaint. As with the case (#51) reported above, the premature notice of the filing of a complaint, which may later be terminated following a prompt preliminary inquiry, creates confusion and frustration for the Respondent. Accordingly, in December 2021, the ACE Commission, through a letter by the Chairman to the Solicitor for the Allegheny County Council, requested that the Council amend the provisions of the Ethics Code that require notification to the Respondent prior to the Preliminary Inquiry.

Commission Activities

The ACE Commission continues to abide by its responsibilities as set forth in the Ethics Code. The Members of the ACE Commission continue to serve on a volunteer basis and appreciate the opportunity to serve.

Respectfully,

/s/ William F. Ward

William F. Ward, Esq.
Chairman, ACE Commission

Tonya B. Johnson, Esq.
Jesse Torisky, Esq.
Mr. Daryl Reeves
Ms. Kimberly A. Dunlevy

cc: Allegheny County Council Members
Hon. Rich Fitzgerald, County Executive
Mr. Kenneth Varhola, County Council Chief of Staff