

ALLEGHENY COUNTY COUNCIL

REGULAR MEETING

- - -

BEFORE:

Patrick Catena	-	Chair, District 4
Robert Macey	-	Vice-President, District 9
Samuel DeMarco, III	-	Council-at-Large
Bethany Hallam	-	Council-at-Large
Tom Baker	-	District 1
Cindy Kirk	-	District 2
Anita Prizio	-	District 3
Tom Duerr	-	District 5
John Palmiere	-	District 6
Nicholas Futules	-	District 7
Paul Zavarella	-	District 8
DeWitt Walton	-	District 10
Paul Klein	-	District 11
Robert Palmosina	-	District 12
Olivia Bennett	-	District 13

Allegheny County Courthouse
436 Grant Street
Fourth Floor Gold Room
Pittsburgh, Pennsylvania 15219

Tuesday, April 27, 2021 - 5:04 p.m.

SARGENT'S COURT REPORTING SERVICE, INC.
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Pittsburgh, PA 15219
(412) 232-3882 FAX (412) 471-8733

IN ATTENDANCE:

Jared Barker - Director of Legislative Services
Jack Cambest - Allegheny County Council Solicitor
Ken Varhola - Chief of Staff

PRESIDENT CATENA: I'd like to call this meeting of Allegheny County Council to order. Please rise for the Pledge of Allegiance.

(Pledge of Allegiance.)

PRESIDENT CATENA: We'll now have a moment of silence.

(Moment of silence.)

PRESIDENT CATENA: Thank you, everyone. Please be seated. Jared, please take roll.

JARED BARKER: Mr. Baker? Ms. Bennett? Mr. DeMarco?

MR. DEMARCO: Here.

JARED BARKER: Mr. Duerr? Mr. Futules?

MR. FUTULES: I'm here.

JARED BARKER: Mr. Duerr I believe has joined us.

MR. DUERR: Yeah. I'm here.

JARED BARKER: Thank you. Ms. Hallam?

MS. HALLAM: Here.

JARED BARKER: Ms. Kirk?

MS. KIRK: Here.

JARED BARKER: Mr. Klein?

MR. KLEIN: Here.

JARED BARKER: Mr. Macey?

MR. MACEY: Present.

JARED BARKER: Mr. Palmiere?

MR. PALMIERE: Here.

JARED BARKER: Mr. Palmosina?

MR. PALMOSINA: Here.

JARED BARKER: Ms. Prizio?

MS. PRIZIO: Here.

JARED BARKER: Mr. Walton?

MR. WALTON: Here.

JARED BARKER: Mr. Zavarella?

MR. ZAVARELLA: Here.

JARED BARKER: President Catena?

PRESIDENT CATENA: Here.

JARED BARKER: I believe Ms. Bennett is with us now as well, correct?

MS. BENNETT: I was here the whole time.

JARED BARKER: Thank you.

PRESIDENT CATENA: Thank you. We'll now have proclamations and certificates. The following certificates will be read into the record. 11843-21.

JARED BARKER: Recognizing Mr. Harry G. "Knut" Finnerty on the occasion of his 90th birthday sponsored by Council Member Palmosina.

PRESIDENT CATENA: 11844-21.

JARED BARKER: Recognizing Dr. John R. "Doc" Orie on the occasion of his 99th birthday sponsored by Council Member Kirk.

PRESIDENT CATENA: Thank you. We'll now have public comment on agenda items. Obviously, we have an agenda topic tonight which we received a number of emails, calls and comments about. If there are no objections, actually I'd like to hear --- have all of the comments read and additionally have any comments submitted from the 28th and our next meeting the 11th be read as well. Does anyone object to that? And there's people here to speak obviously. We'll go through the comments first and then we'll let them speak as well. They're here so is there anyone that objects to that? Hearing none, go ahead, Ken.

KEN VARHOLA: First up is Tim Stevens, which I don't think he's here. He was supposed to come in, so next I'm going to go to number three with Greg Erosenko. He is in person here, so he can go first, please.

GREG EROSENKO: Thank you, Mr. President, members of County Council. Again, as Ken said, my name's Greg Erosenko and I do represent a group of mayors and council people. We call ourselves the Western Pennsylvania Mayor Council Association. We are strongly opposed to this citizen's police review board that all of you will be voting on this evening. Every police department already has several levels of oversight. The chief of police, internal affairs, the mayor of council, district attorney's office, state attorney general's office, the court system, the department of justice, human relations commission. How much more do you want to put our men and women in blue under the gun?

And to add insult to injury it's my understanding some on this council want to put a convicted felon on that review board. What's the matter with everybody? You think that would be even remotely fair to any officer that would come before that board? You ought to be ashamed of yourselves if you vote for that. And have you also considered the union contracts? You're going to have issues with that.

And lastly my opinion, let the voters of Allegheny County put it on the ballot. Let them vote it

up or down. I don't think 15 people have a right in my opinion to dictate to over a million residents on something so serious as this. Please consider putting it on a ballot and vote this down. Thank you.

KEN VARHOLA: Next is Robert Maddock, Pittsburgh, 15214. I have been told you will be voting on the county police review legislation. I am writing to urge you to vote in the affirmative. The events of the past few days have raised questions about the behavior of police forces as perhaps never before. This is indeed a moment of decision. Will we enable communities of this county to shine the light of justice on the behavior of the police force or other municipalities? Will it fulfill the promise of this council to ensure safety to all residents in this county? Fulfill the trust we've shown you when we elected you. Vote the county board into existence.

Taiji Nelson, Pittsburgh, 15206. I'm writing to urge Allegheny County Council members to hold the vote on the Allegheny County Police review board immediately and not stall or wait for another citizen to be killed. I also encourage all council members to vote in favor of the review board. The nation-wide reckoning over the past year has brought the massive problem with race-based violence present in all areas of the justice system into the public consciousness and proof that police alone aren't able to hold themselves or one another accountable.

The current state of policing where other officers act in ways that show their duty to one another is more important than the people they are paid to serve is unacceptable. Police review board is the first step to provide accountability to break the silence among the ranks where officers are unable or unwilling to speak up and in worst cases provide incomplete or inaccurate testimony.

The review board can also push conversations to the surface and solve the root issues of systemic injustice that are harmful to communities as well as the officers who want to be honorable public servants and face retaliation for reporting abuse or wrongdoing. There is a problem and accountability is urgent, necessary and long past due. You must act now. Thank you.

Judith Koch Etna. I am writing to urge Allegheny County Council members to hold the vote on the

Allegheny County police review board immediately and not stall or wait for another citizen to be killed.

This is identical to the previous one. And I will end it with this, accountability is urgent, necessary and long past due. We must act now. Thank you.

Christian Pelfrey, Pittsburgh, 15216. I urge the council to vote for independent police review board.

Jerry Potts, Pittsburgh, 15213. As a resident of Allegheny County, I ask that you move forward with the vote on the independent police review board and stop stalling your vote with needless hearings. Your willingness to delay this vote is an affront to communities which have suffered from the police without sufficient oversight in Allegheny County. I ask that you vote in favor of this bill to help make sure Allegheny County is safe for all residents.

Joshua Schneider, Pittsburgh, 15213. The independent police review board legislation is critical to ensure that investigations into proper police actions are not plagued with bias and half measures. The reason for this legislation is simple. Police should not investigate themselves. The vote on this critical piece of legislation should not be further delayed. Vote to create the independent police review board and vote now.

Next one we have on the agenda is Michael Colarusso, who I believe is here with us in person.

MICHAEL COLARUSSO: Good evening. Thanks for permitting these comments tonight. My name is Mike Colarusso. I represent the Allegheny County Chiefs of Police Association. I can tell you that police are used to oversight as Mayor Erosenko pointed out. There are many, many layers of oversight currently. This would add one more layer. It might surprise you to know that our members are not necessarily opposed to this legislation. We're management and so our members routinely investigate and discipline police officers. This is not something new to them. This legislation would be new and we have some issues with it as it's currently written because we don't see how it would ever work.

And let me outline some of the reasons why we don't think it would work. Probably first and foremost is union contracts. You have to bargain with your collective bargaining unit over disciplinary procedures. I don't think that this legislation can impose on unions without their consent the processes that you'd set forth in

legislation. You are usurping the collective bargaining process and any municipality that enters into --- voluntarily enters into this process would be committing an unfair labor practice and would probably be brought before the Pennsylvania Labor Relations Board with that charge.

There are right to know problems. We know this pretty well because we've gone through the right to know battles with the chiefs of police over what can and cannot be released to the public. There are a number of places in this legislation where you say things will be confidential, privileged and will protect people's privacy. You can't do that. The right to know law will not permit you to do it.

Any piece of paper, any document, any recording, any statement that this board collects will be subject to public disclosure, and there's no way around it unless you go to the state legislature and get exceptions for your processes. Even complaints that are dismissed for lack of foundation would be subject to public disclosure and so that's going to be a big problem.

I don't think that this review board will have the ability to compel cooperation from anyone even if the municipality opts in. I don't see how you compel a police officer to come in and give evidence against himself. It violates the Constitution. It violates the collective bargaining agreements.

And quite frankly, I can't see why any rank and file police officer would voluntarily participate in this process. The explicit language in the legislation says you're going to prosecute people criminally based upon investigations. What are you going with Garrity rights?

In 1967, the US Supreme Court in Garrity against New Jersey said you cannot compel police officers to give evidence against themselves.

PRESIDENT CATENA: If you can wrap it up, thank you.

MICHAEL COLARUSSO: CHRIA, the Criminal History Records Information Act, there are a number of things here that violate CHRIA. So if you want to make real progress, I don't have any idea what the budget is for this board, but I have some suggestions. Spend some money on body-worn cameras. A lot of police departments don't have --- if you want accountability, that's got to be number one. Number two, help police train ---.

PRESIDENT CATENA: I really have to ask you. It's been three minutes.

MICHAEL COLARUSSO: May I have 15 seconds?

PRESIDENT CATENA: Fifteen (15) seconds.

MICHAEL COLARUSSO: Help them train on use of force, de-escalation, things like that, and number three help police departments find minority candidates. If you want to improve the work force and improve relations, you know, workplaces in the United States had very few women a long time ago, and when they were integrated women, they became a lot less sexist. Police departments will become less sexist, less racist if they can find those candidates. The Allegheny County ---.

PRESIDENT CATENA: I have to ---.

MICHAEL COLARUSSO: It's empty. There are no candidates training. There's nobody in the pipeline. People don't want to be police officers.

PRESIDENT CATENA: Thank you.

KEN VARHOLA: Next, Tim Stevens.

TIM STEVENS: Good afternoon, Council People. I am not feeling very strong today physically, but I wanted to come down and be with you in person and just talk to you for a moment. It has been about two and a half years since the world began to attempt to have some type of county-wide citizens police review board. One of the reasons why I'm physically tired, mentally tired is because of what's going on in America. It is literally hard to keep up with the tragedies in our nation, and our hope is that in Allegheny County that our citizens of whatever nationality, creed, or sexual orientation will have an opportunity when something happens to them with a police officer in these departments who choose to buy in at our Allegheny County Police Department that they will feel they have at least some vehicle by which they can appeal what they felt happened or at least share their pain, their anguish, their upset and hope they have a listening ear.

All of you on this council who are sitting before me, other than Mr. DeWitt Walton, happen to not be African American. One of the things I ask people who are white to think about, what would you rather be at that moment when you're stopped by the police, white or black?

If you've been watching the news locally and nationally, you know the answer. It's not about us who are African American not to be proud of who we are, but it

deals with the fact that no black or brown person in America that's male particularly can at all feel comfortable right now so we need every vehicle we can by which those who have negative interactions can have a moment for justice. So I ask that even though this may not be absolutely what you want it to be, it is a beginning.

You can always work on it. You can always improve on it, but give the citizens of Allegheny County an opportunity to have an opportunity to share their grievances through some vehicle and this being the beginning of it. If you are tired, who happen to be white watching black folks and other white folks complain and protest, those of us who are complaining and protesting are tired. This is the moment. Thank you very much.

KEN VARHOLA: Mr. President, all members of council have received an email from Fawn Walker Montgomery. She's here tonight and requesting a moment to speak.

PRESIDENT CATENA: Does anyone object? Go right ahead.

FAWN WALKER-MONTGOMERY: Thank you for allowing me to come up and speak because I know I had emailed earlier. I had missed the deadline. So my name is Fawn Walker-Montgomery. I'm sure you all know me at this point and are quite aware that I am clearly in favor of the police review board, so I don't think I need to say that piece. I just want to reiterate two things to you. First that elder --- what my elder Tim Stevens said to you I'm tired.

I don't even know how I have the capacity to sit here in front of you today. I don't know how my elder DeWitt Walton and Tim Stevens have the capacity to be here today. Black people are dying. We are getting killed. It is being filmed now, but let's be clear it's been happening since policing started, but now you're just seeing it because it's being filmed.

So could you imagine every day we wake up and see that on the television? I have a daughter. She's 17 years old. She's terrified of police. She's scared to go outside. She's scared to breathe at this point because we're dying every day. Don't act like you don't see it because I know you see it. I brought a shirt here today that has all the faces of the people that were killed by police. I would need like a thousand more shirts to

represent everybody. This doesn't even have Antwon Rose, II on it, Romir Talley, Omari Thompson, Johnny Gammage. Those are the people that were murdered by police here in Allegheny County, not in the City of Pittsburgh, but in Allegheny County.

We have no --- nowhere to go to make a complaint in this county. As you know, I'm a former elected official, so I know where people go to make complaints. All they have now is the chief of police.

The gentleman that spoke earlier is incorrect. All you have is the chief of police. That's all you have now, so you have the police policing the police. That is completely unfair and unacceptable. How are you going to expect somebody to police their own people? It is not going to work. It hasn't worked this far along. I'm frankly sick of babying y'all to be honest. I'm sick of babying you to see the humanity in this situation, so I just implore you to do the right thing because you're not going to get a cookie from me either way. I just implore for you to do what's best and do the right thing. Black people are dying.

KEN VARHOLA: Lucy Bender, Pittsburgh, 15206. I support Allegheny County establishing an independent police review board to review allegations of misconduct filed by the police against by police officers.

James Cancelmi, Jr., South Park, 15129. It is not sound public policy to give an appointed group of citizen activists the power to investigate police complaints and recommend discipline and police policies. The oversight of the local police departments should rest in the hands of the local elected officials and the police chiefs whom they employ to run the departments. Allegheny County Council has authority to monitor the county police. Actions of other police departments are not under the purview of Allegheny County Council. There is already adequate oversight for police departments throughout the county. Police officers are already subject to investigations by their own internal affairs officers, their police chief, their mayor and municipal council, district attorney's office, the attorney general's office, the FBI, the Department of Justice as well as various state and national human relations commissions. Potential for loss of oversight from municipal officials of their local police department and what it means to their communities is of great concern. What would the entire

program cost? How many positions is this going to require? What's the cost to fill those positions? What's the budget for hiring attorneys? Who's going to perform the investigations? Who's hiring the employees? How much will that cost to train the members of the police review board?

John Blau, Pittsburgh, 15213. I'd like to provide a comment on the motion to create an independent police review board in the city of Pittsburgh and appreciate the opportunity to do so. I moved to Pittsburgh over a year ago pre-pandemic. I work in tech and fully support the creation of an independent police review board. The accountability served last week in the case of George Floyd is a prime example of the sort of accountability an independent police review board here in Pittsburgh would help create.

I have read the official police report following the murder of George Floyd which states George Floyd appeared to be suffering medical distress after physically resisting officers. Despite the routine tone of that police report, Derek Chauvin, one of the officers mentioned, was found guilty on all three charges including second degree murder.

These kinds of reports the likes of which are routinely served up by police do not honestly describe the nature and context of police encounters. Instead they explain away the abuse and mistreatment of citizens in bureaucratic prose.

An independent board must be established and review cases here in the City of Pittsburgh. Inaction and delays in the creation of this board would be insulting.

Lynn Shine, Coraopolis, 15108. I am requesting a delay of the vote on ordinance 11761 until the May 11 council meeting in order to allow the public to have input on the meeting of Wednesday 4/28 on the subject. It should be noted that this ordinance has not gone under a fiscal review or legal review both of which to take place before final consideration.

Dan Hendley, Wexford, 15090. I write to register my strong objection to ordinance 11762. It would be potentially tragic if Allegheny County joins the growing list of municipalities that are hostile to its law enforcement officers. The proposed ordinance would foolishly empower individuals with no experience of actually doing the difficult work of law enforcement to

have disciplinary powers over those who undertake this challenging service. That is dishonoring to officers who deserve and need our honor and support at this time. There is plenty enough oversight already established for our law enforcement professionals. Let's not make it --- their work more difficult than it already is.

David Breingan, Pittsburgh, 15201. On behalf of Lawrenceville United, we're writing again to express our strong support for passing the independent police review board at the county. We encourage county council to delay no longer and pass this important legislation. Lawrenceville United is a non-profit, resident driven organization dedicated to improving and protecting the quality of life for all Lawrenceville residents. We were founded in 2001 in response to resident concerns about public safety. Throughout our organization's history we have created a robust network with block watchers, worked closely with county and city police to address crime in the community and we continue to strong footprint around public safety today. This work has led to huge reductions in crime in our neighborhood.

Two decades ago Lawrenceville had a reputation as an unsafe neighborhood and indeed we are dealing with a lot of violent crime. Today we are the safest neighborhood in our police zone and have a significantly lower crime rate than the City of Pittsburgh. Consequently we have witnessed the power of strong community police relations in improving the safety and welfare of our residents.

We also note that strong systems of police accountability, public accountability, transparency and equity are critical to those community police relations and that is why we fully support a strong independent police review board. We have been following this legislation for a long time. It's clear that county council has deliberated about it extensively, provided multiple opportunities for public input, so we see no reason to delay further. We thank our council representative for her leadership on this issue and for proactively engaging us to make this bill as strong and responsive to the community as possible.

Bill Karaffa, Pittsburgh, 15211. I am requesting a delay in the vote on Ordinance 11762 until the May 11th council meeting in order to allow public input at the Wednesday public hearing on this subject. I

also request that this proposed ordinance undergo a fiscal and a legal review.

Linda Fancsali, Pittsburgh, 15236. I apologize if I mispronounced her name.

I am requesting that you do not vote on the police review board matter until after the public hearing on Wednesday. To do so would be sneaky, underhanded and Marxist. Please follow the law and the constitution.

Danielle McGuire, Pittsburgh, 15201. The ordinance 11762 to create an independent and powerful citizen police review board must proceed without delay. Police cannot serve as agents of justice if they cannot be counted upon to themselves obey the laws they are sworn to uphold. Granting democratically elected civilians the power to investigate alleged misconduct will help to bring accountability to corrupt officers and serve as a deterrent to prevent violence against marginalized groups in Allegheny County especially our black neighbors. No good cop should have anything to fear from such a system and as the horrific recent accounts of brutality have shown us, we cannot wait any longer to make it a reality. Thank you for your consideration.

Michelle Kenney, Munhall, 15120. I'm asking you whether you are pro police reform or against it to sign this bill into law. Please notice that did not say pro police or anti police because a civilian review board isn't about either one of those things. Let me repeat myself. Whether you are for or against police reform, I am asking you to vote yes to this bill. If we are right that there is a need for police oversight, then this is a step in the right direction. If the naysayers are right and the police are right in everything that they do, then there is nothing to fear and oversight will be minimal. Either way it's a win for the taxpayers in the district that each of you represents. Lastly to anyone considering saying no or voting no, I leave with this question. Three shots to the back. How do you justify that?

Rosalind Daily, Monroeville, 15146. Dear Council members, regarding this proposal, I would say I am stunned, but if I did would be naive. I am beyond appalled nonetheless. How many times will the council try to ram this unnecessary and threatening evil down our throats? The members that proposed this police review board are showing their true colors. This would not add to the security of the people of Allegheny County, only

threaten it. Others, I'm sure, will point out the lack of cost analysis or review of constitutionality and these alone are adequate grounds for rejection, but what alarms us most is the complete lack of unaccountability such a board would be free to demonstrate toward the wishes of the people. To date the council has failed to produce any evidence that the county police have acted improperly and require the oversight of a police review board. This is not sound public policy. I would encourage the Allegheny County Council to keep to their jurisdiction. Let the communities of this county exercise their rights and duties as they deem appropriate and stop seeking to strong arm our police. We love them. We appreciate the very difficult job they are doing and we are not willing to subject them to the whims of an unaccountable review board.

Alyssa Snyder, Carnegie, PA. Please don't read the citations. They're there for the written record and would take up a lot of time. Thank you. In Marvel's Luke Cage character, Stan Lee created a beacon of hope for a people who have battled for over 400 years to just stay alive. Luke Cage is a black man in a hoodie and iconic Carhart apparel who was experimented on without informed consent while incarcerated for a crime he did not commit. Oh, and his skin is bulletproof. He can survive to testify to various miscarriages of justice.

From the Sentencing Project, regarding the role of media in public perception of race in crime: Media crime coverage not only increases the salience of crime, it also distorts the public's sense of who commits crime and triggers biases reactions. By over representing whites as victims of crimes perpetrated by people of color, crime news delivers a double blow to white audiences' potential for empathetic understanding of racial minorities. Their focus at once exaggerates black crime while downplaying black victimization. Homicide for example is overwhelmingly an intra-racial crime involving men, but media accounts often portray a world overrepresented by black, male offenders and white, female victims. One study of how Columbus, Ohio's major newspaper reported on the city's murders - which were predominantly committed by and against black men - examined whether unusual or typical cases were considered newsworthy.

The researcher found that journalists gravitated to unusual cases when selecting victims and to typical cases when selecting perpetrators. Yet reporters did not choose to cover the most infrequent murders, of blacks by whites or of white men by white women.

This peculiar focus suggests that newsworthiness is not a product of how representative or novel crime is, but rather how well it can be scripted using stereotypes grounded in white racism and white fear of black crime.

Researchers have found similar selection bias in coverage of Hispanic suspects and non-Hispanic victims on television news.

You might be used to seeing the message you've ceased to recognize it's the way people who live near waterfalls no longer register the roar of the falling water. Stan Lee's creations have always been commentaries on the world.

Virtually all speculative fiction, from Marvel superheroes to Robert Heinlein to Neil Gaiman, express the soul and tribulations of the times. Sometimes they're subtle, sometimes overt, but they are never missing entirely.

Even silence is a statement. Why else would Peter Parker's most defining moment be when he did nothing and allowed a social ill to run unchecked until it cost him his beloved uncle. Quiet in the face of injustice is a mockery of the immortal idiom "with great power comes great responsibility.

When will we have a superhero in office who will truly protect the citizens? When will we have a superhero in the media using words as a rudder to steer away from the race-based propaganda this country was literally built on? When will we have a superhero of ethics who will remind us of the value of the lives we've lost and are very likely to continue to lose? When will we cease in our willingness to be bystanders while the legacy of the propaganda against black people remains ever present?

Cynthia Scott, Sewickley, 15143. Vote no. An appointed board would add another layer of oversight by people who are neither elected nor professionals in law enforcement. This could easily become an activist group representing neither the people nor the rule of law. This could easily hamper the police's ability to protect citizens. People need effective policing and want peace and security in their neighborhoods. There already exists

a system of accountability and it should be enforced, but to give appointed people control over the police in addition to the oversight that already exists would be redundant, costly and would encumber the process of accountability. There is no need for this. Thank you.

Kurt Nemitz, Pittsburgh, 15208. I do not want the council to implement a county police review board and absorb the half a million annual budget of the City of Pittsburgh's police review board burdening the taxpayers of Allegheny County with that additional fiscal responsibility.

Mary Mechelli. Writing about the police review board, she's opposing the review board. She's from Pittsburgh, 15235.

Belinda Redpath, Ross Township, 15237. Allegheny County does not need a police review board. There is already more than adequate review of incidents. Do not waste my tax dollars on a board that will have no legal authority.

Khalid Raheem signed up to speak tomorrow, but he did not submit comment.

Rosalind Daily, Monroeville. Dear Council members, regarding this proposal, I would say I am stunned, but if I did --- I believe these are identical comments. I don't want to read them again.

Steven Singer, White Oak, 15130. Allegheny Council is expected to once again consider the creation of a county-wide civilian police review board. We have been debating this for nearly three decades since Johnny Gammage was murdered by law enforcement in '95. The question remains, who polices the police? I think it should be us, the citizens of the county. After all, the police are public servants just like firefighters, public works employees or teachers. Their conduct should be reviewable by the public and subject to investigation, reprimand and/or prosecution if necessary. That's why I support the creation of a county-wide civilian police review board. The City of Pittsburgh already has such a review board. It's not perfect, but at least it's better than just complaining to the chief. I think having such a regulatory body is important because it reduces police bias and creates greater public trust in law enforcement. Over the years we have had at least five public hearings on this matter already. We have debated this issue long enough. It's time to take action. Thank you.

This is from John and Barbar Goral, Tarentum, 15084. My civil rights were violated by the Frazier Police Department and Cheswick Police Department related to ALPR stationary and mobile systems. This cost my wife and I substantial hardships financially from hiring lawyers, court appearances, et cetera while under doctor's care. The police departments use these systems as weapons to pull people over because of long distanced past criminal histories regardless if driving infractions were committed or not. Both cases were disputed. One thrown out at the Court of Common Pleas and one fought but not heard by the PA Supreme Court through the underlying Justice Stabile of the Superior Court gave dissenting opinion finding me not guilty. The scope of this oversight needs to be legislated to extend beyond the police departments throughout Allegheny County and also to include magistrates and judges. These magistrates and judges are the ones whom swear in these police officers and many of them as well are just as corrupt as those they are swearing in to uphold their oath of offices. I expect nothing will change and also expect for this writing not to be read or heard publicly, though, it meets all required guidelines.

Darlene Cobbs, Duquesne, 15110. I would like to see a civilian review board developed for the hiring practices investigation for the care and concern of our citizens. It's a must.

Eric Casteel also signed up, but did not submit comments. Eric is from Pittsburgh, 15239.

Karen Toft, Pittsburgh, 15235. I am requesting that the Council delay the vote on Ordinance 11762 until the May 11th Council Meeting in order to allow public input at the Wednesday public hearing on this subject. Additionally the ordinance has not undergone a fiscal or a legal review, both of which should take place before final consideration. I am opposed to this ordinance and do not want this form of oversight on our police departments nor this unnecessary fiscal burden. This board will absorb the annual budget allotted and burden the taxpayers of Allegheny County with this additional fiscal responsibility. I do not support it in any way.

Beth Hendley, Wexford, 15090, McCandless Township. Please delay the vote on 11762 until the May 11 council meeting. Same as before to undergo fiscal and legal review.

Linda McCune, Monroeville, 15146. The vote on the Allegheny County Police Review Board Ordinance absolutely needs reviewed by the public before you vote on it. That is Ordinance 11 --- I'm sorry.

I don't believe that number's right. 11762 I believe is what she's referring to.

And how many times does this ordinance need to be brought up again and be voted on again. Isn't the will of the people obvious? In '99 public for the public was hungry for turn to law and order.

And that's all I have, Mr. President. That's all the ones we mentioned we'd read.

PRESIDENT CATENA: Thank you. We'll now have approval of minutes.

JARED BARKER: We actually have none.

PRESIDENT CATENA: None? Okay. Presentation of appointments?

JARED BARKER: We have none of those either.

PRESIDENT CATENA: Okay. Unfinished business. Committee on appointment review for the second reading. So in the interest of efficiency if there are no objections, I'd like to ask Ms. Hallam to entertain a motion to have all the appointments appearing under the unfinished business approved. Once the clerk summarizes the items, we can then proceed with a voice vote on the motion.

MS. BENNETT: So moved.

MR. ZAVARELLA: Second.

PRESIDENT CATENA: Motion has been made and seconded. Go ahead, Jared.

JARED BARKER: Bill 11787-21. Marianne Malloy to the Personnel Board for a term to expire on December 31, 2021. 11788-21 Sala Udin to the Sports and Exhibition Authority of Pittsburgh and Allegheny County for a term to expire on December 31, 2021. 11789-21 and 11790-21 Barbara Logan and Alice Mitinger to the Carnegie Library Board through December 31, 2021. 11791-21 Ellen Stewart to the Allegheny County Board of Health for a term to expire on January 12, 2022. 11792-21 Richard Snipe to the Board of Property Assessment Appeals and Review for a term to expire on June 30th, 2024. 11823-21 and 11825-21 Dr. Mona N. Generett and John Palmiere to the Community College of Allegheny County Board of Trustees through April 23, 2027, and 11833-21 Alberto Benzaquen to the MBE Advisory board through December 31st, 2024. Bill number

11792-21 is Mr. Snipes' appointment, is sponsored by Council Member Walton. All the remainders are sponsored by the Chief Executive.

PRESIDENT CATENA: Thank you. We have the motion and second. All those in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT CATENA: All those opposed? Motion carries. We'll now have committee on economic development and housing for the second reading 11835-21.

JARED BARKER: A resolution of the County Council of Allegheny County dissolving the potato garden run tax increment financing district and authorizing related actions sponsored by the Chief Executive.

PRESIDENT CATENA: Councilman DeMarco?

MR. DEMARCO: Thank you, Mr. President. The committee on economic development and housing met last Wednesday April 21st and recommended that this be sent to full council with a positive recommendation.

MR. MACEY: Make a motion.

MR. PALMIERE: Second.

PRESIDENT CATENA: Motion has been made and seconded. Is there any discussion? Seeing no discussion, all those in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT CATENA: I'm sorry, we need a roll call on this. I'm skipping ahead, so we'll do a roll call, Jared.

JARED BARKER: On the motion to approve. Mr. Baker? Ms. Bennett?

MS. BENNETT: Yes.

JARED BARKER: Mr. DeMarco?

MR. DEMARCO: Yes.

JARED BARKER: Mr. Duerr?

MR. DUERR: Yes.

JARED BARKER: Mr. Futules?

MR. FUTULES: Yes.

JARED BARKER: Ms. Hallam?

MS. HALLAM: Yes.

JARED BARKER: Ms. Kirk?

MS. KIRK: Yes.

JARED BARKER: Mr. Klein?

MR. KLEIN: Yes.

JARED BARKER: Mr. Macey?

MR. MACEY: Yes.

JARED BARKER: Mr. Palmiere?

MR. PALMIERE: Yes.

JARED BARKER: Mr. Palmosina?

MR. PALMOSINA: Yes.

JARED BARKER: Ms. Prizio?

MS. PRIZIO: Yes.

JARED BARKER: Mr. Walton?

MR. WALTON: Yes.

JARED BARKER: Mr. Zavarella?

MR. ZAVARELLA: Yes.

JARED BARKER: President Catena?

PRESIDENT CATENA: Yes.

JARED BARKER: Ayes 14, no's 0. The bill passes.

PRESIDENT CATENA: Thank you. We'll now have committee on public safety for the second reading 11762-21.

JARED BARKER: 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 to establish an independent citizen review board to receive and review allegations of misconduct filed by members of the public against police officers within Allegheny County sponsored by Council Members Walton, Bennett, Klein, Prizio and Duerr.

PRESIDENT CATENA: Councilman Futules, I believe you had a point of order?

MR. FUTULES: I do. I'd like to discuss the fact that we have a hearing scheduled for tomorrow for this very same ordinance and on March 23rd ten members of council had voted to hold this hearing on the 28th of April. I set the date specifically because I thought that we would still be committee for this police review board. I have no intentions of delaying this vote, so I think this is inconsistent with what we do here on council. The fact that we voted to have a hearing. It was advertised. There are people signed up to come and speak and I'm asking this council maybe they could delay this vote until May 11, our very next council meeting, so we can stay in order of this council's --- what we do here. I'd like to make a motion.

MR. DEMARCO: Second.

PRESIDENT CATENA: I'm sorry. What exactly is the motion?

MR. FUTULES: The motion is to delay until May 11th.

PRESIDENT CATENA: So to hold ---?

MR. FUTULES: Just to hold this until May 11th.

PRESIDENT CATENA: Okay.

MR. FUTULES: That's the motion.

PRESIDENT CATENA: Motion has been made and seconded. Is there any discussion?

MR. WALTON: Mr. President? I think there should be an effort to table the motion as opposed to delay. The only way that he can move this action is to table it, and as a result we have to follow that procedure, sir.

JACK CAMBEST: It would be a motion to table this.

PRESIDENT CATENA: It would be the motion to table which require two thirds vote.

MR. FUTULES: We can't postpone it?

MR. WALTON: Nope. You have to table it.

MR. FUTULES: Can we table it?

JACK CAMBEST: The bill is on the table already before you. There has been a motion and a second to the only way to delay that vote would be to table this bill. That would effectively table it to the next meeting.

PRESIDENT CATENA: The motion wasn't made though on the bill though. It wasn't --- it's still ---

JACK CAMBEST: The bill's on the ---.

PRESIDENT CATENA: The bill's on the floor, but a motion wasn't made.

JACK CAMBEST: I'm sorry.

PRESIDENT CATENA: He made his motion before it was laid on the floor.

JACK CAMBEST: He's correct.

MR. FUTULES: Regardless I can make a motion to table it.

PRESIDENT CATENA: You can make a motion, but you don't have to because it hasn't been --- we haven't made the motion to move forward with the motion that's ---.

MR. FUTULES: That was my intent before we did that.

PRESIDENT CATENA: Is there discussion at this point? Go ahead, Councilman Kirk.

MS. KIRK: I just want to point out that I have gotten numerous emails from constituents saying why do we even exist if you call for a public hearing, publicize it in the newspaper a month ago and now you say sorry we don't really care about what you think. And some people are --- didn't quite get to the belligerent thing, but they were very upset and I think a lot of people on this council talk all about we're transparent, we want to be transparent. This is the exact opposite of transparency and there's no reason, there's no deadline that says this has to be passed today or we lose funding or this. It's a two week delay to let the citizens of Allegheny County --- we have not had one hearing on this bill. Not one. A couple years ago we had hearings on bills that went down. They were opposed and they didn't pass. This is a whole new bill.

MR. WALTON: Point of order, Mr. President?

PRESIDENT CATENA: Councilman Walton.

MR. WALTON: What is the ruling, what is the ruling on Councilman Futules' action to have discussions without clarification and delineation of the actions requested by Mr. Futules? This conversation is ancillary.

PRESIDENT CATENA: So you're asking for a point of parliamentary procedure. What he's specifically asking for?

MR. WALTON: Yes.

PRESIDENT CATENA: What are you specifically asking for, councilman?

MR. FUTULES: To delay this to May 11 and hold the public hearing tomorrow like we have scheduled. What else can I say?

PRESIDENT CATENA: And that's been seconded at this point, so does that answer your question?

MR. WALTON: On the motion.

PRESIDENT CATENA: Thank you. Is there anyone else wishing to comment? Go ahead, Councilman DeMarco.

MR. DEMARCO: Thank you, Mr. President. I would just echo what Councilman Futules is asking for and Councilman Kirk is asking for. Holding the meeting tomorrow and allowing it to proceed may not change anybody's mind, okay? And the people that are going to vote a certain way tonight can vote that way on May 11, but what holding or stalling the vote here for --- I used the wrong word. But holding it until the 11th to allow the public to weight in tomorrow at the public hearing is

to show respect to the citizens of Allegheny County. We scheduled a hearing. We advertised a hearing and with ten votes, two thirds and then now, you know, this thing has been moved to the floor. I think that at the very least --- again, the results might be the same. There's no urgency here. It's not set to take effect until January 2022, so a two-week delay is not going to take and change anything materially.

So I would just ask that council members allow the public hearing to go forward tomorrow and then they vote on it May 11th. Thank you, Mr. President.

PRESIDENT CATENA: Thank you. Anyone else this evening?

MS. BENNETT: I have comments.

PRESIDENT CATENA: I'm sorry. Who was that? I'll get to you, Councilman Walton, next.

MR. WALTON: I was just going to say on the motion.

MS. BENNETT: It's Councilwoman Bennett.

PRESIDENT CATENA: I'm sorry. You're a little bit jumbled. I'm sorry, Councilwoman Bennett. Go ahead.

MS. BENNETT: Thank you, Mr. President. So what I have to say in this matter is the fact that I believe that we have been transparent with what has gone on with council since probably its inception. We have had countless public hearings. We had heard opinions from multiple both for and against even this evening. We had four public committee meetings on this particular ordinance, and so to sit here and say we're not being transparent and all of those meetings were public and open to the public, it is just a false narrative.

And to talk about it not being urgent, I think the people of Allegheny County who are consistently being victims of police misconduct and folks that have had --- lost loved ones to police shootings such as the one that Walker-Montgomery mentioned earlier are desperate to use the word and would like to see it enacted ASAP.

This has been a conversation that has gone on since Johnny Gammage in the '90s and to sit here and tell us that we're not being transparent about this is just inaccurate. So thank you, Mr. President.

MR. FUTULES: Mr. President?

PRESIDENT CATENA: Go ahead.

MR. FUTULES: I'd like to answer if I may. I believe Chairwoman Bennett confuses herself with committee

meetings versus public hearings. During the committee meeting, which is public, nobody is permitted to make comment unless we invite them to. A public hearing is where the people do nothing but come and speak and mostly the council doesn't say anything. We listen. And that's specific what a public hearing's for, for people to tell us the comments on this ordinance. It's not about us. We're elected official. We don't know how we're going to vote, but we think the people should have that right to come here and make their comment whether they're for or against. It doesn't matter. We can't disenfranchise people. We have been doing this for the last 20 years on county council holding public hearings, and now today we're going to decide just because it came out of committee prematurely that we're going to circumvent that process?

That's up to you guys.

PRESIDENT CATENA: Councilman Walton?

MS. HALLAM: Mr. President?

MR. WALTON: Thank you. I just wanted to ask council if we could cease debate and vote on the motion so that we can ultimately decide whether we are going to pass the independent police review board legislation.

MR. FUTULES: To cease debate?

PRESIDENT CATENA: Councilman Walton has the floor.

MR. WALTON: All I'm asking is that you move the process forward to our responsibility of making decisions.

PRESIDENT CATENA: Is there a second?

MR. WALTON: A second's not required because on the motion we need to move on the motion.

PRESIDENT CATENA: On the one that Councilman Futules offered? Not the actual bill itself because that stuff hasn't been put out there?

MR. WALTON: Yes.

MS. KIRK: He spoke four times during this discussion. Now he wants to call off discussion. I don't think that's right. I think --- I have another comment to make. I think it's only fair. One person speaks almost half the time and okay, cancel it. No more discussion. I don't think that's appropriate.

PRESIDENT CATENA: Councilwoman Kirk, go ahead.

MS. KIRK: So I just want to make a couple quick comments. First of all, there were no public hearings held on this bill. Period. Although there were a couple

on Facebook I happened to catch where I learned ---it was very enlightening to me what the plans are for the future as I listened to some of our fellow council people have a private Facebook hearing, but it wasn't a public hearing. Not all were invited. They didn't follow procedure and any other hearing was done about three years ago. It was very limited. It was either in the city or right outside the city. Nothing was held out my way at all. That said I just want to also point out according to the paper, a public source, in the 20 years from the time the city --- independent police review board review was started, there were 3,000 complaints in 20 years. Of them less than 3 percent even went to a hearing. They were totally unsubstantiated.

So of all the complaints less than 2,090, 990, actually ---.

PRESIDENT CATENA: Councilwoman, not to interrupt you, but that's actually reserved for the ---.

MS. KIRK: I'm responding to Councilwoman Bennett's --- yeah. And I do think it should be delayed and I think it's very disrespectful and obviously ten people felt there was a need for a hearing and that has changed and I'm curious why if anyone would like to give a reason.

PRESIDENT CATENA: Is there any other comment?

MS. BENNETT: Mr. President, Councilwoman Bennett.

PRESIDENT CATENA: Go ahead, Councilwoman Bennett.

MS. BENNETT: So to respond to Mr. Futules, I do not confuse public safety meetings and public hearings. I do understand there is a difference. However, I invited anybody and --- everybody and anybody to my public safety meetings that wanted to come and therefore and speak. If that hurts them or those folks didn't choose to say anything, I can't do anything about that.

And to Councilwoman Kirk's response about no one coming up in her community, I specifically sent an email numerous times asking council members where they would like to have meetings, and I got nothing. So now that we're here at the vote to sit here and call foul when things were offered to you and you chose not to participate, again, is quite interesting. Thank you, Mr. President.

PRESIDENT CATENA: Thank you. So I'm going to remind everyone that at this point in time if you're going to make a comment, it needs to be on the motion at hand which is delaying the public vote on this this evening. So if you're not going to talk about that, I ask you to refrain from comment. So Councilman Palmosina.

MR. PALMOSINA: Thank you, Mr. President. I'll be brief like I usually am. If you look back, it's been almost three years since we started this process. We have been transparent to everybody. We have had four meetings throughout the county. I had numerous e-mails. People have come in front of our council and spoken. It was July 10 that this was introduced, and I believe it was August 29 that we had our first of the four meetings. It's been transparent. These 10 or 11 people, where I do respect their comments, they had three years to make their comments. That being said, I did vote to have the meeting tomorrow and I will be here, but I think it's time to vote. I think that we have just dragged this along. It's time for us to show either a yes or a no. I don't think to go any further with anybody. I really don't. I will be at tomorrow's meeting if you want to have a meeting, but I would like to see a vote tonight.

PRESIDENT CATENA: Councilman Zavarella?

MR. ZAVARELLA: I was just thinking, in the interest of being brief, I would simply just remind my colleagues that we did take a vote. Ten of us voted to have a public hearing on the matter, and I think that's what should occur. People should have a right to come and speak. Those that may have withheld their comments on important legislation like this thinking that I will address those at the public hearing, and that's all I have to say.

PRESIDENT CATENA: Thank you. Councilman Klein?

MR. KLEIN: Thank you, Mr. President. I think that what has happened here procedurally is that we were at our public safety committee meetings considering a number of amendments that were introduced and those final amendments were withdrawn at last week's meeting on the 20th. Now, mind you the public hearing was scheduled well before that, but the reality is that we have to vote at some point and I think that we're ready to vote now, and the reality is that, you know, over the past three years all members of council have received hundreds of e-mails and phone calls. We have been out in the public. We have

been listening to the public. Councilwoman Bennett --- in the Zoom world that we have been living in, Councilwoman Bennett did convene public meetings on Zoom and invited everyone and anyone. I participated in one of those meetings. So I don't think that anybody is objecting to any of the particulars in the proposed ordinance. No one has made an argument that they have a problem with any of the particulars of the ordinance. What people are opposed to is the possibility that citizens might sit at the table and have a voice with respect to police conduct or police activity. I mean, it's just a generalized resistance to this idea.

It's really more about a mindset than it is with taking issue either structurally or substantively with the ordinance itself. So I think I know that there are plenty of people who oppose this, but I know that there are many people who support it as well. Our job as members of this council what we were elected to do is to somehow dip into that pool of wisdom that we might have and make a decision, and my decision is that I believe that we need to push ahead with a vote.

PRESIDENT CATENA: Thank you. Councilman DeMarco?

MR. DEMARCO: Thank you, Mr. President. I would just like to clarify that this bill here was not introduced until February of this year. So this bill that we're voting on here was not what we had a hearing on or any hearings on that took place last year in July or August. I would question my other colleague here Councilman Klein in regard to --- he said he doesn't believe that anybody objects to this based upon the ordinance, but yet I just went over three pages of objections at the last public safety meeting.

MR. WALTON: On the motion.

MR. DEMARCO: Yeah, I'm talking about that. So I believe at the end of the day here this isn't about us and our process. This is about the people. We set a public hearing. I understand that amendments were withdrawn early, but that doesn't mean you cut out the public's ability to be able to come and have their voice heard. We're talking about pools of wisdom here on council.

I can assure you it's a shallow pool, you know. This thing should be going to the referendum if you want to take this and put it on the county and allow the people

vote just like they did in the City of Pittsburgh. Thank you, Mr. President.

PRESIDENT CATENA: Thank you. Is there anyone else? Hearing no one else, Jared, please take a roll call vote. Can you please repeat what you are actually asking to do?

MR. FUTULES: A yes vote would be to postpone until May 11.

PRESIDENT CATENA: So you're saying a no vote would be ---

MR. FUTULES: Not to.

PRESIDENT CATENA: --- not delay the vote.

JARED BARKER: On the motion to postpone until May 11th, Mr. Baker? Ms. Bennett?

MS. BENNETT: No.

JARED BARKER: Mr. DeMarco?

MR. DEMARCO: Yes.

JARED BARKER: Mr. Duerr?

MR. DUERR: No.

JARED BARKER: Mr. Futules?

MR. FUTULES: Yes.

JARED BARKER: Ms. Hallam?

MS. HALLAM: No.

JARED BARKER: Ms. Kirk?

MS. KIRK: Yes.

JARED BARKER: Mr. Klein?

MR. KLEIN: No.

JARED BARKER: Mr. Macey?

MR. MACEY: Yes.

JARED BARKER: Mr. Palmiere?

MR. PALMIERE: Yes.

JARED BARKER: Mr. Palmosina?

MR. PALMOSINA: No.

JARED BARKER: Ms. Prizio?

MS. PRIZIO: No.

JARED BARKER: Mr. Walton?

MR. WALTON: No.

JARED BARKER: Mr. Zavarella?

MR. ZAVARELLA: Yes.

JARED BARKER: President Catena?

PRESIDENT CATENA: Yes.

JARED BARKER: Ayes 7, no's 7 with one member absent. The motion fails.

PRESIDENT CATENA: Now we're on to 11762-21. The way this is going to work is that I'm going to ask the

public safety chair to introduce the bill and then I'm going to go to all the sponsors of the bill to speak first and then open it up to all of the rest of council to talk to the rest and to debate the issue.

So I'm going to turn it over to you, Councilwoman Bennett.

MS. BENNETT: Thank you, President Catena. So we had, as I stated earlier, four public safety meetings on this bill and it has been affirmatively recommended full council --- with affirmative recommendation. So I now make a motion to pass this ordinance.

MR. DUERR: Second. Duerr.

PRESIDENT CATENA: Motion has been made and seconded. Council --- you're the next sponsor, Councilman Walton, so if you'd like to say anything.

MR. WALTON: Thank you. It is with a significant amount of appreciation for the effort that has gone on for the past three years to get to this point again. It is with a great deal of stress, of challenge and frustration that we're here again for another vote, but it is clear to me that the path forward and to pass this ordinance is the right thing to do. I believe that America and Allegheny County is at a crossroads and that the issue of accountability is here.

The issue of the need to generate trust and mutual respect is here. The gentleman from Allegheny County Chiefs Association talked about in his comments about the need to recruit minority officers. I understand why it's so difficult to recruit minority officers.

How can you recruit someone that doesn't trust you? That you don't have a relationship with? That they don't see any equity in their community? I realize that 90 plus percent of police officers just want to go to work and come home at the end of watch just as safe as they were when they went to work, and I don't believe that very many officers go to work with any intent to do anything other than be the best kind of law enforcement officer they can be. But I also realize that there are aberrant behaviors and aberrant individuals on police departments just as they are in any other segment of our society.

And they should not have qualified immunity. They should be held just as accountable as I am if I don't do my job. The job is too critical. They have to be paid a truly great wage because they are expected to do a truly great job.

Let me put it in this context and then I'm going to shut up. From 1900 to 1930 plus, the equal justice initiative headquartered in Montgomery, Alabama tracked 3,000 lynchings of African Americans in that period of time. Africans Americans every day have conversations and talk about modern day lynchings. Breonna Taylor, George Floyd, Johnny Gammage, Johnny Jackson and God thank you for saving his life, Jordan Miles, Antwon Rose. Look, we got work to do. We have challenges in front of us, and we have to appeal to the best of us and the only way to do that and to create an environment that generates trust is to pass this legislation. Thank you.

PRESIDENT CATENA: Thank you. Councilman Klein?

MR. KLEIN: Thank you, President Catena. I'd like to say a few things that may clear up some misconceptions about the legislation that continue to persist to this day, but let me begin with this. Two years ago in January of 2019, I attended a promotion and recognition ceremony at the Allegheny County Police Academy, and I was joined that day by Council Member Prizio and Council Member Catena. At that event, the then superintendent of county police, someone who I have a great deal of regard for, recently retired, Superintendent Coleman McDonough in recognizing the work and the efforts of the county police made reference to Sir Robert Peel.

Peel was someone that I did not know of, but Peel was the first commissioner of the London Metropolitan Police. I didn't know anything about Sir Robert, but since that day, I have learned something about him. It was Peel who said this, the police are the public and the public are the police. This statement reflects the dual role that members of law enforcement hold in our society. Police officers are both part of the community that they serve and the government serving that community as well. These principles of law enforcement as they have come to be known, there are nine of them, also travel under the identity of policing by consent.

It's understood to mean that the power of the police comes from the common consent of the public as opposed to being imposed by the state. William Bratton, Bill Bratton, who for a number of years was the police commissioner in New York City, the NYPD, said that these principles, the Peel principles are his bible and he carries them with him every day. These principles hold that police derive their legitimacy from the people based

upon a general consensus of support that follows from transparency about their powers, their integrity in exercising those powers and their accountability for doing so. Although there's growing doubt and anxiety among many in this country as to whether or not this republic can retain its democratic identity, we know that in a democracy policing carries a much greater burden. It's much harder than it is in authoritarian states.

And one of the hallmarks of democracy is that the voice of the people will be heard. In voting on this ordinance this evening in creating an independent police review board, we are giving expression to the profound belief that the people not owing to their expertise, but because they hold membership in this shared endeavor that we call a democracy and are invested in its success that they will be heard. In this country today there are now 160 municipalities that have created independent police review boards, and in the past year, 130 other municipalities are now at work contemplating the same. As lawmakers here in Allegheny County we can close our eyes, we can cross our fingers, we can hope for the best, or we can own up to our leadership responsibilities in this county and serve as a model for this region that we will be better prepared to meet the uncertain exigencies that might befall us in the future.

Now, just to clarify, this ordinance gives the independent police review board authority only over the Allegheny County Police, only over the Allegheny County Police. We have no jurisdiction over police in Munhall or in Brentwood or in Wexford or in Bellevue or in Ross Township or West Mifflin. We have no authority over them at all. We will not be knocking on the doors of the chiefs of police in those communities. We have no authority there.

But those municipalities that would like to participate have the opportunity should they choose to opt in, but we cannot compel that. The municipalities that make up this county are free to join or not. No one can compel it.

As elected representatives, we are entrusted with the responsibility of being good societal stewards. We have to listen to the voices of the many voices that are often at odds with one another which we will appreciate because we have been hearing from the many in this county for the past three years, and in our wisdom,

for those the pool might be shallow, wherever it might come from, we have to make a decision, and we have to make a decision that will come as close as possible to serving the public good. Thank you.

PRESIDENT CATENA: Thank you. Councilwoman Prizio?

MS. PRIZIO: Thank you, President Catena. I echo the sentiment of the council members that spoke before me. I think the time has come to pass this legislation and we've had ample time to discuss this legislation in front of us as it's not substantively changed from when we approached it several years ago and, as Councilman Klein said, the municipalities have to opt in. We only have jurisdiction over county police. Thank you.

PRESIDENT CATENA: Thank you. Councilman Duerr?

MR. DUERR: Yes, thank you, President Catena. Firstly I'd like to thank Councilman Walton, Councilwoman Bennett and Councilman Klein on their leadership on this issue. A couple years ago the first time I met Councilman Klein was at a public meeting on this issue on the initial ordinance in Mount Lebanon. My predecessor on council I guess couldn't be bothered to attend that meeting, so I attended as a candidate for county council and saw the overwhelming support for this legislation from my district. During my time as a candidate when I started to run initially I was told not to make this a platform of my campaign, that it wasn't popular in the district like mine. I ended up winning my seat by over 20 points. I was running primarily on two issues, LGBTQ conversion therapy ban and the creation of an Allegheny County civilian police review board.

People in my district spoke loud and clear in 2019 on this issue when they elected me to represent them on County Council. I intend to keep my promises to them tonight in voting in favor of this legislation and keep my promises to Councilman Walton as well who we met before I was on council and promised to him when I was a candidate that said if I went on council, I would do everything I could to make sure this passes and kept that promise when I signed on. The first thing I did as a council member was sign on to his bill as a co-sponsor. I will say on the legislation overall that I think it's an incredibly important step to repairing the divide between our communities and our law enforcement agency.

But I will say this on a much broader scale that oversight and accountability in and of itself is not justice. It does not bring back the lives of all of the unarmed people of color who have been killed by police brutality over the years. It does not end the issue of police violence and police brutality that permeate through our law enforcement system.

But it is a step towards justice. It is a step in the right direction, and an issue like this can be a step towards true justice in this country when it comes to law enforcement reform and I applaud all the council members who join me tonight in taking that step. Thank you very much.

PRESIDENT CATENA: Thank you. Before I open it up to everyone, I just want to remind my colleagues that obviously let's stick to debating the merits of the bill. I know I shouldn't have to remind anyone. I know everyone will respect one another, but let's refrain from personal attacks and impugning someone's integrity about why they're doing this or why they're doing that, so please keep it professional. Thank you. Councilman DeMarco, did you --- we'll just do down the line.

MR. DEMARCO: Thank you, Mr. President. I appreciate the opportunity here. I think while there's a lot of disagreement here on this council, I think in some ways there's also agreement. Okay? And when I say that, I think we can all agree that there's a problem and that the connection between the community and law enforcement, that relationship is frayed. Many people in the community don't feel in many ways that their complaints are heard or that they received, you know, action on them and things of that nature and they're looking for some sort of way to provide transparency and accountability.

Unfortunately, I don't believe that this bill and this board as structured is what's going to deliver it for them. That's why I introduced the body camera bill as a way to provide video proof of what takes place because I believe that will provide transparency and accountability.

The reason I'm against this is I don't believe in taking and spending the county taxpayers money to create something here to which I challenge the folks here how many of the elected officials in the municipalities you serve called you and told you they wanted this. How many of you sat down and talked with the police chiefs in

the communities of which you serve about the discipline process, the steps that take place and how that all works.

Mr. President, one of the speakers here talked about what he saw as the problems with the bill. Those were many of the same that I outlined in last week's public safety meeting. I believe that they're issues with due process, confidentiality, on constitutionality in trying to compel someone to come forward and give testimony against themselves. I believe it violates the CBA as well.

Mr. President, I just don't see --- people take and vote with their feet. They move to a particular area or municipality for a number of reasons. Sometimes it's education. They want their family or kids to go to a better school. Sometimes they want to live in what they believe is a safer neighborhood. This board, the way it's constructed, I offered two amendments.

One was the same as the city's review board. It said if you're a convicted felon, you should not be able to serve on this board. That was voted down. I offered another amendment where I said okay, anybody that opts in, the members of the board should be made up from the communities that they're overseeing. That was voted down.

You know, I questioned how effective this can be if people feel that their values aren't being represented, that someone else is coming into their community with potentially different values to take and make judgment on policing in their community and, with that effect, public safety.

And, again, we're talking about this. It doesn't take effect until next year. We have that public hearing scheduled for tomorrow. Again, I know no one's mind may change, but I question what message we're sending to the public telling them that, hey, we have a public meeting tomorrow if you want to come. You're welcome to show up, but in our infinite wisdom we're voting tonight.

You know, this thing here is contentious. That's why it's taken three years. You know, we argued back and forth sometimes passionately because it's a serious issue and it's something that matters to a lot of people. That's why I recommended it go to referendum. For the folks that are for this and want this thing to pass, I would also point out that my fellow colleague said here all this covers is the Allegheny County police, a very professional organization, an elite law enforcement

organization in this region. I'm not aware of complaints that they've had since 2014 when the complaints were they ticketed people in North Park for parking on the grass on Mother's Day. All this board has the ability to do is make a recommendation.

And when I talk about the body worn camera bill, the issue here is people in the communities are unhappy because they feel that either their complaints or their lawsuits aren't being resolved or aren't being resolved in a timely fashion. But what we're creating here is just a board that's going to be a he said, she said where someone is going to come in and file a complaint, the officer probably won't participate.

What kind of --- kind of finding can you have? You know, I just believe for my purposes I wanted to use the taxpayer's money judiciously. I wanted to spend it on something that will actually have an impact and that's why I would take the hundreds of thousands dollars that this thing or potentially more is going to cost and divert it to tools and training for the officers to provide more transparency for the public and more accountability on the behavior of officers as well as the public, you know, and I think it would better used for training purposes as well.

So, Mr. President, that's my issue here and that's why I'll be a no on this piece of legislation tonight. Thank you.

PRESIDENT CATENA: Thank you. Councilman Futules?

MR. FUTULES: Thank you, Mr. President. Back in 2018, this council had an opportunity to vote for public hearings that Mr. DeWitt Walton had asked us to follow, and I voted yes with an open mind. I wanted to hear what the people had to say. I went to the hearings, and during that time, I heard what they had to say and it made sense. So I had decided as an elected official to contact my 16 municipalities that I represent and that would be Blawnox, Brackenridge, Cheswick, Churchill, East Deer, Fawn, Frazier, Harmar Township, Harrison, Oakmont, Penn Hills, Springdale Borough, Springdale Township, Verona and Wilkins. I asked them if they would be interested in opting into a police review board at the time. I got a letter back from all of them.

All 16 communities stating they were not interested. Most of them had a lot of different comments.

Some said it's after the fact, some said we don't need anyone coming in our communities telling us how to run our police force. There were a multitude of different answers that I got, and I had followed up with these letters and actually went to their council meetings and talked to them in person and tried to explain it to them that this is specifically for the county police, not you if you don't want in.

They specifically said they weren't interested, and they would prefer that I did not vote yes for this because it was their will, and as a council person that represent a district, when you've got all 16 of your communities telling you this is what we want and this is what we would like you to do to, tonight I'm going to have to follow what they're telling me because that's what I do. I listen to the people in my district. Not all of them. Of course, not. There are some people that would prefer to have the police review board. I understand that.

I also know that the county police are a professional. Like Mr. Demarco said, they don't answer 911 calls. They're a SWAT Team. They're drug enforcement. They patrol parks. They patrol the airport. Some of the members of our Allegheny Police department, they're heroes. Those heroes were the men that went into the Tree of Life and saved people's lives. That is something that really touched me that men and women in the police force risked their lives every day and, when they went to the Tree of Life, they weren't sure if they were going to come home that day.

When things like that happen and you see what police officers go through --- and I understand not all police officers are the best, I get that. But if you were to put this police review board together, this doesn't solve much of the problem because it's after the fact. Matter of fact one of the --- Wilkins Township specifically said if you have additional police training, we'll definitely want to opt in to that because we feel that that will be a preventative measure versus an after the fact.

So basically I tried not to have an opinion of my own and allow my constituents and municipalities to tell me how they wanted me to vote, so that's exactly what I'm going to have to do, so tonight I'm going to vote no on behalf of the Seventh District. Thank you.

PRESIDENT CATENA: Thank you. Councilwoman Hallam?

MS. HALLAM: No. I'm in support of this. I can't wait to vote for it. Thanks.

PRESIDENT CATENA: Thanks. Councilwoman Kirk?

MS. KIRK: Just a couple things. I also talked to all my municipalities, I have 15 municipalities in the northern end of town and the group that struck me the most back then --- no one was in support of this. They felt they liked the local control. They felt the issues the city had were very different from them. They were more concerned about the complaints they might get is the officer's rude. Then they show the body camera footage and they find out the individual was rude too and they apologize to each other and they're done. That's the biggest complaint.

In talking to the northern region, that's the only other merged police department and it was four small communities, so in some areas of the county small communities, maybe a thousand people, have their own police force, but maybe they can't afford the training or the pay, so they --- they're down the path of setting people up to make bad decisions and a lot of people or some people get hurt. So I agree with what Councilman DeMarco said instead of putting money in here --- I said this on day one a few years ago we should do more for prevention with the setting use of tools, the training. I was very impressed with the training that is offered, and you'd be surprised if you talk to your chief of police, it's just not about guns and tools. It's also about how to deescalate, how to deal with a lot of different issues. You'd be quite surprised, and that is being done especially in northern regional who is a merged community, and they had four small communities at the time. It's now grown and also they have their own it's, I guess, mandated when you have a merged --- different municipalities, you must have a police review board.

So they have a police review board, and how it's done is it's four communities. Based on the number of the population they get so many representatives, local people deciding their own situation to that police review board.

So I heard the cameras. I think the cameras puts everyone on notice and you prevent people from dying. On one hand let's say you have police officer might feel extra stress, maybe it stops when he says, hey, I'm on

camera just like sometimes you behave a little bit better when you're on camera and that's just a nice --- it's actually a training tool, a tool. At the same time people might think again of hurting someone, be it from the person that's stopped to the police because they're on camera, but --- and a lot of areas in the North Hills do have cameras and I wish they were everywhere and think that would be the use --- the best use of the money first because you prevent things. You don't go after the fact and deal with the incidents and the tragedy that could pursue and I think we're doing this sort of backwards. I think the cameras and that should have come first. Put our money in the training and those kind of things, so I'll be a no vote on this at this time based on the feedback from my community. Thank you.

PRESIDENT CATENA: Thank you. Councilman Palmiere?

MR. PALMIERE: Thank you. I don't think any of us are going to change our minds on how we're going to vote no matter what's said here tonight, so let's get on with the vote, please.

PRESIDENT CATENA: Thank you. Councilman Palmosina? Nothing? Okay. Councilman Zavarella?

MR. ZAVARELLA: Nothing, President Catena.

PRESIDENT CATENA: Thank you. Councilman Macey?

MR. MACEY: Thank you, Mr. President. My 14 communities that I have, and this was all put together by Dr. Acker, as far as crime, as far as illnesses, as far as unemployment, and --- we're the toughest, toughest district in the 13 districts we have. I've gone to --- canvas various police departments. Where I couldn't, I went to leadership. Where I didn't make the first foot forward, I was approached by people and I'm going to vote the conscience and the will of my constituents, the ones who elected me. It may be different from others, but my vote will be based on what my constituents have suggested I do. Thank you.

PRESIDENT CATENA: Thank you. Is there anyone else wishing to speak again?

MR. WALTON: I have a couple.

PRESIDENT CATENA: Go ahead, Councilman Walton.

MR. WALTON: Thank you. And I don't want to delay this any longer than needed, but there's a couple key points that as I heard the concerns raised --- and I don't want to disparage anybody or their intentions.

But clearly in the community in which I represent, clearly in the communities in which I travel much of the time and across Allegheny County, there is a common phrase that folks want. You know, it's not about someone being angry at the police for a ticket. It's a desire for justice. That one word, justice that people know that they're going to --- even though they may be pulled over that they're treated with respect and dignity.

The --- everyone and we talked a lot about collective bargaining agreements and those challenges. I've spent my entire working life in a union and for a union, and I know that the national AFLCIO is working and my former boss is leading a discussion with police unions across this country to try to work to revise and --- and build a collaborative effort that image and engagement is improved so that law enforcement has greater respect and responsibility. One of my friends, David Hickman, who is a former US Attorney for the Western District of PA, early on when the Jordan Miles case arose, David Hickman convened a bunch of individuals across races, across orientations and genders to talk about these kinds of issues and he brought in the then Assistant Attorney General for the United States, Tom Perez, and we convened a meeting in his office, a series of meetings at his offices and continued them across Allegheny County and engaged police chiefs and leaders and we wanted justice for and from the police.

And that's what's ultimately needed across the spectrum. Folks, we have to modify. It's a two-way street. We really want police officers to do their job, but to treat us with respect that we don't have to --- and when I close, I'm going to give you a quick story about my life and why I'm so passionate about this issue.

We got to work at it. There was a comment about lawsuits and those kind of things. I won't attempt to speak for Michelle Kenney, but I'd wager a dollar or a million dollars to a doughnut, she'd much rather have her son Antwon Rose back than a legal settlement.

Her son and the loss of her son has ruined her life. She'll never be the same. Her son will never be back, and it was a mistake to kill him. There's talk about self-control and self-investigation and we can monitor ourselves.

The United States Department of Justice just announced this week, last week, that they will start

investigations in both Minneapolis and Louisville about patterns and practices. The City of Pittsburgh in the early '90s had to undergo a similar consent decree investigation.

Look, what is happening is too important. We can't make a mistake. We owe our residents the best that we can be. This is not anti-police. This is about accountability, and I'm going to end with this.

I've been a battler all my life. In 1978 on a September morning at 5:00 a.m. I was driving down a road on my way home, and I was pulled over by a Munster Police Officer. And when I asked him what did he pull me over for, he said you're running too close to the yellow line. And then I said, running too close to the yellow line and he pulled out his .357 and said, nigger, what the hell are you doing out here at 5:00 in the morning? If I catch you out here again, I'm going to blow your damn head off. I was terrified. I thought I was --- there was a good chance of me dying, and he let me go. I got in my car and I drove home, and I never went to Munster again and I won't go there when I go back home to visit.

In 1985, in Portage, Indiana, brand new car, I got pulled over again by the Portage police. I had my girlfriend in the car. He wouldn't let my girlfriend drive my car home. We left it in on the side of the road. She walked to a gas station. He put me in the squad car in the front seat and handcuffs on. We drove a mile down the road, pulled off to the side of the road and told me to get out. I told him I'm not getting out. If you kill me, you're going to kill me in this front seat. My girlfriend had walked to a gas station and called my brother who was a sergeant in the Gary, Indiana police department and told him what happened. My brother rallied a bunch of police officers and came to Portage, Indiana and got me. We need this. We cannot do this any longer. It happened to me. If it happened to me, it happens to us. Too many. We got to do what's right. I'm done.

PRESIDENT CATENA: Thank you. Is there anyone else this evening?

MR. DEMARCO: Mr. President? For the experiences that my colleague suffered, I think all of us find that horrific and detestable that racism was exhibited and was foisted upon him, and there's nothing that can ever fix that or make that go away, and for that, I am truly sorry.

But here we are in 2021 in Allegheny County, Pennsylvania and unfortunately what's happened is debates around these types of issues have been by the media sometimes portrayed as a black and white issue. I think the one thing we do agree on here is that we want to prevent the deaths of any young person black, white, Hispanic or other.

I've come up with statistics here. This is in 2020. Out of close to 50 million police and suspect interactions and 10 million arrests, the police in the U.S. fatally shot 1,021 people in 2020. Unarmed suspects that were fatally shot by police was in the neighborhood of 48, 24 were white, 18 were black. More whites were shot and killed than blacks, and out of ten million arrests, you had a 0.00024 percent chance of being unarmed and shot by police.

Although every death is tragic, I don't believe that this is systemic and that it's racist, and I realize many folks are going to disagree with me. One of our speakers tonight put forth the proposal to the mayor where he wanted the Pittsburgh police to just stop traffic stops for folks and that's certainly, you know, his right and his opinion. The one thing that's missing here that I would ask is that all of us and I'm perfectly willing to do this is that we look at this and as my council --- my colleague said it needs to start on both parties and both sides, so we want the police to be transparent. We want them to be held accountable for bad behavior, but I also ask that we talk to the community and we ask young men or young women who are being arrested to please not resist arrest and comply with the officers' instructions.

If they're being unlawfully detained, they have the ability to sue for damages and recover this, and I say that because that's what needs to happen. From all news accounts today, unfortunately what we're seeing happen is people are taking and choosing to resist arrest and then filming it with their cameras.

I talked to a police officer yesterday who told me that when he makes a decision to place someone under arrest, he's compelled by law to take that person into custody, and therefore, some of these things can start down a path which neither party intended by which some terrible things happen.

Again, this is all off the track of this legislation, and to Councilwoman Kirk's point, this

legislation is only going to come into effect after something happens. I would prefer we were able to do things to prevent something from ever happening, but that's where we're at today and I just want to share that. Thank you very much, Mr. President.

PRESIDENT CATENA: Thank you. Is there anyone else this evening wishing to make a comment? Hearing none I would just like to say something at this point.

Three years ago I sat here and I was a no vote against this legislation. Over that time frame I sat down with many people in my district. As a matter of fact, I spent the better piece of the day on Sunday responding to e-mails about this very piece of legislation and explaining it to people because it seems like there's a lot of misinformation out there about it. And when I sat down and talked to people in my district, whether that be police chiefs, elected officials, what have you and explained to them that the only way this comes to fruition in your area is if your local body opts into it, and they said so it's not being forced upon us?

And I said no. It's not being forced upon anybody. The county police are the only ones that are going to be under the jurisdiction of this police force. And I explain that to them, and once they understood that fact and it was going to be basically the prerogative of the local municipality whether they opt in or not, the majority of them were okay with it.

As a matter of fact, one police chief told me, he's like, I have nothing to hide. He's like my police force is the best. If my borough council wants to opt in, let them, and I thought that was actually interesting for a police chief to say that. He said we're not opposed to any additional oversight. He's like we do nothing wrong, and whether they do anything wrong or not, that's --- that's for the local council or the local township to decide if they want to opt in to this, if they want to opt into this program.

But I've also heard about the collective bargaining agreements or we're going to violate collective bargaining agreements. The county isn't violating any collective bargaining agreements. The collective bargaining agreements are between you and your police officers, and if you decide to opt in, they would need to be negotiated into those contracts and that would be obviously between the municipality and the police

department, so again, it comes down to basically all voices are local.

If you want to opt into this, that's great. Please do it. The other thing that I've heard tonight is the fiscal --- we don't know fiscally how much this is going to cost us or whether this is going to be too expensive. I had those concerns initially, and I can tell you most of the functions of this board have been rolled into what we're already doing with the county, so it's actually --- it's very cost efficient to form this board, so the fiscal responsibility --- like I said, I was previously concerned with it because it is a high cost what the city pays for the police review board and I share that concern.

But, like I said, the way this bill was written it's very cost efficient, so that allayed most of my concerns. No bill that this body, Harrisburg, or Washington D.C. puts out there unfortunately is perfect. But it's a starting point and it's much improved over the bill we initially started when we started talking about all of this. Either you're for additional police oversight, or you're against additional police oversight. It comes down to that very simple conclusion. Either you don't have a problem or you do have a problem. We've debated this now for a number of years. We've talked about this with --- I mean, you've heard every council member say they talked to other constituents. They talked to their police chiefs, they talked to their elected officials and everyone knows exactly what they want to do at this point in time.

And like I said, I'm not against having a public hearing tomorrow, but I believe the time has come for us to vote on this at this point in time regardless, so at this point I'm going to actually ask for --- the motion has been made and seconded. We've already had our discussion. So unless anyone else wants to make a final comment, I'm going to call for the roll.

MR. KLEIN: Just one comment. You know, throughout this process Mr. Walton and I, Ms. Bennett have worked very closely with Mr. David Harris who teaches in the school of law at the University of Pittsburgh and he has been --- he has been a guiding force. He is someone who has worked in this area for a number of years and has great expertise and he has been an invaluable source of support and guidance and really illumination for us, so

I'd like to --- I'd like to mention that before we take a vote, so thank you very much.

PRESIDENT CATENA: Thank you. Is there anyone else? Hearing none, Jared, please take roll.

JARED BARKER: On the motion to approve bill number 11762-21, Mr. Baker? Ms. Bennett?

MS. BENNETT: Yes.

JARED BARKER: Mr. DeMarco?

MR. DEMARCO: No.

JARED BARKER: Mr. Duerr?

MR. DUERR: Yes.

JARED BARKER: Mr. Futules?

MR. FUTULES: No.

JARED BARKER: Ms. Hallam?

MS. HALLAM: Yes. Absolutely.

JARED BARKER: Ms. Kirk?

MS. KIRK: No.

JARED BARKER: Mr. Klein?

MR. KLEIN: Yes.

JARED BARKER: Mr. Macey?

MR. MACEY: No.

JARED BARKER: Mr. Palmiere?

MR. PALMIERE: No.

JARED BARKER: Mr. Palmosina?

MR. PALMOSINA: Yes.

JARED BARKER: Ms. Prizio?

MS. PRIZIO: Yes.

JARED BARKER: Mr. Walton?

MR. WALTON: Yes.

JARED BARKER: Mr. Zavarella?

MR. ZAVARELLA: Yes.

JARED BARKER: President Catena?

PRESIDENT CATENA: Yes.

JARED BARKER: Ayes 9, no's 5 with one member absent. The bill passes.

PRESIDENT CATENA: We'll now move on to the committee on sustainability for second reading. 1183-21.

JARED BARKER: A motion of the Council of Allegheny County establishing a desired timeline for the creation of an Allegheny County Sustainability Commission and the development of an Allegheny County Climate Action Plan sponsored by Council Members Prizio, Bennett, Klein, Futules, Macey, Duerr, Baker, Catena, Hallam, Kirk, Palmiere, Palmosina, Walton and Zavarella.

PRESIDENT CATENA: Thank you. Ms. Prizio, I believe you have an amendment to offer?

MS. PRIZIO: Yes, I have an amendment to offer. So Earth Day, the committee of sustainability met and we affirmatively recommend the motion we have in front of us. I did offer an amendment here to address Councilwoman Kirk's concerns about the having a commission being formulated after the City of Pittsburgh and the one in Delaware County, and also, we changed the dates as far to make it more feasible.

So I'd like to entertain a motion to accept this amendment?

MR. MACEY: So moved.

MS. KIRK: Second.

PRESIDENT CATENA: Motion has been made and seconded. Does anyone object to a roll --- or do we need to do a roll call or can we just do a voice?

MR. WALTON: Voice.

PRESIDENT CATENA: Voice vote? Okay. All those in favor, signify by saying aye.

(Chorus of ayes.)

PRESIDENT CATENA: All those opposed? Motion carries. So now we're going to actually vote on the amendment or on the amended bill, so I'd like to entertain a motion to approve this, Ms. Prizio?

MS. PRIZIO: Yes. I'd like to make a motion to approve 11813-21.

MR. MACEY: Second.

PRESIDENT CATENA: As amended. Okay. Motion has been made and seconded. Is there any discussion? Hearing no discussion, all those in favor signify by saying aye?

(Chorus of ayes.)

PRESIDENT CATENA: All those opposed? Motion carries. We'll now have liaison reports? Is there anyone wishing to make a liaison report this evening?

MR. WALTON: I just want to make a comment to thank members of council for their work and their candid and difficult conversation, but real progress that I believe was made tonight, and to all of you whether you voted for the legislation or opposed to the legislation. I think we began to raise the bar of engagement tonight and I thank you. I applaud you all.

PRESIDENT CATENA: Thank you. Anyone else this evening?

MR. DUERR: This is Councilman Duerr.

PRESIDENT CATENA: Councilman Duerr, go ahead.

MR. DUERR: Thank you. I just wanted to thank the administration for announcing today their implementation of online campaign finance report filings. I had met with them a few months ago about the possibility of introducing that into the county and they took my recommendations and ran with them, and as of today you can now file campaign finance reports online here in Allegheny County. And for those of us who work in campaigns for a living, that's a pretty big deal. So I just want to thank County Executive Fitzgerald and his whole team for meeting with me on that and thank them again for all their hard work to get that done. So thank you.

PRESIDENT CATENA: Thank you. Is there anyone else?

MR. WALTON: Yeah. I had one.

PRESIDENT CATENA: Can we go to Councilman Macey and then we'll go back to you?

MR. WALTON: Yeah.

MR. MACEY: Well, thank you, Councilman Walton. One of the things that just happened and that's kids are going back to school. And a lot of younger people want to learn the trades, a lot of young want to get a college education whether it's two year, four years and sometime ago we put together a program. The program is called Fire VEST. Community college is up and running again. Maybe not a hundred percent, but it's doing much better than it had been in the past during this pandemic. Young people, if they volunteer in a volunteer fire department, they can get up to two years free college education. They can also get a trade education, and I have been told on more than one occasion that a lot of people in the trades are making more money than their college counterparts and they're hiring.

There are signs up there as many --- not as many as political signs, but there are signs out there with 21, 24, 30 dollars an hour, and here's where it's interesting. You can earn that money while you're learning, but the catch is and there's always a certain responsibility to getting these --- these benefits and that would be five years. You have to sign on to the fire department for five years, but lo and behold you're going to learn to be a fireman, you're going to learn things about the hazardous wastes and you're going to learn about a myriad

of things that firefighters have to know to serve their communities.

So what I'm saying in essence, if you're interested in going to school and you don't have money, go to your local volunteer fire department and ask about the program Fire VEST. That's Fire Volunteer Emergency Services Training. Thank you very much.

PRESIDENT CATENA: Thank you. Councilman Walton?

MR. WALTON: Thank you, President Catena. In my glee of joy of this legislation, about the police review board, I failed to give the appropriate amount of credit to the administration and the role that they played in helping us get to where we all passed the legislation tonight. We had conversations. We found common ground, not only among ourselves through support of the legislation as members of council, but we also found the ground that we --- common ground with the administration and what they would agree to and to make --- again, is a hellacious first start and thanks to everyone and, you know, I'm just overjoyed. Thank you.

PRESIDENT CATENA: Thank you. Is there anyone else this evening? Councilman Futules?

MR. FUTULES: I'd just like to let everybody know that I'm delighted that the vaccines are available for everyone now. Anybody over the age of 16, and I certainly hope that everyone takes advantage of the chance to take a vaccine, and anybody that doesn't, I certainly hope that you would consider because it's your own health and it's your own life. I believe that --- and I'm looking forward to council members coming back. I hope we all have our vaccines by now and may the second one come along and hope to see everyone soon. Thank you.

PRESIDENT CATENA: Anyone else wishing to make a liaison report? Okay. We'll now move on to new business, ordinances and resolutions. 11845-21.

JARED BARKER: An ordinance approving the sale of a parcel of property identified as 11th Street, City of McKeesport, Pennsylvania, 15132 Block and Lot 0382-A-00289 for the sale price of \$300 to the Redevelopment Authority of the City of McKeesport, sponsored by the Chief Executive.

PRESIDENT CATENA: That will go to Councilman DeMarco on Economic Development and Housing. We don't have new business. Motions. Councilman Palmiere?

MR. FUTULES: I do. Do the motion?

PRESIDENT CATENA: I was going to do yours last after I got done with John's.

MR. FUTULES: Okay.

PRESIDENT CATENA: Councilman Palmiere, I believe you have a motion?

MR. PALMIERE: Yes, Mr. President. Thank you for recognizing me on this matter. Recently we had a discussion with a few of my colleagues about creating a new ordinance that would update current council with fresh ordinances. However, due to some personal issues that have taken my time up, I've not been able to hold this discussion as I would have liked. In the past council has voted to place a moratorium on their operations while we are in these discussions. Since we have not completed our update, I'd like to make a motion again to extend the moratorium on the Council of Friends through June 30th, 2021 and I promise you we'll get this done by then. Things are looking up at home finally and thank God for that, and I would hope, Mr. President, that --- I move this motion forward, please.

PRESIDENT CATENA: Thank you.

MS. KIRK: Second.

PRESIDENT CATENA: Motion has been made and seconded. Any discussions? Hearing no discussion, all those in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT CATENA: All those opposed? Motion carries. Councilman Futules, I believe you wanted to ---.

MR. FUTULES: Yeah. I think I need to make a motion to cancel tomorrow's hearing because it's a moot point at this time, and I would instruct our staff to notify the people that have signed up the best they can in their ability to notify them of that, so nobody comes down here and becomes disenfranchised in the respect that we're going to have to cancel the hearing, but I don't know if I can do it without a vote.

PRESIDENT CATENA: Do we require a vote, solicitor?

JACK CAMBEST: No.

MR. FUTULES: I don't want people to come down here when we've already voted, so thank you.

PRESIDENT CATENA: How many out of curiosity --- I believe I asked you this question earlier, Ken, how many

people signed up tomorrow that didn't actually submit comment that we didn't already hear from?

KEN VARHOLA: We had ten total sign up. Two spoke tonight, four did not submit comments and four did submit comments that were read tonight.

PRESIDENT CATENA: So there's approximately four people that we're not hearing from?

MS. KIRK: President Catena? I'd just like to make a point that there was some confusion with the announcement and how it was done. It was an ad in the Post-Gazette a few weeks ago and never was put on the Facebook page --- or the website and the Facebook page until just last night, so people --- it wasn't well advertised.

PRESIDENT CATENA: Well, from an advertising perspective, I believe the general circulation is the Post-Gazette.

MS. KIRK: Right. We met the legal thing, but I know in the past it was done very differently. Had public hearings, they were --- as a matter of fact old public hearings are still on the Facebook page, the website, the new one wasn't until Friday. So I just think people didn't know about it and that was the problem. We met the legal obligation, but perhaps that was the minimal, so I think just in the future we won't let that happen again so people have their opportunities.

PRESIDENT CATENA: Yeah. I think it was actually out there, though, in a different area, Ken, wasn't it or was it? Or no?

KEN VARHOLA: I believe the section that Councilwoman Kirk was referencing was the minutes of the public hearing from 2018 as well. I do believe there was an ad. She's correct. I do believe there was something else on there and the ad for the newspaper was out to the newspaper, but the ---.

PRESIDENT CATENA: We sent that to all council, correct?

KEN VARHOLA: And then we posted the ad on the main page of the website.

PRESIDENT CATENA: Okay. So I just want to make sure we notified all of council and said we were doing that in the Post-Gazette.

KEN VARHOLA: That's correct.

PRESIDENT CATENA: Thank you. So notification of contracts?

MS. HALLAM: Wait. I'm sorry, President Catena. Can I ask a question?

PRESIDENT CATENA: Yes.

MS. HALLAM: I'm sorry. Point of privilege. So is the public hearing happening tomorrow or not?

PRESIDENT CATENA: No. It's been cancelled.

MS. HALLAM: Okay. I just wanted to clarify because I was hearing some conflicting answers. Thank you very much.

PRESIDENT CATENA: Notification of contracts.

JARED BARKER: We have none.

PRESIDENT CATENA: Public comment on general items?

KEN VARHOLA: We have a few, Mr. President. Andre Dixon, Pittsburgh, 15218. A new law for drug dealers. Could council and other legal government authorities make some changes in the law for drug dealers? When they are found guilty of selling drugs after they do their time in jail, they should also be liable for financial support to the immediate families or parents especially if the drug user dies from the drugs that they provided. Before they leave prison, they should have to start applying for jobs. If they can't find one because they are being selective about what they will or won't do, then they should be forced to start cleaning up and rehabbing blighted areas in the cities or boroughs where they are selling drugs. Duties should include cutting grass, cleaning lots, tearing down dilapidated structures, painting, helping to build new structures and community beautification which include planting trees and plants in blighted areas. Since they are being greedy and heartless, they should have to work in areas that are truly affected negatively by their awful actions to destroy families and communities. I would like to talk to somebody about my idea.

Alexander Downing, Allison Park, 15101. At the previous County Council meeting, the meeting ended with the reading of one statement in support of mandatory permitting fee increases for our county's air polluters. It was also mentioned in passing that five additional comments had been submitted supporting these fees including my own, yet they were not read to the council. I'm disappointed that the council could not find the time to read the comments that we took the time to write. Public comments are one of the ways for the community

members you represent to have our voices heard, so I hope this council will allocate enough time to read future comments in full. I will once again reiterate the need for a swift vote on these fees which the health department has already reviewed, approved and recommended for implementation and ask that the council and Commissioner Fitzgerald bring the proposal to vote immediately. Since the last council meeting, the Mon Valley has experienced three more days with hydrogen sulfide levels exceeding federal limits as US Steel's Clairton Coke Works continues to pollute the region's air with impunity. Residents there cannot wait any longer for this council to vote on measures that will hold polluters accountable and greater permit fees are the bare minimum.

Peter Gilmore, Pittsburgh, 15226. I urge Allegheny County Council to accept the recommendations of the Allegheny County Board of Health with regards to air quality permit fees. Allegheny County should pass along the air permit fee increases recommended by the Allegheny County Health Department. Given the seriousness of the situation, I am concerned that county council has not acted with greater dispatch. Why the delay? Too many people are dying unnecessarily due to air pollution. This council has a responsibility to act, a responsibility to do something about it. To our great shame, our county has the fourth most air pollution related deaths of any metro area in the nation. A study by the University of Pittsburgh Graduate School of Public Health found that in our region as a whole in Western PA there were 14,636 more deaths from 2000 to 2008 than national mortality rates predicted including 600 additional lung cancer deaths. Communities downwind from pollution sources showed higher mortality rates for respiratory, heart disease and lung cancer.

Here in Allegheny County we have twice the risk of lung cancer and in some of our communities the cancer risk is 20 times higher. The unacceptably high levels of air pollution mean people are getting sicker more and worse asthma and COPD worsened heart disease, more lung cancer and more bladder cancer. Our sick skies mean people are sicker and dying too soon. This council should and could respond more effectively than it has done. The health board's recommended air quality permit fees are a good start. Let's remember these are frankly basic steps which are in line with the State Department of

Environmental Protection and every other state in the commonwealth. I've heard the argument that the fees are too high, the increases are too drastic. If that's so, then tell me please how mother, father, son, daughter are expendable? Among your constituents whose life isn't worth making such elemental incremental moves towards safer air?

Riley Mahon, Pittsburgh, 15241. Allegheny County Council must force Rich Fitzgerald to submit the air permit fee increases recommended by the Allegheny County Health Department for a vote. The fact that this is even up for debate shows how screwed our priorities are. The health of our communities should come first. This has to be passed yesterday.

Matthew Nemeth, McCandless Township, 15101. I'm writing to Allegheny County Council in favor of the new air quality permit fees recommended by the county board of health. Furthermore, I implore council to get County Executive Fitzgerald to put these recommendations on the agenda for a vote. You all know our county has dangerous air. You all know our county residents are suffering from asthma and other chronic pulmonary conditions as a direct result of prolonged exposure to our severe air pollution. Residents cannot afford to keep waiting for action to be taken. Recently it was brought to my attention by a colleague who attended the 4/13 council meeting that my testimony regarding air quality was not read and that several others were also denied the promise of having their testimony read aloud. These public hearings are an important opportunity for constituents to have their opinions on matters heard. They are an essential facet of democracy, and because of this issue, I now write this testimony not entirely sure it will get read aloud. Please plan future meetings to ensure the public is not ignored.

Steven Martinez, Dormont, 15216. I am a resident of Allegheny County. I am asking council to please pressure our county executives for an expedited approval of the air quality permit fees. As part of that effort, I also ask that any public comments from those most immediately affected by air pollution be read aloud for their sincerity and emotional weight.

April Clisura, Pittsburgh, 15207. Please hold yourselves accountable to the rules stated on this form and read my brief comment aloud. ACHD staff have stated

their reasons for needing the increase in listed air quality permit fees. You should be good civic partners and approve the fee schedule that the board of health has already approved. Trust your employees. They need to be able to do their job properly on behalf of the public. Now it's time for county council to act in a timely manner. Remember also that this decision is essentially made for you because the federal government requires industry to pay for the costs associated with issuing these kinds of permits. Yes, industry should pay for their privileges because the air belongs to all of us.

David Berenthal, Pittsburgh, 15217. It is imperative that county council should vote on the air permit fee increases that are recommended by ACHD. Why has this not been voted on yet? Our air quality is a matter of public health. Stop delaying. I'd also like to express my deep disappointment in the failure of council to read all of our letters about air quality out loud at the last meeting. To gloss over and cavalierly dismiss our words and please clean up our air is a failure of council.

And that is all public comment we had tonight, Mr. President.

PRESIDENT CATENA: Thank you. Before we adjourn this evening, I just want to make one last comment. I know we have the responsibility --- a lot of responsibility for Allegheny County, and I really, truly appreciate the debate that took place here tonight. It was respectful. It was diligent, and I have to thank each and every one of you for making it a pleasure to serve with your presence, so thank you for all your cooperation. Thank you for debating the merits of the bill, and thank you for being here this evening. Now, I'll entertain a motion to adjourn.

MR. WALTON: So moved.

MR. MACEY: Second.

PRESIDENT CATENA: Motion has been made and seconded. All those in favor, signify by saying aye. (Chorus of ayes.)

PRESIDENT CATENA: All those opposed? Thank you, everyone.

CERTIFICATE

I hereby certify, as the stenographic reporter, that the foregoing proceedings were taken stenographically by me, and thereafter reduced to typewriting by me or under my direction; and that this transcript is a true and accurate record to the best of my ability.

Dated the 8th day of June, 2021

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Jeremy Harris,

Court Reporter