

**Pittsburgh Commission on Human Relations**  
**Minutes of Meeting**  
**June 7, 1999**

**Attendance:** Elizabeth C. Pittinger, *Chair*

Rev. William Morgan  
Alma Speed Fox  
Curtis A. Smith

Charles Honse, Jr.  
Pamela Golden  
Father Lou Vallone

Christine Williams  
Robert McClenahan  
B. J. Samson

**Staff:** Yancy Miles, *Acting Director*  
Connie Miskis Zatek  
Kevin Trower, Solicitor

George Monroe

Dave Goldberg, Controller's Office

**I. CALL TO ORDER**

The meeting was called to order by Commissioner Elizabeth Pittinger, Chair, at 3:45 p.m. It was noted that Director Morrison is attending EEOC's annual training conference in New Orleans this week.

Harry Kunselman resigned from the Commission effective May 4, 1999. Commissioners were asked to forward recommendations for persons to fill this vacancy to Director Morrison.

Both the Mayor and City Council members have been informed of Mr. Kunselman's resignation. Earlier, Councilman Onorato's raised a concern that a resident of the North Side be appointed to the Commission. Therefore, Director Morrison contacted Councilman Onorato to request potential candidates for recommendation to the Mayor. Mr. Kunselman has also recommended an individual from the North Side, who is an attorney with particular interest and experience in civil rights litigation. The Director has met with this individual and has relayed her name to the Mayor.

According to the Home Rule Charter, if the Mayor does not fill this vacancy within 90 days, it will go to City Council for action. It was suggested that in light of Councilman Onorato's concern, geographic location as well as other criterion be taken into consideration when appointing Commissioners. Commissioner Fox agreed, but stated that recommendations should not be restricted to the North Side only in looking for the best-qualified individuals.

**II. ADOPTION OF MINUTES**

The Minutes of the April 5, 1999 meeting of the full Commission were unanimously adopted as circulated upon motion of Commissioner Samson and second by Commissioner Golden.

### III. COMPLIANCE UPDATE

George Monroe reported that as of the end of May, 141 cases were submitted to EEOC under contract. Only eight more need to be processed by the end of September in order to fulfill the contract. Mr. Monroe also noted that EEOC will use the Commission's production levels in May and June in determining next year's contract amount.

### IV. COMMITTEE REPORTS

#### A. Nominating Committee

Robert McClenahan, chair of the Nominating Committee, presented the final slate of candidates for the ballot. He noted that Father Vallone has withdrawn his name from consideration as a vice-chairperson. As there would be no contest for the remaining positions, Commissioner Fox moved to cast a ballot for the entire slate. Father Vallone pointed out, however, that the By-Laws call for election by secret ballot.

Therefore, ballots were distributed to Commissions present, and upon return were immediately counted by Commissioner McClenhan. The results were as follows:

Chair, Elizabeth Pittinger, by unanimous vote  
Vice-Chairs, Pamela Golden and Robert McClenahan, by majority vote  
(*One vote was cast for Father Vallone.*)  
Secretary, Charles Honse, Jr., by unanimous vote  
Treasurer, Christine Williams, by unanimous vote

Commissioner Pittinger thanked the Commissioners who had served on the Executive Committee last year noting that the work accomplished by the Commission was "significant, time-consuming and recognized." Commissioner Pittinger stated that she looks forward to creating an agenda in which "we can do something substantive." She also thanked the Commissioners for allowing her to continue as a Commissioner, stating that she might have considered not accepting the position with the Police Civilian Review Board if it meant leaving the Commission.

Commissioner Pittinger stated that "there is nothing like time together to make us stronger," and noted that there are a few cases before the Commission which she believed will make history. She thanked the Commissioners for electing her again as Chair of the Commission. She stated that the current Commissioners have brought a lot of respect to the Commission and she is awed by the personal integrity of each.

## V. NEW BUSINESS

### A. Training

Commissioner Fox commended Director Morrison for the upcoming training being developed for Commissioners. She hoped that all Commissioners would be able to attend the sessions, the first of which is scheduled for June 15 from 10:00 a.m. to Noon.

Commissioner Pittinger noted that if Commissioners are interested in the technical guidance provided by the EEOC, compliance manuals are available at the Commission or can be found on the Website.

Commissioner Pittinger reported that she had attended training sponsored by the Pennsylvania Human Relations Commission in conjunction with the Federal Mediation and Conciliation Service. The topic was alternative dispute resolution. She noted that this particular training echoed the earlier concerns of Commissioner Fox regarding how far can we go before we minimize damages and effect a settlement.

Commissioner Pittinger commented that the State Commission is heavily under orders to settle complaints, and as a result, findings of cause are made in less than one percent of the cases. She also noted that the State Commission "has a lot of obstacles" to overcome, and is recently being perceived as Respondent-oriented. As a result, she felt that Complainants may be better served by the Pittsburgh Commission. Commissioner Pittinger stated that she spoke with representatives of the Federal Mediation and Conciliation Service and found them to amenable to developing training specifically geared to this Commission if requested.

### B. CHR/PCRB Cooperation

Commissioner Pittinger stated that the PCRB and CHR have similar missions but operate under different procedures. She wondered if the two agencies could do something collaborative in the future, possibly as a community education forum. Commissioner Golden suggested looking at other opportunities where people are naturally gathering, such as meetings at the Hill House, NAACP, etc., and piggy-back on their agenda in order to find a "ready-made" audience.

Commissioner Samson suggested the many issues surrounding violence in the schools may be a good place to start. She stated that many boards are formulating policies related to these issues while the schools are in recess and she is concerned that some of these potential policies, although well intentioned, may violate student rights. She stressed the need for the Commission to be pro-active at this time. Ms Samson stated that there is a lot of pressure on school board personnel requiring their responsiveness before something tragic happens in this area. Commissioner Samson suggested bringing regional school boards and parent groups together in a town meeting.

Commissioner Smith stated that there is currently a model school contingency plan in the Governor's office proposed by law enforcement agencies. He stated that juveniles "are more heavily armed than the personnel in schools who are there to protect them." Commissioner Pittinger asked if statistics exist as to what kinds of weapons are being confiscated, where, when, etc., and will try to secure these statistics in preparation for any meeting the Commission may consider.

Commissioner Smith also stated that persons convicted in 1992/93 of gang-related violence and serving prison terms of five to seven years are now being released from jail. He felt that some gang leaders may try to make a comeback and "ignite the fire" again. Kevin Trower of the Solicitor's office agreed, stating that he had personally represented several members of the LAW gang and has recently seen them in the neighborhood. He indicated that at least one gang member was responsible for nine shootings before he was finally arrested and convicted. Part of the delay in bringing about justice was that fear kept the neighborhood residents quiet. He also noted that another problem may be that when gang activity does pick up and the police try to do their jobs, they will be accused of making false arrests, abuse, etc.

According to Mr. Trower, the original gangs were running a business related to drugs. They were making plenty of money and were able to retain counsel. Later, the different gangs began fighting over territory and people were being killed. He cited a particular case where witnesses would not come forward to testify to a shooting for fear of what would happen to them. Mr. Trower stated that "it may get rough and scary" if the "old" gang leaders provide criminal leadership to the current gang leaders.

Commission Williams stated that the Police Chief is well aware of the current situation and has had several meetings with his staff and officers in light of recent shootings. She agreed that it is often very difficult to convince witnesses to come forward because of fear.

Commissioner Samson stated that "this is a community issue and if a solution is not found, it will affect the community even more. If there is a fearful community and an air of violence exists, there are no people of good will to provide guidance and advice; the community is left in a helpless vacuum."

Commissioner Smith agreed, cautioning that things could get much worse if "this rolls off into the schools." Commissioner Fox also agreed, noting that children do not report incidents because they are afraid. "Kids are growing up without love. Parents don't care what they do to children . . ."

Commissioner Pittinger invited anyone who wishes to contribute to an agenda for a town meeting to call her. She will coordinate information and ideas and will present it for further discussion at the July Commission meeting.

C. Committee Assignments

Commissioner Pittinger stated she will make new committee assignments in the near future and asked that any preferences be made known to her prior to the August meeting.

The meeting was adjourned at 4:50 p.m. upon motion by Commissioner Williams and second by Commissioner Golden.

/cmz

**Pittsburgh Commission on Human Relations  
Public Hearing Committee Meeting  
June 7, 1999**

Attendance: Father Lou Vallone, Chair

Rev. William D. Morgan  
Pamela Golden

Robert C. McClenahan

Father Vallone called the meeting to order at 4:50 p.m., noting that four Sections members were present, three members constituting a quorum.

Prior to this meeting, Section members were mailed Supplemental Findings of Fact in the case of Sentner v. Kust, H-96-039. It was duly noted that Dr. George Board had presided over the hearing in this matter, and was not present today.

Commissioner McClenahan stated that although a member of this hearing panel, he was not present at the damages hearing, and upon review of the document, has a problem accepting the findings as to damages. He stated that reasonable attorney fees and moving costs are appropriate, but \$3,000 levied against the Respondent for embarrassment, fines, etc. are not reasonable and appropriate. He stated that the Respondent was wrong in his behavior toward the Complainant, but he is also an elderly man of limited means who owns only one piece of property and rents only two units. He is not a significant landlord in the City and \$3,000 in fines is excessive.

Commissioner McClenahan also noted that the Complainant continued to stay at the Respondent's property for three or four months -- the Respondent did not evict her immediately.

After brief discussion, it was unanimously agreed that this matter be tabled until Commissioners McClenahan and Board could meet to discuss the details of the Supplemental Findings of Fact. As a result, the case was remanded to the hearing panel for further action.

With no other business to be considered, the meeting was duly adjourned at 4:56 p.m. upon motion by Commissioner Golden and second by Reverend Morgan.

/cmz

Pittsburgh Commission on  
Human Relations

*Election Ballot*  
*1999/2000 Executive Committee*

Chair      *Elizabeth Pittinger*

Vice-Chairs  
Vote for 2:

☒ *Pamela Golden*

☒ *Robert McClenahan*

☒ *Father Lou Vallone*

Secretary      *Charles Honse, Jr.*

Treasurer      *Christine Williams*

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~~Secretary~~      *Charles Honse, Jr.*

~~Treasurer~~      *Christine Williams*



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☐ ~~*Father Lou Vallone*~~

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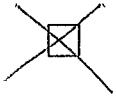
Treasurer           *Christine Williams*

Pittsburgh Commission on  
Human Relations

*Election Ballot*  
*1999/2000 Executive Committee*

Chair      *Elizabeth Pittinger*

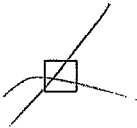
Vice-Chairs  
Vote for 2:



*Pamela Golden*



*Robert McClenahan*



*Father Lou Vallone*

Secretary      *Charles Honse, Jr.*

Treasurer      *Christine Williams*

Pittsburgh Commission on  
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*Election Ballot*  
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✓ Chair      *Elizabeth Pittinger*

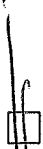
✓ Vice-Chairs  
Vote for 2:



*Pamela Golden*



*Robert McClenahan*



~~*Father Lou Vallone*~~

✓ Secretary      *Charles Honse, Jr.*

✓ Treasurer      *Christine Williams*

Pittsburgh Commission on  
Human Relations

*Election Ballot*  
*1999/2000 Executive Committee*

Chair

*f* Elizabeth Pittinger

Vice-Chairs

Vote for 2:



Pamela Golden



Robert McClenahan



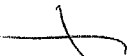
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Christine Williams

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Elizabeth Pittinger

Vice-Chairs

Vote for 2:



Pamela Golden



Robert McClenahan



~~Father Lou Vallone~~

Secretary

Charles Honse, Jr.

Treasurer

Christine Williams

# Tribune-Review

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Regional News - June 21, 1999

## Johnnie Grice worked for racial equality

By Jennifer McGinnis

TRIBUNE-REVIEW

Johnnie Grice always told his family not to sit back and expect things to just happen.

Sitting back was something Mr. Grice never did. He was always hard at work, whether representing Steelworkers in the union, serving as a deacon at his church or fighting for civil rights.

"He always told me, 'If you want something, you have to get up off your butt and do it. You can't wait for nobody to give you nothing,'" said his daughter, Annie Grice Washington.

Johnnie B. Grice, a former union representative for Local 1843 of the United Steelworkers union who worked to achieve racial equality in hiring practices, died of complications of cancer on Wednesday, June 16, 1999, in St. Francis Central Hospital, Pittsburgh. He was 71.

Mr. Grice was the fourth of nine children born to Hezekiah and Maggie McClung Grice of Pickensville, Ala.

Washington said her father wasn't able to finish high school because he was called out of the classroom to pick cotton and help support his family. But she said he sought a better future for himself and his young bride when he moved to Pittsburgh.

A self-taught man and avid reader, Mr. Grice landed a job at the LTV Steel Corp. coke works in Hazelwood. He quickly parlayed that job into a position processing grievances for the local union and then to a job as a union supervisor.

"He worked with anything that would better the ... blue collar worker," Washington said.

Jonathan Comer, of Gary, Ind., worked as an assistant director of the civil rights department at the international union for Steelworkers and became friends with Mr. Grice when the two worked together in the 1970s.

Comer described Mr. Grice as a "prayerful" man who negotiated honestly and had a knack for defusing complex problems in the workplace.

"It was no secret that there were black jobs and white jobs," Comer said. "John was involved in ... getting justice in the workplace. He talked with supervisors and men on the job and would persuade people to do the right thing."

Mr. Grice's ability to facilitate negotiations and promote better race relations within the steel industry caught the attention of local politicians. Grice was invited to serve as a member of the executive board of the National Association for the Advancement of Colored People and the

## Mayor's Commission for Human Relations.

He also was an activist in his Hill District neighborhood, registering people to vote and lobbying for the creation of St. Francis Central Hospital so the community would have a medical center, his daughter said.

U.S. Rep. William Coyne, a Democrat from Oakland, worked with Grice in the 1960s on the "Model Cities" initiative that sought to introduce ambulance service, recreational and youth programs to the city's fourth and fifth wards.

"He was just wonderful to work with on those programs because he knew what people wanted," Coyne said. "He was a very articulate person."

"Most of all what I will remember about Mr. Grice is his being so close to the rank-and-file steelworkers, paying so much attention to them and trying to do good for the labor movement," Coyne said.

Since 1969, Mr. Grice assisted pastors at Central Baptist Church as a deacon. He took charge of a food ministry that provided full meals for about 100 people five days a week, and headed the church's television ministry.

He was a member of the male choir and helped form the church credit union in 1968. He ministered to the church ushers and headed the church's "benevolent ministry" which provides for congregants who need help purchasing food, paying bus fare or other necessities.

"He never quit," Washington said. "He was active in his church and even though he was sick and sometimes couldn't breathe, he would go visit the sick."


Washington said her father also volunteered at St. Francis Central Hospital and cared for his great-grandson, Dante, so that his mother would be free to attend classes at Carlow College.

Mr. Grice is survived by his wife of 50 years, Annie B. Grice, of the Hill District; their daughter, Annie Grice Washington of Penn Hills; three brothers, Willie of Columbus, Miss., Jimmy of Atlanta, and Joe L. of New York; five sisters, Savannah Coles of Pickensville, Ala., Sarah Stevenson of Penn Hills, May Lois Cockrell of Birmingham, Ala., Josephine Stimson of Bessemer, Ala., and Bess DeBetham of New York; four grandchildren; and four great-grandchildren.

A funeral service is scheduled for 11 a.m. today at Central Baptist Church, Wylie Avenue. Arrangements were made by the West Funeral Home, Inc., Wylie Avenue.

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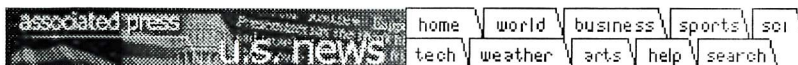
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JUNE 22, 17:43 EDT

## Court Limits ADA Protections

By RICHARD CARELLI  
Associated Press Writer

WASHINGTON (AP) — The Supreme Court excluded more than 100 million Americans with physical impairments from the protection of a key anti-discrimination law Tuesday, ruling the law generally does not cover people with poor eyesight or other correctable conditions.

But the court said the same law, the Americans with Disabilities Act, may require states to take mentally disabled people out of hospitals and let them live in homelike settings.

Moving toward Wednesday's conclusion of its 1998-99 term, the nation's highest court offered dramatic new meaning — in four separate decisions — to a federal law best known for requiring handicap access ramps at public buildings.

The rulings, however, did not answer all questions about the 1990 law's scope. Future court battles are certain.



Justice Department  
ADA Enforcement  
Web site

Together, the four disputes decided Tuesday were viewed as a legal watershed by advocates for the disabled, who were outraged by three rulings affecting American workers.

"These decisions create the absurd result of a person being disabled enough to be fired from a job but not disabled enough to challenge the firing," said Chai Feldblum, a Georgetown University law professor.

But Stephen Bokatz, the U.S. Chamber of Commerce general counsel, said the rulings offered welcome shelter for employers flooded by employee lawsuits.

"It means that those with true disabilities will continue to be covered, but people with easily correctable conditions will not be considered disabled," Bokatz said.

In the three rulings, the court said people with correctable physical impairments generally cannot rely on the ADA to sue their employers over alleged discrimination. Otherwise, the court said, more than 160 million Americans would be protected by the law, not just an estimated 43 million.

On the rights of people in state mental hospitals, the court



Matt Coles,

## Supreme Court

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On the rights of people in state mental hospitals, the court fashioned a narrow, middle-of-the-road decision that left both sides of the conflict claiming victory.

Matt Coles,  
ACLU  
spokesman,  
says Congress  
should revisit  
the law. (178K)

The court said the 1990 law requires states to place the mentally disabled in the "most integrated setting" appropriate, but only after "taking into account the resources available to the state and the needs of others with mental disabilities."

There was no way to know how many of the 70,000 mentally disabled people living in state hospitals nationwide might be affected by the ruling in a Georgia case.



Sue Kysela, US  
Chamber of  
Commerce  
attorney, says  
there will be  
fewer lawsuits  
under the ADA.  
(357K)

ADAPT, a national disability rights group based in Denver, praised the ruling for reinforcing "the fundamental intent of the ADA, which is to prevent discrimination and promote the integration of people with disabilities into our communities."

Patricia Downing, a Georgia assistant attorney general, said her state could live with a ruling that "doesn't appear to be too burdensome." She noted that the court, among other things, did not condemn a state's practice of keeping eligible people on a community-placement waiting list.

She also praised the justices for ruling that a state's overall budget and its commitment to all mentally disabled people must be considered.

Justice Ruth Bader Ginsburg wrote for the court's 6-3 majority in the Georgia case. Chief Justice William H. Rehnquist and Justices Clarence Thomas and Antonin Scalia dissented.

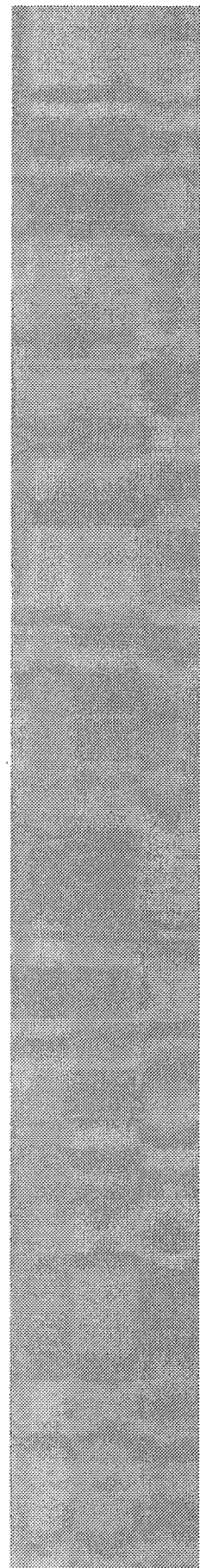
The court's three rulings on the ADA's applicability for people whose conditions are readily corrected with medication or devices such as eyeglasses doomed lawsuits that alleged illegal bias against two nearsighted pilots, a truck driver almost blind in one eye and a mechanic with high blood pressure.

The anti-bias law prohibits employers from discriminating against a "qualified individual with a disability" because of that disability.

A qualified person is defined as one who can perform a job when given reasonable accommodation, and a disability is defined as condition that substantially limits a major life activity. The law also protects people who are discriminated against because they are "regarded as" having a disability.

The court announced its main ruling in the case of two nearsighted Colorado sisters, both regional airline pilots, who sued after their job applications with United Air Lines were rejected.

The determination of whether a person is protected by the law, Justice Sandra



Day O'Connor wrote for the 7-2 court, ``should be made with reference to measures that mitigate the individual's impairment, including, in this instance, eyeglasses and contact lenses."

The court concluded that the two sisters are not disabled as defined by the law, and therefore could not invoke the law to sue United.

O'Connor noted that Congress, in enacting the law, made reference to 43 million disabled Americans. If it had intended to include everyone with a correctable impairment, Congress would have used a number closer to 160 million, she said.

``The 43 million figure reflects an understanding that those whose impairments are largely corrected by medication or other devices are not 'disabled' within the meaning of the ADA," O'Connor said.

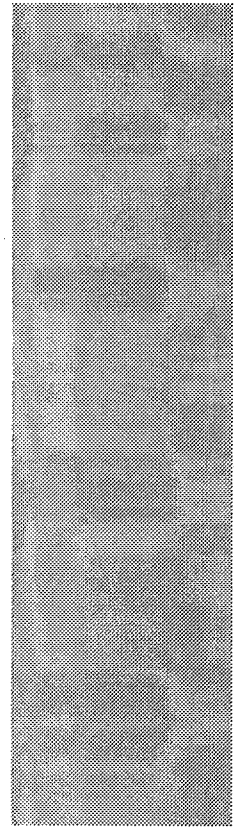
Justices John Paul Stevens and Stephen G. Breyer dissented. Writing for the two, Stevens — the only justice with a pilot's license — accused the court having ``crabbed vision" and adopting a ``miserly construction" of the law.

An identical 7-2 lineup ruled against a Kansas truck mechanic with high blood pressure. The court, with Justice David H. Souter writing for it, ruled unanimously against an Oregon truck driver who is virtually blind in one eye.

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JUNE 22, 16:29 EDT

## Court Aids Discrimination Victims

By LAURIE ASSEO  
Associated Press Writer

WASHINGTON (AP) — The Supreme Court made it somewhat easier Tuesday for victims of job discrimination to force their employer to pay extra damages as punishment, a decision advocates for both employers and employees found reason to praise.

Ruling 7-2 in the case of a woman denied a promotion because of her sex, the court said job-bias victims can collect so-called punitive damages without having to show their employer's conduct was "egregious."

But by a separate 5-4 vote in the same case, the justices said employers cannot be forced to pay such damages if a manager's discriminatory conduct runs counter to the employer's good-faith efforts to run a bias-free workplace.

"This is a good decision for employers, in particular the part ... that says employers' anti-discrimination policies should be taken into account," said Robert E. Williams of the Equal Employment Advisory Council, an association of about 300 large corporations.

Patricia Ireland, president of the National Organization for Women, said the ruling means that if employers "know or should know that they've violated the law in discriminating against you, then they can be hit up for punitives."

Regarding the part of the ruling that protects employers with anti-bias policies, she added, "If they take all those steps in good faith ... isn't that what we want?"

But Jeffrey L. Needle of the Association of Trial Lawyers of America said he was concerned that some courts may free companies from having to pay punitive damages even if their anti-bias policies are inadequate.

At issue was the availability of damage awards intended to punish or deter misconduct. A federal appeals court said such awards are never available unless an employee can prove the employer's conduct was egregious.

But the Supreme Court ruled that standard is too high and is not required by a federal anti-bias law known as Title VII of the Civil Rights Act of 1964, which bars employment discrimination based on race, sex, national origin and religion.

Since 1991, the law has allowed victims of intentional discrimination to collect up

## Supreme Court

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to \$300,000 in punitive damages if they show their employer acted with "malice or with reckless indifference" to their rights.

In a pair of rulings last year, the court made it easier to win sex-harassment lawsuits and compensatory damages against employers. It said employers can always be held responsible for harassment, a form of discrimination, that results in tangible professional injury such as firing or demotion.

Tuesday's decision ordered a federal appeals court to restudy the case of Carole Kolstad, who is seeking punitive damages from the Chicago-based American Dental Association for failing to promote her because of her sex.

Kolstad was the association's director of federal agency relations in Washington when the director of legislation announced his retirement in 1992. A male co-worker got the job and Kolstad sued, saying he was chosen because of sex bias against her.

She also said a supervisor told sexually offensive jokes at staff meetings and described professionally prominent women in sexually derogatory terms.

A federal court jury ruled Kolstad was the victim of discrimination and awarded her \$52,718 in back pay. The trial judge refused to let the jury consider punitive damages and the full U.S. Circuit Court of Appeals for the District of Columbia agreed, saying she did not show her employer's conduct was egregious.

> O'Connor wrote that the law "does not require a showing of egregious or outrageous discrimination independent of the employer's state of mind." Instead, she said, someone seeking punitive damages must show the employer knew the actions might violate federal law.

That part of her opinion was joined by Justices John Paul Stevens, Antonin Scalia, Anthony M. Kennedy, David H. Souter, Ruth Bader Ginsburg and Stephen G. Breyer. Chief Justice William H. Rehnquist and Justice Clarence Thomas dissented.

O'Connor also wrote that well-meaning employers need not pay punitive damages for a manager's misconduct when it is "contrary to the employer's good-faith efforts" to comply with the law, an issue hardly mentioned when the case was argued before the justices in March.

> Rehnquist, Thomas, Scalia and Kennedy joined that part of the ruling. Rehnquist said it puts "a significant limitation, and in many foreseeable cases a complete bar, on employer liability for punitive damages."

Stevens, Souter, Ginsburg and Breyer dissented from that section. Stevens said the court should not have decided that issue.

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**PITTSBURGH COMMISSION ON HUMAN RELATIONS  
A G E N D A**

June 7, 1999

- I. CALL TO ORDER
- II. ADOPTION OF MINUTES
- III. COMPLIANCE UPDATE
- IV. COMMITTEE REPORTS
- V. ELECTION OF OFFICERS
- VII. NEW BUSINESS

/cmz

## MEMORANDUM

To: All Commissioners

FROM: Connie Miskis Zatek  
*Secretary to Director*

DATE: June 2, 1999

SUBJECT: **MEETING UPDATE**

The next meeting of the Commission is scheduled for **Monday, June 7, 1999**. Enclosed for your review is the Director's Report for May. Since there was no meeting in May, April Minutes must be approved. The Minutes were mailed following the April meeting, but if you need another copy, please let me know before Noon on June 7.

**2:30 p.m. Compliance Review Section**

**3:30 p.m. Full Commission meeting**

**The Public Hearing Section will meet immediately following the full Commission meeting.**

**The Executive Committee is NOT scheduled to meet.**

**If you will not be able to attend your assigned meeting(s), please call me immediately at 255-2600.** Otherwise, we will expect you.

/cmz

Enclosure: Director's Report

## MEMORANDUM

To: Commissioners

FROM: Connie Miskis Zatek  
*Secretary to Director*

DATE: May 25, 1999

SUBJECT: **MEETING NOTICES**

The next meeting of the Commission is scheduled for **Monday, June 7, 1999**. Please recall that there was no meeting in May, therefore Minutes of the April meeting (which were mailed previously) must be approved, and the annual elections for officers will take place.

**The Compliance Review Section will meet at 2:30 p.m.**

Case summaries are enclosed for CRS members only.

**The Full Commission meeting will begin at 3:30 p.m.**

**The Executive Committee is NOT scheduled to meet.**

The report of the Nominating Committee and a blank petition were mailed to you on May 3<sup>rd</sup>. In order to place additional names on the ballot, signed nominating petitions were to be received in this office by Monday, May 17<sup>th</sup>. As no nominating petitions were received, the slate of candidates for the 1999/2000 Executive Committee is as follows:

Chair	Elizabeth Pittinger
Vice chairs (2):	Pamela Golden Robert McClenahan Father Lou Vallone
Secretary	Charles Honse, Jr.
Treasurer	Christine Williams

**If you will not be able to attend, please call me immediately at 255-2600.**  
Otherwise, we will expect you.

/cmz  
Enclosures

## Directors Report

June 7, 1999

May 3, 1999	Met with representatives of the NCCJ, YWCA, PAHRC and the Coalition to Counter Hate Groups concerning the development of a program to counter the recruitment efforts of hate groups of among our youth.
May 8, 1999	EEOC completed the installation of a new computer system in our offices replacing a system which was 14 years old.
May 12, 1999	Attended the Interagency Task Force meeting of the Board of Public Education.
May 17, 1999	Met with representatives of various organizations to continue work on efforts to counter the recruitment efforts of hate groups.
May 19-21, 1999	Attended Mediation and Negotiation training program co-sponsored by the Federal Mediation and Conciliation Service and the Pennsylvania Human Relations Commission.
May 21, 1999	Attended the NAACP's 45 <sup>th</sup> Annual Human Rights dinner.
June 2, 1999	Conducted training program for the Pittsburgh Police department command staff on hate group activities in and around the City of Pittsburgh. Provided information regarding the type of symbols used to identify the various hate groups, and the need to report hate group activity to the Commission.
June 7-9, 1999	Attended the Equal Employment Opportunity Commission's annual EEOC/FEPA training conference in New Orleans, Louisiana.

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

**SENATE BILL****No. 344**Session of  
1999

INTRODUCED BY WAGNER, BODACK, STAPLETON, SCHWARTZ, MUSTO,  
KITCHEN, STOUT, COSTA, TARTAGLIONE, MELLOW, HUGHES, WILLIAMS  
AND BOSCOLA, FEBRUARY 8, 1999

REFERRED TO LAW AND JUSTICE, FEBRUARY 8, 1999

## AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled  
2 "An act providing for and reorganizing the conduct of the  
3 executive and administrative work of the Commonwealth by the  
4 Executive Department thereof and the administrative  
5 departments, boards, commissions, and officers thereof,  
6 including the boards of trustees of State Normal Schools, or  
7 Teachers Colleges; abolishing, creating, reorganizing or  
8 authorizing the reorganization of certain administrative  
9 departments, boards, and commissions; defining the powers and  
10 duties of the Governor and other executive and administrative  
11 officers, and of the several administrative departments,  
12 boards, commissions, and officers; fixing the salaries of the  
13 Governor, Lieutenant Governor, and certain other executive  
14 and administrative officers; providing for the appointment of  
15 certain administrative officers, and of all deputies and  
16 other assistants and employees in certain departments, boards,  
17 and commissions; and prescribing the manner in which the  
18 number and compensation of the deputies and all other  
19 assistants and employees of certain departments, boards and  
20 commissions shall be determined," further providing for the  
21 Pennsylvania State Police.

22 The General Assembly of the Commonwealth of Pennsylvania  
23 hereby enacts as follows:

24 Section 1. Section 710(1) of the act of April 9, 1929  
25 (P.L.177, No.175), known as The Administrative Code of 1929,  
26 amended October 3, 1986 (P.L.1414, No.129), is amended to read:  
27 Section 710. Pennsylvania State Police.--The Pennsylvania

1 State Police shall have the power and its duty shall be:

2 \* \* \*

3 (i) To collect information relating to crimes and incidents  
4 related to the actual or perceived race, color, religion [or],  
5 national origin, disability, ancestry, gender or sexual  
6 orientation of individuals or groups, which shall be reported  
7 monthly by all local law enforcement agencies and the State Fire  
8 Marshal. Any information, records and statistics collected in  
9 accordance with this subsection shall be available for use by  
10 any agency required to furnish information, to the extent that  
11 such information is reasonably necessary or useful to such  
12 agency in carrying out the duties imposed on it by law. The  
13 Commissioner of the Pennsylvania State Police may, by  
14 regulation, establish such conditions for the use or  
15 availability of such information as may be necessary to its  
16 preservation, the protection of confidential information, or the  
17 circumstances of a pending prosecution.

18 Section 2. This act shall take effect in 60 days.



PRINTER'S NO. 351

THE GENERAL ASSEMBLY OF PENNSYLVANIA

**SENATE BILL****No. 343**Session of  
1999

INTRODUCED BY WAGNER, BODACK, STAPLETON, SCHWARTZ, MUSTO,  
KITCHEN, STOUT, COSTA, TARTAGLIONE, MELLOW, HUGHES, WILLIAMS  
AND BOSCOLA, FEBRUARY 8, 1999

REFERRED TO JUDICIARY, FEBRUARY 9, 1999

## AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, further providing for ethnic  
3 intimidation.

4 The General Assembly finds and declares as follows:

5 (1) Bias-motivated conduct inflicts greater individual  
6 and societal harm than conduct which does not have bias as at  
7 least one of the motivating factors for the violent conduct.

8 (2) Bias-motivated crime inflicts distinct emotional  
9 harm on a victim and frequently on other members of the  
10 victim's group.

11 (3) Bias-motivated crime is more likely to provoke  
12 retaliatory crimes than other forms of violent conduct.

13 (4) Bias-motivated conduct leads to insite community  
14 unrest.

15 The General Assembly of the Commonwealth of Pennsylvania  
16 hereby enacts as follows:

17 Section 1. Section 2710 of Title 18 of the Pennsylvania  
18 Consolidated Statutes is amended to read:

1 § 2710. Ethnic intimidation and other bias-related  
2 intimidation.

3 (a) Offense defined.--A person commits the offense of ethnic  
4 intimidation and other bias related intimidation under this  
5 section if [, with] malicious intention toward the actual or  
6 perceived race, color, religion, [or] national origin,  
7 disability, ancestry, gender or sexual orientation of another  
8 individual or group of individuals[, he commits an offense under  
9 any other provision of this article or under Chapter 33  
10 (relating to arson, criminal mischief and other property  
11 destruction) exclusive of section 3307 (relating to  
12 institutional vandalism) or under section 3503 (relating to  
13 criminal trespass) or under section 5504 (relating to harassment  
14 by communication or address) with respect to such individual or  
15 his or her property or with respect to one or more members of  
16 such group or to their property.] is a contributing factor in  
17 the commission of an offense under any of the following:

18 (1) Article B (relating to offenses involving danger to  
19 the person).

20 (2) Chapter 33 (relating to arson, criminal mischief and  
21 other property destruction) exclusive of an offense under  
22 section 3307 (relating to institutional vandalism).

23 (3) Section 3502 (relating to burglary).

24 (4) Section 3503 (relating to criminal trespass).

25 (5) Chapter 39 (relating to theft and related offenses).

26 (6) Section 4952 (relating to intimidation of witnesses  
27 or victims).

28 (7) Chapter 55 (relating to riot, disorderly conduct and  
29 related offenses) with respect to an individual or his or her  
30 property or with respect to one or more members of a group or

1 to their property or with respect to any individual because  
2 of any involvement, connection or association with an  
3 individual or groups of individuals.

4 (b) Grading.--An offense under this section shall be  
5 classified as a misdemeanor of the third degree if the other  
6 offense is classified as a summary offense. Otherwise, an  
7 offense under this section shall be classified one degree higher  
8 in the classification specified in section 106 (relating to  
9 classes of offenses) than the classification of the other  
10 offense.

11 (c) [Definition.--As used in this section "malicious  
12 intention" means the intention] Definitions.--As used in this  
13 section, the following words and phrases shall have the meanings  
14 given to them in this subsection:

15 "Malicious intention." intention to commit any act, the  
16 commission of which is a necessary element of any offense  
17 referred to in subsection (a) motivated, at least in part, by  
18 hatred toward the actual or perceived race, color, religion  
19 [or], national origin, disability, ancestry, gender or sexual  
20 orientation of another individual or group of individuals.

21 "Sexual orientation." Heterosexuality, homosexuality or  
22 bisexuality.

23 Section 2. This act shall take effect in 60 days.

**PITTSBURGH COMMISSION ON HUMAN RELATIONS  
A G E N D A**

May 3, 1999

*no quorum*

- I. CALL TO ORDER
- II. ADOPTION OF MINUTES
- III. STAFF REPORTS
  - A. Compliance Update
  - B. Director's Report
- IV. COMMITTEE REPORTS
- V. LITIGATION UPDATE
- VII. NEW BUSINESS

/cmz

## **Directors Report**

### **May 3, 1999**

April 8, 1999	Attended a meeting of the Freedom Corner working group regarding plans for the march and ground breaking ceremony scheduled for April 25, 1999.
April 10, 1999	Attended the meeting of the Black and White Reunion held in East Liberty to continue work on civic unity projects.
April 12, 1999	Attended the hearing on the Motion to Dismiss in the case of <u>Deborah Hensen v. University of Pittsburgh.</u>
April 14, 1999	Attended the montly meeting of the Pittsburgh Board of Public Education's Inter-agency Task Force.
April 14, 1999	Attended meeting of the Disparity Study Commission and press conference announcing the selection of Mason-Tillman Associates of Oakland, California to conduct the Disparity Study.
April 17, 1999	Attended the NAACP/Pastors Unity Breakfast at Emery United Methodist Church regarding youth violence.
April 25, 1999	Attended the march and groundbreaking ceremony for Freedom Corner.
April 27, 1999	Attended U.S. Department of Justice Hate Crimes Training Conference
April 28, 1999	Attended Fair Housing Month program in PPG's Wintergarden. The Commission sponsored a table at the program to provide information to the public.
April 28, 1999	Met with HUD coordinator Ruby Carter concerning the Commission's contact with HUD.

## MEMORANDUM

To: Commissioners

FROM: Connie Miskis Zatek  
*Secretary to Director*

DATE: April 26, 1999

SUBJECT: **MEETING NOTICES**

The next meeting of the Commission is scheduled for **Monday, May 3, 1999**. Enclosed for your review are Minutes of the April meeting and the Director's Report.

Also enclosed for your information are copies of Senator Wagner's proposed bills to expand the hate crimes laws.

**The Compliance Review Section will meet at 2:30 p.m.**  
Case summaries are enclosed for CRS members only.

**The Full Commission meeting will begin at 3:30 p.m.**

**The Executive Committee will NOT meet.**

**If you are unable to attend, please call me immediately at 255-2600.** Otherwise, we will expect you.

The Statement of Financial Interest, which was mailed to you earlier, is due by May 1. If you have not already done so, please return it immediately. Thank you.

/cmz  
Enclosures

## Directors Report

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