



Human Relations Advisory Council (HRAC)
County of Lehigh

MEETING MINUTES

July 3, 2023

The meeting of the HRAC was held at 12:00 p.m. by Zoom video conference. A recording of this meeting is available at <https://www.lehighcounty.org/Departments/Community-Economic-Development/Human-Relations-Advisory-Council>.

ATTENDING

Angela Baio (AB), Carmen Bell (CB), Liz Bradbury (LB), Tony Branco (TB), Commissioner Zach Cole-Borgi (ZCB), Guillermo Lopez Jr. (CHAIR), Luis A. Perez Jr. (LP)

Staff: Lehigh County Deputy Solicitor Catherine Roseberry (CR), Cyndi King (CK)

Absent: Maryanell Agosto (MA), Yorman De La Rosa (YDLR), Nagi Latefa (NL), Paschall Simpson (PS)

CHAIR called the meeting to order.

Roll call. Quorum obtained. Meeting is being recorded. Public will have access to that recording on the department's website (see opening paragraph above).

CHAIR asked for a motion to approve the minutes of the June 5th meeting; TB made the motion; seconded by LB; with no questions received and upon unanimous voice approval, the minutes of the previous HRAC meeting was approved.

OLD BUSINESS

ZCB began the update on the proposed ordinance. As an example of what other local Human Relations Commissions (HRC) have, he offered City of Bethlehem's budget for their HRC. Bethlehem began their commission in 2011 and from 2012 to 2017, there was no line-item budgeted funding; it was included in the General Funds and no funding was utilized. \$7500 was the first allocated funding and it was not initially utilized but is now used for advertising that the city has a commission and is meeting on certain days. In addition, ZCB plans to obtain

the City of Allentown's HRC budget so that anyone who believes Lehigh County will spend too much money or need to raise taxes if this ordinance is passed will be able to see that there are minimal costs involved. LB reminded ZCB that Allegheny and Erie counties are the two other Pennsylvania counties that have similar ordinances.

At 6:39 on the recording, TB read his prepared statement indicating concerns surrounding the recent Supreme Court of the United States (SCOTUS) ruling and the county's proposed ordinance. He suggested language be included in the ordinance. CR agreed that concerns could be raised after the SCOTUS decision. CR went on to say that the decision "itself was somewhat narrow in terms of what it effected and how it would be applied but the logic underneath it is potentially expandable." Examples ensued on "who could claim the protection of this decision [at this time]." CR reminded that other laws also are in place that control buildings and building codes etc. but that "this decision does call into question where [the] limits are when artistic expression butts up against [the rights of others]." CR cautioned on the difficulty of speculating about where [this decision] is [headed] but offered that when "more cases challenging different actions [are decided], better definitions will be established on what the boundaries are." CR offered that language could be included in the proposed ordinance.

LB weighed in by saying "the function of the ordinance is not to allow people to discriminate more [but rather] to allow people to discriminate less. As for including language in the ordinance to "counteract the [SCOTUS] decision", LB does not think it is the HRC's "task." More detailed explanation of the SCOTUS decision ensued. As per LB, and as further support of exactly why it is so important that the proposed ordinance be passed, as soon as the SCOTUS ruling became public, PA Governor Josh Shapiro said that PA is going to add sexual orientation and gender identity into its anti-discrimination law and that every state, too, should pass this [same provision]. More discussion and examples ensued. CR advised "that it is a much better practice to create the legislation (if we have the opportunity) with the recognition in it that this is the state of the law right now." She recommends some acknowledgement of it. CHAIR agreed with CR's recommendation as did LB.

CR and LB agreed to meet to discuss where language should be inserted into the body of the proposed ordinance perhaps where there are exemptions to the entirety of the ordinance... LB further pointed out that there does not seem to be any relationship [with the SCOTUS ruling] and employment or housing but rather [this decision] is about public accommodation only.

AB asked a question regarding Human Relations Commission process. LB answered.

TB asked whether the other members felt his concerns for the proposed ordinance were valid. LB supported TB's concern with an observation about the longevity of supreme court justices and their rulings. LB questioned whether we [should] function based on what might happen in the future or do we function on what is happening now. If this ordinance is passed and it protects people from being discriminated against for [even a short amount of time] it is better

than not having this law. She went on to paraphrase that the Supreme Court said unless things are legislated, we could find that [we] don't have the right to have a nondiscrimination interpretation at all.

TB suggested that ZCB receive the reworked proposed ordinance as soon as possible and present it to the full Board of Commissioners (BOC). The next several BOC meeting dates were given.

LB reminded everyone that the "history of civil rights is all about moving forward and backlash." CHAIR offered "moving forward and resisting". LB said that this backlash is about the passage of marriage equality.

CR added that "once a Human Relations Commission is established and they receive complaints of this nature and a defense of the nature that was presented, it would very much be incumbent upon the Commission's investigator to make sure these are real, valid complaints... that there isn't some subterfuge... things will need to be investigated properly."

NEW BUSINESS

CLOSING AGENDA ITEMS

Citizen's Input on Non-Agenda Items

Jessica Ortiz reported that she has been harassed, discriminated against as a woman, and encountered threatening treatment from a fellow board member on a board of which she is a member. Ms. Ortiz unsuccessfully tried to contact the city of Allentown's Human Relations Commission but has been unable to file her complaint. Ms. Ortiz contacted Pennsylvania's Human Relations Commission. Ms. Ortiz attended this meeting this date inquiring whether there was anything the Lehigh County HRAC could do for her. LB told Ms. Ortiz that the city's commission is meeting but they are not posting the meetings and also that Allentown's non-discrimination ordinance is law. LB suggested Ms. Ortiz contact Lucinda Wright; CB personally knows Ms. Wright, Allentown's new Equity & Inclusion Coordinator, and asked Jessica to again reach out to her.

CHAIR called for any other citizen's input (none) and any other announcements (none) or anything for the good of the order with there being none, he called for a motion to adjourn. Motion to adjourn by TB. Meeting adjourned.

Respectfully submitted,

Cynthia L. King