



THE CAUCUS

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STRENGTH IN NUMBERS

A record number of women lawmakers will be sworn into office in January

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THE INTERVIEW



Cindy Morrison, the first Republican woman elected as a Warren County commissioner, talks about her hurdles as a woman in politics. **PAGE 6**

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VOICES OF CHANGE

A record number of women are joining the General Assembly. Here's what it means for the legislative agenda this session.

» SAM JANESCH

Exactly two months after #MeToo-inspired reform bills were killed in a House committee in Harrisburg, state Rep. Leanne Krueger-Braneky grinned as she walked onto a small stage and stood behind a podium in front of a roaring crowd in Delaware County. It was the night of Nov. 6, and the smile disappeared as she began to speak. Her first words weren't about her own just-announced re-election victory or the first-time wins for several candidates standing behind her.

They were about those bills. Turning serious on a night of celebration, Krueger-Braneky referred to the committee chairman, Rep. Rob Kauffman, who declined to call a vote on the bipartisan reforms addressing sexual harassment. She had personally led the charge in pushing the legislation — including her #MeToo Act — after a slew of sexual harassment scandals rocked the country and the state in the previous year. “He blocked our bills, not because of a difference of opinion but because of power — who has it, and how they exercise it,” said the Democrat, lingering on the word “power” as she spoke.

It was a call to action on a night when the power structure in Pennsylvania's Capitol was shifting — if only slightly — in the direction Krueger-Braneky had hoped it would. When Pennsylvania's 253-member General Assembly starts its new session Jan. 1, it will have more women than ever before.

Parity is still a long way off, with women making up just 25 percent of the incoming Legislature in a state where the population is 51 percent female and where there's a shoddy record of electing women to the highest offices. Their numbers grew from 49 female legislators last session to 63 in the incoming one.

But as Krueger-Braneky and others told The Caucus, the increased representation matters — and it will mean “more and more voices both in the House and Senate advocating for change

in how we deal with sexual harassment in the Legislature.”

One of those voices belongs to a Democratic senator-elect named Katie Muth.

An athletic trainer and sports medicine specialist, Muth is fresh off an upset win that ousted four-term Republican Sen. John Raftery and a campaign where she developed a reputation for speaking her mind — unapologetically and unfiltered.

“She's a firecracker. She's awesome,” said Anne Wakabayashi, executive director of Emerge PA, which supported and trained a group of women candidates that included Muth. “She is a ball of energy (and) says what she believes. She's the epitome of a true political outsider.”

Muth said she decided to run because she saw a government that wasn't accountable and that perpetuated, she said, a “misogynistic environment and the oppression of people that aren't white men.”

She was “infuriated” that some Pennsylvania lawmakers ultimately remained in office on their own terms after they were accused of misconduct.

“There was this silence of no one holding him accountable,” Muth says of Sen. Daylin Leach in particular.

A fellow Montgomery County Democrat and now Muth's colleague, Leach withdrew from a congressional race but remained in the Senate last year after he was accused of unwanted

touching and sexually charged comments. He has denied the accusations.

Muth called for his resignation and, in early September, found herself in a public spat when Leach called her a “dreadful person” and a “toxic hand grenade” in an email to a local party chairman, The Philadelphia Inquirer reported.

According to the Inquirer, Leach had been dropped for an event after Muth said she didn't want to appear on the same stage as him. Leach responded angrily by telling the party leader that Muth would soon be “irrelevant to our lives,” the Inquirer reported.

Two months later she won election by a comfortable 4-point margin.

“Part of the reason I'm here now in this moment and this opportunity is to push back and stand up against those things,” said Muth, a rape survivor who said she hopes to be involved with advancing the bills combating sexual harassment.

PENNSYLVANIA'S #METOO MOMENT

As famed Hollywood producer Harvey Weinstein's downfall spurred a reckoning with sexual misconduct in America starting in October 2017, the #MeToo movement reached Pennsylvania's state Capitol for the first time that December.

The Inquirer reported the accusations



Rep. Mary Isaacson, Rep. Wendy Ullman, Sen. Katie Muth, Sen. Judy Ward, Sen. Maria Collett, Sen. Lindsey Williams, Rep. Kristin Phillips-Hill, Rep. Lori Mizgorski

against Leach and then that House Democrats had paid nearly \$250,000 for a sexual harassment settlement involving Rep. Thomas Caltagirone, of Reading.

Gov. Tom Wolf, the unofficial head of the same Democratic Party of the two lawmakers, asked them both to resign, but to no avail.

Leach quit his bid for what was then the 7th Congressional District seat held by Republican U.S. Rep. Pat Meehan, who would also later be the subject of a New York Times report detailing his involvement with a female staffer decades his junior. A federal ethics investigation was launched in early 2018 and Meehan resigned in April.

Caltagirone, who was the subject of a complaint from a longtime staffer, stayed in his seat and won re-election last month with a whopping 80 percent of the vote in a Democratic-heavy district.

Another case came with Tim Solobay, who resigned as the state's fire commissioner in January after reports from PennLive about a sexual harassment allegation from his time as a state senator.

And in February, The Caucus and Inquirer reported on allegations that Rep. Nick Miccarelli, a five-term Delaware County Republican, sexually and physically assaulted two women, including Rep. Tarah Toohil. Miccarelli has forcefully denied those allegations.

Toohil was granted a protection-from-abuse order — creating an unprecedented scenario in the Capitol. House Republican leadership called for his resignation. Miccarelli ultimately said he would not run for re-election but he remained in office until Nov. 30, when he became eligible for a pension and lifetime health benefits.

Dauphin County District Attorney Fran Chardo launched an investigation into Miccarelli's alleged conduct in March.

“It was embarrassing to have him hanging around,” said incoming Rep. Dave Dellosa, a Democrat who will succeed Miccarelli in the district covering part of Delaware County. “It was an embarrassment to the district.”

Dellosa, president of the Teamsters Local 312 union, called for Miccarelli to resign during his campaign. He said he believed House Republicans were “diligent” when they found cause to ask Miccarelli to vacate his seat and referred the matter to the district attorney.

As a labor leader who said he has handled sexual harassment complaints, Dellosa said he thinks the first step after an accusation should be to “remove the accused from the workplace.”

“He was no longer going to be effective as a legislator,” said Dellosa.

Across every state in 2017-18, a total of 138 elected and appointed officials were accused of sexual misconduct, according to a recent study by Georgetown University Law Center.

After last month's election, 75 percent of those accused will be out of office by January, according to the report.

“Although these reports are likely the mere tip of a longstanding and deeply immersed iceberg of sexual misconduct, they are yet another sign that #MeToo is slowly beginning to disrupt the power structure,” wrote the study's author,

Parity is still a long way off, with women making up just 25 percent of the incoming Legislature in a state where the population is 51 percent female. Their numbers grew from 49 female legislators last session to 63 in the incoming one.

Professor Jamillah Bowman Williams. “For too long, government has been an institution where men have heightened status relative to women.”

The study noted, without specifically naming anyone, that seven Pennsylvania officials were accused but it also incorrectly noted that only one would remain in office in January.

After an inquiry from The Caucus, Williams identified the officials and said she would correct the list to include that both Leach and Caltagirone are still in the Legislature.

The list also included U.S. Rep. Tim Murphy, the pro-life Pittsburgh Republican who resigned after reports that he asked a woman with whom he was having an affair to get an abortion. Murphy's resignation came just before the Weinstein news broke.

It also included former Lehigh Valley-area congressional candidate Marty Nothstein, who The Morning Call reported in August had been under investigation for sexual misconduct.

NEW VOICES IN THE CAPITOL

Jennifer O'Mara had been running for the state House district neighboring Miccarelli's for nearly a year before the accusations surfaced.

The 28-year-old Democrat, who had been motivated to run largely because of the “lack of female representation” in her district, said the allegations sounded familiar.

She took to social media to write, for the first time, “#MeToo.”

“This story made me think of a previous relationship I was in where the man abused me and treated me similarly to these allegations,” O'Mara wrote on her campaign Facebook page.

“At the time, I was too afraid to speak up and too afraid to ask for help. I empathize with these women because I understand why they did not feel comfortable coming forward in the past. They feared the consequences they would face, not the consequences for the accused. Even worse, they feared no one would believe them.”

O'Mara, who turned 29 since beating incumbent GOP Rep. Alexander Charlton on Nov. 6, said in an interview that the women who spoke out about Miccarelli motivated her and others to share their own stories.

Now, she's an elected official who hopes to work with Krueger-Braneky to prioritize bills like the #MeToo Act and other causes like addressing the large number of untested rape kits in the state.

Others may not have spoken out about #MeToo issues frequently on the campaign trail like O'Mara and Muth, but they're coming into Harrisburg fully supportive of the reforms.

“We have to rebuild that trust and transparency for people,” said Sara Innamorato, who beat Pittsburgh Rep. Dom Costa in the Democratic primary and then was unopposed in the general election.

Innamorato, who worked in nonprofits advocating for women's health issues, said she's “absolutely” supportive of independent parties handling complaints instead of party leaders, of banning non-disclosure agreements and taxpayer-funded settlements.

“Bills like these show we are actually dedicated to building an environment that is inclusive and is welcoming to people regardless of background,” she said.

Maria Collette, a lawyer-turned-nurse who defeated the son of the longtime Republican Sen. Stewart Greenleaf, agreed. Expanding protections for independent contractors and passing the PA Fairness Act — which would outlaw discrimination based on sexual orientation — are essential, she said.

Another newcomer, the former Philadelphia radio reporter Elizabeth Fiedler, echoed others in saying she's hopeful that, with a new crop of legislators being vocal on these issues, some of the bills will see action.

“We have a lot of younger members and younger women entering who have had life experiences similar to mine who have been professionals in the workplace and have during their careers seen this sort of behavior and found it objectionable and unacceptable,” Fiedler said.

LEGISLATION — PENNSYLVANIA AND ELSEWHERE

Krueger-Braneky's bill, dubbed the #MeToo Act, was modeled after federal legislation and had several main components.

- Ban non-disclosure agreements that hide the names of legislators involved.
- Prohibit the use of taxpayer money for settlements involving legislators.
- Require paid leave or a remote work assignment for victims during proceedings.
- Guarantee a lawyer or “victim's counsel”



COVER STORY



Rep. Elizabeth Fiedler



Rep. Jennifer O'Mara



Rep. Kristine Howard



Rep. Liz Hanbidge



Rep. Barbara Gleim



Rep. Christina Sappey



Rep. Danielle Friel Otten

be offered to represent the victim.

— Create an Office of Compliance to receive, investigate and resolve complaints in the Legislature instead of separate policies among the caucuses.

Krueger-Braneky said she is preparing to reintroduce the same bill with a few tweaks.

Other bills were included and discussed in a Sept. 6 hearing, such as proposals to increase the statute of limitations to file discrimination and harassment complaints and others to expand the Pennsylvania Human Relations Act to include smaller companies and interns.

At the House Labor and Industry Committee hearing, Republican Chairman Rep. Rob Kauffman said at the outset he had just withdrawn his support for the bill because Krueger-Braneky had “politicized” the issue on social media. He said he was “appalled and offended” it was used in a “political pitch.” He nearly canceled the hearing but let it proceed with the caveat the bills would not move out of the committee.

“It’s just hugely disappointing that we left this session without a single bill addressing what is a huge problem in our workplaces,” said Terry Fromson, managing attorney for the Philadelphia-based Women’s Law Project.

The group testified twice on these and similar bills in 2018, including the September hearing.

Fromson said other states have moved to expand protections for workers, ban or limit non-disclosure agreements and increase trainings while Pennsylvania’s “General Assembly has done nothing.”

California has passed laws to allow complainants to request settlement agreements that hide their identity and to stop employers from making employees sign non-disparagement agreements that prevent them from disclosing information about unlawful acts in the workplace.

Arizona banned the use of non-disclosure agreements in some cases. New York did the same and also made employers liable for permitting sexual harassment in the workplace against non-employees, including contractors and vendors.

Maryland now requires independent investigators to handle all complaints against legislators, and Washington created a state Women’s Commission, according to the National Conference of State Legislatures.

In Pennsylvania, just one piece of legislation passed the House.

Introduced by Republican Reps. Sheryl DeLozier, Marcy Toepel and Donna Oberlander after the Miccarelli case came to light, the House resolution passed with wide support in June. It kick-started a study to determine the frequency of harassment and sexual misconduct in state government, and to determine what policies are in place. The 12-month study by the Joint State Government Commission will encompass all three branches of government.

Another resolution, to establish a Task Force on Harassment and Sexual Misconduct in the Workplace, passed the House but was never launched. It would have created a task

force to investigate laws and practices, similar in scope to the child protection task force launched after the Jerry Sandusky child sex abuse scandal at Penn State.

DeLozier, who prime-sponsored both resolutions, said the study that was approved will help legislators craft legislation when they know what policies exist in every executive agency and legislative caucus — and when they get the full data on sexual harassment claims made to each department.

She acknowledged there will be some consensus ideas — such as prohibiting taxpayer money from being used for settlements — before the study even comes back. But ideas like an independent Office of Compliance might need more work, she said.

“If we have one office, and the suggestion with some of the legislation was one office with a multitude of staffing, I don’t think that’s necessary because if we needed that many staff to deal with the sexual harassment complaints we have a bigger issue,” DeLozier said.

Glenn Pasewicz, executive director of the commission that’s handling the study, said the commission was in the process of gathering the policies and data related to cases from all the different agencies across the executive, legislative and judicial branches.

He confirmed most studies go until their deadline — which would be June in this case — and they don’t need to go through an approval process with anyone in the House or Senate.

But even when the data comes back, the full picture of harassment in government will be far from clear, Krueger-Braneky said. Many claims aren’t reported, and some that are reported are never recorded by the offices, she said.

“I don’t know that we’re going to have many more answers after the report is completed than what we do know now,” she said.

A MORE REFLECTIVE LEGISLATURE

Natalie Mihalek said she’s used to working in a “roomful of guys.”

The incoming House Republican from Pittsburgh spent four years after high school in the U.S. Navy’s nuclear power program. When she got out, she went through law school and worked as a prosecutor in the Allegheny County District Attorney’s office before going into private practice.

“I thought it was important for my kids to see equal representation in the Legislature,” said Mihalek, who has two daughters and son. “I didn’t want them to grow up and stumble upon a picture of the General Assembly, like I did, and just see men.”

Mihalek was vocal about the stereotypes that followed her on the campaign trail. In an op-ed in the Pittsburgh Post-Gazette, she discussed the questions about childcare she fielded repeatedly — questions male candidates are rarely, if ever, asked.

“It’s antiquated,” she said, describing how those questions exemplified a “ridiculous barrier” women still face in Pennsylvania. She said being vocal and transparent about these issues

— and leading by example — will be key for her going forward.

Pennsylvania’s Legislature will be made up of 51 women in the House and 12 in the Senate at the start of 2019 — an increase from 42 in the House and seven in the Senate in the previous session.

Before this year’s election, only 19 percent of state lawmakers were women, ranking Pennsylvania among the worst in the nation. That number is now 25 percent, which was the national average for state legislatures in 2018, according to the Center for American Women and Politics at Rutgers University.

And in 2018, there were more women running for state legislative offices nationally — and going on to win — than at any point in history, according to the center.

“It’s so exciting, especially in this second ‘Year of the Woman,’ that we had so many women elected,” said Samantha Pearson, president of the Pennsylvania chapter of the National Organization for Women.

PA NOW endorsed 18 women running for state office. Some of the policies they hope to see tackled in the new session include the #MeToo Act, pay equity and a resistance to bills that curb abortion rights.

Dana Brown, executive director of the Pennsylvania Center for Women & Politics at Chatham University, said there could potentially be more “consciousness-raising,” both nationally and statewide, for topics like the gender pay gap and family leave policies that disproportionately affect women — even raising the minimum wage.

But, she said, “just increasing women’s numbers by and large doesn’t indicate that legislation has a more clear pathway.”

Much of the leadership in all four House and Senate caucuses remains the same. And, Brown said, the Keystone State will still fall short of what is thought of in political science literature as a necessary 30 percent mark that typically represents increased bipartisanship and movement on major issues.

“While we are excited and proud to have more women part of the Legislature — we’re moving the needle — but sadly we’re still falling short of that minimum 30 percent,” Brown said. “It’s a little bit of a mixed bag.”

“Unfortunately, as a whole, I don’t know if we’re going to see some of those big impact pieces yet,” she said. “We still don’t have a critical mass.”

Muth, the senator-elect, she said she hopes the historic number of women coming in sends the message: “We’re not going away.”

Just a few months ago, one of her now-colleagues said Muth would soon be “irrelevant to our lives” while he would be fighting for progressives “for many years to come,” the Inquirer reported.

Pennsylvania voters have already rejected the first notion. Muth will now be fighting not just to stay relevant herself, but to keep the momentum going.

“I hope to help more women win in 2020,” she said. ☺