

Pennsylvania Office of Attorney General



Civil Rights Enforcement Section

Overview:

Jurisdiction and Representative Matters

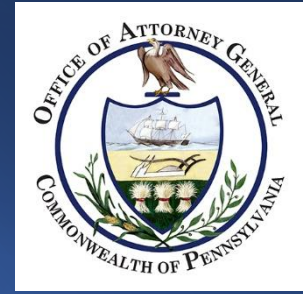
CIVIL RIGHTS ENFORCEMENT SECTION



- The Civil Rights Enforcement Section exercises discretionary jurisdiction to investigate **systemic violations of civil rights law** – e.g., a policy or pattern-or-practice of discrimination – **or violations that call for a systemic remedy.**
- Legal Authority:
 - Actions in the name of the Attorney General before the Pennsylvania Human Relations Commission
 - Actions under the Pennsylvania Unfair Trade Practices and Consumer Protection Law to the extent a civil rights matter arises in the consumer marketplace, as discrimination is an unfair practice
 - Civil rights actions to the extent permitted by federal statute or the Attorney General’s standing as *parens patriae* (i.e., when warranted to protect the welfare of the Commonwealth’s residents)
 - Civil injunctions or other equitable relief, in consultation with the local district attorney, for ethnic intimidation (hate crimes) and institutional vandalism



PENNSYLVANIA HUMAN RELATIONS ACT

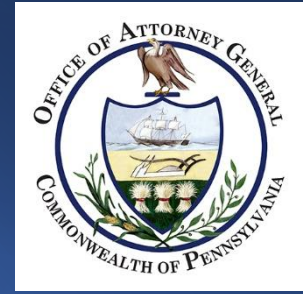


Unlawful to discriminate based on:

- Race
- Color
- Religion
- National Origin
- Ancestry
- Sex
- Age (40 or over)
- Disability
- Use of Guide/Service/Support Animal
- G.E.D.
- Familial status (housing)
- Retaliation



PENNSYLVANIA HUMAN RELATIONS ACT

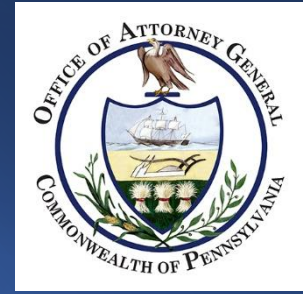


Unlawful to discriminate in:

- Employment
- Housing
- Commercial Property
- Public Accommodations
- Education



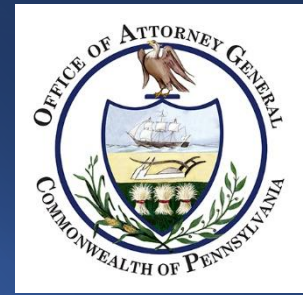
CONSUMER DISCRIMINATION



If a discrimination matter arises in the consumer marketplace – i.e., distributing, financing, or furnishing goods and services for the use of consumers – it may be not only a denial of a public accommodation under the PA Human Relations Act, but also an unfair practice that violates the **Pennsylvania Unfair Trade Practices and Consumer Protection Law**. The Civil Rights Enforcement Section works closely with the office's [Bureau of Consumer Protection](#) on such matters.



ETHNIC INTIMIDATION



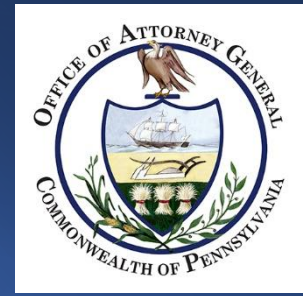
18 Pa. C.S.A. § 2710

PA-OAG **MAY** sue in civil court to obtain:

- **Civil injunctions or other equitable relief**, in consultation with the local district attorney, for conduct underlying the crimes of **ethnic intimidation** (crime motivated in whole or in part by race, color, religion or nation origin) or **institutional vandalism** (defacing churches, synagogues, cemeteries, schools, etc.). 42 Pa. C.S. § 8309.

PA-OAG may **NOT** prosecute criminally without a referral from a **D.A.**

ENFORCING FEDERAL CIVIL RIGHTS LAW



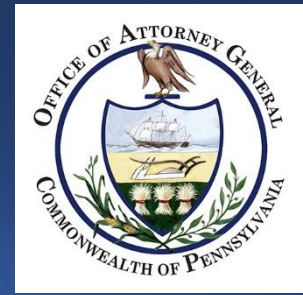
Explicit Statutory Jurisdiction:

- Freedom of Access to Clinic Entrances (FACE) Act
- Equal Credit Opportunity Act

PA Attorney General potentially has “parens patriae” standing to enforce federal civil rights statutes

- To vindicate Commonwealth’s interest in protecting the welfare of its residents

REPRESENTATIVE CIVIL RIGHTS MATTERS

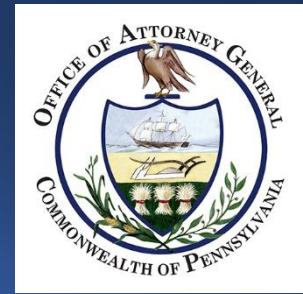


FAIR HOUSING / FAIR LENDING

- **Redlining**
 - In July 2022, after a 4-year PA-OAG investigation into alleged “modern-day redlining,” PA-OAG joined coalition including the CFPB, DOJ, and the state AGs of NJ and DE to resolve the matter via a global settlement for over \$20M and significant programmatic relief.
 - In August 2023, the [subsidy program](#) required by the settlement went live. It calls for up to \$10,000 for qualified applicants to purchase a home in majority-minority neighborhoods in the Philadelphia region.
- **Racially Discriminatory Lease Revocation and Harassment**
 - PA-OAG investigated and filed a complaint with PHRC where grandmother, African American, had her lease withdrawn and move-in date canceled due to race and/or due to criminal record of grandchild who would not be living with her and thus bore little to nothing on suitability as a tenant. Complainant also was racially harassed.
 - Settlement approved by PHRC on 7/24/23 for \$90K in relief, policy changes, and training.



REPRESENTATIVE CIVIL RIGHTS MATTERS

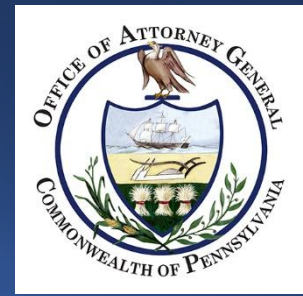


PUBLIC ACCOMMODATIONS / CONSUMER DISCRIMINATION

- **Alleged Race Discrimination by Convenience Store** – PA-OAG investigated alleged “shopping while black” incident – i.e., false allegation of shoplifting – which resulted in obtaining restitution for the complainant, statewide company policy changes, and training.
- **Alleged Race Discrimination by Auto Dealership** – PA-OAG investigated allegation of “aversive racism,” meaning that sales consultants made efforts to avoid working with African American consumers based on certain indicia intertwined with race and class, such as whether a person had dark skin; their name; whether they used colloquialisms or slang language; and their clothing. PA-OAG secured dealership’s commitment to company-wide policy/procedure changes, and bias training for sales staff.



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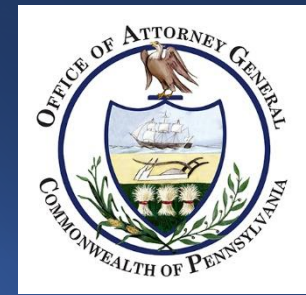


DISABILITY ACCESS AND ACCOMMODATION

- **Emotional Support Animals** – in May 2024, PA-OAG settled an investigation of Support Pets LLC, which runs a website and related social media accounts through which it markets “official” emotional support animal (ESA) packages for sale to consumers to present to landlords so as to avoid no-pet policies or pet fees. The company made changes to its practices to decrease the risk of confusion and to better align with disability law and Pennsylvania’s Assistance and Service Animal Integrity Act.
- **[Failure to Admit Personal Care Aides by Global Indoor Amusement Company](#)** – PA-OAG secured the company’s agreement to modify admission policies statewide. Company did not waive admission fees for personal care aides needed by young man with autism and who uses a wheelchair; personal care aides were needed to fully and equally enjoy the experience.
- **[Failure to Provide State-Registered Sign Language Interpreters](#)** – PA-OAG secured settlements with major agencies providing sign language interpreters. The companies committed to prioritizing state-registered interpreters in making assignments. This work was in support of the PA Office for the Deaf & Hard of Hearing (ODHH) and its enforcement of the PA law requiring sign language interpreters to be state-registered.
- **[Opioid-Use-Disorder Discrimination by Skilled Nursing Facilities](#)** – PA-OAG secured commitments from a number of companies, covering three dozen Pennsylvania nursing homes, agreeing to comply with state and federal law prohibiting discrimination against persons suffering from opioid use disorder or who use medications to treat opioid use disorder.
- **Unreasonable Restrictions on Motorized Wheelchairs by Regional Assisted Living Company** – PA-OAG investigated allegation that retirement community imposed various requirements and restrictions on use of motorized wheelchairs, pursuant to company policy. PA-OAG resolved the investigation by securing several company-wide commitments: in order to use a motorized mobility device, residents no longer required to provide a doctor’s note, or pass an initial skills assessment, or be required to obtain personal liability insurance coverage.



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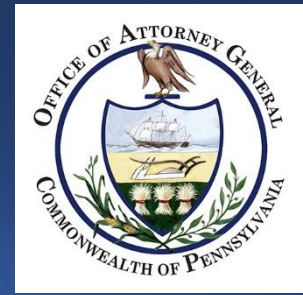


CRIMINAL BACKGROUND CHECKS

- **Home Care Companies**
 - PA-OAG invoked PA Criminal History Records Information Act and disability law to mediate complaints by home care aide that companies revoked their hiring decisions once they found out about complainant's criminal history record – which related to drug addiction years ago and thus were not sufficiently related to suitability for employment.
- **Racially Discriminatory Lease Revocation and Harassment**
 - PA-OAG filed complaint with Pennsylvania Human Relations Commission (PHRC) based on allegation by an African American grandmother who had lease withdrawn and move-in date canceled due to race and/or due to criminal record of a grandchild who would not be living with her and thus bore little to nothing on suitability as a tenant. Complainant also was racially harassed.
 - PA-OAG's settlement was approved by PHRC in July 2023 for \$90K in relief, policy changes, and training.



REPRESENTATIVE CIVIL RIGHTS MATTERS

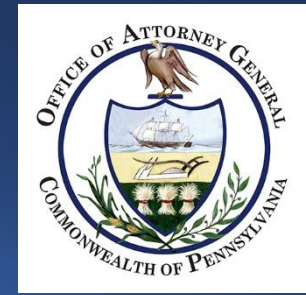


EQUITY IN SCHOOLS

- PA-OAG participates in [School-S.P.I.R.I.T. Programs](#) (Student Problem Identification & Resolution of Issues Together) developed and organized by the U.S. Dept. of Justice.



REPRESENTATIVE CIVIL RIGHTS MATTERS



PUBLIC TRUST AGENCIES

- **[New Hanover, PA, Police Department](#)**
 - PA-OAG received a complaint alleging racist statements made by New Hanover Township's Police Chief and his Sergeant.
 - PA-OAG's investigation resulted in the Township committing to hiring future leadership committed to fair and impartial policing and a culturally inclusive workplace; revising the Rules of Conduct for the New Hanover Township Police Department; and receiving training by the Pennsylvania State Police's Heritage Affairs Section.
- **[Friendship Fire Company of Bressler, PA; Affiliated Social Club](#)**
 - PA-OAG received an allegation that one of the volunteer fire companies in Swatara Township and its affiliated social club had policy/practice of excluding blacks and other racial minorities. PA-OAG invoked the office's jurisdiction over charities, and the principle in *Bob Jones Univ. v. United States*, 461 U.S. 574 (1983), that discrimination is inconsistent with a charitable purpose. Investigation yielded revisions to fire company's constitution and bylaws to add nondiscrimination provision; prominent nondiscrimination added to website.
 - After a new allegation of discrimination was reported in the spring of 2024, CRES reopened its investigation. However, Swatara Township quickly conducted its own thorough investigation and, in May 2024, the [Swatara Twp. Bd. of Commissioners voted to remove the Friendship Fire Company of Bressler](#) from its list of approved fire companies and to no longer support it financially.

