

**BOARD OF ETHICS
OF THE CITY OF PHILADELPHIA**

J. Shane Creamer, Jr.
Executive Director
Board of Ethics
of the City of Philadelphia
1515 Arch Street, 18th Floor
Philadelphia, PA 19102

v.

Celena Morrison



Respondent

Matter No.: 2106ET19
Date Served: July 15, 2021

**ANSWER TO AMENDED NOTICE OF
ADMINISTRATIVE ENFORCEMENT PROCEEDING**

Celena Morrison ("Ms. Morrison"), by and through her attorneys, Pietragallo Gordon Alfano Bosick & Raspanti, LLP, hereby submits her Answer to the Executive Director's Amended Notice of Administrative Enforcement.

I. PARTIES

1. Admitted.
2. Admitted.

II. FACTUAL ALLEGATIONS

3. Admitted.
4. Admitted.
5. Denied as stated. As Executive Director, Ms. Morrison has "a say" in which agencies the Office partner with to promote the Office's mission. She did not agree that she had "discretion" as stated in paragraph 5.

6. Admitted.

7. Admitted.

8. Admitted. By way of further response, both Ms. Stephens and Kelly Burkhardt, who worked with the District Attorney's Office, contacted Ms. Morrison about setting up a meeting with Hearts on a Wire. Exhibit A at 11-12.

9. Admitted.

10. Admitted with the clarification that Ms. Morrison agreed to speak with Hearts on a Wire because both Ms. Stephens and Ms. Burkhardt contacted her about a meeting. By way of further response, Ms. Morrison never attended a meeting with Hearts on a Wire and the Office of LGBT Affairs never worked with Hearts on a Wire. Exhibit A at 8, 11, 15.

11. Admitted.

12. Admitted.

13. Admitted. By way of further response, Ms. Morrison went to the police station to support Ms. Stephens as a friend, not in any "official capacity." The City officials advised of the incident understood that Ms. Morrison was not acting in an official capacity when she went to the police station. See Exhibit 1 (Email correspondence between C. Morrison and Lauren Cox, Deputy Communications Director, Office of the Mayor).

14. Admitted in part; denied in part. It is admitted that Ms. Stephens expressed that she felt that the police officers were trivializing the incident due to her transgender status. It is denied that Ms. Stephens "relied on Ms. Morrison, both as a friend and in her position as Executive Director, to interact with police during this time." It is further denied that Ms. Morrison spoke with police officers at the station about both the incident. By way of further response, Ms. Morrison went to the police station because she was Ms. Stephens' friend. She did not go in her official capacity. When arrived at the police station, Ms. Stephens was screaming. Ms. Morrison

asked Ms. Stevens to be quiet “to give the officer an opportunity to explain what was going on.” The officer advised Ms. Morrison that they had taken a report and that he had explained to Ms. Stephens that the police were not able to label her attack a hate crime. Ms. Morrison did not “discuss the incident” with the police. Ms. Morrison may have referenced Directive 4.15 in speaking with the police officer. While Ms. Morrison acknowledged that speaking about Directive 4.15 is a function in her role as Executive Director, Ms. Morrison explained that educating the community does not only fall under her job duties; it is something she does as a black trans woman and is something that she did prior to holding her current position. Exhibit A at 22-24.

It is denied that Ms. Stephens was relying on Ms. Morrison “in her position as Executive Director” at that time. By way of further response, Ms. Morrison was speaking to Ms. Stephens prior to the attack in a personal capacity and Ms. Stephens called her immediately after the attack, also in a personal capacity. Ms. Morrison went to the police station on August 24, 2020 as a friend; not in her official capacity. Ms. Morrison is not aware of whether Ms. Stephens heard anything that she said to the police officer as Ms. Stephens “wouldn't stop yelling” and her husband had moved her to the side. Additionally, City officials aware of the incident understood that Ms. Morrison did not go to the police station in her official capacity. See Email 1.

15. Admitted.

16. Admitted.

17. Admitted.

18. Admitted. By way of further response, Ms. Morrison also acknowledged that she took these steps because she was Ms. Stephens' friend.

19. Admitted with the clarification that the Police Department contacted Ms. Morrison seeking information. Ms. Morrison was contacted by “one or both of the ... police commissioners.” The matter of Ms. Stephens' attack had been “elevated” by someone other than

Ms. Morrison. Ms. Morrison relayed the information as requested.

20. Admitted. By way of further response, the District Attorney's Office contacted Ms. Morrison seeking information. Ms. Morrison relayed information as requested.

21. Admitted in part; denied in part. It is admitted that some of Ms. Morrison's actions could fall within Ms. Morrison's professional duties. It is denied that Ms. Morrison considered herself to be acting in an "official capacity" when she was assisting her friend. It is further denied that Ms. Stephens "actively sought and relied upon" Ms. Morrison because she was the Executive Director.

22. Admitted upon information and belief. By way of further response, Ms. Morrison had no role in the GoFundMe campaign.

23. Admitted. By way of further response, Ms. Morrison had moved in with Ms. Stephens in order to escape an abusive home.

24. Denied. It is specifically denied that Ms. Morrison "requested" the funds from Ms. Stephens. Rather, prior to the attack, while Ms. Morrison was living with Ms. Stephens, Ms. Stephens offered to loan Ms. Morrison money to obtain new housing. Ms. Stephens advised Ms. Morrison that she had the funds available to assist her. Exhibit A at 45 ("...during that time that I was at her house, Kendall showed me over \$200,000 cash hidden in her closet. And because she knew that I was looking for a new place, she offered to loan me -- first she asked me about how much would I need to move into a new place. And I told her about \$4,000, because it was going to be first month, last month, deposit, and all that stuff to move in. And we agreed at that time while I was still staying in her house that she offered to loan me the \$4,000, and I said okay."); Exhibit A at 51-53 ("One thing I do want to say is the document that you shared with me continuously stated that I requested money from Kendall Stephens. And that is not the case. I never would have requested that amount of money from Kendall, because I never -- Kendall has

always been on the system. She's always utilized all the programs, all the resources in the community. I would have never thought that Kendall had \$4,000 to loan me until she showed me that \$200,000 cash that she had hidden in her closet. So there was no reason for me to ever even request that amount of money from her, because Kendall doesn't have a job. ...No, I didn't ask for it. I told her what it would take for me to get a new place. She asked me how much would it take for me to move into a place, and I told her \$4,000, that's what I'm saying.”).

25. Admitted.

26. Admitted.

27. Admitted upon information and belief.

28. Admitted. By way of further response, in or around October 2020, the District Attorney's Office contacted Ms. Morrison about doing a press conference regarding anti-trans violence, murders and hate crimes. The District Attorney's Office asked Ms. Morrison to find someone who was working with the trans community to be a part of the press conference. Ms. Morrison reached out to Tatiana Waters. Ms. Stephens was “furious” with Ms. Morrison when she learned that Ms. Morrison had not contacted her to participate in the press conference. Ms. Morrison and Ms. Stephens’ friendship “completely changed” after the conference. Exhibit A at 30-31. In or around the same time, Ms. Stephens stopped answering Ms. Morrison’s calls.

29. Admitted. By way of clarification, Ms. Morrison advised that she wanted to repay the loan early in her conversations with Board Enforcement Staff. The reason why there were “numerous conversations” with Board Enforcement Staff prior to Ms. Morrison bringing the check to the Board of Ethics office was that Ms. Morrison did not have a clear understanding of the Board Enforcement Staff’s role in this process or the process more generally.

30. Admitted.

31. Admitted. By way of further response, Ms. Morrison did not understand how to complete the statements of financial interest. In fact, not only did Ms. Morrison not “disclose” the \$4,000 loan, she also did not “disclose” her salary. Moreover, the statements of financial interest were submitted after Ms. Morrison spoke to Board Enforcement Staff and after Ms. Morrison repaid Ms. Stephens the \$4,000 loan. Ms. Morrison was not attempting to hide the loan.

32. Admitted.

33. Admitted.

III. ALLEGED VIOLATIONS

COUNT 1 – PHILADELPHIA’S GIFT LAW, PHILADELPHIA CODE SECTION 20-604(1)

34. Denied.

35. Admitted in part; denied in part. It is specifically denied that Ms. Morrison solicited the funds. It is admitted that she received the loan.

36. Admitted in part; denied in part.

37. Admitted in part; denied in part. It is admitted that Ms. Stephens sought to schedule a meeting between Hearts on a Wire and the Office of LGBT Affairs. It is denied that Ms. Stephens was acting in an official capacity on behalf of Hearts on a Wire. It is further denied that there was any meeting.

38. Admitted in part; denied in part. It is denied that Ms. Stephens sought Ms. Morrison’s assistance because of her role with the Office of LGBT Affairs. Ms. Stephens contacted Ms. Morrison as a friend. It is admitted that Ms. Morrison supported Ms. Stephens by connecting Ms. Stephens with individuals and relaying information from Ms. Stephens to certain City officials.

39. Admitted.

40. Admitted in part; denied in part.

41. Denied. Ms. Morrison lacks sufficient information about Ms. Stephens' inference and therefore denies the same. By way of further response, Ms. Morrison does not believe Ms. Stephens, who was screaming and on the other side of the room, is aware of the content of her conversation with the police officer. Ms. Morrison further denies that advising a police officer of a city regulations constitutes an exertion of power.

42. Admitted in part; denied in part. It is admitted that Ms. Morrison sent the email attached as Exhibit G. Ms. Morrison lacks sufficient information about Ms. Stephens' belief and therefore denies the same.

43. Admitted. By way of further response, Adam Geer from the District Attorney's Office contacted Ms. Morrison seeking information, which Ms. Morrison provided. Ms. Stephens also asked Ms. Morrison to provide Mr. Geer information, which she did.

44. Admitted. By way of further response, the Police Department contacted Ms. Morrison seeking specific information, which Ms. Morrison provided.

45. Admitted in part; denied in part. It is admitted that some of Ms. Morrison's acts would fall within her job duties. It is denied that the actions were not ministerial in nature. By way of further response, an "official action" is any act or omission taken by an officer or employee in her official capacity that requires discretion and is not ministerial in nature. Phila. Code § 20-601(17). Educating a police officer about Directive 4.15 and facilitating the exchange of information between parties at their request are ministerial functions. Ms. Morrison did not use any discretion in deciding what information to share nor did she deny any parties' request that she share information.

46. Denied. It is specifically denied that Ms. Morrison solicited funds. By way of further response, the funds were offered to her. Moreover, Ms. Stephens offered Ms. Morrison the funds prior to the attack. Ms. Stephens was not "particularly vulnerable: a victim of a violent

attack who continued to suffer from physical injuries” when she offered Ms. Morrison the funds.

47. Denied. Ms. Morrison lacks sufficient information about Ms. Stephens’ actions and therefore denies the same.

48. Denied. It is specifically and adamantly denied that Ms. Morrison was involved in Ms. Stephens’ criminal matter or that she could in any way “influence” the criminal matter. Ms. Morrison lacks sufficient information about Ms. Stephens’ belief and therefore denies the same.

49. Denied. It is denied that Ms. Stephens’ sought “official action” from Ms. Morrison. It is denied that Ms. Morrison solicited a no-interest loan. It is admitted that Ms. Morrison accepted a no-interest loan.

50. Denied. It is denied that Ms. Stephens acted “knowingly” and not because of a mistake, accident “or other innocent reason.” Phila. Code § 20-1302(1)(b)(i).

51. Denied.

WHEREFORE, Ms. Morrison hereby requests a hearing and asks that this matter be dismissed.

Dated: September 30, 2021

Respectfully, submitted

**PIETRAGALLO GORDON
ALFANO BOSICK & RASPANTI, LLP**

/s/ Gaetan J. Alfano
Gaetan J. Alfano (I.D. No. 32971)
Leslie A. Mariotti (I.D. No. 309395)
1818 Market Street, Suite 3402
Philadelphia, PA 19103
Tel: (215) 320-6200
Fax: (215) 981-0082

EXHIBIT “1”

Celena Morrison

Executive Director
Office of LGBT Affairs | City of Philadelphia

Pronouns: She / Her / Hers

1400 JFK Blvd, Room 110 | Philadelphia, PA 19107

T (215) 686-0330 | celena.morrison@phila.gov

   [visit us online](#)



From: Celena Morrison
<Celena.Morrison@Phila.gov>
Sent: Monday, March 8, 2021 2:40 PM
To: Caroline Curley
<Caroline.Curley@Phila.gov>
Subject: Fw: Media inquiry/follow-up, Phila. Gay News

Please see the emails below.

Celena Morrison

Executive Director
Office of LGBT Affairs | City of Philadelphia

Pronouns: She / Her / Hers

1400 JFK Blvd, Room 110 | Philadelphia, PA 19107

T (215) 686-0330 | celena.morrison@phila.gov

   [visit us online](#)



From: Lauren Cox
<Lauren.Cox@phila.gov>
Sent: Tuesday, August 25, 2020 8:08 PM
To: Celena Morrison
<Celena.Morrison@Phila.gov>
Subject: RE: Media inquiry/follow-up, Phila. Gay News

Just added you to a chain with PPD to review. Kept the statement very simple since you were not there in an official capacity.

Lauren Cox
Deputy Communications Director
Office of the Mayor
215-686-6210
lauren.cox@phila.gov
Pronouns: She/Her/Hers

From: Celena Morrison <Celena.Morrison@Phila.gov>
Sent: Tuesday, August 25, 2020 6:41 PM
To: Press <Press@Phila.gov>; Lauren Cox <Lauren.Cox@phila.gov>
Subject: Re: Media inquiry/follow-up, Phila. Gay News

Thank you Lauren.

Celena Morrison
Executive Director

Office of LGBT Affairs
Office of Mayor James F. Kenney
City Hall, Room 110
(215) 686-0330
Pronouns: she/her/hers

From: Lauren Cox <Lauren.Cox@phila.gov>
Sent: Tuesday, August 25, 2020 6:34:24 PM
To: Celena Morrison <Celena.Morrison@Phila.gov>; Press <Press@Phila.gov>
Subject: Re: Media inquiry/follow-up, Phila. Gay News

Ugggh. That is terrible.

I'll draft something up in a bit and send your way.

Lauren Cox
Deputy Communications Director
Office of the Mayor
215-686-6210
lauren_cox@phila.gov
Pronouns: She/Her/Hers

From: Celena Morrison <Celena.Morrison@Phila.gov>
Sent: Tuesday, August 25, 2020 6:19:10 PM
To: Lauren Cox <Lauren.Cox@phila.gov>; Press <Press@Phila.gov>
Subject: Re: Media inquiry/follow-up, Phila. Gay News

Hi Lauren,

A fight started outside her home. I was actually on the phone with her because she is a popular community activist. We were discussing prison policy when I heard her say that they were fight outside her house. I told her that I would catch up with her later and to be safe.

At some point the angry group turned on her when they were told that she was Trans. They forced themselves into her house and assaulted her. She even has a broken nose.

Celena Morrison

Executive Director

Office of LGBT Affairs

Office of Mayor James F. Kenney

City Hall, Room 110

(215) 686-0330

Pronouns: she/her/hers



From: Lauren Cox <Lauren.Cox@phila.gov>

Sent: Tuesday, August 25, 2020 5:27 PM

To: Celena Morrison <Celena.Morrison@Phila.gov>; Press <Press@Phila.gov>

Subject: RE: Media inquiry/follow-up, Phila. Gay News

Thanks for adding that context, Celena. And sorry you are now dealing with this both personally and professionally.

I will draft up a general statement later this evening and have you review before I send to the reporter.

Based on what you know, were the attackers already in her home when an assault happened; or did they enter the home specifically to attack her.

Lauren Cox
Deputy Communications Director
Office of the Mayor
215-686-6210
lauren.cox@phila.gov
Pronouns: She/Her/Hers

From: Celena Morrison <Celena.Morrison@Phila.gov>

Sent: Tuesday, August 25, 2020 5:18 PM

To: Lauren Cox <Lauren.Cox@phila.gov>; Press <Press@Phila.gov>

Subject: Re: Media inquiry/follow-up, Phila. Gay News

Lauren,

This is a close friend of mine that was assaulted last night by about about five guys and girls. I met her at the Police department and drove her to the hospital.

I honestly don't feel comfortable answering those questions. I will take your advice it differs.

Celena Morrison

Executive Director

Office of LGBT Affairs

Office of Mayor James F. Kenney

City Hall, Room 110

(215) 686-0330

Pronouns: she/her/hers



From: Lauren Cox <Lauren.Cox@phila.gov>

Sent: Tuesday, August 25, 2020 4:47 PM

To: Press <Press@Phila.gov>; Celena Morrison <Celena.Morrison@Phila.gov>

Subject: RE: Media inquiry/follow-up, Phila. Gay News

Dropping Michele.

Celena – We have no context for what this request is about, so can you please fill us in. I am out of the office starting tomorrow, so I'd like to be able to draft any responses tonight.

We generally cannot comment on open investigations, so we'll be limited in what you can say here. Michelle also sent a request to PPD about this.

Lauren Cox
Deputy Communications Director
Office of the Mayor
215-686-6210

Pronouns: She/Her/Hers

From: Press <Press@Phila.gov>

Sent: Tuesday, August 25, 2020 4:30 PM

To: Mike Dunn <Mike.Dunn@Phila.gov>; Kelly Cofrancisco <Kelly.Cofrancisco@Phila.gov>; Sarah Reyes <Sarah.Reyes@Phila.gov>; Deana Gamble <Deana.Gamble@Phila.gov>; Lauren Cox <Lauren.Cox@phila.gov>; Irene Contreras Reyes <Irene.Contreras.Reyes@Phila.gov>; Chelsea Reed <Chelsea.Reed@Phila.gov>

Subject: FW: Media inquiry/follow-up, Phila. Gay News

From: Michele Zipkin

Sent: Tuesday, August 25, 2020 4:29:38 PM (UTC-05:00) Eastern Time (US & Canada)

To: Celena Morrison; Press

Subject: Media inquiry/follow-up, Phila. Gay News

External Email Notice. This email comes from outside of City government. Do not click on links or open attachments unless you recognize the sender.

Hi Celena,

Thanks so much for your willingness to send a statement for the story about the attack on Kendall Stephens that happened last night. My questions are below.

At what point in the evening did you come to Kendall's aid?

Kendall said that you were with her at one of the police precincts. How did the police officer(s) respond to Kendall's report of the assault?

Can you comment on the assault on the whole and how the police officers handled the incident? To your knowledge, was this a hate crime?

My deadline is tomorrow, Wednesday 8/26 at 1 p.m.

Thanks,

Michele

Celena Morrison

Executive Director
Office of LGBT Affairs | City of Philadelphia

Pronouns: She / Her / Hers

1400 JFK Blvd, Room 110 | Philadelphia, PA 19107

T (215) 686-0330 | celena.morrison@phila.gov

   [visit us online](#)



From: Celena Morrison
<Celena.Morrison@Phila.gov>
Sent: Monday, March 8, 2021 2:40 PM
To: Caroline Curley
<Caroline.Curley@Phila.gov>
Subject: Fw: Media inquiry/follow-up, Phila. Gay News

Please see the emails below.

Celena Morrison

Executive Director
Office of LGBT Affairs | City of Philadelphia

Pronouns: She / Her / Hers

1400 JFK Blvd, Room 110 | Philadelphia, PA 19107

T (215) 686-0330 | celena.morrison@phila.gov

   [visit us online](#)



From: Michele Zipkin
<michele@epgn.com>
Sent: Wednesday, August 26, 2020 8:39 AM
To: Press <Press@Phila.gov>
Cc: Celena Morrison
<Celena.Morrison@Phila.gov>
Subject: Re: Media inquiry/follow-up, Phila. Gay News

External Email Notice. This email comes from outside of City government. Do not click on links or open attachments unless you recognize the sender.

Thank you both for your help with this.

Take care,

Michele

On Tue, Aug 25, 2020 at 9:29 PM Press <Press@phila.gov> wrote:

Hi Michele,

Celena joined Kendall following her assault as a personal friend. As such, she is not comfortable confirming any specific details of the incident.

However, the following statement can be attributed to Celena Morrison as Executive Director of the Office of LGBT Affairs: "While I'm not able to comment on the details of Kendall's experience, it is always troubling and deeply upsetting to see acts of violence carried out against my fellow trans Philadelphians. Our office will continue to do all we can to work with the Philadelphia Police Department, community members, and others to ensure that trans and non-binary folks are able to feel and be safe in their city."

Police public affairs will get back to you on the request you directed to them earlier.

Lauren Cox
Deputy Communications Director
Office of the Mayor
215-686-6210
lauren.cox@phila.gov
Pronouns: She/Her/Hers

From: Michele Zipkin <michele@epgn.com>
Sent: Tuesday, August 25, 2020 4:30 PM
To: Celena Morrison <Celena.Morrison@Phila.gov>; Press <Press@Phila.gov>
Subject: Media inquiry/follow-up, Phila. Gay News

External Email Notice. This email comes from outside of City government. Do not click on links or open attachments unless you recognize the sender.

Hi Celena,

Thanks so much for your willingness to send a statement for the story about the attack on Kendall Stephens that happened last night. My questions are below.

At what point in the evening did you come to Kendall's aid?

Kendall said that you were with her at one of the police precincts. How did the police officer(s) respond to Kendall's report of the assault?

Can you comment on the assault on the whole and how the police officers handled the incident? To your knowledge, was this a hate crime?

My deadline is tomorrow, Wednesday 8/26 at 1 p.m.

Thanks,

Michele
Lauren Cox
Deputy Communications Director
Office of the Mayor
215-686-6210
lauren.cox@phila.gov
Pronouns: She/Her/Hers

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the above-captioned Answer to Amended Notice of Administrative Enforcement Proceeding was served upon the following as indicated:

By Email

Hearing Officer

Professor Louis Rulli
University of Pennsylvania Carey Law School
3501 Sansom Street
Philadelphia, PA 19104

Attorneys for City of Philadelphia, Board of Ethics

J. Shane Creamer, Jr., Esquire
Board of Ethics
of the City of Philadelphia
1515 Arch Street, 18th Floor
Philadelphia, PA 19102

City of Philadelphia Board of Ethics, General Counsel Staff

Michael Cooke, Esquire
Jordana Greenwald, Esquire
Thomas Klemm, Esquire
1515 Arch Street, 18th Floor
Philadelphia, PA 19102

Date: September 30, 2021

/s/ Gaetan J. Alfano
Gaetan J. Alfano, Esq.
Attorneys for Respondent,
Celena Morrison