

Vote411 Voters' Mini-Guide

Fall 2021

Magisterial District Judge

District 05-02-19

(Dormont, Mt. Lebanon)

This Voters' Mini-Guide is an excerpt of the online Vote411 Voters' Guide -- a project of the League of Women Voters. To see your entire ballot, visit Vote411.org.

There are three candidates running for this position. Voters may choose one (1) candidate.

Magisterial district judges (MDJs) do not have to be lawyers but are required to pass a qualifying exam. Handle civil cases up to \$12,000; responsible whether serious criminal cases go to the Court of Common Pleas; handle preliminary arraignments and hearings; minor criminal offenses, traffic citations and non-traffic ordinance violations. Responsible for setting and accepting bail, except in murder or voluntary manslaughter cases. **Term of office: 6 years**

Salary: 93,338

*All information in Vote411 Voters' Guides is submitted by the candidates and has not been edited or altered in any way. **The League of Women Voters of Greater Pittsburgh** has made every effort to enlist the participation of each candidate running for these positions. Candidates who would like to submit or update their written answers should contact vote411@lwvpgh.org.*





Hilary Wheatley Taylor

Party: Dem

Biographical Info:

Campaign Email: info@electhilary.com

Campaign Web Site: <http://electhilary.com>

Facebook: @hilaryformagistrate

District: 05-2-19 (Dormont and Mt. Lebanon)

Education: B.A., Psychology, The Ohio State University, 1999
J.D., Dickinson School of Law of the Pennsylvania State University, 2002

Qualifications for office: I have 18 years experience as a trial attorney at all levels of our state and federal courts. I volunteer as an arbitrator, mediator and pro bono Housing Court attorney. My work experience has prepared me to step into this position to create a fair, transparent and equitable court for all litigants.

Questions:

Q: *The Criminal Justice Task Force (11/16) recommended that Magistrates use the Allegheny County Risk Assessment tool for pretrial release determinations when setting bail. Are you familiar with this tool? Would you use it to determine the need for bail and the value of bail required?*

A: I am familiar with the tool and the recommendation for its use by Magistrates. I believe that any algorithm is only as good and fair as the data used to create it. If the data is generated from institutions that are inherently biased, the algorithm's recommendation should be evaluated accordingly to ensure that the recommendations do not result in racial disparities in the setting of bail. While I would refer to the Risk Assessment tool when making a bail determination, tying one's freedom to one's ability to pay a cash bail amount is offensive on its face.

Q: *How will you handle the imbalance of power you will commonly see in your court between vulnerable populations, who can not afford an attorney and will represent themselves the majority of the time, and opposing parties that tend to be more powerful, as the Police, or have the resources to hire an attorney, as a landlord against a tenant.*

A: Access to justice should not depend on one's available resources, education or primary language. I would offset imbalances of power by making certain that ALL participants understand the proceedings, their rights and the implications of any decision they make. This includes making translation services available to litigants, providing access to legal aid services where eligible, or connecting litigants to pro bono representation when legal representation is not guaranteed. I commit to ensuring that each participant leaves court feeling heard, understands their rights and comprehends the next steps in the process, even if that means "routine" cases take more time than experienced participants might be accustomed to.



Duane Fisher

Party: Rep

Biographical Info:

Campaign Email: team@fisherformdj.com

Campaign Web Site: <http://www.fisherformdj.com>

Facebook: <https://www.facebook.com/FisherforMDJ/>

District: Magisterial District Judge 05-2-19

Education: Master's Certificate Program – Criminal Justice Education, University of Virginia (2019) Master of Science Degree – Strategic Leadership, Mountain State University (2008) Bachelor of Science Degree – Biological Sciences / Liberal Arts, York College of PA (1992)

Qualifications for office: I worked as a police officer for Mt. Lebanon for over two decades. Since 2018 I have serve as the Chief of Police for Allegheny Township Police Department in Westmoreland County.

Questions:

Q: *The Criminal Justice Task Force (11/16) recommended that Magistrates use the Allegheny County Risk Assessment tool for pretrial release determinations when setting bail. Are you familiar with this tool? Would you use it to determine the need for bail and the value of bail required?*

A: There are many factors that would determine the conditions of bail. I would consider all of the merits of the case and the defendant. I would weigh the risk to society and the rights of the accused. I would also take into account the county risk assessment tool.

Q: *How will you handle the imbalance of power you will commonly see in your court between vulnerable populations, who can not afford an attorney and will represent themselves the majority of the time, and opposing parties that tend to be more powerful, as the Police, or have the resources to hire an attorney, as a landlord against a tenant.*

A: I believe there is a disparity that exists and that there are many contributing factors, but I do believe it is an issue that needs to be addressed. I know that there are 6 times as many African American males in Allegheny County Jail (according to a report from 2016 from the Criminal Justice Task Force). I believe that one such solution is ensuring adequate legal representation at critical milestones in our criminal justice system, such as preliminary hearings where conditions of bail are set for defendants, would help reduce this discrepancy.



Olga Salvatori-Manning

Party: IJP

Biographical Info:

Campaign Email: olgaforjudge@gmail.com

Campaign Web Site: <http://olgaforjudge.com>

Facebook: Olga Salvatori Manning for Magisterial District Judge

District: 05-2-19

Education: Bachelor of Science in Psychology and English, JD, Graduate of Widener School of Law

Qualifications for office: 15 years in practice in fields of criminal defense and family law. Extensive experience with clients with mental health and addiction issues.

Questions:

Q: *The Criminal Justice Task Force (11/16) recommended that Magistrates use the Allegheny County Risk Assessment tool for pretrial release determinations when setting bail. Are you familiar with this tool? Would you use it to determine the need for bail and the value of bail required?*

A: I have extensive experience in the way that the Court of Common Pleas sets bail and have had thousands of cases that fell under the risk assessment analysis of Allegheny County Probation. This tool is greatly used in order to assess the individual's needs prior to release. Many times clients were released to in-patient only rehabilitation facilities or released on pre-trial monitoring so that their movements could be monitored while not incarcerated. Bail is directly related to the seriousness of the crime committed and is set to ensure the defendant's appearance at all further proceedings. It is not a punishment and I would never set it for that purpose.

Q: *How will you handle the imbalance of power you will commonly see in your court between vulnerable populations, who can not afford an attorney and will represent themselves the majority of the time, and opposing parties that tend to be more powerful, as the Police, or have the resources to hire an attorney, as a landlord against a tenant.*

A: I believe as Magisterial District Judge and having 15 years of experience in the Court, I will balance out the power. Regardless of income or if defendants or tenants are pro se, they will be treated equally. I am not influenced by any party inferred to have "power", I give deference where deference is due and will handle each case individually ensuring that everyone's voice is heard and will preside over each hearing with impartiality and render rulings fairly and evenly. Everyone that will walk into my Magisterial District Court, if elected, will know that I have no bias and that I am not influenced by the perceived power of others.