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Councilmember Duchy Trachtenberg Cites “Legislative Privilege” in Refusing to Answer Ethics Commission

Montgomery County, MD – According to a lawsuit filed by Dana Beyer, the policy advisor to Councilmember Duchy Trachtenberg of Montgomery County Maryland, Beyer and Trachtenberg have refused to answer questions from the county’s Ethics Commission because they both claim to be “protected by legislative privilege.”

Beyer’s lawsuit asks Montgomery County to pay Beyer \$4 million for “emotional distress” and \$1 million in economic damages in response to an Ethics Commission investigation into Beyer’s possible violations of county ethics laws. That investigation is ongoing.

Beyer claims that the county’s Ethics Commission is investigating her because she is a transgender. Formerly known as Wayne Bernard Beyer, she is suing under the county’s new non-discrimination law, which now includes “gender identity” as a result of Trachtenberg’s sponsorship of a gender identity bill which became law despite the request for a referendum by Montgomery County residents who wanted to vote on the proposed law.

According to the lawsuit, Maryland Citizens for a Responsible Government (CRG) filed a complaint against Beyer with the Ethics Commission, alleging that “Beyer had attempted to discourage citizens who were collecting signatures for the petitions to put [the gender identity bill] to referendum.” See http://www.notmyshower.com/Press_release_2.25.08.pdf and accompanying video at <http://www.youtube.com/watch?v=uYqz2rffZ0w>

The publicly filed [lawsuit](#) states that the Ethics Commission has made a finding against Beyer and “ordered that a full adjudicatory hearing be held.” It also reports a “threatened investigation” by the county’s Inspector General. In response, Beyer accuses the county of “harassing” her in the performance of her duties as Trachtenberg’s special policy advisor.

“No one is above the law, including our public officials,” said Dr. Ruth Jacobs of CRG. “It is a sad day for Montgomery County when elected officials and their aides can use ‘legislative privilege’ to obstruct justice and the Ethics Commission. Duchy Trachtenberg and her aide Dana Beyer should resign or be fired by the people of Montgomery County.”

“CRG opposed the ‘Gender Identity Special Rights’ bill because it permitted individuals to bring frivolous lawsuits to intimidate those who protect the citizens of our county. The County Council must rescind this flawed ‘gender identity’ law and prevent Montgomery County taxpayers from facing millions of dollars in lawsuits for emotional damages.”

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