

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE OF THE WHOLE

Room 400, City Hall
Philadelphia, Pennsylvania
Tuesday, May 5, 2015
10:35 a.m.

PRESENT:

COUNCIL PRESIDENT DARRELL L. CLARKE
COUNCILWOMAN JANNIE BLACKWELL
COUNCILMAN W. WILSON GOODE, JR.
COUNCILMAN WILLIAM K. GREENLEE
COUNCILMAN CURTIS JONES, JR.
COUNCILMAN ED NEILSON
COUNCILMAN DENNIS O'BRIEN
COUNCILMAN DAVID OH
COUNCILMAN MARK SQUILLA

BILLS 150162, 150163, and 150164
RESOLUTION 150179

- - -

1
2 COUNCIL PRESIDENT CLARKE: Good
3 morning, everyone. This is the public
4 hearing of the Committee of the Whole
5 regarding Bills No. 150162, 150163,
6 150164, and Resolution 150179.

7 Ms. Lewis, please read the
8 titles of the bills and resolution.

9 MS. LEWIS: Bill No. 150162, an
10 ordinance to adopt a Capital Program for
11 the six Fiscal Years 2016 through 2021
12 inclusive.

13 Bill No. 150163, an ordinance
14 to adopt a Fiscal 2016 Capital Budget.

15 Bill No. 150164, an ordinance
16 adopting the Operating Budget for Fiscal
17 Year 2016.

18 And Resolution No. 150179,
19 providing for the approval by the Council
20 of the City of Philadelphia of a Revised
21 Five Year Financial Plan for the City of
22 Philadelphia covering Fiscal Years 2016
23 through 2020, and incorporating proposed
24 changes with respect to Fiscal Year 2015,
25 which is to be submitted by the Mayor to

1 5/5/15 - WHOLE - BILL 150162, etc.
2 the Pennsylvania Intergovernmental
3 Cooperation Authority (the "Authority")
4 pursuant to the Intergovernmental
5 Cooperation Agreement, authorized by an
6 ordinance of this Council approved by the
7 Mayor on January 3rd, 1992 (Bill No.
8 1563-A), by and between the City and the
9 Authority.

10 COUNCIL PRESIDENT CLARKE:

11 Thank you, Ms. Lewis.

12 Today we continue the public
13 hearing of the Committee of the Whole to
14 consider various bills read by the Clerk
15 that constitute proposed operating and
16 capital spending measures for Fiscal Year
17 2016, a Capital Program and a
18 forward-looking Capital Plan for Fiscal
19 2016 through Fiscal 2021.

20 Before we move on with the
21 testimony from the First Judicial
22 District, we have some housekeeping that
23 we have to handle for our budget process.
24 We will be offering an amendment to the
25 Capital Program and Capital Budget from a

1 5/5/15 - WHOLE - BILL 150162, etc.
2 timing perspective to comply with the
3 30-day window.

4 So at this time, I will go into
5 the public meeting very briefly so I can
6 offer these four amendments to the
7 Capital Program and Capital Budget.
8 These amendments are to delay by one
9 fiscal year that proposed purchase of new
10 voting machines, to provide capital
11 funding to the Free Library of
12 Philadelphia. The first amendment will
13 move from Fiscal 2016 to Fiscal 2017 and
14 22 million in proposed capital funding to
15 replace City voting machines.

16 Notwithstanding testimony that was
17 presented to provide the rationale for
18 this expenditure, this Councilmanic body
19 has reservations about making such a
20 large expenditure on equipment that is
21 less than ten years old. This is
22 especially so given the other capital
23 needs of existing municipally owned
24 buildings. This delay will give us the
25 time to consider this capital request

1 5/5/15 - WHOLE - BILL 150162, etc.
2 more fully.

3 The remaining amendment will
4 restore to the Fiscal 2016 Budget and
5 Program the Fiscal 2015 capital
6 appropriation of \$2,400,000 to the Free
7 Library of the City of Philadelphia to
8 match a Redevelopment Authority Capital
9 Program, also known as RCAP, grant that
10 will launch the 21st Century Libraries
11 Initiative, resulting in the renovation
12 of every library in the neighborhood.
13 The funding will allow for initial
14 construction on four branches, providing
15 for handicap accessibility to the
16 facilities; a mix of private and communal
17 spaces that will allow patrons to take
18 full advantage of the Free Library's
19 healthcare, educational, and job search
20 resources; and an improved children's
21 space and newly designed teen areas.

22 The reason why these amendments
23 are being offered at this time is that
24 the City Home Rule Charter spells out the
25 requirements for any changes that are to

1 5/5/15 - WHOLE - BILL 150162, etc.
2 be made to the Capital Program. Before
3 Council can enact an amendment to the
4 Capital Program, we must first request
5 through the Mayor the recommendation of
6 the City Planning Commission. The
7 Commission has 30 days in which to
8 respond with its recommendation, so I
9 want to start the clock running now.

10 And right now all the members
11 have copies of the amendments. Thank
12 you.

13 At this time, Councilman Jones
14 will offer these amendments on my behalf.
15 I will not be requesting a vote on the
16 amendments. My intent is to get these
17 amendments in the record.

18 COUNCILMAN JONES: Thank you.
19 I offer proposed amendments to Bills No.
20 150162 and 150163 and request that no
21 vote be taken on them at this time.

22 (Duly seconded.)

23 COUNCIL PRESIDENT CLARKE: No
24 vote. Just offering the amendment; no
25 vote.

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2 All right. And we will see the
3 stenographer receives a copy of both of
4 the amendments so that it will be made
5 part of the record.

6 We will now go back into our
7 public hearing. Thank you all very much.

8 Today we will hear testimony
9 from the following City departments: The
10 First Judicial District, the District
11 Attorney, and the Law Department.

12 Please come forward.
13 (Witnesses approached witness
14 table.)

15 JUDGE WOODS-SKIPPER: Good
16 morning, Council President Clarke and
17 members of City Council. I am honored to
18 appear before you as President Judge of
19 the Court of Common Pleas for the First
20 Judicial District. I look forward to
21 working with each of you individually and
22 collectively towards the betterment of
23 our courts and the City. I will speak to
24 you briefly on some of the highlights and
25 successes of our Court.

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2 The First Judicial District has
3 had so many successes over the past year
4 that I will just limit my comments to a
5 brief outline. The Chair of the
6 Administrative Governing Board and the
7 Administrative Judge for the Trial
8 Division, Judge Kevin Dougherty, who
9 oversees our budget, and our other
10 administrative judges, Judge Margaret
11 Murphy, who joins me at the table, and
12 Judge Carrafiello, who sits in the
13 background, will discuss with you in more
14 detail the savings and the contributions
15 of the Court of Common Pleas.

16 The First Judicial District
17 continues to strive to be fiscally
18 responsible and create efficiencies in
19 every division of our Court. Each of our
20 administrative judges work diligently
21 with their assigned judges to ensure that
22 we are transparent and accountable.

23 While because of time
24 constraints I cannot highlight every
25 successful venue of the Court, I have

1 5/5/15 - WHOLE - BILL 150162, etc.
2 selected a few to just give you a flavor
3 for the mix of creativity, interest in
4 promoting public safety and justice in
5 allowing the First Judicial District to
6 rise above and beyond expectations and
7 standards.

8 First, the use of video
9 conferencing continues to provide both
10 costs and time savings to the Court.
11 Fewer prisoners are transported, child
12 witnesses can feel more comfortable when
13 testifying, and security issues are
14 addressed by this effective tool.

15 Inactive voice response and
16 robo calls notify and remind defendants
17 of court dates and payment. Most
18 courtrooms are paperless, using
19 electronic filings and document
20 management systems in all divisions of
21 our courts. Our case management programs
22 in each division continue to provide
23 swift and efficient resolution of cases.

24 Our Commerce Court focuses on
25 disputes among commercial entities

1 5/5/15 - WHOLE - BILL 150162, etc.
2 involving judges who specialize in
3 resolving these issues to address
4 companies that conduct businesses in
5 Philadelphia. It also, through the
6 Sequestration Program, collects back
7 taxes, half of which benefit our public
8 school system.

9 The Residential Mortgage
10 Foreclosure Diversion Program is designed
11 to reduce mortgage foreclosures by
12 connecting the homeowner and the mortgage
13 company. This program provides
14 appropriate counseling and reconciliation
15 conferences and is still going strong and
16 maintains a national and international
17 reputation. Created by now retired Judge
18 Annette Rizzo and now led by Judge
19 Rosalyn Robinson, 5,345 new cases were
20 processed in 2014 and over 6,000 cases
21 were disposed of.

22 We continue to use electronic
23 monitoring to supervise pretrial and
24 posttrial defendants as well as juvenile
25 delinquents who are using GPS monitoring

1 5/5/15 - WHOLE - BILL 150162, etc.

2 as an alternative to placement.

3 The First Judicial District
4 Mental Health Court continues to thrive.
5 Since its inception in 2009, thousands of
6 cases have been reviewed. Led by me, the
7 President Judge, the First Judicial
8 District Mental Health Court provides an
9 alternative to incarceration for
10 offenders with mental health, with mental
11 illness, and co-occurring disorders by
12 preparing them for reentry into more
13 effective treatment modalities in
14 supervised community settings. The
15 Mental Health Court aims to reduce jail
16 population and criminal justice costs by
17 balancing justice, treatment, and public
18 safety. It is a reentry program that
19 provides a unique collaborative approach
20 which combines intensive wrap-around
21 services for the individuals that
22 participate. This includes the
23 collaborative efforts of both the
24 Department of Behavioral Health, the
25 Prisons, the courts, the Defenders

1 5/5/15 - WHOLE - BILL 150162, etc.
2 Association, and the District Attorney's
3 Office. This demonstrates the joint
4 commitment of each of our justice
5 partners to protect the interest of
6 public safety while lowering the criminal
7 recidivism rate for individuals with
8 severe mental illness involved with the
9 criminal justice system.

10 There are currently over 300
11 participants in our program. The Mental
12 Health Court continues to grow, even with
13 fewer resources and higher demand for
14 limited services, housing, and placement.
15 As we become more aware of mental health
16 issues resulting in criminal charges, we
17 must be prepared to meet the demand. It
18 not only saves prison costs, but it
19 reduces crime and saves lives.

20 In Juvenile, the Project START
21 truancy and collaborative effort to
22 reduce chronic truancy and increase
23 attendance allows court participation by
24 ordering appropriate service to help
25 families. Through service in the

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2 community and community outreach efforts,
3 Juvenile Probation stays connected to the
4 community, sponsoring back-to-school
5 supply drives and the like.

6 The Juvenile Treatment Court,
7 led by Judge Frank Reynolds, celebrated
8 ten years of having positive impacts for
9 youth struggling with substance abuse.

10 The Juvenile Human Trafficking
11 Court, called WRAP, Courts Working to
12 Restore Adolescents' Power, is a
13 relatively new program and it's gaining
14 national acclaim in its efforts to
15 service and counsel youth who have been
16 victimized by human trafficking. Led by
17 Judge Lori Dumas, it seeks to provide
18 alternatives to the criminalization of
19 minors of sex trafficking by providing
20 specialized trauma-informed treatment to
21 victims in the least restrictive and most
22 holistic environment, promoting treatment
23 and feeling.

24 The Domestic Relations finds
25 our courts are involved with other

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2 agencies in an effort to find the
3 frequent child support data and matches
4 to insurance awards settlement. It also
5 partners with other agencies to provide
6 job training and job searches for
7 obligors -- those obligated for child
8 support payments in an effort to increase
9 child support payments.

10 In order to ensure access to
11 justice, both language and sign
12 interpreters are available for all court
13 proceedings. A newly created health
14 center in Family Court assists litigants
15 with forms and processes, providing
16 better access to the court system.

17 Speaking of the health center,
18 the Orphans Court is seeking to provide a
19 volunteer guardians assistance program to
20 review and advise guardians and provide
21 training and support. It is hopeful that
22 a position of guardianship investigator
23 will be created to review guardianship,
24 annual reports, and questionable behavior
25 in non-compliance of guardians.

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2 Our Probation Department
3 remains current as a result of receiving
4 a Bureau of Justice grant to improve
5 supervision technique and addressing
6 criminogenic needs. They also use
7 evidence-based practices in motivational
8 interviewing. The Court is proactive in
9 addressing the needs of the elderly.
10 Armed with the results of the Supreme
11 Court Task Force on the Elderly, the
12 Court is actively engaged in exploring
13 the development of an Elder Court. This
14 is an effort to ensure equal justice and
15 reduce continued victimization due to
16 long delays and inconvenience in the
17 courtroom.

18 So as you can see by these
19 highlights, the First Judicial District
20 is on the move. These are just a few
21 examples of the fine work our judges,
22 administrators, and staff are performing.
23 From children, juveniles to elders, the
24 First Judicial District is poised and
25 prepared to move forward with new,

1 5/5/15 - WHOLE - BILL 150162, etc.
2 creative, cost-efficient technology found
3 and inspirational program for the Court.
4 As President Judge, I have reinvigorated
5 the committees of the Board of Judges so
6 that they are more inclusive and
7 diversive and that they work for the
8 betterment of the Court. I have created
9 new committees, including Strategic
10 Planning and Succession, Public Relations
11 and Community Affairs, Witness
12 Intimidation, Technology, Elder Court,
13 Women's Initiatives, and Access to
14 Justice. This Administration is
15 determined to be transparent and
16 accountable while providing access to our
17 courts. We welcome you to join with us
18 as we envision a whole new way of
19 providing justice for all.

20 Thank you for the opportunity
21 to present this information, and I look
22 forward to a strong and productive
23 partnership. I now invite Administrative
24 Judge of the Trial Division and Chair of
25 the Administrative Governing Board, Kevin

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2 Dougherty, to provide additional
3 information concerning our budget and on
4 the First Judicial District.

5 Thank you.

6 COUNCIL PRESIDENT CLARKE:

7 Thank you, Your Honor.

8 Good morning.

9 JUDGE DOUGHERTY: Good morning.

10 Good morning, Council President, members
11 of Council. As you know, I'm Kevin
12 Dougherty. I am currently the
13 Administrative Judge of the Trial
14 Division and I have the good fortune of
15 being the Chair of the Administrative
16 Governing Board. As Chair and as
17 Administrative Judge, I sit here proudly
18 to speak on behalf of all the
19 hard-working, dedicated women and men
20 judges in the City of Philadelphia, as
21 well as the administrators but, most
22 importantly, our staff, that being those
23 members who are comprised of DC33, which
24 is Local 696, as well as AFSCME 47, which
25 is our Local 810 and 2186. Together, the

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2 First Judicial District is advancing the
3 interests of all Philadelphia children,
4 families, and those who need the services
5 of the Court.

6 Our mission, as you know, for
7 the Court is to adjudicate cases
8 according to their jurisdiction and to
9 ensure fair, timely, and accessible
10 justice to the citizens and litigants in
11 the City and County of Philadelphia.
12 Today, I'm here to outline how the
13 Philadelphia Judiciary contributes to
14 this budget, how we are fiscally
15 responsible as a partner in government,
16 how we achieve efficiencies within our
17 system, and how we provide extraordinary
18 services for our children. We were quite
19 pleased to receive information from the
20 City asking us to take those three
21 highlights - fiscal responsibility,
22 achieving efficiencies, investing in our
23 children.

24 First and foremost, I think
25 this Council body needs to understand

1 5/5/15 - WHOLE - BILL 150162, etc.
2 that our Fiscal Year 2016 budget is \$168
3 million, consisting of \$110.3 million for
4 our General Fund and 58.3 for grants and
5 revenues, and it is awaiting your
6 approval.

7 I also must share with you, in
8 large measure this budget and the monies
9 generated, in fact, it largely is
10 contributed by the Court. The FJD
11 generates \$51 million that's credited to
12 the General Fund from our filing fees,
13 our fines and costs, which are
14 approximately \$35.8 million, and
15 reimbursements, which approximates 15.9
16 million. In addition, the FJD saves this
17 City and its agencies nearly 5.5 million
18 annually by waiving the filing fees in
19 the Court of Common Pleas and the
20 Municipal Court, as well as 3.1 million
21 Law Library fees. As a consequence, of
22 the total of \$168 million budget request,
23 the FJD is really only seeking \$49.8
24 million.

25 With regard to fiscal

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2 responsibility, I think that pretty much
3 sums up how hard-working -- not only are
4 we a court that is dedicated to servicing
5 the people of Philadelphia and those who
6 use our system, but we're also
7 contributing monetarily back to the
8 system to help generate the ability for
9 us to think forward and move. As our
10 President Judge has indicated, we are a
11 strong, unified judiciary with the best
12 interest of all who enter our system. It
13 is with your good blessings and your
14 approval of our budget, it is the only
15 way we will continue to service those who
16 need the court systems the most.

17 With regard to other
18 efficiencies within the system, I must
19 share with you, we have now the use of
20 video conferencing, which has been proven
21 to be an effective and cost-saving
22 measure. During 2014, the criminal
23 courts conducted 5,503 video
24 conferencing, saving the City an
25 estimated \$403,000 in prisoner

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2 transportation costs. Instead of
3 bringing them down, we're now able to
4 have arraignment and discussion while the
5 individual is on State Road or elsewhere.

6 We also have initiated our
7 interactive voice response and robo
8 calls, which notify the defendants of
9 upcoming court dates and how we accept
10 payments. That is a service that we're
11 providing so that we will not have
12 unfortunate bench warrants or the misuse
13 of our employees for services or for the
14 retraction of these individuals who may
15 not have received appropriate notice.
16 Considering that we know in the City of
17 Philadelphia we are the largest poorest
18 city in the country, we must take that
19 into consideration, that when we serve
20 our people, we are serving all people.
21 However, when we look at one out of every
22 three children in our cities, they walk
23 the lines of poverty, one out of every
24 four adult. We cannot incarcerate nor
25 issue bench warrants for their inability

1 5/5/15 - WHOLE - BILL 150162, etc.
2 to have the appropriate funds to take
3 transportation to our court system, yet
4 they must appear in our court system to
5 adjudicate their matters efficiently and
6 effectively.

7 With regard to the most
8 important, I must share with you, is the
9 investment in our children. As you know,
10 I have been a staunch advocate for the
11 most at-risk, vulnerable, poor, and
12 working poor as well as the working
13 children and families that make up our
14 city, and I am proud to share with you
15 that the accomplishments of the
16 Philadelphia Family Court under the
17 administration of Judge Margaret Murphy
18 and under my leadership, we have done
19 very effective and progressive reforms,
20 which really we are investing in our
21 children.

22 For example -- and I should
23 give you a highlight. Years ago, we
24 worked collaboratively with various
25 groups and we created a Sports for

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2 Justice initiative. In 2014, we had 290
3 court youth involved in Sports for
4 Justice programs. We worked with the
5 University of Pennsylvania, the Palmer
6 Group, the U.S. Attorney's Office, our
7 Juvenile Probation and the Department of
8 Human Services. In 2014, we were able to
9 introduce our children in court-involved
10 activities with the First Tee Golf,
11 Legacy Tennis, Katie at the Bat, Village
12 of Champions, Philadelphia City Rowing,
13 Squash, Youth Starz Basketball League.
14 We were able to take our children and
15 introduce them to sports that have not
16 arguably been urban centric.

17 I can share with you, years ago
18 I picked an article up out of the
19 Inquirer and it said an interesting
20 survey was those children in the urban
21 environment have the same dreams as those
22 children in the suburban environment.
23 While I thought it was meant to be
24 flattering, I found it most insulting,
25 and as a result, we were able to reach

1 5/5/15 - WHOLE - BILL 150162, etc.
2 out and make sure that our children with
3 the same dreams, hopes, and ideals were
4 also able to participate effectively and
5 efficiently in those sports that are not
6 commonly considered, quote/unquote,
7 urban, yet our children have not only
8 engaged, they've aspired and succeeded,
9 and we're very fortunate that we're
10 taking our children from our system and
11 enlightening them with the opportunity to
12 learn teamwork, sportsmanlike conduct,
13 and an understanding of responsibility
14 not only for themselves but for others
15 and in the community.

16 Also we have developed some
17 summer jobs for our youth in our system.
18 Last year we worked well with the
19 Philadelphia Youth Network and we worked
20 with Work Ready and DHS, and we had 134
21 summer jobs for our youth in the Juvenile
22 Justice Program. I think that's
23 fantastic. Too often we read about the
24 failures of our children and the failures
25 of our system and we do not accentuate or

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2 advance the successes of our children and
3 our families. It's wonderful to know
4 that we had 134 children who were alleged
5 to be delinquent actually worked, made
6 money, and paid taxes.

7 We also have a program with our
8 School District. We work with the
9 Mayor's Office of Grants, the
10 Philadelphia Police Department, the
11 School District, and DHS and we have a
12 grant-funded program called School
13 Justice Collaboration: Keeping Kids in
14 School and Out of Court. The program has
15 diverted 264 students since May 2014
16 through intervention, conflict
17 resolution, and mediation service. We've
18 had the good fortune and the benefit of
19 working with the leadership of the
20 Philadelphia Police Department under the
21 leadership of Commissioner Ramsey and
22 Commissioner Bethel and all of them,
23 Ross. You name it, these officers have
24 worked steadfastly with the Philadelphia
25 Family Court and the First Judicial

1 5/5/15 - WHOLE - BILL 150162, etc.
2 District to advance the health and
3 welfare of our children by making sure
4 those low-risk individuals who may have
5 been caught up in our system have an
6 opportunity to remove themselves from our
7 system, be rehabilitated, and enter our
8 environment once again as a happy
9 individual, able to enjoy their life such
10 as we hope.

11 I must also share from another
12 perspective, our Civil Commerce Court has
13 introduced the City's petition to appoint
14 a receiver and sequester to manage
15 abandoned commercial properties against
16 tax liens, and as a result, in the last
17 18 months, we have obtained over \$13.8
18 million in back taxes. But one of the
19 greatest accomplishments that I find for
20 Philadelphia and our First Judicial
21 District started in the Philadelphia
22 Family Court, and it's my hope and vision
23 to expand it to the Adult Division. We
24 introduced GPS.

25 As a result of GPS and working

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2 with a particular provider, we were able
3 to take our children and place them on
4 electronic monitoring, GPS, which would
5 track them every five seconds as opposed
6 to electronic monitoring, which is an
7 outdated system, which requires a land
8 line in your home. As I indicated, we
9 are a poor city and many of our families
10 no longer have land lines because they
11 cannot afford it. We do not need those
12 land lines.

13 As a result of our initial
14 investment from DHS, we were able to keep
15 our children from detention as a result
16 of knowing where they are. So not only
17 was it a preventive aspect of Juvenile
18 Probation, but it was also a
19 dispositional tool in which instead of
20 placing our children, we were able to put
21 them on GPS and place them in the home
22 and know exactly when they were going to
23 school. As a result or in lieu of paying
24 detention costs at the detention center,
25 which could range anywhere from \$300 to

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2 \$500 a day, we were paying \$6.75 for the
3 bracelet, and we have improved the
4 technology. As a result, over the course
5 of some years, I believe the first
6 year -- we were at two years -- we saved
7 the City \$5.5 million. I believe we're
8 up to 7 point some million dollars.

9 While I have not requested
10 additional monies in this current budget,
11 it's my hope and desire and my vision to
12 utilize GPS in Adult Probation. We work
13 hand in glove with our system partners
14 and our prisons. We're all concerned
15 about the length of stay while we have
16 individuals incarcerated, and as a result
17 of those individuals who may not be able
18 to meet the bail requirement as
19 established by statute and rule, we can
20 put them on GPS. So we're looking to
21 save not only detention costs and
22 transportation costs, but it's the right
23 thing to do.

24 The First Judicial District is
25 aspiring to seek approximately \$1 million

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2 from this body for future use or for
3 working, I should say, collaboratively
4 with you all so that we can implement
5 this now into our system. Considering
6 the monies that we've saved the City
7 through our innovative programs, I'm
8 hoping that you may be able to invest
9 once again with the First Judicial
10 District, because I can assure you the
11 return on your investment is not only
12 fiscally responsible, it's socially
13 conscionable, and it must be done.
14 That's my perspective. I'll leave it to
15 you all to sit and discuss it with us.

16 I must also share with you
17 another great accomplishment that the
18 First Judicial District can stand above
19 the rest of Pennsylvania, maybe
20 nationally, and that is our partnership
21 with the Philadelphia District Attorney's
22 Office and the Philadelphia Public
23 Defender service. As a result of our
24 collaboration, despite the harrowing
25 experience of Luzerne County, which is

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2 known as the kids-for-cash, I had a
3 personal experience that I'd like to
4 share. I one time received a phone call
5 from a public defender who indicated that
6 a young African American woman who had
7 just been accepted to medical school was
8 being denied admission because of,
9 quote/unquote, misinformation on her
10 application. It was that she indicated
11 she had no record when there was in fact
12 a juvenile record.

13 When we searched our records,
14 we realized the record was expunged.
15 However, based upon the antiquated and
16 pre-historic system that was in place,
17 they destroyed the record. So we had no
18 proof to indicate that this individual in
19 fact had a record expunged. That
20 individual, that young lady, was denied
21 an access to medical school. Who knew.
22 Maybe she'd have cured cancer for us.
23 But what it caused me to do was to sit
24 down with our partners, and I must share
25 with you, the District Attorney's Office

1 5/5/15 - WHOLE - BILL 150162, etc.
2 and the Public Defenders Office, we
3 worked incredibly well and in the last
4 two years, closer to three years, we
5 developed a process in which the Court
6 has expunged over 7,000 juvenile records.
7 That means 7,000 of our children have an
8 opportunity to succeed without the stigma
9 of an adjudication of delinquency. It's
10 the right thing to do, but it shares with
11 you what can be accomplished in this city
12 through the court system when you work
13 with major partners such as our District
14 Attorney, Seth Williams, or Ellen
15 Greenlee, who is our Defender.

16 I'm proud of these
17 accomplishments, but this is only the tip
18 of the iceberg. If this Council deems us
19 worthy and deems us based upon our proven
20 track record of additional funding, I can
21 assure you not only as the Administrative
22 Judge and as the Chair but as a citizen
23 of this great city that we would use
24 those funds wisely, efficiently,
25 effectively, and the only people to

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2 benefit would be those who need us most.

3 Thank you for this opportunity
4 to address you all, and we're open to any
5 questions should you have.

6 COUNCIL PRESIDENT CLARKE:

7 Thank you. Thank you, Your Honor.

8 We usually have our props up
9 there. A little late going up. You did
10 mention a couple of things. In the
11 Council we have been having this
12 discussion about schools. Pretty much
13 everybody is in this electoral season.
14 And one of the things that we recognize
15 and you referenced it in your testimony
16 in particular, Judge Dougherty, about the
17 support for juveniles and providing job
18 opportunities for young people, and it's
19 our thought and when we look at the
20 School District's budget is that a lot --
21 I'd say over half of the things that are
22 listed by category are things that other
23 departments or other entities provide
24 support for. The challenge is is that
25 there's no coordination between, say, for

1 5/5/15 - WHOLE - BILL 150162, etc.
2 instance, DHS and all the other things.
3 I got my little props here.
4 We're going to make sure that you all
5 have copies. The School-Based Family
6 Services, and obviously a part of Family
7 Court plays an integral role, and I guess
8 what we want to do -- and you kind of
9 referenced it in your testimony
10 already -- to see if you would be willing
11 to participate in the implementation of
12 this program. To date, we've gotten a
13 lot of positive response. The
14 universities are very interested in
15 participating.

16 Some of the shortages in the
17 School District, as we all know, are
18 counselors, healthcare, social services.
19 Clearly, Family Court can play a role.
20 So we're looking to attempt to integrate
21 these services and, if at all possible,
22 provide a significant amount of these
23 services on site. Our position is that
24 there's a school in every neighborhood,
25 and that should be the focal point of

1 5/5/15 - WHOLE - BILL 150162, etc.
2 every neighborhood. So wherever
3 possible, if we can have services in that
4 school or in proximity to that school, it
5 will provide a service delivery model.

6 After that long statement, I
7 guess my question is -- and I understand
8 that you haven't seen the proposal --
9 would you be willing to entertain the
10 possibility of providing some services
11 out in some of these neighborhood
12 community schools to support families and
13 children?

14 JUDGE DOUGHERTY: Philadelphia
15 Family Court has dedicated itself to
16 making sure that each and every at-risk
17 vulnerable child has an opportunity or
18 anyone that walks through our system. We
19 have already laid the groundwork not only
20 with the Department of Human Services but
21 with the Philadelphia School District in
22 the development of a memorandum of
23 understanding, so that we can share the
24 necessary information with each system
25 partner to effectively and efficiently

1 5/5/15 - WHOLE - BILL 150162, etc.
2 address the needs of all our children.
3 You must also understand, we're
4 too busy doing and we don't have enough
5 time sharing or enlightening the public
6 as to what actually occurs in the
7 Philadelphia Family Court. We dedicate
8 ourselves. We work hand in glove with
9 the systems. We're working with them,
10 and the Court is not the bastion of last
11 resort. We have created the Prevention
12 Service Unit in which we work -- we are
13 working well with the Department of Human
14 Services. This city is fortunate to have
15 millions of dollars of community-based
16 services. However, the stigma attached
17 means you either have to be arrested or
18 you have to be taken in by DHS before you
19 have access, which is not true. We're
20 doing really well. We've created
21 specialty courts like the Crossover Court
22 in which we're taking delinquent youth
23 and we're trying to get them the
24 services, so that we don't have to judge
25 them delinquent youth nor have them

1 5/5/15 - WHOLE - BILL 150162, etc.
2 penetrate our dependent system. We are
3 doing phenomenally well. Unfortunately
4 as a lack of sustained funding or money,
5 we don't have the technology to track the
6 outcomes, but we anecdotally can tell you
7 thousands of children have been -- have
8 avoided adjudication delinquency.

9 Most people, not only in
10 Philadelphia, in Pennsylvania, don't
11 realize that if you're 14 years or older
12 and you're a judge delinquent of a
13 felony, you're a convicted felon the rest
14 of your life. As a result, we take your
15 fingerprints, we take your photographs,
16 and we take your DNA and charge you \$250.
17 Should you not pay, we can hold you in
18 contempt and create debtors prison, which
19 we do not do.

20 But also our prisons are so
21 overcrowded, primarily with people of
22 color, that the system has created the
23 prior record score. The most points one
24 can acquire would be six in their life.
25 Stealing a car is one. Selling drugs,

1 5/5/15 - WHOLE - BILL 150162, etc.
2 two. Fighting in school could be
3 anywhere from three to six. What we've
4 created was a system in which our
5 children are acquiring six points headed
6 to State Road where our prisons are as
7 opposed to State College where we would
8 like them to be.

9 So we have worked arduously
10 with all the system holders to make sure
11 that we have a plethora of diversion
12 programs and making sure that our School
13 District provides not only a free but an
14 appropriate education for our children,
15 whether they're on probation or placed
16 and returned back to Philadelphia.

17 Long answer is, I welcome any
18 opportunity to work with the Philadelphia
19 School District if it's going to advance
20 the education as well as the health and
21 welfare of any child.

22 COUNCIL PRESIDENT CLARKE:
23 Thank you.

24 JUDGE DOUGHERTY: So, yes. And
25 I must also defer to the Administrative

1 5/5/15 - WHOLE - BILL 150162, etc.
2 Judge of the Family Division, Judge
3 Murphy, and I'm sure she too is a strong
4 proponent of working collaboratively with
5 anybody that is willing to work with us.

6 COUNCIL PRESIDENT CLARKE:

7 Okay. Thank you.

8 And the second part of that
9 conversation has centered around where do
10 we send the money. Every year this
11 Council has stepped to the plate, and
12 over the last four years we've
13 appropriated upwards of \$375 million in
14 additional annualized funding to the City
15 of Philadelphia School District and,
16 frankly speaking, I can speak for myself,
17 I have no idea where that money goes and
18 what the priorities are with respect to
19 that money. And during the course of the
20 conversation, it increasingly appears
21 that a number of these services that the
22 School District should or would like to
23 provide are actually available in various
24 departments. And the question arose
25 during some earlier testimony if we were

1 5/5/15 - WHOLE - BILL 150162, etc.
2 to provide additional money to that
3 department; as an example, Community
4 College in the dual enrollment courses
5 that allows a young person to enroll in
6 11th grade, 12th grade to enroll in
7 college for credits at the same time that
8 they're getting their credits in high
9 school and they graduate with college
10 credits when they graduate from high
11 school. Some of us -- and I can speak
12 for myself. I'd rather send that money
13 to Community College and have them run
14 the program as opposed to send it up to
15 400 North Broad. I have no idea where
16 it's going.

17 So that's the kind of
18 conversation that we would like to have.
19 If I have to put additional money, I'd
20 rather put it in a place where I know
21 it's going to be --

22 JUDGE DOUGHERTY: It's a timely
23 conversation. I must share with you just
24 recently about -- we're probably into it
25 a year, possibly two years, where

1 5/5/15 - WHOLE - BILL 150162, etc.
2 legislation has changed in which children
3 who have been in our dependent system
4 that left six months before their 18th
5 birthday or at 18, if they want to come
6 back into our system, we can accept them
7 in our system, and a condition is that
8 they have some form of education.

9 So we're talking about those
10 individuals in our foster care system
11 that ultimately are put outside, and
12 they're the individuals that become
13 homeless or become incarcerated or drug
14 addicted. We've now created a safety
15 net, and we're hearing those cases and
16 we're bringing those children, those
17 young adults, back into our system for
18 the purposes of not having them penetrate
19 the dependency system to be placed in
20 foster care, but to assist them and
21 gather the necessary competencies to
22 succeed.

23 A program such as you suggested
24 would require Philadelphia Family Court
25 to be at that seat so that we can make

1 5/5/15 - WHOLE - BILL 150162, etc.
2 sure that our children in our dependency
3 system, all our children, have the same
4 access to that free education at
5 Community College that any other child
6 does. So we would welcome that
7 opportunity.

8 Wherever the money goes is a
9 choice for the legislators. The children
10 and the young adults that come through
11 that system, you must not forget the
12 court-involved kids. Too often they want
13 to take our children and dismiss them as
14 the bad kids. Our kids are good kids who
15 got caught up in a bad way. If they're
16 bad kids or behaviorally challenged,
17 we'll place them somewhere, but we'll
18 educate them. We'll get the necessary
19 physical and mental health, and then
20 they're coming back one day to be Council
21 President maybe. So we're there with
22 you.

23 COUNCIL PRESIDENT CLARKE: One
24 of these days there will be a vacancy in
25 that seat.

1 5/5/15 - WHOLE - BILL 150162, etc.

2 COUNCILMAN NEILSON: Not this
3 year.

4 COUNCIL PRESIDENT CLARKE: Not
5 this time. Get that pension structured
6 properly.

7 Thank you, Your Honors.

8 The Chair recognizes Councilman
9 Jones.

10 COUNCILMAN JONES: And for the
11 record, there is no vacancies in that
12 seat.

13 JUDGE DOUGHERTY: I said one
14 day.

15 COUNCILMAN JONES: On the
16 record.

17 Thank you. I don't know if
18 it's me, Council President, every year
19 I'm more encouraged, more encouraged by
20 your testimony since I've been here about
21 progress, sometimes small, sometimes
22 large, and what the courts are doing in a
23 tough job to be able to deal with not the
24 best part of society often, it's our
25 uglier parts that have to be attended to,

1 5/5/15 - WHOLE - BILL 150162, etc.
2 but I always get a better feeling that we
3 are moving in the right direction when I
4 hear your testimony, so thank you for
5 that.

6 A couple of things I'm
7 intrigued about. I've heard the long
8 list of -- partial list of
9 accomplishments. I would like to spend
10 my time on the questioning talking about
11 the electronic monitoring and what the
12 potential -- highlight those potential
13 savings and say for the record that each
14 year you come back with a savings,
15 whether it's Mental Health Court, whether
16 it's Veterans Court, whether it's this or
17 that, and then we don't make the gesture
18 to incentivize that by giving a portion
19 of that back to the Administration to be
20 able to further find better ways to
21 deliver services. So we need to at some
22 point do something different. If you
23 save 5 million, you should get 20 percent
24 of that to go and find another 5 million
25 that might reduce costs.

1 5/5/15 - WHOLE - BILL 150162, etc.

2 But let's just focus on the
3 electronic monitoring and the difference
4 for me between those costs and then also
5 as we evolve GPS. Can you talk about
6 that.

7 JUDGE DOUGHERTY: Sure. We
8 used a pilot in the Philadelphia Juvenile
9 Probation Department. At the time to
10 place a child at the then Youth Study
11 Center, it costs approximately, I'd say,
12 \$500 a day. We worked with this agency
13 and we were able to develop a GPS system
14 in which I paid \$6.75 for the actual
15 bracelet or use of the bracelet. Now,
16 there had to be an advanced monies for
17 the use of the technology and the
18 computer system and the personnel to
19 track, but we track our children every
20 five seconds. Not only does it prevent a
21 detention initiative, it also assists in
22 crime prevention generally, because we're
23 able to determine where our children are.
24 It has been used both by prosecution and
25 by defense in cases of allegations of

1 5/5/15 - WHOLE - BILL 150162, etc.
2 arrest or other criminal conduct.

3 But when you aggregate those
4 monies and you really look at the monies
5 that we're saving, it's doing a
6 phenomenal job, and it's the right thing
7 to do.

8 But from a very practical
9 approach, I must share with you, when
10 we're taking a child and he or she may
11 have been accused of a sexual offense,
12 historically that individual must be
13 detained as a result of not being able to
14 return to the home in which the
15 perpetrator and the victim reside.

16 Truth be told, because of these
17 types of offenses, we are prone not to
18 trust at this point. While there's a
19 presumption of innocence for every
20 individual arrested, we must also take
21 into account community safety. And when
22 someone is charged with such an egregious
23 offense, community safety often trumps.
24 However, with GPS, I could take that
25 young male or that young female, put a

1 5/5/15 - WHOLE - BILL 150162, etc.
2 GPS and we can put them in grand-mom's
3 house, and I can say that you're only
4 permitted to go to school and come home
5 and you may go to therapy, and every five
6 seconds I'm tracking you.

7 During the infamous flash mob
8 in Philadelphia, we were able to look at
9 our GPS to determine whether any of those
10 individuals who participated were on our
11 active probation so that we could have
12 swiftly responded.

13 It has -- the purposes are
14 plentiful. All it costs is minimal, but
15 it creates an incredible opportunity for
16 vision in any way that we see it
17 appropriate to advance the people and the
18 protection of our community, but also to
19 preserve the freedom and liberty of that
20 individual unnecessarily keeping them
21 from detention.

22 COUNCILMAN JONES: So based on
23 your testimony, for 1.1 million we get
24 175 wireless ankle monitors, 175 GPS
25 ankle monitors and we get an additional

1 5/5/15 - WHOLE - BILL 150162, etc.
2 eight pretrial service personnel, and the
3 return on investment every year is a half
4 million dollars. So it pays for
5 itself --

6 JUDGE DOUGHERTY: In two years.

7 COUNCILMAN JONES: -- in two
8 years.

9 JUDGE DOUGHERTY: And that's
10 just calculations. That's not
11 negotiations with these providers or how
12 we can advance or use them. That's the
13 minimum. That would be the -- I guess
14 that could be the ceiling. It depends on
15 how you want to interpret it. That's
16 what we need to start. Ultimately I'd
17 like to do away with electronic
18 monitoring because we have to depend on
19 land lines, and many of our families are
20 no longer using land lines because we
21 have cell phones. So it's not worth that
22 investment. I'd rather take that money
23 down the line and somehow incorporate it
24 back into complete use of GPS.

25 COUNCILMAN JONES: So I'm going

1 5/5/15 - WHOLE - BILL 150162, etc.
2 to yield my time. I'll go on the next
3 round, but for sure, justice may be
4 blind, but it doggone sure can count.

5 Thank you, Mr. Chair.

6 COUNCILMAN GREENLEE: Thank
7 you, Councilman.

8 Councilman O'Brien.

9 COUNCILMAN O'BRIEN: Thank you,
10 Mr. Chair.

11 I would just like to
12 congratulate Judge Dougherty, Judge
13 Woods-Skipper, and Judge Murphy for their
14 extraordinary creativity in the court
15 system, and I'd love to have a discussion
16 on how we could attach an epidemiology
17 study to the wonderful outcomes that
18 you're achieving and the processes that
19 are unique to your system that can be
20 replicated throughout the rest of the
21 Commonwealth and beyond.

22 But when you talk about the
23 at-risk population, I personally want to
24 congratulate you for your innovative
25 processes and also thank you for adding

1 5/5/15 - WHOLE - BILL 150162, etc.
2 the most vulnerable, our guys with
3 disabilities, into that equation, and
4 congratulate you and express my gratitude
5 for the processes that you're exploring
6 to deal with their unique challenges in
7 your system.

8 And I'd also like to thank all
9 three of you for your participation in
10 the Autism Project, which, again, will
11 project some wonderful innovative
12 processes in the future, and thank you
13 for your enthusiastic and very
14 comprehensive testimony. I wish we could
15 expand upon this and tell this story in a
16 larger audience, but thank you all for
17 your testimony today.

18 JUDGE DOUGHERTY: Thank you
19 very much.

20 COUNCILMAN GREENLEE: Thank
21 you, Councilman.

22 Councilwoman Blackwell.

23 COUNCILWOMAN BLACKWELL: Thank
24 you.

25 I too would like to thank all

1 5/5/15 - WHOLE - BILL 150162, etc.
2 the wonderful, outstanding judges who are
3 here today and thank them for their work.

4 Do you know if we're any closer
5 to trying to find a place where we can
6 send our youth when they leave about 19
7 days on the average Youth Study Center so
8 we can keep them here and save money? I
9 know I talked to you before and you were
10 saying we're having a hard time trying to
11 find a place who will take our youngsters
12 when they have to serve more times than
13 the 19 days, and I think it's really
14 important and something that we have to
15 continue to focus on.

16 JUDGE MURPHY: We're engaging
17 in a process right now where we're
18 undertaking, along with DHS and a
19 specific grant, to evaluate the options
20 that we currently have and seek
21 additional resources that may be closer
22 in the vicinity so that our youth would
23 not be traveling so far as such and to
24 get the services we need. As a result of
25 the transition from Judge Dougherty to my

1 5/5/15 - WHOLE - BILL 150162, etc.
2 administration along with Supervising
3 Judge Olszewski, we're actually making an
4 effort to visit every one of our
5 placement facilities in the state to try
6 and really evaluate what is it that
7 causes us to choose one, let's say, in
8 Pittsburgh versus one somewhat near
9 Philadelphia.

10 The whole thrust of today's
11 placement is to, one, try and keep the
12 children at home if possible and, two,
13 closer to home if that is feasible. And
14 so the DHS Commissioner is clearly
15 committed with us to research that and
16 undertake that as an initiative of this
17 year.

18 COUNCILWOMAN BLACKWELL: Thank
19 you. Because I'm told youngsters who
20 were doing so well, when they're pulled
21 out of Youth Study Center where they're
22 local and where they're cared for and
23 have to go in the suburbs in a whole
24 other or some other state and a whole new
25 environment, then they begin to fail

1 5/5/15 - WHOLE - BILL 150162, etc.
2 again. And since we look at it and know
3 it, it's such an important thing, and
4 certainly we want to work with the courts
5 however we can.

6 JUDGE MURPHY: It's recognized
7 that every transition leaves an impact on
8 the youth. There's no question about
9 that. And so the goal is to not have a
10 series of transitions and a series of
11 restarts, but rather to see whether or
12 not the child can be placed appropriately
13 as close to home as possible. Thank you.

14 COUNCILWOMAN BLACKWELL: And
15 I'd also like to thank all of you.
16 Whenever I've had individual problems, we
17 call you, and you have always been there.
18 Thank you. Thank you, Judge Lori. Thank
19 you all.

20 (Thank you.)

21 COUNCILMAN GREENLEE: Thank
22 you, Councilwoman.

23 Councilman Squilla.

24 COUNCILMAN SQUILLA: Thank you,
25 Mr. Chair.

1 5/5/15 - WHOLE - BILL 150162, etc.

2 Good morning, guys, and thank
3 you for being here, and I too want to say
4 that how great it is to see the courts
5 working in collaboration with our other
6 departments and how important that is to
7 make progress, and it's also interesting
8 to hear of the money spent, how much
9 actually comes back to the City of
10 Philadelphia, which is so important,
11 because not only are the courts
12 necessary, when they are run properly,
13 they become such an asset to our city,
14 and to see what you guys have done and
15 what you are doing and how you're using
16 technology is really, really very
17 encouraging.

18 Piggyback off of Councilwoman
19 Blackwell, a concern that we did hear is
20 about young people going far away, and
21 some people believe that that would make
22 it harder for them to adjust and their
23 families. So it's great to hear that
24 answer that you just gave, Judge Murphy,
25 on that.

1 5/5/15 - WHOLE - BILL 150162, etc.

2 Is there a reason before we did
3 it this time that we would send them out
4 to other locations or was it just
5 whatever was available?

6 JUDGE DOUGHERTY: It was a
7 fact-specific concern. For example,
8 unfortunately we have no delinquent
9 provider within our city. Under the
10 administration of Madam Justice Richmond
11 during the Rendell Administration, we
12 actually had requests for proposals to
13 try to find or establish detention
14 facilities in this area or throughout
15 Southeastern Pennsylvania, and
16 unfortunately we had a population of
17 young females that were coming into
18 placement and no one was willing to take
19 part or accept and even propose the
20 creation of a detention. So much of it
21 is just as a result of what is readily
22 available.

23 But over the course of time,
24 the needs-based budget, which is
25 generated through the state, which

1 5/5/15 - WHOLE - BILL 150162, etc.
2 requires the monies whether it's fed or
3 state money coming into the child
4 welfare, juvenile justice system requires
5 the signature of the Administrative Judge
6 of the Philadelphia Family Court as well
7 as that of the Commissioner of DHS.
8 Through the course of our administration,
9 we have become more involved with the
10 application of the needs-based budget.
11 And the best way to say it, it used to be
12 that we were invited to a buffet where we
13 chose what they provided us. Over the
14 course of my administration and Judge
15 Murphy's administration, we're now at the
16 table developing the meal. In essence,
17 we're working with them.

18 Under our watch, under previous
19 Commissioner Anne Marie Ambrose and
20 myself, we brought all our children from
21 out of other states and we had zero kids
22 in detention outside of Pennsylvania. We
23 try to obviously keep them to
24 Philadelphia or our counties before we
25 send them. But we cannot forsake the

1 5/5/15 - WHOLE - BILL 150162, etc.
2 fact that these institutions, whether
3 it's George Junior Republic Summit
4 Academy, VisionQuest or close to St.
5 Gabe's, if they fit the needs of the
6 child and we want the child to be placed
7 for a period of time, we want to make
8 sure that despite the travel, that they
9 are provided a holistic way of
10 reformation so that we get them out
11 quickly, have them return, and be
12 reintegrated into our communities
13 effectively. Part of that problem was
14 the lack of transfer of credits between
15 the host educational facility and our own
16 Philadelphia School District. Again,
17 we've worked with the School District
18 very well, sometimes not very well to
19 make sure that our children are receiving
20 the necessary credit.

21 So it can't be answered in a
22 single question. That's the purpose of
23 this study, to take all the various
24 dynamics and try to group them into at
25 least categories so that we can

1 5/5/15 - WHOLE - BILL 150162, etc.
2 effectively match a child who needs to be
3 removed from home to an appropriate
4 facility primarily close to Philadelphia.
5 Does that make sense, Councilman?

6 COUNCILMAN SQUILLA: Yeah,
7 absolutely. And I'm sure there's a cost
8 associated with that also. I mean,
9 obviously the closer there is, the less
10 transportation we have.

11 JUDGE DOUGHERTY: Absolutely.

12 COUNCILMAN SQUILLA: And so on.
13 So, I mean, it makes a lot of sense and I
14 thank you for those answers.

15 And I do want to reiterate
16 again how proud we are here in
17 Philadelphia to have a court system that
18 really understands the mentality of the
19 people in the City of Philadelphia, what
20 it means to have kids that are
21 unfortunate enough to have to live on the
22 streets and what they deal with,
23 understanding what is the best way to
24 make them whole and get them back in to
25 be productive citizens. And I know we

1 5/5/15 - WHOLE - BILL 150162, etc.
2 always hear about the bad things that
3 happen and the bad guys that go away, but
4 there's a lot of good things that happen
5 with the court system also, and I'm just
6 here to thank you for everything you've
7 done. Thank you very much.

8 JUDGE DOUGHERTY: Thank you.

9 COUNCILMAN GREENLEE: Thank
10 you. Thank you, Councilman.

11 Councilman Neilson.

12 (Bell rung.)

13 COUNCILMAN NEILSON: Wow, I
14 didn't even start yet.

15 COUNCILMAN GREENLEE: Thank
16 you, Councilman Neilson.

17 COUNCILMAN NEILSON: Thank you
18 all for coming. Justice Dougherty -- or
19 Judge Dougherty -- confused again -- I
20 want to talk about the GPS monitoring, if
21 you would. We talked about how you save
22 a lot of money during pretrial. Is there
23 any thought on like some of the
24 sentencing? Because I know house arrest
25 can't be fun, and being able through the

1 5/5/15 - WHOLE - BILL 150162, etc.
2 GPS monitoring that you can say, hey, you
3 can go from here to here, Point A to
4 Point B and utilize that. And you
5 mentioned in your testimony about prison
6 overcrowding, and forever prisons are in
7 here, they're asking for more money to
8 expand on their prisons, and we keep
9 on -- instead of educating our kids, we
10 keep on building bigger and bigger
11 prisons.

12 Has there been any thought
13 processes on the actual sentencing people
14 to house arrest, the non-violent and the
15 people that are not a menace to society,
16 they just got tripped up in something,
17 whereas we can save -- I mean, you saved
18 7 and a half million dollars. It's
19 significant. Can you talk about that a
20 little bit for us.

21 JUDGE DOUGHERTY: I could share
22 with you for purposes of -- the term
23 "disposition" is a term of art that we
24 use in Juvenile Court, which really means
25 sentencing on the adult side. So the use

1 5/5/15 - WHOLE - BILL 150162, etc.
2 of GPS would be a form of sentencing such
3 as house arrest. We are permitted to
4 have areas of restriction as well as
5 areas that the child is permitted to go.
6 Meaning if you have a child who may have
7 committed an offense and it's an offense
8 such that he or she is being prosecuted,
9 the ultimate result would be that as long
10 as the child is on a GPS, we can have the
11 child go to school, go to treatment, go
12 to an after-care program or go to some
13 remedial educational facility. We would
14 be able to track that child to make sure
15 she or he is doing as the judge ordered
16 and return.

17 The beauty of this GPS system
18 is that we're able to have two-way
19 dialogue. For example, if Kevin is
20 walking and he's not allowed at 30th and
21 Market and we see Kevin on 29th and
22 Market walking towards the Schuylkill
23 River, our probation and staff can beep
24 him and say, You'd better turn around,
25 Kev, or we're coming for you.

1 5/5/15 - WHOLE - BILL 150162, etc.

2 On the converse, we did have a
3 great successful story in which one of
4 our youth while on the GPS was at home on
5 house restriction when his father had a
6 heart attack. Since he was the only
7 individual there, not only was he trying
8 to resuscitate his dad, but he used the
9 two-way system to contact our people, and
10 we were able to call 911, and that
11 youth's father, his life was saved.

12 So these are the peripheral,
13 the collateral, the anecdotal stories of
14 the true successes of your money
15 investment with us.

16 COUNCILMAN NEILSON: Thank you,
17 Mr. Chairman.

18 Thank you all for everything
19 you do for our kids and trying to make
20 them success stories instead of mess
21 stories. Thank you.

22 COUNCILMAN GREENLEE: Thank
23 you, Councilman.

24 Councilman Jones.

25 COUNCILMAN JONES: Thank you,

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2 Mr. Chairman.

3 I'd like to ask about something
4 that was in your testimony. We noticed
5 that crimes against seniors have
6 increased in recent years, particularly
7 those cowards that would take advantage
8 of their age in ways that were like
9 utility impersonators. In some cases we
10 heard about Medicaid fraud. In other
11 cases most recently, there were
12 official-sounding individuals calling
13 seniors saying that you missed jury duty,
14 and because of that, if you don't pay
15 \$400, \$500 right away, we're going to
16 issue a bench warrant and arrest you.

17 Do you have a Senior Court that
18 addresses those kinds of criminal
19 activities and, if so, have you seen an
20 uptick in victimization of our seniors?

21 JUDGE WOODS-SKIPPER: One of
22 the things I mentioned in my remarks is
23 that we now have a committee that is
24 exploring the development of the Elder
25 Court program here in the First Judicial

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2 District. This is an off-shot of the
3 Supreme Court had an Elder Task Force on
4 Elder Abuse, and one of the
5 recommendations was that Philadelphia
6 pilot an Elder Court. And so what we're
7 doing now is looking at statistics and
8 data to see how many elders are coming
9 into the system, what are some of the
10 issues that involve elders, are they
11 cross-division. So what could be a
12 criminal matter may also be a matter
13 that's in Civil Court because it involves
14 property, maybe a matter that's in
15 Orphans Court because it may be a
16 guardianship issue.

17 So the effort really is to
18 develop an interdivisional program where
19 an elder can come in and have all of
20 those issues addressed at the same time.
21 Now, that's going to take a lot more
22 planning. So we're now looking at some
23 of the low-hanging fruit. Can we
24 identify a particular judge in each
25 program who will look at the elder cases.

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2 Can we fast track elder cases, because
3 oftentimes defendants or lawyers try to
4 keep continuing matters in hopes that the
5 elder will die, will develop Alzheimer or
6 dementia so they can't testify. And so
7 the effort will be to give them their day
8 in court while they have the ability to
9 address the issues at hand, to make sure
10 that they have access, are they in a
11 wheelchair, can we physically get them in
12 and out of the building, do we have
13 hearing aids available in the court
14 system so that they could hear and
15 understand, is there a need for any type
16 of interpreter. So these are the kinds
17 of issues that we're looking at, with the
18 hopes of presenting a proposal to the
19 Supreme Court to open an Elder Court here
20 in Philadelphia.

21 So we are aware of the issues.
22 We think that the numbers of elders are
23 increasing, and we need to work promptly
24 to make sure that we're addressing them.

25 COUNCILMAN JONES: We are

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2 encouraging also an awareness campaign.
3 One of the partners, I believe, is the
4 District Attorney's Office, and we wanted
5 to know about the Be Sure Before You Open
6 the Door campaign to educate seniors
7 about utility impersonators. We have one
8 case not long ago where a veteran who had
9 knee replacements was taken for a ride,
10 and they made them pay for renter cars.
11 I mean, that had to be a frightening
12 experience for them.

13 So I'm glad that you and the
14 courts are paying attention to that, from
15 everything from people that are supposed
16 to be guarding them as they age in their
17 life are taking advantage of them
18 financially and taking their Social
19 Security and other retirement incomes
20 that they may have. So it is good,
21 because as they are, we may well be, and
22 it's good that you're putting these
23 things in place now.

24 Thank you, Mr. Chairman.

25 COUNCILMAN GREENLEE: Thank

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2 you, Councilman.

3 Councilwoman Blackwell, did you
4 have your light on?

5 COUNCILWOMAN BLACKWELL: I'm
6 sorry. Thank you.

7 COUNCILMAN GREENLEE: Okay.
8 Councilman, do you have any more
9 questions?

10 COUNCILMAN JONES: Yeah, I did.
11 I was trying to --

12 COUNCILMAN GREENLEE: No. I
13 appreciate that. Go ahead.

14 COUNCILMAN JONES: Domestic
15 violence cases are also on the rise, and
16 Jewell Williams, Sheriff, testified that
17 in 2013 there were 11,000 Protection from
18 Abuse Orders entered in domestic violence
19 cases; 3,500 of those cases involved a
20 weapon. And I know our Chairman here
21 pays particular attention to that and has
22 put his money where his -- well, put our
23 money where his mouth is by way of
24 putting extra beds in these shelters.

25 What's going on with these

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2 cases and how are we dealing with gun
3 cases in particular? Because they offer
4 the greatest threat in domestic violence
5 cases.

6 JUDGE MURPHY: The Domestic
7 Violence Unit continues to operate at the
8 new location, and I have to say that the
9 biggest and best thing that's ever
10 happened to Philadelphia Family Court,
11 other than Judge Dougherty of course, is
12 the fact that we got a new building. And
13 so one of the big issues and motivating
14 reasons that we do have a new building is
15 because the advocates for domestic
16 violence really took exception to the
17 deplorable conditions that we had at 34th
18 South 11th Street. And "deplorable"
19 would be a kind word.

20 In the new courthouse, the
21 Domestic Violence Unit continues to
22 provide assistance to each person and
23 every person who comes in to file a
24 domestic violence petition. I will say
25 in Philadelphia that we have really 24/7

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2 accessibility, unlike, in my
3 understanding, other counties in that we
4 have Family Court operating on all the
5 business hours and then we have the
6 emergency site that goes immediately into
7 play as soon as we are closed.

8 In situations where we've had
9 an emergency closing, we've had
10 tremendous cooperation with Municipal
11 Court under the direction of Judge
12 Neifield, who has assisted us and
13 immediately opened the emergency site.
14 Thus, we have probably three times more
15 filings per capita than any other county
16 in the Commonwealth.

17 With respect to the guns, they
18 are normally required to be surrendered
19 under the terms of the PFA Act as well as
20 under the terms of the PFA orders, which
21 is done through the Sheriff's Office.
22 Now, mind you, an awful lot of these
23 cases are held in absentia with respect
24 to the defendant. So there's good
25 service. Defendant doesn't appear. So

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2 you have to indicate in the order that
3 there's alleged to be a gun, alleged to
4 be a weapon of some sort. It can be a
5 kitchen knife oftentimes, and that is to
6 be confiscated.

7 Now, the order has to then be
8 served and then the person has to
9 actually be apprehended to actually get
10 the gun or whatever. So that's the
11 second step of the process.

12 With respect to the key to our
13 domestic violence filing, we have so many
14 people who have a language impairment, as
15 I like to call it, meaning that they are
16 not fluent in the language, and that has
17 been the motivation for Judge Chen, who
18 has been involved in this statewide
19 process where the interpretation of all
20 the PFA orders is now in so many
21 languages and the people are given a copy
22 in their native tongue coupled with the
23 English for our police officers who may
24 not be able to speak one of the 58
25 dialects that someone does.

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2 But anyway, I would say that
3 that unit also has benefited from the new
4 building in that when you come in, the
5 two main courtrooms in terms of size have
6 been given to the domestic violence area
7 and they have separate waiting rooms for
8 petitioners and respondents. That's so
9 significant for that population, because
10 in the past it would be the intimidation
11 factor which would cause someone to not
12 continue to proceed on their PFA. So as
13 they would sit in our domestic violence
14 waiting rooms, they would see the
15 respondent across the hallway, across the
16 corridor, who would make a threatening
17 gesture and they would just give it up.
18 And that is not the case anymore. So I
19 think the security also, which has been
20 provided by the Sheriffs, and I have to
21 say it has made Family Court a different
22 place. Again, they have stepped up.
23 They will assist the person coming into
24 our building, provide security out the
25 door, around the block, and I think on

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2 the whole and I hope that the domestic
3 violence victims feel much safer than
4 they ever did before if they choose to
5 come forward, which they all do not do.

6 COUNCILMAN JONES: Finally,
7 Mr. Chair, I would ask about the use of
8 technology. I've been around long enough
9 now to remember when we first started
10 learning about it, and I'm hearing
11 paperless courtrooms. Bill Green would
12 be proud at this point. But also the use
13 of teleconferencing by way of hearings.
14 Can you tell us how we've evolved in that
15 regard and if it's making a difference by
16 way of backlog and actual trial process.

17 JUDGE MURPHY: Could I address
18 that initially?

19 With respect to the new
20 courthouse -- and, again, I probably
21 sound like either the advertisement for
22 everyone to get one or whatever, but all
23 I can say is if you have lived in a slum
24 long enough and you finally get to the
25 pearly gate, you just can't believe

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2 you're still breathing and it is in
3 heaven, and the reason I say that is
4 because it's clean and it's competent and
5 you can hear.

6 The question you just asked is
7 so interesting, because I've gotten more
8 phone calls from my 29 colleagues of
9 judges sitting on the bench who say, I
10 had a hearing today. We used the
11 conference system. I could actually
12 hear, you know. Like it's a miracle.
13 And it is, because if you have equipment
14 that works, it's amazing how you're
15 inclined to use it. And that doesn't
16 mean the person on the dialing side has
17 anything different than a telephone.
18 They call in and it fills the entire
19 courtroom, and the DRTs, who are taking
20 down the recording as opposed to our live
21 court reporters in the past, actually can
22 pick it up as well. So it has been an
23 advantage. In that they now exist almost
24 everywhere, they are being utilized, but
25 they prevent so many hearings happening,

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2 from interstate areas where we don't even
3 need a video, although we have that
4 capability in some, you just need to have
5 the audio and you can actually resolve an
6 interstate support case right there in
7 the courtroom.

8 COUNCILMAN JONES: So I would
9 be interested -- I know we're new to the
10 building, but I would be interested in
11 next year's hearings finding out how it's
12 reduced transportation costs, how it's
13 increased time of processing and to
14 reduce the backlog that we had for a lot
15 of these hearings, that use of
16 technology.

17 So I know you're new to the
18 spot. Mr. Chairman, we don't have such
19 good news in this building about use of
20 technology.

21 COUNCILMAN GREENLEE: Any day
22 now.

23 COUNCILMAN JONES: But we wish
24 you well.

25 JUDGE MURPHY: Thank you.

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2 COUNCILMAN GREENLEE: Thank
3 you, Councilman.

4 JUDGE MURPHY: I would just
5 like to extend an invitation formally to
6 any of the members of Council or their
7 staff who have not had an opportunity to
8 come over to Family Court. Let us know
9 when you can come and we would absolutely
10 love to give you a tour. Many have taken
11 us up on that, and it would be really a
12 delight just to show you around.

13 COUNCILMAN GREENLEE: Thank
14 you. And, Judge Murphy, if I could just
15 add on the domestic violence question,
16 that I've heard from many of the victim
17 advocates just a thousand fold
18 improvement in the whole system and
19 particularly with being able to keep the
20 various individuals separate has been
21 tremendous, because that fear or
22 sometimes it's like you say, it's verbal
23 threats that happened, it scared a lot of
24 the victims away. So I think that's just
25 a tremendous improvement. Thank you.

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2 JUDGE MURPHY: Thank you.

3 COUNCILMAN GREENLEE:

4 Councilman Oh.

5 COUNCILMAN OH: Thank you very
6 much, Mr. Chairman.

7 Good morning. I do have a
8 question just for my information
9 regarding translation or persons who
10 don't speak English well. I know that
11 there are court-certified interpreters,
12 translators, and I'm not sure how that's
13 going these days. I know that can
14 sometimes be up or down.

15 Does the Court use Language
16 Line and is it in all the courts or some
17 of the courts?

18 JUDGE DOUGHERTY: Yes. The
19 answer is yes. Yes, we use Language
20 Line. We had a committee that created
21 the most used dialects in our court
22 system. We now have posted throughout
23 our courtrooms directories in native
24 tongue so that -- with English in their
25 native. So even if the person doesn't

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2 speak English, they can point and we're
3 able to redirect them. That's for
4 services within the courthouse.

5 For purposes of interpretation
6 within the courtroom, if we don't have a
7 live body in the room, we are able to
8 access Language Line, yes. There's been
9 a full-front effort, and Judge Chen has
10 taken the charge.

11 JUDGE WOODS-SKIPPER: And I was
12 going to say, as required by the Supreme
13 Court, there is a language access plan
14 that every county has to develop, and
15 Philadelphia has really taken the lead in
16 that, in that we have all languages
17 available. Many of our forms, as Judge
18 Murphy has indicated, have been
19 translated or they're available, and we
20 try to ensure that everyone has full
21 access to the court based on that.

22 JUDGE MURPHY: In addition to
23 that, Judge Chen and Janet Fasy Dowd also
24 work together and they are in a training
25 seminar constantly where they have a

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2 group of individuals who are trying to
3 get the certification. They actually
4 bring them together for regular meetings,
5 regular observation, and when they
6 finally achieve the various steps along
7 the way, we celebrate it actually at a
8 luncheon and an event. It's an ongoing
9 measure, and the reason is because we
10 need to have various languages to be able
11 to be interpreted by those with the
12 required certification. So it is an
13 ongoing issue. And if people come in for
14 an interview such as with a domestic
15 violence case and we do not have an
16 interpreter available that speaks their
17 particular language, they actually call
18 then the Language Line and it is
19 interpreted as contemporaneously.

20 I was using -- I was having a
21 hearing just the other day where we were
22 going to use Language Line because there
23 was not an interpreter available with a
24 certain Hindu dialect. And so we had the
25 availability and the capability now to

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2 not turn anybody away and not have to
3 continue it. I mean, I'm sure there will
4 be occasions, but it should not happen
5 often.

6 COUNCILMAN OH: Well, thank you
7 very much. Let me just say
8 congratulations and what a great model
9 that is. For those who may not
10 understand, justice delayed costs the
11 taxpayers a lot of money, among other
12 things. So thank you very much and I
13 appreciate the answer and the work.
14 Thank you.

15 COUNCILMAN GREENLEE: Thank
16 you, Councilman.

17 Councilman Jones.

18 COUNCILMAN JONES: My last
19 question for this panel.

20 COUNCILMAN GREENLEE: You heard
21 that, last question.

22 COUNCILMAN JONES: We did a lot
23 of work with -- and you talked about
24 it -- saving a lot of homes from Sheriff
25 Sale. There's a secondary issue that we

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2 found to be true dealing with AVI, and
3 that is tangled titles. Can you talk
4 about that for a brief moment so that all
5 of us can kind of understand what you're
6 doing about it.

7 JUDGE WOODS-SKIPPER: That is
8 part of the Mortgage Foreclosure
9 Diversion Program. There are counselors
10 and individuals who are available in the
11 courtroom who deal with that issue. As
12 individuals, homeowners come in, they
13 will work with lawyers who are available
14 to get to the bottom of that, and that's
15 presented to the judge or the Court to
16 try to resolve that. So we are being
17 very active in trying to ensure that
18 these tangled titles are untangled and
19 that homeowners can then move forward to
20 make sure that their homes are secure.

21 COUNCILMAN JONES: In many of
22 the cases, Mr. Chair, where we're trying
23 to get them relief from tax increases,
24 they can't benefit from it because two,
25 three generations back they didn't

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2 transfer the title, so the homeowner's
3 name is not on the deed.

4 COUNCILMAN GREENLEE: Yes.

5 COUNCILMAN JONES: And it's
6 causing a problem.

7 COUNCILMAN GREENLEE: I think
8 we've all experienced that, yes.
9 Absolutely.

10 COUNCILMAN JONES: Thank you,
11 Mr. Chair.

12 COUNCILMAN GREENLEE: Thank
13 you, Councilman.

14 No further questions, Your
15 Honors, thank you very much for all the
16 work you do, and to the staff of the
17 courts, thank you all very much.

18 Our next office, I know he's
19 been waiting over there patiently, the
20 Office of the District Attorney.

21 If we could get started so we
22 can move on. We're a little behind
23 schedule here.

24 (Witnesses approached witness
25 table.)

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2 COUNCILMAN GREENLEE: Again,
3 District Attorney Williams, we appreciate
4 your patience, and please proceed.
5 Identify yourself and please proceed.

6 DISTRICT ATTORNEY WILLIAMS:
7 Good morning, Mr. Chairman. How are you?

8 COUNCILMAN GREENLEE: Good
9 morning. Very good, sir.

10 DISTRICT ATTORNEY WILLIAMS:
11 For the record, I am Seth Williams. I
12 have the pleasure, the honor and
13 distinction of being the elected District
14 Attorney for the City and County of
15 Philadelphia. How are you today?

16 COUNCILMAN GREENLEE: Okay.
17 Very good, sir. Thank you.

18 DISTRICT ATTORNEY WILLIAMS:
19 Mr. Chairman, members of Council, I'm
20 very glad to have the opportunity to be
21 with you today. I am joined here in
22 Chambers, in addition with many other
23 members of my office, most specifically
24 to my left George Mosee. He is the
25 Deputy District Attorney for our Juvenile

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2 Division. To my right is Mr. Greg Rowe.
3 He is the Chief of my Legislation Unit
4 and is primarily responsible for my
5 testimony and preparation of my testimony
6 today. So I'd like to thank him again
7 personally. I'm also joined specifically
8 by Ms. Dorean Rooney to my left. She is
9 our Chief Financial Officer.

10 So, again, I am very blessed to
11 have a wonderful staff. Anything that I
12 say today that you appreciate or like,
13 please credit to them. Any mistakes or
14 mistakes with the English language,
15 please attribute that to me. But, again,
16 I have submitted as of Friday my full
17 testimony. I would ask, Mr. Chairman,
18 that you make that a part of the
19 permanent record for my testimony.

20 COUNCILMAN GREENLEE:
21 Absolutely.

22 DISTRICT ATTORNEY WILLIAMS: I
23 was told by Council President that I
24 could speak for three hours. Is that
25 correct?

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2 COUNCILMAN GREENLEE: I think
3 you heard hours. He meant minutes.

4 DISTRICT ATTORNEY WILLIAMS:

5 Okay. I know that I'm all that stands
6 between you and your staff and lunch, but
7 I could speak for three hours about the
8 great work of the men and women of the
9 Philadelphia District Attorney's Office.

10 As you know, I love
11 Philadelphia. I'm a lifelong resident.
12 I'm the son of a secretary of the
13 Philadelphia Naval Shipyard, a school
14 teacher. He also worked at a recreation
15 center and ran day camps for the
16 Philadelphia Fairmount Park Commission.
17 I love the City. I came back to be an
18 Assistant District Attorney and I love
19 being an Assistant District Attorney.

20 It was during that process,
21 however, that I learned how dysfunctional
22 the criminal justice system in
23 Philadelphia is in general and
24 specifically how dysfunctional the
25 operations and antiquated protocol of the

1 5/5/15 - WHOLE - BILL 150162, etc.
2 District Attorney's Office were at that
3 time.

4 As I've stated, I've submitted
5 my full testimony, but in summary my
6 testimony is this, Mr. Chairman, that
7 since 2010, working with all of our
8 partners in the criminal justice system
9 here in Philadelphia, we have made
10 tremendous reforms. And by any
11 qualitative and quantifiable standard,
12 the criminal justice system in
13 Philadelphia and the District Attorney's
14 Office of Philadelphia operate and
15 provide justice in a much better way.

16 Now, we've had a better
17 relationship with the Administration and
18 the Mayor in the preparation of our
19 budget. It used to be we were just told
20 what our budget was going to be. I'm
21 very thankful that we've had
22 conversations with the Administration and
23 gone back and forth, but the truth,
24 Mr. Chairman, the truth, our share of the
25 budget since 2008 has actually decreased.

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2 If we receive the same percentage,
3 allowing only for inflation, we would
4 receive an additional \$2.3 million than
5 we were appropriated for this year.

6 So, Mr. Chairman, the summary
7 of my testimony is that the District
8 Attorney's Office, its employees are
9 doing a tremendous job, but are
10 woefully -- that's all caps, exclamation
11 point -- woefully underfunded in
12 comparison to district attorney's offices
13 across the country and in comparison to
14 our partners in the criminal justice
15 system here in Philadelphia.

16 So let me take you back to
17 2009. The Philadelphia Inquirer
18 published its groundbreaking series,
19 Justice: Delayed, Denied, Dismissed,
20 which analyzed the criminal justice
21 system in Philadelphia. The series made
22 many conclusions that were startling to
23 some, not surprising to those who work in
24 the system on a daily basis, yet were
25 disconcerting to everyone. Among the

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2 conclusions in this series were that two
3 in three people accused of violent crimes
4 walked free of all charges. Only one in
5 ten defendants at that time in gun
6 assault cases was found guilty of that
7 charge. And one in five violent crime
8 prosecutions ended in a felony
9 conviction.

10 I was one of those not
11 surprised with what the authors of the
12 series had reported. Indeed, my campaign
13 echoed many of the themes in this series.
14 I vowed, if you can recall, that if
15 elected, I'd reform our criminal justice
16 system by making it more efficient,
17 fairer, more focused on violent and
18 repeat offenders, and smarter by relying
19 on more evidence-based practices.

20 Today, I would like to tell you
21 part of the story of how far we have
22 come, how we have meaningfully
23 transformed the criminal justice system
24 in Philadelphia, how we have collaborated
25 with the partners such as the courts, who

1 5/5/15 - WHOLE - BILL 150162, etc.
2 were just here. They weren't doing it
3 for show. They were thanking in large
4 part the District Attorney's Office for
5 the work that we've all done together.

6 Every other public safety
7 entity has received far greater General
8 Fund appropriations increases since
9 Fiscal Year 2008, every one of them. You
10 and I, that being the members of Council,
11 have fought together to obtain the modest
12 increases I have thus far received, and
13 for that I am grateful. But the status
14 quo is unacceptable. It's almost like
15 we're being penalized because of the
16 great work of Ms. Rooney to efficiently
17 balance our budget.

18 So let's start by talking about
19 our wonderful successes. Five and a half
20 years since the publication of the
21 article in the Inquirer, it is with great
22 sense of pride that I report that we have
23 made transformational improvements in the
24 way we handle and dispose of cases. Our
25 office has been performing better and

1 5/5/15 - WHOLE - BILL 150162, etc.
2 more efficiently I believe than ever
3 before. We have made it a priority to
4 avert appropriate offenders out of the
5 criminal justice system and ensure that
6 they participate in the right programs
7 that will help them stay out of trouble
8 in the future. In doing so, we have been
9 able to focus more of our energy and
10 resources on holding the most dangerous
11 offenders accountable, implementing
12 trailblazing initiatives, like Focused
13 Deterrence, GunStat, and hastening the
14 speed at which cases are resolved.

15 Again, in summary, we were a
16 laughing stock nationally in 2009.
17 Today, people come from all over the
18 United States to see what Lauren Baraldi
19 is doing with our Gun Violence Task
20 Force, what's going on with GunStat, how
21 is Focused Deterrence working, how is it
22 that we have so many diversionary
23 programs, how is it 40 percent of all of
24 our misdemeanor cases today are resolved
25 through diversionary programs, allowing

1 5/5/15 - WHOLE - BILL 150162, etc.
2 us to have the wonderful reduction in
3 homicides that we have enjoyed here in
4 Philadelphia.

5 So it starts in our Charging
6 Unit. "Smart on crime" is a term that I
7 use a lot. It is not merely a glib catch
8 phrase. It represents my approach as
9 District Attorney and what I expect of
10 the outstanding men and women of my
11 office. At the core of being smart on
12 crime, Mr. Chairman, is a system of
13 changes I've made to our Charging Unit.
14 Unlike in our past, our Charging Unit was
15 staffed then with people who were being
16 penalized. Now it's being staffed by
17 strong, experienced prosecutors who have
18 an intimate working knowledge of the law.
19 We have raised the bar on the evidence we
20 require in order to go forward with
21 responsible charging decisions. I
22 believe Philadelphians want us to charge
23 the right people with the right crimes.
24 Nothing more; nothing less.

25 This also means that attorneys

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2 I ask to serve in my Charging Unit are
3 those with significant trial experience
4 and who otherwise in the past would have
5 been handling the more complicated
6 criminal cases in my office, because I
7 trust them to make the right decisions.

8 We have accelerated the time it
9 takes to move cases through the system.
10 Delays have been reduced, and cases are
11 resolved faster. Between 2009 and 2014,
12 the average time for misdemeanors to be
13 disposed of was reduced by more than two
14 months, from approximately seven months
15 to approximately 4.5 months. This means
16 less backlog for courts, swift justice
17 for defendants, and quicker relief for
18 our victims.

19 We make meaningful and early
20 plea offers. We also continue to offer
21 meaningful plea options at the earliest
22 possible moment in the criminal justice
23 process through the use of smart rooms.
24 Smart rooms provide the opportunity to
25 reach an early plea agreement, which

1 5/5/15 - WHOLE - BILL 150162, etc.
2 prevents many cases from even going to
3 trial. Nearly 4,300 cases in 2014 were
4 resolved in our smart rooms. About a
5 quarter of Common Pleas matters are now
6 resolved in our smart rooms. This has
7 provided extraordinary fiscal and
8 administrative relief for the criminal
9 justice system in Philadelphia and our
10 taxpayers, but still requires a
11 significant amount of work from our
12 staff.

13 When we began the diversionary
14 programs and the smart rooms, we had
15 grant funding to hire and maintain staff.
16 In fact, in the last year where we had
17 such funding, we had more than \$500,000
18 to cover salaries. We are no longer
19 eligible for grant funding for our
20 pretrial programs, because the Department
21 of Justice informed us that they provide
22 funding to implement new and innovative
23 programs, not for reoccurring expenses.
24 It was their hope that City Council, the
25 Mayor would invest in these cost-saving

1 5/5/15 - WHOLE - BILL 150162, etc.
2 programs.

3 We have reshaped the criminal
4 justice system by diverting non-violent
5 offenders. Diverting low-level
6 non-violent offenders is necessary.
7 Locking these individuals up only makes
8 them more likely to commit new crimes
9 when they get out because their
10 underlying criminogenic needs are not
11 being addressed, and they are locked up
12 with far more dangerous offenders who are
13 terrible influences.

14 The breadth of our diversionary
15 programs is enormous, with nearly 15
16 different programs. In 2014, more than
17 10,000 cases were referred to
18 diversionary programs. Of those 10,000
19 cases, nearly 9,900 misdemeanor cases
20 referred to diversionary programs. In
21 that same year, nearly 5,900 misdemeanor
22 cases already referred to diversionary
23 programs were successfully completed.

24 AMP: AMP is one of our most
25 robust programs, the Accelerated

1 5/5/15 - WHOLE - BILL 150162, etc.
2 Misdemeanor Program. It saw an increase
3 of 9 percent between 2013 and 2014, even
4 though the total number of misdemeanors
5 charged generally throughout Philadelphia
6 during that same period went down 12.5
7 percent.

8 Felony diversion: In 2014, we
9 diverted more than 1,300 felonies to
10 intermediate punishment and drug
11 treatment courts. This was almost
12 unheard of prior to 2010. These
13 individuals need treatment. Otherwise,
14 they will continue to commit new crimes
15 because their underlying addiction will
16 have been left unabated.

17 The Choice is Yours is a
18 program again that I stole from the
19 District Attorney then of San Francisco,
20 Kamala Harris. She's now the Attorney
21 General. The Choice is Yours provides
22 pre-entry services. We're going to talk
23 a lot -- people talk about reentry. I
24 believe in pre-entry or no entry
25 programs, what can we do so that people

1 5/5/15 - WHOLE - BILL 150162, etc.
2 will get the assistance that they need
3 and not get the criminal record, and the
4 Choice is Yours program is one such
5 program that was started by a grant of
6 almost \$1.4 million from Gerry Lenfest,
7 the Lenfest Foundation and the William
8 Penn Foundation. Since then, the money
9 has dried up, but it's a program that can
10 save us. Instead of spending \$40,000 a
11 year on state prisons, we're spending
12 \$4,000 a year to give these young men and
13 young women the life skills training that
14 they need, the literacy training that
15 they need, and it's a success. Instead
16 of having 63 percent of people failing
17 like they do with the recidivism rate
18 from the state court prison, only about 5
19 percent of the people in this program
20 have been shown to get rearrested.

21 So when we talk about
22 diversion, everybody wants us to do more
23 to keep people out of prison or put the
24 right people in and not put the wrong
25 people in prison. It's at a cost. It

1 5/5/15 - WHOLE - BILL 150162, etc.
2 costs us more money to evaluate those
3 cases than just, as my predecessor said,
4 let's just try it, let the judges work it
5 out. No. We're trying to be smart on
6 crime, to know the difference between a
7 bad guy and a guy having a bad day.

8 But while the City saves
9 dollars from these programs, my office
10 actually spends more time, more effort,
11 more personnel, and more resources on
12 diversionary programs than if we had
13 merely tried the underlying cases. The
14 fundamental point of diversion is
15 ensuring that the District Attorney's
16 Office spends time screening the cases
17 and then helping to ensure that offenders
18 comply with those requirements. If
19 offenders do not comply, it is our
20 staff's duty to address what sanctions
21 may be appropriate or what other steps
22 should be taken to better ensure the
23 offender will not commit new crimes and
24 to ensure public safety.

25 Fewer cases are being dismissed

1 5/5/15 - WHOLE - BILL 150162, etc.
2 and the most dangerous of offenders are
3 being brought to justice. Our
4 felony-held-for-court rate has
5 dramatically increased, from 59 percent
6 in 2009 to 72 percent in 2014. During
7 this time period, the held-for-court
8 rates for illegal firearms possession
9 increased from 77 percent to 85 percent,
10 robberies from 47 to 64 percent, and
11 rapes which held-for-court rates,
12 however, hovered below 70 percent in 2010
13 and 2011 are now at 75 percent. Most
14 notably, our felony conviction rate has
15 significantly increased. Consider that
16 in 2009 the felony conviction rate was
17 just 43 percent. In 2014, the crucial
18 figure was 61 percent. During this time
19 period, the conviction rate for illegal
20 firearms possession increased from 53
21 percent to 64 percent.

22 Our efforts have yielded prison
23 population decreases. Again, we can go
24 across the board and see how things our
25 office has done in cooperation with the

1 5/5/15 - WHOLE - BILL 150162, etc.
2 Police Department, in cooperation with
3 the courts, the Sheriff's Office, the
4 Prisons, the Public Defenders have saved
5 the City money. It's been estimated
6 anywhere between \$1 to \$3 million a year.
7 And that's good for the City. I know we
8 have potholes to fill and a lot of other
9 needs of the City, schools, everything
10 else. I'm only asking for a percentage
11 of that to be reinvested in our
12 cost-saving measures.

13 One of the wonderful programs
14 is Focused Deterrence. For the better
15 part of the past two years, members of my
16 staff have dedicated hundreds, if not
17 thousands, of hours to overcome gun
18 violence in South Philadelphia through
19 Focused Deterrence. One of the key
20 components of Focused Deterrence is the
21 call-in, where individuals identified as
22 members of violent groups are brought
23 face to face with the partnership of law
24 enforcement and social service agencies
25 and presented with two options: Seek for

1 5/5/15 - WHOLE - BILL 150162, etc.
2 help in changing your behavior and
3 services will be made available to you or
4 take part in violent activities and see
5 all the members of your group face
6 certain and serious consequences.

7 In August of 2014, we were able
8 to get our message out again to members
9 of 14 different groups who attended the
10 call-in. While these call-ins have had
11 positive effects, we have still had to
12 conduct several enforcement actions after
13 we have determined that a shooting or a
14 homicide was group motivated. This
15 requires even more further time and
16 financial sacrifice from my office as
17 well as other partnering agencies.

18 As a result of six shooting
19 incidents attributed to gang members in
20 2014, six enforcements were initiated on
21 those groups. In 2014, we had 31 group
22 members receiving social assistance
23 through a social service coordinator,
24 Reuben Jones. Last year we made room in
25 our already constricted budget to hire an

1 5/5/15 - WHOLE - BILL 150162, etc.
2 outreach worker, Mr. Glasgow, a South
3 Philadelphia native, to partner with
4 Mr. Jones. This is the type of priority
5 we place on evidence-based innovative
6 solutions to the problems of violence we
7 face in Philadelphia.

8 So, again, I'm very thankful
9 and proud of the tremendous working
10 relationship we have with Commissioner
11 Ramsey. A lot of the success for the
12 reduction in violent crime is owed to him
13 and his Police Department, of course.
14 But it can't -- it's like Law and Order.
15 I tell people you have to watch the TV
16 show Law and Order. The first half hour,
17 that's the Police. The second half hour
18 is the Assistant DAs. Put together, it's
19 criminal justice. And I'm very thankful
20 for our partnership, but I want to talk a
21 little bit about homicides.

22 I have a chart here that shows
23 in 1989 unfortunately Philadelphia
24 experienced 500 homicides. As a result
25 of the implementation of community-based

1 5/5/15 - WHOLE - BILL 150162, etc.
2 prosecution where my DAs are now assigned
3 geographically, get to know the names of
4 the Police, the community groups, the
5 clergy, the business leaders, we work
6 more efficiently and effectively with law
7 enforcement partners and the community.
8 We were able as a result of that to
9 create GunStat, where we used empirical
10 data to identify the most violent
11 neighborhoods and the most violent groups
12 and individuals in our city, which
13 allowed us then to create Focused
14 Deterrence where, again, we use very,
15 very specific intelligence on the
16 criminal behavior in a very specific
17 neighborhood in South Philadelphia.

18 All of these things, in
19 addition to just wonderful trauma units
20 in Philadelphia -- I will give them a lot
21 of credit as well, but as a result of us
22 being smart on crime with the least
23 violent offenders, focusing more on the
24 violent offenders, I believe we can see
25 that we had a significant reduction in

1 5/5/15 - WHOLE - BILL 150162, etc.
2 homicides. In 2012, we had 331. In
3 2013, we had the lowest homicide rate
4 this city has experienced since 1967.
5 Last year we were up two. We had 249,
6 but statistically we actually would have
7 had less. We added four to that number
8 as a result of -- you will recall the
9 mother and her children that were the
10 victims of men that were speeding away
11 from a car jacking and a sexual assault
12 and they hit the mother and her children
13 as they were selling fruit and flowers
14 for their church. In the years past we
15 wouldn't even have considered those
16 vehicular homicides in our homicide
17 total, but the Commissioner and we agreed
18 that those numbers should have been
19 included for last year. But not for
20 that, we would have had a lower number
21 last year, which would have been our
22 lowest number since 1967. And as of this
23 morning, we are on pace to have a lower
24 homicide rate than we did last year.

25 So, again, I think everywhere I

1 5/5/15 - WHOLE - BILL 150162, etc.
2 go in the City, Philadelphians come up to
3 me and they thank me, and I recognize
4 that they're thanking the young men and
5 women that work for me and my office and
6 the hard work that they do to help make
7 our city safer.

8 Traffic Court is an example
9 again of a good collaboration, except the
10 budget. Collaboration is critically
11 important, and we have done so, and I
12 believe we are partners in keeping our
13 communities safer. But collaboration is
14 more than just a one-way street. For
15 example, my office took on the role of
16 administering Traffic Court. We were
17 asked because our partners in the
18 criminal justice system had confidence in
19 our ability to improve the administration
20 of justice in a Traffic Court that had
21 been on the front pages and in federal
22 court.

23 We brought in our good
24 supervisors and Assistant District
25 Attorneys and other staff to run it. We

1 5/5/15 - WHOLE - BILL 150162, etc.

2 do not see Traffic Court, but we
3 understand our responsibilities as
4 stewards of justice.

5 There's some irony in the fact
6 that despite our willingness to take on
7 new challenges and be good partners, when
8 it comes time to appropriate budgets, we
9 do not necessarily see that goodwill and
10 confidence translate to an acceptable
11 appropriation amount.

12 What is it that we need going
13 forward? We have to sustain our efforts.
14 We have to continue to put the resources
15 and time into our changing criminal
16 justice system so that we don't go back
17 to the way it was. We have to address
18 the mental health crisis that exists.
19 Gun violence is still an unacceptably
20 high level here in the City of
21 Philadelphia. And we have to continue to
22 identify and implement meaningful
23 solutions that will result in fewer
24 shootings, fewer injuries, and fewer
25 deaths.

1 5/5/15 - WHOLE - BILL 150162, etc.

2 Additionally, it seems clear
3 that additional resources from my office
4 will be required for the City to fully
5 comply with the recommendations of the
6 recent COPS report on the use of deadly
7 force by the Philadelphia Police
8 Department. One of the report's most
9 important recommendations was that the
10 time to investigate a police shooting
11 must be reduced. As you may have noted,
12 the report specifically commended my
13 office, the Office of the Philadelphia
14 District Attorney, for significantly
15 speeding up our shooting investigations
16 once we received the cases from the
17 Police Department. We are confident we
18 can do even more in this regard, which
19 will be crucial in meeting the goal of
20 implementing the report's proposals.

21 Members of my staff have had
22 preliminary conversations with members of
23 the Police Department's command staff,
24 but it is apparent that we cannot
25 maintain these advances, let alone

1 5/5/15 - WHOLE - BILL 150162, etc.
2 improve on them, unless we can devote
3 additional personnel to these
4 investigations and thus funding to cover
5 the salary costs of several experienced
6 prosecutors and investigators.

7 The District Attorney's Office
8 budget yet again is woefully inadequate.
9 In terms of my budget, the Mayor's
10 proposed budget is once again inadequate.
11 At best, it flat funds my office. We
12 continue to be underfunded as compared to
13 other major cities. At this time,
14 Mr. Rowe is going to show you a chart of
15 the 14 largest cities, Mr. President,
16 Philadelphia ranks lowest in terms of
17 funding per violent crime. This is the
18 first year, Mr. President, that I'm
19 reporting that to you. Every other year
20 that I was here, I said that we were
21 second only to Wayne County, Michigan,
22 Detroit, the city that went bankrupt and
23 had to have its state send in someone to
24 run the finances. Well, even Wayne,
25 Michigan has seen fit to fund its

1 5/5/15 - WHOLE - BILL 150162, etc.
2 District Attorney's Office better than
3 the current Administration in the City of
4 Philadelphia.

5 So here you see that chart. If
6 we look at the violent crime, the rate of
7 violent crime and per crime and we divide
8 that by our budget, we are the lowest.

9 The criminal justice/public
10 safety budget has increased in
11 Philadelphia 18.1 percent between Fiscal
12 Year '08 and the current proposed budget.
13 The District Attorney's Office budget,
14 however, has increased only 9.3 percent,
15 significantly below that level. Again,
16 the next chart -- and don't get me wrong.
17 I'm sure based on their interactions with
18 the Mayor and his staff, they were all
19 deemed to receive increases. You see
20 here OIT. What does that say,
21 Councilman? What percentage did they get
22 as an increase?

23 MR. ROWE: 146.

24 DISTRICT ATTORNEY WILLIAMS:
25 146 percent increase during the Nutter

1 5/5/15 - WHOLE - BILL 150162, etc.

2 Administration.

3 The Police Department
4 correctly, they deserve it. They have
5 police cars that don't run. They've
6 received a 22 percent increase. The
7 Sheriff, 19.68 percent. An average of
8 all of our criminal justice partners is
9 18.07 percent. Fire up 15.81, the
10 Defenders Association up 15 percent,
11 Prisons up 10 percent. District
12 Attorney's Office, all the partners in
13 the criminal justice, everyone that
14 receives a budget from the City of
15 Philadelphia in public safety sphere, we
16 have received the lowest increase over
17 that period. And, again, if we had only
18 allowed for inflation -- and we have that
19 chart as well -- again, the amount of
20 funding my office has received as a
21 percentage of the City budget has
22 decreased since 2008. In Fiscal Year
23 2008, my office's share of the City
24 budget was 0.81002, a mere rounding error
25 for some departments.

1 5/5/15 - WHOLE - BILL 150162, etc.

2 In Fiscal Year 2015, my
3 office's share was 0.75886 percent. If
4 the District Attorney's Office received
5 the same 0.81002 percent, our budget
6 would be \$2.3 million higher.

7 So at the very beginning I
8 didn't come asking even for that. I'm
9 trying to be reasonable. I've asked for
10 an increase of 1.25.

11 Again, I think this is a modest
12 but fair increase given the fiscal
13 challenges still facing the City, while
14 taking into account our demonstrated need
15 for additional funding to continue and
16 expand the good work we are doing to make
17 this city safer and the justice system
18 fairer.

19 Even with the proposed
20 increase, the overall increase in my
21 office budget from Fiscal Year 2008 to
22 present would still be less than the
23 overall public safety budget during the
24 same time period.

25 So, again, I'm very thankful

1 5/5/15 - WHOLE - BILL 150162, etc.
2 for this time, Mr. President. Again, I'd
3 ask that my entire written testimony be
4 moved into your record, and at this time,
5 Mr. President, I'm more than willing to
6 answer any of the questions you may have,
7 and I have people that are much smarter
8 than I am sitting behind me that I'm sure
9 can answer specific questions even better
10 than I.

11 COUNCIL PRESIDENT CLARKE:

12 Thank you, sir. I have someone much
13 smarter than I am sitting next to me, so
14 I understand. And thank you. Good
15 afternoon.

16 DISTRICT ATTORNEY WILLIAMS:

17 Yes, sir.

18 COUNCIL PRESIDENT CLARKE: What
19 do you attribute the lack of response or
20 the appropriate response to your budget
21 request increases as opposed to every
22 other department?

23 DISTRICT ATTORNEY WILLIAMS:

24 Mr. President, I don't know. I try to
25 play nice. I smile. I go to meetings.

1 5/5/15 - WHOLE - BILL 150162, etc.

2 I try to show them what we've done, as
3 I've laid out here, every quantifiable
4 and qualitative measurement we are doing
5 a much better job. I think to answer
6 your question honestly, it is that they
7 expect us to handle less -- to do more
8 with less in an efficient way while
9 others might not. And, again, it's like
10 we're being penalized.

11 COUNCIL PRESIDENT CLARKE: So
12 you're getting penalized for doing good.

13 DISTRICT ATTORNEY WILLIAMS:
14 We're being penalized for having
15 Ms. Rooney and my deputies, my first
16 assistant run an office as efficiently as
17 possible. But there's a possible cost to
18 that. See, everywhere I go, when I go
19 out on community walks with Councilman
20 Squilla, right, when we go, when
21 Councilwoman Blackwell and I walk through
22 her neighborhood, people want the DA's
23 Office to do more. Nobody is asking me
24 to do less. We're finding creative and
25 efficient ways that have helped the City

1 5/5/15 - WHOLE - BILL 150162, etc.
2 save money. I'm asking for a mere
3 reinvestment into our office.

4 I'm thankful that the Mayor's
5 Office, they've given us some money to
6 increase our computer capabilities.
7 That's necessary, but that kind of like
8 just got us to 1990. We have to keep up
9 with the technologies of 2015.

10 But I just think that we're
11 being penalized for running an office so
12 efficiently. There's so much more that
13 we could do with just a slight
14 investment. Again, the young Assistant
15 DAs start in my office at \$51,000. They
16 have huge loan debt from law school.
17 They get trained. But the very nature of
18 being smart on crime, Mr. President,
19 requires that people have experience so
20 that then they can make the decisions on
21 what is the most appropriate way to
22 handle this defendant, this defendant's
23 cases. We can't just get them, get some
24 experience, and then let them go work at
25 Dewey, Cheatem and Howe. We need to be

1 5/5/15 - WHOLE - BILL 150162, etc.
2 able to reinvest in those that are most
3 qualified to keep them in the District
4 Attorney's Office to make these tough
5 decisions.

6 COUNCIL PRESIDENT CLARKE:
7 Right. Can you go back to the first
8 chart, please.

9 DISTRICT ATTORNEY WILLIAMS:
10 Yes, sir.

11 COUNCIL PRESIDENT CLARKE: From
12 here I can't see the dates on the
13 dramatic -- what's, I guess, the last
14 three?

15 DISTRICT ATTORNEY WILLIAMS:
16 Yes. Mr. President, like 1985 we had
17 about 550 homicides.

18 COUNCIL PRESIDENT CLARKE:
19 That's '85 where --

20 DISTRICT ATTORNEY WILLIAMS: So
21 1989, Mr. President, is to your far left,
22 and we had about 500 homicides that year.
23 It then shows a decrease, and then it
24 shows in 2012 what the number was, and I
25 have that written here.

1 5/5/15 - WHOLE - BILL 150162, etc.

2 COUNCIL PRESIDENT CLARKE:

3 Which one is 2012? That one? Okay.

4 DISTRICT ATTORNEY WILLIAMS:

5 Mr. President, 2012 there were 331

6 homicides. In 2013, there was 247. And,

7 Mr. President, last year there were 249.

8 COUNCIL PRESIDENT CLARKE:

9 Okay. If you can answer this question,
10 what's the comparable timeline on the
11 national trend for that particular
12 category?

13 DISTRICT ATTORNEY WILLIAMS:

14 Nationally we are seeing an even greater
15 reduction in gun violence and homicides
16 by handgun. And, again, I tell people,
17 you have to have the political will to
18 make that reduction. The City of New
19 York over the same time period went from
20 having approximately 2,400 homicides a
21 year with a comparable 85 percent being
22 committed by handguns, as we have in the
23 City of Philadelphia, to last year
24 Philadelphia we had more homicides caused
25 by handguns in a city of 1.5 million than

1 5/5/15 - WHOLE - BILL 150162, etc.
2 the entire City of New York. But they
3 had the political will to reduce the gun
4 violence. So we've done some things.

5 COUNCIL PRESIDENT CLARKE: The
6 reason I'm asking that question, when the
7 economy traditionally -- it's based on
8 the national trend. When the economy
9 improves in Philly, more than likely it's
10 improving overall in the country, and I'm
11 asking similarly because I do think
12 they're connected. An increase in the
13 economy, probably there will be a
14 subsequent decrease in crimes committed
15 as a result of that, and I'm just trying
16 to get a sense -- and, again, I
17 appreciate all the great work that you
18 all have done -- if that significant drop
19 had to do with the economy based on the
20 national trends of crime, homicides being
21 reduced, or was it just simply an
22 aberration in the City of Philadelphia?

23 DISTRICT ATTORNEY WILLIAMS:
24 Mr. President, to answer that, I would
25 almost need a couple Ph.D.'s in

1 5/5/15 - WHOLE - BILL 150162, etc.
2 criminology, because there's so many
3 things. It's not just apples to apples.
4 Many of these states have much more
5 strident penalties for the unlawful
6 possession of firearms. As you know,
7 I've been going to Harrisburg to try to
8 change Section 6108 of the Pennsylvania
9 Crimes Code to make it a penalty with the
10 possibility of incarceration of not less
11 than two years for carrying a gun on the
12 City streets without a license. In New
13 York they made it 3.5 percent -- I'm
14 sorry; three and a half years if you
15 don't have a license and you carry a gun.
16 That's part of the reason why they had a
17 significant reduction in New York. But
18 there are a lot of different things.

19 As you also know, of the top
20 ten largest cities in America, we have
21 the greatest percentage, unfortunately,
22 of Philadelphians that live at or below
23 the national poverty level, with slightly
24 more than 30 percent of all
25 Philadelphians living at or below the

1 5/5/15 - WHOLE - BILL 150162, etc.
2 poverty level. So when you have that
3 rate, when you have the just unbelievable
4 availability of handguns that we have in
5 Philadelphia, when we have so few young
6 men having appropriate conflict
7 resolution skills. And, again, one of
8 the things we did with Focused
9 Deterrence, we had -- as minimal as the
10 expense of Ms. Baraldi, who is here,
11 having a basketball tournament, we got
12 some of the most violent offenders in
13 South Philadelphia to agree to a 14
14 basketball tournament, and that if any
15 member of your team got arrested in the
16 month leading up to the tournament, your
17 whole team was going to be forfeited.
18 These guys pleased each other and no one
19 has been arrested since then.

20 COUNCIL PRESIDENT CLARKE: So,
21 again, I want to commend you on the great
22 work that you've been doing. I have, to
23 some degree, a perspective on the trend
24 in the City of Philadelphia that I think
25 that the commitment on dealing with the

1 5/5/15 - WHOLE - BILL 150162, etc.
2 40 percent that are at or below the
3 poverty level has not been where it
4 should have been, and I think that there
5 was a stronger or had been a stronger
6 commitment to deal with that issue over
7 the last several years, that it would
8 have contributed more to reducing
9 homicides and all the other associated
10 crimes. I just think it's a direct
11 correlation to a person having a decent
12 job or career or whatever, legal income
13 and their ability to raise their family,
14 and I think that just passed down through
15 the generation, and I just don't think
16 that we committed the way we should have
17 committed to deal with that poverty
18 level. It's one thing to have a summit
19 and talk about it, but the fact of the
20 matter is that out of the ten largest
21 cities, we have overwhelmingly the most
22 significant rate of poverty.

23 So part of our focus, from my
24 perspective, should be dealing with the
25 underlying problems. This issue in

1 5/5/15 - WHOLE - BILL 150162, etc.
2 Baltimore and they're finally getting to
3 that conversation, but it got beyond the
4 fact that young Mr. Gray died wherever he
5 died, in the van -- I mean, in the
6 hospital, but what was the root cause of
7 that death. But there was obviously a
8 root cause that caused that particular
9 environment to be created in the City of
10 Baltimore where we had several nights of
11 rioting. And I just think here, we got
12 to do a better job. We have to put in
13 place a policy and a strategy to deal
14 with it. And I say it again. I
15 represent probably the most diverse
16 district in the State of Pennsylvania. I
17 represent this building right here and
18 all of the wonderful high rises over
19 here, and people are excited and happy
20 and we're asking people to come. We have
21 a couple, three, four, five million
22 people coming here. But I also represent
23 that area up there north of Girard Avenue
24 where there continues to be some
25 significant levels of despair, and we

1 5/5/15 - WHOLE - BILL 150162, etc.
2 have to do a better job of focusing on
3 that. And I know the fact that you've
4 gone out and walked those streets to see
5 it, not just from a criminal perspective
6 but trying to come up with a strategy to
7 assist us in dealing with that side of
8 the equation.

9 I want to ask you one question.
10 It's kind of a loaded question, no pun
11 intended. We passed unanimously
12 legislation -- because you referenced the
13 fact that the front side -- or the back
14 side of the challenge is \$40,000 a year
15 for keeping a person incarcerated as
16 opposed to spending \$4,000 a year in the
17 programs that you've established. And we
18 took a similar approach and we shifted
19 \$500,000 from the Prison budget to a
20 program that created a landscaping
21 opportunity for individuals who have been
22 in the system but exhibited the
23 willingness to participate in a way that
24 would be productive and going through all
25 the programs, and for whatever reason,

1 5/5/15 - WHOLE - BILL 150162, etc.
2 that money was never entertained. We did
3 it in the budget. And the challenge is
4 in Council, we appropriate, but the
5 Administration can always choose to just
6 ignore. And the term I used earlier in
7 the budget process, to blow us off. We
8 in fact inquired about that particular
9 bill and that appropriation and, again,
10 no response.

11 My question to you, if we have
12 another hearing and another
13 appropriation -- I know I'm putting you
14 on the spot -- to appropriate money so we
15 can deal with a program to ensure that
16 the recidivism rate is reduced as a
17 result of providing an opportunity to a
18 person who deserves it, because some
19 people, they may not be in a position to
20 take advantage of it, would you be
21 supportive of that particular transfer of
22 revenue?

23 DISTRICT ATTORNEY WILLIAMS:

24 Yes, Mr. President. I think it goes back
25 to the statement you made just seconds

1 5/5/15 - WHOLE - BILL 150162, etc.
2 ago. A cynic might think that we're not
3 doing enough to reduce the rate of gun
4 violence because of who is being shot and
5 who is doing the shooting. And so I
6 believe that we have to be smart on
7 crime, that every life matters. I get
8 equally upset every time my phone goes
9 off, no matter the profession or the race
10 of the shooter or the person that's shot.
11 But just last week, Mr. President, I was
12 at a press conference for Fight Crime:
13 Invest in Kids, a national organization.
14 I was joined by District Attorney Ferman
15 of Montgomery County, District Attorney
16 Hogan of Chester County, District
17 Attorney Whelan of Delaware County, all
18 there to talk about one thing,
19 prosecutors and police commissioners
20 across the nation believe that the most
21 pressing way, the best way for us to
22 reduce crime is to invest in early
23 childhood education and truancy reduction
24 programs. So I say that everywhere that
25 I go. I would like to do all that I

1 5/5/15 - WHOLE - BILL 150162, etc.
2 could to put the District Attorney's
3 Office in Philadelphia out of business,
4 and we would do that best by investing in
5 every child so that they are ready for
6 school, both academically and socially
7 and learning those conflict resolution
8 skills that if they don't, they end up
9 with me. And I tell people, the DA's
10 Office is the social worker of last
11 resort.

12 So, yes, I would be supportive.
13 I'd be there with you, stand next to you
14 with a bullhorn to talk about the need to
15 invest money in preventive measures. But
16 at the same time, we try to do that in
17 our office, and staffing, supervising all
18 those programs that are smart on crime
19 actually costs us in dollars, personnel,
20 and resources more than if I said, You
21 know what, we're not going to have any
22 programs like that, we'll just try all of
23 them. That's just a much easier way to
24 manage our office, but I think it would
25 be the wrong way and wouldn't help the

1 5/5/15 - WHOLE - BILL 150162, etc.
2 dispense of justice and fairness in the
3 City of Philadelphia.

4 COUNCIL PRESIDENT CLARKE:
5 Okay. Thank you.

6 The Chair recognizes Councilman
7 Jones.

8 COUNCILMAN JONES: Thank you,
9 Mr. President.

10 I recognize that you are a
11 different type of DA. You've been --
12 geographic-based prosecutions I think are
13 a part of some of the reduction. We
14 appreciate you opening an office in our
15 district on 60th Street that acts as a
16 deterrent and at least a beacon that we
17 are interested in what goes on there.
18 That's ground zero in my district.

19 DISTRICT ATTORNEY WILLIAMS:
20 That's where I used to catch the 46 bus
21 every day coming home from Central High
22 School.

23 COUNCILMAN JONES: Don't hold
24 that against us.

25 DISTRICT ATTORNEY WILLIAMS:

1 5/5/15 - WHOLE - BILL 150162, etc.

2 All right.

3 COUNCILMAN JONES: But it is
4 the most challenged part of my district
5 by way of crime. Every 28 days somebody
6 is going to get shot there. Not always
7 fatally, but within those sectors within
8 the 19th District are my most
9 challenging. So thank you for putting
10 that there.

11 Focused Deterrence, which we
12 touted in South Philly as something that
13 we wanted to see expanded, where are we
14 by way of a commitment for the soft side
15 of the Focused Deterrence, meaning social
16 work, those kinds of things that actually
17 give people a choice? Where are we with
18 that?

19 DISTRICT ATTORNEY WILLIAMS:
20 All right. So there was a slight
21 expansion with Focused Deterrence as to
22 the Mayor's Office agreed and picked up
23 the tab for another social worker to
24 assist with some of those soft services
25 you're mentioning. It would be wonderful

1 5/5/15 - WHOLE - BILL 150162, etc.
2 in many ways to continue the Focused
3 Deterrence model in other parts of the
4 City. That takes a lot of intelligence,
5 and by "intelligence," I mean the reason
6 why it's been so successful in South
7 Philadelphia, we believe and
8 criminologists believe, David Kennedy
9 from New York, the John Jay School of
10 Criminology has come down and has
11 evaluated this and says it's the best
12 example of Focused Deterrence across the
13 nation, because of the Police
14 Department's gathering of information,
15 targeting individuals and groups and then
16 us using that information to better
17 prosecute, to better track them than ever
18 before.

19 So it would be great and
20 beneficial, I believe, to expand Focused
21 Deterrence, but it would have to be done
22 in a very measured way, in a way in
23 cooperation with the empirical
24 data-gathering capabilities and expertise
25 of the Philadelphia Police Department.

1 5/5/15 - WHOLE - BILL 150162, etc.

2 But, Councilman, you also
3 mentioned just the community outreach.
4 In years past, people thought that that
5 was just fluff. But as we see what
6 happened in Baltimore, Ferguson, Staten
7 Island, having someone -- it's not
8 perfect yet. People go to that office,
9 the office we have downtown, the office
10 we have in North Philadelphia. It's not
11 perfect yet, but we have to make those
12 investments. Me going and speaking to
13 kids in grade schools and Overbrook Town
14 Watch, that is an investment in trying to
15 ensure that the public understands what
16 we do so they don't just see me when
17 there's a crisis, but every day so we can
18 build better relations. And, again,
19 what's much more important than does Seth
20 Williams show up at a community meeting,
21 did I go to Mount Airy Day. You'd better
22 believe I was at Mount Airy Day with you
23 and Congressman Fattah. Am I right?

24 COUNCILMAN JONES: Yeah.

25 DISTRICT ATTORNEY WILLIAMS:

1 5/5/15 - WHOLE - BILL 150162, etc.

2 But more important, there was a group of
3 Assistant District Attorneys that were
4 there. There was a group of Assistant
5 District Attorneys last night that played
6 basketball in the 16th District Cops and
7 Kids Basketball Program. That's more
8 important than just where I am, because
9 the public sees those young ADAs. The
10 young ADAs also learn about what's
11 important in the community. It makes
12 them better champions in court. But all
13 of this is very, very important because
14 we're just one spark away from what
15 happened in Baltimore if we don't do the
16 hard work every day, and that costs
17 money. People want us to have more
18 people at community action centers. We
19 don't get the money, though.

20 COUNCILMAN JONES: So we
21 want -- so I know in Council President
22 Clarke's district he has some challenges
23 up there in the 22nd. It's evidenced by
24 loss of life. I have some challenges in
25 the 19th, Councilwoman Blackwell

1 5/5/15 - WHOLE - BILL 150162, etc.
2 Southwest Detectives. So we want to see
3 that even though empirical data suggests
4 South Philly was a good place for it to
5 start, it is not the place where we want
6 it to end. We want to know how we can be
7 helpful to see it expanded in other
8 areas.

9 DISTRICT ATTORNEY WILLIAMS:

10 And that requires experienced prosecutors
11 and experienced investigators, which
12 means we have to have people that we can
13 keep in our office, and while they're
14 saintly, they also have bills to pay,
15 right? Comcast isn't just giving ADAs a
16 pass.

17 COUNCILMAN JONES: No?

18 DISTRICT ATTORNEY WILLIAMS:

19 No. If you recall, I was on the front
20 page of the Daily News two years ago
21 because I was a month behind on my PGW
22 bill. Remember that? So I don't even
23 get a pass. Right? Okay.

24 So we have to invest in these
25 people. Just little increments would be

1 5/5/15 - WHOLE - BILL 150162, etc.

2 helpful.

3 COUNCILMAN JONES: So we
4 support that. And let me transition and
5 ask, so we in my next go-round, if you
6 could get individuals that deal with the
7 forfeiture unit up here, whoever that is.

8 DISTRICT ATTORNEY WILLIAMS:
9 Okay.

10 COUNCILMAN JONES: And --

11 DISTRICT ATTORNEY WILLIAMS:
12 Well, he's already here, Deputy District
13 Attorney Mosee is ready.

14 COUNCILMAN JONES: Not Mosee.

15 DISTRICT ATTORNEY WILLIAMS:
16 He's right here. He's right next to us.
17 The pride of 59th and Webster.

18 COUNCILMAN JONES: Yeah, I
19 know.

20 I didn't see you over there. I
21 wouldn't have asked about it if I saw
22 you.

23 I'll wait until my next round
24 to talk about forfeiture.

25 COUNCIL PRESIDENT CLARKE:

1 5/5/15 - WHOLE - BILL 150162, etc.

2 Thank you, Councilman.

3 The Chair recognizes Councilman
4 O'Brien.

5 COUNCILMAN O'BRIEN: Thank you,
6 Mr. President.

7 It's just surprising to me that
8 the two agencies that I care most about,
9 the Bureau of Autism Services and the
10 Philadelphia District Attorney's Office,
11 are both because they're so efficient in
12 the way they appropriate every dime are
13 penalized for that efficiency. So I have
14 great sympathy for you.

15 I'm a huge fan of the work of
16 Focused Deterrence, and I will offer my
17 continued support for that. And I've
18 gone to all but one call-in. It's
19 powerful stuff. I agree with the other
20 Councilman that we have to expand this
21 beyond South Philly.

22 I also -- I know you've just
23 spoken to this, but I want to
24 congratulate you for your creativity on
25 the Focused Deterrence Basketball

1 5/5/15 - WHOLE - BILL 150162, etc.
2 Tournament. It's just extraordinary as
3 you build those bridges with the
4 community. It's a wonderful example of
5 the community and law enforcement working
6 together to make neighborhoods better in
7 a meaningful way and build those bridges
8 of communication.

9 DISTRICT ATTORNEY WILLIAMS:

10 And Councilman Squilla showed up at that
11 tournament. I challenged him to a foul
12 shot shooting contest, but he declined.
13 He didn't want to show me up. So I did
14 it against a little 12-year-old that was
15 there.

16 COUNCILMAN O'BRIEN: There you
17 go, picking on that little 12-year-old,
18 are you?

19 But I also would like to praise
20 you for the Choice is Yours program. I
21 personally went over to Judge Neifield's
22 courtroom in December and saw the
23 meaningful work. I'm impressed with your
24 creativity with funding. And I'll just
25 lift something from your testimony, if

1 5/5/15 - WHOLE - BILL 150162, etc.
2 you don't mind, that the Choice is Yours
3 is an evidence-based pre-entry program
4 that helps offenders subject to state
5 prison sentences before they are
6 sentenced by providing important life
7 skills and training and other skills
8 designed to help them with the
9 criminogenic needs.

10 I'm going to steal that word so
11 I look smart when I'm out on the campaign
12 trial.

13 DISTRICT ATTORNEY WILLIAMS:
14 Good.

15 COUNCILMAN O'BRIEN: But I'd
16 like to again emphasize that this funding
17 has not come from the City, but it came
18 from Lenfest and the William Penn
19 Foundations.

20 And, finally, as you and
21 Mr. Rowe have looked on one of those
22 sheets, one of those projections, I know
23 that since I've been in Council we've
24 heard about your struggles in technology
25 and, since joining Council, your efforts

1 5/5/15 - WHOLE - BILL 150162, etc.
2 to improve technology using eDiscovery
3 and other initiatives. Since OIT has
4 gotten a 146 percent increase, what
5 structural assistance has OIT given your
6 office in the last couple of years? Are
7 they meeting your needs? And is there a
8 promise of some share of that 146 percent
9 financial support this coming fiscal
10 year?

11 DISTRICT ATTORNEY WILLIAMS: We
12 had initial dialogues. They have given
13 us some additional hardware, but it's not
14 enough. Ms. Baraldi and this young man,
15 Mr. Berman is here. We hired two young
16 folks to be basically data analysts for
17 us. Everyone wants to know statistics.
18 Everybody wants to know, well, what
19 percentage have you increased this, all
20 these things, and we were originally
21 using a computer software program to
22 gather and analyze this data that was
23 created to send out subpoenas in the
24 1990s, but because of some very
25 intelligent MacGyver-esque young folks

1 5/5/15 - WHOLE - BILL 150162, etc.
2 that work in my office, we were able to
3 figure out a way to gather and compile
4 the statistics. But we need more.

5 Just to answer your question,
6 just from my Communications Director to
7 go on our District Attorney's website to
8 show the change in my marital status, we
9 couldn't just do it in our office. It
10 took us about three months by sending
11 e-mails over and over and over to OIT to
12 get them to change something that was on
13 our website.

14 So we're making improvements,
15 but it's not enough. We need more, and
16 all these investments -- again, we're not
17 asking to even keep up with inflation,
18 which is what I should be doing here. I
19 should be jumping up and screaming just
20 to ask for what would be the inflationary
21 increase, but I'm being, I believe,
22 modest in trying to work with Council and
23 the Mayor for what I think is just a
24 necessary increase to keep us where we
25 could do even more than what we're

1 5/5/15 - WHOLE - BILL 150162, etc.

2 already amazingly doing for the City.

3 COUNCILMAN O'BRIEN: I would
4 just like to underscore what I believe
5 will be Councilman Jones' concern on
6 stolen deeds and foreclosures, that the
7 real issue here is that that issue could
8 be substantially addressed if you had
9 substantially more resources.

10 DISTRICT ATTORNEY WILLIAMS:
11 Right. See, again, it would be easy just
12 every case that came to us, we just tried
13 it. Whatever happens, happens. Just
14 call the witnesses. If they're there,
15 they're there. If they're not, they're
16 not. But that's what got us into the
17 trouble that led to the series Justice:
18 Delayed, Denied, Dismissed. So now
19 instead of having just a Municipal Court
20 unit where you have the 30 newest
21 attorneys with a supervisor and an
22 assistant chief and a Felony Waivers
23 Unit -- so we used to have just six
24 supervisors in the three largest units in
25 our office. Well, now through geographic

1 5/5/15 - WHOLE - BILL 150162, etc.
2 prosecution, we have six units. Each of
3 those has two supervisors, so they can
4 better evaluate the cases, better
5 instruct the Assistant District
6 Attorneys, to better cooperate and go out
7 to meetings with the Police and the
8 community to evaluate data, to better
9 identify individuals that we should have
10 on GunStat and track those that possess
11 guns illegally or use firearms illegally,
12 commit gunpoint robberies illegally.
13 It's time intensive, but it's showing the
14 results. Having tripled the number of
15 people in our Charging Unit has shown
16 significant reduction in a lot of issues
17 across the criminal justice system, to
18 include those that are awaiting trial,
19 pretrial up on State Road. There's a
20 2,000 bed reduction, I believe, is what
21 the Prisons testified to up there on
22 State Road. In large part that has to do
23 with the cooperation and the vision of
24 the District Attorney's Office. And,
25 again, all of those things work together.

1 5/5/15 - WHOLE - BILL 150162, etc.

2 We're committed to them, but we are just
3 asking for a modest increase so that we
4 can do what we do so well even better.

5 COUNCILMAN O'BRIEN: Thank you,
6 sir.

7 MS. LEWIS: Councilman Oh.

8 COUNCILMAN OH: Thank you very
9 much.

10 Good afternoon.

11 DISTRICT ATTORNEY WILLIAMS:
12 Mr. Oh, how are you?

13 COUNCILMAN OH: Doing well.

14 I have two questions. The
15 first is, how much money do you need,
16 just in dollars? What are you seeking?

17 DISTRICT ATTORNEY WILLIAMS:
18 1.25 million, which is still less than
19 the 2.3 if we just allowed for inflation,
20 if our budget remained just the same
21 0.8002 it had been in Fiscal Year '08.

22 COUNCILMAN OH: Okay. Thank
23 you for that answer. That's pretty
24 clear.

25 The second one is just kind of

1 5/5/15 - WHOLE - BILL 150162, etc.
2 your thoughts and policy. So violent
3 crime, biggest concern, you're addressing
4 that. Could you give me your thoughts,
5 your policy, your strategy on crimes that
6 are commercial corridor crimes. That is,
7 a lot of neighborhoods have commercial
8 corridors. Police are pulled off of that
9 area down to where there's homicides and
10 then a lot of these commercial corridors
11 have crimes such as prostitution,
12 loitering, small drug dealing, types of
13 things that really kind of negatively
14 impact on the viability of the commercial
15 area. It's difficult for policing
16 because the Police are called away.

17 How can the DA's Office be
18 effective in trying to clean up those
19 areas so that the businesses can thrive
20 more and, I believe as a result, the
21 neighborhood can thrive better?

22 DISTRICT ATTORNEY WILLIAMS:
23 All right. Well, again, thank you for
24 that question, and members of my office
25 go to Police District Advisory Council

1 5/5/15 - WHOLE - BILL 150162, etc.
2 meetings, each one of them, across all
3 the police districts monthly. They go to
4 business meetings, the -- you name the
5 civic association, members of our office
6 are going to those meetings to gather
7 information, not just to go there and
8 preach about what we do, but just to
9 listen.

10 I think, though, changes that
11 Commissioner Ramsey has made, going from
12 a police sector-driven, 911-driven
13 department to moving towards the PSAs
14 that we have is really trying to address
15 your question, Councilman Oh. And the
16 District Attorney's Office, we try to be
17 a part of that through geographic-based
18 prosecution. And, again, I reorganized
19 the office. Instead of having -- and the
20 courts worked with us and reorganized the
21 courthouse, which has significantly
22 reduced the backlog of cases, the
23 overtime pay. The police officers were
24 just waiting around in the CJC when cases
25 are being continued. But, again, we go

1 5/5/15 - WHOLE - BILL 150162, etc.
2 to those community meetings to try to see
3 what is specifically needed in Lawncrest,
4 what are the issues in Eastwick, which
5 might be totally different than people in
6 Fox Chase have issues with or problems
7 with or University City where a problem
8 might just be stolen bicycles. While
9 that might seem insignificant to some
10 people in maybe parts of North
11 Philadelphia where we have very high
12 homicide rate, it's real to the people in
13 those other neighborhoods.

14 And so we try to work with them
15 and create programs, put on training in
16 our community action centers to address
17 the specific needs of Philadelphians
18 across -- from the airport all the way up
19 to Grant and the Boulevard.

20 COUNCILMAN OH: Well, I
21 appreciate that. I've seen the DAs at
22 the community meetings I go to, so I
23 appreciate their presence, and I think
24 that is important. So I appreciate your
25 attention to that matter. I know there's

1 5/5/15 - WHOLE - BILL 150162, etc.
2 a lot of issues in our city, but I think
3 the quality of life issues, the violent
4 crime issues, but also if these
5 commercial corridors are not places
6 people want to go to, walk to, drive to,
7 you lose jobs, you lose businesses, you
8 get a lot of abandoned shops and things
9 like that. And I'm happy to hear that
10 you're on top of that. So thank you very
11 much.

12 COUNCILMAN JONES: Thank you,
13 Councilman.

14 The Chair recognizes Councilman
15 Squilla.

16 COUNCILMAN SQUILLA: Thank you,
17 Mr. Chair.

18 Thank you, Mr. Williams. I
19 appreciate you coming here today. I too
20 since being a representative of South
21 Philadelphia appreciate the Focused
22 Deterrence program and the collaboration
23 with the Police, but I understand the
24 reason why we actually went toward South
25 Philadelphia was because they had the

1 5/5/15 - WHOLE - BILL 150162, etc.
2 most intel on a lot of the gang members
3 and the hierarchy of the gangs and how it
4 portrayed.

5 I was present at the basketball
6 game, and I remember that the invitation
7 to have the foul shooting contest was
8 only to the members of the team, but not
9 to me or I would have taken you up on
10 that. We'll do that at the next one.
11 But we understand that also takes
12 resources and money.

13 Has there been a budget for
14 this year to continue the Focused
15 Deterrence program?

16 DISTRICT ATTORNEY WILLIAMS:
17 Well, I mean, there is no really --
18 unless I'm wrong, we don't have a
19 specific budget for Focused Deterrence
20 internally. We just have members of our
21 Gun Violence Task Force. We have
22 Assistant District Attorneys from our
23 South Division that help manage those
24 cases. We hired an individual, as I
25 stated during my testimony, to assist

1 5/5/15 - WHOLE - BILL 150162, etc.
2 Mr. Reuben Jones and what he does. But
3 really it's just us taking on this
4 because we see how important it is for
5 the ultimate outcome. And, again, being
6 smart on crime isn't just a glib catch
7 phrase. We have to show Philadelphians
8 that the criminal justice system is fair.
9 When people think it's not fair, that's
10 when people burn buildings down. And I
11 think what we've done by prosecuting
12 Monsignor William Lynn, having an
13 extensive grand jury investigation
14 showing how he shielded priests from
15 prosecution where they then reoffended;
16 by going after Dr. Kermit Gosnell; by
17 taking on a prosecution that the Attorney
18 General of the Commonwealth thought was
19 non-prosecutable and getting successful
20 prosecutions in that case, when
21 Philadelphians see that we're not just
22 going after Pookie and Man-Man at the
23 corner of 60th and Catharine, but that
24 we're going after crimes in the suites as
25 well as the crimes in the streets, I

1 5/5/15 - WHOLE - BILL 150162, etc.
2 think then they begin to feel -- and we
3 have more diversionary programs than
4 ever. When they see we're trying to give
5 people a second chance and we're going
6 after everyone with the same fervor and
7 the same sense of justice, then I think
8 it permeates to people that we're trying
9 to be fair to everyone. And this is
10 never even more clear since 2010. We,
11 Mr. President, have prosecuted at least
12 55 police officers for the excessive use
13 of force or for corruption, where my
14 predecessor just a week ago said she
15 didn't prosecute those cases because they
16 had no constituency. I think that's
17 disgusting. The constituency is
18 Philadelphia. The constituency is
19 justice. But it takes more time to
20 investigate those cases. And, again, the
21 federal reports show that our office is
22 doing it very well, but we have to double
23 down. And, again, the status quo is
24 unacceptable if everybody wants us to do
25 everything they want us to do.

1 5/5/15 - WHOLE - BILL 150162, etc.
2 COUNCILMAN SQUILLA: I agree,
3 and I really -- and I see the
4 collaboration and the effort, and it's
5 not easy to collaborate with all
6 departments all across the board as
7 Focused Deterrence does. And we believe
8 that the work with the Police Department,
9 with the DA, with the FBI, with the other
10 utilities, all the things that are
11 involved, and DHS and everything else
12 that's involved with this doesn't make it
13 an easy program, and it takes a lot of
14 time and a lot of effort. So the
15 resources are needed. And this program
16 concentrates on the shoot or be shot
17 person in the community in South
18 Philadelphia, which we have a lot of, and
19 when we're in those communities, there's
20 a need to reach out to those folks,
21 because from what I understand, at least
22 out of the 200 shootings or out of the
23 whatever number shootings were in South
24 Philly, 37 percent of them were at least
25 pinpointed to these two gangs, two

1 5/5/15 - WHOLE - BILL 150162, etc.
2 groups, and they're the ones that they
3 actually knew of and not -- there's
4 probably more that we didn't correlate to
5 those gangs. So if we get 50 percent of
6 those shootings happen by these folks, we
7 got to engage these folks, and I think
8 that's what Focused Deterrence does.

9 The other issue is, how do we
10 engage the people who didn't get to the
11 shot or be shot stage so that they don't
12 go there and end up spending different
13 resources? And we're working with your
14 staff and your office to coordinate
15 people down in South Philadelphia to meet
16 with those community groups to let them
17 do that. And, again, that's over and
18 beyond Focused Deterrence, but it just
19 shows you the willingness of the DA's
20 Office to step in and do not the, quote,
21 prosecution, only prosecution type
22 methods that we have, but actually going
23 into there to help prevent some of these
24 from happening. And I want to say that I
25 appreciate that as a Councilperson. My

1 5/5/15 - WHOLE - BILL 150162, etc.
2 district appreciates it and the
3 communities appreciate it. Not that we
4 have to stop doing it. We need to do
5 more. We need to keep the collaboration
6 going. We need to make sure we include
7 the Police in all the aspects of that.
8 And do you see Focused Deterrence -- I
9 know everybody likes to see this in other
10 areas. Do you see that as a possibility?
11 And obviously that would take even
12 additional resources, so it would make it
13 even harder for you to do.

14 DISTRICT ATTORNEY WILLIAMS:

15 Look, I'm committed to doing it. It's
16 the right thing to do. It's showing
17 results. But we just can't keep doing
18 everything if we're not funded
19 appropriately. And so don't get me
20 wrong. It goes back to the Council
21 President's question earlier. I know
22 Mayor Nutter wants a safer city. I know
23 he cares about lives of people. He
24 doesn't want to see anyone shot. I
25 understand that. But what I don't -- I

1 5/5/15 - WHOLE - BILL 150162, etc.
2 can't answer as to why it is that our
3 percentage of the budget is less than
4 what it was in Fiscal Year 2008. I don't
5 know the answer for that. I don't know
6 what more can be expected of the District
7 Attorney's Office. I see they've sent
8 the Press Director over to maybe try to
9 figure this out and spin it better for
10 them. I don't know. I don't know the
11 answer. Okay? It just makes no sense as
12 to why that chart showed us receiving the
13 least. And they include -- the Mayor
14 made in this room -- I was here during
15 his budget address -- Five Year Plan, the
16 DA's Office would get an additional 14
17 percent, but that included the money that
18 they're giving us for Traffic Court,
19 which is like an additional job, which I
20 get it. The public deserves a fair
21 Traffic Court system, and we're going to
22 give it to them. But they want us to
23 keep doing more and more and more. And
24 we can provide even better services, not
25 just lip service. This isn't just lip

1 5/5/15 - WHOLE - BILL 150162, etc.
2 service. We have the quantifiable
3 results. Don't penalize us for being so
4 good at what we do. Let us continue to
5 do and double down and make the City
6 safer, is just my question.

7 COUNCILMAN SQUILLA: And I'll
8 just end on this. It seems like
9 sometimes the mentality is that if you're
10 doing well with what you have, let's give
11 you less. And if you're not doing good,
12 we'll give you more money, which is sort
13 of the process that we shouldn't be
14 following, but hopefully in this case
15 there will be a reconsideration and we'll
16 be able to get more resources for the
17 District Attorney's Office.

18 Thank you.

19 COUNCIL PRESIDENT CLARKE:
20 Thank you, Councilman.

21 The Chair recognizes
22 Councilwoman Blackwell.

23 COUNCILWOMAN BLACKWELL: Thank
24 you, Mr. President.

25 We merely wanted to say thank

1 5/5/15 - WHOLE - BILL 150162, etc.
2 you. We appreciate the hands-on
3 approach, all the marches through the
4 neighborhood and all the things we let
5 people -- that you initiate and let
6 people know we're there and we care about
7 them. So I wanted to just say thank you
8 for all your efforts.

9 Thank you.

10 DISTRICT ATTORNEY WILLIAMS:

11 Thank you, Councilwoman.

12 COUNCIL PRESIDENT CLARKE:

13 Thank you, Councilwoman.

14 The Chair recognizes Councilman
15 Jones.

16 COUNCILMAN JONES: Thank you,
17 Mr. Chair.

18 This is one of those subjects
19 where it's six in one hand, half dozen in
20 the other. I remember a while back when
21 the crack epidemic was so pervasive in
22 our community that we wanted to do
23 whatever it took to shut down crack
24 houses that were operating in an open way
25 in every part of the City. We began to

1 5/5/15 - WHOLE - BILL 150162, etc.
2 kick in gear the forfeiture program, but
3 I'm beginning to wonder if indeed the
4 pendulum has swung a little the other
5 way. There was a class-action suit about
6 forfeitures, about the process, and I
7 understand based on testimony that we get
8 about 11 million, maybe between 11 and, I
9 think it was, 17 million out of the
10 process. So here's my question: What do
11 we get every year from foreclosures? How
12 many properties do we seize? What types
13 of properties do we seize?

14 DISTRICT ATTORNEY WILLIAMS:

15 All right. So first let me start off by
16 saying that you're correct. The state
17 created the Civil Forfeiture Act as a way
18 for law enforcement to try to take the
19 profit out of the sale of drugs. So that
20 if you were selling drugs out of your car
21 or out of a house and you were arrested
22 because of that, that that property could
23 be seized and possibly ultimately sold.
24 And it was very successful in some ways.
25 Nothing is perfect, but it was just

1 5/5/15 - WHOLE - BILL 150162, etc.
2 another tool to deal with that. And,
3 again, I'm sure almost every day the
4 folks that work in our office that handle
5 constituent services get calls from
6 someone saying there's a crack house,
7 there's a house of ill-repute, as my
8 mother would say, or there's a speakeasy
9 on this street, somebody has an
10 after-hour whatever. You get those
11 calls. We get those calls. The Police
12 Department gets those calls. So it's not
13 imaginary. It's not like it just doesn't
14 happen. And so we have to do something
15 about it, because your constituents, our
16 constituents, Philadelphians want fewer
17 crack houses. So we have to let the
18 Police go out, try to make arrests, and
19 we try to then do our part.

20 Now, the specific part of what
21 amount comes in, I'm not allowed to talk
22 about that. The Civil Forfeiture Act
23 prohibits the District Attorney from
24 talking about those monies, because if in
25 fact the Finance Director for the City of

1 5/5/15 - WHOLE - BILL 150162, etc.
2 Philadelphia knows what that amount is,
3 then they can just say, Well, you know
4 what, we're doing to de-fund the District
5 Attorney's Office, and we don't want
6 there to be a motivation for us to try to
7 take people's houses. That would be
8 unjust. My job is once there's been an
9 arrest or after we've done an
10 investigation, if we see that this
11 property should be taken, to follow the
12 appropriate protocol.

13 And so I think, again, the
14 pendulum swinging was really the result
15 of me not keeping up with the PR machine
16 that the other side had, by me not
17 talking about the communities that are
18 served and saved by what we do. And so,
19 again, we're trying to be as preventive
20 as possible, but we're also trying to
21 change some of our own internal protocols
22 to assure that there's more checks and
23 balances.

24 Some people have a problem that
25 there's no Civil Gideon, that people who

1 5/5/15 - WHOLE - BILL 150162, etc.
2 might have their homes taken don't have
3 the right to have an attorney for free.
4 And so I, Mr. Rowe, State Senator Anthony
5 Hardy Williams, and State Senator Folmer,
6 we met in Harrisburg to talk what can
7 they do in Harrisburg to try to ensure
8 that Community Legal Services is better
9 funded, other methods to give more checks
10 and balances to help those that might
11 find themselves in that way.

12 But, again, a cynic might say
13 that the reason why this whole PR machine
14 went the other way was because whose home
15 got taken that was on the front page of
16 the Daily News on this one case, it was a
17 little bit different than the average
18 person who has their home taken and it
19 was more sympathetic, a cynic might say,
20 to some people.

21 COUNCILMAN JONES: So my point
22 is for every jeer I get about it, I get a
23 lot of cheers about it. So --

24 DISTRICT ATTORNEY WILLIAMS:
25 I'm sorry?

1 5/5/15 - WHOLE - BILL 150162, etc.

2 COUNCILMAN JONES: For every
3 jeer, I get a lot of claps. So it goes
4 both ways, is what I'm trying to say.
5 But I do want you to look at how people
6 get notice.

7 DISTRICT ATTORNEY WILLIAMS:
8 Sure.

9 COUNCILMAN JONES: How people
10 can have attorneys, because there were a
11 couple of cases, not one but at least
12 two, that came into my office and said, I
13 didn't know my nephew was in the basement
14 doing what he was doing. Maybe they
15 should have. They should check down the
16 basement a little more often. But they
17 were in jeopardy -- it was a couple -- of
18 losing their home. And to the credit of
19 those around the corner that did it, they
20 looked into it and they spared them that
21 and told them that if Pookie comes back
22 here --

23 DISTRICT ATTORNEY WILLIAMS: Or
24 Ray-Ray.

25 COUNCILMAN JONES: -- or

1 5/5/15 - WHOLE - BILL 150162, etc.
2 Ray-Ray -- you know Ray-Ray and Pookie
3 hang together -- that they would be then
4 forfeit to their home. And I get that.
5 So we need to kind of take a look at the
6 process a bit so that that pendulum
7 doesn't hit people that otherwise would
8 not run afoul of the law but for them
9 trying to do a solid to a nephew, a
10 niece, a son or a daughter.

11 DISTRICT ATTORNEY WILLIAMS:

12 Correct. And I don't disagree with you,
13 Councilman, and I'm going to let Deputy
14 District Attorney Mosee talk to that a
15 little bit greater, because he knows more
16 of the details than I about some of the
17 checks that we're making with -- the
18 Chief of my Civil Litigation Unit, the
19 Deputy of our Law Division are all
20 working together to make sure that we are
21 ensuring those protections, but at the
22 same time, again, to that grandmother,
23 we're not trying to take the homes of
24 innocent people, but when that
25 grandmother -- and let's be a call to

1 5/5/15 - WHOLE - BILL 150162, etc.
2 her. If in fact your grandson has lots
3 of people coming in the basement and he's
4 14, has no means of income and he's
5 getting you the flat screen TV --

6 COUNCILMAN JONES: That
7 happened --

8 DISTRICT ATTORNEY WILLIAMS: --
9 and the Police are coming in, let's just
10 be on notice that it might be that we
11 might have to seize that property. But
12 I'll let Mr. Mosee talk a little bit
13 about some of the protocols we're putting
14 in to ensure better process, due process.

15 COUNCILMAN JONES: So, again, I
16 just want you to know, I get the other
17 calls like, How is this 14-year-old
18 paying the gas bill, electric bill with
19 no visible -- it's not newspaper money
20 he's doing it with. So we have to have
21 some responsibility for those who live in
22 our homes.

23 DEPUTY DISTRICT ATTORNEY MOSEE:
24 So what's really important about what it
25 is that you identified as the way that

1 5/5/15 - WHOLE - BILL 150162, etc.
2 the case that you were talking about
3 worked was that even though there was the
4 threat of the property being forfeited,
5 it didn't happen. And so it's that
6 impending threat that acts as the
7 deterrence that stops activity that would
8 otherwise persist. If the house wasn't
9 threatened, then even if we did make the
10 arrest, three or four new people would
11 come and take their place. The fact is
12 that they should have known. Okay.
13 We'll give them the benefit of the doubt
14 the first time and say, Okay, you tell us
15 you didn't know. We'll act upon it as if
16 you didn't know, but now you do. And
17 because they do and because they know
18 that their house is in jeopardy, they go
19 into action. And I think what we all
20 recognize to be the fact of the matter,
21 those of us who have worked in law
22 enforcement for the number of years that
23 we've worked in law enforcement, that we
24 can't do it alone. We need the support
25 of the people in the community. And with

1 5/5/15 - WHOLE - BILL 150162, etc.
2 that impending threat, people who
3 otherwise would continue to play dumb,
4 keep their head in the sand, they're more
5 conscious of what's going on, and that
6 certainly helps.

7 COUNCILMAN JONES: Well, I'd
8 like you to focus a little bit on
9 commercial establishments as well. In
10 some cases folk are harboring those
11 people who distribute illegal narcotics.
12 In some cases they are offering stash
13 locations for people who are in that kind
14 of business, and we need to look at them,
15 because they constitute more of a
16 nuisance to me than sometimes grand-mom,
17 and both should be held accountable. In
18 a lot of cases some of these small
19 commercial establishments have struck a
20 deal with them, Don't harm me; you
21 provide me security, I'll provide you
22 safe haven when you need to, and that
23 can't be tolerated either.

24 DISTRICT ATTORNEY WILLIAMS:
25 Councilman, one thing I'd like to add,

1 5/5/15 - WHOLE - BILL 150162, etc.
2 you asked me about these numbers. One
3 thing I can say, unlike any of the other
4 67 counties in the Commonwealth of
5 Pennsylvania, and those counties are like
6 Montgomery County, with the forfeiture
7 funds, the various police departments
8 make application to fund the K-9 team,
9 the bulletproof vests, new equipment, new
10 technologies. In Philadelphia we have an
11 MOU; 60 percent, once we take care of the
12 administrative costs that we share, 60
13 percent of all of the funds that come
14 through actual forfeiture go directly to
15 the Philadelphia Police Department.

16 COUNCILMAN JONES: Final
17 question, since I'm not rung up -- oh,
18 there he goes. I like this. Go ahead,
19 take your time.

20 So one last question. We
21 decriminalized marijuana. What has been
22 your -- and I'll just say some of the
23 unintended consequences I've seen, 7
24 o'clock every Monday we do a conference
25 call with all of the schools in my

1 5/5/15 - WHOLE - BILL 150162, etc.
2 targeted area. I have 30 schools in my
3 district. Some of them are more involved
4 than others, but there's about half a
5 dozen of them that are in the same kind
6 of geographic area I mentioned, high
7 crime. And one of the things that one of
8 the school principals had said to me is
9 that young people have misinterpreted
10 this and are starting to boldly come into
11 school with marijuana, saying, Well, it's
12 legal, and they don't understand it's
13 decriminalized. They don't understand
14 that does not apply to possession in a
15 school.

16 So have you seen any unintended
17 consequences based on decriminalization?

18 DISTRICT ATTORNEY WILLIAMS:

19 First, I just want to say as a result of
20 the hard work of the men and women of our
21 Juvenile Division, we have reduced the
22 number of petitions that we filed from
23 about 10,000 to about 3,000 last year,
24 10,000 years past, even I think about six
25 years ago, to about 3,000 last year.

1 5/5/15 - WHOLE - BILL 150162, etc.

2 And, again, a lot of our work in Juvenile
3 remains on crime prevention.

4 But I'll let Deputy District
5 Attorney Mosee explain the aspect of what
6 you just asked.

7 DEPUTY DISTRICT ATTORNEY MOSEE:

8 So the fact that the ordinance also
9 applied to juveniles I think created
10 unintended consequences. In the juvenile
11 system in Philadelphia, juveniles weren't
12 being hurt because they were found to be
13 in possession of a small amount of
14 marijuana. Primarily what we wanted to
15 do in those cases was to evaluate the
16 juvenile to make sure that they didn't
17 have a real problem. The marijuana often
18 was an indicator of other problems. What
19 we've lost as a result of the ordinance
20 being in place is the ability to do that.

21 Now when kids come into school,
22 not only is there no provision for making
23 sure that they are evaluated, that we can
24 check to make sure that this isn't a
25 young person who has other problems,

1 5/5/15 - WHOLE - BILL 150162, etc.
2 we've also lost the opportunity to make
3 sure that they get the help that they
4 might otherwise need.

5 One of the things about the
6 ordinance is that there's no step-up
7 provision. So if you do it on Monday,
8 you get the penalty. If you do it on
9 Tuesday, it's the same penalty. Do it on
10 Wednesday and Thursday, same thing. So
11 young people can bring marijuana into
12 school with almost impunity, especially
13 with regard to juvenile justice
14 consequences. Now, they may still get
15 kicked out of school. That's up to the
16 School District. But the fact is that
17 all of the help -- and you heard Judge
18 Dougherty's testimony earlier, the
19 juvenile system is designed to treat, to
20 rehabilitate, and to supervise. We lose
21 that opportunity vis-a-vis the ordinance.

22 COUNCILMAN JONES: So, listen,
23 we've done things to -- everything has
24 its up and its down and its unintended
25 and intended consequences. I think

1 5/5/15 - WHOLE - BILL 150162, etc.
2 decriminalization was a good thing. I do
3 not believe that young people interpreted
4 that in the proper way, like we'll give
5 you a chance not to be stigmatized, not
6 to be for all of your life excluded from
7 certain opportunities. Some of them have
8 misconstrued this as an opportunity, look
9 what I got, and bringing it into school
10 like show and tell. And so we have to
11 figure this out on the back end on how we
12 step up, as you said, the measures so
13 that they understand this is not a free
14 pass. So thank you for that.

15 Councilman Squilla. The Chair
16 recognizes Councilman Squilla.

17 COUNCILMAN SQUILLA: Thank you,
18 Mr. Chair.

19 On that note, during the
20 process, I know -- obviously I voted for
21 support of that bill. Was the DA
22 involved at all with the conversations
23 during the time of that bill?

24 DISTRICT ATTORNEY WILLIAMS:
25 Yes. So my first assistant, I believe

1 5/5/15 - WHOLE - BILL 150162, etc.
2 even Deputy District Attorney George
3 Mosee, we and Greg Rowe, the Chief of my
4 Legislation Unit, worked with then
5 Councilman Kenney on his legislation
6 under -- our rubric is that we really
7 believe that -- the District Attorney
8 Association of Pennsylvania believe that
9 it's really the laws of the Commonwealth
10 are preeminent when it comes to drugs and
11 guns. We recognized and understood what
12 Council's intentions were and tried to
13 work to mold what we thought was the best
14 legislation of all the possible outcomes,
15 but still did not believe that -- we saw
16 it in some ways just as a continuation of
17 the Small Amounts of Marijuana Program
18 that we had created, which took
19 defendants that were charged with
20 possessing a de minimis amount. And by
21 Pennsylvania, less than 30 grams is a de
22 minimis amount. We took those people and
23 instead of giving them a criminal record,
24 allowed them to pay a fine, to take a
25 class that you kind of took like in 7th

1 5/5/15 - WHOLE - BILL 150162, etc.
2 grade about the evils of reefer madness,
3 don't do that, the long-term effects.
4 And it, again, showed a savings to the
5 City. About 10 percent of all of our
6 misdemeanor cases were these small
7 amounts of marijuana cases. So it made
8 us smarter, it made us leaner and meaner,
9 if you will. It got those people out of
10 the system and paid a fine. And so it
11 had some benefit. But we really thought
12 that it's a far cry from legalization,
13 which is a different discussion that has
14 to be made in Harrisburg.

15 COUNCILMAN SQUILLA: Agree. So
16 now that you guys were involved in the
17 process and maybe -- because we do a lot
18 of things sometimes. There's always
19 unintended consequences to a bill that
20 sometimes we didn't foresee. Now that
21 you see maybe some of the other things
22 that may help, your recommendations for
23 maybe amending that bill or to allow it
24 to do some of the things that you want to
25 do, because even though you were

1 5/5/15 - WHOLE - BILL 150162, etc.
2 involved, maybe you didn't see this
3 happening. So now that you're still
4 involved and you see maybe an
5 opportunity, is it possible to amend it
6 in a way that would make it easier for
7 you to do what you want to do with some
8 of the younger folks?

9 DISTRICT ATTORNEY WILLIAMS:

10 I'm going to let Mr. Rowe and Mr. Mosee
11 answer that, because I think they're much
12 more directly associated with it.

13 MR. ROWE: Councilman, I would
14 just say this issue, as Councilman Jones
15 says, not only involves the criminal
16 justice system, it involves schools and
17 social services. So any discussion on a
18 possible amendment would necessarily need
19 to include not just sort of the usual
20 criminal justice players, but the folks
21 who run the schools, who work at the
22 schools, as well as DHS, Dr. Evans and
23 others to make sure that if there's going
24 to be any tinkering along the edges, that
25 it's done right and it's done in an

1 5/5/15 - WHOLE - BILL 150162, etc.
2 evidence-based way. But if that's a
3 discussion that people want us to
4 participate in, absolutely we'll be
5 there, and our recommendation, again,
6 would be to make sure that all the
7 appropriate stakeholders in the different
8 avenues are there to make sure that the
9 improvements work as intended.

10 COUNCILMAN SQUILLA: And I
11 think that's great. I think the DA
12 should take the lead on that. We
13 appreciate you being able to do that in
14 the future. I would look forward to
15 working with you with your
16 recommendations when you put that task
17 force together to let us know. I think
18 that's a great idea, and we look forward
19 to your recommendations on how we could
20 do that.

21 Is there any other thing that
22 you would add?

23 DEPUTY DISTRICT ATTORNEY MOSEE:
24 I think it's important for you to know
25 that the fact that juveniles were

1 5/5/15 - WHOLE - BILL 150162, etc.
2 included in the ordinance came as a
3 surprise to me, because throughout the
4 discussions, it was my understanding that
5 they would not be included. As I
6 indicated, in Philadelphia's juvenile
7 justice system, juveniles weren't hurt
8 from a legal perspective when they were
9 caught with a small amount of marijuana.

10 COUNCILMAN SQUILLA: Excuse me.
11 Say that again. They were not what?

12 DEPUTY DISTRICT ATTORNEY MOSEE:
13 They were not hurt. The stigma that we
14 talk about, it didn't happen because --

15 COUNCILMAN SQUILLA: There
16 would be no record for juveniles.

17 DEPUTY DISTRICT ATTORNEY MOSEE:
18 They would get a consent decree. We
19 would do any number of things. The case
20 could be adjusted, but we would have the
21 opportunity to evaluate to make sure that
22 we weren't missing of a kid who really
23 needed substance abuse treatment.

24 COUNCILMAN SQUILLA: So then
25 you would be willing to do that for us

1 5/5/15 - WHOLE - BILL 150162, etc.
2 and give us some information on how you
3 think we could tweak that in a way that
4 would work? And I think for the Chair
5 and for the Council President, if you
6 could do that and we could actually
7 introduce something to amend that to make
8 it better. Because I know, like I said
9 earlier, we introduce legislation all the
10 time, and sometimes there's one thing
11 that we miss that maybe affects something
12 that we didn't see. So in this case, it
13 seems like it did that, and with your
14 input, I think we could fix it.

15 So thank you very much.

16 DISTRICT ATTORNEY WILLIAMS:

17 Thank you, Councilman.

18 COUNCILMAN SQUILLA: Well,
19 thank you so much for your testimony.

20 DISTRICT ATTORNEY WILLIAMS:

21 Thank you, Councilman.

22 COUNCILMAN SQUILLA: Here he
23 comes. He's coming back. Could the next
24 panel please come to the table, the Law
25 Department.

1 5/5/15 - WHOLE - BILL 150162, etc.

2 DISTRICT ATTORNEY WILLIAMS:

3 Thank you, President Clarke.

4 (Witnesses approached witness
5 table.)

6 SOLICITOR SMITH: Good morning.

7 COUNCIL PRESIDENT CLARKE: Good
8 afternoon.

9 SOLICITOR SMITH: I'm sorry.

10 Good afternoon. Good afternoon, Council
11 President Clarke and members of City
12 Council. I am City Solicitor Shelley
13 Smith and with me today are Donna
14 Mouzayck, First Deputy City Solicitor;
15 Jan Istvan, the Chair of Litigation; Dan
16 Cantu-Hertzler, the Chair of the
17 Corporate and Tax Units -- Division,
18 sorry; Frank Paiva, Revenue Chief
19 Counsel; John Houlon, Chief of our Child
20 Welfare Unit; Lynda Moore, Chief of
21 Health and Adult Services; and Suki
22 Kazahaya, Director of Administration. We
23 also have a couple of other people here
24 whose issues may come up. I am pleased
25 to have this opportunity to testify in

1 5/5/15 - WHOLE - BILL 150162, etc.
2 support of the Law Department's FY16
3 budget request.

4 The FY16 General Fund proposed
5 budget for the Law Department is lower
6 than the FY15 current projection, mainly
7 due to adjustments and contractual and
8 appraisal fees that were made in FY15.
9 Aside from these expenses, the proposed
10 FY16 General Fund proposed budget remains
11 relatively flat.

12 As outlined in the testimony
13 previously submitted, the Law Department
14 achieved several of its target goals in
15 FY15. I would like to take this
16 opportunity to make note of two of the
17 most significant accomplishments of the
18 past year.

19 First, the Law Department
20 significantly stepped up its efforts to
21 increase real estate tax collection for
22 the City and the School District.
23 Filings of real estate tax foreclosures
24 increased from an average of 106 filings
25 per month during the first six months of

1 5/5/15 - WHOLE - BILL 150162, etc.
2 2009 to an average of 1,075 foreclosures
3 filed per month during the first seven
4 months of FY15, an increase of over 900
5 percent.

6 Additionally, the Law
7 Department worked with the Revenue
8 Department to establish two new
9 innovative tax collection efforts - the
10 Commercial Activity License Revocation
11 Program, or CAL Rev, and the
12 Sequestration Program. These tools
13 enabled the City to collect delinquent
14 taxes faster and with lower resource
15 expenditures than traditional collection
16 litigation. CAL Rev provides incentives
17 for businesses to pay their delinquency
18 to avoid revocation of their business
19 license. The CAL Rev program started in
20 Fiscal '14 and, through January 31st of
21 2015, has collected approximately \$26
22 million.

23 Sequestration is a strategy by
24 which the City petitions the courts to
25 appoint a receiver to collect rents from

1 5/5/15 - WHOLE - BILL 150162, etc.
2 tenants to pay the taxes of delinquent
3 rental property owners. The
4 Sequestration Program was also started in
5 Fiscal '14 and, through March 31st of
6 2015, has collected almost \$14 million.

7 Second, the Law Department's
8 Child Welfare Unit assisted the
9 Department of Human Services in the
10 implementation of over 20 new amendments
11 to the Child Protective Services Law
12 designed to protect children from abuse.
13 In addition, the Unit worked with DHS on
14 the implementation of Improving Outcomes
15 for Children. The premise of this
16 program is to keep children in the
17 community from which they came. Under
18 the Improving Outcomes for Children,
19 cases are assigned by police district,
20 and case management is performed by
21 Community Umbrella Agencies that are
22 based in neighborhoods. To further
23 support IOC, Law Department attorneys
24 have been very involved in training the
25 agencies on court procedures and best

1 5/5/15 - WHOLE - BILL 150162, etc.
2 practices for Dependency Court.

3 In addition to being consistent
4 with the missions of the Law, Revenue,
5 and Department of Human Services
6 departments respectively, these efforts
7 address Council's desire that we deploy
8 services to support our city's children.

9 I thank you for the opportunity
10 to testify today on the Law Department's
11 Fiscal '16 budget request, and I look
12 forward to continuing to work with
13 members of City Council in the
14 performance of my duties as City
15 Solicitor. Should any Councilmember wish
16 to engage in any further discussion on
17 any of these matters, my staff and I are
18 happy to meet at your convenience.

19 Thank you.

20 COUNCIL PRESIDENT CLARKE:

21 Thank you for your testimony. There
22 appears to be no questions. I want to
23 thank you very much for your testimony.

24 Hold on.

25 Councilman Squilla.

1 5/5/15 - WHOLE - BILL 150162, etc.

2 COUNCILMAN SQUILLA: Thank you,
3 Mr. President.

4 Sorry. Thank you for your
5 testimony. I have one question. I know
6 we've been trying to work this out
7 through Law and with the School District
8 on using capital dollars for buildings
9 that are School District-owned buildings,
10 how we could get around to do that.

11 Are you familiar with any of
12 that?

13 SOLICITOR SMITH: I'm not sure
14 I know exactly what you're talking about,
15 so I don't know if -- the way you've
16 described it doesn't sound familiar, but
17 I'm not sure.

18 COUNCILMAN SQUILLA: All right.
19 There's schoolyards that are looking to
20 get some work done within the
21 Philadelphia School District, and the
22 City had come to us to try to use some of
23 our capital dollars to make improvements
24 in those school districts, and it seems
25 like there's some snag within Law that

1 5/5/15 - WHOLE - BILL 150162, etc.

2 doesn't allow us to use capital dollars
3 within the School District properties.

4 SOLICITOR SMITH: I'm told that
5 the Budget Office has been presented with
6 this issue before, and the issue is that
7 City capital dollars cannot be used to
8 fund those improvements because the
9 School District buildings are not owned
10 by the City. They're not our buildings.
11 They're not our facilities.

12 COUNCILMAN SQUILLA: Correct.
13 But is there a way? I mean, we have
14 plenty of smart people there within the
15 Law Department to find a way where if we
16 have a long-term lease of that area, to
17 be able to use capital improvements to
18 use the resources that we have to help
19 work with the schools to make this
20 happen.

21 SOLICITOR SMITH: I'm not sure
22 whether that question -- I'm not sure
23 whether that specific question has been
24 presented, but what I'm being told --
25 we'll have somebody look into it, if they

1 5/5/15 - WHOLE - BILL 150162, etc.

2 have not already.

3 COUNCILMAN SQUILLA: If you can
4 for the Chair, if we could find a way. I
5 mean, we have a lot of really good people
6 there in the Law Department and with the
7 School District. I'm sure we could come
8 up with a way to help each other use
9 resources to make it better for not only
10 our students, but for the communities
11 surrounding that area.

12 SOLICITOR SMITH: I'm certainly
13 happy to look into it, yes.

14 COUNCILMAN SQUILLA: Thank you.

15 COUNCIL PRESIDENT CLARKE:
16 Thank you, Councilman.

17 Thank you for your testimony.

18 SOLICITOR SMITH: Thank you.

19 COUNCIL PRESIDENT CLARKE: The
20 Committee will stand in recess until
21 Tuesday, May 12th, 2015, 10:00 a.m. in
22 Room 400.

23 Thank you.

24 (Committee of the Whole
25 adjourned at 1:30 p.m.)

CERTIFICATE

I HEREBY CERTIFY that the
proceedings, evidence and objections are
contained fully and accurately in the
stenographic notes taken by me upon the
foregoing matter, and that this is a true and
correct transcript of same.

MICHELE L. MURPHY
RPR-Notary Public

(The foregoing certification of this
transcript does not apply to any reproduction
of the same by any means, unless under the
direct control and/or supervision of the
certifying reporter.)

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City of Philadelphia

Recessed Hearing Notice

April 30, 2015

The Committee of the Whole of the Council of the City of Philadelphia held a Public Hearing on Wednesday, April 29, 2015, and recessed the public hearing until Tuesday, May 5, 2015 at 10:00 AM, in Room 400, City Hall, to hear further testimony on the following:

- 150162 An Ordinance to adopt a Capital Program for the six Fiscal Years 2016-2021 inclusive.
- 150163 An Ordinance to adopt a Fiscal 2016 Capital Budget.
- 150164 An Ordinance adopting the Operating Budget for Fiscal Year 2016.
- 150179 Resolution providing for the approval by the Council of the City of Philadelphia of a Revised Five Year Financial Plan for the City of Philadelphia covering Fiscal Years 2016 through 2020, and incorporating proposed changes with respect to Fiscal Year 2015, which is to be submitted by the Mayor to the Pennsylvania Intergovernmental Cooperation Authority (the "Authority") pursuant to the Intergovernmental Cooperation Agreement, authorized by an ordinance of this Council approved by the Mayor on January 3, 1992 (Bill No: 1563-A), by and between the City and the Authority.

Immediately following the public hearing, a meeting of the Committee of the Whole, open to the public, will be held to consider the action to be taken on the above listed items.

Copies of the foregoing items are available in the Office of the Chief Clerk of the Council, Room 402, City Hall.

Michael Decker
Chief Clerk

First Judicial District Testimony

Fiscal Year 2016 Operating Budget

Presented to: Philadelphia City Council – Committee of the Whole
Honorable Darrell L. Clarke, Council President

Date: May 5, 2015

On behalf of: The First Judicial District of Pennsylvania
Philadelphia Court of Common Pleas
Philadelphia Municipal Court



By: Honorable Kevin M. Dougherty, Administrative Judge, Court of Common Pleas
Trial Division, and Chair, Administrative Governing Board
Honorable Sheila Woods-Skipper, President Judge, Court of Common Pleas
Honorable, Margaret T. Murphy Administrative Judge of Family Court
Honorable Matthew D. Carrafiello, Administrative Judge of Orphans' Court
Honorable Marsha H. Neifield, President Judge of Municipal Court
Honorable Gary S. Glazer, Administrative Judge of Traffic Division
Joseph H. Evers, Court Administrator, First Judicial District

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The Fiscal Year 2016 Budget Testimony for the FJD

My name is Kevin M. Dougherty, and I am privileged to address you today as the Chair of the First Judicial District's Administrative Governing Board and Administrative Judge of the Court of Common Pleas Trial Division. My colleagues, Sheila Woods-Skipper, Court of Common Pleas President Judge and Joseph H. Evers, FJD Court Administrator, are also present with other members of Court leadership to answer questions from members of City Council about the FJD Budget Request.

The mission of our courts is to adjudicate cases according to their jurisdiction and ensure fair, timely and accessible justice to the citizens and litigants in the City and County of Philadelphia.

The Philadelphia Court System enables every litigant to receive their day in court whether through our innovative specialty courts and progressive diversion programs; our convenient on-line court access; and by implementing best practices in family and youth services. These case management initiatives, coupled with our high level of judicial commitment and productivity, enable the Court to meet many societal needs and enhance the lives of all citizens of Philadelphia.

Today, I will outline how the Philadelphia Judiciary contributes to its budget, how we are a fiscally responsible partner in government, how we achieve efficiencies within our justice system, and how we provide extraordinary services that benefit our city's children.

The Fiscal Year 2016 FJD budget of \$168 million dollars consists of \$110.3 million for the General Fund and \$58.3 million for Grants Revenue and is awaiting your approval. In large measure, this \$168 million is paid for by the court system itself. In fact, the FJD generates \$51.0 million dollars that is credited to the general fund from filing fees, fines and costs (\$35.8 million) and, reimbursements (\$15.9 million). In addition, the FJD saves the City and its agencies nearly \$5.5 million annually by waiving filing fees in the Court of Common Pleas and Municipal Court as well as \$3.1 million law library fees. As a consequence, of the total \$168 million budget request, the FJD is in reality only seeking \$49.8 million.

Table 1: FJD General Fund Budget and Revenue Contributions:

FY15 FJD General Fund Budget	\$110,255,300
FJD Reimbursements & Grant in Aid from other Governments.....	(\$15,939,000)
Filing Fees, Fines and Costs	(\$35,825,000)
Jenkins Law Library Fee Collected and Paid on City's Behalf.....	(\$3,133,599)
Waived Fees for City Agencies.....	(\$5,540,294)
Total Revenue that Offsets General Fund Budget.....	(\$60,437,893)
Net Cost to Fund FJD Courts	\$49,817,407

As a fiscally responsible partner in government:

Since FY12, our annual overtime expense remains one-tenth of one percent (0.1%) of our Class 100 budget and the FJD overall filled positions level has declined by 9%.

For FY16, we did not request any additional funds in our budget and this budget-neutral request can create budget-savings.

In addition to our testimony here today, we propose expanding our Electronic Monitoring program to include GPS Monitoring as an alternative to pre-trial incarceration. GPS monitoring is a more versatile and less costly alternative to pre-trial incarceration. The proposal is included in our testimony and if this Council body favorably receives expanding our electronic monitoring program to include GPS, the reduced prison costs will pay for GPS enhancements and create long-term savings.

Creating efficiencies within the Criminal Justice System:

Separate sections of our testimony outline cost-saving initiatives and efficiencies that our programs provide to our justice partners, our constituents and the taxpayers of Philadelphia. Here are some examples of how we are cost-efficient, accessible and performance minded.

The use of video conferencing has proven to be an effective cost and time saving measure within the FJD. Video conferencing has reduced the need to transport prisoners in a large number of criminal cases; made it easier for victims and child witnesses to testify; and it has addressed and improved some of our court security concerns. During calendar year 2014, the criminal courts conducted 5,503 video conferences savings the city an estimated \$403,000 in prisoner transportation costs alone.

Our Interactive Voice Response and Robo-calls systems notify defendants of upcoming court dates and accept payments. In an effort to reduce the failure to appear rates in criminal cases, defendants receive automated reminder calls 48 hours prior to their next scheduled court date. In traffic citation cases, defendants use interactive voice technology to obtain information about court proceedings and make payment arrangements via telephone. Our Domestic Relations Branch uses automated text messaging to alert noncustodial parents that child support payments are due.

Electronic filing and document management has virtually replaced the paper file in the courtroom: 95% of adult criminal and 100% of civil courtrooms are paperless. E-filed documents and scanned pleadings are electronically transmitted to our courtrooms saving time and resources.

Investing in Our Children

Here are just a few of our many programs and initiatives that aid and support the children of Philadelphia:

- **Sports for Juvenile Justice**

In 2014, approximately 290 court-involved youth participated in the Sports for Juvenile Justice (SJJ) program established through the combined effort of the University of Pennsylvania, The

Palmer Group, the US Attorney's Office, Philadelphia Juvenile Probation Department, the Department of Human Services, and several sports programs interested in serving this youth population.

The sports providers in 2014 were: First Tee Golf, Legacy Tennis, Katie at the Bat, Village of Champions, Philadelphia City Rowing, SquashSmarts, Zhang Sah, and the Youth Starz Basketball League. Also, SJJ sponsored the Philadelphia Providers' Basketball League this season, with over 130 system-involved youth playing on organized basketball teams in the community.

- **Summer Jobs for Youth in the Juvenile Justice System**

Through a collaborative endeavor with the Philadelphia Youth Network (PYN), Juvenile Probation held a series of Summer Employment Enrollment Sessions during June of 2014. WorkReady Philadelphia is a system of programs dedicated to building the region's future workforce. By assisting youth in the WorkReady application process, and finding a suitable work site, the Juvenile Probation Department and PYN were able to secure 134 summer jobs for youth in the juvenile justice system.

- **School Justice and Diversion Grant Program**

Our Family Court in coordination with the Mayor's Office of Grants, the Philadelphia Police Department, the School District of Philadelphia, and the Department of Human Services have a grant funded program entitled the "School Justice Collaboration Program: Keeping Kids in School and Out of Court". The program aims to stem unnecessary referral of children to the juvenile justice system by reducing in the number of arrests for low-level misdemeanor delinquent acts of children on school premises. The program has diverted of 264 students since May 2014 through intervention, conflict resolution and mediation services.

Also, a program recently introduced in the Civil Commerce Court has successfully brought substantial revenue to the City. In the fall of 2013, the court began hearing the City's Petitions to Appoint a Receiver or Sequestrator to manage abandoned commercial properties against which tax liens have been filed, and making it possible to collect rents and pay delinquent tax debts. In the first eighteen months, the City obtained over \$13.8 million dollars in back taxes. Approximately half of this money goes into the general fund and the other half goes to the Philadelphia School District to help alleviate its funding shortfall. The long-term benefits of this flow of income into our school system – and the benefits to the children of our city – are incalculable.

Lastly, In addition to providing the delivery of fair, timely and accessible justice to Philadelphians, the FJD should be recognized for its contribution to offsetting its costs and generating revenue for other city agencies. An investment into our budget creates returns that positively impact our justice partners, other city agencies, and our citizens.

Thank you for the opportunity to present this testimony today. On behalf of the Philadelphia Judiciary, Administrative Governing Board, and the employees of the FJD, we respectfully seek City Council's consideration and approval of our FY16 General Fund budget request and Grants Revenue budget request. We will take your questions at this time.

The Conversion and Expansion of Pretrial Services' Electronic Monitoring (EM)
Unit First Judicial District of Pennsylvania
Financial Analysis for Budget Hearings 2015

SUMMARY

Request Amount: \$ 1,170,671

175 Wireless ankle monitors
175 GPS ankle monitors
Server upgrade
8 additional Pretrial Services personnel

Potential Savings/Return on Investment: at least \$592,550 per year

NARRATIVE

Introduction

The First Judicial District strives to work collaboratively with the justice partners to reduce the City's prison population. In doing so, the FJD proposes an expansion of the Pretrial Services' Electronic Monitoring (EM) unit to create more opportunities for supervised release in lieu of pretrial detention. The proposal involves altering practice to facilitate the prompt installation of EM units on pretrial defendants to reduce prison stays. The expansion, coupled with the changes in policy and practice, will undoubtedly reduce the City's prison population. Despite the additional work and expenditures incurred by the FJD, this initiative is a worthy investment for the City of Philadelphia; **within two years, the expansion will pay for itself as a result of savings from the costs of incarceration and transportation of pretrial defendants.**

Current Practice

The Electronic Monitoring (EM) Unit has 638 ankle bracelets, 568 of which are actively deployed on pre- and post-trial defendants. The ankle bracelets are analog-based and require a landline telephone for installation. Many pretrial defendants do not have pre-existing landlines. Current policy dictates that all EM installations occur directly from custody, which results in a defendant's detention being extended for at least two days during the acquisition of a landline. The length of time on EM varies per person. Last year (2014), the EM Unit monitored 1,198 people on house arrest. At this time, Pretrial Services wishes to update EM technology by acquiring units driven by modern technology, in addition to expanding the capacity of the EM unit to monitor more pretrial defendants.

Conversion

The EM Unit's ankle bracelets are based on outdated technology that will soon be irrelevant. The units are analog and only function using a landline telephone. Given the impending extinction of landlines, a viable alternative to analog bracelets is necessary. Wireless and GPS units are created with contemporary technology that is far superior to the analog bracelets. Neither wireless nor GPS require a landline and would result in an expedited release procedure reducing the number of days, and perhaps overall necessity for any temporary stay in prison. Not only will converting to wireless and GPS allow enhanced monitoring capabilities as a result of modern technology, but prompt installations will further reduce custodial days.

Expansion

Pretrial Services aims to expand the Electronic Monitoring Unit by placing a larger number of pretrial defendants on house arrest. Aside from alleviating the jail overcrowding issue in Philadelphia, the increased reliance on EM as a pretrial release mechanism translates to a substantial return-on-investment for the City of Philadelphia. The current number of pretrial people on EM is 280. A cursory review of all arraignment data from the month of March 2015 revealed a potential group of 350 individuals that were viable candidates for release on EM. This group was comprised of defendants that were given cash bail of \$50,000 or less and were charged with nonviolent crimes that did not involve firearms. If the EM unit were to expand by 350 units, it would result in a potential annual savings of at least \$592,550 for the City of Philadelphia.

FINANCIAL DETAIL FOR REQUEST

Potential savings estimates were generated using the following statistical parameters:

350 EM candidates (nonviolent, non-firearm charges, cash bail of \$50,000 or less)

\$105 daily cost for incarceration

\$40 roundtrip cost between prison and Stout Center for Criminal Justice

Minimum pretrial stay of 14 days for any custody defendant (some may be released earlier, and some detained longer)

2 days for arrangement of landline so that defendant can be released on analog EM

Savings for City of Philadelphia Based on Reduced Incarceration	Amount	Formula
Immediate EM Release from Court		
<i>Elimination of 2-day incarceration stay</i>	\$64,050	350 * \$210 (two days incarceration cost)
<i>Elimination of transportation to prison and to house</i>	\$14,000	350 * \$40 (roundtrip cost to SCCJ)
Release Prior to First Listing Pending Review		
<i>Cost savings of average 14-day stay for 350 people</i>	\$514,500	350 * 14 days * \$105/day incarceration cost
TOTAL POTENTIAL SAVINGS	\$592,550	

Breakdown of Expenses Related to the Conversion and Expansion of EM Unit			
Expense	Cost	#	Total Expense
Hardware			\$927,575
<i>Server Upgrade</i>	\$100,000	1	\$100,000
<i>Wireless Units (includes annual fee)</i>	\$2,354	175	\$411,950
<i>GPS Unit (includes annual fee)</i>	\$2,375	175	\$415,625
Staff			\$243,096
<i>Pretrial Officers in Conditional Release Unit</i>	\$30,387	8	\$243,096
TOTAL EXPENSES			\$1,170,671

Pretrial Officers in Conditional Release Unit - Once the EM Monitoring Unit informs the Pretrial Officers of violations, they conduct investigations (e.g., house visits, calls to defendant, etc.) to determine why alerts occurred and whether or not an arrest needs to be made.

Savings Initiatives

The FJD has remained a cooperative and responsible partner in government by creating, collaborating and implementing programs that streamline case processing. We have evaluated some of our criminal court programs to identify savings to other criminal justice agencies in the following areas: reduced or eliminated incarceration days; reductions in prisoner transportation; lab fees for drug testing, and reduced or eliminated police officer appearances.

- **Electronic Monitoring**

Savings: \$2,194,135

The current Electronic Monitoring Unit supervises pre-trial and post-trial defendants ordered by the judiciary to Electronic Monitoring. During 2014, the Unit monitored daily inventories averaging between 600-650 defendants on active monitoring. This program has generated \$2,194,135 in savings by eliminating or reducing incarceration costs.

- **Juvenile Delinquent GPS Monitoring**

Savings: \$7,200,028

The utilization of GPS Monitoring, as an alternative to placement and detention saved \$7,200,028 in juvenile justice services.

- **Stout Center Video Program**

Savings: \$1,440,538

Video connectivity has been established between thirteen (13) SMART Courtrooms and all other county and state Prison System institutions. This program continues to expand the number of cases that are disposed via videoconferencing. For 2014, there were 5,503 cases disposed via videoconferencing resulting in savings of \$1,440,538 in police overtime, prison cost and transportation cost.

- **Mental Health Court**

Savings: \$190,890

Mental Health Court is a re-entry program that provides intensive wrap – around treatment and individualized probation supervision. The Court aims to reduce the recidivism rate by facilitating the re-entry of offenders with mental illness from incarceration into supervised community treatment settings. This program saved \$190,890 in reduced prison costs.

- **Substituted Judge Program**

Savings: \$4,226,600

With the Substituted Judge program whenever a Common Pleas VOP needs to be scheduled for a Judge who does not reside in the CJC anymore that case is scheduled before a substituted Judge. If there are no objections to reassigning the case, the substituted Judge can receive and expedite the listing. Utilizing one room streamlines the process for the Sheriff when a defendant is brought down but also has allowed the use of video for the vast majority of these hearings. Currently over 90% of these custody VOP hearings are heard via video since this room is equipped with video technology.

- **Video Crash Court**

Savings \$944,826

The Video Crash Court created expedited adjudications of 396 cases removed from formal case processing. The collective benefits of this program generated \$944,826 in savings by canceling subpoenas for police officer appearances, accelerated prisoner release, less prisoner-transportation, and lifting VOP's.

- **Accelerated Misdemeanor Program**

Savings \$207,731

Accelerated Misdemeanor Program targets eligible misdemeanor-violators for post arraignment diversion and early resolution of their cases with offers for community service and court costs. In 2014, approximately 2,899 listed cases were removed from the standard criminal calendar resulting in \$207,731 in savings from police overtime.

Specialty Courts and Programs:

Municipal Court – Criminal

- **Veterans Court**, in conjunction with the District Attorney's Office, Defender Association and veterans' agencies, the Court continued its successful problem solving endeavor to divert cases involving veterans. The program assists justice-involved veterans struggling with mental health, substance abuse, or other re-integration issues by providing veterans with immediate access to representatives from the Veterans Administration (VA) to determine benefits eligibility and to perform an assessment to determine the appropriate level of care.
- **Project DAWN** streamlines prostitution cases to centralize treatment, housing and ancillary services for women in custody on detainers or open prostitution cases. Project Dawn strives to provide holistic and evidence based treatment options to its participants, supporting them through their recovery journeys by addressing mental health, substance abuse and significant trauma histories.
- **The Choice is Yours (TCY)**, an innovative alternative-to-incarceration program that diverts non-violent felony drug offenders away from prison and toward positive social services and support. TCY strives to reduce recidivism rates and address the problem of prison overcrowding without compromising public safety. The program was recently recognized in the media as savings \$40,000 per person annually in incarceration costs, having a zero recidivism rate and for being a partnership among the Municipal Court, the DA's office, the Public Defender's office and JEVs Human Services.
- **Bench Warrants Court** provides swift and certain justice to address repeated failures to appear, which undermine public trust and confidence in the criminal justice system. Adjudications range from the removal of the warrant, a contempt charge and sanction, bail modifications, and, in certain misdemeanor cases, the immediate disposition of the underlying case.
- **Video Crash Court** expedites adjudications for custody defendants through use of expanded video technology with the prison to expedite release based on Commonwealth offers agreed to by defendants and their counsel.
- **Drug Treatment Court** is a program dedicated to the treatment and punishment of individuals with multiple DUI offenses who have no related history of violent crime or other legal complications.
- **DUI Treatment Court** is dedicated to the treatment and punishment of individuals with multiple DUI offenses who have no related history of violent crime or other legal complications. The program promotes public safety, holds offenders accountable for their actions, and helps offenders to be sober, responsible and productive members of the community.
- **Summary Diversion Program** addresses quality of life issues for the citizenry of Philadelphia in an attempt to dissuade future criminal behavior.

- **Accelerated Misdemeanor Program** diverts eligible defendants from standard trials to expedited adjudications; attorneys for the District Attorney and Defender Association assigned to AMP review the facts of the case and recommend a proper resolution.
- **Emergency Protection from Abuse** unit operates during non-traditional hours, holidays and weekends, for emergency petitions only; unit is staffed by law-trained masters who, in accordance with the Protection from Abuse Act, conduct *ex-parte* hearings and review facts to determine if a petition should be granted.
- **Domestic Batterers Intervention Program**, a formalized Domestic Violence Court, is a collaborative, two-tiered domestic violence program to address anger management, underlying substance abuse and mental health related issues.

Trial Division – Criminal

- **Mental Health Court** aims to reduce the jail population and criminal justice costs by balancing justice, treatment, and public safety by providing an alternative to incarceration for offenders with mental illness and co-occurring disorders by preparing individuals for re-entry into more effective treatment modalities in supervised community settings.

Trial Division – Civil

- **Civil Case Management Programs** include the following programs: Complex Litigation (Pharmaceutical, Asbestos and Medical Devices), Day Forward Major Jury, Major Non-Jury, Compulsory Arbitration, Arbitration Appeals, Motions Program, Class Actions, Governmental and Administrative Agency Appeals, Civil Forfeiture, Code Enforcement, Rent Lease and Ejectment, Landlord/Tenant Appellate Mediation and Discovery, as well as the Civil Case Management and Dispute Resolution Centers.
- **Residential Mortgage Foreclosure Diversion Program**, since the inception of the program, over 25,000 conciliation conferences have been conducted between lender and homeowner, with sustainable resolution reached in 35% of the matters,
- **Commerce Court** is a specialized court focused on resolving commercial disputes brought by local, national and international companies that do business in Philadelphia and thereby making Philadelphia more business friendly. Here the City's Sequestration program has collected \$13.8 million in back taxes of which half support the Philadelphia School District.

Family Court

Juvenile Branch

- **Project START Truancy** Philadelphia's response to truancy is a collaborative effort between the City, the Court, and School District of Philadelphia, and the DHS to prevent, address and reduce chronic truancy and increase school attendance. The Court's role in this partnership is to order appropriate social and educational services to help the family combat the barriers that led them to chronic truancy.
- **Community Outreach Efforts** A commitment to service is one of the core elements of the Juvenile Probation Department. The Juvenile Probation Department always welcomes the opportunity to connect with youth in their communities in a meaningful way. In 2014, the Juvenile Probation Department sponsored two events that made a tremendous impact for our youth – the Back to School Supplies Drive and the Fall Classic "All Stars Game".
- **Juvenile Treatment Court (JTC)** celebrated its 10th year anniversary in 2014 and continues to provide positive support to our juveniles who are experiencing problems with drug and alcohol dependency. There were positive outcomes for 122 juveniles as a result of their participation in Juvenile Treatment Court. The JTC program had a 70% positive outcome for juveniles in 2014, as compared to a 63% positive outcome in 2013.

The goals of the program are the following:

- To reduce the use of drugs
 - To reduce criminal behavior
 - To increase the completion rate of outpatient substance abuse treatment programs
 - To improve treatment outcomes through interagency collaboration.
- **Shared Case Responsibility and Crossover Court** is the practice of sharing the responsibility for care of and services to youth who are involved in both the juvenile justice and child welfare systems. Since 2011, Juvenile Probation Officers and Social Workers assigned to a child have taken part in joint assessment meetings to develop a coordinated single plan. During 2014, 425 joint assessment meetings were conducted that allowed all parties to participate in planning for the needs of youth and their families with multiple system involvement.

Domestic Relations

- **Child Support Lien Network (CSLN)** is a consortium of 33 state child support enforcement agencies that developed a data match process to obtain insurance award settlement information from insurance companies. CSLN matches delinquent obligor data received from the member states with the insurance claims database and provides matched information to the appropriate member state. Since joining CSLN, Philadelphia County has collected over \$14.6 million from over 11,000 matches maintaining a 32:1 cost-benefit ratio.
- **New Employment Opportunities for Noncustodial Parents (NEON)** is a partnership between the state Department of Human Services (DHS), Bureau of Child Support Enforcement (BCSE), Educational Data Systems, Incorporated (EDSI), and the Domestic Relations offices of Philadelphia, Allegheny and Delaware County. The Domestic Relations offices refer child support obligors to EDSI for job training and job search. Three-quarters of the obligors find employment with an hourly wage in excess of \$9.00 and one-third obtain medical coverage.

Performance Measures, Caseload Statistics and Achievements

- **In the Family Court Division**

- **Juvenile Branch**

At the end of 2014, 2,939 juveniles were under the supervision of the Probation Department resulting in 25,209 field contacts by juvenile probation officers.

425 youth participated at the Student Transition Center which provides timely school assignments to youth after being discharged from a treatment or rehabilitation facility.

15,362 hours of youth Community Service completed in 2014. This calculates into \$111,375 in services for neighborhoods and citizens in Philadelphia using the current minimum wage scale.

Combined collections for restitution to juvenile victims and court fees totaled \$318,553.

The utilization of GPS Monitoring, as an alternative to placement and detention saved City of Philadelphia taxpayers \$7,200,028 in juvenile justice services.

- **Domestic Relations**

In 2014, the Domestic Relations Division exceeded the 80% threshold in all federal performance areas: Paternity Establishment, Support Order Establishment, Current Collections and Arrears Collections, and was instrumental in ensuring that the state of Pennsylvania remained the most efficient and effective Child Support Enforcement program in the country.

Established Paternity for 82,255 children, and established a 97% performance measure.

Total Child Support Collections \$156,222,222, and established an 80% performance measure for payments and establishing court orders.

- **Criminal Trial Division**

- **Adult Probationers**

Total number of offenders supervised by APPD on 12/31/2014: 44,202

The number of drug tests administered to probation clients totaled 73,617

- **Video Conferencing**

Number of Video Hearings (State and County) 5,503

Total transportation costs savings to the Sheriff \$403,095

- **Pre-trial Services / Warrant Unit**

At the end of 2014, there were 568 clients on active electronic monitoring and the total number monitored was 1,198.

The Unit arrested 1,269 individuals on Traffic Court Warrants clearing 10,221 outstanding traffic citations.

Also, there were 5,975 individuals arrested by the Warrant Unit on Criminal Bench and/or Probation warrants resulting in the clearance of approximately 8,800 FJD warrants.

In addition to the criminal matters, the Unit arrested 179 individuals on Domestic Relation warrants and 504 individuals surrendered to Domestic Relations due to Warrant Unit intervention.

- **Civil and Criminal Clearance Rates**

- The Clearance Rate is the standard performance measure for the management of caseloads. A clearance rate of over 100% means a court is disposing more cases than it receives in new filings.

<u>Case Type</u>	<u>Homicide</u>	<u>Felony Majors Program</u>	<u>Felony List Program</u>	<u>Total</u>
New Cases	175	4,216	10,081	14,472
Disposed Cases	303	4,584	10,549	15,436
Clearance Rate	173%	109%	105%	107%

CP Civil

<u>Cases</u>	<u>Civil Case Inventory</u>
New Cases	35,739
Disposed Cases	37,314
Clearance Rate	104%

- During CY 2014 the Civil Trial Division continues to report that 90% of all civil cases were disposed or otherwise resolved within the case processing time standards established by the American Bar Association.
- The number of civil documents (pleadings, petitions and motions) accepted electronically in 2014 were 482,367 of which 55,180 were filed during non-traditional business hours (after 5:00 pm and before 9:00am).

<u>Cases</u>	<u>Mortgage Foreclosure</u>
New Cases	5,345
Disposed Cases	6,374
Clearance Rate	119%

- **Municipal Court Criminal Division**

- 7,869 MC cases were diverted in 2014 as an alternative to formal prosecution and incarceration.
- 90% of DUI Treatment Court participants have successfully completed the program. To date, only 37 of the 329 graduates (11%) have been rearrested and 21 have been convicted on new criminal charges (6%).
- There are 2,736 successful graduates of the Drug Treatment Program; of those, 91% were not convicted of a new crime within one year of graduation and 84% remained arrest free within one year of graduation.

Cases	Felony Held for Court	Misdemeanors	Total
New Cases	21,215	21,800	43,015
Disposed Cases	22,924	24,864	47,788
Clearance Rate	108%	114%	111%

- The felony dismissal rate has decreased by 58% from 2007 and the misdemeanor dismissal rate decreased by 70%.

- **Municipal Court Civil Division**

Cases	Civil Case Inventory
New Cases	97,698
Disposed Cases	105,924
Clearance Rate	108%

- Included in this cases are City Code Enforcement cases filed by 14 City agencies. During 2014, there were 49,978 cases filed and 50,995 disposed resulting in a clearance rate of 102%, and generating \$14.3 million in revenue to the City for judgments satisfied.

- **Municipal Court Traffic Division**

- 134,770 motor vehicle citations were issued in 2014.
- Traffic Division adjudications totaled 148,192 of which 81% were by trial and 84% not done where either found guilty or pleaded guilty.
- 59,935 installment payment plan hearings were conducted to arrange payment of citation fees.
- 19,534 Impoundment hearings for confiscated vehicles.
- 2,622 warrant hearings were conducted.
- Traffic Court collected \$24 million which is approx 5 times its budget.

- **Use of Interpreters in FJD Courtrooms**

- In 2014, the FJD utilized language and sign interpreters in 58 languages in 33 courtrooms, hearings, and related matters.
- Our top five languages are the following: Spanish, Vietnamese, Mandarin, Sign, and Russian and account for 60% of our usage and 70% of our costs.

- **Collection of Criminal Case Fines and Costs**

- In 2014, over \$25.3 million was collected in court-ordered fines and costs for disbursement to the appropriate parties and agencies. Additionally \$1.4 million in restitution was collected and disbursed to victims of crime.

FJD Program Initiatives

- **Criminal Trial Division**

- **Robo-Call Court Date Notification.** In hopes to decrease the FTA rate and in cooperation with Municipal Court, a new automated system to notify all defendants of upcoming criminal cases has been implemented in 2013. Automated calls are made to defendants' phones 48 hours before their next court date; the calls include notifications of trial, preliminary hearing, status or post trial hearings. Not yet implemented but in the works are email and text message notifications.
- **The First Judicial District of Pennsylvania Mental Health Court (FJDMHC).** This program provides an alternative to incarceration for offenders with mental illness and co-occurring disorders by preparing individuals for re-entry into more effective treatment modalities in supervised community settings. The FJDMHC is a re-entry program that provides a unique multidisciplinary collaborative approach, which combines intensive wrap-around treatment and individualized probation supervision. Over the last 5½ years, the number of cases processed in the MHC has increased from 320 cases in 2009 to 4,704 cases in 2014. The program maintains a comprehensive and strict supervision plan for all participants to ensure public safety, which require longer probation sentences and stringent program sanctions.
- **Bureau of Justice Assistance Grant.** In September, Adult Probation and Parole Department was awarded a competitive, three-year Bureau of Justice Assistance grant to improve supervision techniques in our department. This project involves a partnership between APPD and two major research universities – George Mason and Temple. The goals and objectives of this proposal are devoted to identifying and addressing the criminogenic needs of offenders through effective case plans and managing compliance.
- **Soaring 2 Pilot Program.** Five probation officers participated in the piloting of SOARING 2, an e-learning system developed by the ACE! Center at George Mason University. All officers in the department will be trained in the system.
- **Motivational Interviewing.** A team of APPD staff were trained by Bucks County Adult probation on this evidenced-based practice. Using this training along with the NCIS

model, our staff created a motivational interviewing curriculum that was given to our last new class of officers. Using this model, the entire department will be trained in 2014.

- **Civil Trial Division**

- **Residential Mortgage Foreclosure Diversion Program.** Since the beginning of the Trial Division - Civil Mortgage Foreclosure Program, over 25,000 mortgage foreclosure reconciliation conferences have been conducted. Of that number approximately seventy percent (70%) of homeowners have come through the conference program with various resolutions. According to an independent study conducted by The Reinvestment Fund thirty-five percent (35%) of participating homeowners reach sustainable resolutions. Of the thirty percent 30% that do not appear, data suggests that the properties at issue are ineligible for the program because the home is not vacant or not owner-occupied.
- **Office Of Judicial Records.** The criminal E-Filing pilot program was launched in May 2013 and 48,891 electronic filings have been transmitted to the court, serving individual attorneys, litigants, the Defender's Association, and the District Attorney's Office. Also, 20% of these filings occur during non-business hours making our court accessible to our constituents on their time.
- **Criminal Document Management System** has virtually replaced the hard copy file in the courtroom. In sixty out of our sixty-three adult courtrooms scanned pleadings and e-filed documents are electronically transmitted to the courtroom and have replaced the paper file.

- **Family Court Domestic Relations**

- **Coordinated Job Training and Re-entry.** Expanded the job training and placement services to include custodial parents. Entered into an agreement the Mayor's Office for Reintegration of Ex-Offenders (R.I.S.E.) to provide job training and placement services for ex-offenders and Correctional Institution Fairton to provide reintegration services for soon to be released inmates.
- **Embracing Low-Cost High-Impact Technology: Text Messaging.** Text messages are sent to defendants who have not made a payment in the current year. Text messages and letters are sent to defendants who have made at least one payment in the current year, but have not made a payment in the last 60 days.

Text messages are sent to defendants with outstanding bench warrants requesting they surrender or contact the Bench Warrant Unit to resolve the open warrant and possibly obtain a lump sum payment, new employment information or have the defendant file a petition to modify the support order.

- **Document Management System.** In 2013, DR staff, working in conjunction with FJD programming staff, began the monumental task of designing and implementing a document management system. The objective of the system is to create digital images of all DR case files and eliminate the dependency on paper files.
- **Child Support Lien Network Life Insurance and Annuity Matches.** The Child Support Lien Network (CSLN) is a consortium of 33 state child support enforcement agencies, including Pennsylvania that uses a data match process to obtain insurance award settlement information from insurance companies.

- **Financial Institution Data Match/FAST Levy.** The Financial Institution Data Match (FIDM) program operates a data match system in which each institution is required to provide identifying information for each noncustodial parent who maintains an account and owes overdue child support. In 2013, a statewide workgroup including staff from Philadelphia redesigned the FIDM process to include automated and manual selection and submission components. The revised FIDM process streamlines FIDM functions and reduces worker intervention with the goal of increasing collections of overdue support.

- **Municipal Court Criminal**

- **Project Dawn Prostitution Initiative.** The “Project Dawn” initiative is for women who are in custody on detainers or open prostitution cases. Municipal Court continues to work with the Commonwealth and Defender Association to streamline prostitution cases to centralize treatment, housing and ancillary services. The project includes a component of therapy for survivors of Commercial Sexual Exploitation (CSE). Project Dawn operates with the dual goals of decreasing the number of non-violent offenders in Philadelphia county jails and reducing recidivism for this population of women. Project Dawn strives to provide holistic and evidence based treatment options to its participants, supporting them through their recovery journeys by addressing mental health, substance abuse and significant trauma histories. In 2014, Project Dawn admitted 18 individuals, 36 cases and 47 probation matters.
- **The Accelerated Misdemeanor Program (AMP).** AMP is an alternative to traditional prosecution methods that diverts offenders with low level misdemeanor arrests. The cases are heard and disposed expeditiously with sentencing options of community service to be completed in the neighborhood where the crime occurred. To assist with this task, the court has partnered with over 100 non-profit organizations within the City including the Department of Recreation. All sentence information is entered into a Community Service database to ensure accurate reporting of offender compliance and, courtroom statistics are tracked and entered daily for proper case management.

Approximately 4,800 misdemeanor cases were diverted to AMP in 2014 and 2,899 cases were successfully completed. A total of 23,109 community service hours were completed in the neighborhoods where the crimes originated.

- **The Choice is Yours Alternative to Incarceration.** The Choice is Yours (TCY) is an innovative alternative-to-incarceration program that diverts non-violent felony drug offenders away from prison and toward positive social services and support. TCY strives to reduce recidivism rates and address the problem of prison overcrowding without compromising public safety. In partnership with Jewish Employment and Vocational Services (JEVS) TCY’s goals are to: (1) reduce the likelihood of recidivism among TCY participants; (2) reduce state and city costs by cutting the number of trials among the TCY target population; (3) reduce costs associated with pre-trial and post-trial incarceration; and (4) provide participants with the skills and training necessary to become productive, employable individuals without the stigma of a criminal conviction.
- **SER (Sexual Education Responsibility) Class** Recognizing the need for sound strategies to address sexual exploitation by criminal offenders, the Court, the District Attorney’s Office and the Defender Association partnered with representatives from JJPI to develop a diversion class for defendants who are charged with solicitation. The evaluation and treatment of individuals arrested for solicitation of a prostitute includes participation in a one day, four-hour group therapy experience. The aim of the SER class

is to diminish the demand for prostitution within Philadelphia; to provide high quality, professional clinical intervention; and to provide accurate information to individuals regarding the impact on the sex worker, the community and on the individual soliciting sex.

- **Emergency Protection from Abuse Unit** operates during non-traditional hours for emergency petitions only. The unit is staffed by law-trained masters who, in accordance with the Protection from Abuse Act, conduct ex-parte hearings and review facts to determine if a petition should be granted. The unit approved 2,243 petitions in calendar year 2014 and provided referrals for victim services and emergency referral sites throughout Philadelphia to several thousand non-qualifying petitioners. The EPFA unit is available to petitioners when many other service agencies are closed. Funding cuts threaten the continued operation of this critical service in Municipal Court
- **Veterans Court.** In conjunction with the District Attorney's Office, Defender Association and veterans' agencies, the Court continued its successful problem solving endeavor to divert cases involving veterans. The program assists justice-involved veterans struggling with mental health, substance abuse or other re-integration issues. The presiding judge of Veterans Court is a Veteran of the Iraq and Afghanistan wars.

Building on the success of established treatment court programs in Philadelphia, the Veterans Court oversees a range of services offered to qualified veterans involved in the criminal justice system. The judicial branch recognizes the tremendous service veterans provided to our country, and believes it is the Court's obligation to provide them with programs and services to overcome challenges that are unique to their experiences. In 2014, 49 individuals successfully graduated Veterans Court.

- **Municipal Court Traffic Division**

- **Reconfiguration Of Courtroom Facilities.** Three courtrooms measuring 1,500 square feet each, which were previously used by our judiciary, were reconfigured to create a General Assembly Room, measuring 4,500 square feet, and encompassing six separate hearing rooms, with seating for 235 individuals, to provide an open environment appropriate for proceedings conducted by hearing officers. The project was completed in approximately two and one half months, with minimum impact on the FJD's budget, as the majority of the work was performed by FJD personnel.
- **Establishing The Role Of The Affiant.** As part of the reform effort and to promote independence between the judiciary/hearing officers and the prosecution, the decision was made after several months of discussion to replace the City of Philadelphia police liaison officers with representatives from the Office of the District Attorney of the City of Philadelphia. Currently, paralegals and assistant district attorneys serve as the affiant pursuant to Local Rule 454(b)(1), which defines the role of the affiant and specifically states that "The law enforcement officer who issued or filed the citation need not appear for the summary trial. The defendant shall be advised of the charges in the citation."
- **The Re-Entry Program.** The Court continued to work with United States Magistrate Judge Timothy Rice on the Re-Entry Program which assists federal probationers in their transition back into society after release from incarceration. The recurring issues confronting those ex-offenders, such as license restoration, are being addressed through an internship program with Magistrate Judge Rice's team, which includes law students from Villanova University, Drexel University, Rutgers University, the University of

Pennsylvania and Temple University, who are being supervised and mentored by attorneys from several law firms in the City of Philadelphia.

- **Teleprompters in the Lobby of the Building.** The installed three lobby monitors to display public service announcements relative to motor vehicle citations, impounded vehicles, the Rules of Criminal Procedure, and the policies of the First Judicial District of Pennsylvania. In 2013, additional videotapes regarding the danger of distracted driving, texting while driving, and aggressive driving were added to the daily menu. These informative videos have assuaged the temperaments of the often disgruntled defendants who have interaction with our Court.
- **Customer Service and Sensitivity Training.** The Court contracted to provide training to the employees in the areas of Change Management and Conflict Resolution, both of which provided a foundation of knowledge and skills to assist the employees in their migration through the reform process. Positive feedback was received from the employees; palpable changes in their mannerisms, attitude, and conduct have been noted.
- **Interactive Voice Response System.** The Traffic Division is implementing a new Interactive Voice Response (IVR) system to allow a defendant to retrieve information pertaining to their case file or to pay their citation via a telephone call to the Traffic Division. Through interaction with the Court's database, the following information can be captured electronically and retrieved by the defendant: (1) the amount due on the record; (2) the case status; and (3) the payment due date.

FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
BUDGET SUMMARY AND OTHER BUDGET DRIVERS

Financial Summary by Class - General Fund

	Fiscal 2014 Actual Obligations	Fiscal 2015 Original Appropriations	Fiscal 2015 Estimated Obligations	Fiscal 2016 Proposed Appropriations	Difference FY16-FY15
Class 100 - Employee Compensation	\$90,880,686	\$91,202,681	\$95,911,285	\$97,206,958	\$1,395,573
Class 200 - Purchase of Services	\$15,796,659	\$10,656,574	\$10,656,574	\$10,656,574	\$0
Class 300 - Materials and Supplies	\$1,620,804	\$1,870,944	\$1,870,944	\$1,870,944	\$0
Class 400 - Equipment	\$270,924	\$520,924	\$520,924	\$520,924	\$0
Class 500 - Contributions	\$0	\$0	\$0	\$0	\$0
Class 700 - Debt Service	\$0	\$0	\$0	\$0	\$0
Class 800 - Payment to Other Funds	\$0	\$0	\$0	\$0	\$0
Class 900 - Advances/Reimbursements	\$0	\$0	\$0	\$0	\$0
TOTAL	\$108,577,073	\$106,251,123	\$108,859,727	\$110,255,300	\$1,395,573

Staff Demographics Summary (as of December 2014)

	Total	Minority	White	Female
Full-Time Staff	2,501	1,027	1,474	1,523
Executive Staff	35	8	27	14
Average Salary - Executive Staff	\$97,820	\$96,780	\$98,411	\$95,758
Median Salary - Executive Staff	\$96,672	\$95,610	\$100,913	\$94,610

Employment Levels (as of December 2014)

	Budgeted	Approved	Filled
Full-Time Positions	#	#	1,970
Part-Time Positions	#	#	#
Executive Positions	#	#	35

Contracts Summary (as of December 2014)

	FY10	FY11	FY12	FY13	FY14	FY15*
Total amount of contracts	\$5,993,208	\$6,313,226	\$6,328,348	\$6,154,947	\$6,250,603	\$5,822,125
Total amount to M/W/DBE	\$2,842,501	\$3,068,943	\$2,895,610	\$3,149,245	\$3,061,432	\$2,444,032
Participation Rate	48%	49%	46%	51%	49%	42%

* as of December 2014

Staff Demographics (as of December 2014)

Full-Time Staff

	Male	Female
African-American		
Total	262	590
% of Total	10.5%	23.6%
White		
Total	651	823
% of Total	26.0%	32.9%
Hispanic		
Total	42	68
% of Total	1.7%	2.7%
Asian		
Total	7	17
% of Total	0.3%	0.7%
Other		
Total	16	25
% of Total	0.6%	1.0%
Bi-lingual		
Total	0	0
% of Total	0.0%	0.0%
Male		
Total	978	1,523
% of Total ¹	39.1%	60.9%

Executive Staff

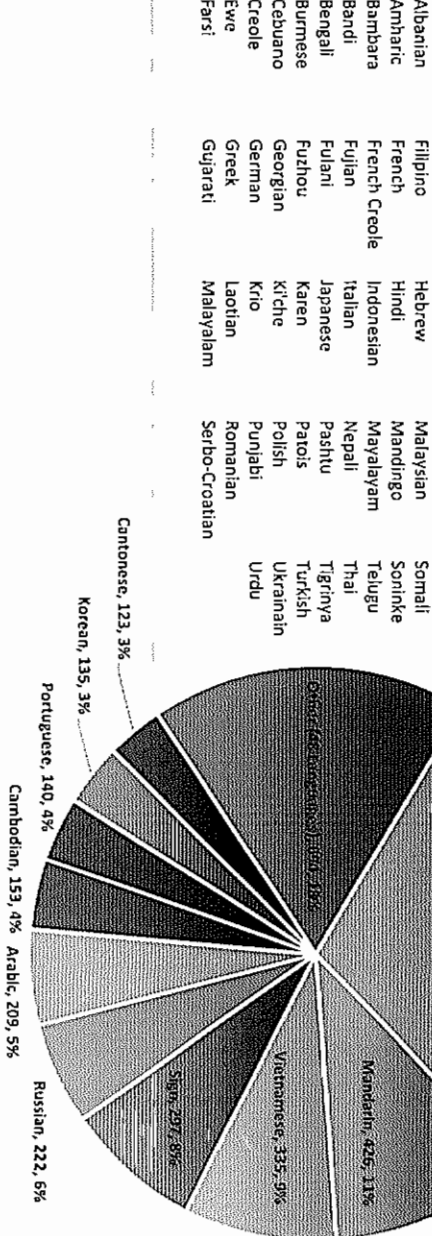
	Male	Female
African-American		
Total	4	2
% of Total	11.4%	5.7%
White		
Total	15	12
% of Total	42.9%	34.3%
Hispanic		
Total	1	0
% of Total	2.9%	0.0%
Asian		
Total	1	0
% of Total	2.9%	0.0%
Other		
Total	0	0
% of Total	0.0%	0.0%
Bi-lingual		
Total	0	0
% of Total	0.0%	0.0%
Male		
Total	21	14
% of Total	60.0%	40.0%



The New Philadelphia Family Court Facility:

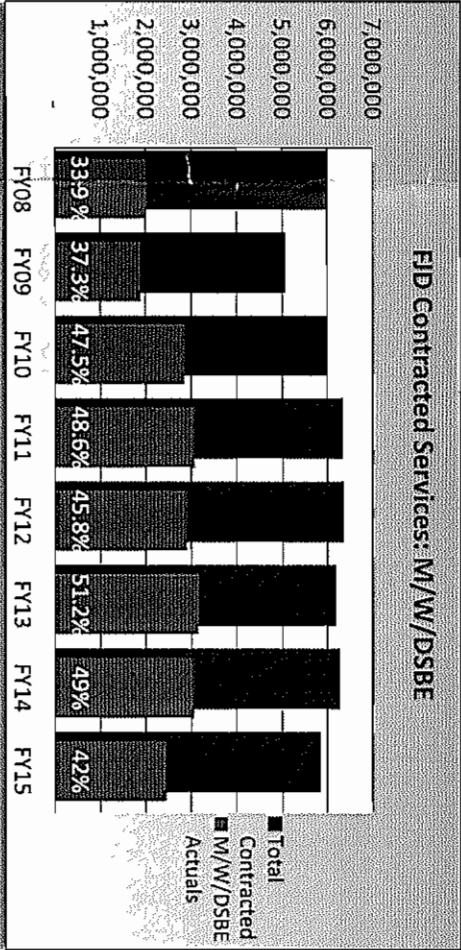
- Provides dignity and safety to families, youth and court stakeholders
- Consolidates two separate buildings into one state of the art and secure facility benefiting Philadelphia’s families
- Training facility, supervised children’s waiting and visitation areas, and victims may testify via closed circuit television
- Juveniles can participate in hearings from off-site locations without interruption to their treatment regimens

Summary of Sign and Language Interpretation services provided in 3,900 FJD court proceedings



Proposal for Adding GPS Electronic Monitoring as an Alternative for Pretrial Incarceration

GPS Monitoring creates cost savings as an alternative to incarceration	First Year savings \$592,550; annual savings \$1.5 million	Based on adding 350 GPS/Wireless units for 1,200 participants and prison cost of \$105 per day
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FJD Employee Demographics

Demographic Type	Percentage
White / Caucasian	59%
African American	34%
Hispanic	4%
Other / Multi-Cultural	2%
Asian	1%

FJD Outcomes by the Numbers

60 out of 63 criminal courtrooms are paperless • 5,014 video hearings, *transportation cost savings \$403,095* • processed *54,455 code enforcement filings* resulting in *\$19.7 million* in *revenue* to the City • *48,891 criminal e-filing pleadings* • *44,202* offenders under supervision by Adult Probation • *73,617* drug tests administered to probation clients • *10,074* protection from abuse petitions filed • *Cleared warrants in 18,525* cases • *2,521* cases scheduled through dispute resolution • *\$7,200,028* savings for Juvenile Probation GPS Monitoring Program • served *68,440 jurors* participating in *1,557 jury trials* and attained 100% juror utilization rate • *19,534* Vehicle Impoundment Hearings • *6,374* mortgage foreclosure cases were resolved in 2014 with *85% retention rate* in cases with a permanent agreement • *3,900 Language and sign interpreter services* utilized in *58 languages* including *sign language* • *148,092* Vehicle citations adjudicated

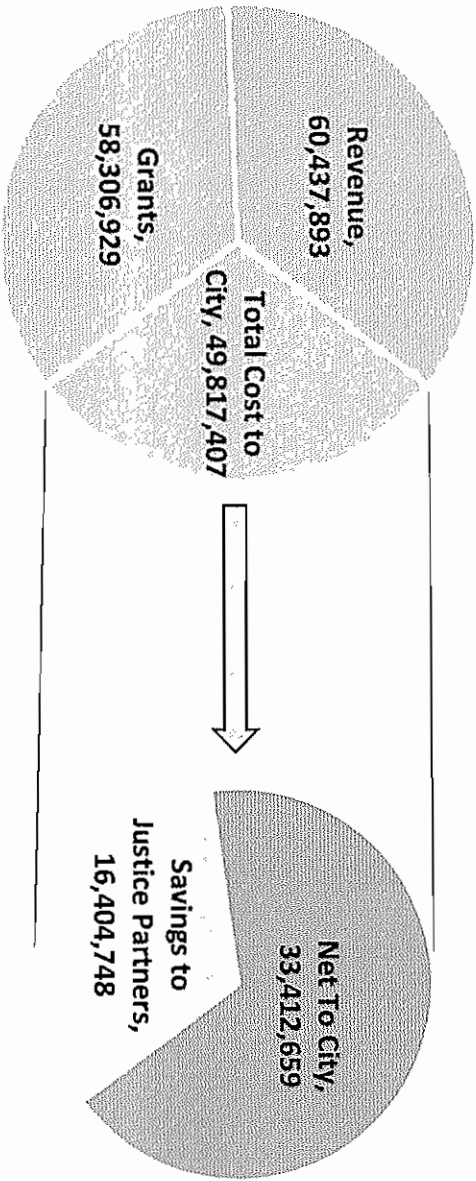


THE FIRST JUDICIAL DISTRICT OF PENNSYLVANIA THE PHILADELPHIA COURTS

Fiscal Year 2016 Operating Budget Request FJD Contribution of Revenue and Savings to Offset Budget Request

FY16 City General Fund Budgeted Amount for the FJD		\$110,255,300
FY16 FJD Additional Request		0
FJD Total General Fund Request		110,255,300
FY16 Grant Revenue Budget Amount		58,306,929
FY16 Current Proposed Budget Amount		\$168,562,229
FJD Requested Budget Amount		\$168,562,229
Minus:		
Grant Revenue Funding Amount		58,306,929
		(58,306,929)
FJD Revenue Offsetting Budget Amount		
Revenue from Other Governments		
Probation Services: Adult and Juvenile		5,471,000
County Court Reimbursement		10,468,000
Subtotal: Revenue from Other Governments		15,939,000
		(15,939,000)
Filing Fees, Fines and Costs		
Court Costs and Filing Fees		21,425,000
Traffic Court Fines		7,000,000
Court Fines, Fees and Costs		1,450,000
Cash Bail and Forfeited Bail		5,950,000
Subtotal: Filing Fees, Fines and Costs		35,825,000
		(35,825,000)
Law Library Fee & Waived Filing Fees for City Agencies		
County Law Library Fee pursuant to 42 Pa. C.S. 3724		3,133,599
Waived City Filing Fees Common Pleas and Municipal Court		5,540,294
Subtotal: Law Library and Waived Fees Savings		8,673,893
		(8,673,893)
FJD Revenue To offset Budget Amount		(60,437,893)
Total Revenue To offset Budget Amount		(118,744,822)
Cost to City Before Savings		49,817,407
FJD Program Savings		
Electronic Monitoring		2,194,135
Stout Center Video Program		1,440,538
Substitute Judge Program		4,226,600
Mental Health Court		190,890
GPS Juvenile Probation		7,200,028
Video Crash Court		944,826
Accelerated Misdemeanor Program		207,731
Total FJD Program Savings		16,404,748
		(16,404,748)
Net FJD Cost to City General Fund		33,412,659
Percentage of FJD Net Budget to City Total General Fund Budget		0.71%

FJD FY16 Budget from Sources



FY16 Testimony Highlights

Fiscal Responsibility

- Court FY16 Budget includes no requested increases
- Court net cost to City \$49.8 Million
- Overtime 0.1% of personnel budget

Achieving Efficiencies

- Video Conferencing creates savings to our Justice Partners
- Interactive Voice Response System informs clients of court dates, allows payments
- Achieving the virtual courtroom: 60 out of 63 adult criminal courtrooms paperless

Investing in our Children

- Collected over \$156 million in child support payments to aid children and families. Implemented successful job program for parents.
- Sports for Juvenile justice and Summer Jobs Program
- School Diversion Program aims to stem the "school to prison pipeline"

**DISTRICT ATTORNEY
FISCAL YEAR 2016 BUDGET TESTIMONY
MAY 5, 2015**

EXECUTIVE SUMMARY

DEPARTMENT MISSION AND FUNCTION

Mission: The Philadelphia District Attorney's Office provides a voice for victims of crime and protects the community through zealous, ethical and effective investigations and prosecutions.

Description of Major Services: The Philadelphia District Attorney's Office serves the more than 1.5 million citizens of the City and County of Philadelphia, employing 600 lawyers, detectives and support staff. It is organized into six divisions: Executive/Administration, Trials, Investigations, Juvenile, Law, and Special Operations. The District Attorney's Office is responsible for the prosecution of over 75,000 criminal cases annually.

PROPOSED BUDGET HIGHLIGHTS/FUNDING REQUEST (Note: See Correction in Next Line)

Budget Highlights: The District Attorney has experienced a 14.9% increase (Note from DA's Office: this figure from the City is incorrect, as explained below. The real figure is 9.26%) in All Funds from FY08 to the FY15 Current Projection. The total FY16 Proposed Budget maintains the District Attorney at FY15 Current Estimate levels.

Fund	Class	FY08 Actual	FY14 Actual	FY15 Current Projection	FY16 Proposed Budget	FY16-FY15 Change	FY16-FY15 Percent Change
General	100	29,774,477	30,244,298	32,802,968	32,490,021	(312,947)	-1.0%
	200	1,537,803	1,870,510	2,216,172	2,467,172	251,000	11.3%
	300/400	439,276	502,112	564,336	525,021	(39,315)	-7.0%
	Total	31,751,556	32,616,921	35,583,476	35,482,214	(101,262)	-0.3%
	Positions	437	464	463	464	1	0.2%
Other*	100	11,147,043	9,647,366	15,387,445	15,475,000	87,555	0.6%
	200	2,633,094	660,758	1,436,968	1,124,880	(312,088)	-21.7%
	300/400	153,649	103,489	106,368	110,462	4,094	3.8%
	Total	13,933,786	10,411,614	16,930,781	16,710,342	(220,439)	-1.3%
	Positions	109	84	126	126	0	0.0%
All	100	40,921,520	39,891,664	48,190,413	47,965,021	(225,392)	-0.5%
	200	4,170,898	2,531,269	3,653,140	3,592,052	(61,088)	-1.7%
	300/400	592,924	605,602	670,704	635,483	(35,221)	-5.3%
	Total	45,685,342	43,028,535	52,514,257	52,192,556	(321,701)	-0.6%
	Positions	546	548	589	590	1	0.2%

* Other Funds includes County Liquid Fuels Tax Fund, Special Gasoline Tax Fund, Healthchoices Behavioral Health Fund, Hotel Room Rental Tax Fund, Grants Revenue Fund, Community Development Fund, Car Rental Tax Fund, Housing Trust Fund, Water Fund, Water Residual Fund, Aviation Fund, and Acute Care Hospital Assessment Fund.

Staff Demographics Summary (as of March 25, 2015)

	Total	Minority	White	Female
Full-Time Staff	546	163	383	328
Executive Staff	13	4	9	5
Average Salary - Executive Staff	\$146,472	\$167,576	\$136,513	\$134,207
Median Salary - Executive Staff	\$167,576	\$167,576	\$167,576	\$126,141

Employment Levels

	Budgeted	Approved	Filled
Full-Time Positions	574	574	546
Part-Time Positions	#	#	#
Executive Positions	#	#	13

Please Note: Above figures do not include the police officers detailed to the DAO's Office.

Budgeted and Approved figures are based on the submitted FY15 Operating Budget.

Filled figures and staff demographics are based on DAO Human Resources access database as of 3/25/2015.

Contracts Summary (*as of March 25, 2015)

	FY10	FY11	FY12	FY13	FY14	FY15*
Total amount of contracts	\$	\$991,157	\$965,957	\$1,008,157	\$1,332,992	\$1,417,457
Total amount to M/W/DBE	\$	\$	\$	\$	\$	\$
Participation Rate	#VALUE!	#VALUE!	#VALUE!	#VALUE!	#VALUE!	#VALUE!

PERFORMANCE, CHALLENGES AND INITIATIVES

DEPARTMENT PERFORMANCE (OPERATIONS)

We have continually improved and strengthened our charging unit.

- Unlike in the past, our Charging Unit is staffed with strong, experienced prosecutors, who have an intimate working knowledge of the law. We have raised the bar on the evidence we require in order to go forward with responsible charging decisions. This also means that the attorneys I ask to serve in my Charging Unit are those with significant trial experience and who, otherwise, would be handling the more complicated criminal cases in my office. We trust them to make the right decisions.
- We make our charging decisions based on what we can prove, not what we wish we could prove: Between 2009 and 2014, of the 10 most common lead charges, such as possession of controlled substances, DUI, and simple assault, (which represent 90 percent of all our charges), the total number of charges decreased by approximately 7,000. That is a significant and meaningful reduction. When we weed out weak or questionable cases, it allows us to focus our limited resources in the right places and go hard after the most dangerous criminals.

We have accelerated the time it takes to move cases through the system.

- Delays have been reduced, and cases are resolved faster: Between 2009 and 2014, the average time for misdemeanors to be disposed of was reduced by more than 2 months --from approximately 7 months to approximately 4.5 months. This means less backlog for courts, swift justice for defendants, and quicker relief for victims.
- We also continue to offer meaningful plea options at the earliest possible moment in the criminal justice process through the use of SMART Rooms. SMART rooms provide the opportunity to reach an early plea agreement, which prevents many cases from even going to trial. Through the use of this tool, we are ensuring both a more efficient system, as well integrity in our plea offers. Nearly 4,300 cases in 2014 were resolved in our SMART Rooms. About a quarter of Common Pleas Court matters are now resolved in our SMART Rooms. This has provided extraordinary fiscal and administrative relief for the criminal justice system in Philadelphia, but still requires a significant amount of work from our staff.

We have reshaped the criminal justice system by diverting non-violent offenders.

- Diverting lower-level non-violent offenders is necessary. Locking these individuals up only makes them more likely to commit new crimes when they get out because their underlying criminogenic needs are not addressed, and they are locked up with far more dangerous offenders who are terrible influences.. Diverting these offenders and providing the appropriate programming means that their chances of committing new crimes is significantly decreased. Ultimately, that means less crime, fewer cases, and fewer incarcerated individuals.
- The breadth of our diversionary programs is enormous, with nearly 15 different programs. In 2014, more than 10,000 cases were referred to diversionary programs. Of those 10,000 cases, nearly 9,900 misdemeanor cases were referred to diversionary programs; in that same year nearly 5,900 misdemeanor cases already referred to diversionary programs were successfully completed.
- One of our more robust programs, the Accelerated Misdemeanor Program (AMP) saw an increase of cases by 9 percent between 2013 and 2014, even though the total number of misdemeanors charged generally throughout Philadelphia during that same time period went down 12.5 percent.

- In 2014, we diverted more than 1,300 felonies to intermediate punishment and drug treatment courts. These individuals need treatment. Otherwise they will continue to commit new crimes because their underlying addiction will have been left unabated.
- Diversion saves the City money. Our policies have led to less incarceration, fewer continuances, fewer court appearances, fewer trials, fewer police officers who are required to appear and testify, and fewer court appointed counsel, who have to put in significant resources in defending each case. The Mayor has rightly touted that the prison population is down about 2,000 from when he first took office. My office, working with the administration, city council, and the other justice partners, has clearly played a vital part in this tremendous decrease.

Fewer cases are being dismissed and the most dangerous of offenders are being brought to justice.

- The people of the District Attorney's Office work tirelessly, with the limited resources we have, to try and ensure that the most violent offenders in our city are punished to the fullest extent to the law. Our felony held-for-court rate has dramatically increased from 59 percent in 2009 to 72 percent in 2014. During this time period, the held-for-court rates for illegal firearms possession increased from 77 percent to 85 percent; robberies increased from 47 percent to 64 percent. And rapes, which held-for-court rates hovered below 70 percent in 2010 and 2011 are now at 75 percent.
- Most notably, our felony conviction rate has significantly increased. Consider that in 2009, the felony conviction rate was just 43 percent. In 2014, that crucial figure was 61 percent. During this time period, the conviction rate for illegal firearms possession increased from 53 percent to 64 percent; robberies from merely 28 percent to 51 percent; and rape from 52 percent to 72 percent.
- Year by year, our office has saved the city money, improved the safety of our streets, curbed corruption, and more, all while receiving nominal funds from the city. Every year, we try to make the point that we will have significant difficulty sustaining these performances with a limited budget, but we also want to focus your attention on the many other ways we could be improving our criminal justice system and making our streets safer if we had more appropriated funds. We don't want to just sustain our current performance; we want to have the opportunity to grow and make Philadelphia the safest city in the country.

Other Projects

- Consider some of the other projects we have undertaken recently. In August 2014, we helped launch a state re-entry court in conjunction with the State Board of Probation and Parole. Judge Woods-Skipper presides over this court, where the purpose is to provide more intensive case management and supervision for state-sentenced offenders returning to Philadelphia.
- An additional program launched in July 2014 is the MENTOR program. In this program, conceptualized and launched by Judge Michael Erdos, we use mentors instead of probation case managers to work with certain individuals who are on probation. We assisted in training over 40 mentors at our training program in July 2014. We have taken on these tasks at our own cost because we believe they are worth it. These programs are still evolving, but demonstrate what good things can happen if there is the vision, will, ability and desire to make meaningful improvements.
- The Choice Is Yours is an evidenced-based pre-entry program that helps offenders subject to state prison sentences before they are ever sentenced by providing important life-skills and training and other skills designed to help with their criminogenic needs. Funding has not come from the City but from the Lenfest and William Penn Foundations

Our Efforts Have Yielded Prison Population Decreases

- Consider also that the City recently announced the closure of two overflow prisons in Northeast and West Philadelphia because the drop in minimum-security inmates was so significant. The closure of the West Philadelphia prison will save the city thousands of dollars a month alone in rent, staffing, and maintenance costs. Without the implementation of our diversionary programs, these two facilities, which together can hold up to 292 inmates, would still be open. The Mayor himself has rightly touted that the prison population is down about 2,000 from when he first took office.

Focused Deterrence

- For the better part of the past two years, members of my staff have dedicated hundreds, if not thousands, of hours to overcome gun violence in South Philadelphia through Focused Deterrence. Last year, this Council's Committee on Public Safety had the opportunity to hear the specific details of the Focused Deterrence initiative, as well as success stories from individuals who took advantage of services through the interventions. Members of the Committee recognized, and commented on, the importance of such a program and expressed the need to sustain it. I can proudly say that my office's commitment to this initiative has not wavered.
- One of the key components of Focused Deterrence is the "call-in," where individuals identified as members of violent groups are brought face-to-face with a partnership of law enforcement and social service agencies and presented with two options: seek help in changing your behavior and services will be made available to you, or take part in violent activities and see all members of your group face certain and serious consequences. In August 2014, we were able to get our message out again to members of 14 different groups who attend the "call-in." The message of Focused Deterrence continues to be widely disseminated in South Philadelphia.
- While these "call-ins" have had positive effects, we have still had to conduct several enforcement actions after we have determined that a shooting or homicide is group motivated. This requires even further time and financial sacrifice from our office, as well as the other partnering agencies. As a result of six shooting incidents attributed to gang members in 2014, six "enforcements" were initiated on those groups. Enforcements involve initiatives such as increased police presence in the group territory, heightened probation/parole conditions, and stiffer sentences on active cases. As a result of the enforcements in 2014, 239 cases of active group members were specially assigned at our office. The Focused Deterrence members saw a 75% felony conviction rate due to the prioritization of the cases within the office.
- We believe in order to see a decrease in violence and the program sustained, we also need to provide a way out, or an "off-ramp" from the criminal lifestyle and violence associated with group membership. In 2014, we had 31 group members receiving social assistance through the Social Services Coordinator, Reuben Jones. Last year, we made room in our already constricted budget to hire an outreach worker, Tyrique Glasgow, a South Philadelphia native, to partner with Mr. Jones. This is the type of priority we place on evidence-based, innovative solutions to the problem of violence we face in Philadelphia.

DEPARTMENT CHALLENGES

The District Attorney's Office Budget Yet Again is Woefully Inadequate

- In terms of the office budget, the Mayor's proposed budget is – once again – inadequate. At best, it flat-funds my office. Unfortunately, such flat-funding will hamper my ability to implement additional pro-active, smart-on-crime strategies, as well as to retain skilled assistant district attorneys who handle the most complex cases that require years of experience.
- But while the City saves dollars from these programs, my office actually spends more time, effort and personnel on diversionary programs than if we had merely tried the underlying cases, which are often misdemeanors. The fundamental point of diversion is ensuring that a district attorney's office spends time screening the cases and then helping to ensure that offenders comply with the requirements of the programs. If offenders do not comply, it is our staff's duty to address what sanctions may be appropriate or what other steps should be taken to better ensure the offender will not commit new crimes. In many cases, we have to collaborate with other agencies, gather information, and work to help ensure the offender's criminogenic needs are addressed.
- Consider also that there are nearly 90 individuals in my office – both attorneys and support staff – that work in the pre-trial unit, the unit dedicated to diversion, early plea offers, and alternatives to incarceration. That is a real and meaningful investment in being smart on crime.
- We continue to be underfunded as compared to other major cities. Of the largest 14 cities, Philadelphia ranks lowest in terms of funding per violent crime. Again, this is a dubious distinction. But the comparison is telling and illustrative of the budgetary concerns I have expressed since I took office.
- Additionally, we have analyzed our budget over the last several years, and it is quite obvious that my office's budget is too low. Every other agency or entity involved in the criminal justice system has been treated far better than the District Attorney's Office. If an investment is warranted to make Philadelphia safer, then the funding to achieve this important goal must be provided.
- First, consider that the amount of funding my office receives as a percentage of the City Budget has decreased since 2008. In FY 2008, the Office's share of the City budget was .81002 percent. In FY 2015, the Office's share was .75886 percent. If the Office received the same .81002 percentage share in FY 2015, our budget would be \$2.3 million higher.
- Equally telling, the criminal justice/public safety budget has increased by 18.1 percent during this same time period. The District Attorney's Office budget, however, has increased only by 9.3 percent, significantly below this level. Other criminal justice/public safety agencies have fared far better. During this same time period, the police share increased 22.7 percent; fire increased 15.8 percent; sheriff increased 19.7 percent; and prisons increased 10.3 percent. If my office received the 18.1 percent apportioned to the criminal justice/public safety budget in FY 2016, our budget would be nearly \$2.8 million higher.
- I think it is also important to correct the record regarding the representation of my office's funding in the Mayor's Five Year Financial and Strategic Plan. Those figures represent that my office experienced a 14.9 percent increase in all funds from FY 2008 to the FY 2015 current projection. The Plan erroneously relies on the \$839,584 my office received in FY 2014 to take on the new responsibility of administering traffic court, responsibilities we did not previously have. Relying on this dollar amount overinflates any actual increase in my budget.

- The figures also rely on forfeiture proceeds my office has received. There are three problems here. First, as a matter of law, the City is not permitted to rely on forfeiture proceeds in calculating my budget. Second, even if it were lawful to consider forfeiture funds, the City's method of accounting for them is incorrect as it grossly over-calculated how much we actually received. The City's calculations disregard the fact that the Police, in most instances, receive 60% of any forfeiture proceeds.
- Third, the budget number listed in our FY 15 current projection and FY 16 proposed budget is \$10 million – which is an authorization amount, not real money. The \$10 million is an accounting tool that eliminates the need for multiple transfer ordinances to appropriate funds as they are realized.
- Our actual forfeiture deposits have decreased between FY 2008 and FY 2014 by approximately 27 percent. When the mistakes are corrected, it becomes apparent that our Office actually experienced an aggregate increase of only 8.4 percent in general and grant funding from FY 2008 to FY 2015. When the proposed FY 2016 budget is factored in, the aggregate increase from FY 2008 drops to only 7.7 percent, little more than half of the 14.9 percent figure stated in the City's five-year plan, and significantly below the increase given to other criminal justice agencies. Were forfeiture funds to be considered, the office has essentially experienced a budget decrease since FY 2008 because of the drop in forfeiture proceeds.
- It is also very important that we discuss the District Attorney's Office budget in comparison to that of the Public Defenders. Between FY 2008 and FY 2015, the Public Defender budget increased by at least 15 percent, more than double the increase of my office's budget. I have no issues with providing increases to the Public Defenders. Defendants should have good representation, and helping to ensure that funding is appropriate is a good thing.
 - But it turns out that based on our caseload, we receive less money than the Defenders. Less money. For all the considerations about "parity," it turns out that it is the District Attorney's Office that needs parity.
 - How do we know this? My office handles virtually every criminal case. In Common Pleas Court, the Defenders defend less than half of these cases. My office budget does not reflect this reality, unfortunately. While the Public Defenders handle a significant number of cases at the time of the preliminary arraignment (requiring the smallest time commitment for staff resources), the percentage drops dramatically as cases progress through the criminal justice system. In Common Pleas Court, it is estimated that the Defenders represent fewer than 50 percent of these cases. On appeal, they handle no more than 20 percent of these cases, while my office handles all of them.
 - There is more to the parity argument. The District Attorney's Office budget cannot merely be compared against the Defender's budget. In addition to the number of cases the Defender's handle, a significant number of cases are handled by court-appointed counsel, attorneys who are paid with taxpayer dollars for their representation, worth millions of dollars. And I am not even including the cases we must defend against private counsel.
 - There is no blame here. This is a simple question of math and assessing proportions of caseloads that each entity handles. To work towards reaching true parity, Class 100 money for my office should be increased by no less than \$1.25 million. Even with this proposed increase, the overall increase in my office budget from FY 2008 to present would still be less than the overall public safety budget during the same time period.

- Collaboration is critically important. We have done so, and I believe we are all partners in keeping our communities safer. But collaboration is more than just a one-way street. For example, my office took on the role of administering Traffic Court. We were asked because our partners in the criminal justice system had confidence in our ability to improve the Court and bring in good supervisors and assistant district attorneys and other staff to run it. We did not seek Traffic Court, but we understand our responsibilities as stewards of justice. There is some irony to the fact that despite our willingness to take on new challenges and be a good partner, when it comes time to appropriate budgets, we do not necessarily see that good will and confidence translate to an acceptable appropriation amount.

ACCOMPLISHMENTS & INITIATIVES

What We Need to Do Going Forward

- We have to sustain our efforts. We have to continue to put the resources and time into our changing criminal justice system so that we don't go back to the way it was. We have to address the mental health crisis that exists. The Pennsylvania Department of Corrections reports that about 24 percent of Pennsylvania's 49,062 inmates are receiving mental health treatment and about 4,000 inmates are characterized as having serious mental illness. Trying to house and rehabilitate seriously mentally ill inmates in prison facilities is dangerous for both the inmates and corrections staff. According to the Bureau of Justice Statistics, the United States has an average of 292 jail suicides a year. We also still struggle with meaningfully addressing witness intimidation. Gun violence is still at unacceptably high levels, and we have to continue to identify and implement meaningful solutions that will result in fewer shootings, injuries and deaths.
- Additionally, it seems clear that additional resources from my office will be required for the City to fully comply with the recommendations of the recent COPS report on the use of deadly force by the Philadelphia Police Department. One of the report's most important recommendations was that the time to investigate a police shooting must be reduced. As you may have noted, the report specifically commended my office for significantly speeding up our shooting investigations once we receive the case from the police department. We are confident we can do even more in this regard, which will be crucial in meeting the goal of implementing the report's proposals. Members of my staff have had preliminary conversations with members of the Police Department's command staff. But it is apparent that we cannot maintain these advances, let alone improve on them, unless we can devote additional personnel to these investigations, and thus funding to cover the salary costs of several experienced prosecutors.
- Collaboration is critically important. We have done so, and I believe we are all partners in keeping our communities safer. But collaboration is more than just a one-way street. For example, my office took on the role of administering Traffic Court. We were asked because our partners in the criminal justice system had confidence in our ability to improve the Court and bring in good supervisors and assistant district attorneys and other staff to run it. We did not seek Traffic Court, but we understand our responsibilities as stewards of justice. There is some irony to the fact that despite our willingness to take on new challenges and be a good partner, when it comes time to appropriate budgets, we do not necessarily see that good will and confidence translate to an acceptable appropriation amount.
- Our accomplishments are contained in the Department Performance Section above, as our performance continues to improve and truly represents great work and a series of outstanding accomplishments by the hard working and dedicated men and women of my office.

STAFFING**Staff Demographics (as of March 25, 2015)**

<i>Full-Time Staff</i>				<i>Executive Staff</i>			
	Male	Female			Male	Female	
	African-American		African-American		African-American		African-American
<i>Total</i>	40		80	<i>Total</i>	3		#
<i>% of Total</i>	7.3%		14.7%	<i>% of Total</i>	23.1%		#
	White		White		White		White
<i>Total</i>	166		217	<i>Total</i>	5		4
<i>% of Total</i>	30.4%		39.7%	<i>% of Total</i>	38.5%		30.8%
	Hispanic		Hispanic		Hispanic		Hispanic
<i>Total</i>	3		15	<i>Total</i>	#		#
<i>% of Total</i>	0.5%		2.7%	<i>% of Total</i>	#		#
	Asian		Asian		Asian		Asian
<i>Total</i>	9		16	<i>Total</i>	#		1
<i>% of Total</i>	1.6%		2.9%	<i>% of Total</i>	#		7.7%
	Other		Other		Other		Other
<i>Total</i>	#		#	<i>Total</i>	#		#
<i>% of Total</i>	#		#	<i>% of Total</i>	#		#
	Bi-lingual		Bi-lingual		Bi-lingual		Bi-lingual
<i>Total</i>	8		16	<i>Total</i>	#		#
<i>% of Total</i>	1.5%		2.9%	<i>% of Total</i>	#		#
	Male	Female			Male	Female	
<i>Total</i>	218	328		<i>Total</i>	8	5	
<i>% of Total</i>	39.9%	60.1%		<i>% of Total</i>	61.5%	38.5%	

CONTRACTING

FY 2015 Contracts Paid by General Fund

Vendor	Amount	Summary of Service	Contract Period Start Date	DBE Status
Best Transit, Inc.	\$60,000	Performs shuttle passenger operations between DA's Office and 800 Spring Garden Street (Traffic Court)	May 29, 2014	MWBE Certified
Center City/ North Central Crime Victims Services	\$73,000	Provides services to victims/witnesses during preliminary hearings	July 1, 2014	Center City-White Female (Executive Director) North Central-African American Female (Executive Director)
Drugscan, Inc.	\$220,000	Consultant to provide testimonial services in connection with the contract entered into between Consultant and City to perform blood and urine analysis for drug and alcohol detection purposes.	July 1, 2014	
East Division Crime Victims Services	\$95,756	Provides services to victims/witnesses during preliminary hearings. Contract requires part of funds to include the employment of a bilingual court advocate.	July 1, 2014	African American Female (Executive Director)
Families of Murder Victims	\$54,769	Provides services to victims/witnesses during homicide preliminary hearings	July 1, 2014	White Female (Program Director)
GRM Information Management Services	\$90,000	Provides file storage and management services	July 1, 2014	
IQ Business Group	\$354,000	Technology consultant for ediscovery and case management system	July 1, 2014	
Northeast Victim Services	\$73,000	Provides services to victims/witnesses during preliminary hearings	July 1, 2014	White Male (Executive Director)
Northwest Victim Services	\$73,000	Provides services to victims/witnesses during preliminary hearings	July 1, 2014	African American Female (Executive Director)
Support Center for Child Advocates	\$76,086	Provides legal representation and services to minor age victims throughout the court process.	July 1, 2014	White Male (Executive Director)
Victim Services of South Philadelphia	\$70,000	Provides services to victims/witnesses during preliminary hearings	July 1, 2014	White Female (Executive Director)
West/Southwest Phila Victim Services	\$82,000	Provides services to victims/witnesses during preliminary hearings	July 1, 2014	African American Female (Program Director)

Women Against Abuse	\$54,846	Provides services to victims/witnesses of domestic violence during preliminary hearings and misdemeanor trials	July 1, 2014	Hispanic Female (Executive Director)
Women Organized Against Rape	\$41,000	Provides services to victims/witnesses of sexual assault during preliminary hearings and misdemeanor trials	July 1, 2014	African American Female (Executive Director)
TOTAL	\$1,417,457			

OTHER BUDGETARY IMPACTS

FEDERAL AND STATE (WHERE APPLICABLE)

- When we began the diversion programs and the SMART rooms, we had grant funding to hire and maintain staff. In fact, in the last year where we had such funding, we had more than \$500,000 to cover salaries. We are no longer eligible for grant funding for our pretrial programs because the Department of Justice informed us that they provide funding to implement new and innovative programs—not for recurring expenses—and if the programs are successful the funding should be maintained by the City. Now that we are in the fifth year of these programs, they are no longer new and innovative, and the salaries of those that staff them are considered a recurring expense. By every measure, they have been a resounding success and have transformed the criminal justice system in Philadelphia. But to date, the City has not made up for the loss of these funds, even though in maintaining these programs, we have helped create a fairer justice system and saved the City hundreds of thousands of dollars every year.
- The Governor's proposed budget for the coming Fiscal Year slightly increases funding for the Gun Violence Task Force (a line-item within the Attorney General's Office) and flat-funds funding for the witness relocation program.
- We have recently learned that the Governor's Office will no longer be providing funding for our Welfare Fraud Unit as of the end of this fiscal year. This will result in a shortfall of more than \$350,000, which is a cut the District Attorney's Office will be required to absorb.

OTHER

OTHER RELEVANT DATA AND CHARTS

Financial Summary by Class - General Fund

	Fiscal 2014 Actual Obligations	Fiscal 2015 Original Appropriations	Fiscal 2015 Estimated Obligations	Fiscal 2016 Proposed Appropriations	Difference FY16-FY15
Class 100 - Employee Compensation	\$30,244,298	\$31,762,490	\$32,802,968	\$32,490,021	(\$312,947)
Class 200 - Purchase of Services	\$1,870,511	\$1,816,172	\$2,216,172	\$2,467,172	\$251,000
Class 300 - Materials and Supplies	\$403,495	\$392,205	\$397,964	\$413,605	\$15,641
Class 400 - Equipment	\$98,617	\$111,416	\$166,372	\$111,416	(\$54,956)
Class 500 - Contributions	\$191,000	\$0	\$0	\$0	\$0
Class 700 - Debt Service	\$0	\$0	\$0	\$0	\$0
Class 800 - Payment to Other Funds	\$0	\$0	\$0	\$0	\$0
Class 900 - Advances/Misc. Payments	\$0	\$0	\$0	\$0	\$0
TOTAL	\$32,807,921	\$34,082,283	\$35,583,476	\$35,482,214	(\$101,262)

**LAW DEPARTMENT
FISCAL YEAR 2016 BUDGET TESTIMONY
MAY 5, 2015**

EXECUTIVE SUMMARY

DEPARTMENT MISSION AND FUNCTION

Mission: To provide high-quality legal advice and services to City departments, agencies, boards, and commissions, in a timely and cost effective manner.

Description of Major Services: The Law Department (Law) negotiates, drafts, and approves City contracts; maximizes the City's ability to collect delinquent taxes, fines and other debts; represents the City's interests in litigation; counsels departments, agencies, boards and commissions on regulatory compliance and development of policies and procedures; and prepares and assists in the preparation of legislation for introduction in City Council.

PROPOSED BUDGET HIGHLIGHTS/FUNDING REQUEST

Budget Highlights: The FY16 General Fund Proposed Budget for the Law Department is lower than the FY15 Current Projection due to contractual and appraisal fees that were paid in FY15 and are not expected to be ongoing. Aside from these expenses, the proposed FY16 General Fund Proposed Budget remains relatively flat.

Fund	Class	FY14 Actual	FY15 Projection	Current	FY16 Budget	Proposed	FY16-FY15 Change	FY16-FY15 Percent Change
General	100	6,683,364	7,378,082		7,383,566		5,484	0.1%
	200	6,196,945	8,440,940		7,010,034		(1,430,906)	-17.0%
	300/400	241,712	248,676		248,676		0	0.0%
	500	827,999	0		0		0	0.0%
	Total	13,950,019	16,067,698		14,642,276		(1,425,422)	-8.9%
	Positions	146	152		154		2	1.3%
Other*	100	3,732,065	4,217,282		4,224,646		0	0.0%
	200	1,280,100	1,127,138		1,124,053		(3,085)	-0.3%
	300/400	16,663	67,367		67,367		0	0.0%
	Total	5,028,827	5,411,787		5,416,066		(3,085)	-0.1%
	Positions	54	56		56		0	0.0%
All	100	10,415,429	11,595,364		11,608,212		5,484	0.0%
	200	7,477,045	9,568,078		8,134,087		(1,433,991)	-15.0%
	300/400	258,374	316,043		316,043		0	0.0%
	500	827,999						
	Total	18,978,847	21,479,485		20,058,342		(1,428,507)	-6.6%
	Positions	200	208		210		2	1.0%

* Other Funds includes: County Liquid Fuels Tax Fund, Special Gasoline Tax Fund, Health choices Behavioral Health Fund, Hotel Room Rental Tax Fund, Grants Revenue Fund, Community Development Fund, Car Rental Tax Fund, Housing Trust Fund, Water Fund, Water Residual Fund, Aviation Fund, and Acute Care Hospital Assessment Fund.

Staff Demographics Summary (as of December 2014)

Full-Time Staff
Executive Staff
Average Salary - Executive Staff
Median Salary - Executive Staff

Total	Minority	White	Female
275	103	172	170
8	4	4	6
\$128,107	\$130,539	\$125,675	\$135,223
\$129,882	\$127,012	\$131,469	\$129,883

Employment Levels (as of December 2014)

Full-Time Positions
Part-Time Positions
Executive Positions

Budgeted	Filled
279	275
1	1
8	8

Contracts Summary (*as of December 2014)

Total amount of contracts
Total amount to M/W/DBE
Participation Rate

FY10	FY11	FY12	FY13	FY14	FY15*
\$5,211,324	\$5,549,606	\$5,577,179	\$5,588,387	\$4,829,328	\$6,279,787
\$2,413,327	\$2,309,562	\$2,284,648	\$2,527,745	\$1,970,130	\$3,364,571
46%	42%	41%	45%	41%	54%

PERFORMANCE, CHALLENGES AND INITIATIVES

DEPARTMENT PERFORMANCE (OPERATIONS)

- This fiscal year, the Child Welfare Unit assisted the Department of Human Services (DHS) in the implementation of over 20 new amendments to the Child Protective Services Law designed to protect children from abuse. The Unit also worked with DHS on the implementation of Improving Outcomes for Children (IOC). Under IOC, case management is performed by Community Umbrella Agencies (CUAs) that are based in neighborhoods. The cases are assigned by police district. The premise of IOC is to keep children in the community from which they come.
- DHS has made significant progress in rolling out IOC. All of the CUAs are now in place. All new cases, once they move through DHS intake, go to the CUAs for safety and case management services. In the near future, all cases will be entirely transitioned to IOC. Over the last few months, Law Department attorneys have been very involved in training the agencies on court procedures and best practices for Dependency Court.
- As of December 30, 2014, the Law Department was defending 2,853 active litigation cases. For the first two quarters of FY15, a total of 831 cases were settled with 448 cases closed with no payment by the City.
- Also in FY15, the Claims Unit favorably resolved 145 claims out of the 160 claims filed as arbitration matters filed in Common Pleas Court. In 118 of those cases, the City received a complete defense award. In addition, 14 motions filed on behalf of the City were favorably ruled upon resulting in the dismissal of the City as a defendant from the civil action. The Civil Rights Unit defended the City at trial in 24 cases and obtained defense verdicts in 22 of those cases. In addition, the Court has granted over 60 dispositive motions which were filed in other civil rights cases bringing those matters to closure without any City payment.
- Between July 1, 2014 and March 31, 2015, the Code Enforcement Division ("CED") collected a total of over \$1.5 million in court-imposed fines in Municipal Court and Court of Common Pleas, food establishment costs, and liens and judgments related to remediation performed by the Department of Licenses & Inspections. In addition, since launching a bounced check initiative two years ago, CED collected a total of \$370,000 from contractors who bounced checks paid to the Department of Licenses and Inspection for permit fees.
- The Law Department continues to counsel the Office of Property Assessment (OPA) with respect to all legal issues associated with both the Actual Value Initiative (AVI) by which all 579,000 parcels in the City were reassessed, and the more recent reassessment of 131,000 parcels for which values were certified on March 31, 2015. Additionally, the Law Department represents the OPA in the handling of 24,700 market value appeals filed with the Board of Revision of Taxes (BRT) for Tax Year 2014, an additional 3,900 market value appeals filed with the BRT for Tax Year 2015, and will represent the OPA in all appeals that will be filed in the coming months for Tax Year 2016. The Law Department's representation of the OPA extends to reviewing each real estate tax exemption application filed and advising whether each subject property is eligible for an exemption from real estate taxes pursuant to all applicable law. Furthermore, the Law Department litigates the appeals of BRT decisions filed in the Court of Common Pleas, of which about 450 have already been filed for Tax Year 2014.
- Working closely with Mayor's Office and Inspector General, Law drafted a new Executive Order to re-establish Office of Inspector General and to clarify and strengthen the Office's duties; drafted an ordinance, ultimately adopted by Council, to codify significant cost-savings regarding City pension obligations, particularly for new employees; and drafted a Mayoral Executive Order increasing the living wage to \$12/hour plus an annual escalator, and extending the requirements to employees of subcontractors.

DEPARTMENT CHALLENGES

- Given the current salary levels of attorneys in the Law Department recruiting attorneys from the private sector to fill vacancies continues to be difficult. Whenever feasible, attorneys already working in the Law Department are promoted to fill vacant positions.
- Because billable rates offered to outside counsel for City work are frequently three to four times lower than the firm's regular billable rates many more firms are unwilling to accept City legal work, and firms under existing contracts have asked for an increase in the hourly rate. The Law Department uses its best efforts to keep as much legal work in the department as possible and uses outside counsel only in cases where special expertise is needed or where a conflict of interest exists.

- Given numerous and additional mandates required for City contracts, time to review, revise and negotiate those mandates has increased, thereby, slowing the completion of transactions. The City may want to consider streamlining the process by reconsidering certain mandates.

ACCOMPLISHMENTS & INITIATIVES

Ethics Legislation: Since FY08, the Law has worked closely with City Council, the Mayor's Office, and the Board of Ethics to help shape and refine the City's ethics and campaign finance laws, covering gifts, nepotism and outside employment; political activity; conflicts of interest; and contribution limits. Law has also lent critical support to the establishment of a functioning and effective Ethics Board by developing its practice with respect to adjudication, opinion issuance, investigations, and trainings, as well as specific rules regarding political activities and campaign finance.

Legal Support for Improved Property Assessments: During FY14, Law worked closely with City Council and the Mayor's Office to develop, and then defend in Court, legislation to transfer the property assessment function from the Board of Revision of Taxes to the new Office of Property Assessment. Attorneys worked extensively with the Mayor's Office, the Office of the Director of Finance and City Council on State and local legislation to implement the actual value initiative (AVI), thus facilitating a fair and uniform property assessment system. Law later defended multiple litigation challenges to the program. Additionally, the Law Department provided advice concerning the implementation of buffering programs such as the Homestead Exclusion/Exemption and the Longtime Owner Occupant Program.

Transparency in the Philadelphia Code and Charter: Philadelphia is now at the forefront in transparency when it comes to municipal ordinances. The newly created electronic version of the Code and Charter is available free to the public online and amendments are posted in nearly real time (since FY12). By making all ordinances of City Council that affect the Philadelphia Code available to the public in timely and readily-accessible fashion, the City promotes compliance and respect for the law, and substantially eases the burden on those who wish to comply but may not know the rules. Law also provided substantial legal analysis and drafting support to staff of Zoning Code Commission and to City Council in effecting clarity, consistency, coherence, fairness and enforceability of the new Zoning Code in FY11 and FY12.

Legal Tools to Support Tax Collection Efforts: The City significantly stepped up its efforts to increase real estate tax collection for the City and School District. Filings of real estate tax foreclosures increased from an average of 106 filings per month during the first six months of 2009 to an average of 1,075 foreclosures filed per month during the first seven months of FY15; an increase of over 900%. Additionally, the Law Department and Department of Revenue are coordinating efforts with the City's new Landbank to utilize the City's foreclosure tools to remediate blight by assisting in the Landbank's efforts to acquire delinquent vacant land in areas where strategic municipal acquisition will assist in revitalizing neighborhoods.

Additionally, the Law Department worked with the Revenue Department to establish two new innovative tax collection efforts: the Commercial Activity License (CAL) Revocation Program and the Sequestration Program. These tools enable the City to collect delinquent taxes faster and with lower resource expenditures than traditional collection litigation. CAL Revocation provides incentives for businesses to pay their delinquency to avoid revocation of their business license. The Cal Rev program started in FY14 and through January 31, 2015 has collected approximately \$26 million. Sequestration is a strategy by which the City petitions the courts to appoint a receiver to collect rents from tenants to pay the taxes of delinquent rental property owners. The Sequestration program was also started in FY14 and through March 31, 2015 has collected almost \$14 million.

Code Enforcement: Beginning in 2012, the Law Department's Code Enforcement Division provided legal representation at all Municipal Court hearings. Previously, hundreds of these smaller enforcement actions filed in Municipal Court each month were presented by staff of the Department of Licenses and Inspections without an attorney present. In an effort to enforce more aggressively, Law attorneys now work directly with the defendants in seeking agreements to resolve the pending action and, where necessary, present the case to a judge. Additionally, Law attorneys will soon receive, review, evaluate and file all Municipal Court case referrals from the Department of

Licenses and Inspections. Until recently, the Department of Licenses and Inspections filed these cases. Law expects this process to be implemented by early 2016.

An ongoing challenge to public safety has been the inability of City inspectors to expeditiously enter and inspect potentially hazardous properties. Because many of the properties are vacant, it is difficult if not impossible for the City to meet its legal obligation to obtain the owner's permission to enter and inspect. However, over the last year, Law, working with Philadelphia court administrators, developed a process for obtaining a civil, or administrative, warrant to permit entry for inspection. Law is now coordinating with the Courts on final approval and implementation of a new process, with a form application to submit to the court, to be followed by a hearing for the Department of Licenses and Inspections inspector or other appropriate City official to make a showing of probable cause. Law expects the new process to launch by July 1, 2015.

STAFFING

Of the total Law Department staff of 275 as of December 2014, which includes attorneys, legal assistants, and support staff, 31.2 percent are minority and 61.8 percent are women. At the Executive Committee level, 6 of 8 members are women and 3 are minority.

Staff Demographics (as of December 2014)

<i>Full-Time Staff</i>			<i>Executive Staff</i>		
	Male	Female		Male	Female
	African-American	African-American		African-American	African-American
<i>Total</i>	10	68	<i>Total</i>	0	3
<i>% of Total</i>	3.6%	24.7%	<i>% of Total</i>	0.0%	37.5%
	White	White		White	White
<i>Total</i>	88	84	<i>Total</i>	2	2
<i>% of Total</i>	32.0%	30.5%	<i>% of Total</i>	25.0%	25.0%
	Hispanic	Hispanic		Hispanic	Hispanic
<i>Total</i>	3	8	<i>Total</i>	0	0
<i>% of Total</i>	1.1%	2.9%	<i>% of Total</i>	0.0%	0.0%
	Asian	Asian		Asian	Asian
<i>Total</i>	3	5	<i>Total</i>	0	1
<i>% of Total</i>	1.1%	1.8%	<i>% of Total</i>	0.0%	12.5%
	Other	Other		Other	Other
<i>Total</i>	1	5	<i>Total</i>	0	0
<i>% of Total</i>	0.4%	1.8%	<i>% of Total</i>	0.0%	0.0%
	Bi-lingual	Bi-lingual		Bi-lingual	Bi-lingual
<i>Total</i>	0	5	<i>Total</i>	0	0
<i>% of Total</i>	0.0%	1.8%	<i>% of Total</i>	0.0%	0.0%
	Male	Female		Male	Female
<i>Total</i>	105	170	<i>Total</i>	2	6
<i>% of Total</i>	38.2%	61.8%	<i>% of Total</i>	25.0%	75.0%

CONTRACTING

M/W/DBE Participation on Large Contracts FY15 Contracts

Vendor	Service Provided	Amount of Contract	RFP Issue Date	Contract Start Date	Ranges in RFP	% of M/W/DBE Participation Achieved	\$ Value of M/W/DBE Participation	Total % and \$ Value Participation - All	Living Wage Compliant?
Ballard Spahr LLP	Various labor and employment legal matters	\$4,381,000	05/02/2012	11/01/2012	MBE: 10-15%	6%	\$262,860		Yes
					WBE: 10-15%	94%	\$4,118,140	100%	
					DSBE: 0%	0%	\$0	\$4,381,000	
Community Legal Services (non-profit)	Legal services to indigent Phila residents	\$4,200,000	04/11/2011	07/01/2011	MBE: 25-30%	0%	\$0		Yes
					WBE: 25-30%	0%	\$0	0%	
					DSBE: 0%	0%	\$0	\$0	
Archer & Greiner	Legal services related to Aviation matters	\$2,675,000	Exempt from Posting	02/15/2011	MBE: 0%	90%	\$2,407,500		Yes
					WBE: 0%	10%	\$267,500	100%	
					DSBE: 0%	0%	\$0	\$2,675,000	
RCDH of Pennsylvania, Inc. dba AR Hughes & Co.	Real estate appraisers	\$1,470,000	Exempt from Posting	11/01/2011	MBE: 0%	0%	\$0		Yes
					WBE: 0%	0%	\$0	0%	
					DSBE: 0%	0%	\$0	\$0	
Pietrogallo Gordon Alfano Bosick & Raspanti LLP	Investigative matters	\$1,400,000	12/01/2010	09/20/2011	MBE: 10-15%	0%	\$0		Yes
					WBE: 10-15%	0%	\$0	0%	
					DSBE: 0%	0%	\$0	\$0	

OTHER BUDGETARY IMPACTS

FEDERAL AND STATE (WHERE APPLICABLE)

A substantial number of Law Department employees are funded by DHS. If funding to DHS from the federal or state government decreased, the City would be required to increase its proportionate share of dollars to purchase services. It is critical that we maximize our dollars from the federal and state government in light of the rising number of reports, families being accepted for services and children in placement.

Proposed amendments to Bill No. 150162

Pages 1, 2, 14, 15, 20, 21 of the pink bill are amended as follows:



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

BILL NO. 150162

Introduced March 5, 2015

**Councilmember Jones
for
Council President Clarke**

**Referred to the
Committee of the Whole**

AN ORDINANCE

To adopt a Capital Program for the six Fiscal Years 2016-2021 inclusive.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. A Capital Program for the six Fiscal Years 2016 to 2021, inclusive, totaling eight billion nine-hundred-sixty-two million ^{four} ~~four~~ hundred-forty-seven thousand ^{eight} ~~four~~ (8,962,447,000) dollars in estimated costs, is hereby adopted as set forth in the attached Exhibit A.

8,964,847,000

City of Philadelphia

SOURCES OF FUNDS

EXHIBIT A

	2016	2017	2018	2019	2020	2021	2016-2021
	(in thousands)	(in thousands)	(in thousands)	(in thousands)	(in thousands)	(in thousands)	(in thousands)
City Funds--Tax Supported							
CT Carried-Forward Loans	\$ 326,185	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 326,185
CR Operating Revenue	\$ 24,764	\$ 4,014	\$ 2,514	\$ 2,514	\$ 2,514	\$ 2,514	\$ 38,834
CN New Loans	\$ 189,563	\$ 142,391	\$ 134,592	\$ 130,675	\$ 127,011	\$ 127,201	\$ 884,373
CA Prefinanced Loans	\$ 9,599	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 9,599
A PICA Prefinanced Loans	\$ 7,507	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7,507

833,773

164,331

City Funds--Self Sustaining							
XT Self-Sustaining Carried-Forward Loans	\$ 811,167	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 811,167
XR Self Sustaining Operating Revenue	\$ 150,276	\$ 79,297	\$ 86,295	\$ 81,579	\$ 86,502	\$ 95,485	\$ 579,434
XN Self Sustaining New Loans	\$ 501,750	\$ 465,811	\$ 449,493	\$ 454,736	\$ 456,444	\$ 440,776	\$ 2,769,010

Other City Funds							
Z Revolving Funds	\$ 15,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 15,000

Other Than City Funds							
TT Carried-Forward Other Government	\$ 2,714	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,714
TO Other Governments Off Budget	\$ 2,253	\$ 2,429	\$ 1,746	\$ 1,744	\$ 1,684	\$ 1,573	\$ 11,429
TB Other Governments	\$ 7,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7,000
ST Carried-Forward State	\$ 100,523	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 100,523
SO State Off Budget	\$ 181,842	\$ 207,356	\$ 213,810	\$ 214,097	\$ 214,122	\$ 211,865	\$ 1,243,092
SB State	\$ 35,850	\$ 36,126	\$ 41,210	\$ 43,046	\$ 41,259	\$ 40,861	\$ 238,352
PT Carried-Forward Private	\$ 114,046	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 114,046
PB Private	\$ 183,008	\$ 146,978	\$ 146,671	\$ 151,561	\$ 166,688	\$ 164,113	\$ 959,019
FT Carried-Forward Federal	\$ 154,189	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 154,189
FO Federal Off Budget	\$ 74,565	\$ 60,394	\$ 47,722	\$ 25,382	\$ 14,449	\$ -	\$ 222,512
FB Federal	\$ 110,450	\$ 79,749	\$ 82,633	\$ 77,215	\$ 89,618	\$ 81,797	\$ 521,462

TOTAL--ALL FUNDS	\$ 2,982,251	\$ 4,724,485	\$ 1,206,686	\$ 1,182,549	\$ 1,200,291	\$ 1,166,185	\$ 8,964,847
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Note: Off-budget amounts are shown in this FY2016-2021 Capital Program ordinance, but they are not shown in the FY2016 Capital Budget ordinance.

2,962,651 1,246,485

8,964,847

City of Philadelphia

	2016	2017	2018	2019	2020	2021	2016 - 2021
	\$x000	\$x000	\$x000	\$x000	\$x000	\$x000	\$x000
17I Citywide Facilities-FY07	734 734 CT						734 734 CT
17J Citywide Facilities-FY08	257 257 CT						257 257 CT
17K Citywide Facilities-FY05	55 55 CT						55 55 CT
17L Citywide Facilities-FY04	568 568 CT						568 568 CT
17M Citywide Facilities-FY03	56 56 CT						56 56 CT
17N Citywide Facilities-FY02	22 22 CT						22 22 CT
17O Citywide Facilities-FY01	102 102 CT						102 102 CT
17P Citywide Facilities-FY00	87 87 CT						87 87 CT
17Q Citywide Facilities-FY98	4 4 CT						4 4 CT
17R Facilities Improvements-Citywide-FY97	58 58 CT						58 58 CT
18 New Voting Machines	22,000 22,000 CN	22,000 -					22,000 22,000 CN

	2016	2017	2018	2019	2020	2021	2016 - 2021
	\$x000	\$x000	\$x000	\$x000	\$x000	\$x000	\$x000
CAPITAL PROJECTS							
	38,168	27,100	5,100	5,100	5,100	5,100	85,668
	38,168	27,100	5,100	5,100	5,100	5,100	85,668
	5,100	5,100	5,100	5,100	5,100	5,100	52,600 CN
	28,136 CT	28,136 CT	28,136 CT	28,136 CT	28,136 CT	28,136 CT	28,136 CT
	1,932 PT	1,932 PT	1,932 PT	1,932 PT	1,932 PT	1,932 PT	1,932 PT
	3,000 TB	3,000 TB	3,000 TB	3,000 TB	3,000 TB	3,000 TB	3,000 TB
FINANCE							
	85,668	5,100	5,100	5,100	5,100	5,100	85,668
	85,668	5,100	5,100	5,100	5,100	5,100	85,668
	52,600 CN	52,600 CN	52,600 CN	52,600 CN	52,600 CN	52,600 CN	52,600 CN
	28,136 CT	28,136 CT	28,136 CT	28,136 CT	28,136 CT	28,136 CT	28,136 CT
	1,932 PT	1,932 PT	1,932 PT	1,932 PT	1,932 PT	1,932 PT	1,932 PT
	3,000 TB	3,000 TB	3,000 TB	3,000 TB	3,000 TB	3,000 TB	3,000 TB

	2016	2017	2018	2019	2020	2021	2016 - 2021
	\$x000	\$x000	\$x000	\$x000	\$x000	\$x000	\$x000
FREE LIBRARY							
LIBRARY FACILITIES - CAPITAL							
23 Free Library Improvements	5,900	275	275	2,000	2,975	2,355	13,780
	4,900						44,380
	3,900	275 CN	275 CN	2,000 CN	2,975 CN	2,355 CN	11,780
		2,000 PB					2,000 PB
23A Free Library Improvements-FY15	2,182						2,182
	2,182 CT						2,182 CT
23B Free Library Improvements-FY14	4,810						4,810
	1,310 A						1,310 A
	1,500 CT						1,500 CT
	2,000 PT						2,000 PT
23C Free Library Improvements-FY13	4,905						4,905
	2,905 CT						2,905 CT
	2,000 PT						2,000 PT
23D Free Library Improvements-FY12	1,535						1,535
	1,535 CT						1,535 CT
23E Free Library Improvements-FY11	998						998
	998 CT						998 CT
23F Free Library Improvements-FY10	742						742
	742 CT						742 CT

	2016	2017	2018	2019	2020	2021	2016 - 2021
23G Free Library Improvements-FY09	\$x000	\$x000	\$x000	\$x000	\$x000	\$x000	\$x000
	342						342
	342 CT						342 CT
LIBRARY FACILITIES - CAPITAL							
	21,414	275	275	2,000	2,975	2,355	29,294
1,310 A	1,310 A	275 CN	275 CN	2,000 CN	2,975 CN	2,355 CN	1,310 A
1,500 CN	1,500 CN	275 CN	275 CN	2,000 CN	2,975 CN	2,355 CN	0,988 CN
10,204 CT	10,204 CT	275 CN	275 CN	2,000 CN	2,975 CN	2,355 CN	10,204 CT
2,000 PB	2,000 PB	275 CN	275 CN	2,000 CN	2,975 CN	2,355 CN	2,000 PB
4,000 PT	4,000 PT	275 CN	275 CN	2,000 CN	2,975 CN	2,355 CN	4,000 PT
	21,414	275	275	2,000	2,975	2,355	29,294
	3900						3900
FREE LIBRARY							
	21,414	275	275	2,000	2,975	2,355	29,294
1,310 A	1,310 A	275 CN	275 CN	2,000 CN	2,975 CN	2,355 CN	1,310 A
1,500 CN	1,500 CN	275 CN	275 CN	2,000 CN	2,975 CN	2,355 CN	0,988 CN
10,204 CT	10,204 CT	275 CN	275 CN	2,000 CN	2,975 CN	2,355 CN	10,204 CT
2,000 PB	2,000 PB	275 CN	275 CN	2,000 CN	2,975 CN	2,355 CN	2,000 PB
4,000 PT	4,000 PT	275 CN	275 CN	2,000 CN	2,975 CN	2,355 CN	4,000 PT

11,780

11,780

Proposed amendments to Bill No. 150163

Pages 1, 3, 13, 17 of the pink bill are amended as follows:



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

BILL NO. 150163

Introduced March 5, 2015

**Councilmember Jones
for
Council President Clarke**

**Referred to the
Committee of the Whole**

AN ORDINANCE

To adopt a Fiscal 2016 Capital Budget.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. A Capital Budget for the Fiscal Year 2016, totaling two billion seven-hundred-~~twenty~~^{nine} million ~~five~~ hundred-ninety-one thousand (2,723,591,000) dollars, is hereby adopted as set forth in the attached Exhibit A.

2,723,991,000

SECTION 2. General Provisions.

(1) The amounts shown in this Ordinance under the column entitled "2016" are hereby appropriated for the purposes shown and shall be available for encumbrance and expenditure upon the effective date of this Ordinance for the Capital Fiscal Year defined as July 1, 2015 through June 30, 2016.

(2) Administrative preparation for projects supported by funds appropriated in this budget may begin prior to July 1, 2015, provided that all contracts executed hereunder prior to July 1, 2015 shall contain the provision that no work shall commence under such contract prior to July 1, 2015 or become an obligation of the City unless the Director of Finance certifies that there is an approved Fiscal Year appropriation with an available funding source allocated.

(3) The Director of Finance and the City Controller are authorized to approve encumbrances and expenditures for the appropriated purposes to the limit of the

EXHIBIT A

SOURCES OF FUNDS		2016 (in thousands)
City Funds--Tax Supported		
CT	Carried-Forward Loans	\$ 326,185
CR	Operating Revenue	\$ 24,764
CN	New Loans	\$ 169,563 149,963
CA	Prefinanced Loans	\$ 9,599
A	PICA Prefinanced Loans	\$ 7,507
City Funds--Self Sustaining		
XT	Self-Sustaining Carried-Forward Loans	\$ 811,167
XR	Self Sustaining Operating Revenue	\$ 150,276
XN	Self Sustaining New Loans	\$ 501,750
Other City Funds		
Z	Revolving Funds	\$ 15,000
Other Than City Funds		
TT	Carried-Forward Other Government	\$ 2,714
TB	Other Government	\$ 7,000
ST	Carried-Forward State	\$ 100,523
SB	State	\$ 35,850
PT	Carried-Forward Private	\$ 114,046
PB	Private	\$ 183,008
FT	Carried-Forward Federal	\$ 154,189
FB	Federal	\$ 110,450
TOTAL--ALL FUNDS		\$ 2,723,591 2,703,991

Note: Line numbers and amounts not shown are not subject to budget appropriation. Off-budget amounts are *not* shown in this FY2016 Capital Budget ordinance, but they are shown in the FY2016-2021 Capital Program ordinance.

City of Philadelphia

		2016
		\$x000
17O	Citywide Facilities-FY01	102 102 CT
17P	Citywide Facilities-FY00	87 87 CT
17Q	Citywide Facilities-FY99	4 4 CT
17R	Facilities Improvements-Citywide-FY97	58 58 CT
18	New Voting Machines	22,000 22,000 CN
CAPITAL PROJECTS		38,168 60,168 5,100 27,100 CN 28,136 CT 1,932 PT 3,000 TB
FINANCE		38,168 60,168 5,100 27,100 CN 28,136 CT 1,932 PT 3,000 TB

City of Philadelphia

		2016
		\$x000
FREE LIBRARY		
LIBRARY FACILITIES - CAPITAL		
23	Free Library Improvements	3,900 3,500 5,900 1,500 CN 2,000 PB
23A	Free Library Improvements-FY15	2,182 2,182 CT
23B	Free Library Improvements-FY14	4,810 1,310 A 1,500 CT 2,000 PT
23C	Free Library Improvements-FY13	4,905 2,905 CT 2,000 PT
23D	Free Library Improvements-FY12	1,535 1,535 CT
23E	Free Library Improvements-FY11	998 998 CT
23F	Free Library Improvements-FY10	742 742 CT
23G	Free Library Improvements-FY09	342 342 CT
LIBRARY FACILITIES - CAPITAL		19,014 21,414 3,900 1,310 A 1,500 CN 10,204 CT 2,000 PB 4,000 PT
FREE LIBRARY		19,014 21,414 3,900 1,310 A 1,500 CN 10,204 CT 2,000 PB 4,000 PT