

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE OF THE WHOLE

Room 400, City Hall
Philadelphia, Pennsylvania
Tuesday, April 18, 2017
10:30 a.m.

PRESENT:

COUNCIL PRESIDENT DARRELL L. CLARKE
COUNCILWOMAN CINDY BASS
COUNCILWOMAN JANNIE L. BLACKWELL
COUNCILMAN ALLAN DOMB
COUNCILMAN DEREK S. GREEN
COUNCILMAN WILLIAM K. GREENLEE
COUNCILMAN BOBBY HENON
COUNCILMAN KENYATTA JOHNSON
COUNCILMAN CURTIS JONES, JR.
COUNCILMAN DAVID OH
COUNCILMAN BRIAN J. O'NEILL
COUNCILWOMAN CHERELLE L. PARKER
COUNCILWOMAN MARIA D. QUINONES-SANCHEZ
COUNCILWOMAN BLONDELL REYNOLDS BROWN
COUNCILMAN MARK SQUILLA

BILLS 170195, 170196, and 170197
RESOLUTION 170213

- - -

1
2 COUNCIL PRESIDENT CLARKE: Good
3 morning.

4 (Good morning.)

5 COUNCIL PRESIDENT CLARKE: This
6 is the public hearing of the Committee of
7 the Whole regarding Bills No. 170195,
8 170196, 170197, and Resolution No.
9 170213.

10 Mr. Stitt, please read the
11 titles of the bills and resolution.

12 THE CLERK: Bill No. 170195, an
13 ordinance to adopt a Capital Program for
14 the six Fiscal Years 2018 through 2023
15 inclusive.

16 Bill No. 170196, an ordinance
17 to adopt a Fiscal 2018 Capital Budget.

18 Bill No. 170197, an ordinance
19 adopting the Operating Budget for Fiscal
20 Year 2018.

21 Resolution No. 170213,
22 resolution providing for the approval by
23 the Council of the City of Philadelphia
24 of a Revised Five Year Financial Plan for
25 the City of Philadelphia covering Fiscal

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 Years 2018 through 2022, and
3 incorporating proposed changes with
4 respect to Fiscal Year 2017, which is to
5 be submitted by the Mayor to the
6 Pennsylvania Intergovernmental
7 Cooperation Authority (the "Authority")
8 pursuant to the Intergovernmental
9 Cooperation Agreement, authorized by an
10 ordinance of this Council approved by the
11 Mayor on January 3, 1992 (Bill No.
12 1563-A), by and between the City and the
13 Authority.

14 COUNCIL PRESIDENT CLARKE:

15 Thank you, Mr. Stitt.

16 Today we continue the public
17 hearing of the Committee of the Whole to
18 consider the bills read by the Clerk that
19 constitute proposed operating and capital
20 spending measures for Fiscal Year 2018, a
21 Capital Program, and a forward-looking
22 Capital Plan for Fiscal Year 2018 through
23 Fiscal 2023.

24 Today we will hear testimony
25 from the following departments: Police,

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 Fire, and Prisons.

3 Mr. Stitt, the first person to
4 testify today is?

5 THE CLERK: Commissioner Ross.

6 COUNCIL PRESIDENT CLARKE:

7 Thank you very much.

8 Good morning.

9 (Witnesses already seated at
10 witness table.)

11 COMMISSIONER ROSS: Good

12 morning, Council President and
13 distinguished members of City Council.

14 It is my honor to testify before you
15 today. I am Richard Ross. On behalf of
16 the Police Department, thank you for this
17 opportunity to discuss the status of
18 policing in Philadelphia.

19 COUNCIL PRESIDENT CLARKE:

20 Commissioner, hold on one second. The
21 mic is...

22 COMMISSIONER ROSS: Joining me
23 today is First Deputy Police Commissioner
24 Myron Patterson and Deputy Commissioner
25 Christine Coulter. We also have here

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 today Deputy Commissioner Joe Sullivan
3 and Dennis Wilson and Robin Wimberly,
4 along with other esteemed members of our
5 finance staff.

6 There is much to discuss
7 regarding the challenges and
8 opportunities that my department is faced
9 with with building a strategic plan that
10 deals with crime prevention, building
11 community trust, traffic safety,
12 counterterrorism, employee wellness, and
13 technology. I will begin with comments
14 on our Fiscal Year 2018 budget request.

15 The Philadelphia Police
16 Department's Fiscal Year 2018 total
17 Operating Budget request is \$686,928,944,
18 650,176,870 in the General Fund,
19 36,752,074 other operating funds, grants
20 reimbursables and from the Airport.
21 That's where that total of \$686 million
22 that I alluded to.

23 The proposed Fiscal Year '18
24 budget funds a sworn head count of 6,525
25 and current civilian positions totalling

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 7,974. The FOP contract wage increase
3 award for FY18 is still unknown, so in
4 the event that a pay increase is awarded,
5 we would need to amend our request.

6 Just to talk about some
7 accomplishments. You know the City
8 hosted the Democratic National Convention
9 last year. Because of the great
10 coordination with all City departments,
11 along with our state and federal
12 partners, the convention was largely a
13 success. I could not have been more
14 proud of the work done by the men and
15 women of this department. They kept the
16 City safe while handling multiple
17 protests in stifling heat. In addition
18 to showcasing the City in a positive way,
19 the officers likely saved the City money
20 from costly lawsuits that can often
21 result from multiple demonstrations.

22 In the way of collaborative
23 reform -- and I'll mention several
24 items -- obviously we were very happy
25 with this. The first thing that we're

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 happy about is the fact that the
3 Department has completed 95 percent of
4 the recommendations suggested by the
5 Justice Department, which is fantastic.
6 The remainder is largely recommendations
7 that will need to be addressed through
8 collective bargaining.

9 From that was also a suggestion
10 about an Officer-Involved Shooting Team.
11 The Justice Department made a suggestion
12 that there should be the formation of a
13 separate unit to investigate the criminal
14 aspect of police-involved shootings.
15 This year the Department formed our IOS
16 team -- IS team to investigate the police
17 shootings in the City, and that's
18 composed of a lieutenant, a sergeant, and
19 six detectives. The unit deals
20 exclusively with the District Attorney's
21 Office. The administrative aspect of the
22 officer-involved shootings are
23 simultaneously investigated by Internal
24 Affairs for departmental violations.

25 Reinvesting in what has been

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 working: Reality-based training is the
3 training whereby officers are going
4 through a multitude of dangerous
5 encounters that they may face on the
6 street. They go through these real-life
7 scenarios which are aimed at improving
8 the safety of the public and our
9 officers. The feedback on this training
10 has been absolutely great. We made a
11 commitment to this training and doubled
12 the number of training officers. This
13 will enable us to get more officers in
14 this invaluable training.

15 In fact, just to share a little
16 brief story with you, the end of last
17 year we actually had a veteran reporter
18 go through this training so that they
19 could get a sense for what that was like.
20 And this was actually filmed. And the
21 individual -- I'll tell you, it was Walt
22 Hunter, who has been here forever
23 covering crime beats. And Walt went
24 through this training, and despite
25 knowing that it was training, he said

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 that his heart is beating out of his
3 chest, and unfortunately for Walt he shot
4 the person in the back four times,
5 because this can be some very serious
6 training, and when you go through
7 something like this and even veteran
8 officers will tell you, it almost feels
9 like you're going through the real thing,
10 because once you get caught up in it, you
11 really start to adapt and have to do the
12 necessary training that takes place to
13 save your life and also to prevent
14 potential shootings. It has been an
15 enormous undertaking, but is one that is
16 worthwhile and we're very happy with it.
17 We have well over 1,000 officers that are
18 trained thus far.

19 By doubling down on that
20 commitment, we have been able to
21 introduce a 4:00 to 12:00 tour, which
22 will expedite the training of the
23 remaining of the Department, particularly
24 those that work the streets. So we're
25 real excited about that.

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 Another thing that we've been
3 doing that we're excited about is human
4 trafficking. This is a major issue that
5 goes largely undetected in this country.
6 Young girls and sometimes boys are
7 exploited all across this nation. These
8 young victims are exploited and
9 denigrated for years, leaving permanent
10 emotional and psychological scars.

11 Last year the Department formed
12 its very first Human Trafficking Task
13 Force to combat this horrible crime.
14 This unit is housed in the Special
15 Victims Unit. They work with the captain
16 there. It's a multi-agency task force
17 composed of the Salvation Army, the DA's
18 Office, the U.S. Attorney's Office,
19 Homeland Security, and the FBI. With the
20 help of the Salvation Army, the
21 departments received a 730,000 grant to
22 fund this task force.

23 Crime: We continue to use
24 intelligence and innovative strategies
25 aimed at making this a safer city. Last

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 year, according to Major City Chiefs, 39
3 major cities reported increases in both
4 homicides and other major crimes. In
5 Philadelphia, major crimes were down to
6 levels not seen since the '70s. Although
7 we had a small reduction in our homicide
8 total last year, they still represent the
9 fourth lowest recorded in decades.

10 Gun violence continues to be
11 one of our most problematic issues. The
12 confluence of extremely high poverty
13 rates, unemployment, and lenient gun laws
14 make for a deadly mix. While police will
15 never be a panacea relative to this
16 issue, attaining our budget at staffing
17 levels will help tremendously.

18 Minority, women, and disabled
19 contracts: The Department achieved its
20 hiring goal last fiscal year of 8
21 percent. However, we are struggling this
22 year for the same reason we always do;
23 that is, specialization. Despite this,
24 we have to do better, and we will. Thus
25 far we're lagging behind because many of

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 our contracts have yet to be finalized,
3 but they're in the pipeline and we do
4 expect to meet that 8 percent. But going
5 forward in years to come, we've got to
6 try to push higher than that in order to
7 achieve better levels.

8 In conclusion, we are just so
9 happy for the work that the men and women
10 in this department do. We can't say
11 enough about them. It is indeed a
12 challenging time in the profession. The
13 sworn and civilian members of this
14 department continue to impress us each
15 and every day, and I expect the level of
16 effort and innovation to continue in the
17 years to come.

18 So I will now open it up to
19 questions. I assume you have many.

20 COUNCIL PRESIDENT CLARKE:
21 Thank you, Commissioner, and thank you
22 for your work. I got a couple of
23 questions. I want to start out with one
24 that we've been discussing increasingly
25 frequently given what's going on in

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 potential Washington and Harrisburg.

3 So on Page 9, your testimony
4 shows that your department receives
5 approximately 20 million in federal and
6 state grants. It also states that you
7 must prepare for the worst-case scenario
8 in that those funds get reduced for
9 whatever reason.

10 Can you talk to me briefly
11 about the use of the grants and the
12 potential impact to the City if the
13 funding is in fact lost to any measurable
14 degree.

15 COMMISSIONER ROSS: Well, I
16 mean, we don't know exactly what will
17 play out obviously, but the loss of those
18 funds would be almost catastrophic for
19 us. It would be very difficult for us to
20 operate in the manner that we do. We're
21 so reliant on so many grants from the
22 federal government in so many different
23 aspects of the Department.

24 We're hopeful that the folks
25 down in Washington will have a different

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 take on this once they realize all the
3 impact. I will tell you that Major City
4 Chiefs, along with some other major
5 organizations and policings, have made
6 multiple appeals to the federal
7 government relative to issues that you're
8 talking about. In fact, about three
9 weeks ago I was invited down, along with
10 six other chiefs from major cities, to
11 talk with the Attorney General Sessions,
12 and he asked us to come down to talk
13 about violent crime and his position. I
14 will tell you that the chiefs, including
15 myself, were trying to make an appeal for
16 not just what you're talking about, but
17 the notion that we also have to approach
18 crime-fighting not just from a
19 heavy-handed and the sledgehammer kind of
20 approach. Obviously we have to play our
21 role, a traditional role, but it was kind
22 of interesting to hear law enforcement
23 chiefs in this case speaking about even
24 some of the softer things that we think
25 that will help to intervene and stave off

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2 criminality.

3 So we recognize the issues
4 inherent in what you're talking about,
5 Council President, and we continue to
6 push as a group on the federal government
7 in hopes that they won't do what they're
8 suggesting.

9 COUNCIL PRESIDENT CLARKE:

10 Okay. You referenced the fact that a
11 number of associations have weighed in on
12 this particular issue. I'm assuming that
13 is a bipartisan approach. Is it
14 primarily current serving officers or
15 retired officers? And I ask that in that
16 retired officers, we have a group in the
17 City of Philadelphia, a couple of groups,
18 that tend to have the ability to
19 influence the politics of folk locally
20 and state and nationally, and sometimes
21 in certain issues they get listened to
22 more so than the people that are serving.

23 COMMISSIONER ROSS: Right.

24 COUNCIL PRESIDENT CLARKE:

25 Because they do have the ability to

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 influence the politics of these
3 decisions, and at the end of the day,
4 it's all politics.

5 Is it more or is it spread
6 across the board in terms of who is doing
7 the lobbying? Bottom line, the FOPs, all
8 the other police associations that are
9 retired that wield strong political
10 power, are they engaged in this process
11 in terms of lobbying against these
12 dramatic cuts?

13 COMMISSIONER ROSS: I think
14 it's primarily the current serving chiefs
15 that are out there, but remember too,
16 something -- you're also dealing with
17 sheriffs from across the nation too, and
18 that becomes somewhat of a mixed bag in
19 certain jurisdictions. In a lot of
20 jurisdictions, sheriffs have patrol
21 capacity and in some places they wield a
22 significant amount of power. And I'm not
23 going to be disingenuous and tell you
24 that they don't have their support; that
25 is, the federal government, but I can

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 tell you that the lion's share of Major
3 City Chiefs have a very practical
4 viewpoint on all the issues that you're
5 alluding to that will impact the fiscal
6 reimbursement to our cities, and they
7 have been very vocal about it, have not
8 been shy about it, and this is why we
9 make these trips, because you got to be
10 at the table, right? And so if the
11 Attorney General invites you down because
12 he wants to hear about violent crime, the
13 only way you're going to get your point
14 across, if you take advantage of a
15 meeting like that, and we did that.

16 So I think it's going to be
17 primarily current serving chiefs that are
18 doing it, but we continue to make that
19 push and we're not -- we're being
20 relentless about it, because I think a
21 lot of people would be surprised across
22 the nation that the position that a lot
23 of major city chiefs take with regard to
24 what you've been talking about.

25 COUNCIL PRESIDENT CLARKE: All

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 right. I mean, there's a certain reality
3 about people's ability to have influence
4 politically.

5 COMMISSIONER ROSS: Absolutely.

6 COUNCIL PRESIDENT CLARKE: And
7 those groups tend to be the ones.

8 I'm actually waiting for an
9 invitation from the President, but I'm
10 not going to sit by the phone too long,
11 you know. That call probably won't come.

12 On Page 8 in your testimony,
13 you talked about shooting victims,
14 homicides, and Part 1 violent crimes
15 halfway through FY17 when compared to
16 '16, and I know you get asked this
17 question daily, but can you talk to me
18 the best you can about what seems to
19 be -- why this seems to be trending
20 upwards. I know some people say because
21 it's warm. I mean, I don't know. It's
22 warm every year. From your perspective,
23 what do you think we're seeing here in
24 the City that might be --

25 COMMISSIONER ROSS: Well, I

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 think it's a combination of things.
3 There is no absolute answer. So
4 obviously I'm opining on it just like
5 everybody else does. But the weather can
6 be a contributing factor sometimes when
7 you get just a spike of really warm
8 weather that you weren't expecting in a
9 particular time of the year.
10 Particularly this year when you saw
11 February some 70 degree days and when
12 normally you'd be in the 30's and so you
13 get a bunch of people out who wouldn't
14 normally see each other.

15 Sadly, we have groups who are
16 so angry with each other that they want
17 to shoot on sight. So as a result,
18 stands the reason I see you more often
19 than I would have seen you before early
20 in the year.

21 There's some of these feuds
22 that are ongoing. Some of these young
23 people probably don't even know why
24 they're feuding they've been doing it so
25 long. And some of it is social media

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 driven. This is a major issue we're
3 dealing with across this country where
4 young men are disrespecting each other on
5 social media and actually resorting to
6 violent acts as a result of just social
7 media contact. It's not even any
8 official face to face in some instance.
9 You disrespected me about some issue.
10 Now all my boys see it, all his boys see
11 it, and it just gets ridiculous.

12 It is certainly, in my opinion,
13 something else that may be impacting it.
14 My colleague in St. Louis who is
15 struggling with violent crime also has
16 the same heroin issue that we have, and
17 the prevalence of heroin in this city in
18 particular, you get unfortunately more
19 users, which probably drives up some of
20 the competition. So that can be a
21 factor.

22 But there is no end to the
23 number of people who just beef with each
24 other over the most inane and ridiculous
25 things imaginable, things that you and I

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 would have walked away from, wouldn't
3 even have given a second thought to, but
4 now since this is all I have and I got to
5 pull out this gun and I got to shoot you.

6 It is such an intractable issue
7 that we're dealing with across this
8 nation. You heard me say last year we
9 were fortunate. We aren't throwing any
10 parades because we were down a little
11 bit, but there were 39 major cities that
12 experienced significant spikes in violent
13 crime in the last year or two. And we're
14 all trying to get our arms around it in
15 this city. There's no denying the fact
16 that the deep poverty rates that we deal
17 with combined with the lenient gun laws
18 that we have, it's just a terrible mix,
19 and so for us we have a responsibility to
20 be as quick as we can to stave off
21 violence in the City.

22 We have formed an intelligence
23 group that falls under the auspices of a
24 chief inspector, Chief Inspector
25 McDonald, and we did that because we

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 wanted all that information from the Real
3 Time Crime Center, from our criminal
4 intel unit, from our Delaware Valley
5 Intelligence Center to come under one
6 umbrella so that we're operating as
7 expeditiously as we can, but that the
8 information funnels in one flow and that
9 we can be in front of as many things as
10 possible. And I think to the degree that
11 it's possible -- we don't have a crystal
12 ball, but we do a decent job with staving
13 off retaliatory violence.

14 COUNCIL PRESIDENT CLARKE: All
15 right. Thank you, Commissioner. I'm
16 going to pass the mic.

17 The Chair recognizes Councilman
18 Jones.

19 COUNCILMAN JONES: Thank you,
20 Mr. President.

21 I too want to join you in
22 congratulating the men and women in the
23 Police Department for what they do. I
24 had an opportunity, Mr. President,
25 because you initiated cameras as a force

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 multiplier in the City of Philadelphia,
3 took us down to Baltimore, took us to
4 Camden to look at how they do things.
5 When we came back, we had municipal envy
6 because they had deployed their cameras.
7 I can report back to you with a degree of
8 confidence we don't have municipal envy
9 anymore. What they've done with that
10 Real Time Crime Center is cutting edge.
11 It is not just designed to safeguard our
12 assets like airports and ports; it's on
13 regular commercial corridors to protect
14 you and I.

15 So I applaud you for the
16 development of it, the evolution of that
17 center. It is not a panacea and one size
18 fits all, but it is a good step in the
19 right direction, so thank you.

20 COMMISSIONER ROSS: Thank you.

21 COUNCILMAN JONES: Having said
22 that, also I'd like you to talk about
23 where we -- I heard about what the
24 President asked about the Donald Trump
25 kind of impact and effect possibly with

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 the budget, but he's also asked his
3 administration to look at the Department
4 of Justice's recommendations to different
5 departments. I know we voluntarily asked
6 them to come in and have implemented a
7 great many of them and now have kind of
8 delegated it to the Police Advisory
9 Committee. You mentioned some of those
10 things were contract negotiations. Can
11 you enlighten us, to the degree that you
12 can, without negotiating right here right
13 now, what some of those management issues
14 might be to strengthen police-community
15 engagement.

16 COMMISSIONER ROSS: Well, one
17 of the things that's likely to be a
18 collective bargaining issue is the
19 combination or combining of our Police
20 Board of Inquiry, which is the
21 disciplinary board, with the Shooting
22 Review Board, which is a panel largely
23 composed of the folks sitting up here and
24 some others who review police-involved
25 shootings and combining the two, and I'm

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 quite certain the FOP would have an issue
3 with that part.

4 To their credit, you know,
5 we've been able to work with them on a
6 lot of other issues, and this is one of
7 the reasons we've been able to get so
8 far, and 95 percent is remarkable.
9 President Obama's administration was very
10 delighted when they went out to be able
11 to say that. And one of the things that
12 I think you're touching on, Councilman,
13 is we have no interest and/or desire in
14 going backwards with respect to
15 collaborative reform.

16 And so irrespective of what the
17 administration does in Washington in
18 terms of their views on civil rights
19 oversight, we're going to continue
20 because we believe that, first of all,
21 it's the right thing to do. We believe
22 that it makes our department more
23 progressive and it makes it better, and
24 some of the things that we've done under
25 the auspices of collaborative reform we

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 believe save, first of all, the lives of
3 our public as well as our police
4 officers. I mean, when you hear me talk
5 about reality-based training, that
6 benefits everybody. That's not just
7 protecting the police officer, but it
8 helps them to make more judicious
9 decisions in split-second circumstances
10 that most people can't begin to
11 comprehend, but it's something that's for
12 the benefit of everybody.

13 But the overarching comment, I
14 guess, is that we want to continue with
15 this because it's beneficial, and
16 irrespective of what you may hear coming
17 out of Washington, I know the Mayor is
18 committed, this Administration, the
19 Managing Director, and we will continue
20 as a department to push forward because
21 it is just absolutely the thing that
22 needs to be done.

23 COUNCILMAN JONES: Can you talk
24 about where we're going. We've had this
25 conversation privately and in a hearing,

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 but the actual deployment of body cams is
3 being rolled out. If you could touch on
4 how that process will work, what will be
5 the drivers on where they are deployed,
6 and what some of the cost factors that we
7 might experience because of this
8 technology.

9 COMMISSIONER ROSS: Sure. So
10 you know we rolled out -- and we're still
11 in pilot phase. We started in the 22nd
12 District, and what we did, I think it was
13 a good thing, 11 body cameras were
14 actually experimented with. And we gave
15 the police officers there an opportunity
16 to do a trial run on each and every one,
17 and almost initially they phased it down
18 to two or three. And ultimately that
19 selection based on durability, based on
20 reliability, based on user ability, we
21 phased it down to one camera.

22 At issue -- and right now I
23 should add that Civil Affairs also wears
24 the cameras. You may see them out on
25 protests. They have them on. So there

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2 are about 300 that are deployed, about
3 270 or so that are in the 22nd District.
4 It's been working pretty good.

5 The feedback that we get from a
6 practical sense is that officers often
7 feel that it lowers the temperature of
8 things that may go on. Like anything
9 else -- I won't be disingenuous -- it was
10 a learning curve and there was a curve of
11 doing something new, if you will. We're
12 no different. We don't tend to like
13 change. But I think, by and large, a lot
14 of the police officers thus far
15 understand the benefit to them.

16 In terms of costs, when you
17 factor in storage and the cost of the
18 cameras, about \$1,100 together. As you
19 found out, it is actually the storage
20 which is most costly. In many instances,
21 it is a very good thing, and we have
22 every intent, the Mayor has made a
23 commitment to move forward, but I will
24 tell you that in large part, we are still
25 figuring things out across the nation

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 with the policies and trying to figure
3 out things. And I may have mentioned, as
4 you know, from there we're going to have
5 a series of meetings with some of the
6 public to try to get some of their
7 feedback.

8 And so I know you got to come
9 back, but that's it right now in a
10 nutshell. But we are committed to moving
11 forward body-worn cameras. The Mayor is
12 for that. We're all committed to it, and
13 I think it's going to be a good thing for
14 the City.

15 COUNCILMAN JONES: For the
16 record, Mr. President, it has reduced
17 both instances of complaints by consumers
18 and also accusations by the public about
19 police officers. So that's a win-win
20 scenario.

21 COUNCIL PRESIDENT CLARKE:
22 Absolutely.

23 COUNCILMAN JONES: Thank you,
24 Mr. President.

25 COUNCIL PRESIDENT CLARKE:

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2 Thank you, Councilman.

3 The Chair recognizes Councilman
4 Greenlee.

5 COUNCILMAN GREENLEE: Thank
6 you, Mr. President.

7 Good morning, everybody.

8 (Good morning.)

9 COUNCILMAN GREENLEE: And,
10 again, thank you for all you and the
11 Department does for the City of
12 Philadelphia.

13 On the issue of
14 officer-involved shootings, I see your
15 testimony here about some of the things
16 that you're involved with, particularly
17 the interview cutting, trying to get that
18 done in 72 hours, but I know there's been
19 some criticism in the past about how long
20 it takes to come to a final decision.
21 And obviously we don't want any rush to
22 judgment, but is there -- has that
23 changed at all as far as trying to get to
24 a final decision maybe quicker than
25 before?

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 COMMISSIONER ROSS: Yeah. I
3 think there's a big difference and we'll
4 see more of it. Hopefully we won't get
5 very many shootings, but to the degree we
6 are in a big city, I think you'll see a
7 dramatic reduction in the timeframe, one,
8 just simply because we're able to get the
9 administrative side done.

10 As you may recall, I mean, it's
11 a bifurcated process now, where before
12 one unit, Internal Affairs, used to
13 handle all of it and the officer had to
14 be cleared by the District Attorney's
15 Office before they could give a
16 statement. This is why the
17 investigations were protracted in many
18 cases. Sometimes officers were not
19 interviewed for over a year depending on
20 the circumstances.

21 In this case because it's
22 bifurcated, there's a wall that separates
23 the criminal side, and that's the unit
24 that I mentioned that was created, the
25 Officer-Involved Shooting Team, from the

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 administrative, which is Internal
3 Affairs. And so after 72 hours, barring
4 some extenuating circumstances, that
5 officer is brought in, they are
6 interviewed administratively. The
7 District Attorney nor that criminal unit
8 is allowed to see that statement.
9 There's a Garrity Rule which the officer
10 has rights under that system. So that
11 they can give that statement and that
12 statement will not be used against them.
13 It can't legally. It cannot be used
14 against them. If anyone were to use it
15 against them, it will be thrown out of
16 court. You can't use it.

17 But what it has done has
18 enabled us, in answer to your question,
19 to be able to expedite these
20 investigations, because you're able to
21 glean a lot from the officer's statement,
22 which you wouldn't have gotten
23 previously.

24 Now, even though the District
25 Attorney's Office does not see the

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 officer's statement -- we still can't
3 control that part of it -- by having a
4 bifurcated investigation, we're able to
5 streamline it and move the investigation
6 along quicker, which is better not only
7 for the public, which obviously is
8 important, but it's better also for the
9 police officer.

10 COUNCILMAN GREENLEE: Officer
11 involved, sure.

12 COMMISSIONER ROSS: There's no
13 reason to have an officer to have to
14 remember and recount the events of a
15 police shooting, a terribly traumatic
16 event, nine months later, 15 months
17 later. It's not even good for the police
18 officer.

19 But the important thing to
20 underscore again is the fact that that
21 statement cannot be used against the
22 police officer. Originally it was a
23 little tough trying to make sure everyone
24 understood that, and it's not cutting
25 edge by any stretch of the imagination,

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 but it's new to us. And so it was one of
3 the things that was suggested under
4 collaborative reform and one of the
5 things that we did. And so we created
6 that unit largely because there are other
7 issues that are inherent in trying to
8 bring other people in from the outside.
9 So we weren't able to do that, but I
10 think this is the next best thing, and
11 things are working out.

12 COUNCILMAN GREENLEE: Great.
13 Thank you.

14 One other quick question. This
15 certainly doesn't go to the level of some
16 of the other things we've been talking
17 about, but it's something I think we hear
18 complaints about, abandoned cars. Now, I
19 know there was some -- I don't know if
20 this was accurate that there was some
21 cut-back in the activity in trying to
22 deal with abandoned cars. Is that
23 accurate?

24 COMMISSIONER ROSS: No, that's
25 not accurate. In fact, in 2016 we had

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 more than the previous three or four
3 years. I mean, we have the exact numbers
4 in here, but I know that in '16 we towed
5 more than in '15 and '14.

6 COUNCILMAN GREENLEE: Okay.

7 COMMISSIONER ROSS: There's no
8 issue. I had heard the same thing, to be
9 fair, but when we looked at the numbers,
10 we actually finished up for the previous
11 two -- over the previous two years.

12 COUNCILMAN GREENLEE: Okay.

13 Thank you.

14 Thank you, Mr. President.

15 COUNCIL PRESIDENT CLARKE:

16 Thank you, Councilman.

17 And the Chair recognizes
18 Councilman Johnson.

19 COUNCILMAN JOHNSON: Thank you,
20 Council President.

21 How you doing today,
22 Commissioner?

23 COMMISSIONER ROSS: How you
24 doing?

25 COUNCILMAN JOHNSON: And your

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 Deputy Commissioners. I want to welcome
3 you here today and also just acknowledge
4 all of you for your hard work and keeping
5 Philadelphia safe. And just for the
6 record, that gentleman from Ohio, he
7 isn't in Philadelphia, is he?

8 COMMISSIONER ROSS: No, he's
9 not. In fact, the chief from Ohio did
10 call me, Cleveland. He called me
11 yesterday because he had heard something,
12 but their intel suggested that he was
13 never here.

14 COUNCILMAN JOHNSON: Thank you.
15 Appreciate it. Because I was
16 wondering --

17 COMMISSIONER ROSS: A lot of
18 people were.

19 COUNCILMAN JOHNSON: -- how you
20 get from Erie to Philadelphia, no State
21 Trooper saw you. So somebody, you
22 know --

23 COMMISSIONER ROSS: Right.

24 COUNCILMAN JOHNSON: -- was
25 asleep at the wheel if he did make it to

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 Philadelphia all the way from Erie, PA.

3 So for the record, I want to
4 thank all of you for your hard work, your
5 dedication from a law enforcement
6 perspective, but also from the
7 perspective of the outreach that you have
8 been doing to make sure we feel safe and
9 working with my office and my team on a
10 variety of different issues regarding
11 crime and violence.

12 A couple of questions that I do
13 just want to ask is issues that are dear
14 to me as it relates to public safety. So
15 I'm looking at Strategic Initiatives and
16 I see Human Trafficking, Officer-Involved
17 Shooting Team, and Vision Zero and just
18 want to recommend at what particular
19 point in time will the Philadelphia
20 Police Department and the Administration
21 begin looking at youth gun violence as a
22 specific area of focus. And so I have
23 two questions along those lines.

24 The first question is, we've
25 noticed that according to recent reports,

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 over the last three years the homicide
3 rate, closing homicides, has dipped to 50
4 percent, in 2016 to 50 percent, but in
5 2013 it was up at 71 percent. So I just
6 want to get your idea beyond the lack of
7 cooperation with police what the issue
8 is, but also your strategy to address it
9 moving forward.

10 And then the second part of my
11 question is regarding youth gun violence,
12 what's the target number of confiscation
13 of guns for FY18 moving forward as well
14 as your strategies in going after those
15 who we call straw purchasers, those who
16 bring the guns into the community that
17 these young men are carrying. And so
18 that's my two questions to get the
19 conversation started.

20 COMMISSIONER ROSS: Sure. So
21 the first one about homicide clearance
22 rates, that can be a difficult one to get
23 your arms around. Number one, I will
24 tell you that -- well, first of all, I
25 haven't been there a couple times. If

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 you have the misfortune of starting out a
3 calendar year where you struggle to solve
4 the first 20, 30 cases that you get, it's
5 virtually impossible to get back to that
6 71 percent that you alluded to. That's
7 one thing, and that has happened in the
8 last year or so, and that's nobody's
9 fault. Sometimes you can get those tough
10 cases early on.

11 Certainly there's still an
12 environment where some people don't
13 cooperate, and that becomes an issue.
14 And in fairness to the Homicide Unit,
15 there was an issue of staffing in '16,
16 which we believe we resolved with our
17 last promotion this year. We put 11
18 homicide detectives down there. There is
19 a reason that you have that show. I
20 don't watch it, but we were premiered on
21 the --

22 COUNCILMAN JOHNSON: The First
23 48.

24 COMMISSIONER ROSS: -- First
25 48. People don't realize we were

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 actually the first city they did. But
3 there's a reason why they have a show
4 like that, because as much as you can get
5 done in the beginning, and that all
6 dovetails into having the requisite
7 number of people there to run on these
8 investigations. They run on every
9 investigation the same way, something
10 people don't realize. The entire platoon
11 runs out. It is assigned to someone in
12 particular. They typically have
13 unofficially a partner. From the
14 beginning, that entire squad will run on
15 that job, because they try to get as much
16 information as they can as possible.

17 With regard to improving that,
18 we do believe that having those
19 additional people will help that
20 immensely, but to the degree that we can
21 continue to foster relationships in
22 communities all across this city in an
23 effort to get information, intel, is also
24 one of the reasons that we thought it was
25 so vital to have this formation of this

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 new criminal intel unit under someone as
3 high ranking as a chief inspector to head
4 that up. We believe all these things
5 will help, but also we believe that it
6 all revolves around us having -- our
7 overall manpower being staffed properly,
8 and we're working on that, and I know
9 that's another question that will come up
10 later, because when you can keep the
11 numbers down as a whole, it gives them
12 more time to work. And so what sometimes
13 happens -- and it's just for no rhyme or
14 reason -- you'll get a spate of homicides
15 that will happen in the course of a day
16 and a half or two and they all tend to
17 fall on the same platoon. So you can
18 imagine how they fall behind, and it's
19 just there's no rhyme or reason why that
20 happens. So that's an answer to that.
21 We think we've done some things already
22 that will help that.

23 With regard to the gun
24 question, there's not really a particular
25 number of guns that we're looking for.

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 We tend to confiscate a lot of guns, just
3 like places like Chicago and Baltimore.
4 What we really want to do is concentrate
5 on behavior, concentrate on people -- be
6 laser-like in our focus of the people out
7 there likely to carry guns, the people
8 out there who are likely to seek
9 retribution. And a lot of that happens,
10 as you know, over some of the most
11 ridiculous things imaginable.

12 So we continue to work hard
13 with that and we continue to have
14 programs out there. We're going to look
15 to move Focused Deterrence to another
16 part of the City.

17 COUNCILMAN JOHNSON: Just so
18 you know for the record, Focused
19 Deterrent right now is flat-lined. It
20 hasn't even been increased in terms of
21 the budget.

22 COMMISSIONER ROSS: I agree.

23 COUNCILMAN JOHNSON: And I was
24 told that you are committed to expanding
25 resources in that area on the record from

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 the Administration.

3 COMMISSIONER ROSS: We are
4 committed to doing just that, but you
5 know it is a collaboration. We don't do
6 it unilaterally, and so we have to do it
7 in conjunction with other departments in
8 the City. But we don't believe in
9 leaving anything on the table relative to
10 crime-fighting. So irrespective of what
11 we may think of a particular program and
12 how successful it is or isn't, if it is
13 there to be utilized, then that's
14 something we're going to do given the
15 fact that we have that opportunity.

16 You know probably better than
17 anybody in this room that even when we
18 commit to Focused Deterrence, it takes an
19 additional group of police officers,
20 because if you have that level of
21 commitment, you only do it right if
22 they're dedicated to that endeavor. It
23 can't just be randomly saying we do
24 Focused Deterrence in South Philly. It
25 has to be officers and the supervisors

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 that are dedicated to that, and you've
3 seen that in how it can have some success
4 when you go at it like that.

5 COUNCILMAN JOHNSON: I'm just
6 waiting to see that same level of
7 commitment moving forward. So we'll be
8 working with the Administration to look
9 at programs such as Operation CeaseFire
10 and Focused Deterrence so y'all can have
11 the additional support so we focus on
12 changing behavior from a resource
13 standpoint that will collaborate with
14 work that you're doing for law
15 enforcement.

16 And I'm finished with my
17 questions -- my time in terms of my
18 question, but if you can just wrap up on
19 straw purchasers. Like what are y'all
20 doing to go after the guys that -- I'm
21 using that terminology. There's no uzis
22 made in Point Breeze or Strawberry
23 Mansion. Them guns are coming from
24 somewhere that these young men pick up.
25 So like what's the focus on getting the

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 people that's selling guns to our youth?

3 COMMISSIONER ROSS: Well, I

4 mean, if you talk to the ATF, they will

5 tell you that the modus operandi, if you

6 will, the MO, for selling guns and

7 bringing guns in is a little bit

8 different than it was probably 10, 15

9 years ago. Sadly -- not that there's

10 ever a good way, but, sadly, a lot of the

11 guns that are ending up on the street

12 comes from thefts, burglaries, people who

13 legally are able to own a gun, maybe

14 someone broke in their home or it wasn't

15 safeguarded and it was left in their

16 vehicle and --

17 COUNCILMAN JOHNSON: That's a

18 lot of robberies. There's a lot of guns

19 on the street.

20 COMMISSIONER ROSS: There's a

21 lot of guns on the street, and just

22 merely pointing out that the days of

23 people pulling up with trunk loads full

24 of guns, you don't even have to do that

25 anymore in Philadelphia. They're already

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 there. And so there is rarely a week
3 that goes by that I don't get five, six,
4 seven reports of guns stolen.
5 Councilman, those are just the ones
6 reported stolen, which you know is an
7 issue in the Commonwealth about not even
8 having to do that. So if I'm getting
9 five or six in a week, how many are
10 actually stolen that aren't even
11 reported?

12 And so there are a lot of gun
13 issues out here. We actually have people
14 that try to focus on that, but that intel
15 from the ATF suggests that it's just not
16 done quite the same way that it used to
17 be. It doesn't mean we still don't focus
18 on it. It just means that we are
19 unlikely to find the mother load of some
20 tractor-trailer coming in, and that's
21 just the reality.

22 COUNCIL PRESIDENT CLARKE:
23 Thank you.

24 COUNCILMAN JOHNSON: Thank you.
25 And thank you for your

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 discretion.

3 COUNCIL PRESIDENT CLARKE:
4 Thank you, Councilman.

5 I actually want to follow up on
6 that, but I'll wait until my time comes
7 back up.

8 The Chair recognizes
9 Councilwoman Parker.

10 COUNCILWOMAN PARKER: Thank
11 you, Mr. President. And I know you're
12 going to follow up, but it was on my
13 heart of hearts to say after listening to
14 the Commissioner respond, it sounds like,
15 Mr. President, that one of the mandatory
16 questions for our candidates who are
17 running for District Attorney right now
18 is, in the absence of a state law
19 requiring the mandatory reporting of lost
20 and stolen guns, which I am proud it
21 didn't get passed, but during my tenure
22 in Harrisburg, it was the first time that
23 a bill of its kind even made it to the
24 floor for a vote and it was defeated.
25 But if we passed the law, it is the

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 enforcement. And so that would be an
3 interesting question, Mr. President, and
4 I know one that you, Councilman Johnson
5 and many others have been asking about.
6 So that will be interesting to see what
7 happens.

8 COUNCIL PRESIDENT CLARKE:
9 Absolutely.

10 COUNCILWOMAN PARKER:
11 Appreciate that, because, Commissioner,
12 your response, you just sort of in
13 essence corrected the record, because the
14 vision that you just described of the
15 truck load, that's how most people think
16 that these weapons are advancing onto the
17 streets. So the impact of the lost and
18 stolen guns is extremely important --

19 COMMISSIONER ROSS: It's
20 tremendous.

21 COUNCILWOMAN PARKER: -- for
22 our people to know.

23 Let me start, Commish, by
24 talking about what matters most. We
25 appreciate each and every one of you,

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 but, again, our guys on the front line
3 for me in the neighborhood are the ones
4 who we constantly call on. So for our
5 Second District, Captain McLean. You
6 know we have two new ones in the 35th,
7 along with the 14th, Captain Hearn and
8 Captain Ransom. And they've just gotten
9 started, but I want you to know from a
10 community engagement perspective, they
11 have hit the ground running, and that is
12 important when you are assuming a new
13 leadership role in a police department,
14 and they've been present. We've lost
15 guys that we never thought we could sort
16 of recoup the talent, Moody, Merchant,
17 Sherrod. We still have our Willis,
18 Flemming, and Kenebrew, but these two
19 captains have come in and they've hit the
20 ground running. And if it was opposite,
21 I would be saying that on the record too.
22 That's why I need to say thank you for
23 them getting started.

24 With that being said, I got to
25 ask about the issue we talked about last

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 year, and that was commercial corridor
3 safety. I needed to ask if there's any
4 of the additional spending in '17 and
5 proposed additional spending in '18 that
6 will help us at all. I know these
7 decisions are sort of made by our
8 captains on the front line, but have you
9 heard of any discussions regarding the
10 sort of officers, beat and bike, on
11 commercial corridors?

12 COMMISSIONER ROSS: Well, I
13 mean, we are very intentional about that
14 discussion anyway with commercial
15 corridors. I know not only just because
16 you brought it up last year, but because
17 it is something we have to address for
18 our businesses out there.

19 You mentioned some legends,
20 Moody and Merchant, from there back when
21 I was in the 14th.

22 But in terms of actual funding,
23 I don't know if there's additional
24 funding, but the commitment is there,
25 which is key. And, you know, we actually

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 are very committed to our foot beat
3 program in general, which all our
4 officers coming out of the Academy walk.
5 We're also going to experiment with a
6 cadre of officers coming out of the
7 Police Academy that will ride bikes in
8 those neighborhoods, because we believe
9 that that will just be a force multiplier
10 for us. And while we don't -- we try to
11 stay out of the practice of micromanage
12 our captains, you kind of touched on
13 that, so you're obviously in tune with
14 that. But we still encourage strongly
15 the commercial corridors.

16 I had a conversation with the
17 First Deputy and the Deputy Patrol just
18 about that, and so we've got a number of
19 them across the City and our captains are
20 very aware of it.

21 So I think you'll see a level
22 of commitment, particularly those that
23 are adjacent to or contiguous to some of
24 our problem neighborhood areas. So
25 you'll really see a lot of that, because

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 it's just something we're able to
3 leverage, and we believe in it. We just
4 believe in trying to make those
5 connections on the ground as much as you
6 possibly can, because that's where the
7 rubber meets the road. That's where
8 people feel the feedback. People feel
9 they can reach out to the officers. The
10 fact that you as a Councilperson can run
11 off a litany of names of police officers
12 who walked or rode a bike speaks volumes,
13 and that's exactly what we're looking
14 for, and even people that are just living
15 in those neighborhoods or work in those
16 neighborhoods, and that's what we're
17 striving for.

18 COUNCILWOMAN PARKER: Thank
19 you, Commish.

20 The next question, so it has an
21 A, B, and C. Summer we had a few warm
22 days. We had a town hall meeting, and
23 the number one issue was dirt bikes. So
24 for the resident who is listening, one,
25 the law regarding dirt bikes and, two,

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 direction for homeowners who know that
3 they have a dirt bike, a four-wheeler or
4 a three-wheeler, being stored in their
5 properties and/or in the shed, somewhere
6 in their yard, two -- well, that's the B.
7 And the C is -- and I was asked this
8 question and I don't know -- is there a
9 place, a track for those who are
10 interested in riding a three-wheeler or a
11 four-wheeler on the track where they can
12 do it legally in Philadelphia? I was
13 asked the question, and I told them I
14 don't know the answer to that.

15 COMMISSIONER ROSS: Sure. So
16 with regard to -- the law basically says
17 you're not allowed obviously to operate
18 anywhere on the streets, and obviously
19 the streets are largely controlled by the
20 state. But even with regard to -- you
21 can't operate them in our parks either.
22 That's not something you're allowed to
23 do.

24 I am unaware of any track in
25 Philadelphia. I could stand corrected on

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 that. Someone might tell me different,
3 but I am not aware of one. I believe
4 there's some in the counties that you can
5 go to, but I don't believe we have them
6 here.

7 The bigger issue is your
8 question about the legality of them and
9 the usage of them on the streets.
10 Obviously they're expressly prohibited.
11 They're dangerous. We have -- we just
12 had one. We just had a big task force to
13 intercept. And it becomes a tenuous
14 thing for us, because we don't want to
15 chase them, because oftentimes these guys
16 won't stop. They'll ride on the
17 sidewalk. They'll endanger a host of
18 people that are just minding their own
19 business. So what we try to do is use
20 intelligence to find out where they're
21 staging and then approach it in that
22 fashion.

23 I'm not going to lie to you.
24 It is very difficult, because it
25 frustrates me and I know it frustrates

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 everybody seated here to see these guys
3 blazing up the street, but when they see
4 us, if you hit them lights, they're going
5 to take off, and there's nothing more
6 frustrating than when people --
7 particularly if you happen to be in a
8 marked unit looking at you to expect
9 that -- and it's a reasonable
10 expectation -- that you're going to do
11 something, but that something is likely
12 to result in a chase, which is likely to
13 result in someone being harmed or
14 injured, not the least of which the
15 person riding.

16 So we have a very intentional
17 way of doing it. It is not foolproof.
18 They love these things. The bad part
19 about them is, they're super fast and
20 it's enticing for some of them to run,
21 particularly when they're in groups.

22 And so we continue to work with
23 people who have the intel to call and let
24 us know when they see them. They usually
25 have to get gas at some point. They

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 usually have some starting point. So we
3 have to do that.

4 You need to tell your young
5 people if you have them, if you paid
6 money for them, probably good money in
7 many instances, find the time to take
8 them somewhere you can ride them. Get
9 yourself a trailer and take them
10 somewhere. You're not going to ride them
11 in the City of Philadelphia. Again, I
12 could stand corrected, but I don't
13 believe there's any place in the City
14 where you can legally ride.

15 COUNCILWOMAN PARKER: Thank
16 you.

17 Mr. President, I know my time
18 is up, but the final question I wanted to
19 just get on the record -- and we don't
20 have to answer it now, Commish, but this
21 is for Dr. Brown off of Rising Sun
22 Avenue, near Rising Sun and Levick and
23 his concerns regarding the intersection,
24 traffic concerns there. So we'll work,
25 Commish, on trying to call your office,

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 the Parking Authority, and other
3 interested parties to come together to
4 see if we can work on a solution
5 regarding that intersection at Rising Sun
6 and Levick. But I just want to make sure
7 I get that on the record.

8 COMMISSIONER ROSS: Well, I
9 assure you First Deputy and Deputy Patrol
10 are making a note of that, and whenever
11 you want to meet, we'll talk.

12 COUNCILWOMAN PARKER: Thank
13 you, Mr. Chairman.

14 COUNCIL PRESIDENT CLARKE:
15 Thank you, Councilwoman.

16 The Chair recognizes Councilman
17 Domb.

18 COUNCILMAN DOMB: Thank you,
19 Council President.

20 And good morning.

21 COUNCIL PRESIDENT CLARKE:
22 Councilman, hold on one second. One
23 quick question. We'll put your time
24 back.

25 Did we pass a law some time ago

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 that you cannot sell vehicles in the City
3 of Philadelphia?

4 COMMISSIONER ROSS: I'm not --
5 you're talking about ATVs in particular?

6 COUNCIL PRESIDENT CLARKE: Yes.

7 COMMISSIONER ROSS: I'm not
8 aware of that.

9 COUNCILWOMAN SANCHEZ: Parking
10 Authority auctioned them off because they
11 were selling them back to the guys.

12 COMMISSIONER ROSS: Are you
13 talking about for the parts?

14 COUNCIL PRESIDENT CLARKE: You
15 can't sell those vehicle --

16 COUNCILMAN ROSS: I know what
17 you're talking about now.

18 COUNCIL PRESIDENT CLARKE: Is
19 that still the law?

20 COMMISSIONER ROSS: I believe
21 it is, isn't it? It didn't change.

22 DEPUTY COMMISSIONER COULTER: I
23 don't think it's changed.

24 COMMISSIONER ROSS: I don't
25 think it has, but we'll get back to you

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 on that.

3 COUNCIL PRESIDENT CLARKE: I'm
4 just wondering, because I know -- I think
5 Councilman Mariano or somebody.

6 COUNCILWOMAN BROWN: It was
7 actually my bill.

8 COUNCIL PRESIDENT CLARKE: It
9 was Councilwoman. Yeah. All right. I'm
10 sorry.

11 COUNCILWOMAN BROWN: It seems
12 so long ago, but we went so far as saying
13 that if seized, they needed to be reduced
14 to metal, and I really don't remember
15 where they took them. But for some
16 reason, we could not go as far as the way
17 you're suggesting.

18 COUNCIL PRESIDENT CLARKE: We
19 couldn't stop them from selling them in
20 the City?

21 COUNCILWOMAN BROWN: Exactly.
22 I meant, you know, constitutional
23 reasons. And we attempted to explore a
24 park, much like we did the skateboard
25 park, the issues with the skateboard, and

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 then we ended up with the place there
3 along River Drive. And we even looked in
4 Logan, and for environmental reasons, we
5 couldn't do Logan. And I believe
6 Councilman Jones went to the Fairmount
7 Park Commission, and we were, for reasons
8 I don't remember, given a hand hold there
9 as well. So that's the background, point
10 of information, Mr. President.

11 COUNCIL PRESIDENT CLARKE:

12 Okay. Thank you.

13 Sorry, Councilman. Councilman
14 Domb.

15 COUNCILMAN DOMB: Thank you,
16 Council President.

17 Good morning.

18 (Good morning.)

19 COUNCILMAN DOMB: Two quick
20 comments and I have a couple quick
21 questions for you. One, I just want to
22 say that as I sit here and I think about
23 what the police do every day, it makes
24 kind of what I do minimal. I don't go
25 out every day and risk my life, and for

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 that, you guys should be commended. So
3 thank you.

4 And, two, I will say that with
5 Council President Clarke and Councilman
6 Johnson, we had a problem in Rittenhouse
7 Square. We had that meeting at the
8 church, and just as a follow-up, after
9 you took control of the situation, your
10 department solved the problem, which was
11 great. I didn't hear from anybody else
12 after that. You guys did a great job. I
13 just wanted to commend you for that.

14 So let me ask you some
15 financial questions. In your testimony,
16 the budget summary and other budget
17 drivers, it says average salary,
18 full-time staff, \$67,000. Do you have an
19 idea what the amount of fringe expense is
20 on that?

21 Let me go to another --

22 DEPUTY COMMISSIONER COULTER:
23 Give me one second.

24 COUNCILMAN DOMB: I'll go to
25 another question and we can come back.

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 The police headquarter
3 building, according to our information,
4 we spent \$50 million so far, taxpayer
5 dollars, has been spent on the proposed
6 new headquarters at 46th and Market, and
7 it's our understanding the project has
8 been halted, and I've heard that there
9 might be alternative sites, including the
10 Inquirer building. Can you give us kind
11 of an update where that headquarters
12 potentially stands.

13 COMMISSIONER ROSS: Sure. I
14 think it's all still in the exploratory
15 phase right now. I think the
16 Administration is just looking at all the
17 options, given what it would cost to
18 totally refabricate and everything 4601
19 and how costly that could be. I don't
20 think any final decision has been made
21 one way or another, but I know the Mayor
22 is open. But no decision has been made.
23 So they're keeping options open. That's
24 the bottom line.

25 COUNCILMAN DOMB: Is the option

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 of 46th and Market still on the table or
3 is that option not on the table?

4 COMMISSIONER ROSS: What and
5 Market? I'm sorry.

6 COUNCILMAN DOMB: 46th and
7 Market.

8 COMMISSIONER ROSS: I'm sure it
9 is, yes. But, again, I think the Mayor
10 and the Administration would be remiss if
11 they didn't look at everything. I mean,
12 that did not begin under his
13 Administration. So I think it's only
14 prudent of him and everybody that works
15 for him to take a look at everything that
16 would be most suitable, not only in terms
17 of logistics and headquarters generally
18 as a centrally located place, 4601 is not
19 exactly, but in terms of who would go in
20 it, how much it costs to outfit the
21 headquarters. As you probably know, the
22 PAB is busting at the seams and it has
23 been for a number of years. Sadly, in
24 addition to the condition of that
25 building, when we do our annual holiday

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 walk-around, there are people working in
3 almost closets. And so it's absolutely
4 ridiculous.

5 So I think the bottom line is,
6 we're looking at everything, but no
7 commitment has been made as of yet.

8 COUNCILMAN DOMB: Let me ask
9 you a question on the -- I guess you'd
10 call it the Bible, the five-year budget
11 plan, the big thick book. On Page 366,
12 I'm just -- I don't know what -- in
13 Fiscal Year '16, Class 500, there was a
14 \$12,800,000 charge. I'm just curious
15 what that was. Was that supplies or
16 services?

17 DEPUTY COMMISSIONER COULTER: I
18 believe it was indemnity, sir.

19 COUNCILMAN DOMB: Indemnity?
20 Explain that to me.

21 DEPUTY COMMISSIONER COULTER:
22 Lawsuits.

23 COUNCILMAN DOMB: Oh, lawsuits.
24 We settled 12.8 million. So that's
25 something we don't normally budget

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 because we don't know what that's going
3 to be, but we had 12.8 million in
4 lawsuits in 2016?

5 DEPUTY COMMISSIONER COULTER:

6 Yes.

7 COUNCILMAN DOMB: Is that what
8 it typically runs per year? If we did an
9 estimate over the last ten years, what
10 would you say we spend?

11 DEPUTY COMMISSIONER COULTER:

12 It's close, yes.

13 COUNCILMAN DOMB: So then from
14 a budgeting standpoint, should we not
15 allocate some number there because we
16 know it's going to come up?

17 DEPUTY COMMISSIONER COULTER:

18 It doesn't come out of the Police budget.

19 It's taken from Law.

20 COUNCILMAN DOMB: I see.

21 DEPUTY COMMISSIONER COULTER:

22 I'm sure it figures in one of their
23 budgets, if Anna wants to clear that up.

24 (Witness approached witness
25 table.)

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2 MS. ADAMS: Hi. Anna Adams,
3 Budget Director.

4 We actually -- we have an
5 indemnity budget, and then at the end of
6 the fiscal year, we allocate it out to
7 the Department. So we do have it in the
8 budget and we show it in the indemnity
9 budget in Finance and then it gets
10 allocated for each department.

11 COUNCILMAN DOMB: So you're
12 already accounting for it in another
13 category?

14 MS. ADAMS: Yes.

15 COUNCILMAN DOMB: Okay. Thank
16 you.

17 DEPUTY COMMISSIONER COULTER:
18 Councilman, it's about 40 percent fringe
19 benefits in addition to the salary.

20 COUNCILMAN DOMB: Really?

21 DEPUTY COMMISSIONER COULTER:
22 Yes, sir.

23 COUNCILMAN DOMB: I bring that
24 up because you're probably the lowest
25 fringe benefit department in the City.

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 And I know I met with the people that
3 manage your healthcare. You guys are
4 doing a great job managing that
5 healthcare, and I wondered if maybe some
6 of the other departments or areas of the
7 City and other unions even could adopt
8 the type of way you're managing
9 healthcare, because you're doing a great
10 job in managing it. Forty percent of
11 fringe benefits, you guys should get an
12 award. The City is 87 percent. So
13 whatever you're doing, you need to share
14 with everybody else, because it's way
15 better than what we're doing.

16 DEPUTY COMMISSIONER COULTER: I
17 do have to say the folks at LEHB do
18 really, really a good job in the wellness
19 programs, not just the benefits
20 themselves but making sure our folks
21 don't use as much of the benefits.

22 COUNCILMAN DOMB: I sat with
23 them for a few hours. They told me how
24 they manage individual people, making
25 sure they go to emergy meds versus

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 hospitals and how it saves dramatic
3 money. All I'm saying is, you know what
4 they say, you have one idea and you take
5 it, it's plagiarism. You take many
6 ideas, it's research.

7 We need to research what you
8 guys are doing in other departments of
9 the City, because you're doing it right.
10 Forty percent is great. Forty percent is
11 great.

12 Let me ask a second question,
13 though. The police court appearances, I
14 know this might be a sore topic, but the
15 last negotiated police contract mandated
16 that officers who do not receive notice
17 at least 48 hours in advance of the time
18 they're directed to appear for a required
19 court appearance, other than a
20 preliminary hearing scheduled for a date
21 the officer is not scheduled to work, be
22 paid a minimum of four hours of overtime
23 at a rate of two and a half times the
24 employee's regular rate.

25 Do we have any idea how much we

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 paid out in this area this past year?

3 DEPUTY COMMISSIONER COULTER:

4 I'll get back to you with the number. We
5 have improved, making sure that, working
6 with the District Attorney's Office, we
7 get earlier notifications, but it still
8 does happen at times when there's that
9 last-minute notice.

10 COUNCILMAN DOMB: And I guess
11 the last piece of that and then we'll
12 finish up is, how can the District
13 Attorney, the First Judicial District,
14 and the Police Department work together
15 to better coordinate testimony, minimize
16 the overtime costs by providing officers
17 ample notice to appear?

18 COMMISSIONER ROSS: So that's
19 one of the things that works in
20 conjunction with your other question, and
21 we've been working pretty hard with them
22 over the years to try to make sure that
23 we're coordinating as much as possible.
24 Those court notices that you speak of,
25 very, very costly. And so it already

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 costs a lot of money when you get
3 officers who work midnight to 8:00 and/or
4 4:00 to 12:00 when they rotate to 4:00 to
5 12:00. So to the degree that we don't
6 need certain officers, you try to look at
7 those lists.

8 I think that Court Attendance
9 Unit has done a fabulous job in
10 conjunction with the DA's Office and the
11 court system of trying to make sure they
12 schedule as many cases as possible on the
13 daywork tour.

14 Now, as you know in life,
15 there's usually a yin and a yang, right?
16 So when it comes to getting a lot of
17 officers in court during the day, guess
18 where they're not. In the neighborhood.
19 And so trying to work with many of the
20 judges as well as some people in First
21 Judicial to try to figure out a way to
22 keep as many officers back as possible,
23 you know, now that many of the
24 preliminary hearings are downtown now,
25 which is a good thing in a lot of ways

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 for witnesses, the opposite effect is
3 when you're traveling from an area that's
4 not adjacent to Center City, they're not
5 on call. When they're not on call, that
6 means they have to be here, because the
7 judge expects them to be here. When the
8 judge expects them to be here, then
9 they're not in the neighborhoods. And so
10 that's a cost factor as well. It may not
11 look like overtime. It might not be
12 financial, but it's resource intensive.

13 COUNCILMAN DOMB: That's a
14 problem.

15 Thank you. Thank you very
16 much.

17 Thank you, Council President.

18 COUNCIL PRESIDENT CLARKE:

19 Thank you, Councilman.

20 The Chair recognizes Councilman
21 Henon.

22 COUNCILMAN HENON: Thank you,
23 Council President.

24 Good morning, Commissioner,
25 Deputy Commissioners. Congratulations

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 for your entire staff. A year under the
3 belt here going into our second year, and
4 I got to tell you that the way policing
5 is changing, with being a little more
6 creative and innovative, has been a
7 benefit for me in dealing with the
8 captains and some of the folks on your
9 command. So they've been very accessible
10 and willing to try new ideas and a new
11 way to engage with the community, and I
12 do have specifics that have been very
13 positive.

14 Sometimes we could try to put
15 systems in place that are a little more
16 sustainable, but overall I think the
17 willingness to really engage the
18 community in some different and creative
19 ideas have been a positive to me, and
20 would love to continue to catch you
21 offline to talk about some of the public
22 safety committees that I have with
23 partnerships with the School District and
24 the dismissal times as well as our
25 commercial corridors along with

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 neighborhood services. So good job
3 there.

4 I just want to ask just a few
5 questions related to staffing. I mean,
6 just routine budget questions when it
7 comes to staffing, because I know you
8 have changed some of the eligibility
9 qualifications, as you mentioned, in
10 your -- for the Police Academy.

11 Can you explain what they are
12 and if they've been successful.

13 COMMISSIONER ROSS: So
14 previously at least in the last eight
15 years, it required 60 college credits or
16 equivalent and/or full time in the
17 military or three years in the Explorers
18 Program, which -- so as a starting point,
19 it's important to highlight the fact that
20 we didn't really have a pure 60 credit
21 requirement for those in academia who
22 really relish that notion and think that
23 that's the end-all, be-all. I mean,
24 we're proponents of education like
25 everyone else.

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 But here's what was happening,
3 in my estimation, and I think it's safe
4 to say that most of my staff would agree.
5 First of all, let me point out we do have
6 tuition reimbursement that many folks
7 avail themselves to. We have more
8 officers with Master's degrees and we
9 have a handful with Ph.D.'s and law
10 degrees. So people avail themselves of
11 it. So it's not like they're shy about
12 it.

13 But what was happening with the
14 residency thing that was lifted for us,
15 and we love the men and women that we get
16 from outside of Philadelphia, but our
17 classes, number one, were beginning to
18 look like 50 percent of the folks weren't
19 even from Philadelphia because of the
20 requirements. At least that's what we
21 believe. And in addition to which -- and
22 some of this is just me opining on it.
23 The demographics of the City weren't
24 being reflected in the Department, number
25 one.

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 But it's not just about
3 diversity. It's about inclusion. As you
4 know, there are people even from the
5 trades union you used to represent or
6 still affiliated with that want to be
7 police officers, some of whom like many
8 across the City are hard-working people
9 who didn't have 60 credits, and to deny
10 people access -- I have people that
11 worked for me who were very high ranking
12 now who have Master's degrees who would
13 not have qualified under that old system,
14 who went on to get educated under this
15 system and we're starting to see some of
16 those numbers by virtue of the
17 recruitment efforts starting to change
18 just a little bit. And, again, I mean,
19 I'm talking holistically. So I'm not
20 just talking diversity. I'm talking
21 about ensuring that -- look, we've got a
22 lot of very great organizations,
23 University of Penn, many, many others
24 that have been responsible for employing
25 a number of people in the City, but

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 Police, Fire, Prisons in particular are
3 as much responsible for some people
4 having a gateway to the middle class in
5 this city as any other agency. So why
6 would we deny our own people -- I mean
7 the people of the City -- an opportunity
8 to do that when we already know that as
9 it compares to cities with college
10 degrees, we rank near the bottom. And so
11 it stands to reason, in my estimation,
12 that you don't have the candidate pool to
13 have that kind of requirement.

14 Again, I am a big proponent of
15 education, which is why there'll be some
16 things that will be introduced relative
17 to higher ranks in our collective
18 bargaining agreement that we'll have to
19 try to negotiate. So it's not being
20 against education. It's just about being
21 as inclusive as you possibly can to be
22 reflective of the City and the people
23 that live in it.

24 COUNCILMAN HENON: And that
25 education is reflected with your tuition

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 reimbursement program.

3 COMMISSIONER ROSS: Absolutely.

4 COUNCILMAN HENON: Which is
5 great. And one of the first moves you
6 made was to revisit the eligibility and
7 pre-qualifications for, as you say,
8 diversifying middle class and
9 lower/middle class opportunities for all
10 of Philadelphia, and that includes my
11 district in a big way.

12 COMMISSIONER ROSS: It includes
13 everybody, Councilman. I get as many
14 young white guys coming up to me that
15 were saying the same thing. So it's not
16 just about black, white. It's about
17 being inclusive as a whole.

18 And I should add that one of
19 the things we did is just for balance, we
20 raised the age to 22, with the thinking
21 being that a lot of people might be able
22 to sit around in mom and dad's home from
23 18 to 19 or whatever, but most people
24 cannot sit around until 22 and not do
25 anything. So most parents are going to

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 say you're going to go to work, you're
3 going to go to the military, you're going
4 to go to school, in which case that gives
5 us an opportunity to look at a candidate
6 that might be a little more well-rounded
7 when they come on, just a little bit more
8 seasoned at 22. And so we're hoping that
9 that will yield positive results for us.
10 We're already getting more people in the
11 pipeline as a whole, and we're optimistic
12 about what that's going to do, first and
13 foremost, to staff the Police Department.
14 Because when people call 911, they want
15 to see a police officer show up. Nobody
16 is asking about the number of credits
17 that they have.

18 COUNCILMAN HENON: That's
19 right.

20 On your first page, you note
21 that FY18 fully funds 6,525 uniform
22 officers, but you note on Page 6 that
23 there's 7,537 positions that are
24 budgeted. So does that mean there will
25 be --

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 COMMISSIONER ROSS: That's
3 civilians.

4 COUNCILMAN HENON: They're
5 civilians?

6 COMMISSIONER ROSS: Combination
7 of civilians.

8 COUNCILMAN HENON: Combination
9 of civilian and uniform?

10 COMMISSIONER ROSS: Yes.

11 COUNCILMAN HENON: So would
12 that include -- what do you anticipate
13 new class sizes being in the future?

14 COMMISSIONER ROSS: Well, we're
15 hoping --

16 COUNCILMAN HENON: Or does that
17 vary?

18 COMMISSIONER ROSS: We just put
19 in one, what, it was close to 90?

20 DEPUTY COMMISSIONER COULTER:
21 We put in 95 last month. We put in 105
22 in December. And we'll have a class
23 going in in June that we hope exceeds
24 100. These are larger numbers than we've
25 had in a very, very, very long time.

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 COUNCILMAN HENON: Larger
3 number since me being here.

4 DEPUTY COMMISSIONER COULTER:

5 Our candidate pool, the last group that
6 took two tests ago when they applied was
7 5,700. Our average number applying
8 before that was about 1,200. So there's
9 obviously more people now engaged in the
10 process, but it's our hope to wipe out
11 our deficit within the next year and then
12 obviously have fully staffed numbers
13 moving forward and just deal with
14 attrition.

15 COUNCILMAN HENON: And that
16 really solves a lot of our policing
17 issues. Not the different types of
18 policing with public engagement or
19 anything like that, but staffing levels
20 really do make a difference.

21 So I'll leave with a couple
22 things here and I'll circle back on the
23 next round. If you could explain Focused
24 Deterrence, what the type of -- what
25 types of Focused Deterrence that you

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 engage in creatively, and at some point
3 I'd like to address how we deal with,
4 because of the opioid epidemic that we
5 have here, squatters and folks that kind
6 of just take over some of the foreclosure
7 houses and abandoned houses in the City.
8 Thanks.

9 COMMISSIONER ROSS: So Focused
10 Deterrence is something that we were
11 talking about with Councilman Johnson,
12 and it's something we've been doing in
13 South Philly somewhat successfully for a
14 couple years, but it's a collaboration
15 with the court system and with Parole and
16 Probation, the District Attorney's Office
17 where you use intelligence and identify
18 people who are already on probation and
19 usually targeting groups that have a
20 propensity to fight with each other,
21 doing what they call a call-in, where you
22 literally bring this group of young men
23 usually before you and there's a whole
24 group of folks, myself, whoever the
25 commissioner is, the presiding judge, the

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 District Attorney, Probation, and they
3 have a talk with these young men and they
4 talk about the perils of getting involved
5 in violent activity and the repercussions
6 of doing so. And so they're called
7 pulling levers, and making sure that
8 everybody involved understands that.

9 The important thing to
10 underscore is the fact that this is a
11 collaborative effort. It can't be done
12 if just one agency gets involved, because
13 everybody has got to get involved. I
14 think the reason you have success with it
15 is, one, because of the collaboration.
16 Two, because of that face-to-face
17 conversation about the implications of
18 getting involved in this type of
19 activity. It has worked pretty well in
20 South Philadelphia because of the
21 dynamics of South Philadelphia where a
22 lot of people know each other in South
23 Philadelphia, understanding who
24 inherently fights who in South
25 Philadelphia is an example. It's not

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 like it can't work anywhere, but there's
3 certain places that we have to really
4 take a good look at before we move there,
5 but we are committed to doing that.

6 COUNCIL PRESIDENT CLARKE:
7 Thank you.

8 COUNCILMAN HENON: I just
9 want -- not a question, just a
10 statement -- to recognize the captains in
11 my district and their innovative
12 communication skills and not just
13 deployment of the officers, but their
14 engagement with not just the community,
15 but the community groups and the
16 businesses along with my office has been
17 a godsend. And whatever they're doing on
18 their own autonomy as you give them
19 their -- so you don't micromanage.
20 They're doing a fabulous job, and I want
21 to just state that for the record.

22 COUNCIL PRESIDENT CLARKE:
23 Thank you, Councilman.

24 The Chair recognizes
25 Councilwoman Reynolds Brown.

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 COUNCILWOMAN BROWN: Good

3 morning all.

4 (Good morning.)

5 COUNCILWOMAN BROWN: Kudos

6 again for the exceptional, extraordinary

7 work that was done all last year,

8 particularly during the DNC and the visit

9 of the Pope, because you wake up every

10 morning, or I do, holding my breath

11 hoping that our city does not end up in

12 an unfavorable way. So congratulations

13 for the professionalism that was

14 demonstrated.

15 I am paying close attention to

16 the professional services contract

17 summary, and I appreciate you stating in

18 your opening remarks that you continue

19 to -- you recognize that you have a ways

20 to go.

21 Speak briefly to the challenges

22 that you're facing with regards to the

23 MBE/WBE numbers, particularly in view of

24 the fact that the trend is downward with

25 regards to achievement of those goals.

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 DEPUTY COMMISSIONER COULTER:

3 Councilwoman, one of the issues -- and we
4 continue to work on this and it's not
5 lost on us how important it is to try to
6 bring those numbers up, but in our areas
7 of -- the only area that we tend to do
8 well in is our small purchase areas.

9 Because of the specialization of some of
10 the things we do, we just can't find
11 candidates that have even applied when we
12 go through the directory to provide some
13 of the services that we need.

14 COUNCILWOMAN BROWN: So speak
15 to some of the specialized areas. Such
16 as what?

17 DEPUTY COMMISSIONER COULTER:
18 Areas like psychologists, for instance.

19 COUNCILWOMAN BROWN:
20 Psychologists?

21 DEPUTY COMMISSIONER COULTER:
22 Yes, for psychological testing. Areas
23 for services that have to do with our
24 labs, lab performance, our crime lab.

25 COUNCILWOMAN BROWN: So pause

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 for a minute. Am I hearing that you're
3 having difficulty finding Ph.D.
4 psychologists who are African American
5 and Latino?

6 DEPUTY COMMISSIONER COULTER:

7 Yes. They're contracted positions, so
8 they're not a full-time position. We use
9 them to help us get our candidates
10 through. And we even met with the head
11 psychologist in an effort to try to find
12 more people that would be more
13 reflective, and it really is a struggle
14 in that area. Some of them -- we have
15 ones that are employed places, but not
16 seeking that part-time employment with
17 the Department as well.

18 COUNCILWOMAN BROWN: So the
19 dilemma is that it's part time?

20 DEPUTY COMMISSIONER COULTER:

21 Yes. And we really don't have a
22 justification for a need of those
23 full-time services.

24 COUNCILWOMAN BROWN: Okay. Any
25 others? You mentioned labs. You

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 mentioned part-time psychologists.

3 Others?

4 DEPUTY COMMISSIONER COULTER:

5 On our polygraph areas. The areas there

6 is that the company itself who wins the

7 bid, some have little or no

8 participation.

9 COUNCILWOMAN BROWN: Are you

10 familiar with the National Association of

11 Black Psychologists, a professional

12 organization that has a local chapter of

13 professionals in that area of expertise?

14 DEPUTY COMMISSIONER COULTER: I

15 am not.

16 COUNCILWOMAN BROWN: My office

17 will connect you with them.

18 DEPUTY COMMISSIONER COULTER:

19 Great.

20 COUNCILWOMAN BROWN: Okay. So

21 that speaks to the downward trends.

22 DEPUTY COMMISSIONER COULTER:

23 Now, we do have a couple contracts that

24 haven't been conformed yet that will hit

25 in this quarter, which will bring us up

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 to what our normal average is, but we're
3 looking to go well beyond that. Our
4 concern is that we have a very small
5 participation goal. We'd like to be able
6 to raise that, but we also want to be
7 realistic in that most of our budget is
8 salary and benefits. We don't have a lot
9 of those other spending opportunities, so
10 to speak.

11 COUNCILWOMAN BROWN: Well
12 taken.

13 Commissioner, thank you for
14 also speaking to the new -- did you call
15 it a task force or a division of your
16 department that deals and faces the ugly
17 challenge of human trafficking?

18 COMMISSIONER ROSS: So it's
19 actually both. We call it a task force,
20 but we actually have transferred in five
21 people, including a supervisor, that deal
22 exclusively with human trafficking. Now,
23 I say the task force in both because they
24 work very closely with those other
25 entities like the FBI, the DA's Office,

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2 Homeland Security on a lot of these cases
3 that may cross jurisdictional boundaries,
4 but we realize the importance of it and
5 you got to walk the walk. So we put
6 these people here and they're doing a
7 fabulous job. They're working under
8 Special Victims, because that's what they
9 are, special victims. And as you know,
10 particularly when you're a juvenile,
11 you're only a victim in that horrible
12 world of human trafficking. And it is
13 something we are very proud of. These
14 men and women have hit the ground
15 running. It is something that, as I've
16 indicated, that has flown under the
17 radar. I mean, it's very, very sad. I
18 mean, you know probably from going to
19 some meetings where we've --

20 COUNCILWOMAN BROWN: Task force
21 meetings.

22 COMMISSIONER ROSS: -- attended
23 together, the average age is 12 years
24 old, that some of these young people get
25 grabbed. And it is very disheartening,

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2 and sometimes it's equally sad that
3 sometimes their own family members are
4 the ones who are selling them into human
5 trafficking. And so it's not -- the
6 scope is not just sexually related. It's
7 also labor. But, I mean, we are
8 primarily focusing on the sexual aspect
9 of it.

10 It is very difficult to detect,
11 as you know. As some of these young
12 folks, particularly ladies, get older,
13 sometimes they get somewhat disillusioned
14 about their trafficker, which makes it
15 even more difficult to contend with. And
16 so we are looking to have as many people,
17 looking with the same kind of mindset
18 that you have with terrorism. If you see
19 something, say something. If it looks
20 like it's not right, the interaction
21 between a young person and an older
22 person, then let us know, let us
23 investigate. Because what tends to
24 happen, the psychology of it is, as some
25 of these folks become -- depending on how

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2 long they've been trafficked, they become
3 older women. They now don't even
4 sometimes look at themselves as being
5 victims anymore. It's happened and
6 they've been traumatized for so long that
7 they see themselves in a different way,
8 which is very, very sad. And so for many
9 of them to escape that life is very
10 difficult, but it's something we're going
11 to continue with because we know it's
12 worthwhile.

13 COUNCILWOMAN BROWN: Indeed. I
14 thank you for your leadership after a
15 gazillion meetings that we both attended
16 that you were able to take the dialogue
17 and parlay that into a tangible end
18 product like the task force. Thank you
19 very much.

20 COMMISSIONER ROSS: Thank you.

21 COUNCILWOMAN BROWN: Thank you,
22 Mr. President.

23 COUNCIL PRESIDENT CLARKE:

24 Thank you, Councilwoman.

25 The Chair recognizes Councilman

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2 Oh.

3 COUNCILMAN OH: Thank you very
4 much, Mr. President.

5 Good morning.

6 COUNCIL PRESIDENT CLARKE: Good
7 morning.

8 COUNCILMAN OH: Good morning.

9 (Good morning.)

10 COUNCILMAN OH: Could I ask you
11 in terms of technology as a multiplier of
12 police ability, could you address what
13 technology is new or being planned for
14 police officers to enhance their
15 capabilities.

16 COMMISSIONER ROSS: Well, some
17 of it is not new. It's just expanding
18 upon. I mean, of course we spoke about
19 body-worn cameras, which is a big one.
20 The Real Time Crime Center and the DVIC,
21 which aren't new to us, but we look to
22 improve upon those things all the time.

23 We are also piloting a program
24 in the 19th District where we have some
25 officers who have cell phones. They're

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2 basically small devices where they're
3 able to do a myriad of things with those
4 cell phones to get information realtime
5 when they show up at a scene, that radio
6 can just send it in. They don't have to
7 ask this information. I'm trying to see
8 how that's going to work. We're working
9 with OIT to see how feasible it is to
10 push that out even further.

11 The bottom line is, we look to
12 leverage technology as much as we
13 possibly can, and we also have -- to be
14 honest with you, we have some of the best
15 and brightest working out there in the
16 field. Some of these police officers
17 will absolutely astound you with the
18 things that they do on their own. I
19 mean, these aren't things that we ask
20 them to do. They get on their own
21 smartphones and they start tracking stuff
22 when a robbery happens and they are able
23 to do a lot of stuff preliminarily on
24 behalf of investigators, because many of
25 them are of that generation, and so they

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2 understand the stuff far more than I do,
3 but they understand what leveraging
4 technology is about.

5 And so I think it is safe to
6 say that as things come online nationally
7 for the profession, we will continue to
8 jump on board, assuming it's fiscally
9 possible for us, which is a key. But you
10 have to do it in this day and age. I
11 mean, when you think about even what
12 we're able to do with SafeCam with many
13 businesses that aid us, look, sometimes
14 it works against you psychologically
15 because we push out so much information
16 that come from cameras, it can make
17 people believe crime is more than it is,
18 but that's us pushing that stuff out,
19 where we never had it before. And so
20 some of these cameras are so
21 sophisticated at some of these homes and
22 businesses, some of these people are
23 actually almost like they're posing for
24 the camera, you know, when they're doing
25 holdups, home invasions, and stickups and

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2 burglaries.

3 So technology is something
4 we're going to continue to use, and we're
5 going to continue to push forward as much
6 as we can.

7 COUNCILMAN OH: Thank you very
8 much.

9 Could I ask you some specific
10 questions than just kind of randomly. Do
11 patrol officers have night observation
12 devices when they're out in the evening
13 or is that not something that is planned?
14 Do they have it? Do they want it?

15 COMMISSIONER ROSS: Not in the
16 patrol force. Special Operations would
17 have that kind of stuff, but we don't
18 have it there. I can imagine the cost of
19 it must be pretty significant, but we
20 don't -- our patrol officers aren't
21 equipped with that kind of stuff.

22 COUNCILMAN OH: I'm just saying
23 for example. If there were surplus
24 military that provided back in the day a
25 driver recorder -- I don't know if that's

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2 still going on. Maybe it doesn't. But
3 having the patrol -- officers in patrol
4 vehicles with night observation devices,
5 does that even make sense?

6 COMMISSIONER ROSS: Well, I
7 mean, I'd have to see what that would
8 look like in a practical sense when
9 you're in a patrol car. I'm trying to
10 envision that right now. I'm sure there
11 could be some use for it, but then how
12 would you push it out? But, again, I
13 certainly see it for SWAT and different
14 places like maybe Homeland Security and
15 different -- maybe even Marine Unit,
16 places like that, but I don't know for
17 patrol. But, again, we aren't of the
18 mindset where we're just dismissive about
19 anything, because you never know how it
20 could work, particularly if you can find
21 the funding for it.

22 COUNCILMAN OH: Do citizens in
23 Philadelphia have the capacity to text
24 message 911? That may not be a police
25 issue but OIT issue perhaps.

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2 DEPUTY COMMISSIONER COULTER:

3 We don't have that yet, but we are
4 working towards it, and I would
5 imagine -- I would guess within a year we
6 will have it. We're working with OIT.
7 It's something that's very important,
8 because we realize we have to change with
9 our times, and that's a lot of ways that
10 folks communicate. So we certainly want
11 to be available to people who need us in
12 every way that we can. So we're working
13 towards it, but there's some technology
14 difficulties in getting to that point.

15 COUNCILMAN OH: Okay. Thank
16 you.

17 Finally, what is your
18 opinion -- and I know we had this
19 discussion very briefly, but what is your
20 opinion about the use of drones, drone
21 technology with police?

22 COMMISSIONER ROSS: For police?

23 COUNCILMAN OH: For police.

24 COMMISSIONER ROSS: You know

25 what, I think the short answer for me is

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2 I'm not enough of a drone expert to
3 really weigh in on that. I'm sure there
4 would be some usefulness to that, but I'm
5 not the person -- I'd have to get back to
6 you on that one in terms of how we would
7 do that.

8 I know there are departments
9 that are looking at that. At first
10 glance, I would think it was something
11 you could do, but I don't profess to be
12 an expert in it, so I'll have to take it
13 under advisement.

14 COUNCILMAN OH: I'll throw my
15 two cents in there since I have the mic,
16 just two cents. And I actually was on a
17 show called Future Tense in Washington,
18 so I've made my position public.

19 I do think -- thank you,
20 Council President.

21 I do think -- he nodded. He
22 said keep going.

23 Did you?

24 COUNCIL PRESIDENT CLARKE:

25 Well, you want to finish your question.

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2 COUNCILMAN OH: Thank you very
3 much.

4 So my perspective on it is that
5 community relations improve when
6 communities receive service; that when
7 communities feel like they don't receive
8 police services, they actually develop a
9 negative relationship with the police.
10 Wealthy communities receive services;
11 they have a good relationship. Poor
12 communities feel they don't receive
13 services; they have a bad relationship.

14 Drone technology, in my
15 opinion, working with the police
16 allows -- for example, when I call to
17 report someone on the corner, by the time
18 the police vehicle gets there, they're
19 gone. Drone technology allows for police
20 to see if they're there or not, to avoid
21 wasted time, but to also use night
22 observation, thermal to do things that we
23 can't do right now, such as to search for
24 missing children or seniors with
25 Alzheimer's immediately rather than

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2 necessarily waiting for longer periods of
3 time.

4 I do think the drone technology
5 reduces police stress, because the
6 technology can go reconnoiter a location
7 and report back the information of how
8 many vehicles, what type of vehicles,
9 what the situations are or even to
10 provide back-up to police officers on a
11 domestic abuse situation when they arrive
12 and they want to have eyes on with a live
13 person with that resource.

14 So for many reasons, which I
15 won't go into because my time is out, I
16 do think it is really worth looking into.
17 I know there's a lot of concerns from the
18 public about intrusions of privacy, but I
19 think at the end of the day, it's a force
20 multiplier. It provides eyes on. It can
21 actually provide the media with eyes on
22 whenever the police choose to allow them
23 to see the scenes as well. So I would be
24 one for really trying to look at pilot
25 programs and other things.

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2 COMMISSIONER ROSS: I mean,
3 Councilman, we'll look at just about
4 anything. That's the bottom line. We
5 often get different vendors come in to
6 show us different -- showcase different
7 things. Oftentimes it's things we can't
8 afford, but at the behest of some other
9 colleague, we'll look at it anyway.

10 So I don't know where we are
11 with that one, but we'd be open to
12 looking at it.

13 COUNCILMAN OH: All right.
14 Thank you very much, Commissioner.

15 COUNCILWOMAN BROWN: Good
16 afternoon. If we could now hear from
17 Councilman Kenyatta Johnson, who has
18 actually been granted the -- I'm trying
19 to navigate.

20 COUNCILMAN JOHNSON: I'm going
21 to go right into the question. So it's a
22 three-part question and I'll get right to
23 it. One, what's the status of the
24 GunStat program? I know there used to be
25 a collaboration with the District

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2 Attorney's Office, Philadelphia Police
3 Department specifically looking at guns,
4 proliferation of guns in the City of
5 Philadelphia. So I just want an update
6 on GunStat and status.

7 Two, I know the current
8 Administration is doing away or
9 addressing the issue of stop and frisk.
10 So I just want to get an update on where
11 we're at in terms of complaints, what has
12 the practice been in terms of working
13 with rank and file members to address the
14 culture of constitutional police
15 practices.

16 And my last question is,
17 recently the Department took a review of
18 its dog bite policy. There were a lot of
19 people getting bit by dogs in the 17th
20 Police District recently, and so I want
21 to know what was the result of that
22 review. Is the Department now citing dog
23 owners in dog bite cases? Is the
24 Department bringing dog bite cases to the
25 courts for dangerous dog rulings by a

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2 judge? And are those dogs being reported
3 to the dangerous dog registry?

4 DEPUTY COMMISSIONER PATTERSON:
5 Well, on your GunStat question, leading
6 up into this year, that has kind of
7 fallen off with the various -- the
8 GunStat. All last year we were
9 participating. It has fallen off on that
10 aspect. Again, that was a collaborative
11 effort with the District Attorney's
12 Office.

13 And so I guess short story is,
14 I guess things have to be recouped.
15 That's not to say that our efforts aren't
16 still out there targeting and focusing on
17 certain other people.

18 I'll jump to the third part of
19 your question. I know Captain Healy had
20 brought to our attention about the dog
21 bites, et cetera. We've been having
22 conversations. So far as we have to get
23 back to you about the tickets, if the
24 citations have been written, et cetera,
25 but we have had conversations about that

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2 and where we need to go with it, but
3 we'll get back to you on any particulars
4 with the dog bites.

5 COUNCILMAN JOHNSON: Thank you.

6 COMMISSIONER ROSS: So,
7 Councilman, with regard to the pedestrian
8 investigations, as we call them, it was
9 more about the constitutionality and
10 ensuring that we were performing these
11 stops under the color of law more than it
12 was about getting rid of the illegal
13 Terry Stop, if you will. So as you know,
14 there's a Bailey Agreement that we are
15 working in conjunction with plaintiff's
16 counsel and the ACLU to make sure that we
17 are following a number of guidelines that
18 are instituted and suggested by them, not
19 the least of which is the
20 constitutionality but also supervisory
21 oversight. We have a form called a
22 7548-A which all these stops have to be
23 documented on, and at some point in 2015,
24 we were pretty high in terms of being not
25 in compliance. And so at some point in

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2 time, we introduced in 2016, last year, a
3 number of measures designed at making
4 sure that, one, we were in compliance
5 with regard to the constitutionality of
6 the stop, the reasonableness or the
7 reasonable suspicion, which is the
8 criteria under Terry versus Ohio in 1968,
9 as well as making sure that supervisors
10 were reviewing this form, the 7548, to
11 ensure that it was filled out properly,
12 that it meets all the criteria.

13 We have a staff inspector that
14 comes under our Audits and Inspection
15 Unit that works in conjunction with the
16 Chief of Internal Affairs, and I gotta
17 tell you, you are not going to find two
18 more relentless and detail-oriented
19 people. And what is very interesting to
20 point out that I think -- I know
21 plaintiff counsel knows this, but a lot
22 of people don't know this is, it is our
23 own numbers that showcase the fact that
24 we were out of compliance by so much in
25 '15 and years before. It wasn't some

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2 other party.

3 And so we have worked very
4 diligently and had a number of measures.
5 For example, early in my tenure, along
6 with some folks from the City, Sozi
7 Tulante, Brian Abernathy, and plenty of
8 others, the Managing Director, we went
9 before then-federal Judge Dalzell and
10 tried to explain to him what we were
11 going to do going forward. And so what
12 you measure becomes important, right, in
13 anything. So one of the things that we
14 introduced was this, under Deputy --
15 First Deputy, in CompStat, this becomes
16 one of those measurables, and we tasked
17 the commanders to talk about their level
18 of compliance at every CompStat session
19 where you are. The Chief Inspector from
20 Internal Affairs is there to talk about,
21 well, Division A or whatever, this
22 Division B is either 100 percent or 90
23 percent in compliance. Here's the
24 reality.

25 To expect that we would ever be

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2 100 percent would be somewhat
3 unrealistic, because then people are
4 probably fudging numbers, and you don't
5 want that either. You want to be honest.
6 But we have had some success, I think
7 it's safe to say, and you can follow up
8 if you like, but I know the ACLU was
9 somewhat pleased with the success we had
10 in reducing the incidents of
11 non-compliance, so much so that I was
12 scheduled to speak with the federal judge
13 last year and it wasn't required because
14 we had made such significant progress.

15 So it's not about getting rid
16 of so-called stop and frisk. It's about
17 making sure that your pedestrian
18 investigations are done constitutionally,
19 they're done legally, they're also
20 documented properly and that everybody
21 has the appropriate level of oversight
22 involved.

23 COUNCILMAN JOHNSON: All right.
24 And that report from the ACLU, that will
25 be released?

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2 COMMISSIONER ROSS: Right.

3 That report, I think, will be coming out
4 soon. We've seen some of the preliminary
5 numbers and they definitely indicate
6 significant progress across the board.
7 They also indicate we still have work to
8 do.

9 COUNCILMAN JOHNSON: Yes.

10 Understood.

11 COMMISSIONER ROSS: But it is
12 significant progress.

13 COUNCILMAN JOHNSON: And just
14 last, can you just provide us with the
15 demographics of the homicides that aren't
16 solved. So the demographics and the type
17 of homicide. So this may be gun, this
18 may be burglary related, this may be
19 stabbing, just broken down just so at
20 least my team can have a picture of what
21 this looks like.

22 COMMISSIONER ROSS: So
23 unfortunately Philadelphia, like some
24 other cities, Baltimore, Chicago, LA,
25 probably anywhere from, given the year,

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2 80 to 90 percent of our homicides are
3 committed via handgun, and that's pretty
4 high for the nation. For example, in New
5 York City, it's only about 60 percent,
6 and that's been their case, 60 to 65
7 percent. So even in our low years, it's
8 80 percent of our homicides are committed
9 with a handgun. Right now we are around
10 90 percent, 89 to 90 percent.

11 COUNCILMAN JOHNSON: If you can
12 just provide the demographics.

13 COMMISSIONER ROSS: And as you
14 get into what we call the motives, I
15 think that's what you're really talking
16 about, what the motives are, the lion's
17 share, if you look at this year, are
18 still, as they always are, arguments
19 first. There are instances when you're
20 not able to tell. I mean, there's a
21 small number that are domestic, but then
22 you get -- it's not as many as robbery
23 related as you might think, but there's
24 some that are drug related, and those are
25 the -- so let me point this out very

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2 quickly. In many cases where they're
3 classified as drug related, those are
4 ones where we're easily able to discern
5 that it's clearly drug-related instances.
6 There are instances when we don't know
7 but strongly believe that the person was
8 either involved in narcotic sales or they
9 were consuming narcotics at the time,
10 which is still kind of drug related, or
11 so they were buying narcotics.

12 And so it runs the gamut. I
13 think that number, to be honest, is
14 always a little higher than we report,
15 but we can't prove it. The investigators
16 have to go on the information that they
17 have. So when we get it, we will often
18 get periods of time where there's an
19 undetermined category that will get a
20 little high on us. We're able to come
21 back usually a month, two months, three
22 months into the investigation and
23 sometimes pin down what you think the
24 actual motive is. Sometimes you know it
25 right away.

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2 This argument thing, this
3 disrespect thing is such a major one
4 across this city and in many cities
5 across the nation that it's ridiculous.
6 The stuff that people pull out a gun and
7 shoot each other for just -- will just
8 make you -- you already know. I'm not
9 telling you anything you don't know. I
10 mean, but it's just amazing what we got
11 to contend with.

12 COUNCILMAN JOHNSON: Thank you
13 for your service, all of you. Thank you.

14 COUNCILWOMAN BROWN:
15 Councilwoman Maria Quinones-Sanchez.

16 COUNCILWOMAN SANCHEZ: Thank
17 you.

18 Good afternoon.

19 COMMISSIONER ROSS: Good
20 afternoon.

21 COUNCILWOMAN SANCHEZ: I too
22 want to thank the thoughtfulness by which
23 the commanding officers collaborate.
24 Particularly where my office, and I know
25 for some of my Council colleagues, I

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2 sometimes wonder that we're getting in
3 their lane, but I really appreciate the
4 renewed commitment to the community
5 policing strategy in the neighborhoods
6 and appreciate your willingness to be
7 thoughtful around your assignment of the
8 local leadership to understand that I am
9 going to be in their lane in this.

10 But one of my biggest
11 frustrations under the last
12 Administration and the last Commissioner
13 was our willingness to really articulate
14 and vocalize a no tolerance for these
15 open-air drug markets. And every year I
16 went back and forth and can never get
17 kind of this commitment that this quality
18 of life issue was going to be addressed.
19 And one of the things that is promising
20 for me under the new Administration is
21 that the Mayor gets it and he constantly
22 is talking about every neighborhood and
23 every zip code.

24 All of that to say, are we
25 going to get a very focused strategy

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2 around open-air drug markets, a plan,
3 particularly in divisions like mine, the
4 East Division? And is that something
5 that we can, one, have a plan, monitor,
6 and something that I can really go back
7 to our stakeholders? We have very active
8 PDAC members, and say that this is
9 folk -- we have a focus on this.

10 COMMISSIONER ROSS: Right. So
11 the short answer is yes, and we have to
12 do it for some basic reasons, because you
13 know what this leads to. I mean, the
14 violence that stems from it is absolutely
15 ridiculous. And so people have a right,
16 irrespective of income, to live
17 peacefully without having to worry about
18 can I walk outside my house, can my kid
19 play outside my house without a bunch of
20 people congregating on the corner,
21 selling narcotics, and disrupting or
22 impacting somebody's quality of life.

23 The answer across the City is
24 yes, but in particular where you know in
25 your division it is so pervasive and has

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2 been, we've got some plans going forward.
3 But you and I have spoken about this. It
4 will require a great deal of
5 collaboration between you and I as well
6 as some of the residents that you spoke
7 about.

8 My struggle with any plan from
9 the outset is the sustainability. And so
10 I want to make sure before we enter into
11 anything that we know and can provide for
12 people who have every right to live in
13 peace that this is going to be something
14 that we can reasonably sustain. You have
15 to make the commitment to people in this
16 city. You have to show them that you
17 really are about, one, police-community
18 relations, but also you're about the
19 safety of the people that live and reside
20 there.

21 So I don't care where you are,
22 whether you're making a million dollars a
23 year or whether you're making 14,000 a
24 year, the bottom line is you shouldn't
25 look outside your window and see people

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2 smoking or selling drugs, and that's --
3 as we get more people -- and you and I
4 talked about this as well -- there is a
5 commitment to those very narcotics
6 violations that we will make both in
7 conjunction -- I had a conversation with
8 Gary Tuggle, as you know, the DEA top guy
9 here, and we will work to establish and
10 reestablish some of his task forces on
11 the federal level, because it won't just
12 be us. In order to be successful, you
13 have to approach it from a multifaceted
14 way, and that's what we intend to do.
15 Because it's just too much of a driver
16 for too many things to ignore.

17 COUNCILWOMAN SANCHEZ: I agree,
18 and I think that we're committed. I
19 understand interdepartmentally sometimes
20 there's a reluctance to deal with the
21 feds. They only want certain cases. But
22 they have a lot more resources. I mean,
23 I just came from a meeting with ICE and
24 they have tons and tons of federal
25 resources, and I think it's smart

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2 policing when we can turn over some of
3 these cases to them. It saves us money.
4 It saves us jail money. I mean, all of
5 the things that we know we all have to
6 save, so --

7 COMMISSIONER ROSS: And we have
8 one other advantage in that you and I
9 both deal with Gary Tuggle in that Gary
10 is a former police officer from
11 Baltimore.

12 COUNCILWOMAN SANCHEZ: Exactly.

13 COMMISSIONER ROSS: So he has a
14 fond appreciation for being responsive in
15 a timely fashion, even given the fact
16 that sometimes the feds have a little
17 longer timeline than we'd like, but I
18 think that's going to aid us.

19 But we've got a great
20 relationship with all of them, and so
21 that's a good thing.

22 COUNCILWOMAN SANCHEZ: And
23 we're committed and, again, I think the
24 Mayor is very committed as we deal with
25 Gurney Street and others to really look

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2 at the human side of this and we can't
3 arrest our way out, and we're spending
4 thousands of dollars in overtime in that
5 area. We have to be smarter around the
6 policing aspects of it and the
7 diversionary programs and stuff. And I
8 think -- I know Councilman Oh has really
9 led some discussions around what's the
10 coordination and how does our Human
11 Services Division better coordinate with
12 our counties.

13 My concern always as we address
14 these issues, that we invest a lot of
15 money taking care of folks that we need
16 to send home to their counties to pay for
17 treatment and some of those other issues.
18 And sometimes it sounds a little cold,
19 but it's like we could barely take care
20 of our own. We can't own everybody
21 else's problems too while we're trying to
22 address some of those issues.

23 I wanted to really quickly go
24 around quality of life strategies. In
25 the past when we went back to kind of the

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 neighborhood strategy stuff, we had a
3 very proactive -- and we talked about
4 this yesterday -- sanitation team that
5 really went out and enforced some of the
6 dumping stuff. We had a graffiti task
7 force, that we were more proactive.

8 Do you envision a scenario
9 where we'll start going back to some of
10 that to deal with some of the quality of
11 life issues that we see are spiking up
12 again? Graffiti is back up. Dumping is
13 back up.

14 COMMISSIONER ROSS: I do, but I
15 think you already touched on it. It's
16 got to be collaborative. It can't just
17 be us. And before it wasn't either. So
18 I think -- I know you have an MD's office
19 that's committed to quality of life
20 issues around the City, and I know those
21 folks are very impactful. So I see that
22 being something that's at the forefront
23 of their agenda in order to get this
24 done. Because, again, if you only come
25 through with us, I mean, that's good for

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 while we're there. And so -- because
3 here's the reality, Councilwoman. Even
4 that police officer who reports things,
5 if they don't see it getting done,
6 they're less reluctant to report it as
7 well.

8 So I've had conversations with
9 the Managing Director early on about --
10 and I don't want to step in his world,
11 but I know he already has some thoughts,
12 him and Brian Abernathy, about this. So
13 the answer is yes. I'm pretty sure the
14 City is going to move forward on things
15 like this.

16 COUNCILWOMAN SANCHEZ: Okay.
17 Thank you.

18 Thank you, Madam Chair. I'll
19 wait for my next round.

20 COUNCILWOMAN BROWN: Thank you.
21 You're very welcome.

22 In completing this round, we
23 have Councilman Green and then
24 Councilwoman Bass and then the next round
25 begins.

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 COUNCILMAN GREEN: Thank you,
3 Madam Chair.

4 I want to thank you,
5 Commissioner Ross, for your service and
6 the service of the officers, law
7 enforcement in the Philadelphia Police
8 Department for all the work that you do,
9 not only on a daily basis to make us safe
10 but also to provide the fine quality of
11 service that you do on a daily basis.

12 I wanted to follow up with some
13 questions that I had last year. I know
14 last year in the budget testimony I asked
15 you about CIT training. I believe you
16 had about 2,000 officers for CIT training
17 as of last year. I want to get a
18 perspective on what that current number
19 is for this year, especially as it
20 relates to people that have physical
21 learning differences like autism.

22 DEPUTY COMMISSIONER COULTER:
23 Councilman, that's a very good question.
24 It's something that we strive to really
25 get everybody done. We're at about 2,900

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 now, close to 3,000. I just attended a
3 graduation on Friday of about 60 more
4 volunteers. We're not only just training
5 our department, we're also training some
6 of our surrounding departments like the
7 University of Pennsylvania and SEPTA,
8 because at the end of the day, we don't
9 know who that first responder will be,
10 but whoever it is, we want to make sure
11 that they're as prepared as they can be.

12 What's really nice about the
13 CIT program is, every officer does
14 volunteer. We de-coupled that with our
15 taser program. It's no longer included
16 with the taser. They can apply to get a
17 taser at another time, but it's really
18 just to deal with all of those myriad of
19 issues that folks are dealing with every
20 day to make sure that we don't in any way
21 do anything that will escalate it and
22 work very, very hard to bring the
23 situation down, make sure everybody ends
24 safely, being a client as well as the
25 police officer.

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2 COUNCILMAN GREEN: One of the
3 things I noticed in the autism community,
4 a number of advocates, that more and more
5 departments across the country are having
6 more and more of their officers trained
7 in reference to dealing with issues, the
8 first responder dealing with people who
9 may be in the autism spectrum. One of
10 the things that I think may be helpful --
11 and I've seen this in other
12 jurisdictions. I know in, my
13 understanding, LA County, there's been
14 more and more work where people in the
15 autism community are having interaction
16 with the Police Department and learning
17 what is the dynamic that an officer goes
18 through when they're a first responder.

19 It's one thing for officers to
20 be trained, but I think it's also a good
21 idea for people in the community to
22 understand what officers go through and
23 their thought process when they are going
24 through a stop.

25 So I know the Philadelphia

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 Autism Project, which is an organization
3 I'm involved in, we do an annual
4 conference in May, actually May 12th. It
5 will be at CBH. So I think that would be
6 a good opportunity maybe to connect with
7 you, so that way, the Police Department
8 can see some of the issues that people in
9 the autism community have and they can
10 answer questions. And maybe for future
11 conferences, the Police Department can be
12 more involved as well, so that way,
13 people in the community can understand
14 some of the issues and challenges the
15 Police Department officers face on a
16 regular basis.

17 DEPUTY COMMISSIONER COULTER:

18 That would be terrific, because then we
19 could even involve some of our training
20 folks involved to bring that back to all
21 of our folks, not just the ones that see
22 what happens at the conference.

23 COUNCILMAN GREEN: Also I

24 wanted to pick up on the issue of human
25 trafficking. I notice that, Commissioner

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 Ross, you included that in your
3 testimony, and I know Councilwoman Brown
4 and other Councilmembers have asked
5 questions. One of the perspectives I
6 have and concerns is that what are we
7 doing to raise awareness about human
8 trafficking, maybe coming from the Police
9 Department perspective? Are there things
10 that young people, especially young
11 women, should be cognizant of so they
12 don't get caught up in some of the issues
13 of human trafficking?

14 There were some recent issues
15 in DC regarding a number of women that
16 were missing and the aspect of human
17 trafficking.

18 So what can we do from a public
19 information perspective to inform more
20 and more young women about human
21 trafficking issues?

22 COMMISSIONER ROSS: So I think
23 one of the things we could probably do a
24 lot better in the Police Department in
25 terms of the public relations standpoint,

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 but I happen to be involved, which is
3 what Councilwoman was referring to, and
4 other groups that are equally committed
5 via Enon Tabernacle and their first lady,
6 Ellyn Jo Waller, Dr. Ellyn Jo Waller, but
7 also Judge Lori Dumas. And so there are
8 people across this city who are very
9 committed to this. In fact, if you talk
10 to those two ladies, they will bowl you
11 over with human trafficking talk, because
12 they're so committed to it.

13 But by looking at it from a
14 multifaceted standpoint, whether it be a
15 servant leader or ministry in the largest
16 church in the City in Enon, She's My
17 Sister is what it's called, or whether
18 it's just working with the City in terms
19 of what they've done, we've been pushing
20 out a lot of information. Now, it's been
21 done collaboratively with a lot of judges
22 and district attorneys and public
23 defenders and a whole host of other City
24 people, but we're going to find a way to
25 your question to figure out a way to push

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 it out internally. We tend to push out a
3 lot of information, but this is something
4 we could probably get better on in terms
5 of being educational about it.

6 COUNCILMAN GREEN: And maybe
7 the opportunity of working with some of
8 our media partners like Comcast and
9 Verizon or AT&T and maybe even doing
10 PSAs, public service announcements, that
11 are not only traditional just on
12 television but using social media as a
13 way to get the word out. I know Judge
14 Dumas has been involved in this in the
15 very early stages of this issue and
16 concern, as well as Mrs. Waller as well.

17 Councilman Johnson I believe
18 asked a question regarding -- it was
19 either Councilman Johnson or another
20 member asked a question regarding bikes,
21 and it raised the issue of flash mobs.
22 And I've noticed that from my
23 observations, that the Police Department
24 is doing much more engaged observation
25 and surveillance on social media, because

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 I can almost -- I guess because I'm a
3 former prosecutor, when I see a number of
4 officers in the afternoon, there's
5 obviously something going on. They saw
6 something, especially around 2 o'clock,
7 1:30, 3 o'clock, they saw something and
8 that there may be a possibility of some
9 type of flash mob.

10 So I wanted to get some
11 perspective on what are you doing in that
12 regard, as well as another issue that I
13 see more and more young people in our
14 city who are riding bikes, traditional
15 bikes, in high traffic areas in groups
16 of, say, 10, 15, sometimes 20 down --
17 I've seen them on the Ben Franklin
18 Parkway. I've seen them downtown, which
19 is also another concern, where they're
20 doing wheelies and those type of things
21 in the middle of traffic. So I want to
22 get your perspective on that as well.

23 COMMISSIONER ROSS: So with
24 regard to your first question, and you're
25 absolutely right. We make widespread use

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 of social media. It has enabled us to
3 really do some significant things with
4 regard to how we deal with protests. You
5 see Deputy Commissioner Sullivan back
6 here. Him and Deputy Wilson were very
7 vital in dealing with not only the large
8 events but day to day, probably not many
9 protests you didn't see where you didn't
10 see Deputy, then-Chief, Sullivan. But a
11 lot of that information was borne out of
12 social media and the ability to get in
13 front of as many things as possible.

14 Now, that's not foolproof, as
15 you know. There are things that we may
16 be blocked from, but to the degree that
17 we can be involved and understand when
18 there's going to be a large gathering of
19 any group but particularly young people,
20 as you talked about, the young people,
21 flash mobs, or whatever you want to call
22 it, is one of those things where not only
23 social media but young people on social
24 media who can be of help to us to let us
25 know. Because sometimes when these young

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2 folks are coming down, there's a small
3 group within the big group that's coming
4 just to fight or just to wreak havoc.

5 And so when those young people know that,
6 the other folks, if they can let us know
7 about something that maybe we're not
8 privy to, we need to do that.

9 With regard to the kids on the
10 bikes, they become very challenging as
11 well, because you got safety issues,
12 trying to figure out a way sometimes to
13 really advise them not to ride the way
14 they're riding. Riding a bike is not
15 illegal, but a lot of people don't
16 realize you're supposed to follow the
17 traffic laws technically. But also
18 realizing that we don't want to get in
19 the business of chasing kids who run
20 lights and then get hit because of
21 something we're doing. So we have to be
22 very judicious about how we do it.

23 But some of these kids, you're
24 right, the way they're weaving in and out
25 of traffic and sometimes really trying to

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 cause some problems. And, look, I won't
3 deny the fact, policing struggles with
4 community relations in a lot of regard.
5 So we got to be very careful about how we
6 do that, because then the pushback from
7 some people is, now you're harassing kids
8 that are riding bikes. And so we got to
9 be very careful about it, but I will
10 acknowledge fully, I have seen what
11 you're talking about. And so we don't
12 profess to have the exact answer to
13 dealing with that, but just trying to
14 figure out a way to advise these young
15 people so that it's their safety that's
16 at issue in most cases.

17 COUNCILMAN GREEN: Thank you,
18 Madam Chair.

19 COUNCILWOMAN BROWN: You're
20 very welcome.

21 And now we're continuing on
22 this round with Councilwoman Bass.

23 COUNCILWOMAN BASS: Thank you,
24 Madam Chair.

25 Good afternoon.

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 COMMISSIONER ROSS: Good

3 afternoon.

4 COUNCILWOMAN BASS: I want to

5 start out by, number one, thanking the

6 Philadelphia Police Department for all of

7 the hard work that you do, and I know

8 it's a challenge. It certainly is a

9 challenge. And that's putting it -- very

10 much understating what you all face out

11 there every single day. So I just wanted

12 to say that I recognize how difficult

13 your job is, and I wanted to specifically

14 thank the new commanders in the

15 Northwest, which will be Captains Hearn,

16 Ginaldi, and Ransom, along with Inspector

17 Washington and also -- I shouldn't

18 mention folks from different districts

19 because I know I could really get into a

20 lot of trouble, because the folks who

21 work in those districts really do a

22 phenomenal job. So I really just want to

23 shout all of them out and everyone who

24 does such a wonderful job.

25 We hope that we can keep our

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 captains for some time. We noticed that
3 in the Northwest they rotate out quite
4 often. So we're hoping that we can hold
5 onto these folks for a longer period of
6 time, Commissioner.

7 COMMISSIONER ROSS: That's
8 because we send you some stars sometimes.
9 So that's why --

10 COUNCILWOMAN BASS: You
11 certainly do. We want to keep stars. We
12 want to keep our stars.

13 COMMISSIONER ROSS: We got a
14 lot of stars.

15 COUNCILWOMAN BASS: Well, you
16 do have a lot of stars. But, again,
17 thank you so much for all that you do and
18 to all the folks who work in the
19 Northwest. We really appreciate
20 everything that they do.

21 I've been to every police
22 station in my district. I've been to
23 every fire station. And one of the
24 things that I know is the facilities are
25 in dire need. And this is not a surprise

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 to you. I heard you earlier speaking
3 about some of the offices down at the
4 Roundhouse and how they're kind of like
5 closets even, that people are basically
6 opening up an office out of a closet.
7 And I was wondering, is there a master
8 plan for facilities for our stations,
9 district stations?

10 DEPUTY COMMISSIONER COULTER:

11 Councilwoman, in our last contract
12 hearing, if you remember, they dedicated,
13 I believe, a million dollars for Police
14 and Fire to do a facility study. We're
15 expecting to get the results of that very
16 soon. We'll prioritize some districts
17 that need to be repaired, some that may
18 need to be rebuilt. But instead of doing
19 significant repairs in a building that
20 may not last through that next round,
21 we're waiting for the experts who looked
22 at every one of the buildings, did both
23 by square inch and what's significantly
24 wrong or things that could be fixed very
25 relatively easily. So we should be

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 getting that information very soon and
3 work with Public Property and the City
4 Administration to decide where best to
5 spend those capital dollars.

6 COUNCILWOMAN BASS: I'm glad to
7 hear that. I look forward to reading the
8 report myself and certainly hope -- I'm
9 going to put in a request early for the
10 14th Police District, which really needs
11 a new facility. There's no question
12 about the needs of the 14th District.
13 And also I would say the 39th is in
14 significant need as well. The existing
15 building just needs so much work. The
16 35th could use some upgrading also. So
17 across the board with all of our stations
18 in the Northwest, we could use some
19 either significant upgrades or a
20 completely new facility. So we certainly
21 hope that that will be in the report, and
22 we'll follow up with you.

23 COMMISSIONER ROSS: Well, first
24 of all, Councilwoman, thank you for
25 acknowledging that, one, simply because

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 these men and women already work under
3 the toughest circumstances just wearing
4 this uniform. So they certainly have a
5 right to come to work in a place that's
6 not falling down. And so I'm thankful
7 that the Administration is committed to
8 looking at that and, going forward,
9 optimistic that we will see some changes
10 for the men and women that do this. And
11 I'm talking sworn and civilian, because
12 we got civilians that are trapped in some
13 of these buildings all day.

14 COUNCILWOMAN BASS: Oh, yeah.

15 COMMISSIONER ROSS: And that's
16 what they got to deal with.

17 COUNCILWOMAN BASS: Like I
18 said, I've been in every police station,
19 every fire station in my district, and I
20 can tell you there's asbestos, there's
21 raw sewage. There's just a lot of things
22 that are happening that really just
23 shouldn't be happening and really
24 diminish the professionalism -- or the
25 respect for professionalism that we

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 expect from our police and our
3 firefighters.

4 COMMISSIONER ROSS: Thank you
5 for recognizing that.

6 COUNCILWOMAN BASS: Absolutely.

7 So a couple of other questions
8 that I had for you. You had mentioned
9 earlier in your testimony that you wanted
10 to have body cameras for all members of
11 the Philadelphia Police Department or was
12 it just particular officers? That was
13 your ultimate goal. And what was that
14 number? I know you said it was 800 that
15 you were trying to get to by the end of
16 this year.

17 COMMISSIONER ROSS: Right. So
18 we're really talking about the roughly
19 4,000 that work the street. And so that
20 800 is rolling out over the years it
21 takes to get there. So -- and, again,
22 the Administration and certainly the
23 Police Department is committed to that
24 endeavor. There may be some hiccups
25 along the way, but nothing that's

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 insurmountable, but the main thing is the
3 commitment to do it.

4 COUNCILWOMAN BASS: So we think
5 that by the end of this year, we'll have
6 800? Fiscal year or calendar year?

7 COMMISSIONER ROSS: Well, I
8 don't know if we'll have quite -- well,
9 we might be close. I mean, because if we
10 can get into the 24th and the 25th, which
11 is the next area we're moving to, we have
12 300 out there so far. So that would be
13 about an additional 400 in those two
14 districts. So that's pretty close to a
15 total of 800. And then moving every year
16 trying to push 800 out until you get to
17 that other number.

18 COUNCILWOMAN BASS: Yeah. I
19 see it. It says here now that you were
20 trying to get out 800 cameras per year.

21 COMMISSIONER ROSS: Right.

22 COUNCILWOMAN BASS: That that
23 was the goal to get out 800 per year.

24 COMMISSIONER ROSS: That's
25 right.

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 COUNCILWOMAN BASS: All right.

3 Very good.

4 Also I wanted to mention that
5 we had the help of the Philadelphia
6 Police Department in crafting our
7 nuisance business bill legislation, which
8 is being piloted out of the 14th
9 District, and I did have an update from
10 Captain Hearn about some of the work that
11 is being done to pilot this program. And
12 the bill was written along with our
13 office, along with the Philadelphia
14 Police Department. So we really wanted
15 to thank you for all of your assistance
16 with that, the idea behind it being that
17 we don't want to close businesses, but
18 where we have particularly neighborhood
19 businesses where there's loitering,
20 there's gambling, there's drug sales,
21 there's maybe public urination or
22 prostitution or a whole host of things.
23 In some of our neighborhoods there's
24 corner stores where you see it all. You
25 see it all, and we have to get these

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 folks to understand and to operate in a
3 way that's most conducive for the
4 community.

5 So the bill was written with
6 the Police Department. We want to thank
7 you for your assistance in that and look
8 forward to being able to roll it out
9 throughout the rest of the City, because
10 it's desperately needed.

11 COMMISSIONER ROSS:
12 Councilwoman, thank you for that, and I
13 got to thank two people. One, Captain
14 Kenebrew, as you know, who was on the
15 ground with you, but also one of our
16 unsung heroes on a lot of this
17 legislation-related matters, Captain
18 Healy, who you dealt with.

19 COUNCILWOMAN BASS: Yes.

20 COMMISSIONER ROSS: Captain
21 Healy is one of those guys who quietly
22 gets a lot of stuff done for us and does
23 it without a lot of fanfare. Most of you
24 in the room have dealt with him on one
25 occasion or another. So I can't say

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 enough about what he's done to facilitate
3 a lot of these things that we are trying
4 to accomplish in the Department and the
5 City.

6 COUNCILWOMAN BASS: Well, thank
7 you very much.

8 COMMISSIONER ROSS: Thank you.

9 COUNCILWOMAN BASS: Thank you,
10 Madam Chair.

11 COUNCILWOMAN BROWN: Continuing
12 on this round, we have Councilwoman
13 Blackwell, Councilman Squilla, and then
14 this round will finish with Councilman
15 Brian O'Neill.

16 Councilwoman Blackwell.

17 COUNCILWOMAN BLACKWELL: Thank
18 you, Madam Chair.

19 Good afternoon.

20 COMMISSIONER ROSS: Good
21 afternoon.

22 COUNCILWOMAN BLACKWELL:
23 Certainly let me thank your deputies with
24 you and say that tonight at Dawnside
25 Center, they have one of those sessions

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 that is so nice where the community meets
3 a new captain. So I'll say, Deputy
4 Commissioner Coulter, I'll try to stop
5 thinking of you as the captain in the
6 16th. I just can't help it.

7 DEPUTY COMMISSIONER COULTER:

8 It was a lot of good years there.

9 COUNCILWOMAN BLACKWELL: Yes.

10 But we appreciate all that all of you do.

11 And, Commissioner, you've never
12 said no to me even before you were
13 Commissioner. But we're very, very
14 grateful. We're looking forward to you
15 getting all of these cameras you need and
16 we're looking forward to being as
17 supportive as we can for all that you do.

18 COMMISSIONER ROSS: Thank you.

19 COUNCILWOMAN BLACKWELL: Madam
20 Chair, that's all I wanted to say.

21 COMMISSIONER ROSS: Thank you
22 so much. Appreciate it.

23 COUNCILWOMAN BROWN: Well,
24 saying thank you and saying appreciation
25 never gets old.

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 COMMISSIONER ROSS: No, it
3 doesn't. We appreciate it, trust me.

4 COUNCILWOMAN BROWN: Especially
5 in the business that you all are in, as I
6 tell people, nine days a week, 72 hours a
7 day.

8 So with that, let's now move
9 to -- thank you, Council Lady.

10 Councilman Squilla stepped out,
11 so Councilman Brian O'Neill.

12 COUNCILMAN O'NEILL: Thank you,
13 Madam Chair.

14 Commissioner, I'm just going to
15 focus on one thing and point out
16 something that it's not in any of the
17 testimony, but it's personal in terms of
18 how much your department was ever able to
19 help me in such a short period of time
20 talk about the Philadelphia Police
21 Department.

22 The National League of Cities,
23 I've been going to conferences there for
24 a long, long time. Very active with them
25 as a past President. But this is the

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 first time this year where they asked me
3 to speak on a panel, and it was a
4 follow-up to Philadelphia getting an
5 award a year and a half or so ago for
6 smart policing and what you were doing
7 with the 80/20 group, almost following
8 the real bad guys around with technology.
9 But they didn't give me the right -- who
10 I should talk to. I said I can speak
11 about anything, but I'd really like to
12 know some facts before I go on.

13 So Friday before the Monday
14 morning as I was going to Washington, I
15 got a call, who hearing from -- it
16 actually was Kevin Thomas, one of your
17 top analysts, but it went right up to
18 your Deputy to your left here, Christine,
19 and it was all hands on board, starting
20 about 4 o'clock on a Friday, worked all
21 weekend with e-mails back and forth, and
22 I was the most prepared person on the
23 panel, and we had a pretty impressive
24 panel from Washington and other places.

25 But the level of intelligence

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 gathering that we're doing and using with
3 analytics, cooperating with other
4 jurisdictions because it's bigger than
5 just us was just amazing.

6 And so on one hand, I want to
7 congratulate you for where you are, the
8 Intelligence Bureau that you started the
9 facility down in South Philadelphia that
10 houses this whole package, and that it's
11 nice to see us as a national model where
12 best practices are being looked at here.
13 And I know the Deputy Commissioner was
14 going out to Chicago, so I was able to
15 kind of piggyback on some of the
16 presentation points.

17 But what I would like to do,
18 because I was already offered the
19 opportunity to come down, see the
20 facility, but what I'd like to do is get
21 Councilmembers only to get a briefing in
22 the building here just on all of the
23 intelligence stuff you're doing. Because
24 I don't think that's something
25 necessarily for a public hearing. And

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 then anybody that would want to go down
3 and see the facility later.

4 COMMISSIONER ROSS: Absolutely.

5 COUNCILMAN O'NEILL: Rather
6 than combine the two, I'd rather be in
7 sort of an -- off our site rather than --
8 mainly when you're touring, you're
9 hitting highlights and things, but if we
10 could do that after the budget hearings
11 are over, it would be really helpful.

12 But it just felt really good to
13 be bragging about the City, particularly
14 the Police Department, and seeing
15 people's eyes open like this, and the
16 panel was -- it was like my panel. They
17 were just talking about Philadelphia once
18 we got rolling. And we're way ahead of a
19 lot of people, and I know that the
20 leadership in the Department is at the
21 top of the game here. So keep it up, and
22 it's just nice to know that this is sort
23 of the backbone of what we're doing,
24 whether it's the captains' town meetings,
25 it's lieutenants meeting with their

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2 individual groups, that this is all going
3 into someplace that's really trying to
4 outthink -- becoming the Billy Beane, or
5 whatever his name is, the guy that
6 started Moneyball. This is sort of the
7 police version of it. And there's some
8 examples out there that are just
9 mind-blowing what we've been able to
10 accomplish already. But keep it up, and
11 thank you.

12 COMMISSIONER ROSS: Well, first
13 of all, real quick, Councilman, thank you
14 for bringing that to light. First of
15 all, it's always nice to have the
16 Department showcased, but I'm glad you
17 mentioned, for example, Kevin Thomas. I
18 could mention Mike Garvey, the Director
19 of Forensics, the men and women seated
20 behind you. And I say those names
21 because those are the civilians that prop
22 us up, that often go unheralded for what
23 they do. And I could be talking about
24 them and Intel. I could be talking about
25 Forensics. I could be talking about

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2 Finance. I could be talking about
3 Payroll, anything. Because if you're not
4 paying me, there's a problem, you know.
5 So those folks probably represent some of
6 the most important people that we have,
7 and a lot of times, you know, we're
8 remiss in not acknowledging that those
9 800 men and women, I mean, do as much to
10 support this department as anybody else.

11 And so thank you for allowing
12 that segue, because we have to take that
13 opportunity to celebrate them as much as
14 we can. Thank you for what you said.

15 COUNCILMAN O'NEILL: And the
16 fact that they're training sworn officers
17 to be analysts within the districts and
18 doubling up in really --

19 COMMISSIONER ROSS: Absolutely.

20 COUNCILMAN O'NEILL: -- the
21 higher crime districts is kind of
22 mind-blowing from just where we were five
23 years ago when we were kind of advanced
24 then. So keep it up, because we're --

25 COMMISSIONER ROSS: I mean, the

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2 things that they're doing out here, the
3 Intelligence Bureau, I mean, what I love
4 about the men and women in this
5 department, that came out of a roundtable
6 I had with chief inspectors. They came
7 up with that. And so those are the
8 things that you want to do. You want to
9 be inclusive as possible irrespective of
10 whether you're talking sworn or civilian,
11 but you got to continue to push the
12 envelope and be as innovative as you can.

13 We have people -- I say it at
14 just about every time I have a -- we have
15 an awards ceremony. I am truly proud of
16 the men and women in this department and
17 that many of them, they truly could be
18 doing anything else, but they chose this
19 profession. And when I tell you, you
20 know, the intelligence and the innovative
21 and creativeness that some of these folks
22 have at all levels -- and this is not
23 just rhetoric. I don't have an
24 obligation to say this in a budget
25 hearing, but I'm telling you, you would

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2 absolutely be, as you said, astounded by
3 the work that is done in this department,
4 and we have to do a little bit more to
5 celebrate some of these men and women.

6 COUNCILMAN O'NEILL: Let me
7 just say I started the presentation --
8 I'm remembering it now -- that there was
9 a story in late February about how the
10 Phillies were the last team in the
11 National League to use analytics, and now
12 they're using them robustly. In fact,
13 they can't hire enough analysts, and they
14 might even be building a separate wing on
15 the stadium, on the ball park building,
16 to house them. But I said if it was
17 either our Police Department or our
18 baseball team that we're behind the eight
19 ball and waited so long to do it, I'm
20 glad it was the Phillies and not the
21 Police Department, because the Police
22 Department was the -- is the Billy Beane,
23 the first one really of a large
24 department going this far, and it's
25 great, but it's something that small,

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2 medium, and mid-size and larger cities,
3 even counties can replicate. So all good
4 examples out there.

5 Thank you.

6 COMMISSIONER ROSS: Thank you.

7 COUNCILWOMAN BROWN: Thank you.

8 So it appears now we're --
9 Councilman Squilla has not returned for
10 this round, so now we're going to go to
11 the next round again, and that would
12 start with Councilman Domb.

13 Okay. Councilman Jones stepped
14 out. Councilwoman Sanchez. So then
15 you're up -- is she in the hallway?

16 COUNCILWOMAN BASS: She's not
17 here?

18 COUNCILWOMAN BROWN: I had a
19 follow-up question. I don't remember
20 what it was now.

21 So for the department that
22 Councilman Brian O'Neill just spoke
23 about, the analytics, that's a specialty,
24 fair to say, correct?

25 COMMISSIONER ROSS: Absolutely.

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2 COUNCILWOMAN BROWN: Which
3 means prospective candidates for that
4 department would have to come with some
5 level of training in analyzing data,
6 analyzing -- complete the sentence for
7 me.

8 COMMISSIONER ROSS: So we have
9 kind of a hodgepodge. We have police
10 officers that have been trained, but we
11 have some crime mappers that are really
12 analysts who have been underutilized in
13 many cases.

14 For example, you hear us talk
15 about CompStat. Well, there are people
16 that do that mapping, that geocoding.
17 Many of these folks have Master's degrees
18 and they have the ability and the skill
19 set to do just what the Councilman was
20 talking about. So we have realized that
21 we have to make use of the resources we
22 have there, but, again, it speaks to the
23 level of creativity and --

24 COUNCILWOMAN BROWN:
25 Innovation, thinking outside the box.

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 COMMISSIONER ROSS: -- the
3 innovation on the part of the people that
4 work here, again, sworn and civilian,
5 across the board, which is absolutely
6 remarkable. If you get in the weeds with
7 some of these people, they will blow your
8 mind. They absolutely will.

9 COUNCILWOMAN BROWN: I'll look
10 forward to the briefing that Councilman
11 Brian O'Neill spoke about. That should
12 be very informative, an eye-opener, I
13 would imagine.

14 Councilwoman Bass, we may have
15 to seize the moment while we wait --

16 COUNCILWOMAN BASS: Let me
17 start before she comes. Thank you very
18 much. Thank you.

19 Good afternoon again. I just
20 have a couple of really quick questions
21 for you. I wanted to talk about crossing
22 guards and about the staffing levels of
23 crossing guards. And earlier this year
24 we introduced two resolutions, one
25 calling for the Streets Department to

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2 discuss -- to have a hearing with the
3 Streets Department to discuss the
4 implementation of traffic-calming plans
5 around Philadelphia schools and childcare
6 centers. Because right now it's kind of
7 like there's no plan. And even when new
8 schools come up, you know, from virtually
9 nowhere, a school concept is developed,
10 they find a building, they put it into
11 place, and there's been no forethought
12 into the traffic around that particular
13 intersection or area. And the same thing
14 with childcare centers. And so one of
15 the things that I hear on a regular basis
16 is that we don't have enough crossing
17 guards which come to the Philadelphia
18 Police Department.

19 So can you talk about that a
20 little bit and about how we can address
21 this further?

22 COMMISSIONER ROSS: All right.
23 So you're right, we don't. We're
24 budgeted for 1,037. I think that's the
25 number.

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2 COUNCILWOMAN BASS: 1,037?

3 COMMISSIONER ROSS: We're
4 800-and-some-odd folks. Deputy Coulter
5 can give you the exact number, and she
6 will tell you that a lot of it is not
7 about the inability to hire, but it's
8 about turnover.

9 COUNCILWOMAN BASS: About what?

10 COMMISSIONER ROSS: Turnover.
11 We lose people that come. It's a
12 part-time job and people get other
13 opportunities and they move on.

14 So I don't know if you wanted
15 to expound on that at all.

16 DEPUTY COMMISSIONER COULTER:
17 What we see is a lot of our folks that
18 start out as crossing guards take that
19 because it's convenient because of the
20 age of their children, and a lot of them
21 stay within City service. They come into
22 a full-time job with the City.

23 But one of the challenges for
24 crossing guards -- and I really respect
25 what they do -- is they must leave their

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2 house three times a day in order to work
3 four hours. So we may have people
4 applying for the job, but there's no
5 corners in their neighborhood. So they
6 don't want to be traveling an hour, hour
7 and a half to get to a corner and knowing
8 they have to do it three times in the
9 course of a day. So we do lose a lot of
10 guards.

11 We hired 160 last year. So
12 it's not a lack of effort to hire and
13 replace those folks, but there's times
14 where we exhaust an entire district's
15 list. And when you ask folks outside of
16 a district if they're willing to go
17 from -- they may live in the 15th to the
18 25th, it's such great travel to have to
19 do it three times, they just can't afford
20 for a four-hour day. So it's a
21 challenge.

22 COUNCILWOMAN BASS: Do you do
23 targeted recruitment in particular areas
24 or if you have, let's say, in front of --
25 just as an example, in front of Peirce

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 School at 23rd and Cambria. If they
3 don't have a crossing guard at that
4 intersection, do you do targeted
5 recruitment in that area so that you're
6 not pulling someone, let's say, from the
7 Greater Northeast to come all the way
8 down there, which would be -- wouldn't
9 make sense because of the length of time
10 it could take to get there.

11 DEPUTY COMMISSIONER COULTER:

12 The only targeting that I know we do is
13 through our district captains, because
14 ultimately they have bigger challenges
15 when they have uncovered corners, because
16 they have to be obviously concerned about
17 the safety. So we ask them at every
18 command meeting, every PSA meeting on
19 those particular PSAs to have the
20 lieutenants mention if folks are looking
21 to get involved in -- and it is ideal for
22 people with small children, but they do
23 graduate into that next realm.

24 COUNCILWOMAN BASS: Can you
25 provide the Council a list of where

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 you're looking for crossing guards? As
3 District Councilmembers, we probably know
4 some people who might be willing to do
5 that in their neighborhood.

6 DEPUTY COMMISSIONER COULTER:
7 Sure. We can get the Council President a
8 list of our vacancies, if that will help,
9 and he can distribute it to each of your
10 individual districts.

11 COUNCILWOMAN BASS: That would
12 be fantastic.

13 DEPUTY COMMISSIONER COULTER:
14 Because I realize our districts don't
15 always mirror yours. So by location, at
16 least you'll know where they were needed.

17 COUNCILWOMAN BASS: That would
18 be fantastic, so we could be able to help
19 out in that regard.

20 Can you talk about the
21 contract -- there's a contract that the
22 Philadelphia Police Department has for
23 police management training with
24 Northwestern University. Are you
25 familiar with that?

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2 DEPUTY COMMISSIONER COULTER:

3 Sure. We now host a class once a year.

4 We used to do it twice, but most of our

5 management and senior management and

6 supervisors have been through it. So we

7 contract annually with Northwestern.

8 Years ago we used to send our folks to

9 the training, but we found it more

10 fiscally responsible to bring the

11 training here so we could do a larger

12 number of our commanders. So normally

13 the class holds about 35 of our folks as

14 well as our surrounding jurisdictions,

15 which helps defer some of that cost, and

16 that is normally covered by grant

17 funding.

18 COUNCILWOMAN BASS: Do you

19 think we can do that training here

20 in-house?

21 DEPUTY COMMISSIONER COULTER:

22 The specialties that the folks bring, I'm

23 not so certain we can. We try to do that

24 in areas where it's something that's

25 easily trainable, but with it being a

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2 traffic institute and some of the things
3 that are taught, I don't know if we'd
4 have enough local experts to do a train
5 the trainer. They've pretty much
6 mastered that. But we did do that with
7 Dr. Fridell and fair and impartial
8 policing. We realized that it would have
9 been impossible to pay for that kind of
10 training for over 6,000 of our officers.
11 So we brought her in to do a train the
12 trainer and now have moved forward with
13 training our own folks in that area to
14 make sure they all get it more
15 economically.

16 But Northwestern is pretty much
17 a proven package. It's something that's
18 looked for and respected all throughout
19 the law enforcement community. I'm not
20 certain we can replicate it, but we can
21 certainly look at some of those aspects
22 that are advantageous to our people and
23 maybe at least isolate on them for all of
24 our folks.

25 COUNCILWOMAN BASS: So

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2 something that's really nationally
3 accredited and recognized.

4 DEPUTY COMMISSIONER COULTER:

5 Yes. You'll even see someone who is
6 hiring police chiefs or something like
7 that, they'll look for that as one of the
8 things that they're asking for, like that
9 they would like them to have that
10 qualification.

11 COUNCILWOMAN BASS: Very good.
12 Very good.

13 And one last question is about
14 cameras on our blocks in the City of
15 Philadelphia. So we have a program
16 called the Community Leadership Caucus
17 and we meet with block captains,
18 committee people and so forth to work on
19 particular issues in their area, and one
20 of the things that we always hear about
21 is the need for cameras. And we know
22 that resources are scarce, so we had come
23 up with a plan so that we could help
24 folks get cameras on their block, and we
25 were really excited about it. And then

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2 as we further thought about how do we
3 pursue this particular initiative, one of
4 the things that was brought to our
5 attention is putting cameras on my house
6 could make me a target. If I put a
7 camera on my house, I'm linked into the
8 Philadelphia Police Department's camera
9 system and I'm now a target.

10 So how do we address the camera
11 shortage that we need? Because of course
12 the Police Department puts cameras up,
13 I'm assuming, in major intersections or
14 where areas where there's high crime and
15 a lot of traffic and whatnot, but in
16 areas where it might not be as much crime
17 or as reported, but it's still very much
18 a concern and neighbors, particularly
19 seniors, may feel hostage, there's a
20 group of guys, they're always hanging
21 out, this, that and the other thing, how
22 do we put cameras in our neighborhoods
23 without making people targets? Do you
24 have any thought about that?

25 COMMISSIONER ROSS: Well, one,

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2 I think it revolves around just a public
3 campaign about what those cameras will
4 and won't do. I think it's natural to
5 assume that they may become targets. I
6 just don't know that that's the case.

7 Clearly, you know, as far as
8 the City cameras are concerned, we use
9 that via data that drives where we're
10 going to put them, but I think people who
11 have them, not only do they protect
12 themselves more than they realize, but it
13 enables us should something actually
14 happen to apprehend, and we've done that
15 more times than we can count where people
16 have broken into someone's home or
17 someone's business. And I'm a big
18 proponent of them. There are some that
19 are relatively cheap out there now. I'm
20 not saying everybody can afford them, but
21 you can also jerry-rig some of them.

22 But I think it's about a public
23 campaign of explaining -- sometimes
24 people have this idea, which is not
25 farfetched, but it might not be real,

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 about what's going to happen to you. So
3 I think if we probably work together and
4 we have some dialogue, because it doesn't
5 have to be big community meetings. I
6 mean, we could do it area by area,
7 whatever you want, and just talk about in
8 conjunction with not only the captain in
9 your case, Hearn, and the other folks up
10 there, but as well as Captain Kenebrew
11 back there who deals with a lot of this
12 stuff now, because they're pushing out a
13 lot of information. I think it's as much
14 about that than anything else. Just
15 getting folks to understand, don't be
16 afraid of it and don't make assumptions
17 about what it's going to be. I mean, I
18 get it, but I think they're more vital
19 than people realize.

20 COUNCILWOMAN Bass: Well, we'll
21 follow up with your office, because we'd
22 like to have that conversation and try to
23 figure out how do we get cameras in our
24 neighborhoods. We think we have an idea
25 to make it viable and make it something

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2 that can happen in a lot of different
3 neighborhoods and really up the number of
4 cameras, but we don't want to put folks
5 at risk, and as you said, maybe it's just
6 an education thing.

7 COMMISSIONER ROSS: I think a
8 lot of it is.

9 COUNCILWOMAN BASS: Great.
10 Well, we look forward to working with you
11 on that. Thank you so much.

12 COUNCILWOMAN BROWN: Thank you,
13 Council Lady.

14 Councilwoman Sanchez.

15 COUNCILWOMAN SANCHEZ: Thank
16 you.

17 Just to follow up, last year I
18 had talked a little bit about the
19 possibility of the Police Department
20 talking to the Streets Department about
21 where they have cameras, because
22 ultimately we don't have enough staffing
23 to have them realtime all the time. Has
24 any discussion happened with that?

25 COMMISSIONER ROSS: In terms of

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 with the Streets Department?

3 COUNCILWOMAN SANCHEZ: The
4 lights -- the cameras that they're
5 putting in.

6 DEPUTY COMMISSIONER COULTER:
7 We met recently with Rich Montanez to
8 look at capitalizing and using both of
9 our resources. One of the advantages we
10 have if we use their poles is that we can
11 have a four-way vision. So we are in the
12 discussions of how to be able to look at
13 that 360 vision.

14 The Streets Department has been
15 terrific in offering their help to help
16 us do this. It's still just a matter of
17 making sure we're driven by data and that
18 they're going at the locations where it
19 will serve the most good.

20 COUNCILWOMAN SANCHEZ: I may
21 need you to authorize me to have access
22 to those cameras. I've been trying to
23 get the stuff the Streets Department has.
24 They just have an app and they go in and
25 they're able to see stuff. They say they

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2 can't give me that, but maybe the Police
3 Commissioner can authorize that.

4 I want to talk a little bit
5 around language access and diversity. I
6 was looking at your numbers. I know that
7 part of the reason you changed some of
8 the entry requirements was because we
9 were losing on our minority
10 representation. Last year I asked you
11 about that. There hadn't been a decision
12 internally made about bilingual selective
13 factor. Is there any updates in that?

14 And then the other piece is,
15 are we documenting -- I know all
16 departments have to give us a language
17 access plan. Are we better documenting
18 the use of language access? And the
19 reason I ask that is many times in the
20 districts, particularly East Division,
21 there are officers who do it, but we're
22 not recording it, and it helps us justify
23 the need.

24 COMMISSIONER ROSS: So I'll let
25 Deputy Coulter in a minute talk about

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2 language access, and I think we're
3 getting better. We still have some
4 improvements in that regard that we have
5 to work on, but with regard to the
6 diversity issue, as it relates to
7 testing, there have been no inroads in
8 that. There's still the same system that
9 we have.

10 We still are very intentional
11 about our recruitment at the entry level
12 and being very cognizant about who gets
13 promoted, but it is by list, as you know.
14 And so you just got a good captain there
15 and he banged the list in an appropriate
16 way.

17 We are struggling. Right now
18 we've only got one white female captain,
19 which in our tenure is very, very low. I
20 mean, we've got several African American
21 females in everything from deputy
22 commissioner down to captain, but we
23 don't have a Latino female captain.
24 We've got a few that are seated in that
25 lieutenant space that I anticipate will

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2 do well on future exams, one of whom is
3 in PAL, but there's a number. So I fully
4 anticipate that even in the present
5 testing process, people will do well, but
6 we just have to be very focused and let
7 people -- avail people to as many
8 opportunities, both the training things
9 that will improve your chances of getting
10 promoted as well as being prepared.
11 Because it's not just about getting
12 promoted; it's about being prepared for
13 that assignment, and we're talking
14 primarily about that when you hit that
15 captain rank, it's a totally different
16 world.

17 COUNCILWOMAN SANCHEZ: No; I
18 get it, but I'm more interested in the
19 recruitment level. I mean, at a certain
20 point, the Administration has to make a
21 decision are we going to use bilingual
22 selective factor in its current form or
23 not.

24 COMMISSIONER ROSS: For coming
25 on the job, you mean?

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2 COUNCILWOMAN SANCHEZ: Yes.

3 COMMISSIONER ROSS: Well,
4 here's the thing -- and I think you had a
5 brief discussion with Deputy Coulter --
6 Latinos did extremely well in our last
7 class and their numbers --

8 COUNCILWOMAN SANCHEZ: That
9 does not preclude my 30-year advocacy.
10 Are we using bilingual factor or not? If
11 we are, I'd like to get some consistency
12 on all the uniforms, because this is the
13 same question we have to have for Fire
14 and for Prisons, because their numbers
15 are worse. And so at some point, I need
16 the uniform departments to adopt a
17 policy.

18 DEPUTY COMMISSIONER COULTER:
19 Councilwoman, we're not, but one of the
20 key factors to go into is that we exhaust
21 every single person on that list.
22 Everybody that signs up to be a cop goes
23 through the entire process, and that
24 either gets accepted or based on merit.
25 So we never get to the point where that

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2 selection --

3 COUNCILWOMAN SANCHEZ: I know
4 that, and that's also happened in the
5 Fire Department. What happens is, you
6 want a policy that the Administration is
7 going to embrace across departments,
8 right? Because then when I get to the
9 Prisons, the numbers are off whack,
10 because there's no policy.

11 Both the leadership at the
12 Police Department and the Fire Department
13 have been wonderful about the
14 recruitment. I mean, we've all worked
15 with recruitment and exhausting the list,
16 but then I get to Prisons' list, it's
17 horrible, you know, the ratio between
18 Latinos and Spanish-speaking folks and
19 others.

20 So I'm just saying it's a
21 public policy. I'm a legislator. So
22 I've promoted the bilingual selective
23 factor. If it's not going to be used, at
24 some point the Mayor has to say or it has
25 to be redefined, because it doesn't only

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2 impact you.

3 COMMISSIONER ROSS: Understood.

4 COUNCILWOMAN SANCHEZ: So

5 that's the issue.

6 And then, finally, I wanted to
7 put on your radar -- and I don't know how
8 this is going to be addressed -- as we
9 work with immigration issues across the
10 board, one of the things that we found as
11 a member of CJAB is that many of our
12 diversionary programs insist that people
13 plead guilty to something, and in their
14 plea to something, to have access into
15 our diversion program they're cutting
16 their pathways to citizenship. And so I
17 wanted to put that on folks' radar, all
18 of the folks involved in that. We don't
19 have an answer. Other cities are doing
20 fabulous work around this, but as I work
21 with the Administration on whether it's
22 muni ID and some of the other stuff that
23 we're doing, that became something that
24 popped up at us and that we need all of
25 our judicial kind of folks to be aware

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 of. As we're creating these diversionary
3 reform initiatives the pleaing to
4 something cuts off people's pathway to
5 citizenship.

6 COMMISSIONER ROSS: Understood.

7 COUNCILWOMAN SANCHEZ: Thank
8 you.

9 Thank you, Madam Chair.

10 COUNCILWOMAN BROWN: I won't do
11 the context. The context is on Page 7.

12 How many vacancies do you have
13 in the Department as we sit here today at
14 the entry level?

15 DEPUTY COMMISSIONER COULTER:
16 231.

17 COUNCILWOMAN BROWN: Okay.
18 That's amazing.

19 And are there barriers as such
20 to not get those slots filled?

21 DEPUTY COMMISSIONER COULTER:
22 We've been working really, really hard on
23 it. We have put 300 in the Academy in
24 the last nine months. So we're hoping
25 that with our realigning our standards,

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 that we will have more folks applying,
3 more folks that we can include to be
4 police officers and, therefore, fill some
5 of those gaps, because we have exhausted
6 every list of applicants as they came
7 through. But now we saw a jump from
8 1,200 on one list to 5,700 on the next.
9 So I think we're pretty certain that
10 there's more people who want the job who
11 now qualify. Just hopefully they'll
12 qualify through the process.

13 COMMISSIONER ROSS: So,
14 Councilwoman, also -- because there's
15 multiple phases. We've got, one -- the
16 advantage of having more people in the
17 pipeline is that even though the
18 percentages may remain the same in terms
19 of the people who are disqualified, by
20 aggregate numbers you're getting more.
21 And so you'd be surprised sometimes at
22 the number of young folks who cannot pass
23 initially our physical agility test.
24 Given three times --

25 COUNCILWOMAN BROWN: Physical

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 agility test?

3 COMMISSIONER ROSS: Yeah. They
4 have to do a run. They have to do a mile
5 and a half run --

6 COUNCILWOMAN BROWN: You have
7 to be physically fit.

8 COMMISSIONER ROSS: They have
9 to be fit. They're told. We assist them
10 what to do. And some of them eventually
11 get through -- the hurdle is probably the
12 background investigation. So
13 irrespective of whether you had 60
14 credits or a Ph.D., if you don't have the
15 requisite background, you're still not
16 getting in. And so certainly for our
17 department and probably for most, only 10
18 percent of the people who ever apply ever
19 become police officers.

20 COUNCILWOMAN BROWN: Is that a
21 fact?

22 COMMISSIONER ROSS: Because
23 it's such a rigorous process, and there
24 are different phases that knock people
25 out. Years ago it was the psychological.

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 That changed with the way we're doing
3 things now. Our polygraph does not
4 automatically disqualify you, but it is
5 something that we use in an investigative
6 tool. So there's no one thing that
7 knocks people out or that is a barrier in
8 terms of your question.

9 COUNCILWOMAN BROWN: Very
10 informative. Thank you very much.

11 Mr. President.

12 COUNCIL PRESIDENT CLARKE:
13 Council Lady, you were doing so well, I
14 was just admiring your great work over
15 here.

16 So I see the Fire Commissioner
17 just walked in.

18 The Chair recognizes Councilman
19 Domb.

20 COUNCILMAN DOMB: Thank you,
21 Council President.

22 I have an inquiry kind of a
23 question. Recently a couple months ago I
24 went to the Randolph School, and
25 Councilman Jones set it up, and I saw the

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 firefighting class where they have over
3 50 people in the high school in the
4 firefighting class. Do we have a similar
5 type of class in our high schools for
6 police?

7 DEPUTY COMMISSIONER COULTER:
8 We don't.

9 COUNCILMAN DOMB: Is that
10 something that would be of interest?

11 COMMISSIONER ROSS: Absolutely.
12 Absolutely. If we could find a way to do
13 that. We had looked at this a couple
14 years ago, and I commend the Fire
15 Department for their innovativeness to do
16 something like that. I think it would go
17 a long way to not only helping us to
18 staff the Department, but even if people
19 didn't eventually take advantage of this
20 is an employment opportunity but had
21 better understanding of policing, I think
22 it would help us just in terms of
23 police-community relations. Because a
24 lot of things that we contend with are
25 centered around misunderstandings about

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 what we do. And so if we could get
3 younger people interested, even if they
4 don't do it, much like other Police
5 Explorers, it's not a curriculum, but it
6 is a program that everybody doesn't avail
7 themselves of being a police officer, but
8 at least they understand what we do and
9 why we do it.

10 COUNCILMAN DOMB: Do you think
11 it would be worthwhile for us as a city
12 to look at developing a high school
13 specific for first responders, Police,
14 Fire, et cetera, that actually teaches
15 them from 9th to 12th grade, has the
16 physical education classes that are
17 conducive to what they'd have to do in
18 that career and actually bring them
19 through the four grades? And these are
20 great positions with great paying jobs
21 and we actually could train our own
22 people. I guess my question is, would
23 that be helpful and is there a model
24 anywhere in the country that is doing
25 that?

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 DEPUTY COMMISSIONER COULTER:

3 Councilman, I saw a recent model in
4 California when I was at IACP, and they
5 do just that. They bring them in at -- I
6 believe it's actually at middle school.
7 It starts at 7th and goes like 7th
8 through 12th, where it's for both
9 firefighter and police. But it really --
10 it's very early stages. We don't have
11 any results of the success, because they
12 haven't been to the point where they
13 would have graduated and gone into a
14 profession, but it has, at least in the
15 early stages, looked very promising.

16 COUNCILMAN DOMB: But it might
17 help you fill some of those vacancies and
18 get people thinking about a career in
19 police or fire or first responders.

20 COMMISSIONER ROSS: Absolutely.
21 So funding notwithstanding, I mean, and
22 resources, if we could do that, we
23 certainly would be amenable to looking at
24 it, because anything that we can do to
25 fill these -- because a lot of what we

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 have to do to protect the people who
3 live, work, and visit in the City centers
4 around us having the right number of
5 people in those patrol cars and on those
6 beats. And so that's first and foremost.
7 Boots on the ground is critical to
8 accomplishing what we need to accomplish.

9 COUNCILMAN DOMB: Well, I'll
10 make the commitment I'll try to work on
11 that, but I need somebody from the Police
12 Department, the Fire Department to go to
13 the School District and see if we can
14 accomplish that goal.

15 COMMISSIONER ROSS: Deputy
16 Coulter will be your point person for us.

17 COUNCILMAN DOMB: Thank you.
18 Thanks.

19 COUNCIL PRESIDENT CLARKE:
20 Thank you, Councilman.

21 Councilwoman, you want to --
22 the Chair recognizes Councilwoman
23 Sanchez.

24 COUNCILWOMAN SANCHEZ: I know
25 you mentioned the Fire Commissioner is

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 here, so I just wanted to make sure that
3 just for the record that -- because we
4 didn't get to talk about the language
5 access in terms of if you can send me
6 what the current protocols are at the
7 windows when requests are done and how
8 are we keeping the data.

9 And then I just wanted to add
10 to Councilman Domb. I think we have a
11 robust PAL system and I know the
12 Commissioner has been very supportive and
13 the Mayor about expanding them, and I
14 think we need to look at the roles PAL
15 could potentially play in recruitment and
16 increasing the community relations. I
17 think there's a possibility there. I'd
18 be happy to take you to some of my PAL
19 centers so you could see some of the
20 great works going on.

21 COMMISSIONER ROSS: Sure.

22 COUNCILWOMAN SANCHEZ: Thank
23 you.

24 COUNCIL PRESIDENT CLARKE:
25 Thank you, Councilwoman.

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 So I thought we were going to
3 be done a little earlier and we would
4 have taken lunch and moved into the Fire
5 Department. So this is what I'm going to
6 do. I got three quick questions and then
7 I'm going to take a brief break and let
8 Fire come on after that.

9 So real quick, lost and stolen.
10 Commissioner, I think you were a deputy
11 at the time when we were moving through
12 the court process, and at the time,
13 then-Mayor Nutter, Police Commissioner
14 Ramsey, City Council, everybody got on
15 board and the time to ask this
16 question -- and if you can't answer it
17 directly, because there's a twofold
18 question. We passed the legislation. We
19 went to court. We sued our friend Ed
20 Rendell, who was the Governor at the
21 time, General Assembly. We moved through
22 the court process. It got close to the
23 Supreme Court, but the Supreme Court
24 basically said before we hear the case,
25 you have to have the appropriate person

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 that has standing. The NRA at the time
3 was attempting to be the defendant, but
4 they didn't have standing. And the
5 Supreme Court basically said, you make an
6 arrest, you prosecute, we'll hear the
7 case that will allow the NRA and that
8 person that they represented.

9 So everybody got on board.
10 Ramsey said, I'll make the arrest on lost
11 and stolen, non-reporting. The Mayor was
12 there, gung ho. Everett at the time was
13 the public safety deputy, obviously
14 myself, and I think Donna Miller was the
15 Councilperson that we introduced -- we
16 filed a lawsuit, along with all the
17 members of Council. And the
18 then-District Attorney basically sat down
19 at the big table down in the Mayor's
20 Office and said, I'm not prosecuting.
21 And we were somewhat miffed, but at the
22 end of the day, she was the District
23 Attorney, independently elected, said
24 she's not doing it.

25 So fast forward to the

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 conversation earlier about district
3 attorneys. So I had talked to a couple
4 of the candidates, and one candidate told
5 me that they believe that it was a
6 defensible case. They believe that we
7 were not constitutionally prohibited
8 because of the specific language that
9 talked about illegal weapons, why the
10 Constitution preempts the City as it
11 relates to illegal -- legal weapons. It
12 does not preempt us on illegal weapons.

13 The first part of the question,
14 in terms of how the structure of the
15 current government is and certain
16 policies as it relates to litigation,
17 does that come down from the Mayor or
18 does the Police Commissioner have the
19 autonomy to make the determination as to
20 whether or not to make the arrest on a
21 duly enacted local law? I know it was a
22 long lead-in.

23 COMMISSIONER ROSS: No; and to
24 be honest with you, Council President, I
25 would have to consult with the guy I

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 mentioned maybe when you were out,
3 Captain Healy. He would be far more
4 adept at answering that question. For me
5 to give you an answer, I'd be speaking
6 out of school and not answering it
7 appropriately. So I will take that under
8 advisement. If you don't mind, I'll have
9 him get back to you and we'll get you an
10 answer to that.

11 COUNCIL PRESIDENT CLARKE: All
12 right. Who was that again?

13 COMMISSIONER ROSS: Captain
14 Fran Healy. You've dealt with Fran
15 Healy, our legal advisor in the Police
16 Department. So he's been working with
17 this kind of stuff.

18 COUNCIL PRESIDENT CLARKE: So
19 Fran would be the person --

20 COMMISSIONER ROSS: Fran will
21 be the one who most likely will tell you
22 what the legalities are relative to the
23 Mayor versus me. I mean, we're on board
24 because it's such a problem in terms
25 of -- obviously you know the willingness

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 is there, but with regard to your
3 question, whether or not it would be me
4 or some other agent of the government
5 that would have to facilitate that
6 arrest, I'm not sure. I would imagine it
7 would be one of us, but let me get that
8 answer for you.

9 COUNCIL PRESIDENT CLARKE: All
10 right. That is obviously -- I mean, in
11 all the testimony today, the one
12 underlying issue is too many illegal
13 weapons on the street.

14 COMMISSIONER ROSS: Oh, it's no
15 question about it.

16 COUNCIL PRESIDENT CLARKE:
17 Until we resolve that, I don't ever think
18 we'll get legislative relief in our
19 foreseeable future with the crew in
20 Harrisburg. Cherelle Parker was there at
21 the time. She said she got it on the
22 docket, but couldn't muster the votes.

23 All right. We'll wait that
24 response.

25 The issue that came up a couple

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 of years on the last contract for Police
3 with respect to the ability for
4 individuals after five years to move out
5 of the City, and at the time of the
6 question, I was surprised at the
7 demographics of the people that were
8 leaving the City while we were
9 aggressively trying to recruit
10 individuals of color. We found that upon
11 the implementation of the five-year
12 policy, that an overwhelming majority of
13 people that were moving out of the City
14 were individuals of color. That for me
15 was a problem, because in some of these
16 neighborhoods, people -- you know, I know
17 myself, I'd love to have a cop living
18 down the street, saying straight up. I
19 mean, we get that word out, a police
20 officer lives on the block, people tend
21 not to come around there and create
22 problems. But this trend of individuals,
23 is that trend continuing?

24 COMMISSIONER ROSS: I don't
25 have the demographics, but 203 people

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 moved out in 2016. Certainly I know a
3 number of white, black, Latino officers
4 that have done so in that mix. So it's
5 an interesting dynamic, I mean, in that
6 you gain something and you lose something
7 at the same time.

8 Certainly there have been
9 rulings across the nation that you don't
10 have the right to tell somebody where
11 they can live, but there's also something
12 to be said for people who reside in the
13 jurisdiction.

14 I personally never thought -- I
15 know everyone at this table has got at
16 least 28, 29 or 30 something years. I
17 never thought we would have that
18 residency issue in Philadelphia, but we
19 do and with it comes some of the issues
20 that you're talking about and also some
21 other things that you and I can talk
22 about offline, but --

23 COUNCIL PRESIDENT CLARKE: I
24 mean, I think most of us -- I mean, it
25 was done as a result of the furlough

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 situation. The Police Department -- I
3 could say it, because I know this is why
4 it happened, is that the Police
5 Department agreed to take furloughs,
6 which everybody knew they were never
7 going to take -- they were never going to
8 furlough a police officer. I'm not even
9 going to ask you to respond to this
10 because --

11 COMMISSIONER ROSS: Well, you
12 would know better than me anyway.

13 COUNCIL PRESIDENT CLARKE: --
14 in exchange for being able to move out of
15 the City, right? And at the time, the
16 attempt was to get District Council 33
17 and 47 to accept furloughs, and the
18 conversation, well, you know, police took
19 furloughs, why can't you.

20 Now, everybody knows nobody is
21 furloughing a police officer given the
22 need for cops, but it was clear that
23 there was an opportunity to do that with
24 33 and 47. So that's why it happened.
25 And I know somebody was in the room

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 negotiating. They said that's why it
3 happened. But that's unfortunate,
4 because I think that everybody that works
5 for the City is equal in public service
6 and they should live in the City. If
7 that's not the case, then let everybody
8 live outside the City. I don't support
9 that, but anyway, okay, let me move on to
10 the next one.

11 I'll get a phone call about
12 that. But it's all good.

13 The issues that have arisen
14 downtown from time to time more
15 frequently with the young kids doing
16 whatever, right, and the protests as a
17 result of the newly elected President,
18 and it goes on and on. There's been a
19 lot of activities. And I look out my
20 window, like other members, and we see a
21 whole bunch of police officers out here.
22 And we've talked about this. And I'm
23 saying where did all these police
24 officers come from? And then I've had a
25 conversation.

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 So if these protests continue,
3 which is probably going to happen for a
4 minute, every time somebody -- a certain
5 guy down there does something a little
6 out there, people are going to come down
7 here and protest. How are we going to
8 deal with this long term? And the thing
9 with the children being let out of the
10 schools, which they're blaming on some of
11 the charter schools that are in Center
12 City, it's continually requiring a
13 significant police presence down here.
14 And I do believe you're getting ready to
15 tell me where the police are coming from.
16 So can you elaborate on that?

17 DEPUTY COMMISSIONER PATTERSON:
18 Yes, sir, Council President Clarke.
19 We're going to do what we have to do,
20 number one, which is we're going to
21 protect and serve and we're going to be
22 out there under whatever the constraints
23 are. That population of school kids as
24 well as the protesters, et cetera, it
25 drains our manpower, our staffing levels,

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 because we have to come down, even with
3 having a steady deployment between
4 Central Police Division, Center City
5 District, 6th, 9th District, even the
6 22nd, addressing issues on the ground
7 collaboratively with SEPTA as well as the
8 various business meetings. We sat down
9 there, and Brian Abernathy has pulled us
10 together and we discuss these issues with
11 the tenants over there at 15th and
12 Market, et cetera. So it's just all-out
13 press. It would be nice to think that
14 it's going to subside, and we do get
15 moments of breathing, if you will.

16 The School District, Deputy
17 Sullivan there will be meeting with
18 SEPTA, the principals, Dr. Hite. They
19 have an initial course that they want to
20 go down to address some of that student
21 population that's within Center City. So
22 we hope that that's going to be fruitful
23 what they lay out with that, as well as
24 with SEPTA, and that's all gearing around
25 TransPass issues, accessibility, et

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 cetera, et cetera.

3 But so far as the Police

4 Department is concerned, we're going to

5 do what we always do, whether full

6 staffing level or understaffed as we are.

7 We're going to try to make sure things

8 are safe for our commuting public, our

9 residencies as well as those children.

10 And that's the best that I can answer

11 that, some things that's under our

12 control. And what we can do and what we

13 can put forth, we're going to do the best

14 we can to keep things down.

15 I think we've been rather

16 successful in liaisoning with the various

17 business groups. The Central Police

18 Division has a solid core action plan

19 that they implement on a daily basis in

20 preparedness, and that includes reaching

21 out to the various businesses along that

22 Walnut Street to Market Street corridor,

23 social media monitoring that we

24 mentioned, parlaying, again -- leveraging

25 what we have over in the School District

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 with Inspector Frank Brockmeyer over at
3 the Office of School Safety and just
4 bringing about and creating that
5 information flow and the monitoring
6 thing. So with those things being said,
7 we're actively --

8 COUNCIL PRESIDENT CLARKE: Is
9 it having a fiscal impact?

10 DEPUTY COMMISSIONER PATTERSON:
11 Yes, sir.

12 COMMISSIONER ROSS: Absolutely,
13 Council President. Every time we have
14 one of these protests in particular,
15 every time we have young people who
16 converge unexpectedly on Center City,
17 there's a cost associated.

18 I certainly don't want anyone
19 to construe from what I'm saying that we
20 are against people's First Amendment
21 right to express themselves, but there is
22 a cost. The cost, first and foremost, is
23 a fiscal one. That's first and foremost.
24 But there is another cost. That other
25 cost is when we are obliged to take and

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 move officers around, they are not in the
3 district, and that's not just for the
4 community, which is first and foremost,
5 but it's also for their safety. So we
6 have to now reevaluate things like
7 minimum manpower.

8 And so this is something I ask
9 all these folks to do so that we don't
10 unnecessarily put officers as well in
11 peril because they don't have the
12 requisite back-up because officers have
13 been pulled out of districts, and quite
14 frankly, we have to be careful about
15 that.

16 COUNCIL PRESIDENT CLARKE:
17 Yeah. I mean, I had this primo view of
18 North Broad, and I guess it's difficult.
19 You have to have enough police officers
20 deployed to deal with the optimum crowd,
21 but sometimes it's like more police
22 officers than protesters.

23 COMMISSIONER ROSS: Well, you
24 know what, though, Councilman -- and I'm
25 glad you brought that up, Council

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 President, because that has come up from
3 some other folks, and one of the
4 things -- you touched on it. You look
5 at -- the world is changing and evolving
6 all the time. Look at what happened in
7 Dallas. Who would have ever thought that
8 a protest would have resulted in an
9 ambush? And so even things that are not
10 as catastrophic as five police officers
11 losing their lives, when you get protests
12 that aren't adequately staffed, some of
13 the small groups who are intent on
14 causing issues now feel that they can get
15 away with that. And so then that
16 short-term gain that you have by having a
17 minimal amount of staffing, a minimal
18 amount of overtime, you lose in the
19 optics part, because if the City goes, it
20 goes, and you can't get that back. So
21 that's the challenge.

22 COUNCIL PRESIDENT CLARKE:

23 Okay. Yeah. Difficult issue.

24 Councilwoman Reynolds Brown.

25 COUNCILWOMAN BROWN: No.

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 COUNCIL PRESIDENT CLARKE:

3 You're good?

4 COUNCILWOMAN BROWN: I'm good.

5 COUNCIL PRESIDENT CLARKE: So
6 no other questions. Thank you very much
7 for your testimony.

8 We're going to -- let me confer
9 with the Commissioner so we can figure
10 out how long we're going to take a break.

11 COMMISSIONER ROSS: Thank you,
12 Council President.

13 (Pause.)

14 COUNCIL PRESIDENT CLARKE:
15 Thank you. We're going to recess until
16 1:45.

17 (Short recess.)

18 COUNCIL PRESIDENT CLARKE: Good
19 afternoon. We're going to start.

20 Good afternoon. Next up we're
21 going to have the Fire Department.

22 (Witnesses approached witness
23 table.)

24 COUNCIL PRESIDENT CLARKE: Good
25 afternoon, Commissioner.

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 COMMISSIONER THIEL: Good
3 afternoon. Thank you.

4 COUNCIL PRESIDENT CLARKE: Good
5 afternoon. You can proceed when you're
6 ready.

7 COMMISSIONER THIEL: Thank you.
8 Honorable Council President and
9 members of City Council, I'm joined this
10 afternoon by Deputy Commissioner Jesse
11 Wilson and our Chief of Staff, Tara Mohr.

12 As you know, yesterday the
13 National Institute for Occupational
14 Safety and Health, or NIOSH, released its
15 report on the tragic fire at 1655
16 Middleton Street that claimed Lieutenant
17 Joyce Craig's life in December of 2014.
18 The Philadelphia Fire Department's
19 official report on that incident was also
20 released yesterday, and both reports are
21 now available on the PFD website.

22 I met with members of the Craig
23 family to review these reports yesterday
24 and will be offering a series of internal
25 town hall meetings over the next few

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 weeks that will allow all PFD members the
3 opportunity to hear directly from me
4 about how we are addressing the
5 consolidated reports' 26 recommendations.

6 Both reports were intensively
7 researched and go into much finer detail.
8 Overall, what they indicate is that PFD
9 has a long road ahead. While the
10 Administration's Five Year Plan provides
11 the Department with a much-needed
12 injection of resources, the Department
13 will require additional years of
14 sustained investment to fully complete
15 all the recommendations laid out in these
16 reports.

17 While I wasn't part of the PFD
18 when this tragedy occurred, I am fully
19 committed to working with the resources
20 provided of the Administration's proposed
21 budget to make changes that will help
22 move our department forward while never
23 forgetting Lieutenant Craig and the other
24 PFD members who have made the ultimate
25 sacrifice in service to this great city.

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 If there's one thing I've seen
3 over and over during the past 11 months,
4 it's that the men and women of this
5 incredible Fire Department always join
6 together as a team to make it work
7 despite any challenge or hardship. I'm
8 confident they will do that again now,
9 with continued dedication in service to
10 each other, our department, and our
11 citizens.

12 With your permission, I can
13 briefly summarize the consolidated
14 recommendations from both reports since
15 they provide important context for this
16 year's proposed budget and our future
17 plans to continually review, realign,
18 refocus, and reinvest in the Philadelphia
19 Fire Department.

20 COUNCIL PRESIDENT CLARKE:
21 Please do.

22 COMMISSIONER THIEL: There are
23 26, so I'll read them fairly quickly.
24 Some of them are repeats, but I didn't
25 want to edit them at all.

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 The Fire Department should
3 ensure that fire suppression is initiated
4 on the floor level that the fire is on
5 whenever possible.

6 The Fire Department should
7 ensure that officers and firefighters are
8 trained in the latest fire behavior
9 research affecting fire ground tactics.

10 The Fire Department should
11 ensure that crew integrity is maintained.

12 The Fire Department should
13 ensure that all firefighters and officers
14 are trained in the use of hose nozzles
15 and hose line management skills.

16 The Fire Department should
17 ensure that all firefighters and officers
18 are trained in mayday techniques and
19 communications.

20 The Fire Department should
21 consider upgrading their self-contained
22 breathing apparatus and personal alert
23 safety systems to the latest edition of
24 the National Fire Protection Association
25 standards to benefit from the increased

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 thermal protection characteristics.

3 The Fire Department should
4 ensure that personal protective equipment
5 is donned prior to entering a structure.

6 The Fire Department should
7 ensure that rapid intervention teams are
8 on scene and activated before interior
9 operations begin.

10 The Fire Department should
11 ensure that resources respond in a timely
12 manner.

13 The Fire Department should
14 ensure that a stationary command post is
15 established and the command team
16 communicates effectively.

17 The Philadelphia Fire
18 Department should upgrade their current
19 self-contained breathing apparatus, or
20 SCBA.

21 Proper deployment of all
22 personal protective equipment prior to
23 entering an immediately
24 dangerous-to-life-or-health atmosphere
25 must be enforced.

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 Continued testing on personal
3 alert safety systems.

4 Evaluation of the Philadelphia
5 Fire Department's current mobile data
6 terminal's ability to assist drivers via
7 global positioning system.

8 Development of a Philadelphia
9 Fire Department operational procedure for
10 basement fires.

11 Development of a mayday
12 operational procedure and training for
13 all firefighters.

14 The Philadelphia Fire
15 Department will evaluate rapid
16 intervention team enhancement, upgrading
17 the PFD's personnel accountability
18 system.

19 The Philadelphia Fire
20 Department must conduct training for all
21 firefighters on the management and
22 control of all potential ventilation
23 openings in a structure in order to limit
24 fire growth and spread.

25 Continuous training for all

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 firefighters on all fire ground
3 disciplines.

4 The PFD must initiate
5 command-level training on all the same
6 disciplines and a command school.

7 The City of Philadelphia should
8 consider restoring the engine and ladder
9 companies that were decommissioned in
10 2009 in order to provide the necessary
11 training required for a large urban fire
12 department and an increased margin of
13 safety for our firefighters and the
14 public.

15 The City of Philadelphia must
16 make an investment into a
17 state-of-the-art training facility either
18 by upgrading the facility on Pennypack
19 Street or by building a new facility.

20 An operational procedure must
21 be developed for conducting a formal
22 investigation into firefighter fatalities
23 and serious injuries.

24 Establishing officer
25 development for newly promoted

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 lieutenants and captains to be instituted
3 prior to an assignment to any unit.

4 The PFD must retain the
5 position of battalion chief's
6 aide/communication specialist. The aide
7 is critical in order to maintain the
8 command, communication, and safety
9 network.

10 The PFD should give strong
11 consideration to increasing staffing
12 levels at the Fire Communications Center.
13 At this point in time, the FCC does not
14 have any staff dedicated to monitor the
15 operating fire ground or attack channel
16 talk group.

17 Council President, members of
18 Council, I stand ready to answer any
19 questions you might have.

20 COUNCIL PRESIDENT CLARKE:
21 Thank you, Commissioner. I just have a
22 couple of questions.

23 In the budget detail, Section
24 44, Page 3, spending in the Grants
25 Revenue Fund is anticipated to come in

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 7.1 million under the budgeted amount.
3 Can you please detail why grants are
4 anticipated to be under-spent? It's
5 usually the other way around. We usually
6 would like to spend more money than we
7 actually have.

8 COMMISSIONER THIEL: Council
9 President, members of Council, my guess
10 is that's an anomaly of the appropriation
11 and that some of that is around federal
12 grants for our Pennsylvania Task Force 1,
13 our urban search and rescue team, and the
14 way the federal government cycles those
15 dollars. So we actually have a number of
16 grants that we are working to continue to
17 provide the detail that FEMA requires,
18 the Federal Emergency Management Agency,
19 to get our reimbursements. So I think
20 it's just a matter of the lag time
21 between us providing all of that and also
22 having an appropriation that is higher
23 than what we might actually receive,
24 because we're always sort of behind the
25 federal grant cycle since they work on a

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 federal fiscal year and we work on our
3 own fiscal year and since all of these
4 grants are -- most of our grants are
5 competitive and the one grant we're
6 talking about in particular is a
7 cooperative agreement that because of the
8 way the federal government is doing
9 business with the continuing resolutions,
10 it's very challenging for us to be able
11 to track and budget that and anticipate
12 that with a high degree of fidelity.

13 COUNCIL PRESIDENT CLARKE:

14 Okay. So I can nod my head and act as if
15 I understood everything you just said or
16 I can ask you to define it a little more
17 precise. Bottom line, the federal
18 grants, you said because of the
19 continuing resolution or the lack of the
20 continuing resolution on the federal
21 side?

22 COMMISSIONER THIEL: I think
23 the short answer is, it's an accounting.
24 It's more of an accounting issue and the
25 way it's carried on the books and the

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 timing. Rest assured that we will spend
3 every single dollar of grant money that
4 we get from the federal government.

5 COUNCIL PRESIDENT CLARKE: All
6 right.

7 COMMISSIONER THIEL: And we'll
8 try to get more.

9 COUNCIL PRESIDENT CLARKE:
10 That's the lay person's response, of
11 which I am one. Thank you.

12 Page 6 -- actually, Page 130,
13 the EMS incidents continue to trend
14 higher halfway through FY17, which is
15 obviously concerning given the drastic
16 increase that was realized in '16. So
17 we're trending up. Can you talk about
18 the reason for these continuing trends
19 for EMS incidents and what's the
20 Department's plan to curtail that.

21 COMMISSIONER THIEL: This is
22 something that I think all fire
23 departments that deliver emergency
24 medical services are seeing across the
25 nation. For us -- and it's a little bit

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 interesting, we are the fifth largest
3 fire department in the nation, but we're
4 the second busiest EMS delivery agency in
5 the nation after the New York City Fire
6 Department's EMS division. So we are
7 seeing that continuing to rise, and I
8 think a lot of it has to do certainly
9 with many of the other challenges that we
10 have in this dense urban environment.
11 Some of it is growth too.

12 The density for us generally
13 drives service demand. So as we see
14 increasing density and we're seeing
15 increasing development -- Center City
16 still actually puts out the majority of
17 our service demand every day. We have a
18 long peak time from roughly 7:00 a.m. to
19 7:00 p.m. A lot of that is coming out of
20 Center City. It's also a
21 seven-day-a-week peak for us, because we
22 have so many special events on the
23 weekends and other types of things.

24 So it is going to continue to
25 be a challenge for us to keep up with

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 that service demand. Some of this has to
3 do with the broader issues around
4 healthcare in the United States.
5 Frankly, I am -- I don't know that we
6 were ever able to benefit. We had
7 certainly hopes to benefit from the ACA
8 in its, I guess, still current form, but
9 it's hard for us to predict what's going
10 to happen. Certainly we're concerned
11 that some opportunities that we have
12 might be closed off by changes to the
13 ACA.

14 COUNCIL PRESIDENT CLARKE: So
15 are you suggesting that from a preventive
16 medicine perspective, which the ACA was
17 supposed to enhance, people can actually
18 go to the doctor before it reaches
19 emergency status, you say that we have
20 not taken full advantage of that here?

21 COMMISSIONER THIEL: Well, I
22 think that safety net was still being
23 built for a lot of folks who didn't have
24 it, and in the absence of another safety
25 net, folks are going to call 911. And

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 we're the Fire Department, so I think
3 it's important on us, I think it's
4 incumbent on us when people need us to
5 go.

6 Getting to your point about the
7 opportunities, I do think there might be
8 some opportunities for us in the future
9 to maybe be more participative on the
10 front end and do some prevention type
11 things, do some -- the term of art for
12 now in our business is mobile-integrated
13 healthcare. So could we, for instance,
14 put a paramedic and a nurse practitioner
15 out in a van and see people before they
16 have a crisis, so instead of calling 911,
17 we could either connect them to other
18 services, make sure they get the
19 prescriptions filled.

20 To your point, we have a
21 service demand and a response challenge
22 right now, which is why you see the
23 additional peak time units in this
24 proposed budget. I do think we are going
25 to have to, regardless of what happens

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 with the ACA, we're going to have to find
3 a way to pilot some other sort of
4 prevention-oriented strategies and some
5 other ways to deliver healthcare as the
6 Fire Department in concert with all of
7 our community partners or we're going to
8 be chasing this forever.

9 COUNCIL PRESIDENT CLARKE:

10 Okay. Let me ask you one last question.
11 The climate in the Department, and you
12 and I had a brief conversation about
13 this. Everybody that's in this body
14 knows that the climate, particularly
15 around racial issues, was not the best
16 and it sometimes showed itself in this
17 public chamber, leading up to a public
18 hearing or a particular legislative
19 initiative, which was not very
20 comfortable for us on this side and I'm
21 assuming the prior Commissioner, it was
22 clearly not comfortable for him.

23 Has that changed to a degree or
24 do you see it changing where we're
25 getting along a lot better within the

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 Department?

3 COMMISSIONER THIEL: Well, not
4 being here to witness that or be part of
5 that personally, I certainly have been
6 told and hope that it's changing. I
7 would not -- I mean, these are
8 relationships. This is a relationship
9 just like any other. We've done a lot
10 around structuring. We have a leadership
11 council now that includes Local 22, Club
12 Valiants, SAFFA Assist (ph), our officers
13 association. Some of those groups are
14 here now represented in this Chamber.
15 All of those groups in our leadership
16 council, representatives from all of
17 those groups stood with me today when we
18 did the press conference earlier to talk
19 about our way forward after the reports
20 on the tragic loss of the Lieutenant
21 Craig.

22 So I think it's going to
23 continue to take work and it's going to
24 take a lot of work, but we are meeting
25 together frequently, perhaps more

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 frequently than ever before. Folks are
3 at the table working together, finding
4 solutions, and we've made progress on
5 that. We've made progress around having
6 an objective and transparent firefighter
7 transfer policy, firefighter rotation
8 policy. Now we're moving that into
9 officer rotations and transfers, and that
10 really is something that folks are coming
11 up with on their own working together.

12 So I think we've seen a lot of
13 great progress. We're going to continue
14 to work on it. Those relationships like
15 our relationships take hard work, but
16 that's what we need to do. That teamwork
17 really underpins everything else. If we
18 can't do that, we can't do anything else.
19 So it's job number one for me.

20 COUNCIL PRESIDENT CLARKE: No;
21 I think it's important to acknowledge
22 that it was an issue. A lot of people
23 didn't want to talk about it, didn't want
24 to see it, but it was an issue, and I'm
25 glad that you're taking it head on,

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 understanding the need to really have a
3 family type of environment. And I mean
4 family in terms of the Fire Department.
5 We're all family. We have a duty, and at
6 the end of the day, we're responsible to
7 the citizens of the City of Philadelphia.
8 So I want to thank you for your
9 willingness to acknowledge it and take
10 steps towards improving that.

11 The Chair recognizes Councilman
12 Greenlee.

13 COUNCILMAN GREENLEE: Thank
14 you, Mr. President.

15 Good afternoon, everybody.

16 Commissioner, in your written
17 testimony, you talk about the Department
18 has an average of seven to eight severe
19 structure fires per day, which surprised
20 me. I didn't think it would be that
21 much. Is that a higher number than
22 before, and how does it compare to other
23 cities as far as that kind of number?

24 COMMISSIONER THIEL: You know,
25 continuing to -- one of the things

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 obviously in 11 months, we're still --
3 it's been a busy 11 months. We're still
4 kind of doing due diligence on a lot of
5 things. So that number is probably
6 somewhat accurate, if not especially
7 precise. Even the definition -- so,
8 again, I'll break it down in the interest
9 of simplicity and candor. We don't count
10 fires in Philadelphia like other
11 departments.

12 COUNCILMAN GREENLEE: I know
13 you use the word "severe" structure fire.

14 COMMISSIONER THIEL: And we're
15 still trying to get a definition of that.
16 And, again, the bottom line is, over the
17 years in other places where I've worked
18 or done consulting or been around for the
19 past 25 years, a significant fire in
20 those jurisdictions, here in Philadelphia
21 we wouldn't even count it because we
22 would say it wasn't a real job. So we're
23 still trying to really understand how
24 many fires do we have, of what magnitude.
25 And so what we think we have at least

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 some working definition of is a severe
3 fire for us would be one that requires
4 basically for us that, what we call, a
5 full box alarm going into service. So
6 something on the order of four engines,
7 two ladder trucks, two battalion chiefs,
8 and a paramedic unit to start and
9 potentially additional resources beyond
10 that.

11 COUNCILMAN GREENLEE: And is
12 that somewhere where other cities are or
13 is it -- because we're obviously an older
14 city, older structures in certain parts
15 of the City.

16 COMMISSIONER THIEL: Right. I
17 think you're right on. We have a unique
18 built environment. We have a lot of
19 older buildings, so we have some real
20 challenges here around structural fire
21 protection that other cities don't have.

22 COUNCILMAN GREENLEE: I know
23 the Fire Department even before you were
24 the Commissioner has always done a good
25 job in trying to talk about fire safety,

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 giving out smoke detectors, talking about
3 that kind of thing. The fires that we
4 have, has there been any -- and I know
5 you've only been here a year, but I don't
6 know, looking at statistics, has the type
7 of fire or the cause of the fires changed
8 over time as far as electrical, smoking,
9 you know, that kind of thing?

10 COMMISSIONER THIEL: You know,
11 the exact split on any given year
12 sometimes changes, but the top causes are
13 generally -- the top causes are generally
14 electrical, smoking, heating appliances,
15 cooking, and they change order sometimes.
16 I think last year for us the top cause
17 was electrical.

18 COUNCILMAN GREENLEE: Are there
19 any plans -- and, again, I know the
20 Department has done a lot already in fire
21 safety, but to address some of these
22 issues? I don't know if there is, but
23 are there any other programs planned or
24 thought about?

25 COMMISSIONER THIEL: Well, and

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 you alluded to it. One of the hallmarks
3 of this department -- and it really is a
4 wonderful thing and it's a great thing
5 about our department, one of the many
6 great things. We're not having to talk
7 with our members about the importance of
8 fire prevention and community risk
9 reduction, and that is a tribute to my
10 predecessors, the fact that that's in the
11 DNA of our Fire Department. We have a
12 lot of great community partners. The Red
13 Cross does a lot with smoke alarm
14 blitzes. For us it's a volume -- it
15 really is a volume issue.

16 We are going to continually get
17 out and install smoke alarms, provide
18 fire prevention literature. We are
19 looking at some ways to use our existing
20 resources to do that on a 24/7/365 basis.
21 As I go out to fires at night, we always
22 try to walk down the neighborhood the
23 next day after we've had a severe fire.
24 Sometimes folks aren't home. So when I
25 go out to these fires, regardless of

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 neighborhood, people are out on their
3 porches when that fire is occurring. So
4 we want to be able to have that
5 interaction when the window is open and
6 deliver smoke alarms, deliver that fire
7 prevention literature, deliver those
8 messages. So we are absolutely looking
9 at leveraging the success we've already
10 had and continuing. That's an important
11 dimension of this. It goes back to the
12 Council President's question about EMS.
13 We need to do that across all of our
14 service lines, because we're going to be
15 chasing the response piece forever if we
16 don't.

17 COUNCILMAN GREENLEE: Thank
18 you. Thank you very much.

19 Thank you, Council President.

20 COUNCIL PRESIDENT CLARKE:
21 Thank you, Councilman.

22 The Chair recognizes Councilman
23 Jones.

24 COUNCILMAN JONES: Thank you,
25 Mr. President.

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 And thank you for coming,
3 Commissioner.

4 COMMISSIONER THIEL: Thank you,
5 sir.

6 COUNCILMAN JONES: You follow a
7 long line of traditional commissioners
8 that come from the Fourth District, and
9 we welcome you. That's it. Lloyd Ayers,
10 Hairston. Fine tradition of finding a
11 good quality place to live in the Fourth.

12 I want to also thank you for
13 your department's commitment to the
14 Randolph Career Technical High School.
15 They have an EMS and Fire Academy there
16 for high schoolers that is the type of
17 school-to-career program, and your
18 officers there spend a lot of time
19 mentoring those young people, and the
20 fruits of that is that they go on to live
21 productive lives, some of them even
22 taking the test to be firemen. So thank
23 you for that commitment, and want to see
24 it continue.

25 I know it's a rough day for

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 you, any time we memorialize the loss of
3 life of a comrade or officer and then
4 have to talk about it in a retrospective
5 kind of view on what happened and what we
6 could do better. I would ask you,
7 Commissioner, what are your takeaways --
8 I heard your 26 points. I understand
9 that. In light of that loss of life, in
10 light of the equipment issues, how do we
11 make sure that that never happens again?

12 COMMISSIONER THIEL:

13 Councilman, I appreciate the question.
14 You know, this budget really gets us
15 moving on that track with the dedicated
16 training officers, the new dedicated
17 training officers, additional
18 firefighters to help us raise our relief
19 factor so we can do training in a
20 sustainable way without compromising our
21 front-line service. Of course, starting
22 to address some of the EMS or continuing
23 to address some of the EMS challenges.
24 There's a lot to do. I mean, those 26
25 recommendations between the NIOSH report

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 and our Fire Department's report, this is
3 going to be a long-term project.
4 Training is a hallmark of that.

5 So there really is a lot to do.
6 I think for us the most important thing
7 to start with is to do the best we can
8 with the resources we have and the
9 resources in this budget to -- the new
10 resources in this budget to take care of
11 what we have, and that's the people we
12 have. Our primary asset is our people,
13 and then add service delivery units down
14 the road.

15 COUNCILMAN JONES: So my former
16 colleague, now Mayor Kenney, was and is a
17 proponent of this department. He talked
18 about the brownouts. Did we take that
19 off the table now?

20 COMMISSIONER THIEL: Yes.
21 Mayor Kenney -- I think it might have
22 even been before day one, but I wasn't
23 here. The brownouts stopped. The forced
24 rotation of firefighters was stopped, and
25 now we're using a different, again,

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 collaboratively developed way to provide
3 for some movement in the system across
4 the different deployments and different
5 firehouses. So those have stopped. Now
6 really where we are, and you'll see that
7 in this budget proposal, really focusing
8 on training, having the capacity to do
9 training, the resources to do training,
10 and also safety. We've put in some
11 dedicated safety officer positions.
12 We've put in some dedicated positions in
13 our Communications Center. And that
14 actually happened -- thank you, I guess,
15 in retrospect. That's actually happened
16 at mid year.

17 So we are well on our way, but
18 it's a long-term project.

19 COUNCILMAN JONES: So
20 specifically the response time it took
21 for the officer who repeatedly requested
22 help and the time it took for the back-up
23 units, how do we -- is that a part of
24 adding staff? Is that a function of
25 knowing quicker routes? What

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 specifically are we doing to address that
3 issue?

4 COMMISSIONER THIEL: It's a
5 great question, and I think the answer is
6 all of the above. Firefighting, while it
7 may look simple, is actually very
8 complicated. It happens in a complex
9 operating environment, and I use that
10 term deliberately, because you don't
11 always know all of the variables and you
12 can't specify those.

13 So what you saw in these
14 reports and this incident is not uncommon
15 when you look at reports like this from
16 across the country. There were a series
17 of contributing factors. Any one of
18 those in isolation we would not have had
19 the tragic outcome. All of those factors
20 together combined and it does ultimately
21 go back through everything you mentioned,
22 where are our resources, how long is it
23 going to take them to get to certain
24 points, with what training, how long does
25 it take to assemble an effective

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 firefighting force, how do we command,
3 properly command, and utilize that force
4 and manage that incident, which is a very
5 difficult thing to do in any place at 2
6 o'clock in the morning on a rainy, cold
7 night.

8 COUNCILMAN JONES: So, finally,
9 I've been up to the Fire Academy a number
10 of times. The grand fourth floor up
11 there is hard to get to. If you had your
12 druthers, if you had President Clarke's
13 magic budget checkbook, what kind of
14 facility would you like to see up there?

15 COMMISSIONER THIEL: Council
16 President, you didn't show me that magic
17 checkbook when we talked that day.

18 COUNCIL PRESIDENT CLARKE: It's
19 for members only.

20 COUNCILMAN O'NEILL: Apparently
21 certain members. I'm not seeing it.

22 COMMISSIONER THIEL:
23 Councilman, it's a great question. I
24 think realistically and what you'll see
25 in the plan in this budget, in this

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 five-year capital plan -- six-year
3 capital plan, there is money in there to
4 start the design and start site work on
5 essentially rebuilding on that site to do
6 a lot of what we need to do, what I'll
7 call the hard skills training. So having
8 our burn tower -- there aren't many
9 places in the City where we can actually
10 make the kind of noise and do the kind of
11 thing that we need to do to create a
12 realistic training environment.

13 So I think despite how far it
14 is, the Pennypack Street location is
15 probably good for that. We had a needs
16 assessment that Public Property did in
17 concert with the Fire Department. You
18 see that in the six-year capital plan. I
19 think that's our best option for that
20 component. We are also looking at other
21 options for really creating a training
22 system, so it's not just at that
23 location, we can do it anywhere any time
24 24/7.

25 COUNCILMAN JONES: To your

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 knowledge, is there a better training
3 facility somewhere that we can model it
4 after or are you going to design-build
5 from scratch?

6 COMMISSIONER THIEL: We
7 actually -- frankly, the folks that did
8 the needs assessment did a really nice
9 job and did look at some adjacent
10 training facilities here, so we didn't
11 have to go far to find some good
12 examples, and I think we'll certainly
13 want to learn lessons from all those
14 folks.

15 COUNCILMAN JONES: Thank you,
16 Mr. President.

17 COUNCIL PRESIDENT CLARKE:
18 Thank you, Councilman.

19 The Chair recognizes Councilman
20 Domb.

21 COUNCILMAN DOMB: Thank you,
22 Council President.

23 Good afternoon. A couple of
24 questions I wanted to ask. In your
25 testimony under Salaries -- I just want

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 to make sure I'm clear -- does this show
3 where the fringe benefits would be, what
4 percentage they are of wages?

5 COMMISSIONER THIEL: The fringe
6 benefits, to my knowledge, are carried
7 elsewhere in the -- this does not include
8 fringe benefits costs.

9 COUNCILMAN DOMB: Do you know
10 what those are as a percentage of every
11 dollar paid?

12 COMMISSIONER THIEL: 49
13 percent.

14 COUNCILMAN DOMB: Okay.

15 COMMISSIONER THIEL: For
16 uniform. That's for a uniformed
17 employee.

18 COUNCILMAN DOMB: So it's
19 roughly 49 percent. So essentially when
20 we pay overtime, if we hired somebody
21 new, it's almost a wash.

22 COMMISSIONER THIEL: There is
23 sort of a tipping point there. There's
24 kind of a sweet spot on overtime versus
25 new hiring.

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 COUNCILMAN DOMB: Every new
3 dollar of expense is going to create 50
4 cents more in benefits, and overtime is
5 roughly 50 percent extra, right, one and
6 a half percent?

7 COMMISSIONER THIEL: There are
8 a lot of -- basically that's true. There
9 are a lot of other factors that go into
10 in terms of leave usage, the demographics
11 of the Department and -- but, yeah, there
12 is always a sweet spot. In fact, there
13 are some departments, albeit a much
14 smaller scale than we are, where it is
15 cheaper to pay the overtime than hire
16 additional staff. We're not at that
17 scale. So we think we do need additional
18 full-time positions to be able to
19 accommodate the relief factor and cover
20 the majority of our leave usage and other
21 anticipated vacancies, because we do have
22 to fill the seats. But I think to your
23 point, there will always be overtime at
24 some level. If we were to staff above
25 that -- if we were to get rid of the

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 overtime, we'd be paying more than -- we
3 would be running a less than efficient
4 system.

5 COUNCILMAN DOMB: So that goes
6 to my next question. In Fiscal Year '17,
7 the overtime appropriations were 19
8 million 824, and the first and second
9 quarter expenditures this year, I guess,
10 fiscal year, it's 13 million 8. So it
11 seems like it's really mushrooming up.

12 COMMISSIONER THIEL: There are
13 a couple things in there that -- the DNC
14 of course is still in there. We are
15 affected, as is the Police Department, as
16 you heard earlier, by the -- when the
17 police are there and the police have to
18 heavy up for these protests events and
19 other things, we are there as well.

20 We actually just instituted
21 last month an overtime tracking system in
22 concert with Payroll and Finance, and
23 we're kind of working the bugs out of
24 that to make sure we get good data. That
25 will give us a better sense of where

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 we're spending the overtime.

3 My sense is historically and
4 even right now, the majority of our
5 overtime is going to filling minimum
6 staffing positions, but there have been
7 those couple major special events, and
8 the draft, of course, coming up will
9 probably keep that running ahead of
10 schedule.

11 COUNCILMAN DOMB: But if we
12 stay on that track, we're going to be 7
13 million above what we were the prior
14 year.

15 COMMISSIONER THIEL: And that
16 is without doing any additional training,
17 yes.

18 COUNCILMAN DOMB: The other
19 question I have is, in the budget there's
20 a payment of like close to 8 million, 7
21 million 972 to the Water Fund. How is
22 that payment determined and is it based
23 on usage, or how is it determined?

24 COMMISSIONER THIEL:
25 Councilman, I'm 11 months in and still

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 trying to understand the answer to that
3 question.

4 COUNCILMAN DOMB: That's a good
5 question then, I guess. You can get back
6 to me on that one.

7 So here's one of my overall
8 concerns. The police were up earlier.
9 When I'm looking at the math, the
10 police's increase in their budget is
11 about three-tenths of one percent, and
12 the Fire Department is about 12 percent.
13 What I'm looking at is Fiscal Year '17
14 original appropriations to Fiscal Year
15 '18 proposed appropriations. Twelve
16 percent is a big increase in the budget.
17 I'm not saying it's not needed, but I
18 guess on the other side of the coin, what
19 other methods do we have in the Fire
20 Department to look at other areas where
21 we can cut overhead so the increase isn't
22 as large?

23 COMMISSIONER THIEL:
24 Councilman, again, I could refer back to
25 the 26 recommendations that I read from

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 that federal agency and that
3 investigative report and I could
4 recapitulate those. These are the things
5 that we need to do to start addressing
6 those recommendations and make sure that
7 we have a safe, effective Fire
8 Department.

9 COUNCILMAN DOMB: Those
10 recommendations are incorporated into
11 Fiscal Year '18?

12 COMMISSIONER THIEL: Fiscal
13 Year '18 gets us started on addressing
14 those recommendations, yes, sir, and also
15 the EMS side of the business as we talked
16 about, which is continuing to -- that
17 demand is continuing to increase too.

18 COUNCILMAN DOMB: So if we're
19 looking out to Fiscal Year '19, do you
20 have any idea, is the increment going to
21 be as much as this past year of 12
22 percent or is it going to be less?

23 COMMISSIONER THIEL: Well, I
24 think that's probably at the outer limits
25 of my ability to forecast. Part of it is

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 the -- and, again, part of it is our
3 ability to actually execute against the
4 things that we need to do. So, again, as
5 you know, it's one thing to have the
6 dollars; it's another thing to be able to
7 execute and bring projects to completion
8 and develop new programs and do the
9 training. So we're trying to ramp that
10 up. That's a lot of what we did in mid
11 year with our realignment by adding
12 additional staff positions and staff
13 capacity so we can move those projects
14 and programs to completion. As we
15 continue to do that, which is still kind
16 of underway, that will influence how much
17 we're able to do in the out years.

18 COUNCILMAN DOMB: By the way,
19 let me clarify my statement. My
20 statement on the difference between the
21 Police Department and the Fire Department
22 is that that's strictly under the
23 category of Class 100 employee
24 compensation. Under employee
25 compensation, the Police Department's

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 projection is three-tenths of a percent
3 and the Fire Department is 12 percent.
4 Employee compensation, not equipment or
5 anything, but just employee compensation.

6 COMMISSIONER THIEL: Right.
7 Those are new positions and overtime to
8 do the work. And I think -- again, I'll
9 echo what the Police Commissioner said.
10 This is about boots on the ground. It
11 takes people to do the training. It
12 takes people to take the training. So at
13 end of the day, whatever happens going
14 forward, it will be about, first and
15 foremost, people to get the work done.

16 COUNCILMAN DOMB: Okay. Thank
17 you. Thank you very much.

18 COMMISSIONER THIEL: Thank you.

19 COUNCILMAN DOMB: Thank you,
20 Council President.

21 COUNCIL PRESIDENT CLARKE:
22 Thank you, Councilman.

23 The Chair recognizes
24 Councilwoman Quinones-Sanchez.

25 COUNCILWOMAN SANCHEZ: Thank

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 you, Council President.

3 I want to thank you. I know
4 coming from the outside, it's quite
5 difficult to learn how Philadelphia
6 operates, but as someone who is a little
7 concerned about how that transition was
8 happening, I really appreciate your
9 professionalism, your candor and, more
10 importantly, your commitment to the folks
11 that serve in the Department. And let me
12 give some unsolicited advice as it
13 relates to this report, and not to drag
14 this out.

15 I think for years for the
16 reasons that President Clarke mentioned
17 in the beginning, it was a lot of
18 internal tension and this need to keep
19 everything within the Department, and
20 this report might be an opportunity for
21 you to bring some additional fresh eyes
22 and advocates to take the Fire Department
23 where you want to take it and where you
24 see it going. So that to Councilman
25 Domb's question about what you're going

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 to need, I think this report, what
3 happened is going to cause some points of
4 reflection and I think you're going to
5 need more. And so it's worked for our
6 criminal justice reform. We did it on
7 the L&I Committee, and having a separate
8 set of eyes with different stakeholders
9 at the table may help you navigate some
10 of that and create the kind of public
11 support for what you're trying to do
12 internally.

13 So sometimes it's hard to
14 manage external eyes. I think we're in
15 an age of transparency. I strongly
16 encourage you to utilize the expertise
17 that are in the City from policy,
18 universities, and others about what
19 lessons learned from a very tragic
20 situation.

21 And with that, I want to ask a
22 little bit around -- I know that you in
23 your testimony and in your report, you
24 acknowledge that there wasn't really a
25 language data kind of collection strategy

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 as of now. We do have a law that
3 requires a language access plan, and let
4 me strongly encourage you to try to
5 figure out some of the ways that in the
6 interim we can come up with some of those
7 datasets. And we've had a lot of
8 resistance from departments, particularly
9 uniform departments, in capturing data
10 around the need. So it's always hard to
11 justify, because I'm always asked as an
12 advocate to -- the need is not there, but
13 there's also no internal encouraging of
14 let's document when there is a need,
15 because that helps us justify the need
16 for personnel and training and so forth.
17 So just because you are new, this is a
18 level of resistance internally for folks
19 to do that. So be aware of that.

20 Do you have any thoughts coming
21 from other cities what you've seen around
22 language access?

23 COMMISSIONER THIEL: Well, I
24 think --

25 COUNCILWOMAN SANCHEZ: And

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 diversity.

3 COMMISSIONER THIEL: I think

4 it's critically important. I mean, we

5 have, last time I looked, 141 different

6 languages and dialects spoken in the

7 City. Those are all of our citizens.

8 Those are all of our customers. We are

9 participating fully in the language

10 access planning efforts. I know our

11 firefighters and paramedics are using our

12 language hotline every day, and of course

13 we do have a lot of bilingual or

14 multilingual members. We just don't have

15 a good dataset to accurately capture

16 that.

17 We recently started a new cadet

18 academy, a new group of firefighter

19 cadets. I think 10 percent of those

20 folks are bilingual, and we're going to

21 continue to reinforce that. I think it's

22 vitally important for so many reasons.

23 And you also mentioned the importance of

24 diversity and inclusion, and it is

25 something that we have to continue to

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 work on. We will always need to work on
3 it. We did an unprecedented recruiting
4 effort this year. I put more resources
5 into that than we ever have before, and
6 I'm hopeful that those will continue to
7 bear fruit.

8 We're working very closely with
9 Director Rodriguez and OHR to talk about
10 some other ways that we can help make it
11 easier for folks to, when they become
12 interested, to move into the Fire
13 Department. We're talking with Parks and
14 Rec about some camps over the summer. So
15 we really are trying to move forward on
16 all fronts. And then we will be -- of
17 course, we have a lot of training needs
18 and requirements, but providing the
19 opportunity for folks to learn new
20 languages or, if nothing else, at the
21 survival level and multicultural, that's
22 going to be high on our list. And I
23 think that does go straight to the
24 teamwork piece of the demographics of our
25 department change.

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 COUNCILWOMAN SANCHEZ: I mean,
3 clearly bringing people to the table both
4 from a union perspective, Valiants, SAFFA
5 and other folks is huge, and it's a big
6 step for folks. It really, I think, is
7 going to help people believe that there's
8 an opportunity for folks to work together
9 and that there's a win-win in all of this
10 for everyone. So we strongly want to
11 encourage that.

12 The Fire Explorers has been
13 very successful. You know I love this
14 program, and I think you're ahead of some
15 of the other departments as it relates to
16 that, and I do think that this is a
17 unique opportunity, because we are going
18 to be staffing up from an EMS perspective
19 and others, is how do we create that
20 pipeline.

21 You talked about Randolph
22 Center. We have an interest. We support
23 it. We want Philadelphians to get these
24 jobs. We want our students. I've never
25 met a kid who didn't get all glazy-eyed

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 when he saw a fire truck. I mean, that
3 just comes with the territory.

4 So I just think it's ripe for
5 opportunity. And with tragedy and chaos,
6 as someone new, comes a lot of
7 opportunity. And so I encourage you to
8 utilize all of that and not feel like you
9 got to maintain the culture in the past,
10 which is like we want to keep our mess in
11 our house as opposed to -- I hope you
12 feel like this is our house and everybody
13 needs to be part of that solution.

14 COMMISSIONER THIEL:

15 Absolutely. Thank you.

16 COUNCILWOMAN SANCHEZ: Thank
17 you.

18 Thank you, Mr. President.

19 COUNCIL PRESIDENT CLARKE:

20 Thank you, Councilwoman.

21 The Chair recognizes Councilman
22 Green.

23 COUNCILMAN GREEN: Thank you,
24 Council President.

25 Thank you, Commissioner, for

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 the work that you and the members of your
3 very dedicated workforce do every day in
4 protecting people in a lot of different
5 tragic situations throughout the year.
6 So I want to thank you for the work and
7 the work of the other members of the Fire
8 Department.

9 A couple questions. You were
10 talking regarding your 26 points and you
11 gave some information to Councilman Jones
12 regarding a new training facility. You
13 also mentioned in reference to engines
14 and ladders that were closed in 2009.

15 Do you have any -- I mean, you
16 talked about that point. Do you have any
17 idea of the cost perspective in that
18 regard on the macro level?

19 COMMISSIONER THIEL: Well, it's
20 an important question. I think for us,
21 again, when we talk about restoring or
22 adding a company, remember, it's the
23 number of folks to cover minimum staffing
24 times four platoons, plus a relief
25 factor. So you really cannot restore a

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 company for less than a million dollars,
3 and that's without the hardware. So
4 that's just the people cost. That's just
5 the personnel cost.

6 How to do that -- and, again, I
7 think because of that, the magnitude of
8 that investment and the policy
9 implications of doing that, how we do
10 that has to be a very thoughtful and
11 data-informed way. Right now as I talked
12 about before, we don't necessarily have
13 the data that we would want to be able to
14 do that the right way or even plan for
15 that or project that.

16 So we have -- part of our
17 realignment, we created a planning and
18 risk reduction section and we're bringing
19 in, to the Councilwoman
20 Quinones-Sanchez's point, we're looking
21 at bringing in some folks from colleges
22 and universities to help us make those
23 decisions in a data-informed way. We're
24 already doing some partnerships with some
25 other colleges and universities, and

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 we're building the capacity in-house to
3 be able to answer those questions.

4 We need to have all that to be
5 able to do this right versus just
6 adding -- and first and foremost, we
7 really do need to address the
8 recommendations that affect our current
9 workforce today first to make sure that
10 the thousand times a day that we're going
11 out the door, we're doing that in the
12 safest, most effective way. So I think
13 that's kind of the way our priorities
14 have racked out, and we'll have better
15 information on those kind of system
16 decisions in the future.

17 COUNCILMAN GREEN: Okay. Thank
18 you.

19 Also, I know from my experience
20 in the past, some of the issues that
21 firefighters have had over the years
22 either from hepatitis C or ear injuries
23 or other type of ailments that may occur
24 on the job. Has there been additional, I
25 guess, new technology to train you or new

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 equipment that can address some of those
3 issues?

4 COMMISSIONER THIEL: I
5 appreciate you saying it. That is
6 another really important part of the
7 recommendations and also our address in
8 the recommendations. Just two weeks ago
9 we actually put a new full-time dedicated
10 field incident safety officer at the
11 deputy chief level on every platoon. So
12 now we have 24/7/365 somebody who is
13 dedicated to the safety and health of our
14 members. That person -- those folks will
15 be doing training and really kind of
16 digging in to all of those things that
17 you're talking about, whether it's
18 blood-born pathogens, hearing protection,
19 wearing all the personal protective
20 equipment. That was a repeated
21 recommendation that you heard in these
22 reports. So we are already working hard
23 to enhance that, along with the training
24 component.

25 COUNCILMAN GREEN: Okay. One

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 of the questions I asked to the members
3 of the Police Department and Commissioner
4 Ross was in reference to issues
5 concerning people in our city that have
6 learning differences like autism, and I'm
7 curious from the perspective from the
8 Fire Department, do you have any type of
9 training or other type of initiatives
10 regarding how first responders, how they
11 encounter people that have learning
12 differences like autism?

13 COMMISSIONER THIEL: Not to my
14 knowledge, we've not had that kind of
15 training. I have been -- at least not
16 formally or officially in the Department.
17 I have been -- as I've gone around the
18 City, I certainly talked to a lot of
19 different groups about different ways
20 that folks learn and interact with the
21 community. So we are very cognizant of
22 that and certainly want to make sure that
23 as we develop our training capability and
24 our capacity, that we include things like
25 that and bilingualism and other types of

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 trainings.

3 COUNCILMAN GREEN: One of the
4 initiatives started by former Councilman
5 Dennis O'Brien was the Philadelphia
6 Autism Project, which is something I've
7 still been involved in, and I think we do
8 an annual conference in May, but going
9 forward, I think that's something that
10 both from people in the autism community
11 would have an interest in reference to
12 how firefighters deal with situations,
13 especially when they first come on the
14 scene of an incident, how they interact
15 with people, and I think it would be a
16 good educational perspective both from
17 people from the Fire Department as well
18 as those in the autism community or the
19 learning difference community.

20 Another thing, and I kind of
21 brought this up with you in the past in
22 reference to the fire ops 101 scenario,
23 which I think is a really good
24 opportunity to really learn what it takes
25 to be a firefighter. Having gone through

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 that experience, I guess, some years ago
3 with -- at that time, I think Mayor
4 Kenney went through that, Mayor Nutter, a
5 number of elected officials and others.
6 I think it really gives people a better
7 understanding of what it's like to be a
8 firefighter, at least a little glimpse in
9 reference to just the level of science
10 and just the strength requirements and
11 just endurance requirements to be a
12 firefighter in the City of Philadelphia.
13 I know there's a financial cost to doing
14 that and I know that was part of -- I'm
15 assuming part of the reason why it could
16 not be continued, but if there's some way
17 you could either capture that concept to
18 allow either like officials, other
19 officials in the City just to kind of
20 maybe do "a day in the life" of a
21 firefighter, I think it would be a good
22 opportunity, even if just visiting during
23 one of the training -- when you have a
24 training class for someone to just kind
25 of walk with or be with people who are

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 going through training, because I think
3 it really gives people a much better
4 understanding of what some of the members
5 of your department go through on a daily
6 basis that I think would be very helpful
7 as we go through the budget process when
8 people have that understanding. So thank
9 you.

10 COMMISSIONER THIEL:

11 Absolutely. We look forward to providing
12 Council that opportunity. We also
13 started this year a Citizens Academy
14 where we're bringing folks in or opening
15 it up, not to actually go into the fire
16 but to see us put out a fire and do
17 things like that. So we're looking
18 forward to doing that again as well.

19 COUNCILMAN GREEN: Thank you,
20 Council President.

21 COUNCIL PRESIDENT CLARKE:

22 Thank you, Councilman.

23 The Chair recognizes Councilman

24 Oh.

25 COUNCILMAN OH: Thank you very

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 much, Council President.

3 Good afternoon. I don't have
4 much. Let me just say that I have really
5 enjoyed interacting with you as Fire
6 Commissioner and with your senior team,
7 and I particularly appreciate how you are
8 at so many different events throughout
9 the City of Philadelphia and particularly
10 I will say that regarding the Mayor's
11 task force to combat heroin and opioid
12 and all that the Fire Department does
13 there. So thank you for that.

14 I just wanted to ask your kind
15 of opinion. I did the same thing with
16 the Police Commissioner. Just in terms
17 of state-of-the-art technology when it
18 comes to the firefighters themselves,
19 whether or not there's an opportunity for
20 it, does it make sense for some
21 additional equipment such as body
22 cameras, even cell phones that have GPS
23 devices on them to understand where all
24 the personnel are? Does it make sense to
25 have drone capabilities with thermal

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 imaging just to identify where the people
3 are, if people are there, where the heat
4 is coming from, to go ahead to just make
5 sure there aren't false alarms?

6 So I know I said a lot there,
7 but could you go through just some of the
8 things in your mind about what we could
9 do to better protect our citizens and our
10 firefighters through technology?

11 COMMISSIONER THIEL: You know,
12 for the core business -- and I appreciate
13 that, first of all. I love the City. So
14 I love getting around and doing events,
15 and I'm really enjoying my time here
16 despite the challenges or actually I
17 guess because of the challenges. I love
18 what we're doing here, and I appreciate
19 those comments.

20 Certainly I think there are a
21 lot of ways that we could use technology
22 in the future. The core of our business
23 is, again, as you saw in these reports,
24 it really is about -- there haven't been
25 a lot of changes to the way we have to

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 get that work done. So I think there's
3 probably limited utility for technology
4 in that environment, and I'll use the
5 cameras as a great example. It really is
6 a zero visibility environment. And,
7 again, you know that from some other
8 things that you've done in your career.

9 We do have -- we just purchased
10 some new thermal imaging cameras to
11 replace our older technology. So that's
12 been a real upside. Our HAZMAT unit uses
13 technology. They have a couple of robots
14 that they use.

15 I think really for our core
16 business, it's about taking advantage of
17 the best technology, whatever is the
18 lightest, most streamlined in terms of
19 the personal kit, the personal protective
20 gear, structural firefighter protective
21 clothing, which down the road I think
22 there are some opportunities there, and
23 of course making sure that we stay up to
24 date with the most current self-contained
25 breathing apparatus and personal alert

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 safety system technology. We're where we
3 need to be. In fact, those are the two
4 recommendations that we can check off
5 that list. We want to make sure that we
6 stay up to date, because that is the most
7 critical item of personal protective
8 equipment that all of our firefighters
9 have, and we're also using technology
10 better and EMS or more in EMS. Still
11 it's, first and foremost, about the
12 people doing the work.

13 We will continue to look at
14 those kinds of opportunities, though.
15 We're engaged with some Department of
16 Homeland Security science and technology
17 director efforts to maybe pilot some new
18 technologies, because there is no better
19 or busier testing round than here in the
20 City of Philadelphia.

21 COUNCILMAN OH: All right.
22 Thank you very much.

23 That's all I have, Council
24 President.

25 COUNCIL PRESIDENT CLARKE:

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 Thank you, Councilman.

3 The Chair recognizes Councilman
4 Johnson.

5 COUNCILMAN JOHNSON: Thank you,
6 Council President.

7 Thank you, Commissioner, for
8 being here today with your team. I just
9 want to commend you for the work that you
10 have done since you arrived to the City
11 of Philadelphia. I want to also thank
12 you for, I think, most recently y'all did
13 some type of tribute to Harold Hairston.
14 I think that was a big deal symbolically.
15 It was touched on when I first came in
16 this room about, to be quite frank, some
17 of the racial tensions and histories of
18 the Philadelphia Fire Department, and
19 when I saw the tribute, I was like, wow.
20 It says a lot in terms of the culture.

21 So I do want to thank you for
22 your leadership in taking the Fire
23 Department to the next level.

24 I have just a trivial -- I
25 don't want to call it a trivial question,

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 but soon in the future I'm going to be
3 hosting hearings regarding alleyways here
4 in the City of Philadelphia, particularly
5 if you live in Point Breeze, Grays Ferry,
6 South Philadelphia, Lower South
7 Philadelphia. We have alleyways that are
8 filled with trees, trash, debris. And so
9 I just wanted to get from your expert
10 opinion on, one, what do you recommend
11 for individuals who are faced with an
12 emergency and they can't get out the
13 back? So what would be their second
14 means of egress? Because I think it's an
15 issue that, one, we could be addressing
16 more aggressively, and there's like a
17 rule that says you own half of the
18 alleyway up into the middle. I don't
19 agree with that, but that's the City's
20 policy. But nevertheless, my
21 constituents say, I don't want to hear
22 that. I can't get out my alleyway. If
23 something happens, then -- and it's kind
24 of weird because I remember when I was a
25 kid, my mom had cut her foot real, real

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 bad and we had to leave throughout the
3 alleyway, because we lost the keys, and
4 back at that time, you had keys that will
5 allow you to get out the house. So we
6 had to literally go out the alleyway to
7 get to, you know, heading around the
8 front so she can go to the hospital.

9 What's your recommendations?
10 How do we address this, or do we wait for
11 a catastrophe to happen and then it's
12 like we weren't proactive?

13 COMMISSIONER THIEL: Well, you
14 know, Councilman, I appreciate the point
15 and certainly was honored to be --

16 COUNCILMAN JOHNSON: Excuse me
17 one second.

18 Did I take up all my time just
19 by asking the question?

20 COUNCIL PRESIDENT CLARKE:
21 Councilman --

22 COMMISSIONER THIEL: It was a
23 great question, Councilman.

24 COUNCIL PRESIDENT CLARKE:
25 Councilman, actually I think it was --

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 you know what, I'm not going to answer
3 that.

4 COUNCILMAN JOHNSON: Go ahead,
5 Commissioner.

6 COUNCIL PRESIDENT CLARKE: Go
7 ahead, Councilman.

8 COMMISSIONER THIEL: I
9 appreciate the comments about
10 Commissioner Hairston. He really was an
11 icon and somebody I grew up reading
12 about, and I'm glad we could honor him.

13 You know, look, I appreciate
14 you giving me the opportunity to spread
15 the fire safety message. We really do
16 need folks to have two ways in and two
17 ways out of bedrooms, homes, you know,
18 closed doors when you sleep at night.

19 As far as the alleys, it is
20 remarkable -- as you know, we talk about
21 the unique built environment. The best
22 way for our firefighters to deploy and
23 our medics to get access to patients is
24 by having as many different access points
25 around a building or a structure,

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 anything, as possible. Anything that
3 obstructs that can be a problem for us.
4 And, again, it was not a factor in this
5 particular incident that we talked about
6 earlier, but you can envision a case
7 where if we can't get a fire engine to
8 where it's supposed to be able to go,
9 that could materially affect the fire
10 fight, the strategy, and tactics that we
11 use, and it puts all of our members in
12 danger. So we really do need folks to
13 kind of be thinking about safety
14 holistically, not just in their homes.
15 Of course, smoke alarms. Call 311 if you
16 need a smoke alarm and can't afford it.
17 We'll get it out to you. But look as
18 those exit drills. It sounds corny. We
19 all did it in school when we were kids.
20 But making sure that everybody knows what
21 to do in the case of an emergency and
22 practicing that so you know that if you
23 got to get out the alley, that there's a
24 way to do that, and if not, how do you
25 rectify that on the front end, otherwise

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 it could end up in a tragedy.

3 So I do appreciate the
4 question. This really is -- we're fond
5 of saying in the Fire Department fire is
6 everyone's fight, and that's the kind of
7 thing where everybody can contribute and
8 help us help them.

9 COUNCILMAN JOHNSON: Okay.

10 Thank you.

11 COUNCIL PRESIDENT CLARKE:

12 Thank you, Councilman.

13 The Chair recognizes Councilman
14 Domb.

15 COUNCILMAN DOMB: Thank you,
16 Council President.

17 Maybe could we ask Anna Adams
18 to come forward. I'm taking you out of
19 the bullpen here.

20 (Witness approached witness
21 table.)

22 COUNCILMAN DOMB: I'm still
23 having a hard time understanding this
24 budget. The biggest piece of this budget
25 is the Class 100 employee compensation,

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 and when I look at the charts in our big
3 book, it actually says that the number of
4 incidents from '15 to '16 were up 1.75.
5 The actual number of fire incidents were
6 down a little from '15 to '16. '16 was
7 less. And actually the fire incidents
8 from Fiscal Year '10 to Fiscal Year '16
9 have been between -- Fiscal Year '10 was
10 47,000. Fiscal Year '16 was 48,009. So
11 they're pretty similar in the number of
12 fire incidents. Emergency medical has
13 gone up, but not dramatically.

14 And my question is, if we're
15 hiring 70 to 80 new people, why is there
16 an increase in Class 100 from the
17 original appropriation to the proposed of
18 24 million?

19 MS. ADAMS: Anna Adams, Budget
20 Director.

21 So I think the Commissioner
22 pointed out, those salaries, those 72
23 people, are obviously now included in the
24 FY18 budget, so obviously that means --

25 COUNCILMAN DOMB: What do you

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 allocate -- what is the average salary
3 and what's the average benefit? The
4 benefits aren't in here, by the way.

5 MS. ADAMS: This is not the
6 benefits. This is just their salaries.
7 So I can get you exactly what their cost
8 of each --

9 COUNCILMAN DOMB: On here it
10 says salary, full time, 70,486.

11 MS. ADAMS: Yeah, but the
12 starting salary for the newer employees
13 are going to be less than that.

14 COUNCILMAN DOMB: Just do
15 70,000 times 70 people is 5 million.
16 This is 24.

17 MS. ADAMS: So we have -- and
18 then there are -- I mean, if you look in
19 the budget detail, you'll see by line
20 each item in here. So you can see we've
21 added additional resources for -- there
22 were L&I positions related to -- well,
23 it's from the L&I report that comes in.
24 So that's over and above the 72 positions
25 that we talked about before. There is

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 the Fire Code Unit training. That's also
3 Class 100. So it lists it all here. So
4 you can see this 11.1 million in the
5 Fire. On Page 4 of the budget detail, it
6 has a list of exactly what's going on by
7 class in the General Fund. So not in the
8 Five Year Plan but in the budget detail,
9 in the big binder. If you look at Page
10 4, you'll see it listed by each item, and
11 then you can see it totals 11.1 in the
12 General Fund, and that's the amount that
13 we're adding over the '17 budget, and you
14 can see it all broken out by each one.
15 So you can see EMS, you can see
16 firefighters, you can see the additional
17 firefighter class, you can see the SAFER
18 grant.

19 So one of the things that
20 happens, as the Commissioner just pointed
21 out, in the SAFER grant is that we have
22 an obligation after a certain period of
23 time, the General Fund has to pick up the
24 cost of federal funds, and that shows us
25 in this grant in the General Fund. So

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2 it's all laid out on Page 4, but I can
3 talk to you in more detail after you've
4 looked through that.

5 COUNCILMAN DOMB: Why does it
6 seem like in the Fire Department our
7 appropriations are never really close to
8 the obligations?

9 MS. ADAMS: And actually that's
10 something that we've been really trying
11 to address. So one of the things that
12 happened, if you remember, last year is
13 that in FY16, we had all these
14 firefighters that started right at the
15 end of June, and I think when the
16 original budget was put together in FY16,
17 I don't think anybody truly anticipated
18 it would take -- the timing of that
19 class. And so that led to kind of the
20 increase in FY16, as well as the policy
21 decision about brownouts and the other
22 decisions that were made when the Kenney
23 Administration started.

24 We've spent a lot of time with
25 the Fire Department this year trying to

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 make sure that we are getting to the
3 point where we understand overtime a
4 little bit more, so we can understand
5 what's going on so that we can budget
6 more appropriately for overtime, but also
7 to make sure that they have the staffing
8 levels and getting closer to the point
9 that the Commissioner talked about to get
10 towards a relief factor that we need.

11 It's going to take us some
12 time. We're still getting our hands
13 around it, honestly, to make sure that we
14 are budgeting appropriately. You'll see
15 that from the FY17 adopted budget to the
16 current estimate has gone up pretty
17 significantly. Some of that is through
18 we have -- we did a transfer ordinance in
19 the fall. We're going to be doing a
20 transfer ordinance in the spring. We're
21 working with Councilwoman Sanchez's
22 office right now on that ordinance to try
23 and get to the point where we think it's
24 going -- kind of getting to a closer
25 estimate for FY17 for the Fire Department

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 to get towards that staffing level we
3 talked about, but it's still a bit of a
4 work in progress.

5 The Commissioner also mentioned
6 things like the protests that come up and
7 the DNC that come up. We're still
8 getting our hands around how we budget
9 for special events, honestly, and we
10 aren't there yet. We're getting closer,
11 but we're not there yet.

12 COUNCILMAN DOMB: But wouldn't
13 it be smart of us to have a category
14 called special events?

15 MS. ADAMS: We've actually
16 talked a little bit about that, and each
17 special event unfortunately is a little
18 bit different, and some special events
19 get fully reimbursed, some don't. But we
20 have spent a lot of time with each
21 department on special events. It's hard
22 to do, because each event is going to
23 cause different challenges for the Police
24 Department, the Fire Department, Parks
25 and Recreation, Public Property. They

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 all have sort of a different role. So
3 we're trying to get a better sense with
4 special events. We spend a lot of time.
5 We're not there yet, unfortunately.

6 COUNCILMAN DOMB: All right.
7 Thank you. Thank you very much.

8 Thank you.

9 COUNCIL PRESIDENT CLARKE: The
10 Chair recognizes Councilman Jones.

11 COUNCILMAN JONES: Thank you,
12 Mr. President.

13 Very quickly. About three
14 years ago, I'm going to guess, we passed
15 a bill requiring smoke detectors to have
16 lithium batteries, those batteries being
17 ten years as opposed to every fall or
18 change of season changing your batteries.
19 I'm scared to ask, but I'm going to ask
20 anyway. Are smoke detectors making a
21 difference in reducing deaths in those
22 years?

23 COMMISSIONER THIEL: I think
24 smoke alarms are absolutely making a
25 difference in reducing deaths. I went to

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 a fire earlier this year up off Roosevelt
3 Boulevard where literally the companies
4 passed a family that was on their way out
5 when they were headed in, which is what
6 we want, and it was because of the smoke
7 alarm that that family was getting out.
8 It was an early morning fire. When we
9 went in and took the smoke alarm off the
10 ceiling, it was one of those ten-year
11 lithium ion smoke alarms that our
12 firefighters had installed.

13 So that is, you know, in
14 concert with the Red Cross and Citizens
15 for Fire Prevention and all of our other
16 partners, that is something that we have
17 to continue to do, have to continue to do
18 it. We need to ramp that up.

19 At the same time, we're
20 increasing our operations capability. We
21 have to double down on those community
22 risk reduction and fire prevention
23 efforts, as well as move that over into
24 EMS with fall protection and things like
25 that, because that will also help keep

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 our EMS service demand from running away
3 unchecked.

4 But, yes, that made a
5 difference, not just here but it's made a
6 difference in other places and it's been
7 huge for us.

8 COUNCILMAN JONES: We do a lot
9 of things. We get to go to a lot of
10 parades and stuff like that, but I can
11 tell you, to a person in here, nothing
12 for us is more important than keeping the
13 citizens safe. And when you said that,
14 it made me feel good that we insisted
15 upon that, Mr. President, and we got it
16 done and it is making a difference. So I
17 just wanted -- I was afraid to ask. It
18 was one of those questions I was afraid
19 to get the wrong answer, but that's good
20 to hear. Thank you, Commissioner.

21 COMMISSIONER THIEL: Thank you.

22 COUNCILMAN JONES: Thank you,
23 Mr. President.

24 COUNCIL PRESIDENT CLARKE:
25 Thank you, Councilman.

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2 It appears that you all are
3 done. So I would recommend that you
4 leave before somebody else comes
5 downstairs. Thank you so much for your
6 testimony.

7 COMMISSIONER THIEL: Thank you,
8 Mr. President.

9 Thank you all.

10 COUNCIL PRESIDENT CLARKE:
11 Thank you all for your great work.
12 Appreciate it.

13 (Witnesses approached witness
14 table.)

15 COUNCIL PRESIDENT CLARKE: Good
16 afternoon. Next up is Prisons. And good
17 afternoon.

18 COMMISSIONER CARNEY: Good
19 afternoon. Good afternoon, President
20 Clarke and members of City Council. I am
21 Blanche Carney, Commissioner. Joining me
22 today are Robert Tomaszewski, Deputy
23 Commissioner to my right, and Gerald
24 Buck, Administrative Services Director to
25 my left. I am pleased to provide

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 testimony on the Philadelphia Department
3 of Prisons Fiscal Year 2018 Operating
4 Budget.

5 The Prisons Department will
6 support the Administration's goal of
7 criminal justice reform by continuing to
8 offer programs and services designed to
9 enable the successful reentry and
10 reintegration of ex-offenders into
11 society. This continuity of care starts
12 while individuals are incarcerated and
13 links them to services and support when
14 they leave the prison, with the ultimate
15 goal of reducing recidivism and
16 decreasing the number of incarcerated
17 individuals in Philadelphia.

18 Our plans for Fiscal Year 2018
19 are broad-based and take into account
20 most areas throughout the Prison System,
21 and the primary focus is the population,
22 infrastructure needs, programs and
23 services, physical and behavioral
24 healthcare, food services, staff, and IT
25 needs.

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 Thank you very much for
3 allowing us to be before you today, and
4 we will answer any questions, concerns or
5 feedback that you may have regarding our
6 budget proposal.

7 COUNCILMAN GREENLEE: Thank
8 you, Commissioner. Very brief testimony.
9 Thank you.

10 Your department has placed
11 precedence on reducing the jail
12 population. Two-part question. What's
13 the cost benefits of reducing the
14 population and what programs, if any, do
15 you have in place to reduce the
16 population?

17 COMMISSIONER CARNEY: So in
18 partnership with the MacArthur grant, we
19 were given the target population goal for
20 34 percent. There's definitely a cost
21 savings in that the fewer people we have
22 in custody, we would be able to either
23 close our outside housing contracts or an
24 entire facility. If we continue to --
25 currently we're at 18.6 percent, which is

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 a very progressive decrease in the
3 population --

4 COUNCILMAN GREENLEE: What was
5 that percent again? I'm sorry.

6 COMMISSIONER CARNEY: 18.6
7 percent, and that's been since July of
8 2015.

9 With the anticipated continued
10 decrease in population by year 2 for an
11 additional 8 percent, that would reduce
12 our population by 528 more inmates. In
13 that third year, additional 8 percent,
14 that would give us a total of the 34
15 percent, 528 additional inmates. In
16 doing so, we would assess closing two of
17 our outside housing contracts or an
18 entire facility, and that would then lend
19 itself for the prison to be used for the
20 intended purposes, and that's for the
21 medium- to high-risk offender that poses
22 a risk on public safety.

23 COUNCILMAN GREENLEE: Okay.

24 All right. Thank you.

25 Just one other thing. You talk

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 in your written testimony about
3 correctional staff training. I know a
4 lot of departments and agencies now are
5 particularly concentrating on issues
6 dealing with sexual harassment, that kind
7 of thing. Is there any particular
8 training you're doing with that or plan
9 to do?

10 COMMISSIONER CARNEY: Well,
11 sexual harassment training is ongoing.
12 It's an annual training. And so we offer
13 that to existing annually and new
14 employees.

15 COUNCILMAN GREENLEE: Okay.
16 Thank you.

17 Councilman Jones.

18 COUNCILMAN JONES: Thank you,
19 Mr. Chair.

20 And thank you for coming,
21 Commissioner. Could you ask
22 Ms. Wertheimer to come up so we could
23 save some time. We're on a timer here.

24 COMMISSIONER CARNEY: Yes, sir.

25 COUNCILMAN JONES: So I wanted

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 to get that moving.

3 A couple of things. First of
4 all, congratulations. It's my
5 understanding that we've gone down -- so
6 just to put this in context for my
7 colleagues, we were on the precipice of
8 getting sued a couple years ago for
9 overcrowding. What was that number at
10 the time of the threatened lawsuit?

11 COMMISSIONER CARNEY: We were
12 approximately 9,000-plus inmates, and we
13 were under litigation for triple-celling
14 and we were literally bursting at the
15 seams and had to secure outside housing.

16 COUNCILMAN JONES: So that 18
17 percent reduction is in actual numbers
18 down to what today?

19 COMMISSIONER CARNEY: 6,692
20 inmates.

21 COUNCILMAN JONES: We were in
22 this Chamber several years ago talking
23 about the possibility of building a half
24 a billion dollar prison. We came
25 together with the Administration. The

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 President put together a Justice Reform
3 Commission. Ms. Wertheimer has brought
4 in money from the foundations, and we
5 came together and broke down some silos.
6 Judge Lerner also is a part of the
7 Justice League, I like to call it,
8 getting things done.

9 So I wanted to put that in
10 perspective and then talk about where we
11 are going. And I want to keep in mind
12 that every year I go to your graduation
13 of new officers taking on the public
14 safety role, and I take pride in seeing
15 them do that. I want us to understand
16 how we are morphing into a different type
17 of prison society in light of a pioneer
18 in this Chamber like Councilwoman
19 Blackwell who wanted day reporting
20 centers way before MacArthur said so. So
21 tell me where we're going.

22 COMMISSIONER CARNEY: We're
23 going to a restorative approach versus
24 punitive, and restorative is
25 acknowledging that folks are coming into

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2 custody, but we have to make the best use
3 of that time, and that is offering
4 appropriate and adequate programs and
5 services that meet the individual's need,
6 not a cookie cutter approach. But while
7 you have someone incarcerated, you are
8 preparing from day one for discharge and
9 release, and part of that is shoring up
10 our RISE office so that there will be
11 more robust pre-engagement while people
12 are in custody and you can best prepare
13 and plan for when they do get out.

14 The other part of restorative
15 justice is that you don't just release
16 people with a cold handoff. It's really
17 working collaboratively with all of our
18 criminal justice partners that we've been
19 able to realize this reduction, but also
20 working with existing community-based
21 partners and other City agencies. And
22 that's not just getting someone a job.
23 Workforce development is important, but a
24 lot of our folks are challenged with
25 substance use, behavioral health, and

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 physical healthcare that needs to
3 continue post-release. So when you're
4 looking at a holistic restorative
5 approach, that's the best approach.
6 That's where the Prisons is going.

7 COUNCILMAN JONES: So a couple
8 of the recommendations that we're
9 starting to see, obviously GPS
10 technology. Julie has put together a
11 proposal for something like 700. So, you
12 know, a release but with supervision
13 concepts. One of those other concepts is
14 a day reporting center, and you and young
15 Ms. Samantha Williams and all worked on
16 an RFP to look at the concept. Can you
17 describe that for my colleagues?

18 MS. WERTHEIMER: Sure. So at
19 the recommendation of --

20 COUNCILMAN GREENLEE: Just
21 identify yourself.

22 MS. WERTHEIMER: Sorry. Thank
23 you. Julie Wertheimer, Chief of Staff,
24 Office of Criminal Justice, Managing
25 Director's Office.

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 At the recommendation of the
3 county's Criminal Justice Advisory Board,
4 we put together a subcommittee with
5 representatives from all of the criminal
6 justice agencies to explore the
7 possibility of day reporting centers, and
8 at present, there is an RFP being
9 reviewed to be posted for a feasibility
10 study for day reporting centers, looking
11 at a number of different factors in terms
12 of the population being served since our
13 justice-involved population is changing
14 so drastically because of the reduction
15 in the jail population and other reforms
16 taking place, where such a center should
17 be, what kind of services it provides,
18 and it's really trying to connect the
19 dots too with what we're doing around
20 reentry and other aspects of the system.

21 COUNCILMAN JONES: So as we
22 morph with lower populations and consider
23 closing a facility, one of the things
24 going to those graduations, making sure
25 your staff are covered, what kinds of

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 training are you going to give them in
3 this new concept if we're using -- I like
4 the analogy, Mr. Chairman, if a probation
5 officer and a social worker had a baby,
6 it would be this new type of criminal
7 justice professional.

8 How are we getting your staff
9 to understand that and making sure they
10 understand that job security isn't the
11 issue, it's how we deliver the service?

12 COMMISSIONER CARNEY: So a lot
13 of that has been really marketing to the
14 workforce and understanding that this is
15 not just a job you do, but it impacts you
16 as a citizen. And so if we're not able
17 to really lend ourselves to being not
18 only role models providing security, that
19 impacts our individual communities.

20 The other part of that is
21 really educating the staff about the
22 initiatives that are underway, and that's
23 been educating and discussing the success
24 we've had from MacArthur. So staff are
25 aware of the efforts of not just the

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 Prisons but the criminal justice cluster.
3 In addition, looking at
4 training; that is, new coding training.
5 Every time we introduce a new program and
6 services, that's delivered to the staff
7 so they have an understanding on where
8 we're going. When we initially
9 introduced the tablet education project,
10 this is why they're going to have it,
11 this is the reason, these are the
12 safeguards. So it's really educating our
13 workforce, because we all have a stake in
14 when people leave State Road, they're
15 coming back to our communities. Do we
16 want them better off? Yes, because then
17 they buy in to being a partner of a
18 community.

19 COUNCILMAN JONES: So I got the
20 Chairman up there. He is not the
21 substitute teacher, so I'm going to
22 listen to the bell. In our next
23 go-around, I want to talk about the
24 differences between the riot in Delaware
25 and why we are not going to be the

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 facility.

3 MS. WERTHEIMER: Councilman, if
4 I can just add something, though, to your
5 question about training. I also want to
6 mention -- and I think it's because we're
7 very excited about this -- all of the
8 criminal justice agencies, and it's going
9 to take a while to roll this out, but
10 starting May 1st are going to begin
11 implicit and explicit bias training, and
12 it's going to be customized kind of for
13 every agency, because what the
14 correctional officers receive is probably
15 a little bit different than, say, the
16 Public Defender. But that's a process
17 that we're starrng. It's something
18 that's funded by the MacArthur grant, but
19 has been looked at for a while by a lot
20 of the agencies and we're finally
21 beginning to roll that.

22 COUNCILMAN JONES: I see the
23 judge back there.

24 He cut my mic off.

25 Thank you, and I want to thank

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 Judge Lerner for his involvement as well.

3 COUNCILMAN GREEN: Just for the
4 record, I didn't cut your mic off. Okay?
5 Councilman Johnson.

6 COUNCILMAN JOHNSON: Thank you.

7 Thank you, Commissioner, for
8 being here today, also with your team,
9 and I also want to acknowledge the
10 Administration for your appointment. And
11 so it truly was historic, and look
12 forward to doing great things with you
13 under your leadership.

14 My questions are around the
15 issue of juveniles who are housed on
16 State Road and specifically the issue of
17 solitary confinement. And I know the
18 level of awareness was brought around
19 this particular issue regarding the
20 Kalief Browder story, which I'm sure most
21 of you are familiar with, but it
22 specifically deals with the issue of
23 solitary confinement of juveniles. And I
24 remember last year there was an article
25 where you talked about not being

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2 supportive of that type of approach in
3 addressing young people, but I want to
4 get an idea of what you are doing to
5 address it, what's the process in
6 handling juveniles in adult settings.
7 Also we know female juveniles are housed
8 at Riverside, which is again the adult
9 population, and how they are addressed to
10 make sure that they are still held
11 accountable, which they should be, but in
12 an environment that's conducive for them
13 developing.

14 I often tell people as an
15 adult, there are plenty of things I would
16 not have done when I was a juvenile, and
17 there's some things I've done when I was
18 a juvenile that I definitely wouldn't do
19 now as an adult. And so I take this very
20 seriously, because if we can help our
21 young people rehabilitate early on, then
22 we don't have to deal with them going on
23 to Graterford and Coal Township because
24 we addressed it on the juvenile level.
25 But some commit acts that put them in an

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 adult environment, and I used to come up
3 there with -- come up to State Road to
4 address the juveniles with Mothers in
5 Charge, and I recognized that some of
6 those young people had no clue that they
7 will be going away for a very, very long
8 time.

9 So can you give us an overview
10 of how you're addressing this?

11 COMMISSIONER CARNEY: So we've
12 been really canvassing our fellow
13 correctional partners to see what
14 policies they've developed. First and
15 foremost, I believe that the staff on
16 State Road, especially working with the
17 juveniles, we understand trauma. We
18 understand the developmental deficits
19 that happen at the onset of trauma and
20 understanding they're not adults, but
21 they're housed in an adult system set
22 aside from the adult population.

23 There is on occasion time where
24 we have to separate because they may have
25 gotten into a fight and we can't allow

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2 further injury of any sort. And so
3 there's a time when we will separate, and
4 for that purpose, they're not just placed
5 in a cell with no human interaction. If
6 anything, they get -- we have rounds by
7 our psychology team, our social workers,
8 and the correctional staff. So it's
9 never a solitary as other jurisdictions
10 have defined it. And part of that is the
11 engagement, helping them work through
12 what happened, what led up to being
13 separated out for a defined period of
14 time, but looking at trauma, addressing
15 that, addressing coping skills and
16 mechanisms that our young people need
17 today that should something else happen,
18 how can we de-escalate this, because
19 they're such a small population, they're
20 in a community school together, so you're
21 going to see this person again. So, one,
22 really looking at the work of our other
23 judicial partners and can we glean wisdom
24 and experience from their policies.

25 We do have our team, our policy

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2 and team that's really looking at
3 crafting how we would work. There are
4 several things that have been used in
5 other jurisdictions such as safety chairs
6 or tables. And so when you talk about
7 solitary confinement, that's normally
8 putting someone in a cell, isolating
9 them, but at some point, you have to
10 therapeutically bring them back out, so
11 increasing more time out of the cell,
12 giving them goals and incentives to
13 develop those coping mechanisms, and then
14 looking at exploring what the industry
15 has to offer. And so when you talk about
16 security chairs or tables, those folks
17 that have committed an infraction can
18 still then be brought out in a group
19 setting and strategically placed so that
20 they don't interact in a negative way
21 again, but we can still do the
22 therapeutic timeout process.

23 COUNCILMAN JOHNSON: And just a
24 follow-up. I know on the national level,
25 our President has banned solitary

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 confinement for juveniles in federal
3 facilities, and now there's legislation
4 from democrats and republicans from a
5 bipartisan effort to make it permanent,
6 right? How can we take steps forward in
7 the City of Philadelphia? And I guess as
8 the Commissioner, if we did start this
9 movement from a City standpoint, members
10 in Council, would you be supportive of
11 it?

12 COMMISSIONER CARNEY: I would
13 be supportive if we had the support of
14 funding. Any time you have a population
15 that's a threat to the population, you
16 will have to place them in a more secure
17 area. That's going to require additional
18 staff. That's not the same correctional
19 officer to staff, because now you're
20 dealing with a more maybe assaultive
21 population. But from the therapeutic
22 perspective, you need additional staff,
23 psychologists, psychiatrists, some
24 program folks, to do engagement to
25 increase more time out of cell, and

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2 that's what you're building up to.

3 Any time you have someone in
4 segregation for a period of time, you
5 have to increase the staffing capacity
6 with treatment and CDT in order to
7 increase out-of-cell time, and that's a
8 gradual process, that's not an overnight,
9 but the funding has to be in place for
10 that to happen.

11 COUNCILMAN JOHNSON: Thank you
12 very much, Commissioner.

13 COUNCILMAN GREENLEE: Thank
14 you, Councilman.

15 Councilwoman -- she's not here.
16 Councilman Domb.

17 COUNCILMAN DOMB: Thank you,
18 Mr. Chairman.

19 Good afternoon. Thank you.
20 Typical question I'm going to ask you is,
21 in your budget is there an allocation in
22 here for fringe benefits or is that above
23 the budget?

24 MR. BUCK: Gerry Buck,
25 Administrative Services Director of

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 Prisons.

3 Fringe benefits has always been
4 separated in the Finance Department.

5 COUNCILMAN DOMB: And do you
6 know how much the fringe benefits as a
7 percentage of compensation is?

8 MR. BUCK: Usually it's in the
9 40 percent range.

10 COUNCILMAN DOMB: 40 percent?

11 MR. BUCK: Yes.

12 COUNCILMAN DOMB: Okay. So
13 then if I'm looking at your proposed
14 appropriations for Fiscal Year '18 and
15 I'm looking at 147 million in employee
16 compensation, it really is closer to 200
17 million roughly when you include
18 benefits --

19 MR. BUCK: Yes.

20 COUNCILMAN DOMB: -- 210?

21 MR. BUCK: Correct.

22 COUNCILMAN DOMB: So that we
23 have to really add that up to 310 million
24 when you add in the benefits?

25 MR. BUCK: Correct.

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2 COUNCILMAN DOMB: If I'm
3 looking at total cost to run the Prisons,
4 I'm looking at 310 million, plus I'm
5 looking at the medical care for the
6 prisoners, which is 65 million?

7 MR. BUCK: Correct.

8 COUNCILMAN DOMB: And the food
9 service, which is about 14 million? So
10 I'm coming out to close to \$61,000 to
11 \$62,000 per year per prisoner?

12 MR. BUCK: I can tell you --

13 COUNCILMAN GREENLEE: Sir, a
14 little closer to the microphone.

15 MR. BUCK: Sorry. I can tell
16 you exactly what I calculated for the '18
17 budget, and that's using indirect costs,
18 fringes and indirect costs, as soon as I
19 find the sheet. It was about 135.

20 COUNCILMAN DOMB: Let me ask
21 you this question, though. If you
22 include the food cost, the healthcare
23 cost, and the cost to run the Prison,
24 including the benefits, it comes out to a
25 figure that equates to about 62,000 per

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 prisoner. You have 6,600 prisoners in
3 there right now, according to your
4 information. Is that about right?

5 MR. BUCK: Well, we have 6,600,
6 about 6,600 right now. So 135 a day
7 times 6,600. About 365. I don't have a
8 calculator with me.

9 COUNCILMAN DOMB: But what I've
10 seen, the prison population has gone
11 down. In Fiscal Year '16 it was 7,500,
12 and our overhead goes up. Why isn't our
13 overhead going down if the prison
14 population is reducing, especially
15 where -- we have a goal of 34 percent
16 over the next three years. Should we see
17 some reductions in the food costs,
18 reductions the medical costs, reductions
19 in the overhead?

20 COMMISSIONER CARNEY: We should
21 expect to see reduction in the food cost,
22 because that's fewer meals for the
23 population. However, if we continue to
24 trend down and we have the appropriate
25 folks in custody such as medium to close

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 custody folks, they're going to be there
3 for a longer duration. So we may not
4 realize the healthcare cost. So 40
5 percent of all inmates receive behavioral
6 healthcare, 19 percent are diagnosed as
7 seriously mentally ill, 80 percent abuse
8 one or more drugs and receive
9 detoxification and CDT, 30 percent suffer
10 from one or more chronic illnesses, and
11 at least 13.6 percent of all inmates are
12 affected with hep C.

13 So if we are having the
14 appropriate population in custody longer,
15 they have chronic care issues, behavioral
16 healthcare. Pharmacy costs are built
17 into that, and we're going to keep them
18 longer. So we may not necessarily
19 realize the cost.

20 Also, the dollar -- excuse me.
21 The 135 per day, I'd really just like to
22 put a lens on that, is that if you have a
23 healthy inmate, they're going to get the
24 robust intake health screening and then
25 annual treatment. But if you have

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 someone that's been underinsured or not
3 insured at all and they're now in our
4 custody, we have a responsibility to
5 treat them to the best of our ability.

6 COUNCILMAN DOMB: I'm not sure
7 your figure of 135 a day is accurate.

8 COUNCILMAN GREENLEE: Sir,
9 raise it up. Raise it up.

10 MR. BUCK: I just did the
11 calculation and it's actually lower than
12 60,000, and I have it at \$138 a day for
13 Fiscal '18, and that's factoring in
14 fringe and indirect costs.

15 COUNCILMAN DOMB: Well, just go
16 to the budget you gave us. For Fiscal
17 Year '18, it's 258 million. You just
18 said that 40 percent of Class 100 is
19 fringe benefits. Forty percent is what,
20 just doing it in my head real quick, 58
21 million.

22 MR. BUCK: Forty percent of
23 Class 100.

24 COUNCILMAN DOMB: Right. Add
25 58 million to 258. You're at, what, 316?

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 MR. BUCK: I have 333,000 as
3 the total cost.

4 COUNCILMAN DOMB: It's 316 plus
5 your medical and your food.

6 MR. BUCK: The medical and the
7 food is already in there.

8 COUNCILMAN DOMB: Where is it
9 in here?

10 MR. BUCK: It's
11 under purchase --

12 COUNCILMAN DOMB: Purchase of
13 services?

14 MR. BUCK: Purchase of
15 services.

16 COUNCILMAN DOMB: Okay. So
17 that's in the 105 million?

18 MR. BUCK: Yes.

19 COUNCILMAN DOMB: So you're
20 still at about \$40,000 a year, 42,000?

21 MR. BUCK: I have it at about
22 50,000 a year.

23 COUNCILMAN DOMB: And if we
24 reduce the population by 34 percent,
25 shouldn't some percentage of that come

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 down?

3 MR. BUCK: Correct. I mean,
4 food costs for sure. Food cost is about
5 \$1.52 per meal.

6 COUNCILMAN DOMB: But why won't
7 the medical cost -- is the medical per
8 person?

9 MR. BUCK: Medical will come
10 down. Below the population of 8,400,
11 it's a \$1.31 per inmate per day. It's
12 not a big amount of money per thousand,
13 and you're talking about 500,000 per
14 thousand inmates. So it's not
15 significant. That's in the Corizon
16 contract.

17 COUNCILMAN DOMB: Your Corizon
18 contract is 48.6 million?

19 MR. BUCK: Correct.

20 COUNCILMAN DOMB: And MHM
21 mental health is 10.3 and AmeriHealth is
22 4.8. The total is about 65 million. If
23 you have 6,600 people in prison, it's
24 roughly 10,000 a year per prisoner.
25 Would you agree with that?

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 MR. BUCK: Right.

3 COUNCILMAN DOMB: So if we cut
4 back almost 1,500 prisoners, aren't we
5 going to see substantial savings in
6 healthcare?

7 MR. BUCK: Well, right now
8 we're in the process of negotiating with
9 Corizon and MHM. So we are going to
10 bring that up, but our population has
11 dropped, especially with MHM, which does
12 not have a clause, as far as I know, and
13 Bruce, our Medical Director, can chime in
14 regarding whether or not there is a cost
15 reduction with the population decline.

16 COUNCILMAN DOMB: Are those
17 medical contracts per prisoner or is it a
18 bulk contract?

19 MR. BUCK: MHM is a bulk
20 contract.

21 COUNCILMAN DOMB: That's a bad
22 contract.

23 MR. BUCK: Yeah. And the
24 Corizon is basically a bulk contract with
25 a reduction for population decreases and

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 an increase for population increases
3 above a certain level.

4 COUNCILMAN DOMB: It should be
5 per prisoner. That's a bad contract,
6 because we're going to lose big time in
7 this because it's a bulk contract.

8 MR. BUCK: Well, we're in the
9 process -- I think we have three vendors
10 right now that are being evaluated by
11 committee.

12 COUNCILMAN DOMB: When do those
13 contracts expire?

14 MR. BUCK: June 30th.

15 COUNCILMAN DOMB: We should
16 renegotiate per prisoner. Do not do a
17 bulk contract. It's a bad move.

18 MR. BUCK: Okay.

19 COUNCILMAN DOMB: Thank you.
20 I'll come back next round. Thanks.

21 COUNCILMAN GREENLEE: Thank
22 you, Councilman.

23 Councilman Green.

24 COUNCILMAN GREEN: Thank you,
25 Councilman Greenlee.

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2 Actually, my questions were
3 similar to that question that Councilman
4 Domb had raised, because considering the
5 prison population has gone from about
6 9,000 to about 6,000 roughly and I can
7 understand that some of the medical costs
8 will still be high because of the people
9 who are in our prisons probably have the
10 most infirmed healthcare, but I guess my
11 question is a follow up to your last
12 point. What's the status of the Corizon
13 healthcare contracts? Is that scheduled
14 to be executed July 1?

15 COMMISSIONER CARNEY: Yes.

16 COUNCILMAN GREEN: And have you
17 already selected a new provider? Because
18 I know for the past couple years, we were
19 going through an RFP process. So is
20 Corizon the entity that was selected?

21 COMMISSIONER CARNEY: They
22 haven't been selected.

23 COUNCILMAN GREEN: They have
24 not been selected?

25 COMMISSIONER CARNEY: No.

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 We're still in the RFP process.

3 COUNCILMAN GREEN: Because in
4 years past when this contract has been
5 listed in the budget, it was "to be
6 determined." So what you're saying is
7 that going into FY18, that's the last
8 year of Corizon having the contract?

9 MR. BUCK: FY17 is the end of
10 the Corizon contract. So right now we're
11 in the process of negotiating with
12 vendors through the RFP process to
13 determine the best vendor.

14 COUNCILMAN GREEN: So that
15 contract will be executed starting the
16 new fiscal year, July 1?

17 COMMISSIONER CARNEY: Yes.

18 MR. BUCK: So that should be
19 "to be determined."

20 COUNCILMAN GREEN: I can't --

21 MR. BUCK: It should be "to be
22 determined" in that line rather than
23 Corizon.

24 COUNCILMAN GREEN: That's what
25 threw me off. When I look at the budget

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 detail, you would think that they already
3 have the contract. So it's really to be
4 determined?

5 COMMISSIONER CARNEY: To be
6 determined.

7 COUNCILMAN GREEN: Because past
8 years it's been under -- I mean, this
9 contract has been continued for a number
10 of years and it was to be determined and
11 it was just held over. So we're just
12 saying you're going to be selecting
13 possibly a new provider as of July 1?

14 MR. BUCK: Correct.

15 COUNCILMAN GREEN: Okay. Also
16 considering some of the other expenses --
17 and I understand some of the commentary,
18 as I said a few moments ago, with
19 Councilman Domb that some of the expenses
20 will not come down. When are some of
21 these other contracts coming up in
22 reference to inmates, the food contract,
23 the repair/maintenance contracts, and
24 inmate housing?

25 COMMISSIONER CARNEY: So the

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2 food contract is going to -- we look to
3 commence that July 1, and we hope --

4 COUNCILMAN GREEN: When you say
5 "commence," you mean start the process of
6 a new RFP process?

7 COMMISSIONER CARNEY: Yes.
8 We're underway in that process.

9 And just to go back for the
10 medical, that doesn't take into account
11 the 32,000 admissions that we --

12 COUNCILMAN GREEN: No. I
13 understand that part.

14 COMMISSIONER CARNEY: Okay.

15 COUNCILMAN GREEN: I'm talking
16 about still even though with the
17 admissions people coming in and out and
18 the medical issue, still some of the
19 other basic expenses of being in the
20 Prison System should be lesser because of
21 the fact we have a smaller population,
22 especially for food and even for the
23 other contract for the inmate housing. I
24 mean, considering that CEC, which is a
25 private entity, considering we've gone

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 down to a smaller population, we're still
3 spending millions of dollars with private
4 entities.

5 COMMISSIONER CARNEY: And the
6 reason being is that's a lower custody
7 level population. So the Prisons, even
8 though we have six facilities, we have
9 three custody levels and you can't
10 comingle those custody levels.

11 COUNCILMAN GREEN: The security
12 level.

13 COMMISSIONER CARNEY: So if
14 we're able to remove that low custody
15 level, then you can then close
16 facilities, but you still have to account
17 for your 10 percent admission beds and
18 your movement capacity. And if we're
19 keeping then medium to high risk, we
20 really have to take a look at how we
21 bring those folks back into custody.

22 Right now with those two
23 outside housing contracts that you
24 mentioned, those are our community
25 minimum risk folks in those beds, but

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 when we look at close custody beds, we
3 still have to be mindful we have -- we
4 can't comingle.

5 COUNCILMAN GREEN: So within
6 the six facilities that we have, what's
7 the equivalent to the CEC or contract?

8 COMMISSIONER CARNEY: I'm
9 sorry?

10 COUNCILMAN GREEN: What's the
11 equivalent within the six facilities that
12 we have to like the CEC housing?

13 COMMISSIONER CARNEY: That
14 equivalent would be ASD, Alternative and
15 Special Detention, which houses our
16 community custody population.

17 COUNCILMAN GREEN: And what's
18 the population of ASD?

19 COMMISSIONER CARNEY: Today's
20 population -- so between our ASD center
21 unit and our Cambria, we have 309.

22 COUNCILMAN GREEN: And is that
23 at capacity?

24 COMMISSIONER CARNEY: That is
25 at capacity for those two facilities.

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2 For a cost savings measure, we did close
3 down and de-populate ASD Mod 3, which has
4 a hundred-bed facility capacity, and that
5 was also tied into the cost savings with
6 staffing that and contractual costs.

7 COUNCILMAN GREEN: So you
8 reduced the population of ASD, you said
9 Pod 3, but we still use CEC, which is an
10 outside contractor?

11 COMMISSIONER CARNEY: Yes, and
12 we would have to further decrease the
13 population. To bring those folks back
14 in, we would have to open up Mod 3, which
15 would give us 100 beds, but then the
16 other inmates would go to the Detention
17 Center and House of Correction, and
18 that's one of the facilities we're
19 looking to decrease.

20 So I know it may seem simple,
21 but when you start to bring folks back,
22 you have to lower it to a level that when
23 you bring people back, you're not running
24 into a triple cell and you're then not
25 keeping full capacity House of

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 Corrections, which we're really trying to
3 de-populate gradually.

4 COUNCILMAN GREEN: Okay. Also
5 I had a question regarding zero waste.
6 That's an initiative that Mayor Kenney is
7 initiating throughout City government.
8 And from the perspective of the Prison
9 System, considering that you have the
10 food contractor Aramark, you have a
11 number of individuals staying in the
12 prison facilities. What steps are we
13 taking from the Prison perspective to
14 meet the Mayor's goal of zero waste?

15 COMMISSIONER CARNEY: Of
16 zero -- can you --

17 COUNCILMAN GREEN: Are you
18 familiar with the zero waste initiative
19 at all?

20 COMMISSIONER CARNEY: Yes, I
21 am.

22 COUNCILMAN GREEN: So what
23 steps is the Prison System taking to try
24 to meet the Administration's goal of zero
25 waste in reference to either looking at

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 composting, other food reduction
3 opportunities or diversion opportunities
4 within the Prison System?

5 COMMISSIONER CARNEY: So the
6 Prisons for a number of years has
7 participated in composting. We also
8 participate robustly in recycling. We
9 have an orchard and we have a greenhouse
10 there. And so we've been donating our
11 foods and goods from those two projects
12 to City community cupboards, but we're
13 also exploring how we could then
14 introduce that fresh fruits and
15 vegetables into the inmate menu. But we
16 are -- I mean, we're robust with
17 recycling and composting.

18 COUNCILMAN GREEN: Okay. Thank
19 you, Mr. Chair.

20 COUNCILMAN GREENLEE: Thank
21 you, Councilman.

22 Councilwoman Blackwell.

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

25 Good afternoon. Many years ago

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 before -- well, some years ago before
3 Judge Dougherty moved up to his current
4 level, we had a discussion about the
5 future of youngsters who are
6 incarcerated, and my area, my
7 neighborhood, is the Juvenile Justice
8 Center. And we haven't made any
9 progress, but we were trying to find a
10 way. We either went to the Girard
11 College and asked Clay Armbrister about
12 it, but his Board didn't agree to it to
13 try to find a way to keep youngsters in
14 our city. It would be much cheaper.
15 Parents could visit them and all of that.
16 And we're really interested. We're
17 finding that these children, youngsters,
18 have cultural issues or they may go to
19 schools where the school says, oh, you
20 can't graduate, English was three
21 credits, not two credits as you thought
22 it was, all kinds of things. So they add
23 to the issues and the problems the
24 youngsters have.

25 Juvenile Justice Center is a

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2 wonderful place. People there care about
3 the youngsters. They're good, but they
4 make adjustments, and when they're sent
5 to the Midwest or wherever they're sent,
6 we have more problems, which means more
7 expense, more trouble for the youngsters
8 and their families.

9 Do you have any ideas or is
10 there any way we can be supportive of
11 some plan to keep our children here?

12 COMMISSIONER CARNEY: My
13 suggestion would be the good-old wrap
14 around.

15 COUNCILWOMAN BLACKWELL: Say
16 that again.

17 COMMISSIONER CARNEY: Wrap
18 around approach, where you have
19 multi-discipline staff really giving
20 services to young folks to keep them in
21 their community as long as possible. I
22 think it's an advantageous approach that
23 if you have various disciplines working
24 together to address the issues to not
25 only treat the youngster but the

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2 caregiver, which sometimes is needed when
3 you have family therapy issues. So
4 children don't just wake up and say, I
5 want to do this. There's trauma, there's
6 family issues, and you have to build in
7 family therapy somehow, some way, and
8 that's all centralized around them in
9 their community. And people thrive in
10 their community because they have
11 supports, they have identity, they have
12 connections, whether that's neighbors, a
13 block captain or a family member. But if
14 you centralize those services for
15 good-old wrap around and couple it with
16 their educational needs, that would be my
17 recommendation.

18 COUNCILWOMAN BLACKWELL: Thank
19 you. Thank you, Commissioner.

20 Thank you all.

21 Thank you, Mr. Chairman.

22 COUNCILMAN GREENLEE: Thank
23 you, Councilwoman.

24 Councilman Johnson.

25 COUNCILMAN JOHNSON: Thank you.

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2 Commissioner, I just want to
3 follow up on a couple questions that I
4 had regarding juveniles in solitary
5 confinement.

6 Do you have the actual number
7 of young people at Riverside for the
8 females, young men on State Road who are
9 juveniles, do you have numbers who have
10 actually served in solitary confinement
11 and also the length of time?

12 COMMISSIONER CARNEY: I can --

13 COUNCILMAN JOHNSON: With you
14 today.

15 COMMISSIONER CARNEY: Not with
16 me today, but I can provide that
17 information to you.

18 COUNCILMAN JOHNSON: Okay.
19 Please.

20 And also I recognize that the
21 if a judge wants to hold a juvenile to be
22 charged as an adult, the judge can have
23 them ordered to be held at the Juvenile
24 Justice Center; is that correct?

25 COMMISSIONER CARNEY: It's at

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 his discretion, yes, his or her
3 discretion.

4 COUNCILMAN JOHNSON: So up
5 until 2001, all juveniles charged as
6 adults were held at the Youth Study
7 Center. And so is there any practical
8 reason not to hold all juveniles,
9 regardless if they're being held as a
10 juvenile or juvenile being charged as an
11 adult, should be held at the Juvenile
12 Justice Center? Any reason why we're
13 just not totally separating them and keep
14 them in a juvenile setting? And that
15 place is pretty huge in the Fourth -- in
16 the Third Councilmanic District that I
17 would think would hold a significant
18 amount of young people separate from the
19 adult population.

20 COMMISSIONER CARNEY: So most
21 of our juveniles have capital charges.
22 So I would defer to the courts to really
23 delve into that question as to why they
24 make the decision between JJS and PDP.

25 COUNCILMAN JOHNSON: Okay. All

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 right.

3 And Judge Lerner.

4 COMMISSIONER CARNEY: And we
5 have Judge Lerner approaching.

6 COUNCILMAN GREENLEE: Judge,
7 just please identify yourself and
8 proceed.

9 JUDGE LERNER: I am Benjamin
10 Lerner, and I'm the Deputy Managing
11 Director for Criminal Justice, but
12 apropos of Councilman Johnson's question,
13 I was the judge for 15 years who presided
14 over all of the direct file cases here in
15 Philadelphia.

16 So with respect to the question
17 that you just asked, this is an issue
18 which I discussed as a judge frequently
19 with Justice Dougherty when he was the
20 Administrative Judge in Family Court and
21 which I've discussed more recently with
22 his successor, his Administrative Judge,
23 Judge Murphy.

24 There are legal issues with
25 regard to holding juveniles charged as

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 adults in a facility with other juveniles
3 who are charged in Juvenile Court. And
4 there are other issues regarding
5 segregation based on the seriousness of
6 charges and the personnel that are
7 involved in education and other programs
8 for those juveniles.

9 It's the view of the Juvenile
10 Court, which I believe is sound as a
11 matter of law, that unless you had a
12 completely separate facility at the
13 Juvenile Justice Center, you could not
14 mingle juveniles charged as adults with
15 other juveniles.

16 COUNCILMAN JOHNSON: Okay. I
17 just want to go back on one point, Judge
18 Lerner. When you say there are legal
19 issues around that governs if a juvenile
20 charged as an adult can be around another
21 juvenile that isn't charged as an adult,
22 can you just point me directly -- you
23 don't have to do it right now. We can
24 follow up with the staff.

25 JUDGE LERNER: I will.

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 COUNCILMAN JOHNSON: But the
3 exact court case, caselaw that specifies
4 this is why we separate juveniles charged
5 as adults from the normal juvenile
6 population.

7 JUDGE LERNER: Yes. I'll be
8 happy to follow up on that.

9 COUNCILMAN JOHNSON: Thank you
10 very much.

11 Thank you very much, sir.

12 COUNCILMAN GREENLEE: Thank
13 you, Councilman.

14 Let's see. Councilman Jones.

15 COUNCILMAN JONES: See, I
16 adhere to the bell and everything.

17 Two major things. One,
18 Delaware had an uprising, revolt, riot in
19 their prison and when we researched it,
20 that the top three or four things that
21 relate to a riot are racial tensions,
22 overcrowding, guard and inmate
23 interactions, and food being a major
24 piece, which brings me to the Aramark
25 contract and the Corizon health contract

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 that I'd like to know about. So, A,
3 let's start with how we're not Delaware
4 and then, B, what's going on with those
5 two particular contracts.

6 COMMISSIONER CARNEY: So how
7 we're not Delaware is, I believe we
8 offer, just by some of the information
9 that has been released, programs and
10 services. And so we offer a variety of
11 programs and services to meet everyone's
12 individual level. When you talk about
13 literacy levels, vocational training,
14 work assignments, therapy, therapeutic
15 cognitive behavior, we offer that.

16 Also I think it also plays into
17 how we interact with the population, and
18 that's -- even though someone is
19 incarcerated, they're still a human
20 being, and this may sound, you know, very
21 soft, but treating people with respect
22 and dignity and not being disrespected
23 and dehumanizing. That's another. And I
24 believe that's the work of our security
25 staff at all levels, correctional

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 officers all the way up to the deputy
3 commissioners and myself.

4 The piece, though, is
5 understanding food plays a critical role,
6 and we make sure that the food is timely,
7 they're receiving it as they're supposed
8 to, and if there are any challenges or
9 questions or complaints, we address those
10 issues promptly.

11 COUNCILMAN JONES:
12 Nutritionally are we --

13 COMMISSIONER CARNEY: Yes.
14 They do meet the nutritional guidelines.

15 COUNCILMAN JONES: But there's
16 nutritional guidelines and there's
17 ketchup is a vegetable. Are we giving
18 them the variety -- I know we went from a
19 system of quick chill because of
20 illnesses that can occur with the chain
21 of custody of food, but have we blanded
22 down, cheaped it down to the point where
23 it is -- I've gotten complaints it's
24 really bad. I know prison is not
25 designed to be the Holiday Inn, but do

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 you eat it?

3 COMMISSIONER CARNEY: Yes, I

4 do.

5 COUNCILMAN JONES: All right.

6 Okay.

7 COMMISSIONER CARNEY: And I do

8 go to the -- all right.

9 COUNCILMAN JONES: You say you
10 eat it, you eat it.

11 Tell me about the Corizon
12 contract. A couple of years ago -- and I
13 keep now remembering our Mayor as my
14 former colleague. He had a whole hearing
15 on this contract. Where were we? Where
16 are we with that? I understand it's
17 being bid again.

18 COMMISSIONER CARNEY: So we did
19 announce the RFP. We did -- a few
20 vendors were selected to submit their
21 best proposals, and that was just
22 recently done on the 21st. So we haven't
23 selected yet -- we're still going through
24 and vetting what those responses are.
25 And I have Dr. Herdman here with me --

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 he's our Chief Medical Officer -- that
3 can really speak to the physical
4 healthcare, and that's inclusive of the
5 pharmacy costs as well.

6 COUNCILMAN JONES: Got it.

7 COUNCILMAN GREENLEE: Just
8 state your name for the record, please.

9 DR. HERDMAN: Bruce Herdman,
10 Chief of Medical Operations for the
11 Prison.

12 We have four national vendors
13 bid for the physical healthcare contract
14 and three --

15 COUNCILMAN JONES: How much is
16 this contract?

17 DR. HERDMAN: Well, we don't
18 know what it will be, but --

19 COUNCILMAN JONES: What was it
20 before?

21 DR. HERDMAN: 48 million.

22 COUNCILMAN JONES: How much?

23 DR. HERDMAN: 48.

24 COUNCILMAN JONES: And what's
25 the term?

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 DR. HERDMAN: Well, it's by
3 City Charter, it's a one-year contract
4 with three possible one-year renewals.
5 We're in the end of the fourth year for
6 this contract and for MHM, which is the
7 mental health services provider. So both
8 of those contracts were put out to bid.
9 There were three national vendors that
10 bid for the behavioral health contract.
11 Two of those companies bid for both. So
12 we are receiving best and final offers by
13 close of business tomorrow and --

14 COUNCILMAN JONES: Is there
15 minority participation, female
16 participation on these contracts?

17 DR. HERDMAN: Oh, yes. The
18 Office of Economic Opportunity
19 establishes goals and they have reviewed
20 each of the proposals and identified
21 those that meet their standards and those
22 that do not.

23 COUNCILMAN JONES: So is the
24 person who had the Corizon originally
25 rebidding?

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 DR. HERDMAN: They are
3 rebidding, yes.

4 COUNCILMAN JONES: So I'm
5 struggling to understand where my Mayor,
6 who was Councilman, he has -- have the
7 conditions of the contract been improved,
8 in your opinion?

9 DR. HERDMAN: The Corizon has
10 provided more minority participation by
11 50 percent in each of the four years of
12 the contract.

13 COUNCILMAN JONES: I'm not --
14 all right. I believe that OEO certifies
15 that there are minority and female
16 participation. I'm talking about four or
17 five years ago, we had a big hearing in
18 reference to this contract and the
19 service delivery. In your opinion and
20 the Commissioner's opinion, has that
21 condition and services improved?

22 Right on the money.

23 DR. HERDMAN: Services are
24 exemplary.

25 COUNCILMAN JONES: Okay.

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2 DR. HERDMAN: And today we had
3 a review by an outside internist who said
4 that he thought that the processes that
5 we were using are hardly matched around
6 the country.

7 COUNCILMAN JONES: Okay.
8 That's a turnaround and that's -- I guess
9 you become Mayor when you can force a \$48
10 million company to improve their
11 services. That's why you pick a Mayor, I
12 guess. Because if you're saying to me
13 it's improved that much, that's
14 incredible. All right?

15 Thank you very much,
16 Mr. Chairman.

17 COUNCILMAN GREENLEE: Thank
18 you, Councilman.

19 Councilman Domb.

20 COUNCILMAN DOMB: Thank you,
21 Mr. Chairman.

22 A couple of follow-up questions
23 for you. We're talking about a reduction
24 of 34 percent. Is that from the current
25 6,600 prison population or is that from a

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2 higher number?

3 COMMISSIONER CARNEY: That's
4 from the higher number beginning with
5 July 2015.

6 COUNCILMAN DOMB: What was the
7 number in July 2015, 7,500?

8 COMMISSIONER CARNEY: No. I
9 believe it was about 8,000, but I can get
10 you the number for that -- 8,082.

11 COUNCILMAN DOMB: So we reduced
12 1,600 people and yet our costs are going
13 up. That doesn't make sense to me,
14 because using the calculation from the
15 8,200, 34 percent is like 2,400
16 prisoners, 2,300 we're reducing and if
17 you just take an average of 50,000 per,
18 that's \$100 million. I'm not saying
19 we're going to save it all, because you
20 can't close every facility, but there
21 should be savings of \$30, \$40 or \$50
22 million that are being incurred. I can't
23 see why labor would be the same to a
24 degree. Maybe not prorated, but there
25 should be reductions.

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2 Can I ask you, not today but

3 down the road before the budget

4 terminates hearing, to provide us with

5 some sort of an analysis on how much

6 we're going to save by cutting by 34

7 percent financially each category.

8 There's got to be savings. I don't buy

9 it that there's not enough savings here,

10 or we have bad contracts. All right?

11 Thank you.

12 COMMISSIONER CARNEY: We'll

13 provide it.

14 COUNCILMAN DOMB: Thank you.

15 Thank you very much, Mr. Chair.

16 COUNCILMAN GREENLEE: Thank

17 you, Councilman.

18 Councilman Jones.

19 COUNCILMAN JONES: All right.

20 Quickly. Inmate safety, staff safety.

21 What are the instances of prison

22 professionals being attacked? I read an

23 article about an inmate being attacked by

24 guards. What are the occurrence ratios?

25 Are they going down? Are they going up?

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2 What is the status?

3 COMMISSIONER CARNEY: I'd like
4 to provide that information to you. I
5 don't have it readily available, but we
6 do produce it in our CoreStar. I'll make
7 sure you get that. But the incidents
8 have gone down. Our first line, should
9 we need to regain control, is pepper
10 spray. But we've had a few incidents
11 where there have been assaults by staff
12 on inmates and vice versa, but the first
13 line is to mitigate any assault and use
14 what we have at our disposal, and that
15 first defense is a command and then, if
16 non-compliance, using the PDP-issued
17 pepper spray and escorting the person to
18 where they need to be.

19 COUNCILMAN JONES: Make no
20 mistake, I can't walk those tiers and
21 keep that peace. Just as we look at
22 Delaware and other places, if you keep
23 track of those kinds of occurrences and
24 the reasons why, you can begin to --
25 well, I don't have to tell you -- manage

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 your facility.

3 My final question is how
4 many -- I know we have Coleman Hall, and
5 what's the other one right up there?
6 Coleman and?

7 COMMISSIONER CARNEY: Cambria?

8 COUNCILMAN JONES: Is that the
9 private prison? How many inmates do we
10 have in those two facilities?

11 COMMISSIONER CARNEY: So at
12 CEC, we have 288. Net Liberty we have
13 201.

14 COUNCILMAN JONES: And so their
15 capacity, however, is what?

16 COMMISSIONER CARNEY: The
17 capacity, I believe, is 300 at both of
18 those facilities.

19 COUNCILMAN JONES: So I don't
20 understand our policy as to when we
21 decide to send them there versus keeping
22 them in-house, and particularly as the
23 population fluctuates, I'm sure you're
24 keeping an eye towards that kind of
25 outsourcing. So you're going to --

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 COMMISSIONER CARNEY: We will
3 be taking an assessment.

4 COUNCILMAN JONES: Because all
5 of these needles and dials equal a bottom
6 line. Just keep the Chairman and
7 particularly Councilman Domb aware of
8 this.

9 COMMISSIONER CARNEY: We will.

10 COUNCILMAN JONES: All right.
11 And, finally, recidivism. What are you
12 seeing by way of -- is there an increase
13 or reduction in over and over and over
14 arrests and incarceration? What are your
15 numbers telling you?

16 COMMISSIONER CARNEY: Our
17 numbers -- well, we define recidivism
18 reincarceration within the three-year
19 period. But our reincarceration rate,
20 we're looking for that to decrease with
21 the -- having RISE now being a part of
22 the Prisons, really doing that
23 pre-engagement so that when folks get
24 out, they have a place, they have a face,
25 they have services. And so we're hoping

1 4/18/17 - WHOLE - BILL 170195, ETC.

2 that we'll see a realized reduction in
3 that first year of reincarceration.

4 COUNCILMAN JONES: Do you
5 require a released person to have a
6 residence?

7 COMMISSIONER CARNEY: No, we do
8 not, but we do attempt to either connect
9 them back with their support system. A
10 lot changes when someone is incarcerated,
11 and the worst-case scenario is to engage
12 the Office of Housing Services should
13 they require that.

14 COUNCILMAN JONES: Thank you,
15 Commissioner.

16 And thank you, Mr. Chairman.

17 COUNCILMAN GREENLEE: Thank
18 you, Councilman.

19 Being no other questions, thank
20 you.

21 DR. HERDMAN: Just one
22 clarification. This is Bruce Herdman,
23 Chief of Medical Operations.

24 The hearing, Councilman, that I
25 think you're speaking about was an

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 opportunity for a vendor that was not
3 selected to get a contract to explain why
4 they could do a much better job than the
5 vendor that was selected to do a
6 contract. It was not a review of the
7 quality of the performance of the vendor.

8 COUNCILMAN JONES: I remember
9 the comments from my now Mayor and then
10 colleague, because I sat right behind
11 him. So I remember his concerns. And if
12 they are better, great. If you're
13 telling me that we're giving first-class
14 healthcare to those that we hold in
15 custody, I'm fine with that.

16 DR. HERDMAN: We can
17 demonstrate that to you any time.

18 COUNCILMAN JONES: Okay. Thank
19 you very much.

20 COUNCILMAN GREENLEE: Thank
21 you.

22 Commissioner, everybody, thank
23 you. Thank you for being here. Thank
24 you for the work you do.

25 This Committee will stand in

1 4/18/17 - WHOLE - BILL 170195, ETC.
2 recess until Wednesday, April 19th, 2017
3 at 10:00 a.m., at which we will reconvene
4 right here in Room 400, City Hall.

5 Thank you.

6 (Committee of the Whole
7 adjourned at 4:15 p.m.)

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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

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Committee Of The Whole
April 18, 2017

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