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COUNCIL OF THE CITY OF PHILADELPHIA  
PUBLIC HEARING AND PUBLIC MEETING  
BEFORE THE COMMITTEE OF THE WHOLE

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Room 400, City Hall  
Philadelphia, Pennsylvania  
February 17, 1999  
9:30 a.m.

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PRESENT:

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COUNCIL PRESIDENT ANNA CIBOTTA VERNA  
COUNCILWOMAN JANNIE BLACKWELL  
COUNCILWOMAN AUGUSTA A. CLARK  
COUNCILMAN DAVID COHEN  
COUNCILMAN FRANK DICICCO  
COUNCILMAN JAMES F. KENNEY  
COUNCILMAN W. THACHER LONGSTRETH  
COUNCILWOMAN DONNA REED MILLER  
COUNCILMAN MICHAEL A. NUTTER  
COUNCILMAN BRIAN J. O'NEILL  
COUNCILMAN ANGEL L. ORTIZ  
COUNCILMAN FRANK RIZZO  
COUNCILWOMAN MARIAN B. TASCO

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MARIE HAUSER, Chief Clerk

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## PROCEEDINGS

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COUNCIL PRESIDENT VERNA: This is a continuation of Bill No. 990023, Committee of the Whole.

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Our first witness this morning is the Managing Director.

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Good morning. Please identify yourself for the record, and proceed with your testimony.

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MR. CERTAINE: Before I go on, I would like to offer congratulations on your move to become president of City Council for a female president.

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COUNCIL PRESIDENT VERNA: Thank you.

MR. CERTAINE: Good morning, President Verna and Members of City Council. I am Joseph C. Certaine, Managing Director of the City of Philadelphia.

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Today I am here to present testimony and to propose the Managing Director's Office Operating Budget for Fiscal Year 2000 and to answer any questions you may have.

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The total proposed operating budget for the Managing Director's Office for Fiscal Year 2000 is \$10,380,834, which includes \$6,513,581 in the General Fund and \$3,867,253 in the Grants Fund.

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2 The FY 2000 General Fund budget request  
3 represents an increase of \$100,271 from Fiscal Year  
4 1999 estimated obligations. This increase includes  
5 \$46,129 in additional Class 100 funds to support  
6 negotiated wage increases and \$54,142 to fully fund  
7 positions for staff in all divisions of the Managing  
8 Director's Office.

9 The budget in the Grants Fund contains a  
10 decrease of \$2,982,040 from Fiscal Year 1999. The  
11 majority of this decrease is the result of spending  
12 \$3,047,000 in FY '99 from two grants to fund the  
13 construction of a compressed natural gas refueling  
14 facility at the airport and the acquisition of  
15 alternative fuel vehicles.

16 Traditionally, the Managing Director's  
17 Office provided oversight support and assistance to  
18 the 13 operating departments that it directly  
19 supervises.

20 In the last few years we have  
21 dramatically changed the way we provide services to  
22 the department and to the citizens of Philadelphia  
23 in order to address the complex problems like urban  
24 blight, graffiti, and some elements of the crime  
25 fighting mission facing the City.

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2 The MDO now plans and coordinates  
3 projects that enhance municipal service delivery  
4 across departmental lines, ensures that the  
5 department's critical service delivery performance  
6 levels are met and maintained, and works closely  
7 with neighborhood community development  
8 corporations, business associations, community  
9 leaders and political leaders to develop innovative  
10 methods of targeting service delivery.

11 Over the last two years the planning  
12 analysis unit has played an integral role in several  
13 initiatives including: the deployment of Mobile  
14 Data Terminals in the Police Department, including  
15 one in each 911 patrol vehicle ensuring that the  
16 growth of Philadelphia's communication  
17 infrastructure plan to minimize the locations in  
18 which unsightly communication transmission towers  
19 are placed.

20 Working with the Department of Public  
21 Property to negotiate the renewal of the City's  
22 cable franchises; designing and implementing service  
23 improvement in the Streets Department daily  
24 operations, including the collection of refuse and  
25 recycling; street maintenance and winter weather

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2 operations; establishing and maintaining standard  
3 operating procedures for prompt, efficient ditch  
4 restoration.

5 Developing a GIS system that displays  
6 city-wide utility projects graphically in order to  
7 track pending street work by all utilities and  
8 better coordinate the work; working with the state  
9 and federal governments to develop an acceptable --  
10 that should be local state and federal governments  
11 to develop an acceptable plan for the transition of  
12 the Naval Base -- that's the transition of  
13 jurisdiction to the City of Philadelphia for the  
14 Naval Base.

15 Conducting a comprehensive review of  
16 environmental priorities for the operating  
17 departments in order to develop a blueprint of the  
18 City's environmental priorities and coordinate  
19 environmental compliance; providing assistance to  
20 the Police Department to help institute changes  
21 brought about by Police Commissioner Timoney.

22 Coordinating ongoing monitoring of the  
23 operation, maintenance and support of contracts for  
24 the Curran-Fromhold Correctional Facility, and the  
25 maintenance of the City's Triplex; and developing

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2 new requests for proposals for food and health  
3 services provided to the inmates of the Philadelphia  
4 prison system.

5 Next year the staff will continue with  
6 departments -- continue to work with departments to  
7 increase their overall effectiveness. Key focus  
8 areas will be: implementation of new maintenance  
9 contracts for the Curran-Fromhold Correctional  
10 Facility and a new alternative female correctional  
11 facility; the expected negotiation and award of the  
12 800 megahertz radio system; and the negotiation,  
13 award and implementation of the Philadelphia prison  
14 system food and health services contracts.

15 In addition, the MDO and the Mayor's  
16 Office of Information Services will chair the  
17 Technology and Telecommunications Subcommittee for  
18 Philadelphia 2000 to help meet the wide array of  
19 technical and telecommunications needs of the 2000  
20 Republican National Convention.

21 In May 1996 the Managing Director's  
22 Office and the Mayor's Office of Community Service  
23 and the Recreation Department assumed primary  
24 responsibility for the City's anti-graffiti  
25 initiatives.

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2 You will hear testimony next week on the  
3 City's comprehensive anti-graffiti campaign during  
4 the Mayor's Office of Community Service's budget  
5 testimony, but I do want to touch on a few of the  
6 components of the program that the Managing  
7 Director's Office is currently involved with.

8 I served as the chair of the Graffiti  
9 Operations Committee, which provides oversight,  
10 policy guidance and coordination for the City's  
11 comprehensive anti-graffiti efforts.

12 Second, and one of the most telling  
13 examples of the program's success, the Graffiti  
14 Abatement teams removed 25,745 instances of graffiti  
15 during Fiscal Year 1998 and are projected to clean  
16 approximately 32,745 instances of graffiti from the  
17 five zero tolerance zones and other neighborhoods  
18 throughout the city in Fiscal Year 1999 and a total  
19 of 34,000 in Fiscal Year 2000.

20 Finally, the Managing Director's Office,  
21 through anti-graffiti voucher program projects, will  
22 distribute 11,000 gallons of paint in each Fiscal  
23 Year 1999 and Fiscal Year 2000 to community groups  
24 for neighborhood graffiti removal and prevention.

25 Since the city instituted a special

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2 events policy in May 1993, the Managing Director's  
3 Office has coordinated the City Services to make  
4 possible such events as parades and festivals, which  
5 has been successful in recouping a portion of the  
6 money the City spends on these events. To date  
7 approximately \$312,000 has been billed. In FY '99  
8 and 2000 we anticipate collecting an additional  
9 \$90,000.

10 Although special events revenues do not  
11 reimburse the City the full cost for supporting  
12 these events, they do help to defray the City's  
13 expenditures and allows groups to recognize that the  
14 City incurs significant expense to support such  
15 events.

16 Some of the most remarkable examples of  
17 the success of the MDO's interdepartmental  
18 coordination are the Partners for Progress and Town  
19 Watch programs.

20 Partners for Progress, established in  
21 1994, is an innovative community development  
22 stabilization program to improve the delivery of  
23 municipal services to the neighborhood through a  
24 partnership of government action and civic  
25 responsibility.

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2 Members of municipal operating  
3 departments, the office of Fleet Management and the  
4 Mayor's Office of Community Service converge on  
5 targeted areas to clean streets, remove abandoned  
6 cars, clean and seal vacant homes, clear inlets,  
7 fence vacant lots and remove graffiti.

8 Partners for Progress spent part of FY  
9 '98 and most of current FY '99 as a critical  
10 component of Operation Sunrise helping to revitalize  
11 community participation in the fight against  
12 neighborhood crimes and drugs in the East Police  
13 Division.

14 Town Watch groups, block captains, and  
15 anti-drug organizations have joined forces with the  
16 City's public safety and public works partners,  
17 through the Partners for Progress Program to rid  
18 their neighborhood of crime and blight.

19 In addition, the City will dedicate a  
20 total of \$1 million in FY '98 and '99 for the  
21 demolition of imminently dangerous buildings in the  
22 targeted Partner for Progress zones.

23 The City has also formed a Year 2000  
24 Steering Committee comprised of myself, the Budget  
25 Director, the Chief Information Officer and

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2 representatives from the Mayor's Office to formulate  
3 its response. That's a response to the Year 2000  
4 millennium bug.

5 The strategy developed by the Year 2000  
6 Steering Committee is twofold: remediation and  
7 certification of existing systems and contingency  
8 planning for possible system failures.

9 As a first step, the Mayor's Office of  
10 Information Services has begun an inventory of all  
11 computer systems used throughout the City to assess  
12 the probability that each system could be affected  
13 by the Year 2000 computer problem.

14 As part of this review, the City has  
15 also began working with its vendors to help ensure  
16 that as many vendor-supported computer systems are  
17 Year 2000 compliant as is possible.

18 To that end, the City hosted a  
19 conference with officials from Baltimore, Boston,  
20 Chicago, Detroit, New York and Washington, D.C. in  
21 December of 1998 to discuss the impact of the Year  
22 2000 computer problems on large cities.

23 The conference, which was the first of  
24 its kind, presented an opportunity for city  
25 officials to discuss Year 2000 planning efforts

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2 unique to large cities, and learn how other cities  
3 plan to provide municipal services in the event the  
4 computer systems fail.

5 All contingency plans are expected to be  
6 complete by April of 1999, so the City can conduct  
7 the citywide Year 2000 simulation and exercise in  
8 May of 1999.

9 The City's goal is to have completed  
10 testing all upgrades of technology and finalizing  
11 all contingency planning by July 1, 1999, a full six  
12 months before the Year 2000 problems are scheduled  
13 to occur.

14 In the last four years the MDO has  
15 vastly increased the City's support for providing to  
16 communities trying to make their neighborhoods  
17 safer, cleaner places to live and work.

18 Between 1995 and 1999, for fiscal '95  
19 and '99, the City has allocated over \$8.5 million to  
20 support Town Watch anti-drug and anti-violence  
21 programing. Between FY '95 and '98 the MDO  
22 coordinated the distribution of 1,345 radios and 400  
23 cellular phones, roughly three radios or telephones  
24 per Town Watch Group, and over 35,000 sets of  
25 T-shirts, jackets and cash.

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2 In the same four years the MDO awarded  
3 521 cash grants, totalling nearly \$310,000, to Town  
4 Watch Groups. In each of Fiscal Year 1999 and 2000  
5 the MDO expects to distribute approximately \$200,000  
6 worth of additional equipment and grants.

7 The MDO also provides financial support  
8 to the Philadelphia Anti-drug, Anti-violence  
9 Network, which operates under the agents of the  
10 Greater Philadelphia Urban Affairs Council --  
11 Coalition.

12 PAAN mediates neighborhood conflicts and  
13 provides neighborhood-based education intended to  
14 turn youth away from drugs and violence.

15 In addition, the MDO distributes grants  
16 for neighborhood anti-drug activities to address the  
17 problems of violence and drugs among the City's  
18 young people.

19 These funds have been used for mentoring  
20 programs, youth organizations, trips for  
21 neighborhood youth and educational programs to  
22 inform young people about violence, AIDS, drugs and  
23 the criminal justice system.

24 In recent years the MDO has designated  
25 three Deputy Managing Directors to coordinate the

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2 City's homeless service system, accessibility  
3 compliance and prison population management.

4 The Deputy Managing Director for Special  
5 Needs Housing is charged with obtaining shelter,  
6 beds, food, kitchen sites and job training for  
7 clients served by the homeless services system. By  
8 securing these services on a citywide basis  
9 significant economies of scale are achieved.

10 In addition, the Deputy Managing  
11 Director has helped the City develop a long-term  
12 strategy for moving clients from large shelters to  
13 transitional and permanent housing and continues to  
14 work to temper the impacts of Welfare reform on the  
15 City's homeless system.

16 In response to the safety threat posed  
17 by the prison cap, which listed the number of  
18 inmates in custody in the City's prisons which --  
19 which limited the number of inmates in custody in  
20 the City's prisons to 3,750 at any one time, the  
21 position of the Deputy Managing Director for  
22 Criminal Justice Population Management was created.

23 The Deputy has worked with the First  
24 Judicial District of Pennsylvania, the District  
25 Attorney, the Police Department, the Prison System,

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2 and the Defenders Association to secure release from  
3 the federally imposed prison cap and to ensure the  
4 prison population is maintained at acceptable  
5 levels.

6 With the suspension of the prison cap in  
7 November of 1995, the City has instituted several  
8 affirmative procedures to manage population -- I'm  
9 sorry, several alternative procedures to manage  
10 population levels.

11 The Deputy Managing Director for  
12 Accessibility Compliance is charged with  
13 coordinating the Americans with Disabilities Act  
14 compliance activities of every city department and  
15 agency as effectively and efficiently as possible,  
16 while providing citizens with disability access to  
17 all public services, programs and activities.

18 Since Fiscal Year 1990 the City has  
19 spent a total of \$36.6 million to bring city  
20 facilities and streets into structural compliance  
21 with ADA. The City has installed curb ramps at over  
22 12,000 city intersections and expects to renovate a  
23 total of approximately 70 buildings and facilities  
24 in order to improve access to the disabled.

25 The Office of Emergency Planning

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2 coordinates contingency planning for the City and  
3 interdepartmental activities during emergency  
4 situations.

5 In order to increase the effectiveness  
6 and efficiency of the City's emergency response  
7 mechanism, the MDO has made significant improvements  
8 to the Emergency Operations Center over the past few  
9 years including: the addition of computerized  
10 reporting and tracking systems and redundant  
11 notification procedures; the development of a  
12 Neighborhood Evacuation Center Network; the  
13 evaluation of the types of vehicles and the  
14 equipment necessary to support emergency response;  
15 and the establishment of the City's Emergency  
16 Management System Local Area Network.

17 The Office of Emergency Management  
18 administers a Hazardous Material Response Program  
19 under the federal Superfund Act and the state  
20 Hazardous Materials Act.

21 Since the inception of that program in  
22 May of 1992, \$926,000 of state grants and hazardous  
23 chemical fees collected from chemical manufacturers  
24 in the City have been used to purchase equipment,  
25 supplies and training.

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2 During FY '99 an additional 145,000 in  
3 hazardous chemical fees and \$94,000 in state  
4 matching grant funds will be used to purchase the  
5 necessary resources for emergency personnel to  
6 combat nuclear, biological and chemical hazards.

7 To date the City has received training  
8 and equipment totalling over \$300,000 from the  
9 federal government and expects to have received a  
10 total of \$650,000 in supplies and equipment by the  
11 end of Fiscal Year 1999.

12 In September 1998 the City took part in  
13 a federally administered full-scale nuclear,  
14 biological and chemical crisis simulation designed  
15 to test the City's ability to respond to a chemical  
16 or biological terrorist attack.

17 The exercise, the first NBC-response  
18 exercise for a major city in the nation, required  
19 close coordination between the City, the Federal  
20 Bureau of Investigation, the Department of Defense,  
21 the Centers for Disease Control, the Pennsylvania  
22 National Guard and state and federal health and  
23 emergency management agencies.

24 The City received high marks from the  
25 federal government for its timely response, high

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2 level of coordination between agencies, and  
3 adherence to the best practices for these types of  
4 emergencies.

5 The MDO is also responsible for  
6 coordinating the City's response to snow  
7 emergencies.

8 In late 1995 the MDO led the effort to  
9 reestablish the then defunct Snow Emergency Routing  
10 System. As a result the City is now better equipped  
11 to handle snow emergencies by ticketing and towing  
12 vehicles left along the 110 mile route system after  
13 a snow emergency has been declared in order to make  
14 them accessible for emergency response vehicles.

15 And I should also add that we are very  
16 good at praying to make sure that we haven't had  
17 severe winter weather during the last two seasons.

18 The MDO Targeted Assistance Program  
19 provides employment-based social services to refuge  
20 communities, primarily to people from Southeast  
21 Asia, Africa and Eastern Europe.

22 With the continuing implementation of  
23 the Welfare program, these employment-related  
24 services are increasingly critical in moving people  
25 from Welfare to work.

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2 In FY '99 the Targeted Assistance  
3 Program received \$1,112,453 in grants from the  
4 United States Department of Health and Human  
5 Services to improve services to refugee populations  
6 including a \$500,000 grant to help improve access of  
7 elderly refugees to area aging services and increase  
8 the number of elderly refugees applying for  
9 citizenship.

10 Through the grant funding, which is  
11 expected to continue at 1999 levels, the Targeted  
12 Assistance Program will provide similar services in  
13 Fiscal Year 2000.

14 The Municipal Energy Office, which works  
15 under the direction of the Office of Management and  
16 Productivity, has far surpassed its initial cost  
17 savings goal of \$1.35 million to \$2.7 million  
18 annually with \$7.1 million in Fiscal Year 1998 and  
19 projected savings of \$8.2 million in Fiscal Year  
20 1999.

21 In addition, by FY '98, MEO had obtained  
22 a cumulative \$5.7 million in grant commitments and  
23 incentives to supplement city capital funds for  
24 long-term energy conservation projects.

25 A large portion of the savings over the

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2 next few years can be attributed to the successful  
3 negotiations with Trigen-Philadelphia and PECO  
4 Energy to reduce the rates the City is charged for  
5 steam and electric respectively.

6 The significance of the MEO's  
7 achievements are highlighted by the awards it has  
8 received including: the U.S. Environmental  
9 Protection Agency's Green Lights Government Partner  
10 of the Year Award, the Hammer Award for the City's  
11 Green Lights contributions in support of National  
12 Performance Review principles, and the 1996 Special  
13 Recognition Award from the U.S. Department of  
14 Energy.

15 In the 54 months since its creation, the  
16 Police Advisory Commission has received 515  
17 individual allegations of police misconduct. Of  
18 this total, 301 cases, or 58 percent, have been  
19 closed while 204 cases are currently under  
20 investigation.

21 Ma'am President, this concludes my  
22 testimony, and I'm now available to answer any  
23 questions.

24 COUNCIL PRESIDENT VERNA: Thank you very  
25 much, Mr. Certaine.

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2 In your testimony you state that the  
3 Criminal Justice Coordinating Office has worked  
4 diligently to ensure that the prison cap was  
5 lifted. The prisons have requested an FY '99  
6 appropriation transfer in excess of \$5.7 million due  
7 to an increase in the inmate population.

8 What steps is your office taking to  
9 ensure that another prison cap is not placed on the  
10 City?

11 Also, you mentioned about alternatives  
12 to incarceration that your office is exploring. Can  
13 you tell us about what the alternatives are and what  
14 the safeguards are to the citizens of the City for  
15 these alternate programs?

16 MR. CERTAINE: Ma'am President, if I  
17 may, I would like to call Deputy Managing Director  
18 Diane Granlin to come join me at the table.

19 COUNCIL PRESIDENT VERNA: Please.

20 MR. CERTAINE: I will say that a part of  
21 the large increase in the number of arrests and  
22 incarcerations is due to the increased activity on  
23 the part of the Philadelphia Police Department and  
24 its more aggressive position on crime fighting  
25 throughout the neighborhoods in Philadelphia.

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2 The programs can be addressed by Miss

3 Granlin.

4 COUNCIL PRESIDENT VERNA: Thank you.

5 Good morning. Please identify yourself

6 for the record.

7 MS. GRANLIN: Diane Granlin, Deputy

8 Managing Director for Prison Population Management.

9 The first part of your question was what  
10 efforts are we making to ensure that another cap  
11 will not be reimposed.

12 I can say that we have a legal team in  
13 place. The City has retained Hangle, Aronchick, et  
14 al., several years ago to see to it that the ongoing  
15 Harris litigation could be wrapped up  
16 expeditiously. And we believe that it will be and  
17 that there will not be a cap reimposed. We have  
18 taken a number of steps to reduce the population.

19 First of all, we have entered into an  
20 agreement with Delaware County to accept 200 of our  
21 prisoners. We have entered into an agreement with  
22 the Department of Corrections for the Commonwealth  
23 of Pennsylvania to take 50 of our prisoners.

24 We have continued to develop  
25 alternatives to incarcerations. Since 85 percent of

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2 the prison population tests positive for illegal  
3 drug use upon admission, it's clear that in order to  
4 maintain an acceptable prison population, we have to  
5 somehow treat that problem.

6 And so in conjunction with the First  
7 Judicial District, the Defender, the District  
8 Attorney, and CODAP, the Coordinating Office of Drug  
9 and Alcohol Programs, we have developed the Forensic  
10 Intensive Recovery Network, which is a conglomerate,  
11 actually, of different kinds of drug treatment  
12 programs that address different kinds of needs for  
13 this population.

14 At present we have over 600 active  
15 clients in that program. We have 40 in the prison  
16 awaiting transfer into programs outside.

17 COUNCIL PRESIDENT VERNA: Where are  
18 these programs?

19 MS. GRANLIN: Almost all of them are  
20 located within the City and County of Philadelphia.

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2 COUNCIL PRESIDENT VERNA: And when you  
3 mentioned about some people being incarcerated in  
4 Delaware --

5 MS. GRANLIN: Delaware County.

6 COUNCIL PRESIDENT VERNA: -- Delaware  
7 County, for what type of crimes?

8 MS. GRANLIN: It won't be crime-  
9 specific. It probably would be sentenced prisoners  
10 of a certain custody classification.

11 COUNCIL PRESIDENT VERNA: Thank you.  
12 Thank you very much.

13 MS. GRANLIN: You're welcome.

14 COUNCIL PRESIDENT VERNA: Mr. Certaine,  
15 you indicate that your office has assumed  
16 operational responsibilities for the Year 2000  
17 contingency planning.

18 Exactly what steps is your office taking  
19 and how much money is the City spending in order to  
20 become Y2K compliant?

21 MR. CERTAINE: Madam President, let me  
22 clarify. The Mayor's Office of Information Services  
23 has overall responsibility for the effort that the  
24 City of Philadelphia is mounting for Y2K. That is  
25 primarily through the computer systems and networks

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2 that have been set up.

3 The responsibility of the Managing  
4 Director's Office is not any different than it  
5 normally is with the operating side of the  
6 government to make sure that the municipal operating  
7 departments can continue to provide municipal  
8 services in the event of a systems breakdown caused  
9 by the millennium bug.

10 To that extent, we have begun to  
11 identify, or we have identified all of the possible  
12 failure points for any of the systems that are in  
13 the process of developing the contingency plans that  
14 would allow the operating departments to continue  
15 municipal services even if the automated systems go  
16 down.

17 The cost involved is primarily being  
18 handled through the department's operating budgets.  
19 There have been some instances where, for example,  
20 the Police Department and a couple of other  
21 departments have had to get some additional  
22 equipment related to Y2K. But on the whole most of  
23 the departments are doing the work well within their  
24 operating budget. And we treat it as we would any  
25 other severe emergency, except for this one we can

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2 plan for. So it allows us to project what we would  
3 be able to do in the event of.

4 It is a terribly important exercise for  
5 the City, but I do not believe that there is an  
6 inordinate amount of money being spent by the  
7 department. And each of those operating  
8 departments, as they come to testify before the  
9 Council, will be prepared to provide that  
10 information.

11 COUNCIL PRESIDENT VERNA: Thank you.

12 What is the budget for Partners for  
13 Progress and FY 2000, and how do you propose to use  
14 these funds?

15 MR. CERTAINE: Madam President --

16 COUNCIL PRESIDENT VERNA: I don't see it  
17 anywhere in our budget.

18 MR. CERTAINE: Madam President, once  
19 again, Partners for Progress is not a budgeted  
20 item.

21 What we do with Partners for Progress  
22 within the department's operating budgets with no  
23 overtime, we ask the Commissioners for a small  
24 element of their department, which we then forge  
25 into a strike force that we move around the City on

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2 regular time. There is no overtime involved, no  
3 weekend work.

4 So we don't do anything that would in  
5 any way, shape or form upset or inflate the  
6 operating budget of any of the singular departments  
7 that are involved in the program.

8 Now, along with what we have been able  
9 to do with Operation Sunrise, the Police Department  
10 has been able to generate funds through federal  
11 sources to pay for some of the overtime costs  
12 involved in their activity and generate revenues  
13 from other grants and sources of revenue through the  
14 federal government that have been able to help their  
15 efforts.

16 But for the non-uniformed departments,  
17 there is no -- there is no budget item listed  
18 because there is no budget for it. And that's the  
19 way we have been operating since 1994.

20 COUNCIL PRESIDENT VERNA: Thank you.

21 I have other questions, but we will have  
22 the first go-around of the committee members.

23 The Chair recognizes Councilwoman Tasco.

24 COUNCILWOMAN TASCO: Thank you.

25 Good morning.

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2 MR. CERTAINE: Good morning.

3 COUNCILWOMAN TASC0: Does the Sweep  
4 Department Program come under your department?

5 MR. CERTAINE: No, Councilwoman, it  
6 doesn't. It comes under the Streets Department,  
7 Sanitation Division, yes.

8 COUNCILWOMAN TASC0: Okay. All right.

9 You stated in your testimony that you  
10 had additional staff -- did I see that someplace?

11 MR. CERTAINE: No, ma'am. We talked  
12 about the increase in the Class 100 budget for  
13 existing staff.

14 COUNCILWOMAN TASC0: Well, I guess I  
15 want to know how much staff do you have reporting  
16 directly to you in your office?

17 MR. CERTAINE: Ma'am Councilwoman, that  
18 is information I did not bring with me today.

19 As you know, the Managing Director's  
20 Office and the Director of Finances Office have a  
21 considerable number of assistants and deputies that  
22 are assigned to the office but do not necessarily  
23 work directly for the Finance Director or for the  
24 Managing Director in my case.

25 So what I can do is provide that

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2 information for you and break it down with the  
3 number of people who actually report to me  
4 day-to-day in my office and the number of people who  
5 are assigned to other departments and agencies  
6 throughout city government.

7 COUNCILWOMAN TASC0: Okay. And you will  
8 specifically outline the duties of those --

9 MR. CERTAINE: Yes, ma'am.

10 COUNCILWOMAN TASC0: -- deputies that  
11 report --

12 MR. CERTAINE: Yeah. We do have the  
13 information available. We've made it available for  
14 different reasons from time to time. And I will  
15 make sure you get that as quickly as possible.

16 COUNCILWOMAN TASC0: Okay.

17 For the Target Assistance Program, which  
18 provides employment-related social services to  
19 refugees and entrants who recently arrived from  
20 Eastern Europe, Africa and Southeast Asia, would you  
21 explain a little bit for me about that: Who runs  
22 that program; how was it run; and what was the  
23 outreach?

24 MR. CERTAINE: Yes, ma'am. The Targeted  
25 Assistance Program is a long-term program of

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2 Managing Director's Office that has been in  
3 existence for more than a decade, as I recall.

4 I have with me the person who is  
5 responsible for running that program, Donna Wolfe,  
6 who will step up and answer your specific questions.

7 COUNCILWOMAN TASCO: As you know, I have  
8 a large Asian population in my district and some  
9 Russian refugees. And I would like to know what  
10 services -- how they access the services? And how  
11 do you -- how do you do outreach to those groups?

12 MS. WOLFE: Good morning. My name is  
13 Donna Wolfe. I am the Director of the Targeted  
14 Assistance Program.

15 COUNCILWOMAN TASCO: Would you pull the  
16 mike to you, please?

17 MS. WOLFE: The outreach is -- first  
18 off, the regulations for service provision to  
19 refugees was changed by the Federal Office of  
20 Refugee Resettlement and a five-year cap was put on  
21 the service provision.

22 So your eligibility begins when you  
23 first arrive in the United States and ends at five  
24 years. So possibly the Southeast Asian population  
25 is beyond that five-year point.

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2 And then their services are supposed to  
3 be provided by mainstream providers, by their  
4 employment or Social Services. So they're actually  
5 outside of the federal funding stream regulations  
6 for refugee services.

7 The outreach primarily to the largest --  
8 single largest population we have in the City of  
9 Philadelphia are refugees from the former Soviet  
10 Union. And those refugees primarily reside in the  
11 Northeast section of the City of Philadelphia.

12 And we cohabit a community office in the  
13 Northeast. We have other office locations in Center  
14 City. And we use fliers and public assistance  
15 offices.

16 But again, our primary population comes  
17 from the Boulevard District and the Central Refugee  
18 Services Unit of Public Assistance.

19 The primary goal from the onset in 1984  
20 of Targeted Assistance was to move people to  
21 self-sufficiency through job placement. And our  
22 service is primarily direct placement. Those  
23 recipients or referrals that we receive from the  
24 income maintenance offices, we try to match  
25 immediate employment opportunities to.

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2 And we recently, within the past couple  
3 of weeks, we have been talking about making a joint  
4 action when a person is referred by Public  
5 Assistance to a job, that would be written into  
6 their public assistance letter of intent, you know,  
7 that the client has to sign, so that we will be able  
8 to streamline that movement of the person from  
9 Public assistance to a job.

10 We don't have a deficiency of jobs right  
11 now for our populations.

12 COUNCILWOMAN TASC0: Did you say you  
13 have an office in the Northeast?

14 MS. WOLFE: Yes. Well, we share an  
15 office with the New World Association off of  
16 Bustleton Avenue, Bergen and Bustleton.

17 COUNCILWOMAN TASC0: Okay. And you say  
18 the services for other refugees from -- who have  
19 been here for a while, those services are  
20 coordinated by who?

21 MS. WOLFE: Well, there are small grants  
22 that are given by the Federal Office of Refugee  
23 Resettlement to community groups; the Cambodian  
24 Association of the Greater Philadelphia, the Laos  
25 Association, the Ethiopian Association.

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2 And they have some ability to outreach  
3 to the folks who were here over the past five  
4 years. And sometimes our goal has been to try to  
5 encourage organizations to link up and mainstream  
6 with existing service providers so that they know  
7 that there is a neighborhood base of services  
8 available.

9 So we don't want people just to be kept  
10 in their community, we want them to access, for  
11 instance, the area of Aging Services.

12 COUNCILWOMAN TASCO: Okay. Thank you  
13 very much.

14 MS. WOLFE: Thank you.

15 COUNCIL PRESIDENT VERNA: Councilwoman,  
16 if you have any other questions, do you mind if we  
17 have a second go-around? We have other people that  
18 want to ask questions.

19 COUNCILWOMAN TASCO: All right.

20 COUNCIL PRESIDENT VERNA: The Chair  
21 recognizes Councilwoman Blackwell.

22 COUNCILWOMAN BLACKWELL: Thank you,  
23 Madam President.

24 Mr. Managing Director, good morning.

25 MR. CERTAINE: Good morning,

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2 Councilwoman.

3 COUNCILWOMAN BLACKWELL: Two questions,  
4 one or two issues.

5 Would you keep me informed in terms of  
6 the -- now, you mentioned police and you mentioned  
7 drug addicted people, what we are doing in that  
8 respect. Would you do me a favor and make sure that  
9 I know how that relates with this Sidewalk Bill?  
10 How many people have -- automatically go into drug  
11 rehab? And how many people are ticketed?

12 I am just interested to see how that  
13 plan will be working.

14 MR. CERTAINE: Yes, ma'am. We haven't  
15 initiated that yet, but at your request we can do  
16 that immediately.

17 COUNCILWOMAN BLACKWELL: Thank you.

18 Just to keep me informed in terms of the  
19 Sidewalk Bill, that would be fine if you never  
20 initiated that but...

21 And No. 2, I just wrote Greg Ross  
22 another letter this morning. Will you check into  
23 for us public restrooms? There is no public  
24 restroom for men or women, I am told, on the fifth  
25 floor. And on our floor at the northeast corner of --

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2 the jury uses it, lines are in the hallway, and we  
3 can't get to use a restroom.

4 The other end near 438, there is a  
5 public restroom for woman that has been locked for  
6 about two years. So that one, and I don't know what  
7 is going on with the one on the third floor. But  
8 they seem to say they are going to repair them.

9 They locked them, and it just takes us  
10 out of a restroom. They got jury lines last Friday  
11 lined way up into the hallway, and you can't get to  
12 use a restroom.

13 MR. CERTAINE: Yes, ma'am.

14 COUNCILWOMAN BLACKWELL: Thank you.

15 MR. CERTAINE: Councilwoman, what I will  
16 do is check on that today, and have the appropriate  
17 person from the Department of Public Property  
18 contact your office.

19 COUNCILWOMAN BLACKWELL: Thank you.

20 Thank you, Madam President.

21 COUNCIL PRESIDENT VERNA: You're  
22 welcome.

23 The Chair recognizes Councilwoman Clark.

24 COUNCILWOMAN CLARK: Thank you, Madam  
25 President.

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2 Good morning, Mr. Managing Director.

3 How are you today?

4 MR. CERTAINE: Good morning, ma'am. I'm  
5 fine.

6 COUNCILWOMAN CLARK: Please describe for  
7 me some of your -- I am not good today -- your Y2K  
8 contingency plans. Assure me that it's all in good  
9 hands, and we are not going to close up clam-fashion  
10 and watch the century roll by us.

11 MR. CERTAINE: Well, Councilwoman, we  
12 can't do that. As you know, the Mayor has invited  
13 half of the known world to Philadelphia for the  
14 transition of the Year 2000, so we are not allowed  
15 to do that.

16 I must say that we are in the process  
17 right now of evaluating the contingency plans that  
18 are being submitted by the departments.

19 I can assure you that the response of  
20 the City of Philadelphia to the Year 2000 transition  
21 is in good hands. I cannot assure you that there  
22 will not be problems; there will be some. But that  
23 is the reason for our planning and the contingency  
24 planning of the government.

25 Our role specifically within the

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2 Managing Director's Office, in support of the  
3 Mayor's Office of Information Services, is to make  
4 sure that the impact, whatever we can do to mitigate  
5 it, will be done early on and that our response to  
6 any problems that may occur will be more than  
7 adequate for the City of Philadelphia.

8 But there are some things that are out  
9 of our control, and that is, for example, the  
10 electrical power and the impact of not having  
11 electrical power on things like telecommunications.

12 But we are working very, very closely  
13 with PECO Energy and with Bell Atlantic to review  
14 and coordinate our responses and monitoring, to  
15 extent that we can, their mitigation efforts on  
16 behalf of the City of Philadelphia in those areas.

17 COUNCILWOMAN CLARK: And are you  
18 somewhat assured that they are at least as far down  
19 stream at solving their part of the problem as you  
20 are as a municipal government?

21 MR. CERTAINE: Yes, ma'am. I can assure  
22 you that the utility companies, both PECO and Bell  
23 Atlantic, are working diligently. We've had several  
24 meetings with them. And it is not just pressure  
25 from the City, as we've met with ten other -- I'm

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2 sorry, with six other large cities and shared and  
3 pooled our information on this.

4 So it's not just the large jurisdictions  
5 that are putting pressure on electric utilities and  
6 telecommunications to be forthcoming with their  
7 compliance activities, but it's also federal and  
8 state government entities like the PUC here in  
9 Pennsylvania that are trying to make sure that the  
10 compliance efforts are met on a coordinated  
11 schedule.

12 The schedule for the City of  
13 Philadelphia is not unlike the federal schedule, the  
14 PECO schedule, the Bell Atlantic schedule. Our  
15 water department has moved full-speed ahead for  
16 several months now in making sure that they will be  
17 ready. And all of our municipal departments are  
18 working in a coordinated manner to share information  
19 and help each other get things done.

20 But as I said, we -- it is in very good  
21 hands in the City of Philadelphia; however, I cannot  
22 assure you that there will be no problems. I can  
23 say that any problems that do occur, we will respond  
24 to adequately.

25 COUNCILWOMAN CLARK: Well, let me assure

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2 you, because I am just so certain that the people  
3 who have the responsibility don't dare run the risk  
4 of not fixing it.

5 Now, I have some things that bother me:  
6 The Y2K problems are way below the midpoint of my  
7 list of things to worry about.

8 MR. CERTAINE: That's good.

9 COUNCILWOMAN CLARK: Because I think it  
10 is in the hands of the people who can't afford,  
11 where losing is not an option. So I think it is  
12 going to be all right.

13 MR. CERTAINE: Thank you, ma'am.

14 COUNCIL PRESIDENT VERNA: Thank you.

15 The Chair recognizes Councilwoman  
16 Miller.

17 COUNCILWOMAN MILLER: Thank you.

18 Thank you, Madam Chair.

19 Good morning, Mr. Certaine.

20 MR. CERTAINE: Good morning,  
21 Councilwoman.

22 COUNCILWOMAN MILLER: I have a couple of  
23 questions, and the first one is regarding the Zero  
24 Tolerance Zone Designations.

25 And in part of my district those zones

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2 are scheduled to end. And quite frankly, you know,  
3 it has really made a difference on Germantown  
4 Avenue.

5 And we would like to know: Is there a  
6 definite end date? And if so, can they be renewed  
7 for another three years, and so on and so on?

8 MR. CERTAINE: Ma'am, Councilwoman, you  
9 will have to forgive me. I was not aware that we  
10 imposed a closure date on the Zero Tolerance Zones.  
11 I can check that very quickly for you.

12 COUNCILWOMAN MILLER: Right. Because I  
13 think it was maybe three years. Because I have  
14 started to get letters from community groups that is  
15 saying that the Zero Tolerance Designation is due to  
16 end in a few months.

17 MR. CERTAINE: I don't believe that is  
18 accurate, Councilwoman, but I will check it to be  
19 sure.

20 COUNCILWOMAN MILLER: Okay.

21 MR. CERTAINE: I know from the Managing  
22 Director's Office, we have no intention of in any  
23 way, shape or form diminishing the effort that has  
24 been demonstrated Citywide at the request of Council  
25 and with the cooperation of the Mayor's Office, to

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2 make sure that what we have designated as Zero  
3 Tolerance Zones or Graffiti-free Zones, that those  
4 clean up efforts and response efforts will be  
5 maintained continuously.

6 And I believe that Deputy Managing  
7 Director, Tom Conway, has done an excellent job in  
8 implementing that program from the time we first set  
9 it up. So I am not aware of that, but I will double-  
10 check it just to be sure.

11 COUNCILWOMAN MILLER: Okay. I think I  
12 remember a while back that there was some stated  
13 time associated with some of the zones, but maybe  
14 that's changed.

15 MR. CERTAINE: Okay. I can check that  
16 for you.

17 COUNCILWOMAN MILLER: Okay.

18 And my second question is regarding the  
19 Partners for Progress program.

20 MR. CERTAINE: Yes, ma'am.

21 COUNCILWOMAN MILLER: I would like to  
22 get information on the breakdown of where the census  
23 tracks are located.

24 On your chart you report that you  
25 basically addressed 170 units in census tracks, so I

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2 would like to know where they are.

3 MR. CERTAINE: We have that information  
4 available, Councilwoman.

5 COUNCILWOMAN MILLER: Okay.

6 MR. CERTAINE: It is a pretty hefty  
7 amount of information, but I can make sure it gets  
8 to you.

9 COUNCILWOMAN MILLER: Okay. Well, I  
10 think district people want to know where they are  
11 being served and what is happening.

12 I think Partners for Progress is an  
13 excellent program. We have had it in a few of our  
14 census tracks, and want to continue to have it in  
15 more.

16 When I read that you have translators,  
17 are those translators available for say my office,  
18 if I have someone come in who is maybe Spanish-  
19 speaking and I don't have a Spanish-speaking person  
20 on my staff?

21 My district is very diverse and we have  
22 all types of people that live in the 8th District.  
23 And how can we access the translator program -- the  
24 translators you have with the Refugee Program?

25 MR. CERTAINE: I would like to have

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2 Donna Wolfe answer that question for you,  
3 Councilwoman, if I may.

4 COUNCILWOMAN MILLER: Okay. Fine. All  
5 right.

6 MS. WOLFE: Some translation services  
7 are available for City Services through the Targeted  
8 Assistance Program, specifically, for -- in  
9 languages for refugees from the former Soviet Union  
10 or for Southeast Asian languages.

11 We translate pamphlets and materials,  
12 for instance, for Philadelphia More Beautiful and  
13 street sanitation materials. We regularly do that.

14 COUNCILWOMAN MILLER: What about  
15 interpreters?

16 MR. CERTAINE: Councilwoman, we --

17 COUNCILWOMAN MILLER: Verbal.

18 MR. CERTAINE: Yeah. We don't provide  
19 that service. To the extent that I know of, the  
20 Police Department from time to time has been able to  
21 provide translation services, particularly for  
22 populations that have difficulty with the English  
23 language, but the Managing Director's Office does  
24 not have that kind of direct access to interpreting  
25 services.

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2 COUNCILWOMAN MILLER: Well, I was  
3 informed about a week ago that maybe it's Public  
4 Property, I am not really sure, that contracts with  
5 agencies to the interpreters.

6 I was at a meeting last week and the  
7 meeting was on disabilities, hearing impaired and  
8 physically challenged people. And we got a  
9 volunteer from the Pennsylvania School for the Deaf  
10 to actually do the signing. And someone said that  
11 the City does, in fact, have those kind of people  
12 available.

13 MR. CERTAINE: Councilwoman, I am being  
14 informed now that the Health Department may have  
15 such a contract, but we don't through the Managing  
16 Director's Office.

17 Another area where we may be able to  
18 have that would be under the Americans with  
19 Disabilities Act Compliance for people that may have  
20 certain disabilities, but through the Managing  
21 Director's Office, we don't have a contract like  
22 that.

23 COUNCILWOMAN MILLER: Okay. One more  
24 question.

25 COUNCIL PRESIDENT VERNA: Councilwoman,

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2 your five minutes is up. You will have to wait for  
3 the second go-around. Thank you.

4 COUNCILWOMAN MILLER: Thank you.

5 COUNCIL PRESIDENT VERNA: The Chair  
6 recognizes Councilman Kenney.

7 COUNCILMAN KENNEY: Thank you, Madam  
8 Chair.

9 Mr. Certaine, I don't have any  
10 questions, but I do have a comment.

11 All of the Deputy Managing Directors  
12 that I deal with in your office are extremely  
13 competent and qualified, and really, after all of  
14 these years of being in government, still care.

15 Sometimes, you know, you get to the end  
16 of the second term and people are like, get me out  
17 of here, I don't want to do this anymore. But they  
18 really are all still engaged in what their  
19 responsibilities are.

20 And what you have asked them to do and  
21 what we've asked them to do, they are always  
22 forthcoming and do their best on every occasion that  
23 I have had contact with them.

24 But specifically, I wanted to highlight,  
25 and you mentioned him already, but the anti-graffiti

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2 people under Tom Conway. And I want to mention  
3 their names for the record because they are the  
4 people that actually go out and do the grunt work.

5 Ed Gousak, Dennis McGowan, Tim Farnan,  
6 Jim Cinnebella, Stevie Black over at the warehouse,  
7 that whole crew of people are truly dedicated public  
8 servants.

9 They take graffiti personally. It bugs  
10 them when they get into an area and they clean it  
11 and they come back and check again that there is  
12 something else on that wall, right out of their  
13 truck and get that stuff down.

14 So I wanted to publicly thank them and  
15 thank you for allowing them the ability to do their  
16 job. And they really do care and are concerned  
17 about what our neighborhoods look like and what is  
18 going on in our communities. And I just wanted to  
19 thank you.

20 MR. CERTAINE: Councilman, on behalf of  
21 the Anti-graffiti Network in the City of  
22 Philadelphia I would like to thank you. All of  
23 those people and all of the people in the Managing  
24 Director's Office feel a very, very special  
25 commitment to neighborhood issues and neighborhood

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2 leadership.

3 And I must say that the level of  
4 cooperation that we've gotten from district and  
5 at-large Council people like yourself in giving us  
6 requests or making us aware of things we need to  
7 take care of without any confrontation, no  
8 animosity; we work together as a pretty good team.

9 So I would like to -- I thank you on  
10 their behalf, and I am sure that they will be glad  
11 to hear your comments.

12 COUNCILMAN KENNEY: It's a pleasure  
13 working with them. Thank you.

14 Thank you, Ma'am.

15 COUNCIL PRESIDENT VERNA: Thank you.

16 The Chair recognizes Councilwoman Tasco.

17 COUNCILWOMAN TASCO: Thank you very  
18 much.

19 I have a question about the vacant lot  
20 program. Could you tell me the process for getting  
21 a lot cleaned and fenced? And there -- I understand  
22 there is a passport for vacant lots.

23 Is your office --

24 COUNCIL PRESIDENT VERNA: Councilwoman,  
25 your microphone is not on.

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2 COUNCILWOMAN TASC0: Sorry.

3 MR. CERTAINE: Councilwoman, the  
4 procedure for cleaning and fencing vacant lots  
5 really is as simple as a telephone or a letter  
6 request from a district or At-Large Councilperson.

7 There is no complicated procedure on  
8 that. We usually respond to those things, they go  
9 on a list. And as we get into an area or as we  
10 finish up one area and have additional work to do,  
11 we usually respond to those.

12 We do check -- one of the things we  
13 found is that sometimes requests come in from people  
14 who just want their lot fenced and maybe can't  
15 afford to do it themselves or something like that.  
16 So we do check the ownership of some of the lots  
17 just to make sure we are not doing anything in  
18 conflict.

19 But essentially that is the way it is  
20 handled. Everything comes in, it is put on a list,  
21 we generate reports by councilmanic district. And  
22 we try to respond to Council requests on cleaning  
23 and sealing vacant lots.

24 As people call us, individual citizens  
25 or groups call us, we refer them to their district

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2 councilperson to make sure that we are not getting  
3 requests from people other than the Council people.

4 Now, for departments that may have a  
5 problem with that, I think your second reference was  
6 to the Commerce Department's Vacant Land Reuse.

7 There is a large committee within the  
8 government that deals with the reuse of large  
9 parcels of vacant land, associated with brown fields  
10 and some of the old industrial sites. That is a  
11 program that is largely driven by the Philadelphia  
12 Commerce Department.

13 COUNCILWOMAN TASC0: No. I think that  
14 former Councilwoman Fernandez had set up this --

15 MR. CERTAINE: Yes. But we were not  
16 included in that, Ma'am. That was primarily the  
17 Department of Commerce. Councilwoman Fernandez  
18 neglected to invite the MDO to participate in that.

19 Now, we were in the process of  
20 evaluating all of our environmental concerns at the  
21 time that the Councilwoman was putting together this  
22 effort. And they have merged because many of the  
23 large parcels that are under discussion have  
24 environmental problems. So there is a natural  
25 overlap. And we are involved in some of the

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2 mitigation efforts there.

3 But it is primarily driven by the  
4 Department of Commerce on the economic development  
5 side of Philadelphia City government.

6 COUNCILWOMAN TASC0: Are you saying  
7 that -- you don't fence private property, right?  
8 You only fence --

9 MR. CERTAINE: Yeah. We try to avoid  
10 fencing any kind of private property.

11 COUNCILWOMAN TASC0: So you fence  
12 basically lots that are owned by the City?

13 MR. CERTAINE: Yes, Ma'am.

14 COUNCILWOMAN TASC0: So I have about 14  
15 letters here that I've sent you for vacant lots.  
16 And so I need to know from your office if these lots  
17 are city owned or if they are private.

18 MR. CERTAINE: Yeah. And we can give  
19 you the status of any of those requests. We keep a  
20 database. And so we can check the ownership of  
21 record, and we can also give you a status on any  
22 request that you've sent to our office.

23 COUNCILWOMAN TASC0: Well, one lot  
24 specifically, is at the corner of Upsal and Forest.  
25 And for years we have not been able to identify the

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2 ownership. We suspect that it is owned -- I think  
3 at one point we came to the conclusion that it was  
4 owned by the City.

5 MR. CERTAINE: Well -- okay.

6 COUNCILWOMAN TASCO: Right. And we did  
7 have it cleaned one time. And what we tried to say  
8 is that you clean it and put the chips on it and you  
9 fence it, then you cut down on constantly doing it  
10 over and over again.

11 I can't seem to get that lot done. It  
12 is right on the corner; it is an eyesore, and it  
13 does belong to the City.

14 MR. CERTAINE: Okay. That should not be  
15 a problem.

16 One of the things that we found with  
17 placing chips on lots is that sometimes we  
18 contribute to infestation by different kinds of bugs  
19 and other varmints. So we've stayed away from  
20 placing chips lately.

21 If you remember -- if you remember when  
22 the chips were being placed in Logan, it caused all  
23 kinds of problems. They would pile it and not  
24 spread it out, and we had all kind of infestations  
25 in that area.

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2 But for a lot the size -- I believe I  
3 know the lot you are talking about. For that size  
4 lot, it shouldn't be a problem. We do not have --  
5 we would have to get one of the contractors that  
6 make chips available to us, or through Fairmount  
7 Park, to put the wood chips down to reduce the  
8 growth of grass and things like that.

9 But we can definitely clean the lot and  
10 fence the lot, too. It shouldn't really be a  
11 problem. I apologize if it has been a problem, but  
12 it shouldn't be a problem.

13 COUNCILWOMAN TASC0: A bit of a problem.

14 I like -- we can give your office copies  
15 of these requests that we have made.

16 MR. CERTAINE: Yes, Ma'am.

17 COUNCILWOMAN TASC0: And I would like to  
18 know if they are individually owned. And if they  
19 are city owned, I would like them cleaned and  
20 fenced.

21 MR. CERTAINE: No problem.

22 COUNCILWOMAN TASC0: And I know it's  
23 expensive, and I am not the only one making this  
24 request, but I do believe we have to find the  
25 solution to how to handle the lots.

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2 A couple of them in my area, we've  
3 worked with community groups on maintaining. One at  
4 Vernon Road and Mansfield, that little triangle  
5 there. That little lot is being kept and maintained  
6 by residents on the 8000 block of Michener.

7 And then we have the lot at Washington  
8 Lane, Mansfield and Stenton, that is maintained by  
9 the neighbors down there. To the extent that that  
10 can happen, it is very good for the community. But  
11 absent of that, I think it is just a waste of money,  
12 too, to continue to have the city employees  
13 constantly clean the lot.

14 We need to come up with a solution on  
15 how we -- maybe sometimes you ought to blacktop it.

16 MR. CERTAINE: Well, that is not my  
17 decision, ma'am. That would really have to come in  
18 conjunction with the neighborhood groups and  
19 district councilperson.

20 I will say this: It is much easier, I  
21 agree with you, it is much easier for the City of  
22 Philadelphia to work in conjunction with community  
23 organizations that will take some responsibility and  
24 some ownership for helping to maintain lots like  
25 that once the City cleans them.

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2 Because we would much rather prefer to  
3 work with a community group to maintain a property  
4 than to constantly come back and tie up municipal  
5 resources and departmental resources for cleanup all  
6 the time. So you're absolutely right.

7 If we can -- if your office can send  
8 that over to us or fax it over to us, we can take a  
9 look at that and give a response within a few days.

10 COUNCILWOMAN TASC0: Another question  
11 is: If you have a large piece of land that is not  
12 city owned, but is presently up for sale or just  
13 laying fallow, do you -- what do you do to the  
14 owners? Is there any contact with the owner to get  
15 them to clean the lot or maintain the lot?

16 MR. CERTAINE: In most cases something  
17 like that, through the Department of Licenses and  
18 Inspection, can be cleaned and then billed to the  
19 current owner, to the owner of record for that  
20 parcel.

21 Large parcels like that are the target  
22 of the land reuse, the committee that you spoke  
23 about earlier, for exactly what can be done from an  
24 economic development perspective: to reuse the  
25 parcel, to have it developed or reused in some way

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2 or to generate -- the ideal would be to have it back  
3 on the tax rolls where it is generating tax revenue.

4 But the problem with large parcels with  
5 the agency would be to contact the owner and even to  
6 clean the lot and bill the owner similar to a  
7 demolition that would have to occur, an emergency  
8 demolition, or clean and seal for a large property  
9 where the owner could be billed, the owner could be  
10 located and billed for.

11 COUNCILWOMAN TASC0: One other question.

12 COUNCIL PRESIDENT VERNA: Councilwoman --

13 COUNCILWOMAN TASC0: This is my last  
14 question and then I won't come back.

15 COUNCIL PRESIDENT VERNA: Okay. Because  
16 we have other Council people who are waiting.

17 COUNCILWOMAN TASC0: Okay. On the  
18 Police Advisory Commission, I note there are several  
19 vacancies. What is the process of filling those  
20 vacancies? Does this administration plan on filling  
21 those vacancies, or do you plan on leaving them for  
22 the new mayor to fill? A number of the members'  
23 time has expired.

24 MR. CERTAINE: Yeah. The Commission  
25 itself and the filling of the vacancies on the

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2 Commission is really not an area of jurisdiction  
3 that I have been involved in. Those recommendations  
4 have been formerly proposed by the Mayor.

5 And I believe, if I am not mistaken,  
6 this Council may have had a role in determining who  
7 that membership might be, but --

8 COUNCILWOMAN TASC0: But you say  
9 operations including --

10 COUNCIL PRESIDENT VERNA: Excuse me,  
11 please, the Chair recognizes Councilman Nutter, for  
12 point of information.

13 COUNCILMAN NUTTER: Thank you, Madam  
14 Chair.

15 Councilwoman Tasco, on Thursday  
16 resolutions will be introduced to reappoint many of  
17 the members of the Police Advisory Commission to  
18 fill those vacancies. Most of the members want to  
19 stay; they have continued to serve even though their  
20 terms have expired. Virtually all of the vacancies  
21 will be filled after those resolutions are  
22 introduced and public hearings are held.

23 COUNCILWOMAN TASC0: Okay. Thank you  
24 very much.

25 COUNCILMAN NUTTER: Sure.

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2 COUNCILWOMAN TASCO: That is it right  
3 now, I think.

4 MR. CERTAINE: Thank you, Councilman.

5 COUNCIL PRESIDENT VERNA: Councilwoman  
6 Tasco, are you finished?

7 COUNCILWOMAN TASCO: I will come back.  
8 I do have one more question, but I will come back.

9 COUNCIL PRESIDENT VERNA: Okay. The  
10 Chair recognizes Councilman Nutter.

11 COUNCILMAN NUTTER: Thank you, Madam  
12 Chair.

13 Mr. Certaine, back to the response that  
14 you gave Councilwoman Tasco regarding lots and the  
15 chips on the lots. And you made reference to  
16 varmints. Are those four-legged or two-legged that  
17 we are concerned about? What is the definition of  
18 "varmint"?

19 MR. CERTAINE: Well, it is just a term I  
20 use to describe -- to describe -- primarily, we have  
21 had several bug infestations in large amounts of  
22 wood chips attributable to --

23 COUNCILMAN NUTTER: You are a very good  
24 Managing Director. You actually took that question  
25 serious; you were going to run with that ball and

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2 try to proceed down a path to get to an answer. I  
3 really appreciate that.

4 MR. CERTAINE: Councilman Nutter, I take  
5 everything that I do while I am sitting here with  
6 this Council very seriously.

7 COUNCILMAN NUTTER: I understand. Let's  
8 talk about fences. I understand the varmints. I'm  
9 well aware of some myself.

10 MR. CERTAINE: Was that a test? That  
11 was a test.

12 COUNCILMAN NUTTER: Just to see if you  
13 are paying attention. You have been up there for a  
14 while.

15 Your response to Councilwoman Tasco,  
16 though, was that we seek to fence lots owned by the  
17 City. What I wanted to inquire was: What do we do  
18 with the privately owned lots, often corner lots,  
19 although, obviously, sometimes middle of the block,  
20 as a result of demolition or something like that?

21 In many of those cases, those  
22 individuals are either not around, because they may  
23 have been the occupant of the now demised house or  
24 abandoned the property some many years ago, or they  
25 are dead or they are in another part of the country.

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2 What are we left to do with those vacant  
3 lots, which must outnumber the number of city owned  
4 lots in comparison?

5 MR. CERTAINE: Councilman, I was in  
6 error in that response. We do -- it is not just  
7 city owned, but one of the priorities are parcels  
8 that are associated with demolition.

9 Whether they be corner properties or  
10 within the block, it is important for us to respond  
11 as quickly as we can to recent demolitions where the  
12 integrity of the block can be better maintained, if  
13 we respond to a demolition that took place in the  
14 middle of the block and get a fence up before it  
15 becomes a short dumping location.

16 Those are very high priorities. In  
17 fact, I would say that that is the highest priority  
18 of the fencing program, to do fencing in association  
19 with any demolition except for very large parcels.  
20 In those situations, we try to work with the  
21 Department of Licenses and Inspections to use jersey  
22 barriers rather than chain link fencing. It is more  
23 economical that way.

24 COUNCILMAN NUTTER: Is it easier and  
25 more efficient than if you know that a demolition is

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2 coming up, other than the emergencies? But if you  
3 are anticipating or have made requests for a  
4 demolition, is it better to make the request  
5 primarily to L & I that fencing be a part of that  
6 particular demolition?

7 Because I don't know whether demolition  
8 companies have people who do fencing as a part of  
9 their company. Do they contract it out? Is it a  
10 part of the job? Or are we just left in a situation  
11 where demolition is done, those people go away, they  
12 level the site, and then we come running over to the  
13 MDO's office and say, there was a demolition three  
14 months ago, can somebody get back there and put a  
15 fence up?

16 I mean...

17 MR. CERTAINE: It would be a much better  
18 practice to include in the bid, in the demolition  
19 bid, fencing of the property, the footprint.

20 COUNCILMAN NUTTER: Right. As an  
21 opportunity --

22 MR. CERTAINE: As a part of the  
23 demolition occurrence, absolutely.

24 In fact, that is the thing that used to  
25 happen. Somehow we have gotten away from that, but

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2 that is absolutely preferable, because then we could  
3 use the limited resources that we have available to  
4 take care of other vacancies that are not part of a  
5 demolition scenario.

6 COUNCILMAN NUTTER: Lastly, in the realm  
7 of the Police Advisory Commission but not about  
8 board members, more on the operations standpoint, it  
9 is my understanding that either complaints and/or  
10 investigations are slightly up this year over last  
11 year.

12 And I continue to have a concern, I  
13 guess, about personnel or staffing level resources  
14 that are -- that are available, and whether the  
15 numbers are going up just on the Police Advisory  
16 Commission side or even on the Internal Affairs  
17 side. We have to assure that the entity can  
18 function and operate at a reasonable level.

19 Do you have any particular perspective  
20 on that at this point in time?

21 MR. CERTAINE: Well, I believe the  
22 Police Advisory Commission should have the tools and  
23 the personnel to do its job. I know that Mr. Soto  
24 has put in a request for the Fiscal Year 2000 budget  
25 that calls for additional staff.

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2 It is my understanding that through our  
3 budget process that that request has not been  
4 granted. That is something that this Council should  
5 consider, and any other questions about the volume  
6 of cases should probably be answered by Mr. Soto,  
7 who is here with us.

8 COUNCILMAN NUTTER: I understand. No  
9 problem. Thank you very much.

10 Thank you. Thank you, Madam Chair.

11 COUNCIL PRESIDENT VERNA: Thank you.

12 The Chair recognizes Councilman DiCicco.

13 COUNCILMAN DICICCO: Thank you, Madam  
14 Chair.

15 Good morning.

16 MR. CERTAINE: Good morning, Councilman.

17 COUNCILMAN DICICCO: I just want to pick  
18 up on one of the questions or comments about the  
19 vacant lots and fencing.

20 Fencing and jersey barriers are  
21 generally put up to prevent people from backing  
22 their car or truck into that vacant lot for the  
23 purpose of short dumping.

24 Along Frankford Avenue in the northern  
25 part of my district over the last couple years,

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2 through the efforts of the New Kensington Civic  
3 Association and other groups, a major effort has  
4 been made to remove the jersey barriers, and in some  
5 cases even remove the chain link fence. But in more  
6 cases than not, it was the jersey barriers that were  
7 being removed.

8 And I understand the purpose of them,  
9 again, and I am not criticizing the effort to put  
10 jersey barriers up. But they generally act as a  
11 canvas for graffiti and really don't stop the  
12 dumping of trash.

13 In their place what has been done for  
14 the last two years is trees have been put in in  
15 place of jersey barriers. And what it does is it  
16 aesthetically -- it makes the area look a lot more  
17 cleaner and enjoyable when you drive through there.  
18 But it also accomplishes the effort to keep short  
19 dumpers out. So they have removed the jersey  
20 barriers and put trees in.

21 Have we ever looked at doing that on a  
22 citywide basis, as opposed to using the jersey  
23 barriers and chain link fence? Because what happens  
24 with the chain link fence, in a lot of instances,  
25 people cut through that and it becomes a maintenance

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2 problem, an ongoing maintenance problem.

3 So I was just wondering if anyone has  
4 ever looked into that, and if not, could we look  
5 into that and see what the cost over the long run  
6 would be? I think it might be a savings.

7 You don't have to worry about coming out  
8 and removing the graffiti from the jersey barriers,  
9 and you don't have to worry about maintaining the  
10 fences.

11 And then what happens in a lot of cases,  
12 and again, I am not being critical, when you put a  
13 fence up that has a gate, the gate is locked, and  
14 generally nobody has the gate (sic) except someone  
15 from one of the City's departments, whether it is  
16 Streets Department or Public Property.

17 And if people want to get in there to  
18 clean it, you have to kind of make a lot of  
19 arrangements to get in there and cut the grass. But  
20 when the trees are put up it creates like a  
21 park-like setting in the middle of these lighted  
22 areas. And it really makes for a much more  
23 attractive area in which to live and drive through.  
24 And Frankford Avenue is a perfect example.

25 If you were to take Frankford Avenue

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2 from Girard Avenue northward, up until about  
3 Cumberland now, where most of the effort has been  
4 put in, it is really amazing the transformation that  
5 has taken place over the last two years.

6 MR. CERTAINE: Councilman, that effort  
7 has been largely the initiative of community  
8 organizations with private -- with foundation money  
9 or private grants.

10 The City has not, at least during my  
11 tenure, has not been involved in planting trees in  
12 programs like that. I would turn to the Fairmount  
13 Park Commission for that kind of effort.

14 And one of the things that I would  
15 venture to add on this is that although it might  
16 introduce some savings down the line, the initial  
17 installation say per running foot, per square foot  
18 of jersey barriers or chain link fencing, I am sure  
19 would be probably less expensive than the planting,  
20 you know, the initial installation of young trees,  
21 that would eventually mature to provide the kind of  
22 setting that you are describing.

23 So I can just say that the Managing  
24 Director's Office has not been in the tree  
25 business. It is something that can be looked at.

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2 If there is a way to do it economically with  
3 existing resources, then it is something that I  
4 would also -- I would recommend that.

5 Because you're right, jersey barriers  
6 are definitely a canvas for graffiti, and a large  
7 part of Tom Conway's efforts and his people is  
8 cleaning graffiti off of jersey barriers that have  
9 been put up around --

10 COUNCILMAN DICICCO: That is my point.  
11 I mean, in the short run we accomplish what we are  
12 trying to do by preventing short dumpers from  
13 entering the lots, but we have an ongoing  
14 maintenance problem, where if you do trees, the  
15 maintenance is very limited.

16 I mean 25, 30 years from now they may  
17 have to be trimmed, but that's a long way off. And  
18 in the short run, it may be a little bit more  
19 expensive to do the tree plantings. But I think  
20 over the long haul, we actually would save.

21 And, again, I don't know the numbers,  
22 your department can find that out better than I  
23 can. But I think it is something that I would ask  
24 that you look into.

25 MR. CERTAINE: There have been other

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2 suggestions, too. Some community organizations have  
3 suggested wooden rail fences that are more  
4 aesthetically pleasing, might not be as expensive as  
5 trees and are just -- they contribute more to the  
6 visual aspects that you are describing than either  
7 chain link or jersey barriers. The problem with  
8 that is the cost per running foot is prohibitive.

9 So we are kind of with chain link and  
10 jersey barriers, because for right now, from what we  
11 can see, it is the cheapest way to obstruct access  
12 to these lots that we have.

13 But, that does not say that there is not  
14 room for a closer examination just to see whether or  
15 not it is more economical --

16 COUNCILMAN DICICCO: Well, again, on  
17 Frankford Avenue, the lots that have been  
18 transformed into what I call little community  
19 gardens without much effort from the community other  
20 than planting trees, the short dumping has almost  
21 virtually disappeared.

22 MR. CERTAINE: Now, the Philadelphia  
23 Green Horticultural Society, they are very much  
24 involved in that kind of activity, and I can talk  
25 with Blaine Bonum (ph) and just see, you know --

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2 COUNCILMAN DICICCO: Well, I'm saying,  
3 if all of the departments that you just mentioned  
4 and the community groups were to partner, it may  
5 drive the cost down.

6 MR. CERTAINE: It may, yeah. You're  
7 right.

8 COUNCILMAN DICICCO: Because the  
9 community groups want to do these things, and with a  
10 little help from the, you know, resources that you  
11 would put into a jersey barrier and/or the chain  
12 link fence in addition to what Philadelphia Green  
13 and Fairmount Park might be able to do, I think it  
14 is something we can accomplish.

15 MR. CERTAINE: We can definitely look at  
16 it.

17 COUNCILMAN DICICCO: And it just really  
18 says something about the neighborhood. It really  
19 makes it a much more attractive place. And again, I  
20 am not criticizing --

21 MR. CERTAINE: No, that's fine. I  
22 welcome the suggestion on it.

23 COUNCILMAN DICICCO: The other question  
24 I have is, to go back where Councilwoman Tasco was  
25 concerning a short dumping also, do we have any

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2 facilities in the City where citizens can bring bulk  
3 trash to on a regular basis?

4 MR. CERTAINE: On a regular basis?

5 COUNCILMAN DICICCO: A no fee, sir.

6 MR. CERTAINE: A no fee?

7 COUNCILMAN DICICCO: Right.

8 And I am not speaking about construction  
9 material. I am talking about the homeowner who for  
10 some reason just doesn't want to keep the  
11 refrigerator in their yard until trash day, for some  
12 reason they think it's more convenient to put it on  
13 the back of a pickup truck, drive around for two  
14 hours until they find a desolated -- an isolated  
15 area and then dump it.

16 MR. CERTAINE: With the doors off, of  
17 course.

18 COUNCILMAN DICICCO: Pardon me?

19 MR. CERTAINE: With the doors off, of  
20 course.

21 COUNCILMAN DICICCO: With the doors off,  
22 absolutely; they are safety-conscious, not  
23 trash-conscious.

24 Do we have any of those sites? And here  
25 is where I am going with this: If we look at the

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2 cost involved in maintaining vacant lots, removing  
3 trash, and a lot of these lots are repeatedly dumped  
4 on, even with some of the efforts with the jersey  
5 barriers and the chain link fence, and if we can  
6 figure out -- could we look for sites throughout the  
7 City, vacant land that we have where people could  
8 bring certain types of material on a regular basis?

9 Because we have the effort to go out and  
10 clean up these lots anyway. We are spending a lot  
11 of resources. I think it might be less expensive  
12 for us if we had designated areas where people can  
13 come to on a five-day-a-week basis, whatever, bring  
14 their trash as opposed to having it scattered all  
15 over the City.

16 MR. CERTAINE: Councilman, that  
17 suggestion makes me very nervous because what we  
18 would do would be increasing the number of short  
19 dumping sites or inviting people to use these sites  
20 for more than what you are talking about.

21 I would -- if I may suggest this, the  
22 Streets Department will be making their budget  
23 testimony presentation at a later point. I think  
24 that that may be something you want to ask them.

25 COUNCILMAN DICICCO: I will raise that

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2 with them also.

3 MR. CERTAINE: And I will also talk with  
4 them about it. But my concern there is that -- and  
5 I will give you an example, and Councilwoman Tasco  
6 can attest to this -- during the blizzard of 1996,  
7 we had problems with trash pick-up because of  
8 limited access to some of the streets for one reason  
9 or another. I am not going to get into that part of  
10 it. But we designated a couple of locations around  
11 the City and one was in the lot off of Cheltenham  
12 Avenue up near Temple Stadium.

13 We designated that as one of the  
14 locations where a city trash truck would be for  
15 people to bring their trash for a specified period  
16 of time. Once the trash truck left, that site  
17 became -- first, it was done at our invitation.  
18 When the trash -- when the sanitation division left,  
19 that site became a large -- a huge, dump site for  
20 trash.

21 COUNCILWOMAN TASCO: You do not want  
22 that.

23 MR. CERTAINE: Councilman, I just wanted  
24 to use that as an example. And what happened, it  
25 was compounded by the fact that more snow fell and

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2 it froze, and we had trash there until the Spring.

3 But once you do that you invite -- it is  
4 a Pandora's box.

5 COUNCILWOMAN TASC0: Like the vermin  
6 again.

7 MR. CERTAINE: Varmints, right.

8 COUNCILMAN DICICCO: I just remember  
9 years ago when 7th and Pattison in South  
10 Philadelphia, people were allowed to bring their  
11 trash there. And I don't know if it was just the  
12 fact that the incinerator was there that people were  
13 a little bit more conscious about trash or just  
14 behavioral practice.

15 MR. CERTAINE: Well, Councilman, you  
16 have got to understand that what we did years ago --

17 COUNCILMAN DICICCO: We don't want the  
18 incinerator reopened, don't get me wrong, but I was  
19 just curious about that.

20 MR. CERTAINE: I am sure the Streets  
21 Department would be better able to answer your  
22 question about that.

23 COUNCILMAN DICICCO: Yeah. I will raise  
24 that again, but since we were on the question of  
25 lots, I just wanted to raise that with you. Thank

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2 you.

3 No further questions. Thank you.

4 COUNCIL PRESIDENT VERNA: I believe  
5 Councilman Rizzo is giving me the --

6 COUNCILMAN RIZZO: I would like to  
7 follow up.

8 I could point to the Streets Department,  
9 but I have observed something Mr. Managing Director --

10 MR. CERTAINE: Good morning, Councilman.

11 COUNCILMAN RIZZO: Good morning.

12 I have observed something that you might  
13 want to address. I have noticed that it is not  
14 short dumping, but many landscape companies are  
15 collecting leaves from private property. They are  
16 then hauling those leaves to locations on the street  
17 and dumping them by the truckloads, and then having  
18 the Streets Department responsible for hauling them  
19 away.

20 I observed one -- one of these, I call  
21 it short dumping operations where they actually  
22 dumped them under a bridge. And if those leaves  
23 were ignited, they would have taken out this whole  
24 SEPTA bridge.

25 So I pass that on to you to let you know

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2 that even though it isn't perceived by many people  
3 as short dumping, in my opinion it is a private  
4 contractor for profit collecting leaves on private  
5 property and taking them out by the dump truck load,  
6 dumping them on the street for you then to have to  
7 haul them away.

8 MR. CERTAINE: But, Councilman, if you  
9 remember almost a year ago when we had severe wind  
10 storms and we had a lot of tree branches come down,  
11 that was also the tactic taken by private homeowners  
12 as well as contractors who went onto private  
13 property to remove dead limbs and trees that had  
14 been broken and fallen, that they did not take those  
15 to dump sites and pay the tipping fees. What they  
16 did was they moved those items, those branches and  
17 those trees, to city streets.

18 And it necessitated a special operation  
19 that we had to put together with elements of the  
20 Streets Department, L & I, and Fairmount Park, to  
21 cut them up and then take them over to the recycling  
22 center. And that is why we had such an overflow of  
23 that kind of material all through the Spring and  
24 Summer, and that is why we have so much mulch over  
25 there now.

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2 COUNCILMAN RIZZO: Well, in this one  
3 particular incident, they had actually dump trucks  
4 dumping them. And I called -- I, realizing that  
5 this is something that shouldn't be going on, I  
6 called the Streets Department, and they immediately  
7 must have sent a supervisor out there to get the  
8 information.

9 And in a couple of days I noticed it was  
10 all cleaned up. So I assume that they put the fear  
11 of God into whomever the contractor was, and they  
12 went back and cleaned them all up.

13 MR. CERTAINE: I doubt that.

14 COUNCILMAN RIZZO: Well, no, I think  
15 they may have caught them in the act.

16 MR. CERTAINE: They may have caught them  
17 just in time, yeah.

18 But, no, you're absolutely right. That  
19 happens with yard waste and that kind of material,  
20 in addition to the trash.

21 COUNCILMAN RIZZO: This was a half a  
22 block of leaves. I mean, this was where they used  
23 that basically as a dump. And they were just, truck  
24 after truck after truck just dumping there.

25 So I just wanted you to be aware that

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2 that's not in my opinion short dumping, but it is an  
3 abuse of our taxpayers.

4 MR. CERTAINE: Well, it is a form of  
5 short dumping.

6 COUNCILMAN RIZZO: Yeah, it is.

7 Thank you, Madam President.

8 COUNCIL PRESIDENT VERNA: You're  
9 welcome.

10 The Chair recognizes Councilwoman Tasco.

11 COUNCILWOMAN TASCO: Thank you.

12 One of my favorite subjects: abandoned  
13 cars. What are we going to do about the abandoned  
14 cars? You and I have had this conversation.

15 MR. CERTAINE: Councilwoman, we sure  
16 have. I have had this conversation every single day  
17 with somebody.

18 We work very closely with the  
19 Philadelphia Police Department in the Managing  
20 Director's Office. We have initiated from time to  
21 time special programs like the one we have in the  
22 area targeted for Operation Sunrise.

23 It is based on some things we have done  
24 in the past in previous administrations where we  
25 would conduct a sweep, designate a particular lot, a

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2 location, a city owned lot, where we could do a  
3 sweep, and bring all of the vehicles to that lot for  
4 the salvagers to come to that lot and take those  
5 vehicles away.

6 More and more the vehicles that are left  
7 on the street are in some cases set on fire or in  
8 other ways are not as valuable to the salvagers as  
9 they would have been had they been left intact.

10 And salvagers are reluctant in some  
11 cases to respond to the abandoned vehicle officer  
12 for the districts.

13 Now, each police district has an  
14 abandoned vehicle officer whose responsibility it is  
15 to move around the district and identify abandoned  
16 vehicles and process them for removal by salvagers.

17 In some cases, what I've heard lately --  
18 and this is no reflection on the Police  
19 Department -- in some cases the abandoned vehicle  
20 officers from time to time don't have access to the  
21 kind of transportation that they need to move around  
22 the district on a regular basis because those cars  
23 are put in use for patrol functions. Those are some  
24 of the reasons that I have heard from the abandoned  
25 vehicle officers.

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2 In other instances, the AVOs may not be  
3 as aggressive in doing that work as they could be.

4 We have tried and will continue to try  
5 to work with the districts and the abandoned vehicle  
6 officers and the Office of Fleet Management to move  
7 into an area once the vehicles are identified, and  
8 pull them out, be of assistance to the police host  
9 squads in pulling those vehicles out.

10 It is just that a huge number of  
11 vehicles are brought to certain areas of the City  
12 and dumped there. Many of the vehicles are not  
13 because of residents in that particular area, they  
14 are being brought there.

15 For every ten vehicles that we clean up  
16 in the area targeted by Operation Sunrise over in  
17 the Kensington area, right now, we can say 12 or 13  
18 reappear within a matter of days.

19 COUNCILWOMAN TASC0: Let me ask you a  
20 question: What is the process -- what is the  
21 process for the salvager to remove a car? And is  
22 the system computerized?

23 Suppose the officer assigns a salvager  
24 to a car. Is it possible for the salvager to remove  
25 the car, get paid for it, move it someplace else,

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2 and move it more than once?

3 MR. CERTAINE: Oh. I'm sure -- I'm sure  
4 that that's a possibility.

5 Councilwoman, if I may, Madam President,  
6 if I may, Deputy Commissioner Tom Estel from the  
7 Police Department is here who can probably respond  
8 to that.

9 And the Police Department has testimony  
10 coming up right after mine, I believe, and that  
11 might be better put to him.

12 COUNCILWOMAN TASC0: We can wait. We  
13 can wait.

14 MR. CERTAINE: That is the first time I  
15 have had that one put to me. But I am sure that  
16 that is a possibility that may happen from  
17 time-to-time. I don't know.

18 I doubt very seriously because of the  
19 paperwork. There is a 30-day processing period.  
20 There are certain amounts of paperwork that the  
21 abandoned vehicle officer, as well as the salvagers,  
22 have to process before a vehicle can be removed,  
23 which sometimes contributes to the delay in  
24 removal.

25 But I have not heard of an instance

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2 where a salvager would remove a vehicle, take it  
3 somewhere else, and place it. But I am sure  
4 anything is possible.

5 COUNCILWOMAN TASC0: Well, I don't know  
6 what the process is. I don't know how -- whether  
7 you have all of this information computerized, so  
8 that if I have an abandoned car in the 35th  
9 District, it is on the abandoned car list, someone  
10 in West Philadelphia could go into the computer and  
11 see if that car is on the list.

12 But if they have no idea that this car  
13 has been removed from Mount Airy and taken to West  
14 Philly or removed from West Philly and taken to  
15 Mount Airy -- I am not saying that the salvagers  
16 would do this, but is there a possibility it could  
17 be done?

18 MR. CERTAINE: It could be. I just  
19 don't see how it would be economically feasible for  
20 a salvager to engage -- I mean, they have their  
21 overhead, gas, all of the work that would go into  
22 doing something like that would be a little  
23 difficult in my estimation.

24 But I will say that the amount of money  
25 that they are receiving now for vehicles may not be

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2 as high as it was before. And it may be more  
3 trouble for the salvagers to respond in a timely  
4 manner to the abandoned vehicle officer's request  
5 for removal.

6 COUNCILWOMAN TASCO: Well, it has been a  
7 problem ever since I have been on Council. And, you  
8 know, we've got to find a way to deal with it.

9 I went out last Election Day and I went  
10 to -- every polling site I went to, the only concern  
11 that was raised -- and it happened to other  
12 councilmembers, because we came back that Thursday  
13 and all three of us introduced resolutions to have  
14 hearings on abandoned cars.

15 Because that was the number one and the  
16 only complaint I got all day long about cars that  
17 have been sitting for months, in some cases a year.  
18 And the neighbors couldn't get any response to get  
19 them removed.

20 And so Councilwoman Miller, Councilman  
21 Ortiz and Councilman Mariano, we all came in with  
22 the same resolution, because that was the complaint  
23 we had, and we are all in the 35th Police District.

24 MR. CERTAINE: Yeah. I must say,  
25 Councilwoman, that I know in the Managing Director's

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2 Office and with what I know of the Police Department  
3 operations in the area of abandoned vehicle removal,  
4 they do an excellent job in the areas that I've  
5 worked with them with limited resources.

6 We, as I said before, from time to time  
7 we try to augment their efforts by asking the Office  
8 of Fleet Management to provide additional tow trucks  
9 to go into areas to help the abandoned vehicle  
10 officer with the kinds of removal that you are  
11 talking about. We call them sweeps.

12 But as soon as it gets done, as soon as  
13 we do it and are proud of our effort, within a week  
14 or two weeks, we can ride through the same area and  
15 see it recurring at a -- sometimes at a faster rate.

16 But it doesn't mean that we would  
17 diminish our efforts. And I am sure if the police  
18 department had some insight on some additional help  
19 that they could use in getting this done, we would  
20 be more than willing to consider it and help them  
21 out with it.

22 COUNCIL PRESIDENT VERNA: Are you  
23 finished, Councilwoman?

24 COUNCILWOMAN TASCO: Yes.

25 COUNCIL PRESIDENT VERNA: Thank you.

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2 Are there any other questions from  
3 members of the committee?

4 Mr. Certaine, thank you very much.

5 MR. CERTAINE: Thank you, Council  
6 President Verna.

7 COUNCIL PRESIDENT VERNA: The Police  
8 Department is next to testify.

9 Good morning, Commissioner, please  
10 identify yourself for the record, and proceed with  
11 your testimony.

12 COMMISSIONER TIMONEY: Yes. Good  
13 morning. I am John F. Timoney, Police  
14 Commissioner. With me today is Deputy Commissioner  
15 Tom Nestel and the Fiscal Officer, Tom DeWaele.

16 If I may, Madam President, before I  
17 begin the formal testimony, on the submitted  
18 testimony, obviously why I am testifying today, is a  
19 synopsis of the formal submitted written testimony.

20 There are two typos or mistakes that I  
21 would like to correct for the record. One of them  
22 is on Page 10, dealing with the Quality Assurance  
23 Bureau. It says the Quality Assurance Bureau is set  
24 up for the sole purpose of ensuring accuracy of  
25 crime statistics.

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2 That is one of the purposes. It also  
3 does a whole host of other quality endeavors:  
4 making sure that the districts are up to snuff with  
5 regards to policy, and a whole host of other  
6 things. So the word "solely" is kind of misleading.

7 Also on Page 13, in the areas of  
8 homicides. It says that 70 percent of homicides  
9 were committed with guns. The actual figure is 80  
10 percent. It has never dropped below 80 percent in  
11 the last ten or 12 years, so that 70 percent is a  
12 typo. It should read 80 percent.

13 So with those two corrections with the  
14 official submitted testimony, I will begin.

15 The Police Department's General Fund  
16 budget requests for FY 2000 is \$388 million. The  
17 General Fund Request will provide for 6,903  
18 uniformed officers, 974 civilians, 1,000 school  
19 crossing guards, as well as three classes of 100  
20 recruits in each class.

21 In addition to the above personnel  
22 levels, 105 officers in the Airport District will  
23 bring our total sworn force to 7,008 police  
24 officers.

25 At this time last year you may remember

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2 I was introduced to you and the City of  
3 Philadelphia. At that time I stated that working  
4 for Mayor Rendell would be fun, and so in March of  
5 1998 I began my tenure as Police Commissioner.

6 Well, my assumption about working for Ed  
7 Rendell was correct.

8 COUNCIL PRESIDENT Verna: Has it been  
9 fun?

10 COMMISSIONER Timoney: It has been more  
11 than fun.

12 COUNCIL PRESIDENT Verna: Okay. I won't  
13 ask you to elaborate on that.

14 COMMISSIONER Timoney: Some would say  
15 funny.

16 At any rate, my assumption regarding Mr.  
17 Rendell was absolutely correct; his energy and  
18 enthusiasm for the City is contagious. And I  
19 quickly learned to love the city that loves you  
20 back.

21 When I started, it was a difficult time  
22 for the police department, and it still is a  
23 difficult time for the Police Department. We have  
24 severe problems dealing with homicides, robberies,  
25 burglaries, assault, which often are fueled

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2 primarily by illegal drugs, and this has left the  
3 people of Philadelphia sometimes fearing of being  
4 unsafe in certain parts of the City.

5 It has become obvious to me that changes  
6 have to be made to deal with the fallout from the  
7 illicit narcotics activity.

8 One of my first tasks as police  
9 commissioner was to evaluate the entire department,  
10 its personnel, how it was organized structurally,  
11 the resources for some of these. And, yes, also,  
12 its will to do the job it has been required to do.

13 I found the department comprised of  
14 intelligent, energetic, and motivated, as well as  
15 competent personnel. Yet in many cases their  
16 talents were not being fully utilized. I have  
17 changed that, I think, in some respects.

18 The personnel reassignments: We have  
19 created new assignments. We have empowered our  
20 commanders. These are just some of the hallmarks of  
21 this administration.

22 Today the Department has a new  
23 organizational structure. All field operations are  
24 now under the responsibility of one Deputy  
25 Commissioner of Operations.

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2 We have a Deputy Commissioner of Science  
3 and Technology who is appointed with the charge to  
4 integrate all science, computers and technology.

5 We also have a Deputy Commissioner of  
6 Internal Affairs who reports directly to me. In  
7 other words, to unify the three internal affairs  
8 units that existed as I took over.

9 We have reduced the patrol divisions  
10 from nine to six, the detective divisions from seven  
11 to six, and we have coordinated and collated and  
12 centralized all detective operations underneath one  
13 chief of detectives.

14 Today's department can boast of a new  
15 organizational structure, which fights crime much  
16 more effectively, I think, and also, much more  
17 efficiently.

18 Since arriving I have changed the  
19 Department's infrastructure to support increased  
20 communications, the sharing of information, and  
21 continued learning.

22 With mandatory attendance at weekly  
23 COMPSTAT meetings where the Department's top  
24 managers use computerized statistics and detailed  
25 crime maps to evaluate the effectiveness of a police

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2 district's crime fighting strategies, we are  
3 becoming more proactive in our approach to fighting  
4 crime.

5 Further, we have begun to review changes  
6 in our department's policies and procedures along  
7 with our discipline and training. And rather than  
8 go into a whole host of areas, we can spend the rest  
9 of the day going over some of the changes, some of  
10 the goals, objectives, some of the changes we've  
11 done, looking to do.

12 Let me just highlight some of the  
13 significant programs, some of the accomplishments,  
14 some recent changes, and I really have goals and  
15 objectives for the future.

16 I am happy to report as 1998 went down,  
17 homicides were down a significant 19 percent. The  
18 real significance for me is that this is the first  
19 time since going back to 1987 that the number of  
20 homicides in Philadelphia went below 400. Prior to  
21 that it had always been between 410 and 430 and  
22 higher. It came in last year around 340 homicides.

23 But we have a long way to go with the  
24 issue of homicides and guns. And I will address  
25 that later, and I'm sure it will come up in some of

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2 the questions. Because we need in addition to what  
3 the Police Department is doing, we need help if we  
4 are to get further decreases in homicide.

5 This year I am happy to report the ever  
6 present problem of stolen cars. We, through our  
7 successful efforts of about three or four different  
8 programs, have reduced the stolen cars by 15  
9 percent, a significant 15 percent last year.

10 As you are all aware, our emphasis  
11 coming in was in the narcotics game, and our  
12 narcotics arrests has increased by 70 percent, which  
13 is a huge number, from around 10,500 to over 18,000  
14 narcotics arrests last year.

15 Operation Sunrise is a program that we  
16 began in the east police district in mid-June that,  
17 in my opinion, has been successful to date.  
18 However, we are not, I don't think, even a third of  
19 the way through that targeted area. We are still in  
20 Phase 2, we still have Phase 3 and 4 to go.

21 We've had a lot of success, a lot of  
22 arrests, over 2500 arrests so far, almost \$2 million  
23 confiscated in drugs, 73 firearms, almost half a  
24 million dollars in U.S. currency. So the program I  
25 think has been a success, but a qualified success,

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2 because as I say, we are not even halfway there.

3 As you are well aware, you may have seen  
4 the papers, we have the new aviation unit that came  
5 on-line in fall. And I must say from personal  
6 experience up in New York, the way we are using the  
7 new aviation unit in the Philadelphia Police  
8 Department is much more imaginative, much more  
9 proactive than we did in New York.

10 And they've got already, just in three  
11 or four months of operation, a great number of  
12 success stories in crime fighting and recovering  
13 over \$1 million worth of stolen cars. And being  
14 actively involved and actually taking charge of 15  
15 police chases, which as you are well aware are  
16 inherently dangerous not only for the police  
17 officers involved, but for innocent citizens that  
18 may happen to be on the present street where a  
19 police pursuit is getting involved.

20 So I will be quite honest with you, I  
21 had my doubts about the aviation unit before I came  
22 on board based on my experience in New York. I am  
23 happy to report that I am absolutely thrilled and  
24 excited so far by the performance of the aviation  
25 unit.

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2 We have been quite successful, thanks to  
3 Inspector McJanick in securing a lot of funding  
4 through a variety of federal and state and local  
5 grants last year to a tune of about \$112 million,  
6 including the Cops Ahead Program.

7 The 911 Emergency Center, in September  
8 of 1998, we completed our \$4.1 million program to  
9 upgrade the technology in supporting the City's 911  
10 system. And then in December of 1998 the department  
11 took delivery of computer hardware needed to create  
12 computer mapping the system from 911 calls.

13 And again, I would venture to guess that  
14 the 911 system in Philadelphia is equal to and in  
15 most cases would surpass 911 systems throughout the  
16 United States.

17 Again, just a personal comment: I've  
18 made it clear that there are lots of problems that  
19 we need to deal with within the Philadelphia Police  
20 Department, a lot of things that have been left  
21 neglected. But in the area of science and  
22 technology, most people don't believe this, but the  
23 Philadelphia Police Department is equal to and  
24 actually way ahead of most police departments in  
25 this country.

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2 So there are some good things that are  
3 going on in the Philadelphia Police Department. We  
4 hope to make a lot more improvements. But before I  
5 got here, in the area of science and technology,  
6 this department was way ahead of most police  
7 departments, including the one of NYPD.

8 We are in the process of upgrading many  
9 of our police facilities. The narcotics division  
10 has expanded some of its headquarters to Frankford  
11 Arsenal on G Streets.

12 We have relocated some very important  
13 units. The EEOC unit, the Gun Permits Unit,  
14 Community Relations Unit, Civil Affairs Unit, the  
15 Conflict and Prevention Unit from that dilapidated  
16 building down there at 319 Race Street, and we have  
17 moved our 911 training from 1600 Arch, along with  
18 some of those other units, to a new revitalized  
19 facility at 990 Spring Garden.

20 Additionally, our Internal Affairs Unit  
21 is moving from dual locations at Race and 1700  
22 Pattison to a modern office space at 7790 Dungan  
23 Road.

24 In addition, you are aware that the  
25 plans are on the table now for the new construction

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2 of the new 24th and 25th Police District.

3 Additionally, I will add, which is of  
4 extreme importance to me, we have in conjunction  
5 with the Capital Program Office, which has been  
6 designed with a new laboratory, which will be  
7 located at the old Wister School at 8th and Poplar  
8 Street.

9 The construction of this fully-funded  
10 lab in the year FY 2000 Capital Budget will be a  
11 state-of-the-art and nationally accredited forensic  
12 laboratory when it is completed.

13 We have a good number of people involved  
14 in this, including people from the academic  
15 community. And we think by the time we are finished  
16 with this lab and some of the changes we are making  
17 regarding how the lab is operated, that we will have  
18 one of the finest scientific facilities in the  
19 nation.

20 Some of the more significant department  
21 programs, obviously the COMPSTAT program existed  
22 before I got here, the meetings once a week, but I  
23 think we have now refined them to a greater extent.

24 And I think they are much more  
25 meaningful and much more productive when we bring in

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2 department leaders, our commanders once a week,  
3 where they are grilled by the top brass of this  
4 department regarding what they are doing to deal  
5 with issues of crime, quality of life, disorder and  
6 things of that nature; in other words, they are  
7 being held accountable for what goes on in their  
8 districts.

9 We have the Crime Analysis and Mapping  
10 Unit. And I am not exaggerating when I say this:  
11 Our mapping unit, I would invite anybody here to  
12 come view the mapping unit within the Philadelphia  
13 Police Department.

14 The mapping unit in the Philadelphia  
15 Police Department is being run by three graduate  
16 students from the University of Pennsylvania.

17 And they have taken this whole issue of  
18 mapping to a new level, that we are far ahead, I  
19 think, of almost every police department in the  
20 country in the area of mapping. That's thanks to  
21 having qualified civilian people who have degrees in  
22 Computer Science doing what computer scientists do  
23 as opposed to pulling a sergeant or a lieutenant in  
24 from the street who may be a computer hacker and  
25 asking him to develop these rather sophisticated

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2 programs.

3 So in the area of mapping, I defy anyone  
4 in the country to come up with a comparable  
5 program. And I invite anyone in the council chamber  
6 to come view it for yourself. And we have had  
7 people all over this country come view it, including  
8 Lorie Robinson just two weeks ago.

9 She is the number three person at the  
10 Justice Department who was quite literally taken  
11 aback by not just the computer mapping, but coming  
12 to COMPSTAT and seeing how it is done.

13 And so there are a lot of people in the  
14 area of COMPSTAT and computer science in Washington  
15 or places like that looking at the Philadelphia  
16 Police Department. And we invite people to look,  
17 because we are proud of the work we are doing.

18 The MDTs, the MDT program that got  
19 underway under Commissioner Brennan as a result of  
20 that unfortunate incident with Eddie Polec, is well  
21 underway to meeting all the set-out criteria at the  
22 end of the year.

23 By the end of November, we had 550 MDTs  
24 installed in police cars and more cars throughout  
25 the City. That number is now up over -- around

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2 650.

3 A lot of money has been spent by the  
4 Rendell Administration in making sure that this  
5 program is up and running, and it is. And I ride in  
6 the police cars myself, and they are in there and  
7 they are being utilized.

8 And they are saving very valuable  
9 airtime running license checks, running criminal  
10 checks. And that whole program has been quite  
11 successful. But it was done at great cost, both  
12 monetary and personal effort, by the Rendell  
13 Administration with the police department. It is  
14 something I think they can be proud of.

15 Recovered stolen vehicles, we're about  
16 to implement a program using private towers when we  
17 recover a stolen vehicle as opposed to an abandoned  
18 vehicle, a stolen vehicle out on the streets of  
19 Philadelphia.

20 We will notify the private towers and  
21 they will be taken to a secure location so that they  
22 are not further vandalized or damaged or have parts  
23 stripped before the owner can rightfully come and  
24 reclaim his or her stolen car.

25 The Anti-Truancy Program we began in

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2 October under Inspector Fox, a citywide program.

3 While we had a truancy program before I got here, my  
4 sense was it was not a citywide program, that it  
5 depended from neighborhood to neighborhood and  
6 different parts of the City got truancy programs,  
7 other parts didn't.

8 There was an uneven enforcement of the  
9 truancy laws, and so we have come up with a much  
10 more comprehensive citywide program in conjunction,  
11 by the way, with the Board of Education and Dr.  
12 Hornbeck, who has been very cooperative from the  
13 get-go.

14 And our offices are reporting back to us  
15 now, which we expected, that it has become  
16 increasingly difficult to find the kids.

17 It doesn't mean that they are not still  
18 playing hooky or being truant, but that they are not  
19 hanging out in the malls and in the subways and in  
20 the public spaces. They are actually -- if they are  
21 playing hooky, they are staying home or going to  
22 friends' houses.

23 So the idea of lots of kids out on the  
24 streets, out of school, it is still happening. But  
25 not in the numbers, for example, that was happening

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2 in September and October. But we have not taken our  
3 eye off the ball. We will continue to increase our  
4 efforts or keep up our efforts in that area.

5 Some recently implemented changes I had  
6 mentioned earlier: We established the position of  
7 First Deputy Commissioner; we also established the  
8 position of Commissioner Mitchell as the Executive  
9 Officer for Operations to help Commissioner Johnson  
10 run the day-to-day operations.

11 I had mentioned we have a new Deputy  
12 Commissioner of Science and Technology, Charlie  
13 Brennan. Again, a new Deputy Commissioner of  
14 Internal Affairs, John Norris, seated behind me,  
15 also. And so those changes have been welcome.

16 We have unified all detective operations  
17 under a single Chief of Detectives.

18 Now, that goes and flies against some of  
19 the more recent changes in some departments  
20 throughout this country, where it seemed to make  
21 sense, at least on paper, that you have a division  
22 inspector responsible for the uniform and  
23 responsible for the detectives in a given area.

24 It seems to make sense on paper because  
25 it looks like the inspector has the wherewithal to

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2 move detectives if and when needed, and it always  
3 looks good on paper.

4 When you look at it in actuality,  
5 running three or four districts that these  
6 inspectors are expected to run, what they wind up  
7 doing is devoting 99 percent of the time to uniform  
8 problems, which are enormous, and kind of neglecting  
9 the detective area.

10 And so having tried it both ways on  
11 numerous occasions throughout my 30-odd year history  
12 of policing, I've come to a conclusion that when it  
13 comes to detectives, they are better off having a  
14 unified detective division underneath Chief of  
15 Detective who I can hold responsible and accountable  
16 on a daily basis on what his detectives are doing.

17 And so far Chief Inspector Maxwell has  
18 done a remarkable job in completely revamping the  
19 entire detective division and also getting more and  
20 more out from behind the desks, from routine  
21 clerical work, to getting them doing actual  
22 proactive investigations.

23 There are a few other things that we  
24 have established. I mentioned earlier Quality  
25 Assurance Bureau, which addresses issues of quality,

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2 to making sure that programs and policies that we  
3 send forward are actually being implemented.

4 They've done of necessity a remarkable  
5 job of counting the crime statistics for 1998.  
6 Because we realized that -- it wasn't my intent when  
7 I first had that unit to actually count the numbers  
8 one by one, but it became increasingly clear to me  
9 that it was going to have to be done with the  
10 Quality Assurance Bureau to make sure, at least, for  
11 1998 you had a good base year. And so they engaged  
12 in a lot of labor-intensive efforts.

13 We hope to not have to repeat that  
14 process in 1999. And we are looking, with  
15 assistance, with Professor Larry Sherman and some  
16 people who were trained in sampling, to train our  
17 Quality Assurance Unit in doing scientific sampling  
18 to be able to make sure that our data is correct and  
19 it is accurate.

20 I can let you know that we have done  
21 some sampling for the first month of January, and  
22 depending on what Police Department, there is always  
23 a degree of -- an error rate of any sampling that is  
24 tolerated.

25 If it is polling, it is about 5 percent;

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2 if you are doing more scientific stuff for crime, it  
3 would be 3 or 2 percent. But so far our error rate  
4 is under 1 percent, and so we are quite happy. We  
5 think we are on the right track, but we are not  
6 going to take our eye off the ball.

7 There is still vast improvements we need  
8 to make in the whole crime reporting system, but  
9 that is much more of a long-term goal for the  
10 department along with reviewing the whole issue of  
11 911.

12 Let me quickly just mention some other  
13 things: I appointed a special adviser. Actually,  
14 my very first week upon taking office, a special  
15 adviser on the whole issue of education and training  
16 reported directly to me, and that is Inspector  
17 Cooney. And he has done, along with the academy  
18 staff, a remarkable job of helping to revamp the  
19 curriculum up there.

20 But even more important than that  
21 curriculum, actually attempting to instill in this  
22 department a recognition for the need of formal  
23 education not just to better the officers  
24 themselves, which it will, but also to give them a  
25 better view of the world in which they deal with,

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2 the very diverse world, a multi-complex world.

3 I think formal education for a police  
4 officer in this day and age is just -- it is just a  
5 must. And so I am real happy with the efforts that  
6 Inspector Cooney has done.

7 I am also very happy with the response  
8 on the part of some of the local colleges who have  
9 been terrific in their response toward us. And last  
10 September up at the Academy we began numerous  
11 college courses. And we have hundreds of police  
12 officers going to college for the first time, others  
13 returning to college having dropped out some years  
14 ago. And we have still others, particularly in the  
15 senior ranks, enrolled in a variety of masters'  
16 programs, Master's of Criminal Justice and MBA  
17 programs. And so I am quite heartened by that.

18 We have established in the last contract  
19 negotiations a whole new work schedule that we think  
20 is much more efficient. It gets more officers on  
21 the street when we need them.

22 We have developed a career path, which  
23 in some small way -- I would like to say a large  
24 way, but in some small way, given the constraints of  
25 a one union town and a Civil Service System and an

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2 arbitration system run amuck, but in some small way  
3 try to develop a system, a career path that rewards  
4 good workers.

5 That in some small way begins to develop  
6 a meritocracy where the Police Commissioner or the  
7 Chiefs or the Deputy Commissioners can actually  
8 reward people for doing good work as opposed to  
9 justifying every move you make to a union or to an  
10 arbitrator or a Civil Service Commission.

11 We have really increased our allocation  
12 of our -- not only our money, but our personnel in  
13 the war against drugs. If we are eventually to  
14 succeed in getting violent crime under control, we  
15 have to go after the issue of drugs, drugs and guns.  
16 And we've made a good effort.

17 Commissioner Johnson has completely  
18 revamped how the Narcotics Division is structured,  
19 how it is organized. It is more of a turf-based  
20 modular team lead, one sergeant, five or six  
21 investigators, two undercovers. It is a much more  
22 professional model.

23 But I still think -- we are still in the  
24 process of reassessing personnel throughout the  
25 department. And while I don't want to make a

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2 commitment publicly right now as far as to numbers I  
3 would like to reach, I still think we need to put  
4 more people in the Narcotics Division.

5 But before we can go and do that in a  
6 safe, equitable manner, we need certain help in  
7 other areas of freeing officers from patrol and  
8 hiring civilians, and things like that.

9 We may not necessarily need more police  
10 officers, but we need to find more police officers  
11 that may be doing things other than police work.

12 I won't bore you. Some of the other  
13 changes you may have read. In July we went to  
14 videotaping confessions now in very serious cases,  
15 particularly homicide cases. It is a move that was  
16 long overdue.

17 And if you don't think it's important, I  
18 will point you to a case up in New York just last  
19 week where a confession was gotten by New York City  
20 detectives in a very prominent case where a young  
21 high school teacher, Jennifer Levin, by the son of  
22 the head of Time Warner, was killed in his  
23 apartment. And the detectives up there got a  
24 confession from one of the killers, allegedly one of  
25 the killers.

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2 And when that trial went to the jury,  
3 the young man was found not guilty because the  
4 confession was not taped. And the jurors -- I hate  
5 to say this, but throughout this country, police  
6 departments and police officers are suffering from a  
7 deficit of community confidence, of public trust.  
8 And it is something that every -- not just this  
9 department, but every department in this country has  
10 got to work towards.

11 There has been some issues over the last  
12 ten and 15 years, whether it is Rodney King or a  
13 whole host of things like that, where we have, under  
14 the glare of cameras, police misconduct, whether it  
15 is corruption scandals or Rodney King or something  
16 like that that has eroded public confidence, public  
17 trust in the police department.

18 And that is not just in polling data.  
19 That starts to reflect itself when you go before  
20 juries, men and women of your own peers. People  
21 say, you know, I read in the papers that the cops  
22 are corrupted, they are brutal. And it has a very  
23 damaging corrosive effect on the believability or  
24 the credibility of the police officers.

25 And it starts to show up in decisions

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2 that on the face of it seem not to make sense. I  
3 mean, so I think the department, not just this  
4 department, but other departments, we have got a lot  
5 of work to do as far as enhancing our image and  
6 improving our professionalism so that we can regain  
7 the confidence of people.

8 And finally, let me just -- some of the  
9 goals and objectives of the future: We are looking  
10 to continue our efforts in reducing crime, especially  
11 violent crime. But at the same time -- and I know  
12 there are certain members that don't believe me on  
13 this, but I actually do go out to the roll calls and  
14 try to emphasize to our police officers that, yeah,  
15 we've got to get the violent crime and the robberies  
16 and the burglaries and the serious crime, but at the  
17 same time we also have to deal with quality of  
18 life.

19 And I have not forgotten my commitment  
20 to deal with quality of life. But let me just say  
21 that it is a lot harder doing than -- it is easy to  
22 get cops jacked up to go out there and answer the  
23 sexy radio runs and the robbery in progress and  
24 shooting in progress.

25 It is a lot harder to get them out there

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2 and understand that graffiti and abandoned autos and  
3 things that men and women face on a daily basis also  
4 affect their perceptions of crime.

5 But trust me, it has not fallen on deaf  
6 ears. The complaints I get from councilmembers,  
7 from community meetings, from community groups, we  
8 have had some modest success in that area, but not  
9 enough for me.

10 And we've had meetings as recently as  
11 yesterday, but even two weeks ago, where we are  
12 going to come up with a citywide strategy and hold  
13 officers' feet to fire in the area of quality of  
14 life, because it is something that needs to be  
15 done.

16 Finally, if we are to do really  
17 significant good things with regards to violence in  
18 this town, clearly we have to deal with narcotics.  
19 But just as important as the narcotics is the  
20 availability of guns in this city and this state.

21 It is just -- in my opinion, we need to  
22 do something. We need some help from Harrisburg.  
23 There are -- we are quite fortunate that we can  
24 actually point now to other states; for example,  
25 Virginia, the state that five or six years ago you

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2 could buy a gun across the counter, buy as many as  
3 you want.

4 When I was up in New York and I  
5 conducted an analysis of the guns confiscated in New  
6 York. About 90 to 95 percent of all guns  
7 confiscated in New York came from five southeastern  
8 states.

9 But as a result of the changes of laws  
10 in those southeastern states, particularly  
11 Virginia -- Virginia was accounting for about 60  
12 percent; I think that was the number, 60 percent of  
13 the illegal guns coming to New York. That figure --  
14 I spoke to Commissioner Shaffer at a conference last  
15 week, the figure is like under 10 percent.

16 So when people pooh-pooh the idea of one  
17 gun a month, they do not quite literally know what  
18 they are talking about.

19 One gun a month is what the Mayor has  
20 been trying to get accomplished in Harrisburg. It  
21 is not an attack on the Constitution; it is not  
22 eliminating the right to bear arms. What it is  
23 trying to do is bring some reasonableness and some  
24 common sense into the whole issue of buying guns,  
25 not just in Pennsylvania, but in Philadelphia.

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2 I could go on and on and on, but why go  
3 on and on and on when I am sure we will get much  
4 more done by pertinent questions and more  
5 interesting questions from members of the Council.

6 So thank you, Madam President, for your  
7 indulgence.

8 COUNCIL PRESIDENT VERNA: Thank you,  
9 Commissioner.

10 If you don't mind, I just have a couple  
11 of questions that I would like to ask.

12 Your FY 2000 budget reduces General Fund  
13 uniform overtime by over \$900,000. Can you tell us  
14 how you are going to be able to accomplish this  
15 reduction, and will it impact your ability to meet  
16 your mission?

17 Will the security of the Republican  
18 National Convention impact your department's  
19 overtime budget, and if so to what extent?

20 COMMISSIONER TIMONEY: Yeah. A couple  
21 of things: One, the issue of overtime. We had  
22 promised the Administration last year, last June,  
23 that we would make every effort to reduce the  
24 overtime budget, which I thought and still think  
25 there is plenty of room for improvement; however,

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2 there is nothing like speaking out of ignorance, and  
3 I do that a lot. And so I just assumed there were  
4 certain things I could do by myself to get that  
5 number down.

6 It has now become quite clear to me that  
7 some of my assumptions may have been faulty then,  
8 particularly in the area of court overtime --

9 COUNCIL PRESIDENT VERNA: I am so glad  
10 that you mentioned that.

11 Of the more than \$24 million in  
12 overtime, how much of that is in court overtime? I  
13 think it is astronomical. And I don't know why we  
14 can't work something out between the DA's office and  
15 court system and the Police Department.

16 I worked in the DA's office many moons  
17 ago, and I remember that police officers would be on  
18 call. I understand that they no longer do that. I  
19 mean, there are a lot of issues --

20 COMMISSIONER TIMONEY: There are, trust  
21 me.

22 COUNCIL PRESIDENT VERNA: -- that should  
23 be addressed. I think that court overtime is  
24 astronomical. How much is it? The last -- I would  
25 like to hear your figure.

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2 DEPUTY COMMISSIONER NESTEL: Councilwoman,  
3 Tom Nestel, Deputy Police Commissioner.

4 Our court overtime -- if you remove  
5 reimbursable funds, our court overtime accounts for  
6 better than 50 percent of our total overtime cost.

7 As the commissioner mentioned, we have  
8 been working very, very closely with the District  
9 Attorney's Office for the last few months. We think  
10 we are making some inroads into that court overtime,  
11 both in-house and with the district attorney.

12 We are both working very, very hard to  
13 reduce the number of people of going to the court,  
14 to ensure that only those necessary are subpoenaed  
15 and to ensure that only those necessary appear on  
16 the reports to go to court, on the arrest reports,  
17 because it starts right at that level.

18 COMMISSIONER TIMONEY: Yeah. If I may  
19 just jump in, also. One of the things, you know, it  
20 is very easy for me to criticize the DA's office, to  
21 criticize the judges. But I think before you can  
22 take that step, I have to criticize myself and my  
23 own management staff and look at what improvements  
24 have we made before we go complaining to Lynn  
25 Abraham and then go to the judges.

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2 And so we have made as many changes as we  
3 think we possibly can by ourselves as sole actors.  
4 We got the district commanders involved, reviewing --  
5 I mean, I hate to waste their time, but they are  
6 reviewing subpoenas at 5 or 6 o'clock at night, but  
7 I mean, that's what it has gotten down to.

8 So we have set up systems in-house, but  
9 that is only part of it. We now have met, and we  
10 are meeting on a regular basis with Lynn Abraham's  
11 people, Arnie Gordon. And I have met with Lynn  
12 myself.

13 And now we are putting -- she is fixing  
14 up her house; I am fixing up my house; we are fixing  
15 up both of our houses. And then together, we are  
16 actually going to go over and meet. We have set up  
17 an appointment to meet with the judges, because we  
18 also need the assistance of the judges.

19 But we think we have a program in line  
20 that will help us get this overtime monster under  
21 control. But let me tell you, it is a lot more  
22 difficult than I assumed. And let me also be quite  
23 frank, it is also part of the culture of  
24 Philadelphia.

25 And I tell you how it is part of the

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2 culture. We get arbitration cases time and time  
3 again where a police officer may have been  
4 transferred from one assignment to another  
5 assignment, and so the arbitrator rules against us,  
6 and says that Officer Timoney has got to go back.  
7 And guess what, you also have to give him that  
8 overtime he would have earned. What overtime he  
9 would have earned?

10 There is a presumption that you are  
11 going to make overtime. That is a ludicrous  
12 presumption, but that is a presumption that even  
13 arbitrators make. And I think that is part and  
14 parcel to the culture surrounding this whole issue.

15 I mean, it is just -- it is -- overtime  
16 is like a God-given right as opposed to a management  
17 prerogative. That is part of the thinking we have  
18 got to change.

19 COUNCIL PRESIDENT VERNA: Well, I am  
20 very happy to hear that you are looking into that  
21 matter, because as I said, I think it's running away  
22 with us. I really do.

23 COMMISSIONER TIMONEY: I wanted to  
24 comment on the Republican Convention. And it is --  
25 we think we can handle any operation. Clearly,

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2 there is going to be operational impact, but we can  
3 handle it through overtime.

4 Now, I ran the 1992 Democratic  
5 Convention in New York, and I was given an overtime  
6 budget of \$6 million. I handed back at the end of  
7 that convention \$3 million to Mayor Dinkins. I was  
8 very proud of that.

9 But recognize that the ability to manage  
10 the New York City Police Department and the ability  
11 to manage the Philadelphia Police Department are two  
12 entirely different monsters, if you will. There was  
13 a lot more management prerogatives up there that I  
14 could do.

15 The second part that compounds the issue  
16 here for overtime -- it was something that we tried  
17 to deal with in the last labor negotiations. Even a  
18 rookie coming out of the academy, even a rookie  
19 coming out of the academy gets a piece of the summer  
20 as vacation. It is an insane situation. We tried  
21 to win that in the last labor negotiations and we  
22 lost it.

23 In other police departments, if you are  
24 a rookie or even three or four or five years, you  
25 wouldn't even think about getting part of the summer

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2 off. Here, the minute you get out of the academy,  
3 you are guaranteed a part of the summer.

4 Well, the summer is only a few months.  
5 And if everyone gets a piece of the summer, it means  
6 there are more people off during the summer than are  
7 absolutely necessary.

8 COUNCIL PRESIDENT VERNA: For the first  
9 year, do they get a week's vacation or --

10 COMMISSIONER TIMONEY: They get a piece  
11 of the summer.

12 Is it a week or two, Tom?

13 DEPUTY COMMISSIONER NESTEL: They get  
14 two weeks vacation.

15 COMMISSIONER TIMONEY: So when you do  
16 the math -- let me just give you an example. And I  
17 am not using New York City as a way to do it, just  
18 as an example.

19 In New York at any one time -- and most  
20 police departments are like this -- no more than 12  
21 percent of the force can ever be off at the same  
22 time. Well, here when you actually do the math, in  
23 the summer it's up over 20 because of that.

24 And so -- and so what we need to do in  
25 the summer then is offset that with overtime, which,

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2 again, drives up the overtime bill.

3 COUNCIL PRESIDENT VERNA: Sure.

4 COMMISSIONER TIMONEY: So that is the  
5 operation implications for the Republican  
6 Convention.

7 COUNCIL PRESIDENT VERNA: Commissioner,  
8 when is it expected that the Police Information  
9 Control Center will be implemented?

10 COMMISSIONER TIMONEY: Is Johnny here?

11 DEPUTY COMMISSIONER BRENNAN: Madam  
12 President, I'm Charles Brennan. I'm a Deputy Police  
13 Commissioner.

14 We have just finished the requirements  
15 for that system. And we have submitted a  
16 preliminary draft of those requirements and an  
17 application to the productivity bank and we are  
18 still working out prices. So we are in the very  
19 beginning of that process.

20 COUNCIL PRESIDENT VERNA: Thank you.

21 Commissioner, in your testimony you  
22 state the mission of the Police Department. Does  
23 the FY 2000 budget that is before City Council  
24 provide you with the necessary funding in order to  
25 accomplish your mission?

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2 COMMISSIONER TIMONEY: I think so. I  
3 think, again, are there -- I think the better  
4 question -- I think the money is fine. I think the  
5 better question is, can the department be run more  
6 efficiently, and the answer is, yes, without a  
7 doubt.

8 But, for example -- well, let me give  
9 you one example: Commissioner Estel, as part of our  
10 complete look at the Philadelphia Police Department,  
11 how it is set up, personnel deployments, we were  
12 able to identify, Commissioner Estel's staff, at  
13 least around 500 what we consider civilianizable  
14 positions, where officers are performing jobs that  
15 can be otherwise performed as a civilian.

16 During the last labor negotiations we  
17 tried to get permission to civilianize some of those  
18 positions. We lost. An arbitrator said no, these  
19 are God-given rights that have accrued down from the  
20 mountain.

21 And even though it is a mundane,  
22 clerical task, that is a God-given right for a  
23 uniformed police officer. So that doesn't help in  
24 running the Department.

25 COUNCIL PRESIDENT VERNA: That's crazy.

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2 Thank you.

3 The Chair recognizes Councilman Nutter.

4 COUNCILMAN NUTTER: Thank you, Madam  
5 Chair.

6 Good morning.

7 COUNCILMAN DICICCO: Point of  
8 information. If I may, I have a speaking engagement  
9 at 12 o'clock, and I have one brief question, and I  
10 was wondering if the councilman would be kind enough  
11 to yield to me for that one question?

12 COUNCILMAN NUTTER: Sure.

13 COUNCIL PRESIDENT VERNA: The Chair  
14 recognizes Councilman DiCicco.

15 COUNCILMAN DICICCO: Good morning,  
16 Commissioner. My question has to deal with  
17 quality-of-life issues and primarily the issue of  
18 theft from auto, which is a quality-of-life issue.

19 A couple of weeks ago I was listening to  
20 Councilmember Rizzo's talk show, and there was a  
21 caller who was a former Philadelphia resident who  
22 was complaining about his car had been broken into  
23 on several occasions.

24 COMMISSIONER TIMONEY: Right.

25 COUNCILMAN DICICCO: He has since -- now

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2 moved to the King of Prussia area. And when the  
3 caller hung up, Councilman Rizzo commented on those  
4 kinds of quality-of-life issues and the effect it  
5 has and the impact it has on the residents in the  
6 City of Philadelphia.

7 And he further went on to say that: Not  
8 only is it a problem when your car is broken into,  
9 but the fact of the matter is that it takes -- when  
10 you call 911, it is not like it used to be; the two-  
11 minute response is now one hour.

12 I would like your comments on that.

13 COMMISSIONER TIMONEY: Well, there was  
14 about three questions there, so we will start off  
15 with the issue of car break-ins, and then the other  
16 issue of 911 response.

17 The car break-ins, believe it or not,  
18 we've actually had quite a bit of success in the  
19 last year on the issue of car break-ins. But -- and  
20 I think Inspector Tiano gets him and Lieutenant  
21 Schmidt and the people who work in the 6th and 9th  
22 District -- because a lot of this stuff is not  
23 confined to Center City, but like 98 percent of it  
24 happens in those two districts.

25 What we started to do -- the importance

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2 of doing a crime analysis is, it kind of sends you  
3 to where you want to be; it tells you what are the  
4 questions, and what are the problems.

5 And we started to look at the whole  
6 issue of car break-ins, where they were happening,  
7 and who we were locking up.

8 It turned out that there were at least  
9 five and six -- at least five or six people who we  
10 had arrested at least 25 and 30 times for car  
11 break-ins. And these people were getting no  
12 significant time whatsoever.

13 Now, I am not advocating that you lock  
14 somebody up for the rest of their life for breaking  
15 into a car. By the same token, they shouldn't be  
16 cut loose because they are poor unfortunates or  
17 so-called homeless or something like that. You  
18 still have to be responsible for your criminal  
19 behavior.

20 So, what we did is we created a data  
21 base of the known car break-in offenders, a  
22 recidivist list, if you will. And when we do arrest  
23 those people, Inspector Tiano actually -- I mean,  
24 this is a full inspector -- actually goes to court  
25 and speaks to the judge. Almost like an amicus

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2 curiae saying, you know, Your Honor, we need some  
3 relief, you know, I'm not saying send him away for  
4 the rest of his life, but like give him three or six  
5 months, so we can have a respite.

6 It actually has had a very good effect  
7 on the car break-ins; that in conjunction with a lot  
8 more officers in unmarked cars in the Center City  
9 area and in other neighborhoods, by the way. It's  
10 not just Center City, but the predominance of car  
11 break-ins is in Center City.

12 And let me tell you -- you know I run,  
13 Councilman; I run quite a bit. And I have my route  
14 that I run over by the Parkway every morning. And  
15 when I come back, whether it's in 20 seconds or in  
16 20 minutes, if I see that glass, I go wild, because  
17 I see that cars were broken in overnight, and it  
18 just drives me crazy.

19 And I am on the phone and I'm screaming  
20 at Tiano or the district commander, why aren't we  
21 out there; why didn't we have a cop at the Library  
22 looking out the window. I mean, I get as frustrated  
23 as the next person. But trust me, it really is a  
24 top shelf, front-burner item.

25 As far as the response, the 911

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2 response, clearly, I understand the frustration. If  
3 my car was broken into, I would be furious. But at  
4 the end of the day, it is a property crime, and it  
5 is not a crime in progress.

6 And so sometimes depending on how,  
7 depending on when it happens and how busy that radio  
8 is or if there is a backlog, it may affect your --  
9 you're right, it may take an hour for an officer to  
10 respond. It wouldn't be normal -- it wouldn't be  
11 surprising.

12 But by the same token, let me tell you  
13 right here and now, it never happened in  
14 Philadelphia, it never happened in New York, it  
15 never happened in any police department in this  
16 country where a car was broken into and the cops got  
17 there in two minutes. Trust me. Trust me.

18 We looked at -- our response to crimes  
19 in progress, I just looked at them last week. We're  
20 at about seven and a half minutes. Up in New York  
21 it is ten and a half minutes. This is for the  
22 Category 1 class.

23 So yeah, they may not get there as fast  
24 as they want, but we are still better than other  
25 police departments. Doesn't mean we're satisfied,

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2 but we are in good shape.

3 For the crimes in progress, where  
4 people's lives are in danger, overall we are getting  
5 there in seven and a half minutes. But my sense is,  
6 knowing how police are, it is even less than that.

7 COUNCILMAN DICICCO: I guess that is the  
8 heart of my question, I had a concern. I didn't  
9 think that we could expect police officers to  
10 respond within two or three minutes for a theft from  
11 auto. I understand that perfectly well.

12 But when this message is put out over  
13 the airwaves and thousands of people are listening  
14 to it, I think the message is misinterpreted that  
15 Philadelphia is not a safe place, is not a place you  
16 would want to live.

17 And I fully appreciate the effort that  
18 the police department has always made, and under  
19 your leadership, I personally see a great  
20 improvement everywhere I go. And I am not  
21 patronizing you; I really do see the improvement.

22 But again, when I hear this, to those  
23 people who don't know and to those people who are  
24 just chronic complainers, no matter what we do, for  
25 some reason they need to talk down about

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2 Philadelphia or to criticize what we do here. For  
3 that kind of message to get out, I think is very  
4 detrimental to all of us, and all of the hard work  
5 that all of us are doing.

6 So I wanted to make it clear that it  
7 isn't that it takes an hour for any 911 response, it  
8 is just in certain types or levels of crime or calls  
9 that would prompt an hour or so.

10 But for high crimes, Category 1, we are  
11 within that seven minutes or so, would you say?

12 COMMISSIONER TIMONEY: We are better  
13 than most. Exactly. Yeah.

14 But the other thing is, it doesn't  
15 always take an hour. It takes an hour if it is  
16 busy, but sometimes it wouldn't. I mean, if you  
17 called -- for example, if you happened to come out  
18 at 4 o'clock in the morning, you are going to work  
19 and your car had been broken into and you called  
20 911, I am telling you right now, the 9th District  
21 would be there in less than five minutes. I mean,  
22 there would be nothing else happening.

23 But if it was a Friday night and things  
24 are hopping and you call, a couple things: one, the  
25 report may be taken over the phone by the

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2 differential response if the person is on a list for  
3 the police. But recognize that you may have to wait  
4 an hour.

5 COUNCILMAN DICICCO: Thank you.

6 COMMISSIONER TIMONEY: Thank you,  
7 Councilman.

8 COUNCIL PRESIDENT VERNA: The Chair  
9 recognizes Councilman Nutter.

10 COUNCILMAN NUTTER: Thank you, Madam  
11 Chair.

12 Commissioner, could you make sure that  
13 your photo is available to all of the various news  
14 organizations throughout the City so we can make  
15 sure we have enough photos of you floating around,  
16 so I don't have to --

17 COMMISSIONER TIMONEY: Is that a  
18 complaint or compliment?

19 COUNCILMAN NUTTER: No. It is a  
20 compliment to you. They obviously want more.

21 I would like to talk a little bit about  
22 drug issues in Philadelphia.

23 My recollection of when you came on  
24 board in March is that you had primarily designated  
25 one of the deputy commissioners to be responsible

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2 for drugs; is that correct?

3 COMMISSIONER TIMONEY: Well, when I got  
4 here, Deputy Commissioner Johnson was responsible  
5 for drugs. He still spends, I guess, the best part  
6 of his working hours still involved in the drugs,  
7 but he is also involved in a whole host of other  
8 operational areas.

9 But what he has done is appointed Chief  
10 Inspector Ray Rooney to head up the Narcotics, but  
11 the whole Narcotics Division has been reorganized  
12 under Chief Inspector Ray Rooney, who works directly  
13 for Commissioner Johnson.

14 COUNCILMAN NUTTER: Okay. Approximately  
15 two years ago at this time of year in a budget  
16 hearing I had asked the question, and I would like  
17 to see if I might do better at getting the answer,  
18 how many known drug locations are there in  
19 Philadelphia?

20 COMMISSIONER TIMONEY: There's 4,000; as  
21 of yesterday 4,669, of which 3,230 are inside and  
22 1,439 are outside.

23 COUNCILMAN NUTTER: I'm sorry, give me  
24 those inside/outside numbers again.

25 COMMISSIONER TIMONEY: Inside location,

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2 3230. Outside location, 1439. And that comes from  
3 a variety of sources.

4 By the way, it's not science. It  
5 literally changes on a daily basis.

6 The number comes from a variety of  
7 sources. And so it is not perfect, but it gives you  
8 a pretty good idea of the extent of drug activity  
9 throughout the City.

10 And when -- by the way, I am going to  
11 share this with you. When you plot the locations  
12 out on maps, surprise, surprise, there are certain  
13 neighborhoods that it is concentrated much more so  
14 than others. And then when you start to overlay  
15 shootings and things of that nature, surprise,  
16 surprise, they're in the narcotics area. This isn't  
17 rocket science.

18 But anyway, these numbers come from a  
19 variety of sources. One, obviously, the arrests  
20 made not just by our Narcotics Division personnel,  
21 but any officer that makes a narcotics arrest.

22 Complaints from the general public,  
23 whether they are given through a councilmember and  
24 it gets to our office, or somebody calls 911.

25 You called 911 -- we do not encourage

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2 folks, by the way, to call 911 for drugs. But I go  
3 to community meetings and I understand the  
4 frustration, you see drug dealers and you call, and  
5 you call 911. Those are actually better handled  
6 going through the district captain. But I  
7 understand the frustration.

8 In any event, if you call 911, in  
9 addition to sending a uniformed car there, they also  
10 make out a slip, which also gets routed down to the  
11 Narcotics Division.

12 In any event, everything is put on a  
13 computer database of all the locations. And it  
14 lists, in this case, one to 4,669, but then also the  
15 number of complaints you've got.

16 So there are certain locations -- you  
17 have got over 40 complaints in certain locations.  
18 Where did it come from? Did they come from the  
19 Narcotics Division, or citizens, or what have you?  
20 And then we can collate them and break them down and  
21 desegregate them district by district and block by  
22 block.

23 COUNCILMAN NUTTER: Well, I appreciate  
24 that.

25 (Addressing the press) And I appreciate

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2 that, also.

3 Deputy Commissioner Johnson and some of  
4 the other deputies who are here and other staff  
5 personnel will have a great appreciation for, I  
6 guess, the irony of the moment. As I said, a couple  
7 of years ago I asked that question, the response was  
8 we don't know.

9 And so it's certainly comforting to know  
10 that we actually do know. And I appreciate that the  
11 number changes, probably by the minute. But the  
12 fact that we have some estimate of what's going on  
13 out there does give us a greater comfort level.

14 COUNCIL PRESIDENT VERNA: But a couple  
15 of years ago when we asked how many narcotics  
16 officers we had, I don't think we got an answer to  
17 that either. So I think we are making progress.

18 COMMISSIONER TIMONEY: 429.

19 COUNCIL PRESIDENT VERNA: Thank you.

20 COUNCILMAN NUTTER: His hearing is  
21 getting better and better.

22 But now, Commissioner, something you  
23 said did give me a little pause about what people  
24 should do when they see alleged drug activity or  
25 drug dealers out on the street.

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2 We have been at some level trained, it  
3 has become a part of a mantra, that if you need  
4 police officers to come somewhere, you should call  
5 911.

6 COMMISSIONER TIMONEY: Yeah.

7 COUNCILMAN NUTTER: Your statement a  
8 couple of minutes ago was in some of those  
9 situations you should call the district.

10 COMMISSIONER TIMONEY: Yeah.

11 COUNCILMAN NUTTER: Now, I, as a part of  
12 that training and if not indoctrination over the  
13 past seven years, we have been told to discourage  
14 people from calling the district about live, active  
15 situations because you want to call 911, because you  
16 want it to go in the system, and you want someone to  
17 be dispatched and that the commanding officer is in  
18 no position to dispatch anyone to any particular  
19 location for something like that.

20 COMMISSIONER TIMONEY: Yeah.

21 COUNCILMAN NUTTER: Has there been a  
22 change in policy? And could you tell me what I  
23 should tell folks when I am out at the same meetings  
24 that you are out at and we're both getting our heads  
25 handed to us?

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2 COMMISSIONER TIMONEY: Right. Again, I  
3 am not minimizing and I do understand the  
4 frustration. But if you look at the 911 system, not  
5 just here, this is every major city in America.  
6 There are far too many phone calls to 911. There  
7 are far too many radio cars dispatched to things  
8 that they can do nothing about.

9 And so I will go to meetings -- and I am  
10 not blaming women, but it is often women saying: I  
11 called 911 last night, and a drug dealer was on the  
12 corner and the cops never came, or they came to do  
13 something and I called 30 times.

14 I say: Ma'am, you shouldn't have even  
15 called once.

16 Now, of course, I get heckled when I say  
17 that. I can't offer people not to call 911 unless I  
18 offer them an alternative.

19 And what we've done here as part of the  
20 reorganization of the department is really to  
21 empower district commanders to set up their own  
22 narcotics teams. And we've trained them. We've had  
23 them up at the Academy; you select your commanding  
24 officer, you select your best people, five, six or  
25 seven with the Sergeant, we have them up at the

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2 Academy. I just trained another bunch yesterday. I  
3 went up and spoke, too, myself and Commissioner  
4 Johnson.

5 They can deal with the outside locations  
6 on the corner, because here is what happens: If 911  
7 sends a radio car, there is nothing a police marked  
8 radio car can do regarding narcotics locations,  
9 except tell them to get out of here. There isn't  
10 much you can do.

11 If they make an arrest and you bring  
12 them to court, the judge says, Are you kidding me?  
13 You expect me to believe that story? And they are  
14 going to throw it out. even when you make a  
15 constitutionally, legally sound narcotics arrest in  
16 uniform, people don't believe them. So why even do  
17 this dance?

18 Why not -- let's get officers that are  
19 trained, supervised in plain clothes working,  
20 working. This is in addition to the people who work  
21 for Chief Rooney. Working though, directly for the  
22 district commander, helping him deal with those  
23 narcotics problems on a day-to-day basis.

24 But it also requires -- it also requires  
25 not to pander the people and to be honest with

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2 people. So when somebody goes up to you at a  
3 meeting and says, you know, I have this narcotics  
4 going on here, you say, yes, ma'am, or madam or sir,  
5 whatever it is, give me the location.

6 I can't promise you we will be there  
7 tomorrow. I can't even promise you we will be there  
8 this week. But what I will promise you, someone  
9 will go in there, the Narcotics Division is going to  
10 get there. It will be part of the overall  
11 strategy.

12 You know, it didn't get like that  
13 overnight. But I promise you something will be  
14 done; I just can't promise you tomorrow. Far too  
15 often we say we will send a cop over there right  
16 away and it just doesn't work.

17 COUNCILMAN NUTTER: All right.

18 COUNCIL PRESIDENT VERNA: Are you going  
19 to pursue the same line of questioning?

20 COUNCILMAN NUTTER: In the same line.

21 COUNCIL PRESIDENT VERNA: Go ahead. I  
22 find this very interesting.

23 COUNCILMAN NUTTER: Thank you.

24 You full well understand though the  
25 inherent conflict in that. Because if the people in

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2 the neighborhood have been calling about 59th and  
3 Lebanon, 56th and Master -- I mean, I can go through  
4 a laundry list of locations on a regular basis.

5 What we are creating here is somewhat of  
6 a distinction. And at some level it is a good  
7 distinction between our uniform officers, of which  
8 we have many, as compared to the team.

9 Now, I have been out with the team, for  
10 instance, over the 19th District. Rode around all  
11 night long in a ratty van; it was great, surprised a  
12 lot of people, ran into the house, had people  
13 jumping out of second floor windows. It was a  
14 wonderful evening as evenings go.

15 But the average, regular citizen who has  
16 these knuckle-heads outside their house, they expect  
17 to see a blue and white come down their street and  
18 actually do something about the ten guys that are  
19 standing out there.

20 And they really can't afford to wait for  
21 a week until the special trained anti-drug team gets  
22 finished dealing with some other knuckle-heads  
23 somewhere else and gets over there a week, ten days  
24 later.

25 And so the citizens, you know, who at

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2    least in my district tell me everywhere, they pay  
3    the highest taxes in the City, feel they are not  
4    getting an adequate level of service because now  
5    they are wondering, what are all of the guys and  
6    women in the blue and whites doing, if they are not  
7    dealing with these people who are blocking my  
8    sidewalk, and having activity going on in front of  
9    my house until 2:00, 3:00, 4 o'clock in the  
10   morning? What is their job if the other people only  
11   deal with drugs?

12           COMMISSIONER TIMONEY: Right. No. By  
13   the way, and I don't mean to mislead that it's wrong  
14   to call 911 or that there isn't a useful role for  
15   police officers.

16           As a matter of fact, it is in your  
17   district -- I don't think you were at -- I was at  
18   two or three meetings in a two-week period in your  
19   district. And I was kind of taken aback by the  
20   common complaint that, and you could just see the  
21   frustration, that not only did they call 911, but  
22   when the police came they just drove by, they didn't  
23   do anything.

24           COUNCILMAN NUTTER: You heard that at  
25   the town meeting at the 34th District?

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2 COMMISSIONER TIMONEY: Yes. Not only  
3 did they just drive by, but it looked like they hit  
4 the gas and drove by faster. I have come up with a  
5 new term, it's called passive policing.

6 COUNCILMAN NUTTER: Right.

7 COMMISSIONER TIMONEY: And I have  
8 actually gone out to the roll calls and into the  
9 night with the rest of them and told them, listen,  
10 you have got an obligation. All right, you may not  
11 be able to make a legally, constitutional, signed  
12 arrest, but you have an obligation to inquire. At  
13 least stop and confront them and say: What are you  
14 doing on the corner? Take a walk, take a hike.

15 So I am not discouraging that,  
16 whatsoever. But I am also trying to be realistic to  
17 say, listen, if we are talking about an arrest  
18 situation as opposed to a public disorder situation,  
19 then the arrest situation we would be better off  
20 having the officers in plain clothes making bona  
21 fide, constitutional, legally-sound arrests before  
22 disorder -- to get the knuckle-heads off the  
23 corner.

24 "Don't sit on the stoop, move," that is  
25 an appropriate venue for uniformed officers. The

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2 problem is you have to be truthful with people and  
3 tell them.

4 But I have never --

5 COUNCILMAN NUTTER: Commissioner, are  
6 you convinced though, even the "Stop; get out of the  
7 car; what are you doing; move along; clear the  
8 corner; it is my corner; don't be here when I come  
9 back," I mean, is that message filtering down to the  
10 person in 1913 car when they are out either driving  
11 around, or they have gotten a call from the district  
12 to say, there is a problem out at such-and-such  
13 location? Because the complaint is an inherent one  
14 and it continues. When they come, we don't see any  
15 action.

16 Now, maybe they are doing something and  
17 maybe they're not. But in some known location, if  
18 ten guys are standing on a corner, more than likely  
19 they are not talking about what the Flyers did last  
20 night; they are probably doing something else.

21 And we would at least like to know that  
22 the person is going to get out of the car, ask a  
23 question. You never know what the answer to the  
24 question may be, or what you will run into, and I  
25 understand that that is a dangerous situation.

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2 But, I mean, we have to provide  
3 people -- I am not saying that we are going to  
4 guarantee that that corner is going to stay, you  
5 know, as in a previous testimony, "varmint-free" all  
6 night long. But at least they will move for some  
7 period of time and we keep some level of the  
8 commitment between us and our citizens, that when  
9 you call you have a reasonable chance that something  
10 may actually happen.

11 And if it gives you one peaceful night  
12 out of the next three or four, your city has done  
13 something for you.

14 COMMISSIONER TIMONEY: Well, we could  
15 record your voice and what you just said and my  
16 voice and give it to the roll calls. It's the  
17 exact -- because what you just said is the exact  
18 thing that I am doing at the roll calls.

19 But I need to take this a step further,  
20 because being a cop, I recognize some of the  
21 feelings that maybe the average citizen doesn't.  
22 But sometimes, especially in Philadelphia where you  
23 have one-officer cars, to confront ten or 15 guys on  
24 a corner, hey, you know.

25 I tell them: I am not asking you to

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2 jeopardize your life. Pull over, get a backup and  
3 then go in. And if you have a sergeant, get the  
4 sergeant over there and go in, but by all means,  
5 don't drive by. You can't drive by these  
6 locations. This is the message going around roll  
7 calls.

8 Mr. Nutter, I am not fooling myself for  
9 a second, it is a hard road to hoe. We are trying  
10 to impress that message at the roll calls. We tell  
11 them: You just can't drive by; when people call  
12 911, they are looking out the window at you, they  
13 see you; they say, where is he going, why is he  
14 driving by, I called.

15 And so if it is because there is ten or  
16 15 guys at the corner, and you say, whoa, I'm by  
17 myself...

18 COUNCILMAN NUTTER: Okay. Fine. Then  
19 it's that gang versus our gang. And I think our  
20 attitude has to be, is that any day of the week our  
21 gang can beat the other gang, whether it is 15 of  
22 them and three of us? We will kick your butt every  
23 day of the week, we will take back this neighborhood  
24 and this location. You cannot win.

25 If you don't have that attitude, then it

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2 doesn't matter how many people you show up with.

3 COMMISSIONER TIMONEY: Yeah.

4 COUNCILMAN NUTTER: I mean, I think that  
5 that is as much a part of it as anything else.

6 There's an attitude in this business -- and, I mean,  
7 I don't have to tell you, you're in the business --  
8 that says: This is my area; anyone walking or  
9 talking or doing anything wrong in this area has to  
10 deal with me; and if you think that you are going to  
11 overwhelm me because there are 15 of you, I will be  
12 back and I will have five of my guys. And then we  
13 will see who stays here tonight.

14 COMMISSIONER TIMONEY: Yeah. Trust me,  
15 there is absolutely no disagreement. If you came to  
16 the roll calls that I do, I mean, those are some of  
17 the issues that I talk about. But I also address  
18 the issue, especially in one-officer cars, the issue  
19 of fear. It's a real issue.

20 COUNCILMAN NUTTER: I understand.

21 COMMISSIONER TIMONEY: If you are  
22 afraid, can you imagine living in the park?

23 COUNCILMAN NUTTER: We actually gave you  
24 a gun.

25 COUNCIL PRESIDENT VERNA: The Chair

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2 recognizes Councilman Rizzo.

3 COUNCILMAN RIZZO: Thank you, Madam  
4 Chair.

5 Commissioner, just to follow up on your  
6 comments about the community calling the districts,  
7 the police district's numbers aren't published.

8 COMMISSIONER TIMONEY: Right.

9 COUNCILMAN RIZZO: And I'll tell you,  
10 the telephone network that supports the Police  
11 District leaves a lot to be desired. And I know you  
12 are the kind of guy that would probably pick up the  
13 phone and call the Operations Room, and it's very  
14 difficult.

15 And I don't believe the officers there,  
16 at least my impression, have the time to really deal  
17 with a person that's got a problem. It appears that  
18 they are always under a severe amount of pressure in  
19 that environment to get off the phone.

20 Or I have had people report to me that  
21 they bark out: You shouldn't be calling here. Call  
22 911.

23 So I hope what you are saying has  
24 communicated to --

25 COMMISSIONER TIMONEY: By the way, just

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2 so I'm clear on this, this is a vision for the  
3 future. We are nowhere near -- before I can  
4 actually go around and get into -- what I eventually  
5 want to do is to demarket this 911.

6 Before we can actually do this with any  
7 kind of credibility, we have to have something in  
8 place that handles those things. I mean -- and it's  
9 the district.

10 Well, I don't hear from the district,  
11 I'm too busy for that.

12 What do you mean? You can't be too  
13 busy. So we have got to make the systems work.

14 But we have -- there is a committee up  
15 and running. And this is -- and every city should  
16 do this because the problems with 911 are not  
17 limited to Philadelphia. Every major city, you go  
18 to these conferences, that's all they talk about.

19 Somebody for the first time has got to,  
20 one, examine, and we are in the process of examining  
21 the whole 911 system. It is going to take months to  
22 do this from the time we take calls, to the time we  
23 get a disposition back, everything between: the  
24 numbers; the codes; what are -- what we've looked at  
25 as the priorities; do we need to shift the

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2 priorities to make sure we are doing it  
3 efficiently. There are some hard decisions that  
4 have to be made.

5 But the -- I mean, the system needs to  
6 be improved. Not just here, I am talking about all  
7 over, all over the country.

8 And it is not okay. You know, often --  
9 and I don't know how to say it, but certainly in New  
10 York there was an attitude on the part of cops that  
11 when citizens called them with complaints,  
12 especially the district, that somehow you are  
13 bothering them.

14 Really? I mean, cops have to get rid of  
15 that attitude, also that the citizen who is  
16 complaining about drugs is somehow bothering them.  
17 I mean, what did you hire them for is my question.

18 And so we are in the process -- and it  
19 is going to take a while to change the attitude, not  
20 just here but in most major police departments, that  
21 you do, in fact, serve the public, that they are not  
22 bothering you. You know.

23 COUNCILMAN RIZZO: I want to follow up  
24 on something that I picked up from Commissioner  
25 Nestel's comment and also to focus on education and

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2 the enhancement of the Police Academy.

3 I've noticed personally, and I've talked  
4 to some Assistant DA's, for example, they stop a car  
5 and they do a drug pinch, a drug arrest, and four  
6 officers are on the report: one looks in the trunk;  
7 the second looks under the seat; another one looks  
8 in the back seat. Four officers' names show up on  
9 the 48 and it winds up being four officers called  
10 into court.

11 So I am hoping, and I think I picked up  
12 from the Commissioner's comments, that part of your  
13 education is to streamline that process where when  
14 officers make an arrest and it doesn't involve four  
15 officers, but five, that it involves a minimum of  
16 officers.

17 COMMISSIONER TIMONEY: The word is  
18 minimization. You do minimization with two things:  
19 from a selfish perspective, you look at the  
20 minimized overtime, you don't want the whole world  
21 going, but from a purely altruistic criminal justice  
22 perspective.

23 For example, you are hitting a search  
24 warrant in an apartment or a private house, and you  
25 go into -- obviously because of guns and everything

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2 else, you have got to go in there with six or eight  
3 or ten officers.

4 To search that apartment or that  
5 building should be limited to one officer and then  
6 the recording of the search should be limited, and  
7 that is the two to testify -- Timoney found it in  
8 this drawer and Rizzo recorded it here. It was  
9 found in the dresser drawer here -- where you don't  
10 have eight officers going in eight different  
11 directions, really violating good evidence gathering  
12 techniques.

13 Because then you go to court and you  
14 have eight people and you have some lawyer ripping  
15 them apart, Well, listen, you're Timoney and you  
16 said one thing and Rizzo said the other, O'Neill  
17 said this, Brown said that, and you look like -- and  
18 you're not lying, but you look like you're lying.

19 COUNCILMAN RIZZO: Go with what I said.

20 COMMISSIONER TIMONEY: Yeah.

21 COUNCILMAN RIZZO: Commissioner, in your  
22 effort to get more police on the street to have a  
23 more efficient police department, which you admitted  
24 all organizations could be more efficient, I would  
25 like to discuss briefly with you the relationship

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2 between the Philadelphia Police Department and the  
3 School District Police Department and the Housing  
4 Police, specifically, the School District.

5 I hear from officers that when a School  
6 District police officer in the middle of the night  
7 finds a building open, because they are not sworn  
8 officers and they don't carry guns, the first thing  
9 that they need to do is call Philadelphia police to  
10 get a backup.

11 Could you please look at the  
12 relationship between the Philadelphia Police  
13 Department and the School District Police? Because  
14 we have a few hundred officers out there that work  
15 for the School District, that appear that they have  
16 a total dependency on the Philadelphia Police  
17 Department, and that officer that is tied up at an  
18 open building, or two of your officers and a  
19 sergeant possibly, could be out there doing other  
20 things if we had a School District Police Department  
21 that could act as a police department.

22 COMMISSIONER TIMONEY: I will speak with  
23 head of school safety.

24 COUNCILMAN RIZZO: Thank you.

25 COUNCIL PRESIDENT VERNA: Thank you,

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2 Councilman.

3 COUNCILWOMAN CLARK: Commissioner, what  
4 was your answer to the question?

5 COMMISSIONER TIMONEY: I said -- I  
6 believe his name is McClish, right?

7 COUNCILMAN RIZZO: John McClish.

8 COMMISSIONER TIMONEY: I will meet with  
9 him with regards to that. I was not aware of that  
10 problem until the Councilman just brought it up.

11 COUNCILMAN RIZZO: I don't know what  
12 powers they have there. They're out there at night;  
13 they are out on patrol; they have no weapons. And I  
14 can understand a School District police officer not  
15 going into a vacant building, an open school,  
16 without a police officer with a gun.

17 COMMISSIONER TIMONEY: My sense is  
18 that's what it is. You are calling for basically --  
19 what it is is a backup.

20 They are basically guards checking  
21 school facilities. And you have an open door, and I  
22 would think it would behoove you to call the  
23 Philadelphia Police Department.

24 COUNCILMAN RIZZO: But, Commissioner,  
25 they are not called school security guards; they are

1           COMMITTEE OF THE WHOLE - BILL NO. 990023  
2   called the School District Police Department. And  
3   they are compensated as if they were police  
4   officers, but they don't have the police powers that  
5   a police officer has.

6           Especially -- I am not suggesting that  
7   the School District police that are assigned to the  
8   schools walk around the schools with guns, but the  
9   police officers that patrol should have the ability  
10   to do what your personnel does.

11           The same deal: You talked about the  
12   truancy problem. I have had people tell me that  
13   they have seen School District police officers ride  
14   right by a location where there was obviously  
15   truants, ride right on by and don't do it.

16           Your people are tied up doing it, but we  
17   have a School District Police Department of almost,  
18   I believe -- don't hold me to the number -- 300  
19   officers.

20           COMMISSIONER TIMONEY: Yeah.

21           COUNCILMAN RIZZ0: I would hope, trying  
22   to make this operation more efficient, that those  
23   officers would be doing what they are supposed to do  
24   and not dumping on you.

25           COMMISSIONER TIMONEY: Yeah. I will

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2 speak, I will make sure for the next two weeks that  
3 I have a meeting with McClish.

4 COUNCIL PRESIDENT VERNA: Thank you,  
5 Commissioner.

6 Is Councilwoman Tasco in the room?

7 COUNCILWOMAN CLARK: She left.

8 COUNCIL PRESIDENT VERNA: How about  
9 Councilman -- I'm sorry, I didn't hear you.

10 COUNCILWOMAN CLARK: Councilwoman Tasco  
11 left some questions and asked me if I would ask them  
12 for her.

13 COUNCIL PRESIDENT VERNA: Then the Chair  
14 recognizes Councilwoman Clark.

15 COUNCILWOMAN CLARK: Commissioner, on  
16 behalf of Councilwoman Tasco, she has a great  
17 concern about what priority the Police Department  
18 assigns to tractor-trailer parking in residential  
19 communities, the enforcement of the tractor-trailers  
20 parking.

21 She is getting a lot of concerns placed.

22 COMMISSIONER TIMONEY: I mean, just  
23 think about it, it is probably limited to one or two  
24 or three districts in the City. And that -- she  
25 should have the ability of dealing with District

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2 Commander to get to the problem.

3 If she is not having any success with  
4 the District Commander, then she can get back to me  
5 and my office or my staff or Commissioner Johnson  
6 saying, listen, I called up Captain Timoney, he did  
7 nothing about it. Then let me know, and I will make  
8 sure we do something about it.

9 But by all means, you have to deal with  
10 these District Commanders. I mean, something like  
11 that is a local problem. And in some other area it  
12 may be some other issue of bars opening late at  
13 night or something.

14 COUNCILWOMAN CLARK: She recognizes that  
15 her case might be somewhat unique, but she said: I  
16 need some assistance with the increase of parking by  
17 trailers in neighborhoods.

18 Can we devise a procedure and a strategy  
19 to eradicate this practice in the community? It is  
20 not only awful to see, but I believe they cause a  
21 safety hazard for pedestrians and drivers.

22 So will you take this as notice of her  
23 concern in her district?

24 COMMISSIONER TIMONEY: I will reach out  
25 to her. I know that issue -- at one of the meetings

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2 out of the 35th District that issue came up. And I  
3 got Captain Johnson from Highway to go over there,  
4 and we ticketed because it is zoned for residential  
5 parking and we had tractor-trailers overnight.

6 And Captain Steve Johnson's people, the  
7 Highway folks, went up there and ticketed. And I  
8 think we even towed one out. But I will get back to  
9 the Councilwoman.

10 COUNCILWOMAN CLARK: Thank you.

11 She says: I received a letter from a  
12 constituent who reported a (unintelligible) since  
13 January 12th, 1999.

14 Can you review for me the procedure that  
15 is employed to investigate a missing person report?

16 Or more specifically, how deep is the  
17 investigation if there are conflicting accounts  
18 regarding the possible whereabouts of the  
19 individual? What should I do to assure that the  
20 investigation satisfies all of the members of the  
21 family?

22 She has got that kind of response.

23 DEPUTY COMMISSIONER JOHNSON:

24 Councilwoman, Madam Chair, (unintelligible) Johnson,  
25 Deputy Commissioner of Operations.

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2 There are certain criteria that have to  
3 go along with being a missing person, especially  
4 different from an adult to a juvenile.

5 If it is a juvenile it is assigned to a  
6 person, it's assigned to our JAU, Juvenile Aide  
7 Unit.

8 And there are two people who are  
9 continuously assigned just to investigate these  
10 juveniles. If it is an adult, it is given to a  
11 detective. Now, he is supposed to be in constant  
12 communication with the parents or with the relatives  
13 at least monthly.

14 They are supposed to check all of the  
15 hospitals, check all of the prisons, and check all  
16 of the other locations that this particular person  
17 may be. But he is supposed to be in constant  
18 communication with that particular person at all  
19 times.

20 What I will do, and I will contact the  
21 Councilwoman today to get that name, and I will have  
22 a follow-up on that particular case.

23 COUNCILWOMAN CLARK: Thank you.

24 My next question: You will recall that  
25 last month there was a serial robber in the

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2 Northwest area and a pattern was detected. I was  
3 disturbed that no attempt was made to contact my  
4 office, so that I could get better cooperation from  
5 the community and we could persuade women to be more  
6 cautious.

7 So what are you doing about the robber,  
8 the serial robber in the Northwest?

9 COMMISSIONER TIMONEY: We did just  
10 that: I have, since getting here -- and this issue  
11 comes up at COMPSTAT all the time.

12 Most police departments -- maybe I  
13 shouldn't say that.

14 I firmly believe that any time we have  
15 any kind of a serial crime, whether it's a robbery  
16 or, God forbid, a rape pattern or something like  
17 that, that as soon as we know we have an obligation,  
18 legal, moral, ethical obligation, to notify the  
19 public.

20 And I have encouraged the District  
21 Commanders to go to their local levels of community  
22 meetings, the detectives. And then if I get it I  
23 will let them know.

24 Interestingly enough, that was Captain  
25 Estel who made that announcement on television.

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2 By the way, I was caught by surprise,  
3 also. But it was a pleasant surprise for me; I  
4 didn't take offense or umbrage that why didn't Estel  
5 call me to get permission.

6 I thought he did a great thing, that  
7 they come up with this information regarding -- he  
8 wasn't just a robber/purse snatcher, he was violent;  
9 he had slashed some people. And he would go to a  
10 community meeting and he let the press know as soon  
11 as he could discern this was a real live pattern.

12 Now, I happened to see it the same time  
13 she did on the 11 o'clock news that night. But I  
14 didn't take umbrage to it. I thought: Good for,  
15 Tom Estel. That is exactly what I have being  
16 doing.

17 I do not want them withholding  
18 information.

19 Now, sometimes, having said that, we may  
20 have a very super-doooper secret investigation that  
21 out of necessity has to be kept quiet.

22 But by-in-large, by-in-large, 99 percent  
23 of the time if we find the pattern in the  
24 neighborhood or the neighborhood that crosses  
25 borders from one district to another, I want the

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2 people, especially in the area of sex crimes or  
3 violent crimes, I want them notified as soon as  
4 possible. And I don't care who notifies them.

5 By the same token, we should recognize  
6 that we also can get some assistance from council  
7 people. And by all means, as part of touching  
8 bases, we should touch base with Council. I am all  
9 for that. And if we have neglected to do, that I  
10 apologize, and I will make sure it's done in the  
11 future.

12 COUNCILWOMAN CLARK: The tone of her  
13 question is -- as I picked it up was not that you  
14 should tell her instead of acting, but when you have  
15 acted, what other steps might there be? To notify  
16 her as the local elected official, she has a network  
17 that she can ring and people can be more careful of  
18 themselves, reducing the necessity of putting  
19 themselves in harm's way.

20 COMMISSIONER TIMONEY: Yeah. I don't  
21 think we have any disagreement. And her comments  
22 are well taken.

23 COUNCILWOMAN CLARK: Thank you.

24 COUNCIL PRESIDENT VERNA: Thank you.

25 Did Councilman Ortiz also leave his

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2 questions with you?

3 COUNCILWOMAN CLARK: No.

4 COUNCIL PRESIDENT VERNA: Or is he out  
5 of the room?

6 COUNCILWOMAN CLARK: I believe I have  
7 some of my own.

8 COUNCIL PRESIDENT VERNA: I believe you  
9 are next, by the way.

10 COUNCILWOMAN CLARK: Thank you.

11 How soon, sir, will the computerized  
12 crime mapping be installed at every patrol  
13 district? And how significant of a reduction in  
14 crime do you expect this to have?

15 DEPUTY COMMISSIONER NESTEL:

16 Councilwoman, we have rolled that out into two  
17 divisions: Center City, the 6th and 9th District,  
18 as well as the Inspector's Office and the Detective  
19 Captain's Office within the last two weeks.

20 For the last couple of months, Southwest  
21 Division, the 16th -- I'm sorry, the 18th and 19th  
22 Districts have had it.

23 Right now I need more equipment to roll  
24 it out farther. But the information from the maps  
25 has been available for many months to the

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2 districts.

3 We are now producing 600 maps a month  
4 that go out to our various districts and units. The  
5 difference in Center City is they can sit down right  
6 at the inspector's desk and pull up today on a map  
7 what happened yesterday in the city. So that is the  
8 one difference.

9 I expect that I will have that rolled  
10 out citywide within the next six months.

11 COUNCILWOMAN CLARK: All right. So that  
12 issue is almost an instantaneous opportunity to  
13 respond?

14 DEPUTY COMMISSIONER NESTEL: It is  
15 almost the quickest we can get crime information out  
16 there to everyone.

17 So as I said, right now with Inspector  
18 Tiano in Central, he is looking at everything that  
19 happened in Center City yesterday, he can see today.

20 COUNCILWOMAN CLARK: Okay.

21 Much has been made about Operation  
22 Sunrise, and I am pleased with all that I have  
23 heard.

24 Can you tell me what your plans are to  
25 expand it? What is your assessment of what its

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2 success has been?

3 COMMISSIONER TIMONEY: Commissioner

4 Johnson will address that since he is intimately  
5 familiar with Operation Sunrise and where we want to  
6 go from there.

7 DEPUTY COMMISSIONER JOHNSON: Based on  
8 our statistics and from my evaluations, it has been  
9 very successful. And we base that not so much on  
10 the amount of arrests we made -- although since June  
11 we made approximately 2,200 in Operation Sunrise  
12 from buyers and sellers. We base our success based  
13 on the least amount of crimes that happened in that  
14 area.

15 COUNCILWOMAN CLARK: Reduced number of  
16 crimes?

17 DEPUTY COMMISSIONER JOHNSON: That is  
18 correct.

19 There has been 20 percent less  
20 homicides. I believe 19 percent less aggravated  
21 assaults. I think it was 21 percent less robberies  
22 in the particular areas that we have already been.

23 We look at Operation Sunrise as a type  
24 of thing -- the reason why we -- basically, why we  
25 went there in the first place is that 70 percent of

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2 the growth that was coming in the area of  
3 Philadelphia was coming in that particular area.

4 48 percent of our arrests for drugs in  
5 1997 was in that area. And over one third --

6 COUNCILWOMAN CLARK: You said "that  
7 area" before, but would you describe where that area  
8 is?

9 DEPUTY COMMISSIONER JOHNSON: Yes,  
10 ma'am.

11 It is the 24th, 25th and 26th Police  
12 Districts in Philadelphia. Basically, from Delaware  
13 Avenue over to Broad Street, Germantown Avenue and  
14 approximately from York Street up to Hunting Park in  
15 the East Division.

16 So the area was so big and there were so  
17 many problems there that we had to break it down  
18 into four different sections.

19 Let's say, we are in Phase 1. We were  
20 in Phase 1 from June 10th -- I mean June 15th to  
21 August the 10th. And we stayed there for  
22 approximately seven weeks.

23 We went to Phase 2 on August the 10th,  
24 August the 15th. And we are still on Phase 2  
25 because of the amount of the drugs that is over

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2 there right now....

3 The reason we started on Phase 1 was  
4 because we had more community support in that  
5 particular area and because of the citizens over  
6 there and the community that we had over there.  
7 Working along with the federal agencies and the  
8 other agencies, it became a little more easier there  
9 than it was in the other areas. As we go from east  
10 to west, it becomes a little more harder.

11 One additional thing is that drugs being  
12 used in West Philadelphia, South Philadelphia, North  
13 Philadelphia, normally it originates in each  
14 division.

15 And we used the example where if you  
16 have a leak in your house and you have radiators in  
17 five different rooms and you turn off the leak in  
18 one room, you turn off the leak in the second room,  
19 and the third room, by the time you get to the fifth  
20 room, the leak in the first room is leaking again.

21 Our thing is, if you turn off that main  
22 faucet, you can turn off all of the leaks in all of  
23 the different rooms. And the main valve for the  
24 drugs of Philadelphia was East Division.

25 Although, we're in East Division mainly,

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2 we still have narcotics people -- we've taken no  
3 narcotics bill unit people from any other parts of  
4 the City. And we still are operating, for drugs  
5 anyhow, in all other parts of the City.

6 In North Philadelphia it became -- with  
7 Operation Makeover, which we assisted in, other  
8 captains have come up with different programs.

9 I think one of the good things about  
10 Operation Sunrise, there is no time limit in it and  
11 we planned on doing this in all parts of the City.  
12 But we feel as though if we can stop it in the East  
13 Division, because that is where most of our drugs is  
14 coming to, then we will be successful in other parts  
15 of the City.

16 COUNCILWOMAN CLARK: How can citizens  
17 who live in North Philadelphia help you with  
18 Operation Makeover? What specifically can we do?

19 DEPUTY COMMISSIONER JOHNSON: Well, one  
20 of the things that -- I think there were a few  
21 meetings there. And I think one of the important  
22 things, not just in North Philadelphia, but in other  
23 parts of the City, I think once they found that the  
24 Police Department was sincere and honest in what  
25 they were doing -- they had the impression that we

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2 were coming there as an invasion force to volley  
3 people's rights.

4 One of the things Commissioner Timoney  
5 originally said when he first came here, we weren't  
6 going to break the law to enforce the law. And I  
7 believe we have not. We are not going to bother  
8 anybody's constitutional rights; that is not our  
9 intention. We have gone out there to make the  
10 quality of life better.

11 But the other thing we wanted was zero  
12 tolerance, which only means that any law that's on  
13 the books we are going to enforce.

14 So with the cooperation of the community  
15 and to help us out, we have been out there in  
16 droves. Much of the community came out with us.  
17 They have given us more information than they ever  
18 have done before.

19 And at one time, at least when I first  
20 went to Narcotics, they would call up with a certain  
21 amount of information. But right now what they're  
22 doing, they are not only calling with information,  
23 they are being very specific: they are giving a  
24 specific address; they are giving a specific name.

25 And when they are using their

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2 intelligence that we get to help us -- and it has  
3 helped us. The other thing is, everybody who has  
4 been arrested for drugs at this point, especially  
5 the sellers, if they are only selling drugs, then  
6 what we are doing is debriefing. We have debriefed  
7 every single person who is arrested for drugs. In  
8 the 3rd District we try to get them help.

9 The main focus of the Narcotics Unit at  
10 this point is one of organization, which is somewhat  
11 different than we had in the last four or five  
12 years. We feel as though we can bring the  
13 organization -- that we can solve the problems  
14 here.

15 The other thing, we are trying to be a  
16 lot more proactive by going to the schools and  
17 talking to the kids, going to other places and  
18 talking to the community groups, going to churches,  
19 getting the community involved, get the churches  
20 involved in it.

21 So we feel as though the Police  
22 Department by itself will never solve the problem,  
23 but with the Police Department, with the community,  
24 the clergy and everyone else involved in, it can.  
25 And I think in the last nine or ten months we really

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2 formed a strong liaison in the group with the  
3 federal sector and with the city agencies where we  
4 all have a -- where we go in there and we have law  
5 enforcement.

6 The city agencies have wanted to do  
7 abandoned houses. License and Inspection is  
8 involved in it, the Streets Department is involved  
9 in it, every city agency is involved in it, where in  
10 the past a person would call up about a drug seller,  
11 we would go up and arrest him, they would see him  
12 out there the next day.

13 So they couldn't really see anything  
14 happening, where now they can go out there and they  
15 can see houses being, you know, fixed; they can see  
16 abandoned cars being removed.

17 And one of the things, too, that is  
18 surprising, if we get a dealer or a supplier, we're  
19 not taking them to the local court, we are taking  
20 them federally, with the federal assistance. And I  
21 think that has really made a big difference.

22 COUNCILWOMAN CLARK: Thank you. Is  
23 there a Makeover hot line?

24 DEPUTY COMMISSIONER JOHNSON: Yes,  
25 ma'am.

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2 COUNCILWOMAN CLARK: How --

3 DEPUTY COMMISSIONER JOHNSON: I am not  
4 sure of the Makeover hot line.

5 COUNCILWOMAN CLARK: A hot line where we  
6 could call. You mentioned that North Philadelphia  
7 was considering -- you were calling this Sunrise  
8 Makeover. How can we share with you what we know  
9 about known drug houses, crack houses, shooting  
10 parlors, whatever they are called?

11 DEPUTY COMMISSIONER JOHNSON:

12 685-DRUGS. And someone mans that 24 hours a day.

13 COUNCILWOMAN CLARK: Thank you.

14 I used the balance of my time.

15 COUNCIL PRESIDENT VERNA: Thank you.

16 At the request of the stenographer, we  
17 are going to take a ten-minute break. So we will  
18 stand in recess for ten minutes. Thank you.

19 (Brief recess.)

20 COUNCIL PRESIDENT VERNA: We are now  
21 back in session.

22 The Chair recognizes Councilwoman  
23 Miller.

24 COUNCILWOMAN MILLER: Thank you, Madam  
25 Chair.

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2 COUNCIL PRESIDENT VERNA: You're

3 welcome.

4 COUNCILWOMAN MILLER: Commissioner

5 Timoney, in my district and lots of districts around

6 the City, the school crossing guards seem to be an

7 issue.

8 And I guess I am just going to directly

9 ask you: Is there some way that you can find

10 additional dollars for school crossing guards?

11 I think when I first came on Council

12 there were 1,200 guards and now it is down to 1,000,

13 but the need has not decreased. Can you tell me why

14 there is a decrease in the number of school crossing

15 guards, be it 1,200 or 1,000?

16 DEPUTY COMMISSIONER NESTEL:

17 Councilwoman, Tom Nestel.

18 Councilwoman, as far as funded

19 positions, it has remained at the 1,000 mark for

20 many years. I believe where the 1,200 number came

21 up is there were different opinions of how many

22 crossings actually exist. And there was -- and

23 there was a number that was in the 1,200 area, 1,200

24 or 1,225 or 1,250.

25 But as far as funded positions, it has

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2 been 1,000; that number has remained constant. And  
3 we will make every effort to fill those vacancies as  
4 quickly as possible with what occurs.

5 COUNCILWOMAN MILLER: I think the demand  
6 is probably based on -- or the increased demand is  
7 probably based on the fact that traffic lights have  
8 been taken down in high traffic areas; that stop  
9 signs don't seem to be working.

10 Because I note in my district many of  
11 the additional requests are made for high traffic  
12 streets that I've traveled to. So I always have a  
13 feel for where the traffic is, the volume of  
14 traffic.

15 DEPUTY COMMISSIONER NESTEL: Yes. And  
16 if you have specific corners that you believe there  
17 should be a crossing guard at, a crossing guard at  
18 that location, and if you give those corners to the  
19 District Commander, then between the District  
20 Commander and the School Crossing Guard  
21 Headquarters, they will have those corners  
22 evaluated.

23 And it is very possible that there are  
24 other corners that aren't quite as busy that we  
25 could reassign the guard from the location where he

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2 or she presently is to a busier corner.

3 COUNCILWOMAN MILLER: Okay. I will do  
4 that.

5 Operation Sunrise, I have a question  
6 about its expansion, or maybe it doesn't have to be  
7 a full Operation Sunrise. There is something in the  
8 form that is for entire neighborhoods.

9 DEPUTY COMMISSIONER JOHNSON: I think  
10 what we are trying to do is eventually -- we have a  
11 certain plan and we really don't want to go away  
12 from that plan, but at the same time, all of the  
13 other areas in the City that's, you know, that's  
14 suffering, the field units are still operating in  
15 other parts of the City.

16 Most of our strike force is combined  
17 with the Operation Sunrise area. We are trying to  
18 find some way to bring some of our units, the  
19 uniformed people, into different areas, north,  
20 south, west and other parts of the City.

21 But if -- I will be meeting up there  
22 tonight at 7:30 to talk about this issue. We are  
23 going to try to get everything in tonight to help as  
24 many citizens we possibly can.

25 I know being up there -- I was up there

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2 last week with the drug march. I was up there the  
3 week before with the drug march.

4 And as I said, some time in the near  
5 future hopefully we will come up there again. As I  
6 said previously, the drugs in the northwest, from  
7 our research, comes from East Division.

8 COUNCILWOMAN MILLER: I have a  
9 continuation of a narcotic question.

10 I am trying to understand all of the  
11 components you have in the drug unit.

12 Now, if a house has been reported for  
13 about a year that there is drug activities going on  
14 in that house, is that when you send your Buy and  
15 Bust Team to see if they can do an undercover buy?  
16 And if that doesn't work, what is the next step?

17 Because it is my understanding that we  
18 have a house and the captain is now Captain Dorsey.  
19 And other people know about this particular house.  
20 But it has been about a year, and I don't think  
21 anything has happened.

22 And one of the reasons was because  
23 people -- some police officers told some neighbors  
24 they couldn't find -- they have not been able to  
25 purchase drugs.

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2 DEPUTY COMMISSIONER JOHNSON: What we  
3 found, again from our experience, was that other  
4 kinds of people sell to people they know.

5 If you give me that location, Ms.  
6 Miller, I will look into it. And I will investigate  
7 it today. And I will see whether other people have  
8 been up there. If not, I will be sure they will be  
9 up in the near future.

10 COUNCILWOMAN MILLER: I think they have  
11 been up there, but I think just in the neighborhood  
12 purchasing.

13 Two really quick -- do I have time?  
14 Just to response time and prioritizing  
15 around the response. I told the Commissioner that I  
16 called in a stolen truck, and a police officer came  
17 to my house about 4:30 in the morning to get a  
18 report from me. We were at a community meeting,  
19 which we were having a side bar conversation.

20 To get the report to me on my stolen  
21 vehicle -- and certainly at 4:30 in the morning I  
22 could have cared less about giving him all of the  
23 details I needed to give him regarding the truck.

24 Has that type of response stopped, you  
25 know, coming to people's houses at 4:00 in the

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2 morning to get a report for a stolen vehicle filled  
3 out?

4 COMMISSIONER TIMONEY: How long ago was  
5 that?

6 COUNCILWOMAN MILLER: About maybe two  
7 years.

8 COMMISSIONER TIMONEY: Oh, yeah, it has  
9 definitely stopped.

10 One of the things -- it went from one  
11 extreme to another. They went from the extreme of  
12 waking you up at 4:00 in morning to not calling at  
13 all, and so we've changed that.

14 We have been handling stolen cars or  
15 stolen trucks or anything on a differential response  
16 mode. In other words, if your car is stolen or you  
17 call 911, they hook you up with an officer down  
18 there and we take a report over the phone. When we  
19 looked into that, that is not the best way of  
20 handling stolen cars.

21 If your car is stolen, you have every  
22 right to expect a police officer to come and take a  
23 report.

24 But more importantly, it is the  
25 fundamental belief of mine that you go to the scene

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2 to take a report but not just to take a report;  
3 there is actually information you can glean from the  
4 scene, whether it is interviewing neighbors or  
5 checking to find out where the car was stolen from.

6 Because we can estimate maybe 20 percent  
7 of stolen cars are reported stolen for fraudulent  
8 means by people trying to -- for insurance scams.

9 And if I am going to try to go down in  
10 my car -- for insurance purposes it is a lot easier  
11 to do it over the phone as opposed to having an  
12 officer knock on my door asking me all of these  
13 questions.

14 Additionally, we get information from  
15 the scene with regards to patterns of how cars are  
16 stolen. If it has been up the block, couple of  
17 blocks, then that helps inform us in how we are  
18 going to employ our resources.

19 And in the case of certain areas of the  
20 city, we start to find out when we do get the  
21 information where quite a few cars were often the  
22 first car on the block, and it was clear they were  
23 being stolen by otherwise legitimate tow truck  
24 operators.

25 And we are in the practice now, we have

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2 reasonable suspicion to stop tow trucks,  
3 particularly after dark in Philadelphia.

4 And I can't believe, I can't begin to  
5 describe to you the number of tow trucks we have  
6 confiscated with stolen cars on board that the  
7 people didn't even know. We call over to the man  
8 and he says: No, my car is downstairs.

9 And we say: No, it isn't. We have it  
10 over here. And we have the tow truck.

11 And the one classic example, back in the  
12 first two weeks with the -- with our helicopters.  
13 They followed a tow truck, a flatbed truck who got  
14 away from the police patrols, and found the flatbed  
15 truck with two stolen cars on board down in a  
16 certain neighborhood where you couldn't see from the  
17 patrol.

18 The helicopter called in patrol units.  
19 They grabbed the guy with a double flatbed truck  
20 with two stolen cars, three of the stolen cars, and  
21 they were all stolen that night. There were five  
22 cars just in this one junkyard that were stolen that  
23 one night.

24 And so the bottom line is, we have  
25 changed how we deal with stolen cars in

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2 Philadelphia.

3 COUNCIL PRESIDENT VERNA: Councilwoman,  
4 at least you got a response. When it was 4 o'clock  
5 in the morning and our car was stolen, we never saw  
6 or heard from a policeman.

7 COUNCILWOMAN MILLER: Yes. I  
8 appreciated the response, but at 4:30, I couldn't  
9 deal with it. I thought something happened to  
10 somebody.

11 A couple other questions. And I just  
12 want to do a couple of questions regarding abandoned  
13 cars.

14 We have been talking to various police  
15 districts about the abandoned car problem because it  
16 has escalated. And we thought that in talking to  
17 the police at districts that if you can computerize,  
18 if you could put a database together per district  
19 that information is entered into each time there is  
20 an abandoned car that comes in. And I think the  
21 e-mail is working very well.

22 I know my office has been very satisfied  
23 with the e-mail system. I don't think the general  
24 public knows too much about the e-mail method of  
25 reporting the abandoned cars.

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2 But we believe that if the cars, if  
3 those cars could go into the database, it would save  
4 on duplication. Because it is done by -- it is done  
5 manually now. It is my understanding that sometimes  
6 the abandoned car officers may be on call, I will  
7 report a car today, someone will call tomorrow and  
8 report the same car, and then it ends up they have  
9 to remember whether this is, in fact, the same car  
10 they've seen; there might have been five or six  
11 calls about the same car. And we believe the  
12 database will cut down on it.

13 And we also would like to try something  
14 different at the 14th District where it will involve  
15 five hours versus just the one abandoned car  
16 officer. And we are hoping that will have a better  
17 impact on getting the cars removed.

18 And what happens when the salvager comes  
19 out and the car is in the condition that you stated  
20 earlier, that they don't want to take it; who gets  
21 that car off the street?

22 COMMISSIONER TIMONEY: There is a couple  
23 things; and you are absolutely right. This  
24 abandoned auto issue is -- whether it is growing in  
25 leaps and bounds or the complaints are growing in

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2 leaps and bounds, something is growing in leaps and  
3 bounds.

4 And let me tell you, we are committed to  
5 coming up with a solution that shouldn't take a  
6 rocket scientist to figure out.

7 One of the things we came upon in the  
8 14th District, one of the things we want to look at --  
9 I had this issue up in New York about 15 years ago,  
10 and it's pretty simple, but there's an awful lot of  
11 duplication, triplication

12 One of the things we should be doing is,  
13 whether it's the abandoned vehicle officer or any  
14 officer, we should be -- if anybody finds a vehicle  
15 like that, the report should be made. And a  
16 sticker, a day-old sticker should be put on the side  
17 of the vehicle facing the street so that the Streets  
18 Department employee or another cop or someone else  
19 who comes by knows that has been reported and then  
20 we've got to set up the correct mechanisms for  
21 follow-up.

22 I have had this conversation three times  
23 now. We keep getting acquainted, as you are  
24 saying. We got information from Mr. Certain. The  
25 allegations are that the tow truck companies aren't

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2 picking them up, but when I spoke to Commissioner  
3 Estel about this, it is like I didn't get the  
4 information. And we are going to meet with the  
5 commanders now.

6 If that's the case, they have to let us  
7 know, let Commissioner Estel know, and we will speak  
8 to L & I as far.

9 You don't get a choice of what you want  
10 to pick up. And so rather than deal with things,  
11 and we do really need to settle this system without  
12 telling stories or sharing true -- we have heard  
13 them third-hand.

14 But there is a huge problem. And there  
15 is a problem being committed, and we have met three  
16 times.

17 We have a meeting next week.  
18 Commissioner Estel has all of the data available.  
19 We just have to make sure it is stopping. And it is  
20 silly now.

21 COUNCILWOMAN MILLER: Thank you.

22 In your testimony on Page 14, second  
23 paragraph, it says that you are continuing to build  
24 a plan of action based around the assurance of  
25 police integrity and increase public confidence.

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2 And down at the third-from-the-bottom  
3 paragraph, you make reference to "The Department's  
4 strategy involves hiring, training, and disciplinary  
5 standards of sworn personnel and working with  
6 officers, community organizations..." et cetera, so  
7 the public can have confidence in the City's police  
8 force.

9 One question: Has it ever been agreed  
10 this statement, and I guess I need to -- when you  
11 state that you have -- when 266 officers have been  
12 dismissed, how many of those officers have been  
13 reinstated because of arbitration?

14 And because -- I am glad that you have  
15 this in here, because I believe the Police  
16 Department does need to deal with these issues,  
17 because it is a very serious issue internally within  
18 the Police Department. And there are some other  
19 issues, too, such as racism and other things that  
20 are going on in the Police Department.

21 COMMISSIONER TIMONEY: A couple of  
22 things: One, that number, by the way, actually is a  
23 conservative number but it doesn't take into  
24 consideration those officers that resign, that we  
25 are getting ready to dismiss. They say forget about

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2 it, I'm resigning. So they are not captured in  
3 those numbers. So the number is actually higher  
4 than that.

5 While FOP does in a lot of cases  
6 arbitration, they maintain -- I've had conversations  
7 with Rich Costello. For example, we completely  
8 revamped the department's disciplinary system in  
9 conjunction with Mr. Costello.

10 Because I think, and I don't think  
11 people disagree with this, I think it is in the best  
12 interest of management and in the best interest of  
13 the Police Union that we have a well-disciplined,  
14 professionally run organization. It is easier for  
15 me. It is also easier for him.

16 It saves him on the lawyer costs, but it  
17 also allows him, if he has a well-running, planned  
18 organization that is professional, it allows him to  
19 come with a great deal more credibility to the  
20 bargaining table when it comes down to bargaining  
21 for additional salaries and things like that and  
22 say, hey, listen, we are a notch above everyone  
23 else, we are more professional, more this, a lot  
24 more is expected of us. And if he has got public  
25 confidence and high public ratings, that helps him.

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2 So it is not just a management issue, it  
3 really is a Union issue. Another thing Rich  
4 Costello agrees with, he knows it is in his best  
5 interest that we have a corruption-free, as much as  
6 possible, a brutal-free, a more professional police  
7 organization.

8 COUNCILWOMAN MILLER: To continue along  
9 those lines, is there some type of intervention that  
10 happens when the officer, say like Chris DePasquale,  
11 who has a whole list of complaints against him,  
12 doesn't something go off? Like, for instance, where  
13 I always worked, we get a warning or you get written  
14 up, and I know your complaints because they are  
15 written complaints.

16 But police people are there to help  
17 protect the citizens. And when people -- his case,  
18 actually, brought a lot of things to people's minds  
19 just regarding the public confidence and public  
20 safety.

21 And I just want to know, is there a  
22 system in place that a red light goes on or  
23 something flashes and says, hey, we better take this  
24 guy off the street, something is going on here?

25 COMMISSIONER TIMONEY: There is a system

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2 in place that Internal Affairs has put together that  
3 we monitor what we consider -- and any comments I am  
4 making now are not in reference to Officer  
5 DePasquale.

6 Because I think in fairness to Officer  
7 DePasquale, while there may seem like there is an  
8 inordinate number of civilian complaints, when you  
9 look at them, when you examine them case by case,  
10 quite a few of them just fall by the wayside. They  
11 are frivolous and unsubstantiated and unfounded  
12 comments about Officer DePasquale.

13 The system we are talking about, is  
14 there an at-risk officer policy? And the answer is  
15 yes.

16 It is the obligation of management, of  
17 us in top command to make sure if we have an officer  
18 out there that we are aware of there should be a  
19 program in place to do something about it.

20 Commissioner Norris spoke of the program  
21 where these officers will be brought in, they will  
22 be offered for counselling.

23 The FOP, by the way, has not objected to  
24 this. They understand this is not in the business  
25 of punishing officers. It is in the business of

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2 correcting behavior, of showing them the right way  
3 of doing business, of seeing if we can't -- stress  
4 related or what have you, of looking to solve  
5 problems, not necessarily punish officers.

6 Having said that, I will not hesitate  
7 for a second punishing officers I think deserve it.  
8 But we do. In fact, Commissioner Norris put  
9 together a program, a counseling program, with the  
10 commitment of the FOP that they understand it and  
11 they also go home with it. They see there is no  
12 disagreement.

13 Again, the whole idea, it is also in  
14 their best interest that we have a well-run,  
15 professional organization.

16 COUNCILWOMAN MILLER: One more  
17 question. I think someone said that it would be  
18 better if the police officers didn't join a union  
19 for six months so that looking at training and  
20 education -- because in your testimony it makes  
21 reference to recruiting military personnel because  
22 they're used to following orders and respecting  
23 command, but that doesn't detect out this behavior.

24 So in the recruitment, what was filled  
25 in --

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2 COMMISSIONER TIMONEY: Well, in the  
3 recruitment there is a few things. One of the  
4 problems, the horrendous problem in New York -- and  
5 we run into it in Philadelphia all the time -- when  
6 you hire officers that are too young, they haven't  
7 had -- they come with no pedigree, no background.

8 They get out of high school and all of a  
9 sudden they are a Philadelphia cop. You don't know  
10 what they are all about. You don't know if they've  
11 had the possibility of screwing up, making mistakes  
12 and making bad judgments because they are right out  
13 of high school and on the police department.

14 One of the things we are looking to do,  
15 especially since there is no military draft now,  
16 where a young man years ago had a possibility of  
17 maturing in the military, they now mature in the  
18 police department, which may or may not be the best  
19 way of maturing, we are looking to raise the age  
20 from 19 to 22. That gives you a four-year period  
21 between your high school and maybe you get out there  
22 and have one or two jobs. That way as we do  
23 background checks, we can begin to inquire with  
24 employers on what kind of person is this person  
25 Timoney? Is he dependable? Does he show up at work

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2 on time? What are his work habits?

3 The problems with 19 year olds is that  
4 they haven't had a chance to screw up. They come  
5 out of high school, they live with their parents. I  
6 mean, they become police officers; they have no  
7 background, no pedigree. So one of the efforts we  
8 are looking to do is to raise the age to 22.

9 By the way, you brought up the  
10 military. It was offered as an avenue of getting a  
11 few good men and women to commit to the police  
12 department. They've been in a military  
13 organization, have survived that, and come out with  
14 an Honorable Discharge. They often make real good  
15 candidates.

16 They are not going to be getting anyone  
17 by the thousands. But thanks -- actually, thanks to  
18 Councilman Cohen, who had come up with the existing  
19 loophole in the Civil Service System, we were able  
20 to implement that.

21 We have been in touch with the -- with  
22 the military bases. We have been advertising in the  
23 military magazines and newspapers. We have gotten --  
24 and this is only in the last two weeks. We have  
25 gotten responses from 20 people or so. So what

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2 happens is we are responsible --

3 As I testified six months ago on this  
4 issue, we are not talking about thousands. We are  
5 talking about a few good men and women and that is  
6 it.

7 COUNCILWOMAN MILLER: One other  
8 question, and you don't have to take the time and  
9 answer in a manner -- but what are you doing in the  
10 area of recruiting African Americans and other  
11 minorities, and in their moving up the ranks through  
12 the police department to some higher level  
13 positions?

14 I think in my district I have one  
15 African American captain in a predominate African  
16 American district, and that is Captain Dorsey. And  
17 really she is an executive officer.

18 COMMISSIONER TIMONEY: Well, where I can  
19 really help out is in the recruitment area where we  
20 bring officers in. And we have completely revamped  
21 the recruiting unit that has been taken out of --  
22 where it resided and it now resides with  
23 Commissioner Estel in the Academy.

24 And I think we get highly qualified,  
25 highly qualified candidates of all sorts and types

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2 and all races and genders through the aggressive --  
3 for recruitment campaign.

4 If we can get the best qualified  
5 candidates that way, my sense is then you have to  
6 work your way through the Civil Service phase. But  
7 a lot of the problem with the Civil Service System  
8 is the Civil Service System.

9 In other words, there is only one way of  
10 navigating your way through the top, and it is  
11 through an exam process that may or may not  
12 necessarily be the best predictor of what is a good  
13 sergeant, what is a good corporal and what is a good  
14 captain.

15 And clearly, you know, I made my  
16 feelings clear on this: When you get above the rank  
17 of captain, I think I am in a better position than  
18 any examiner to determine what makes a good leader.

19 COUNCILWOMAN MILLER: I will probably  
20 call you to set up a meeting to further discuss  
21 this.

22 Thank you.

23 Thank you, Commissioner.

24 No more questions.

25 COUNCIL PRESIDENT VERNA: Thank you.

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2 The Chair recognizes Councilman Ortiz.

3 COUNCILMAN ORTIZ: Thank you, Madam  
4 President.

5 Commissioner, recently -- and I know  
6 we've spoken previously to the question of Operation  
7 Sunrise.

8 COUNCIL PRESIDENT VERNA: Councilman, do  
9 you have your microphone on?

10 COUNCILMAN ORTIZ: Yes.

11 Recently a community group came out of  
12 the survey, and I would like to clarify the findings  
13 that they found: That they were dissatisfied with  
14 the results of Operation Sunrise. They claim the  
15 nature of the work that you have been implementing,  
16 the absence of some type of a set of -- lack of  
17 police force.

18 And I would like you to clarify for the  
19 record your answer to the claims in that survey.

20 COMMISSIONER TIMONEY: Well, I was  
21 taken -- I was really taken aback by that, because I  
22 will tell you what, I met those folks. I met with  
23 them before Operation Sunrise in the churches up in  
24 North Philly.

25 I met with them. They gave me a sneak

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2 preview of that survey, and they also came down to  
3 my office and sat there for a couple of hours. And  
4 I went over and I told them, you know, it is  
5 probably a good study as far as getting people's  
6 opinions of the police force; that is certainly  
7 valid.

8 But I think the conclusions are flawed,  
9 because you are asking them about people who live  
10 outside -- in this case there were 2,100 people --  
11 there were 2,000 which live outside of the area of  
12 Operation Sunrise. What do you think about  
13 Operation Sunrise and the effect on the area?

14 I mean, it is like asking people in  
15 Brazil, what do you think about the American  
16 economy. It has no bearing. It doesn't mean that  
17 it wasn't a valid survey regarding people's  
18 attitudes, and I will accept that.

19 I just don't like the idea of taking  
20 those conclusions on those 2,000 people and applying  
21 them to the Operation Sunrise there. I think you  
22 have reached a faulty conclusion. You reach a  
23 faulty conclusion. And it may be based on, by the  
24 way, good data. I don't know how this survey was  
25 conducted.

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2 And then we see -- so we discussed that,  
3 by the way, and they agreed with me. And then they  
4 went to the press. And I said, Hello. And I was  
5 scratching my head. And I just did not understand.

6 And so I made my feelings known that my  
7 sense is -- and I go into the Operation Sunrise  
8 area. And it seems like Commissioner Johnson has  
9 had many turns there. It is not perfect over there,  
10 but the sense I get from the community meetings  
11 during drug marches is that people feel pretty good  
12 about what we are doing.

13 This doesn't mean that they are  
14 perfectly happy. But the results I get, at least  
15 from my interpersonal relations with folks over  
16 there, is a lot better. I even went into -- for  
17 example, in July I went to one of the schools, a  
18 Catholic school, and then a public school. And even  
19 dealing with the kids in that area thought they saw  
20 an ultimate improvement.

21 So my -- the opinions and feedback that  
22 I am getting contradict the findings in some  
23 respects of that study.

24 COUNCILMAN ORTIZ: Operation Sunrise, as  
25 Commissioner Johnson said, has been one part of

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2 this. We haven't traveled west to Hunting Park.

3 And I keep getting calls and I keep going to

4 meetings and saying, when are we going to have

5 something happening here, although we do have things

6 happening. And how do we take the case in Hunting

7 Park and those areas of 5th Street that Operation

8 Sunrise is there that is becoming more miserable?

9 How do we let the -- because I think

10 that is part of the report.

11 COMMISSIONER TIMONEY: Yeah. But let me

12 answer that quick and then I will let Commissioner

13 Johnson answer, who is much more familiar than I am.

14 The quick answer is: We have made a

15 commitment to that area from Day 1. The one thing

16 we are after is honesty. We said listen, that day

17 we didn't get -- we've had these conversations

18 privately. It didn't get like that overnight.

19 COUNCILMAN ORTIZ: The very first day --

20 COMMISSIONER TIMONEY: But the very

21 first day I got here I discussed that with you. It

22 has been neglected for years and years and years.

23 It is going to take a while to retain some of those

24 rights and to maintain that commitment. We have

25 been -- at least been honest about it, it may take

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2 up to two years.

3 DEPUTY COMMISSIONER JOHNSON: February  
4 22nd we are going to 5th Street. We are going to  
5 Phase 3. And I think it is important that when we  
6 are at certain phases we still have other police  
7 officers, the sector cars and uniformed police  
8 officers from the strike force in the other two  
9 phases.

10 And as uniformed people are going east  
11 to west, the non-uniformed people are coming from  
12 west to east.

13 So we are in this Hunting Park area. We  
14 are in the area. And we've made some millions of  
15 arrests up there from our organization in the  
16 Hunting Park area. So all we can visibly see is a  
17 large amount of strike force also in uniform. The  
18 non-uniformed people are working every day up there  
19 on a continuous basis.

20 COUNCILMAN ORTIZ: But you can see that  
21 frustration. Because even before you got here,  
22 Commissioner, Commissioner Sylvester and I had been  
23 speaking. And we had been pushing for something  
24 like this to happen in this division. And finally,  
25 it starts to happen. And then people expect quick

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2 results overnight.

3 And do we have any data of the main --  
4 because as you said, it is the main supply of drugs  
5 for the western vicinity. Do we have any data of  
6 suppliers, big dealers that can keep on putting out  
7 to the people in the community and get these guys  
8 off the street? These gangs and these cartels have  
9 been removed from certain neighborhoods.

10 DEPUTY COMMISSIONER JOHNSON: I can give  
11 you a list today from June 15th up until the present  
12 that we have taken down of ten major organizations  
13 that I can give you.

14 Now, there are other organizations that  
15 we are still involved in because of confidentiality,  
16 because there is an ongoing investigation that I  
17 can't give you.

18 But I know for a fact that there is ten  
19 organizations that we have taken -- as far as  
20 sending their name over there, that we have taken  
21 down.

22 Some community organizations -- most of  
23 the suppliers don't live in that area. We have some  
24 stash houses in that area. Most of the dealers and  
25 suppliers live outside that area.

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2 I can give you today ten organizations  
3 between DA, FBI, ATF, that we have already taken  
4 down as recently as two weeks ago.

5 COUNCILMAN ORTIZ: Can we get that,  
6 Madam President, so that when I go to the  
7 neighborhoods I can have that and I can say, look,  
8 this is part of the results of Operation Sunrise,  
9 this is part of a phase that has been implemented  
10 and achieved during the last eight months of the  
11 operations?

12 DEPUTY COMMISSIONER JOHNSON: Today I  
13 can give you the status, statistical status of what  
14 has happened there. And I have to give it to the  
15 Police Commissioner and then I'll give them to you.

16 But again, they would only be  
17 organizations that we have already taken down. But  
18 there are still numerous amounts of organizations  
19 that we are still involved with.

20 COUNCILMAN ORTIZ: I would appreciate  
21 that.

22 COMMISSIONER TIMONEY: My brother is a  
23 lieutenant in the NYPD. Since I became a  
24 commissioner here, I worked closer with him here  
25 than I did when I was up to New York. That is how

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2 often he has been down in Philly with these big  
3 cases that are coming in.

4 COUNCILMAN ORTIZ: Commissioner, in  
5 terms of the hiring practices and the fact that we  
6 have to go outside, I have a list of cases that come  
7 into my office, and I see one that perhaps  
8 exemplifies part of the problem that we have in  
9 terms of the process.

10 It is a young man, Latino, with a  
11 criminal justice degree. Passes the test,  
12 everything that goes. For one reason or another he  
13 fails -- the first time he fails the polygraph and  
14 then he passes the polygraph; comes from a good  
15 family; highly educated; highly committed to police  
16 work. That is why he had his degree in criminal  
17 justice.

18 The type -- to me he fits the profile  
19 that you are looking for except he was Philly-born,  
20 Philly-raised, college educated. You don't have to  
21 go to an Army base to find this guy. He is here.

22 He gets rejected because of something  
23 way back when he was a kid out with his friends, a  
24 shoplifting thing when he was 14, something like  
25 that. To me that is inconceivable.

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2 COMMISSIONER TIMONEY: Based on that I  
3 couldn't agree with you more. And one of the things  
4 we've done and a few things -- as you are aware, I  
5 am not a huge fan of the lie detector test. I think  
6 it is kind of crazy and shouldn't be an  
7 elimination. It should be used as an investigative  
8 technique.

9 But also on a kid, a 14 or 15 or 16 year  
10 old kid that gets into some minor trouble, nothing  
11 heavy, that should not be counted against you for  
12 the rest of your life. And one of the things we are  
13 trying to do --

14 COUNCILMAN ORTIZ: I can show you cases.

15 COMMISSIONER TIMONEY: Well, without  
16 having the time with you now, I will sit down with  
17 you and go through it. But let me just tell you the  
18 changes we have done just in the last two or three  
19 months.

20 We have completely changed the matrix of  
21 how a person gets disqualified. Because, you know,  
22 if somebody screws up when they are 15 or 16, they  
23 are teenagers, and now they are 21 or 22 and they  
24 basically have stayed out of trouble for the last  
25 two or three years, I am all for redemption, and

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2 giving people a first and second chance. That  
3 should not automatically be held against them.

4 And so with those rare exceptions I will  
5 tell you there are no more automatic rejections  
6 unless, of course, it was a serious felony. Because  
7 you're automatically --

8 But the things that a year or two years  
9 ago were automatic rejections are no longer  
10 automatic rejections. There are still automatic  
11 rejections for drug dealing, involved in a shooting  
12 or clearly robbery.

13 But on the other things, on a minor  
14 thing, for example, some 14, 15-year-old kid once  
15 experimented with marijuana in high school, why  
16 should that be held against you for the rest of your  
17 life? I don't think it should.

18 So I think what kids need to do is say,  
19 yeah, we did -- if you do the lie detector test and  
20 be honest, yeah, I tried it when I was 15 and 16, I  
21 just tried it, but I haven't -- you know, I have  
22 been clean since. Fine. And then I will pass you.

23 Trust me, I understand all the problems  
24 with the system. We are in the process of trying  
25 to --

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2 COUNCILMAN ORTIZ: (Unintelligible.)

3 COMMISSIONER TIMONEY:

4 (Unintelligible.) This could be in conjunction. I  
5 will sit down and discuss this with you or anybody  
6 else on any of these cases.

7 COUNCILMAN ORTIZ: I discussed it before  
8 with you and Commissioner Johnson. And it seems  
9 that on a lot -- it happens to a lot of minority  
10 African American people.

11 COUNCIL PRESIDENT VERNA: It happens to  
12 everyone.

13 COMMISSIONER TIMONEY: It happens to  
14 everyone.

15 COUNCIL PRESIDENT VERNA: I understand.

16 COMMISSIONER TIMONEY: You have to be a  
17 Philly cop --

18 COUNCILMAN ORTIZ: It could happen to  
19 everyone, but it doesn't come to my office --

20 COUNCIL PRESIDENT VERNA: Well, it comes  
21 to my office, and I have spoken to the Commissioner  
22 about that.

23 COMMISSIONER TIMONEY: You are not the  
24 only one to speak to me, by the way.

25 COUNCILMAN ORTIZ: How can we be geared

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2 so that an individual like this one can come back if  
3 he still wants to be a policeman? So that he moves  
4 to a town, Orlando, to become a policeman down  
5 there, right, and if he moves within the system, he  
6 moves within the City? And to try to prevent this  
7 type of incident from happening, you know, across  
8 the board, how do we begin doing that?

9 COMMISSIONER TIMONEY: Well, I think I  
10 answered that. I think we have begun to look at the  
11 whole of who we qualify and don't qualify. I really  
12 don't believe personally in automatic rejections. I  
13 really don't.

14 And I think people should be allowed,  
15 especially young ones who screw up, to be forgiven  
16 by adults. You know, I don't think it should be  
17 held against you for the rest of your life.

18 And so as long as you have indicated in  
19 the last couple years, okay, you have gotten your  
20 act together, we've all grown up. We all grow up in  
21 different stages; we all grow up in different  
22 backgrounds. And if we don't give people a chance,  
23 a chance once or even a second chance, I mean, what  
24 kind of an organization are you?

25 COUNCILMAN ORTIZ: (Unintelligible.)

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2 COMMISSIONER TIMONEY: I'll take your  
3 phone calls.

4 COUNCILMAN ORTIZ: Thank you.

5 COUNCIL PRESIDENT VERNA: You're  
6 welcome.

7 The Chair recognizes Councilman Cohen.

8 COUNCILMAN COHEN: Thank you.

9 Is there a no smoking policy in the  
10 police department?

11 COMMISSIONER TIMONEY: I don't smoke.

12 COUNCILMAN COHEN: Do you have a general  
13 no smoking policy throughout city buildings?

14 COMMISSIONER TIMONEY: Yeah. I see  
15 those poor people in my office every day all out  
16 there smoking. I mean, there is -- I've never seen  
17 anyone smoking in headquarters.

18 COUNCILMAN COHEN: And this morning I  
19 had a routine medical checkup and the nurse said, I  
20 am glad I got you. It boggles me -- she had two  
21 problems she wanted to discuss with me as a city  
22 representative.

23 One was these bicycle paths. Who paints  
24 those white lines? Is it painted on? Is it the  
25 police department?

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2 COUNCIL PRESIDENT VERNA: Streets

3 Department.

4 COUNCILMAN COHEN: Our own Streets

5 Department?

6 COUNCIL PRESIDENT VERNA: Our own

7 PennDOT.

8 COUNCILMAN COHEN: Are there any rules --

9 are cars permitted to use those bicycle paths when  
10 not being used by bicycles?

11 COMMISSIONER TIMONEY: Being a biker,  
12 they're not supposed to. But I know they do.

13 COUNCILMAN COHEN: She comes in from  
14 Jenkintown to the Philadelphia office. She has  
15 never seen a bicyclist ever on York Road coming into  
16 Broad Street in the northwest part of the City. And  
17 York Road is fully painted.

18 What has happened is that what used to  
19 be two lanes of traffic now becomes one lane of  
20 traffic, and the traffic gets jammed up two or three  
21 blocks --

22 COMMISSIONER TIMONEY: Right.

23 COUNCILMAN COHEN: -- for it to move  
24 freely.

25 I'm just raising it to see whether

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2 someone can look at that because I favor the concept  
3 of bicycle paths and also to keep motorists, you  
4 know, from throwing bricks at bicyclers and vice  
5 versa.

6 And that battle goes on when they  
7 appear. But I am just wondering whether anyone has  
8 really examined that picture.

9 COMMISSIONER TIMONEY: That issue has  
10 come up somewhere, and it may be at a community  
11 meeting up in the 35th. But someone brought it to  
12 my attention before.

13 And Charley -- there is somebody. I  
14 think we are looking into that. And maybe, maybe  
15 there is another provision where during rush hours  
16 from 7:00 in the morning to 10:00 and then after,  
17 from 4:00 to 7:00, it is open to cars. We will  
18 check it out.

19 COUNCILMAN COHEN: I think that would be  
20 a good thing.

21 And on the no smoking policy she raised  
22 the question of the appearance of police officers  
23 who are in cars smoking and throwing them out in the  
24 street.

25 We have a general no smoking philosophy

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2 in the City that we have been carrying on for years  
3 to reduce the amount of smoking. Most of our city  
4 buildings are no smoking buildings.

5 And I am just wondering, I know the  
6 police work under special pressures --

7 COMMISSIONER TIMONEY: I could not agree  
8 with you more. One of the things that has really  
9 upset me, and I have been known -- I sent a memo out  
10 and we have spoken. And I have had Chief Pryor  
11 speak --

12 There is no prohibition within the  
13 regulations that forbids Philadelphia police  
14 officers to smoke in uniform. I think it is  
15 disgusting. Apparently, I can't do that  
16 unilaterally, because again (unintelligible.)

17 To begin with, you would not be allowed  
18 to smoke in uniform. You would probably be fined if  
19 you did. But here to do that prohibition I would  
20 have to sit down and work it out with the FOP; and  
21 it doesn't look like that is possible.

22 So I've used a volley to tell officers,  
23 listen, be aware of your image. It just looks  
24 awful. You see this guy walking, hanging it out of  
25 the lip; it drives me nuts. And I stop him and

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2 say: Get rid of this thing. Are you kidding me?

3 It's a phase of life.

4 The other one, throwing a cigarette butt  
5 out of the car -- any type of garbage out of the car  
6 is another disgusting habit. The one good thing is  
7 that you don't see it like you did 20 or 25 years  
8 ago.

9 One of the great ad campaigns that  
10 worked for America is littering. And they should  
11 be -- again, it is like when somebody calls 911 and  
12 tries to tell the officers, you know, people are  
13 watching you.

14 So whether you go by a drug location or  
15 you are throwing wrappers or cigarette butts out of  
16 a car, people are watching and they are basing their  
17 impression and the whole problem upon your  
18 individual actions.

19 COUNCILMAN COHEN: Particularly police  
20 officers, younger police officers, are models to  
21 young people. And we want that to be.

22 COMMISSIONER TIMONEY: There is no  
23 disagreement there.

24 COUNCILMAN COHEN: And there are special  
25 campaigns of no smoking involving youngsters. It

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2 gives a contrary message when that exists.

3 Can you explain briefly what is the  
4 difference in duties between the two captains in the  
5 police district?

6 COMMISSIONER TIMONEY: Yes, sir. Before  
7 you get to duties, let me explain the rationale for  
8 the executive officers. When I was running around,  
9 if you remember the day I was sworn in, I said I  
10 would visit every district within 30 days. And I  
11 did it within 29 days.

12 As I was going around, I turned the  
13 troops out and go back to the captain's office and  
14 sit down and "tell me what's going on," and when did  
15 you get that and when did you get that.

16 And out of the 23, it seemed like there  
17 was about eight or nine of them all got there last  
18 August 17th. So I thought there was this huge  
19 scandal, they cleaned the heads of the departments  
20 out, all these people.

21 And they said: No, we were promoted  
22 August 16th.

23 I said: Okay, you were promoted August  
24 16th and you took over August 17th.

25 Yeah. (Unintelligible.) I was five

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2 years at the Academy. I was five years in  
3 narcotics.

4 So you have spent five years in  
5 detectives away from patrol and you got promoted to  
6 captain and then you were given the most difficult  
7 job in the Police Department as a district commander  
8 without any training or break-in period?

9 I mean, that is insane.

10 And to help us get past that, we  
11 designed the executive officer. The executive  
12 officer is only in those A districts, the real tough  
13 districts. They help the commanding officer run the  
14 day-to-day operations but they also help run the  
15 administrative functions within the district and  
16 learn how to do a job.

17 The theory is that they will do that for  
18 six, nine months, and then they will move into a B  
19 command. I am happy to report the very first one  
20 started yesterday.

21 I am sure Mr. Nutter will be upset about  
22 this but we will have somebody good take his place.  
23 The executive officer in the 19th, who has done an  
24 outstanding job out there, is being rewarded. He is  
25 now taking the new commanding officer of the 17th

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2 District, the good work. He will be replaced by  
3 another executive officer.

4 And what we are trying to do is let  
5 people know, one, when you train with the B  
6 commanding officers but also as executive officers,  
7 if you do good work and you get rave praises from  
8 City Council, from the public, from your commanding  
9 officers, from your bosses, we are going to take  
10 care of you.

11 And so that is what the whole issue is  
12 of developing executives officers. To develop fine  
13 commanding officers, that is the ultimate goal.

14 COUNCILMAN COHEN: Ultimately, you go  
15 back to the policy of a single captain in the  
16 training or --

17 COMMISSIONER TIMONEY: No. Those ten or  
18 eleven districts -- by the way, because it is a  
19 fluid situation, you never have all eleven districts  
20 with two captains. Sometimes you have nine. You  
21 lose two captains -- you are full with eleven but  
22 before you know it, three or four months later, two  
23 or three have transferred somewhere else.

24 The idea though is to develop as used in  
25 the A houses -- an executive officer to develop

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2 their skills as captains, to do that job. They go  
3 to a B house, they do a good job, in two or three  
4 years they move to an A house. It is rewarding  
5 people.

6 And as you are well aware, the Mayor was  
7 very good. We have given those district captains  
8 now -- they are the only ones that get extra money.  
9 Because we recognize they have a hard job.

10 And narcotics captains do great work,  
11 but there is no harder a job than running a  
12 district. When You are running a district, you have  
13 to report to Timoney and Johnson. Guess what, you  
14 also have to report to Cohen and Blackwell and all  
15 of the heads of the community.

16 I mean, they are the ones that have to  
17 deal on a day-to-day basis -- they are held  
18 accountable to run those districts and volunteer  
19 with the politicians, with the police, with the  
20 brass and the deal with problems. Cops do it all.  
21 They do it all. They deserve the recognition.

22 COUNCILMAN COHEN: Let's talk for a  
23 moment about abandoned cars.

24 COMMISSIONER TIMONEY: My God, can we  
25 just forget it? The horse is dead.

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2 COUNCILMAN COHEN: There is a resolution  
3 that passed City Council several months ago that is  
4 probably going to be heard by the Public Safety &  
5 Law and Government Committee, maybe even the Streets  
6 Committee, which introduced a similar resolution but  
7 then withdrew it in favor of the earlier one. We  
8 will probably have public hearings in March, which I  
9 just wanted to alert you to it.

10 COMMISSIONER TIMONEY: Yes.

11 COUNCILMAN COHEN: But part of the  
12 discussion, what has happened in my part of the City  
13 where I live, and I think it is duplicated, maybe  
14 even exaggerated in other areas, is we find a lot of  
15 cars banged up; they were obviously in an auto  
16 accident somewhere and they're at corners where  
17 there is absolutely no evidence that any accident  
18 ever took place. So we are puzzled by it.

19 And then we take action. And  
20 ultimately, the cars get removed only to be replaced  
21 by a new batch, maybe an increasing number even, of  
22 cars in the same location that never had an auto  
23 accident that anybody can ever remember of.

24 I was reminded of it when you talked  
25 about having a helicopter and a bunch of trailers.

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2 Is there any indication that there is  
3 any organized effort from either in the City or  
4 outside the City to use the streets as a dumping  
5 ground?

6 COMMISSIONER TIMONEY: Yes, you are  
7 absolutely right. And this issue came up about  
8 three weeks ago at COMPSTAT when Captain McGinnis  
9 was in charge of the order of the crime.

10 And I don't know the details, but there  
11 is some evidence and we have an investigation going  
12 on of junkyards, auto shops that are stripping up  
13 and then getting the shells and going out and  
14 depositing them on city streets as opposed to  
15 getting them and making scrap metal out of them.

16 So there is -- we have one or two  
17 locations that I cannot get into, but you are  
18 absolutely right on. But even that wouldn't account  
19 for the numbers -- there is something else driving  
20 the issue. I mean, there is just far too many.

21 I think part of the problem is, and it  
22 is only one part of the problem, is the issue the  
23 community needs -- what we are attempting to address  
24 now is the issue of unlicensed, unregistered,  
25 uninsured cars. So that thought isn't, if I ran out

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2 of insurance and I don't have a driver's license,  
3 well, let me pick up a car for \$200 and run it in  
4 the ground, and I will deposit it -- wherever it  
5 dies, that's where it dies, and they become the  
6 future abandoned cars.

7 The program now that we have set up that  
8 has been in effect for the last three or four months  
9 of stopping people with those cars and us  
10 confiscating them before they become abandoned autos  
11 is being -- has been, so far, quite successful.

12 I think it is the extent of the  
13 program -- again, depending on the capacity of  
14 private towers and space, because we cannot have  
15 "hoses" hanging around for seven hours waiting for  
16 tow trucks to show up. But so far it hasn't -- so  
17 far the towers, they manage to be there within a  
18 half hour.

19 My sense is if we can commit to extend  
20 that program also that that will preclude future --  
21 a certain amount of future abandoned autos appearing  
22 on the streets by people who drive without  
23 insurance, without registration and just driving a  
24 \$200 jalopy until it collapses, and where it  
25 collapses, that is where it stays.

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2 COUNCILMAN COHEN: Is it possible that  
3 some salvagers might make room in their storage area  
4 for this soup campaign and want to move out old  
5 cars? Because we understood there was a shortage of  
6 space for abandoned cars.

7 COMMISSIONER TIMONEY: Well, I don't  
8 know whether they're moving them out. But the fact  
9 is there are a few, in fact, moving them out. And I  
10 have investigations ongoing.

11 One of the things which we addressed  
12 earlier this morning, I think before you got here --  
13 and we are having a meeting next week on this whole  
14 issue -- we are getting a lot of information,  
15 letters from Mr. Certaine or from Councilman Street  
16 that the records don't show up.

17 But it is antidotal information. We  
18 don't have these records. Nobody has told  
19 Commissioner Estel, none of the commanding officers,  
20 hey, listen, the records aren't showing up.

21 He can't do anything about the records  
22 as far as getting their licenses revoked unless we  
23 can substantiate. So we need to get our own act  
24 together. I'm confessing here; we haven't had our  
25 act together with regards to this.

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2 I am telling you we are going to get our  
3 act together.

4 COUNCILMAN COHEN: If we asked you,  
5 would March be giving you enough time?

6 COMMISSIONER TIMONEY: March is almost  
7 here. We will go to April 1.

8 COUNCILMAN COHEN: Well, with Council  
9 President's permission, we will wait until April 1.

10 And then the last question; some four  
11 and a half years ago I sponsored and City Council  
12 passed and Mayor Rendell signed Bill No. 825, on  
13 June 22, 1994, which provides that all commercial  
14 vehicles must display their name, address, telephone  
15 number of the owner, and the description of the work  
16 that the truck is being used for, yet I think it's a  
17 law of the City that nobody knows about and is not  
18 being enforced. It creates many problems.

19 One, I'm not sure it's not a safety  
20 hazard to have a lot of unmarked trucks carrying,  
21 we-don't-know-what throughout the City.

22 Secondly, from a tax point of view, it  
23 is an easy cover for businesses that ought to be  
24 filing with different departments to pay city  
25 taxes. It seems to me there might be a motivation

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2 to avoid the payment of taxes if they don't know  
3 you're working.

4 But if you just watch driving down Broad  
5 Street, you see truck after truck totally  
6 unidentified in any fashion and what it --

7 COMMISSIONER TIMONEY: Go ahead.

8 COUNCILMAN COHEN: It seems that the  
9 fine provided for in the bill, a \$300 fine, and it  
10 would be important not only to enforce the bill, but  
11 when we get the information to see that the proper  
12 licenses are required for whatever work they are  
13 doing, the proper tax is paid.

14 Because I think this could amount to  
15 very many millions of dollars in business taxes plus  
16 we can be sure that these cars are not carrying  
17 things they ought not to be carrying.

18 COMMISSIONER TIMONEY: I have my  
19 counsel, Karen Simmons, behind me. She is taking a  
20 note as you are speaking. She will look into that.

21 COUNCILMAN COHEN: And I would like to  
22 get a suggestion because it may require a number of  
23 departments. It would seem to me the police  
24 department would be in the best position to enforce  
25 that.

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2 COMMISSIONER TIMONEY: Yeah. I have no  
3 problems at all. We have the highway officers -- I  
4 have no problem. Let me look into that. I will get  
5 back to you.

6 COUNCILMAN COHEN: Very good. Thank  
7 you, Madam President.

8 COUNCIL PRESIDENT VERNA: You're  
9 welcome.

10 The Chair recognizes Councilman Rizzo,  
11 only if he promises he is not going to talk about  
12 abandoned vehicles.

13 COUNCILMAN RIZZO: Oh, I might as well  
14 pass then.

15 No, I am not going to do that to the  
16 Commissioner. I think we were dealing with that  
17 subject well.

18 Commissioner, I'm not sure, but I  
19 believe in city vehicles it is not legal, there is  
20 no smoking in city vehicles. I haven't gotten in  
21 one vehicle --

22 COMMISSIONER TIMONEY: I know in my car  
23 there is a sign that says "No Smoking." Somebody  
24 put that sign there. But I don't smoke.

25 COUNCILMAN RIZZO: I believe that you

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2 are not supposed to smoke in any city vehicle. I  
3 see a sticker "no smoking," so I hope there is  
4 something to back that up. So I just wanted to  
5 point that out.

6 COMMISSIONER TIMONEY: Okay. Very  
7 good.

8 COUNCILMAN RIZZO: Commissioner, maybe  
9 you can clear up something that I get a tremendous  
10 amount of calls on. And it seems to cause a lot of  
11 unnecessary frustration to the police department.

12 How many lists do we have? And why when  
13 young people call they automatically get their  
14 feathers ruffled when they hear about this two-list  
15 system that we have in the police department?

16 Would you please explain so I can  
17 understand the process better?

18 COMMISSIONER TIMONEY: I hope I can  
19 explain it. I am not so sure I understand the  
20 process.

21 But as you are well aware, there was a  
22 Federal Decent Decree that was entered into, I  
23 believe, in 1990, a ten-year running exemplary  
24 decree regarding minority hiring, specifically  
25 African American hiring within the Philadelphia

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2 Police Department to attempt to reach levels that  
3 would reflect somewhat the African American  
4 population that was in the City of Philadelphia.

5 DEPUTY COMMISSIONER JOHNSON: What  
6 happened, there was the descent decree. The descent  
7 decree basically says because of past discrimination  
8 that the police department had to again hire the  
9 amount of blacks -- Afro-Americans, not all  
10 minorities, just Afro-Americans, who have taken the  
11 test and passed the test, that percentage has to be  
12 in the next class.

13 So what happens is that, I am not sure  
14 exactly how many there is now, but I believe there  
15 is two or three active lists. They have to go  
16 through one list to see if there is a list, say A  
17 list.

18 So they have to take all of the  
19 Afro-Americans off that list and Caucasians and then  
20 go to the next one. After all of the Afro-Americans  
21 on this one list, then they go to the B list. Well,  
22 they can't -- if they need Caucasians for a class,  
23 they have to take them off of the first list.

24 If they need them for the third list,  
25 they still have to take them off of the first list.

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2 The only time they can give additional tests is when  
3 they run out of minorities. So when they run out of  
4 minorities on one list, they have to give another  
5 test to bring the minorities in.

6 But you can't say, if you are on an A  
7 list -- I may be confusing you. But if you are on  
8 the A list as a Caucasian you have to go before the  
9 Caucasian on the B list. It is not two separate  
10 lists; they are on the same list. But the first  
11 list has to be used up before you look to the second  
12 list and then you go to the third list.

13 And each of these lists lasts two  
14 years. Once the two years is over, the list is done  
15 with.

16 So conceivably what happens then, if  
17 there is a class of 100 and -- 100 Afro-Americans  
18 say, they have to be 50 percent or the amount of  
19 those who took the test and passed it, the  
20 percentage; say 40, 50 percent. Then 40 percent has  
21 to be in that class based on a Federal Descent  
22 Decree.

23 There is nothing the City can do about  
24 it until there is a new test that is approved by  
25 either the City or if a federal judge approves that

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2 list.

3 COUNCILMAN RIZZO: After two years the  
4 list expires?

5 DEPUTY COMMISSIONER JOHNSON: Correct.

6 COUNCILMAN RIZZO: Now, I want to  
7 address the hiring, the supposed hiring problem. I  
8 get calls and letters -- as you know, I have a TV  
9 show. I get calls and letters about young people  
10 who want to be police officers, that because of this  
11 process that we just described, they never get hired  
12 as police officers or the list expires.

13 If we've got a crisis and we are not  
14 able to hire qualified applicants, why are we doing  
15 this?

16 COMMISSIONER TIMONEY: Well, I mean,  
17 we've -- that discussion goes on almost daily in  
18 headquarters. I think the issue -- we've had  
19 discussions with people in the administration.  
20 There are a couple of things: One, it has reached a  
21 point now that we can't even get enough minorities  
22 without practically giving new exams which -- right  
23 now we have two lists going on, 78 -- 77 and 78.

24 But there are not enough. For example,  
25 for the class coming up, there are not enough

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2 minority candidates on the existing list, which  
3 forces us to give another exam, which kind of puts  
4 you in, at least for me, an embarrassing situation  
5 regarding if I have to go to a community group and  
6 somebody says, why are you having an exam, I've been  
7 on a list, I haven't been called yet. It's a  
8 problem.

9 It is not a problem of our making, but  
10 it is a problem nonetheless. That in conjunction  
11 with -- we are coming up on the tenth year.  
12 Something has got to give some way, somehow, whether  
13 it is an exam that will guarantee -- well, we're  
14 supposed to guarantee that there will not be a  
15 disparity or impact.

16 I know that Linda Siedel and the City  
17 Central Personnel has a consultant on board that  
18 lists the Pentagon, lists some other municipalities,  
19 Denver, to come up with such an example.

20 Now, I don't know what my sense is, it  
21 is only months away from -- is it months away,  
22 John?

23 SPEAKER UNIDENTIFIED: Yes.

24 COMMISSIONER TIMONEY: Just months  
25 away. But even having said that, I think that one

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2 of the problems that I found with the decent decree  
3 is that by throwing in percentages ahead of time, it  
4 took any incentive away from doing actually a really  
5 aggressive recruitment campaign.

6 What is the difference? I just gave an  
7 example. The numbers are what the numbers are.

8 We would be better off had we been given  
9 some numerical quota we had to reach, as opposed to  
10 saying, listen, just give an exam. There is no  
11 incentive, as best I can tell, for people to go out  
12 there and do good, aggressive recruitment  
13 campaigns.

14 That is one of the reasons, by the way,  
15 we are looking to give permission to go to the  
16 military. We think that, you know, there is a good  
17 candidate for minority that we can draw from by  
18 going to the military.

19 In any event, my sense is within the  
20 next six months, this whole issue has got to come to  
21 a head, one, because the ten years is coming up;  
22 two, the federal judge says by then you had better  
23 come up with some exam that will, you know, pass the  
24 brush test with no disparity impact.

25 I know they are working with it now.

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2 But it actually -- after going along for nine years  
3 or so, it is starting actually to reach -- to reach  
4 a head.

5 By the way, the issue of recruitment --  
6 I just came back, I was out with the Chief Parks  
7 and -- Bernie Parks of California, at a chiefs'  
8 meeting last week. And it is everywhere across the  
9 United States, this hiring problem.

10 And so, for example, the chief from  
11 Memphis, Tennessee, which is a majority in our  
12 community, he just went through a list of 2,300  
13 people to get 89 people. He says it is the same  
14 thing: he has given the exam, and it is the same  
15 people taking the exams.

16 So even though he is giving the exam, he  
17 is not enlarging the candidate pool. It's the same  
18 people taking the exam, the people that were  
19 rejected, rejected, rejected.

20 So for 2,300 people under the normal  
21 conditions you should realize a full, highly  
22 qualified list of about 250 people. He realized 89  
23 people. And he said even then, he said he was  
24 really kind of scraping the bottom. It is a  
25 problem.

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2 COUNCILMAN RIZZO: And you are obviously  
3 aware that it is young people who are candidates not  
4 necessarily --

5 COMMISSIONER TIMONEY: I get letters all  
6 the time.

7 COUNCILMAN RIZZO: They get that pitch  
8 whoever they speak with, we are not going to get to  
9 you. And then they read from the paper we are out  
10 looking at military installations to hire police  
11 officers. That can really get people unnecessarily  
12 angry.

13 And to me, that whole process of how  
14 that message is delivered -- I don't mean to be  
15 sugar-coated, but I think it needs to be revisited  
16 on how that message -- because I get some people  
17 with like fire coming out of their ears when they  
18 call me expressing the concern that I just  
19 described.

20 And, Commissioner, could you comment on  
21 your feeling on why a list needs to expire in two  
22 years? I think it is an antiquated -- I think that  
23 is an antiquated system. Because a person who is 23  
24 isn't much different when they are 25.

25 COMMISSIONER TIMONEY: I will tell you,

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2 you will never see me sit here and defend the Civil  
3 Service System.

4 COUNCILMAN RIZZO: But you realize that  
5 when you wanted to change rules to go recruit that  
6 we had something in place that allowed you to do  
7 what you wanted to do without changing the rules.

8 COMMISSIONER TIMONEY: I'm not sure. By  
9 the way, it goes to Councilman Cohen. He was the  
10 one that discovered that.

11 But my understanding is that the Civil  
12 Service regulations are a list that has a shelf life  
13 of two years and then it expires automatically.

14 COUNCILMAN RIZZO: Well, that is  
15 hurtful, in my opinion, to have a list just expire  
16 in two years when we've left 50 qualified candidates  
17 that may be 26 years old, 25 years old, that want to  
18 be police officers that have gone through basically  
19 the process.

20 COUNCIL PRESIDENT VERNA: I think that  
21 holds true for any Civil Service list.

22 COUNCILMAN RIZZO: But we are dealing  
23 with a crisis --

24 COUNCIL PRESIDENT VERNA: Not just the  
25 police department.

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2 COUNCILMAN RIZZO: But we are dealing  
3 with a crisis. I have nobody coming here and  
4 telling us that is a problem. The police department  
5 is obviously suffering from this problem -- from  
6 this requirement.

7 One last comment on promotion.  
8 Historically, we've promoted -- the last time you  
9 promoted captains, how many captains did you  
10 promote?

11 COMMISSIONER TIMONEY: There was six in  
12 the beginning of the summer and then we did nine in  
13 December.

14 COUNCILMAN RIZZO: Sergeants all  
15 together?

16 COMMISSIONER TIMONEY: We did 55 in  
17 June. And what are we doing, 75? 51.

18 COUNCILMAN RIZZO: Well, someone made a  
19 recommendation to me that why can't we promote  
20 within the police department based on need; we need  
21 two sergeants, you promote two.

22 COMMISSIONER TIMONEY: No. We are not  
23 going to put together the complete -- we have  
24 increased the training tremendously for all of the  
25 bosses for two weeks, of course, besides. I am not

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2 going to put together a course where we have 15  
3 instructors for two sergeants. So ideally you want  
4 to get 15, 20 sergeants and then do them.

5 I would have done it a little  
6 differently last year, but, you know, we work within  
7 the City budget. We work within the list that comes  
8 out. So we did 55. The Mayor authorized 55 to get  
9 us through the summer. We got through the summer.

10 We put together a promotion package  
11 based on the new lists, and then we sent over -- and  
12 once it was sent over in September, it was  
13 approved. And by the time we got everyone's  
14 calendars together, do the background investigation,  
15 it was the beginning of December.

16 So it wasn't -- I mean, I am very  
17 appreciative of those numbers that we were offering  
18 last year, but I don't think it worked out any  
19 differently. I mean, what I'm going to do, I'll  
20 tell you right now, you can get five things to set  
21 up a whole class, a whole scheme for five sergeants,  
22 it is just very wasteful.

23 COUNCILMAN RIZZO: Did I hear you say  
24 you do background investigations?

25 COMMISSIONER TIMONEY: Well, no. They

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2 go before a board. They go before a board, the  
3 review panel, the promotional review panel of three  
4 officers, three ranking officers, usually two  
5 inspectors and a chief.

6 COUNCILMAN RIZZO: I guess you can't get  
7 a trial except for a police department. But, you  
8 know, a large corporation -- I never heard of an  
9 organization that promotes 55 managers at once.

10 In most corporations if a person is  
11 getting promoted, they promote two or three based on  
12 need. I can't imagine how your organization is  
13 suffering if you need a sergeant and you have to  
14 wait for 55 all at once. That to me seems like a  
15 problem.

16 COMMISSIONER TIMONEY: No. I've been  
17 hearing you. We've done two sets of promotions, the  
18 55 -- by the way, we probably didn't need the 55, we  
19 probably needed about 40. But I expected the Mayor,  
20 because of the attrition rates, coming into the  
21 summer, plus the negotiation period -- we need the  
22 additional bodies with the attrition levels for  
23 July, August, September.

24 And so then the next levels, when we  
25 completed the reorganization of the department --

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2 now we have a problem. Here's what it looks like,  
3 here is what it looks like, what we need now: We  
4 needed nine, and there were several lieutenants.

5 And then those sergeants that we did in  
6 December were not as a result of attrition from July  
7 to December, because the attrition was a result of  
8 promoting nine lieutenants to nine captains, and  
9 then around 45 sergeants to lieutenant, that is what  
10 created the openings for those sergeants.

11 COUNCILMAN RIZZO: That's how you do  
12 business.

13 Thank you very much, Madam Chair.

14 COUNCIL PRESIDENT VERNA: You're  
15 welcome.

16 The Chair recognizes Councilman Nutter.

17 COUNCILMAN NUTTER: Thank you, Madam  
18 Chair.

19 Commissioner, you and I have had  
20 discussions in the past, I think, when you were most  
21 recently here to talk about the military  
22 recruitment. We were looking at a bill, and then  
23 subsequently, as you mentioned on a couple of  
24 occasions, we ended up going in different  
25 directions.

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2 You and I have had a lot of discussions  
3 about hiring practices, the test, descent decree and  
4 the like.

5 First, let me say that I believe that at  
6 the time the decent decree was appropriate, it was  
7 needed. It was factually founded that there was  
8 discrimination in the police department primarily  
9 emanating out of the '70s and into the early '80s.

10 I do think though at this point in time,  
11 especially because it is nearing the end of the  
12 time, that it is most appropriate to revisit all of  
13 the issues that were covered by the decent decree  
14 from the hiring standpoint, a recruitment standpoint  
15 or the tests, which is still an ongoing issue.

16 I think we generally agree that we are  
17 not sure what that test that the officers take  
18 proves, other than they know how to take a test, but  
19 it has virtually no relevance as to whether that  
20 person could be a good police officer or not, which  
21 is what we are really interested in.

22 What I would ask you to do I guess at  
23 this point in time, if you can, direct it to the  
24 Chair but for this body, if you would put together,  
25 I guess, a proposal that gets into all of those

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2 issues and what you would like to see happen around  
3 the issue of hiring, what we can or should do with  
4 regard to the decent decree -- we don't know  
5 ultimately what the federal judge is going to  
6 rule -- where we are with the test issue. It seems  
7 like we have been looking at the test and searching  
8 around for a good test for many, many years.

9 Whenever we ask about it we are told, We  
10 are almost ready with it, but, I mean, I have gotten  
11 that answer for the last five years. You know, we  
12 will all be old soon, too.

13 And getting into what you mentioned  
14 earlier, that you want to change, for instance, the  
15 age that someone has to attain before they can be  
16 hired, can you do that within your own jurisdiction,  
17 or do you need something from the Civil Service?

18 COMMISSIONER TIMONEY: Civil Service.  
19 It is Civil Service.

20 COUNCILMAN NUTTER: Okay. I would like  
21 to know what all of the things are that you are  
22 going to do, because you and I had been back and  
23 forth about this.

24 And you may have thought I was in  
25 disagreement at the time about the sole provision of

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2 the recruit at the military bases, I was not. I  
3 looked at that as one of about ten things that  
4 needed to be done. And our own dispute was a timing  
5 issue: Should we do that in isolation or should we  
6 have a complete package ready for Council, for the  
7 Administration, and more importantly for the  
8 citizens of the City that details how you want to go  
9 forward in getting the best possible officers on the  
10 force.

11 Is it a good goal to have? Does the  
12 police force reflect the general population of the  
13 City? Yes. But it is more important to have good,  
14 qualified police officers.

15 You should not be scraping the bottom of  
16 the barrel. You should not be reaching down at  
17 depths with numbers that under any other measuring  
18 device, college, university or anywhere else --  
19 generally a 69 is failing on anybody's else  
20 benefit.

21 The fact that we have to dig down below  
22 to get police officers again on a test that we're  
23 not sure what it measures is a problem. And I think  
24 it needs to be addressed.

25 To the extent that you cannot find, for

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2 whatever reason, good qualified, minority people,  
3 whether black or other races, but you are finding in  
4 the white population people who can pass the test,  
5 is an indication either of a testing problem or a  
6 recruitment problem, or there is something wrong  
7 with the test that certain people are passing it and  
8 certain people are not, for whatever reason.

9 All of those issues, I think, really do  
10 need to be examined. We need to be honest about  
11 what we find from that, and then design something  
12 that is fair to the recruits and also fair to the  
13 City.

14 So could you put together a proposal --

15 COMMISSIONER TIMONEY: I couldn't agree  
16 with you more. And I just want to find out or  
17 clarify and give you some of my experience in this  
18 area.

19 One, I don't necessarily -- I don't  
20 disagree that there is discrimination from the  
21 decent decree of 1990. I am not arguing that  
22 point.

23 I am arguing -- my argument is with the  
24 solution, that the solution, by virtue of the fact  
25 it's saying whatever the percentages are the

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2 percentages are, I think we were better off going  
3 (unintelligible.)

4 COUNCILMAN NUTTER: Neither of us were  
5 around at that time. And you and I don't necessary  
6 understand why the percentage has to do with how  
7 many took the test. We might be able to look at  
8 something with regard to how many actually passed  
9 it.

10 I mean, you have a universe of people  
11 actually taking the test, some of whom are never  
12 going to be police officers, should never be police  
13 officers and are not going anywhere in any way in  
14 that particular profession.

15 So basing it on the number who took the  
16 test versus the number who actually passed I think  
17 is the first part of the problem. So --

18 COMMISSIONER TIMONEY: Well, the other  
19 part is -- this is not to dampen expectations but  
20 just to point to something and then ask a  
21 question -- why is it so difficult?

22 In the early '80s the New York City  
23 Police Department began a sincere, I think,  
24 affirmative program to go out and recruit more  
25 minorities, especially African Americans. In 1984

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2 they hired the first African American police  
3 commissioner, that effort increased, lots of money,  
4 lots of personnel were put into that effort. And  
5 then it was literally come up once a week, this  
6 whole thing.

7 We had a whole unit set up with some  
8 pretty sharp people running it. That commissioner  
9 was followed by Lee Brown for the next year. So we  
10 had eight and a half years of African American  
11 leadership. I am talking about spending billions of  
12 dollars and lots of personnel.

13 And we increased the minority population  
14 in the New York City Police Department, but not to  
15 the intended increase when we first started off.  
16 The New York City Police Department went from in  
17 1980 11.8 percent African American to today, 13.4  
18 percent. This is after the millions of dollars and  
19 hundreds of man hours or something like that.

20 The Hispanic police officer population  
21 went from 4 percent to -- it's up around 18 or 19  
22 percent now. And every class -- they are doing huge  
23 classes now for the last six or seven years. Every  
24 class in New York has had over 25 percent Hispanic/  
25 Africans. And this is with no particular effort in

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2 the Hispanic community. And the Asians have gone  
3 from literally a handful to over 500 in that same  
4 period.

5 So often even when you put in the  
6 resources and effort, the results aren't what they  
7 are to be expected. So I am not trying to dampen, I  
8 am just trying to enlighten.

9 COUNCILMAN NUTTER: I understand. Look,  
10 you can make the opportunity available, people  
11 choose to pursue it, fine; if they don't, that's the  
12 way it goes, and you can't complain. But as long as  
13 there is an element of fairness, a level playing  
14 field, good opportunity, people will decide whatever  
15 it is they want to do.

16 So I will ask, if you can, go forward on  
17 that.

18 COMMISSIONER TIMONEY: I will go forward  
19 on that, and you've got my commitment.

20 COUNCILMAN NUTTER: Thank you.

21 What is the status -- there has been  
22 discussion over the years on, and I think it may  
23 have even come up when you were first with us at  
24 this time last year, the issue of the size of the  
25 police districts, where their boundaries are, and

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2 should they be realigned based on either crime or  
3 population?

4 I don't know. I don't know that there  
5 is an average police district in Philadelphia. In  
6 the political realm we have ten councilmatic  
7 districts; they each have approximately 157,000  
8 people in it. There is no way in the world that  
9 there is any particular rationale at the moment of  
10 why the districts are the way they are. I assume  
11 based on size they probably put additional offices  
12 in them.

13 But is there any active --

14 COMMISSIONER TIMONEY: There is an  
15 effort as a part of -- this is going to take, I am  
16 not kidding people, this is going to take most of a  
17 year to do.

18 As part of looking at the entire 911  
19 system, we are also looking at personnel and  
20 allocation of resources on a district-by-district  
21 basis. And we are also starting to look at for the  
22 first time since 1972 how -- for example, the 14th  
23 District, they have got (unintelligible.) If you get  
24 a young Tom Costello in here and it is his best day  
25 ever (unintelligible) that's a pretty populated

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2 area.

3 You go to other parts of Philadelphia  
4 and it is completely changed, either populated or  
5 depopulated. In most cases since 1972 you have the  
6 same sector arrangements applied. That's what I'm  
7 saying, we need to look at that.

8 I am not overly concerned, although I  
9 know some members of the command are. I know they  
10 brought to my attention things regarding, for  
11 example, the size of the 35th District. I know  
12 Commissioner Estel brought it to my attention,  
13 Commissioner Johnson, Commissioner Mitchell.

14 I am not overly concerned with that --  
15 (unintelligible) -- the variety up in New York, so  
16 long as you have the number of personnel, that are  
17 correct.

18 I'll Brian Wooling to look at that, if,  
19 in this case, the Mayor's Office and the City  
20 Council, says look at district boundaries.

21 You know we are creatures of habit and  
22 creatures of experience. I know in New York during  
23 the '70's when we did our first effort at this we  
24 were hooted. I mean, don't people identify with  
25 their districts, and you just can't do it. So

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2 that's -- so if someone is willing to bite the  
3 bullet, I am willing to bite it.

4 COUNCILMAN NUTTER: It should not stop  
5 for a minute.

6 I think prior to coming here, in some of  
7 the material that came down to us, you've expressed  
8 strong support for bike patrols.

9 COMMISSIONER TIMONEY: Yes. To a point.

10 (Bernadette M. Black, RPR, was excused  
11 at 2:10 p.m. And replaced by Lisa Bradley, RPR.)

12 COUNCILMAN NUTTER: I understand.  
13 Shortly before Commissioner O'Neill left and shortly  
14 before you arrived, I was in active discussion with  
15 the Police Department about some bike patrols out in  
16 the district that I represent, two areas  
17 specifically and a couple others. One is the City  
18 Avenue Area with the new City Avenue Special  
19 Services District, a compliment of bike patrol  
20 officers that have been deployed, I'd say somewhere  
21 probably in the last eight months by the Lower  
22 Merion Police Department. I am nicely being beat up  
23 by my colleagues across the avenue that they have  
24 bike patrol officers over there but we have none on  
25 the other side to compliment their force. I'd like

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2 to ask if you will take a look at that, as well as  
3 in the Manyunk section where there are actually a  
4 couple patrol officers. I think the only issue over  
5 there is the area that they cover.

6 COMMISSIONER TIMONEY: Well, I'm up  
7 there all the time on my bike. They don't need any  
8 more bike cops.

9 COUNCILMAN NUTTER: Do you wear the  
10 police thing on your back?

11 COMMISSIONER TIMONEY: I wear the police  
12 helmet, Philadelphia.

13 COUNCILMAN NUTTER: Take a look at their  
14 area of coverage and make sure that the residents in  
15 the area are not -- I won't say denied, but don't  
16 enjoy the benefit of what the commercial corridor is  
17 getting in the Main Street Manyunk area and look at  
18 going maybe a block or two into the residential  
19 community.

20 COMMISSIONER TIMONEY: Okay.

21 COUNCILMAN NUTTER: Two other areas that  
22 would probably benefit tremendously are 52nd Street  
23 in West Philadelphia, 60th Street, and Lancaster  
24 Avenue.

25 COMMISSIONER TIMONEY: Let me say, West

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2 Philadelphia, because I spend so much time up at the  
3 18th, it seems like I do, they have a full  
4 compliment of -- there's a lot of bike officers up  
5 there.

6 COUNCILMAN NUTTER: If I went back to my  
7 old neighborhood, I would enjoy the benefit of what  
8 the 18th does since I grew up around the corner from  
9 the 18th. Unfortunately, the 18th is not in my  
10 district, it's in Councilwoman Blackwell's  
11 district. I've got the 19th, the 5th, and the  
12 39th. So if we could get some over in the 19th, I  
13 would appreciate it.

14 Last few things. Can you share any  
15 perspective or share any information that you might  
16 have regarding making more permanent the current  
17 volunteer effort with regard to night court? When  
18 it comes, it seems to be very nice, everyone gets  
19 exited, and I greatly appreciate what the judges are  
20 doing. I don't know what the response and reaction  
21 is from the police department.

22 The times that it's happened in the  
23 19th, one of the responses that's come back to me is  
24 that the judges often start at about, I think, 6:00  
25 or 7:00 in the evening and may end the night at

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2    about 12:00. In the 19th District, unfortunately,  
3    the people who are up to the most activity are  
4    possibly still asleep from having been up all night  
5    the night before, so they don't really get going  
6    with their operation until about 9:00 or 10:00 at  
7    night. And then the judges kind of complain that  
8    we're not bringing them activity at 7 o'clock in the  
9    evening. You know, these folks are probably, as I  
10   said, still sleeping or they're eating their meal  
11   for the evening for their nighttime activity. But  
12   it is a hit or miss kind of activity.

13                If we're going to be serious, I think,  
14   about night court, and I think the judges are very  
15   serious and I appreciate their efforts, I mean, it  
16   has to be a part of the regular routine.

17                COMMISSIONER TIMONEY: We've had --  
18   because I've spoken to McCafferty and a few of the  
19   other judges, and they're not too happy. We've had  
20   meetings within my office. And as a matter of fact,  
21   I met with Chief Prior last week and again yesterday  
22   on this whole issue.

23                Part of the problem -- and I think we've  
24   got to come up with a better system. But having  
25   gone through night courts myself, I've been down to

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2 the 12th district because we go into a big thing  
3 with the racers down there. It's a real problem.  
4 Well, it rained that night. We were rained out. We  
5 had this whole court staff and nobody to feed the  
6 monster. South Street was empty because it was  
7 pouring rain out. So I think we have to come up  
8 with a system.

9 COUNCILMAN NUTTER: Part of your  
10 anti-crime program, I now take it, is going to be  
11 regular rain storms at various times of the year,  
12 that's going to be a new part of our operations?

13 (Laughter.)

14 COMMISSIONER TIMONEY: No. What I'm  
15 saying is if there's no planning involved, we've got  
16 to put up a better system that can't be just it  
17 starts to rain and then all of a sudden we have no  
18 candidates to bring before the judge.

19 By the way, I've gone to a few of them.  
20 I like the idea viscerally going to see a judge --  
21 it may be the same effect going a month later, but  
22 there's nothing like swift justice and going there  
23 and having the judge chew you out and then fine  
24 you. There's just something appealing about that.

25 COUNCILMAN NUTTER: Two last things.

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2 Your service level impact statement which is  
3 attached to your testimony, page 1 of 3 talks about  
4 mobile ministations and stationary ministations.  
5 What is the current policy on the establishment of  
6 mobile and stationary ministations and which, in  
7 your opinion, is any better than the other? Or do  
8 you like them at all?

9 COMMISSIONER TIMONEY: I don't like them  
10 at all, and I think I've been quite clear on that  
11 since the day I've gotten here.

12 COUNCILMAN NUTTER: Tell us how you  
13 really fell about them.

14 COMMISSIONER TIMONEY: If giving my  
15 druthers between a ministation and a mobile  
16 ministation, I prefer the mobile ministation. There  
17 are certain situations where you can get a  
18 ministation where you have a bonafide reason. The  
19 problem that I have, whether it's mobile or just  
20 ministation, is it comes out of the writings  
21 surrounding community police in the late eighties  
22 that were written by people in non-eastern seaboard  
23 cities. They had a headquarters and no outposts.  
24 They had no place to show the flag, so they set up  
25 these ministations.

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2 When you look at Boston, New York,  
3 Philly, Baltimore, we have neighborhood districts.  
4 In Philadelphia you've got 24 of them including the  
5 park. So then to come up now with 20 ministations  
6 on top of that and 11 to 12 mobile ministations,  
7 depending on what politician in Harrisburg could  
8 come up with the most money to buy one. Then when  
9 you buy one, you get eight cops with it, is just an  
10 insane way of doing business.

11 So I don't want the cops hanging in the  
12 mobile ministations. I want them hanging out in the  
13 street. It just gives an excuse to get off the  
14 street, especially in the rain.

15 COUNCILMAN NUTTER: The mobile  
16 ministation becomes a stationary mobile ministation  
17 for at least a week.

18 COMMISSIONER TIMONEY: Yes.

19 COUNCILMAN NUTTER: Arbitration issues,  
20 you expressed a great frustration with some  
21 management prerogative issues. We hear about great  
22 frustrations of the police department regarding  
23 officers who have been fired for various  
24 activities. Next thing you know, six months later,  
25 they're back on the force with back pay and

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2 everything including --

3 COMMISSIONER TIMONEY: And overtime, the  
4 presumed overtime you would have made.

5 COUNCILMAN NUTTER: And overtime. Well,  
6 that is a God-given right and, you know, bells and  
7 whistles and a cake welcoming them back.

8 Is there any particular strategy or even  
9 a list of issues that you as a police commissioner  
10 and people in the law enforcement community look at  
11 as particularly problematic and any effect that may  
12 be made at the state level to try to seek relief on  
13 some of those things?

14 COMMISSIONER TIMONEY: Karen, do you  
15 want to talk about that? John?

16 MR. GALLAGHER: John Gallagher.

17 COUNCIL PRESIDENT VERNA: Good  
18 afternoon.

19 MR. GALLAGHER: Councilman, there are a  
20 number of things we're trying to do both on the  
21 state level and locally. State level Act 111  
22 governs the arbitration. I mentioned to a group  
23 this morning that if you look at the collective  
24 bargaining agreement, on its face it looks like the  
25 same document. Once it gets into the hands of the

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2 arbitrators, it's their interpretation that's  
3 killing us.

4 The two big issues, obviously one you  
5 mentioned is discipline. Another is transfers which  
6 I think any CEO of any corporation, public or  
7 private, those are his two most important management  
8 tools. Aside from -- one of the problems with Act  
9 111 is in exchange for the agreement that police and  
10 fireman cannot strike, which we all agree is a good  
11 thing, there's no review. There's no meaningful  
12 court review of these arbitrators' decisions. So we  
13 have three or four cases where officers -- real  
14 egregious cases -- were using drugs. One smacked up  
15 her patrol car drunk and high on cocaine. The  
16 arbitrator found that yes she did do that but the  
17 penalty was too severe, we should give her another  
18 chance.

19 COUNCILMAN NUTTER: What was the  
20 penalty?

21 MR. GALLAGHER: We fired her. We're  
22 appealing that. We don't really have very strong  
23 grounds to appeal, I have to admit.

24 COUNCILMAN NUTTER: Where do you appeal  
25 these issues?

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2 MR. GALLAGHER: This issue is being  
3 appealed now before the State Supreme Court. The  
4 argument is since it's a contract, like any other  
5 contract, it is void if it opposes public policy.  
6 And the City's argument is that rehiring an officer  
7 who uses illegal drugs and on duty no less is  
8 certainly in violation of public policy.

9 So there's things I'd like to talk to  
10 you about privately that we're trying to do through  
11 Harrisburg because we don't want to create any  
12 public issues.

13 COUNCILMAN NUTTER: I understand. I  
14 noticed midway through your statement your attorney  
15 jumped up to the table. You're about to get  
16 yourself in trouble. So I wasn't planning to ask  
17 you any more questions. The wave had started  
18 happening.

19 (Laughter.)

20 MR. GALLAGHER: One of the great things  
21 about Karen Simmons who came to us from the law  
22 department is her background in the law department  
23 was in labor, and she knows the shenanigans that are  
24 going on and the outrageous results that we've been  
25 faced with.

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2 COUNCILMAN NUTTER: Is it true in some  
3 other jurisdictions, I guess outside of Pennsylvania  
4 since Act 111 covers the entire Commonwealth, is it  
5 true that in some other jurisdictions these  
6 arbitrator decisions, there is a clear path for  
7 appeal to the courts that's clearer than -- I mean,  
8 maybe you're out on new ground, maybe you're just  
9 trying something novel or something like that, but  
10 in other places is it true that an arbitrator makes  
11 a decision and there is a clear path through the  
12 court or some other jurisdiction to make an appeal.

13 MR. GALLAGHER: There are several  
14 different systems. For instance, in New York there  
15 is no arbitrator, and the only time a police  
16 commissioner's decision, management's decision,  
17 especially discipline and transfers is overturned is  
18 if the Court finds that the decision shocks the  
19 conscience. There's a lot more management  
20 prerogative.

21 But also if you look at New Jersey where  
22 there are arbitrators, there's a rule known as the  
23 Essence Rule where if you can at least argue to the  
24 Court, this decision cannot be interpreted as  
25 drawing its essence from the four corners of the

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2 contract.

3 Right now, no matter what the arbitrator  
4 decides, no matter how they interpret that contract,  
5 whether it's in there or not, and many times I can't  
6 find it in there, you cannot appeal that.

7 The better system is the essence system  
8 where the arbitrator, in effect, has to go to the  
9 contract and can be held to unreasonable  
10 interpretation, and that would be much better. That  
11 would be worlds better.

12 Just one other thing you brought up that  
13 is an inherent problem in these arbitrations is the  
14 one union police department we have. You have a  
15 union that represents from patrolman right up  
16 through the top of the command structure. That  
17 makes it difficult when you go to an arbitration and  
18 the supervisors, especially the front line  
19 supervisors, the sergeants and the lieutenants, but  
20 we've also seen from the captains where they're  
21 reluctant to attack for fraternal reasons, for union  
22 reasons. And if you read the transcripts, they're  
23 incredible that their union will say to witnesses  
24 who are internal affairs or other detectives, "I'm  
25 Attorney Gallagher. I represent the grievant in

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2 this case. I represent the FOP, which by the way is  
3 your union, and we represent you too."

4 So there are subtle and not so subtle  
5 reminders.

6 COUNCILMAN NUTTER: That's very subtle.

7 (Laughter.)

8 MR. GALLAGHER: Actually, that's subtle  
9 compared to some of the other ones.

10 COUNCILMAN NUTTER: Lastly, Mr.

11 Gallagher, and you've been working with me on this  
12 on behalf of the police commissioner. Are we still  
13 pretty much on target for end of the month with the  
14 shooting study that I had requested sometime ago?

15 MR. GALLAGHER: I'm cautiously  
16 optimistic. I have another meeting Friday. I have  
17 Inspector Yanick here. We met again yesterday,  
18 again last week. It's a lot of material. As I  
19 mentioned in my last conversation or correspondence  
20 with you, taking your lead, we've also added further  
21 categories. From your lead, we're trying to make  
22 this a more expansive, hopefully more useful study.  
23 But right now, yes, we're still targeting for about  
24 three more weeks.

25 COUNCILMAN NUTTER: All right, I'll look

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2 forward to that.

3 Lastly, Commissioner, you slipped it in,  
4 but you know that I heard it. We won't have a fight  
5 about it today, but the fact that you're taking away  
6 my executive officer out of the 19th District, I  
7 will not hold against you only because he is an  
8 excellent officer and certainly deserves an  
9 opportunity. I would like to keep him, but I never  
10 hold anybody back from their own growth and  
11 development. But Captain Fisher has done a great  
12 job out in the 19th, and I wish him well under these  
13 circumstances.

14 MR. GALLAGHER: Thank you very much, Mr.  
15 Nutter.

16 COUNCILMAN NUTTER: You're welcome.

17 Thank you, Madam Chair.

18 COUNCIL PRESIDENT VERNA: Thank you.

19 Councilman Ortiz, did you want to be  
20 recognized?

21 COUNCILMAN ORTIZ: Yes, please.

22 Commissioner, following with what  
23 Councilman Nutter said, if you can include in there  
24 in terms of the hiring aspects the issues that we  
25 were talking about before, the impact of recruitment

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2 of the polygraph and those interview sections and so  
3 on, what impact, whether adverse or positive, they  
4 have and whether they're still necessary or not and  
5 how you're trying to reform those issues.

6 I just have one thing. My staff person  
7 said that there's a community resource manual, a  
8 community police resource manual that was put out  
9 when Commissioner Williams actually was  
10 commissioner. And she was wondering why we don't do  
11 it, since it does have here a very wealth of  
12 information about the district, people to call,  
13 different departments, different agencies and so  
14 on. It was handed out to community and town watches  
15 before, but it's sort of like gone out of business.

16 COMMISSIONER TIMONEY: Is it just phone  
17 numbers?

18 COUNCILMAN ORTIZ: No, this has  
19 Philadelphia Police Department, and then it has  
20 organizational lists, it has the different patrols,  
21 the hazardous material division, it has deputy  
22 commissioner and chief inspector with phone numbers  
23 and so on.

24 COMMISSIONER TIMONEY: If you could, Mr.  
25 Ortiz, could you show that to Inspector Yanick and

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2 maybe we can -- because I have no problem releasing  
3 information. As long as my name's not included in  
4 there, I have no problem.

5 (Laughter.)

6 COUNCILMAN ORTIZ: Very good. Thank  
7 you.

8 COUNCIL PRESIDENT VERNA: Do you have  
9 any other questions, Councilman?

10 COUNCILMAN ORTIZ: No, Madam Chair.

11 COUNCIL PRESIDENT VERNA: Commissioner,  
12 thank you very much. You've been very informative,  
13 very interesting. And I just want you to know that  
14 in the period of time that you were here today,  
15 yesterday we heard 11 different departments.

16 COMMISSIONER TIMONEY: I will try to be  
17 less windy the next time.

18 (Laughter.)

19 COUNCIL PRESIDENT VERNA: Thank you.

20 The next department to testify is the  
21 fire department.

22 Good afternoon, gentlemen, and thank you  
23 for your patience. Please identify yourself for the  
24 record and proceed with your testimony.

25 COMMISSIONER HAIRSTON: Good afternoon,

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2 Councilwoman Verna. I'm Commissioner Hairston from  
3 the Fire Department, and with me here is my Deputy  
4 for Administrative Services, Bill McNulty. And I  
5 have Dave Beatrice who is our Fiscal Officer.

6 The Fire Department's FY 2000 operating  
7 budget proposes \$138,194,759 for the General Fund,  
8 3,998,400 for the Aviation Fund, 551,893 for the  
9 Grants Fund. This represents an increase of  
10 2,787,656 over the current estimated FY '99 budget  
11 and primarily that's because, and that's in Class  
12 100, and the reason for that is people got a raise  
13 and deals with the staffing and pay provisions.

14 We have a public relations campaign.  
15 We're in the third phase of it. It called for us to  
16 establish a campaign. We got a lot of information  
17 in the first couple of phases. We are now about  
18 ready to launch that campaign. It really will have  
19 a tendency to reduce the number of responses that we  
20 go to that deal with emergency medical services. We  
21 have about 40,000 that fall into that category. We  
22 think it can be reduced by about 20 percent, so we  
23 should at the end of that realize a reduction which  
24 will help us lower the number of responses that we  
25 go to that we consider unnecessary. Unnecessary is

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2 really a case where we don't provide any service for  
3 one reason or another. Whether or not that's  
4 somebody left the scene before we got there or they  
5 simply did not qualify for a medical emergency where  
6 they needed to be transported to a hospital.

7 We've had some good successes over the  
8 last year particularly dealing with fire  
9 prevention. We had the lowest fire death total in  
10 the last a little more than 50 years with 46.  
11 Nothing to brag about, but considering where we were  
12 coming from, it's a big deal.

13 We are using more and more of our fire  
14 fighters in fire prevention whenever we can because  
15 they really have a tendency to deal better with the  
16 neighborhood, so we're seeing fewer and fewer  
17 fires. We're down in all the categories that we  
18 ought to be down in.

19 One problem really deals with EMS, and  
20 we continue to go to more and more locations where  
21 people need to be taken to the hospital. We got  
22 some relief a few years because we had asked for  
23 some help with that. We were given the dollars. We  
24 added more units, and it has had a tendency to  
25 reduce the number of responses that each medic unit

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2 has to respond to.

3 The biggest thing that everybody is  
4 feeling really good about right now is the fact that  
5 we got a million eight that was provided for last  
6 year for us to buy a new SCBA system. That's where  
7 you see the tanks on somebody's back. As part of  
8 that, this system is going to save us about \$180,000  
9 in repair costs because of the way that we did the  
10 contract and because of the provisions that are  
11 built into it.

12 Everybody is going to get their own  
13 individual masks. That will be new for the Fire  
14 Department. We used to share the masks, and every  
15 time you'd come in, you'd have to clean the masks  
16 and use somebody else's and so forth. That's a  
17 pretty big thing for us.

18 Things are going pretty well. We are  
19 going to be diligent and continue to be diligent  
20 dealing with the fire safety programs. We made a  
21 decision a few years ago that it was better to  
22 prevent the fire than to have it, and we're going to  
23 continue with that kind of strategy. It has worked  
24 and brought us good favor with most people, so we  
25 feel good about that.

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2 In the latest survey, we had about 95  
3 percent of the residents that claimed that they have  
4 smoke detectors. We still have some people who  
5 don't. We still give them out at the tune of a  
6 little over 20,000 a year from a lot of different  
7 sources and so forth. We're going to continue to be  
8 diligent with that. We're always seeking funding  
9 from outside sources to try to have more and more  
10 smoke detectors to give them out because a lot of  
11 the ones that are in service are ten years old or so  
12 and they need to be replaced, and there's a  
13 continuing need to replace the batteries and so  
14 forth.

15 All and all, things have been good.  
16 You've been very supportive, and we appreciate it.  
17 So if you have any questions, I'll be happy to  
18 answer them.

19 COUNCIL PRESIDENT VERNA: Thank you,  
20 Commissioner. Your department does a fabulous job.  
21 How many recruit classes do you expect  
22 to put on in FY 2000?

23 COMMISSIONER HAIRSTON: It's probably  
24 going to be two classes. Basically, what happens  
25 with the Fire Department is you end up with about a

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2 hundred people a year, somewhere thereabouts, that  
3 end up retiring or leaving the Fire Department for  
4 one reason or another. So generally speaking,  
5 that's worked out as to where you end up with about  
6 two classes.

7 COUNCIL PRESIDENT VERNA: Thank you.

8 Any questions from Members of the  
9 Committee?

10 Commissioner, this is a rarity. You  
11 really rate. That's wonderful.

12 COMMISSIONER HAIRSTON: Let me just say  
13 how much I appreciate all the help that you have  
14 been and all the Members of Council because we  
15 couldn't have had these successes without you. I  
16 mean that sincerely.

17 COUNCIL PRESIDENT VERNA: Thank you very  
18 much.

19 Department of Records is next.

20 Commissioner, please identify yourself  
21 for the record and proceed with your testimony.

22 COMMISSIONER DECKER: My name is Joan  
23 Decker, Records Commissioner. With me today are  
24 Jeanne Reedy, Administrative Services Director;  
25 Anita Banks, Supervisor in the Public Records Room;

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2 and Josephine Clements-Churchhill, one of the Forms  
3 Analysts in the Records Management Unit.

4 I won't read my testimony since you have  
5 it. I would just like to point out a couple of our  
6 accomplishments during the past year. We've kept  
7 the backlog of unrecorded documents at zero, and our  
8 goal for the next year is to continue that.  
9 Documents are recorded within 24 hours of receipt,  
10 and documents are returned within three to four  
11 weeks, which is very consistent with the activity in  
12 other counties, recording counties throughout the  
13 state.

14 In the past year we recorded over  
15 200,000 documents, which is the highest volume ever  
16 on record. We've collected probably close to 82  
17 million in city realty transfer taxes, over 20  
18 million in state realty transfer taxes, and a little  
19 over \$8 million in recording fees.

20 And in the records management unit, I  
21 guess our biggest accomplishment in the past year  
22 was the move into a new records storage center and  
23 archives, which is a lot more, I guess, gracious  
24 accommodations for our customers as well as the  
25 staff.

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2 I'll be happy to answer any questions.

3 COUNCIL PRESIDENT VERNA: Thank you,  
4 Commissioner. In FY '99 you were budgeted 2.4  
5 million dollars in the grants fund out of a  
6 productivity bank. Why have you not spent any of  
7 these funds? And why are you requesting only 1.7  
8 million dollars in FY 2000 and not the 2.4 million  
9 that you were budgeted in FY '99?

10 COMMISSIONER DECKER: As part of our  
11 automation activity, before implementing into  
12 production we were taking one more look at the  
13 document recording work-flow. And once we're  
14 completed, we're continuing to test and then we will  
15 be implementing and rolling out the automation, the  
16 further automation activities. We have really been  
17 -- as a result of the lot of the activities in the  
18 past year, we've been reexamining the document work  
19 flow and working very aggressively to streamline it  
20 as much as possible.

21 So we continue to work with our vendors,  
22 but as I said, before we roll out the final product,  
23 our intent is to review the work-flow one more time  
24 and then proceed with implementation.

25 COUNCIL PRESIDENT VERNA: Thank you.

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2 Can you tell us what steps has the Records  
3 Department taken to be Y2K complemented in the year  
4 2000?

5 COMMISSIONER DECKER: Yes. We're  
6 participating in the city-wide effort. We're  
7 reviewing the hardware and software that any  
8 automated components that need to be upgraded and  
9 we're working with -- most of our equipment is  
10 mainframe based. We've also been working with the  
11 NDO's office in creating, in addition to remediation  
12 and testing of remediation efforts, in developing a  
13 backup plan as well as contingency plan, a way to  
14 continue operations in the event of any kinds of  
15 building or equipment failures.

16 COUNCIL PRESIDENT VERNA: Thank you.  
17 The Chair recognizes Councilman Nutter.

18 COUNCILMAN NUTTER: Thank you, Madam  
19 Chair. Ms. Decker, was your opening statement that  
20 your backlog level was at zero? Was that your  
21 testimony?

22 COMMISSIONER DECKER: Yes, that's  
23 correct.

24 COUNCILMAN NUTTER: Commissioner, that  
25 is an unacceptable level. If you're not going to

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2 keep some amount of backlog, there really is no  
3 reason to all those fine folks working over there.

4 (Laughter.)

5 COUNCILMAN NUTTER: No, I'm only  
6 playing.

7 COUNCIL PRESIDENT VERNA: You've done a  
8 wonderful job.

9 COMMISSIONER DECKER: Thank you, and  
10 I'll pass that on to the staff. They've been very  
11 diligent. Everybody's been working very hard. And  
12 I think we're all very proud of the accomplishment.  
13 Thank you.

14 COUNCILMAN NUTTER: They must have  
15 forgotten they're working for the municipal  
16 government or something.

17 Seriously, some of that comes as a  
18 result of, I think, Councilman Kenney, wasn't there  
19 about a year or so ago a series of hearings on some  
20 backlog issues and we got into a whole host of  
21 things at that time? We heard some of the  
22 problems. So it's really very good for you to be  
23 able to come to us today and share that  
24 information.

25 As I did, I think, on at least one other

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2 occasion from a service standpoint, I don't file  
3 many documents, but I'm often looking to get them  
4 from the department. I've received excellent  
5 service from you and the staff. And if you could  
6 seriously communicate that as well. It is greatly  
7 appreciated. Many citizens have called under  
8 emergency situations, needed things, and you guys  
9 have always come through for us, and I appreciate  
10 it.

11 COMMISSIONER DECKER: Thank you. I will  
12 pass that on. It will make our staff very happy.

13 COUNCIL PRESIDENT VERNA: Are there any  
14 other questions or comments from Members of the  
15 Committee?

16 Council Nutter, are you finished?

17 COUNCILMAN NUTTER: Yes, Madam Chair.

18 COUNCIL PRESIDENT VERNA: Thank you,  
19 Commissioner.

20 COMMISSIONER DECKER: Thank you all for  
21 your support.

22 COUNCIL PRESIDENT VERNA: Last  
23 department to be heard is the Department of Human  
24 Services.

25 Hello, Commissioner, and thank you all

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2 very much for your patience. Please identify  
3 yourself for the record and proceed with your  
4 testimony.

5 COMMISSIONER REEVES: Thank you. I'm  
6 Joan Reeves, Commissioner of the Department of Human  
7 Services.

8 COUNCIL PRESIDENT VERNA: Commissioner,  
9 have we received this testimony?

10 COMMISSIONER REEVES: That's a summary.

11 COUNCIL PRESIDENT VERNA: We have your  
12 testimony, so if you can just abbreviate.

13 COMMISSIONER REEVES: I will abbreviate  
14 abbreviate.

15 COUNCIL PRESIDENT VERNA: Thank you.

16 COMMISSIONER REEVES: Good afternoon,  
17 Madam President and Members of the City Council. As  
18 I said, I'm Joan Reeves, Commissioner of the  
19 Department of Human Services. With me today are  
20 Maxine Tucker, Deputy Commissioner of Children and  
21 Youth; Joyce Burrell, Deputy Commissioner for  
22 Juvenile Justice Services; Russell Cardamone, Deputy  
23 Commissioner for Administration and Management;  
24 Margaret Holtzman, Superintendent of Riverview; and  
25 Leann Ayers, Executive Director, Children and

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2 Families Cabinet.

3 We're here today to present for your  
4 review our general fund budget request for fiscal  
5 year 2000 of \$423,637,616, which is a 9.1 percent  
6 increase over fiscal year '99. I would like to  
7 state, however, that the revenue for this budget was  
8 88.2 percent from federal and state revenues and  
9 11.8 percent from city revenues which is a reduction  
10 of 14.6 percent in fiscal year '99.

11 Due to the time constraints, I'd really  
12 like to just mention that our mission and our goals  
13 and objectives are all part of the full written  
14 testimony that this budget request will allow the  
15 hiring of 63 new positions which is an increase of  
16 general funds positions from 1725 to 1788.

17 We've had many accomplishments over this  
18 past fiscal year. One has been the settlement of  
19 the Baby Neil lawsuit which has resulted in the  
20 agreement to have a two-year monitoring by the  
21 plaintiffs. That was approved by Judge Robert Kelly  
22 on February 1st of this month, so that the  
23 settlement itself will expire on February 1st of the  
24 year 2000.

25 All our programs are fully licensed and

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2 that's for the sixth straight year. So we're very  
3 proud of that.

4 I just want to say that our challenge  
5 for the department is in regard to welfare reform  
6 and the adoption of Safe Families Act. We're  
7 working very diligently with the County Board of  
8 Assistance with other child welfare stakeholders in  
9 addressing the issues around welfare reform and  
10 making sure that the families in the Department of  
11 Human Services System will not be impacted to the  
12 best of our ability, but we also caution that ASFA  
13 puts into place some requirements that can have some  
14 negative impact for those TANF families who find  
15 themselves unable to care for their children and  
16 then their children come into our system under ASFA  
17 which gives them maximum of 12 months in order to  
18 have their children returned to them.

19 I also want to take this opportunity to  
20 thank a lot of people, from our social workers and  
21 our health care aids and our youth detention  
22 counselors to the private agencies that contract  
23 with us to provide services to the communities in  
24 which our children and families live, and especially  
25 to those residents who are volunteering now to

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2 support families.

3 And as Chair of the Children and  
4 Families, we've submitted an extensive description  
5 of the activities of the Children and Families  
6 cabinet in the written testimony. And you will be  
7 hearing from Commissioner DiBerardinis about some of  
8 our activities, and I'm available to answer any  
9 questions.

10 So that basically is an abbreviation of  
11 my abbreviation of the written testimony.

12 COUNCIL PRESIDENT VERNA: Thank you.

13 The Chair recognizes Councilman Rizzo.

14 COUNCILMAN RIZZO: Thank you, Madam  
15 Chair. Commissioner Reeves, maybe you could  
16 elaborate on something that I just have a problem  
17 with. Utility, Incorporated, Youth Study Center,  
18 you're requesting \$102,000. This is a program for  
19 trans-gender youth. \$102,000?

20 COMMISSIONER REEVES: That's Unity,  
21 Incorporated. Yes, for counseling services for  
22 these youth and early intervention with these  
23 youth.

24 COUNCILMAN RIZZO: \$102,000? How many  
25 do we have that have this problem?

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2 COMMISSIONER REEVES: On a given day  
3 there are 50 kids in the program, and that 50 kids  
4 rolls over over time, so the exact number of kids  
5 who go into that program would be more than the 50,  
6 but I'm not sure of the total number.

7 COUNCILMAN RIZZO: Fifty in any given  
8 day?

9 COMMISSIONER REEVES: Right, but they --  
10 about 300 young people were involved in it last  
11 year. So the 50 is a rolling number. They go  
12 through the program, and they complete the program,  
13 and then another 50 are brought in, and another 50.  
14 So the total number of children to be served are  
15 about 300.

16 COUNCILMAN RIZZO: Thank you.

17 Thank you, Madam Chair.

18 COUNCIL PRESIDENT VERNA: You're  
19 welcome.

20 The Chair recognizes Councilman Ortiz.

21 COUNCILMAN ORTIZ: Thank you, Madam  
22 Chair.

23 Commissioner, as March 3rd approaches  
24 and the sanctioning process looms before us, do we  
25 have any sort of safety net in terms of as

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2 individuals get sanctioned and I think the children,  
3 if they get sanctioned, the children also get  
4 sanctioned? Do we have any safety net in place or  
5 any working relationship with the state agency in  
6 which as people get sanctioned they can get referred  
7 to a city agency or to you so appropriate steps can  
8 then begin to be taken by us to try ameliorate  
9 whatever harm may take place?

10 COMMISSIONER REEVES: We're working on  
11 several levels. Of course, we're working with the  
12 City and Donna Cooper with the Welfare to Work. We  
13 have been meeting with the Director of the County  
14 Assistance office establishing working protocols.  
15 We have sent letters to our provider agencies asking  
16 them to contact all their families to determine,  
17 one, if they're receiving TANF; two, if they have  
18 been advised by their district county assistance  
19 office to come in for a meeting in order to have  
20 their agreement of mutual responsibility updated.  
21 We have also sent to the state a list of all the  
22 children receiving services from the department so  
23 that then they can run a data match to see which of  
24 those children also are in TANF households who will  
25 be meeting the two-year time clock.

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2 Our family centers under the Children  
3 and Family Cabinet is doing outreach in communities  
4 to advise families and heads of households that they  
5 must comply and go into the County Assistance office  
6 when they are scheduled to attend.

7 So we are working diligently with our  
8 staff, with our providers in order to mitigate as  
9 much as we can any opportunities that might occur  
10 where sanctioning will happen. We are very  
11 concerned.

12 We will be working with the County  
13 Assistance office identifying, supervisory staff in  
14 those offices that we can contact and that our  
15 providers can contact if a family is threatened with  
16 sanctioning. We're also having our staff trained  
17 with the provider agencies by both the County  
18 Assistance office, the CLS and by PCCY so that we  
19 are also aware of what the rights are for those TANF  
20 families.

21 COUNCILMAN ORTIZ: Is there any way that  
22 we can begin putting together a sanction prevention  
23 unit out of DHS?

24 COMMISSIONER REEVES: What we are  
25 working towards, because under state regulation, we

1           COMMITTEE OF THE WHOLE - BILL NO. 990023  
2   have mandated services that we provide. So through  
3   our family centers we are looking at how we can  
4   provide preventative-type services. A sanctioning  
5   unit within DHS would be focused on DHS families  
6   that are currently in our system. To do a broad  
7   sanctioning prevention unit would not be, I think,  
8   practical for us. I know in other states they have  
9   hired the State Welfare Department has hired  
10   organizations in order to be available to those  
11   families that are having difficulty with complying  
12   with the requirements so that they can assist them  
13   in do doing so.

14           COUNCILMAN ORTIZ: I'm not saying that  
15   we should because I understand the work load that  
16   the department has. But it seems to reason that --  
17   and we asked the state whether they can do this, and  
18   I know Mayor Rendell and his staff would be very  
19   interested in doing it except that the data in order  
20   to be able to do it is not forthcoming. So it is a  
21   problem and we're going to be left with the results  
22   of the effects.

23           Is there any way in which we are -- the  
24   DHS workers are beginning to get instructed in all  
25   of the exemptions that may be available and trained

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2 along those lines and the exemption and the good  
3 cause exemptions and so on? And is that available  
4 to the communities and the clients in different  
5 languages?

6 COMMISSIONER REEVES: What we are doing,  
7 one, we're setting up the training for both, the  
8 type of training you mentioned, for both the DHS  
9 social work staff as well as the provider agencies  
10 who provide direct services to these families.  
11 We're working with CLS, Community Legal Services.  
12 We're working with the Mayor's office of Policy and  
13 Planning. And we're working with the County  
14 Assistance office to establish specific type  
15 training.

16 The Family Center staff has already been  
17 involved in training on what is good cause and what  
18 the requirements are. And because they are there in  
19 communities, they can provide that kind of outreach  
20 to families that may be affected. So the short  
21 answer is yes.

22 COUNCILMAN ORTIZ: Very good. In terms  
23 of the kinship and care givers and the grandmothers  
24 that may not be exempted and they're are part of our  
25 clientele, are we working with them to see how we

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2 can bring them under the exemption rule so that they  
3 don't have to be ordered -- these grandmothers, 50,  
4 60 years old, be ordered to work.

5 COMMISSIONER REEVES: We have been  
6 working on this for some period of time, and my  
7 understanding is that the State's position is that  
8 they, as recipients of TANF, fall under the same  
9 requirements. They will look at individual case  
10 situations in order to determine whether or not that  
11 person has a good cause reason for not being  
12 required to work the 20 hours. But it is a  
13 concern.

14 We also have been aware that a number of  
15 those kinship families are applying for child only  
16 grants, which means that the kinship adult would not  
17 fall under TANF.

18 COUNCILMAN ORTIZ: You spoke at one of  
19 our briefings in terms of the children who will be  
20 impacted as sanctioning takes place and the danger  
21 that they will be placed. Could you expound on that  
22 a little bit and give us what are the real dangers  
23 of the children along these lines?

24 COMMISSIONER REEVES: One of the worst  
25 case scenarios that we are looking at is if a family

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2   receives a full family sanction, which means there  
3   is no income coming into the family, those children  
4   then have to be placed into foster care. They fall  
5   under the Adoption and Safe Families Act  
6   requirements, which is that within 12 months that  
7   family has to be able to show that it can take care  
8   of its children. Otherwise, we have to file a  
9   petition for termination of parental rights. That  
10   means that if that is approved, then those children  
11   are then eligible for adoption.

12            We are doing our level best to make sure  
13   that those situations will not occur. That's why we  
14   have a group of internal -- of our staff now working  
15   on ways that we can begin addressing this very  
16   complicated issue.

17            We are telling people, and everybody  
18   needs to get this message, people have to comply  
19   with TANF, at least go into the County Assistance  
20   office and meet with their case worker.

21            We do have brochures about TANF in about  
22   five different languages or four different  
23   languages, English, Spanish, Cambodian, Laotian, and  
24   Russian. And those brochures and that information  
25   is being made available in communities so that

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2 people understand what the potential impact can be.

3 COUNCILMAN ORTIZ: What do you project  
4 the impact of TANF will be if it goes into place and  
5 we don't have a lot of the institutions? What  
6 impact do you see within the next six, seven, eight  
7 months?

8 COMMISSIONER REEVES: What we have  
9 projected for the next six months is a total of 100  
10 children having to receive service from us as a  
11 result of TANF. And then for fiscal year 2000 a  
12 gradual increase over the course of that year of 250  
13 children.

14 COUNCIL PRESIDENT VERNA: The Chair  
15 recognizes Councilman Kenney.

16 COUNCILMAN KENNEY: Thank you. On the  
17 Unity Contract, would you maybe for the record's  
18 sake elaborate a little bit on just what the need  
19 for it is, the children age profile we're dealing  
20 with, some of the problems that young people in this  
21 particular situation face in relation drug abuse,  
22 alcohol abuse, and even suicide, that it's something  
23 that is a difficult situation for parents and family  
24 members to deal with so that professionals are  
25 required in order to keep these kids' heads on

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2 straight while they go through this physical and  
3 emotional process?

4 COMMISSIONER REEVES: You said it so  
5 well. Let the record state that what Councilman  
6 Kenney has described is exactly why we need this  
7 program. It is a troubling time for youngsters, I  
8 would say between the ages of 12 and 18 who are  
9 coming to grips with their sexuality, with their  
10 families' reactions, their peers' reaction, the  
11 depression that also occurs during this period of  
12 time, the situations of attempted suicide, of  
13 getting into very serious delinquent behavior as a  
14 result of it. So the Unity Contract is a prevention  
15 contract to help these youngsters really deal with  
16 what they are experiencing.

17 COUNCILMAN KENNEY: It's a tough time  
18 for teenagers generally, but even tougher in this  
19 situation.

20 COMMISSIONER REEVES: That's right.

21 COUNCILMAN KENNEY: Thank you.

22 Thank you, Madam Chair.

23 COUNCIL PRESIDENT VERNA: Commissioner,  
24 on page 8 of your testimony it states that in FY '99  
25 the State's funding remains 8.3 million dollars

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2 short of its legally required share. Does this mean  
3 that the City is in an overmatched position again?  
4 And what are we doing about something like that?

5 COMMISSIONER REEVES: Yes, we are in an  
6 overmatched position. The things that we have been  
7 doing, one, we filed an appeal which we are able to  
8 do because of the State's certification of our  
9 budget. We have been in constant dialog with the  
10 State about the needs space budget, how it is  
11 determined, there will be changes for fiscal year  
12 2000, 2001 with the needs space budget. We are  
13 working very closely with the other 66 counties for  
14 the first time. Since the needs space budget has  
15 been in effect, every single county in the State of  
16 Pennsylvania has been impacted by the decisions that  
17 have been made by the Department of Public Welfare.  
18 Some counties have had to raise taxes in order to  
19 meet the needs of children in their communities. I  
20 am optimistic about the Governor's budget where he  
21 is requesting an 88 million dollars increase in  
22 child welfare cost. And I think this is the first  
23 time this has happened my tenure, where if we get  
24 our proportionate share, we can look forward to a 32  
25 million dollar increase. So this fiscal year it's

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2 still in question about the overmatch.

3 COUNCIL PRESIDENT VERNA: But you feel  
4 that there is light at the end of the tunnel?

5 COMMISSIONER REEVES: There is some  
6 light, yes.

7 COUNCIL PRESIDENT VERNA: Thank you very  
8 much.

9 Are there any other questions?

10 Thank you very much.

11 COMMISSIONER REEVES: Thank you.

12 COUNCIL PRESIDENT VERNA: The Committee  
13 of the Whole will stand in recess until Friday,  
14 February 19, 1999, at 9:00 a.m. Thank you.

15 (Adjourned at 3:00 p.m.)

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2 C E R T I F I C A T I O N

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5 I HEREBY CERTIFY that the foregoing  
6 proceedings of the Council of the City of  
7 Philadelphia of February 17, 1999, were reported  
8 fully and accurately by me, and that this is a  
9 correct transcript of the same.

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12 RE: COMMITTEE OF THE WHOLE

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18 \_\_\_\_\_  
19 Lisa C. Bradley, RPR  
20 and Notary Public

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24 \_\_\_\_\_  
25 Bernadette Black, RPR  
and Notary Public.