VOLUME II

COUNCIL OF THE CITY OF PHILADELPHIA

PUBLIC HEARING

BEFORE THE COMMITTEES ON PUBLIC SAFETY AND

PUBLIC HEALTH & HUMAN SERVICES

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Room 696, City Hall
Philadelphia, Pennsylvania
Wednesday, December 18, 2002
1:15 p.m.

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BILL 020613 - Resolution authorizing the City Council's Committees on Public Safety and Public Health & Human Services to hold joint hearings to investigate the unmet needs of domestic violence

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PRESENT:

COUNCILMAN ANGEL L. ORTIZ, Chair

COUNCILMAN FRANK RIZZO
COUNCILWOMAN BLONDELL REYNOLDS BROWN
COUNCILMAN MICHAEL A. NUTTER
COUNCILMAN DAVID COHEN

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ALSO PRESENT:

LeAnna M. Washington, State Representative

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I N D E X

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COUNCILMAN ORTIZ: This is the Public Safety Committee. It was recessed from hearings yesterday. And, once again, I will ask the clerk to read the resolution.

Frank Rizzo, you want to ask a question?

COUNCILMAN RIZZO: No. I want to make sure to note for the record that I am here.

COUNCILMAN ORTIZ: There is a witness. I thought you wanted to ask the table a question for a second there.

THE CLERK: Authorizing the City Council Committees on Public Safety and Public Health and Human Services to hold joint hearings to investigate the unmet needs of domestic violence victims in Philadelphia; the current response of Philadelphia agencies to domestic violence; and the full range of options to enhance that response through the implementation of a coordinated community response; and further authorizing the Committee to subpoenas and such other process as may be appropriate to compel the attendance of witnesses and the production of documents in furtherance of the investigation to the full extent authorized by Section 2-401 of the Home Rule Charter.

COUNCILMAN ORTIZ: Thank you.

Police Sergeant, please.

Let me say that Police Commissioner Sylvester Johnson was invited. And Sylvester Johnson is probably one of the best civil servants that we have not only in Philadelphia, but I think across the country.

He has expressed a desire to be here, and for some reason or other he has not been permitted to come. I know he had a presentation ready, and ready to testify.

I appreciate, I think he is probably the best appointment in terms of police enforcement that we have ever made, and that includes John Timoney in that sense.

Sergeant, I know that you are knowledgeable about the area, but it is always good to have the Commissioner plus the person who handles the area to be available because we are talking about establishing of public policy and protocols.

And yesterday, yesterday we heard testimony here by community advocates and by judges. We heard testimony from the different women groups across the city. Surprisingly enough, there are not

that many dealing with the issue of domestic violence.

And the extent of the crisis -- and I think for the first time I understood that we have a crisis on our hands, that is it a public health crisis on our hands.

And that we don't have, really -- and this is not the fault of any one department. I don't think it is a problem that you can say people are doing it because they are totally irresponsible.

I think people are very responsible, I think, the individuals that are all involved within the city and within the areas of advocacy that we have.

What we don't have is a coordinated process. What we don't have is a system that allows the victims the privacy, the advice, the guidance necessary for those women -- and it is mostly, 99 percent, women -- to be able to survive the process that we are into and that they are into.

It is an issue that requires not only new monies; it requires new funding. It requires a budgetary direction from the Administration.

It is a process that needs the Mayor's

attention, direct attention. Because it is a problem, as witness after witness testified yesterday, that we can no longer overlook.

If one area in this city, in the Northeast, if one police district in a period of time receives over 20,000 calls on abuse, can you imagine if you extrapolate that to the rest of the city.

And we need to find out whether this district is unique or do we have the same situation occurring across the city.

And it is an issue of how the police get trained, how do they follow up once they respond to a call, what do they do.

Because it is a very lonely process that a woman enters into.

Once a woman decides that she has to finally take her life into her hands and decides to go ahead and go down to try to file a petition to protect her from the abuse that she is receiving from her man, it is a very lonely process that she enters, very lonely.

Because she goes there alone. She faces an individual that is probably not trained, because

she doesn't go before a judge.

When she goes there, she receives, really, no guidance, no assistance in terms of her own feelings and the anger that she might be feeling.

And then she is told, once she gets the courage to do that, she is told that she has to go with the Order to the police department and get a policeman to go with her to serve it.

These are terrifying events in anybody's life. And, I don't know how we are training the police. Because I am sure that every policeman is very well-meaning and has the best of attitudes.

But sometimes it is cultural. It is something that is ingrained because of the culture that we live in.

Domestic abuse, well, it is a family fight. It is a family problem.

Unless the women is really beaten and her eye is shut, her teeth are knocked out -- and even then, I would imagine that the issue of, if you get mugged in an alley, and then you identify the person, and in fact you have a picture and you have the address of the person, and you are mugged and

you are beaten up and there are charges against this individual for aggravated assault, could you imagine if I am mugged and then I have to take the warrant of arrest to that individual so he could be arrested.

I don't think a person, anybody, would do that. So it takes extraordinary courage for a women to be able to do this.

Yesterday I went home. And my wife has done this type of work for many years in Family Court. And the stories are really, really horrifying.

And that's why we need Sylvester Johnson here, because we need to be able to establish the protocols that are necessary.

We need to know how much money is it that we need to put aside for the police department for the police to be able to do that job.

We know that the Sheriff's Office is undermanned, doesn't have enough sheriffs to be able to do the job that they need to do.

And they are put into a position because, many times, the individuals who do and perpetrate this crime, obviously they are not very

stable.

And you put them into a court, and there is probably one sheriff that has to cover a huge area.

And you put one sheriff in a situation in which a lot of these individuals have been subpoenaed to appear in different courts.

One sheriff is obviously not enough. So we need to know how we begin to reform the institutions that are supposed to provide the services.

And I know that you are knowledgeable, and I know you are going to give me data. But, Sylvester Johnson has to come to this hearing.

Because this is a huge crisis that we have, and I don't think we understand that.

If this were about building a stadium, we would have every, every Administration official here giving us all sorts of data.

If this was about expansion of the Convention Center, we would not only have the Administration officials here; they would be visiting every Councilperson, they would be grabbing you in the hallway.

But we need a commitment that we need to change the systems. We need actually to bring the system and not so much change them, but as to bring them together so that they communicate with each other.

It bothers me greatly. It brothers me greatly because what we are doing, in essence, and what we did yesterday. And I think every Administration official should read the minutes and the testimony we had yesterday.

It bothers me greatly that the key players in developing policy don't show.

And I don't want to start a confrontation of Administration, City Council, or anything like that.

This is all about us gathering the information so that we understand wherever it is that we should have our priorities in terms of budgets; so that we understand where the money is needed and where the suffering is so that we can begin to alleviate certain aspects of this.

So I know that you have and they gave you the focus that we want you to give us in terms of data. And I would appreciate it if you begin

with that.

I want to see how the department responds to a domestic violence call, and let's begin with that.

SERGEANT FRANCIS HEALEY: And, again, I apologize for the Commissioner.

COUNCILMAN ORTIZ: No, you don't need to apologize for it. Because Sylvester Johnson wanted to be here. You don't have to apologize.

Sylvester is the civil servant that we all thought he is. And I believe he is, to me, he is the best police chief we have had in 20 years in this city.

COUNCILMAN RIZZO: I'm glad you said, "20."

COUNCILMAN ORTIZ: You don't want me to go there. That was Frank Rizzo.

SERGEANT HEALEY: Let me first start by saying that Commissioner Johnson, as well as Commissioner Timoney, were truly dedicated to domestic violence. And, as a result of that commitment, I was placed in charge to revamp our directive.

My name is Sergeant Francis Healey, I am

a Special Advisor to Police Commissioner Johnson.

As a result of this commitment, we reevaluated our Directive 90, which deals with domestic violence and abuse. This is the mandate that the officers on the street actually use.

COUNCILMAN ORTIZ: Do you have a copy of the Directive?

THE WITNESS: Yes, sir.

COUNCILMAN ORTIZ: Thank you.

THE WITNESS: A little bit of background.

A lot of times during domestic violence instances, when police officers were called to the scene, there was a lot of confusion on what the officers were actually supposed to do, and it really wasn't any of their fault.

The confusion actually lied in the Crimes Code working in one place, which has to do with warrantless arrests on the scene --

COUNCILMAN ORTIZ: The microphone.

SERGEANT HEALEY: -- as well as the next thing it had to do with protection of abuse, that deals with the civil code.

So what happens, a lot of times our

officers were really confused, really, in the advice that they should give the victims.

A lot of times if you didn't have visible signs of injury or you didn't reside in the house, whatever the case may be, the victims were often told they need to just get a protection from abuse.

Well, what happened is, a lot of times these criminal acts went unnoticed and unrecorded and the offenders actually went unpunished.

What happened was, the entire criminal event was shifted into the civil system and dealt with in that regard. That was wrong.

COUNCILMAN ORTIZ: Still is.

SERGEANT HEALEY: It is wrong.

And what we did is, we moved the directive to shift to ensure that, for the best analogy I can think of, to widen the net. To make sure that the victims of domestic abuse get the service that they deserve from the police department and our investigative staff.

So what we did, by reevaluating Directive 90, we expanded the scope.

When an officer now responds to the

scene of a crime, number one -- let me back up. There is a matrix in here. There are several matrixes in the Directive, and they actually came about by accident.

If you don't mind, I will explain real quickly how they came to be.

I had an instructor at the Police Academy who was slightly confused on when and where they can make arrests on domestic violence incidents. This was a instructor, mind you.

So what I did, I went up to the Academy and spent almost three hours trying to explain probable cause, the difference between reasonable suspicion.

And what I did is, I ultimately came up with a flow chart. I said, the officer comes to the scene --

COUNCILMAN ORTIZ: That's it?

SERGEANT HEALEY: That's it. That's the first one.

The officer comes on the scene. The first question is whether or not there is probable cause of an incident, of a crime.

According to this officer, who I won't

mention, she believed that if anybody, police officer, came to the scene and they found a woman bleeding at the steps and the man was holding her and covered with blood, the first thing you do is to arrest the male.

And I posed the question, quite frankly, I said, if you come to my house and my wife is laying and just fell down the steps, you are going to come to the scene, finding me covered with blood. I said, "Are you going to arrest me"?

And she said, "Yes."

So as a result of that, that's obviously wrong. So we straightened that out, and the flow chart is where it came from. And what happened is, it stuck.

A lot of people really liked it because it explained the differences between the criminal and civil without getting too confusing.

What we do now is, the officers respond to a scene. And if there are visible signs of an injury and there is some family-type relationship or boyfriend/girlfriend-type relationship, the officer can make a warrantless arrest. But we have to make sure the officer has probable cause. We went

through that.

A lot of times, however, even if you had signs of injury and but for the person just ran out the door before the police officers get there -- nine times out of ten they do -- we weren't serving these victims at all. We would tell them to go get a Protection Order.

The question is, what happened to the crime? We seem to have forgotten the crime here.

What we do now is, we mandate that our officers responding to this situation, if they come on a situation and but for the fact the male had left, he otherwise would have been arrested on scene --

COUNCILMAN ORTIZ: What about if an officer responds, there are two males. It is a gay couple that shares a residence and have a relationship. What happens then?

SERGEANT HEALEY: That would fall under the guidelines of the law, as well. We would still take the same type of domestic.

On a side bar, 2711 has been amended to actually increase the relationship aspect.

COUNCILMAN ORTIZ: I just want to know

what police --

SERGEANT HEALEY: Male or female, it doesn't matter.

So now what happens, if that injury is there and otherwise we would have made the arrest, we now transport the victim to the detectives as if a felony had occurred.

Basically, we transfer them down to make their statement to the detectives. The detectives get a warrant and go after --

COUNCILMAN ORTIZ: So a policeman comes in, the wife is or there is maybe she is not bleeding.

SERGEANT HEALEY: If she has visible signs of an injury where I would have made an arrest had he been there.

COUNCILMAN ORTIZ: What about if she doesn't have visible signs?

SERGEANT HEALEY: Then I don't have authority under state law to make an arrest.

There has to be visible signs of injury or --

COUNCILMAN ORTIZ: So the injury has to be almost facial at that point.

SERGEANT HEALEY: From experience -- I have handled a lot of these personally when I was on the street -- you will get them chest.

And a lot of times the woman will tell you, he bit me here or he kicked me there. And, sadly enough, you do have to ask to see the damage. And, you do.

And very often the women have no problem. And if they do have a problem, we will bring a female officer or vice versa to the scene.

COUNCILMAN RIZZO: Question.

COUNCILMAN ORTIZ: Yes.

COUNCILMAN RIZZO: What in the event that a victim is the result of an intimidation; husband in many cases, you know, puts the fist in the face or a knife at their throat or points a gun at them? Obviously there must be some other law to cover that.

SERGEANT HEALEY: Section 2711 handles simple assaults as well, which would cover those types of threats, intimidations, reckless endangerment. I believe it is in the Police Powers of Arrest under my Directive. It is in there.

You can make the arrest.

COUNCILMAN RIZZO: So, in other words, if a person calls the police and says that, "My husband put a knife to my throat and threatened me," but, when the officer arrives, there is no physical evidence --

SERGEANT HEALEY: There could be other corroborating evidence. It could be the little children saying, "Yes, daddy hit mommy." Or it could be the neighbor saying, "Yes, I heard a commotion going on there."

We need to corroborate the information.

COUNCILMAN RIZZO: So just the woman saying to the police officer that, "He pointed a gun at me," or pointed a knife, without the child confirming that or a neighbor stating that they heard a scream or they heard a disturbance would not support an arrest ?

SERGEANT HEALEY: No. The standard under 2711 is corroborating evidence.

If I go to the house and she says, "Yes, he pointed a gun at me," there are signs of a struggle in the house, tables are flipped over, a knife is laying in the middle of the kitchen floor or in the middle of the livingroom floor, I can take

all those facts and circumstances and use them to make an arrest.

COUNCILMAN RIZZO: I understand that. But let's go just back to a person with a little more brains than this person that you just described, that would leave knife in the middle of the floor.

A person that's just plain old, put the knife back in the kitchen cabinet, went upstairs. But, just based on that, you could not make an arrest?

SERGEANT HEALEY: I couldn't make a warrantless arrest, that's the key.

2711 of the Crimes Code allows me to make a warrantless arrest for misdemeanors done outside my presence. That doesn't mean that I can't take her down to detectives or she can go down on her own and get a warrant for these arrests on that violation.

COUNCILMAN RIZZO: Would that be a private criminal complaint?

SERGEANT HEALEY: It would be, yes. In those matters, usually, that's the case.

COUNCILMAN RIZZO: Thank you.

Thank you, Mr. Chairman.

SERGEANT HEALEY: Moving on with the analogies here.

The biggest problem was, most offenders flee when we get there, without a doubt. They run out the back door just the minute as we are walking in the front. And we are aware of that.

Like I said, however, these poor victims were left there saying, "Go get a Protection Order," and then the police would drive away.

Well, quite frankly, the male would come back in the house. Now he is even twice as mad because you called the police on him. And we would come back two hours later, and these women are in a much sorrier state then when we left. This was the wrong service.

What we do in these situations now is, we would transport the women to the detectives to get the warrant issued for her. And then from there, she can make arrangements.

COUNCILMAN ORTIZ: The police are told to actually drive --

SERGEANT HEALEY: Yes.

COUNCILMAN ORTIZ: -- take the woman

out of the incident area?

SERGEANT HEALEY: Yes. If willing; we didn't drag them.

But if the woman is unwilling to go, we will still proceed with the matter criminally.

The officer will take his observations, whatever statements he observed, and take that down to whatever detective division and follow through with the complaint as the officer being the complainant.

This way, a lot of times we understand complainants will not come forward for sheer fear. And, quite frankly, I have been in the middle of these situations. I understand the fear.

COUNCILMAN ORTIZ: When the officer does that, what happens?

SERGEANT HEALEY: We advise the woman that she should leave the house. And we recommend, we give the domestic violence card with the hotline and other information, and we advise them, "Listen, this is not a safe place."

So -- and I can't guarantee you that the level of service is the same from every officer. I mean, hopefully the newer officers are being better

and better trained and they understand domestic violence, because it is a serious issue.

But there are obviously going to be some officer that just don't treat them the way they should be treated. I understand that.

But, for the general part, our newer officer are better trained than they ever have been.

But they will advise the woman that, number one, you should leave this place. If you need help leaving, usually the officers, in every instance I have encountered, will offer to help.

You need to go down the street, you need to go to your mother's, you need to get a ride to the train or the bus, I have done it myself. I know officers who have done it all the time.

Our objective is to make sure she is not a further victim. But we also want to make sure that the offender gets in the criminal justice system and doesn't escape penalty.

COUNCILMAN ORTIZ: So a woman calls, she calls 911. That is a priority level call?

SERGEANT HEALEY: Yes. The priority level of the domestic violence has just been increased. Deputy Commissioner Brennan -- it used

to be it would sit in queue because it wasn't a higher priority.

I think it has been lifted up one or two priority levels. It is a high priority. It will bump other jobs out of the way.

COUNCILMAN ORTIZ: What priority level is it now?

SERGEANT HEALEY: I believe it is a 3, I think that's the level.

COUNCILMAN ORTIZ: And describe to me, what's a 3?

SERGEANT HEALEY: Pretty much, I believe, like felonies, felony in progress.

COUNCILMAN ORTIZ: So 911, I call up, my husband is beating me up, he has a gun. What does the operator do at that point?

SERGEANT HEALEY: That would be put out as a priority.

COUNCILMAN ORTIZ: He is beating me. What if there is no gun, my husband is beating me; what does the operator do at that point?

SERGEANT HEALEY: The operator would put it out as priority. But the important thing to say is --

COUNCILMAN ORTIZ: What's her training or his training?

SERGEANT HEALEY: It is in-house from Commissioner Brennan. He has taught his people to put out an internal directive on --

COUNCILMAN ORTIZ: But what does the 911 operator do, he or her, whoever it is, answering the phone call?

SERGEANT HEALEY: They are trained --

COUNCILMAN ORTIZ: What information does the 911 elicit from the person, if any?

SERGEANT HEALEY: Well, they will attempt to elicit all the normal information as in any other crime; name --

First of all, we need address. We need to know where they are at, what's going on. And we try to keep them on line as long as possible, number one, to calm them down. But if they are in the middle of being assaulted, a lot of times that's not going to happen.

So the intake person will take the call and send it to the dispatcher for whatever division issued there, and then it will be issued as a priority in that district.

COUNCILMAN ORTIZ: So it is a priority.

And then how long from the phone call to the time that the police arrive at the scene of the incident?

SERGEANT HEALEY: Obviously it can vary with other jobs, other available officers.

COUNCILMAN ORTIZ: An approximate range.

SERGEANT HEALEY: Approximately they should be there within three to four minutes. Approximately; it varies. Every district, it depends on the number of officers...

COUNCILMAN ORTIZ: A policeman is told what type of incident it is so that he or she is ready and knows what the matrix is and what the protocols are?

SERGEANT HEALEY: Right.

COUNCILMAN ORTIZ: They have been trained?

SERGEANT HEALEY: Right.

COUNCILMAN ORTIZ: How many hours of training?

SERGEANT HEALEY: We receive the training. I have a copy of the actual Academy outline for you.

COUNCILMAN ORTIZ: I just want it for the record. Go ahead.

SERGEANT HEALEY: Basically, they are taught, number one, in the law the proper procedures of arrest for domestic violence.

In addition to the laws, they are also taught the psychological effects of domestic violence, why -- a lot of times in the past officers would get very frustrated going to the same house time after time.

You say, "Ma'am, I told you what you need to do. You haven't done it. What more do you want me to do?"

The reason for that is, we understand now why women do that. They are scared to death.

COUNCILMAN ORTIZ: I mean, yesterday we had Judge Field, Administrative Judge, state that during the current year they have close to or over 15,000 petitions filed.

We also had testimony that a district in the Northeast at the same time, one district, had 20,000 calls.

SERGEANT HEALEY: Right. Well --

COUNCILMAN ORTIZ: In one district,

20,000 calls.

SERGEANT HEALEY: A lot of the Protection Orders that are actually served, many times the victims may not call the police. They may already have been involved with the police in the past for this current incident and know that they need to go down.

So I may not even get a record of that, when an individual goes down on their own. So a lot of times victims go down to Family Court without being advised by police, and we have no record of it.

COUNCILMAN ORTIZ: But I am amazed that, one, that it is 20,000 -- and I would like to find out if you have any data as to -- because I would like to get a clearer picture of how many calls per district we get.

SERGEANT HEALEY: Per district?

COUNCILMAN ORTIZ: Per district in terms of in the issue of domestic violence, domestic abuse.

If we have one district with 20,000 calls -- because we only have 15,000 petitions being filed. So, obviously, the problem goes much deeper

than the 15,000 women that actually get the courage to go down and file the petition from abuse.

Because if we are getting 15,000, and then we are getting 20,000 called in one district, I would like to know how many phone calls we are getting on this issue through the 911 or by police department.

SERGEANT HEALEY: There are different ways to categorize. That's where things get a little confusing. But I can definitely find out the domestic-abuse incidents that occurred.

Now, domestic-abuse incidents would be one incident that occurred where no arrest was made. So it was just an altercation that would justify police, and there is no need for an arrest or any other action.

The other action the police take in this regard is the service of domestic violence orders. We get calls just to serve an Order on someone. So there is actually no violence going on usually at the same time. We just serve the paper.

COUNCILMAN ORTIZ: We would like to get the numbers. We would like to get the data that you have available.

SERGEANT HEALEY: Okay. I have broken it down citywide, but it is tentative for the fiscal year that you asked for.

COUNCILMAN ORTIZ: We would like to see, you know, what you have. If you have a couple of years, give us that.

Because that gives us the extent of the growth, if any, that is happening. And it also gives us a greater degree of how sensitive, actually, we are becoming at the police-department level.

I mean, I know a few years ago, perhaps, these things would not even be recorded.

SERGEANT HEALEY: Correct.

COUNCILMAN ORTIZ: Councilwoman Reynolds.

COUNCILWOMAN BROWN: Thank you, Mr. Chairman.

I am encouraged to hear that the police department has made substantial progress along those lines.

But what would also be helpful is if broken down by either police district or councilmanic district, and then, given the city's

new highly sophisticated way of mapping, where we have the mapping process, period, it reveals even greater information which then becomes prescriptive in where we should focus or efforts.

So that would be helpful, as well.

SERGEANT HEALEY: That's not a problem.

COUNCILWOMAN BROWN: Thank you.

SERGEANT HEALEY: The hard thing to track domestic-violence abuse, number one, is it occurs not just an incident occurs, the police come, the police go away. There is domestic violence homicides, domestic-related homicides, domestic-related rapes.

So what happens, a lot of times, domestic incidents, which I have a specific code number for, is not all you need to count. You need to count the crimes that were domestically related, as well. So that includes homicides, rapes, robberies, simple assaults, aggravated assaults.

So it is important that when we do a good analysis of this, that we look at the whole big picture.

But I can print out domestic violence incidents, and all that's going to be is the time

that I went to the door, told these people, "Listen, you are okay, you are okay, you are not hurt. Okay. Knock it off. Everybody has to be good." And that's just a domestic-violence incident. It could be a mother yelling at her kid. It ranges from everything; it is not just abuse.

COUNCILMAN ORTIZ: That's exactly what we are looking for. Because we are trying to create the system.

And, obviously, it is a system that begins with a 911 call, and then ends up in a courtroom in which you have a plexiglas, bullet-proof glass between the person and the fact-finder. And the person has to talk through this hole, which is insulting and degrading.

I mean, the whole process is one in which the woman gets degraded as she goes along. She first gets beaten by her husband, and then we find ways of actually making her a greater victim as she enters into the process.

So we are trying to see how we can, as Carol Tracy likes to say, co-locate a lot of these services that need to be provided.

And we need to see how the police

interact with these victims and what, if anything, they need to further, further interaction, if necessary.

But, go ahead. Keep telling me the process.

SERGEANT HEALEY: Finishing up on the policy real quickly.

The officers basically encounter four types of situation. We have covered the two: You come up on the scene, the offender is on location, and you can either arrest or not arrest; the offender runs away at the door, and otherwise I would have arrested him.

A major part of the time we come on the scene. And after women have done all the right things, they went down and got Protection Orders, we come on the scene and officers would often give them bad advice. Not through their own fault, but because it was confusing.

They would see no visible signs of injury. They have a Protection Order, mind you. And they are like, "Well, ma'am, there is nothing we can do." Well, the reality is, that's the crime code.

The civil code says that if there is probable cause that you violated an Order, I can make a warrantless arrest. But that's not in the crimes code, that's in the civil code.

And our previous directive never differentiated between the two, and it was confusing. As an attorney, I was confused reading back and forth.

COUNCILMAN ORTIZ: Well, they now know they can do something.

SERGEANT HEALEY: That's actually why I put it in this Directive.

COUNCILMAN ORTIZ: So if the woman shows that she has the protection, the Order --

SERGEANT HEALEY: Shows it and says, "He just came over, threatened me," you need probable cause, obviously, that's the legal standard.

So if we can articulate the probable cause, we will make the arrest for violating the Order right then and there.

Now a lot of times -- this is even the worst-case scenario -- you have a Protection Order and he has run out the door. Cops are saying, "Well, ma'am, what do you want me to do. If he were

here, I would lock him up." In reality, they wouldn't anyway. But, what do you do now? These people got no service.

That's changed dramatically.

COUNCILMAN ORTIZ: If he is not there, and she says, "Well, he is at 20th and Berks," do they call out? Does the policeman now go and arrest him at 20th and Berks for violating the Order?

SERGEANT HEALEY: It depends if he can find him. If he can find him easily, yes, most likely he will.

But our primary concern, really, in this process is not necessarily the arrest, but the security of the victim.

COUNCILMAN ORTIZ: Well, sometimes the security of the victim depends on putting the individual behind bars.

SERGEANT HEALEY: If need be, these are easy jobs. We know where he works, we know where he lives, we know where he hangs out. It is very easy to go down and get a warrant for violating the Order. And that's now what the mandate would do.

Obviously the officer will do a quick survey. If he can grab him, he will grab him. A

lot of times it is not that easy.

COUNCILMAN ORTIZ: In all of these things you obviously have the ability to have the numbers and the statistics of how this has proceeded.

And what I would like is, if you have available right now to put on the record, like I said, from one district alone yesterday the testimony was that we had 20,000 calls to one district, one police district alone. We had 15,000 Orders that were issued and heard through the court system.

And if you have, if you can extrapolate that 20,000 citywide for me.

SERGEANT HEALEY: I don't know where the 20,000 came from. It seems a little high.

COUNCILMAN ORTIZ: It was the Northeast Division.

SERGEANT HEALEY: For the fiscal year that you had asked for, I have, approximately, domestic-abuse incidents, which is no crimes have occurred, I had approximately 68,416.

COUNCILMAN ORTIZ: 68,000.

SERGEANT HEALEY: The city. That's

domestic incidents.

However, I have 8,844 jobs were issued to just serve a Protection Order. So that's 8,400 times the police were called just to serve the defendant.

COUNCILMAN ORTIZ: That's what I am trying to say. I mean, because this process is -- this is a very, very, like I described at the beginning, a very lonely process.

COUNCILWOMAN BROWN: A very what?

COUNCILMAN ORTIZ: Lonely.

COUNCILWOMAN BROWN: Lonely.

COUNCILMAN ORTIZ: If 15,000 were issued and 8,000 were actually police assisted in terms of service, that means over 7,000 women were left to serve that petition by themselves.

SERGEANT HEALEY: According to the law, a competent adult can serve these orders.

COUNCILMAN ORTIZ: I know. But a competent adult that's not trained in police work. It is probably a cousin or a brother or, you know, a family relation. Then that leads to more violence.

Because I am trying to get a clear picture of, again, it is really, as Carol and other

witnesses describe, a very frightening scenario that we have.

Because we have thousands of women out there going through this process yearly. And the actual number that actually go to get the Order is very small. You go from 68,000 reported incidents, down to 15,000 actually filed, then to 8,000 actually assisted in the serving.

It begins to give a picture, a clearer picture, of the danger that these women are in who are into this type of situation.

Go ahead. Just keep going.

SERGEANT HEALEY: Like I said, the statistics, I don't want to get cornered into the statistics because it is very hard to identify where domestic violence is occurring.

Like I said, the earlier number I gave you is just the incidents where there was no crime; the police were called just to mediate a family disturbance, which could have been a son coming home late, minor incidents.

I have here, I broke down the domestic-related crimes according to crime code; basically, homicide, rapes, robberies, aggravated

assaults.

COUNCILMAN ORTIZ: I would like to hear those.

SERGEANT HEALEY: Do you want all of them?

COUNCILMAN ORTIZ: Yes.

SERGEANT HEALEY: In the Fiscal Year 7/1/01 to 6/30/02 we had 19 domestic-related homicides, 113 domestic-related rapes, 166 domestic-related robberies, 2,562 domestic-related aggravated assaults.

We had 94 domestic-related burglaries. We had 203 thefts, other than motor vehicle thefts, which were domestic related. We had 23 auto thefts which were domestic related.

We had 7,239 other assaults; that would include simple assaults. We had 24 arsons which were domestic related. We had eight forgeries, domestic related. We had 64 frauds, 1 embezzlement.

COUNCILMAN ORTIZ: One embezzlement?

SERGEANT HEALEY: I had to see that case first. I could see where it would have happened. A person steals a person's checkbook.

COUNCILMAN ORTIZ: A lot of money

involved?

SERGEANT HEALEY: I didn't see the case personally.

We had 665 domestic-related vandalisms, 88 other sex offenses which were classified domestic related. 232 domestic-related offenses against family and child. These are just general categories of where they were lumped in.

And we had 1,825 all other offenses which were domestic related. And we had 450 domestic-related missing persons.

COUNCILMAN ORTIZ: Can we get a copy of that?

SERGEANT HEALEY: Sure.

The reason we actually can identify that information is, Commissioner Brennan, along with Commissioner Johnson, actually put together a plan where, when we put data into our computer system, we have a domestic-related check box.

Now, it is not a mandatory field yet which would require that the data is a hundred percent accurate.

However, if the operations room personnel can identify that there is a

domestic-related incident, they are to check this box. And that's the reason I can generate those statistics.

So they are approximate.

COUNCILWOMAN BROWN: If it is not a mandatory field, that indicates it is a relatively new procedure. Can I assume that?

SERGEANT HEALEY: It has been in place a couple of years now. I think we are working on making it mandatory.

It may have already been mandatory already. I am not familiar with the program.

COUNCILWOMAN BROWN: So it is at least in the pipeline that eventually it will be mandatory?

SERGEANT HEALEY: If it is not. I will double-check to make sure, to be honest with you. It may very well be.

COUNCILWOMAN BROWN: That will be very, very important.

COUNCILMAN ORTIZ: The issue I think Councilwoman Reynolds alluded to, and we spoke about it yesterday, there comes that situation on the mapping of these things.

Because one of the aspects that we asked for is, how do you go about, and you are describing, how do you go about collecting the data, and to give us a description in terms of the process on how it is collected.

So, you know ...

SERGEANT HEALEY: The data is no different than any other crime. It is collected on a 75-48 report. The report is either domestic. It could be assault, it could be a homicide; the same report, the initial report, is used. And that's basically what's flagged in as either domestic-related or not.

COUNCILMAN ORTIZ: Do we have any way, because sometimes -- and I read enough and have seen enough areas, and I practiced some law along these lines, but my wife practices a much broader, greater experience, and we started talking.

Sometimes a woman makes a phone call about violence, and so on, and nothing really follows up, so it is calm.

Is there any way that you track the repeated phone calls, if there are repeat, you know -- somebody says, there is Ramona calling up,

this is the tenth time.

And do we have any way of then putting that into a balance and saying, this is something that we have to keep an eye on, as the police, and then you as police being able to transfer that information to another department that should be taking -- you know, that's needed.

Because what we are talking about is that -- and here is where the process -- because this is not just a police problem and the solution is not just a police problem. And you are not in the role of being social workers.

But, obviously, we need a system in which the police department, if this lady has been calling and there have been enough, but it really hasn't risen up to the level of -- but the calls are getting into a degree of intensity, as they call, is there any way in which those things can be tracked in terms of police, in terms of 911 so that we can pinpoint a crisis.

And maybe your department, and if you are in charge, can say, you know, we need to notify DHS, we need to notify somebody within the government, one of the agencies, that may be able to

intervene.

I mean, everything in a perfect world relating to it.

SERGEANT HEALEY: What we do at the current time right now, when we have domestic-related incidents, they are referred -- at first in the district level, we have the crime victim officer.

That crime victim officer, we have the technology in the districts to do repeat address or repeat calls to the same address.

And he will reach out to the victim, whether or not they took action that night or not, to determine whether or not they need any further assistance or followup.

If that's just a minor incident, nothing major happens, then that's the end of it.

If there is a crime did occur, and it actually escalated and detectives got involved, the detectives have special detectives down there that specifically handle domestic-related issues. They will do followup, as well.

COUNCILMAN ORTIZ: I am trying to get to the point in which the real crime hasn't occurred,

that the police at that point would have the ability to sort of like send it to another --

SERGEANT HEALEY: We don't do that on any centralized basis. However, the crime victims officer in the district are actually very good at this.

What they do is, they will follow up and say, "This is the third time, Mrs. Jones. You need to do something. Here is the phone numbers."

These people are actually -- this is a job they really like to do. Most of the victims assistance officers --

COUNCILMAN ORTIZ: I am not saying to give it to Mrs. Jones.

I am saying to take a sort of a proactive situation so that if a system is set up and Mrs. Jones called, this is her tenth call or sixth call, that that system is able to, I guess, automatically almost say, you know, this goes to a social service agency and that this is something we have got to keep a watch on because something is going to happen.

You know, sort of the recidivist type of situation, so that you get enough.

And, in essence, that's what I am trying to get to here, that we get the police talking to the social-service agencies and a system of communication so that the crime doesn't happen, so that we are able to maybe intervene.

And maybe the guy needs -- you know, maybe the guy is not a total louse, and maybe he just was brought up wrong and this is the only way that person has of expressing anger, you know.

And so what I am trying to get is, if we get all these things, all these phone calls, and first let's get talking to each other in terms of a system in which things are transmitted from one side to the other.

SERGEANT HEALEY: Along those lines, we have already very much cooperated together. A lot of domestic-advocacy organizations have come to the police department and gave our domestic-violence officers specific training.

And key to that training was really just the relationship, building that bond. So when the domestic-related detective identifies a problem, they know who to contact, number one, which is very important, which is -- a centralized system would

actually help that process.

But we are far along the way in terms of communications. Obviously it can be better. Everything can always be better in terms of a perfect world.

COUNCILMAN ORTIZ: So what's the system in terms of cooperate right now in terms of the police department coordinating with other governmental offices?

SERGEANT HEALEY: As the standard now, I don't think it is so much the governmental, but they will go to the advocacy groups, Women Against Abuse, Women in Transition, or whatever the case may be.

I don't personally get involved with doing the work. I mean, I help with the policy.

But it is my understanding that the detectives will reach, out when they see a problem, and try to connect a victim to a service. That's the way it is supposed to be working.

I like the idea of making somehow a mandatory flag of kicking it to.

COUNCILMAN ORTIZ: How well is it working right now? And let's say that you are trying to do that.

Is it a protocol that has been established that this Officer, you know, Jones understands that under such and such circumstance, he or she is supposed to do the following?

SERGEANT HEALEY: Statistically I can't tell you whether it is overtly.

Anecdotally I can tell you I used for get calls all the time from the women's group saying, "I can't get through to this district. I can't reach this officer." I haven't gotten any calls for a while.

So if that's any barometer, I don't know. But I hope it is. Because a lot of times the police officers didn't know who to call. And that's really what was important, was bringing them together, letting them see each other, know each other so when you do have a problem, you know who to call.

I haven't gotten any calls in at least a year. Every once in a while I will get a call from Judge Summers, however, that some case slipped through criminally and it is in his court that he needs to speak to a detective.

COUNCILWOMAN BROWN: Can I do a

followup, Mr. Chairman?

As a former manager of a primarily youth and children program, there is a document called and SOP, Standard Operating Procedures.

And, in fact, asking that question oftentimes of my colleagues has gotten me in trouble. Because I do believe that is helpful in ensuring that some basic standards of procedures are actualized.

In training, before police officers ever hit the street, is there training specifically and procedurally how these types of matters are handled at the Police Academy?

SERGEANT HEALEY: At the Police Academy, no, because they would not be the ones doing it at that level. They need to know how to handle the scenes when they come on the scene.

The protocol we are looking for -- and, actually, that's what we are trying to develop. We have two different bureaus in the police department that are operating here: We have the patrol bureau, are the officers that go out on the street in the uniform in the districts; and we also now have the detective bureau which handles the investigations.

So what happened is, we have domestic -- we have violent criminal crime victim assistance officers in the districts, which are patrol. Then we domestic detectives in the detective division.

Now, what we are in the process of working out now is a protocol between the two divisions; exactly what you are asking for, standard operating procedure.

Because what was happening is, some of the domestic-violence victims were getting beaten up by the police. Not literally.

I mean, what happened was, they would be call up by the police, what happened, do you need any assistance, and the next day they would be called by the detective asking the same questions. And she would be like, "Please I don't want this going on anymore," whatever the case may be.

So what we needed to do was coordinate our services.

COUNCILWOMAN BROWN: And make sure the departments are talking with each other.

SERGEANT HEALEY: Yes. And, actually, they are still working out the nuts and bolts. Research and planning unit right now is working,

negotiating with the two units to make sure we have something that works effectively.

We don't want to duplicate efforts. But, most importantly, I would rather duplicate efforts and make sure somebody gets assistance.

So I want to make sure that before something is in place, it is soundproof. Because this isn't something that we can make a mistake and then go back and say, "Oh, we need to fix that." They are victims.

COUNCILWOMAN BROWN: So you are moving towards an SOP for the handling of these types of matters between those two departments.

SERGEANT HEALEY: Right. Yes.

When we originally worked on the directive, we were going to make it a part of the directive. However, different negotiating went back and forth and it was holding up the directive.

So we actually consciously chose to separate the protocol of between the patrol and detective division apart from the actual overall policy.

The policy needs to be out there so officers can be addressing it. And this is what I

need them to do now, not in six months, when we can hash out who is going to handle what and who is going to serve what paper and do this stuff.

So it is more important to us to get the policy out, which we did. The next step is the protocol between the two divisions.

Like I said, I would much rather duplicate effort. It not effective or efficient, but a mistake is a person here. That's the important thing to remember here.

COUNCILWOMAN BROWN: So when you consider how matters of this type run through the police department, if you had to speculate when we could look at a date when the protocols would be written, in place, and now operationalized, what would you speculate?

SERGEANT HEALEY: I would speculate within six months. I mean, I don't see where this being a bill deal.

What slowed us down a little bit was promotions. We had a new chief inspector of patrol. And he is working out. He is a brand-new chief inspector. And he needs to be involved because his people need to know exactly what to do.

So that slowed things down a little bit, but it hadn't stopped.

COUNCILWOMAN BROWN: So when did the process start, if we are now looking at -- six months from now would be May.

SERGEANT HEALEY: It has been ongoing. I mean, we are working it out. And we want to include the community groups, the advocacy groups in this process.

COUNCILWOMAN BROWN: As a part of the dialogue?

SERGEANT HEALEY: As a part of the operating procedure first. I think they need to be included.

So we need to make sure that when I make a policy under one chief inspector, that he is amenable to it and that it will last.

I want something that won't be changed from the next chief inspector gets promoted or when a detective gets promoted. So I need to make sure that the policy is sound.

The last thing I need is a protocol that is put in place and it gets revoked because of a promotion because they didn't like something

specific.

COUNCILWOMAN BROWN: I don't have the benefit of having read all the testimony, but I would say that changes do start with leadership.

And if it is not put in writing as an SOP, then leadership has the option to enforce it or not.

So can you safely say that next year this time, we won't have to worry about having this conversation again?

SERGEANT HEALEY: Without a doubt. I would hope so.

COUNCILWOMAN BROWN: Thank you very much.

Thank you, Mr. Chairman.

COUNCILMAN ORTIZ: Thank you.

You know, one of the big problems that has come up, is that we only actually have one house, a safe house, in the city, with a very limited amount of room, I think it is 55.

COUNCILWOMAN BROWN: One safe house in the entire City of Philadelphia?

COUNCILMAN ORTIZ: One.

And then women are usually then -- and

this is something that -- this is why we need communication between agencies, not just the social service.

Then the women who are beaten or in the process go through the homeless shelter program. And I don't think that's where a woman needs to go with her family, and we need to change that.

And I think, you know, because obviously if a policeman sees this woman, he knows he cannot send her there. And I don't think any of your officers are going to say, "Well, I can't find him, but I have to send you back there."

Obviously you are sending her back there, if she is beaten, he is going to come back and next day you are going to find her dead.

SERGEANT HEALEY: That's why it is very important our officers, and we do stress, that you need to find somewhere else to go.

We also know that I don't have a place to take the person. I can check via police radio whether or not there is room at the shelter.

COUNCILMAN ORTIZ: But then that shelter is not the place where she should go. And that's why we need the coordination of city agencies.

Because you cannot send a beaten family to a homeless shelter. They don't have the services necessary.

And if we only have one safe house with 55 beds, we need to look at how are we going to provide more.

SERGEANT HEALEY: One of the biggest problems actually I incurred on the street as a police officer, and, actually, I remedied it while I was sergeant briefly, is I would tell a person to go get a Protection Order.

She says, "I have three kids. How am I going to get down there? It is 3 o'clock in the morning."

Well, if I could and there was nothing busy, I would ask my supervisor can I take them. A lot of districts don't have that option. They don't have the ability to take people down to get the Protection Order, number one. So the best thing I can do is, I can take you to the bus.

Well, hopefully our supervisors are much more compassionate. As supervisor myself, I would allow, if someone asked me to take a family down to get the Protection Order. This way here, when they

come back with the Order, whoever was out of the house, usually that is the victim, that gives them at least a safe house they can live in. And if they come back, I have some type of recourse.

But a lot of times our only options for these women or males, whatever the case may be, is to find them, to take them to a relative.

Usually we are successful. We can usually find someone that would be willing to accept them, especially when there are children.

I hate to take children out of the house, but I am not going to let children stand on the bus stop 3 o'clock in the morning, either. So we do whatever we can to accommodate.

If you had something centralized, I think just keep in mind, transportation has to be included in this.

COUNCILMAN ORTIZ: Well, this is what we are trying to get to. But the area, the starting area, actually, begins with the 911 call. And then we have to see how we tie the other governmental agency.

Councilman Nutter, you have a question?

COUNCILMAN NUTTER: Thank you, Mr.

Chairman. I apologize for being late for this hearing and the accommodation as a noncommittee member to ask a couple of questions.

Sergeant Healey, I know you have covered a fair amount of territory with Councilman Ortiz and with Councilwoman Reynolds Brown. I will try not to be redundant.

I am slightly intrigued, though. You are a representative of the police department today?

SERGEANT HEALEY: Yes, sir.

COUNCILMAN NUTTER: On behalf of Commissioner Johnson?

SERGEANT HEALEY: Yes, sir.

COUNCILMAN NUTTER: To your knowledge and information, who has, I guess, overall responsibility for the issue of domestic violence here in Philadelphia?

SERGEANT HEALEY: That's a vague question.

Do you mean the response to domestic violence? Would be the Philadelphia Police Department.

COUNCILMAN NUTTER: Well, that's after the fact.

SERGEANT HEALEY: True.

COUNCILMAN NUTTER: That's after the incident has already taken place.

SERGEANT HEALEY: True.

COUNCILMAN NUTTER: My question is, who has overall responsibility for trying to not only prevent domestic violence -- we know what the police role is in that -- but who has direct responsibility for this issue in the City of Philadelphia?

SERGEANT HEALEY: For prevention, quite frankly, I don't know if there is any single agency or organization responsible for prevention in and of itself.

COUNCILMAN NUTTER: Wouldn't that make your job a little easier?

SERGEANT HEALEY: It would make my job a lot easier.

Regrettably, I have said this before, with crime, I can be proactive, I can be the best cop in the world and patrol my sector and stop a lot of crime from happening.

I can't stop domestic violence from happening, no matter how vigilant I am on the street. I have to respond after the fact,

regrettably.

COUNCILMAN NUTTER: It is not just a police issue; right?

SERGEANT HEALEY: It is a socio-economic, it is a social issue, period.

COUNCILMAN NUTTER: And do you know what efforts the city presently takes to, I guess, in a way, promote an anti-domestic-violence message or communicate with the young or not so young about this particular issue and engage in people's lives in a way that we might be able to see decreases before there is a need to call 911?

SERGEANT HEALEY: Personally, I have no involvement in that, in the prevention area.

COUNCILMAN NUTTER: Okay. Let me ask this question, I assume that this is a sheet that you gave out, detailed as Philadelphia Police Department Lists Philadelphia Code Summary 7/1/01 to 6/30/02? Is this your document?

SERGEANT HEALEY: Yes, sir.

COUNCILMAN NUTTER: Do you have any information on what actually happened after the police department was engaged and a report was made and the resulting prosecution or disposition of any

of these matters? And I would like to read some of this into the record.

Can you tell me what happened on the prosecutorial side as a result of the 19 homicides, 113 rapes, the 2,562 aggravated assaults, the 7,239 other assaults, the 88 other sex offenses, the 232 offenses against family and children?

Do you know what the results are from any of those?

SERGEANT HEALEY: I don't know what the outcome of the cases were, per se. But they would have been prosecuted by the District Attorney's Office.

COUNCILMAN NUTTER: You don't get any of that information?

SERGEANT HEALEY: I don't have that information.

COUNCILMAN ORTIZ: Councilman, the District Attorney chief here was yesterday, and we essentially asked him for data.

COUNCILMAN NUTTER: Okay.

COUNCILMAN ORTIZ: And they don't have it.

COUNCILMAN NUTTER: What do you mean,

they don't have it? Didn't we get them computers a couple of years ago?

COUNCILMAN ORTIZ: We got them computers a couple of years ago, but they don't have it. They don't keep that.

However, they did say that the President Judge, and she was very good, Massiah-Jackson and Judge Field, they brought a very well-documented presentation with cases, disposition, and so on.

COUNCILMAN NUTTER: Okay.

COUNCILMAN ORTIZ: But the District Attorney, in essence, said that, if I am correct, that they prosecute at least 6,400 cases; however, they don't have a database to tell us how and what the disposition of those -- and that's an estimate -- of those 6,400 cases are.

COUNCILMAN NUTTER: Mr. Chairman, I guess other than being somewhat astounded, I do have to remind you, and I believe you were at the hearing earlier this year, it is interesting that the D.A.'s Office would not have that level of statistical data.

I seem to recall asking them a variety of questions about death-penalty cases earlier this

year, and they could tell me down to the number every case, every disposition, how many people had been sent to death row, how many people had been exonerated.

They were quite detailed in their recitation on statistical analysis with regard to that issue.

And we don't need to have a death-penalty discussion. But, I would tend to think that this particular issue at least rises to the level of importance that we would actually keep statistical data so we know not only how many calls were made in to 911, or however people access the system, how many people were arrested, and what the disposition was of those particular matters, if we care about the issue.

So I look forward to further hearings on the issue. But, I thank you for the opportunity, Councilman, to ask a couple of questions.

COUNCILMAN ORTIZ: You are through?

COUNCILMAN NUTTER: Yes. I know you are surprised. But, I am actually finished.

SERGEANT HEALEY: I would just like to respond.

Councilman Nutter, these numbers, I would not say they are absolute. I did a computer run. These are the initial flags on our 48's when the officer brings them in the district.

In the future, if it is determined not to be a domestic-related matter, these are first glance what we think.

Because our objective was to try to identify where we have major problems, and the best way to do is to flag the 48. So 48 is the initial incident report, which is sometimes modified in the future.

COUNCILMAN NUTTER: I understand that. But, I mean, you obviously you did this run 12/11. That was last Wednesday.

SERGEANT HEALEY: Yes.

COUNCILMAN NUTTER: And this is a run from 7/1/01 to 6/30/02.

SERGEANT HEALEY: I was asked for a fiscal year.

COUNCILMAN NUTTER: I understand that. I guess my only point is, do you anticipate something is going to change from crime reports that were generated a year and a half ago?

SERGEANT HEALEY: I don't believe so, no.

COUNCILMAN NUTTER: Right. I mean, they pretty much are what they are; right?

SERGEANT HEALEY: Well, the 49 could be different than -- these are the flags, the flag we put on it for trying to track.

And, actually, we would like to map, that was an idea brought up. Mapping sometimes is like, again, after the fact. We need to figure out how to prevent. And that's what a lot of our crime victim officers do in the district.

Regrettably, it is often after an incident occurred. But sometimes they will, and very often, they will respond to just domestic-related instance. Husband and wife had an argument, it didn't escalate to anything, but the police were called.

The officer will follow up on that and say, "Listen, is there anything major going on," and they will try to separate them.

A lot of times the wife will not say anything in front of the husband or vice versa. A lot of husbands sometimes are very embarrassed to be

victims of domestic violence.

So a lot of times it is very good for the officer to speak to them separately on the phone the next day, when the husband is at work, or vice versa. And, actually, sometimes you can have a lot of input and help.

And the officers are very dedicated. They are out in the districts, they know these people intimately. They go out to their houses. They really do care. I can't relay that enough.

I deal with policy procedures and sit down at 3rd and Race, but these people are out there dealing with this violence every day.

COUNCILMAN NUTTER: Thank you, Mr. Chairman.

One last thing, Sergeant. The officers that you are speaking of now, you are talking about the officer who are in the special victims' unit?

SERGEANT HEALEY: No, sir. I am talking about the officers in each district, the crime victim officer assigned under the captain.

COUNCILMAN NUTTER: How many officers are there in the special victims unit?

SERGEANT HEALEY: Off the top of my

head, I couldn't tell you. I could get you that number.

Between officers and detectives, we are trying to, I believe, escalate it. I really couldn't give you that off the top of my head. I don't know.

COUNCILMAN NUTTER: Do you have any sense as to what their workload is, how many cases is each officer or detective responsible for?

SERGEANT HEALEY: I could get that for you. I mean, I would rather get you actual numbers than speculate.

COUNCILMAN NUTTER: Thank you.

Thank you, Mr. Chair.

COUNCILMAN ORTIZ: What we are trying to do is, in essence, put enough of a record together so that we can maybe put forward recommendations as to establishment of a system of communication.

So that as phone calls are identified, flags are thrown up, and perhaps almost direct communication could go to the Health Department, to DHS, across the system so that we could get into the preventive mode so that we don't have police always running towards the crime area as such.

That women across the city can -- and men, although very few of us get beat up that way. But so that we can begin putting that system into place.

And one other thing is the communications. And what we are seeing is that there is not that much. And I think Councilman Nutter put forward, as to, do we see it.

And I think what has come out of the last two days is that this is a very huge, huge crisis. It is a public-health crisis. And it is not identified as such, at least in the perception of the citizens of this city.

And the picture we have to draw, and the picture we have to communicate, is that this is a public-health crisis that needs direct intervention by all of city agencies, bringing it all together into a comprehensive, cohesive type of action that we can begin to put forward.

SERGEANT HEALEY: I think the foundation for what you speak of is actually in place. We have good working relationships with all the advocacy groups. And we are all on the same page.

Our objective here is to better serve

the victims of domestic violence.

COUNCILMAN ORTIZ: But we cannot get to a point until we get a public policy that says, if you are getting over 68,000, and you are getting only in the Northeast Division you are getting 20,000 calls; if you have 15,000 petitions, which those are the women with enough courage to go down to file a petition, and then you say, we only have one safe house in the city with 55 beds, that sends the wrong message.

SERGEANT HEALEY: Absolutely.

COUNCILMAN ORTIZ: And then if you are saying that women that can't fit into that safe house, then have to go through the homeless-shelter program, that sends the wrong message.

And as a city government, as a city legislature, as a city governmental executive office, we cannot be putting that forward.

Other cities are dealing with it differently. We don't even have an 800 number for women to call. They said that yesterday. The cost of that is $900,000 a year.

$900,000, we should be able to find that money. I mean, there is no excuse for us not to be

able to find that money in the budget.

And I think what has to be recognized, the message that I am looking for, is that this problem gets recognized as the public-health crisis that it is.

And just like we are trying to deal with the public-school system, and we have a focus on how we can fix that, that we deal with this problem.

Because it is not a problem that deals with just a few individuals across the city. It is thousands and thousands of people. And there are thousands and thousands more that we never even get to see and that suffer in silence. And we need to break the silence.

COUNCILWOMAN BROWN: Just as a wrap-up for my own purposes, a review of where we are and where we are going as relates to mapping.

Currently the department is using the mapping, which I think is a wonderful tool. I am very excited about it.

Currently the department is using mapping; correct?

SERGEANT HEALEY: That's correct.

COUNCILWOMAN BROWN: Specifically for

this issue?

SERGEANT HEALEY: Not specifically for this issue. We use mapping for overall crime strategies.

We have comp stat, which is done every week at the Police Academy. Whereas, the geo coding program is used to map auto thefts, robberies, and agg. assaults, and stuff like that. So the individual commanders can determine the strategy to use to address the crime. And, actually, they are held accountable.

COUNCILWOMAN BROWN: So somewhere on an action plan or a long-term plan, there is the expectation that mapping will be used as relates to this issue, did I not hear you say that?

SERGEANT HEALEY: Yes. I will actually develop some types of maps for you to look at personally.

And we do special comp stats. Every division has a week, roughly. And the commanders in that division are held accountable for the crimes in their areas.

Certain times, due to the schedule, we have additional weeks put in place. We have done a

domestic violence comp stat in the past. So I could probably give a demonstration of the material we have from then.

And, actually, I gave that presentation, basically, when the new directive came out.

COUNCILMAN ORTIZ: Could you make that available to us?

SERGEANT HEALEY: I will have to check with Deputy Brennan, he is the one who generated the data for me.

COUNCILWOMAN BROWN: And in terms of systemic change as relates to the coordination and communication with other city departments, that information, if not now, will be shared with those other city agencies like DHS, Department of Public Health, OESS so that strategies around prevention and, I guess, intervention can be based on that information that comes to them as a result of mapping?

SERGEANT HEALEY: I would hope so.

In a perfect world, and my vision would be, if I can identify a certain district in the city or location that has a high, a disproportionately high, number of domestic violence assaults, then

that's an issue that not only the police department needs to look at -- because, as I said, I have constitutional limitations. I can't go into people's houses and say, "You can't do this."

However, when other people, Civil Service agencies, are involved, they can maybe identify some of the risk factors that are in those specific areas. What is it specifically in this area that is causing this problem?

Maybe there are environmental factors. We don't know. But the mapping actually helps very much.

It could be across the board. Domestic violence could be straight across the board. And, actually, politically it could be sensitive to mapping.

I mean, I don't believe domestic violence is specific to any race, religion, color, anything. I believe it goes across the board. So mapping may not prove very useful because it may just prove that it is just peppered throughout.

COUNCILWOMAN BROWN: We need the analysis. We may know that intuitively and maybe intellectually. But until we see what the numbers

are based on councilmanic or police district, only then do we have hard data.

SERGEANT HEALEY: Right. Absolutely.

And the mapping works wonderfully in this regard. But, like I said, this is a problem I don't think it is specific to geographic location or race, gender, or sex, for that matter. I mean, it goes across the board. I think, actually, the data will prove that.

But we may have certain pockets of the city that prove more problematic. Maybe in those areas that's where the campaign could be focused. And you could develop performance measurement standards and see whether or not they work. We could do that. And I am interested in doing that.

I am more interested in all the calls in the Northeast Division. I am going to double-check that.

COUNCILMAN ORTIZ: I would like to see that and I would like to see what the calls have been throughout the city. So if you can give us that data, I would really appreciate it.

So, Sergeant, I thank you.

COUNCILWOMAN BROWN: Thank you very

much.

SERGEANT HEALEY: Thank you.

Frank Cervone and Deborah Freedman. Thank you. Identify yourself for the record.

DEBORAH FREEDMAN, ESQ.: My name is Deborah Freedman, and I am Managing Attorney of the Family Advocacy Unit at Community Legal Services, formerly the Dependency Unit, a unit with illustrious history.

COUNCILMAN ORTIZ: Yes, it is.

MS. FREEDMAN: And as some Council may be aware --

COUNCILMAN ORTIZ: It is a very hard, hard job.

I have been talking about that for the last two days, because I think my wife was the head of that unit at one point.

MS. FREEDMAN: It is a hard job, but it is a great job because we are doing work that we really believe in, which feels wonderful.

And our job specifically is to help parents keep their families together. We work with parents to prevent their children from being placed in foster care or to have their children returned

home.

My role here today is specifically to talk about domestic violence in the Child welfare System in Philadelphia.

And this is a huge topic. Because we know from academic studies that at least one-third of all child welfare cases involve domestic violence. And what most studies say is that the number is probably higher than that. So conservatively one-third, domestic violence is present.

What do we do about domestic violence in child welfare, though, is a very, very thorny problem because there is so much danger both to the women and to the children involved in the system.

Let me start by saying that it is really great to be able to work on this issue with full knowledge that the Commissioner of DHS, Alba Martinez, is just an outstanding domestic-violence advocate and is already moving forward on this.

She advocates against domestic violence and has been a leader in services for domestic-violence victims.

However, of course I have some

suggestions for DHS for ways things can get even better.

My suggestions fall into three big categories. So let me start with the first category, which is, DHS should create several simple policies to avoid endangering parents and children who are victims of domestic violence. And this really falls into the same category of some of the things you were discussing with the police.

DHS needs some really clear protocols for how certain things can get done. Currently there are a lot of things that DHS workers do that inadvertently harm victims or put victims in danger.

They invite everyone in the family to the same planning meeting. They schedule visits at the same time. They interview parents together, even when they are aware that domestic violence is an issue in the case.

One issue that we have had come up several times just in the last couple of months is, DHS workers using a violent partner to interpret for a woman who does not speak English.

COUNCILMAN ORTIZ: That was mentioned. We had this testimony yesterday.

MS. FREEDMAN: So that has been a huge problem.

I think DHS could do a lot to move forward on all of these issues with simple protocols that outline ways in which cases should be handled, ways in which meetings can be scheduled if domestic violence is suspected in a case.

And, you know, scheduling meetings separately, talking to victims separately, and to never, ever use family members to interpret are all important.

COUNCILMAN ORTIZ: You describe a situation of parental exchange of children.

At one point, with one client, exchange was being done at -- what's that coffee shop again? -- Starbuck's. And that's a concern and strange. It should not be done in that manner.

MS. FREEDMAN: Yes, I agree with you. And that probably gets into the whole issue of visitation centers and, sort of, all of the services we need for families involved with these systems.

Additionally, under the general category of needing guidance and protocols, DHS really, really needs clear procedures for confidentiality.

A problem that we have had repeatedly is that DHS mails paperwork to everyone in the family, as they are required to do as part of their internal guidelines and the law.

But those documents include everyone in the case's address very often. And we have had, as a result, our clients' secret addresses disclosed to their abusive partner.

This is also a problem in the court system, where Dependency Court basically has no procedures for keeping people's addresses secret. Anyone can go and look at files. People's addresses appear on all kinds of documents.

So we would ask that DHS create procedures for keeping addresses confidential.

Families are required to share tremendous amounts of sensitive information with DHS in order to be cooperating with their services. And they cannot possibly do that if they have no confidence that the information will be confidential from an abuser.

My second set of recommendations has to do with services that DHS could be providing in a better way for families.

The families who are experiencing domestic violence often need very intensive services and often need those services to be available to them beyond regular business hours.

We have had numerous situations in which clients needed help escaping from an abuser and the escaping or other help needed to happen after 5:00 p.m.

Thus, my first service-related recommendation is that DHS should strongly consider referring domestic-violence cases to their Family Preservation Unit. This is a unit that provides a much more intensive level of service and has round-the-clock ability to serve parents.

I think this is something that DHS is considering, and we would very strongly support it.

Secondly, we recommend that DHS target some of its emergency fund money to assist domestic violence victims.

The emergency fund is an absolutely fantastic program that Commissioner Martinez has created to provide families with assistance for all kinds of economic barriers that stand in the way of reunification or of keeping the family together.

And, in particular, we would like to see on the application, then, that the workers use a section that encourages workers to use those funds for domestic-violence situations.

In the cases that we have worked on with domestic violence, we have been able to get, in some cases, DHS to pay for domestic-violence related expenses with this fund, but it has required a lot of aggressive advocacy.

I thought I would mention to you one of the cases that I had where this worked very effectively.

My client, Ms. Taylor, who lived in the Northeast with three small children in her home, one of whom was very medically needy, and she had been continually abused by the father of her two youngest children.

The abusive man would repeatedly break into her house and beat her up at all times of day. And as a way of controlling her, he had also damaged her van, which she had had specially adapted for transporting her child's wheelchair.

COUNCILMAN ORTIZ: I think there was an Order?

MS. FREEDMAN: There was not a Protection Order.

What happened here, in fact, was that she was absolutely terrified to be in her house. Because he had broken all of the locks, he had broken the windows, he had done everything. And she didn't have the van to get away, because he had ruined her van.

What we were able to do was to get DHS to pay for her locks and her door to be replaced and to have her van repaired so that she could feel that she could actually escape from her house, if need be.

This, I think, gave her a sense of hope, which then empowered her to get a Protection Order, I think. She was so beaten down at the time that we first got on the case that she felt totally helpless.

And the fact that he could enter her home at any time with no locks, because he had broken all the locks, made her feel that everything was never going to work.

But after we got DHS to pay for that, those simple changes, she actually did go and get a

Protection Order. And I represented her in that case.

COUNCILMAN ORTIZ: Did he ever try to break in again? He never tried to break in again?

MS. FREEDMAN: He did; but he is a drug user and is not the brightest guy on earth. And I think like once he saw that she had taken some steps, he apparently didn't -- and, also, he didn't show up for the Protection Order hearing. So it may have been some combination of being served with the Order, seeing that she had taken some steps.

But my major point about that case is that, I would love to see DHS target some of its emergency fund specifically for domestic-violence victims and have that included in the application for emergency fund services.

I also just wanted to acknowledge, you mentioned it earlier, but that DHS cannot possibly provide all the services that families need.

And in my ten years as a legal services lawyer, I have never been able to get someone into the shelter at Women Against Abuse because it has always been full. And I know it is because they are helping other women who desperately need it.

And particularly we need a shelter that is welcoming to families whose first language is not English. That's a major crisis and is not available outside of Philadelphia, in the outlying counties at all, either.

Also, I wanted to re-emphasize what you said earlier about transportation being extremely important.

As a client said to me just last week, "If I want to get away from him, I can't stand on the corner with the kids and wait for the bus. I won't be alive to see it come."

We desperately need some kind of cab voucher system, some kind of emergency transportation response for victims who are ready to take the step to leave. That's absolutely critical and not available at all currently.

And my final recommendation is one that is think is important, and I think it is for intensive training of DHS workers in the child welfare system on the dynamics of domestic violence.

I am sure this is something that Alba Martinez is committed to. But DHS workers very often misunderstand and become frustrated with women

who cannot or will not leave abusive partners.

But we have repeatedly had social workers tell us that, "If this mother doesn't leave her partner, her children will be removed," or that she has to get a Protection Order right away if she wants to keep her children.

These kinds of comments and the actions that follow them really just misunderstand the nature of the violence and the crisis that the woman is facing.

COUNCILMAN ORTIZ: That's more violence heaped upon the woman.

MS. FREEDMAN: It is. And it is something that I think is very inhumane.

COUNCILMAN ORTIZ: It should not be done.

MS. FREEDMAN: I think, also, part of the damage done in that situation is that it ensures that abused women are scared to work with DHS or other agencies or ask for help.

Which, actually, I just wanted to comment on something that was suggested earlier, which was --

COUNCILMAN ORTIZ: Speak into the

microphone.

MS. FREEDMAN: I wanted to comment on something that was mentioned earlier, which was the concept of potentially having the police contact DHS for repeat phone call addresses.

And that's something that I would really strangely discourage. Because I think if there is one agency that women are more scared of than anyone, it is DHS. And I think DHS is doing things to try to change that.

But, currently, if we want women to reach out to the police or if we want women to reach out to other social service agencies when we need help, I think if they have the sense that if they call the police, DHS is going to come into their life, they aren't calling the police. And that's just a fact in my mind based on my years of experience of working with them.

COUNCILMAN ORTIZ: It is something we have to change.

MS. FREEDMAN: It is something we have to change. And I think Alba and other folks are working very hard to change that and to shift focus to a lot of prevention services that are excellent.

But, the reality of the situation right now is that if DHS were called when the police were called, I don't think women are going to call the police.

COUNCILMAN ORTIZ: Councilman Nutter.

COUNCILMAN NUTTER: I deeply apologize for interrupting your testimony. I am going to have to leave. I wanted to put two things on the record.

If I don't leave and go to my parent/teacher conference, I may have a domestic situation later on this evening.

Two things. One, with regard to the hotline issue, quick thought that came to mind is the city collects from all of us who have a telephone $1 a month for the improvement and enhancement of the 911 emergency system.

And that results in about 4 and a half million dollars a year collected to maintain the 911 system, which is going through a bit of an enhancement process right now.

My sense is that once the system is fully operational, it will not need 4 and a half million dollars a year to maintain.

And so I would like to pursue, Mr.

Chairman, both through the Budget Office and I guess ultimately through the finance office, there is a state statute that governs how that money can be used. It is for the enhancement of the 911 system.

It seems to me in a slightly reverse-logic fashion that if we could divert 68,000 calls a year out of the 911 system, it is in fact an improvement and an enhancement to that particular system.

And so there may be an opportunity, I think, if we work in a collective fashion, to pursue some of the 911 money as a way to potentially fund the hotline.

The second issue is, with regard to the transportation issue, we know that quite recently the state legislature, having taken many actions, one of which was the transference of responsibility for taxi cabs in Philadelphia to the Philadelphia Parking Authority, as opposed to the PUC.

We may take some stab at talking with our friends over at the Parking Authority to see whether for specific instances, as governed by the police department, involving domestic violence there might be the opportunity to create some kind of

voucher system that ensures that the cab person, obviously, gets paid.

I think you would not want to have any cash involved. But that it is a voucher that's signed by the person, signed by the cab person, and then ultimately goes back to the Parking Authority.

And if we could get some cooperation with that agency to see whether there is a transportation opportunity here to ensure that people would be able to get from one place to the other.

Obviously they are not probably going to take you on many other trips. But at least from the police station, to home, or wherever it is, the one trip that you want to make.

Lastly, Mr. Chairman -- and I am sure you will pursue this -- it seems to me that there is a need not only for the coordination that's been discussed here.

But I think if we are going to be very serious about the issue of domestic violence, that possibly through the managing director's office or whoever the appropriate agency is -- we don't need to debate that issue today -- there probably should

be an office of domestic violence here in the City of Philadelphia, which I think would substantively show that we care about the particular issue, that there are people whose job it is to work on this from the promotional side, the better use of the word in terms of anti-domestic-violence campaigns and education and the like, and that's what they do.

And then they work with all the various agencies and coordinate, but they have the authority and the responsibility to do this job in a way that we don't have to sit around and kind of scratch our heads trying to figure out who is doing what, how is it getting done, what are the statistics, who is up to what. It is tremendously frustrating.

And I have seen in other places a much more coordinated and targeted effort toward trying to discourage people, men and women, but primarily men.

And I think that many men in Philadelphia care very deeply about this particular issue. And all of us should step up to the plate and talk about it in a way that not only condemns the behavior, but that we have the opportunity to talk with other men about the seriousness of it.

Not only what it does to the family relationship and your partner, but also the long-term impact that it has on children.

They are damaged and scarred, potentially for life, and subsequently often become abusers themselves because that's all they know. That was their experience, and that is the way they then respond in those situations.

It is tragic and it will continue to repeat itself until people stand up and talk about it and say that it is wrong, you should never engage in that kind of behavior, it is not the response.

So, Mr. Chairman, I am going to leave. And I am prepared to work with you on any initiatives on this issue.

COUNCILMAN ORTIZ: Councilman, I think that's the direction we are going.

And, by the way, I missed Omar's teacher's conference yesterday, which he let me know when I got home. And I missed Pilar's teacher's conference today.

COUNCILMAN NUTTER: I can't take the chance. I wish you well with Omar.

COUNCILMAN ORTIZ: And Pilar. I just

told her, so they understand. I will make it up for them.

COUNCILMAN NUTTER: You are in the dog house.

COUNCILMAN ORTIZ: But I think that's where we are going.

And that's why these hearings are so important, because this is sort of like the hidden problem that we have in the city. And sometimes we don't want to talk about them. And then we don't want to put resources into fixing these aspects.

And we need to be able to determine -- you speak about DHS. DHS is an agency that, you know, has had problems and so on.

But it is obviously -- because it is usually it is the culture that's within each institution that we have in the city, and that culture is permanent almost. And we have seen a change not just rapidly; it changes very slow.

And even when new leadership comes in and leadership is energetic, they understand that that leadership is there only temporarily. It could be three years, it could be four years.

And many of the people that work in all

of those institutions, just like the police department, in terms of the special victim's unit that we had hearings on, they thought we were going to go away. And the issue is that we are not going to go away.

So that the culture is changing the way and taking a message that change is going to happen. And that even if Alba is there today, and she might not be there tomorrow, that change is going to keep on proceeding and going forward.

So that if Timoney goes and Sylvester Johnson comes on, that the same change that began is not going to cease; is that the culture is going to change.

But the only way that happens is when we have the community and the advocates and the people willing to come forward.

We only have four agencies -- they are all in North Philly and in Center City -- that deal with domestic violence in the city. Forget the city government. I mean, four independent agencies.

We have 1 shelter, with 55 beds. That has to change. Resources have got to be put into that situation.

And government is the only one that can do that, because there is no profit margin here. You know, there is no huge developer that is going to come in and say, "Oh, I think I can make some money out of that. Let me put it." There is no IKEA, for instance.

You should have seen the effort that we made the other day about IKEA for the last seven months; and the editorials that were written about how if IKEA didn't come into the city, the city would be in ruins because we would no longer have a consumer, you know, center in which we could spend money.

Meanwhile, thousands and thousands of women are going into lives of despair, and we have no idea that that is going on.

It is like the Councilman just said, and I said it between yesterday and today. There is no way to be able to quantify that.

And we have to be able to change governmental policy. And in a Democratic city, with a Democratic mentality, we should be able to find the money.

We should be able to find $900,000 for

an 800 number. We should be able to find money so that there are a few more shelters out there so that women can have a safe haven to go.

We should be able to have advocate agencies in Southwest Philadelphia, West Philly that begin dealing with this problem.

COUNCILWOMAN BROWN: Can I follow up, Mr. Chairman?

COUNCILMAN ORTIZ: Yes.

COUNCILWOMAN BROWN: Good afternoon. Having read a lot of the testimony, still the one fact that really for me is profound is the fact that there is only one shelter in the city.

And I am of the view that, given so many issues pulling at the dollars in government, government can no longer do it all, which forces us to think out of the box differently about how we address these kinds of issues.

And so, to that end, have we ever considered a conversation with the United Way to list to have one of those check boxes, a dollar for a hotline, if you will?

Have we ever thought about talking about with members of the clergy or the foundation

community to see -- first of all, to enlighten them, just as I have been enlightened through these hearings, and then offer them recommendations like those presented in your testimony, which are doable and possible if we just enlighten and ask the question.

I have already had a conversation with Carol Tracy because I am of the mind set, before coming to Council, it was taboo to talk about AIDS with members of the clergy. They just did not see a role. And until they were enlightened, they didn't embrace it.

Now there are a lot of clergy in our city who, through their church, they are very, very engaged in addressing that issue.

So as we go down this road and propose recommendations, I will put up for consideration the need that we must look beyond government, because government is not going to do it all. It simply cannot. The dollars are not there.

To that end, we have to look to those worlds who are in the business of looking out for the least of these, and one of them is the clergy community.

Thank you, Mr. Chairman.

COUNCILMAN ORTIZ: Identify yourself for the record, please.

MR. FRANK CERVONE: Frank Cervone for the Support Center for Child Advocate. Sorry to hear you missed your children's sessions. We can talk about that afterwards.

COUNCILMAN ORTIZ: They let me know, let me it tell you something. In fact, Pilar calls her sister in LA and complains when I miss something, and then her sister calls me up. So I am expecting a call.

MR. CERVONE: Ask the kids, they will tell you.

COUNCILMAN ORTIZ: I am expecting a call from my older daughter today later on.

MR. CERVONE: Members of Council, the Support Center for Child Advocates is a volunteer lawyers program for abused and neglected children in Philadelphia. We are glad to be back to talk to you about the needs of kids and families.

These hearings are about domestic violence. What we see is domestic-violence cases come into the system as child-abuse cases. And

child-abuse cases come into the system as DV cases. We are working with the same families.

We have a wonderful community of advocates and providers here, and we look to cooperate with each other. What you heard over these two days is some demonstration of the level of that cooperation.

I think, as well, that special commendation needs to be paid to the women at the Women's Law Project, whose courageous work has kept this issue on the front burner of this city's attention for as long as it has.

COUNCILMAN ORTIZ: Yes, it has.

MR. CERVONE: We recognize as well your own leadership, Councilman Ortiz, and that of continued participation and attention of Councilman Nutter, Council Reynolds Brown, I know Mr. Cohen and Mr. Rizzo have been involved.

I am as well, though, struck by the absence of members. It gives me pause that we cannot get the full attention of this Council for these issues at any point in the history of this work.

Our community of public-interest

advocates about two years ago issued a report on Family Court critical of the lack of judicial resources. And in that document we noted the empty-chair syndrome, in which cases were made to appear before a bench without a judge in the chair.

Likewise, we sit today waiting for Council to come. That troubles me. This is an issue that demands the city's attention, and thus it demands this leadership's attention. We thank you for being here.

We last testified before this committee, or the Public Safety Committee -- I know today we have a joint process -- three years ago, almost to the day, December 6 of 1999.

We provided those remarks then. I thought, as a student of history, that I might just work off of those and tell you how we have done in three years.

The pace of change has been faster than a glacier.

COUNCILMAN ORTIZ: We made notice of that yesterday in my opening remarks.

MR. CERVONE: Then I will leave off the rest of it.

We look to, basically, three topics: Those of workload and -- four topics: workload, place, process, and professionalism.

We can report that the delay in the police assignment, an issue that helped to bring these hearings about, was part of the tragic death of that young woman and her mother late this summer.

Unfortunately, inadequate staffing at special victims has been a known problem for more than a decade and probably longer.

Now in response to that tragedy, the police department has made a staffing commitment which we hope they will honor and that you will support.

In that same vein, it is unfortunate the Commissioner is not here today. Out community has worked well with Commissioner Sylvester Johnson in his short tenure. We hope that tenure will last. We hope --

COUNCILMAN ORTIZ: I hope so.

MR. CERVONE: We hope that this issue will stand above politics, that you will all take the high road. This is our issue together; it should not be politicized.

COUNCILMAN ORTIZ: This is not a political issue. It is really about human beings, human rights, and children. And, this is not about politics.

MR. CERVONE: We are glad.

The Department of Human Services has been impressively busy on many fronts of reform and dialogue and good work.

The case assignment, I am sure you will hear about lots of those from Commissioner Martinez.

We note the case assignment process at DHS, which has been a cause of great burden to the staff there, is under review and redesign. We expect that the workload issues will be addressed in that process.

The hotline staff I think are going to be on call 24 hours a day in the building this week.

The interface between police and DHS seems to be working. Though, without a way of checking on all the cases, no one can be certain.

The good news about place is that several key agencies have identified a site for the new co-located facility for special victims and the child welfare investigators. That is the Tower

Building at Temple's Episcopal Hospital at Front and Lehigh. That's public information, it has been in the papers.

This site will be accessible for consumers and for professionals and it has the potential to be able to be developed into the state-of-the-art program to which many aspired for more than a decade.

COUNCILMAN ORTIZ: I would hope.

MR. CERVONE: The bad news -- and I know, Councilman Ortiz, you have particular interest in the movement of this project -- special victims unit has not yet moved. Philadelphia Children's Alliance and DHS --

COUNCILMAN ORTIZ: How long now?

MR. CERVONE: Real long.

COUNCILMAN ORTIZ: Real long.

MR. CERVONE: -- have not -- real long.

-- have not been able to confirm the availability of space in the Tower. We learned this week that the city prison system, which we know has a health facility on the sixth floor of this building, seems intent on staying.

This means that incarcerated defendants

will be marched in orange jumpsuits and shackles down the halls and in the elevators in the presence of kids and families.

Having witnessed this scene just two weeks ago myself while on a tour with city property, it was a jarring experience. I can't imagine that it could continue if this operation were to exist in the building.

The office of managing director, the city property office have been wonderfully responsive to this process. Temple University has been gracious in inviting the planning effort. But Temple and the prison's continued uses of the building I believe will be problematic.

Who will be in the building? Who in the city is going to make this happen? We must be allowed to get on with these commitments, architectural design, program development, and the myriad bugs that any complex system will surely encounter.

Under the current structures of case scheduling and personnel assignment, the geographic distance between DHS here in Center City, the police up in Frankford Avenue, and the Children's Alliance

in West Philadelphia, even willing personnel can only get together on a limited basis.

About process. The system's structure remains and the structural problems remain largely as before with some notable positive exceptions.

PCAA continues to be referred only a small portion of the total child sexual-abuse case load. There appears to be an increase in the number of less formal but still important interactions between DHS workers and police investigators and ADAs.

While there is improved cooperation, the D.A., DHS protocol required by state law for convening investigative teams, it remains lacking. And I understand the law department and Alba's lawyers are working to upgrade this protocol almost as we speak.

There are three venues for multi-disciplinary review, but the processes of those systems is not in any way shared and the product of them doesn't at all necessarily inform what happens in the case.

People might get together and talk about a case. And if those people at the table are

involved in the case and elect to follow the instruction or wisdom of the group, that's what happens, but it just doesn't happen very often.

Our own group's file review of SVU cases with WAR and Women's Law Project and the Philadelphia Children's Alliance and Penn graciously was invited by the prior and current administrations, and we found little to complain about. I think we all should be happy about that.

But across the system of sharing of information in common cases is often poor or nonexistent.

We then observed that --

COUNCILMAN ORTIZ: Excuse me. We have been joined by State Representative LeAnna Washington. Very good to see you. It is an honor.

MR. CERVONE: We again observed that our law enforcement and child welfare personnel have been working together for many years to improve this system.

The cases which get investigated collaboratively seem to satisfy all the participants.

Many of the individuals in both systems

participate in joint trainings. The social workers and police officers are working together. The Common Interview Guideline is a state-of-the-art product that was built here, is being used here, and, in a sense, sold elsewhere.

I don't think we are going to get any money on the deal, unfortunately.

The DHS fax-referral, this simple little mechanism where, when DHS gets a case and the cops need to know about it, a fax gets sent, and somebody on the other end is designated to pick it up and follow it, has dramatically reduced the length of time and delay in the assignment process.

It must be clear that these are reforms that are waiting for a home. Without a facility in which we are all working, the professionals who want to change will continue to be frustrated in their attempts to do so.

I would make a side note about the process in domestic violence and child-abuse cases. There are two really neat, almost experimental, programs being run in the city with multiple agencies involved in each.

And while those projects are small and

fledgling, we expect that they will have some lessons for us all.

Lastly, the changes in leadership at DHS and the SVU over the last three years have made for an enormous improvement in the commitment of those agencies to professionalism and to quality and to accountability. But, in each of those systems, resistance remains.

It is going to take more by way of leadership. Alba Martinez and Sylvester Johnson and their immediate subordinates can't do it alone. We need the flag raised high, and they need to be supported in their calls for reform.

COUNCILMAN ORTIZ: Institutional cultures are very hard and very slow to change.

MR. CERVONE: Those two seem committed to changing. And we hope that you will stand behind them and give them the force of law and political support.

COUNCILMAN ORTIZ: We have been trying to just put the picture out so that change comes about.

MR. CERVONE: In summary, the answer remains clear for us, at least for the children's

cases. We think as well the effect will be salutary for the adult cases involving the police, a co-located facility that brings all the key players under one roof. We must continue to change the way these cases are handled.

We still need a mandate on workers and officers to collaborate. We still need a facility that will permit and foster joint investigations.

We will probably be need more resources to allow these professionals to do their jobs well, although I believe as well there will be economies of scale dollar savings when they are all living under one roof.

This Council and this community must make a significant investment and the political will to make that change happen.

COUNCILMAN ORTIZ: You know, in all your testimony you mentioned DHS, you mentioned the police, but you never mention the court system.

MR. CERVONE: Ah, but I appear before those judges.

COUNCILMAN ORTIZ: Yes. Okay.

You never mentioned the court system --

MR. CERVONE: Debbie and I appear before

them.

COUNCILMAN ORTIZ: -- and the horrific -- the description of the process, the ones that the woman gets before the Masters or the Court, I mean, it is an incredibly abusive and insulting process, a system.

I mean, I can't believe that you -- I still, I got to keep talking about this -- that you have this partition with a hole in it, and people, without any privacy, have to speak through that hole to whoever the fact-finder is.

MR. CERVONE: This happens because people in leadership don't care enough to make a change.

Somebody built that building for some totally different reason.

COUNCILMAN ORTIZ: It looks like you are ordering a hamburger to go with fries on the side. And you have the abuser, you have the woman, and the children all together listening.

MS. FREEDMAN: You have your whole neighborhood listening. It is a huge waiting room full of people who can all hear every word you are saying.

MR. CERVONE: Councilman, hamburger joints are more friendly, they smile back.

We need to take it up. We need to take it on.

COUNCILMAN ORTIZ: I mean, it is the whole system that is in disarray.

I mean, there is a whole culture, from top to bottom, that needs to be changed. And the thing is that we have real people getting abused. Not only by their husband or mate, but then by the official agencies that are supposed to help them.

COUNCILWOMAN BROWN: To that end, Mr. Chairman, you mention in your testimony, you said that there are three venues where dialogue is had.

MR. CERVONE: Yes.

COUNCILWOMAN BROWN: However, and I quote, the processes are not shared.

Could you briefly speak to that, the examples of where that's not happening.

MR. CERVONE: These are by and large good things. Children's Hospital, Philadelphia DHS, and the Philadelphia Children's Alliance all do some form of multi-disciplinary case conference.

Each of the agencies has or entities has

developed their own protocol for how they assemble that group of professionals and how they review the case, what they talk about, what issues are on the table, and how that information does or doesn't get recorded.

Well, there are only a small minority of the total number of cases in the system gets that approach.

Their approaches are disdain. Among the three, they are each, in a sense, unique. They are similar only by coincidence; some of the same people sit on the same processes.

Now, we don't need one uniform cookie-cutter approach. We certainly by law are required to have that approach available for many, many more of the cases.

Some very large number of the cases qualify under state law for multi-disciplinary review, and the systems don't begin to have the capacity at present to handle them.

So it is a chicken and an egg. If the systems were to send more cases into that pipeline for a better approach, we might not be able to handle them. And, yet, that's the approach they

need.

It is like a long waiting line at the emergency room. It just doesn't make sense. It is like a little hole in the wall for a domestic-violence case. It just doesn't make sense.

COUNCILWOMAN BROWN: So who or what should be the nudge?

MR. CERVONE: More than a nudge. A protocol is required of the children and youth agency, police, and DHS, and the District Attorney's office, that tripartite approach to a law enforcement child-abuse case.

And that protocol needs to have teeth, it needs to be expansive. It needs to say which cases get handled where.

COUNCILWOMAN BROWN: So it does beg the question, and it goes back to Councilman Nutter's umbrella question, who is in charge. Where do all these lines --

MR. CERVONE: The law is explicit in this regard.

The law is explicit that the District Attorney is in charge on that score. Their protocol was developed when the law was passed to meet the

minimal requirements of the law.

So, in a sense, it passes muster of state law. It, I think by their own admission, doesn't pass muster of a citywide program.

COUNCILWOMAN BROWN: Thank you.

COUNCILMAN ORTIZ: Because it is just aimed to the minimum requirements.

MR. CERVONE: That's what they set out to do at that time, which was in 1997.

COUNCILMAN ORTIZ: And if you remember in terms of the special victim's unit, one of the problems that we uncovered as we went along in the testimony was the miscoding of the aspects of cases. And we have no data on that in terms of this area of investigation.

And is there the possibility that that has been happening, both miscoding in terms of the case and in terms of women, and then how you miscode them?

Because, like you say, if there is a woman that is being abused, there is usually a child that's being abused, and so on.

Have you found, Frank? And we have no data available along those lines.

MR. CERVONE: That's my understanding.

In the small sampling that was provided to us in special victims, in which several representative advocates actually read the hard-copy files, we found them, their coding, to be dramatically improved, but we didn't find too many coding problems.

And that's just on the children's side. The DV side, as you heard, it catch as catch can.

COUNCILMAN ORTIZ: So we need perhaps a meeting to be able to get together and look at what the situation is with the advocates, the agencies, and maybe do the same thing with Commissioner Timoney and his unit, and get together to see what we can come up with in terms of realistically putting in and getting the correct data into a place that we can actually understand it.

MR. CERVONE: I think I and my colleagues stand ready to read more of their cases and give them all the criticisms we can.

COUNCILMAN ORTIZ: You know, we will try to make that available and feasible, so that we can come up with a system that actually is in place and functions.

MR. CERVONE: Thank you.

COUNCILMAN ORTIZ: Alba. Thank you for waiting.

COMMISSIONER MARTINEZ: Am I still on my honeymoon period?

COUNCILMAN ORTIZ: We are not mean to anyone here.

All we are doing is trying to get information and help, where we can, to provide more resources or be the advocate of agencies that we feel need to be able to do a better job, and they don't do a better job because the resources are not available and not because of incompetency or insensitivity.

And I think DHS is one in which people attempt to do a great job, but the workload and everything else and the situation is horrific.

So, Commissioner, identify yourself for the record, please.

COMMISSIONER ALBA MARTINEZ: Good afternoon. It is a pleasure for me to be here. My name is Alba Martinez, and I am the Commissioner of the Department of Human Services.

And I want to congratulate Council, and

in particular Councilman Ortiz and the Public Safety Committee, for holding these hearings and convening these hearings and doing it in a collaborative way with our State Representative.

This is clearly an issue of great importance that does not get sufficient attention in the City of Philadelphia or nationally.

Now, I do have some prepared remarks that I will read. But I want to start by saying that all of the recommendations that I have heard here today sound good to me. And they, I believe, are consistent with the aggressive reform agenda that DHS has undertaken.

The mission of the Department of Human Services is to ensure the safety, well-being, and permanency of children in the City of Philadelphia. And, last time I checked, children cannot be parented without a family in which they can be safe, well, and properly taken care of.

So, therefore, when a parent in the family is unsafe, that is a concern of the child welfare system. And the safety of every family member is a concern of the child welfare system.

Now, at DHS, the mission of the

organization has been constant over the years: Safety, permanency and well-being.

I think what is changing in DHS is not that we are backing away from our mission, but that we are rethinking the way in which we act upon our mission.

So, for example, when DHS speaks about permanency for children, we think that we must achieve permanency for children in a timely way.

We believe children should not be raised in foster care. We believe that government has a very important role to play in society, but one of those roles is not being parents to children.

When we talk about the department's mission around safety and well-being, we believe that we should not wait for children to get hurt or for someone in the family to hurt somebody else in order to take those children into custody. That's why we are focusing more aggressively on prevention.

And in relation to our focus on domestic violence and family violence, the Department of Human Services stands ready, stands ready to do everything we can to support safety of all family members.

And, we have a lot to learn. And we cannot do that work without the leadership of Council, like what you are providing -- and I want to say very clearly -- extraordinary support and guidance and patience. But pressure, too, which we welcome, from the advocacy community, the child advocacy community and the family violence community.

Now, the context in which we are doing this reform work is that there is a history of fragmentation, isolation, lack of collaboration, and lack of trust among domestic-violence advocates and child welfare advocates historically.

This is not a city problem; this is a national problem. And at a national level, actually, in the National Association of child welfare leaders, there are policies being developed to try to bring together the domestic-violence agenda and the child welfare agenda.

As we make changes to integrate the work of violence against children and violence against women and other members of the family, we will confront the difficulties that come from resistance to change, which you have already addressed;

tradition, "I have done this before. We tried this before. This will never work"; the cynicism that comes from having been part of a system that has promised to change and has not delivered on change.

We will also confront the more sticky issue and painful issue of conflicts in philosophy and conflicts in policy that have to be worked through.

And, lastly, we are going to confront the painful challenge -- and it is particularly painful for me -- of our need to move fast because children and families are in danger every day.

But, unfortunately, our move to -- our need to move sequentially sometimes and in order to move properly sometimes, we do not move -- we cannot move as fast as we would want.

Nationally studies have shown that the co-occurrence of domestic violence and child abuse can be at high as 97 percent.

In Philadelphia, we look at our data from case reviews, since at this point we still do not collect concrete data about the incidences of domestic violence, which is a problem that should be addressed.

But our case reviews suggest that the rate of co-occurrence in Philadelphia, Department of Human Services cases, is anywhere between 50 percent and 75 percent.

It is an expectation of our department that, over time, we will collect specific data around domestic violence.

COUNCILMAN ORTIZ: How do we begin doing that?

COMMISSIONER MARTINEZ: One of our major reform projects is the redesign of our front end of services, which includes our hotline, our child-abuse hotline, our screening unit, and our investigative unit. That would be what we define as front door, the gate of the system.

And so as we reconstruct our system for service criteria and our system for placement criteria, and as we reconstruct our hotline process, that is when we can incorporate new data elements.

And, in fact, we are not only in need of collecting more specific data about domestic violence, but about other critical issues, too, that would help us in planning.

COUNCILMAN ORTIZ: Again, how do we

overcome -- I think Ms. Freedman from legal services testified at the beginning of the hearing, because this usually begins with a phone call to the police department.

And we try to establish a framework in which the police department, with its own institutionalized manners of behaving and insensitivity at many times, they have begun a process of trading and change. And I think it is happening. It is happening slowly, but it is going on.

How do we begin? Because I thought it was a natural, sequential process that would take place.

How do we get into the prevention aspect? So that if we have a repeated family that is constantly calling, 911, but has not gotten to the point in which that family, that woman, or that child, really has gotten really beaten up, but the violence is there, because it is verbal, it is communicated in other ways.

And I said we should have a flag in which we should be able to refer that family to family services or DHS, for example.

Ms. Freedman says that would be bad because families -- and I know. I used to remember dealing with Puerto Rican families when I was in legal services.

And I had to tell them, you know, we have to get your caseworker, and the whole spectrum of what DHS meant, which it meant taking the kids away immediately, and so on, that there is the fear of women.

And her statement is that that would be a wrong thing to do because women are afraid to go to DHS for assistance in this way.

How do we begin breaking that state of mind?

COMMISSIONER MARTINEZ: In a large, in a general sense, I would think about a three-prong agenda.

One is culture change, which has been addressed here. And I think at DHS we have made huge progress around culture change.

In other words, not only setting an expectation to the internal staff of DHS and our contracted providers that we are moving in a different direction, but allowing people the

permission to change. Because government can be quite a punitive place, and I think people act out of fear.

So, number one, culture change; for people to understand that we will work with them as a struggle for new ways of doing business; and that they are not always going to do it right and that there will be mistakes, but we are okay with that.

So giving people permission to change the culture of the organization.

Second of all, practice change. And when you talk about how do we do this, well, you have to change practice.

The reason why families are often afraid of DHS, like they are afraid of police, you know, we know in certain communities people are afraid of the police and afraid of DHS, is because of the tradition of these systems of having to invest or choosing to invest most of their resources in intervention techniques.

In other words, waiting -- that's why I said that one of our big shifts is to prevention, not waiting for people to get hurt in order to actually offer services. And then often we throw

the kitchen sink at people.

So people have fear that DHS historically has been perceived as being an all-or-nothing kind of game.

We leave you alone until you hit a certain point on the thermometer, and then we are going to throw everything at you, including involuntarily intervene in your life.

So how do we do that is, first of all, DHS changes its culture and invests more money in prevention services so that over time, hopefully not over a long period of time, this is starting to change, the public in Philadelphia and the citizens of Philadelphia understand that, number one, we will never apologize for our responsibility to remove children when they are in imminent risk of harm, because that is our job.

At the same time, we are not looking to remove children; we are looking to build safe families.

So when we identify -- you also asked about data. The way to collect this data, it begins when we get a hotline call.

We already collect some data. It has

been collected historically on paper. The social worker wrote it down, they would transfer it to a clerical person. We have changed that.

We are now demanding that our social workers input data directly. We are changing those fields.

COUNCILMAN ORTIZ: Do we have access to that data? Do we have availability to the data that is currently coming in to the hotline that you have in terms of abuse in children cases?

COMMISSIONER MARTINEZ: Yes, we do. But we are restructuring it. We are redesigning that right now because the data that is collected is not all of the data that we need.

So, for example, I am not sure, I don't believe, that we have a field -- someone here might be able to correct me in terms of my own systems, as they have been suing it longer than I have been running it. But I think --

COUNCILMAN ORTIZ: One of the ways we bring about change is through the courts.

COMMISSIONER MARTINEZ: But I don't think that we are collecting specific data that we can pull technologically around domestic violence,

but that can change.

And one commitment that I want to make here today is that, based on these hearings, I am bringing this to the forefront of my consciousness that I will go back and say, we have to collect that data up front.

But I think that, again, we have to have conversations with advocates. Because I think they are going to have some concerns, parent advocates, about how that data would be used.

I think that having the data for planning purposes is good.

So once you have that information, then --

COUNCILMAN ORTIZ: But we need to set the process and get the people that can be helpful to begin putting the system so that that data can be available for the changes that are needed.

COMMISSIONER MARTINEZ: We have a very sophisticated data system.

Frank Cervone also raised the question about having data and having processes and not necessarily using the information.

For example, the multi-disciplinary team

reviews. Better to have them, than not to. However, how we use that information to drive change is a separate issue.

And, again, it is two related conversations. But the fact is that at DHS, the good news is, we have a very sophisticated infrastructure; however, our hotline needs huge reform. We are working on that right now in terms of the tools we have in place.

But the other part of how do we actually make this happen is critical to the DHS reform agenda, is building a differential response system.

Now, this is being done in other parts of the country. And what "differential response" means is that you don't treat every case the same way.

DHS intervention should be tied to levels of risk.

COUNCILMAN ORTIZ: For the record, and, again, going back to what I think Frank and Ms. Freedman said, the training that the caseworker -- because it is the attitude to change at the lower levels that needs to be done.

And, for the record -- and I know that

you stated in your testimony -- the training that takes place for the average caseworker in DHS, in terms of recognition of the symptoms, the tell-tale signs of domestic abuse that may be occurring, what is the training that is currently in place and how can we begin in order to help you bring about that cultural change.

And, from our side, what is it that we need to begin putting into place in terms of the resources necessary to be able to change, one, the budget that comes down, the ability to be able to give the tools that are necessary. What is that training currently, and how can it be changed. What needs to be changed within the training, if anything.

COMMISSIONER MARTINEZ: There are, I say, three main vehicles that child-welfare workers get training.

And one is the state, Pennsylvania competency-based training and certification program. And I have brought to submit for the record copies of the summaries of workshops and curriculums that they have related to domestic violence.

So social workers need a minimum of 20

hours of training a year to just maintain the county license, and social worker supervisors all the way up to the directors.

But they often get more. Not in domestic violence, though; in general training.

When we think about how complex this area is, 20 hours doesn't sound like a whole lot. You know it is good, but it is not really a whole lot. So you have the state training system.

Number two, there is the Pennsylvania Council of Children, Youth and Family Services, which is our provider network of agencies. And they do significant amount of training that DHS helps fund and participates in.

But, number three, in the last two years I have created a staff training and development support center because we are now abiding by the philosophy of life-long training.

The issue is, however, that historically the way it has been done, training, has been that each staff and each supervisor of that staff person fill out a form and say, "This is what I think I want training on," as opposed to the system saying, "Wait a minute. 20 hours is not a whole lot. We

are going to set the priorities here on what we want people to have training on."

Because if we are talking about changing culture radically, people need to be trained almost on everything. And, so, we really are struggling with how to prioritize training.

We have excellent domestic violence training researchers in this city, excellent training; Women's Law Project, Women Against Abuse, Legal Services, Women in Transition.

The question is, how do we tie those resources into our infrastructure, using them, and then practicing.

Because you can get training. You can get training and not apply it, and you forget it.

COUNCILMAN ORTIZ: And we need to come here. And we need the commitment, and the commitment comes from DHS, the Health Department that says, "This is what we are going to do."

Because I am interested in prevention and building a system that creates an educational perspective coming out of the city and the different agencies that we have, and that they are interconnected.

For instance, one of the things that has shocked me more than anything else -- and I will go back to the whole, the glass and all of that -- but the fact that people go down to -- most of, a lot of the numbers is during weekends, for instance.

And women are forced at all hours of the night or day, or whatever it is, to go down to the judicial center by themselves, alone, no attorney because these individuals probably don't have one.

They go before a Master that probably, and has been according to the testimony we get, really has very little training in terms of issues of domestic abuse.

She goes in there for a petition for protection, and then she has to go back home to serve it herself.

And I was thinking. And I asked, "Do we have any social service personnel there?" Because, if anything, she not only needs somebody to tell her the legalities of filling out the petition; she needs somebody, more than anything else, that can guide her into some family training or family therapy or family advice or whatever it is that needs to happen.

She needs a social worker or a person that can lead her. And it seems that is natural, one of the things that we should have and that DHS maybe could look into. Because this is about resources and expanding those resources.

That we have personnel there that can say to Mrs. Jones or whoever, "Listen, you know, we need to open a case on you. We need to be able to start this file in order to do the following things."

That woman leaves that judicial center and goes back to an abusive environment, hopefully with a policeman, to try to serve the abuser.

I mean, I said, it is like, if I get assaulted by somebody in an alley, I then have to go and get a warrant to serve on the guy, and I have to go and serve this warrant on the guy who assaulted me in the alley.

Again, we are looking at this as a crisis in public health. And there have to be services available from the beginning, not after the fact.

But if a woman gets the courage to go down to file for a petition, there has to be some

institutional services there at that site when that woman goes there.

Because it is not just the petition that she needs; she needs guidance and support services.

COMMISSIONER MARTINEZ: I would like to respond to that, if I may.

I am a little out of the loop as to what the domestic-violence organizations are doing this minute in relation to court and service.

But when I was a director, we started the Latino Domestic Violence Program. Prior to that, I supervised the domestic-violence unit at Legal Services. I served on the Board for a long time.

And the bottom line is, there is a network of organizations in this city that get state funding --

COUNCILMAN ORTIZ: There are four.

COMMISSIONER MARTINEZ: Yes, there are four that get state funding to do these kinds of services.

And I remember at that point not having enough resources to serve all women, of course. However, that they had a strong presence in the

court.

And I think that perhaps it is about looking at how we strengthen the resources that are already there and to also advocate more aggressively at a state level.

Because the federal domestic violence money does not flow to the City of Philadelphia; it flows to the state, Pennsylvania Coalition Against Domestic Violence.

And I think that there is some advocacy that can be done by the city to the state in relation to securing additional funding.

And we, people like Council Members and people like me in my position, can perhaps help the domestic violence advocacy coming into here make a stronger case for state and federal funding.

That being said, the Department of Human Services can definitely become more intentional and more clear and strategic on how we invest our resources in a way that impacts favorably on domestic violence because, of course, our line of business includes reducing family violence.

And I stand ready to say not only that we have a commitment to fund domestic violence

services, but that we already do.

And the question is, how do we capitalize on our investments to be more strategic. And, to the extent that I can help continue to identify resources, I will.

But I think it is very clear that we understand that there is a pot of domestic-violence money nationally and at a state level, and we should evaluate how much growth there has been at a national and state level and whether that growth has flowed to Philadelphia proportional to our need.

Because I know that at least in child welfare, we get 50 percent of the child-welfare budget in the State of Pennsylvania because we need to get it because we have 50 percent of the problems.

I'm not sure what the share is in domestic violence. And I would be part of being -- part of a work group to fight for resources.

COUNCILMAN ORTIZ: I think we need to find out what our share is that we get. And if it is not the proportional aspect, then we need to begin advocating.

COMMISSIONER MARTINEZ: Because,

Councilman, what I struggle with is the notion that we continue to talk about cutting taxes and cutting resources and cutting back and fiscal crisis, and then we talk about, well, we need to add services.

I think we in the city need to get really aggressive about fighting for our fair share. And I am not saying that in this particular instance we haven't, but fight for our fair share --and we have a State Representative here -- from state resources and federal resources, in addition to maybe sacrifice some things that we are doing that may be less important than other things.

COUNCILMAN ORTIZ: I am in total agreement with that.

The thing is, we have some problems that as a city we need to face. And as we struggle with trying to get more funding, we need to be able to see how we redirect the resources that we have, or whatever resources we have we begin to prioritize.

Like I said yesterday, and I said it today, and I think Frank made a referral to it, when we were discussing the IKEA 44 acres, this place was filled with people from the Administration, with Councilpeople, with everybody. I mean, we had a

room full of folks.

Actually, we changed by zoning, we made somebody very rich by just changing the zoning. We transferred $20 million from -- we made a property that was worth $6 million worth a minimum of $20 million.

But we need to be able to, as the Women's Law Project, Carol Tracy, and everybody said, this is a crisis that the city is facing.

When you get 15,000 women -- and that is a small number -- filing petitions, then we as a city and as a government, both Council and the Administration, we have got to look at how it is that we can make a change.

One of the things that hit me, because I didn't know it before, is, when they go down there, there are no services, family services, provided to this woman who is in a very distraught state of mind.

So she goes down to the judicial center, comes before an individual that probably doesn't understand the problems that she is facing, is given some advice as to how to fill out a Protection Order, and then is told to go back home and serve it

on her husband.

We need to be able to look at how we change that first step that is taken, from there on in, and what services are needed at that level.

And it is family services, whether it be from DHS or getting some of the advocates together and saying, look, we need to provide 24-hour services down at the judicial center in terms of family practice and so on.

Then we need to be able to look at how it is we are going to accomplish that. And we need to be able to get -- and, hopefully, with Ed Rendell in the Governor's office, while we still have a Republican Senate and a Republican house, that may be able to change.

But the issue is, we have a crisis on our hands.

COMMISSIONER MARTINEZ: Support at that point in time in a case is critical. I know that from experience.

Not having support, when a woman has taken a step to file a petition, if there is any point -- I mean, you have to support them throughout the course of the case.

But that's one point where, number one, they could be putting themselves at tremendous risk. Because we know that violence escalates when they take action. So I believe that that's a priority.

And I believe that there have been points in time where there have been resources there, and that's why I am a little surprised to hear that. And I think that government and the advocacy agencies and the state should work together to correct that problem.

COUNCILMAN ORTIZ: I want to know how we achieve that. And I want to come out of these hearings with recommendations on how to achieve those things.

COMMISSIONER MARTINEZ: And my position, to government, to my own agency first and foremost, but also to the nonprofit community, is that the answer cannot always be more money.

The answer may also have to begin to be, well, what are we going to stop doing. What is of less importance to do this.

And I think that, clearly, with the example that you are giving, you know, there are broader implications to this discussion. Because I

think the point you are making is that times there is always money for certain types of services and not enough money for others.

But the bottom line is a social-service community controls a certain amount of resources. And within our means we need to make some decisions about what's more important and what's less important, or we have to fight for more resources at a state and national level.

COUNCILMAN ORTIZ: State Representative LeAnna Washington. Did you want to say something?

STATE REPRESENTATIVE LeANNA WASHINGTON: Alba, did I hear you say that you did prevention? What type of prevention services do you provide for domestic violence?

COMMISSIONER MARTINEZ: Well, the Department of Human Services at this point, our prevention services are not specific to domestic violence; they are specific to family centers, truancy prevention. We do parenting programs.

And within those programs there may be prevention around domestic violence, and certainly training is important.

Our funding for domestic violence goes

to the Women Against Abuse shelter. We fund the shelter. We also fund the People's Emergency Center that, although it is not specifically a domestic-violence shelter, serves a lot of battered women.

We provide funding to --

STATE REPRESENTATIVE WASHINGTON: Let me just say this: In terms of DHS, I think it is absolutely necessary that you, within your parenting and all those classes that you talked about, that there should be some signed of prevention mechanism in that that would help some of those people identify if there is a domestic-violence problem within that little program that you talked about.

COMMISSIONER MARTINEZ: Absolutely. We fund $6 million in parenting education and support programs.

And it is possible -- I don't remember exactly -- that a number of them are focused, although not it is not the only issue they cover, but focused specifically on domestic violence.

It is our expectation --

STATE REPRESENTATIVE WASHINGTON: You said two different things there. You said you

didn't deal with domestic violence, now you are saying that you do.

COMMISSIONER MARTINEZ: We don't fund specific --

STATE REPRESENTATIVE WASHINGTON: I am not talking about funding for outside programs; I am talking about what DHS does.

COMMISSIONER MARTINEZ: Well, DHS is structured in a way that the direct services we provide almost exclusively are provided through contracts with other agencies.

So of our budget of $550 million, $300 million are in provider contracts.

STATE REPRESENTATIVE WASHINGTON: What I am asking you is this: I am asking you, in the prevention programs that you talked about, was there anything specifically in there that does intervention or helps to identify people who are in need of domestic violence services?

COMMISSIONER MARTINEZ: I don't believe that we are funding programs that specifically focus on domestic violence only. I don't believe we are funding them right now. I am pretty sure we are not.

But I did want to just clarify that our parenting education programs, there is an expectation -- because, obviously, it is an issue that comes up frequently -- that they are able to respond to domestic violence and link families to programs that are in the domestic-violence network.

We did publish a directory about domestic-violence resources.

STATE REPRESENTATIVE WASHINGTON: Ms. Martinez, I am a domestic-violence survivor. So that pamphlet to a person, who is in desperate need, doesn't mean a lot.

I mean, if I came to DHS for whatever reason, because my family was involved with DHS being in our lives, and there is nobody there that I might not be safe enough to talk to about domestic violence, and that can provide something for me, you know, a pamphlet doesn't really do a lot.

COMMISSIONER MARTINEZ: Well, can I clarify? There is another thing that DHS funds, which is a pilot project working with the Institute for Safe Families. And that is -- perhaps I just need to clarify this.

When I talk about prevention, the

programs that we are talking about, where we fund parenting education and support programs, those are programs that are out in the community where the families are not necessarily known to DHS.

However, when a family is known to DHS, what we do have in place right now is a program with the Institute for Safe Families, which is not sufficiently large, I want to say that up front.

But it is a pilot where we try to integrate our investigative unit with domestic-violence services and with provider agencies. SCAN is the partner agency here.

And what we are working on is learning how to, by using some specific cases, learn how to handle those cases in a better way.

I want to clarify that this pamphlet was not necessarily to give to a client and say, "Go and handle this yourself." It was to give more resources to our own staff at DHS, where often they don't even know who to call.

And my position to my staff is, if you don't have the expertise on an issue, then at least know who to call to get the expertise.

Your point is well taken.

STATE REPRESENTATIVE WASHINGTON: In closing, just want to say, with the service that DHS provides for the family, that it just seems to me that you wouldn't need a pamphlet; that that would be part of your resource information in your manual to be able to identify the resources that they need to refer somebody to a service or whatever is necessary.

COMMISSIONER MARTINEZ: That's absolutely correct.

STATE REPRESENTATIVE WASHINGTON: Just like they take children to shelters and do those kinds of things, they should be helping women to get to safe haven for themselves.

COMMISSIONER MARTINEZ: I agree.

STATE REPRESENTATIVE WASHINGTON: Thank you.

COUNCILMAN ORTIZ: Go ahead, David.

COUNCILMAN COHEN: It seems to me that it is an easy answer, but it is a passing-the-buck answer, to say what we need are greater resources from the state and federal government. We all agree.

But I think, beyond everything else,

what we need is a greater dedication by the city itself to make funds available for human services.

There is a lot of dedication when it comes to economic development. There may be disputes about how we do it, whether this project or some other project ought to be used. But by God millions upon millions of dollars in special tax benefits are decided upon by the city in those areas because it is felt they are needed.

What we need is some kind of commitment like that, that human services are every bit as important, I would say far more important, to the people who really count in Philadelphia, the people who live here 24 hours of the day, 7 days a week.

I think commitment to human services is badly needed. And it is no answer to say that we got to get more help from the state and federal government. We should, of course, try to do that.

But the best way of getting that is to show our own ability within our own resources to find the greater share for human services.

And to say it is shameful that Philadelphia, among major cities, lacks so far behind in the adequacy of its provisions for

domestic violence.

There was a statistic in yesterday's hearing that a shelter facility, a single-bed stays available in most major cities for every 523 female occupants in the city.

In Philadelphia that number suddenly becomes 1 in, I think, 23,000. And that kind of a record is one that we ought to be ashamed of, and we ought to dedicate ourselves.

You are the kind of person that can do that. You can spark that kind of fight.

We know you can't make that decision. But within the Administration, your assistance in that direction would be extremely important to those of us outside the executive department in helping to shape the kind of budget that's really necessary.

COMMISSIONER MARTINEZ: Councilpersons and State Representative, the best challenge you can give me is to say that I am passing the buck. You see, I take that as a challenge.

Under no circumstances would I pass the buck on this or any other issue related to children and families.

I think the point I am making, that in

addition, in addition to the issue of Philadelphia finding creative ways to invest more in this issue, that we should look at whether we are getting our fair share. That was my point.

Because as we know, we have a city with growing needs and shrinking resources. So it wasn't, wait for the resources to do something.

And I want to say that of course I would always want more resources for human services, because that's what I do.

But under our Administration, we have really worked hard to put more money into prevention services and into children and family services under tough conditions.

DHS, for example, is now spending $60 million on prevention programs and was spending 30 million on prevention when I became Commissioner.

But, yes, we can do more. And domestic violence is an issue where I will concede as a city there has not been sufficient partnership between government and the nonprofit community to really make real change.

We can't do it without them; they can't do it without us.

So thank you very much, and I accept the challenge as you have presented it to me today.

COUNCILMAN ORTIZ: Thank you. See, I was going to get you go before that last question, but you can go.

COMMISSIONER MARTINEZ: See, I talk too much, as always.

COMMISSIONER JOHN F. DOMZALSKI: Good afternoon, Councilman Ortiz and members of the Public Health and Human Services and Public Safety Committee and Representative Washington. I am John Domzalski, Health Commissioner for the City of Philadelphia.

Councilman Ortiz, I greatly appreciate the opportunity to come here and present the testimony about the Department of Public Health's involvement on the critically important issue of domestic violence.

The Health Department adopted its domestic-violence policy statement in 2000. And this policy provides response protocols for cases of domestic violence among patients, clients, and employees.

And before I proceed further with the

prepared testimony, I would just like to take a step back and say that our involvement from a public-health perspective on the issue of domestic violence is both patient-centered, prevention-centered, as well as looking at the issue from a community-wise, epidemiologic perspective.

Domestic violence screening is considered the standard of care. And this is an important standard of care, if we are all at the Health Department providers of services.

We identify, treat, and respond to victims of domestic violence and actively collaborate with other organizations in the community, and especially domestic-violence providers, to reduce and prevent domestic violence.

I would like to spend a few moments responding to several of the specific issues that were raised in the questions from which our testimony was prepared.

The Philadelphia Department of Public Health operates a review team that is called the Philadelphia Women's Death Review Team.

This team is the first multi-agency, multi-disciplinary effort in Philadelphia designed

to prevent future violence-related deaths to women.

The team employs a public health model to identify deaths where there is evidence of our history of domestic violence in the lives of women.

The team began collecting data on these deaths in 1997. For 1997 through 1999 -- these are the last years for which we have data -- there were 129 homicides of women between the ages of 15 and 60 years of age. 58 of these homicides were due to intimate-partner violence.

In 2001, the team began collecting data on women who were pregnant at the time of their death or died within a year of giving birth in the Year 1999.

17 women died either while pregnant or within a year of giving birth. Two of those deaths were related to intimate-partner violence and one death was unsolved at the time the case was reviewed.

In our health centers, in our health-care centers, a recent survey of charts of women and patients ages 14 to 44 showed that 3.5 percent of patients admitted to current abuse and 8.1 percent admitted to past abuse.

Because women are frequently unwilling to divulge abuse, we believe that the prevalence is much higher.

A recent charts review demonstrated domestic violence is routinely addressed as part of the health histories of patients in almost 50 percent of cases across our health centers.

We have seen an upward trend since instituting a screening protocol known as RADAR. RADAR, whose initials stand for Routine Screening, Ask Direct Questions, Document, Assess Safety, and Respond and Review Options and Make Referrals --

COUNCILMAN ORTIZ: Does this happen at all the community health centers?

COMMISSIONER DOMZALSKI: Yes, sir. Yes. We made this a standard.

COUNCILMAN ORTIZ: And the personnel is trained to be able to go through this whole process?

COMMISSIONER DOMZALSKI: Yes. And the standard was preceded by --

COUNCILMAN ORTIZ: Because Carol is there, and I know that she was interested in this a long time ago.

COMMISSIONER DOMZALSKI: In fact, Carol

has been instrumental not only in getting our materials together today, but also keeping us informed and focused on this critically important issue.

COUNCILMAN ORTIZ: That's why we have confidence in you and your department, see, because you have people like Carol.

COMMISSIONER DOMZALSKI: And we are wise enough to know the value of the people we have, and we hope it will stay that way.

An important element of this, our assessment program in the health centers, is that all staff must be aware of the problem, not just physicians and nurses.

We have continued the training process with numerous followup sessions and refresher courses.

The Institute for Safe Families has been instrumental in helping us implement RADAR in each of our health centers.

Our behavioral health services system is an important component of the public health approach to domestic violence in Philadelphia.

Anecdotal reports estimate that 85 to 95

percent of women who are using behavioral health programs have experienced violence in their lives; however, the true prevalence of domestic violence among these women has not been studied.

COUNCILMAN ORTIZ: Go ahead.

COMMISSIONER DOMZALSKI: Indeed, Carol Tracey, who was kind enough to share with me a recent report that she prepared on behalf of the Behavioral Health System, the report was important in identifying the relationship between, you know, substance abuse and trauma.

And that the substance abuse is kind of a self-medication kind of thing, and where it is the antecedent to the substance abuse issues is, in most cases, the predominant aspect in relation to the substance abusing behavior.

COUNCILMAN ORTIZ: That to me is an amazing number. From 85 to 95 percent of the women who are going through our behavioral health programs in this city have experienced violence in their life?

COMMISSIONER DOMZALSKI: That's what these data indicate. It is significant of a problem.

COUNCILMAN ORTIZ: And we don't have a way of empirically being able to establish that?

COMMISSIONER DOMZALSKI: I think with the --

COUNCILMAN ORTIZ: And, if so, the next step is, do we have programs instituted, and within the department, to redirect those women to corrective measures?

COMMISSIONER DOMZALSKI: We do, and they are extensive.

And, Councilman, I have also been fortunate to have Assistant Health Commissioner Mark Bencivengo.

COUNCILMAN ORTIZ: I see him back there.

COMMISSIONER DOMZALSKI: He would be happy to help us out with the substance-abuse issues.

COUNCILMAN ORTIZ: A week and a half ago Mark and I were in the gym together. As you can look, the gym is having not having an effect.

But he told me that he had prepared the material already.

COMMISSIONER DOMZALSKI: He did.

Are you interested in having that

discussion at this point?

COUNCILMAN ORTIZ: Go ahead. I mean, but just --

COMMISSIONER DOMZALSKI: Continue with where we are?

COUNCILMAN ORTIZ: We can have a discussion.

COMMISSIONER DOMZALSKI: Mark, did you want to come up and talk about this?

COUNCILMAN ORTIZ: Go ahead. Just finish. And then we can remember and we will come back to this.

COMMISSIONER DOMZALSKI: As we are talking, the city's Behavioral Health System has played an active role in the provision of services through survivors of domestic violence, particularly in the area of staff development and training.

The office of Mental Health and Mental Retardation and CODAAP have benefitted from these training sessions.

In 1998 the behavioral health systems training efforts were expanded through an innovative partnership with Greater Philadelphia Works. In response to behavioral health needs of women

transitioning from Welfare to Work, Greater Philadelphia Works placed behavioral staff at each of its regional service center where people received assistance in preparing for and finding employment.

These employees have conducted workshops for clients about domestic violence, motivating some women to request assistance at those sites.

Greater Philadelphia Works has also worked closely with staff from behavioral health systems and the Health Department to provide comprehensive trauma training, the comprehensive trauma training initiative.

This initiative addresses the issue of domestic violence within a broader context of violence that also includes childhood, physical, emotional, sexual abuse, rape, and sexual assault.

All of these issues contribute to a cycle of violence that is passed down from generation to generation.

Through this initiative, over 1600 staff, from adult and children's behavioral health and other service systems, have received basic information and skills training on the nature and impact of domestic violence, sexual assault,

childhood abuse, and the nature and impact of trauma as it relates to individuals and families.

16 substance abuse and mental health agencies have been trained to provide a group intervention model known as Trauma Recovery and Empowerment. More than 180 women are attending both or have completed the group so far.

Feedback from both clients and group leaders has been exceptionally positive, with clients reporting increased feeling of self-esteem and support and decreased feelings of self-blame, shame, and isolation.

Behavioral health services provides funding to women in transition and --

COUNCILMAN ORTIZ: Do we have numbers as to how many individuals have gone through this?

COMMISSIONER DOMZALSKI: We do. They are either in the material we have supplied or we will follow up with those.

COUNCILMAN ORTIZ: They are?

COMMISSIONER DOMZALSKI: Yes.

Behavioral health services, in funding Women in Transition, an agency that serves women who have been victims --

COUNCILMAN ORTIZ: Excuse me, Commissioner. Do you know the number offhand, Mark? Come up just place it on the record. Identify yourself for the record.

MR. MARK BENCIVENGO: Mark Bencivengo, Assistant Health Commissioner, City of Philadelphia.

Over 1600 staff had been trained in a series of programs called the Cycles of Violence. And that training program has been offered a number of times.

And over the times that we have offered it now, we have reached 1600 staff to train them on this particular issue.

COUNCILMAN ORTIZ: And in terms of clients that have gone through, do you have numbers, in terms of individuals who have been advised, counseled through this by these individuals?

MR. BENCIVENGO: Well, we have the groups, the trauma empowerment groups.

And there are several substance-abuse treatment programs that offer these specific groups to women who have been exposed to trauma; that can be physical or sexual abuse, domestic violence, so forth.

The feedback that we get from the women is extremely positive. They enjoy these groups, they find these groups very rewarding to be able to articulate what it is --

COUNCILMAN ORTIZ: Do we have the number of individuals who are anticipating in the program? Just to get --

MR. BENCIVENGO: 180 women are in those groups. Now, that's a very small fraction of the number of women in substance-abuse treatment programs. That's the number that are involved in those groups.

Within the women and children's drug treatment programs, physical and sexual abuse and domestic-violence services are embedded within all of those programs.

So while the number that I gave you of approximately 180 are getting the specialized trauma empowerment groups, the programs all deal with domestic violence, the substance-abuse programs.

And upon entry into a program, a woman is screened for being exposed to domestic violence or to physical or sexual abuse.

Now, often a woman does not want to

acknowledge that up front on an intake interview. So during the course of the treatment, she is more likely to acknowledge.

And what's extremely important is to be able to have staff who are trained to address these kinds of disorders which the psychiatrists and psychologists would say are posttraumatic stress disorders, dissociative disorders, and so forth.

So it takes a trained staff to be able to address those kinds of things.

COUNCILMAN ORTIZ: If you identify a woman as a victim of abuse, what happens? What happens with her? What does the department set up to do at that point?

MR. BENCIVENGO: Well, since the number is so high within drug treatment programs, 85 to 90 percent of the women have been exposed to either physical or sexual abuse, it is a part of the program that within their individual and group therapies, these issues are addressed.

COUNCILWOMAN BROWN: You say the number is a small fraction, and you have explained how they are identified.

Is it then optional, voluntary that they

participate in this group?

MR. BENCIVENGO: The agency has to have people who have been trained in that particular approach.

So agencies apply to the county office to be part of what we call the trauma empowerment group training. And then we select them and they go through a series of trainings in order to be able to offer those groups.

COUNCILWOMAN BROWN: So these professionals rotate? The professionals that go through the training, they then rotate to provide the services to these women, or are they housed?

MR. BENCIVENGO: They are housed specifically within the agencies that have been trained.

COUNCILMAN ORTIZ: So if you identify someone as being in that, and the individual that is perpetrating the violence, he is identified, so what happens?

MR. BENCIVENGO: The individual perpetrating the violence is not necessarily identified by name. I mean, the women may have been --

COUNCILMAN ORTIZ: But what happens then? I mean, that's information you have of a violent act being committed against a woman. And what is -- I mean, I just want to know --

MR. BENCIVENGO: Actually, Councilman --

COUNCILMAN ORTIZ: -- what, if anything, happens?

MR. BENCIVENGO: Nothing. We are a public health agency, and we provide public health services and behavioral health services to these ladies.

I would say that throughout the course of this testimony, one thing that I found particularly fascinating is that we focused, and clearly should, on the woman who has been the victim that have kind of violence.

But we need to focus on the perpetrators. We need to do the kind of education that Commissioner Martinez talked about with families. We need to do parenting training. Extraordinarily important for us to be able to do that.

COUNCILMAN ORTIZ: What do you guys do with that? Commissioner?

I mean, would with the batterer, with the individual, are they brought into the system?

COMMISSIONER DOMZALSKI: They are brought into the system through the Behavioral Health System. And we do have a system response for batterers.

Behavioral Health System provider network operates specialized outpatient programs that assess and treat individuals who are the perpetrators of violence.

There are those individuals who require intensive inpatient treatment for violence-related issues. And DHS can authorize out-of-network programs that can best treat those at higher risk.

So there is a Behavioral Health System aspect to this that recognizes the behavioral aspects of this and responds to it in a treatment context.

Getting back to where we are with regard to the issues, the issues of recognition, awareness, and prevention.

The issue of awareness is so critically important that I think one of the first meetings that I had after my appointment as Commissioner was

with representatives of the Institute for Safe Families talking about, you know, the fact that they had gotten some programs started of educating the staff in the health centers and were interested in continuing them.

And I was then, and I am even more interested in that now, because of the critical nature of having everyone who interacts with clients being aware, aware of this issue.

We understand that in the complex issue of domestic violence, that it may take as many as seven times for the issue to be raised with a client, with a woman who is a victim, before she will take a step in terms of either admitting and asking for help. So that issue of awareness is so critically important.

And part of the issue is, is incorporating this into the treatment model, where, just as we finally have gotten physicians to begin asking people about things like, "Do you have a gun in your house? Do you wear seat belts," which is a very powerful question coming from a physician, to the question, "Is anyone abusing you?"

And we also, in the public health and

health-care context, have to understand the full range of the complexities of this.

We just completed about three weeks ago a training for all of our pediatric staff in the health centers.

And I attended that session and gave a few opening remarks and stayed for -- just to see how this was different from the general issues that were outlined in our more generalized domestic-violence awareness reports from a practitioner.

And the issue here is very complex, in that the practitioner has to be concerned about how that issue was raised when the caretaker, when the mother is bringing a child for care; so that it does not raise an issue back home where the child is put in the position of returning home and saying in the family context, you know, "We talked about the fact that, dad, you are beating my mother," in relation to the visit.

So that has to be handled in a very professional and sophisticated way.

COUNCILMAN ORTIZ: Commissioner, the testimony over the last two days have described the

situation in which women, the abuse of women and violence, domestic violence, as a public health crisis.

Would you describe it in that way?

COMMISSIONER DOMZALSKI: Yes. I would describe it as an issue that the health-care and public-health community has to understand within the context of the whole range of services for women.

You know, I was in here at another hearing several months ago where we talked about infant mortality.

And --

COUNCILMAN ORTIZ: Isn't it something, I mean, that we are talking about that issue now in this Council.

And I was the first one to hold hearings on it in 1986, I think it was; right?

COMMISSIONER DOMZALSKI: Right.

COUNCILMAN ORTIZ: 1986.

COMMISSIONER DOMZALSKI: Right.

COUNCILMAN ORTIZ: And in the Year 2002, we are still talking about it.

And we really haven't gone and done what we needed to do. We started.

Go ahead. I am sorry to interrupt you.

COMMISSIONER DOMZALSKI: Well, you know that's important. And I would like to comment, you know, on that.

In terms of the issue of infant mortality and in terms of the issue of women's health, I think, you know, also the Women's Law Project report pointed out that women tend to seek care in the context of either being a parent, a care-giver, or in connection with a pregnancy.

And we need to also focus on the entire spectrum of women's health. Because if we are going to focus on issues such as infant mortality, we need to have, you know, women who are healthy across the spectrum of health needs and issues.

And, to me, domestic violence is clearly one of these issues that confront women in our society that we need to focus on.

And to be -- certainly to be aware, to be aware of, you know, the issues of stress that that creates.

And I think in relation to the discussion you had with Commissioner Martinez about, you know, the issues that confront women when they

return home and they are going to decide, and having gone through the process of saying, "Yes, domestic violence is a factor in my life" -- and that's a big step, to say that -- and then to say, "Yes, I am going to do something about that," and then where is the wherewithal to be able to do that.

That's an incredibly stressful situation which, you know, has to have negative impacts on women's health. So it is an important, hugely important factor with regard to women's health.

I have to just comment also about several things I think that were significant to me in bringing the issue of domestic violence so poignantly to the fore for me.

And I think one was the -- an event that we had on Valentine's Day in City Hall, where we focused on the issue of domestic violence.

And there were two people there. There was a family, a woman who had been abused and her husband who was the batterer and who was recovering. And they both talked about their situation and what life was like before they decided to get some help with that.

And another one was a man who was in an

earlier stage of recovery, talking about his relationship to violence and what the kind of empowerment that the exercise of violence gave to him in the context in which he was operating.

And it was both of those things, one poignant and forceful and in the latter case chilling.

The other event that was of significance to me was, I attended a reception very recently for welcoming the new executive director of the agency of Women Against Abuse.

And two aspects of that. As I was in the room, I looked around the room, and I was one of three men in the room.

And it occurred to me, you know, why is it just Women Against Abuse, I mean. And that was my own thought on it.

But then as, you know, happens when you associate with tremendously talented and competent and creative people in government, I happened to be at the refreshment table with my colleague, Alba Martinez.

And we talked about that a little bit. And she looked at me and she said, "Where is the

outrage? Where is the outrage?"

And that is, I think, one of the most, you know, compelling issues for all of us, particularly men, to say, "Where is our outrage?"

And where do we raise these issues in -- not only in our professional lives, as we interact with our agency fellows and colleagues, but in our own social circles where we talk about this and say, you know, that this is wrong.

I mean, it is not enough to have the bumper stickers that say, "There's no excuse for domestic violence." All right?

It takes all of us, I think, to be articulating that position, to say that this is an issue, to recognize it. As embarrassing that it may be, to say that this is something that needs to be focused on.

COUNCILMAN ORTIZ: I think that is what we have been trying to say for the last two days. In a very, very angry manner at times, we did say it. And I think we need to keep on articulating it in an ever louder voice.

But, then, I think, as Councilman Cohen said, government has to make a commitment that the

outrage is going to be turned into action, and the resources are going to be provided, and we are going to bring in not only the government aspect, but all of the outside individuals, the agencies that are there.

It is a huge problem, the magnitude of it.

COMMISSIONER DOMZALSKI: And hearings like this, I think, are an important step to get that awareness out there, for us to be able to talk.

I think the genius of this is that we hear what all of the agencies are doing, so that there can be cross-agency coordination, you know.

We have a tremendous --

COUNCILMAN ORTIZ: But the magnitude of the problem really hasn't been understood because there is not publicity.

I mean, the only time you get publicity is when a woman is found dead, and then we find out that she had a ten-year history of domestic abuse.

And then people say, "My God, somebody should have done something about that ten years ago. Somebody should have intervened in that ten years ago."

Well, you know, nobody did because I don't think we see it as the crisis that it is. I don't think we see it in terms of the problem that it is and the cost, societal cost, that it brings on us as government.

So, yes, I think we needed to have that. And we need to have, when we have hearings like this, this room full of people expressing that outrage, that this thing and this message is not getting out.

And when we do that, because, you know, when we have -- and I keep bringing it back. When we have a hearing here about building a baseball stadium, 500 people show up shouting and screaming. "If you don't approve that, you are going to take away our jobs."

Well, you know, we need that same outrage about these family issues; that if we don't do something about it, you guys are going to take our jobs because the people will not get reelected.

And we need that, and we don't have that. We don't have that. We don't seem to produce the same outrage and indignation. And then we have an incident like the one that Carol described in her

testimony of a woman and a child.

And people knew about it, but nothing was done. And this happened this year.

You know, so, yes, it is that the outrage needs to be expressed. And hopefully in this period of Chanuka and Christmas that has become the period of Santa Claus and extraordinary and extravagant consumers, that we can begin perhaps to look at how we spend, the government spends its money. Hopefully we can go on from there.

Yes, David.

COUNCILMAN COHEN: It seems to me that the Mayor of this city -- and that means the whole executive department -- spends more time explaining the difficulties in cleaning small streets from snow than in dealing with the problem we are talking about today.

I have seen no executive leadership coming in saying, "This situation that exists is impossible. We have got to devote the resources or Philadelphia will have no claim to being any kind of a first-class city."

And it seems to me the fault lies in the leadership of the city. People tend to listen to

chief executives. And if a chief executive acts as if this is not a problem or it is a problem that we can, you know, sweep under the rug, people will go for it.

That's why there is no outrage generally. Because no one representing the City of Philadelphia, other than City Council or some Council Members, raised the issue over the years, no one in executive leadership over many, many years has ever raised the issue that this is a vital part of life in Philadelphia.

We are going to claim to be a world-class city, when every segment of our population finds help from government or from government-led activities that lead to people being able to live as human beings.

And the person that's a victim of a batterer's problem doesn't live a human life. And we ought not to tolerate it, and the city Administration ought to take that position.

We thought -- and that was the reason my sharp question went to Ms. Martinez. I was very excited when she became the Commissioner of her department, because I have known her for many years

and my wife has known her.

We have known her as an intricate fighter for the kind of society we need and that government has to give leadership to.

Yet, it seems that talented, very able people somehow get diluted when they occupy official positions. They seem to be overcome by the realities of the situation, rather than to be overcome by the enormity of the crimes being committed against our people.

And I think it is a serious crime when government defaults on its obligation to the citizens.

And, therefore, I am urging, in all of my questions, that the city take leadership in bringing this matter to the attention of the public to help us all organize a base of support for sufficient funding that would enable us to really have hotlines wherever needed, sufficient supports of services of all kinds to help people rid themselves of their battered victims; to help the batterers, who themselves are probably victims of some form of wrongdoing to themselves at some point, and they're living. Batterers also need help.

But the main problem that ought to be directed is to have a program so that everybody in Philadelphia who becomes a victim of the domestic-abuse situation, of a violent situation, knows where to go and gets help and service; doesn't get turned away, doesn't get people who act as if the people calling for help are somehow at fault.

They are the people who most need help, and yet it seems to me at every turn we are ready to discuss but never to do for them.

And I think we have got to begin doing things. And I think we are lacking badly in that regard, and I think the city Administration is lacking badly.

I think the Mayor should have been here at the beginning of these hearings to say he regards this as one of the most vital and important situations.

This is what determines the character of a city. Just as the nation's character is determined by the way in which its people treat the most vulnerable in society, so a city has to be judged in the same fashion.

And I would like to see the

Administration subordinates free to state what I believe they feel.

I have known you for many years. I can easily see you in the picture of a real warrior, you know, at war with the kinds of conditions that we say exist here and that you acknowledge exist here.

But it seems to me you cannot do it by yourself. But I do think that the fine people who help compose city departments ought somehow to get together.

I would even be for men joining that group. Because yesterday I raised the question about women in power now, and there doesn't seem to be any change that's existed when women took over the top positions.

Maybe we need men and women. And your suggestion about more men, at least let's get the men in government working together with women in government and saying, "This is a very urgent policy that needs attention. Let's tackle it."

COMMISSIONER DOMZALSKI: Without a doubt.

Councilman, with a little trepidation and a great deal of respect, I take a little bit of

issue with some of this from the standpoint that -- and I guess it isn't so much issue, as maybe a context.

You know, at various times I have been pleased to describe the Mayor as the first public health Mayor that we have had. And let me tell you what I mean about that.

It is more than just articulating good health practices and behaviors; it is the whole focus on neighborhoods.

That he was kind enough to invite the Public Health Commissioner, in addition to the Public Safety arm of the city, and throughout the city this summer, beginning on the Saturday before Memorial Day, and continuing even now, we are out in those neighborhoods.

And it is a message not just about -- it is, you know, the safe streets are incredibly important, but it is an aspect of making our neighborhoods healthy.

And because of the things that have been put in place by Estelle Richman, the Mayor, and then Safe and Sound, where we are actually able to map health-status indicators on a

neighborhood-by-neighborhood basis, that's the focus that the Mayor has brought to this.

And I think that focus, where he relies on us for the leadership on program, is where we have to come to the table. Myself as public Health Commissioner, I have got that responsibility.

We talk about infant mortality. We can almost get a callus on our hands from patting ourselves on the back for having reduced the infant mortality rate in this city by 10 percent; from 11 babies dying per thousand live births, to 10. That is not anywhere near the story.

When you begin to look at this -- not only on a citywide basis, but on a neighborhood basis -- we find that the infant mortality rate is sometimes ten times higher than that in neighborhoods.

We have some neighborhoods where the infant mortality rate is over 19 babies dying per thousand.

And with the neighborhood focus, we are able to bringing our mapping strategy and out intervention strategy down to the neighborhood level where we can address that with community

organizations.

So I think the posture of the government at this point is extremely positive from a public-health perspective and able to get our arms around an issue as complex as domestic violence.

Particularly in the social services component, where every week, because of the creation in this Administration of the social services component, we sit at the same table with the Human Services Commissioner, the Health Commissioner, the Recreation Commissioner, and we assess and talk about a coordinated approach to complex problems that we have not been able to do before.

So I think that there are a lot of good things that are going on. That's not to minimize in any stretch the task that's in front of us.

But I think the awareness that hearings such as this enable us to bring to the subject, our own individual commitments to articulate a position on this, and our willingness to coordinate services across the government I think are very positive things.

COUNCILMAN COHEN: Well, we don't want to derogate some positive things that have happened.

But it would be refreshing to find that the neighborhood program talks more than just about buildings and lots and opportunities for developers.

We would like to hear that the neighborhood program, part of that neighborhood program, is going to deal with the domestic-violence problem.

We are going to have neighborhoods where domestic violence becomes an historic relic, that people say, "Oh, only in those dark, uncivilized days did this ever occur." But, we don't hear that.

What we hear are how many lots are going to be cleaned, how many structures today were told that owners may have to install doors and windows.

Well, that's all to the good. We don't need to say that's not useful. Though, it would be good if we understood that when you rebuild neighborhoods, you have got to in the first place to put in the center of every program the human lives that occupy the buildings we talked about.

And it doesn't do any good to rehabilitate housing, if the people who live in the housing are victims of the battered-victim syndromes that exist, and particularly in the areas of

domestic violence.

That's what we are calling for. We are calling for the same kind of leadership that the Mayor is giving to the physical aspects of life in Philadelphia, which a passerby can see.

We think that same attention ought to be paid to the intrinsic worth of human community, of how does a man live with a woman or man live with a man or woman live with a woman. Whatever the form of sexual orientation, this problem seems to prevail in every form of human relationship.

And we think that civilization requires at this stage that we think not only of buildings as representing Philadelphia as the first-class city, but the power and strength of its citizens, reflected through the proper availability of services that enable families to live in decent conditions. And we don't hear that kind of call, and that's what we are asking.

Because we have a lot of respect for Ms. Martinez, for you, for Estelle Richman, for Joyce Wilkerson. And I have a lot of respect for John Street because he has advanced a long way, and the ways that we think his focus has to be broader in

developing Philadelphia as a first-class city.

And that's why we plead with those of you who are leaders in his Administration to raise these issues.

Say, yes, when we talk about mortar and bricks and streets and snow, let's talk about human qualities, human problems. That's the message we are trying to bring to everybody here.

And we are trying to organize in our own way, which is different from the way executives can organize, we are trying to develop an ability that the people express their feelings strongly and have an impact on the city Administration. And we hope the message comes.

I am trying to develop as much dissatisfaction with the conditions of women in this city as I possibly can. Because I think it is outrageous the way women's problems are regarded as, oh, that's just a woman's problem. Well, that's a human problem.

And my experience has been that women are generally more right than men, and to many men who still live today in uncivilized --

COMMISSIONER DOMZALSKI: You will get no

argument from me on that score. Indeed, it has been said that women are much more evolved than men.

COUNCILMAN COHEN: Right. Right.

But a lot of the men live in the belief that, you know, hitting a woman is proper, because that's the only way to make her listen.

You know, I thought those ideas went out 200 years ago. But there is a prevalence among white males particularly that kind of approach.

Well, you need strong executive leadership to say in this city, all people, every minority is fully recognized as being a human being and is entitled to all the rights of a human being.

And, equally, whatever their sex, whatever their orientation, whatever their color or religion or anything.

And we would like to see a real crusade on that. Because, otherwise, Philadelphia is never going to be a world-class city in the real sense.

COMMISSIONER DOMZALSKI: I agree.

COUNCILMAN ORTIZ: Councilwoman.

COUNCILWOMAN BROWN: Yes. Let me first thank my colleague, Councilman Cohen, for the clarification on his position with regards to why it

is so important when it comes to creating systemic change around this one issue.

Two things have happened for me as a result of the testimony. One is and where I do agree completely with Councilman Cohen, is that we do need more money, if for no other place, for more beds.

I am astounded by the fact that we have one safe house in the entire City of Philadelphia. So that's a challenge I think we need to meet and build -- our case is well-grounded, I think, and well-anchored.

And the challenge is for us to take that to the Administration and to respond in an affirmative way to that harsh reality.

Money is not the end-all, be-all. Because what testimony also revealed to me is that, in some areas, it doesn't take more money; it just takes the leadership of the department heads to insist on systemic change by just tinkering with SOPs, standard operating procedures, and insisting that staff up and down the staff line honor what is already in place.

So I wanted to go on record to say to

all the advocacy groups, and to the leader on this particular issue, that I am here to work collectively with the unified voice.

Because my experience in City Council is that that's what wins when we are trying to create change, to work collectively and in partnership with government to send the message that change needs to happen.

And when we hear that Councilman Ortiz had hearings on an issue like infant mortality in 1986, and X number of decades later we are just beginning to see real tangible change, the up side to that is, change is incremental, it is a slow process; the down side is that, it still takes too long. But we need to be encouraged that we are seeing it.

So hats off, again, to the advocacy groups. I have been enlightened, and I am prepared to work in partnership with you to act on the couple of priorities that have reared their face during these hearings.

Thank you very much.

COUNCILMAN ORTIZ: Councilwoman, it was the same year that we had the first hearings on

AIDS, also, at that time.

Thank you, Commissioner. I really appreciate you coming here.

Thank you, Mark and Carol. I know the data that you have provided, we will make very good use of it.

The Department of Housing, Emily Camp-Landis.

MS. EMILY CAMP-LANDIS: Good afternoon.

COUNCILMAN ORTIZ: We have your testimony, and we are going to put it in the record.

Tell me about the individuals and how many beds you currently have in your system.

MS. CAMP-LANDIS: Certainly.

COUNCILMAN ORTIZ: This is the Office of Homeless. Identify yourself for the record.

MS. CAMP-LANDIS: Thank you. My name is Emily Camp-Landis. I am Assistant Managing Director for Special Needs Housing with the City of Philadelphia.

And I would like to point out that I am here, actually, on behalf of Robert Hess.

COUNCILMAN ORTIZ: Where is he, by the way?

MS. CAMP-LANDIS: He is currently serving our city on a jury. So if it weren't for anything else, he would be here.

COUNCILMAN ORTIZ: I just wanted that on the record.

MS. CAMP-LANDIS: So did I. Thank you.

So we really appreciate the opportunity to testify. And considering the late hour, I appreciate the fact that we will just get to the questions.

Currently in the emergency shelter system, we have approximately 1900 to 2000 beds in our system at any one time.

COUNCILMAN ORTIZ: You have 1900 to 2000 beds?

MS. CAMP-LANDIS: Yes.

COUNCILMAN ORTIZ: Are they currently all filled?

MS. CAMP-LANDIS: Yes, they are.

COUNCILMAN ORTIZ: They are.

What is the universe of population that is out there in need of beds, do you have an idea as to that, although we have just a need for 2000 beds?

MS. CAMP-LANDIS: Well, to clarify, we

actually don't ever turn anyone away. It is our policy to serve anyone who comes in requesting services.

To the best of our ability, we try to direct people either to other systems or to alternatives outside of emergency shelter. But if those aren't possible, we will house them.

So if you look at our budget, for instance, we show that we have about 2000 beds budgeted. If the need goes up, we will serve people.

COUNCILMAN ORTIZ: You say in the testimony that Mr. Hess provided that 30 percent of the women who come to the emergency shelters indicated some form of domestic violence as the primary cause.

MS. CAMP-LANDIS: Yes, that's correct.

COUNCILMAN ORTIZ: 30 percent.

And what's the breakdown between women in those 2000 beds and men? How many men, how many women in the shelter system?

MS. CAMP-LANDIS: I'm not sure of the breakdown.

COUNCILMAN ORTIZ: You don't know how

many men there are in the system, how many women there are in the system?

MS. CAMP-LANDIS: I would be taking a guess at this point.

COUNCILMAN ORTIZ: I don't want you to take a guess.

MS. CAMP-LANDIS: I would be happy to get back to you on that.

I am probably more familiar with individuals versus families. In that case, we probably have 80 percent of the people in our beds at any one time are members of the families.

COUNCILMAN ORTIZ: If a woman comes in with a family and she has been the subject of abuse, what happens to her?

MS. CAMP-LANDIS: If she actually identifies it to us at intake? We actually have several staff at our intake --

COUNCILMAN ORTIZ: What happens at intake? I mean, a woman comes in with a baby or her kids, or she just comes alone, like, what happens?

MS. CAMP-LANDIS: She walks in and she talks to one of our service representatives.

COUNCILMAN ORTIZ: I mean, it sounds

like you are selling a car.

What happens? What happens to Mary Jones? What is the first question asked of her?

MS. CAMP-LANDIS: I honestly don't know. I apologize. I am not as well-versed as Mr. Hess is in our agency.

We didn't want to not be represented here, but...

COUNCILMAN ORTIZ: Then we will wait until Mr. Hess comes to the hearing.

MS. CAMP-LANDIS: That's fine, if you would like.

COUNCILMAN ORTIZ: Thank you.

MS. CAMP-LANDIS: Thank you.

COUNCILMAN ORTIZ: Paul Bukovec and Gerry Evans. Gerry had to leave. Okay.

Sit down and identify yourself for the record, please.

MR. PAUL BUKOVEC: I am Paul Bukovec, B-U-K-O-V-E-C.

I have some things written. Shall I do that?

COUNCILMAN ORTIZ: No; just tell me what it is.

You have been here, you have been listening. Talk to me as to --

MR. BUKOVEC: I, actually, would rather read.

COUNCILMAN ORTIZ: Read it, then. If you would rather read it, read it.

MR. BUKOVEC: It will give me a chance to just introduce myself directly.

As director of Menergy, a private counseling center for men created in 1994, I serve as chief clinician for a practice that specializes in the treatment of perpetrators of domestic abuse.

As head of this treatment program for wife and partner abusers, I am responsible for programming, clinical supervision, and the coordination of all direct services, including evaluation and treatment of offenders.

I was also the founder and director of Project RAP for Family Service of Philadelphia for over ten years. That was the first abuser treatment program in the Philadelphia area.

So for most of the last two decades I have been intervening with abusive men to get them to stop their hurting ways.

As architect and director of two different treatment programs for men who have abused their partners, I have worked clinically with thousands and thousands of guys from all kinds of backgrounds and walks of life.

I have given hundreds of lectures in scads of settings, put together a major two-day national conference on family violence in the late '80s, ran a monthly speaker series on related subjects for eight years, sat on countless committees, coalitions, and task forces.

I was a member of the small group that wrote the statewide standards that serve as guidelines for the design of intervention programs for abusive men in the State of Pennsylvania.

I had been interviewed in print and radio and TV, and in the last 19 years I have seen local battered women's advocates and administrators come and go by the dozens.

I suppose I have been asked to address this body because of my experience in this field. I am honored and grateful for the honor, but I am afraid I also bring some skepticism to the table today.

The last time I was in City Hall, I was asked to speak in the Mayor's reception room on Valentine's Day earlier this year.

I had made a wish list for changes in our fair city; some of which might, could bring about fundamental shifts and a potential break in the log jam that impedes a coordinated community response to dealing with perpetrators of domestic violence in Philadelphia.

That wish list was very well received. Estelle Richman herself waved that list in her hand and declared it to be an outline for changes that needed to come.

Unfortunately, in the ten months that have followed, there has been no substantive change in any of the items on that list.

So today I am going to review some of those items with a tone of frustration and perhaps a little righteous indignation. But I am still doggedly optimistic that some reform might come, so I have made them into a holiday wish list.

My first wish is regarding our court system. That the judges in our courts accept guidance and direction regarding the handling of

domestic-violence cases and recognize that their current narrow focus on anger management for perpetrators of domestic violence frequently misses the deeper, broader, and more dangerous issues in these cases.

There is an amazing range and variety of abusive styles and a frightening array of possibilities and potentials for danger and/or lethality that walk into Municipal Court every day to be adjudicated for simple assault charges.

Only a tiny fraction of these people are sent to agencies or clinical settings where people are trained and focused on understanding what to look for and what to do if they find it.

Domestic violence intervention is specialized and difficult work, requiring specialized training.

Clinicians need to be able to do specific assessment, to carefully ascertain the depth of the problem, the potential for dangerousness and even the potential for lethality in their clients.

Specialized treatment skills are also needed to address denial, minimization, and

supportively confront the entrenched resistances. Generic anger management is not that.

The Pennsylvania Coalition Against Domestic Violence has suggested protocols and guidelines for intervention in these cases. Generic anger management is not that.

The majority of our local judges have demonstrated much less grasp of the questionable value and significance of even the term "anger management" than Eminem did when he satirically co-opted the words for the title of his last national tour. At least the white hip-hopper has a fairly refined sense of irony.

Every day our judges send scores of violent perps off to classes, without even a nod in the direction of careful assessment or evaluation of their potential dangerousness or lethality.

They also routinely give three-month continuances in these cases. This is usually not nearly enough time to get the help that most of the defendants need.

In most jurisdictions with good reputations for being tough on domestic violence, judges require treatment of twice or even four times

this duration.

Philly judges have been notoriously resistant to training in domestic violence for a very long time. Instead, they have fixed on an easy, one-size-fits-all solution to a fairly complex and dangerous problem.

Wish No. 2, that CBH, the City of Philadelphia's only managed-care behavioral health company for Medicare clients, finally find the will and the way to pay for specialized domestic-violence treatment of those poor, publicly insured abusive men and women in their case load.

CBH has not paid for outpatient treatment for domestic-violence perpetrators for about three and a half years. They just stopped about four months after they began. No reasons given.

If the powers that be or even the powers that used to be there at this alleged showcase project of city government would simply see the logic of providing payment for a much-needed service, some people who need this help but can't afford it could actually get it.

COUNCILMAN ORTIZ: Political

contributions.

MR. BUKOVEC: What could they be thinking? We will never know unless they return our phone calls.

Wish No. 3, for DHS. That the Department of Human Services agree to grant its first ever regular contract for domestic-violence treatment for the hundreds of domestic-violence perpetrators in their case loads.

The city-run agency, charged with the protection of our children in this town, has never seen it in its myopic wisdom to let a regular contract for treatment of domestic-violence perpetrators, who are also the fathers or caretakers of children under the DHS care.

They can't, won't, haven't been able to commit to really dealing with domestic violence in a truly systematic way, though it affects a huge number of kids that they are supposed to protect.

On a completely hit-and-miss, ad hoc basis, with no set policy, they have only granted a case-by-case contract to treat the occasionally randomly identified father. And then they take many, many months, even over a year, to pay for

their work.

Strictly for self-preservation, Menergy had to refuse such deals unless and until DHS decides to create policies and regular plans and contracts with regular payment procedures for services for domestic-violence perps.

DHS has been in the midst of studying the issue with a pilot project over the last two years. This has begun to have the feel of turning an ocean liner around in a swimming pool.

Last wish, for our police department. That the police department of this city be willing to honestly and openly address the problem of domestic abuse perpetrated by police officers in their own homes by designing both appropriate internal policy and procedures, as well as a plan for the treatment of those officers and families in external treatment programs specializing in domestic abuse.

One of the most visible positive changes in the criminal justice response to domestic violence in the last 20 years is the improvement in police policy and procedure for the handling of domestic-violence cases in this city.

Probable cause arrest policy and departmental directives have vastly improved the consistency and the fairness of our police response. The department deserves credit. It has truly shown improvement over the years.

Unfortunately, within its own internal culture lie most of the same social ills and troubles which affect the community which the police officers serve.

If the department would progressively address the issue of domestic abuse within the lives of its own internal community, it could take a leadership position in the city, state, and in the nation.

There are very special and career-threatening consequences for police officers who are accused of domestic violence. Secrecy regarding even emotional abuse tends to be common and can become suddenly extremely dangerous.

Wives and girlfriends need a way to get help for themselves and for their partners in early stages of trouble outside of the department's internal system for treatment.

Cops themselves need a safe way to get

help with marital discord or power struggles that might lead to violence.

The internal Employee Assistance type counseling program provided by the department is ilequipped to handle these cases due to the focus and skill base required.

But beyond that, officers are not likely to be able to share openly about issues of domestic abuse in group treatment if all the other clients are also cops.

The department could use an internal domestic-abuse program for staff and partners, could support its workers with externally provided services, and create a policy designed to intervene early and safely.

Time and space require that I conclude the holiday wish list here. But there are other things we need, and there is always next year.

Maybe then we will ask Santa for a few things from the probation department and the Defender's Association. Until then, here is wishing we have a better new year.

COUNCILMAN ORTIZ: Do we have a copy of your statement?

MR. BUKOVEC: No. Would you like to have it?

COUNCILMAN ORTIZ: Please. Could I have that. We will take that last statement to heart.

COUNCILMAN COHEN: May I ask one question.

COUNCILMAN ORTIZ: Yes, sir.

COUNCILMAN COHEN: Are you part of a group, the work you do?

MR. BUKOVEC: I am the director of a program that I began. There are five people who work for me, mostly part time.

COUNCILMAN COHEN: And are there other groups like that in the city?

MR. BUKOVEC: There is one other group that's specifically focused on domestic violence, and that's the man who had to leave early, Gerry Evans. It is the Men's Resource Center. He has been doing it for a while.

But we are the only two specifically focused on domestic abuse.

Now, apparently there has been a burgeoning of anger-management programs in the city, because the judges are sending people to them. But

that's not what you asked me.

COUNCILMAN COHEN: Could you explain again how your program differs from anger management.

MR. BUKOVEC: Sure. Domestic-violence programs come pretty much out of the same movement as the battered-women's movement, but they came first.

So we look at the problem from the point of view of abuse as a systematic problem; economic, social, emotional, financial.

So we are not looking at anger as the problem; we are looking at how people get controlled in their homes around sometimes socially learned norms that men should be dominant in certain ways and so forth.

So we analyze the problem very differently than it being an anger problem.

You can be very seriously abused without a person being angry with you. You can be very seriously controlled by someone without being struck or screamed at.

So domestic abuse is seen as a much more systematic function. And, so, we --

COUNCILMAN ORTIZ: It is not just physical.

MR. BUKOVEC: Not just physical; but it is also kind of a socio-political understanding of the problem.

COUNCILMAN COHEN: How many people could you handle, the facilities that exist, your organization and the other one?

MR. BUKOVEC: We see about between -- well, what we do see is between 280 and 350 men a year.

I could see, probably, double that. I don't know how big Gerry Evans' program is.

COUNCILMAN ORTIZ: But you are the only facility of its kind in the city; right?

MR. BUKOVEC: Well, Gerry Evans has a program, too. It is a little bit smaller.

COUNCILMAN ORTIZ: There are two that deal with the perpetrator, with the batterer type of situation?

MR. BUKOVEC: In a domestic-violence program, yes.

COUNCILMAN ORTIZ: You are only two.

MR. BUKOVEC: Only two.

COUNCILMAN ORTIZ: And between you two, you probably may attend maybe 300, 400 people a year?

MR. BUKOVEC: Probably.

COUNCILMAN ORTIZ: We have a case load that the courts see of at least 15,000.

MR. BUKOVEC: Sure.

COUNCILMAN COHEN: I would like to hear an evaluation of your kind of program from the victim's group. Would such a program be helpful or not?

I am able to form a judgment as to whether or not that meets what we have regarded until you have talked about the victims.

But I noticed certain speakers -- I know I was included among those -- who said that, I said, I thought that the batterers also had problems.

MR. BUKOVEC: Sure.

COUNCILMAN COHEN: That they were kind of victims of some sickness or disease, I don't know what, that causes them to do the kind of battering they do.

MR. BUKOVEC: Significant numbers of men who are batterers were abused as children or saw

their fathers hit their mothers. Sure. This is a learned behavior.

And the context of the work is trying to unlearn that behavior, trying to teach people how to handle themselves differently.

COUNCILMAN COHEN: Do the victim's groups have a feeling about the worthwhileness of that program?

MR. CERVONE: We like all of his ideas. We work very closely together.

COUNCILMAN COHEN: Why don't you take the microphone for a minute, or somebody.

COUNCILMAN ORTIZ: Stay there, sir.

MS. CYNTHIA FIGUEROA: Cynthia Figueroa again from Women Against Abuse.

And, yes, we do support very much the work, and that batterers' intervention programs are crucial to our work.

Just to give a reflection, I was the one who talked about the tragedy about the shelter space that we have. Again, in Philadelphia, we were probably the poorest in the nation as far as dealing with this issue.

A state like Massachusetts, that is much

smaller and has much less population, has approximately, I think, in the numbers of 20 groups, programs that exist for batterers.

And in a city like Philadelphia, we have two very small operations.

COUNCILMAN COHEN: And have you ever had a contract from the City of Philadelphia? Or can somebody go and somehow --

MR. BUKOVEC: Never; never. DHS has never given us a contract.

And CBH doesn't even pay for outpatient treatment for us. And we are -- what do you call it? -- authorized by the state to receive such payments. They don't pay us.

COUNCILMAN COHEN: Well, I think we are fortunate in that in new management -- for a long time the management that directed the city -- maybe will be able to tell us why that's so or tell us who is going to look at it.

COUNCILMAN ORTIZ: Identify yourself.

MS. FIGUEROA: I just wanted to clarify that because there is lack of support from city government, there is a cost for services to go to Paul's program, which automatically cuts out a

really significant number of folks who can't afford the services because of the cost and the continued cost.

So having services supported by the city would allow a whole other population access to this service.

COUNCILMAN COHEN: Well, I know I would -- and I hope the Chairman would agree -- that this is an area that we would certainly want to look into.

COUNCILMAN ORTIZ: We definitely will.

And we will be in touch with you to continue this conversation. I would like to set up a meeting with you and talk about it.

I saw Estelle come in. Is Ms. Richman here, Managing Director?

Good evening.

MS. ESTELLE B. RICHMAN: Good evening.

COUNCILMAN ORTIZ: Ms. Managing Director, thank you for coming.

During the last two days, we have heard testimony that has been very distressing as to the current situation that we have in our city.

And it is a situation that I think we

faced in other areas, and we decided to come up with the public policies to change it. And I hope that, out of this hearing, that that can be done.

But I think it has been described as a public-health crisis in terms of domestic abuse and the situation we have.

And you saw the last, you heard the last gentleman; that obviously we have women that are getting battered, but we also have the batterers.

And there is no way, and programmatically we don't have programs and facilities and the shelters necessary to be able to even begin addressing the problem.

And it goes from beginning with the 911 phone call, all the way up to the court system and the process that the women who have the courage to get to that point, the 15,000 of them yearly that get to that point, go through.

And it is tragic. Because it seems like they get abused, and then the process, and at the end in the courtroom, they even get abused by the very process in which they have to partake.

So hopefully you can come in and wrap it up for us and tell me and tell the committee that we

are going to begin entering into a process in which we are going to change this condition, and that we are going to get the advocate groups that have been coming forward into the same process that we use with the special victim's unit, which this obviously is also part of that.

So, welcome. And you know the process. You can identify yourself for the record.

MS. RICHMAN: Good afternoon, Councilman Ortiz and members of the Public Safety and Public Health and Human Services Committee. I am Estelle Richman, Managing Director for the City of Philadelphia.

Yesterday and this afternoon you have heard compelling testimony from a number of knowledgeable and committed individuals regarding the very serious issue of domestic violence.

You also have heard about many commendable efforts to serve the victims of domestic violence and to prevent its occurrence.

Behind the staggering statistics are individuals, families, children whose lives are affected by domestic violence in ways that touch every sector of our criminal justice, health and

social services systems.

It is not an exaggeration to say that this problem is endemic in the lives of those who come face to face with our police, our courts, the District Attorney's office, the mental health and substance abuse treatment community, the child welfare and juvenile justice systems, and our health care delivery systems.

In my view, there is no longer any questions as to the significance of this problem. There is no question about the recognition of the impact of domestic violence by those of us in the public sector, advocates, and private social service agencies who grapple with the consequences of domestic violence every day.

The underlying question that faces us as we examine the lives, the statistics, and the overwhelming effects of domestic violence on families and communities is this: How can the considerable knowledge, resources, and commitment that exist in this city be brought together to help those who are victims of and those who are perpetrators of domestic violence?

Over the past decade, I have had the

good fortune to work with many of those who have studied and addressed this issue. These individuals and groups have educated me as to the widespread nature of this problem and the absolute common-sense approach of a coordinated strategy to address it.

Carol Tracy, an individual with whom I have worked for many years and for whom I have enormous respect, has been dauntless and relentless in her efforts at advocacy, research, and education regarding domestic violence as executive director of the Women's Law Project.

A report recently issued by the Women's Law Project, at the request of the Behavioral Health System, responding to the needs of pregnant and parenting women with substance-abuse disorders in Philadelphia, paints a compelling picture of the documented link between exposure to violence and subsequent drug and alcohol abuse among women.

This is but one of the bodies of evidence which shows that reducing and preventing domestic violence is a key approach to reducing many other social ills.

As our city continues to attack the interconnected issues of homelessness, crime,

substance abuse, poverty, overcrowded jails, child abuse, delinquency, truancy, ann uneducated work force, our local economy, health-care costs and the quality of life in our neighborhoods, we must address the devastating effects of domestic violence and apply a coordinated response.

I am pleased to announce today that Carol Tracy and Police Commissioner Sylvester Johnson have agreed to co-chair a domestic violence task force for the city.

In January, I will appoint the membership of the task force, which will include advocates, medical and behavioral health practitioners, and service providers; public officials whose responsibilities include law enforcement, social services, and public health; educators, researchers, and other experts in the area of domestic violence and its effect; and, most importantly, representation from past victims of domestic violence, the true experts.

Many of these recommendations have come directly from Carol Tracy and her colleagues.

The task force will be charged with assessing our current efforts at working with those

affected by domestic violence and determining how collectively we can do a better job at preventing it.

I also will request that they make recommendations as to what operational policies, practices, and points of accountability should exist to drive a more coordinated response on the part of the city.

And I will look to them to monitor the city's response to the recommendations contained in the recent report regarding pregnant and parenting women, as well as our response to recommendations which will result from their work.

I am confident that our collective will and commitment to reducing and preventing domestic violence will draw upon the many existing positive local initiatives and will result in a more effective response and outcome.

Thank you for the opportunity to speak to you about this important social issue.

COUNCILMAN ORTIZ: Before I enter into something, Stephanie Gonzalez Ferrandez, who testified yesterday, was an attorney. Maybe you can help us in this situation.

One of the problems was about language and transformation services. It is a woman that is from Morocco. We had a hard problem trying to get, to finally get, an Order from the court.

Today, Stephanie Gonzalez has been able to get a judge to give her an Order.

When the paralegal went down to Family Court to pick up the Order, she was told that she could not enter the building by the guard. She explained that she needed to pick up this Order and was told that the doors were closed.

Our paralegal is attempting, according to what you wrote me here, an alternate way to get into the building. Breaking and entering is not allowed.

But the thing is that, there has to be a way for this woman to get this Order. And maybe you can --

MS. RICHMAN: What building? The Family Court.

COUNCILMAN ORTIZ: Which building is --

MS. RICHMAN: My problem is, I have no jurisdiction over the courts. I can break in.

MR. CERVONE: With us.

34 South 11th Street.

COUNCILMAN ORTIZ: We do have keys to those buildings, no?

MS. RICHMAN: No; it all belongs to the court. We have no entre to anything that's court related.

COUNCILMAN ORTIZ: Get Massiah-Jackson on the phone.

MS. RICHMAN: That's the person you need.

COUNCILMAN ORTIZ: Get Massiah.

Commissioner, I am incredibly glad you that are appointing the task force. We have problems in terms of the resources and the policies that need to be addressed before even the task force process works.

And we need to see how some systemic changes come. Because we had some very compelling testimony in the last two days; from the amount of phone calls to 911, and the way that the different departments communicate or not communicate with each other, to the lack of services at the justice center when a woman comes before the Master or the Court, and for availability of counseling and other types

of social services that might be available and that DHS should be probably looking at to provide together with the social-service agencies and the applicants that we have here.

And I think that before then, I think we need to be able to begin implementing and begin looking at how we begin changing.

As you state, the underlying question in your testimony is, as we are examining the lives and statistics and the overwhelming effects of domestic violence, is, how can the conservative knowledge, resources, and commitment that exist in this city be brought together to help those victims. And how do we begin not a year from now, because that's too long a wait. But, how do we begin the process now?

Because we have evidence of what needs to be done. And I think we should be able to start doing what needs to be done immediately.

MS. RICHMAN: I don't have any issues with that.

I believe that the report that the Women's Law Project put together regarding the pregnant and parenting women with substance abuse outlines in detail exactly what needs to be done.

My hope would be that this task force would present the same thing.

It is a very detailed objectives, goals. All the pieces you need to know about what needs to happen are there. My hope is that this task force would be able to do the same thing in about an eighth of the time.

You are talking about speed. It took you about a year to put this together. My hope is they can do it real quickly, and then we can get to implement it.

COUNCILMAN ORTIZ: Right now we have identified certain budgetary areas where we need some changes. For example, we need a hotline specifically along those lines.

And some of the advocates put a price tag on that hotline of $900,000, 1-800 number, that can begin being implemented.

We need to begin looking as to how do we provide beds and caseworker services as we go ahead and look at the task force work and so on.

A city with only one safe house, and such an enormous problem. We should be able to see where the resources are going to be made available

to provide more than one safe house.

For that, we don't need a task force to tell us that that is needed immediately. But an 800 number hotline is needed immediately.

That, perhaps, social work and family counseling service are needed immediately at the place where women are going for emergency Orders.

So these are things that we need to look at as to how we are going to be able to begin the responsiveness.

And that will show, will show the commitment and seriousness that we have to begin going forward programmatically with the issues that have been brought forward.

And I think that if those three areas, we can begin attacking those three areas and channeling and looking for ways to put resources, then I think the advocate community and the women of this city can really begin to look at us in a very serious manner, that we are committed to changing the conditions that presently exist.

If we can begin working on those three areas immediately.

MS. RICHMAN: I certainly think it is

possible to look at those three areas and begin to look and see what we can do.

COUNCILMAN ORTIZ: Okay. So if I see that and I hear that, and that's the commitment, we will begin immediately to look.

MS. RICHMAN: The commitment is to look at those areas.

My hope is that we would be able to either find ways to sufficiently cut some of the activities that are currently done within the areas that we would look for these dollars or we would be able to get them from the state or federal government.

COUNCILMAN ORTIZ: As long as we begin looking at where, how we are going to be doing that. And I will put that --

MS. RICHMAN: There is definitely a commitment to begin looking.

COUNCILMAN ORTIZ: Thank you.

No further questions. This committee stands in recess until the call of the Chair.

(Hearing adjourned at 5:30 p.m.)

C E R T I F I C A T I O N

I HEREBY CERTIFY that the foregoing proceedings of the Council of the City of Philadelphia of Wednesday, December 18, 2002, were reported fully and accurately by me, and that this is a correct transcript of same.

RE: COMMITTEES ON PUBLIC SAFETY AND PUBLIC HEALTH & HUMAN SERVICES

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DEBRA A. WHITEHEAD