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COUNCIL OF THE CITY OF PHILADELPHIA

3

COMMITTEE ON PUBLIC SAFETY

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Room 400, City Hall
Philadelphia, Pennsylvania
Tuesday, February 13, 2007
10:20 a.m.

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PRESENT:

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COUNCILWOMAN DONNA REED MILLER, CHAIR

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COUNCILWOMAN JANNIE BLACKWELL

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COUNCILMAN WILLIAM GREENLEE

13

COUNCILMAN JAMES F. KENNEY

COUNCILMAN JUAN RAMOS

COUNCILMAN FRANK RIZZO

COUNCILMAN DANIEL SAVAGE

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RESOLUTION 060947 - Resolution authorizing the
Committee on Public Safety to hold hearings on
the need for a substantial increase in
probation and parole officers within the Adult
Probation and Parole Department.

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COUNCILWOMAN MILLER: Good

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morning, everyone. My name is Donna Reed

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Miller and I am the Chair of the

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Committee on Public Safety. The

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Committee on Public Safety is now in

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session.

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Would you Clerk please read the

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title of the resolution.

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THE CLERK: Resolution No.

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060947, resolution authorizing the

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Committee on Public Safety to hold

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hearings on the need for a substantial

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increase in probation and parole officers

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within the Adult Probation and Parole

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Department.

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COUNCILWOMAN MILLER: Thank

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you. Let the record reflect that in

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attendance are Committee members

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Councilman Frank Rizzo and we're waiting

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for a few other members, and we also have

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Councilman Savage, who is the sponsor of

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the resolution, in attendance here this

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morning. And I'd just like to begin by

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thanking those who have taken an interest

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2 in Philadelphia and its problem in the
3 ex-offenders community. Today we are
4 here to discuss the need for a
5 substantial increase in probation and
6 parole officers within the Adult and
7 Parole Department.

8 When ex-offenders return to
9 prison, that means less money for
10 schools, recreation centers and police or
11 anything that may be necessary or dear to
12 your heart. But sometimes that is
13 echoing in everyone's statement, is that
14 these inmates keep returning. So we
15 cannot just say, I do not want to deal
16 with them.

17 We've held hearings that
18 resulted in the creation of the Mayor's
19 Office of Reentry and also looked at
20 criminal background screening. This is
21 just to name a few. However, we need to
22 look at the heart of the problem, why are
23 these inmates returning to prison.

24 Well, there are many problems,
25 and today we will look at the problem of

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2 probation and parole officers and their
3 numbers to see if there's something we
4 can do to help curb this problem.

5 With that in mind, Councilman
6 Savage also has opening remarks. Thank
7 you.

8 COUNCILMAN SAVAGE: Good
9 morning and thank you, Madam Chair and
10 members of the Committee.

11 There is an unprecedented crime
12 epidemic of significant proportion. We
13 all agree that every solution must be
14 pursued and pursued vigorously. The
15 obvious and popular solutions are to curb
16 the gun violence and drug activity by
17 increasing law enforcement capabilities
18 and deployment and increasing
19 prosecutions.

20 Today we shall look at another
21 component: prevention. We shall examine
22 how we can curdle crime in this City by
23 cutting down on recidivism. We shall
24 look at how the criminal justice system
25 works after a person is convicted and how

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2 it may be improved.

3 Our focus is the Philadelphia

4 Adult Probation and Parole Department.

5 The APPD is responsible for the

6 supervision of offenders. We must do

7 what we can to ensure that this

8 department has adequate staffing and

9 resources to enable the probation

10 officers to do the best job possible and

11 help keep our City safe.

12 The statistics show that many

13 of these offenders commit more crimes,

14 including homicides, while under

15 supervision; that is, while on probation

16 and parole. Research conducted by the

17 University of Pennsylvania demonstrates a

18 link between persons on probation or

19 parole and those committing crimes. Some

20 of those findings are: In 2006, of the

21 406 homicides, 55 of the victims were on

22 probation. In total, 326 probationers

23 were shot in 2006. Of the 235 homicides

24 which resulted in arrests in 2006, 51 of

25 those arrests were probationers.

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2 These numbers provoke a couple
3 of inquiries. First, those who are on
4 probation are at a high risk to commit
5 another crime. Hence, do they need to be
6 more intensely monitored? Second, can
7 the APPD supervise those under
8 supervision adequately with its current
9 staff and resources?

10 With the current overcrowding
11 in the prison system, probationary
12 sentences will be imposed more
13 frequently. More persons will be on
14 probation. This is a step towards
15 improving the situation, increasing the
16 number of Philadelphia APPD officers.

17 COUNCILWOMAN MILLER: Thank
18 you. Just to note that also in
19 attendance is another member of the
20 Public Safety Committee, Councilman Jim
21 Kenney.

22 We're actually going to start
23 calling witnesses, and the first witness
24 is not here, so we're going to move on to
25 the second witness, which is the

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2 Honorable C. Darnell Jones.

3 Good morning. Please state
4 your name for the record and any other
5 identifying information, and speak
6 directly into the mike. You can move the
7 mike forward if you need to.

8 JUDGE JONES: Good morning,
9 Council Lady Donna Reed Miller.

10 COUNCILWOMAN MILLER: Thank
11 you. Good morning to you. Thank you for
12 coming.

13 JUDGE JONES: Thank you.
14 Councilman Kenney and Councilman Savage.
15 I am C. Darnell Jones, the President
16 Judge of the -- excuse me. Councilman
17 Rizzo. My apologies, sir.

18 COUNCILMAN RIZZO: I knew it
19 wasn't intentional.

20 JUDGE JONES: I am C. Darnell
21 Jones, the President Judge of the Court
22 of Common Pleas and the Chair of the
23 Administrative Governing Board. I speak
24 to you in support of the resolution of
25 Councilman Daniel J. Savage.

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2 While I address this most
3 important body as President Judge of the
4 Court of Common Pleas, I speak based upon
5 my 32 years in the justice system. I
6 spent the first 12 years of my legal
7 career as an Assistant Public Defender,
8 which included service as Chief of the
9 Family Court Division of that office for
10 two years immediately prior to becoming a
11 judge. As a judge, I served in the
12 criminal section of the Court of Common
13 Pleas for 12 years, which included the
14 positions of Managing Judge of the Adult
15 Probation and Parole Department,
16 Co-Coordinating Judge of the Homicide
17 Division and Supervising Judge of the
18 Grand Jury, all of these prior to
19 becoming President Judge and Chair of the
20 Administrative Governing Board. Even
21 now, I still have a full complement of
22 criminal matters over which I preside.

23 I, therefore, bring to you a
24 multi-faceted expertise in what the
25 system can do to significantly enhance

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2 the ability of the FJD to render the
3 services needed to address the serious
4 crime and violence problem in the City of
5 Philadelphia.

6 Research conducted by the
7 University of Pennsylvania, an entity
8 with which the FJD has created a special
9 research program in probation,
10 demonstrates a substantial link between
11 being on probation or parole and the
12 likelihood to commit another crime.

13 I won't go into the details and
14 the statistics of those highlights,
15 because Councilman Savage just related
16 those to you in his opening statement. I
17 will state, however, that I believe these
18 numbers serve to highlight key points.
19 First, those who are on probation are at
20 a high risk to commit another crime.
21 More importantly, the Penn study
22 underscores the recognition that there
23 are specific probationers who have a
24 proclivity to be recidivist and thus
25 warrant much stricter individualized

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2 supervision. Second, the caseloads in
3 the APPD are so high that they are a
4 serious impediment to the current core of
5 officers' ability to do their job to the
6 fullest ability. I must add at this
7 point that the current pay scale for the
8 existing core of probation officers is
9 inadequate, given the caseloads and the
10 nature of their awesome and dangerous
11 responsibilities.

12 Given the current overcrowding
13 issues in the county prison system, it is
14 imperative that when a judge sentences an
15 individual to probation, that sentence
16 must be effective and deterrent. The
17 first step improving the current
18 situation is increasing the number of
19 Philadelphia probation officers.

20 Now, speaking from personal,
21 hands-on experience, the most effective
22 use of a probation officer is when a
23 trial judge and the probation officer can
24 work together to formulate an
25 individualized probation supervisory plan

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2 that addresses both the judge's
3 obligation to protect the community and a
4 defendant's specific criminal behavior,
5 its causes, the defendant's neighborhood
6 environment, education and opportunities
7 for remedial education, enhancement of
8 job skills, the job market in a location
9 proximate to the defendant's residence
10 and any existing special circumstances
11 which merit additional resources.

12 The lower the probation officer
13 to probationer ratio, the more
14 predictable a successful outcome. The
15 end result is a safer, more inviting
16 city. The dedicated leadership and the
17 highly committed existing workforce
18 comprise a powerful resource. I urge you
19 to add to their number so that we can
20 restore our rightful place as one of the
21 greatest and safest cities in America.

22 Thank you very much.

23 COUNCILWOMAN MILLER: Thank you
24 for your testimony.

25 Are there any questions from

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2 Committee members or anyone for this
3 witness?

4 Councilman Savage.

5 COUNCILMAN SAVAGE: Judge,
6 thank you for coming out today.

7 So you believe that if we
8 increase the probation officers, that it
9 will make a dent in crime?

10 JUDGE JONES: Unequivocally.

11 COUNCILMAN SAVAGE: Is there
12 any number that you would think that the
13 increase should -- how many probation
14 officers do you feel as the President
15 Judge that APPD should have at this time?

16 JUDGE JONES: I think perhaps
17 the best and most efficient way to answer
18 that question is as many as the City can
19 afford and then allocate additional
20 monies to afford more.

21 We have to understand and
22 appreciate the fact that there are only
23 so many beds in the county prison system
24 and, realistically, only so many in the
25 state prison system. Probation, parole

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2 will allow people to get their lives
3 together with our direct contact. Judges
4 are increasingly concerned that they have
5 an ability to be able to cater specific
6 sentences. From personal experience, I
7 used to bring probation officers into my
8 courtroom with the defendant and tell the
9 defendant on the record, In addition to
10 the regular reporting responsibilities, I
11 want you to be in my jury box, in my
12 waiver room, to sit here and listen and
13 watch. I also want you to come back with
14 verification that you went to seek a job,
15 and additional things like that,
16 additional requirements to let them know
17 my hand is in this pie firsthand. And I
18 also told probationers, If you see that
19 you might have a problem and you may be
20 tempted to become a recidivist, all you
21 have to do is call the probation officer.
22 He or she will bring you to me, and I
23 will do everything that I can personally
24 and professionally to help you so that
25 you won't take that wrongful step. And

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2 it works, but it works because you have
3 enough probation officers to give that
4 kind of hands-on individualized
5 attention. But with the numbers that we
6 have, they are woefully inadequate to
7 address this type of problem and that
8 type of remedy.

9 So the more that you can staff
10 and pay for, the better. But I also
11 understand that when we hire one, that we
12 have to look at the big picture. That
13 means more computers, more space, more
14 desks and everything else that follows,
15 benefits, the whole nine yards. I am
16 fully, acutely aware of that, but the
17 bottom line is, we have to make a
18 concerted effort, because the prisons are
19 full.

20 We know what's going on in the
21 federal court system. I was a judge on
22 the Jackson versus Hendrick court for
23 many, many years here in Philadelphia. I
24 know full well what potentially can
25 happen. We can prevent that by

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2 increasing the numbers significantly in
3 the Adult Probation and Parole
4 Department.

5 COUNCILMAN SAVAGE: Thank you,
6 Judge.

7 JUDGE JONES: Thank you.

8 COUNCILWOMAN MILLER:
9 Councilman Kenney.

10 COUNCILMAN KENNEY: Thank you,
11 Madam Chair.

12 Thank you, Your Honor.

13 Could you explain some of the
14 powers that a probation officer has
15 different than a police officer and why
16 they can be more effective in conducting
17 their duties with these individuals?

18 JUDGE JONES: Absolutely.
19 First and foremost, a police officer
20 seeing an individual walking down the
21 street by reason of the Constitution
22 cannot encroach without probable cause or
23 reasonable suspicion. If an individual
24 is on probation or parole and that
25 probation officer knows that individual,

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2 that individual is duty bound to report
3 and to submit to a variety of things that
4 normally one would not be able to have to
5 surrender to, such as drug urine testing,
6 job searches, verification that they're
7 employed, verification of address,
8 electronic monitoring and all those kinds
9 of things that come along with
10 surrendering to the court system many
11 liberties because you are now on
12 probation and/or parole. And that's the
13 major difference.

14 COUNCILMAN KENNEY: Do they
15 have the ability to arrest?

16 JUDGE JONES: Ab --

17 COUNCILMAN KENNEY: They can
18 arrest on site or do they have to go
19 through a process to pull that person
20 back into the system?

21 JUDGE JONES: Two responses.
22 If that individual is committing a crime
23 or if that individual has failed to
24 appear or failed to report, the Court,
25 the judge, issues wanted cards or a

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2 warrant for the arrest for a technical
3 violation, for something simply as not
4 reporting. If those wanted cards exist,
5 that probation officer has the right to
6 take that person into custody.

7 Let me give you another
8 personal example. An individual was on
9 my probation many, many years ago. That
10 individual reported intoxicated. The
11 probation officer said to the individual,
12 I'm going to take you into custody and
13 take you over to Judge Jones' courtroom,
14 because he does not allow this, he
15 doesn't tolerate it.

16 The individual told the
17 probation officer, I don't care, I will
18 take the judge out.

19 That probation officer went to
20 the phone to call and the individual
21 left. I was notified immediately. I
22 issued a warrant for his arrest, as well
23 as wanted cards. He ultimately was
24 brought in front of me at a hearing.
25 Frankly, I told him I was so upset with

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2 his conduct that I was going to continue
3 the case for 30 days so that I could cool
4 down, and if I couldn't cool down after
5 30 days, I would give the case to another
6 judge to hear.

7 When he came back for the
8 formal hearing, I told him, Quite
9 frankly, I have prayed over this. It is
10 serious business to me. Because I know
11 the frailties of human nature, I forgive
12 you. However, what you did was an
13 affront to the court by threatening a
14 judge and for that, you must pay a price,
15 and I sent him to the state prison.

16 COUNCILMAN KENNEY: Could you
17 talk a little bit about what type of
18 training and how long it takes to
19 actually train a probation officer in the
20 system? Is there a school? Where do
21 they attend?

22 JUDGE JONES: I am going to
23 defer that question to the leadership,
24 Mr. Robert Malvestuto, who is the Chief
25 or Co-Chief of the Probation Department,

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2 who can tell you the intricacies and how
3 long that detail training is.

4 COUNCILMAN KENNEY: Great.

5 Thank you, Your Honor.

6 JUDGE JONES: Yes, sir.

7 COUNCILWOMAN MILLER:

8 Councilman Rizzo.

9 COUNCILMAN RIZZO: Good
10 morning, Judge.

11 JUDGE JONES: Good morning,
12 sir.

13 COUNCILMAN RIZZO: Judge,
14 there's a program that I have an interest
15 in, and tell me if this is an area that
16 you could add something to. The worker
17 inmate program where there are inmates
18 incarcerated in our county jail that are
19 programmed for work release, they go
20 through a process and they're able to
21 leave the jail and come back in the
22 evenings. The program appears that it's
23 going to get some funding in the next
24 budget where these inmates will be able
25 to go to work, in some cases at Fairmount

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2 Park Commission. They'll be paid.

3 They'll also be able possibly working on
4 the Zoo to give them some training in the
5 area of maintenance and electrical work
6 where they'll actually be paid, and at
7 the time they're released, they'll have a
8 few bucks in their pocket. And
9 apparently there's some data that shows
10 that a person with a job in most cases
11 doesn't come back to incarceration.

12 Once we get the program
13 working, what do we do to let the judges
14 know that -- because I understand that
15 many judges hesitate to put a person on
16 the work release program because there's
17 no jobs. Councilman Goode and I, we've
18 also worked together including the tax
19 incentive program where employers that
20 hire inmates will be able to take
21 advantage of a tax incentive, a tax break
22 of \$5,000 if they stay for a period of
23 time.

24 So eventually we're going to
25 have this program working, and when it

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2 does, the jail wants to make sure that
3 the sentencing judges keep in the back of
4 their mind that there is this program
5 that's in the development stages, and
6 hopefully that will create an environment
7 where people that normally -- the
8 Commissioner said that many of the people
9 they keep data on come back after a few
10 months or weeks because they get
11 themselves in trouble again. So if they
12 leave, they have a few dollars in their
13 pocket when they leave.

14 So I think it's a great idea,
15 especially when I go visit the jail and
16 there's 80 people sitting there, men and
17 women, that have been programmed, but
18 there's no opportunities for them. So
19 we're developing those opportunities
20 right now, so while they're incarcerated,
21 they can go to work. They're going to
22 work midnight to 8:00, they're going to
23 work 4:00 to 12:00. And Commissioner
24 King is doing everything humanly
25 possible, even providing transportation

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2 to locations where they can go to work.
3 So all we need now is to develop the
4 jobs, which Fairmount Park Commission and
5 the Zoo are presently developing.

6 JUDGE JONES: Councilman, I
7 laud that, because that is the single
8 most important thing that we as a society
9 and a city can do and, that is, to
10 provide employment. Employment breeds
11 dignity, and with dignity there is less
12 likelihood to engage in recidivism. You
13 hit the nail right on the head.

14 And in terms of spreading the
15 word, we will do that as effectively and
16 efficiently as humanly possible by reason
17 of going to the Board of Judges meeting
18 and letting every judge in that meeting
19 and every judge through Judge Presenza as
20 the President Judge of Municipal Court to
21 let everybody know that the City is on
22 board with this process.

23 And lastly in that regard, I
24 think with the power of this Council, the
25 citizens can appreciate the effort of the

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2 judiciary to making it a safer city,
3 along with the intelligent approach by
4 providing jobs and let the City be less
5 worried about we're opening the doors to
6 let the criminals run out, but rather it
7 is a joint effort between the court
8 system and the City Council and the
9 executive to make this work for a safer
10 city in the long run. I think it's right
11 on the money, sir.

12 COUNCILMAN RIZZO: We're
13 working on the funding right now, but the
14 first six are programmed to start their
15 employment in the Fairmount Park
16 Commission where they will learn how to
17 use power tools, where they'll learn to
18 build fences, they'll learn vegetation
19 management, and some of the
20 subcontractors that work will have an
21 opportunity to look at their performance
22 and say, You're going to have a job the
23 minute you leave incarceration. And I
24 don't know, maybe there's a way that we
25 could accelerate their release if we know

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2 that they're heading towards a job that
3 could release overcrowding in the system.

4 JUDGE JONES: All I would ask
5 this body to do is to share that with our
6 District Attorney so that there won't be
7 the public contest -- good morning,
8 Ms. Abraham -- to share that with
9 District Attorney Abraham so that there
10 won't be this incongruency or this
11 fighting for one side to buy into this
12 and release people on those specific
13 conditions and on the other side there
14 being the opposition -- because I do
15 respect wholly and agree wholly with the
16 protection of the City, but if we do it
17 jointly, the City can see a unified front
18 of all branches of government to
19 alleviate and eradicate this issue of
20 crime.

21 I've got to tell you, in terms
22 of Fairmount Park and teaching and
23 practical realities of things, as many of
24 you know, the Commissioner, the
25 Department of Recreation, Vic Richard,

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2 and I and four other gentlemen went to
3 Slidell, Louisiana less than a week after
4 the hurricane. We took chainsaws, we
5 took shovels, we took generators, food,
6 thanks to Councilman Ramos and others.
7 We went down there and spent a week there
8 helping to clean up houses and helping
9 the people. Two things happened there.
10 One, we were called across the street by
11 the National Guardsmen who were there to
12 show them how to start a chainsaw. And
13 at the end of the time there, there
14 actually was a television news crew there
15 from Philadelphia and they interviewed
16 one of the people who we helped, and that
17 gentleman, Mr. Freddie Narcisse, said, I
18 now see why Philadelphia is called the
19 City of Brotherly Love. And that's the
20 kind of image that we can portray.
21 That's the kind of reality that we can be
22 through a cooperative effort with this
23 City government.

24 COUNCILMAN RIZZO: Well, thank
25 you, sir. And to end this, what's really

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2 encouraging is that the unions are --
3 there was some concern on how they would
4 respond to this, but they've accepted
5 this very well. They're looking at it as
6 an opportunity for training, for people
7 to leave incarceration and say, I've got
8 a skill, you've seen me work, now I need
9 a job. So we're going to put all that
10 together.

11 JUDGE JONES: And what's good
12 for the City is good for the unions.
13 Absolutely.

14 COUNCILMAN RIZZO: Thank you,
15 sir.

16 JUDGE JONES: Thank you, sir.

17 COUNCILWOMAN MILLER: Thank
18 you.

19 JUDGE JONES: Thank you, Madam.
20 Thank you, gentlemen.

21 COUNCILWOMAN MILLER: Thank
22 you, Councilman.

23 I just have one question. You
24 said that one of your former positions
25 was Managing Judge of the APPD.

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2 JUDGE JONES: Yes.

3 COUNCILWOMAN MILLER: What is
4 that exactly? What are the duties of a
5 Managing Judge?

6 JUDGE JONES: In the late '90s
7 while I was the Co- Coordinating Judge of
8 the Homicide Division, I was also given
9 the responsibility of being the Managing
10 Judge of the Adult Probation and Parole
11 Department. It was a newly created
12 position. With that position the first
13 order of business for me was to go over
14 to the Probation Department and meet with
15 literally every employee in the Probation
16 Department, from chief to secretary, to
17 let them know, one, that the system is
18 there for them, for all of us to work
19 together, and for them to tell me what
20 they needed. The second priority was
21 assimilating all of that information.
22 And then the third priority was working
23 with the leadership in the Probation
24 Department to identify key people who
25 could facilitate and institute the kind

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2 of recommendations that came about by
3 reason of that inquiry and also, quite
4 frankly, looking at the big picture.
5 Because one of the things that I saw was
6 the fact that we needed Spanish-speaking
7 supervisors and Spanish-speaking
8 probation officers in increased numbers.
9 I speak Spanish. My degree is in French,
10 quite frankly. So for me, it was a very
11 natural transition to be able to reach
12 out to certain segments of the community
13 to increase those numbers.

14 We have crime everywhere in the
15 City. It's not just in one part. And to
16 be able to address that on a macro level,
17 to me, makes the system run efficiently,
18 and that's what I was about doing as I
19 was there in that capacity. And quite
20 honestly, I think overall it also
21 imparted a sense of caring on the bench
22 from a management position that generates
23 goodwill that causes people to work
24 harder. That's what I truly, truly
25 believe in, and that's what happened at

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2 that time.

3 COUNCILWOMAN MILLER: So does
4 that position still exist?

5 JUDGE JONES: It no longer
6 exists. When I left to go to the Civil
7 Division, it was over, and they have
8 never done it again.

9 COUNCILWOMAN MILLER: Okay.
10 Thank you.

11 JUDGE JONES: Yes, ma'am.
12 Thank all of you.

13 COUNCILWOMAN MILLER: Thank you
14 for your testimony.

15 JUDGE JONES: Councilman
16 Greenlee, good morning, sir. How are
17 you?

18 COUNCILMAN GREENLEE: Good
19 morning, Your Honor. How are you?

20 JUDGE JONES: Fine. Thank you.

21 COUNCILWOMAN MILLER: Let me
22 note at this time that we have Councilman
23 Greenlee, who is a member of this
24 Committee, in attendance at this hearing
25 and Councilwoman Blackwell, who is not a

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2 member of the Committee. Thank you.

3 I see our first witness is
4 here, our District Attorney, Lynne
5 Abraham.

6 MS. ABRAHAM: Good morning,
7 Madam Chair. My name is Lynne Abraham,
8 L-Y-N-N-E, A-B-R-A-H-A-M. I'm the
9 District Attorney of Philadelphia.

10 COUNCILWOMAN MILLER: Good
11 morning. How are you?

12 MS. ABRAHAM: Quite well.
13 Thank you. How are you, Councilwoman?

14 COUNCILWOMAN MILLER: I'm doing
15 fine. Do you have written testimony?

16 MS. ABRAHAM: No, I don't.

17 COUNCILWOMAN MILLER: Fine.

18 You can proceed.

19 MS. ABRAHAM: Thank you. It's
20 a joy to follow Judge Jones and his
21 testimony about the Probation Department,
22 and I have several observations. First
23 and foremost, the Committee on Public
24 Safety is to be congratulated for having
25 this hearing. It's something that is so

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2 important and central to the ability of
3 the City of Philadelphia to not only take
4 an intelligent look at crime but to turn
5 crime around. Number two, my special
6 thanks to Councilman Dan Savage for
7 proposing this resolution with the
8 Committee's input so that we could
9 discuss this issue at some length today.

10 I have been a member of the
11 bench and the Bar of Philadelphia and in
12 the criminal justice system for well over
13 40 years, so I think that I have some
14 ability to elucidate for the Committee my
15 thoughts on the Probation and Parole
16 Department.

17 I think it is fair to say that
18 while we don't look at any branch of the
19 criminal justice system as an entity
20 alone, in order for the criminal justice
21 system to truly work as a system, I think
22 Judge Jones' point is quite well taken,
23 that we must be coordinated and work
24 together as a system. We're a somewhat
25 sometimes dysfunctional family, but on

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2 the whole I think we try to make sure
3 that we are bringing into the discussion
4 all aspects of the criminal justice
5 system.

6 Probably the most forgotten or
7 the most misunderstood, if I can use that
8 word advisedly, part of the criminal
9 justice system is the Probation and the
10 Parole Department, because I don't think
11 people really understand its appropriate
12 role in the system of justice in which we
13 operate.

14 Essentially, the Probation and
15 the Parole Department works as a branch
16 of the court to carry out and vindicate
17 the Court sentence. It is the parole and
18 the probation officer who makes sure that
19 the judges' sentences are carried out
20 while that person is on parole or
21 probation and all the conditions and
22 terms that the Court imposed upon the
23 defendant are also carried out.

24 I might also add that there are
25 occasions where a person is still

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2 presumed to be innocent and pretrial
3 where the Court may order, as a condition
4 of the defendant's continuing to remain
5 on bail, certain terms and conditions,
6 and in, for example, the Gun Court, which
7 is a specialized court, the Probation
8 Department makes sure that this defendant
9 is able to abide by the rules set down by
10 the Court, to make sure that he or she is
11 allowed to remain on probation pretrial
12 bail, and the probation officer reports
13 to the Court.

14 The Probation and Parole
15 Department has in the past been somewhat
16 considered as a stepchild and by some
17 judges not considered as important. It
18 is a branch of the government that is
19 totally misunderstood by the public, and
20 this hearing will give a chance for the
21 public to understand the extremely
22 critical work that the Probation
23 Department performs.

24 I wholeheartedly support the
25 resolution's request that we increase the

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2 total number of probation and parole
3 officers, not only in the Adult Probation
4 Department but as long as we're trying to
5 fix a system which can do with some
6 fixing, the Juvenile Probation Department
7 at any one time also has about 6,000
8 cases. So it's not an insignificant
9 number.

10 The probation and parole
11 officers have a difficult, dangerous and
12 frequently thankless job, and they really
13 can only perform their job if they have
14 the capacity to monitor, to watch and to
15 control probationers up close and
16 personally.

17 Over the years that I've been
18 in the criminal justice system, the
19 Probation Department, men and women, want
20 to do a good job. They try their best,
21 but they are overwhelmed by the problems
22 and issues facing them, everything from
23 lack of equipment. I remember it wasn't
24 too many years ago where they were the
25 last department to have rotary dial

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2 telephones, taking notes with pencil,
3 probation officers struggling before me
4 as a judge trying to read the previous
5 probation officer's notes. They couldn't
6 quite figure out what the probation
7 officer prior to the probation officer
8 who is appearing in front the Court was
9 writing.

10 A well-equipped Probation
11 Department, a well-trained Probation
12 Department is essential. In order to
13 have a well-equipped and well-trained
14 Probation Department, they have to be
15 well paid and given a reason to stay. It
16 doesn't mean that they have to stay
17 forever. It just means that we want to
18 encourage them to stay longer.

19 In addition to that, what
20 really wears a probation officer out is
21 the inordinate caseload that is placed
22 upon them. A hundred and twenty, 130,
23 140, 150, 160, 180 cases per month is
24 just extraordinarily taxing and wearing.
25 One cannot hope as a prisoner,

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2 ex-offender on probation or parole to get
3 the services he or she needs with a
4 probation officer who is busy running
5 from one defendant to the other, just
6 checking in by phone to see if that
7 person is doing what he or she is
8 supposed to. And it's too easy for a
9 probation officer to be so overwhelmed
10 that they really can't check is that
11 person going to drug treatment, is that
12 person going to mental health treatment,
13 is that person getting job counseling,
14 what about the healthcare component. And
15 the one thing that I think that can sort
16 of crystallize this as a sort of one-stop
17 shopping is our Community Court. When we
18 have low-level first-time offenders go
19 into Community Court, which -- I'll put
20 in a plug -- should be all over the City,
21 this was an idea that people for
22 first-time quality-of-life offenses could
23 go to a community court. We started
24 looking at this in the early 1990s when
25 we went to a trip to New York. And it's

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2 open now in Center City, but this needs
3 to be brought to scale all over the City.
4 It is unconscionable really that a big
5 city like this with all the life quality
6 crimes doesn't have a community court in
7 virtually any neighborhood.

8 However, when a probationer
9 goes there, he or she can get healthcare,
10 mental health treatment, HIV/AIDS
11 counseling, mental health evaluations,
12 and the Court is vitally interested in
13 that individual's case problems and
14 issues, and the Probation Department is
15 working close with it. So if you have
16 that idea of a probation officer being
17 able to monitor, control, counsel, get
18 services for the probationer, the chances
19 of that person finishing probation
20 successfully are greatly enhanced.

21 The other alternative is really
22 twofold. Number one, the probationer is
23 going to just walk off his probation
24 because they know that the probation
25 officer can't check on them. So they can

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2 sort of dance round, maybe not get
3 arrested, maybe do some technical
4 violations, but nothing that will get the
5 Court to revoke the probation, and then
6 at the end of the period of time that the
7 Court has set, the probation for the
8 person is finished. Or the other is
9 equally serious but not as perhaps
10 uncommon as the former and, that is,
11 commit new crimes, violate probation,
12 fail to show up, have dirty urines, have
13 wanted cards and wreak havoc on the
14 community.

15 No civilized society can really
16 endure, let alone drastically cut, our
17 crime rate unless we have the kind of
18 highly motivated, highly trained
19 probation office who have specific
20 training into the needs of individual
21 probationers, and that is a difficult
22 task.

23 So I support the resolution. I
24 am grateful that the Probation
25 Department, with all of the weight that

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2 they are carrying, does the just
3 absolutely fantastic job that they're
4 doing. If you would sit in a courtroom
5 for a day and listen to the numbers of
6 cases coming before judges on probation
7 matters, it would be enough to really
8 make you half mad, because it is so
9 difficult to make sure that the Court
10 orders are carried out when you are just
11 swamped, and it's meaningless. The whole
12 idea of probation and parole is to make
13 sure that you're not just walking off
14 your time or avoiding or evading a wanted
15 card or a violation of probation or a
16 revocation of sentence and being back in
17 the turnstile of the criminal justice
18 system. The whole idea in the ideal
19 world is to make sure that these
20 probationers, having paid for their crime
21 and we hope learned their lesson, are
22 going to be able to come out in society
23 wiser, we hope, for their being involved
24 and pledge not to do it again, and the
25 best way that we can assure that is we

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2 have the kinds of manpower and womanpower
3 assigned to the Probation Department who
4 can make sure that at least the
5 probationer has a chance of getting all
6 the services that the City and the
7 agencies of the City have to offer them.

8 So I think that you will see if
9 the Probation Department is properly
10 manned and has the right equipment, the
11 right training and the motivation, you
12 will see crime drop, because I believe
13 that probation is one of those forgotten
14 and neglected fields that we don't really
15 consider. But if you look at the
16 figures, you will see that the probation
17 and parole recidivist rate is
18 inordinately high. Those cities which
19 pay attention to probation and parolees
20 are the ones that have crime rates drop,
21 because the probationers and the parolees
22 go out and get meaningful help, they get
23 meaningful treatments, and they get on
24 the road of meaningful rehabilitation
25 quicker than those people who just don't

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2 pay attention to the needs of the
3 individual and try to just sweep this
4 enormous problem under the rug and burden
5 a probation department to the point where
6 it's almost broken down.

7 I thank you very much.

8 COUNCILMAN KENNEY: Thank you,
9 Your Honor.

10 Are there any questions for
11 this witness?

12 (No response.)

13 COUNCILMAN KENNEY: Thank you
14 very much for your time.

15 Councilman Savage has a
16 question.

17 COUNCILMAN SAVAGE: Thank you,
18 Your Honor, for coming out today.

19 MS. ABRAHAM: My pleasure.

20 COUNCILMAN SAVAGE: You spoke
21 about other cities. Could you give
22 examples of other cities?

23 MS. ABRAHAM: I think there are
24 a number of other cities. I mean, if you
25 want to look at a city like, for example,

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2 New York, the crime rate, other than
3 homicide this past year -- and I want to
4 emphasize the importance of that figure.
5 The homicides in New York City were well
6 over like 2,200 only a few years ago.
7 Those homicides have gone down
8 dramatically. They had a slight uptick
9 last year, as did other cities across the
10 country, but their crime rates are going
11 down.

12 Crime rates just don't go down
13 because they go down. And while no one
14 can say this is the answer, it is the
15 fact that we can see in our own city and
16 elsewhere that when we pay attention to
17 mental health treatment, when we do, for
18 example, drug treatment as we have a drug
19 treatment court where we have a small
20 cadre of citizens who are closely
21 supervised by a small number of Probation
22 Department employees, when we have a Gun
23 Court, which although it's creeping up,
24 the ideal was no more than 50 cases to a
25 probation officer, you see cities across

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2 this country who are paying attention to
3 after care, job training, mental health
4 treatment, drug treatment, alcohol
5 treatment. We're approaching it sort
6 from a different end, and I think
7 eventually this will help us
8 dramatically.

9 And I want to just touch a
10 couple of things. Soon we're going to be
11 opening a DUI Court, a court specifically
12 designed for people who are arrested for
13 drunken driving. The therapy, the after
14 care and the supervision of the Probation
15 and Parole office to make sure that these
16 defendants are well supervised will
17 drive, we believe, drunken driving down.

18 Mental health treatment is
19 extremely important, and I have supported
20 a mental health treatment court for those
21 among us, of which there are many, who
22 are involved in the criminal justice
23 system who are mentally ill. And, of
24 course, there's a drug treatment court,
25 which Judge Presenza has been supervising

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2 for years.

3 If you look at that group of
4 people, you will see that crime goes down
5 in that discreet community because of the
6 close relationship between the Court, a
7 specific judge, for example, the
8 intensive supervision that they get, the
9 close, watchful eye of the probation
10 officer who makes sure that that person
11 goes into treatment. And amongst that
12 cadre of people, our drug treatment
13 failure rate is extremely small, well,
14 well, well below any numbers you might
15 think. So where we're paying attention
16 to individualized service and the desire
17 to spend the money necessary -- look, we
18 have almost 8,300, 8,400 people in the
19 county prison where it's once again
20 facing the possibility of a federal
21 mandate, turning thousands of people out
22 on the street to commit more crimes.
23 What do you think they're going to do?
24 It's a get-out-of-jail-free ticket. You
25 don't think they're going to be straight

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2 because some federal judge "loosed" them
3 on the City, in which I unalterably
4 oppose. The way to approach this problem
5 is by making sure that the Probation
6 Department has a discreet number of
7 people with the supervision not being
8 portioned out so that you don't have
9 rapists and robbers along with minor
10 offenders. If you can make sure that the
11 Department is structured to give
12 specialized attention, you will see, I
13 believe, crime rates go down
14 dramatically. And where this is
15 happening, that's what's going on, in
16 part.

17 COUNCILMAN SAVAGE: Thank you.

18 COUNCILMAN KENNEY: Your Honor,
19 thank you very much for your time and
20 testimony.

21 MS. ABRAHAM: Thank you,
22 Councilman.

23 COUNCILMAN KENNEY: Bob
24 Malvestuto and Corrinia Woodson.

25 Good morning.

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2 MR. MALVESTUTO: Good morning,
3 Councilmembers.

4 COUNCILMAN KENNEY: Thank you
5 for being here. Please identify yourself
6 for the record and proceed with your
7 testimony.

8 MR. MALVESTUTO: I'm Robert
9 Malvestuto, Chief of Probation and
10 Parole, and I'd like to thank Councilman
11 Savage for the special invitation to be
12 here today. Also with me is Probation
13 Officer Corrinia Woodson, who will also
14 testify, and Dr. Lawrence Sherman,
15 Director of Jerry Lee School of
16 Criminology, University of Pennsylvania.

17 COUNCILMAN KENNEY: And my old
18 boss. Good to see you, Doctor.

19 DR. SHERMAN: Good morning,
20 Councilman.

21 COUNCILMAN KENNEY: Please
22 proceed with your testimony.

23 MR. MALVESTUTO: Thank you.
24 I'd like to talk about reengineering
25 Probation and Parole, placing an even

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2 higher priority on crime prevention.

3 The Adult Probation and Parole
4 Department, otherwise known as APPD, of
5 the First Judicial District of
6 Pennsylvania can become an even more
7 effective crime prevention agency by
8 restructuring its operations and adding
9 new personnel to provide more intensive
10 supervision of the offenders most at risk
11 of killing or being killed.

12 The growing problem of homicide
13 in Philadelphia raises profound questions
14 about the best ways to spend limited tax
15 dollars for public safety. The Mayor
16 emphasized strategies for crime
17 prevention, which is a major
18 responsibility of the Adult Probation and
19 Parole Department. The key question is
20 whether the Adult Probation and Parole
21 Department should be reengineered to make
22 prevention a higher priority based on
23 advanced risk analysis for each of its
24 cases.

25 Just a comment or two about

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2 crime in Philadelphia in the Adult
3 Probation Department. I know it's
4 mentioned already, but I want to
5 emphasize it again.

6 Within APPD, offenders were
7 killed in 55 of all 344 gun homicides in
8 2006, which is 16 percent. Within APPD,
9 offenders were arrested in 53 of the 235
10 murder arrests for 2006, which is 22
11 percent. This means to me that the Adult
12 Probation and Parole Department cases
13 provide a prime focus for homicide
14 prevention.

15 The term "risk" usually means
16 at risk of repeat offending, repeat
17 arrest or repeat conviction of a new
18 offense. That is any new offense. Both
19 shoplifting and homicide receive similar
20 weights. The old and still dominant
21 approach to risk analysis in probation
22 and parole across the United States does
23 not distinguish different levels of risk
24 by different levels of seriousness.

25 A new approach to risk

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2 assessment, in contrast, focuses solely
3 on offenders who are highly likely to
4 commit a very serious offense. Using
5 advanced data mining tools, the
6 University of Pennsylvania has provided
7 APPD with a new means of identifying
8 offenders under its supervision who are
9 most likely to be charged with murder or
10 attempted murder. This allows APPD to
11 focus its resources on those offenders
12 most likely to do the most harm.

13 By using a range of information
14 already found in the offenders' criminal
15 histories, these tools forecast homicide
16 risk among individual probationers and
17 parolees using statistical methods
18 similar to those employed in hurricane
19 forecasting, even identifying rare events
20 like finding needles in a haystack. By
21 focusing on cases most likely to commit
22 the most serious offense, homicide, the
23 APPD now has access to what might be the
24 most advanced risk assessment tool in the
25 country.

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2 Using the new risk tool, APPD,
3 in partnership with the University of
4 Pennsylvania, has launched the
5 five-officer Strategic Anti-Violence,
6 otherwise known as SAV-U. The SAV-U has
7 developed and is testing its protocols
8 for supervising a randomly selected
9 sample of the highest risk people in the
10 APPD caseload. The elements of this
11 protocol include the following: Low case
12 loads, 15 cases per officer maximum;
13 psychiatric assessments for each case by
14 a Penn psychiatric social worker;
15 cognitive behavioral therapy provided by
16 Penn for indicated cases; educational and
17 literacy support as needed; targeted
18 patrols by two plain-clothes police
19 officers and one probation officer to
20 each case each week, on both scheduled
21 and unscheduled occasions; weekly and up
22 to daily contacts between the probation
23 officer and the case; preparation and
24 support for reentry if the case client is
25 incarcerated; assistance in locating

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2 housing, drug treatment or other
3 services.

4 By the end of 2007, it is
5 possible that SAV-U will rise to 75
6 cases, each of which will remain assigned
7 to SAV-U for up to five years.

8 Whether APPD has a thousand
9 officers, 500 or even 400, our best use
10 for homicide prevention would be guided
11 by a risk-based clarification of
12 probationers. This classification would
13 not be based on the seriousness of the
14 offense for which they have been assigned
15 to APPD. It would not be based on the
16 seriousness of their prior conviction.
17 Nor would it be based on the simple
18 likelihood of recidivism in any offense
19 category. If the APPD were staffed in
20 accordance with its caseload's risk of
21 homicide, it would be best advised to
22 allocate caseloads according to risk of
23 committing or attempting murder. A
24 closely related option would be based on
25 a probationer's risk of committing

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2 murder, rape, robbery, aggravated assault
3 or a sex offense against a child.

4 Whatever the exact definition
5 of the serious offense profile to be used
6 as the basis for risk analysis, APPD now
7 has the capacity to forecast who is most
8 likely to be charged with those offenses,
9 based on their past behavior. This
10 forecast can now divide all APPD cases
11 into three groups, like an emergency room
12 triage process: High-risk violent
13 offenders, medium-risk violent offenders,
14 low violence-risk offenders.

15 The third group may consist of
16 cases with a high risk of property
17 offender but with a low risk of
18 committing the serious violent offenses
19 that the other two groups are likely to
20 commit. The medium-risk violent
21 offenders would be people who pose a
22 substantial threat but for whom current
23 resources do not allow the same intensity
24 of supervision and support as those
25 provided by the SAV Unit. The high-risk

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2 violent offenders would be limited to the
3 most highly ranked group of offenders
4 identified by the advanced risk analysis
5 model, with the cut-off mandated by the
6 number of officers available to provide
7 the SAV protocol.

8 Under this model, the APPD
9 would be restructured as a pyramid of
10 caseloads and serious violence-risk
11 levels. At the top of the pyramid would
12 be the smallest caseload with the highest
13 risk. Just below would be a larger
14 caseload with a somewhat lesser risk. At
15 the bottom would be the largest caseload
16 with the lowest risk.

17 Public recognition of high
18 rates of homicide among the APPD caseload
19 may contribute to a dialogue about the
20 ideal investment in adult probation and
21 parole. Evidence of the effectiveness of
22 low caseloads for high-risk offenders is
23 also needed. The APPD is currently
24 assessing the impact of the SAV-U
25 protocol on the rates of serious crime

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2 committed by APPD cases. A randomized
3 controlled comparison between standard
4 supervision and the 15-case maximum SAV-U
5 protocol will be completed by early to
6 mid 2008. Further conclusions can be
7 drawn at that time even while the
8 question of how best to support high-risk
9 people is being developed by trial and
10 error.

11 Offenders identified by the
12 forecasting model are typically people
13 who have suffered enormous problems in
14 life. They have often been abused as
15 young children. They've seen their
16 brothers and sisters shot or beaten.
17 They've been arrested for dealing drugs
18 even as accomplices to their own parents.
19 They may have chronic depression,
20 post-traumatic stress disorder, anxiety
21 disorder or chronic substance abuse.
22 They also may be psychotic or suffer from
23 bipolar disorder.

24 Given the complexity and needs
25 of each offender, there is almost no

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2 limit to how much a probation officer can
3 do to help bring order and hope to a
4 usually young person's life. The only
5 limitations are time, money and
6 imagination. Of the three, imagination
7 may be the most important. The
8 frustrations of working with such
9 difficult cases are great. Such work is
10 not for everyone. It is a far cry from
11 spending the day asking questions and
12 recording answers. The SAV-U protocol
13 requires a different set of tasks and
14 skills from the standard model of
15 probation. It also requires a mutually
16 supportive work culture in which small
17 teams of probation officers can support
18 each other, sharing challenges, ideas and
19 commitment.

20 High-risk and even medium-risk
21 supervision will also require changes in
22 the basic operating structure of the
23 Department. It implies a need to move
24 away from a day-shift-only mode of
25 operation. It will require substantial

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2 increases in police officers working with
3 APPD. It will need to be justified in
4 part by its potential to save money in
5 the rest of the criminal justice system,
6 notably the Philadelphia Prison System.
7 It will require new systems for
8 recruitment and retention focused on
9 educational incentives. Most of all, it
10 implies a strategy of budgeting now to
11 reduce costs later.

12 In conclusion, no one knows how
13 many probation officers Philadelphia
14 needs. Neither social scientists nor
15 probation administrators can offer a
16 clear formula. The answer may depend
17 very much on how probation officers are
18 trained, how they are organized and what
19 they do. The answer may also depend on
20 such environmental factors as the
21 availability of illegal guns, the growth
22 of gangs and the drug trade.

23 The question of what
24 Philadelphia could do with more probation
25 officers is easily answered. More

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2 high-risk offenders already identified
3 but not under special supervision could
4 be intensively supported by probation
5 officers trained for the task. More
6 potential murderers and murder victims
7 could be diverted from a violent fate.
8 Fewer murders in Philadelphia could get
9 the City off the front pages around the
10 nation, reducing any threat to tourism,
11 new employers and our national
12 educational institutions.

13 And I thank you for your time.

14 Before you ask any questions,
15 if you'd rather go in that order, that's
16 fine. I brought a probation officer with
17 me who has experience in handling 150
18 ratio to one and is now a member of our
19 SAV-U Unit I think that can give you some
20 even further details on what a day in the
21 life of a probation officer may be with
22 this new risk model.

23 COUNCILMAN RAMOS: That's
24 perfectly okay. You can proceed with
25 your testimony.

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2 MS. WOODSON: Good morning,
3 Madam Chair and members of the Committee,
4 and thank you to Councilman Savage for
5 inviting me here today. I'm Adult
6 Probation and Parole Officer Corrinna
7 Woodson and I am currently assigned to
8 the Strategic Anti-Violence Unit. Today
9 I offer a brief statement on the major
10 differences between supervising a high-
11 and low-violent caseload.

12 As we attempt to make our
13 neighborhoods safer, I sincerely believe
14 implementing and managing low-violent
15 caseloads should be examined. The
16 Philadelphia Adult Probation Department
17 plays a vital role by supervising those
18 criminal offenders who have been
19 sentenced to probation or released from
20 the county prison system. Many of these
21 offenders have extensive criminal
22 backgrounds and are known to be at high
23 risk for further criminal activity. With
24 the increased violence throughout the
25 City, our probation officers can play a

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2 critical role in any collaborative effort
3 to address the current level of violence.

4 On average, an APPD officer
5 currently supervises over 150 offenders.
6 Given court time and paperwork, this
7 translates into seeing each offender
8 roughly once every six weeks. While
9 these visits offer us a check-point to
10 make sure they still exist and roughly
11 gauge their compliance with the terms of
12 release, they do not allow officers a
13 fuller picture of their living conditions
14 or of the risk factors that lead to
15 recidivism.

16 Due to these historically high
17 caseloads, many of our officers simply
18 cannot have a meaningful impact on the
19 highest risk offenders. Frequently, time
20 constraints hinder the probation
21 officer's ability to gain valuable
22 background information and to assess the
23 offender's most vital needs. High
24 caseload numbers produce less
25 personalized supervision.

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2 Having been reassigned to a
3 unit capped at 15 probationers per
4 officer, I'm able to devote more
5 attention to their needs, the needs of
6 their families and their threat to the
7 community. This low caseload enables me
8 to see each person more than once a week
9 in different environments: in the home,
10 the office or in the field with police
11 officers and during non-traditional
12 hours. This allows me to develop a bond
13 with each of my offenders and their
14 families, as opposed to the check-point
15 model, which involves routine questions
16 such as did you obtain employment or have
17 you moved recently. Small caseloads
18 promote a facilitator model. I'm able to
19 conduct intensive background
20 investigations to gain a better
21 understanding of my probationers' past
22 and current behaviors, attitudes, values
23 and social networks. I'm able to conduct
24 comprehensive assessments of my
25 probationers that they are matched with

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2 appropriate resources tailored to their
3 needs. These resources include, but are
4 not limited to, individual or family
5 therapy, academic enrollment, employment
6 or even parenting or money management
7 skills. This process of investigation,
8 assessment and resource delivery is
9 critical to our goal of motivating
10 offenders to change their negative
11 behaviors and to recognize their own
12 strengths.

13 The main goal of our department
14 is to reduce recidivism and protect the
15 community. Under the check-point model,
16 officers are able to do little more than
17 provide a phone number to a treatment
18 facility or a community resource and
19 instruct an offender to call to make his
20 or her own appointments. With the
21 facilitator model, I'm able to ensure
22 that treatment and other resources are
23 actually delivered. That is to say,
24 instead of simply telling the offender to
25 go to his GED test and hoping he shows

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2 up, I'm able to actually transport him to
3 that test. In addition, I'm able to
4 revive family relationships through
5 holding the family more accountable and
6 getting them more involved. This ability
7 to follow up on the delivery of resources
8 and treatments combined with family
9 support enables us to have a real and
10 positive impact on offenders' lives.

11 Let me provide an example of
12 the kind of work I am now able to do.
13 This offender was assigned to my
14 supervision on November 20th, 2006. He
15 is a 19-year-old black male and has a
16 one-year-old son. His criminal history
17 contains arrests for armed robbery as a
18 juvenile and illegal firearms possession
19 as an adult. I first met with him over
20 the phone and instructed him to report
21 the following week. At this, he ran away
22 from home.

23 I made several contacts with
24 his family and informed them of the
25 officer reassignment. I also assured

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2 them I would be doing everything possible
3 to help get their son's life back on
4 track.

5 Several days later, his mother
6 called me to notify me of her son's
7 return. I immediately went to his home
8 and explained to him the consequences of
9 his actions. When asked what he thought
10 the consequence of his recent absconding
11 should be, he replied, Maybe I should
12 have a 12:00 a.m. curfew. After I
13 commended him for thinking of his own
14 consequence, we decided a 9:00 p.m.
15 curfew was more appropriate.

16 This curfew is still in place
17 and I am happy to report that he has
18 never been late coming home. I know this
19 because I call at 9:00 p.m. every night.

20 The family is very supportive
21 of and grateful for the Probation
22 Department's intensive supervision, and
23 both he and his family are proud of his
24 progress, while recognizing the work that
25 still needs to be done.

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2 Case notes from the previous
3 officer reflected that he claimed he was
4 attending a Twilight program for his GED
5 and that he and his mother were receiving
6 family counseling. Investigation
7 revealed these claims to be false. While
8 his mother wanted to attend counseling
9 with her son, she was unaware of the
10 referral. This offender is currently
11 receiving individual therapy and is set
12 to receive family therapy when
13 appropriate.

14 Regarding the GED classes as I
15 mentioned before, I actually drove him to
16 the evaluation education process. He was
17 there to discuss the results with the
18 test administrator. In addition to
19 ensuring his arrival, my presence there
20 was a clear showing of moral support and
21 encouragement. The offender's mother had
22 previously told me she thought her son's
23 reading level was well below average, but
24 test results show that in fact this
25 offender was not so far behind

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2 educationally. I told him how proud I
3 was of him, and we called his mother
4 together. That was a truly memorable
5 moment in which for the first time in his
6 life people were telling him how pleased
7 they were with him.

8 Having a more positive
9 interaction with the probation officer
10 establishes a trusting relationship with
11 the court representative and develops a
12 more positive experience with the
13 criminal justice system. Probation
14 officers not only serve as advisors but
15 have the potential to become a part of
16 the offender's positive social network.
17 This relationship, however, can only be
18 fostered in the context of a manageable
19 caseload size. It is my firm belief that
20 implementation of smaller caseloads will
21 lend assistance in helping probationers
22 become more responsible decision-makers,
23 develop positive peer influences and
24 achieve greater self-esteem through their
25 continued success, thereby reducing the

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2 City's crime rate.

3 Thank you.

4 COUNCILWOMAN MILLER: Thank you
5 for your testimony.

6 Before we have questions,
7 Dr. Sherman, do you want to testify?

8 DR. SHERMAN: Certainly, Madam
9 Chairwoman. Thank you for the
10 opportunity and good morning to all of
11 your colleagues here. I'm very grateful
12 at your interest in this question, which
13 I think is central to this community's
14 response to its rising homicide rate.

15 There's a number of numbers
16 that have been mentioned. I'd just like
17 to draw attention to a few of them. One
18 is that 22 percent of all of the murder
19 or arrests made in the City last year
20 were of people who are currently cases of
21 the Adult Probation and Parole
22 Department. One in four almost of those
23 arrestees were people who perhaps had
24 Probation had more resources might not
25 have killed somebody.

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2 In addition to that, we have 16
3 percent of the murder victims.
4 Fifty-five of the 344 gun homicide
5 victims were also on probation. Had
6 there been more probation and parole
7 resources, those 55 almost all young men
8 might still be alive today. And the
9 question is, how do we calibrate that
10 resource level? How many probation
11 officers would we need to be comparable
12 just to the rest of this state with
13 respect to the issue of homicide as the
14 top of the pyramid of crime to which
15 everything else is linked? And I was
16 astonished in preparing for today to go
17 to the state information and find out how
18 many adult probation officers there are
19 at the county level. And if you relate
20 that to the number of homicides outside
21 of Philadelphia and the number of county
22 probation officers outside of
23 Philadelphia, what you find is that
24 there's about 2.8 probation officers per
25 homicide outside of Philadelphia. If you

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2 apply that ratio right here in
3 Philadelphia, you would need 1,161 adult
4 probation and parole officers. That's
5 1,161 compared to the current number,
6 which is about 285. In other words, just
7 to bring us up to the level of probation
8 staffing for the rest of this state in
9 relation to their homicide problem, we
10 would need to have a fourfold increase in
11 the number of probation officers in the
12 City.

13 I'm not here today to advocate
14 that number. I think we might have
15 massive implementation problems if we
16 tried to move so quickly to have such a
17 rapid growth in the number of probation
18 officers, but I do want to say that
19 there's a substantial basis in analyzing
20 the number of probation officers
21 Philadelphia needs in relation to a
22 number of considerations.

23 Here's just three more numbers:
24 Over half of all the murders in the State
25 of Pennsylvania occur in Philadelphia.

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2 So Philadelphia has 51 percent of the
3 homicides in the state, and it has 21
4 percent of the county level probation and
5 parole officers. Now, that comparison
6 needs to be looked at in light of the
7 fact that when we look at the rate at
8 which probationers are murdered, that
9 rate of victimization is four times the
10 citywide rate per hundred thousand. And
11 if we look at the rate at which they are
12 arrested for committing murder, that rate
13 is seven times the citywide rate.

14 Now, that's just the total
15 probation caseload. Most of the 52,000
16 people on adult probation and parole are
17 never going to kill anybody. Ninety-nine
18 out of a hundred of them over a two-year
19 period don't get charged with murder or
20 attempted murder, but one percent of them
21 do, and identifying that one percent has
22 been the challenge that, until recently,
23 could not be met without super computers
24 and vast amounts of data.

25 Two years ago the Adult

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2 Probation and Parole Department came to
3 the University of Pennsylvania and asked
4 us for that kind of help. They said, We
5 have all this data, help us to make
6 better use of it to try to reduce crime
7 in this City. We recruited one of the
8 leading statisticians in the country to
9 move to Philadelphia with his family from
10 University of California at Los Angeles
11 where he was a distinguished professor of
12 statistics, and he has now worked with
13 those data. He is now able to identify
14 with 42 times more accuracy the people
15 who are likely to be charged with murder
16 or attempted murder from the probation
17 and parole caseload of the APPD, and that
18 is the basis of the SAV Unit, the
19 Strategic Anti-Violence Unit, which was
20 funded with a combination of
21 appropriation from the City Council,
22 moved by former Councilman Nutter, with
23 appropriation from the Commonwealth in
24 the form of a Pennsylvania Commission of
25 Crime and Delinquency Grant and in

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2 funding from the Jerry Lee Foundation,
3 which is a Philadelphia-based
4 philanthropy designed to learn how to
5 prevent violent crime more effectively.

6 What I think we are in a strong
7 position to say as a community is that
8 our Adult Probation and Parole Department
9 is not just asking for more money because
10 everybody wants more money. What we're
11 able to say is that they have spent two
12 years preparing for this moment,
13 preparing for better risk analysis tools
14 to identify those people most likely to
15 kill or be killed, spent two years
16 preparing for the question of what would
17 you do if you knew who was about to kill
18 somebody and how within the Constitution
19 could you help to reduce the risks that
20 they would kill. And the answers that we
21 are developing have much more to do with
22 increased support and somewhat to do with
23 increased surveillance and monitoring,
24 but certainly nothing to do with the idea
25 of pre-crime prevented attention or

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2 taking any coercive actions with people
3 based on a prediction of what they're
4 going to do. Rather, simply trying to
5 intensify the implementation of whatever
6 the Court has said, whatever the judge
7 has sentenced the offender to do as a
8 result of their most recent prior crime.

9 The distinction here is that we
10 are now using a much more full
11 information model to assess in a triage
12 way, just the way every emergency room
13 does in this City of great hospitals, to
14 decide who is most at risk, who deserves
15 the most attention from the available
16 staff at this moment and what are the
17 most effective things that can be done.

18 I think that with this kind of
19 preparation, the APPD is coming to you
20 today better prepared to take action that
21 will work against homicide than any other
22 probation agency in the country. And not
23 only that, it stands ready to test the
24 effectiveness by use of a controlled
25 trial, also the leading method of choice

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2 in evaluating the effectiveness of
3 prevention strategies in health, in
4 agriculture and many other fields.

5 So members of the City Council,
6 let me again thank you for raising these
7 very important questions and for
8 considering whether if there was a
9 limited amount of money to spend to
10 combat the homicide rate in the City,
11 whether it ought to be spread evenly
12 around the many low-risk people in the
13 City or heavily concentrated on those who
14 we can very reliably identify as the
15 people most likely to kill or be killed.
16 Those people are in the caseload of the
17 APPD, and I believe the APPD is well on
18 the way to making a big difference, but
19 you in your appropriations decisions, in
20 your view of reengineering this
21 critically important department could
22 make an enormous difference if you were
23 able to provide additional resources.

24 Thank you again, and I'd be
25 happy to answer any questions about any

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2 of these calculations or indeed other
3 calculations that are in the written
4 testimony that I've submitted through
5 Mr. Savage's office.

6 COUNCILWOMAN MILLER: Thank
7 you.

8 Councilman Savage. Oh, Ramos.
9 I'd also like to note that
10 Councilman Ramos for the purpose of our
11 record is also in attendance. He's a
12 member of this Committee.

13 COUNCILMAN RAMOS: Thank you,
14 Madam Chair.

15 Thank you so much for your
16 testimony. I am so glad that Councilman
17 Savage took this initiative to call for
18 this type of hearing on parole and
19 probation. This problem of violence
20 cannot just be tackled just from one
21 angle. It's more like an octopus
22 approach to this problem. There are so
23 many facets of it that have to be
24 addressed, addressed effectively, and
25 definitely taking a look at what you do

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2 is so important for resolving this
3 problem of crime and violence in our
4 street.

5 Ms. Woodson, how big is your
6 caseload? How many people are under your
7 supervision?

8 MS. WOODSON: My caseload is
9 currently being built since we just began
10 the unit recently.

11 COUNCILMAN RAMOS: How many do
12 you have right now?

13 MR. MALVESTUTO: Her maximum
14 caseload will be 15.

15 COUNCILMAN RAMOS: 15?

16 MR. MALVESTUTO: Yes.

17 COUNCILMAN RAMOS: Do you have
18 time to do 15?

19 MS. WOODSON: Yes.

20 COUNCILMAN RAMOS: You do?

21 MS. WOODSON: Yes.

22 COUNCILMAN RAMOS: You gave an
23 example of something that obviously just
24 by the way you testified and your facial
25 expressions that you felt good about this

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2 one person that has a curfew at 9 o'clock
3 and he's there and it seems like he's
4 trying to get his life together. Are
5 most of your cases as gratifying as that
6 one or are most of them different than
7 this one?

8 MS. WOODSON: Majority of my
9 cases are as gratifying as this one, yes.

10 COUNCILMAN RAMOS: So you see
11 people under your supervision that really
12 want to get their lives together and they
13 abide by the restrictions that have been
14 put on their movement, right? Is that
15 what you're saying?

16 MS. WOODSON: Yes.

17 COUNCILMAN RAMOS: Okay. Any
18 of you two gentlemen, is this a
19 generalization that one can make, that
20 you have under your care in probation
21 programs people that actually are abiding
22 by the restrictions set forth by the
23 courts versus -- because what I hear a
24 lot is that there's individuals out there
25 violating parole and probation and that

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2 that's one of our big problems.

3 MR. MALVESTUTO: I think that's
4 why we talked about the triage approach.
5 There's some people that are most likely
6 to be identified as high-risk offenders
7 that really need specific attention, more
8 services than those people that are
9 low-risk offenders. Some people do well,
10 very well, and don't need the type of
11 attention that we're talking here with
12 the SAV Unit. Some people do comply,
13 they make mistakes and move on, but I
14 think we're talking about a different
15 group of offenders for this type of --

16 COUNCILMAN RAMOS: So it
17 depends on the offenses that they have
18 been charged with where you can calculate
19 compliance or non-compliance; is that
20 what you're saying?

21 DR. SHERMAN: Mr. Ramos, I
22 would rather place it in terms of their
23 entire criminal history of arrests as
24 opposed to the offense on which they're
25 currently being supervised, which is the

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2 standard practice in probation but which
3 our statistics suggest doesn't predict
4 their risk of compliance were indeed
5 killing somebody nearly as well as how
6 young they were when they were first
7 charged with a serious offense, how old
8 they still -- or how young they still may
9 be, since it's a heavy concentration of
10 murder among people under 22 in this
11 City, and whether they've ever had a gun
12 charge, which is, again, different from
13 whether they're complying with the
14 conditions of probation, which actually
15 doesn't predict very well who is going to
16 kill somebody.

17 So a lot of the traditional
18 focal points of action and even putting
19 people in prison for probation have not
20 been good predictors of homicide and,
21 therefore, haven't necessarily been good
22 places to focus our efforts. What I
23 think you're hearing from one of the
24 members of this pioneering new unit is
25 that when you have a small enough

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2 caseload, you can begin to build a
3 special relationship, you can begin to
4 stay in very close touch with people and
5 make sure things happen, and that we hope
6 will get a much lower failure rate with
7 this group than we would, say, with 150
8 cases per officer. And with those
9 people, the failure rates are very high
10 all over the country. You have thousands
11 of warrants for people who have violated
12 the terms of probation and gone missing,
13 and the police department encounters them
14 in traffic stops and other places, but
15 it's very hard to locate people once they
16 have gone on violation.

17 And one of the big causes of
18 the rise in the prison population, both
19 at the local level and nationally, is
20 people going back to prison for
21 violations of probations, not necessarily
22 the most dangerous people, not
23 necessarily for much good for the public
24 cost it's incurring. But whatever we
25 find out and come back to you a year from

22 The message here is that if we
23 invest probation in high-risk cases with
24 low caseloads, we might be able to turn
25 the corner that's been building up for

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2 years with high caseloads mostly with low
3 risk but with some high-risk people
4 thrown in there.

5 COUNCILMAN RAMOS: Correct me
6 if I'm wrong. Are you proposing that
7 there should be or is there already or is
8 this already in motion where you're
9 proposing a revamping of the system and
10 the approach of the system? Is it more
11 prevalent in your line of work that the
12 case -- is the case in Wilmington
13 prevalent in the way the system works
14 right now? The person was 20 minutes
15 late in seeing me, the probation officer,
16 and you're off to the big house. Is that
17 more prevalent than, well, this guy has
18 shown up on time most of the time, let's,
19 I think you said, discuss it or talk it
20 out? I mean, is this more prevalent?

21 DR. SHERMAN: I think in the
22 history of probation in the United States
23 there's been three stages. The first
24 stage was, we're in favor of the
25 offender. The second stage has been,

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2 We're out there to catch the offender and
3 put him back in jail. The third stage,
4 which I see represented here today, is,
5 Let's try to prevent crime, let's do what
6 works.

7 MR. MALVESTUTO: Keep in mind,
8 just a follow-up to what Dr. Sherman
9 said, we've already started what he
10 talked about with the Youth Violence
11 Reduction Partnership with caseload
12 maximums of 50 and with Gun Court.

13 COUNCILMAN RAMOS: I like that
14 program.

15 MR. MALVESTUTO: Which had a
16 substantial decrease in recidivism in the
17 last year. So some of these high-profile
18 cases have already gave this credence to
19 look ahead.

20 COUNCILMAN RAMOS: Thank you,
21 Madam Chair.

22 COUNCILWOMAN MILLER: Thank
23 you.

24 Councilman Savage.

25 COUNCILMAN SAVAGE: Thank you,

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2 Corrinia Woodson, Bob Malvestuto and
3 Dr. Lawrence Sherman for coming out
4 today.

5 The Adult Probation and Parole
6 Department is a neglected department.
7 The average person, individual, and a lot
8 of people in government aren't -- they
9 don't have a proper lens to what is
10 really going on. People think that a
11 probation officer's only job is to
12 supervise, but it's more than that, and
13 your testimony today and the testimony
14 prior to you had shown that, that the
15 person is a liaison to social services,
16 the person is the future for an
17 ex-offender, and basically it's a reentry
18 program. And we hear the word "reentry"
19 program, but the APPD is really a reentry
20 program. And we do need more probation
21 officers. You had said a number,
22 Dr. Lawrence Sherman.

23 Mr. Malvestuto, how many
24 probation officers do you feel is
25 necessary for adequate supervision?

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2 MR. MALVESTUTO: I think I'd
3 probably have to answer that the same way
4 Judge Jones did. As many as the City and
5 Council can afford to give us is as many
6 as we would put towards more high-risk
7 offender populations; namely, SAV-U,
8 YVRP. I'd love to have a hundred
9 additional probation officers to begin
10 something like that.

11 I think one of the risk models
12 indicated that just to do our high-risk
13 offender population with a caseload of 25
14 and -- don't quote me, but I think that
15 calls for just 200 probation officers
16 just to do that level, not even looking
17 at medium risk and low risk.

18 So whatever numbers could be
19 provided would be a substantial support
20 to safety in the City.

21 COUNCILMAN SAVAGE: Okay. I
22 have a question for you. How is the APPD
23 within Philadelphia funded?

24 MR. MALVESTUTO: APPD is funded
25 through City of Philadelphia through the

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2 FJD.

3 COUNCILMAN SAVAGE: Thank you.

4 I just want to make that clear, because I
5 feel that's sometimes a question that
6 needs to be answered. Some people aren't
7 aware of that and that's why I wanted to
8 make it clear.

9 Corrinia, you have 15 caseloads
10 in the SAV-U Unit. Do you feel that
11 that's the maximum you can handle while
12 still providing adequate supervision?

13 MS. WOODSON: With the level of
14 resources that we provide, I do think
15 that that would be the maximum we could
16 handle.

17 COUNCILMAN SAVAGE: Okay. And
18 what hours do you work in the SAV-U Unit?

19 MS. WOODSON: We work 9:00 to
20 5:00.

21 COUNCILMAN SAVAGE: 9:00 to
22 5:00?

23 MS. WOODSON: Yes.

24 COUNCILMAN SAVAGE: I thought
25 you had said --

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2 MS. WOODSON: I'm sorry. We do
3 have targeted patrol.

4 COUNCILMAN SAVAGE: Excuse me?

5 MS. WOODSON: We do have
6 targeted patrol also.

7 MR. MALVESTUTO: Traditionally
8 they're 9:00 to 5:00 hours, but with the
9 new SAV-U Unit, they're non-traditional
10 hours that they go out with the
11 Police/Probation partnership, which takes
12 them from 4:00 to 8:00, 8:00 to 12:00.
13 So they're out with differential hours.
14 That's beginning now, and it's also a
15 product of YVRP and Gun Court.

16 COUNCILMAN SAVAGE: Okay.
17 Dr. Sherman, in your estimation, how does
18 the increase in strengthening of the APPD
19 stack up against other forms of crime
20 prevention?

21 DR. SHERMAN: I think that this
22 is the one that has the greatest capacity
23 to make a difference with a population
24 that's already gone through the hard part
25 of the system. They've been caught.

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2 They've been prosecuted. They've been
3 convicted or pled guilty and they've been
4 sentenced. And we have no better place
5 to start in the City to prevent crime
6 than this population.

7 When we hire additional police
8 officers, unless they're going along with
9 Ms. Woodson in a visit to one of her
10 high-risk potential murderers as clients,
11 a police officer spends a good deal of
12 time on patrol answering calls about
13 quality of life issues that are not
14 likely to result in a difference in the
15 homicide rate. When they're patrolling
16 in most areas of the City, which tend to
17 be low crime most of the time, they are
18 not likely to prevent a serious crime
19 from occurring. But every minute of
20 every day that a high-risk probation
21 caseload is being addressed by these
22 officers who are trying to make a
23 difference with terrible traumas in their
24 lives, possibly head injuries or
25 post-traumatic stress symptoms, chronic

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2 depression, substance abuse problems,
3 illiteracy, if they can help these tiny,
4 tiny fraction of all of the offenders in
5 the City of all of the people in the
6 City, if they can make a difference with
7 their lives, that dollar spent for that
8 purpose is probably going to have a much
9 greater yield than a dollar spent for
10 more police or more prosecutors or more
11 prisons, for that matter, because the
12 prisons simply postpone the problem and
13 in some respects may make it worse, but
14 probation, given the capacity to try to
15 rehabilitate people where they live in
16 the community so they don't have to go
17 through a reentry, they're already there
18 and they've already gotten in the habit
19 of obeying the law and not killing
20 people, that seems to me to be the place
21 where as a society we are not only
22 investing at the moment, we have close to
23 6 million people under community
24 supervision compared to 2 million people
25 behind bars, but we could drastically

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2 reduce the money spent on people behind
3 bars and possibly other areas of the
4 system by investing in probation,
5 reducing recidivism, having fewer cases
6 coming in the front door of the system.
7 And an investment in probation could even
8 reduce the prison crisis and the federal
9 court order that the Philadelphia Prison
10 System is facing at the moment. It could
11 be part of an agreement, a consent decree
12 with the judge as a strategy for getting
13 the prison population down, is to have a
14 greater investment in probation and
15 parole. And make no mistake, somebody is
16 going to have to spend some money or see
17 some other drastic alternatives coming
18 out of that federal court order.

19 So I think it's a very good way
20 to think about if we had X amount of
21 dollars to spend on the homicide problem
22 in this City, where should it be invested
23 most strategically. It's a question that
24 can be and, believe me, I will be putting
25 to the Pennsylvania Legislature as well

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2 to see whether they could help get the
3 state's homicide rate down, since half of
4 it is right here, and it's a question
5 that I think that the voters will be
6 thinking about in the coming election
7 campaigns about the future of our City.

8 So I appreciate that question,
9 and I guess I should say forthrightly if
10 you have one place to put some money, it
11 would be right here.

12 COUNCILMAN SAVAGE: I have one
13 more question for Dr. Lawrence Sherman.
14 Concerning the statistical model, what
15 are some of the main predictors in
16 determining the likelihood of a
17 probationer committing homicide?

18 DR. SHERMAN: Professor Richard
19 Burke has worked very closely with
20 Dr. Ellen Kurtz, the Director of Research
21 for the Adult Probation and Parole
22 Department, to continue to try to improve
23 this model, in which a number of factors
24 simultaneously are used to forecast
25 homicide, just the way many factors are

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2 used to forecast a hurricane or a
3 tornado, and there's similar structure to
4 that kind of analysis.

5 The things that if you took out
6 of the model that would reduce its
7 predictive accuracy the most at the
8 moment are early prosecution as an adult,
9 say, getting arrested for armed robbery
10 at age 14. You might not get convicted.
11 Probably won't get convicted, because the
12 witnesses may not come or whatever. But
13 that early prosecution as an adult
14 combined with the fact that you're still
15 under 21 or 22 -- oh, and a very big
16 factor that we all have to remember and,
17 that is, that you're a male, because the
18 males are all over the world throughout
19 the courts of human history the people
20 who are most likely to be in this
21 prediction model for who is going to kill
22 somebody else. And then recently we've
23 added the gun possession data,
24 information about a prior charge for gun
25 carrying.

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2 Those would be the ones that
3 stand out very strongly, but, again, it's
4 a complex model. There's about 15
5 different variables that are included in
6 it, and there's a bit of rocket science
7 that we're very grateful that the
8 statisticians have been able to bring to
9 this and will continue to, so that every
10 time new cases are drawn for
11 Ms. Woodson's caseload and her colleagues
12 in the Strategic Anti-Violence Unit,
13 they'll be using this highly advanced
14 model that's not unlike a weather
15 forecast but is focused just on the
16 caseload of the APPD.

17 COUNCILMAN SAVAGE: Thank you.

18 Mr. Malvestuto, if Council
19 expands their budget for additional
20 officers, how will they be used?

21 MR. MALVESTUTO: Again, if
22 you're expanding your budget for
23 additional officers, they'd have to be
24 used for the high-risk offender
25 population, since that's the model that

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2 we're looking to emulate, that what we're
3 using in the initiation with SAV-U. It's
4 already a proven factor with YVRP, and
5 Gun Court has substantially reduced its
6 recidivism over the last year. Our
7 officers would go to -- like I said, I
8 think the number before was about 200
9 officers would be needed to get caseloads
10 of 25 for these high-risk offenders.
11 That's where we need to put our emphasis
12 on.

13 COUNCILMAN SAVAGE: Okay.
14 Thank you.

15 COUNCILWOMAN MILLER: I have a
16 follow-up question. You keep using YVRP
17 as an example and as a model, so,
18 therefore, I just wonder, are you
19 targeting a certain age high-risk
20 offender for this -- is it the SAV-U
21 program?

22 MR. MALVESTUTO: YVRP, it's
23 more of a clinical assessment where we as
24 a group got together and selected who we
25 thought were the most likely to be killed

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2 or to kill. The diagnostic model that
3 the University of Penn provides takes in
4 all the different categories that
5 Dr. Sherman mentioned, takes in age,
6 direct violence as a juvenile, takes in
7 more categories than what we did with the
8 Youth Violence Reduction Partnership.

9 COUNCILWOMAN MILLER: I know,
10 and I thought the YVRP program was pretty
11 successful.

12 MR. MALVESTUTO: It is.

13 COUNCILWOMAN MILLER: Is there
14 a particular age group you're targeting
15 for this intensive supervision?

16 MR. MALVESTUTO: I don't think
17 there's a particular age group associated
18 with it, but, however, I think they all
19 fall in a particular range, around 22.

20 DR. SHERMAN: If I could just
21 say, we did find one person in his 40's
22 with a very long record of gun charges
23 and so forth, and despite the fact that
24 age is a very important factor on
25 average, this fellow in his 40's was also

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2 very high risk and could potentially
3 become a SAV-U case.

4 So there's no actual cut-off
5 the way there is with YVRP, because as
6 the Chief said, it's a statistical model
7 rather than a clinical model. But I was
8 encouraged to see that the YVRP actually
9 identified about half the cases we
10 identified with the statistical model,
11 and I think that's an impressive
12 indication that all these ways of coming
13 in high-risk cases tend to be pointing in
14 the same direction and with good promise
15 that we can make a difference if we put
16 more resources with those cases.

17 COUNCILWOMAN MILLER: We had
18 young people in City Council that are
19 part of Don't Fall Down in the Hood and
20 AVRP and YVRP maybe a week or so ago.
21 They came in and we had a hearing that
22 allowed them an opportunity to express
23 themselves and say what they thought we
24 should be doing in a variety of areas,
25 education, recreation, et cetera, and

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2 several of them actually were graduates,
3 in a sense, of Don't Fall Down in the
4 Hood, but, of course, the number one
5 issue or one of the number one issues
6 concerning reentry or successful stand on
7 the streets is that they can't find
8 employment. And then, of course, that
9 says idle time, you're not doing much
10 with your time.

11 What are you going to do in
12 this program to make it different for
13 maybe -- because some of the young men
14 did testify that they've had a very,
15 very, very hard time locating employment.
16 And we all know that employment is a big
17 issue here.

18 So are you going to have
19 something built into this program that
20 will have them participate in maybe
21 volunteer activities, education or
22 training activities? Is that going to be
23 part of a required -- because if these
24 kids are just going to sit home all day
25 or -- I call them kids. They're younger

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2 than me. If these young folks are going
3 to sit home, it ends up they're right
4 outside just doing things that they
5 shouldn't be doing.

6 MR. MALVESTUTO: Again, I have
7 to go back to with a caseload of 15,
8 you're finding more time to broker the
9 services necessary, spending time with
10 career links. Like Ms. Woodson actually
11 took the person to school, took the
12 person to look for places of employment.

13 You're absolutely right. And I
14 think it was a publication around 2003
15 through the United States Office of
16 Probation, Parole and Pretrial Services
17 that -- and don't quote me on this, but
18 the number is something like you're 500
19 times more likely to be rearrested if
20 you're unemployed as compared to anybody
21 else on probation and parole. It could
22 be the number one factor that we have to
23 give attention to.

24 COUNCILWOMAN MILLER: Right.
25 And I do know as a Councilmember people

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2 stop me all the time asking me to help
3 them find employment and many of them are
4 ex-offenders, and no matter sometimes how
5 hard you work helping them, it's just not
6 successful. So I know the employment is
7 really, really a big issue, and housing.
8 And so I would hope that it's in this new
9 unit.

10 But I guess the larger question
11 is, how is the Probation Department
12 interacting and working with all of the
13 other City agencies and services that are
14 available and with the clergy initiative
15 and with the Office of Reentry and all
16 those things?

17 MR. MALVESTUTO: Actually, I
18 work with the Mayor's Office of Reentry
19 Service with Ms. Harriet Spencer back
20 there, who is opening up a one-stop out
21 at 52nd Street, and we've paid a visit
22 there last week. We are going to house a
23 probation officer out there for reentry
24 purposes. We've also talked to
25 Ms. Spencer about possibly even putting a

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2 kiosk out there for low-risk offenders to
3 divert some of the population coming
4 downtown and have people feel a little
5 bit more comfortable from maybe where
6 they live. So we have somewhat of a
7 working relationship with the Mayor's
8 Office of Reentry Services.

9 COUNCILWOMAN MILLER: And any
10 other agencies like Department of
11 Community Behavioral Health and whatever.

12 MR. MALVESTUTO: We broker
13 services with PHMC. All the social
14 service networks that we've been involved
15 with we've been involved with for years.

16 COUNCILWOMAN MILLER: And I
17 notice when many people come in to
18 testify around this issue, they talk
19 about the number of people on probation
20 and parole that are city or state. What
21 are the federal numbers? Does anyone
22 know?

23 MR. MALVESTUTO: I don't know
24 the federal numbers. I could tell you
25 that we have 52,000 people on probation

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2 and parole. State Board of Probation and
3 Parole has about 9,000 offenders. U.S.
4 probation I do not know.

5 COUNCILWOMAN MILLER: Okay.
6 And I'm glad to see that University of
7 Penn is here today talking about how
8 you're teamed up in this whole effort.

9 I get this. I guess I
10 subscribed to a list maybe about three
11 weeks ago. It's a national gang
12 information list and I get like all these
13 e-mails every day, which questions
14 whether I really need to be on that list.
15 However, I get a lot of information from
16 John Hopkins. They're doing lots of
17 seminars, workshops, and they really seem
18 to be involved, and it just made me
19 wonder what the universities and whatnot
20 are doing here in Philadelphia.

21 So I'm glad that you're here,
22 and I know that you've been involved. I
23 know you're involved with the Blueprint
24 for a Safer Philadelphia, but also to see
25 that you're working hand in hand with the

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2 Probation Department. And maybe in that
3 effort we can come up with a realistic
4 number of additional probation officers
5 needed.

6 In your testimony -- I believe
7 it was Dr. Sherman's testimony -- you
8 said compared to the rest of the state in
9 terms of numbers, we would need an
10 additional 1,161 probation officers,
11 correct?

12 DR. SHERMAN: That would be a
13 total, Madam Chairwoman, not an
14 additional, but the total number, which
15 would be a fourfold increase, yes.

16 COUNCILWOMAN MILLER: Right,
17 versus the 285 that we have.

18 DR. SHERMAN: That's correct.

19 COUNCILWOMAN MILLER: Okay. So
20 maybe you two can really work together
21 and come up with some good
22 recommendations.

23 Oh, and I did want to mention,
24 I missed most of your testimony and also
25 yours, Mr. Malvestuto, but I was glad to

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2 hear when I walked back in the room that
3 you were talking about -- I'm sorry. I'm
4 looking for your name. Corrinia Woodson,
5 I was glad to hear you mention families,
6 because I was wondering how the family is
7 really connected and what is the family's
8 role and responsibility. Certainly we
9 know family members of people that are on
10 probation or parole, but I think the
11 family is an important part and has to be
12 integrated into whatever supervisory plan
13 that you come up with.

14 I've wondered sometimes -- I
15 think families have to be comfortable
16 enough to reach out to the probation
17 officer to ask for help and it doesn't
18 look like they're telling on the person
19 that's on probation, because I think
20 everybody's goal is to have them be
21 successful. I have a niece that's
22 working with the Youth Advocate Program
23 with the Juvenile Probation, and many of
24 those girls that she has are court
25 adjudicated. Most of those actually are

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2 on probation. Most of those young ladies
3 are on probation because of fighting in
4 school or in the neighborhood. But I
5 believe that the families play a key
6 role, and I'm glad to hear that in this
7 unit you'll really, really be emphasizing
8 contacting the families and working with
9 the families of these offenders.

10 Has it been helpful, just
11 working with the families?

12 MS. WOODSON: Yes, definitely.

13 COUNCILWOMAN MILLER: Okay.

14 That's good.

15 We have one more Councilmember
16 that wants to ask some questions.

17 Councilman Rizzo.

18 COUNCILMAN RIZZO: I guess I'll
19 direct it to the Chief. I guess in any
20 organization or process there has to be a
21 balance of people versus technology, and
22 when Lynne Abraham, our District
23 Attorney, indicated that you guys were
24 still dealing with rotary telephones, at
25 least you don't have to push "1" for this

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2 or that, but that kind of got my
3 attention.

4 Tell me about the benefits of
5 technology, what you can do and what can
6 it do to make your job even tougher. I
7 talked to a person recently that told me
8 that he thought that this person was in
9 this state and they had call forwarding
10 on the phone and it was in another state
11 and it was very difficult to manage this
12 particular process that they were
13 involved in.

14 So tell me, is there more
15 technology out there that would be
16 helpful?

17 MR. MALVESTUTO: We're far
18 beyond what the District Attorney had
19 mentioned earlier. Actually, April of
20 last year we started a new caseload
21 management system within the Adult
22 Probation and Parole Department, which
23 handles all information systems within
24 the Department, capturing all the
25 necessary dynamics, demographics. We

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2 also use JNET, which gives us information
3 statewide arrest-wide throughout the
4 Commonwealth. Officers have access to
5 that. Court of Common Pleas just went
6 with a new caseload management system,
7 which is another way of tracking each
8 individual docket.

9 So the officers have more
10 technology at their hands today than
11 they've ever had in the history of
12 Probation and Parole.

13 COUNCILMAN RIZZ0: Maybe this
14 isn't even what you do. When a person is
15 confined to their home and they have that
16 bracelet, is that you?

17 MR. MALVESTUTO: That's us, us
18 in cooperation with Pretrial Services.
19 They do the installation; we do the
20 supervision of it.

21 COUNCILMAN RIZZ0: So you're
22 pretty much technically where you need to
23 be? I mean, they tell me there's GPS
24 devices now that can --

25 MR. MALVESTUTO: We've just had

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2 a meeting with somebody to look at GPS
3 devices two weeks ago. We're still using
4 the EMU devices, but GPS does have some
5 potential.

6 COUNCILMAN RIZZO: So when we
7 talk about money, we're going to talk
8 about making sure that you have the best
9 technology, along with the necessary
10 number of people.

11 MR. MALVESTUTO: I'm glad you
12 said that, because you're absolutely
13 right. And one other thing I would like
14 to add is that I mentioned earlier the
15 use of kiosk reporting for low-risk
16 offenders. There's technology there.
17 And I think when Commissioner Marty Horn
18 came down, he might have indicated that
19 it was about \$10,000 for each one of the
20 kiosks, not indicating the amount of
21 software and the technical interfaces. I
22 don't know what the monies would be
23 there, but that certainly should be
24 considered as Council takes that into
25 consideration. So thank you for the

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2 thought.

3 COUNCILMAN RIZZO: I learned a
4 lot today. Thanks.

5 MR. MALVESTUTO: Thank you.

6 COUNCILWOMAN MILLER: Okay.
7 Thank you. Thank you for coming and
8 sharing your information with us. Thank
9 you.

10 MR. MALVESTUTO: Madam Chair,
11 Councilman, I thank you for the
12 opportunity.

13 MS. WOODSON: Thank you.

14 DR. SHERMAN: Thank you all.

15 COUNCILWOMAN MILLER: We have
16 Mr. Alfonso Albright from New York City,
17 who actually needs to leave; Harriet
18 Spencer; and Denise Clayton. And
19 Mr. Albright can go first.

20 Mr. Albright, someone said you
21 had to leave?

22 MR. ALBRIGHT: Well, I got a 2
23 o'clock train, yes.

24 COUNCILWOMAN MILLER: So we'll
25 let you go first.

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2 MR. ALBRIGHT: Thank you.

3 COUNCILWOMAN MILLER: Just
4 identify yourself for the record. Thank
5 you.

6 MR. ALBRIGHT: Okay. My name
7 is Alfonso Albright. I'm the CIO, Chief
8 Information Officer, for the New York
9 City Department of Probation. Good
10 afternoon, Madam Chair and Council.

11 COUNCILWOMAN MILLER: Good
12 afternoon.

13 MR. ALBRIGHT: I received an
14 invitation from Commissioner Horn to talk
15 in regards to the reusable case
16 management system and our probation
17 kiosk.

18 The agency deployed the first
19 kiosk in 1997. It was supplied as a
20 system with features to communicate with
21 ARTS, our current DOP, Department of
22 Probation, case management system.

23 The RCMS kiosk is a supervisory
24 tool that can manage the regular check-in
25 of low-risk probationers. This allows

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2 for the Department to focus its efforts
3 on higher-risk probationers.

4 Probation requirements dictate
5 that probationers must report to the
6 Department according to the terms of
7 their sentence. Although the system is
8 designed to allow probationers to report
9 to a kiosk rather than to a probation
10 officer, the kiosk can be used to
11 supplement probationer reporting
12 requirements and can be used in
13 conjunction with an in-person reporting
14 schedule.

15 Besides managing their
16 check-in, the RCMS kiosk system provides
17 a way for the Department to communicate
18 with the probationer population in the
19 five boroughs of New York City. Apart
20 from the reporting/check-in process that
21 is done by the probationer, the
22 application generates automatic "failed
23 to report" letters and emergency alerts,
24 such as rearrest notification. These
25 features enable the Department to

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2 maintain and track the probationer's
3 compliance.

4 The RCMS kiosk is comprised of
5 four main interfaces designed for the use
6 by four different types of users as
7 described: The probationer interface
8 used by probationers to perform their
9 routine check-ins per their conditions of
10 probation; the kiosk attendant/probation
11 officer interface used by kiosk
12 attendants and probation officers to
13 monitor and manage those probationers
14 using the kiosk; the business
15 administrator interface used by the
16 operational management for reporting and
17 application. We figure if you can't
18 measure it, you can't manage it. And the
19 system administrator interface used by
20 the Office of OIT, Office of Information
21 Technology, staff to set up, configure
22 and monitor the application's
23 performance.

24 The current status is, RCMS
25 kiosk application was deployed citywide

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2 on August 15, 2005. Since then, the
3 application has been running successfully
4 in all five boroughs. Kiosks are
5 deployed in each borough of New York City
6 and administered by OIT from one
7 location. A typical site set-up consists
8 of four to six kiosks and two kiosk
9 attendants. Till date, the kiosk has
10 enrolled over 10,000 unique probationers.
11 On average, 17,500 probationers report to
12 a kiosk monthly.

13 COUNCILWOMAN MILLER: Thank
14 you. We're not part of the technical
15 department, so what is a kiosk? I mean,
16 do you just call? Is it a call system?

17 MR. ALBRIGHT: A kiosk can
18 pretty much be described as an ATM. What
19 it allows is, instead of the low-level
20 probationers -- currently we have about
21 22,000 low-level low-risk probationers on
22 the kiosk that report on a monthly basis,
23 usually the week of their birthday. So
24 if your birthday is on the 15th, that
25 week of the 15th you would report to the

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2 kiosk. You would answer several
3 questions: Do you still reside at this
4 case address, have you been rearrested,
5 are you still employed. Any question
6 that they're responding as "no" to,
7 they'll have to change. If they are
8 rearrested, we already have that
9 information from a pull, a feed from
10 DCJS, Department of Criminal Justice
11 Services, that already indicates and
12 notifies us that the person has a
13 rearrest. So they're not allowed --
14 they're allowed to complete going to the
15 kiosk to answer the questions, but they
16 are told to report to kiosk attendants,
17 and their probation officer is notified
18 to come out and inquire about the
19 rearrest.

20 COUNCILWOMAN MILLER: So where
21 are these kiosks located?

22 MR. ALBRIGHT: Each of the
23 kiosk terminals are located in the --
24 we've set up certain areas inside each
25 probation location, a kiosk room that the

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2 kiosk attendant -- I mean, there's two
3 kiosk attendants in that location and six
4 to seven machines at each location, and
5 they report to those locations.

6 COUNCILWOMAN MILLER: So people
7 get a card like similar to an ATM card?

8 MR. ALBRIGHT: No. Actually,
9 we supply them with a biometric hand scan
10 at registration and a pin number
11 attached. So they have to put their hand
12 on the biometrics. That identifies who
13 they are. Plus they have a pin number.
14 And that's how they check in to start
15 answering the questions. And at the end
16 of the question round, there's a receipt
17 printed out that indicates to them when
18 their next time they're supposed to
19 report to the kiosk.

20 COUNCILWOMAN MILLER: So do
21 they ever see a human being?

22 MR. ALBRIGHT: Yes. They are
23 assigned to the reporting track. And
24 some of the people on probation for
25 low-level DWI or low-level drug offenses,

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2 in the reporting track they have one
3 probation officer that has a caseload of
4 350 to one, and if they need any
5 additional information, they can always
6 see that probation officer. But that's
7 usually the person they see.

8 COUNCILWOMAN MILLER: And your
9 system is working pretty effectively?

10 MR. ALBRIGHT: Yes. We've been
11 using the kiosk since 1997 when we first
12 deployed it and we've never had a
13 problem.

14 COUNCILWOMAN MILLER: All
15 right. I would assume that people would
16 rather be supervised by kiosk.

17 MR. ALBRIGHT: That's the
18 incentive, that you don't have to sit
19 around in the waiting room. They answer
20 the questions. We have a record so
21 there's compliance. In our statistics it
22 will verify or show how many people
23 reported to the kiosk on a monthly basis,
24 how many failed to report one time, two
25 times. We go all the way up to seven.

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2 And if they fail to report to the kiosk,
3 it's just like failing to report to a
4 probation officer. We can bring them in
5 on a violation spec and bring it back in
6 front of the judge.

7 COUNCILWOMAN MILLER: Okay.

8 Thank you.

9 Councilman Savage.

10 COUNCILMAN SAVAGE:

11 Mr. Albright, thank you for coming down
12 today.

13 MR. ALBRIGHT: No problem.

14 COUNCILMAN SAVAGE: How much is
15 the cost of the implementation of the
16 kiosk?

17 MR. ALBRIGHT: When we first
18 introduced the kiosk back in 1997, our
19 first kiosk cost about \$25,000. We
20 created the kiosk using open software.
21 We own the software, so we can pretty
22 much build a kiosk for between \$8,000 and
23 \$10,000. We own the software, New York
24 City Department of Probation, because we
25 web-based it. That allows for a

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2 probation officer to see it from his or
3 her desk and a kiosk attendant and
4 management, all to see who is reporting
5 to the machine at one time.

6 COUNCILMAN SAVAGE: Okay. And
7 I don't know if I heard you say this, but
8 how many kiosk sites do you have?

9 MR. ALBRIGHT: There's a kiosk
10 site in all five boroughs, between six
11 and seven machines at each location,
12 except for Staten Island, we probably
13 have four machines.

14 COUNCILMAN SAVAGE: Okay. All
15 right. Thank you.

16 COUNCILWOMAN MILLER: I know in
17 New York you have the video surveillance
18 cameras. Do you know much about those
19 cameras?

20 MR. ALBRIGHT: Yes.

21 COUNCILWOMAN MILLER: I figured
22 you did since you're the CIO, Chief
23 Information Officer.

24 MR. ALBRIGHT: Right.

25 COUNCILWOMAN MILLER: Some of

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2 the cameras have the ability to -- I'm
3 just trying to think what you call it,
4 but they have the ability to pick up
5 people or pick out people that have an
6 outstanding warrant. What is that
7 called?

8 MR. ALBRIGHT: Surveillance?

9 COUNCILWOMAN MILLER: The video
10 surveillance cameras.

11 MR. ALBRIGHT: Well, it depends
12 on where the camera is located. And if
13 you're referring to probably the waiting
14 area of a particular area, I'm pretty
15 sure you could grab software. That's
16 really high tech. That's like "24"-ish.
17 To focus on an individual person that
18 you're looking for, someone would have to
19 monitor that type of camera to probably
20 go through a scan through the faces and
21 to come up with somebody to recognize.

22 COUNCILWOMAN MILLER: There's
23 some kind of face recognition?

24 MR. ALBRIGHT: Recognition
25 software, right.

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2 COUNCILWOMAN MILLER: Right. I
3 met with someone that said that they were
4 really just trying to interest
5 Philadelphia. I was wondering if New
6 York was using that.

7 MR. ALBRIGHT: Not in my
8 department, no.

9 COUNCILWOMAN MILLER: Okay.
10 For the video surveillance cameras.

11 MR. ALBRIGHT: No, we're not
12 using that software, no.

13 COUNCILWOMAN MILLER: Okay.
14 All right. Thank you. I want to thank
15 you, too, for coming down. I learned
16 something new today. I had no idea.
17 This just seems like such an easy way to
18 monitor low-risk offenders.

19 Councilman Savage.

20 COUNCILMAN SAVAGE: What do you
21 do if an offender does not show up to the
22 kiosk site?

23 MR. ALBRIGHT: The kiosk
24 machine automatically generates a failure
25 to report on the end of the month, and if

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2 they don't show up the next month, we
3 allow up to two failure to reports before
4 someone goes out on that person or
5 probably trying to initiate specs for a
6 violation for failure to report.

7 COUNCILMAN SAVAGE: Do they
8 have to show up at a specific time?

9 MR. ALBRIGHT: Well, yeah.
10 They have to show up -- well, we're open
11 from 8 o'clock in the morning to 7
12 o'clock at night. And they need to show
13 up before the date of their birthday,
14 week of their birthday.

15 One thing we did notice when we
16 first deployed the kiosk, that most
17 people were trying to report at the end
18 of the month. So we started an
19 initiative with NYPD that NYPD sits in
20 the waiting room and we do de-briefings,
21 and we saw that number, that spike, where
22 everyone wanted to report on the last day
23 of the month drop, because they knew NYPD
24 would be there to do de-briefings and
25 most of them didn't want to talk to the

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2 cops, so they would come on the day they
3 were supposed to come.

4 COUNCILWOMAN MILLER: And that
5 day is their birthday or the week of
6 their birthday?

7 MR. ALBRIGHT: Yes.

8 COUNCILMAN SAVAGE: Has there
9 ever been a major problem with a
10 probationer on low risk?

11 MR. ALBRIGHT: No, not to my
12 knowledge. You'll probably have ones on
13 probation on the kiosk that are arrested
14 for any number of crimes and it could
15 happen just as they were on someone's
16 caseload, but not that having them on the
17 kiosk has resulted in somebody should
18 have been watching them. So no.

19 COUNCILMAN SAVAGE: All right.
20 Thank you.

21 COUNCILWOMAN MILLER:
22 Councilman Rizzo.

23 COUNCILMAN RIZZO: Thanks for
24 coming down. Getting away from the snow
25 up there, right?

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2 MR. ALBRIGHT: It started here.
3 It's not snowing there.

4 COUNCILMAN RIZZ0: Right.
5 Further up in New York it must be really
6 a bad situation.

7 What is the goal of the kiosk?
8 I get it where someone just comes and
9 checks in, but what does it really
10 accomplish? Just to let you know they're
11 still in the area?

12 MR. ALBRIGHT: Well, it has two
13 folds. I was listening to the probation
14 officer report on her large caseloads
15 when she had 150 cases. There's not too
16 much you can do with a caseload of 150.
17 Me, I could say experience-wise, I'm not
18 just a techie person, I used to be a
19 probation officer, so I know the
20 experience. I used to have a caseload in
21 New York of 220 cases.

22 So with deploying the kiosk,
23 you have the opportunity now to focus on
24 those higher-risk probationers. I mean,
25 you could take the low risk off your

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2 caseload and you have the opportunity to
3 really focus on the high-risk ones, where
4 it would also decrease your caseload
5 size. We've gotten our caseloads down in
6 New York City to 65 to one, and currently
7 some of the caseloads are under 65. And
8 with a small caseload like that -- and
9 even 65 is a lot for one person where you
10 still have to do field visits, there's
11 compliance, there's, you know, a whole
12 variety of things that you need to take
13 care of for that probationer to be
14 successful. Even with 65, you can --
15 you're better able to handle a caseload
16 of 65 rather than 180.

17 So the kiosk allows for the
18 low-level probationers to be moved to the
19 side, report to an instrument or a
20 machine based on certain criteria, based
21 on some type of risk assessment, and
22 they're monitored by a probation officer
23 that has a caseload of 350. These
24 people -- it's an incentive. They're on
25 probation. They must report, but rather

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2 than report to a person sitting in a
3 waiting room, they could report one day a
4 week. It takes up to five to ten minutes
5 to report to the kiosk and then they're
6 out the door.

7 COUNCILMAN RIZZO: So what
8 you're developing is some discipline.
9 Instead of just hanging out, they say,
10 I've got to be at the machine to check
11 in. But really other than just keeping
12 track of people, that five-minute process
13 when they check in -- what takes five,
14 ten minutes? What do they have to do?

15 MR. ALBRIGHT: They have to
16 answer the questions that are prompted,
17 do you still reside at this address.
18 Yes. If they've moved, they need to --
19 it's a terminal that they can enter all
20 the information. It's in five different
21 languages. And it's the same thing as if
22 I was going to report to a probation
23 officer that has 150 cases. He or she is
24 going to ask me three or four questions,
25 have you been rearrested, have you moved.

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2 If not --

3 COUNCILMAN RIZZO: Okay. So
4 you've basically automated the manual
5 process.

6 MR. ALBRIGHT: The reporting,
7 right.

8 COUNCILMAN RIZZO: All right.
9 Thanks.

10 COUNCILWOMAN MILLER: Thank
11 you. Thank you for coming down and
12 helping Philadelphia, sharing your
13 information us. Thank you. You can
14 leave if you want to.

15 MR. ALBRIGHT: That's okay.
16 That's fine.

17 COUNCILWOMAN MILLER: That's
18 fine.

19 MR. ALBRIGHT: I don't want to
20 be rude.

21 COUNCILWOMAN MILLER: Actually,
22 when I was watching the morning news show
23 this morning on Channel 10, I don't think
24 I saw any snow in New York.

25 MR. ALBRIGHT: It started here.

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2 It's coming up there by this afternoon,
3 the evening, 3 o'clock. I'll let you
4 know.

5 COUNCILWOMAN MILLER: Okay.

6 So who wants to go next?

7 Harriet?

8 Good afternoon.

9 MS. SPENCER: Good afternoon,
10 Madam Chairman, members of Council.
11 Thank you for allowing me the opportunity
12 to come and share, on behalf of the City,
13 the fact that we certainly endorse the
14 need for the increase in probation
15 officers for the Adult Parole and
16 Probation Department. I am the Director
17 for Reentry Services here in the City and
18 I'd like to take this opportunity to
19 share with you the reasons for the City's
20 endorsement of the increase in the number
21 of probation officers and to respond to
22 some of the comments and questions that
23 have arisen this morning by members of
24 Council.

25 First of all, obviously and has

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2 been stated all morning long, by
3 increasing the number of probation
4 officers, we enable the officers to
5 certainly do a much more effective job.
6 Automatically their caseloads get
7 decreased. We decrease any delays in the
8 offender being able to make contact with
9 the probation officer and we free the
10 agents up to being able to do more work
11 in the community.

12 The Mayor, Mayor Street,
13 created the Mayor's Office for the
14 Reentry of Ex-Offenders back in June of
15 2005, and I'd just like to touch briefly
16 on some of what we do working with
17 ex-offenders and how critical the
18 Probation Department's role has been in
19 this process throughout the very
20 beginning.

21 First of all, we work with all
22 of the ex-offenders in the City, whether
23 they have come from a federal facility, a
24 state facility or a county facility. And
25 Probation in spite of the fact that they

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2 have a limited number of staff, they
3 certainly need more. They have just been
4 right there by this office's side doing
5 everything and anything that we've
6 requested of them to do.

7 We started our employment
8 collaborative here in the City trying to
9 increase the number of job opportunities
10 for ex-offenders. That employment
11 collaborative consists of the Mayor's
12 Reentry Office, the Defender's
13 Association, Adult Probation and Parole,
14 members of the Philadelphia Prison
15 System, as well as local service
16 providers. We meet monthly. We identify
17 effective strategies. We partner with
18 our mentoring provider, and together we
19 talk about what's working, what we need
20 to do away with, how we can improve our
21 service, and our ultimate goal is to
22 increase the number of job opportunities
23 for ex-offenders in the City. And,
24 again, I tell you that Probation has been
25 on board from the very beginning, and

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2 they work tireless. I mean, they just --
3 I can't ask them to do something and they
4 turn me down.

5 We started the Reentry Housing
6 Committee, because we also recognized
7 that this population finds it difficult
8 to find housing. Probation again is on
9 the board. We work with members of the
10 Department of Behavioral Health, again,
11 the Defender's Association. So there's a
12 network that's alive and well in this
13 City who come together on a regular basis
14 to address the problems of ex-offenders.
15 And I'd just like to take a minute to
16 share with you, having done this job now
17 for almost two years, why I personally
18 feel that without Probation and Parole at
19 the table it would certainly make my job
20 as the Director for Reentry Services so
21 much more difficult.

22 As the Chief testified a little
23 while ago, a week ago we opened up the
24 City's first ex-offender reentry one-stop
25 center and it's located at 54th and

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2 Woodland Avenues. We're depending on
3 Probation being in that center with us 40
4 hours a week, and our thinking is, in
5 order to get the clients to the services
6 that have become available in the City,
7 for those clients who come in to visit
8 with the probation officer, the probation
9 officer then says, Go to the Cubicle 3
10 three doors down and you will see an
11 employment provider; go to the cubicle
12 right next door to me, there's someone
13 there who can help you with housing;
14 across the hall from me you can get
15 substance abuse or mental health
16 treatment; while you're here, why don't
17 you check in with one of the case
18 managers and enroll in a GED or adult
19 basic education program; go see somebody
20 else for the parenting class that's
21 offered.

22 So we will try to meet the
23 offender where he is, because everybody
24 won't come in willing and wanting to
25 participate in parenting if they don't

19 This is our strategy and this
20 is what we have been doing together. We
21 were doing some of this when I was
22 working in the Philadelphia Prison
23 System, because I was there for 25 years.
24 So our relationship didn't begin when I
25 became the Director of Reentry Services.

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2 The relationship was established long ago
3 and it has just grown, and now we're just
4 taking services to the next level.

5 And my office also commissioned
6 the University of Pennsylvania through
7 the School of Social Research. It's
8 headed by Dr. Ron Kanon. They're
9 conducting a citywide assessment of all
10 of the reentry services in the City.
11 That report should be completed this
12 June. And we wanted the University of
13 Penn to identify exactly where the
14 deficits are, where the surpluses are,
15 what we have -- if we have more than
16 enough in any given area, point those
17 services out as well. And once again,
18 Adult Probation is working right along
19 with us. They are a member of our
20 research advisory team, and they are just
21 an essential partner in this reentry
22 process.

23 I did not have a prepared
24 statement and I jotted down a few notes,
25 but I think I -- oh, I'd like to make one

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2 other point, if I may, the fact that the
3 responsibilities of the probation
4 officers are multi-faceted. And, if I
5 may, I'd just like to say this is not a
6 whiny department. You know, they know
7 what they can do, they know where their
8 limitations are, but you never hear them
9 complain. When we come together to meet
10 to tackle a problem, they come to the
11 table with their sleeves rolled up. And
12 I think that that speaks volumes about
13 the leadership of the Department and
14 their passion and their commitment to
15 help this population. And as the
16 professor that previously testified
17 mentioned, we're certainly in that third
18 phase. This Department is working to
19 prevent crime and to help reduce
20 recidivism, make our neighborhoods safer,
21 and they have the full support of the
22 City. Absolutely we need to increase the
23 number of probation officers.

24 Thank you.

25 COUNCILWOMAN MILLER: Thank

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2 you, Ms. Spencer.

3 Councilman Savage.

4 COUNCILMAN SAVAGE:

5 Mrs. Spencer, thank you for coming.

6 You talked about the center,
7 reentry program center.

8 MS. SPENCER: Yes, sir.

9 COUNCILMAN SAVAGE: And the
10 probation officer is there 40 hours a
11 week. Is that something that you do now?

12 MS. SPENCER: We're meeting
13 this Thursday. A team of about 15
14 probation officers and supervisors will
15 come out to the center. They will get
16 the tour. We'll talk about the vision
17 and the goals of the center. By the end
18 of the week, I'll know the start date. I
19 believe it's tentatively planned for the
20 probation officer to be on site 40 hours
21 a week beginning the first week of March.

22 COUNCILMAN SAVAGE: And how
23 many centers are there throughout the
24 City?

25 MS. SPENCER: This the first

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2 center and it's been open one week.

3 COUNCILMAN SAVAGE: Okay.

4 That's going to be for low-risk
5 probationers?

6 MS. SPENCER: This is for
7 everybody.

8 COUNCILMAN SAVAGE: Okay.
9 Thank you.

10 MS. SPENCER: Thank you.

11 COUNCILWOMAN MILLER: I just
12 want to thank you for your hard work, and
13 I'm really happy to hear that you have a
14 housing division, because that's also a
15 very big need, other than employment. I
16 was wondering, though, I know that there
17 are some restrictions about ex-offenders
18 in public housing, but does that also
19 apply to other subsidized housing or is
20 it just Housing Authority?

21 MS. SPENCER: To my knowledge,
22 Councilwoman, it's the federal housing.

23 COUNCILWOMAN MILLER: Any kind
24 of federal subsidy?

25 MS. SPENCER: Correct. We're

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2 working with local housing providers in
3 the community and working along with
4 CODAP to try to bring more houses up to
5 code so that we can increase the number
6 of housing units available. And these,
7 of course, will be transitional houses,
8 not long term, not permanent. And this
9 is a first step for us, but to do
10 something immediate to help this
11 population find some housing.

12 COUNCILWOMAN MILLER: Right.
13 Because I know that that's a big need.

14 MS. SPENCER: Yes.

15 COUNCILWOMAN MILLER: The
16 state-run halfway house on High Street is
17 near me and some of the women from there
18 were talking about their fear of once
19 they were released, they knew they were
20 not going to be able to afford
21 apartments. I just thought it was
22 unfortunate that there was a restriction,
23 there's a general restriction on
24 ex-offenders being allowed to utilize the
25 subsidized housing system for housing.

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2 MS. SPENCER: And I believe
3 that it's felons, Madam Chair. It's
4 felons and those who -- any type of drug
5 conviction, of course. Beyond that, I'm
6 not sure about all of the restrictions.

7 COUNCILWOMAN MILLER: Okay.
8 Thank you.

9 Denise Clayton. And don't
10 forget to please state your name for the
11 record. Thank you.

12 MS. CLAYTON: Good afternoon,
13 Madam Chairman and Councilmembers. I'm
14 Denise Clayton. I'm a Deputy Managing
15 Director, the coordinator of the Youth
16 Violence Reduction Partnership for the
17 City, and I'm here to echo the
18 Administration's support for the
19 resolution to increase probation and
20 parole officers in the City of
21 Philadelphia.

22 Sitting here and listening to
23 the testimony, it's always warming to my
24 heart to hear the Youth Violence
25 Reduction Partnership mentioned several

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2 times, and I thought that it would be
3 helpful just if I briefly came today to
4 offer from our perspective the
5 effectiveness of having the adult
6 probation officers as a very active
7 partner in YVRP. I know I've been before
8 you before and testifying about the Youth
9 Violence Reduction Partnership, but just
10 a couple facts that I think will help
11 illustrate their partnership.

12 Seventy-five percent of our
13 youth partners actively enrolled in YVRP
14 are part of Adult Probation and Parole,
15 and it is really with -- it is with the
16 commitment from Adult Probation and
17 Parole that they have over these eight
18 years demonstrated and now we have a
19 track record to show what happens when
20 you are able to reduce caseloads.

21 Currently, the probation
22 officers, both in Juvenile and Adult
23 Probation, have a maximum of 25 youth
24 partners in their caseload. One of the
25 things that -- I came from the child

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2 welfare system prior to being in the
3 juvenile justice system and now the
4 criminal justice system. Not personally
5 but by profession. And, you know, I
6 think that people don't really realize
7 this. I'm sure you do. But in the child
8 welfare system, there is a social worker
9 who is assigned to a case and oversees a
10 caseload. In the juvenile justice system
11 and criminal justice system, in the adult
12 system, there is no social worker. There
13 is a probation officer. And so what that
14 puts on that probation officer is the
15 responsibility of case management. It is
16 not just monitoring and surveillance.
17 And given the challenges that we face
18 today and our communities face today,
19 again, it puts that much more
20 responsibility on the probation officer
21 not just to do surveillance and
22 monitoring -- and that's what you can
23 only do if you have a 150 to 200 cases --
24 but that if you also have that
25 responsibility of case management -- and

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2 now you hear my professional bias as a
3 social worker by training -- then you'll
4 have an opportunity to actually try to do
5 something for these young people,
6 depending on what your age group is.

7 As you know, in YVRP, we work
8 with young people under the age of 25,
9 and for many, 75 percent that are on
10 adult, many of those young people have
11 very extensive child welfare histories
12 and juvenile justice history and it's not
13 surprising that now they've graduated
14 into the adult system, because somewhere
15 along the line we have failed them in
16 being able to really give them the kind
17 of service -- the intensity of services
18 that they need. And so in YVRP, I always
19 look at it as the last chance for many of
20 these offenders to get this intensity of
21 services.

22 But it's also rewarding to hear
23 that if we're able to lower caseloads
24 overall in Adult Probation, YVRP and this
25 new unit that Adult Probation has formed

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2 will not be those only chances. Never
3 again I think for the youth partners --
4 as you know, we deal with the young
5 people most likely to kill or be killed.
6 I really believe that never again will
7 they get this level of service. For many
8 of them, death will be their next step if
9 we're not there to intervene. And for
10 the rest of them, it will just be
11 graduating into the adult prison system.

12 So I don't think it takes much
13 to really figure out if the successes of
14 YVRP -- sure, we are very strong on
15 intensive monitoring and surveillance and
16 that the probation officer does it very
17 effectively, but because they have a
18 lower caseload, the probation officer,
19 along with their street worker, is able
20 to meet the needs of that particular
21 individual and, I will underscore, their
22 family. You cannot deal with someone who
23 lives in the community and think that
24 they live in isolation. And the
25 challenges that these young people face,

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2 it's daunting when you get a chance to
3 read their histories and to get to know
4 them.

5 The thing that also -- and I
6 will be brief -- that I think we often
7 forget is that for many of these people
8 that we're talking about, not only is
9 recidivism just another way of life --
10 and that we've heard about this
11 morning -- but the thing that gets me is
12 that many of these young people or people
13 are parents. And if we don't do
14 something now to help these young people
15 who are in trouble and that their destiny
16 is sort of set unless we interrupt that,
17 we're not going to have a chance. This
18 is the second generation of young people
19 who have not been parented, and we have
20 to do something to interrupt this
21 repeating cycle.

22 So I always think that when
23 we're working with our youth partners, if
24 we are effective in changing the life of
25 this young man, we are in turn hopefully

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2 setting a future for his children and
3 that maybe we can break this cycle of
4 young people who haven't been parented
5 and give this next generation a chance.

6 So, again, as part of YVRP and
7 part of the Administration out of the
8 Managing Director's Office, we wholly
9 support the efforts of Probation and
10 Parole and also want to underscore the
11 importance of having more probation
12 officers so that more intensive services
13 can be given to those most at risk.

14 Thank you for having me today.

15 COUNCILWOMAN MILLER: Very
16 good. Thank you. Thank you for coming.

17 Any questions?

18 (No response.)

19 COUNCILWOMAN MILLER: There are
20 no girls in YVRP, no females, correct?

21 MS. CLAYTON: Yes, there are.
22 Certainly disproportionate to the men,
23 but, yes, we do have a number of females.

24 COUNCILWOMAN MILLER: Okay.
25 All right. Thank you. Thank you all for

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2 coming and sharing.

3 We have Ed Schwartz and Bob
4 Zimmerman. Unfortunately, we're running
5 a little behind. We have another
6 committee scheduled at 1 o'clock.

7 Good afternoon. Whoever wants
8 to go first is fine with me.
9 Mr. Schwartz, do you want to go?

10 MR. SCHWARTZ: I'm Ed Schwartz.
11 I'm President of the Institute for the
12 Study of Civic Values. My testimony on
13 the whole problem of reentry, actually
14 three years ago when this Committee held
15 a hearing on it, ended up on our website
16 for quite some time and has stimulated
17 this follow-up activity.

18 According to the CrimeBase
19 database, also located on the University
20 of Pennsylvania's Neighborhood
21 Information System, which is publicly
22 available, there were more than 88,000
23 serious Part 1 crimes committed in the
24 City in 2006, not even counting murders
25 and rape.

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2 One year later, at the request
3 of the Institute for the Study of Civic
4 Values, the Philadelphia Probation
5 Department provided us with a database
6 showing where by zip code more than
7 43,000 ex-offenders out of a total
8 caseload of roughly 52,000 on probation
9 live in Philadelphia today.
10 Interestingly enough, 9,000 people on
11 probation do not presently live in
12 Philadelphia, which raises the question
13 of why we are responsible for monitoring
14 them. Trying to keep track of 43,000
15 people on probation is difficult enough.

16 In fact, the spreadsheet we
17 released today, which is at the back of
18 this testimony, shows us the close
19 relationship between the number of people
20 on probation in a neighborhood and the
21 level of serious crime that takes place
22 there.

23 The six zip codes with the
24 highest number of serious crimes are also
25 the six zip codes with the largest number

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2 of people on probation. Fifteen
3 thousand, six hundred and sixty-four live
4 in these six zip codes, more than
5 one-third the total number of people on
6 probation living in Philadelphia. At the
7 same time, nearly 26,000 serious crimes
8 were committed in these zip codes in
9 2005, roughly 30 percent. The
10 percentages are nearly identical.

11 These high-crime zip codes are
12 scattered across Philadelphia. They
13 include 19143 in Southwest Philadelphia,
14 19134 in Port Richmond, 19124 in
15 Frankford, 19121 and 19132 in North
16 Philadelphia west of Broad and 19140
17 centered around Tioga-Nicetown and
18 Hunting Park.

19 Overall, there are 17 zip codes
20 with more than 1,000 people on probation.
21 Fifteen of these zip codes had more than
22 2,100 serious crimes in 2005. As an
23 example, more than 5,600 serious crimes
24 were committed in Port Richmond in 2005,
25 an area where there are more than 2,800

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2 people on probation.

3 We have known for years that
4 most crime is committed by repeat
5 offenders. This data literally brings
6 this general proposition home.

7 Over the past several months,
8 the public debate over neighborhood
9 safety has focused exclusively on where
10 crimes are being committed and what
11 weapons are being used to commit them.
12 The two favored remedies are hiring more
13 police and finding a way to get guns off
14 the streets. This is what we've been
15 trying to do for the past eight years.

16 These statistics tell us that
17 if we want to get serious about crime, we
18 need to look closely at who is committing
19 it around the City and what we can do to
20 get them to stop.

21 Probation is to crime as
22 outpatient care is to disease. Until
23 someone is completely cleared, he or she
24 still poses a threat to the City and a
25 threat to our safety. We either cure

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2 them of crime or we face their bad
3 behavior again and again.

4 Nothing like this philosophy
5 guides our criminal justice system today.

6 Of the more than \$1.3 billion
7 we spend to reduce crime in Philadelphia,
8 nearly 50 percent of what we raise in
9 local taxes and fees, \$498 million goes
10 to the Police, \$194 million goes to the
11 prisons, and by my estimation, another
12 \$450 million goes to pay for employee
13 benefits owed to the people working in
14 those departments. We're spending as
15 much as \$7,300 to keep a detainee in the
16 Philadelphia prison while they wait three
17 months for trial.

18 But out of this \$1.3 billion,
19 only \$18 million is spent on probation, a
20 little more than one percent. And people
21 on this staff are expected to monitor
22 between 180 and I was told at some point
23 300 people, although we heard somewhat
24 different numbers but still
25 overwhelmingly high, who live in our

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2 neighborhoods and are responsible for
3 most of the crime. Does this make any
4 sense?

5 In my estimation, the Probation
6 Department now seems to be seeking 100
7 additional probation officers to pay
8 closer attention to the people most
9 likely to commit crimes in Philadelphia,
10 as determined by a computer analysis that
11 you've heard a lot about this morning,
12 undertaken by Dr. Larry Sherman of the
13 University of Pennsylvania.

14 I support this request and am
15 pleased that I don't seem to have to urge
16 the Mayor and the City Council to support
17 it since they have stepped forward here
18 this morning and already pledged their
19 support.

20 We need a probation system that
21 can hold ex-offenders accountable for
22 their activities on probation, just as
23 organizations administering welfare to
24 work programs hold TANF recipients
25 accountable for fulfilling their

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2 responsibilities under welfare reform.

3 But beyond ensuring
4 accountability, we need a probation
5 system to oversee the expanded system of
6 support that ex-offenders need to
7 transition into responsible roles within
8 our community.

9 And you've heard some about
10 this this morning in scattered ways. Let
11 me kind of lay them out.

12 Drug treatment. District
13 Attorney Abraham talked about this. We
14 offer this now through the FIR program,
15 which has a demonstrated record of
16 success. But its state and federally
17 funded budget is woefully inadequate to
18 meet the need. How can America claim to
19 be committed to a war on drugs if we are
20 unable to provide treatment to those who
21 need it? That should be a major cause
22 for those of us fighting for a probation
23 system that provides genuine support.

24 Mental illness, which was not
25 mentioned much today. Thousands of

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2 people in our prison and in our
3 neighborhoods are committing crime
4 because of untended mental illness.
5 Years ago we closed inhumane mental
6 hospitals without replacing them with the
7 community care facilities that were
8 supposed to take their place. So a
9 significant number of people who end up
10 in prison here and elsewhere really need
11 treatment for mental illness. This is a
12 second support system we need to build
13 for people on probation.

14 I would add that the 60 Minutes
15 had a devastating portrait of this
16 problem in the State of Michigan just on
17 Sunday night, mentally ill people in the
18 prisons and how they were being treated,
19 really mistreated.

20 Affordable housing. You've
21 heard about this this morning. Most
22 ex-offenders simply cannot find
23 affordable housing. They're banned from
24 public housing by federal statute.
25 Wouldn't it make more sense to a

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2 probation system to have a probation
3 system where a probation officer could
4 vouch for the good behavior of an
5 ex-offender and insist that he or she
6 show up regularly for appointments as a
7 basis for letting them live in public
8 housing instead of ending up in homeless
9 shelters or the streets?

10 Job training and jobs, which
11 you've heard about. The same could be
12 also said for these. We need a system to
13 help ex-offenders get job training and
14 jobs. Right now there is no back-up
15 system to reassure an employer, however,
16 that an ex-offender is being monitored
17 for bad behavior. An ample probation
18 system could play this role.

19 None of this will happen,
20 however, until we set as a goal for this
21 City not just to reduce crime but to
22 reduce the number of people who commit
23 it.

24 In 1987, there were more than
25 5,000 people in homeless shelters in

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2 Philadelphia. Mayor Goode set a goal of
3 reducing people in the shelters by 300 a
4 month. Groups like Project HOME and
5 People's Emergency Center stepped forward
6 with a continuum of care programs that
7 really made a difference. Today there
8 are only 2,500 people in shelters and
9 we've cut the City budget to support the
10 homeless in half.

11 The same holds true of welfare
12 reform. In 1997, there were more than
13 67,000 households in Philadelphia on
14 welfare. Today there are roughly 30,000
15 households on welfare. To be sure, some
16 are in prison and others are homeless and
17 too few of them have risen above poverty.
18 But thousands of people who were on
19 welfare ten years ago are making a living
20 today. Why? Because this country and
21 this community decided that helping
22 people move from welfare to work should
23 be a national priority and here in
24 Philadelphia we've made it work.

25 That's what we need to do in

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2 this area in Philadelphia now. We need
3 to set as a goal reducing the number of
4 people who commit crimes as our major
5 strategy for reducing crime itself, by
6 focusing on drug treatment, mental
7 illness, affordable housing and jobs.
8 And at the center of this system should
9 be a probation department with a staff
10 large enough to hold ex-offenders
11 accountable and provide them with needed
12 support.

13 These are already emerging as
14 the City's priorities in fighting crime,
15 as you have heard at this hearing this
16 morning. Looking ahead, we need to
17 insist that every candidate running for
18 Mayor pledge that they will work to build
19 a probation system that can hold
20 ex-offenders accountable for their
21 behavior and that can provide them with
22 the support that they need.

23 This hearing on our probation
24 system is an important step in the right
25 direction.

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2 The Institute for the Study of
3 Civic Values, in alliance with
4 Philadelphia FIGHT, will do what we can
5 to ensure that this important discussion
6 continues throughout the year until we as
7 a city build the accountability and
8 support system for ex-offenders that all
9 of us need.

10 Thank you.

11 Let me just say one moment
12 about the table in the back just to be
13 very clear, and I'm pleased to say that
14 the Philadelphia Daily News devoted a
15 full page today to this issue prompted,
16 in part, by our work and by this hearing,
17 and they have included a map that takes
18 the top ten zip codes. I found this
19 startling. I didn't know what to expect.
20 We got the data on probation, and you
21 just see the rank and find out 19119
22 where we live. And then I just went over
23 to this public database that you can
24 easily access at Penn and looked for Part
25 1 crimes by zip code, and what you see in

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2 the right is the rank of those crimes in
3 relation to the rank on probation. And
4 really they're not absolutely identical,
5 although many of them are, but they are
6 so close. And I think that if we're
7 talking about a culture of crime, really
8 bearing down on helping the people who
9 commit crime turn in a different
10 direction has to be the heart of that
11 system, and the probation system, in my
12 judgment having looked at this for a
13 while, is where that activity needs to be
14 centered.

15 I'll stop.

16 COUNCILWOMAN MILLER: All
17 right. Thank you. You always bring such
18 good information to these hearings.

19 MR. SCHWARTZ: Thank you. I
20 try.

21 COUNCILWOMAN MILLER: Thank
22 you.

23 Mr. Zimmerman.

24 MR. ZIMMERMAN: Thank you,
25 Madam Chair. Good morning. My name is

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2 Bob Zimmerman and I am President of Local
3 810. We represent the 550 probation,
4 parole and hearing officers of the First
5 Judicial District. I thank Councilman
6 Savage for convening this hearing today
7 so that we can begin a dialogue with the
8 City Council, the administrators of the
9 First Judicial District and all the
10 agencies of the criminal justice system
11 that serve the citizens of Philadelphia.

12 We all know about the crime and
13 the violence that is plaguing our City.
14 We at 810 absolutely support the effort
15 to hire more police, probation and parole
16 officers, assistant district attorneys
17 and other professionals that can work on
18 this crucial issue. We also recognize
19 the budgetary restrictions that face our
20 City. Therefore, today I would like to
21 offer some ideas that I and my members
22 have discussed and we, from our years of
23 experience, feel would make us more
24 effective and productive officers.

25 Many of the crimes being

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2 committed in Philadelphia are being
3 committed by the individuals already
4 under the supervision of the courts.
5 Therefore, the members of Local 810 know
6 that the officers need to have a more
7 manageable caseload so that more
8 intensive supervision of offenders is
9 happening. We know that hiring more
10 officers will help with this issue, but
11 we also think it is important to have
12 more officers in the neighborhoods and
13 not supervising offenders from an office
14 in Center City.

15 We encourage more intensive
16 orientation and ongoing training for our
17 officers; the formation of more
18 specialized units like the Youth Violence
19 Reduction program both in the juvenile
20 and adult court and a gun court in adult;
21 ongoing in-service training for our
22 members so that they can share their
23 experiences with administrators to better
24 supervise the offenders and ultimately
25 protect our citizens. We would like to

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2 work more closely with the Philadelphia
3 Police Department. It is imperative that
4 I remind you that in many instances Local
5 810 adult probation and parole officers
6 are able to conduct a search without a
7 warrant. This is an effective
8 crime-fighting tool.

9 Retention of our officers is a
10 very important issue. We have a 40
11 percent turnover in officers every three
12 to five years. The officers of Local 810
13 strongly advocate that changes be made so
14 that we will be able to retain officers
15 who will act as teachers and role models
16 to new officers. We lose our officers to
17 federal positions and, most recently, to
18 positions in the surrounding counties.
19 Therefore, we must be competitive. Today
20 we are here to join our partners in the
21 criminal justice system to ask for more
22 officers to better manage caseloads, but
23 we hope to have additional opportunities
24 to address you regarding other issues
25 facing our officers, such as improved

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2 working conditions, competitive salaries
3 and updating of personnel policies.

4 Again, we appreciate this
5 opportunity to open the lines of
6 communication with City Council, the
7 First Judicial District and our partners
8 in the criminal justice system. We are
9 all in this crisis of crime and violence
10 together. Local 810 members are highly
11 professional and knowledgeable and stand
12 ready to work with you to alleviate
13 violence in our City.

14 Thank you.

15 COUNCILWOMAN MILLER: Thank
16 you. Is that the end of the testimony?

17 MR. ZIMMERMAN: Yes, ma'am.

18 COUNCILWOMAN MILLER: Do you
19 want to testify?

20 MS. PODICKINS: No. I can just
21 say that I've been with the Probation
22 Department --

23 COUNCILWOMAN MILLER: Identify
24 yourself.

25 MS. PODICKINS: Lisa Podickins.

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2 Good afternoon. I'm a YVRP officer and
3 I'm here in support of the resolution,
4 and I want to thank you all for listening
5 to our concerns and ideas, and I'm just
6 here in support.

7 COUNCILWOMAN MILLER: Okay.

8 Thank you. I just have a quick question.

9 What is the starting salary of
10 a probation officer here in Philadelphia?

11 MR. ZIMMERMAN: I believe the
12 starting salary is somewhere in the
13 neighborhood of \$38,000.

14 COUNCILWOMAN MILLER: That's
15 coming right out of college. You have to
16 have a Bachelor's degree, correct?

17 MR. ZIMMERMAN: Correct.

18 COUNCILWOMAN MILLER: And when
19 you say that you're losing officers to
20 some of the surrounding counties, they
21 actually are going to those counties to
22 take a similar job as a probation
23 officer?

24 MR. ZIMMERMAN: Correct.

25 Historically we always lost a certain

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2 amount of numbers to federal probation,
3 but recently, the last six, seven years
4 or so, I've been seeing a substantial
5 increase of officers that are leaving to
6 go to Bucks County and Montgomery County
7 as probation officers, something that was
8 unheard of years ago.

9 COUNCILWOMAN MILLER: Okay.

10 MR. ZIMMERMAN: The problem is,
11 the starting salary is -- they're
12 attracting into the Department. There's
13 no doubt about that. It's the motivation
14 and the retention that we're having a
15 problem with. Like they're bringing
16 officers on in the neighborhood of 38 and
17 maxing them out at 44, 45. What really
18 brought this to my attention was that
19 probation and parole officers in the City
20 of Philadelphia are \$6,000 underpaid that
21 of a City social worker.

22 COUNCILWOMAN MILLER: You mean
23 as a starting salary?

24 MR. ZIMMERMAN: The social
25 worker in the City starts out \$5,000

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2 less, but through a series of years
3 increases to \$6,000 more. So although
4 salary isn't the only issue, it's the
5 main issue, because we have families and
6 bills and things of that nature, and I
7 think that can be a contributing factor
8 why we're losing officers at an alarming
9 rate.

10 COUNCILWOMAN MILLER: Okay.
11 You said that there are retention issues.
12 So what would be some of the things that
13 we would need to do to keep people, other
14 than salary? Improving working
15 conditions you have down here.

16 MR. ZIMMERMAN: The main
17 culprit, Madam, is the pure number of
18 caseload size.

19 I'd just like to add one issue
20 that hasn't been -- if you have a 40
21 percent turnover rate, the probation
22 officer -- me and you are working side by
23 side and we both have 160, 170 bodies,
24 you leave, that caseload has got to be
25 split down. So on paper we're

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2 supervising 160, 170, but through the
3 turnover rate, I'm just getting 40 more,
4 you know.

5 I think salary, caseload size.
6 I believe we need to look at the
7 possibility of getting more flex hours as
8 opposed to the 9:00 to 5:00. I think we
9 need to be out of the community more.
10 Years ago we had satellite offices. They
11 all shut down and we're all housed at
12 1401.

13 So although salary isn't the
14 only issue, I think that it's a main
15 issue. But, again, the caseload sizes
16 are just a pure stress. I mean, it's
17 impossible to follow judges' stipulations
18 because of the pure caseload size.

19 COUNCILWOMAN MILLER: Sure.
20 And plus even a 9:00 to 5:00 work
21 schedule, you don't have the flexibility
22 to maybe do a 11:00 to 7:00? I mean,
23 they have to take off work to come to
24 you?

25 MR. ZIMMERMAN: We have one

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2 late night a month, and our statistics
3 show -- and most times we are in align
4 with the Administration, but our
5 statistics show that that's very
6 beneficial as far as collecting money.
7 So I would question whether -- I mean,
8 yeah, you got to take the -- tell the
9 offender, what are you going to do, take
10 off, because I'm only working 9:00 to
11 5:00. I think the current Administration
12 is looking at that, though, in all due
13 respect to them. I would like to see a
14 more flexed-out schedule. Here's your
15 caseload, supervise it.

16 When I was first coming through
17 years and years ago, we were out in the
18 community. We knew the rec centers. We
19 knew the churches. We knew the families.
20 We've lost that. We've lost that.

21 COUNCILWOMAN MILLER: Okay.
22 All right. Thank you.

23 Councilman Savage.

24 COUNCILMAN SAVAGE: Thank you
25 for coming out today, Mr. Zimmerman.

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2 So basically if you had more
3 parole officers, you would be able to
4 have that human touch that's needed to
5 prevent recidivism that you talk of when
6 you early on were a probation officer?

7 MR. ZIMMERMAN: No doubt about
8 it. I mean, like Bob Malvestuto
9 mentioned earlier, a lot of the smaller
10 caseloads are going to be through the
11 intense supervision. We're still going
12 to have a certain amount of officers that
13 are going to have a higher amount of
14 caseloads. But the smaller the caseload,
15 the more personal you can get with that
16 caseload, especially when it comes to the
17 family. And I think Madam Chair brought
18 that issue up as far as the family
19 addressing the need of the offender
20 through trust as opposed to like diming
21 them out. We lost that touch with the
22 family, and I think that's a very
23 important element and I think that would
24 enhance our -- smaller caseloads would
25 enhance that connection.

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2 COUNCILMAN SAVAGE: Thank you.

3 MR. ZIMMERMAN: Thank you.

4 COUNCILWOMAN MILLER: Thank
5 you. Thank you very much.

6 MR. ZIMMERMAN: Thank you,
7 Madam Chair.

8 COUNCILWOMAN MILLER: We really
9 appreciate you guys coming in.

10 Is there anyone else here to
11 testify on this bill?

12 (No response.)

13 COUNCILWOMAN MILLER:
14 Mr. Schwartz, you said you wanted to add
15 something?

16 MR. SCHWARTZ: Just one final
17 comment. This is one of the areas where
18 the government is way ahead in the way of
19 the people. Usually it works the other
20 way. But there is much more serious
21 discussion and understanding of this
22 within the government than I think exists
23 out there. And nationally what's
24 fascinating is that even very
25 conservative Senators like Brownback of

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2 Kansas are now making reentry a major
3 part of their own philosophy.

4 My reasoning about getting this
5 data by neighborhood is to drive home
6 that all people who commit crimes aren't
7 living within three blocks in North
8 Central Philadelphia. I think people are
9 going to be somewhat shocked about the
10 number of people in Frankford in your
11 Seventh Councilmanic District and Port
12 Richmond.

13 So the idea is to convey to the
14 people in neighborhoods that we need to
15 get together and figure out what's
16 happening with these folks who are living
17 not too far from us and giving them more
18 support and, yes, holding them
19 accountable.

20 So we will be doing, the
21 Institute and FIGHT as we did on Martin
22 Luther King's day of service, as you,
23 Councilwoman Miller, participated in, we
24 are going to be doing other community
25 kinds of meetings. And I think you may

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2 know, I manage a website and e-mail list
3 that reach several thousand neighborhood
4 activists a day. All of this will be up
5 online over the next day or two. So we
6 look forward to working with you to see
7 whatever we can do to get the public on
8 board with the initiative that you have
9 presented here and that the
10 Administration appears to be supporting.

11 COUNCILWOMAN MILLER: Okay.
12 And that will be great. Thank you. I
13 used the Probation Department to help me
14 with a clean-up on a Saturday, and they
15 said, of course, that all the persons
16 that were out there to help were on
17 probation, and when I looked up, I saw a
18 couple of my neighbors. I had no idea
19 that they were on probation.

20 So it is a whole community
21 effort. We do need to work together.

22 MR. SCHWARTZ: Absolutely.

23 COUNCILWOMAN MILLER: Seeing
24 that there are no more people here in the
25 Chambers to testify on this bill, we will

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2 recess this Committee to the call of the
3 Chair.

4 Thank you.
5 (Committee on Public Safety
6 adjourned at 1:05 p.m.)

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