

COUNCIL OF THE CITY OF PHILADELPHIA
SPECIAL COMMITTEE ON CRIMINAL
JUSTICE REFORM

Room 400, City Hall
Philadelphia, Pennsylvania
Friday, October 25, 2019
10:21 a.m.

PRESENT:

COUNCILMAN CURTIS JONES, JR.
KEIR BRADFORD-GREY, ESQUIRE, Defender
Association
WILFREDO ROJAS, Office of Community
Justice and Outreach (retired)
JULIE WERTHEIMER, Managing Director's
Office
CLAIRE SHUBIK-RICHARDS, Pennsylvania
Prison Society
JUDGE JAMES DeLEON, Municipal Court
KEVIN BETHEL, Philadelphia Police
Department (retired)

RESOLUTION 190090 - Resolution authorizing
the Special Committee on Criminal Justice
Reform to hold public hearings to examine
adequate solutions in addressing the
specific needs of incarcerated women.

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2 COUNCILMAN JONES: Good

3 morning, everyone.

4 (Good morning.)

5 COUNCILMAN JONES: Oh, come on

6 now. Somebody had Starbucks.

7 Good morning, everyone.

8 (Good morning.)

9 COUNCILMAN JONES: All right.

10 That's much better.

11 This is a hearing called to
12 order. We are reconvening the Special
13 Committee on Criminal Justice Reform, and
14 I recognize the presence of a quorum of
15 members of the Committee.

16 Ms. Williams, will you please
17 read the title of the resolution and the
18 members of the Committee who are present.

19 THE CLERK: Resolution No.
20 190090, resolution authorizing the
21 Special Committee on Criminal Justice
22 Reform to hold public hearings to examine
23 adequate solutions in addressing the
24 specific needs of incarcerated women.

25 Committee members who are

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2 present, starting from my left, are
3 Claire Shubik-Richards from the
4 Pennsylvania Prison Society. We have
5 Wilfredo Rojas. We have Keir Grey, Chief
6 Defender; Councilman Curtis Jones, Jr.;
7 Julie Wertheimer from the Managing
8 Director's Office; and Judge DeLeon.

9 COUNCILMAN JONES: Thank you,
10 Ms. Williams.

11 First and foremost, I'd like to
12 recognize State Representative Morgan
13 Cephas and her staff for bringing this
14 issue to our attention. Also Ms. -- is
15 Casey Jones over there? There she is.
16 Who wanted to take a deeper dive into
17 women's issues pertaining to
18 incarceration.

19 I am thankful for the members
20 of the Committee. We don't wake up as
21 experts on criminal justice reform. We,
22 through our experiences and working with
23 people like you, learn from you, and that
24 is the purpose of today, to learn from
25 you and to take that information and

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2 apply it, taking that information and
3 apply it not only to our policies and
4 laws that we create both at the state
5 level and at the city level, but also our
6 budgetary priorities.

7 One of the things that we get
8 to do is, A, through this bully pulpit
9 talk about an issue.

10 The second thing we get to do
11 is evaluate that issue as it relates to
12 the standards of our policies and how we
13 apply and address that issue.

14 And, finally, we appropriate.
15 We appropriate through departments like
16 the Prisons and others and Courts so that
17 we put our money where our mouth is, and
18 we hope to continue that strive.

19 And I'm very happy to
20 acknowledge my co-convener here today.
21 She needs no introduction, star of -- you
22 want to stop? All right. I'll stop.
23 But Keir Grey has made her mark in
24 criminal justice reform and is a person,
25 along with my other panelists, who walks

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2 it like she talks it.

3 Ms. Grey.

4 MS. BRADFORD-GREY: Thank you
5 so much, Councilman Jones. I have not
6 had a chance to say it publicly, but I
7 definitely want to. I want to thank our
8 first woman female prison commissioner,
9 Commissioner Carney. A woman with her
10 background and just her resolve for
11 making sure that we see people for who
12 they are and look at what's driving the
13 behaviors has been transformative in our
14 Prison System, and we're lucky to have
15 her.

16 So I want to make sure that I
17 gave a special shout-out to her, because
18 we've worked with her since I've been the
19 Chief Defender, and I've never had a
20 Prison Commissioner so open and so
21 willing to do things differently than
22 what was done in the past.

23 So thank you so much for your
24 leadership, and I'm really glad that
25 you're here.

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2 COUNCILMAN JONES: And with
3 that, are there any other members of the
4 panel who would like to start off with an
5 opening statement? You are more than
6 welcome.

7 Your Honor.

8 JUDGE DeLEON: Let me just say
9 that this is a very important issue, and
10 I'm so glad that we were able to convene
11 today to discuss this and what we can do
12 as a committee to help everyone that's
13 here accomplish the goals that you're
14 trying to achieve. And thank you for
15 being here.

16 COUNCILMAN JONES: And with
17 that, Ms. Williams, will you please read
18 the names of the first panelists to
19 testify.

20 THE CLERK: Before we begin
21 with the first panel, we do have an
22 opening poem from the People's Paper
23 Co-Op. Please feel free to come forward
24 at this time.

25 (Witnesses approached witness

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2 table.)

3 COUNCILMAN JONES: Welcome.
4 You can sit or stand, but bring the mics
5 to you, and please state your name for
6 the record. The stenographer needs that
7 kind of information.

8 MS. BARTLEY: You got it.

9 Good morning, Councilmembers
10 and members of the Special Committee on
11 Criminal Justice Reform. My name is
12 Faith Bartley. I am the lead fellow
13 member of the People's Paper Co-Op. I am
14 here on behalf of both incarcerated and
15 formerly incarcerated women, those who
16 can be here with us and those who cannot.

17 Today we're going to present
18 you with a beautiful and powerful poem
19 written by over 100 Philadelphia women
20 who have been greatly impacted and
21 affected by the criminal justice system,
22 a poem that expresses what we need to
23 thrive, not just survive.

24 We're excited to share this
25 with you all because we believe that we

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2 are the experts you all need to hear from
3 the most. Thank you for your time and
4 this opportunity.

5 ALL MEMBERS: We, the women!

6 MS. BARTLEY: We, the women,
7 are powerful. We, the women, are wild.
8 We, the women, are fierce. We, the
9 women, are unstoppable, ya dig.

10 UNIDENTIFIED SPEAKER: We are
11 masterpieces, the core of the family.
12 Water us to help our seeds grow.

13 UNIDENTIFIED SPEAKER: We are
14 strong, wonderful, the connection to the
15 root of life, the backbone of the world.
16 We are what our communities need.

17 UNIDENTIFIED SPEAKER: But
18 though we are free, remember that we
19 still need opportunities to excel in
20 life, stability, healing, and equality.

21 UNIDENTIFIED SPEAKER: Though
22 we are free, there are too many women
23 away from their children and families,
24 too many caregivers away from their
25 neighborhoods and friends, their jobs and

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2 responsibilities.

3 UNIDENTIFIED SPEAKER: Which
4 means there are too many motherless
5 children, that kids are having to raise
6 themselves, without guidance, without the
7 love they need.

8 UNIDENTIFIED SPEAKER: Which
9 means we can't joyfully walk strongly
10 through our communities, sharing our
11 voices, life skills, and experience, that
12 were perishing from thirst.

13 MS. BARTLEY: It means that
14 families are broken apart, that we're
15 suffering from mental anguish, that our
16 futures are being interrupted, that this
17 system is creating the next generation of
18 possible criminals. The nest is
19 crumbling.

20 ALL MEMBERS: We, the women!

21 UNIDENTIFIED SPEAKER: We, the
22 women, are the queen bees. So when you
23 lock us up, you lock up the hope of a
24 whole community, the whole family.

25 UNIDENTIFIED SPEAKER: You lock

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2 up survivors, providers, nurturers,
3 grand-moms, mothers, sisters, daughters,
4 and wives, the heart of our families, the
5 strength we carry for family and friends,
6 the entire hive and whole colony of bees.

7 UNIDENTIFIED SPEAKER: You take
8 away our chance to thrive, our ability to
9 nurture our loved ones, time to talk with
10 our children about their dreams and their
11 nightmares, our power to show compassion
12 and give support.

13 UNIDENTIFIED SPEAKER: Because
14 I was incarcerated, I wasn't there to
15 give my mother the encouragement and
16 support she needed while going through
17 chemo.

18 UNIDENTIFIED SPEAKER: To stand
19 up for my family.

20 UNIDENTIFIED SPEAKER: To help
21 raise my offering.

22 MS. BARTLEY: To take my little
23 cousin to school.

24 UNIDENTIFIED SPEAKER: To pay
25 respect to my grand-mom when she passed

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2 away.

3 UNIDENTIFIED SPEAKER: To ask
4 my children about their day and help them
5 with their lives and homework.

6 UNIDENTIFIED SPEAKER: To voice
7 my opinion.

8 UNIDENTIFIED SPEAKER: To help
9 other women see their strength to make
10 the community grow.

11 MS. BARTLEY: To be in the
12 audience when my daughter got her
13 Master's Degree and to let her know how
14 proud I am of her.

15 UNIDENTIFIED SPEAKER: To coach
16 my special needs baseball team.

17 UNIDENTIFIED SPEAKER: To give
18 my sisters and my brothers the love they
19 needed.

20 UNIDENTIFIED SPEAKER: To care
21 and guide my two daughters in
22 difficulties they faced. They were alone
23 without me as their protector and hero.

24 MS. BARTLEY: I stand up for
25 women because it feels like we're all we

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2 have. If you heal women, you'll heal the
3 nation, because we are the bricks to
4 build our own foundations. And I know
5 how it feels to be held down and need a
6 help up.

7 UNIDENTIFIED SPEAKER: Because
8 it's daddy's maybe, mommy's baby.
9 Because if I don't, who will? Because
10 when we come together in unity, we can
11 move mountains. We can prove our worth.
12 We have the power to stay strong, no
13 matter what.

14 UNIDENTIFIED SPEAKER: We can
15 show that we have what it takes to
16 succeed. Because we matter.

17 MS. BARTLEY: We scream --

18 ALL MEMBERS: -- free our
19 mothers --

20 MS. BARTLEY: -- because we're
21 misunderstood.

22 UNIDENTIFIED SPEAKER: We birth
23 the children into the world, and without
24 us, who will guide them?

25 UNIDENTIFIED SPEAKER: Who will

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2 help communities and families to
3 flourish, to survive, to maintain the
4 strength of the community?

5 UNIDENTIFIED SPEAKER: We are
6 the heart of the family unit, and without
7 our queen, there will be no honey.

8 UNIDENTIFIED SPEAKER: Because
9 the struggle is real, but we can do this
10 together.

11 MS. BARTLEY: Because we need
12 love. We deserve equality just like you.

13 Thank you.

14 (Applause.)

15 MS. BARTLEY: On behalf of the
16 People's Paper Co-Op and formerly
17 incarcerated women, we have some
18 beautiful, amazing artwork to give you
19 guys.

20 Thank you very much for your
21 time.

22 COUNCILMAN JONES: Thank you.

23 (Applause.)

24 COUNCILMAN JONES: Ms.
25 Williams, will you please read the names

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2 of the first panel to testify.

3 THE CLERK: State
4 Representative Morgan Cephas, Latyra
5 Blake, Naiymah Sanchez, and Sameerah
6 Shabazz.

7 (Witnesses approached witness
8 table.)

9 COUNCILMAN JONES: Welcome.
10 Representative, state your name for the
11 record. You've done this before.

12 REPRESENTATIVE CEPHAS: Yes.

13 COUNCILMAN JONES: And begin
14 your testimony, please.

15 REPRESENTATIVE CEPHAS: I
16 appreciate that.

17 Good morning. I am State
18 Representative Morgan Cephas and I serve
19 the 192nd Legislative District, which is
20 in West Philadelphia, up in the PA
21 Commonwealth General Assembly.

22 So I, first and foremost, want
23 to thank the People's Paper Co-Op. I
24 want to thank all of the formerly
25 incarcerated women that are able to

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2 testify here today.

3 We oftentimes in the criminal
4 justice reform conversation are
5 oftentimes looking at it from a male
6 lens, and we oftentimes forget the impact
7 that this has on our women, and not just
8 our women but their families, our
9 mothers, our sisters, our cousins. And I
10 feel like this conversation today is
11 extremely timely, and I want to thank the
12 Committee for allowing us to have this
13 discussion.

14 Again, thank you for having us
15 here today. My hope is that today's
16 testimony and conversation will lead to
17 intentional policies, legislation, and
18 social action that support dignity for
19 our incarcerated women in Philadelphia,
20 but also across the Commonwealth. Thank
21 you to the Special Committee on Criminal
22 Justice Reform for having this important
23 conversation.

24 In my role as Chair of the
25 Pennsylvania Legislative Black Caucus'

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2 Subcommittee on Women and Girls of Color,
3 I am committed to ensuring that women and
4 girls, especially women and girls of
5 color, are not left out of the
6 much-needed conversation, reform, policy,
7 and cultural shifts that we are demanding
8 in our overall criminal justice system.

9 To put things into context,
10 women are the fastest growing
11 population/segment of America's
12 incarcerated population. Between 1970
13 and 2014, there was a nearly fivefold
14 increase in the number of people, men and
15 women, in U.S. jails, according to a
16 report from the Vera Institute of Justice
17 and the Safety Justice Challenge. During
18 that same timeframe, there was a 14-fold
19 increase in the number of women in jails
20 nationwide, growing from 8,000 women in
21 jails in 1970 to nearly 110,000 in 2014.
22 Like men in jail, these women are
23 disproportionately people of color,
24 overwhelmingly poor and low income,
25 survivors of violence and trauma, and

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2 have high rates of physical and mental
3 illness and substance use. And nearly 80
4 percent of them are mothers, primary
5 caregivers, and single parents to young
6 children.

7 As we elevate the issue of
8 criminal justice reform, we must remember
9 women in the system, a system which has
10 historically served a predominantly male
11 population. In my role as both
12 Chairwoman of the Subcommittee on Women
13 and Girls of Color and as a Commissioner
14 on the Philadelphia's Women's Commission,
15 I have had the opportunity to sit
16 alongside my colleagues to delve deeper,
17 finding mostly a lack of policies and
18 resources that address the unique needs
19 of female-bodied prisoners, the unique
20 needs of primary caregivers.

21 As a state legislator, I
22 believe that it is essential for us to
23 hold the system that serves these
24 populations accountable for addressing
25 distinctive needs, a benefit that impacts

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2 rehabilitation and development and which
3 contributes to overall safer communities.

4 Two of the first issues that I
5 came across concerning dignity for
6 incarcerated women were related to
7 inhumane shackling of women in labor and
8 lack of access to female hygiene
9 products. These two issues brought to
10 light smaller and larger needs of
11 incarcerated women. And in a visit to
12 both SCI-Muncy and SCI-Cambridge, we
13 heard a series of cries coming from the
14 women themselves.

15 As daunting as the statistics
16 are, it is the stories of women with
17 lived experiences inside and outside of
18 prison walls that might haunt you. Ones
19 like that of Mary Baxter, who has
20 repeatedly shared her experience of
21 giving birth while shackled and was then
22 placed in solitary confinement
23 post-delivery because the facility in
24 which she was housed had nowhere else to
25 put her in -- nowhere else to place

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2 someone in her condition.

3 Across the country, states like
4 New Jersey, Connecticut, and Kentucky are
5 stepping up to the plate to ensure female
6 prisoners have access to the resources
7 they need while incarcerated and upon
8 release. It is evident that legislators
9 are taking responsibility to, one, give
10 these populations the dignity they
11 deserve as people and, two, to contribute
12 to their growth and success upon reentry.
13 Both points backed by evidence shows the
14 positive impact this access has on
15 recidivism rates, lower crime rates, and
16 least expectantly, the development and
17 success of our next generation.

18 The great thing is that
19 oftentimes in Harrisburg where we have a
20 republican majority, we aren't able to
21 get a lot of these issues tackled, a lot
22 of these policies implemented, but the
23 great thing is that we have a very
24 progressive Philadelphia, a city with
25 progressive leaders like our Prison

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2 Commissioner. So when we have
3 conversations about lack of feminine
4 hygiene products and shackling, here in
5 the City of Philadelphia we are doing it
6 right. And I want to especially
7 acknowledge our Prison Commissioner for
8 taking the strides and being a leading
9 example of a system that many counties
10 need to follow here in the Commonwealth
11 of Pennsylvania. So I do want to thank
12 her for that.

13 But I also want to recognize
14 that there's so much more that we could
15 be doing within our prison systems, and
16 I'm looking forward to having this
17 conversation.

18 Some of the budgetary things
19 that we've introduced to, again, try to
20 address the quality of life of our
21 prisoners is possibly providing free
22 monthly phone calls to incarcerated
23 parents that are primary caregivers or
24 creating a former inmate mentoring
25 program, requiring health screening

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2 reporting so to ensure that our women are
3 staying healthy while they're in prison.

4 There is a statistic that on
5 average women are gaining 40 more pounds
6 versus their male colleagues and that
7 they cost 40 percent more while they are
8 incarcerated than, again, the male
9 population.

10 An additional piece that we are
11 considering is limiting cavity searches
12 and inspections to medical professions,
13 possibly considering family placement
14 when identifying the prison that they're
15 going to to ensure that they're able to
16 stay in close proximity to their
17 families.

18 Additionally, we are looking to
19 require that staff working with women,
20 especially pregnant women, are trained
21 and have educational requirements to
22 understand the level of trauma that they
23 are going through during their pregnancy
24 as well as during the postpartum period.

25 There's a series of bills that,

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2 again, we are proposing up in Harrisburg,
3 but, again, sometimes we are often
4 stalled because of our political
5 divisiveness.

6 But, again, I feel like
7 Philadelphia is uniquely positioned to
8 not only just have the criminal justice
9 reform conversation, but to put policies
10 and legislation in place that will,
11 again, keep us at the forefront of this
12 conversation as it relates to protecting
13 our women.

14 So I thank you again for all of
15 the partners, again all of our
16 incarcerated women that are fighting the
17 fight and trying to be a leading example
18 to protect those that they leave behind
19 after they leave those walls.

20 So I thank you again for having
21 this conversation, and I look forward to
22 what we produce as a result of today's
23 discussion.

24 COUNCILMAN JONES:

25 Representative, we don't know your time

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2 needs, so we are as a committee -- what
3 we usually do is, we let the entire panel
4 testify and then engage in questions, but
5 because you might have to do other things
6 with the Commonwealth, we'd like to pose
7 questions to you now.

8 And also I want to recognize
9 the third co-chair, Kevin Bethel, who has
10 joined us.

11 MS. BRADFORD-GREY: Thank you
12 so much for your testimony,
13 Representative Cephas. I wanted to ask a
14 couple of questions.

15 First of all, is anyone kind of
16 looking at the why, what's driving this
17 influx of women going into the systems
18 that we see now in such a mass trend?

19 I know for me, working at the
20 Defender Association, we kind of saw this
21 coming a while ago when men were being
22 taken out of the household, the primary
23 caretaker, and they were given long
24 lengthy, harsh sentences. There was no
25 services or nothing paid attention to the

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2 families and the family's needs. So the
3 desperation that we were going to
4 understand that usually seeps in, we
5 haven't studied it, but there has to be a
6 correlation between what we used to do in
7 terms of men and harsh punitive sentences
8 as it relates to even small drug offenses
9 and the fact that families were left
10 destitute because of those things.

11 Secondly, I know there's
12 usually a failure to recognize some women
13 as victim and offender when they get on
14 my end of the criminal justice system.
15 Recently we had conversations with our
16 District Attorney, Mr. Krasner, about
17 looking at women who have had an enormous
18 amount of trauma in domestic violence who
19 were charged themselves with domestic
20 violence and creating a diversionary
21 program for that when there was
22 information that showed that they had
23 been subject to abuse. Mr. Krasner was
24 all for it. However, the funding that we
25 tried to apply for through Harrisburg

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2 would not be available to people who were
3 now being charged with a crime even
4 though they had that past label of
5 victim.

6 Is there anything that we're
7 looking at in Harrisburg that recognizes
8 this dual victimization as well as I
9 guess, if you want to call it, people
10 that are perpetrating criminal activity?
11 Understanding that a person is a whole
12 person and sometimes the criminal
13 activity is a symptom of the issues that
14 have been going on for a while that have
15 been unaddressed, and when they come into
16 this system, can we treat them as both,
17 and is there funding that could be
18 available that would recognize that dual
19 role?

20 COUNCILMAN JONES: There were a
21 number of questions. That goes to
22 everybody. Keep that in mind when you
23 come up.

24 Thank you.

25 REPRESENTATIVE CEPHAS: So one

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2 of the things that we're trying to do on
3 the state level is, again, to take a
4 deeper dive into that very issue. One of
5 the bills that we're offering is to
6 require PCCD, the Pennsylvania Commission
7 on Crime and Delinquency, to establish a
8 subcommittee that focuses particularly on
9 the women, women that are incarcerated,
10 women that are in our pipelines, and to
11 again address those issues that you are
12 raising.

13 Again, we're oftentimes looking
14 at it from a male perspective, so we
15 don't really know what the statistics are
16 and as to why women are coming more into
17 our prisons. But we do see that they're
18 coming in with mental health issues. We
19 do see that 80 percent of the women have
20 experienced some type of sexual trauma.

21 And, again, back to one of our
22 bills, we are wanting to require our
23 correctional officers and anyone that's
24 going to be interacting with women to
25 understand and take some -- have some

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2 educational requirements and do some
3 training around understanding that
4 trauma, because oftentimes when they're
5 going back into the -- when they're going
6 into these facilities, they're oftentimes
7 re-traumatized, and that has an impact on
8 their behavior, impact on their ability
9 to rehabilitate.

10 So we do believe that through
11 that vehicle, we'll be able to get to
12 some of the questions that you're asking.

13 MS. BRADFORD-GREY: And as far
14 as funding, because the state didn't
15 recognize any woman who has had a history
16 of traumatic abuse and domestic abuse who
17 had maybe finally said enough and have
18 done something in terms of the person
19 that had been their abuser. When we
20 tried to get diversionary programs and
21 funding for programming and treatment to
22 treat them as the victims that they were,
23 we were told that if they were charged
24 with a crime, they were not eligible for
25 VOCA funding.

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2 REPRESENTATIVE CEPHAS: Okay.

3 So that's definitely something I can look
4 into and see what's happening there,
5 where is that gap in trying to, again,
6 rehabilitate the women. So that's
7 something I can look into.

8 MS. BRADFORD-GREY: Thank you.

9 COUNCILMAN JONES: So,
10 Representative, again, thank you for
11 raising this issue to a priority level
12 for all of us. The state is big brother
13 or big sister and we come under you,
14 particularly when it comes to penal codes
15 and things like that. One of the things
16 that we might want to address is a
17 codification/evaluation of those codes to
18 see how they disproportionately impact
19 women.

20 As a member of the Pennsylvania
21 Human Relations Commission, that would be
22 of interest to us to take a look at, the
23 disparate impact of those codes. That's
24 number one.

25 Number two, you raised an

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2 interesting question by way of the design
3 of prisons and what might be helpful,
4 whether it's birthing rooms or whatever
5 it is, that we can ask our correctional
6 executives to take a look at. Maybe
7 we'll hear that we're ahead of the curve
8 on some of those things, but that is
9 something that probably should be
10 considered, the special needs of people
11 of a female gender and particularly when
12 they are pregnant and about to give birth
13 and those kinds of situations. So is
14 there any movement on that?

15 REPRESENTATIVE CEPHAS: Yes. I
16 mean, our goal and luckily we have our
17 DOC Secretary, Secretary Wetzel, who
18 actually believes also similar to our
19 District Attorney, that pregnant women
20 should definitely be diverted out of the
21 prison system, finding some type of
22 diversionary program in order to not put
23 them into our facilities, because, I
24 mean, our facilities can't manage --
25 don't have the right structure in order

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2 to keep them healthy.

3 I mean, we just recently got
4 sued in Lackawanna County because of some
5 challenges that the mother went through
6 during her birthing process, but luckily
7 a lot of our prison systems, at least on
8 the state level, do provide facilities
9 that are, if you will, comforting for the
10 family, welcoming.

11 Philadelphia, again, is leading
12 in that space also, but we do have
13 surrounding counties that don't actually
14 take that approach, and a lot of our
15 bills are looking to ensure that they
16 move toward that direction.

17 So, again, Philadelphia is
18 leading the charge. The goal and the
19 hope is to divert, again, pregnant women
20 out of our prison system and put them in
21 programs that they actually need to
22 rehabilitate.

23 It was interesting, during both
24 of our tours to SCI-Muncy and
25 SCI-Cambridge, a good majority of the

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2 women that are coming back into our
3 prisons on the state level that are
4 pregnant are there because of probation
5 tech, and we asked each of the wardens,
6 is there no other way that we can get
7 them on the right path other than
8 bringing them back into a system that
9 doesn't have the right amount of
10 counseling, doesn't have the right amount
11 of medical health treatment in order to
12 support the woman once she either gives
13 birth or when she's coming back into the
14 system while she's pregnant.

15 So, again, Philadelphia is
16 leading the charge and keeping our women
17 healthy and having space available for
18 them to bring in their family members and
19 actually be comfortable, but there's a
20 lot of work that we need to be doing
21 throughout the Commonwealth of
22 Pennsylvania and other counties.

23 COUNCILMAN JONES: And,
24 finally, there is an effort afoot to
25 provide teleconferencing for, in this

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2 case, fathers who want to be a part of
3 their children's lives from time to time,
4 being in touch particularly with schools
5 and dealing with the report card issue or
6 any behavioral issues that a child might
7 have, and what was found was you'd be
8 surprised still how much influence a
9 primary caregiver, father and/or mother,
10 can have over a child that might be
11 acting out because of the absence of
12 their parent. And I don't know whether
13 we've brought that to scale yet, that
14 kind of program, but would love to work
15 with you and Commissioner Wetzel to talk
16 about how we can utilize that to keep the
17 family more connected and intact. I
18 think it's good on both ends. I think
19 it's good for the folk incarcerated, but
20 I think it's good for the family to know
21 that mom may be gone, but she's not
22 forgotten and, nine times out of ten,
23 going to be back in your life. And that
24 kind of connectivity, even if it's
25 electronic, probably can go a long way.

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2 REPRESENTATIVE CEPHAS: Yeah.

3 I think it's a great system and it's a
4 great way to keep families connected. I
5 believe -- we have a partnership here in
6 Philadelphia with the Prison System and
7 our Philadelphia Free Library where they
8 do the teleconferencing, but I think one
9 of the things you have to remember is
10 that a lot of our inmates are low income
11 and oftentimes they are weighing whether
12 or not they get food from commissary or
13 in some counties get their feminine
14 products or save the dollars for that
15 phone call or save the money for that
16 teleconferencing opportunity.

17 I do believe that the
18 teleconferencing piece, I want to say, is
19 about \$20, and some of our inmates are
20 making, what, maybe \$1.15 per hour or
21 less than that. So I think we have to
22 keep that in mind when we're talking
23 about maintaining the connection between
24 families.

25 In some other states -- I want

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2 to say New Jersey just passed legislation
3 to allow phone calls and I want to say
4 teleconferencing for free, which I know
5 that comes at a cost, but I do think it's
6 something that I would love to see
7 Philadelphia potentially pilot and invest
8 resources through a budgetary line item
9 to offer that. I mean, not totally free,
10 but --

11 COUNCILMAN JONES: I
12 understand.

13 REPRESENTATIVE CEPHAS: --
14 possibly put some restrictions on it.

15 COUNCILMAN JONES: Gotta put
16 our money where our mouth is, right?

17 REPRESENTATIVE CEPHAS: Yes.
18 But remembering that our inmates are low
19 income and they're having to make those
20 tough choices without having a real
21 salary, if you will.

22 MR. ROJAS: Representative
23 Cephas, I have three questions. I notice
24 there's no mention in the testimony about
25 using the authority of male personnel

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2 against women. Have you come across any
3 of those incidents at the state level?

4 REPRESENTATIVE CEPHAS: Say
5 this again.

6 MR. ROJAS: Sexual assault by
7 men against women who are incarcerated.

8 REPRESENTATIVE CEPHAS: Using
9 sexual assault?

10 MR. ROJAS: Sexual assault
11 against women who are incarcerated.

12 REPRESENTATIVE CEPHAS: What's
13 the question? What about it? There's
14 no --

15 MR. ROJAS: Have you had any
16 incidents? Because I notice there's
17 nothing here.

18 COUNCILMAN JONES: Do male
19 staffers attack female inmates?

20 REPRESENTATIVE CEPHAS: So
21 we've heard reports, yes. We've heard
22 reports, but I can't speak to that
23 directly, and we don't have any
24 legislation that is trying to address
25 that issue.

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2 MR. ROJAS: Now, in your
3 training, do you only talk about females
4 in the context of them being incarcerated
5 or do you go beyond that and talk about
6 the history of women in this country and
7 what that means to society in general?

8 REPRESENTATIVE CEPHAS: So we
9 would leave that up to the DOC to
10 determine what the training looks like,
11 but the main goal of what we're outlining
12 is trying to get officers and anyone
13 interacting with women to understand the
14 trauma that they've experienced while
15 they're incarcerated and working towards
16 not re-traumatizing them while they're
17 incarcerated. That is the main goal of
18 it.

19 But if that's a recommendation
20 that you would like to make to the DOC
21 when they design the actual training,
22 then that's something that can be
23 incorporated.

24 MR. ROJAS: And the last
25 question is reintegration into the

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2 community and back into the family. Is
3 there a program that we can look to get
4 funded where you begin the reintegration
5 process behind the walls with the family
6 members, so when you reintegrate back
7 into society, you were able to resolve a
8 lot of the familial issues that you had
9 before you went in?

10 REPRESENTATIVE CEPHAS: So we
11 actually -- Philadelphia actually has
12 some programs that actually do that. And
13 so, for example, who is here today is
14 Ardella's House. Yes, right here. Some
15 programs actually do do that, try to work
16 with the inmate to maintain the
17 interaction between the family and the
18 community, but then also help them to
19 navigate post once they are released.

20 There's also a program
21 called -- I want to say it's called a New
22 Leash on Life, which it's almost like a
23 workforce development transition program
24 where they use dogs to help kind of
25 rehabilitate -- dogs that have been

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2 through their own type of trauma, they
3 help the inmates rehabilitate them, and
4 there's a program that they're able to
5 connect to once they leave the prison and
6 they connect them with job opportunities.
7 They provide them with stipends.

8 And some of the challenges,
9 some of the main challenges, I believe,
10 women face once they're leaving the
11 prison system is being able to access
12 housing, being able to access resources
13 for transportation purposes, and that's
14 something that, again, organizations like
15 Ardella's House and a New Leash on Life
16 really make an intentional effort to
17 invest in.

18 So each of those groups have
19 actually gone after City resources that
20 they've been awarded and also some state
21 resources through the Pennsylvania
22 Commission on Crime and Delinquency. So
23 there is funding available to support
24 those programs and bring them to scale.

25 Now, is it enough? It's never

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2 enough given all of the needs that we
3 have here in the City of Philadelphia.

4 MR. ROJAS: Now, does that also
5 extend to children that are in the
6 custody of the Department of Human
7 Services because their parents are
8 incarcerated?

9 COUNCILMAN JONES: Senator
10 Hughes --

11 REPRESENTATIVE CEPHAS: Oh,
12 yes. Yes, yes, yes. Thank you,
13 Councilman.

14 So in the last budget cycle --
15 it might have been this budget cycle --
16 where there's -- if a contractor gets a
17 contract from the Department of
18 Corrections, a percentage of that
19 contract goes into a funding pot
20 administered by PCCD, Pennsylvania
21 Commission on Crime and Delinquency,
22 specifically for young people that have
23 parents that were incarcerated or have
24 been victims of a crime. So there are
25 pots of dollars to support organizations

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2 that provide that soft hand-holding.

3 Thanks, Councilman.

4 MS. SHUBIK-RICHARDS: Thank
5 you, Representative. This is Claire from
6 the Pennsylvania Prison Society, and I
7 just want to speak to the issue of family
8 connection that was raised.

9 As you may all know, the Prison
10 Society is Pennsylvania's independent
11 prison monitor. We are the de facto
12 ombudsman for incarcerated people in
13 Pennsylvania, and we also provide support
14 for incarcerated people and their
15 families.

16 For close to two decades, we
17 have provided, with the help of the
18 Department of Correction, subsidized bus
19 service for Philadelphia families to
20 visit loved ones in prisons throughout
21 the state. We charter ten buses a month.
22 They usually sell out. Unfortunately,
23 the buses to Muncy and Cambridge are some
24 of the least populated buses that we
25 have.

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2 Common sense, and research
3 backs it up, tells us that family
4 connection, maintaining family connection
5 during a period of incarceration makes a
6 tremendous difference for someone to be
7 able to come home successfully. Our
8 buses help provide that connection.

9 In addition, this past year we
10 received a grant from Uber to provide
11 free rides for Philadelphia families with
12 small children and elderly members to
13 visit up at State Road. We're still
14 waiting for a renewal of that grant. So
15 that grant is currently browned out, but
16 we had it for a year and provided several
17 thousand rides free of cost for
18 Philadelphia families.

19 But with regard to video
20 conferencing, the state in the last six
21 or seven years has actually increased the
22 hurdles for a family being able to talk
23 from a state facility via video
24 conference. And anyone who would like to
25 discuss that further, I'm happy to, but

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2 unfortunately, that key tool for keeping
3 families connected -- Vera recently did a
4 research study about the effectiveness of
5 video conferencing and keeping families
6 connected. As any of us who know, who
7 have remote families, it's not the same
8 as an in-person visit. It's not as
9 effective as an in-person visit, but it's
10 certainly better than nothing, and
11 unfortunately in the last several years,
12 the ability of families with incarcerated
13 loved ones in state facilities to utilize
14 that service has been made more
15 difficult.

16 COUNCILMAN JONES: Thank you.

17 Your Honor.

18 JUDGE DeLEON: Mine is more
19 like a statement.

20 Representative, to me it sounds
21 like you're taking this issue by the
22 horns and are wrestling with it and
23 coming up with effective ways to overcome
24 these particular type of problems, and I
25 thank you for your leadership.

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2 REPRESENTATIVE CEPHAS: Thank

3 you for that. I mean, you've seen this
4 conversation happening nationally.

5 Believe it or not, the media constantly
6 paints the picture that republicans and
7 democrats don't tend to get along up in
8 Harrisburg and DC, but this is one of the
9 topics where we are willing to roll up
10 our sleeves and move the needle on the
11 issue. And it's an exciting time,
12 especially, again, for women, because
13 we're constantly having this criminal
14 justice reform conversation from the male
15 lens and there are states that are moving
16 legislation similar to some of the things
17 that I've mentioned across the finish
18 line to, again, not to create a cozy
19 place, but to recognize that they are
20 still human and their quality of life
21 should be protected when they are in our
22 custody, and that's something that we
23 have to remember, that they are in our
24 custody. And I think Philadelphia,
25 again, as much as we've been leading the

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2 way across the Commonwealth, there's a
3 lot more things that can be done, and
4 hopefully this conversation today will
5 help move the needle in either policy
6 shifts or legislation. So I thank you
7 again for having this conversation today.

8 MS. BRADFORD-GREY: I'm sorry,
9 Representative. I have one last question
10 or one last area of concern, and I know
11 what you said is realistic, where most of
12 the women in state custody, they're on
13 probation violations. I know your
14 colleagues are working on probation
15 reform, and I have not seen that in
16 Philadelphia, but I know being in other
17 counties and being around other
18 policymakers from other counties, there
19 are a lot of probation officers whose
20 policies are that if a woman is pregnant
21 and they have been known to use
22 substances, they will order them to be
23 locked up while they are pregnant until
24 they deliver their babies so that they
25 will not use those substances.

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2 I think there's more of a
3 creative way that we can deal with that,
4 and I don't know in your efforts to push
5 probation reform that we deal with that
6 policy and practice as well, because I
7 think that that's just a real ineffective
8 use of our prisons and it's real
9 detrimental to the women.

10 REPRESENTATIVE CEPHAS: I'm not
11 familiar specifically if there's anything
12 incorporated that addresses this issue in
13 the current draft bill.

14 MS. BRADFORD-GREY: There's
15 not. Maybe now there could be.

16 REPRESENTATIVE CEPHAS: Yeah,
17 definitely. Especially when we have,
18 again, Secretary Wetzel interested in
19 diverting women out of the prison system
20 that are pregnant. Because, again, when
21 we have a county that was just recently
22 sued because of them being in our
23 custody, us not treating them properly,
24 that's something that the Commonwealth
25 can't afford. So, again, it's something

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2 that he's really interested in seeing.

3 One of my colleagues,
4 Representative Summer Lee -- again, this
5 is a package of about 15 bills. My
6 colleague Summer Lee from out of
7 Pittsburgh -- and Pittsburgh was actually
8 recently sued from the ACLU because of
9 the restricting housing issue. By
10 putting pregnant women into solitary
11 confinement, they were sued and required
12 to come up with a policy. So as a result
13 of all that, she's come up with
14 legislation to require judges to divert
15 pregnant women out of the prison system,
16 even if they have re-offended, and to
17 connect them with the services that they
18 really need on the outside, because,
19 again, our system was not built to manage
20 these type of issues.

21 MS. BRADFORD-GREY: Thank you.

22 MR. ROJAS: They have a model
23 at Rikers Island Prison for pregnant
24 women that you might want to look into.

25 REPRESENTATIVE CEPHAS: Okay.

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2 MS. WERTHEIMER:

3 Representative, I just want to build on
4 what the Chief Defender was asking you
5 about earlier in your comments about
6 pushing PCCD to have a subcommittee
7 focused on women. Is it possible to also
8 have the state look, I would say, beyond
9 but really before not only diversion from
10 prison and court-based diversion options,
11 but really put an emphasis on pre-booking
12 diversion, where possible?

13 As we know at least locally, a
14 lot of the women suffer from substance
15 use, behavioral health trauma, and those
16 should be treated as medical issues,
17 not --

18 REPRESENTATIVE CEPHAS:

19 Criminal issues, yes. I mean, that's one
20 of the reasons why we -- so the
21 subcommittee did exist during the Obama
22 Administration, and because PCCD
23 primarily gets its funding from the
24 federal government, when policy shifts,
25 naturally you know subcommittees shift.

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2 But, I mean, just to your
3 point, when you see an uptick in this
4 population, there's something that we're
5 missing and that we need to better
6 understand. So that is something that
7 we're going to really try to push so we
8 can take a deeper dive into a lot of
9 these issues across the entire continuum
10 of when they even go into the
11 school-to-prison pipeline to when they
12 are offending or re-offending or are on
13 probation. We need a body that is
14 studying specifically this issue so we
15 can put the right policies, resources in
16 place to be able to address this concern.

17 MS. WERTHEIMER: Thank you.

18 COUNCILMAN JONES: Similarly,
19 when you found a disparate impact on
20 African American men locally from
21 everything from healthcare to gun
22 violence, we created a commission to
23 study the why, and I think equally
24 important is that emphasis on
25 understanding, as you said, Co-Chair, the

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2 why.

3 REPRESENTATIVE CEPHAS: So I do
4 hope as your role on PCCD, you can really
5 champion that effort.

6 Thank you.

7 COUNCILMAN JONES: Thank you.

8 REPRESENTATIVE CEPHAS: Thank
9 you.

10 COUNCILMAN JONES: Thank you
11 for your patience, panelists.

12 If you have time to stick
13 around, please do.

14 But thank you for your
15 patience.

16 MS. SHABAZZ: Good morning. My
17 name is Sameerah Shabazz. I'm a Policy
18 Director with Ardella's House. Ardella's
19 House is a reentry program here in
20 Philadelphia who serve women who have
21 been formerly incarcerated and who are
22 incarcerated with a variety of services -
23 housing, family reunification, mentoring,
24 and just basic life skills.

25 My goal here today is to convey

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2 a message that formerly incarcerated
3 women can become productive, law-abiding
4 members of society with the right
5 programming and to show how many barriers
6 women face post-incarceration, regardless
7 of the date of offense and conviction.

8 Sorry.

9 COUNCILMAN JONES: Take your
10 time.

11 MS. SHABAZZ: I was 16 years
12 old when I was convicted in 1993, right
13 here in this building in Judge Lisa
14 Richette's courtroom. It's been 27
15 years. However, my felony will last
16 forever.

17 I have a Bachelor of Science
18 with a concentration in human services, a
19 Master of Science with a concentration in
20 human services, and an MBA. However, I'm
21 still forbidden from taking my son on
22 school trips.

23 I've taught in South Africa. I
24 studied international business management
25 in Dublin, Ireland. I've worked 14 years

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2 for the Public Health Management

3 Corporation right here in Philadelphia.

4 In 27 years I've not had no other contact

5 with law enforcement, not even a speeding

6 ticket.

7 However, as a mother, sometimes

8 it becomes very, very difficult

9 explaining to your child an incident that

10 happened way before he was even thought

11 about prevents me from going on college

12 tours with his school. Because what do

13 you have to do? You have to submit to

14 what? A background check.

15 His teachers and guidance

16 counselors don't know me as a formerly

17 incarcerated woman. They don't know me

18 as a convicted felon. They know me as

19 Jamal's mom that comes to all of the

20 parent-teacher conferences, Jamal's mom

21 that volunteers for all of his sports

22 games, and something that happened in

23 1992 prevents me from going on college

24 tours.

25 I thought I wasn't going to get

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2 emotional today. I gave myself this long
3 pep talk all the way down here to keep it
4 together, keep it together, keep it
5 together, and it was just like a flood of
6 emotions just came over me.

7 We do become productive members
8 of society. We do. I'm a homeowner.
9 I've been in my home for 17 years. I'm a
10 committee person in the 60th Ward, 5th
11 Division. We do become productive
12 members of society. However, it's so
13 many barriers that prevents us from
14 continuing to be productive members,
15 housing restrictions.

16 If I needed to apply for public
17 housing assistance, I wouldn't be able to
18 because of a felony conviction from 1992.
19 Not 2002, not 2012, not 2019. 1992. I
20 was 16. I am 43 years old now. No other
21 contact with law enforcement. None. I
22 did everything right.

23 These are some of the barriers,
24 and I've just been fortunate that I had a
25 strong mentoring system and I had a group

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2 of people around me that supported me,
3 and it was like they kind of conspired
4 together for me to be successful.

5 Everyone isn't afforded that opportunity.

6 I had a judge who believed that
7 I could be successful, who followed me
8 all the way through. I was 17 when I got
9 to Muncy State Prison. You know, now
10 they have these units now for young adult
11 offenders. It wasn't that in 1993 when I
12 got there. I went straight in the
13 general population. And Judge Richette,
14 she followed it all the way through.

15 I remember when I got my first
16 job, she wrote a recommendation letter
17 for me to get a job. I had a strong
18 system of people who believed that I had
19 the ability to turn my life around and to
20 do something different, and I just will
21 hope that legislators see the same thing
22 with the many women who come through the
23 Public Defender's Association.

24 Many of the women offenders are
25 poor in Philadelphia. Eighty percent of

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2 the women, whether they were formerly
3 incarcerated or incarcerated, are
4 mothers. And my goal here today is to
5 humanize. You know, we're saying inmates
6 and incarcerated, but these are women,
7 they're mothers, they're sisters, they're
8 daughters, they're grandmothers, they're
9 primary caregivers. And that is my goal
10 here today.

11 Thank you.

12 (Applause.)

13 COUNCILMAN JONES: Thank you.

14 Share the microphone, please.

15 Thank you again for your patience. State
16 your name for the record.

17 MS. BLAKE: Hi. My name is
18 Latyra Blake.

19 Good morning, Councilmembers
20 and Special Committee on Criminal Justice
21 Reform members. Thank you for the
22 opportunity to testify today. My name is
23 Latyra Blake and I'm a mother of four
24 sons, a peer mentor, a friend, a child of
25 God, a teacher, an advocate, a strong,

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2 determined woman. That is what defines
3 me, not my criminal record.

4 I spent almost a year at RCF
5 because I couldn't afford to pay bail.
6 My youngest child was seven months when I
7 was incarcerated. That meant a year away
8 from him and my other children, my
9 church, and my relationship with my
10 family. It meant not given the help I
11 needed to stay out of jail, not finishing
12 school, and not being there for the
13 people who depended on me.

14 Being locked up before even
15 going to trial made me feel like I was
16 guilty, without a way out, like I didn't
17 belong and my life was over, like
18 everyone who believed in me, including
19 myself, was going to give up on me.

20 Since coming home, I've done so
21 much. I've completed outpatient
22 treatment and successfully stayed clean
23 for 26 months and counting. I've been
24 hired as a peer mentor at the People's
25 Paper Co-Op, and I teach other women to

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2 use art to demand what they want to
3 change in their city and community.

4 For the last two years, we've
5 worked with the Philadelphia Community
6 Bail Fund to free women for Mother's Day,
7 and being a part of that felt wonderful,
8 to be on the other side of the walls and
9 to welcome women like myself home who
10 couldn't afford to pay bail, with open
11 arms and smiles and tears.

12 I worked off seven years of
13 probation and successfully challenged
14 PHA, who previously wouldn't provide me
15 with the opportunity of housing because
16 of my criminal record, and after meeting
17 with them, they overturned my appeal and
18 said my criminal past will not be a
19 barrier to admission. I now have safe
20 housing for me and my son, and I'm just
21 getting started.

22 But even with all that, even
23 though I'm doing so much positive work,
24 every time I go see my PL, I'm
25 re-traumatized. I pack extra clothes, I

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2 write down phone numbers, I bring extra
3 money, because I'm terrified of being
4 locked up again, locked away from my kids
5 and from all those who need me. Seven
6 years is too long to feel this scared,
7 and we need to end long-term probation
8 sentences and help people get on with
9 their lives. We've done our time and
10 fees and fines.

11 Today I stand here so that the
12 City Councilmembers and Special Committee
13 members understand that we need to end
14 cash bail. So many women like me are
15 separated from their children, and it's
16 tearing our communities apart. We spend
17 so much money locking up women. If we
18 ended cash bail and let those women out,
19 the City could put more money into
20 reentry programs so that women can have
21 what they need to stay free and help our
22 families and communities survive.

23 I stand here to tell you that
24 no one deserves to serve extremely long
25 periods of probation. No one deserves to

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2 live in fear for seven years, that one
3 small mistake can send them back to jail
4 and away from their kids again.

5 Philadelphia is the most
6 incarcerated large city in the country,
7 and it's time to change. I stand here to
8 tell you that women who have been locked
9 up know what we need. We know what our
10 families need and what our communities
11 need. We're ready to work with you to
12 make changes we need.

13 Thank you for the opportunity
14 to let me speak today, and I hope we'll
15 have the chance to work together to make
16 change for the women in Philadelphia.

17 (Applause.)

18 COUNCILMAN JONES: Thank you
19 for your testimony.

20 MS. SANCHEZ: Good morning,
21 members of City Council and Special
22 Committee on Criminal Justice Reform. I
23 want to start by saying --

24 COUNCILMAN JONES: State your
25 name.

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2 MS. SANCHEZ: My name is
3 Naiymah Sanchez. I'm a Philadelphian.
4 I'm also a staff member at the ACLU of
5 Pennsylvania.

6 I wanted to start off with this
7 quote that I have. With our experience
8 comes trauma and tears, and this is the
9 reason why we need criminal justice
10 reform, because there is trauma that's
11 re-triggering us and there are tears that
12 we keep wiping away. So I just want to
13 just lead with that.

14 So thank you for the
15 opportunity to provide -- I have a
16 written testimony, and I appreciate the
17 initiative to criminal justice reform by
18 this Committee. I want to highlight some
19 issues facing incarcerated women that are
20 not addressed as often, particularly with
21 my experience as being a transgender
22 woman in the criminal justice system,
23 including our experiences of police
24 contact, court proceedings, sentencing,
25 probation and parole, and the

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2 criminalization of transgender

3 Philadelphians.

4 It's important for me to
5 highlight my personal experience with the
6 criminal justice system and how the
7 criminalization of survival mode taken by
8 trans people, especially black trans
9 women and trans women of color, continue
10 to hinder me in many areas of my life.

11 As a transgender teenager
12 growing up in Philadelphia during the
13 early 2000s, it was hard. Stigma,
14 barriers, and discrimination led me to
15 drop out of high school and become
16 homeless as a teen on the Philadelphia
17 streets. This opened the doors for me to
18 the sex work industry. This wasn't
19 something I dreamed of doing with my body
20 or my life. I had plans on becoming a
21 doctor to help people like myself and
22 also a lawyer to help people like my
23 father, who has fallen through the cracks
24 of the criminal justice system and kept
25 reentering into the system of oppression.

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2 I was locked up eight times
3 from the ages of 17 to 22. I was already
4 dealing with how to provide necessities,
5 like housing, food, and clothing, for
6 myself and barely meeting those needs.
7 Now I was dealing with being detained and
8 given probation with court fees and
9 supervision fees on top of that. I was
10 already oppressed and struggling to
11 survive, but the criminal justice system
12 had no mercy and furthered the oppression
13 by mandating me to Probation Department,
14 yet another part of the system that fails
15 to provide a pathway to reentry and
16 promote growth of citizens, productive
17 citizens.

18 After violating probation with
19 the new arrest for sex work, I was given
20 a detainer and held for trial in a men's
21 facility as a woman, the House of
22 Correction. I was administrated to
23 protective custody and locked up for 22
24 hours a day, and because of my gender
25 identity, I was repeatedly raped by a

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2 correctional officer who was supposed to
3 be employed to protect me from other
4 inmates, and I wasn't even able to access
5 the medical needs that I had as a
6 transgender person.

7 Fifteen years later, I'm still
8 dealing with trauma of my sexual assault
9 through therapy and prescription
10 anti-depressants. I'm a contributor to
11 the City of Philadelphia in many ways and
12 I'm a fierce educator and advocate for
13 all of our intersecting communities'
14 issues and causes, but still I have a
15 criminal record that prevents me from
16 accomplishing the goals I have set out
17 for myself. One of those goals is
18 adopting a child that's in need.

19 The criminal justice reform is
20 desperately needed, and we must take a
21 look at all aspects of the system, from
22 police profiling to sentencing reform to
23 make this change. We must also commit to
24 eliminating the racial and gender
25 disparities Philadelphians face with an

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2 entire criminal justice system.

3 I want to thank you for
4 allowing me to share my story, and if you
5 have questions, I'm welcome to that as
6 well.

7 Thank you.

8 (Applause.)

9 COUNCILMAN JONES: So first of
10 all, thank you for sharing your stories
11 and thank you for giving us that
12 information, because you may assume that
13 everybody on this side of the table has
14 the answers. That is not the case. We,
15 through your experiences, can develop
16 answers, and that's why this is
17 important.

18 Are there any questions for the
19 folk?

20 Your Honor.

21 JUDGE DeLEON: What you ladies
22 have gone through is what I fight for and
23 what I write about. There has to be a
24 way that when you are doing the right
25 thing for such a long period of time,

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2 that what you did in the past is forgiven
3 totally and that you either will have
4 your record pardoned or expunged.

5 What I gave the former
6 Lieutenant Governor, Lieutenant Governor
7 Stack, I gave him a program called
8 Pathways to Pardons, and he started to
9 operate that program through
10 Representatives and the State Senators
11 where if you go to your State Senator's
12 office and put in a pardon application,
13 it would go to the Board of Pardons from
14 that State Senator's office and it was
15 fast-tracked.

16 So is that still going on now?

17 REPRESENTATIVE CEPHAS: The
18 fast track isn't happening, but there is
19 still a process in place, and our current
20 Lieutenant Governor has made a big effort
21 on streamlining the system to shrink the
22 amount of time that probations do take.
23 Now, it still does take some time and
24 there are still some reforms that need to
25 be done, but our Lieutenant Governor is

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2 moving in the right direction. But there
3 still is a timeframe, and we don't
4 necessarily have too much say on who
5 jumps ahead of the line and who doesn't.

6 JUDGE DeLEON: We were better
7 at it under Lieutenant Governor Stack.
8 I'm going to have to give Lieutenant
9 Governor Fetterman --

10 REPRESENTATIVE CEPHAS: I'm
11 going to trust you with that.

12 JUDGE DeLEON: -- and kind of
13 like get him on board on this program as
14 well.

15 But you ladies should put in
16 those applications. You have to get into
17 the pipeline in order to have an
18 opportunity to have a favorable result.
19 If you don't put in that application,
20 you'll just be telling the story over and
21 over again, and it's a possibility if you
22 put it in, if many people put it in, we
23 have a better opportunity of getting
24 people's records pardoned, because
25 there'll be more people in front of that

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2 Board of Pardons and Parole. So please
3 put those applications in, and let's see
4 if we can make you totally whole. And if
5 you have, put it in again.

6 MS. SHABAZZ: Okay. Your
7 Honor, have you seen the application?

8 JUDGE DeLEON: Yes, I have.
9 And I've also seen them filled out.

10 MS. SHABAZZ: And it's 20 pages
11 long and you see how intense it is?

12 JUDGE DeLEON: Yeah, but it's
13 what we have.

14 MS. SHABAZZ: No, no. I'm not
15 saying that -- it is what we have.
16 However, everything is examined except
17 your medical record, and for some people,
18 that could be very, very intimidating.
19 They want to interview your neighbors,
20 your employers, your former employers.
21 So now you have to -- and I can speak for
22 myself. The conversation that we're
23 having in 2019 is not the conversation
24 we're having ten years ago about criminal
25 justice reform. So for me, it was get a

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2 good job, be quiet, don't talk about ever
3 being incarcerated and kind of go under
4 the radar so it never comes up, because
5 you don't want to have that conversation
6 in terms of your employer or the way
7 people see you or the way people view
8 you. Because it's like, you were in jail
9 before? Well, what happened?

10 You know, it's all of these
11 assumptions. So when you see this
12 application, and I probably downloaded
13 and printed it out 20 or 30 times, and
14 it's always on my vision board, print out
15 that application, do the application, and
16 then when you start looking at the
17 questions and all of the things that they
18 want you to answer, it gets overwhelming
19 and it becomes intimidating. And I'm not
20 saying that they don't need that
21 information, but when you're filling it
22 out, it's like -- it's not really -- I
23 mean, I think his name is Wayne Jacobs,
24 the Pardon Me Clinic, and they'll help
25 you through the process, but it becomes

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2 something -- for me it's like, okay, it's
3 been almost 30 years. It's like I've
4 been able to be successful in my career
5 and kind of -- I'm almost past the phase
6 of my son being in school, so it's like,
7 you know, it's there. Do I want to do
8 it? Absolutely. It's just intimidating.
9 It's very intimidating.

10 JUDGE DeLEON: You know, when
11 we first did it, we were helping people
12 fill out the application, and that was
13 part of the whole process, that we
14 actually had people that were sitting
15 down helping people fill out the
16 application.

17 The first person that we used
18 this for was State Senator Sharif Street.
19 He was the initial State Senator that we
20 did the program through. It started to
21 expand from then. Of course, Lieutenant
22 Governor Stack did not have a favorable
23 result and we have a change in
24 leadership, but you are totally correct,
25 that when the program is done, you have

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2 to have help in filling out that
3 application, and you should have that,
4 and I guess that's something that the
5 Representative will address as time goes
6 on.

7 REPRESENTATIVE CEPHAS: And I
8 think the good thing is that we do have
9 under the new leadership, the new
10 Executive Director, Brandon Flood, was
11 actually someone that was incarcerated,
12 went through the pardon process, and
13 understands the challenges that the young
14 lady is bringing up today. So with him
15 and our new Lieutenant Governor, we've
16 been able to remove some of the fees.
17 There's been an additional state
18 investment in expanding the staff so the
19 processing period goes a lot quicker, and
20 I do believe they streamlined the process
21 in some way. I can't really -- I want to
22 make sure I'm correct with that.

23 MS. SHABAZZ: It is.

24 REPRESENTATIVE CEPHAS: So I
25 think the good thing is that we're moving

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2 the needle a little bit, but he's only
3 been in for a year and some change now,
4 so hopefully with conversations like
5 this, we'll be able to do a lot more
6 based on the experience of people that
7 are actually going through the process.
8 So we have seen some progress.

9 COUNCILMAN JONES: So the only
10 thing you can count on in this life is
11 that there will be change and that
12 opinions -- I've been here long enough
13 now that I know the opinions shift back
14 and forth, and it's incumbent upon
15 everybody in this room to strike while
16 the iron is hot to make change. And the
17 force is out there all the way up from
18 the White House on down. Create that
19 gravity and change. So while we have the
20 kind of leadership that we have now that
21 is open, that is open to this kind of
22 change, we have to be about our business
23 to do that.

24 Two things. Number one, and
25 thanks to the Prison Commissioner and the

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2 people up here, House of Corrections is
3 closed, closed forever.

4 (Applause.)

5 COUNCILMAN JONES: And that was
6 a Herculean task to do that, but it is
7 incremental progress. It can never take
8 back your experience, but it can prevent
9 experiences of people going forward to
10 ever have to go through that there.

11 One question I had for you was,
12 you said that your bail kept you
13 incarcerated with an inability to pay it
14 for another year?

15 MS. BLAKE: Well, yeah. I
16 couldn't afford bail, so I sat in jail
17 waiting to go to court for a year.

18 COUNCILMAN JONES: So if you
19 don't mind sharing, how much was that
20 bail?

21 MS. BLAKE: I think it was like
22 \$1,100, but my mom had my children, so I
23 didn't ask her to pay my bail.

24 COUNCILMAN JONES: So for
25 \$1,100, for \$1,100 you spent a year in

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2 jail. In that time, did your life change
3 outside, whether it was jobs or where you
4 lived, employment? What happened?

5 MS. BLAKE: Well, yeah. I lost
6 my house.

7 COUNCILMAN JONES: You lost
8 your house?

9 MS. BLAKE: I lost everything
10 in it, including my brother ashes.
11 Everything was placed in storage. The
12 storage bill was more than the bail, and
13 I lost everything. So when I came home,
14 I went into treatment when I came home,
15 because I had no house, and my mother,
16 she had all four of my sons and I had to
17 just stay in treatment until I can stay
18 focused, get -- I went to Mercy Hospice,
19 then Interim House, and then Gaudenzia,
20 and then I wind up applying for PHA. I
21 was denied because of my criminal record,
22 even though -- when I lost my house, it
23 was PHA, but I didn't lose it because of
24 going to jail. I lost it because of --
25 well, I lost it because of going to jail,

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2 but not -- I wasn't evicted like because,
3 you know, I did some crime. I was
4 evicted because of the gas not being on.
5 But I was in jail, so I couldn't fight
6 for it. So when I applied for PHA again,
7 I was denied this time because of my
8 criminal record. I appealed it. The
9 defenders -- one of the CLS lawyers, they
10 went with me, with Courtney Bowles, and
11 we appealed it with all the letters from
12 probation officer, the wonderful things
13 that I'm doing, and they overturned it
14 and said my criminal record would not be
15 a barrier for housing. So that's how I
16 was able to get housing again.

17 COUNCILMAN JONES: So just on
18 the record, Washington, DC has not had
19 cash bail for 12 years, and either you
20 are a danger to yourself and society or
21 you are not. Cash does not make us any
22 degree safer. It can make your
23 particular circumstances on the
24 presumption of innocence far worse, but
25 it cannot make us necessarily safer. So

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2 I apologize for what you went through.

3 MS. BLAKE: Thank you.

4 MS. SHUBIK-RICHARDS:

5 Councilman, you raised something that's
6 really wonderful, and I just want to
7 tease out another thing in your exchange.
8 So it's not only cash bail that was at
9 fault here, but it's also that we had a
10 court process that took a year, that you
11 were sitting pretrial for a year. And if
12 you look at court process times in other
13 cities, they are much shorter.

14 Now, there are reasons. It's a
15 very complicated machine, but for
16 somebody who is out pretrial even not on
17 cash bail for a year, they mess up, much
18 like probation and parole, they're at the
19 risk of coming inside. Having a court
20 process that is that long causes a lot of
21 the problems that we're seeing here too.
22 But I just wanted to say thank you.

23 MS. BLAKE: Thank you.

24 MS. SHUBIK-RICHARDS: Thank you
25 to all of you. Thank you,

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2 Representative, and thank you all. What
3 you are doing by being here and talking
4 to us is not easy. It is not easy, and
5 you're a stan and you do it, and thank
6 you.

7 COUNCILMAN JONES: We were
8 intrigued by your testimony obviously,
9 but we have three other panels behind
10 you. So to be fair to everyone's time,
11 we are going to thank you.

12 (Thank you.)

13 (Applause.)

14 COUNCILMAN JONES: Ms.
15 Williams, will you please read the names
16 of the second panel.

17 THE CLERK: Commissioner
18 Blanche Carney, Jovita Hill, and Judge
19 Carolyn Temin.

20 (Witnesses approached witness
21 table.)

22 COUNCILMAN JONES: Thank you,
23 Commissioner. It's not your first time
24 at that table. Every year at least once
25 a year you get to spend time with us. So

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2 welcome back. Please state your name for
3 the record and begin your testimony.

4 COMMISSIONER CARNEY: Good
5 morning. My name is Blanche Carney. I'm
6 Commissioner of the Philadelphia
7 Department of Prisons.

8 Good morning, Chairperson
9 Councilman Curtis Jones and the members
10 of the Special Committee on Criminal
11 Justice Reform. Joining me today with my
12 colleagues appearing here at the table,
13 I'm pleased to provide testimony on the
14 Philadelphia Department of Prison's
15 criminal justice reforms at Riverside
16 Correctional Facility pursuant to
17 Resolution No. 190090, which authorizes
18 hearings to examine adequate solutions in
19 addressing the specific needs of
20 incarcerated women.

21 Our mission of the Philadelphia
22 Department of Prisons is to provide a
23 safe and secure correctional environment
24 that prepares incarcerated persons for
25 positive reentry.

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2 Women are the fastest growing
3 prison population, increasing 700 percent
4 from 1980 to 2014, but here in
5 Philadelphia we've been working
6 collaboratively with the criminal justice
7 stakeholders for the MacArthur Foundation
8 Safety and Justice Challenge to decrease
9 our population across the board,
10 including women. As of October 21st,
11 2019, there are 365 women in our care and
12 only 7.91 percent of our prison
13 population, and this number has steadily
14 decreased with the help of our criminal
15 justice partners since 2015.

16 As the population continues to
17 decrease, we continue to increase
18 positive programming for pregnant and
19 parenting women, connecting them with
20 support of treatment as well as for all
21 women that are incarcerated at the
22 Riverside Correctional Facility.

23 Just to name a few, or I would
24 be here all day, in response to this
25 growing number of pregnant women and

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2 mothers incarcerated at the PDP, we
3 partnered with the MOMobile operations in
4 2006, a program offered by the Maternity
5 Care Coalition. The PDP and MOMobile
6 provides services to pregnant women and
7 mothers of infants at RCF, partnering
8 with women during their incarceration to
9 prepare them for motherhood through
10 parenting education and continue to
11 assist after release. In 2018, the PDP
12 and MOMobile accomplished the following:

13 Provided doula services --
14 those are birthing coaching services --
15 to ten women who gave birth while at RCF
16 and four more in 2019.

17 Six women participate in our
18 lactation program, delivering 1,700
19 ounces of breast milk to the infants.

20 Provided 16 prenatal classes
21 for 20 students.

22 And provided 58 parenting
23 classes, with 63 students enrolled, and
24 21 students graduating from the
25 Department of Human Services' Parenting

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2 Action Network parenting program.

3 Our implementation and
4 medication-assisted treatment has
5 expanded the options for opioid-addicted
6 individuals not maintained on methadone,
7 an option 90 percent of eligible women
8 and 80 percent of the eligible men choose
9 to participate in this year. This
10 program began at RCF in January of 2018,
11 and there are currently 120 people
12 enrolled in our MAT program. Female
13 inmates represent 20 percent of the
14 inmates enrolled in our MAT. Our MAT
15 program is one of the largest MAT
16 programs in the City.

17 We also several years ago
18 partnered with the Girl Scouts Beyond
19 Bars. This is a program for mothers at
20 RCF and their daughters to meet and share
21 time and activities from October through
22 June to learn life skills and complete
23 regular Girl Scout activities, helping
24 them foster the maternal-child bond.

25 Stories Alive, in conjunction

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2 with the Free Library of Philadelphia,
3 offers parents a chance to read with
4 their children using video conferencing
5 setups in neighborhood libraries similar
6 to Skype or FaceTime.

7 Artistic programming is
8 available for the women at RCF, including
9 our participation in the Hidden Lives
10 Illuminated animation program at Eastern
11 State Penitentiary earlier this year and
12 past Shining Light Ministry performances.

13 Our New Leash on Life dog
14 training program has begun working with
15 our female inmates. Participation in
16 this program reduced recidivism rates by
17 nearly 50 percent, and many participants
18 have job placements with groups like ACCT
19 Philly upon release.

20 Earlier this year, alumni for
21 the PDP New Leash on Life program came to
22 our graduation to speak on their
23 experiences with the New Leash on Life
24 program and how it has helped them with
25 the successful release and navigation

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2 upon returning to their communities.

3 Daytime and evening gymnasium
4 hours exist for exercise opportunities as
5 well as transformational yoga and cardio,
6 because we do know that women do gain
7 weight at an alarming rate as compared to
8 their counterparts that are not
9 incarcerated.

10 This year we introduced three
11 new policies for female offenders.
12 Feminine hygiene products are provided to
13 all, regardless of ability to pay, at no
14 cost. Women who have given birth while
15 in custody are permitted a two-hour visit
16 per week with the child and permitted to
17 breastfeed in a designated area with the
18 newborn.

19 The PDP has also adopted an
20 emotional support dog, Macaroon, from the
21 New Leash on Life program, and Macaroon
22 tours our facilities and also provides an
23 extremely calming effect with the women
24 at the Riverside Correctional Facility.

25 We understand that women just

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2 don't grow up and say, I want to go to
3 jail. There are traumatic histories, and
4 unfortunately I'm the last stop in that
5 intervention. We can do more to assess
6 before people become involved with the
7 criminal justice system.

8 We know women are suffering
9 with traumatic backgrounds of abuse,
10 sexual abuse, mental illness, and
11 substance abuse. All of that at some
12 point comes to a head and they're
13 engaging with criminal justice partners,
14 and we have to do a better job to assess
15 before people even get involved and start
16 to go down that path of engaging the
17 various criminal justice partners.

18 We're clear that people aren't
19 just waking up and wanting to commit
20 crimes. There are things that are going
21 on in the lives of citizens here in
22 Philadelphia.

23 I had the unique experience of
24 being a social worker at the Philadelphia
25 Industrial Correctional Center when we

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2 had women there. When we started to
3 experience the increase in the female
4 population, that was the impetus for the
5 Riverside Correctional Facility being
6 built, which is unfortunate. We're in a
7 great position right now where we are
8 trending down in our numbers. Yes, there
9 is a lot of work ahead of us and more
10 that we can do, but for over 20 years,
11 the Philadelphia Department of Prisons
12 has been committed to women and their
13 children.

14 With the help of a Stoneleigh
15 Foundation fellow, we worked
16 collaboratively with the Department of
17 Human Services to create a Know Your
18 Rights bill for parents, incarcerated
19 parents, and out of that came the
20 scheduling of case conferences for
21 incarcerated parents, men and women, to
22 participate in family hearings so that
23 their voices were heard. That was a
24 collaborative effort, and it's still
25 going on today.

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2 We've also over 25 years hosted
3 a holiday party. It may not sound a lot,
4 but in the month of December, we turn RCF
5 into a room where the children take over.
6 We have outside partners that come in,
7 and the women spend time with their
8 children. And whatever gift that that
9 child receives is always stated "from
10 your mother."

11 We maintain ten minutes free
12 phone call time every day that the
13 mothers can call home and have those
14 conversations, ten free minutes. We
15 maintained that over the years. I refuse
16 to budge on that, because I know how
17 critical it is.

18 We've also maintained in-person
19 visits. Now, some jurisdictions have
20 gone to tele-visits. In-person visits
21 are very important, because we know that
22 is an opportunity for the mother to touch
23 her child and the child to touch the
24 mother. And it's important and it's
25 incumbent upon us that we continue to

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2 work collaboratively to explore ways for
3 us to address the needs of incarcerated
4 women. And working with the Chief
5 Defender, Keir Bradford-Grey, we've done
6 great work. We've explored opportunities
7 where we can make changes, and they've
8 been positive. And keeping the goal is
9 what are we doing to best serve women who
10 are incarcerated and find themselves
11 there.

12 And in closing, we have to do
13 more pre-assessment before people are
14 working their way through the criminal
15 justice system.

16 Thank you.

17 (Applause.)

18 COUNCILMAN JONES: So members
19 of the panel aren't supposed to clap, but
20 I feel that you guys are compelled to do
21 so when you hear good work being done.
22 Just as a protocol, we're supposed to act
23 stoic. But good job. Good job. Take
24 all that clapping.

25 I just want to thank you. How

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2 do we compare to other cities on the
3 topic of addressing women who are
4 incarcerated? It's okay to brag right
5 now.

6 COMMISSIONER CARNEY: Well, I
7 would say, you know, 8 plus, 8 plus. The
8 reason being is with the opioid epidemic
9 and understanding the impact on women and
10 children, when we implemented our MAT
11 program, I said, no, we're going to start
12 with the women. Why? Because they are
13 the missing link. And so I knew I had
14 children outside that were being cared
15 for or in placement, and if we didn't
16 offer the treatment first to the mother,
17 that's going to be an even greater
18 impact.

19 So that was a bold move to
20 implement MAT, started with the women,
21 and then give them an opportunity to
22 recover. Use the time wisely to recover.

23 In addition, we knew once we
24 induced on MAT, now what? We were going
25 the extra step, enrolling, starting with

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2 the women again, in medical assistance.

3 All of the programs and treatments and

4 healthcare that we start, we know that it

5 has to be a continuum of care. We

6 started MA enrollment with the women and

7 we expanded to the men.

8 So the focus here is always for

9 me -- I have a bias here, and that bias

10 is understanding that the majority of our

11 incarcerated mothers are parents, and

12 that that has a ripple effect on the

13 children. So we need to make sure we're

14 doing all that we can to help them

15 transition. So not only did we start

16 MAT, we started the MA enrollment, and we

17 have a longstanding history with the

18 Lutheran Settlement House for domestic

19 education, awareness.

20 Many of our women are coming in

21 with domestic violence backgrounds, and

22 the charges now are related to some of

23 those situations. And so we were at the

24 forefront of understanding that women

25 being the major caretaker of the families

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2 were being impacted, and now we have the
3 second and third generation.

4 So all of the programming, once
5 we step back, we're looking to see who is
6 going to benefit most. The male
7 population benefits from all of the
8 programs that we start with the women,
9 because we know they're the missing
10 piece.

11 We also understand with the
12 recent amendment for Act 88, giving
13 grandparents the opportunity to have an
14 emergency 90-day guardianship where they
15 can provide for the children, they can
16 take them to appointments, was
17 instrumental. And so we continue to work
18 collaboratively with the Department of
19 Human Services or the guardians to make
20 sure that the children aren't -- their
21 lives are impacted as minimal as
22 possible.

23 But incarceration is not easy.
24 It takes a toll on the entire family;
25 namely, those children.

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2 MS. BRADFORD-GREY: Can I just
3 say briefly. I'm sorry. I want to say
4 this to Commissioner Carney. Leadership
5 matters, and effective leadership
6 matters, and I want to thank you for your
7 leadership. You have a sense of
8 responsibility, and your unique
9 perspective has allowed us to explore
10 some of these issues. And when everyone
11 says that you can't do things, yes, you
12 can. You can do it if you have the will,
13 the desire, and the knowledge and
14 information to do so, and you have done
15 that.

16 I know there's things that have
17 gone on where you've been criticized for
18 this or that. You're never going to be
19 perfect, but I say keep doing what you're
20 doing, because I know, I see it, and we
21 see it with our clients how much they are
22 understanding that the humanity is
23 seeping back into this system. And while
24 people don't want to understand or admit
25 how important that is because it's not

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2 quantifiable, just look around. Look at
3 the stories that you heard. These are
4 people. These are human beings. And
5 like you said before when we were at a
6 Criminal Justice Advisory Board, we have
7 to realize, what are we doing? What do
8 we want? And if we want short-term goals
9 or punitive response, look at the
10 long-term effects that has.

11 And so I just thank you for
12 your leadership. I can be on my soapbox
13 all day, and I won't, because I know we
14 have to get through a lot of people, but
15 when you have leaders who care, this is
16 the type of outcomes you get.

17 COMMISSIONER CARNEY: Thank
18 you.

19 MR. ROJAS: Commissioner, I
20 just want to congratulate you again. We
21 were social workers, social work
22 supervisors together, and we've come a
23 long way. You became Commissioner; I
24 retired.

25 One of the issues that I was

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2 always concerned about is the contractors
3 at the Philadelphia Prison System and
4 whether or not they reflect the
5 population that's incarcerated in our
6 prisons and whether or not non-profits as
7 well as private companies are actually
8 offering employment opportunities to the
9 women and the men that are incarcerated
10 beyond bars.

11 COMMISSIONER CARNEY: Since my
12 tenure, I've put that in place, that we
13 have to have post-release engagement.
14 Post-release engagement is that if we're
15 funding and partnering with you, there
16 has to be a benefit post-release.

17 A lot of programs will tout how
18 well their programs are doing. Well,
19 we're doing the heavy lifting, providing
20 food, clothing, and shelter, but my
21 concern is what happens to individuals
22 when they release out. How are you
23 transitioning them into post-release
24 employment?

25 So we've started that with the

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2 New Leash on Life, as I stated before, is
3 one of our programs that has provided
4 robust job placement upon release, in
5 addition to housing. One of the alumni
6 returned back and spoke about how it
7 changed her life and had she not been
8 incarcerated unfortunately at RCF, she
9 would never have had that opportunity.

10 So we're expanding that for
11 those programs that can provide workforce
12 readiness and placement. It can no
13 longer be a stipend. We need to
14 transition people from a stipend to a
15 livable wage and allow them to go on with
16 their lives. And so I'm really
17 interested in programs that are able to
18 deliver for that.

19 MR. ROJAS: What about the
20 issue of the wages that -- inmates are
21 actually working with these large
22 corporations at the prisons and they're
23 getting paid very little money. The
24 least they can do is hire them when they
25 come out.

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2 COMMISSIONER CARNEY: And you
3 are absolutely correct. We're working
4 with that -- in late '18, early '19, we
5 partnered with the Streets Department and
6 Workforce Development where we have a
7 cohort of work release inmates that are
8 working at the auto shops and they're
9 doing training, with the hope that once
10 they develop up their skills, they'll be
11 released as a cohort and they can then
12 test for City employment. If they pass
13 that, then they will become City
14 employees. This is groundbreaking.

15 They are receiving more than
16 the \$1.50 per day that the inmates
17 receive on State Road. I've also made a
18 request for increased pay for the inmate
19 workers. So it would require an increase
20 of \$1.50 per day.

21 Again, it's educating folks not
22 just to simply increase the wage, but to
23 also give them access to financial
24 literacy on how best to manage that
25 money, save the money while they're

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2 there. Some inmates have paid bail based
3 on their inmate work pay. As you stated
4 before, if bail is eliminated, they can
5 then save that money to transition out
6 and be in a better situation and position
7 once they release. They can provide for
8 themselves housing, clothing, and the
9 basic necessities.

10 COUNCILMAN JONES: Well, thank
11 you, Mr. Rojas, for increasing our
12 budget.

13 So now once we get that
14 information, we're responsible for it.

15 COMMISSIONER CARNEY: Thank
16 you.

17 COUNCILMAN JONES: And we will
18 bring that to the attention. And there
19 might be laws on the books already
20 dealing with our minimum wage issues.
21 We've made a bold statement about
22 bringing people up to a living wage.
23 Well, there might be a way to hold that
24 money, pay off fees, whatever court
25 costs, and apply it to some of the

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2 restoration. So we're going to take a
3 look at that as well.

4 DEPUTY COMMISSIONER BETHEL: So
5 I'll start with my bias, because I love
6 Commissioner. I love everything she
7 does, and I wanted to echo what the Chief
8 Defender was saying, when you talk about
9 leadership and you're putting a round peg
10 in a round hole. I can't tell you -- for
11 those who are listening in this audience,
12 and there are going to be many people who
13 may see this on video, this is the real
14 deal. This is what happened when
15 somebody steps up and takes leadership by
16 the helm and is not afraid to take risks
17 and not afraid to say, yes, I can be a
18 tough Commissioner with four stars, but I
19 can have the humanity and the respect and
20 the dignity that everyone deserves.

21 And so I would be remiss if I
22 didn't say to you, you know, before you
23 walked away how much I appreciate you. I
24 idolize the work you do from afar. You
25 are doing it the way it should be done.

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2 It's the way that people should be
3 looking at this problem and this issue.
4 And so I just wanted to personally
5 commend you, and I'm sure I share that
6 with my colleagues and all those looking
7 at you.

8 When you look at this person
9 here, this is someone who is doing it the
10 way it should be done in a proper way,
11 and for that, I commend you.

12 COMMISSIONER CARNEY: Thank
13 you.

14 (Applause.)

15 MS. SHUBIK-RICHARDS: So,
16 Commissioner, I know you didn't have a
17 chance to respond to the Inquirer's
18 reporting on the high use of pepper spray
19 at Riverside. So could you respond to
20 that now, please?

21 COMMISSIONER CARNEY: Thank
22 you, Ms. Shubik-Richards. Thank you.

23 So there was an article that
24 was in the Inquirer this week regarding
25 the reporting of overuse of pepper spray.

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2 So in a correctional environment, pepper
3 spray is the minimal amount of force
4 necessary to gain compliance. We
5 understand that women come with a myriad
6 of challenges, and the first goal is
7 always to engage the individual to
8 de-escalate, de-escalate by interacting
9 with them, giving them verbal commands,
10 or sometimes separating them if they get
11 in a physical altercation. We have to be
12 able to separate folks immediately and
13 stop any further injury that may result
14 of them fighting.

15 So the Prisons was portrayed
16 that we just go around and we pepper
17 spray folks. That's not it. It's
18 de-escalation. And we were at the
19 forefront, again, making change.

20 In 2018, initiated in our
21 partnership with the National Institute
22 of Corrections, I implemented our
23 training academy to start crisis
24 intervention training. That gave the
25 correctional officers and

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2 multidisciplinary staff the opportunity
3 to understand what someone goes through
4 when they're in a crisis, when they're
5 hearing voices because there is mental
6 illness present, and that has decreased
7 our rate of pepper spray.

8 The first is de-escalation,
9 first and foremost, always. When it
10 continues and we've exhausted
11 de-escalation tactics, pepper spray,
12 which is a water-based solution made up
13 of food-grade ingredients similar to hot
14 sauce. We use that to disperse,
15 separate, secure, and get people the
16 treatment that they need.

17 Now, when we say "treatment,"
18 sometimes it may be a scratch, but we
19 check everyone out. We evaluate and we
20 investigate every single use of force.
21 But also it's twofold. It keeps the
22 inmate population safe and it keeps the
23 staff safe, because we don't want
24 physical, physical use of forces. And so
25 if you spray, you disperse, you

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2 de-contaminate by flushing of the eyes,
3 medical contractors take a look, assess,
4 render any medical care, if necessary,
5 and we track and investigate every single
6 use of force.

7 We knew we did not have crisis
8 intervention training. We implemented
9 that. Why? Because we wanted the inmate
10 population to be safe and we wanted the
11 staff to be safe. We wanted to know that
12 de-escalation works. You can talk to
13 people and de-escalate. You can ask
14 them, what's going on with you? How can
15 I help you? Is something going on when
16 you hang up the phone? Versus, get off
17 the phone. Now it's like, hey, what
18 happened?

19 My brother just got shot.

20 Okay. Let me get you help now.

21 That's part of that
22 de-escalation. And the staff have taken,
23 I mean, such a hold of it that it's even
24 boggled the inmate population that
25 observe when staff go on those units and

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2 they're talking to folks that are clearly
3 in a crisis. And the goal is to
4 de-escalate with the minimal use of
5 force. And I appreciate you asking that
6 question, because these are all of the
7 efforts that are underway.

8 Again, Prison Rape Elimination
9 Act, I have zero tolerance. It's not
10 just an act. The staff hear me say, it
11 starts with me, zero tolerance. We will
12 treat people with dignity and respect.
13 We investigate all allegations, and if
14 it's founded, discipline is rendered.
15 Zero tolerance.

16 COUNCILMAN JONES: Yes, ma'am.

17 MR. ROJAS: Can I just say
18 something, ask you something? I know
19 you're the HWC. You have how many more
20 women that are in positions of
21 leadership?

22 COMMISSIONER CARNEY: So we
23 have two female wardens and we have two
24 human service program administrators. We
25 have a training academy director. We

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2 have recently a director of education,
3 because I'm concerned that women take
4 advantage of educational opportunities
5 prior to release. I want to increase
6 those numbers of educational attainment,
7 so that's one less barrier that they have
8 to worry about when we're partnering and
9 presenting job opportunities.

10 COUNCILMAN JONES: We're going
11 to let the HWC --

12 MR. ROJAS: Head woman in
13 charge.

14 COUNCILMAN JONES: So that the
15 other panelists can --

16 COMMISSIONER CARNEY: I'm sorry
17 about that.

18 MS. HILL: That's okay. And
19 actually before I continue with my
20 prepared testimony, I want to say how
21 fortunate I am to be sitting next to you
22 today and how fortunate we are here in
23 the City of Philadelphia to have a
24 Commissioner of Prisons who comes from a
25 background of restorative justice as

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2 opposed to punitive justice, and I want
3 to say thank you.

4 COMMISSIONER CARNEY: Thank
5 you.

6 MS. HILL: So now I have to put
7 on my glasses.

8 Good morning, Chairman Jones
9 and members of the Special Committee on
10 Criminal Justice Reform. I am Jovita
11 Hill. I am Executive Director of the
12 Mayor's Office of Engagement for Women
13 and the Philadelphia Commission for
14 Women, and I appreciate this opportunity
15 to testify today.

16 Our office is committed to a
17 social justice agenda that promotes
18 civic, educational, and economic policies
19 that enhance the lives of women and
20 girls. Our office is under the Mayor's
21 Office of Public Engagement that includes
22 the Office of Civic Engagement and
23 Volunteer Services, the Office of Black
24 Male Engagement, the Office of Youth
25 Engagement, the Millennial Advisory

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2 Committee, and the Mayor's Commission on
3 Asian American Affairs.

4 We are committed to approaching
5 public policy from an intersectional lens
6 that respects and considers the variables
7 of race, ethnicity, class, gender, gender
8 expression, age, disability, and even zip
9 code as some of the many ways that
10 influence how we experience inequality.

11 Our office embraces a
12 participatory stakeholder model of
13 meaningful public engagement that
14 informs, consults, involves,
15 collaborates, and ultimately empowers the
16 end users of our public engagement. To
17 put this more simply and relevant to why
18 we are here today is that our advocacy on
19 behalf of incarcerated and formerly
20 incarcerated women is informed by the
21 women themselves. We believe that women
22 with lived experience are the experts in
23 providing the most astute policy and
24 legislative recommendations that would
25 improve outcomes.

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2 An example of this is an
3 article that was featured in our 2018
4 annual report entitled Women's Bill of
5 Rights: A Blueprint for Keeping Women
6 Free, written by lead authors Faith
7 Bartley, who was one of our poets today,
8 Latyra Blake, who you heard from today,
9 and Teresa Saunders, with contributions
10 from LaTonya "T" Myers and Nikkie
11 Lee-Smith, with assistance from Courtney
12 Bowles and Mark Strandquist from the
13 People's Paper Co-Op. Their
14 recommendations included ending cash
15 bail; more transitional housing options
16 that would allow women to live with their
17 families in PHA homes; fair employment
18 offering a living wage; education
19 opportunities, including banning the box
20 from college and university applications;
21 more lenient family reunification
22 policies so that incarcerated mothers
23 have more time to spend with their
24 children; and the need for peer mentoring
25 during incarceration and after release.

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2 Our report was distributed to each
3 Councilmember earlier in the year and, as
4 required by law, was delivered to the
5 Chief Clerk. Our 2018 report is also
6 available online.

7 I attended a conference
8 recently hosted by Maternity Care
9 Coalition and the Stoneleigh Foundation,
10 and I was stunned by the statistic that
11 81 percent of incarcerated women in
12 Philadelphia are awaiting trial and have
13 not been convicted. Let me repeat that.
14 Most of the women who are sitting at
15 Riverside are awaiting trial. They've
16 not been convicted.

17 And so when you couple this
18 with 80 percent of incarcerated women who
19 are also mothers, you have a system that
20 exacerbates the impact of incarceration
21 on women and their children. It is as if
22 children are serving a prison term along
23 with their mothers. I think we can do
24 better than this.

25 I urge this body to listen to

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2 the suggestions from formerly
3 incarcerated women. Hear their stories.
4 Hear their recommendations about the
5 support services they need to be whole.
6 Let them know that you support policies
7 and resources for them to live their
8 lives with dignity that is deserving of
9 all human beings. I urge that the
10 criminal justice reforms that this
11 Committee champions are those that are
12 restorative rather than punitive, reforms
13 that place a priority on family
14 unification rather than family
15 separation.

16 For too long the circumstances
17 and needs of incarcerated women have
18 remained in the shadows.

19 Thank you for this opportunity
20 for bringing these issues into the light.

21 MS. BRADFORD-GREY: Thank you
22 so much.

23 Councilman is gone for a
24 comfort break.

25 As for the next panelist, Judge

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2 Temin.

3 JUDGE TEMIN: Thank you very
4 much for this opportunity to be here and
5 discuss this really important issue with
6 you. This is an issue that I've been
7 involved with since 1964 when I became
8 the first woman ever to be hired as a
9 staff member at the Defender Association
10 of Philadelphia. The first thing I
11 know --

12 MS. BRADFORD-GREY: Shout-out
13 to that.

14 JUDGE TEMIN: The first thing I
15 noticed was that there was a law on the
16 books that required women to be sentenced
17 if they were convicted of a felony to the
18 maximum sentence allowed by law. You're
19 probably shocked to hear that. I was
20 shocked to find that out. I was also
21 shocked to find out that nobody had ever
22 done anything about it. So I was able to
23 bring cases and have that law, the Muncy
24 Act, declared unconstitutional.

25 There is a whole long

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2 interesting history about how women
3 eventually got to be sentenced on the
4 same law that applied to men. It took a
5 while, but we were, in the end,
6 successful because a man decided that he
7 would like to be sentenced under the
8 Muncy Act and because theoretically under
9 that Act, it never happened, but
10 theoretically you could be paroled the
11 day after you were sentenced because
12 there was no minimum sentence, only a
13 flat maximum sentence. And when a man
14 asked to be sentenced under the Muncy
15 Act, the Supreme Court finally said,
16 enough of this, everybody will be
17 sentenced under the same law.

18 But it's very interesting that
19 women have always been on the short end
20 of the criminal justice system, and one
21 of the reasons is that despite the fact
22 that there has been this enormous
23 increase in incarcerated women, anywhere
24 from 700 to 800 percent increase between
25 the start of the war on drugs, which was

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2 the cause of a lot of it in the '70s, and
3 the late '90s. The numbers are going
4 down now for everything, fortunately.
5 But despite that, they still only
6 comprise about 10 percent of the total
7 prison population. So compared to men,
8 this is true in Philadelphia.

9 If you look at how many women
10 are incarcerated compared to how many
11 men, women are about 10 percent, and
12 that's true nationally. And because of
13 that, women have been declared to be
14 statistically insignificant.

15 This is a phrase I learned when
16 I was General Counsel and Secretary of
17 the State Parole Board back in the '70s
18 and I was at a meeting about grants. We
19 used to have something called LEAA, the
20 Law Enforcement Assistance
21 Administration, which was a federal
22 entity that gave money to almost anybody
23 in the criminal justice system who could
24 come up with an idea. There was a lot of
25 money, and it was freely available. And

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2 I was at a meeting about how the state
3 system could use the money and have
4 programs, and I sat through
5 three-quarters of the meeting and raised
6 my hand and said, I haven't heard
7 anything about programs for women, and
8 that's when I was told, oh, women are
9 statistically insignificant, meaning
10 there's not enough of them to make it
11 worthwhile to have programs specially
12 designed for them.

13 Now, thank goodness we are
14 beyond that stage now and we have a
15 Commissioner who is a woman herself and
16 who is very aware of women's special
17 needs and special problems. And I'm
18 happy to report that now for the first
19 time, our office is taking action
20 directly to address these problems.

21 District Attorney Krasner has
22 asked me to head a task force to ensure
23 access to justice for women and girls,
24 and we have embarked on a year-long
25 mission to gather the necessary data to

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2 deal with such subjects as who are the
3 women who become involved in the system,
4 what is their life experience, how do our
5 sentencing practices discriminate against
6 women.

7 When we treat women the same as
8 we treat men, are we actually treating
9 them unequally? Because it's been
10 pointed out by people over the years that
11 equal treatment is not the same as
12 appropriate treatment, and treating
13 people the same doesn't mean you're
14 treating them equally, especially when
15 you compare the differences between women
16 and men who get involved in the criminal
17 justice system. We all know, yes, there
18 are some that are the same. There are
19 violent women just like there are violent
20 men, and there are women who enjoy
21 embarking on a life of crime, like
22 economic crimes and things of that
23 nature, and we understand that, but when
24 you look at the women who end up in
25 prison, these women share a common life

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2 experience usually, which they have all
3 been the subject of some kind of abuse -
4 psychological, physical, sexual,
5 sometimes all three. They all have very
6 low self-worth, which makes it very
7 difficult to make them believe that
8 they're entitled to be better than they
9 are.

10 Some people who work in the
11 prison have told me that it's difficult
12 sometimes to get women to come to the
13 programs that are available because a lot
14 of them just don't feel entitled, if you
15 can imagine that.

16 We want to look at what prison
17 rules, regulations, and practices need to
18 be changed to really treat women equally.
19 Do the staff of women's prisons need
20 specialized training in dealing with
21 trauma? Do we really need to incarcerate
22 pregnant women? Do we have to
23 incarcerate lactating women?

24 I think the fact that the
25 Commissioner has brought about a program

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2 where women can share their breast milk
3 with their infants by having it
4 transported to them and so forth is
5 certainly very good, but wouldn't it be
6 better if the babies were there.

7 There are seven prisons --
8 seven states that do have nurseries in
9 their prisons, and we're looking at them
10 to see if there's some sort of model that
11 we can bring to Pennsylvania. There are
12 other countries where children can be
13 housed in a very nice situation and go to
14 school with their mothers in prison.
15 Italy is one of them. So we're looking
16 at other countries as well.

17 Other people have spoken this
18 morning about the problems of separating
19 mothers and children, and I'm not going
20 to elaborate on that. You know about
21 that. We criticize the Trump
22 Administration for separating families,
23 and yet we're doing the same thing in
24 many ways. So we have to stop doing
25 that, and we have to look for

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2 alternatives. We have to look for
3 alternatives to incarceration for single
4 parents of minor children, and we're
5 looking at that. We're speaking with the
6 people who founded something called Drew
7 House in Brooklyn where mothers and
8 children can live together even though
9 the mothers are technically incarcerated.

10 We're looking at the programs
11 in women's prisons to see if they're
12 designed to really practically
13 reintegrate them into society. We're
14 looking at how are women's prisons
15 compared to the men's prisons.

16 For instance, we have women
17 Philadelphians at Muncy, and Muncy is
18 three hours from here, and there is no
19 public transportation available that goes
20 there, so that the women who go there are
21 really isolated from their families.
22 Also, women in prison usually suffer from
23 lack of a support system, because their
24 mothers and grandmothers and aunts are
25 busy taking care of their children and

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2 don't have time to visit them, where our
3 men who are in prison have a whole
4 support group made up of all the women in
5 their family.

6 So there are really significant
7 differences between women and men, and I
8 am personally now looking into something
9 that I hope will be a partial solution
10 about all of our women in state custody
11 having to be so far away from their
12 families.

13 We're also engaging with other
14 institutions such as Ardella House and
15 people in New York and other places to
16 help us accomplish and look for solutions
17 to these problems.

18 I look forward to the
19 opportunity to come back a year from now
20 and maybe report on significant progress
21 that we've made in this area.

22 Thank you very much for this
23 opportunity to address you.

24 MS. BRADFORD-GREY: Thank you.
25 Thank you so much.

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2 Any questions?

3 (Applause.)

4 MS. BRADFORD-GREY: Thank you
5 so much. I want to thank you for all of
6 your leadership. Judge, thank you so
7 much for your leadership and, of course,
8 for being the first woman of the Defender
9 Association, which is near and dear to my
10 heart.

11 But I do want to say this: As
12 a member of this criminal justice
13 stakeholder group, and I really took to
14 heart what you said, Ms. Hill, about the
15 women that are in there pretrial, none of
16 our organizations are beyond reproach,
17 and I will say that the Defender
18 Association can play a better role in
19 ensuring that people are brought to trial
20 timely. And so these are things that we
21 are looking at in our system, in our
22 structure, in our organization. Are
23 there unnecessary delays, and if there
24 are, we will hold people accountable as
25 well. And I know that doesn't always

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2 make us the most popular executive
3 directors, but it's necessary.

4 So I think it's important for
5 leaders to recognize that we're not
6 perfect and we have work to do, and we
7 can't sugarcoat some of the things that
8 our own office is perpetuating that
9 really cause some of these issues. So I
10 am speaking honestly about those things,
11 and these are the things that we need to
12 make sure that we step up and do better.

13 JUDGE DeLEON: Judge Temin,
14 I've always admired your leadership and
15 your judicial acumen. You know, it's a
16 funny thing, I was involved in a group
17 with State Representative Waters where a
18 lot of women who had men that were
19 incarcerated, they got together in a
20 group and they arranged for buses to take
21 themselves and their children up to the
22 prison -- at that time, it was
23 Graterford -- to see their men and to
24 have the interaction of the children with
25 the men in quality time, and I just don't

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2 ever see something like that happening
3 for the women, or is it happening?

4 You're correct, you need to
5 have that support, and when you have
6 women that are up there at Muncy, you
7 need that kind of organization where it's
8 adjoining together to take families out
9 to see them and to have that good
10 interactive time with them.

11 That's just my observation.

12 JUDGE TEMIN: I don't know of
13 any effort there. There used to be an
14 organization of actually past prisoners,
15 men mostly, who did organize a bus that
16 would be used to transport families to
17 visit prisoners. That was a long time
18 ago, and as far as I know, it's not being
19 done now.

20 JUDGE DeLEON: Yeah.

21 You haven't seen anything,
22 Commissioner?

23 COMMISSIONER CARNEY: I'm just
24 aware that the PA Prison Society is
25 coordinating that effort to the state,

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2 and we have worked with the PA Prison
3 Society for when the Uber drivers do come
4 onto campus. They're designated to an
5 area where there's easy identification
6 where they can be dropped off and picked
7 up. So it's between the coordination
8 with the Uber for PA Prison Society and
9 then the folks using SEPTA or private,
10 personal vehicles, but not a bus, to my
11 knowledge.

12 MS. BRADFORD-GREY: So we have
13 a couple of panels that are waiting, so I
14 want to make sure that I say thank you so
15 much.

16 And, Judge Temin, I would love
17 to work with District Attorney Krasner on
18 really getting a diversionary program for
19 women who have been domestically abused
20 and have come into the system with a new
21 charge related to that. I think he said
22 that he would do that, and I really would
23 love to move forward on that. Now is the
24 time. So I really appreciate your
25 testimony.

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2 COUNCILMAN JONES: So we would
3 love to clap, but we're too dignified to
4 do that, but there's a virtual clap
5 happening right now. All right? Y'all
6 can clap, though.

7 (Applause.)

8 THE CLERK: Coming up, Margaret
9 Zhang and Evan Thornburg.

10 (Witnesses approached witness
11 table.)

12 COUNCILMAN JONES: Thank you
13 all for sticking around. We appreciate
14 it. This information does not go into a
15 black hole. It goes into the thought
16 processes of everyone on this Commission
17 and the other Councilpeople in these
18 Chambers, because that's my job to convey
19 that policy once I hear about it.

20 So welcome. In any order you'd
21 like. State your name for the record and
22 begin your testimony.

23 MS. ZHANG: Hi. My name is
24 Margaret Zhang.

25 Good morning, Councilman Jones,

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2 other Councilmembers, and members of the
3 Special Committee on Criminal Justice
4 Reform. On behalf of the Women's Law
5 Project, I want to thank you, thank City
6 Council for the opportunity to be here
7 and to convene this hearing on this
8 important issue, the needs of
9 incarcerated women.

10 As I said, my name is Margaret
11 and I'm a staff attorney at Women's Law
12 Project. We're a non-profit legal
13 advocacy organization with offices here
14 in Philly and Pittsburgh. We seek to
15 advance the legal status of women, girls,
16 and LGBTQ individuals through impact
17 litigation and policy advocacy.

18 We've worked throughout the
19 years to improve conditions for
20 incarcerated women. We previously
21 represented a class of women contesting
22 unconstitutional and unsafe prison
23 conditions at Muncy. We later
24 represented incarcerated women prisoners
25 seeking compensation for deliberate

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2 difference here in Philly, which had led
3 to an undiagnosed and untreated spread of
4 a drug-resistant staph infection that
5 disproportionately affected those women.

6 We represented two pregnant incarcerated
7 women in civil rights lawsuits, one whose
8 preterm baby died as a result of the
9 City's failure to provide timely medical
10 treatment and one who was shackled during
11 childbirth while at Cambridge Springs.

12 We also supported the adoption of the
13 Healthy Birth for Incarcerated Women Act
14 in 2010. So we appreciate being asked to
15 be here.

16 I want to acknowledge that we
17 have made progress as a city. As we've
18 heard, the number of women in custody has
19 dramatically decreased. We're under 400
20 from more than 800 just a few years ago.
21 And you heard about the MOMobile at
22 Riverside with Maternity Care Coalition.
23 That is singular and unique and wonderful
24 that we have that here in Philadelphia.

25 I do want to highlight, though,

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2 that there is still more to be done.

3 Philadelphia should continue to decrease
4 the number of women who are incarcerated.

5 That 80 percent number should really go
6 down. The 80 percent of women who are at
7 Riverside are pretrial. That means they
8 haven't -- they're not serving a sentence
9 for a crime. So obviously that needs to
10 change.

11 For those who remain
12 incarcerated, though, I just want to use
13 the remainder of my time to highlight
14 ways that we can improve conditions of
15 confinement for these women and
16 particularly for those who are pregnant
17 and postpartum.

18 So this is going to be a host
19 of issues, and I know there's a lot of
20 proposals out there to address them, but
21 I just want to give you the range of
22 things that we should be thinking about
23 as we're thinking about incarcerated
24 women.

25 So, first, compared to

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2 incarcerated men, our women are at an
3 inherent disadvantage because they have
4 to pay for female-specific necessities
5 like bras and feminine hygiene products.
6 What's important about that is not just
7 the cost, but also the inherent power
8 disadvantage that puts them at, where
9 women, even if they might not have to
10 pay, they still have to ask for these
11 products that they need, and that creates
12 the potential for embarrassment,
13 humiliation, and abuse.

14 There was a question about
15 sexual assault earlier. Yes, it does
16 happen. There was a case that was
17 litigated at the Third Circuit. It's the
18 E.D. versus Sharkey case up in Berks
19 County. A woman was sexually assaulted.
20 This does happen, because you're in a
21 situation where someone has
22 disproportionate power over you. You're
23 asking for some feminine hygiene products
24 and they say, yeah, I can give that to
25 you, but you're going to have to give me

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2 something else in return.

3 And so these are conditions
4 that are simple, we can change them, and
5 we can make it so that that's not an
6 inherent power advantage that's being
7 used to women's detriment.

8 Second, incarcerated women
9 require trauma-informed and specialized
10 medical care, including mental health and
11 substance use treatment, as well as
12 gynecological, obstetric, and abortion
13 care.

14 Third, incarcerated women and
15 particularly those who are pregnant, they
16 should receive exercise opportunities,
17 adequate nutrition, and other
18 health-related accommodations.

19 Fourth, pregnant and postpartum
20 women face dangerous complications from
21 the use of restraints such as shackling
22 and also the pepper spray issue that we
23 heard about earlier today.

24 Fifth, incarcerated women often
25 can't breastfeed their children. We do

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2 benefit here from the program at
3 Riverside, but it would be great if there
4 was some way for women and babies to stay
5 together so they wouldn't have to ship
6 that breast milk out.

7 Sixth, incarcerated women are
8 often more likely than incarcerated men
9 to be parents and primary caretakers.
10 You've heard that already. And we need
11 to improve the opportunities for them to
12 spend time with their children.

13 I agree with whoever said it
14 earlier, that this improves recidivism
15 rates, and it really should be something
16 we should be encouraging, because that
17 continuity of relationship is so
18 important.

19 And I want to address the point
20 made earlier about causes of the rise in
21 incarcerated women. It is true that most
22 women are non-violent offenders and it's
23 been fueled by this continued
24 criminalization of minor drug offenses.
25 And so I think even compared to the

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2 incarcerated men population, most of
3 these women are not there for a violent
4 crime, and for that reason, we should be
5 doing all we can to continue to allow
6 them to interact with the outside world.

7 Seventh and finally, I just
8 want to touch on reentry. This is a
9 perilous time for formerly incarcerated
10 women and we need to take all the steps
11 we can to promote successful reentry. In
12 today's opioid epidemic, that is all the
13 more important, because right after their
14 release, that's when they're at the
15 highest risk of death from drug overdose.
16 And so if we can get them access to
17 medication-assisted treatment on the
18 inside, that's been associated with an 85
19 percent reduction in drug-related
20 fatalities in the first month after
21 release.

22 So overall, in responding to
23 the myriad challenges that these women
24 face, I would encourage you, City
25 Council, and all these stakeholders to

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2 work together, along with our local
3 Incarcerated Women's Working Group to
4 enact policies and to enact change that
5 would meaningfully improve these
6 conditions of confinement for
7 incarcerated women.

8 Thank you so much.

9 COUNCILMAN JONES: Thank you
10 for your testimony.

11 Seeing no questions, please
12 begin your -- state your name for the
13 record.

14 MS. THORNBURG: Yes. So good
15 morning, esteemed Committee members. My
16 name is Evan Thornburg. My pronounces
17 are she/her. I serve as the Deputy
18 Director of the Mayor's Office of LGBT
19 Affairs for the Kenney Administration.

20 I have come before you today to
21 give some general insight and information
22 that pertains to the experience of LGBTQ
23 individuals in incarceration. This issue
24 is one that I have strongly invested in
25 over the course of my entire tenure here

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2 at the City, and I'm excited to see the
3 Committee engaging in the process of
4 digging into the complexity of it and
5 what needs to be done to improve these
6 spaces so that they can bring
7 reformation.

8 According to the 2011-2012
9 National Inmate Survey, the latest survey
10 done by the Bureau of Justice and was
11 administered to over 92,000 incarcerated
12 individuals that were 16 and older housed
13 in adult prisons, jails, ICE, and
14 military facilities, LGBTQ individuals
15 are incarcerated at a rate of about
16 1,800, nearly 1,900 in 100,000, which is
17 three times the national rate of the
18 general U.S. population.

19 Forty-two percent of women in
20 prison and nearly 36 percent of women in
21 jail identified as a sexual minority and,
22 that is, having had a sexual or romantic
23 experience with someone who has the same
24 gender identity as them.

25 In both prison and jail,

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2 lesbian and bisexual women were sentenced
3 to longer periods of time than their
4 straight identified counterparts. Also
5 to just note, that bisexual women between
6 the ages of about 13 to 24 have the
7 highest rate of domestic violence.

8 LGBTQ individuals are
9 substantially more likely to be
10 subjugated to solitary confinement, with
11 28 percent of currently incarcerated
12 lesbian, gay, and bisexual people being
13 placed in isolation within the past year.

14 For trans individuals, this
15 placement is frequently not connected to
16 issues of their own behavior, but rather
17 for protection from the general
18 population, but has a deleterious effect
19 on their mental well-being and can affect
20 the outcome of their sentencing.

21 Solitary confinement limits an
22 individual's ability to access any number
23 of support services, programs, and
24 resources that are available to them, and
25 not utilizing them can give the

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2 appearance to a judge that these
3 individuals are not committed to their
4 own reformation process.

5 Transgender people are almost
6 ten times as likely to be sexually
7 assaulted while incarcerated, with an
8 estimated 40 percent reporting a sexual
9 assault in prison or jail in the last
10 year. When housed with men, as is
11 frequently the protocol, trans women are
12 13 times more likely than any of the men
13 they're housed with to be sexually
14 assaulted. These assaults are
15 perpetrated by both other inmates and
16 staff.

17 The statistics I have presented
18 that are specific to LGBTQ individuals
19 are bleak, but it would be remiss of me
20 if I did not also clearly state that
21 other general issues brought up today of
22 incarceration in the justice system
23 plague this community severely too, such
24 as cash bail and how that punishes the
25 poor, of which trans women of color and

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2 cisgender queer women of color are likely
3 to identify as, particularly in a city
4 like Philadelphia where we have such a
5 high poverty rate.

6 The hyper-criminalization and
7 punishing of sex workers, homeless
8 individuals, immigrants, victims of
9 domestic violence, and those suffering
10 from addiction and mental health issues,
11 as well as the lack of sentencing
12 alternatives like diversion programs that
13 are competent and willing to enroll LGBTQ
14 individuals, many diversion programs do
15 not or openly admit they are not
16 competent or not willing to take
17 specifically trans folks.

18 The research done and compiled
19 on incarceration at all echelons of
20 government has shown repeatedly that
21 LGBTQ individuals, particularly those
22 with challenges of mental health and of
23 color, are overrepresented in this
24 population, will serve substantially
25 longer periods of time, be held in

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2 isolation, and likely be the targets of
3 sexual assault.

4 With this information, I
5 encourage those here today to push for
6 progress and reform as it applies to
7 policies, standards of care, and
8 alternative programs like diversionary
9 programs that specifically target and
10 understand this population's needs in our
11 justice and prison systems.

12 Thank you for providing me this
13 time to speak. I am open to any of the
14 Committee members' questions at this
15 time.

16 MS. BRADFORD-GREY: So my
17 question -- it's not really a question.
18 It's an ask. I thank you for your
19 testimony, because that is enlightening
20 information. I know we represent people
21 in the LGBT community, and I think that
22 it would be great if you gave defense
23 counsel a tutorial or a lesson on some of
24 the things that the trans population does
25 not have access to, so when we go before

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2 a judge with mitigation and information
3 so that the decision-makers can make
4 these important decisions, we understand
5 the context by which the people that we
6 are representing are either disengaged or
7 disenfranchised from really meaningful
8 positive pro-social activities.

9 So I think that this is an
10 education piece, not just for the Council
11 to do something about it in terms of
12 legislatively or even funding, but this
13 is also a practical and practice issue
14 that I think that everyone who is
15 representing anyone in this justice
16 system needs to understand. So we would
17 love to engage you even more just for
18 education on these issues so that we can
19 be better advocates.

20 MS. THORNBURG: Absolutely.

21 MR. ROJAS: If I can make one
22 suggestion. When I worked at the prison,
23 I taught diversity, and we have
24 in-service trainings at the prisons, and
25 it would be very good to have the LGBT

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2 community present in-service training so
3 they can lift the awareness among the
4 staff there.

5 MS. THORNBURG: I will say that
6 the Mayor's Office of LGBT Affairs as
7 well as -- which is housed in the Mayor's
8 Office of Diversity and Inclusion, we
9 have comprehensive curriculum-based
10 training and competency training that
11 we've designed and that we retrofit to
12 the spaces and departments that we
13 present it to. We've currently trained a
14 good portion or a substantial portion of
15 over 5,000 individuals at the City.

16 And so that is something we're
17 able to roll out with ease. We do all of
18 the new recruits at the Police Academy
19 and all first-responders in the Fire
20 Department as they are engaged in
21 promotion.

22 So that is something that is --
23 we would love to be able to provide and
24 also provide to any number of folks who
25 work within the City, but also closely

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2 with the City or contract with the City.

3 COUNCILMAN JONES: Thank you

4 for your testimony. Again, it doesn't

5 just go to City Council or its budget,

6 but it filters out to people who have

7 these kinds of responsibilities all over

8 the City. So thank you.

9 MS. THORNBURG: Thank you.

10 COUNCILMAN JONES:

11 Ms. Williams, will you please read the

12 next panel to testify.

13 THE CLERK: Judge Lori Dumas,

14 Marianne Fray, Rachel Henderson, and

15 Jazmine Smith.

16 COUNCILMAN JONES: Thank you

17 all for your patience once again. Please

18 come up to the table, have a seat.

19 (Witnesses approached witness

20 table.)

21 COUNCILMAN JONES: So I think

22 this is the last panel, but I don't want

23 time to escape for us to make this

24 announcement, that Julie Wertheimer, who

25 has been on this Commission from before

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2 the beginning, has an announcement kind
3 of to make, and I'm going to put her on
4 the spot to make it, because I'm doing it
5 in protest.

6 MS. WERTHEIMER: Thank you,
7 Mr. Chair.

8 It is with a lot of mixed
9 feelings that I will be leaving my post
10 at the City in two weeks' time. It has
11 been a privilege to serve the people of
12 Philadelphia, serve on this Committee and
13 in many other roles with incredible
14 partners, both within the government
15 agencies and in the community, the
16 community advocates who keep us informed
17 and hold us accountable as we try to make
18 this a better place.

19 So I will miss this a lot.
20 Tough decision to leave, but I'm grateful
21 for the opportunity to have done all the
22 work that we accomplished together.

23 COUNCILMAN JONES: And speaking
24 of all the work, how much money did the
25 City raise towards reform efforts during

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2 your tenure? I'm putting you on the
3 spot.

4 MS. WERTHEIMER: A total amount
5 is hard to --

6 COUNCILMAN JONES: Rough guess.

7 MS. WERTHEIMER: -- make off
8 the top of my head. We have 7.65 million
9 that we've gotten from the MacArthur
10 Foundation since 2015. There have been
11 numerous grants from sources like PCCD
12 that have supported other efforts,
13 whether it be front-end diversion or work
14 that the Chief Defender's Office is doing
15 with kids and education, but it's in the
16 millions, and it's greatly increased our
17 capacity to make much-needed change.

18 COUNCILMAN JONES: And what was
19 the census population of inmates on River
20 Road when you got here and what is it
21 now?

22 MS. WERTHEIMER: When I got
23 here, that was in the phase where it was
24 close to 10,000 on some days, and we are
25 below 5,000 now.

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2 COUNCILMAN JONES: So I'm going
3 to relax the rules on clapping.

4 (Applause.)

5 MS. BRADFORD-GREY: Julie, it's
6 been a pleasure working with you over
7 these last four years. So I'm really
8 shocked to hear that, but it's been an
9 interesting ride and we've done some
10 really amazing things.

11 MS. WERTHEIMER: Thank you.
12 Yeah. This is definitely a team effort
13 from all the agencies and all the
14 community members. This work doesn't get
15 done by any one person or one entity, and
16 it's hard and we got to keep doing it,
17 and I'll be watching enthusiastically
18 from the sidelines.

19 COUNCILMAN JONES: We wish you
20 great success and we hope you're not just
21 watching but funding some of the things
22 we're doing.

23 JUDGE DeLEON: I've really
24 enjoyed working with you on the various
25 committees that we've been on. It's

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2 really been a pleasure, and I'm going to
3 miss your great disposition.

4 MS. WERTHEIMER: Thank you.

5 JUDGE DeLEON: And your
6 leadership, subtle leadership.

7 COUNCILMAN JONES: So with that
8 in mind, guys, please, in whatever order
9 you'd like. I'll take the prerogative
10 and ask the judge to go first, if you
11 would. Grab the mic, bring the mic, and
12 then state your name for the record.
13 You're familiar with this.

14 JUDGE DUMAS: Thank you.

15 COUNCILMAN JONES: Welcome.

16 JUDGE DUMAS: Good afternoon.

17 My name is Lori Dumas. I am currently a
18 Court of Common Pleas judge here in
19 Philadelphia. I am assigned to the Civil
20 Division -- well, the Trial Division and
21 assigned to civil cases at this time.

22 Thank you for the opportunity
23 to provide just a few words or thoughts
24 about juveniles. I did serve in the
25 Juvenile Court for approximately 16

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2 years. So I will say that that's where
3 my passion and my experience lies. My
4 heart is still there, which is the reason
5 why I agreed to come today just to share
6 a little bit about my thoughts and my
7 findings of the current status of the
8 resources available for females that are
9 in the juvenile system.

10 Throughout the course of my
11 tenure on the bench in Family Court, I've
12 watched resources dwindle, especially for
13 females. When I came, there was a
14 disparity in services that were available
15 for females, but the disparity grew as
16 services began to dwindle, to the point
17 where when I asked some stakeholders in
18 preparation for this hearing today about
19 the current status of resources for
20 juveniles, I'm going to read my two
21 questions that I asked, one from an
22 administrator in Probation and one from
23 an administrator from the DA's Office.
24 And the question was, are there any
25 female-specific programs serving

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2 adjudicated youth through Family Court?

3 The answer from the administrator in

4 Probation was none.

5 When I asked the administrator
6 from the DA's Office, tell me about
7 programs that are being utilized for
8 adjudicated female youth, the response
9 was, there are currently no specific
10 girls programs through Family Court.

11 So what does that mean? We
12 know we have young ladies that come
13 through the court both on the dependent
14 side and the delinquent side, but if
15 we're talking about criminal justice,
16 we're talking about those on the juvenile
17 justice side. So we're talking about
18 young ladies. And right now there are
19 currently 14 females in placement, 24
20 held at the Juvenile Justice Center, and
21 there are roughly about another 300 or so
22 on probation.

23 I'm sure that Ms. Henderson
24 will be able to either corroborate or not
25 those figures that I received just

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2 yesterday.

3 So that sort of stood out to
4 me, first and foremost, because I thought
5 that those numbers were very low. So
6 either they're not being arrested or the
7 ones that are being arrested are either
8 going through diversion programs and/or
9 they're being placed on probation, but
10 wherever they fall, the question is, are
11 their needs really being met? I would
12 dare say not, because if we don't have
13 the programming, then what -- even
14 probation, what does that look like?
15 What does that mean? Does that mean that
16 a young lady just has a probation officer
17 that she's checking in with every now and
18 then? How does that address the fact
19 that I believe philosophically every
20 child that comes through the halls of the
21 juvenile justice system are traumatized
22 in some way?

23 So studies have shown that
24 girls that are in the juvenile justice
25 system clearly have experienced some

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2 trauma. So if they're already -- whether
3 they're in placement or on probation or
4 even through a diversion program, what is
5 being offered to them to truly address
6 the trauma that has impacted them to the
7 point that they end up in our system?
8 Because you and I, all of us know that
9 juveniles who are impacted by trauma
10 become adults impacted by trauma.

11 So we have through Juvenile
12 Court and I always believed we had the
13 unique opportunity to really -- to make
14 the difference between the life or that
15 transition from being a juvenile to an
16 adult if we did what we were supposed to
17 do. The problem is that we had a lot of
18 people in the system when I was there and
19 I know who are still there that are very
20 passionate about providing the services
21 that our young people need so that they
22 can move into adulthood trauma-free or
23 trauma-less, but we're just people.
24 Without services that are truly
25 impactful -- and we all know we've had

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2 services, we've had providers who say
3 they can do this and say they can do
4 that, but the proof is in the pudding.
5 The proof is in the outcomes. And when
6 we see -- and I know that we have numbers
7 of -- arrests are down and things of that
8 nature and even when I was there, and we
9 would always hear that. Well, arrests
10 are down. Well, we weren't seeing any
11 less young people in our courtrooms. So
12 I'm not really sure where the numbers,
13 how they kind of meshed with what we were
14 seeing, but what we were seeing were
15 families who were dysfunctional and
16 families who had children with
17 significant needs that could not be met,
18 and the reason why they could not be met
19 is because the services that existed then
20 and the services that don't exist now are
21 not available to truly meet the needs of
22 these kids who are traumatized.

23 They're traumatized by their
24 home lives. They're traumatized by their
25 communities. They're traumatized by what

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2 happens in their schools. And unless we
3 are really serious about impacting
4 criminal justice, unless we are really
5 serious about reforming criminal justice,
6 we've got to get them young.

7 We've got to use the systems
8 that we have to really make the impact.
9 And without services that really mean
10 what they say and do what they say that
11 they're supposed to do, which definitely
12 includes trauma-informed care from the
13 time they walk into the door until the
14 time they walk out, everybody in our
15 system needs to be trained on
16 trauma-informed care. And I know that
17 these are kind of buzz words that are
18 being kind of thrown out into the air
19 lots of times, but they have a true
20 meaning. And if you have professionals
21 that really understand what
22 trauma-informed care is, trauma-informed
23 care, it's not just about how we handle
24 kids. It's about what the atmosphere is
25 like when they walk in the front door,

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2 how they're treated by the staff when
3 they come in, how their parents are
4 treated, how they're talked to, what the
5 ambiance of the room is.

6 And I realize that we're
7 talking about a paradigm shift as it
8 relates to our system, but what I
9 experienced in Family Court and what I
10 continue to see even now sitting on the
11 sidelines is that we say a lot, but until
12 we actually start doing, our children are
13 not going to get any better. And that's
14 from the top down, leadership on down.
15 We have to really mean that we are
16 creating a philosophy where we are truly
17 helping the people that we say that we
18 want to help.

19 And so what I'm hoping is that
20 from these hearings that we are able to
21 really -- or that you are able to make
22 recommendations that really speak to the
23 heart of why our children aren't getting
24 any better.

25 So thank you.

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2 COUNCILMAN JONES: I'm not
3 going to ask you any questions because
4 your statements speak for themselves.
5 I'll let Mr. Rojas ask the question, but
6 I just want to thank you for taking the
7 time away from civil to come back and
8 refresh what you've learned over those
9 last 15 years. And if I take nothing
10 away from what you said, it's paradigm
11 shift.

12 We once were more Quaker
13 oriented in our justice application for
14 the children's benefit, and what we've
15 drifted away from in that regard is a
16 pipeline from childhood to adult.

17 I'll never forget when you,
18 Defender, said some of the clients you
19 saw as their advocates, you wind up
20 representing in courtroom. And if that's
21 the case, we can cut them off at the
22 pass, if you would, by providing better
23 care on the term that I've now attributed
24 to you, pre-entry. Pre-entry.

25 Brother Bethel over there sat,

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2 I think, right here and did a 20-minute
3 tirade, I'll never forget, and totally
4 changed how fees and fines were
5 appropriated to poor folk who had to
6 manage some of these children in crisis
7 in your courts.

8 So I understand what you're
9 telling us. Action does trickle into
10 public policy. So we're grateful for
11 that sharing, Your Honor.

12 MR. ROJAS: Judge Dumas, I have
13 a question for you. The School District
14 of Philadelphia is responsible for the
15 education of children and young adults
16 who are direct file to provide the
17 education. My wife was the psychologist
18 at the Youth Study Center, and that was
19 through the School District of
20 Philadelphia.

21 What else is the School
22 District doing to address some of the
23 issues that you just raised?

24 JUDGE DUMAS: That's a great
25 question. What I would say -- and maybe

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2 Rachel in her presentation will have some
3 more answers, but I will say that the
4 time that I was there, the School
5 District provided little partnership,
6 little partnership involvement with our
7 youth. They did the bare minimum as it
8 related to education. At one point, they
9 were sort of involved in the truancy
10 project that we had, but that dwindled
11 away. And I will tell you that it really
12 depends on the administration at the
13 time. That determines how involved the
14 other stakeholders are actually
15 participating with our at-risk youth.

16 Our at-risk youth are sort of
17 in a box, and the other stakeholders kind
18 of decide how much they're going to
19 participate depending on the leadership
20 and depending on the philosophy.

21 I can remember being a very new
22 judge and Vallas was at the time, he was
23 in charge of the School District, and he
24 came to Family Court and he provided this
25 elaborate structure of what the School

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2 District's priorities were. And I
3 remember because Judge Dougherty, Justice
4 Dougherty now but Judge Dougherty at the
5 time, was the Administrative Judge. So
6 we looked at each other at the end of the
7 presentation and asked -- I asked, what
8 happens to -- or what category or place
9 do our children here fit in? And his
10 response candidly was, well, actually,
11 there is no place for them.

12 So mind you, that was Vallas.
13 He's no longer in charge. But I have not
14 necessarily seen a whole major shift from
15 that philosophy as it relates to the
16 School District.

17 MS. BRADFORD-GREY: I just want
18 to thank you so much, Judge. I know we
19 worked together when I was a young public
20 defender, and you still are a tireless
21 advocate for these youth, especially our
22 girls. And I want to echo the sentiment
23 of the lack of programming, the lack of
24 enrichment programming. That's why I'm
25 so glad that Jazmine Smith is here to

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2 really offer some solutions, because
3 what's been tough, as the Public
4 Defender's Office, we've been going out
5 combing the streets, what do you have,
6 and bringing it to a court, and the
7 problem is is getting it to be consistent
8 in the programming options for courts to
9 say, hey, we found something that matches
10 this and suits this young lady's
11 challenges, needs, and of course
12 prospects of them being a young,
13 well-adjusted woman. And I'm really,
14 really interested in how do we bring
15 programs and -- I'm going to shut up
16 soon, so I want Jazmine to really talk
17 about it. How do we bring programs to
18 light so that the Probation Department
19 can be funneling kids into these
20 pro-social activities that really, really
21 work.

22 You have women like Jazmine who
23 are just like -- she gets it, and she has
24 these young ladies and they are
25 confident, they are fearless, they are

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2 tireless, and they are going to be our
3 future leaders.

4 So I really would love for our
5 City Council to really get with whoever
6 the decision-makers for the programming
7 to bring new programming in, bring people
8 in to talk about their programs and how
9 it's been working, because sometimes we
10 have program providers that we don't hold
11 accountable for are the recidivism rates
12 going down, are the youth being more well
13 adjusted in schools, the behavior, home.
14 That's where we need to really focus on.
15 And so I'm just looking forward to the
16 rest of the panel's discussion.

17 JUDGE DUMAS: So leadership of
18 the Courts as well as leadership of DHS,
19 both have to be open to partnerships with
20 community partners.

21 COUNCILMAN JONES: I need you
22 to repeat that for the record.

23 JUDGE DUMAS: Leadership of the
24 Courts as well as DHS have to be open to
25 partnerships with community agencies and

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2 entities that are providing the services.

3 There are community services out there.

4 My daughter was in Jazmine's program for

5 a little while. And so I understand the

6 importance of working with the community,

7 but I'm not in charge. So those who are

8 in charge have to embrace outsiders who

9 are passionate and willing and able to do

10 the work, because we can't do it in a

11 vacuum. The system can't do it by

12 itself. If we don't make ourselves

13 available to the community and to people

14 who live and work and are passionate

15 about the community, then we miss out on

16 several opportunities to really make the

17 impact that we say we want to make.

18 DEPUTY COMMISSIONER BETHEL: I

19 got to defer to the judge.

20 JUDGE DeLEON: Lori, you're so

21 totally correct. You don't know the

22 issues that I went through to remain on

23 this committee through court leadership.

24 It was something that was done for the

25 first time and it was -- so you are

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2 totally correct. It has to be an open
3 mind on both sides, and that's one of the
4 reasons why I write about criminal
5 justice reform, because from the judicial
6 side and the prison side, it's so
7 important for our society to right these
8 wrongs that have taken place with so many
9 people within it, from the children and
10 the families all the way up. You're so
11 totally correct.

12 JUDGE DUMAS: Thanks.

13 DEPUTY COMMISSIONER BETHEL:

14 Just real quick, I just want to -- I
15 deferred. Now I'm taking it back.

16 But, Judge, I want to thank you
17 for your support of my work and the work
18 I've done, but I guess my question to you
19 is, I know you also advocated around
20 human trafficking.

21 JUDGE DUMAS: Yes.

22 DEPUTY COMMISSIONER BETHEL:

23 Has that kind of -- we miss you in the
24 juvenile side, as you know.

25 JUDGE DUMAS: I miss it too.

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2 DEPUTY COMMISSIONER BETHEL: Is
3 that no longer a part -- I know it's not
4 been a part of the dialogue today, but I
5 know that was also a passion of yours as
6 well.

7 JUDGE DUMAS: So Rachel
8 actually was part of the team that
9 started WRAP Court. I don't know if
10 she's going to talk about it. WRAP Court
11 does exist. I will say that just like
12 anything, when you have leadership, every
13 leader is different, and so the fire
14 around the issue of human trafficking as
15 it relates to juveniles in Philadelphia
16 and through Family Court is a little --
17 it's different because the leader is
18 different, and everybody leads
19 differently.

20 What I will say is that my
21 hopes for the WRAP Court, which is
22 Working to Restore Adolescents Power, my
23 hope for that was that we would be
24 much -- the Court would be much further
25 in its impact than it is right now.

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2 The Court does still exist. I
3 don't have an opportunity to participate
4 anymore because of my change in
5 assignment, and so I have to do my work
6 outside of the court system. But the
7 stakeholders never really got the
8 opportunity to fully work together as a
9 team to make the impact that we should be
10 making as it relates to the issue. So
11 I'm hoping that that will change and that
12 it will pick up some speed again and
13 create positive outcomes for human
14 trafficking survivors.

15 DEPUTY COMMISSIONER BETHEL:

16 Thank you.

17 COUNCILMAN JONES: Okay.

18 MS. FRAY: I think it's
19 afternoon now.

20 COUNCILMAN JONES: It is
21 definitely.

22 MS. FRAY: So good afternoon,
23 and thank you, Representative Cephas, who
24 I think has left now, Councilman Jones
25 and members --

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2 COUNCILMAN JONES: She's right
3 there.

4 MS. FRAY: Oh, I didn't see
5 you. Thank you.

6 Yeah. She is stealth back
7 there.

8 -- (continued) and members of
9 the Special Council on Justice Reform for
10 inviting me to speak with you today. My
11 name is Marianne Fray and I am the Chief
12 Executive Officer for Maternity Care
13 Coalition that has been referenced a
14 couple times throughout the day. And
15 since 2006, MCC has worked in partnership
16 with the Philadelphia Department of
17 Prisons, as you heard from Commissioner
18 Carney earlier, to provide MOMobile
19 services to pregnant women and moms with
20 young children at Riverside Correctional
21 Facility.

22 Research on child development
23 has clearly demonstrated that it is best
24 for mother and baby to be together during
25 the first three years of life. We heard

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2 poignant testimony earlier when we were
3 hearing from the women in the first
4 panel. I firmly believe that, whenever
5 possible, pregnant and newly parenting
6 mothers should not be incarcerated.

7 Instead, we should provide access to
8 diversion programming that includes
9 evidence-based home visiting that
10 supports and promotes the success of the
11 mother and the bond between her and her
12 children.

13 The MOMobile program at the
14 Riverside Correctional Facility is
15 designed to meet the unique needs of
16 mothers during their time of
17 incarceration and for up to one year
18 after release. Our program includes
19 educational groups for pregnant women and
20 new moms, individual case management
21 services, and support for babies'
22 caregivers.

23 In collaboration with the
24 Philadelphia Department of Prisons, we
25 have also established a unique program

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2 for women who deliver a baby while
3 incarcerated, which includes a doula or
4 labor support and the opportunity to
5 express breast milk and transport it to
6 the baby. Upon release from Riverside,
7 we transition to a home visiting model in
8 which we support mothers in accessing
9 community-based services and benefits and
10 assist mothers in reuniting with their
11 children.

12 The goal of our program is to
13 help women stay connected to their
14 children. One MCC client, Ayanna, was on
15 her way to earning a business degree at
16 Philadelphia Community College when she
17 was arrested, leaving behind a son, the
18 day she also found out that she was three
19 months pregnant. While serving time at
20 Riverside, Ayanna was determined to stay
21 strong for the sake of her son and the
22 new baby. So she enrolled in our
23 MOMobile program.

24 Ayanna's incarceration was
25 particularly difficult for her young son.

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2 She said, I quote, "It was really hard
3 because he would cry, then he'd write me
4 letters, and I'd write letters through
5 MOMobile. His dad was going through a
6 thing too because he was used to me being
7 around. It was hard for both of them,"
8 unquote.

9 Ayanna served a few months
10 while awaiting trial -- and we heard
11 about the very long time that so many of
12 the women at the Riverside Correctional
13 Facility are there before they actually
14 go to trial -- and was ultimately
15 released once the charges were dropped.
16 Ayanna gave birth shortly after her
17 release, and she was on the phone with
18 her MCC advocate, Bridget, during the
19 birth of her baby.

20 Ayanna's story is just one
21 example of the impact of incarceration on
22 mothers and families. Last year, 103
23 women received services through MOMobile
24 at Riverside program. It is worth noting
25 that, as we've heard earlier, 81 percent

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2 of all women at Riverside are pretrial.

3 This is particularly problematic for

4 pregnant and newly parenting women, as

5 the incarceration of a parent is

6 considered an adverse childhood

7 experience. And it's quoted on the

8 personal testimony of what the -- where

9 this comes from.

10 I'm deeply troubled by the
11 notion of breaking up a family or taking
12 a newborn baby away from its mother
13 simply because she's not able to make
14 bail.

15 As we know, the criminal
16 justice system was not built with women
17 in mind, and it was certainly not
18 designed to accommodate pregnant women.
19 Pregnant women have unique nutritional
20 needs, and we continue to work with
21 Riverside to ensure access to appropriate
22 foods during incarceration.
23 Additionally, we know that many
24 incarcerated women have experienced
25 multiple forms of trauma, so we strongly

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2 recommend all correctional facility staff
3 be trained in providing trauma-informed
4 care, and I totally agree with what
5 you're saying.

6 Based on our expertise and
7 following our recent forum on
8 Understanding Incarceration's
9 Multigenerational Impact on Women, Girls,
10 and Communities, held in collaboration
11 with the Stoneleigh Foundation, we
12 identified three proposed reforms that
13 are particularly promising.

14 First, decrease or eliminate
15 cash bail for pregnant women and
16 parenting mothers.

17 Two, increase diversion
18 programming and include home visiting
19 services for pregnant and newly parenting
20 women.

21 And, finally, expand the use of
22 restorative justice practices.

23 We are proud of our partnership
24 with the Philadelphia Department of
25 Prisons and will continue to provide

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2 services to incarcerated pregnant and
3 parenting mothers. However, we encourage
4 the City of Philadelphia and the
5 Commonwealth of Pennsylvania to take
6 meaningful steps to address the root
7 causes as to why pregnant and newly
8 parenting women end up in the criminal
9 justice system in the first place.

10 Whenever possible, let's keep mothers and
11 their children together and provide
12 comprehensive support, including
13 evidence-based home visiting services, in
14 order to reduce and prevent the
15 long-lasting impact of incarceration on
16 women, children, families, and
17 communities.

18 Thank you for this opportunity
19 to speak with you today.

20 MS. BRADFORD-GREY: Thank you
21 so much.

22 I'm going to go to Rachel
23 Henderson really quickly.

24 Rachel, if you can highlight
25 some of the main areas of your testimony.

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2 I know we've been here for a little
3 while, but I want to make sure that we
4 get the gist of it. And I know most of
5 the information is kind of common between
6 Judge Dumas and yourself as well and we
7 want some hear some of the solutions in
8 terms of community opportunities as well.

9 MS. HENDERSON: I just wanted
10 to speak a little bit about --

11 COUNCILMAN JONES: State your
12 name.

13 MS. BRADFORD-GREY: And where
14 you're from.

15 MS. HENDERSON: Yes. I'm
16 Rachel Henderson and I'm an attorney with
17 the Defender Association of Philadelphia.
18 I'm assigned to the Children and Youth
19 Unit at this time. I've been with the
20 Defender Association for 17 years. I've
21 probably represented children for 16 of
22 those years or 15 of those years I've
23 been at the Defender. I spent a lot of
24 time in Honorable Lori Dumas, in her
25 courtroom.

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2 I was here to talk about
3 incarceration of children. We have three
4 different types of places we send our
5 children to basically in the juvenile
6 system. Residential treatment
7 facilities, this you basically need a
8 prescription by a psychiatrist to go that
9 says your mental health needs are best --
10 can best be treated in this type of
11 facility. If anybody remembers, we had
12 one in the City of Philadelphia. That
13 was Wordsworth. That facility is now
14 closed because a child died there.

15 Philadelphia also contracts
16 with facilities that are thousands of
17 miles away in New Mexico and Arkansas.
18 Imagine if you are a child being sent
19 thousands of miles away from your home to
20 get help. Imagine if that is your child
21 that they have sent a thousand miles
22 away.

23 We also have one secure
24 facility for girls in the State of
25 Pennsylvania at this time. It is

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2 Danville. Danville is currently the
3 subject of a lawsuit by the Disability
4 Rights Project for the abuse of children.
5 Disability Rights went to visit the girls
6 at that facility. They got them to sign
7 releases for all of their information so
8 Disabilities Rights can represent them in
9 this suit. The staff at Danville then
10 convinced those children, those girls, to
11 rescind those releases.

12 At that time, I personally went
13 back up to Danville as a member of the
14 Defender Association and had those girls
15 re-sign those releases. As a result,
16 that lawsuit has proceeded, and we're in
17 the process of negotiating with YDC
18 Danville to make the changes that we need
19 to make for those children.

20 In addition, we only are left
21 with one other facility for girls in
22 Philadelphia. It's New Outlook Academy.
23 That is five hours away. When you send a
24 child three or five hours away from home,
25 not only are they looking at people that

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2 don't look like them and they are
3 separating from the people that they
4 love, these children are also stripped
5 from their families and then the family
6 is affected because now if there's any
7 kind of benefits coming into that home,
8 mom loses those benefits, grandma loses
9 those benefits. Now you've created a
10 housing problem. The child no longer has
11 a place to return to.

12 If many of our parents and
13 families are working hourly wage jobs,
14 they don't have predictable schedules.
15 They cannot take a three- to five-hour
16 trip to visit children. Then everybody
17 in the system is judging them as bad
18 parents, and now this child cannot return
19 to the home of their parents because mom
20 couldn't make it because she also has
21 five young kids she has to take care of.
22 You can't put five toddlers on a bus
23 that's three hours to five hours away.
24 Has anybody tried that? I mean, that is
25 a difficult thing to do.

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2 Look, when you send a child to
3 secure placement, they are transported in
4 shackles. Our girls are transported in
5 shackles. When they arrive to a place
6 that has barbed wire around it and they
7 are told this is the place that's going
8 to help you, they walk you into a room
9 and they strip-search you. Our girls
10 have been raped. They do not deserve to
11 be strip-searched by strangers.

12 Staff members are allowed to
13 use restraints. If you view any of the
14 videos of how they restrain our children,
15 I have one girl, she was 85 pounds. A
16 225-pound male took her to the ground
17 because she did not want to talk to him
18 anymore about her own sexual abuse. The
19 next day the same staff member and
20 another 200-pound male restrained her
21 again. We were lucky that she was being
22 supervised by a judge that immediately
23 pulled her out of that facility, but not
24 every judge will do that in Family Court.

25 If you saw those videos, if it

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2 occurred outside of a facility, those men
3 would have been arrested for assault. If
4 you attacked your own child like that in
5 your home, you would lose custody of your
6 child and you would likely be arrested
7 and spend time on State Road.

8 We took a look at some of the
9 girls that were in placement in April of
10 2019. At that time, we had 17 girls in
11 placement that are represented by the
12 Defender Association. All of the girls
13 were girls of color. They were placed on
14 technical violations of probation, 69
15 percent of them. 69 percent of them only
16 had misdemeanor charges. Of the 17
17 Defender clients, 60 percent had been
18 restrained in placement.

19 Most girls in these facilities
20 are going for technical violations of
21 their probation. They are going because
22 they did not attend school or because
23 they violated GPS. They're placed on
24 GPS. You're supposed to have a curfew.
25 You're supposed to be in a home.

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2 The last girl I went to see,
3 she had left her foster home. I asked
4 why she left. She said because the boy
5 in the home, I was afraid of him that he
6 was going to sexually assault me.

7 I said, well, did you report
8 this to anybody?

9 She said, no. I didn't want to
10 go through that again.

11 She previously had been
12 sexually assaulted in placement. She had
13 to tell her story endlessly. She was
14 moved from placement to placement. She
15 was essentially punished for being a
16 victim, so she chose just to leave the
17 home at that time.

18 Another young lady violated her
19 GPS due to the fact that she couldn't
20 stay in the home anymore because her
21 mother had approximately 15 other people
22 living in the home and one of them was
23 her uncle who smoked wet. She said, I
24 can't stand the smell. I cannot stand to
25 be in that home all day. You don't

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2 understand how chaotic it is.

3 I asked her about CUA, who is
4 the Community Umbrella Agency that's
5 supposed to service her home. I said,
6 was CUA aware of these people? Her
7 response was, Ms. Rachel, all the workers
8 that come to my home only talk to me on
9 my porch.

10 These agencies are supposed to
11 be there to protect our children and
12 they're not even entering the home.

13 I have another young lady who
14 was not attending school. It turns out
15 the school couldn't accommodate the needs
16 of her educational plan. She said to me,
17 why should I go? All they do is suspend
18 me, and I'm not learning anything.

19 I think you can kind of get a
20 picture of who our girls are in
21 placement. They've been severely
22 traumatized, to be shackled and driven
23 thousands of miles away from your home,
24 only to be restrained by men. It makes
25 our girls worse. It does not improve

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2 their status in our community.

3 What have we done at the
4 Defender Association? At this point, we
5 have implemented Project Success. This
6 is a grant we got for \$150,000 to address
7 the school-to-prison pipeline in
8 Philadelphia through an innovation --
9 through this, one of the goals of Project
10 Success is to address the school push-out
11 and adultification of black and brown
12 girls, looking at the different needs of
13 our girls in the system, including
14 girl-centered trauma-informed care, so we
15 can appropriately address their needs and
16 keep them from penetrating the system.

17 We have an education attorney
18 who attends review and disposition
19 hearings in Family Court to explain to
20 the Court what is going on in our school
21 system and how every day the school
22 system is violating federal and state law
23 when it comes to our kids. She has been
24 successful in keeping our kids -- helping
25 to keep our kids out of placement due to

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2 the fact that she's been able to attend
3 disciplinary hearings to prevent our
4 children from being expelled from school
5 and to make sure the schools are
6 implementing their IEPs appropriately.

7 We have also partnered with the
8 Vera Institute. We were picked as one of
9 their first cities to address the problem
10 of girls incarceration. We have
11 partnered with Big Brothers/Big Sisters
12 to provide mentors to our girls, and we
13 have sought and continue to seek out
14 other community-based programs.

15 We also have a psychiatric
16 fellow from Penn who works with us to
17 create community-based plans to keep our
18 girls out of placement. I say this has
19 been a success at this point because at
20 this time the Defender Association only
21 has three girls in delinquent placement.
22 However, we are struggling at JJFC. We
23 have 23 years as of today being held,
24 awaiting RTF placements, evaluation so we
25 can figure out their needs so they can be

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2 placed in the community, and we're
3 waiting for DHS to pick many of them up
4 and CUA workers. They just sit there for
5 long periods of time because they're
6 held.

7 I would ask that City Council
8 take a look at the money that is being
9 spent on our children. The last number I
10 got for the cost of state placement was
11 approximately \$160,000 a year. I think
12 that money could be better spent on
13 keeping our girls in the community and in
14 their homes.

15 Placements should be required
16 to provide all restraint videos to
17 counsel. DHS should interview any child
18 that is restrained in a facility shortly
19 after it happens. They should not wait.
20 If there are any child lines, counsel
21 should be appointed -- to be told
22 immediately about child lines, and all
23 children should be interviewed following
24 incarceration.

25 Part of the problem is, we have

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2 not held these facilities accountable.

3 At this time, we've closed two of them

4 due to their abuse of children, and that

5 was the Defender Association who got

6 those facilities closed. We are the ones

7 that got the videos. We are the ones

8 that took them to DHS and called these

9 placements to task for harming our

10 children.

11 I think that one of the biggest

12 things we need to do is also to stop

13 incarcerating these pregnant girls and

14 teen mothers. It is horrible to send a

15 child away to York County to have a baby

16 away from her family, and she will have

17 limited, if any, contact with the father

18 of her child. That destroys families.

19 I think we need to see our

20 girls. We need to hear from them. I

21 think that this Committee needs to have

22 these girls come in and talk about what

23 has happened to them in this system so we

24 can better craft to fulfill their needs.

25 They need to know they have value, and at

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2 this point, they don't see themselves as
3 having value.

4 MS. BRADFORD-GREY: I want to
5 say thank you so much for that testimony.
6 I'm totally bias because I know the work
7 that the Defender Association does, but
8 this is why I love when practitioners
9 come to the table with some of the
10 understanding of what's actually
11 happening. We're not talking about
12 policy alone. We're talking about
13 practitioners, direct service providers.

14 And so I thank you for your
15 insight, for your knowledge, for your
16 intellect and, most of all, your hard
17 work and dedication to the youth in our
18 system. I mean, your testimony and the
19 judge's testimony mirror each other when
20 we're talking about the problems. And we
21 know placement is not the answer for
22 every kid, and if we can do some
23 pre-entry prevention on real community
24 supports, then we can get to the heart
25 and the root causes that are making our

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2 youth so angry, so much more violated in
3 terms of the way they look at themselves
4 and see themselves in society.

5 And what we're doing is not
6 giving us a good return on our
7 investment. I hope that that was clear
8 through her testimony. We send these
9 kids to placement to rehabilitate and
10 they come back worse. We pay for that.

11 MS. HENDERSON: We pay -- if I
12 could just say this. I'm told kids can't
13 come out of placement until they finish
14 one group, Thinking for a Change. There
15 are no statistics available in
16 Philadelphia that shows that program
17 worth, prevents reentry or prevents
18 further out-of-home placements. We're
19 told consistently that FFT, family
20 functional therapy, is the best program
21 around. I have yet to see a number that
22 shows that it affects the level of
23 delinquency in this city.

24 I think that if you're going to
25 do community-based programming, it should

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2 not be tied to the courts at all. I
3 think the problem is, that stigmatizes
4 girls, and it has these kind of
5 fly-by-night problems, because funding
6 for girls -- I mean, they're going to
7 tell me at DHS tomorrow or next week that
8 there's not a problem with the girls
9 because we only have -- only three of
10 your clients are in placement. Well,
11 that number should be zero.

12 MS. BRADFORD-GREY: Thank you.

13 JUDGE DUMAS: I was just going
14 to say that there was an initiative that
15 Philadelphia was a part of years ago, and
16 I know Commissioner Bethel would
17 remember, the JBAI strategy, where the
18 whole movement was to decrease secure
19 placement for juveniles in jurisdictions,
20 and Philadelphia was one of those
21 jurisdictions. I was heavily involved
22 initially, because I wanted to learn how
23 to serve our kids and not have to send
24 them to secure placement. I fell off
25 because we went to meeting after meeting

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2 after meeting and Philadelphia, for
3 whatever reason, wasn't able to truly
4 grasp the philosophy. Because the issue
5 for judges is that we need an
6 alternative. We need alternatives. We
7 need viable alternatives to help kids be
8 accountable for their actions, but also
9 to have their needs met, and we realized
10 as well that placement lots of time was
11 not the answer, but we had no choices.
12 We had a School District that was
13 failing. We had kids who were in
14 dysfunctional homes and communities that
15 were harming them, and lots of times we
16 felt like, okay, well, at least if
17 they're in placement, they're going to go
18 to school. So at least we can get them
19 in an environment where they can get an
20 education, so that when they come out,
21 they can get a job.

22 Well, you know, that shouldn't
23 be the only reason why a judge signs an
24 order sending a kid to placement, but if
25 we don't have, once again -- and I'm

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2 saying the same thing -- we don't have
3 the viable services here in our
4 community, what's the answer?

5 COUNCILMAN JONES: So that's a
6 great segue for Jazmine's program, but
7 let me just say one thing, that the good
8 news of what I've heard here is that
9 there is a common passion to get it done.
10 The bad news that I hear here is that two
11 things happen. One, peanut butter
12 doesn't know jelly exists and they
13 haven't gotten together, and quantifying
14 what good is and how much it costs,
15 elevating those things that are
16 successful and kind of eliminating the
17 things that aren't. Even if they make us
18 feel good and want to give it a hug, we
19 have to be stronger for our children to
20 make sure that we bring the things that
21 are working to scale and not be pressured
22 to just fund things just for funding's
23 sake.

24 So with that, bring it home.

25 MS. SMITH: Thank you. Good

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2 afternoon. Thank you, Councilman Jones
3 and to the Criminal Justice Reform
4 Committee for having me speak. My name
5 is Jazmine Smith. I'm the owner and CEO
6 of Eyekonz Lacrosse and Field Hockey
7 geared towards inner city children and
8 children of color playing field hockey
9 and lacrosse. We are a curriculum-based
10 holistic method where we use holistic
11 aspects, from teaching our children
12 financial literacy, self-esteem building,
13 academic support, helping food options
14 and various others.

15 We're a four-tier program. So
16 one of the things is, we go into schools
17 that normally do not have field hockey
18 and lacrosse. We create systematic
19 teams. We're also a club program. So on
20 the weekends, we have a club program
21 where we have girls ages 5 through 18
22 participate in our program. We
23 facilitate tournaments and clinics
24 through our governing bodies of USA Field
25 Hockey and US Lacrosse and the Olympic

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2 Association, and we have an international
3 model where we continue growing the game
4 on that aspect.

5 In the last six years, we've
6 had close to over 560 girls participate
7 in our program from our middle school
8 through our high school program. Out of
9 those 560, 77 girls have either gone off
10 to college to participate playing
11 lacrosse or field hockey, continuing
12 their education through college as well
13 as through trade school.

14 In our efforts, we have just
15 recently partnered with University of
16 Pennsylvania where we are part of their
17 umbrella, going in through those
18 demographics to then continue creating
19 the structure for field hockey and
20 lacrosse through our curriculum and
21 tactics.

22 With that, one of the things
23 that we just put together this past year
24 was creating a model that really speaks
25 to what we're addressing right here.

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2 We're working with two departments,
3 Department of Psychology and Department
4 of Social Work, and through that, we're
5 navigating with girls whose parents have
6 been incarcerated. What we found in
7 previous years were the different areas
8 of rage, anger that then allotted the
9 girls not to fully participate in the
10 capacity in which they could. So with
11 that, we partnered with Penn and those
12 various departments to then create this
13 model of change in infrastructure.

14 What has happened is that we've
15 seen an increase of the girls
16 participation being able to now open up
17 and really allot themselves to see past
18 their traumas. It's very in an inaugural
19 stage, but yet and still we see that it's
20 a gateway of creating change in the
21 infrastructure that could be placed
22 throughout this whole city once we get
23 the statistics after these five that
24 we're working with right now.

25 Through this, we've been able

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2 to vet the process as well to make sure
3 that we're holding not only our graduate
4 students that are participating in this
5 program to then be able to then create
6 the structure model that then will be
7 able to then allot these girls the
8 assistance that they need going forward
9 after they finish working with our
10 program and hold the University as well
11 accountable, because they are part of the
12 community, which is under the Netter
13 Center that we're working collectively
14 with.

15 As well, we're working to
16 create a program for those children whose
17 parents are incarcerated to join our
18 program to then be able to then offset
19 some of the things that they're going
20 through, the traumatic -- the trauma that
21 they're witnessing alongside of the very
22 other variables that children in those
23 scenarios do not mention just due to the
24 fact that they have never been allotted
25 to communicate the different levels of

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2 frustration and various others.

3 One of the other pieces that we
4 were looking into were working with the
5 juvenile system, prison system, in
6 reference to -- let me slow down -- in
7 reference to having those children, as
8 you all three mentioned, being able to
9 then have a pipeline so that they would
10 be able to then participate with our
11 program as a mean and the measures to
12 then have their records expunged after
13 they finish working through our program
14 and our curriculum and our rites of
15 passage, which is something that each
16 child has to do in order to go to the
17 next level in our program.

18 This is dear to me because this
19 past August I lost one of my former
20 players from Strawberry Mansion High
21 School. She was murdered in a stabbing
22 incident, and she was a young woman that
23 had a bright future. Upon learning about
24 the incident, my heart not only went out
25 to Shante and to her family, but as well

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2 as to the young woman that was a part of
3 the incident. And the whole time, the
4 duration in meeting with my
5 administrators, I could not help but
6 think if there had been something in
7 place for her, that maybe that this
8 incident would not have happened. But,
9 again, due to the statistical numbers
10 that everyone has mentioned on this panel
11 sitting here, it is quite disturbing,
12 because she sits in a pool of girls that
13 feel as though that they don't have hope,
14 that there is no structure in place, and
15 if we collectively can figure out
16 something to ensure that she is -- that
17 girls like her would be able to then
18 benefit from being in programs like
19 Eyekonz or various others, whether it's
20 sports, arts, music, to give them some
21 type of structure going forward.

22 So thank you for your time.

23 COUNCILMAN JONES: Go ahead,
24 you can clap if you want.

25 (Applause.)

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2 COUNCILMAN JONES: I want you
3 to know that as a former track coach, I
4 understand clearly what you meant. I've
5 had athletes that had great household
6 experiences with supportive parents and
7 I've had talented athletes that did not,
8 and the difference in that was that all
9 of them had a structured place to come
10 to, which equalized the playing field.
11 So the rambunctious North Philly kid that
12 had it hard worked with the middle-class
13 kid and found common ground and things
14 like that to realize that beyond their
15 ten square block existence, there was a
16 whole world. Sports does that.

17 You failed to mention that
18 that's a non-traditional sport, giving
19 young ladies from inner city sticks to go
20 out and capture balls and do all of that
21 stuff in a targeted, aggressive way with
22 rules attached. How does that impact?

23 MS. SMITH: We've seen a
24 difference in a lot of our school
25 programming and even in our club

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2 programming. Of course our school
3 programming is geared towards a certain
4 demographic. Our club is a mixture of
5 different financial brackets. And so,
6 again, speaking to your point, the girls,
7 when they come for our club program,
8 they're meeting various girls from
9 different regions, that's coming from
10 different backgrounds, and then it
11 enables them to then raise the bar
12 standard.

13 For our school programming,
14 it's important because you have to the
15 fish to get them in. And so there
16 constantly are -- that community is based
17 upon track, basketball, football,
18 volleyball, and cheerleading. So, again,
19 it's really pitching to them, do you want
20 to change your life. And then with that
21 pitch, then you're really showcasing them
22 where their life can take them and then
23 creating that trust factor in all of our
24 schools that we have programming in
25 through our coaches. And then from that

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2 moment, the girls join in.

3 Sayre High School is one of our
4 new programs that we had, and right now
5 we're at 47 girls in our program. That's
6 from 9th grade up to senior year, being a
7 senior. And the majority of the girls
8 did not want to play. It's not -- you
9 know, because they didn't know anything
10 about it, but then after showcasing --
11 and I believe that that's the thing, that
12 children have to know that you're there.
13 Every day we showed up. Every day they
14 constantly showed up. And so it became
15 this trust factor and this bridging of
16 the gap, and from there, these girls just
17 recently last year -- well, this past
18 year, we went to Nationals. We had nine
19 of our girls from our club team. Out of
20 the nine, three came from Sayre High
21 School. These girls had only played a
22 limited amount of six months for
23 lacrosse, which is unfathomable in the
24 lacrosse community.

25 So it's been proven if you give

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2 them the opportunity to create the access
3 line --

4 COUNCILMAN JONES: We got to
5 get you in front of these judges.

6 MS. BRADFORD-GREY: Yes. This
7 is what we need to be funding. And I
8 don't know, Judge, if you have any
9 influence to gather people like her to
10 come into a program lecture. I mean,
11 because I've known Jazmine and I know how
12 passionate she is, and I know how those
13 girls love her. Not only do they love
14 her, they trust her, and she pours her
15 heart into this, and they see her as a
16 reflection of themselves. And that's who
17 we need for our girls, not these
18 270-pound men in Luzerne County. We need
19 Jazmines of the world, because our
20 Philadelphia girls need to see that.

21 JUDGE DUMAS: If I could add,
22 and I don't know if Jazmine even
23 remembers this experience, but the team
24 went -- the club team that my little girl
25 was a part of, they went way out

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2 somewhere, way out in one of the counties
3 to play a game, and it was clearly a
4 racial divide. I mean, that's just how
5 it is. And I could see our girls when
6 they -- when we got there and they saw
7 the team and what the team looked like,
8 you know, because they were in their
9 fancy uniforms, you know, our girls were
10 like pick-up sticks. I mean, you know,
11 stuff was donated. It was clear that
12 there was intentionality about making
13 sure that the other team was prepared,
14 both physically and mentally. You could
15 see the hope drain out of our girls'
16 faces, right, through their body
17 language. That began to slump. They
18 began to slowly disappear.

19 I was livid. I was livid. And
20 I told them if they did not get
21 themselves together, get their faces
22 right, push their heads up, their
23 shoulders back, but -- even when we were
24 taking a picture, they were letting the
25 other team get in the front. I'm like,

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2 no, no, no, no. You guys get -- and the
3 reason why that was important, because it
4 really just enhanced the notion that we
5 have got to expose our children,
6 especially our girls, to environments
7 where they realize they matter. Because
8 they get out of our little cocoon, our
9 neighborhoods, our schools, and they walk
10 into an environment that they only know
11 because of what they see on TV or what
12 they have heard and they automatically
13 feel inferior.

14 They didn't know how good this
15 team was. They didn't know if they could
16 play or not. All they knew was they were
17 white, they were dressed better than they
18 were team-wise, uniform-wise,
19 equipment-wise, and that something
20 psychologically said to them they're
21 better. That's got to stop.

22 COUNCILMAN JONES: So two
23 things, Jazmine. The mirror exercise
24 that you do and then the site of the
25 abroad game that you're planning for.

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2 MS. SMITH: So one of the
3 disciplines that we have at Eyekonz, and
4 that was basically rendered from how I
5 was raised from my grandparents, and so
6 before every practice and every game, we
7 have a long mirror that you have in your
8 house. And so the girls have to stand in
9 a single file line. They have to come
10 and approach the mirror. They have to
11 state their full name and they have to do
12 an "I am" affirmation. That "I am"
13 affirmation, they cannot look at me.
14 They can't look at another coach. They
15 can't turn around. They have to look
16 directly in the mirror. And that is
17 self-enforcing them to look at
18 themselves.

19 The problem is that we live in
20 a society very similar to what Lori is
21 saying, is we have not taught our
22 children how to love on themselves. So
23 then when you don't love on yourselves,
24 you are then seeking something else to
25 love you, and the minute that that stops

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2 internally, then you are seeking it
3 again, which then someone could deflect
4 you to go rob a store, you can go beat
5 someone up. It's so many different
6 levels to it. And so that in itself has
7 been our saving grace for our girls,
8 because now -- and especially for the
9 ones that are new or have trouble, then
10 there's this re-establishing where they
11 comfort each other, like, hey, look, I'm
12 going to help you, and then they lock
13 hands and they assist the other girl who
14 is having problems with regards to saying
15 her "I am" affirmation.

16 Most recently as well we've
17 been selected to play in the World
18 Lacrosse Tournament, which is teams from
19 Asia, Africa, South America, North
20 America, Europe, India, and our team is
21 the first team of color to be
22 participating on an international level.
23 All of our girls are going, from ages 5
24 through 18. Every girl will be
25 participating. And we're the first team

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2 out of the City of Philadelphia from a
3 non-traditional sport to then go off to
4 play.

5 This is giving access and
6 insight. One of the things that I tell
7 all my girls and our other coaches in
8 other schools, these sports can give you
9 access and opportunity beyond the United
10 States of America if you continue
11 playing. Academically, scholars are
12 soaring.

13 So, again, this is a part of
14 the bridge that we're making sure that
15 we're closing.

16 COUNCILMAN JONES: So where are
17 they going?

18 MS. SMITH: Ireland 2020.

19 JUDGE DeLEON: And it develops
20 teamwork and leadership.

21 MS. SMITH: Yes, it does.

22 MS. BRADFORD-GREY: I have to
23 go, but I want to thank you all.

24 Rachel, thank you so much for
25 your powerful testimony.

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2 Judge Dumas, we always love
3 you. We wish you'd come back.

4 And thank you for yours as
5 well.

6 Jazmine, I'm a product of
7 sports, and if it weren't for sports, I
8 wouldn't have gone to college. So I know
9 how much that can be life-changing,
10 attitude adjustment, everything,
11 resilience, and without it, I don't think
12 I'd be who I am. So I want to thank you
13 for bringing that to our youth and
14 bringing something different that allows
15 them to have different opportunities in
16 life.

17 MS. SMITH: Thank you.

18 MS. BRADFORD-GREY: Thank you.

19 COUNCILMAN JONES: Your Honor,
20 are you okay?

21 JUDGE DeLEON: I'm okay at the
22 moment.

23 COUNCILMAN JONES: So what I
24 want to say to you is, what I've learned
25 is that we have different silos that we

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2 have to break down and we have to
3 integrate all of the resources that we
4 have that are working and bring them to
5 scale so that they are impactful. So
6 that's going to involve the Recreation
7 Department and working with the Courts to
8 talk about in this area of maybe
9 Frankford, what's available for this
10 young lady, and to be able to coordinate
11 that a little bit, because a couple of
12 dollars spent on the front end can stop
13 us from having to spend a lot of dollars
14 on the back end. And it shows that it's
15 out there. We just have to find the
16 straw to stir the drink to make it work
17 together.

18 Your Honor, you have closing
19 remarks?

20 JUDGE DeLEON: Well, just a
21 short thing. Because I'm a USA Track and
22 Field official and a Pennsylvania
23 Interscholastic Track and Field official,
24 I'm at the schools like Central Bucks
25 County West and East and North and South,

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2 and I'm out there -- our meetings start
3 like at 7 o'clock until 9:00, and the
4 school is open. It's full of students
5 and parents doing sports and having
6 meetings and everything until like 10
7 o'clock at night every single day. So
8 the school -- and these are public
9 schools, not private.

10 And so the school is so
11 important and such an important fabric in
12 the community as to keeping the community
13 together and being a meeting place, and
14 here it's just not -- it just doesn't
15 happen anymore.

16 COUNCILMAN JONES: Your Honor,
17 you're so right. I got so frustrated, I
18 had a track club, of which you know, call
19 me and say, can you help us raise the
20 fees to use the track at one of our
21 public schools in order for the kids to
22 practice. That does not make sense to
23 me, and we have to look at these silos
24 and break them down. And we can't be so
25 strapped for cash that we are penny wise

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2 and pound foolish. We have to figure it
3 out.

4 So thank you all for your
5 testimony. This will conclude --

6 THE CLERK: There's no other
7 witnesses, but there is written testimony
8 to be submitted into the record for
9 Sheila Ireland, Kaitlin Owens, and
10 Wilfredo Rojas, member of the Committee.

11 COUNCILMAN JONES: So we will
12 stand at recess to the call of the Chair.

13 Thank you all for your
14 participation.

15 (Special Committee on Criminal
16 Justice Reform concluded at 1:31 p.m.)

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CERTIFICATE

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

MICHELE L. MURPHY
RPR-Notary Public

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