

City of Philadelphia



Council of the City of Philadelphia
Office of the Chief Clerk
Room 402, City Hall
Philadelphia

(Resolution No. 080219)

RESOLUTION

Authorizing the Committee on Public Safety to hold hearings to examine the current laws, programs and procedures regarding service of Protection From Abuse orders in Philadelphia County and to explore alternative laws, practices, programs and procedures to ensure that an abuse victim will not suffer further mental and physical trauma by having to confront his or her abuser with service of the Protection From Abuse order.

WHEREAS, In 2005, the Philadelphia Police Department responded to more than 120,000 domestic-violence 911 calls, including 10 murders, 251 rapes, 2,597 aggravated assaults and 6,146 simple assaults; and,

WHEREAS, As a result of the domestic violence epidemic, more than 13,400 Philadelphia citizens filed for Protection From Abuse orders (“PFAs”) in the Philadelphia Family Court System, the highest rate in the Commonwealth; and,

WHEREAS, Philadelphians that obtain a PFA against their abusers bear the responsibility of serving their abusers with the order; and,

WHEREAS, When an abuse victim is unable to obtain police assistance, this policy often requires an abuse victim to confront his or her tormentor, resulting in further mental trauma and the instigation of additional physical attacks; and,

WHEREAS, The Pennsylvania Coalition Against Domestic Violence reports that Philadelphia County is the only location in the Commonwealth or region where an abuse victim bears the burden of service on his or her abuser; and,

WHEREAS, Outside of Philadelphia County, local police and sheriff’s departments are charged with serving PFAs, with the state of New Jersey specifically prohibiting the practice of having a plaintiff effect service on the defendant abuser; and,

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WHEREAS, Often times, Philadelphia abuse victims make false or misleading reports to 911 in order to have a Police Officer dispatched to a location so that the Officer, and not the victim, can effect service of a PFA; and

WHEREAS, Such false or misleading reports are adding to the burden of an already taxed 911 system and further divert police resources from potential emergency situations to non-emergency situations;

WHEREAS, The City of Philadelphia must examine all options to ensure that an abuse victim will not suffer further mental and physical trauma by having to confront his or her abuser with service of a PFA; and

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That the Committee on Public Safety is hereby authorized to hold hearings to examine the current laws, programs and procedures regarding service of Protection From Abuse orders in Philadelphia County, and to explore alternative laws, practices, programs and procedures to ensure that an abuse victim will not suffer further mental and physical trauma by having to confront his or her abuser with service of the Protection From Abuse order.

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CERTIFICATION: This is a true and correct copy of the original Resolution, Adopted by the Council of the City of Philadelphia on the twenty-eight of February, 2008.

Anna C. Verna
PRESIDENT OF THE COUNCIL

Patricia Rafferty
CHIEF CLERK OF THE COUNCIL

Introduced by: Councilmembers Green, Sanchez, Reynolds Brown and Jones

Sponsored by: Councilmembers Green, Sanchez, Reynolds Brown, Jones, Greenlee, Tasco, DiCicco, Kenney, Goode, Miller, Blackwell and Clarke