

Legislation Text

File #: 220330, **Version:** 0

Calling on Mayor James Kenney, Governor Tom Wolf, and the Pennsylvania General Assembly to use all powers of their offices to declare a state of emergency and seek available emergency relief resources from the state and federal governments through the Pennsylvania Emergency Management Agency (PEMA) and the Federal Emergency Management Agency (FEMA) to address the humanitarian emergency in the Kensington neighborhood of Philadelphia, including but not limited to resources that will provide hazard mitigation, access to health-related treatments, neighborhood cleanup and remediation, wraparound social services for neighborhood residents and persons experiencing homelessness and substance use disorders, and all other necessary assistance to maintain a safe and healthy environment for Philadelphians living or working in this area.

WHEREAS, For too long, Philadelphia's City government has failed to adequately address the crisis of substance use disorders, criminal activity, environmental hazards, and lack of care for our families and business owners located in Kensington; and

WHEREAS, The neighborhood surrounding the Kensington Avenue corridor north of Lehigh Avenue in Philadelphia has, for decades, languished under the weight of a thriving drug trade, criminal activity, violence driven by territorial illegal drug sales, and people experiencing substance use disorders, mental illness and homelessness who populate its streets and often participate in open drug use, and contribute to an environment riddled with trash, dangerous needles, and other toxic wastes; and

WHEREAS, This area has become notorious as a place where illicit drug dealing and drug use are openly practiced and where little law enforcement or basic City services are sustained in the community. Children face daily commutes to school full of danger and bear witness to violence and graphic drug use. They lack safe, clean places to play and live free. Residents routinely describe threats from drug dealers when they ask for safe corridors for their children, and the burden of cleaning up after people lost in the torment of substance use disorders frequently falls to them; and

WHEREAS, Despite numerous attempts to address this crisis at the municipal level, Philadelphia has failed to sufficiently resource solutions. Funding community health providers, treatment access, and violence prevention has yielded limited results, in part because the scale of this crisis exceeds the City's capacity; and

WHEREAS, On November 16, 2016, Mayor Kenney announced the formation of a Task Force to combat the opioid epidemic in Philadelphia, a leading issue in the challenges facing Kensington. This Task Force established the Philadelphia Resilience Project which subsequently led to various implemented strategies; however, according to the last available report from the Philadelphia Department of Public Health in June 2021, the 19134 zip code, which includes Kensington, continues to lead in overdose related deaths; and

WHEREAS, On October 3, 2018, Mayor Kenney declared a emergency in Kensington and initiated a new emergency operations center where City agencies and offices would work together to develop a multi-pronged approach to finally resolve issues facing the neighborhood with a sustained and relentless approach to service delivery. Nevertheless, the *Philadelphia Inquirer* documented the monumental effort being made in a story entitled, "Eight months after Kensington's emergency declaration, progress is tempered by the realities of the opioid crisis" where they further noted, "Along Kensington Avenue, people laid on mattresses or sat on milk crates

and in folding chairs. On the sidewalk near the needle exchange, a young woman dipped her head to the ground, slipping in and out of consciousness. Outside the Somerset Avenue El stop, the sidewalk was crowded with people injecting heroin, or keeping an eye on friends who had just used;” and

WHEREAS, This crisis has been extensively covered by the local, national, and international associated press, from multiple stories in the New York Times and the Washington Post, to the BBC, and has become a source of disappointment for Kensington residents and all Philadelphians; and

WHEREAS, Access to PEMA and FEMA resources is governed by the Pennsylvania Health and Safety Code (Title 35, Sections 7101 et seq.) and the Robert T. Stafford Emergency Relief and Emergency Assistance Act, 42 U.S.C. §§ 5121-5207 (“the Stafford Act”). Each provides aid, of different categories and under certain parameters, to mitigate emergencies both natural and human-created; and

WHEREAS, Applications for PEMA assistance are made through the county-level Emergency management Coordinator in the case of Philadelphia, it is Fire Commissioner Adam Thiel to the PEMA Area Office. To access federal funding through FEMA, the governor of a state must appeal to the President for a declaration of emergency through the regional FEMA Office. In each case, close teamwork between local, state, and federal officials is essential to secure resources in a crisis situation; and

WHEREAS, To receive either state or federal emergency assistance, an applicant must demonstrate that local resources are too few and overwhelmed and that the emergency funds are therefore necessary. In the case of the neighborhood crisis in Kensington, this threshold has been surpassed many times over as Philadelphia has failed to mitigate or control the situation; and

WHEREAS, Despite numerous annual increases to the City's budget and additional mid-year appropriations for social services and sanitation in Kensington from City Council, the situation continues to exceed the City's capacity to address. The City, unfortunately, with its current resources, has failed to deliver effective policy to help people into treatment and to provide a safe, clean environment for neighborhood residents; and

WHEREAS, Creating lasting change in Kensington requires an all hands on deck approach. All city, state, and federal resources must be immediately leveraged to address this emergency situation. Strengthening partnerships, connecting city and state services, including public health, transportation, sanitation, mental health and treatment services - both public and private - will be essential in this effort; and

WHEREAS, FEMA resources have been dedicated to mental health services before. During the height of the pandemic, FEMA dedicated resources to addressing mental health across the nation by funding crisis counseling programs to help people struggling with anxiety and depression brought on by the effects of the pandemic. A similar approach and interpretation of the law could be employed in Philadelphia to address a far-reaching social problem; and

WHEREAS, Federal Health and Human Services resources are more easily accessible through federally generated funding. The City of Philadelphia looks to FEMA to access emergency relief which in turn is better able to coordinate appropriate funding for treatment and other wraparound social services with the U.S. Department of Health and Human Services; and

WHEREAS, President Biden has recognized the continued public health threat posed by the opioid epidemic nationwide and has continued the federal Public Health Emergency declaration; and

WHEREAS, The people of Kensington, and all citizens of Philadelphia, deserve for their government to take every approach, however novel, to secure resources that will address this humanitarian crisis. The Mayor and Governor must work collaboratively to secure funding for this effort by calling for emergency declarations and the release of emergency funding sources that securing the funds needed to immediately address the area and to provide long term solutions to maintain the safety and cleanliness of the area; now, therefore, be it

RESOLVED, THAT THE CITY COUNCIL OF PHILADELPHIA, Does hereby call on Mayor James Kenney's Administration, Governor Tom Wolf, and the Pennsylvania General Assembly to seek all available declarations of emergency available from the state and federal government through the Pennsylvania Emergency Management Agency (PEMA) and the Federal Emergency Management Agency (FEMA) to address the humanitarian emergency in the Kensington neighborhood of Philadelphia in order to secure resources for to assist in hazard mitigation, harm reduction, treatment access, neighborhood cleanup, wraparound services for neighborhood residents and persons experiencing homelessness and addiction, and all other needed assistance.