

public citizens for children + youth

Testimony to the Philadelphia City Council Committee on Children and Youth

Submitted by Estelle Richman

April 8, 2021

I am Estelle Richman, currently retired. During my professional life spanning over 50 years, I have been the Associate Director of a Cleveland agency that provided residential services to youth, the regional Director for the State Department of Public Welfare in charge of closing Philadelphia State Hospital, the City of Philadelphia Health Commissioner, the City of Philadelphia Managing Director, the Pennsylvania Secretary of Public Welfare, and the Chief Operating Officer for the United States Department of Housing and Urban Development. In all of these positions, the thing I feared the most, one of the things that kept me awake at night – was not knowing what I did not know. In fact, I would tell you what every supervisor, Director, administrator fears – is the unknown. You are constantly trying to find ways to create feedback loops that will give you information. You want to know where the gaps are in communication, program, and staff. You can ‘fix’, you can plan - if you know the problems. You cannot fix what you don’t know. I want to know what I do not know!

Currently, as a retired person, I am on or work with several non-profit Boards and Foundations. One of my recent activities was co-chair of the Youth Residential Placement Task Force. As the result of the death of a child at Wordsworth and the abuse of children at Glen Mills, the Task Force made recommendations to prevent and lower the probability of children being sent to residential facilities. One of our recommendations was to create an Ombudsperson Office in Philadelphia. I urge you to read our report if you have not done so.

I want to speak to three important issues today: 1) why an independent entity; 2) why a local creation; and 3) why urgency.

First, why have an independent entity. As I looked for ways at every level of program to create feedback loops, the most effective solution I discovered was an Ombudsperson! This is someone who would act as the eyes and ears of the system; someone outside of the traditional system who could provide information to leadership; and someone who can talk with a staff, a youth, or a parent to understand their concerns. It is fundamental that individuals making a report need to feel safe, to know there will not be retribution, to know that there will be action taken, and there will be feedback as a result of the action. The Ombudsperson becomes a way to learn what you do not know. The data tells us that individuals are more likely to confide in someone outside of government, outside of their employer, and outside of the facilities where they are committed. Importantly, an



990 Spring Garden Street
Suite 200
Philadelphia, PA 19123

215-563-5848 Office
215-563-9442 Fax
info@pccy.org Email

@pccyteam
facebook.com/PCCYPage

pccy.org

public citizens for children + youth

Ombudsperson provides their feedback to the agency or institution so the CEO, administrator, director can take steps to lower the probability of abuse. The leadership can learn what they do not know!

To give you the lay of the land, in Pennsylvania, there are over 500 privately licensed and state-run residential facilities covering forty-four counties. They exist in every region of the state and across a multitude of statehouse and senate districts. At any given time, Philadelphia has placed children and youth in approximately half of those facilities and counties. Philadelphia sends approximately sixty-three percent of the children who enter care every year. Of all sixty counties in the state, Philadelphia sends approximately eighty-three percent of all the Black and Hispanic children who enter foster care. That is just one set of numbers. We see the same patterns reflected in systems no matter where we look, including juvenile justice, behavioral health, and intellectual disability.

The numbers are even starker when we look at the demographics of the youth in residential facilities. It is as simple as black and white – or – rather – Black and Hispanic. As was highlighted by the Philadelphia Youth Residential Placement Task Force report and here today, the overwhelming majority of our children being sent to these facilities are Black and Hispanic, as much as 94% of the populations sent by Philadelphia. As the county sending the greater majority of these children, we have the responsibility to ensure that they are being protected. We have the responsibility to sure they are safe. A failure to do so is a direct and obvious failure to protect the Black and Hispanic children of our city. Based on the data compiled by the Philadelphia Residential Placement Task Force, we know that, at any given time, Philadelphia children are in over 200 facilities in twenty or more counties. We send the majority of the kids to these places.

Other than mandated child abuse reporting, the State relies entirely on self-reporting by facilities. Let me stop here and say that no provider wants children injured or abused in their facilities - accidentally or intentionally. They have the same concerns that any administrator would have - among them - what is it they don't know. They want to know if they have staff, at any level, that are hurting children. They want to know if their policies are ineffective. They want to know if children and youth are at risk. The Ombudsperson Office works best if it works collaboratively and not antagonistically. The information that an independent Ombudsperson can collect and give to providers can help fill gaps in knowledge and contribute to fixing problems before they become trends or tragedies.

However, they don't know what they don't know. Self-reporting requires you know what you don't know. Someone needs to tell you what is happening. The operative phrase here is "self-



990 Spring Garden Street
Suite 200
Philadelphia, PA 19123

215-563-5848 Office
215-563-9442 Fax
info@pccy.org Email

@pccyteam
facebook.com/PCCYPage

pccy.org

public citizens for children + youth

reporting.” We need only look at the kids-for-cash debacle to know that, if a system relies on self-reporting only, it is often ineffective. Too often self-reporting just does not work. We need look no further than Glen Mills where staff knew about abuses and didn’t report in the way that they should have. There was not a third party to whom staff could confide. Furthermore, facilities are also mandated to have an internal grievance policy, but those grievances may or may not be reported. There is no real-time monitoring or reporting of how many internal grievances a facility may have, identification of patterns, or how many may have had resulting licensing actions. An independent entity increases credibility and reliability.

Second, why do this at the local level. In an ideal world we would have a State Ombudsperson Office because every kid in every county should have the protection. During my tenure as DPW Secretary, we tried very hard to create a State Ombudsperson Office. Unfortunately, I and many senior members of my administration left the State before getting it over the finish line. It was one of my failures and disappointments in leaving the Rendell administration at that time.

The Youth Residential Placement Task Force presented another opportunity to find a way to protect children and youth. The Taskforce which was co-chaired by me and Patricia Fox voted to include the recommendation for an Ombudsperson Office because it is another opportunity to learn what you do not know. I will continue to advocate for an Ombudsperson Office at the State level but that does not get us – Philadelphians, government workers, advocates, providers, and elected officials – off the hook to protect our children and youth.

While I agree that, ideally there should be an Ombudsperson Office at the state level, I also firmly believe that, as the biggest sender of children to residential facilities, Philadelphia has the responsibility to protect our children and youth. We have to take action to protect our children. For me, this is also personal, as the majority of these children and youth are Black and Hispanic.

Again, all of us want to know what we don’t know. An Ombudsperson who is outside of the traditional system will help us all fill this gap. Not only will it give a place for staff to call, youth to reach out to, parents to confide in, it can provide feedback to CEOs so they can learn what no one will tell them. It will give them a heads up before an incident.

It is not acceptable that we tell youth and their families that we can’t protect them because it is the responsibility of the State to create such an office. These children and youth and their families live in Philadelphia. We place them. We are responsible for their health and safety. Creating an Ombudsperson Office is one way that we can increase the probability that our youth are safe and healthy if they must be in residential treatment.



public citizens for children + youth

Finally, this is urgent. The Philadelphia Inquirer should not be our Ombudsperson – telling us about the atrocities that have occurred at some of these facilities for decades – facilities such as Devereux, Glen Mills School, and Wordsworth Academy. In fact, too often the Inquirer is the place where we learn about the physical, sexual, and mental abuse that residents of these facilities have experienced. We can and must do better. There are ways that we – whether an advocate, provider, an administrator, a staff, or a parent – can support a program that has the promise to tell us what we don't know. The time to create a Philadelphia Ombudsperson is now.

Our children deserve better than waiting to take action until after dozens or even hundreds have been injured or mistreated and then reported in the newspapers. These exposes have made it obvious that we must give youth and families what they have been asking for and deserve – an independent Philadelphia Youth Ombudsperson.



990 Spring Garden Street
Suite 200
Philadelphia, PA 19123

215-563-5848 Office
215-563-9442 Fax
info@pccy.org Email

@pccyteam
facebook.com/PCCYPage

pccy.org