

Philadelphia's Next Mayor **Must Invest in Families and Youth To Keep Us Safe**

Over the past five years, Philadelphia has made great strides in reducing child welfare and juvenile justice system involvement, reducing both the number of youth in foster care and the number of youth in juvenile placements by approximately half.

The City is poised to build on these successes and strengthen the social safety net to prevent system involvement so that child welfare and juvenile justice resources can be directed to the children and families with the greatest need and at the highest level of risk.

The City can ensure that children and families have equitable access to housing, physical and behavioral health care, education, employment, and recreation to support healthy development and prevent involvement in the child welfare and juvenile justice systems.

These services should be made available to all Philadelphia children and their families, without the requirement of an open Department of Human Services (DHS) or probation case and ensuring that those entities are involved with families only when necessary to ensure safety.

Policy Priorities

Priority 1: **Prevention**

Priority 1a: Restore and improve city investments in prevention services, so that youth and families have what they need without the involvement of child welfare and juvenile justice systems.

Priority 2a: Improve child welfare and juvenile justice outcomes through community engagement.

Priority 2: **Child Welfare**

Priority 2a: Establish a policy that families will not be separated for economic reasons.

Priority 2b: Keep families together with adequate integrated support services.

Priority 2c: Shorten the time children spend in out-of-home care and avoid repeated placements.

Priority 3: **Juvenile Justice**

Priority 3a: Divert more young people from involvement in the juvenile justice system and implement an array of alternatives to incarceration for those who do become system involved.

Priority 3b: Increase school safety and reduce school-based arrests through expanded programming.

Priority 3c: Mobilize public agencies to use data for policy improvements and public accountability.

Priority 1: **Prevention**

Philadelphia has implemented several initiatives to provide children, youth, and their families with resources to prevent child welfare and juvenile justice system involvement. From DHS discretionary funds to address families' concrete needs, to Out of School Time (OST) and youth employment, the City has a number of strengths on which to build in order to increase prevention opportunities.

Despite increased investments elsewhere in the city, DHS' investments in prevention services have contracted over time, from approximately \$96 million in FY2006 to an estimated \$75 millionⁱ in the FY2024 proposed budget. Not accounting for inflation, this still reflects a staggering \$21 million decrease in prevention investments.

Additionally, the City has struggled to recruit and retain qualified providers that comprise a full continuum of human services. The once-largest provider of Community Umbrella Agency (CUA) services opted not to pursue continued contracts for the service, citing cost of liability insurance and other concerns. Recent Requests for Proposals (RFPs) for tiered juvenile justice services and CUAs received limited responses, resulting in both having to be reissued. Anecdotally, large providers report challenges with timely payment and a lengthy contracting process, while smaller community-based providers note that the process is complicated and overly burdensome.

Efforts to expand programs, including prevention, should include a review of the existing contracting process and changes that attract and retain the highest quality providers and programs in Philadelphia.

The following recommendations support a robust system of prevention, one that includes seamless navigation and access to services, promotes innovation, and prioritizes community engagement as the keys to keeping families safely together.

Priority 1a: Restore and improve city investments in prevention services, so that youth and families have what they need without the involvement of child welfare and juvenile justice systems.

- Philadelphia should structure city services so that children and families have equitable access to housing, health care, education, employment, and recreation to support healthy development and prevent involvement in the child welfare and juvenile justice systems. Policy recommendations related to this item are detailed in this Kids Campaign document.
- City agencies and services should be integrated at the child and family level and held to citywide child and family level expectations.
 - Establish a fully developed health and human services system, including economic support and mental health and substance abuse services, through which services are accessible to young people and their families without DHS or Probation involvement.
 - Create a child and family service center line, outside of DHS, to help families navigate and connect to a variety of services, including youth development services, prevention services and behavioral health.
 - Develop a Well-Being Fund for focused investments in innovative community solutions, without ties to DHS, that strengthen families and prevent child welfare system involvement.

This fund should be expertly managed, enabling community-based organizations to provide services that increase the safety and agency of families and communities.

- Conduct a comprehensive review of the City contracting process to determine recruitment and retention barriers for qualified child welfare and juvenile justice providers.

Priority 1b: Improve child welfare and juvenile justice outcomes through community engagement.

- Direct the DHS Commissioner to develop an authentic youth and parent engagement strategy, in which people with lived experience are valued partners who are compensated for their time and expertise. This strategy may include, for example, the establishment of youth and parent advisory councils, inclusion of youth and families on the Child Welfare Oversight Board, and individuals with lived experience as co-designers of programs.
- Continue DHS' work with mandated reporters to encourage a culture of supporting families.

Priority 2: Child Welfare

Just a few years ago, Philadelphia had the highest rate of placement in foster care of all major cities in the US, quadruple the rate of Chicago and three times the rate of New York City.ⁱⁱ In recent years, Philadelphia has made major progress in acknowledging the impact of historical policy (e.g., redlining, segregation, and oversurveillance by police and child welfare) on families and has made significant effort toward reducing harmful outcomes.

In FY22, Philadelphia's entry rate into out of home care was 3.9 per 1,000 children, reflecting a substantial decline from the FY17 rate of 8.8, yet still higher than the national average of 2.9 per 1,000 children.ⁱⁱⁱ

Recent data also showed that 66% of DHS-involved children were Black, while Black children only make up 42% of the city's population, reflecting significant racial disproportionality. By comparison, 12% of children involved with DHS were white, though white children make up 35% of the population.^{iv} DHS data also highlighted disproportionality in hotline reports, noting that non-Hispanic Black residents made up the populations of neighborhoods with the highest reporting rates, and that mostly non-Hispanic white residents lived in the neighborhoods with the lowest rate of reports.^v

In 2022, the top five reasons Philadelphia children were removed from their homes included parental drug abuse; neglect; caretaker inability to cope; child's behavior problem; and inadequate housing.^{vi} Existing publicly available data tells us little about family needs and the specific reasons children are removed from their families. Factors associated with poverty (e.g., insufficient food) are likely assumed under neglect but this cannot be distinguished using current categorization.

This information signals to us that while the progress made thus far is commendable, the work is not yet complete. Philadelphia can build on its successes and become a national leader in keeping children safe and healthy, while also keeping families together. The following recommendations will help us get there.

Priority 2a: Establish a policy that families will not be separated for economic reasons.

- Affirmatively continue DHS' efforts to provide monetary/tangible support to families to prevent placement.
- Explore the expanded use of Direct Cash Transfers, e.g., the Philly Joy Bank, to families in communities with high numbers of hotline calls.

- Revise data collection, analysis, and public reporting of warm line and DHS data to include factors associated with poverty (e.g., food and housing instability) to support directing resources to the areas of greatest need and monitor progress in ending family separation related to poverty.

Priority 2b: Keep families together with adequate integrated support services.

- Expand the “warm line” (Philly Families CAN) to connect families to support and resources outside of DHS.
- Expand [pre-petition legal representation](#), so that more parents can be represented during a child abuse or neglect investigation, rather than after the investigation is complete and a petition for custody has been filed.
- Expand mother-baby placements and rooming-in for substance exposed infants and provide clear guidelines for referral and access.
- Utilize DHS funds to support expansion of home visiting (e.g., [Nurse-Family Partnership](#), [Healthy Families America](#), [Parents as Teachers](#)), to families not currently able to access programs.
- Direct DHS to coordinate with SDP on a truancy response that addresses the individual needs of students and families by improving DHS and CUA assessments of the reasons for truancy, expanding access to services at the school level, training DHS and CUA staff on effective interventions, and developing truancy prevention programs in schools.
- Establish a joint DHS, SDP, and Court policy that children will not be placed in out-of-home care, including residential placements, for truancy alone.
- Increase access to drop-in centers as a “cooling off” option for youth and families in crisis.
- Continue DHS’ work to develop and begin implementation of a plan to end the use of the Philadelphia DHS Child Care Room.

Priority 2c: Shorten the time children spend in out-of-home care and avoid repeated placements.

In addition to preventing entry into foster care, Philadelphia can become a leader in improving outcomes for youth who do enter out-of-home placement.

Just over half (50.4%) of Philadelphia children reunify with their parents, a reduction over the past five years from 55.1%.^{vii} There has also been an increase in the number of children exiting to non-permanent arrangements (e.g., emancipation, runaway) from approximately 20% in 2017 to 23.7% in 2021.^{viii}

Philadelphia children who left foster care in 2021 spent an average of 23 months in care, which is below the state average of 33.2 months^{ix} but slightly higher than the national average of 21.7 months.^x While some families require additional time to work toward reunification, the system must ensure that youth in care do not remain in care for longer than necessary.

The following recommendations support children and families along the continuum of child welfare services – from timely family reunification to safe, supportive and supported kinship and resource homes, to further reduction in the use of residential treatment, and ensuring the success of youth transitioning to adulthood.

- Expand high quality family time (e.g., [Dauphin County Visit House](#) and [New York Visit Hosts](#)).
- Establish a citywide appropriately funded, consistent resource parent recruitment campaign, with a focus on a pool of resource parents that affirm and support the diverse identities (including religious, cultural, gender and sexuality) and needs of youth in care.
- Expand programs that support transition-age youth, e.g., [LifeSet](#), [Host Homes](#), [Rapid Rehousing](#), [Supervised Independent Living](#).

- **Continue the progress that DHS has made in decreasing use of congregate care so that institutional placements are short-term and utilized only as needed. Such a shift in the use of congregate care must also be coupled with a priority to enhance community-based and homelike settings (including support for parents, kin, and resource caregivers and their providers) so that youth's complex needs are able to be met in lower levels of care.**
- **Revise residential treatment provider contracts to include a provision that requires children in placement to have access to their local public schools.**
- **Direct DHS to review and revise procedures and policies to support school stability for students in foster care, including how and when Best Interest Determinations (BID) conferences are initiated, who participates in these meetings, and how the meetings are conducted.**
 Currently, many BID conferences do not include the Educational Decision Maker ("EDM") for the child, are significantly delayed, and are not based on full information, including current education records.
- **With commensurate resources and authority, expand the Office of the Youth Ombudsperson to promote the safety and protect the rights of young people receiving child welfare, juvenile justice, and behavioral health services.**
- **Along with a commitment from the city and DHS to continue decreasing the number of families involved with child welfare services, build a human services talent pipeline beginning in high school/college so that the full Philadelphia child welfare system can benefit from a greater pool of committed workers.**
- **Adopt outcomes that measure physical, emotional, educational, and economic well-being for children and families involved with the child welfare system, including prevention and diversion services.**
 Utilize data on these measures to allocate resources, drive system decision-making, and evaluate performance.

- Align DHS expenditures and redirect funds to ensure CUAs maintain appropriate staffing ratios and that children and families have access to necessary support services.
- Immediately end the practice of the city taking Social Security benefits from youth in DHS' care.
- Explore the expanded use of Direct Cash Transfers/Guaranteed Income pilot projects, e.g., the Philly Joy Bank, to youth aging out of the foster care system.
- Expand the program for recruitment, retention, and support of landlords willing to rent to youth transitioning out of foster care and provide financial support so youth get on their feet.

Priority 3: **Juvenile Justice**

Priority 3a: Divert more young people from involvement in the juvenile justice system and implement an array of alternatives to incarceration for those who do become system involved.

Over the past five years, the number of Philadelphia youth involved with the juvenile justice system and the city's spending on juvenile justice has decreased. From FY2017-2021, total expenditures declined by 26%, and the number of youth served decreased by 46%.^{xi} With increased reliance on state-run facilities and longer lengths of stay in secure facilities, per-youth spending increased by over a third during that same period. DHS has averaged \$17 million in unspent funds annually over eight years, yet it does not appear the city has reinvested those funds in diversion or alternatives to incarceration.^{xii} Diversion programs tend to have lower recidivism rates than incarceration, but diversion only represented 0.6% of DHS' juvenile justice spending in FY2022.

It is worth noting that between 2021 and 2022, the number of youth involved with the juvenile justice system increased by over 40% statewide, with Philadelphia youth comprising over 10% of the state's total delinquency allegations,^{xiii} despite the overall decline in numbers over a longer period.

In addition, the number of Philadelphia youth sent to delinquency placements has begun to increase, from 205 in 2021 to 226 in 2022. ^{xiv}

The time for the City to reverse this trend is long overdue. Research tells us that youth incarceration starts the path to recidivism, and that diversion and community-based programs are more effective in preventing future arrest. We can promote community safety and the well-being of our kids by investing in juvenile justice solutions that work, prioritizing programs that support healing, learning, and accountability while keeping young people in their homes and communities.

The following recommendations focus on opportunities to divert more Philadelphia youth from the legal system, increase available and high quality alternatives to incarceration, and reduce recidivism rates.

- **Expand investments in community-based diversion programs, including intensive prevention services.**
 - **Connect youth with diversion services that are appropriate to their individual need and level of risk, and ensure that youth who do not need intervention are not referred for services.**
 - **As data shows that intrafamily conflict is a driver of juvenile justice system involvement, particularly for girls,^{xv} pilot a mediation program that responds when police are called for family disputes.**

- **Develop a full spectrum of post-adjudication support services, including family support, and ensure youth receive the intervention that is appropriate to their need and risk level.**
 - **Provide supervision in the least restrictive form possible to maintain youth and community safety.**

- The number of youth monitored by Philadelphia juvenile probation using electronic monitoring (GPS) as an alternative to detention has increased steadily over the past five years. While GPS can be an effective tool to maintain safety and prevent detention, it is not the only alternative to detention, nor is it essential for all youth coming into contact with the juvenile justice system. The City must work to substantially reduce the number of youth on electronic monitoring, utilizing it only when necessary for safety.
- Raise awareness among judges and Probation of existing non-placement treatment options (see [brief from the Sentencing Project](#)) in Philadelphia and continue to expand these options in the community.
- Pilot non-detention alternatives, like Utah's Receiving Center or Portland's therapeutic foster care program.
- Expand restorative justice funding to permit more youth to be served by these programs.
- Standardize contract expectations across city programs to include provisions around not restricting admission of youth with firearm-related charges.
- Connect youth transitioning back to the community from incarceration to mentorship, education, employment, legal aid, housing, and other resources shown to decrease recidivism.
- Direct DHS to coordinate with SDP to ensure that returning students are placed in a regular school environment and are not relegated to an inferior alternative school as a secondary punishment.
- Continue DHS' use of discretionary funds to provide financial support to youth transitioning back to the community following incarceration.

Focus Area: Philadelphia Juvenile Justice Services Center

The Philadelphia Juvenile Justice Services Center (PJJSC) has been understaffed and over its designated capacity for months, yet judges continue to send and keep children there. Children are sleeping on mattresses on the floor, some in spaces not designed for sleeping, educational programs are suspended, and there is limited availability of physical and mental health care or recreation. These conditions are untenable and do not promote the rehabilitation and well-being of the youth placed there, or the safety of any individual in the facility, including staff. While some rhetoric suggests that the youth at PJJSC pre-adjudication are there due to alleged violent offenses, there is no publicly accessible data regarding charges or safety concerns posed by youth there, and there are anecdotal reports of youth being held on minor charges and/or technical violations of probation.

The following recommendations address the crisis at PJJSC through a focus on reducing the census while also improving conditions for youth detained there.

- Appoint a staff member within the mayor's office to focus on improving conditions at PJJSC, including but not limited to the physical facility, staffing, safety of residents, availability and quality of physical and behavioral health services, and availability and quality of education services.
- Direct DHS to work with SDP on a plan to provide consistent, quality education that meets or exceeds legal mandates regardless of staffing or census levels at PJJSC.
- Convene a weekly meeting between the mayor's office and the First Judicial District to review youth sent to PJJSC, their charges, their assessed risk levels, and any aggravating or mitigating factors used to override their risk assessment.
- For youth who are sent to detention, the City should explore partnership with all other facilities in the southeastern region licensed to provide detention to pre-adjudication youth.

- Direct DHS to publicly share de-identified data about youth held at PJJSC, including charges and assessed risk level.
 - Track and publish the rate of overrides of the PaDRAI, including overrides to release and overrides to hold.

Priority 3b: Increase school safety and reduce school-based arrests through expanded programming.

Prior to the implementation of the Philadelphia Police School Diversion Program, SDP documented 1,580 school-based arrests in the 2013-14 school year. Five years after the program's implementation, the number had decreased by 84%, counting 251 total arrests in SY 2018-19. In addition to the reduction of initial arrest, school-based diversion shows promise for preventing future involvement with the legal system. Consistent with broader research on diversion outcomes, Philadelphia youth in the diversion program were less likely than those who were arrested to be re-arrested following the original school-based incident.^{xvi}

- Building on the success of the Philadelphia Police School Diversion Program, the City should reinvest cost savings from reduced incarceration costs to expand school-based diversion programs.
- The Philadelphia Police Department (PPD) should work with SDP to reframe eligibility language to describe behaviors, not charges, and to provide more discretion in referrals to those who have relationships with youth (e.g., teachers and school administrators).
 - Currently, alleged offenses eligible for the program include "possession of weapons on school property, other than a firearm, shotgun, or rifle; criminal trespass; disorderly conduct, including both summary and misdemeanor; knowing and intentional possession of a controlled substance or counterfeit substances; and obstruction of highways or other passageways."^{xvii} However, these describe charges, not behaviors.

The District Attorney's Office is responsible for charging, and they are not yet involved with youth at the time a school-based diversion decision is made.

- The Philadelphia Police Department should also work with SDP to revise the Memorandum of Understanding between PPD and SDP to align with state school-based diversion legislation and to include behaviors for which police must not be called.

Priority 3c: Mobilize public agencies to use data for policy improvements and public accountability.

Beyond basic information, the public has very little access to data regarding youth served by the juvenile justice system, including those in detention and placement. In addition, stakeholders representing and supporting youth involved with the juvenile justice system report challenges in elevating concerns about the care and services youth are receiving, as there is no current feedback mechanism to reach the Administration directly.

The following recommendations promote information sharing, collaboration, and transparency among system partners to ensure the best outcomes for young people.

- Ensure data transparency related to Philadelphia youth involved in the juvenile justice system, including deidentified data specific to charges and lengths of stay in detention and secure treatment.
- Transparently track and report which youth receive which services/case outcomes, to ensure youth are being matched to an appropriate level of supervision.
- In partnership with SDP, track and report on school stability of students in foster care and in the juvenile justice system.

- **Create a robust accountability and oversight structure, which includes the Office of the Youth Ombudsperson and the Mayor's office, for PJJSC and other facilities providing community-based services, as well as secure detention and placement services to Philadelphia system-involved youth.**
- **Appoint a liaison within the mayor's office who will regularly convene juvenile justice stakeholders to raise emergent issues with the Administration in real time.**
- **Convene a summit that includes the First Judicial District, District Attorney's Office, Defenders Association, and Juvenile Probation leadership to review existing alternatives to youth incarceration and identify ways to expand these options in the community.**

Appendix A: Stakeholder Participation

The following individuals and organizations participated in the development of these recommendations through a series of in-person and virtual meetings between May and September 2023. These stakeholders contributed their expertise and experience to this effort and may support some, but not all recommendations in the document. Stakeholders who endorse all of the recommendations are indicated by an asterisk.

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The Kids' Campaign is the first of its kind in Philadelphia – a nonpartisan effort that is not backing a candidate for Mayor and that defines the election solely on the safety of children and youth. Through candidate questionnaires and forums, The Kids' Campaign will share with voting parents and young adults the information they need to determine which candidate will keep Philly's children safe. Learn more about The Kids Campaign at www.thekidscampaign.org.

Endnotes

ⁱ Estimate derived from line items under "Prevention" (\$62M) in the Human Services section and the Office of Children and Families item (\$13M) under the Managing Director's Office in the city Operating Budget.

ⁱⁱ Ao, Bethany. "Philadelphia Has the Highest Rate of Family Separation, and Kids in Foster Care Need Mental Health Support." <https://www.inquirer.com>, October 16, 2020. <https://www.inquirer.com/health/philadelphia-foster-care-mental-health-20201016.html>.

ⁱⁱⁱ Ibid

^{iv} Quarterly Indicators Report - City of Philadelphia. Accessed September 27, 2023. https://www.phila.gov/media/20230814115210/Quarterly-Indicators-Report-FY23_Q3_8.11.23_Full.pdf.

^v Ibid

^{vi} "Report: 2022 State of Child Welfare - September 2022." PA Partnerships For Children, September 27, 2022. <https://www.papartnerships.org/report/report-2022-state-of-child-welfare-september-2022/>.

^{vii} Ibid

^{viii} Ibid

^{ix} Ibid

^x U.S. Department of Health and Human Services, Administration for Children and Families, Administration on Children, Youth and Families, Children's Bureau. The AFCARS Report #29 . Accessed September 27, 2023. <https://www.acf.hhs.gov/sites/default/files/documents/cb/afcars-report-29.pdf>.

^{xi} EConsult Solutions, Inc., and Independent Variable, LLC. Philadelphia's shifting juvenile justice paradigm: An economic analysis. Accessed September 27, 2023. https://phillyda.org/wp-content/uploads/2023/05/Philadelphias-Shifting-Juvenile-Justice-Paradigm_Technical-Report.pdf

^{xii} Ibid

^{xiii} Pennsylvania Juvenile Court Judges Commission. 2022 Juvenile Court Annual Report. Accessed September 27, 2023. <https://www.jcjc.pa.gov/Research-Statistics/Disposition%20Reports/2022%20Juvenile%20Court%20Annual%20Report.pdf>.

^{xiv} Ibid

^{xv} Philadelphia District Attorney's Office, and Independent Variable, LLC. Overlooked Or Overscrutinized? A Case Study of Girls' Justice in Philadelphia and Implications for the Design of a Fairer System. Accessed September 27, 2023. <https://phillyda.org/wp-content/uploads/2023/03/Overlooked-or-Overscrutinized.pdf>.

^{xvi} "Philadelphia Police School Diversion Program." JJR&R Lab. Accessed September 27, 2023.

<https://www.jjrnlab.com/diversion-program.html>.

^{xvii} Philadelphia Police Department. Philadelphia Police Department Directive 3.25. Accessed September 27, 2023.

<https://www.phillypolice.com/assets/directives/D3.25-PoliceSchoolDiversionProgram.pdf>.