

**CITY OF PHILADELPHIA
SHARED SPACES WORKGROUP
CODE OF CONDUCT SUBCOMMITTEE
THURSDAY, FEBRUARY 2, 2017**

Attendees

Bill Parshall – Temple University Center City
Brian Korn – Center City District (CCD)
Dave Simonetti – Wawa
Dawn Summerville – Commerce Department
Don Haas – Building Owners & Managers
Association
Eva Gladstein – Managing Director’s Office
(MDO)
Fran Healy – Police Department
Harold Epps – Commerce Department
Jennifer Chang – Free Library
Julia Hinckley – MDO

Krystle Okafor – MDO
Liz Hersh – Office of Homeless Services
Marsha Cohen – Homeless Advocacy Project
Mary Horstmann – MDO
Mary Scullion – Project HOME
Mike Dahl – Broad Street Ministry
Paul Beideman – Avenue of the Arts
Paul Levy – CCD
Sandy Vasko – Department of Behavioral
Health and Intellectual disAbility Services
Tiffany Thurman – Parks & Recreation
Department

Meeting Materials

- (PowerPoint) Background Data
- (PowerPoint) Describing the Problem, Current and Potential Approaches
- Select City Laws Related to Behaviors in Shared Public Spaces
- Goals Summary Chart
- Draft Potential Questions for a Public Q&A

Discussion

Introduction

- Eva Gladstein posed a question re: meeting length. Will it be necessary to make these sessions 1.5 hours long?
- The group discussed additional information that could supplement the Background Data presentation:
 - Data on opioid use and overdoses
 - Data on how those with a criminal history interact with the homeless system
 - Panhandling survey

Describing the Problem, Current and Potential Approaches

- There was discussion about whether to consider four separate groups of people 1) individuals with mental health needs 2) individuals with addiction 3) individuals who are engaging in drug dealing or other criminal conduct and 4) panhandlers and identify the path/course of action, with responsible parties, for each type of individual. There was discussion about how to create successful interventions when sometimes it is unclear which course of action a situation calls for.
- In reviewing the definitions of public and private space the group noted gray areas at the boundaries between public and private space, such as panhandlers that hold the door at Wawa and the 100+ entrances of the Suburban Station Concourse.
- It was agreed that drug use should be identified separately from drug dealing, as they are separate issues with separate remedies.

- Additional problems raised include lack of affordable housing and employment, as well as violence and the threat of violence.

Goals Summary Chart

- The group discussed whether it is advisable to revisit the executive order issued prior to the DNC that decriminalized disorderly conduct. This would allow police to issue a non-violent summary violation notice with a greater penalty. However, since the police are no longer permitted to transport an individual to the station to issue the violation, the behavior is not disrupted.
- The group again discussed the downsides to criminalizing behaviors including disqualifying persons from accessing benefits.
- Eva introduced the engagement center strategy the City has been developing: day sites with extended hours where patrons may access services and resources. She explained that the City will begin transporting people to the centers as a diversion tactic in the coming weeks. The first centers will be opened in West Philadelphia, at the Mental Health Association, and in Callowhill, at Sunday Breakfast Club.
- There was interest from some in the group on focusing on the most-clear cut cases, where criminal behavior is involved and identifying who takes the lead and what authority they have.
- Eva committed that the City would attempt to map out the four types of cases and identify the responsible parties, for future discussion by the group.
- In discussion regarding “carrot and stick” approaches, Fran Healy recommended that we should invite the District Attorney’s Office to join the group.
- Regarding communications and a potential text-to-give campaign, Liz Hersh invited all subcommittee members to the Marketing and Public Education subcommittee’s upcoming meeting on relaunching the Real Change campaign.
- The co-chairs encouraged the group to continue to consider the Goals Summary Chart and committed to revisiting it and updating it each meeting.
- Harold Epps offered Commerce Department assistance regarding employment options for panhandlers. Dave Simonetti also stressed that Wawa is hiring entry level workers.

Next Steps

- All participants may join the Marketing and Public Education subcommittee’s redistributed giving campaign meeting on Tuesday, February 7, at 4:00p.
- Data on the current landscape will be circulated before the next meeting.
 - Presentation on opioid epidemic
 - Crosswalk data on Homeless Services touches and criminal justice involvement
 - Panhandling survey
- The next meeting will focus on identifying and planning specific interventions the group can support.

**CITY OF PHILADELPHIA
SHARED PUBLIC SPACES WORKGROUP**

Code of Conduct and Service Alternatives Subcommittee Meeting
Thursday, February 2, 2017 9:00a – 10:00a
1717 Arch Street 31st floor-Reed Smith Conferencing Floor, Room 31-F

I.	Welcome	5 min
II.	Questions on Background Data	10 min
III.	Describing the Problem, Current and Potential Approaches	20 min
IV.	Goals Summary Chart	20 min
V.	Actions to be taken before the next meeting	5 min

Handouts

- (Powerpoint) Background Data
- (Powerpoint) Describing the Problem, Current and Potential Approaches
- Select City Laws Related to Behaviors in Shared Public Spaces
- Goals Summary Chart
- Draft Potential Question for a Public Q&A

Upcoming Meetings

- Thursday, March 2, 9:00a – 10:00a
- Thursday, April 6, 9:00a – 10:00a
- Thursday, May 4, 9:00a – 10:00a
- Thursday, June 1, 9:00a – 10:00a

 City of Philadelphia

Background Data on Homelessness and Hunger in Philadelphia

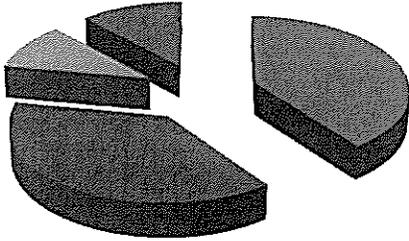
January 2017

 City of Philadelphia **HOW MANY HOMELESS?**

2016 POINT IN TIME COUNT

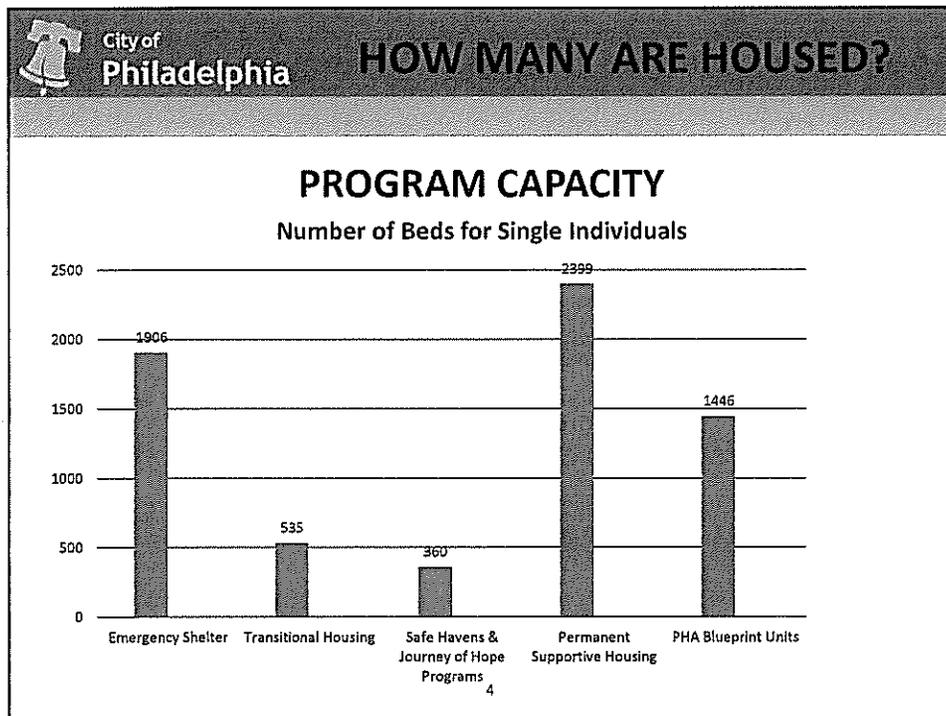
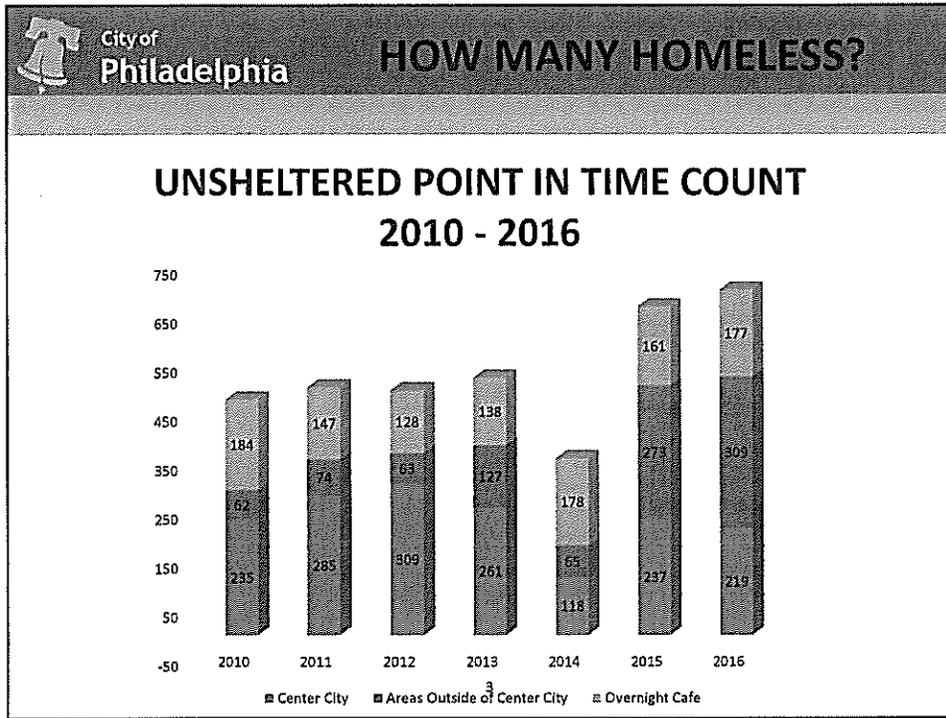
6,112 individuals total

- Includes emergency and temporary housing
- 43% are in families – 0 families on the street
- 705 unsheltered (3% increase from 2015)



- Mental Illness
- Substance Use Disorder
- Domestic Violence
- Youth

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City of Philadelphia **HOW MANY HOUSED?**

HOMELESS HOUSEHOLDS HOUSED IN FY16

6,000 Temporarily
 24,000 households came to our door (not unduplicated – probably 16,000 unduplicated)

1,200 Long-Term

800 Prevented Homelessness
 5,900 requested help

City of Philadelphia **FOOD ACCESS**

Food Access in Philadelphia

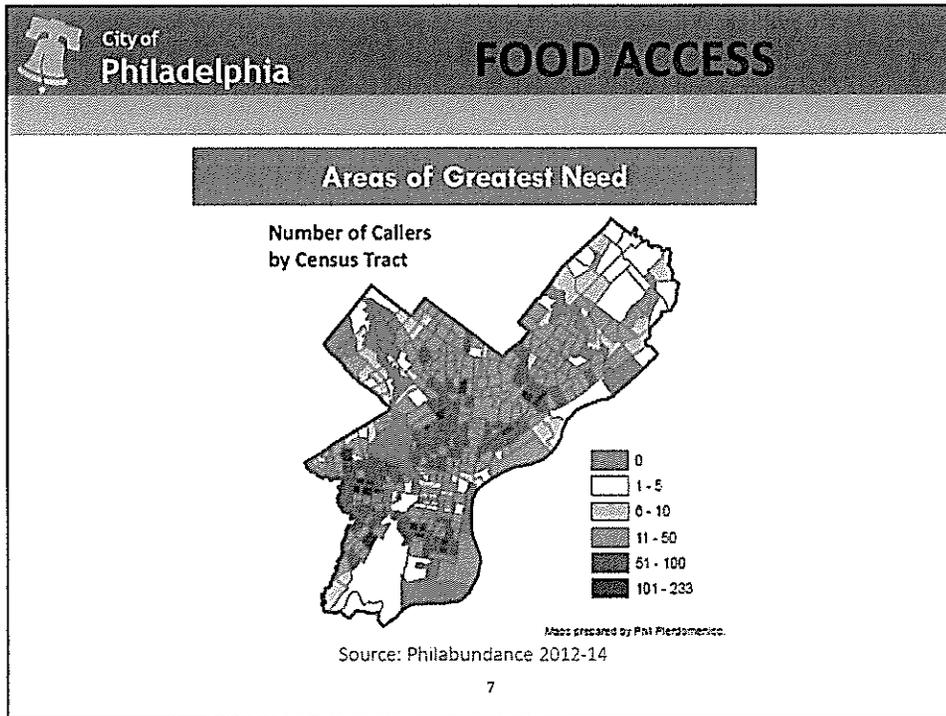
- 1 in 4 Philadelphians are food insecure
- 572,006 Philadelphia residents received food through the State Food Purchase Program from 2013-2014, an 8% increase from the year before
- On a given day, 1,859 meals are served in Center City and West Philadelphia

Sources: Coalition Against Hunger and 2012 Mayor's Taskforce on Outdoor Serving of Food

Poverty and Food Insecurity

Year	Food Insecurity-Philadelphia	Food Insecurity-U.S.	Poverty-Philadelphia	Poverty-U.S.
2007	0.22	0.12	0.22	0.12
2008	0.23	0.13	0.23	0.13
2009	0.24	0.14	0.24	0.14
2010	0.25	0.15	0.25	0.15
2011	0.26	0.16	0.26	0.16
2012	0.25	0.15	0.25	0.15
2013	0.26	0.16	0.26	0.16
2014	0.24	0.14	0.24	0.14
2015	0.24	0.14	0.24	0.14

Sources: USDA ERS, ACS, and Feeding America estimates.



City of Philadelphia **FOOD ACCESS**

Emergency Meals in Philadelphia

In 2016, surveyed meal providers:

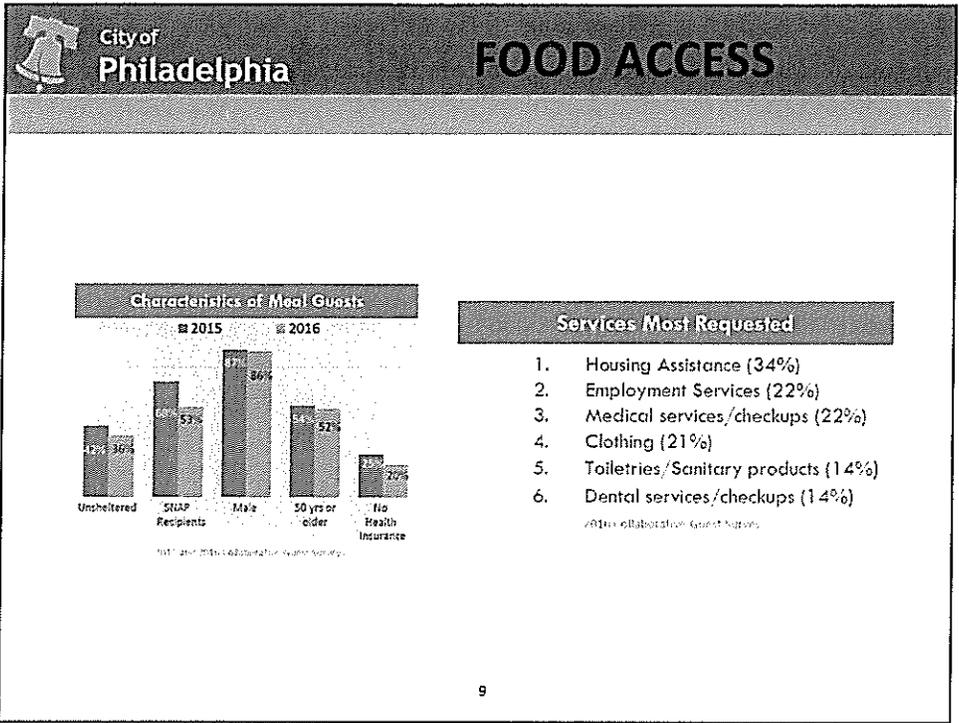
- Served 879,892 meals
- At 35 sites in Philadelphia

2016 Collaborative Provider Survey

2016 Total Weekly Meal Times: 176
* 2015 Numbers are in Black

Day	Breakfast	Lunch	Dinner	Total
M	4(+1)	14(+3)	10(+1)	28
T	4	19(+3)	6	29
W	4	15(+3)	7(+1)	26
R	4(-1)	19(-1)	6	29
F	6	16(+2)	6(+1)	28
Sa	2	9(-2)	3	14
Su	1	8	2	11
Total	25	99(+8)	40(+3)	165(+11)

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Agenda

- Welcome
- Questions on Background Data
- Describing the Problem, Current and Potential Approaches
- Goals Summary Chart
- Actions to be taken before the next meeting

Describing the Problem, Current and Potential Approaches

Thursday, February 2, 2017

Shared Public Spaces Workgroup: Code of Conduct/Service
Alternatives Subcommittee

Public space
vs.
Private space

- Public space: sidewalks, parks, streets, transit stations
- Private space: some plazas, inside of retail and other buildings

Describing the Problem

In public spaces:

- Aggressive panhandling
- Loud and/or unpredictable behaviors of some individuals intimidate passersby
- Public sleeping
- Public urination and defecation
- Drug use and dealing
- Illegal activity in SEPTA concourse: shoplifting, etc.
- Public dumping by outdoor meal providers *

The Problem

- Aggressive panhandling
- Behaviors of some individuals with mental illness intimidate passersby

What We Can Do/Are Doing

- Coordinate efforts between the DA and PPD to ensure persistent panhandlers are charged
- Engage Outreach Teams and Issue CVNs
- Involuntary commitment

What We Could Do

- Use CVNs and Outreach Teams more strategically
- Develop service alternatives like engagement centers that can help disrupt nuisance behavior
- Launch employment programs or other avenues to enable panhandlers to earn funds
- Help the public understand what to do, and what's being done, by developing a public education campaign
- Add a single number to call
- Strengthen post-commitment connection to treatment

Overview of Current Strategies

The Problem

Overcrowding of public sleeping areas
Current strategies for public urination and defecation



What We Can Do/Are Doing

- Engage Outreach Teams and Issue CVNs
- Removing tents from parks



What We Could Do

- Use CVNs and Outreach Teams strategically
- Develop service alternatives like engagement centers that can disrupt nuisance behavior
- Enforce rules re: outdoor sleeping in tents and public urination and defecation
- Increase publicly available bathrooms, add bathroom monitors

The Problem

- Current Strategy
- Public dumping by outdoor meal providers* (this item is focus of Food Safety and Dignity Committee)

What We Can Do/Are Doing

- Encouraging providers to partner with indoor providers
- Working to identify additional indoor meal sites/engagement centers

What We Could Do

- Enforce littering regulations
- Expand enforcement, increase trash removal, open additional indoor meal sites, and limit outdoor feeding to designated spaces
- Develop instructional materials for meal providers and implement a permitting procedure for outdoor meal providers

The Problem

Current Strategies

- Drug use and dealing
- Other illegal activity (shoplifting, etc.)

What We Can Do/Are Doing

- Engage PPD and SEPTA Police
- Clarify enforcement actions and develop a joint approach
- Coordinate efforts between the DA and PPD to ensure persistent offenders are charged

What We Could Do

- Encourage reporting
- Make sure people know where to turn

Goals

	SHORT TERM	MEDIUM TERM	LONG TERM
EASY GOALS	<ul style="list-style-type: none"> Expand BenePhilly to provide benefits access assistance at site that serves the street population. <ul style="list-style-type: none"> By year's end, enroll [#] individuals in Medicaid and SNAP. Debut text-to-give campaign to encourage the public to donate directly to Philadelphia-based social service agencies. Develop truncated version of Where to Turn Guide to distribute amongst panhandlers. For a public audience, develop Shared Spaces frequently asked questions info sheet. 	<ul style="list-style-type: none"> Reassess Police-Homeless Outreach procedures for disrupting aggressive panhandling. Increase assistance for individuals applying for SSI and SSDI applications. <ul style="list-style-type: none"> Enroll [#] homeless individuals in SSI or SSDI by year's end. 	<ul style="list-style-type: none"> Bolster financing mechanisms for affordable and permanent supportive housing. Attract additional funders and investors. Implement innovative financing models such as Pay for Success.
HARD GOALS	<ul style="list-style-type: none"> Launch Engagement Centers in North Philadelphia, West Philadelphia and Center City to relieve public spaces that cannot meet vulnerable individuals' needs. 	<ul style="list-style-type: none"> Launch employment intervention for Center City panhandlers. 	<ul style="list-style-type: none"> Open Engagement Center in dedicated, brick-and-mortar space in Center City. Coordinate with Philadelphia Police Department to develop diversion protocol for aggressive panhandlers that utilizes the Engagement Center.

Select City Laws Related to Behaviors in Shared Public Spaces

Prohibited behavior	Definition of the behavior	Process for enforcement	Penalty	Challenges related to successful implementation
<p>Aggressive panhandling</p>	<p>Phila Code 10-611</p> <p>Solicit money for any purpose on the public sidewalk in an aggressive manner, or accompanied by conduct, including but not limited to repeated begging, insistent panhandling, retaliatory comments, blockage of free passage of a pedestrian, touching or yelling at a pedestrian, confrontation or intimidation, which is likely to cause a reasonable person to fear bodily harm to oneself or another, or damage to or loss of property.</p>	<p>oral warning, written notice of violation office must attempt to ascertain whether the person is in need of medical assistance or social service assistance, and, if so, the officer contacts an Outreach Team, who shall come to the officer's location, evaluate the person's needs, and together with the officer take all reasonable steps toward directing the person to the appropriate service provider, including but not limited to offering transportation to such provider. If the officer's reasonable efforts to direct the person to needed social services are unsuccessful, the officer</p>	<p>\$100 fine</p>	<p>Fines on individuals without income are not effective</p> <p>Requires police to evaluate whether someone is in need of social services and, if so, to wait for help from Outreach</p> <p>There are limited places to which an individual can be transported for assistance</p>

Prohibited behavior	Definition of the behavior	Process for enforcement	Penalty	Challenges related to successful implementation
Disorderly conduct	<p>with intent to cause public inconvenience, annoyance or alarm, or recklessly creating a risk thereof, he:</p> <p>(1) engages in fighting or threatening, or in violent or tumultuous behavior;</p> <p>(2) makes unreasonable noise;</p> <p>(3) uses obscene language, or makes an obscene gesture; or</p> <p>(4) creates a hazardous or physically offensive condition by any act which serves no legitimate purpose of the actor.</p> <p>...</p>	<p>may issue a notice of violation or take appropriate coercive action</p> <p>Issue CVN</p>	\$100 fine	Enforcement has limited impact; fines on individuals who have no income are not effective
Public urination or defecation	It shall be unlawful for any person to urinate or defecate on any public right-of-way, underground platform or concourse, elevated platform	Issue CVN	Not to exceed \$2,000; violator may be permitted to perform appropriate	Enforcement has limited impact; fines on individuals who

Prohibited behavior		Definition of the behavior	Process for enforcement	Penalty	Challenges related to successful implementation
Tents in Parks	Parks Regulations Section 305	<p>serving public transportation facilities, underground or elevated passageways used by the public, railroad or railway passenger stations or platforms, or on the steps leading to any of them, or on any private property used to accommodate the public, or on any private property without the permission of the owner.</p> <p>Erecting a tent, shelter or campsite is prohibited in any area of the Park system.</p>	<p>notice of violation shall be issued by police officers or any other person authorized to enforce ordinances or regulations</p> <p>park rangers partner with PPD</p>	<p>community service in lieu of any payment of any fine</p> <p>No enforcement activity shall target homeless persons in a discriminatory manner</p>	<p>have no income are not effective</p> <p>No current mechanism to implement the community service in lieu of payment provision</p>
				<p>\$25 fine; if not paid \$100-300 plus court costs</p>	<p>Fines on individuals who have no income are not effective</p> <p>Enforcement resources are limited</p>

Prohibited behavior		Definition of the behavior	Process for enforcement	Penalty	Challenges related to successful implementation
Use of parks/feeding in parks	Parks Regulations Sections 101-107	<p>The following are prohibited in all parks:</p> <ul style="list-style-type: none"> • Littering and dumping • Wrecking, removing or defacing Park property • Removing any plants, animals or rocks • Vending, selling or soliciting anything • Lighting a fire, except in a stone fireplace or a metal barbecue stand 	<p>notice of violation shall be issued by police officers or any other person authorized to enforce ordinances or regulations</p> <p>park rangers partner with PPD</p>	<p>\$25 fine; if not paid \$100-300 plus court costs</p>	<p>Fines on individuals who have no income are not effective</p> <p>Enforcement resources are limited</p>

Prohibited behavior		Definition of the behavior	Process for enforcement	Penalty	Challenges related to successful implementation
Park Curfew	Park Regulations Section 102	A 1:00 A.M. curfew prevails throughout the Park and no one is to loiter or stay in the Park after this hour without special permission from the Fairmount Park Commission.	notice of violation shall be issued by police officers or any other person authorized to enforce ordinances or regulations park rangers partner with PPD	\$25 fine; if not paid \$100-300 plus court costs	Fines on individuals who have no income are not effective Enforcement resources are limited

**SHARED PUBLIC SPACES WORKGROUP
CODE OF CONDUCT SUBCOMMITTEE
GOALS SUMMARY CHART**

	SHORT TERM (3 MONTHS)	MEDIUM TERM (6-12 MONTHS)	LONG TERM (12-24 MONTHS)
Easy Goals	<ul style="list-style-type: none"> Expand BenePhilly to provide benefits access assistance at site that serves the street population. <ul style="list-style-type: none"> By year's end, enroll [###] individuals in Medicaid and SNAP. Debut text-to-give campaign to encourage the public to donate directly to Philadelphia-based social service agencies. Develop truncated version of <i>Where to Turn Guide</i> to distribute amongst panhandlers. For a public audience, develop Shared Spaces frequently asked questions info sheet. 	<ul style="list-style-type: none"> Reassess Police-Homeless Outreach procedures for disrupting aggressive panhandling. Increase assistance for individuals applying for SSI and SSDI applications. <ul style="list-style-type: none"> Enroll [###] homeless individuals in SSI or SSDI by year's end. <p style="font-size: small; margin-left: 20px;"><i>SS-15 12/1/15 App Kw</i></p>	<ul style="list-style-type: none"> Bolster financing mechanisms for affordable and permanent supportive housing. <ul style="list-style-type: none"> Attract additional funders and investors. Implement innovative financing models such as Pay for Success.
Hard Goals	<ul style="list-style-type: none"> Launch Engagement Centers in North Philadelphia, West Philadelphia and Center City to relieve public spaces that cannot meet vulnerable individuals' needs. 	<ul style="list-style-type: none"> Launch employment intervention for Center City panhandlers. 	<ul style="list-style-type: none"> Open Engagement Center in dedicated, brick-and-mortar space in Center City. Coordinate with Philadelphia Police Department to develop diversion protocol for aggressive panhandlers that utilizes the Engagement Center.

DRAFT Potential Questions for a Public Q&A on Sidewalk Behaviors, Panhandling and Homelessness

Q: Is panhandling and street homelessness getting worse in Philadelphia than in the past?

Q: Is panhandling and street homelessness worse in Philadelphia than in many other places?

Q: Are all panhandlers homeless?

Q: How many people are homeless in Philadelphia overall, and how many are living on the street?

Q: How many panhandlers are in need of treatment for substance use disorder?

Q: What percentage of homeless people overall are in need of treatment for substance use disorder?

Q: What does the City do to help people who are living on the street?

Q: What are the rules about what type of behavior is allowed in public places like sidewalks and transit stations?

Q: What should I do if someone asks me for money?

addiction, with a goal of preserving dignity for all in the spaces that we share. The group will aim to explore existing laws/rules and impacts, to develop action plans that can get the support/resources needed to improve the quality of life for all.

Discussion

- The group discussed the need to hone the focus of the committee; it was agreed that more data and context would be helpful for subcommittee members and also potentially for the public. Among the data points suggested were:
 - How does Philadelphia compare to other cities in terms of number of street homeless and panhandlers?
 - What are the numbers of individuals experiencing street homelessness and the number of panhandlers in Center City and in other areas of the city and how does this compare to historical numbers in Philadelphia?
 - What has been the impact of the opioid epidemic on street homelessness and panhandling?
 - What percentage of individuals who are homeless have a mental illness? What percentage are addicted to drugs or alcohol?
 - Are there best practices from other cities that the group should consider?
- Mary Scullion provided some national and historical context for the group, but it was also agreed that we will circulate additional data in advance of the next meeting:
 - Recent construction in Center City has displaced many, leading to new “hot spots” with large numbers of individuals who are homeless and the sense that street homelessness in Philadelphia is “getting worse.” For example, 75 people lived in LOVE Park prior to its closure and have now relocated to areas like the Convention Center.
 - Despite having the highest poverty rate of any major city (26%), Philadelphia has the lowest per capita number of people sleeping on the streets (~200).
 - Seattle has a 14% poverty rate, but over 3,000 of its residents sleep on the streets.
 - Philadelphia lost 23,000 units of low rent housing between 2000 and 2014.
 - Sister Mary urged the group to work to create real solutions, instead of simply “moving people around.”
- Liz Hersh provided an overview of the City’s simultaneous efforts to address many of the issues under discussion:
 - Shared Public Spaces Workgroup, with four subcommittees:
 - Code of Conduct, Service Alternatives
 - Chronic Street Homelessness
 - Food Access, Safety, and Dignity
 - Marketing and Public Education
 - Opioid Taskforce
 - Food Access Collaborative
- The group discussed that the problems cannot be addressed through arrests, which instead can then bar individuals from receiving needed benefits.
- The group discussed that financial resources will be key to support the service alternatives needed to create change.
- Tom Nestel briefly referenced SEPTA’s process for intervening with panhandlers under PA Code Rule 1002: panhandling is a summary violation that can be heard in court without the defendant being present. Now, SEPTA panhandlers rarely appear before a judge and are charged fines that they cannot pay.
- It was suggested that the group should try to determine the extent to which organized panhandling is an issue among Philadelphia panhandlers.

- The group agreed to spend the next session beginning with a review of the data and landscape of the issues of street homelessness, panhandling and aggressive panhandling, and then to review the way the current rules are implemented, which will allow the group to better define the issues and prioritize some short and longer term solutions.

Next Steps

- Data on the current landscape will be distributed before the next meeting.
- Next meeting will focus on review of the data, review of current practices, and beginning to consider actions the group could support.