

CENTER CITY DIGEST

A retailer on Chestnut Street repeatedly encounters someone sleeping in his doorway each morning. Often the individual has defecated on the sidewalk. One morning a mattress completely blocks access.

An office building manager on Market Street finds an individual rolled up in a plastic tarp on their plaza each morning, debris strewn about. Nearby, a religious group preaches hate-speech at lunchtime with amplification loud enough to be heard inside.

Hotels experience behavioral problems with mentally ill individuals within their lobbies, prompting business cancellations. Major conventions receive attendee complaints about aggressive panhandling and unhealthy conditions around the Center.

Near the Schuylkill River, residents walking their dogs step over litter and human waste and occasionally face intimidating behavior from an encampment under the adjacent bridge.

Along South Broad Street, panhandlers sit quietly with signs; others ask politely for money. Some block the path of pedestrians who say no.



ON THE AGENDA FOR THE NEXT MAYOR: HOMELESSNESS AND PANHANDLING

The incidents on the left are far from the dominant experience in Center City. But they occur frequently enough to impact perceptions and economic realities. In the last year, CCD surveys counted an average 29 panhandlers each day in the central business district, with a high of 54 in May 2015 and a low of 15 in January 2015.

In the same period, an average of 49 homeless people each day were on sidewalks and in alleys downtown, reaching a high of 132 in August 2014 and a low of 13 in January 2015. City outreach teams count 300 to 400 overnight when adding subway concourses, edges of highways and areas adjacent to downtown (see maps on pages 2 and 3).

These are but a small percent of the 5,700 people who may be homeless in Philadelphia on any given day. Over a year, 15,000 to 20,000 different individuals may experience episodes of homelessness, the bi-product of evictions, family conflict, abusive situations, mental disorder or drug abuse. Half are families with children, eager for shelter. Almost equal in number are single adults in shelters or living long-term in transitional and permanent housing.

But 6% to 8%, primarily single men, remain on the street even when options are offered. Dedicated outreach workers try. With extraordinary patience, they repeatedly engage chronic individuals, but succeed only 35% of the time. Those remaining are deeply-troubled, suffering from mental illnesses that make them averse to being around other people. Some hear voices and fail to take prescribed medications. To support addiction some commit crimes. Others are victims of crime. Some accost pedestrians; many keep to themselves.

A 1990s study found those who remain on the street have a mortality rate four times higher than non-homeless peers. To respond, the City offers 24-hour, "Safe Haven" facilities for hard-to-reach homeless, unable or unwilling to participate in recovery services.

Between 2008 and 2014, the City's homeless housing inventory increased from 3,047 to 5,500, while the number of unsheltered persons on the streets decreased from 457 to 361.

Having sufficient resources matters; but spending them wisely is essential.

TIME TO RETHINK WHAT WE DO:

Anyone who runs a large business or organization knows that programs, products and services build their own internal constituencies. The upside is passionate pride of ownership. The downside can be attachment to the status quo, even when conditions change. Particularly for public agencies, lacking the spur of competitive providers, there are not always incentives to stay client-focused.

But a change in Mayor creates conditions for rethinking. In 1992, at the start of the Rendell Administration, a grant from The Pew Charitable Trusts enabled Philadelphia to work with a cross section of homeless providers, civic and business organizations to evaluate how \$49 million of public dollars were being spent by seven separate, uncoordinated agencies that operated without a strategic plan.

An outside consultant, Fairmount Ventures, catalogued spending across multiple departments for diverse populations: mothers with children, the mentally ill, the addicted, abused women and veterans. They evaluated effectiveness, identified gaps, recommended efficiencies, better coordination and helped create a seamless continuum of services coordinated by one homeless "czar." This enabled the City to leverage more federal and philanthropic resources.

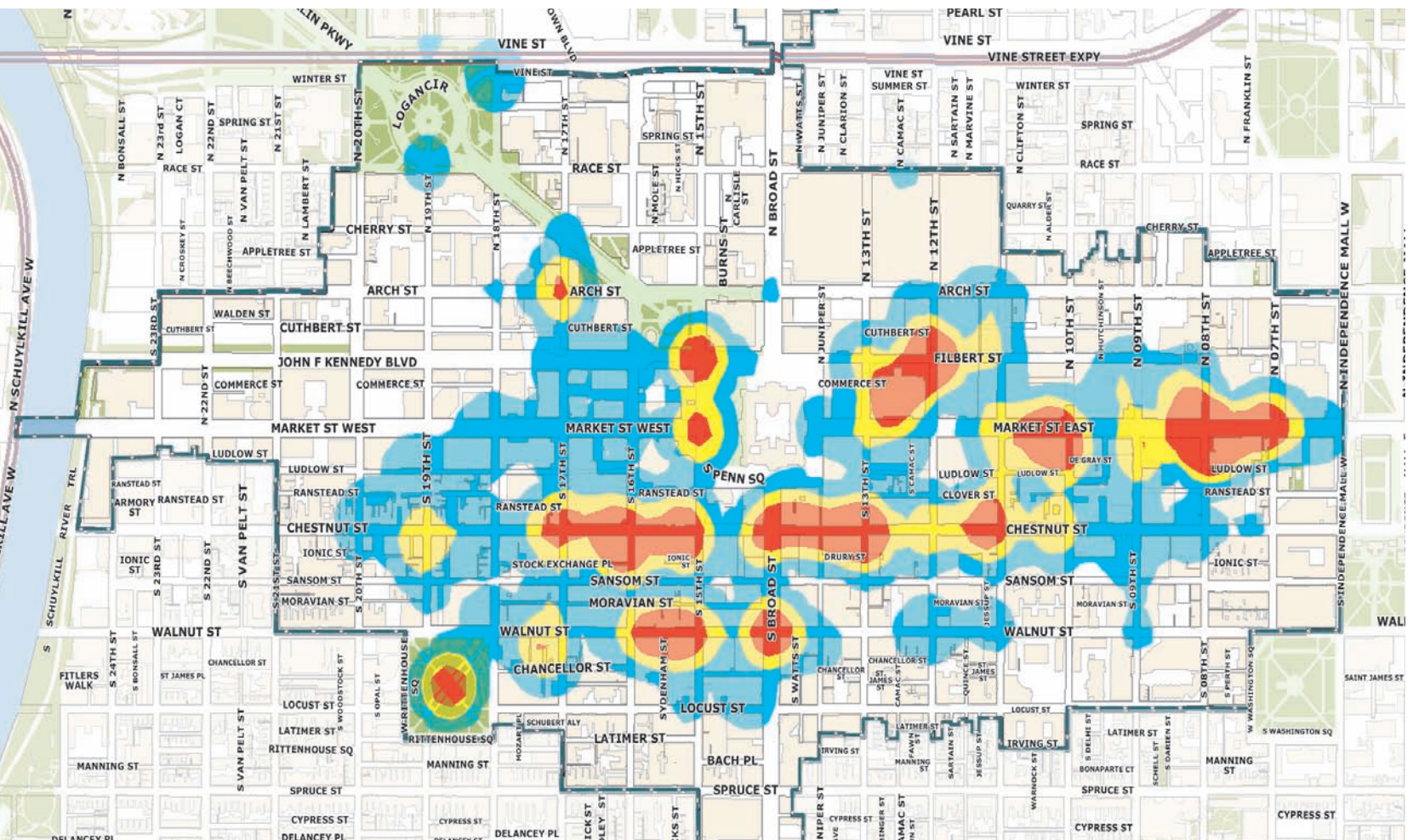
Philadelphia now spends \$80 million to \$100 million each year on homelessness, depending on the success with grants. Charities contribute more. But centralized coordination seems less apparent. Much has also changed in two decades as new innovative approaches have emerged.

HOUSING FIRST:

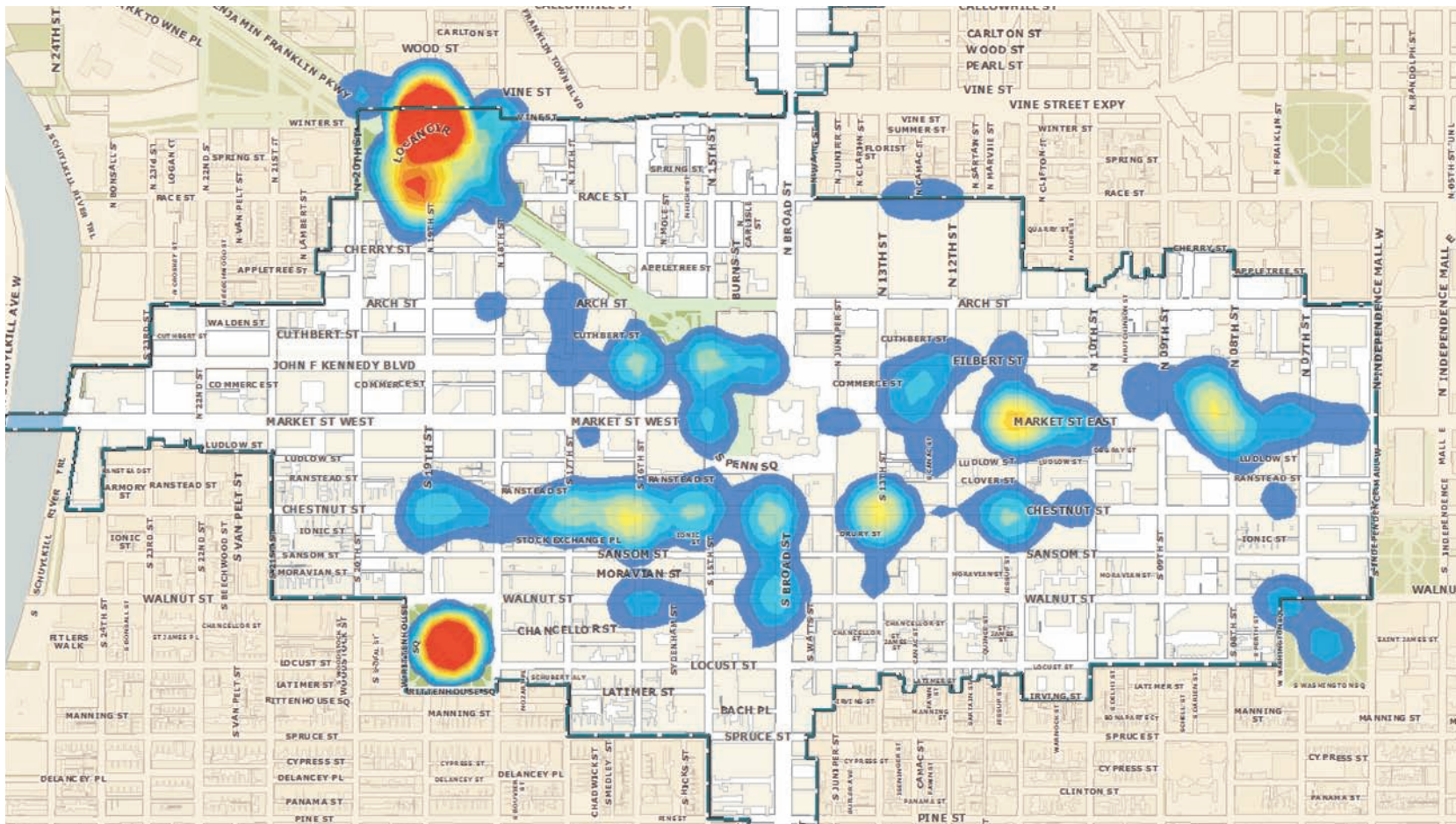
In 2008, City government invited *Pathways to Housing* to bring their "housing first" approach to Philadelphia. *Pathways* focuses exclusively on chronically street homeless people with serious mental illness and behavioral health disorders.

Traditional approaches to the shelter-resistant start with outreach teams offering food, a place to sleep in shared quarters, and access to social and medical services. The cornerstone of "housing first" is the direct placement of the homeless into their own rental apartment without first requiring a period of sobriety or the acceptance of specific services. It seems counter-intuitive, but living with groups of others is often hugely challenging for those with mental illness. Recognizing the debilitating effects of remaining on the street, this approach seeks to reduce harm. Once housed, clients are regularly visited by

CENTER CITY DISTRICT WEEKLY PANHANDLE SURVEY: JAN 1 - SEPT 1, 2015, BETWEEN 12 PM - 1 PM



CCD surveys counted an average 29 panhandlers each day with a high of 54 in May 2015 and a low of 15 in January 2015.



CCD surveys counted an average of 49 homeless people each day on sidewalks and in alleys and parks in the District reaching a high of 132 in August 2014 and a low of 13 in January 2015.

case managers and offered appropriate supportive services.

Not only is this substantially more effective than traditional approaches to persuading people to come off the street, *Pathways to Housing PA* currently houses 430 people and maintains an 89% retention rate even among those not considered "housing ready" by other programs pathwaystohousingpa.org. Most important, it's half the cost: \$28,500 per person per year for emergency food, housing subsidies, utility bills, mental health and primary care and addiction counseling services, compared to \$56,500 per person annually for congregate housing. Housing first also reduces substantial costs this troubled population incurs through recurring encounters with outreach teams, police and emergency rooms. Finally, Pathways leases vacant apartments in the city, avoiding the challenge of placing facilities in wary neighborhoods; tenants pay 30% of their income toward rent.

A BETTER WAY TO ADDRESS HUNGER:

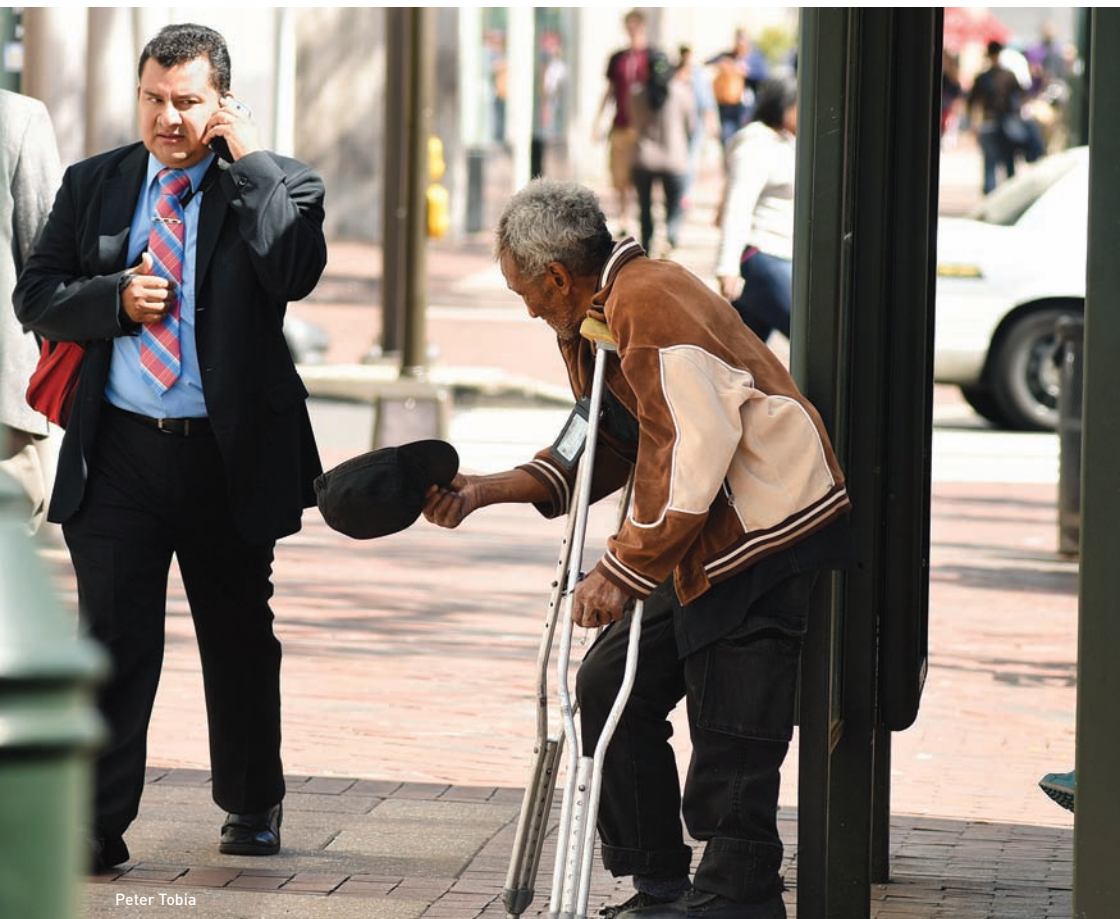
For more than a decade, religious groups have come to the Benjamin Franklin Parkway to provide food and preach to the indigent. Many are well-meaning, but short-sighted. Few provisions are made for clean-up, let alone public bathrooms. Concerned about limited food supply, the hungry congregate early, often camping overnight or pushing to the front of the line. They may receive food, but little to address mental health, medical, addiction, legal or other problems that have led to life on the street.

By contrast, Broad Street Ministries (BSM) provides an indoor setting with nutritious meals and comprehensive services to stabilize men and women experiencing homelessness and poverty broadstreetministry.org. In partnership with major downtown hotels and hospitality leaders, BSM offers meals prepared by a professional chef and served tableside without the uncertainty

and indignities of waiting in line. BSM's mission is building trust, while providing access to stabilizing services that lead toward self-sufficiency. Volunteers from partner organizations provide psychiatric and behavioral health services, HIV/Aids testing, assistance in applying for public benefits, legal services, therapeutic art, clothes mending and something as simple as mail service. Mission-driven leadership and volunteers from the hospitality industry reinforce a culture of customer service.

COMMUNITY COURT:

Another multi-disciplinary approach that succeeded for almost a decade was the Philadelphia Community Court. This innovative effort placed criminal justice and social service agencies under one roof, fashioning a holistic response to quality-of-life crimes, including theft from auto, retail theft, minor drug possession, vandalism and prostitution. By focusing on offenses, carefully negotiated by the Public Defender, District Attorney and Police, the Court



Peter Tobia

addressed both illegal behavior and the underlying causes of that behavior. It provided alternatives to incarceration and covered almost a third of the city: Center City, University City and major portions of North and South Philadelphia.

Individuals, arrested for minor offenses, were provided expedited hearings, no later than the next business day. They were offered evaluations, performed by on-site social service and mental health professionals. They could plead not-guilty and follow the traditional process or accept Court jurisdiction. Most used the moment of crisis precipitated by arrest to deal with issues they had been avoiding.

If they accepted the Court's jurisdiction and pled guilty, their sentence might include on-site classes in drug treatment readiness and anger management, as well as health screenings, medical care and referrals. They connected to drug treatment, health care, education and job training programs that sought to break the cycle of crime. They performed well-supervised community service sentences as restitution to the neighborhoods in which they committed their crime. Upon

successful completion of the sentence, the arrest was expunged from their record. That was the incentive to participate.

Community service sites included sidewalk cleaning, landscape maintenance and graffiti removal, working with crews of the Center City District and the University City District. Others were placed with community associations to assist with neighborhood clean-ups and in the offices of nonprofit organizations that provided services to the homeless.

Seventy percent of individuals arrested for misdemeanors accepted the Court's disposition, participated in social service programs and performed their community sentence; 72% were not again arrested for a misdemeanor. By contrast, half of those who did not accept the Court's disposition were arrested on similar charges shortly thereafter.

The Court was a victim of budget cutting during the Recession and ceased to operate after 2012. Petty crimes again get lower priority. Troubled individuals commit offenses not warranting jail time

and cycle back to the street. Officers grow reluctant to take action on low-level offenses. Some disruptive, illegal acts are effectively decriminalized.

CHANGED LEGAL LANDSCAPE:

From 1997 to 2000, programs for the homeless expanded and City-funded outreach teams partnered with specially-trained police. The Commonwealth statute prohibiting *obstructing the highway* provided leverage to urge homeless to accept transport to shelter. Very few arrests were made, but on-street numbers dropped to their lowest in 25 years. Then attorneys representing several homeless individuals brought suit against the City, alleging a violation of their clients' rights.

The City agreed to end sidewalk enforcement of *obstructing the highway*. In early 1999, then-Council President John Street secured passage of the Sidewalk Behavior bill. Police who encounter illegal activity now must give oral and written notice to those they believe to be homeless. They must contact civilian outreach teams, who must concur before officers can do more. If no outreach is available, police can't act. If outreach comes and individuals refuse services, police can only write a civil citation. If offensive conduct stops when outreach workers arrive, but resumes when they leave, police can do little. In 2001, police were also directed not to enforce Fairmount Park's overnight curfew.

An exception to these procedures occurs during extreme weather when, for life-safety reasons, advocates have concurred that police working with outreach teams can bring those with impaired judgment inside if they won't come on their own. Arrests are not made, but public authority is used to move people from danger to safety.

Since 2001, the legal context has substantially changed. As William Martin, Esq., outlines on page 6, courts in many states have rejected municipal ordinances that prohibit sleeping or lying in public spaces, based upon the protection against "cruel and unusual punishment" provided by the Eighth Amendment. Regulating panhandling has become harder too in most cities. But, as



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Martin notes, carefully crafted municipal programs that balance quality services and enforcement have been upheld.

NEXT STEPS:

The next Mayor should not lead with enforcement, but rather use the transition to evaluate what works well, what can be improved or better coordinated, what is cost-effective or falling short of goals. Restoring job-readiness programs of the 1990s that provided transitional, subsidized work should be part of the solution, especially if trainees are mainstreamed into positions with Philadelphia's larger improvement districts and the maintenance programs on college and university campuses.

The examples above are all multi-disciplinary approaches, fashioned often by former adversaries cooperating on pragmatic solutions. If war is too important to be left to generals, law-enforcement is too important to be left to police, and homelessness is too important to be left to social workers. Extraordinarily challenging, this problem is solved best not with placards and slogans, nor simply by money, but through the thoughtful integration of multiple disciplines. There can be no sacred cows. Too many lives are at stake, as is the vitality of the city.

Paul R. Levy
President
plevy@centercityphila.org

Homelessness and Panhandling: A Legal Perspective

Residents, workers, business owners or visitors who come upon individuals sleeping or asking for money on the streets of Center City may ask: "why doesn't the City do something about that?" Any response must be shaped both by local priorities for public services and by judicial decisions about how indigent individuals may use streets, sidewalks and public parks.

Courts in many states have rejected municipal ordinances which seek to prohibit sleeping or lying on public streets, sidewalks or parks, based upon the protection against "cruel and unusual punishment" provided by the Eighth Amendment to the U.S. Constitution. Courts have concluded that sitting, lying and sleeping are universal and unavoidable consequences of being human. So, if an individual does not have a place to conduct such activities, and if government makes those acts illegal, the enforcement of such a prohibition constitutes a violation of the Eighth Amendment. Similarly, restrictions on panhandling have run afoul of the First Amendment and its protection of all kinds of free speech.

But where cities have been able to point to sufficient resources to provide sleeping opportunities within a jurisdiction for those without a home, then prohibitions against sleeping in public places have been allowed to be enforced. So too, city regulations that are "time, place and manner" limitations and which are content neutral have been upheld. For example, a prohibition against panhandling within a designated area of Center City may be permissible, but it would need to be applied equally – restricting groups as diverse as the Salvation Army and Alex's Lemonade Stand.

The City of Philadelphia recently sought to establish a third kind of regulation: prohibiting public feeding along the Benjamin Franklin Parkway. Litigation was commenced by several churches that provide food to the homeless resulting in a preliminary injunction against City enforcement. A local judge concluded that since the City was not providing a reasonable alternative location for the participating churches and ministries to feed the homeless, the City was violating the First Amendment

right freely to practice religion. Interestingly, the decision focused less on the right of the homeless to receive food on the Parkway and more on the rights of individuals to carry out their religious mission of "feeding the poor." The City was challenged by the Court to come up with a better alternative for the activity of feeding before the Judge would consider limitations along the Parkway.

Two additional policy questions might also be raised in this context. When ruling on these cases, have courts and civic authorities sufficiently considered the interests of other citizens? Streets, sidewalks and public parks are public goods to be shared among the members of the community. Is it appropriate that any one individual or groups of individuals be permitted to monopolize these public goods? A bench which is slept on 12 hours a day by one individual is unavailable as a five-minute resting place for other members of the community. Should significant need and deprivation be factored into this public policy calculus, giving greater weight to one individual's rights?

Second, for a City like Philadelphia that very much needs to generate jobs and opportunity for the unemployed, what weight should be given to efforts to limit behaviors that discourage employers, tourism and private, capital investment? These are significant issues which will confront the next Mayor.

William F. Martin
Partner, Fox Rothschild LLP

Mr. Martin is a member of the Fox Rothschild's real estate department and government relations practice group. He is a former senior member of the City's law department.



Peter Tobia



CSR Moses Pierce will join the CCD in celebrating its 25th anniversary next spring. Pierce is the CCD's longest serving CSR and has been with the organization since its inception.

CSR Moses Pierce: In Step With CCD Since Day One

In 1991, when the Center City District began operations, 26 men and women were hired to form the first class of uniformed Community Service Representatives (CSRs) to patrol Center City and serve as ambassadors to the public.

Among the first class of CSRs deployed that spring was Moses Pierce, a gregarious man who discovered just how much he enjoyed meeting and helping people. His enthusiasm has remained constant for 25 years and Pierce will join many others when next spring, the CCD celebrates its silver anniversary.

"It's been very exciting, an adventure," Pierce said recently. "We had good hospitality training and I still can't wait to come to work."

Pierce recalls some of the milestones that occurred on his watch: the launch of *Make It a Night* in 1992, a CCD initiative with live music and free parking designed to encourage retail stores to stay open

later on Wednesday nights; the opening of the Pennsylvania Convention Center in 1994, which brought more international visitors to Center City, followed by the Marriott Hotel. He'd watched Center City become more inviting as the CCD added more than 2,100 new pedestrian lights; as CollegeFest brought thousands of students to the Benjamin Franklin Parkway, and as new parks provided outdoor space to the office workers, residents, visitors and students who fill Center City each day.

"One of the unique things that took place on day one was a civilian organization working hand in hand with the police department; with them accepting us as partners, that was a major accomplishment," Pierce said. "We became the eyes and ears for the police. We were trained to observe, document and call."

When asked if hand-held devices with maps represented competition, Pierce replied: "The device will never smile at

you and say 'Welcome to Philadelphia, enjoy your stay.' The human factor that the CSR provides means so much."

In late June, Mack S. Memea, Jr., from Hawaii, who was visiting Philadelphia with his wife, encountered Moses Pierce at Dilworth Park and confirmed that experience.

"I am emailing you on behalf of Moses Pierce," Memea wrote to the CCD. "We met him today at the new park at City Hall. This man went above and beyond his call of duty in assisting us with directions to our various destinations, as well as enlightening us with options for using the bus and rail systems. He was very pleasant and greeted us with a warm smile. We love the city of Philadelphia even more now."

Ornamental Gates Installed at City Hall

On September 9, the City of Philadelphia and the Center City District cut the ribbon on the first of four pairs of ornamental gates 146 years after City Hall's architect, John McArthur, Jr., designed them for the north, south, east and west entrances to the building's central courtyard. The first gates to be installed face Dilworth Park.

Vitetta Architects, preservation architects for the restoration of City Hall, developed construction documents from McArthur's original conceptual drawings, creating gates that are more than 25 feet tall and weighing approximately 3,200 pounds, even though they use lighter weight stainless steel frames and aluminum castings.

The original design was never installed and apparently was forgotten after the construction of City Hall began in 1870 and lasted for 30 years, with the courtyard used for construction staging. Soon after City Hall's completion, work on the Market Street subway began (1903–1908), then between 1915 and 1920, the Broad Street Line was built and both projects also used the courtyard for construction staging.

The design for the gates was rediscovered in the 1990s, when Vitetta was hired to create a master plan for the restoration of City Hall.

The Center City District is managing the gates project on behalf of the City of Philadelphia, which contributed \$1.5 million to the project, while the CCD was able to raise additional funds through a generous grant from the William B. Dietrich Foundation. All four pairs of gates should be completed by Thanksgiving.



The gates are more than 25 feet tall and weigh approximately 3,200 pounds, even though they were forged using lighter weight stainless steel frames and aluminum castings.

Outdoor Seating Popular and Growing in Center City

Since 2001 the number of food establishments in Center City with sidewalk seating increased 429%, from 69 in 2001 to 365 in the summer of 2015, according to a new report released on September 1 by CCD and CPDC.

In the last year alone, there was a 12% increase in outdoor seating locations: 50% at full-service restaurants, 22% at sandwich and take-out locations, 11% at coffee shops, and 11% at non-food locations. Non-food establishments with outdoor seating are a relatively new trend and include cigar shops, hair salons, psychics, clothing stores and building plazas. They bring the total number of outdoor seating locations to 412 with the capacity to seat 6,056 individuals.

The report is based on surveys conducted by the Center City District.

To download a copy of Center City Reports: Outdoor Seating 2015, please go to http://centercityphila.org/docs/CCR15_outdoorseating.pdf.



TELL US WHAT YOU THINK.

Since 1991, the Center City District has been making downtown Philadelphia clean, safe and attractive with lighting, signs and landscaping. Ten years ago, we began renovating and programming Center City parks. We produce Restaurant Week and Center City Sips. How are we doing? What can we do better or differently?

PLEASE TAKE FIVE MINUTES TO COMPLETE OUR BRIEF ON-LINE SURVEY AT

CCDSURVEY.COM

AND BE AUTOMATICALLY ENTERED TO

WIN \$250 IN RESTAURANT GIFT CERTIFICATES.

FIVE LUCKY WINNERS WILL BE RANDOMLY SELECTED.

The survey closes at midnight on October 31st, so please give us your opinion and suggestions today!

Rothman Ice Rink to Return in November

The Rothman Ice Rink, which drew more than 46,000 skaters during its debut last year, will reopen on Friday, November 13, and will remain open every day, including Christmas Day and New Year's Day, until Sunday, February 28, 2016. Bring your family and friends and join the fun!

This season's hours of operation will be: Monday through Thursday, 12:00 p.m. to 9:00 p.m.; Friday, Noon to 11:00 p.m.; Saturday, 11:00 a.m. to 11:00 p.m.; and Sunday, 11:00 a.m. to 8:00 p.m.

Admission is \$3 for children 10 years old and younger, and \$5 for adults. Skate rental is \$9. Groups of 10 or more guests can take advantage of the group discount and pay \$12 for admission and skate rental combined. (Please email Groups@RinkManagement.com.)

Learn-to-Skate lessons will begin on November 22 with two sessions, one at 9:30 a.m. and the second at 10:05 a.m. and will continue through a four-week session. The cost is \$70, which includes four lessons with skate rental and four additional admissions. For more information or to sign up for lessons, please go to <http://ccdparcs.org/dilworth-park/rothmanicerink>.

And, yes! Santa Claus is coming to Dilworth Park and the Rothman Ice Rink again this year. He'll arrive via SEPTA on Friday, November 27, and will join all the holiday festivities at the park that day. Mark your calendars!

Stevie Wonder Performs Free Pop-Up Concert

The superstar pop singer and composer Stevie Wonder arrived at Dilworth Park on Monday, August 17, just after 3:00 p.m. for a pop-up show to announce his *Songs in the Key of Life* tour. Thousands gathered in the park on short notice on this sweltering weekday afternoon. The musician played a few of the well-known songs from his *Songs in the Key of Life* album, first released in 1976, and answered questions from people in the audience.



CCD Parks Offer a Variety of Exciting Fall Activities

Autumn is the perfect time to enjoy the many amenities and scheduled activities at Dilworth Park at City Hall and Sister Cities Park at 18th Street and the Benjamin Franklin Parkway.

Come out and join all the great times at Center City District parks!

For more information on all park activities, please visit ccdparcs.org.



At Dilworth Park, **The Farmers' Market at Dilworth Park** operates every Wednesday through November 18, from 11:00 a.m. to 2:00 p.m., and stocks a wide variety of fresh fruits, vegetables, houseplants and flowers from Farm to City's finest suppliers.



Throughout October, **PNC presents Live @ Lunch** brings performing arts to Dilworth Park every Wednesday from Noon to 1:30 p.m.

On October 7, **Alize Rozsnyai**, a coloratura soprano and ArtistYear Fellow at the Curtis Institute, will perform. On October 14, it's **No Face Performance Group** bringing performer-driven theatrical creations to the park. **La Mania Brava** takes the stage on October 21 with Latin-style music, and on October 28, **Chelsea Reed & the Fairweather Five** will play swing and jazz.



At Sister Cities Park, the exciting **Fall Family Fun Days with Furry Friends** will fill the park with live music, games, activities, demonstrations, and free hayrides around the park on two Saturdays, October 10 and October 17. The Academy of Natural Sciences of Drexel University will bring special animals to the park and the Barnes Foundation will offer its ArtSee in the Park program that blends art and nature into crafts, while the Morris Animal Refuge will bring canines available for adoption.



October 21 through October 25, **Octoberfest** presented by **Saul Ewing** will fill the park with games, vendors, DJs and live music to accompany the **21+ Saultoberfest Beer Garden** by **Rosa Blanca Café**.



On November 13, the popular **Rothman Ice Rink** at Dilworth Park reopens! Have those blades sharpened or rent skates at the park. More than 46,000 people enjoyed skating last season!

CENTER CITY DIGEST

Center City District and
Central Philadelphia
Development Corporation
660 Chestnut Street
Philadelphia, PA 19106
www.CenterCityPhila.org

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October Fest AT DILWORTH PARK

PRESENTED BY

Saul Ewing
LLP

OCTOBER 21 - 23, 5PM - 9PM
OCTOBER 24, 12PM - 8PM
OCTOBER 25, 12PM - 6PM

This fall festival will fill the park with a series of fun activities & games, plus a social 21+ Saultoberfest Beer Garden by Rosa Blanca Café. A variety of vendors, DJs & live music will spice up this party.

LIVE NATION

P·E·A·R·L
PROPERTIES

For the most up-to-date schedules, visit
DILWORTH PARK.ORG



The Center City Digest is a publication of the Center City District (CCD), a private-sector sponsored municipal authority committed to providing supplemental services that make Philadelphia's downtown clean, safe and attractive; and of Central Philadelphia Development Corporation (CPDC) with 60 years of private-sector commitment to the revitalization of downtown Philadelphia.