CITY OF PHILADELPHIA

Law Department

Moving the Needle Towards Becoming an Anti-Racist Organization in the Child Welfare System:

How Municipal Lawyers Can Adopt Anti-Racist Principles to their Practice

Thursday, September 26, 2024

City of Philadelphia

phila.gov/law

Agenda

- Brief overview of Philadelphia's child welfare/ dependency system
- Client data analysis and initiative
- Internal process – meetings, trainings, workgroups, development, etc.
- Application to other areas of law

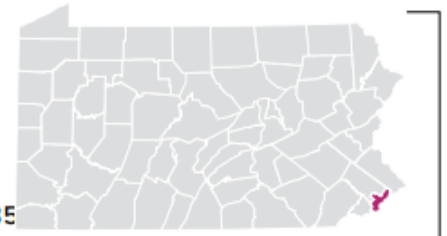
Philadelphia's Child Welfare System

- State supervised; county administered
- PA promulgates regulations and provides guidance
- Philadelphia DHS creates additional policies and protocols to carry out mission



pennsylvania
DEPARTMENT OF HUMAN SERVICES

PHILADELPHIA COUNTY



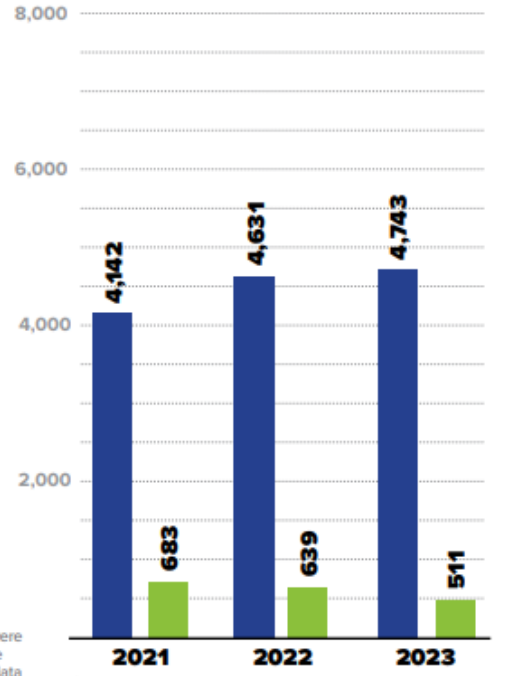
URBAN // POPULATION • 1,593,208 / POPULATION UNDER 18 • 342,585

2023 REPORTS OF CHILD ABUSE

4,743 TOTAL REPORTS

511 SUBSTANTIATED REPORTS

▲ NOTE: CPS and GPS data reported were investigated and substantiated by the CCYA and may vary from statewide data which include both CCYA and OCYF Regional Office investigations.



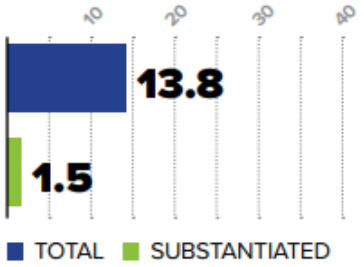
▲ NOTE: 2021 totals above will not align with the 2021 totals in this same table in the 2021 report, as regional investigations were included for that year in error in the 2021 report.

SUBSTANTIATED REPORTS BY SEX OF VICTIM

FEMALE 340 66.5%

MALE 171 33.5%

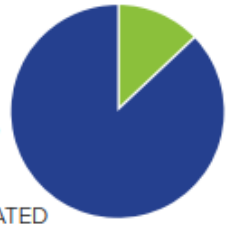
CHILD ABUSE REPORTS
PER 1,000 CHILDREN



CASES OF REPEAT ABUSE
SUBSTANTIATED REPORTS

232 SUSPECTED

29 SUBSTANTIATED



TYPES OF ALLEGATIONS
SUBSTANTIATED REPORTS



564 TOTAL ALLEGATIONS

- **253** (44.9%) Sexual Abuse
- **153** (27.1%) Physical Abuse/Bodily Injury
- **45** (8.0%) Reasonable Likelihood of Bodily Injury
- **80** (14.2%) Serious Physical Neglect
- **21** (3.7%) Engaging in Per Se Acts
- **8** (1.4%) Likelihood of Sexual Abuse/ Exploitation
- **4** (0.7%) Severe Form of Trafficking in Persons or Sex Trafficking
- **0** (0.0%) Serious Mental Injury
- **0** (0.0%) Munchausen Syndrome by Proxy/Medical Abuse

▲ NOTE: A report may have more than one allegation for each report; therefore, the total number of allegations will be greater than the total number of reports.

$33,432,280

EXPENDITURES CHILD ABUSE INVESTIGATIONS AND GENERAL PROTECTIVE SERVICES ASSESSMENTS



2023 SUBSTANTIATED FATALITIES

8/57 MALE 4 FEMALE 4

2023 SUBSTANTIATED NEAR FATALITIES

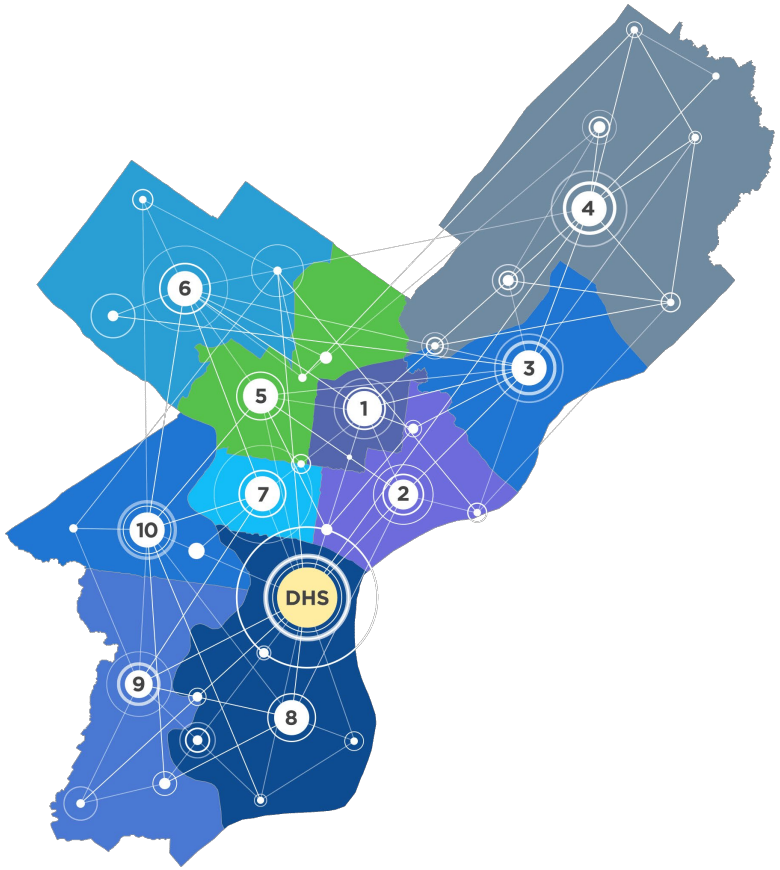
21/119 MALE 11 FEMALE 10

Video Clip from Commissioner Ali

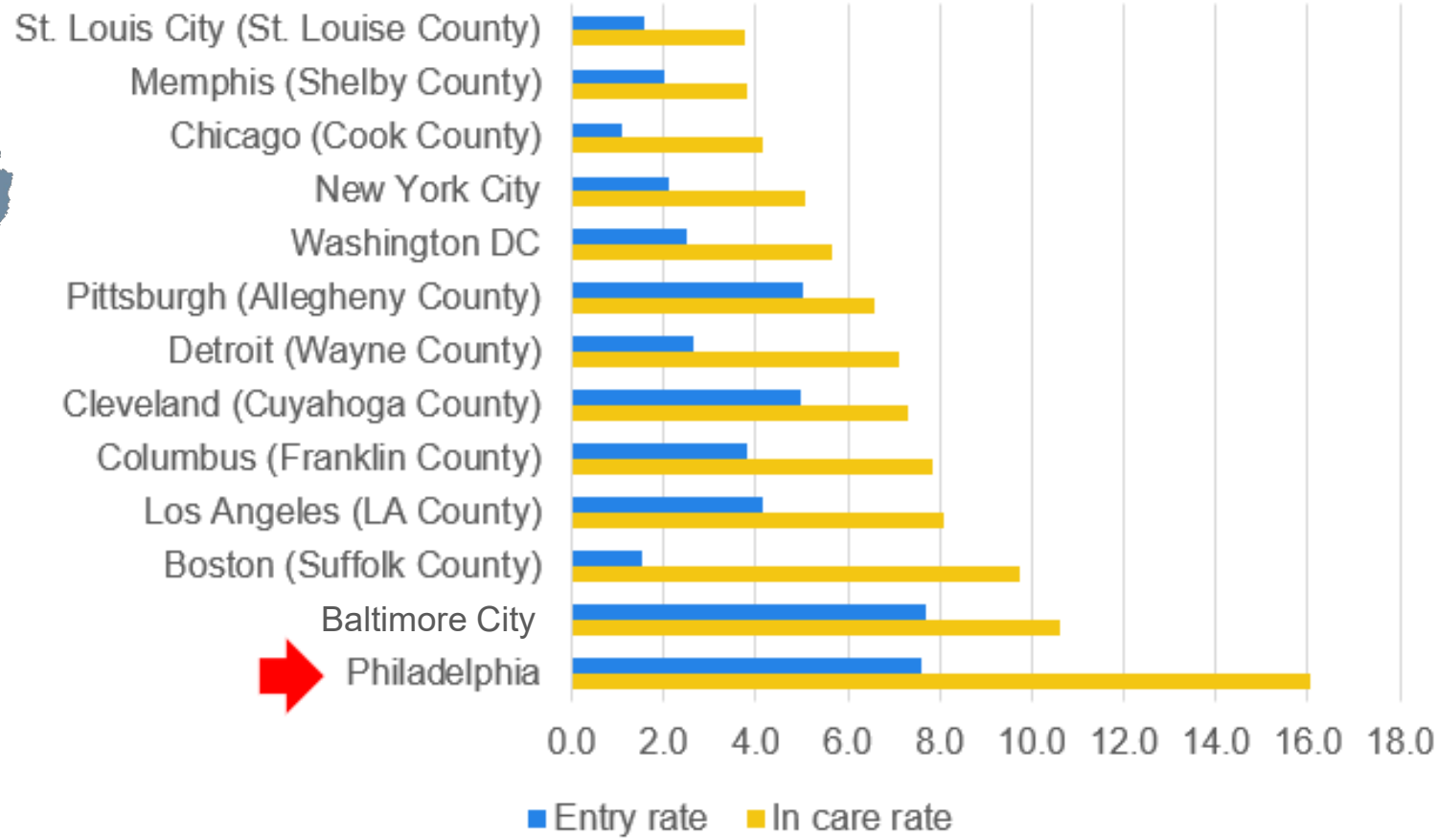


How Did We Get Here?

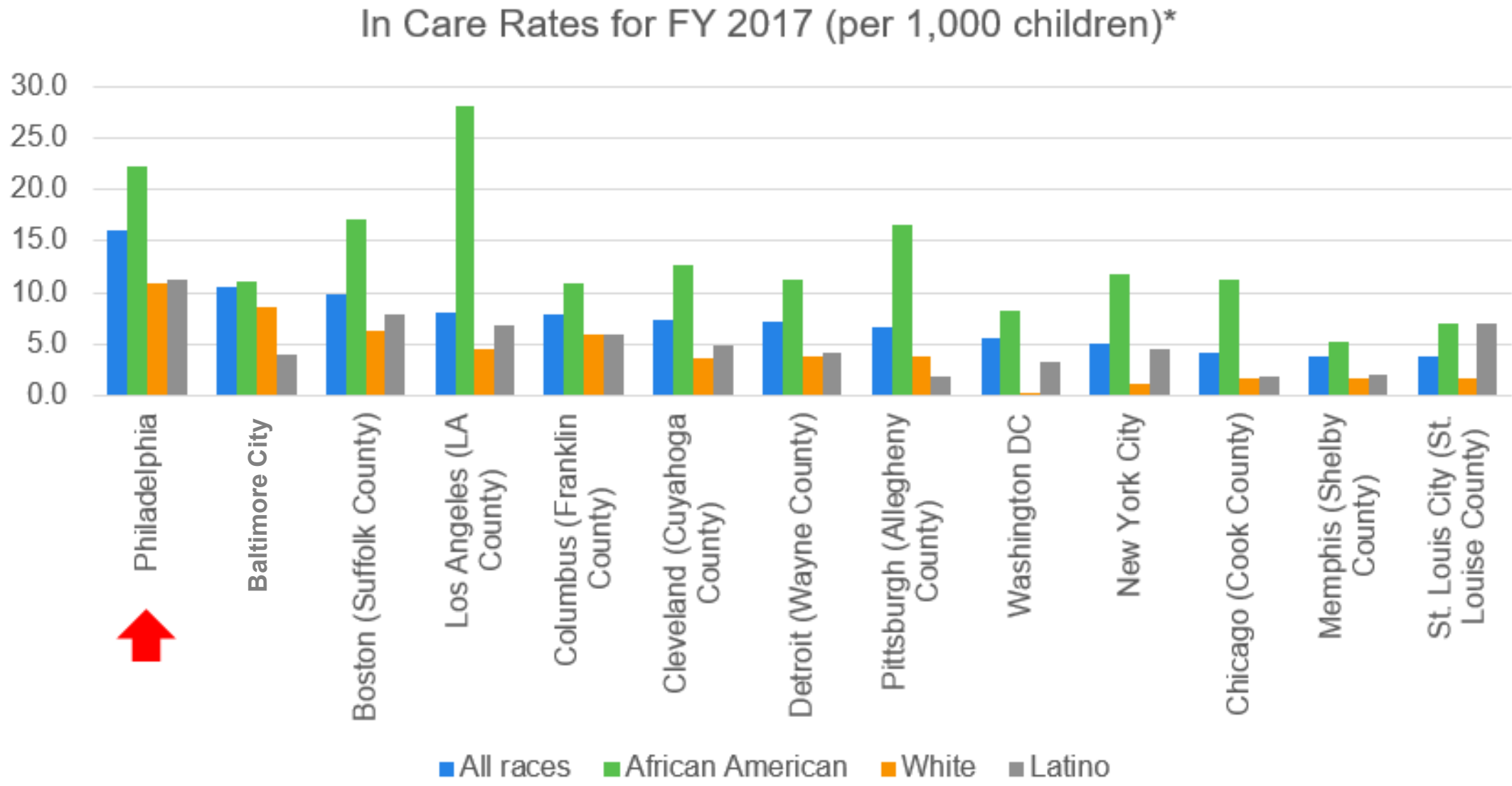
DHS's Entry Rate and Disproportionality Study



Entry Rates and In Care Rates for FY 2017 (per 1,000 children)*



*A Comparison of Urban Jurisdictions: Child Welfare and Demographic Indicators (Casey Family Programs)



*A Comparison of Urban Jurisdictions: Child Welfare and Demographic Indicators (Casey Family Programs)

Child Welfare Unit
Law Department

- **Examine our biases and systemic factors at the following touchpoints:**
  - Initial phone contact with public
  - Order of protective custody requests
  - Urgent petition reviews
  - Motion to compel reviews
  - Solicitor review (of child abuse determinations)
  - Courtroom interactions
  - TPR petitions

- **Training:** Provide staff training to lead to more intentional work and more positive interactions so that more children can remain with family when it is safe to do so.



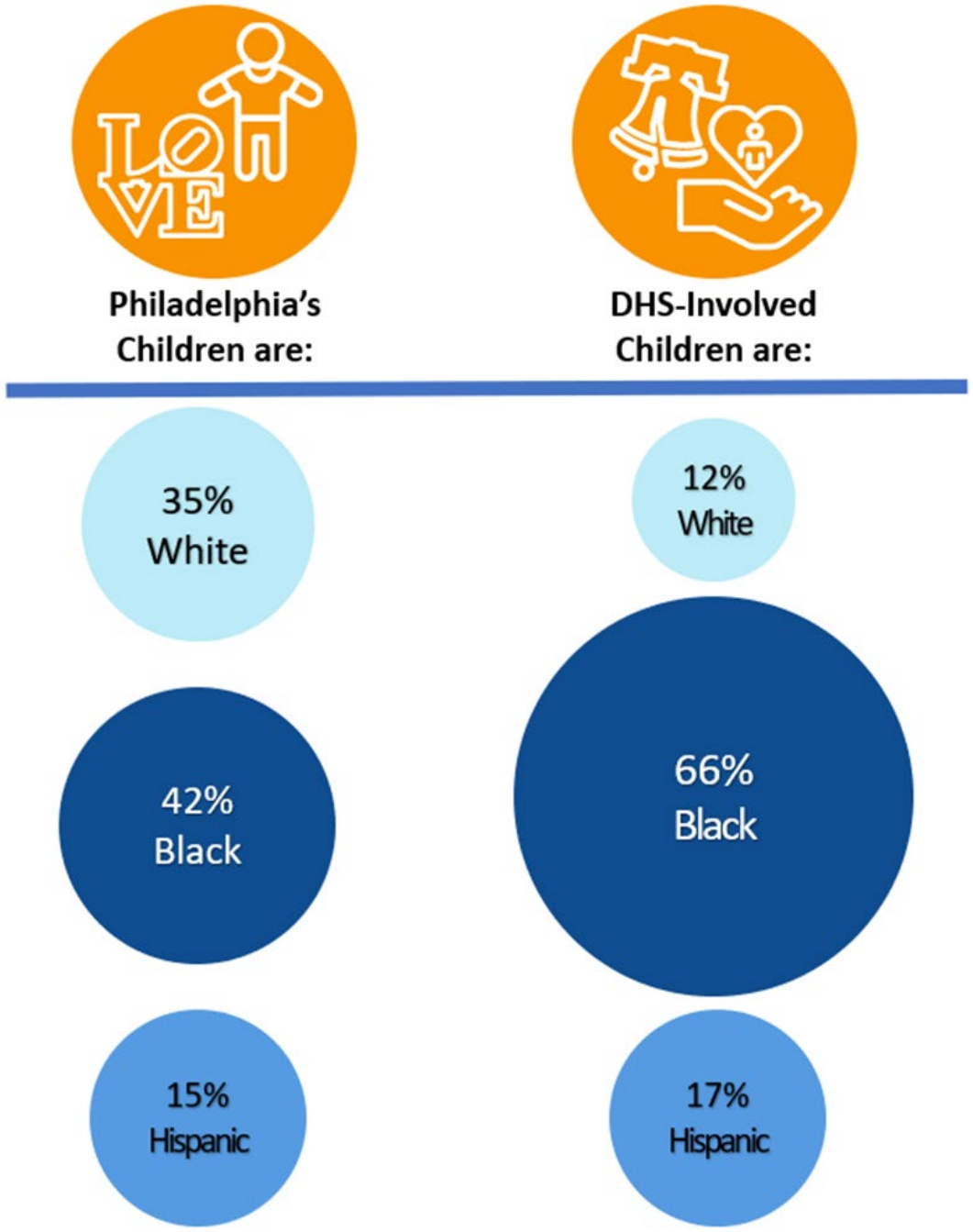
CWU
Elevator Pitch



Addressing Racism in the Child Welfare System

THE CHILD WELFARE UNIT'S ROLE AND HOW WE CAN HELP

Black and brown families are overrepresented in the child welfare system.



Historic racism continues to impact children and families in Philadelphia

- Black and brown families have more DHS involvement due to segregation, unsafe housing conditions, underfunded schools, and lack of community resources.
- Generational poverty leads to multi-generational DHS involvement: For example, more than 1 in 4 mothers with children reported to DHS hotline were involved with DHS as children.
- Structural racism, biased practices and decisions at every stage from reporting to removal result in lasting trauma to families.



"Fathers and Children Together", Mural Arts, Southwest Philadelphia

Reducing Disproportionality: A Call to Action

We can help DHS strengthen Black and brown families in our community and reduce trauma, resulting in better outcomes.



Octavio Catto Statue, City Hall

Solutions and Goals

- EXAMINING OUR OWN AND SYSTEMIC BIASES
- ENGAGING IN TRAINING
- IMPROVING TRAUMA INFORMED PRACTICES
- BEING INTENTIONAL IN OUR WORK & INTERACTIONS
- GOAL: DECREASE DISPROPORTIONATE INVOLVEMENT AND MORE CHILDREN REMAINING WITH FAMILY

CWU can make an impact by examining our biases and systemic factors at the following touchpoints



Initial Phone Contact with Public

Order of Protective Custody Requests

Urgent Petition Reviews

Motion to Compel Reviews

Solicitor Review (of child abuse determinations)

Courtroom Interactions

TPR Petitions

"Families Belong Together", Mural Arts, Fairhill, Philadelphia

The CWU has a crucial role to play in assisting DHS with addressing racism in Philadelphia's child welfare system

CWU Process and Implementation

Process and Implementation: Meetings

- DHS Executive Cabinet Meetings
- Steering Committee
- Anti-Racism Organization Readiness Assessment
- Met with stakeholders, including child advocates and parent attorneys
- Child Welfare Oversight Board Presentation

Process and Implementation: Law Trainings and Recommendations

- October 2022: Anti-Racism Training (volunteer basis)
- 2022-23: Champions Training
- April 2023: Inclusive Language Guide Seminar
- Ongoing: "Introduction to DHS" at all new hire trainings



Process and Implementation: Workgroups

- Workgroups created based on touchpoints
    - Communications
    - Solicitor Review (Child Abuse Review)
    - Case Initiation
- Participants select which workgroup to join; each workgroup has 2 co-chairs
- Each workgroup schedules its own meetings, conducts research, and establishes recommendations.

Process and Implementation: Workgroups (continued)

Communications and Interactions with Families

- Examining how we interact with our client (DHS social workers), provider agency social workers, families, youth, and outside counsel both in the office and in court
- Exploring language used in our legal documents as well as in our oral communication in court while speaking to and about families and children



Process and Implementation: Workgroups (continued)

Solicitor Review (Child Abuse Review)

- Examining when to "indicate" (or substantiate) a child abuse report, particularly in light of overreporting/surveillance of Black and brown families
- Examining cultural differences when determining whether actions should result in a finding of abuse

Process and Implementation: Workgroups (continued)

When/how a family becomes involved with the CWU (including court involvement)

- Petitions to Compel Cooperation with DHS investigations
- Obtaining Orders of Protective Custody to remove children from their homes on an emergency basis
- Filing of Urgent Petitions to initiate formal court proceedings

How Can Your Office Adopt these Principles?

Impact of Mayor/City Council Buy In



- Philadelphia – Mayor-led effort
  - Executive Orders (Executive Order No. 1-20 and Executive Order No. 6-23)
  - Impact on DHS/Law goals – Racial Equity Strategy Dashboard



- Starting from within
  - External and internal support and commitment

Adopting Anti-Racist Principals in Your Practice

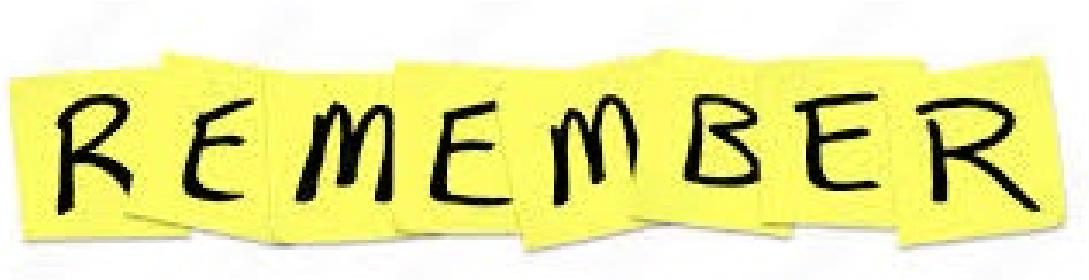
- Review relevant data
- Look at national and international trends
- Include all staff (every position represented in some way)
- Start with language guide (address legal terms of art)
- Keep an open mind and remember it will take time!

Anticipating Conflicts in Interpretation, Strategy, and Implementation

- Training
- Setting expectations and building inclusive environment
- Encouraging idea sharing and collaboration; making space
- Reinforcing active listening and respectful communication

Remember. . .

- Level set
- Keep an open mind, listen and adapt
- Progress takes time (purposefully)
- Importance



QUESTIONS?



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Law Department

Inclusive Language Guide

Scan the QR code to download!