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CENTER FOR RURAL PENNSYLVANIA PUBLIC HEARING: THE OPIOID EPIDEMIC

PREPARED REMARKS OF LYCOMING COUNTY DISTRICT ATTORNEY ERIC R.
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Drug overdose deaths and opioid-involved deaths continue to increase in the United States. The majority of drug overdose deaths (more than six out of ten) involve an opioid. Since 1999, the number of overdose deaths involving opioids (including prescription opioids and heroin) quadrupled. From 2000 to 2015, more than half a million people died from drug overdoses. Ninety one Americans die every day from an opioid overdose, and Pennsylvania is among the states hardest hit. Between 2014 and 2015, the drug overdose rate in Pennsylvania increased by 21%.

As we all know, education, prevention, treatment, prescription drug monitoring, and proper disposal of unwanted medication are all essential aspects of a successful effort to combat and confront the heroin crises. To the extent that each you as legislators have assisted in these efforts, I thank you.

Unfortunately, what I believe has been painfully absent from the public discussion, is the fact that any successful effort to combat and confront the heroin crises, must also include adequate funding for our law enforcement officers, and municipal drug task forces, as well as tougher sentences for drug crimes and trafficking involving heroin. Eighty percent of all crimes that I am asked to deal with are drug related. Yet in a County of over 100,000 people, I have only 14 officers assigned as full time narcotic officers, and five of those officers are with the Pennsylvania State Police Vice and Narcotics Unit that is responsible for a nine county area. I could use three times that number of officers.

Furthermore, under our current sentencing guidelines, a heroin dealer who does not have a significant criminal history, faces only 3-12 months in County Work Release; a sentence that

gives the public no reprieve, and acts as no deterrent to the drug dealer who will go right back to dealing drugs as soon as he is released.

The claim that our prisons are filled with “non-violent drug offenders” and that drug dealing is a “victimless crime” is a falsehood that must be dispelled. The vast majority of those incarcerated in state prison for drug offenses are guilty of serious trafficking offenses. And among drug offenders, the National Institute of Justice reports that 77% will reoffend within five years, a quarter of them committing violent crimes. It is a statistic borne out by my own professional experience. As two former Directors of the Office of National Drug Control Policy, William J. Bennett and John P. Walters wrote for a piece in the Washington Examiner last year, “only the dishonest and willfully blind can claim that drug trafficking is a non-violent or victimless crime.”

Drug dealers do irreparable and terrible harm not only to the drug addicted to whom they sell their poison, but to their families who also live the addiction, and to the community that is subjected to the violence they bring with them.

No serious person denies there is a strong correlation between drug dealing and crime. I can tell you that there is not a drug dealer in Lycoming County who is not carrying a gun, or who does not have one readily accessible. Nearly all of our shootings, and most of our homicides, are drug related. How can drug dealing be considered non-violent when we witness its carnage every day? How can drug dealing be considered victimless, when the truth is, every one of us in this room knows a victim?

Yet in the face of all of this, Federal and State prison inmates are being released in unprecedented numbers, drug dealers in our state prisons are being awarded good time credits and early release, and we are still fighting to restore the mandatory minimum sentences that we have lost. And this is to say nothing about what will be the unfortunate, but foreseeable consequence of putting the Department of Corrections in charge of the Pennsylvania Board of Probation and Parole. A Parole Board as it is, that does no public service when it refuses to re-incarcerate parole violators who instead are left on the street to commit more crimes.

We have been told that in order to confront this crisis, we must emphasize treatment or we must emphasize jail. But this is not an either-or proposition. If you want to impact the heroin epidemic that is destroying our communities, you must do both.

As District Attorney, I have referred hundreds of non-violent offenders into our Treatment Court programs. I chaired the Law Enforcement Committee on the Heroin Task Force, and currently sit on the Board of its successor organization, Project Bald Eagle. I began the Med-Return program in Lycoming County that since its inception has collected nearly 2½ tons of unwanted and unused medication for proper and safe disposal. I have worked to put lifesaving naloxone into the hands of the police officers in nine of our County’s police agencies. And I have worked with Project Bald Eagle, West Branch Drug and Alcohol, and the

Williamsport Bureau of Police to institute a Law Enforcement Referral Program that allows patrol officers to refer addicts into treatment upon first contact, thus allowing them to receive treatment four to six months sooner than they otherwise would.

But we are told that for the drug dealers who peddle this poison for profit; that for the drug dealers who are responsible for tens of thousands of overdose deaths each year; that for the drug dealers who through their drug dealing and the addiction they cultivate, ravage whole communities; that for these drug dealers, the financial cost for their incarceration is too great.

Know this: the refusal to jail these drug traffickers to the full sentences they deserve also comes at a cost. A cost in increased crime, a greater burden on our court systems, and tragically, in the untold number of preventable victims.