

Testimony of Judge Keller

Good Morning, I am Judge Scott Keller of the Court of Common Pleas of Berks County. I have been a local trial judge for over 25 years with a criminal and family caseload. Over those years I have observed the use of heroin skyrocket in the last 3-4 years eclipsing and surpassing cocaine as the drug of choice. Heroin is a particularly sinister drug. It appears to become overwhelming and addictive within a very short period of time. I don't believe there is such a creature as "recreational user of heroin."

Heroin use and abuse pervades the judicial system. The obvious effect is in the criminal courts. The addict appears before us for possession charges and/or the offenses they commit to get the goods to trade/sell for their next fix. Retail thefts are probably 50% or more committed by heroin addicts. They are so driven to get something valuable for their next fix they will steal from their parents, grandparents, neighbors and friends. They commit burglaries and theft from autos. The heroin addict in the criminal system is usually a young person. Heroin knows no boundaries, geographical, social and economic, race or family circumstances. Once in the system we attempt to deal with them through regular probation/parole, intermediate punishment programs and treatment courts.

With regard to possible legislative action, I believe of course prevention is paramount. Whatever can be done to prevent a youngster from using in the first place is very important. Treatment becomes the criminal justice system's answer to the addict who gets caught. Usually treatment is ordered after a period of incarceration, where we hope to detox the addict, or as a condition in Intermediate Punishment or Treatment Courts. It is my understanding the treatment is funded mainly through IPP or Treatment Courts. What is lacking is adequate funding for treatment for those in straight probation or parole sentences. Communication with the local probation and parole people as to specific needs is most appropriate since many of our addicts chose not to go through IPP or Treatment Court and although we may order treatment, funding is always a problem.

The addict presents major disruptions to our families. Obviously an addict cannot be a proper mother, father, husband or wife. In dependency court we are confronted daily by the heroin addict mother who has multiple children taken from her and placed in foster care, who appear unable to do anything productive Will but produce children. I have presided over cases with mothers who have 4, 5 and as many as 9 children, all who are hereby cared for by either some other family member or is in foster care. The cost to our society in dollars is enormous but the emotional cost to the children of heroin addict is even worse.

The heroin addict father is usually not even around by the time the child is born. As far as possible legislation in this area, consideration should be given to funding educational programs to County Children and Youth Services as to how to adequately serve these clients and again possibly funding treatment for the mothers and counseling for the children.

Again communication with local CYS people can be productive in specific recommendations. Unfortunately, as I observe the current situation in our courts, we are inundated with the heroin addict whether in criminal or in family courts and we will be the foreseeable future, until we as a community find the many multiple answers how to prevent, treat and punish the addict.