

My name is Mark Remy and I am the First Assistant District Attorney here in Mifflin County. I joined the District Attorney's office in 2006 as an Assistant District Attorney. In 2012 I became the First Assistant District Attorney. I have continued in that role under our newly elected DA, Chris Torquato.

Since joining the District Attorney's Office I have handled a majority of the drug prosecutions in Mifflin County. I work closely with law enforcement officers as part of the Mifflin County Drug Task Force, directing investigations and authorizing consensual wiretaps. I also prosecute drug cases from preliminary hearings through trials and appeals. I am also the District Attorney's representative to Mifflin County's Adult Drug Court.

This hearing is addresses an epidemic that involves the abuse of various types of drugs. Heroin is of course the most well-known of these substances, and it is widely available and can be purchased for as little as \$3.00 a bag in major cities. We also deal with diverted prescription pain medications which include opioids and opioid-like substances. Finally, there are drugs like methadone and suboxone or buprenorphine. These drugs are intended for drug treatment and are widely abused. It would be most helpful is there were linked databases that tracked these prescription drugs to help combat prescription abuse.

In terms of prosecuting cases related to the heroin and opioid epidemic, there are some changes that could benefit the District Attorney's Office. Pennsylvania's prosecutors recently lost the ability to seek mandatory minimum sentences based on quantity and factors like selling near a school or park. These could be returned to us if the Legislature would rewrite the burden of proof sections of our mandatory minimum laws to bring them into compliance with Constitutional requirements.

Stiffening sanctions for the delivery of opioids could also help with the prosecution of opioid sales. Most Pennsylvanians would probably be surprised to know that a person with no criminal record who sells heroin is only looking at a sentence of between 3 and 12 months. The prosecution of Drug Delivery Resulting in Death should also be examined. The way the statute is written most District Attorney's offices will not even charge this crime. Our office has twice in the past few years, but we had to settle for convictions on Involuntary Manslaughter.

Like most prosecutors, I realize that society will not arrest or prosecute its way out of the current heroin and opioid epidemic. To that end, the Mifflin County District Attorney's Office has been an early adopter of many treatment options for drug offenders. This was among the first counties to offer drug courts, or as we call them now

treatment courts, to drug addicted offenders. We have utilized state intermediate punishment in appropriate cases. Adult treatment court is offered as part of a larger group of sentencing alternatives called county intermediate punishment. Our adult treatment court started in 2011 and since then we have served 60 participants, with 20 successfully completing the program. At this time, treatment court has 16 active participants. 66% of our drug court participants have a drug of choice other than alcohol. For 20% heroin is their drug of choice and for 33% have a drug of choice of prescription opiates are the drug of choice.

I hope this testimony has been helpful. There are things the Legislature can do to help with this crisis. There are outdated laws that need to be examined and improved upon. Funding for prosecution services and treatment courts could be increased. Thank you for your attention.