



YORK COUNTY DISTRICT ATTORNEY

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Hearing Date: June 19, 2018

Hearing Title: Opioids in the Homeland: DHS Coordination with State and Local Partners to Fight the Epidemic

Chairman Perry, Ranking Member Correa, and distinguished Members of the Committee:

It is a privilege to appear before you today to discuss the threat posed to our community by the Opioid Epidemic and ways in which all levels of government have come together to fight it.

OVERVIEW

York County is a Class III county which encompasses 911 square miles and has a population of 434,972 as of the 2010 census. While the County seat of York County, York City, is an urban center with a population of 43,859, our county is primarily a rural and agricultural locale. Halfway between Philadelphia and Baltimore, York County is easily accessible from any direction. Both Interstate 83 and Route 30 dissect York County and Interstate 81 skirts its western border.

Like so much of our nation, York County has suffered greatly from the Opioid Epidemic. This epidemic has been one of continual change. Heroin, once primarily accessible in York City, has now fully infiltrated our suburban and rural communities. This has been reflected in the great multitude of county-wide drug arrests and fatal overdoses. Unfortunately, because York is a smaller metropolitan area, heroin dealers are able to maximize their profits by selling to our county's residents. For the inconvenience of transporting the drug to this market, dealers are able to double their profits. Two thousand dollars (\$2,000) worth of heroin in Philadelphia can be sold in York County for \$4,000 after it has been cut by local dealers.

Fueled in part by the relative low cost, heroin use and overdoses have exploded over the past decade. In 2011, York County reported 47 fatal drug overdoses with 13 being heroin related. Within three years, these numbers spiked to 110 fatal drug overdoses with 62 being heroin related. This horrific trend continued and during the year 2016, York County suffered 123 fatal drug overdoses with an astounding 116 being heroin related. Overall, between 2011 and 2016 the number of heroin based drug over doses increased nearly ten-fold.

The rapid explosion of the Heroin Epidemic in our county has resulted in York being the 25th out of 67 Pennsylvania counties for drug related overdose deaths per 100,000 people. However, in raw numbers, York ranks 9th out of 67 Pennsylvania counties for drug related overdose deaths. Since 2016, the York County District Attorney has received notification of 299 suspected overdose deaths from the York County Coroner. As of early April 2018, the District Attorney was already notified of 40 suspected overdose deaths since the start of the year. Sadly, this places York County on track to surpass the 167 suspected overdose death notifications received throughout 2017. Of the 391 deaths caused by drug overdoses in York County between 2015 and 2017, 279 have been caused by an opioid overdose.

IMPACT ON LAW ENFORCEMENT

While drug overdoses and related deaths are horrific consequences of the Opioid Epidemic, they are not the only consequences. This crisis has generated a hefty caseload of secondary offenses which has greatly burdened the county's criminal justice system. It is estimated that at least 80% of all crime in York County is either directly or tangentially related to drug abuse.

York County has fought hard against the Opioid Epidemic, striving to be at the forefront of the battle. In 2014, recognizing that the evolving issue required major policy changes, the York County Coroner and York County District Attorney united to implement a more global and comprehensive response. Prior to 2014, fatal drug overdoses were rarely treated as crime scenes. Moreover, while toxicology reports were completed, autopsies were not. These conditions presented difficulties in prosecuting drug related deaths.

York County now conducts an autopsy for every suspected heroin overdose. If paraphernalia is discovered at the scene or there are suspicious circumstances, the coroner will automatically request that an autopsy be conducted. Suspicious circumstances can include track marks, the decedent having wet clothing, evidence of the decedent being moved, the decedent being found slumped over in a seated position, or the decedent was recently clean from drug use. Ultimately, an autopsy is able to confirm an overdose death and rule out other possibilities. This greatly aids the County in establishing its evidentiary burden for prosecuting drug related death crimes.

As of May of 2014, all 23 police jurisdictions in York County as well as the Pennsylvania State Police have transitioned to treating heroin-related overdoses as crime scenes. Furthermore, phones at the scene are collected to aid in the apprehension of the victim's dealer. Additionally, the York County Coroner's office is now able to provide suspected overdose death notifications to the York County's District Attorney's Office. This collaborative process has enabled York County to lead the state through the prosecution of 46 counts of Drug Delivery Resulting in Death (DDRDR) since 2013. This effort has resulted in 4 guilty by jury trial, 4 pleas to DDRDR, 1 plea to criminal conspiracy of DDRDR, 3 pleas for involuntary manslaughter, 5 pleas for felony drug offenses, 1 plea to a misdemeanor drug offense, 1 abatement because of Defendant's death, and 27 remaining active cases. Overall, the County has achieved a 44% success rate in obtaining DDRDR convictions where a disposition has been reached.

That being said, this operational pace has begun to take its toll on the entire local government infrastructure and in particular our police, prosecutors and first responders. Stated plainly: **This epidemic is decimating our resources and the opportunity cost will be devastating to the health and safety of our community.**

Regardless, York County Law Enforcement prides itself on our ability to work together to achieve the common good. This ideal is real and it is the reason that we have had such positive results. At any given time, there are local, state and federal law enforcement agencies seamlessly collaborating to achieve a given result. This concept is mission critical and any other approach would be unacceptable.

COMMUNITY EFFORTS

In addition to criminal justice initiatives, the York DA's office and York Coroner's office formed a community group of volunteers to further combat the Heroin Epidemic. In fact, York was the second county in PA to form a community-based Heroin Task Force. This task force has dedicated its time to increasing awareness in York County and educating our residents on the heroin crisis. By the Spring of 2014 our task force began its educational outreach in the community's schools and by August of 2014 the task force developed a community educational presentation. Since the education initiative began, our County has presented the educational program over 120 times to church groups, fire/EMS personnel, 911 dispatchers, prison staff, school parents, students, township managers, police departments, colleges, church youth groups, and senior citizen groups.

Over time, as numbers grew and we identified the need for specialization in unique areas, the York Heroin Task Force morphed into the York Opioid Collaborative (YOC). The YOC is led by an executive director and counts amongst its members: Law Enforcement, Treatment Providers, Educators, Clergy, Concerned Citizens, Medical Doctors and College Professors, to name a few.

In addition to our aggressive prosecution of drug dealers and educational initiatives, York County has heavily utilized and dispensed the lifesaving drug Narcan across the county. Similar to the use of AED's, Narcan can now be found in many schools and workplaces. This has resulted in over 100 saves from April to December of 2015. Further, this number has spiked to 232 saves in 2016, which was one of the highest number of saves across all Pennsylvania counties.

York has had tremendous success in making the battle against the heroin crisis a collaborative effort. Groups such as Not One More, I Will Recover, York Harm Reduction Project, and Byrnes Health Education Center have created a large unified front in York County. As the County moves forward, it would like to leverage this collaborative approach to continue to improve access to rehab and detox programs. Recently, the treatment center White Deer Run's York location has increased its number of detox beds from 7 to 17, in addition to adding a second location. York County is also working to provide appropriate and timely access to Methadone maintenance treatment programs in the York/Adams area. This effort has led to Pyramid increasing their program's capacity from 175 people to 420 people, effectively alleviating waiting lists.

Furthermore, York/Adams Health Choices Management unit, in conjunction with YADAC, opened a Methadone clinic last summer in Hanover through Pinnacle Health. YADAC has also implemented the Jail Project at York County Prison in order to ensure that individuals who meet intensive treatment recommendations receive expedited managed care enrollment and treatment access. Vivitrol is also being utilized in this program. The RASE project successfully implemented buprenorphine coordination and recovery support services in York and Adams County. Finally, the York/Adams County Drug and Alcohol Commission, in conjunction with York/Adams Health Choices Management Unit has opened a 16 bed male halfway house in York County in order to ensure client access to a critical level of care that was previously absent in the community.

CLOSING

York County's leaders, through necessity, work daily to increase the efficacy of the criminal justice system; provide drug education for its residents, and support the efforts of the York Opioid Collaborative.

Accordingly, it is critical to understand that the aggressive prosecution of drug dealers is only one part of the overarching collaborative process. We must employ every weapon in our arsenal if we are to turn this crisis around.

Thank you again for the opportunity to appear before you today.

York County District Attorney

Dave Sunday