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MONTGOMERY COUNTY GRAND JURY ISSUES COMPREHENSIVE REPORT ON “THE OPIOID CRISIS,” INCLUDING SIX RECOMMENDATIONS

NORRISTOWN, Pa. (May 17, 2017) — Montgomery County District Attorney Kevin R. Steele today released the Montgomery County Investigative Grand Jury’s Report into “[The Opioid Epidemic](#),” saying this comprehensive report addresses one of the most pressing public safety issues of our time.

“The Grand Jury heard testimony from one witness who characterized the opioid epidemic as the largest public health crisis since the AIDS epidemic,” said Steele. “It’s an epidemic that threatens the lives, the safety and the entire Montgomery County community, and we must take swift and decisive action if we hope to slow the epidemic. At this point, I don’t think we’re in a position to stop it altogether but we can make significant inroads.”

The 23-person Grand Jury carefully reviewed evidence and testimony presented to them during a 13-month period, from April 12, 2016 to May 12, 2017. The report outlines the “perfect storm” that created the epidemic Montgomery County now faces, the stories of those addicted and the heartache to their families, the human cost of 249 overdose deaths in 2016, the difficulty in finding treatment beds and the ability to pay for long-term treatment, the efforts by law enforcement in fighting the epidemic, the effect of the loss of mandatory minimum sentences and the programs that are working, such as Montgomery County’s Drug Court.

The report included recommendations for moving forward, offering hope for easing the epidemic. After taking all of the testimony and reviewing voluminous evidence, the Grand Jury formulated “solutions [that] come from all sides of the political spectrum, because this issue knows no politics.” The six overarching recommendations, and direct quotes about the recommendations, are:

A. Statewide Online System to Identify Treatment Bed Availability

“We heard repeated testimony regarding the lack of bed availability for those who are seeking treatment, and the difficulty of identifying treatment facilities that have treatment bed availability ... It is strongly suggested that the MCOTF (Montgomery County Opioid Task Force) research and collaborate with its partners and perhaps other stakeholders throughout the state, in creating a comprehensive online system that works in real-time and updates the availability of beds in treatment centers for those seeking treatment.” (Page 70)

B. Establish Treatment Protocols

1. **The Warm Handoff Initiative:** “We believe the Warm Handoff program is a critical and necessary initiative that must be fully implemented in all of our Montgomery County hospitals and emergency centers ... time is of the essence, and there are missed opportunities every day in facilities that have not implemented this program.” (Page 71)

2. **Mobile Response Unit as Part of the Warm Handoff Initiative:** “We believe the Warm Handoff program should include a Mobile Response Unit that is tasked with directly responding to overdose victims who may not make it into an emergency room but who are treated by our first responders and police for an overdose. ... should include trained caseworkers who are certified treatment specialists and who are available 24 hours a day to respond.” (Page 71-72)

3. **The Hard Handoff Initiative:** “This bill, called the ‘Involuntary Drug and Alcohol Act,’ ... is currently pending in the Human Services Committee of the Pennsylvania House of Representatives. The law would allow loved ones and/or family members to involuntarily commit those in their care who have experienced an opioid overdose. Those who are destined to be in imminent danger, or those who are an imminent threat to themselves, family, or others, as a result of drug abuse, like heroin or Fentanyl. To the extent that the bill does not become law, we recommend that the effort continue to evaluate this type of measure, recognizing that this type of legislation must be approached cautiously; recognizing the need for more treatment beds to support such measures; there must be a careful balance between the right of an individual to determine the course of his own life, and the interest of the community in safeguarding its citizens and providing adequate care. We are hopeful that this proper balance can be found.” (Pages 73-74)

C. Mandatory Minimum Sentences for Heroin Dealers, Traffickers, and/or Suppliers

“It is recommended that the Pennsylvania General Assembly take action and pass into law mandatory minimum sentencing statutes. The implementation of mandatory minimum sentences for those who traffic, supply, and deal in substantial amounts of controlled substances—like heroin, Fentanyl, and other synthetic opioids—would send a strong message to these criminals. ... this epidemic knows no politics. Our legislature should support these public safety efforts and pass the legislation necessary to hold those accountable who deal and supply heroin and substances like Fentanyl.” (Page 75)

“Meanwhile, while this most recent effort to restore mandatory minimum sentences plays out in our legislature, on the street, opioid trafficking continues to grow as sentences decline. In fact, the Pennsylvania Commission on Sentencing reported that in the two-year period since Alleyne was decided, from 2013 to 2015, there was a 34 percent decrease in the average minimum sentence in state prison for heroin dealers who were selling 10 to 50 grams of heroin. As these prison sentences decreased, there has been a concomitant increase in overdose deaths.” (Page 55)

D. Increased Collaboration and Better Data Collection with our Regional Partners

“Like the Western Pennsylvania approach, it is recommended that a similar approach be created for Southeastern Pennsylvania because we share the same public health and public safety crisis. To this end, it is recommended that a regional taskforce be formed—in addition to the more localized county taskforce already in existence—consisting of public health, public safety, and private corporation stakeholders, such as insurance and pharmaceutical companies and researchers from Southeastern Pennsylvania. ... we recommend that Montgomery County become a member of OverdoseFreePA. ... It is a free service offered to communities to provide support in that community’s efforts to target and prevent opioid abuse.” (Pages 76-77)

E. Pre-Arrest Drug Court for Young Offenders at the Magisterial District Court

“We learned about a program called Drug Education and Addiction Prevention program (“DEAP”) that was launched on March 1, 2017. ... It is recommended that other police departments and Magisterial District Courts throughout the county—with the support from the District Attorney’s Office—work together and research and evaluate similar programs to be implemented in their jurisdictions. We have learned that early intervention and support for young offenders could save lives, and the DEAP program is designed to do just that.” (Page 78)

F. Collaboration with Pennsylvania Medical Society and Insurance Industry

“It is recommended that a representative from the Pennsylvania and/or Montgomery County Medical Society, as well as a representative from the insurance industry, be invited to join the MCOTF. In expanding the membership of the MCOTF, and thereby widening the entities or agencies lobbying on behalf of those suffering from opioid addiction, we are hopeful that not only will more addicts receive long-term inpatient treatment, but also that they will receive high-quality care from an accredited facility.” (Page 80)

The report concludes: “Only by doing all of these things, with strategies that cross political fault lines, will we have a chance at success. We have no other choice. We have to act. And we have to act now.”

Approved for release:

Kevin R. Steele