

In 2003, was elected Judge of the Court of Common Pleas of Westmoreland County. I was initially assigned to the family court division where I spent ten years hearing cases involving child custody, divorce, abuse and neglect cases and the attendant termination of parental rights. While handling child abuse cases over the years, I began to recognize that a common denominator in practically every case where I was being asked to terminate parental rights was a drug and alcohol component. In fact, this percentage was so high that it touched upwards of 97% of my caseload.

What was even more disturbing was that of that 97% of cases in which the parents were addicted to drugs or alcohol, almost 100% of them ended in a termination of parental rights. No one could argue that a parent who is a hardcore heroin, cocaine or prescription drug addict is not fit to parent a child. That is an argument that is easy to make. What I found, however, is that none of those parents wanted to end up as hardcore drug addicts. Drugs create a powerful addiction of control and it is most time difficult, if not impossible, for an addicted person to extricate themselves from an addiction, albeit, of their own making.

In 2010, I felt the need to attempt some process of developing a program designed to help drug addicted parents, clean up their act, with hopes of maintaining their parental rights. There was no funding for such a start up program. There was much opposition to beginning a drug court program in the family court setting. I assembled a committee of volunteers consisting of a drug and alcohol counselor from a local drug treatment program, a County Solicitor, a defense attorney, a Guardian ad litem and others. With no funding, in short order we developed an operating manual and called our program the Accelerated Permanency Treatment program.

We operated our program over the lunch hours; there were no costs associated with administration, other than the volunteers giving up at least one afternoon per week to administer the program. At one time, we had upwards of 12 participants in our program; the success rate was approximately 30%, having several graduating participants. Those individuals had the tools that they needed to maintain their parental rights. I left family court and transferred to the criminal division and in time, without the benefit of funding, willing participants, or administrators, the program dissolved.

Upon transferring to the criminal division, I was determined to initiate a criminal drug court. Early on in my tenure on the criminal court bench, our county became the beneficiary of a training grant and thanks to my partner, Judge Bilik-DeFazio, the two of us engaged in a course of training, learning the program, assembling a qualified team of individuals and ultimately developing the first Westmoreland County Adult Drug Court program.

In our first year, the budget we submitted to the County Commissioners was in the approximate amount of \$500,000.00. We were initially told that we needed to scale it back because of financial limitations. We scaled down our program, eliminated some of the paid positions and were able to proceed with a request for a skeleton budget of \$300,000. We were unsuccessful in obtaining that budget to get things started. Instead, the county committed a budget of approximately \$200,000.00. We still did not have the funds to start the program. It was only by a confluence of personalities sitting on our planning committee that we learned that Attorney Thomas Plaitano, owner of Med-Tech, was handling an estate wherein the decedent had entrusted him with a bequest of \$100,000, which Tom was to use for some drug related program that ultimately benefitted veterans in some way. So, Attorney Plaitano agreed to

bequeath the \$100k to our program to get things started. Had we not received this gift, it is highly unlikely that our program would have been launched in September, 2015.

So, as you have heard from Judge Bilik-DeFazio, our capacity at this time, is 50 participants. In our first ten months, we have almost reached the 50 participant capacity, as of today, approximately 45 participants are enrolled in drug court. We recently requested approval for an additional full time Probation position which would have added approximately \$48,000 to our budget. Unfortunately, due to budgetary constraints, this position was not approved at this time. We will request the approval again in October, 2016.

While I fully expect the County Commissioners to approve our budget for year two of the program, I am uncertain if we will have sufficient funds to continue with the program, especially with the additional Probationary position being filled. And while the future of the program is perhaps in question, I am here to tell you that with perseverance, hard work and commitment for all involved, this program works. We are seeing incredible success with our participants, many of whom have, for the first time in their adult lives, been able to remain drug free for a period of 8-10 months. Many of them are already advancing into stages 2 and 3 of our program and have landed good paying, full time jobs. The transformation has been remarkable. Many of the participants, a few of whom you will hear from today, have demonstrated the benefits of an intensive drug court, personally and specifically designed to address their individual needs. I have grown to have an appreciation for each and every one of them and their success in staying drug free is, for the moment, dependent upon the continuation of our program.

There is no escaping the drug epidemic which affects every aspect of all of our lives. Though none of you are addicts, the drug epidemic affects each and every one of us in ways that

you may not even consider. You see, a drug addict, at his peak of addiction, will stop at nothing to get his drug. He will rob, steal, lie, burglarize your home, and engage in physical violence even victimizing his own family member, to fund his or her drug addiction. This results in a destruction of our community safety, a breakdown of our basic family values, and ultimately, death of our family members who succumb to their drug addictions. I have seen far too many of those situations.

So, I am here today, in an attempt to impress upon each of you, that functioning drug courts have become a community necessity, no longer a luxury or fringe benefit of the court system. In the coming years, I believe that Drug Courts will become one of the most needed and perhaps the most important branch of the court system. Certainly not something that can be ignored or put off to a later, more convenient time.

In closing, I would like to tell you a brief story about a real life case in which I was involved. As I had mentioned, my days in family court involved a pilot drug court program. Unbeknownst to me, one of the participants was a young woman who had struggled with a drug and alcohol addiction. This is a woman who battled for months with the father of her young daughter, over which parent should assume primary custody. Many times, in open court, I found myself trying to logically explain why her drug addiction was simply incompatible with her assuming a primary custody role in her daughter's life. There were even occasions when she became so upset in the courtroom, that she needed to be removed. I insisted that she attend N/A meetings, providing me with slips verifying her attendance. She fought me on it in the beginning, but she did it. In the end, she was able to recognize the objective inconsistency with being a good parent versus being a drug addict. I heard this case over the course of 2 years, beginning in approximately 2007-2009.

Ironically, two months ago, as I returned to my office from lunch, the woman I just described was sitting in my office waiting for me. My secretary, who normally screens individuals who come into the office, gave me this sort of “she insisted” look. At this point, I was unsure as to whether she was waiting to criticize me, insult me, or God forbid, something worse. Her first words were, “I have something for you”! I will not deny that I was caught off guard. She then reached into her purse to get something; at this point I was somewhat defensive as I thought perhaps a weapon?

Instead, she handed me this small suede satchel and said, “This is for you. This is my Five year Sobriety medal and I owe it to you for sticking with me and making me see the reality of my addiction”. Well, at this point, my secretary and I were very relieved, but we then become very emotional and recognized what had happened. For me, this was perhaps one of the most cherished gifts I had ever received. For it verified that the time we all give to making life better for others, in whatever way possible, is time well spent. It also made me realize that with a judge’s robe, comes great responsibility to do everything in our power, to help those who come before us, especially in light of the growing need for intensive drug treatment courts.

All we can ask is that this epidemic be moved to a higher place on the list of priorities. Serving fifty participants is just the tip of the iceberg. There are many more who need our help, but none of it can be done without the combined efforts and resources of our local, state and federal government officials.

Thank you all so much for allowing us to make this presentation to you today.

