



# JEFFERSON COUNTY DISTRICT ATTORNEY'S OFFICE

Jefferson County Office Building, Seventh Floor  
175 Arsenal Street  
Watertown, New York 13601  
Telephone: (315) 785-3053  
Facsimile: (315) 785-3371

**Chief Assistant**  
Kristyna S. Mills

**Senior Assistants**  
Patricia Dziuba  
Nicole Kyle

**District Attorney**  
Cindy F. Intschert

**Assistant  
District Attorneys**  
Rodney Kyle  
Walter Jeram  
Harmony Healy  
Sean Sterling  
George Shaffer, III  
Christina Curri

April 25, 2014

## **New York State Senate Joint Task Force on Heroin and Opioid Addiction Forum**

### **Honorable Patty Ritchie, Presiding**

Senator Ritchie, fellow panel members, honored guests, Ladies and Gentlemen:

I would like to express my appreciation to Senator Ritchie and the members of the Joint Task Force for recognizing and addressing the havoc being wreaked in our communities by the onslaught of heroin, prescription drugs and other opioids that are flooding our streets. Based on the cross section of representation here today, it is clear that this is a community wide problem that affects the health and safety of our citizens in a myriad of ways. As this is not a singular problem, there is no single answer. Thank you, Senator, for seeking out our various perspectives on this issue.

Let me briefly share with you some of my observations as a prosecutor with the Jefferson County District Attorney's Office for more than 28 years. Although I do not have any statistics in this regard, I have to tell you that I do not even recall hearing about heroin cases in my early years as a prosecutor. Those that existed, if any, were definitely the exception and not the rule. This general trend continued until a few years ago. In 2007, three percent (3%) of the drugs seized by the Metro Jefferson Drug Task Force by search or by undercover buy involved heroin. In 2009, that percentage rose to 10%. In 2012, 27%. In 2013, 38% and to date in 2014, approximately 40% of the drug arrests by the Task Force involve heroin. Particularly noteworthy is the fact that the cost of a bag of heroin on the street is approximately half what it was just one year ago. If that is not an indicator of supply and demand, I don't know what is. Arrests involving prescription drugs, while nowhere near as prevalent, have also seen higher percentage numbers in the last few years.

The growing prevalence of heroin addiction in Jefferson County is reflected in the defendants who have been referred to Jefferson County's Drug Court since we began operating in 2002. Drug Court is designed to target and to assist those non-violent felony defendants who offend primarily due to drug and/or alcohol misuse and addiction, and for whom standard rehabilitation programs haven't worked. It is hoped that through intensive drug treatment,

mental health treatment and through regular and consistent court contact, these defendants can recover from their addictions, lead drug and alcohol free lives and become law abiding, contributing members of society. The number of defendants who have participated in Drug Court over the last 6 years for whom heroin is their drug of choice has, on average, been double the number of heroin defendants that we saw in our early years of operation.

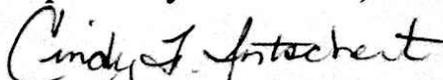
The effects that we see from heroin and opiate addiction are devastating. The intelligence gathered by law enforcement indicates that many addicted defendants are telling us that they will do ANYTHING for that next fix. They will steal from their parents, their grandparents and those they love the most to get the money for that next high. They shoplift, forge credit card receipts and burglarize to obtain goods they can sell. Young women are prostituting themselves for the drug or the money to buy it. They leave their children unattended while they focus on that next high. Heroin waste, including used needles on the streets and in our recreation areas, is yet another public safety concern.

As you know and are hearing here today, this is a multi-faceted problem without a single answer. The focus on attempting to control the illegal sale of prescription drugs needs to continue. We know that many turn from pharmaceuticals to heroin because heroin is half the cost on the street and often provides a quicker, more intense "high." From the criminal justice side, we are attempting to reduce both the supply and the demand of heroin, opiates and all other illegal drugs.

I don't believe that there is a single elected District Attorney who believes that the appropriate answer is to simply lock up everyone who has offended because of a drug problem. Each case needs to be reviewed individually. While I can't speak for my colleagues, I believe that each of us looks to rehabilitate through the criminal justice system where appropriate, while still holding people accountable for their criminal actions. That rehabilitation can take different forms and require many different resources, including substance abuse service providers, mental health counseling and when necessary and appropriate, incarceration. Those efforts target the **demand** for drugs. Our law enforcement and prosecution community, including the Drug Task Force, also works to reduce the drug **supply**. There has been a significant relaxation of our drug laws in the last decade, and we continue to work within that framework to take drugs and dealers off the streets. I believe, however, that the available programming for repeat drug dealers - we used to call them "pushers" - could be tightened up. Perhaps more resources could be devoted to screening out those dealers who, after conviction, work the system by claiming a non-existent drug problem and tie up the rehabilitation beds, substance abuse counselors and mental health workers needed by the true addicts.

Again, I thank you for your interest in addressing the issues raised today, and appreciate the invitation and opportunity to share my concerns and perspectives with you.

Respectfully Submitted,

  
Cindy F. Intschert