

Testimony to House Judiciary Committee
Subcommittee on Courts
Submitted by Rick Bomberger 8/29/2000

Brazen, violent, ruthless drug dealers have cast a shadow of fear over our community. They fear very little and do whatever they please, whenever and wherever they please. From shootouts outside of elementary schools to aggravated assaults on police officers to the murder of innocent citizens, they are terrorists who have created a crisis which is beyond the capacity of Lancaster to solve on it's own. They sell poison which destroys careers, lives, families and neighborhoods. They show no remorse.

God knows we have tried to rid our community of these drug dealing thugs, but with little success. From the citizens' anti-drug group, Demonstrate Against Drug Dealers, better known as DADDs, to the Weed and Seed program, to the efforts of the dedicated, hard working members of the Drug Task Force, Drug Suppression Unit, Street Operations Group, Neighborhood Enforcement Team and all members of the City Police Department, the drug dealers still have the upper hand and we are still not winning the drug war.

The neighborhoods in our community are not alone in their occupation by these ruthless criminals. Last month in Lebanon a two year old girl was shot in a drug related incident. Reading Police Chief Kirk Trate recently requested assistance from the State Police and Berks County police to help patrol Reading streets in response to this year's epidemic of drug related violence in that city. Just two days ago an innocent York woman and her six year old son were shot while walking to church in a drug related shooting that also left one man dead. Communities across this Commonwealth are suffering at the hands of these terrorists.

I submit to you that we are losing the war on drugs because we are fighting it the same way we fought the Viet Nam War and we are seeing similar results. Due to lenient penalties and overly restrictive court decisions, we are sending our law enforcement officers to the front lines to fight this war handicapped in much the same way as were the Viet Nam soldiers - blindfolded and with one arm tied behind their backs. If we are truly going to win this war, we need to fight it in the same manner as in the Gulf War or the Second World War. We need to pull out all the stops and we need to fight to win.

The primary responsibility of all levels of government is to safeguard the safety and security of ALL it's citizens. Regrettably, such is not the case as I sit here before you today. In this community there are many decent, law abiding residents who live under the domination of drug dealers in their neighborhoods. Many are prisoners in their own homes. For these citizens the phrase "America land of the free" has a very bittersweet ring to it. Many of them are not free to sit on their own porch. Many are not free to walk down their street without fear of bodily harm. As a businessperson and concerned citizen I have come to know quite a few of these folks. Let me tell you a few of their stories.

I'll start with the most recent account. A mother with young children lives in a drug war zone. Drug dealers routinely sell drugs from her front step. She asks them numerous times to take their

business somewhere else because she doesn't want her children exposed to that activity. They ignore her each time. When she last asked them to move, they told her to go back into her house and to shut her door, and they told her that if she called the police they would kill her. She obliged, and today she remains a prisoner in her own home.

A young teenager relates to me that his mother moved his family here from Hartford, Connecticut. In Hartford, the streets around his home were occupied by drug dealers and were so dangerous his mother would not allow him to go to school. His mother moved the family here for many of the same reasons as did Leslie Samaniego - the innocent mother of three who was slain by drug dealers this past April, just one block from where we sit today - his mother thought our community would be a good one in which she could raise her family. After living here for a few months and seeing the drug violence that plagues our community, she pulled up and moved her family out and away.

Another family living in another drug war zone had a family member, a little six year old girl, get caught in the middle of a gunfight between rival drug dealers while she was playing in front of her house. Her terrified grandmother ran from the house to pluck the child from the gunfight and ran back to the safety of the home. With drug dealers operating at both ends of their block as well as in the alley behind their back yard, there is no safe zone outside the house for children to play hopscotch, jump rope, ride bike or play games - not even on the front porch. This past Sunday at 6:00 p.m. there was another shootout in the neighborhood, very close to where other neighborhood children were playing. One resident described to me how the small children ran for their lives down the street to escape the danger of being shot. I can only imagine the look of terror on their little faces. Residents in this neighborhood are afraid to even say hello to patrolling police officers, out of the fear that the drug dealers will label them as snitches and target them for retaliation. Gunshots are so common to the residents of this block that many are no longer phased by them, so long as all family members are in the house and the shots aren't being fired outside their front door.

Some families in drug war zones have moved their family quarters to the second floor of their home because of the fear of being killed by a stray bullet entering their home through a first floor window. Bullets entering through a second floor window would be more likely to lodge into the ceiling than into a family member's head.

A few years ago a fellow landlord purchased a three unit apartment building not far from here. His plan was to renovate the building, move his family into one unit and rent out the other two units. One crisp fall afternoon he was sweeping leaves in front of his house when a drug dealer approached him and put a knife to his throat, telling him to go back into his house. What he later discovered was that he was sweeping close to that dealer's drug stash. After that and a few other incidents he determined the area to be unsafe for him and his family and decided to move. Upon listing his building for sale he discovered that property values were depressed due to high levels of drug related crime and could not sell his building for even what he put into it. In desperation he considered just walking from the property, as he also had great difficulty finding good tenants. I'll never forget the day he came into my business with his wife and baby and all but got down on

his hands and knees, and begged me to buy his building. That was the last time I saw him. The building has since fallen into a sad state of disrepair and neglect.

Another landlord I know had purchased and was rehabbing an apartment building in the same block when one day he confronted drug dealers who were dealing near the front porch of his property. The drug dealers later responded to his request to move on by firing shots through the first floor windows into the unit he was working on.

Having read the book "Taking back our streets" by Charleston, South Carolina police chief Rueben Greenberg, I discussed with a police officer friend of mine who was a detective at the time, a method used by Chief Greenberg which had been effective in halting drug dealing. The approach was to station a very visible police officer near a drug dealing location during its busiest times of the week, not to arrest the dealer but to scare his customers from buying from him. This method was very effective in shutting down the dealer's operations in a very short time. When I asked my detective friend if a similar operation could be set up in this neighborhood, his response was that the neighborhood was too dangerous for a police officer to stand alone. Too dangerous for a police officer. This area, incidentally, is just 1/2 block from the spot where a police officer had his skull fractured by drug dealers last September, when he responded to a radio call of a fight with shots fired.

A few years ago, the first graders at Martin Luther King elementary school created entries for their class "Say no to violence poster contest". Let me recite some captions which were included with the first graders artwork. "I don't want anybody to shoot my family", "Stay in your house", "Please don't stab anybody", "I lock the door", "Run in the house", "Keep your doors locked and call the cops." These are first graders, and this is their environment, what they have to grow up with, 24 hours a day, 7 days a week.

On June 5 of this year, at approximately 3:00 p.m., as 500 elementary school students were being dismissed for the day - again, just 1 block from this building - rival drug dealers opened fire on each other adjacent to the school yard, putting the lives of hundreds of children at extreme risk. Panicked, but quick thinking teachers quickly ushered the children, as well as parents who were waiting to pick up their children, back into the school. Said one neighborhood resident, "All the sudden I heard these shots rang out, and man, I just took off to the back of the house". Said another, "We just ran for cover to the upstairs of the house. I knew that chair wasn't going to save me if a bullet came through the front window". Upon inspecting his pick up truck after the gun battle, he discovered that bullets had shattered both the front and back windows of the cab. "If I had been sitting in that truck, that'd been it", he said. "It's scary".

It's unconscionable that good, solid, law abiding residents should have to live in horrendous conditions such as these, in this free country we call America.

You may wonder why residents don't do more to reclaim their neighborhoods. The answer is fear - the fear of retaliation from these ruthless criminals.

Recently, a group of several hundred East Petersburg residents, fearing an increase in crime, successfully fought plans to open a parole office in their neighborhood. The lease for the office had been signed and the deal was done. These residents responded however, by protesting at the site of the proposed office, by circulating petitions, and by lobbying their elected officials to break the deal and move the office elsewhere. They fought hard and they won.

I recently expressed, to a friend who lives in a high drug trafficking area, my frustration that residents in drug areas here won't take similar action to get their neighborhoods back. My friend explained to me that the people living in these neighborhoods are reluctant to get involved for fear of having their homes shot up by the drug dealers.

I have heard many theories expounded by citizens as to why this serious situation has been allowed to deteriorate to it's present state. Some of their thoughts are less than flattering as they apply to their elected officials. I see a lot of anger, cynicism, resignation, and hopelessness. My testimony here is based on the premise that you, as members of this committee, don't know just how terrible it is out there, and that is why you have assembled here today in this chamber, to listen and to learn. I hope in some way I have convinced you that this situation is gravely serious, and that prompt action must be taken to secure the safety of neighborhoods such as these across the state. These people who are suffering are not foreigners living in some distant, faraway land. They are American citizens - White, Black, Hispanic, Asian, young, old, lower income and middle income - they are my fellow Pennsylvanians' and your fellow Pennsylvanians', and they deserve better. They deserve a government that fulfills it's primary obligation of safeguarding their safety and security.

The passage of House Bill 2165 would be a helpful tool for our law enforcement officers and our prosecutors in the war on drugs and drug violence. Unfortunately their toolbox is somewhat sparsely outfitted these days. From lenient state sentencing guidelines, to weak penalties and jail terms to overly restrictive court rulings, many of the tools needed to achieve the goal of safe streets for all are missing from their toolbox. I strongly encourage you to pass House Bill 2165 as a first step, and then to seek out initiatives which will give prosecutors and law enforcement officers the tools they need to win the war on drugs and return all neighborhoods to their rightful owners, the law abiding citizens.

Drug dealers have taken over Lancaster's streets

■ I am the person whose home was shot at recently. I am writing to you because we are not winning the war on drugs.

I came to Lancaster in 1966 and found a job the same day I move here. It was paradise for me. I loved this community. We could leave our windows open day and night in the summertime and no one would bother us. Back then the children could play safely in the streets. Everyone looked out for each other.

Since then something has gone wrong. The drug dealers have taken over the streets. They sell drugs in open air markets day and night. I have seen them pull guns out and threaten each other over drug turf.

Four months ago, there was a shootout right in front of my house. I hear gunshots frequently at night and I am afraid to sit on my own front step.

Last year I got involved in the fight against drugs, because my young children, ages four and five, had observed many drug deals from our windows and began playing like drug dealers. My daughter dressed up with costume jewelry to look like the gold chains the dealers wear, and my son cut up pieces of paper to look like drugs and play money. It was then that I decided to join DADDs.

Since joining DADDs, the dealers have given me a real hard time. They said that if I didn't stop what I was doing, they were going

to burn my house down. A few weeks ago, they threw a brick through my neighbor's front window. Attached to the brick was an explosive device which detonated in their living room. Their 12-year old son, who was in the room, suffered burns and cuts from the explosion. It also put a large hole in their wall. The next day, I was informed that the brick was meant for me.

A few weeks later, I had a confrontation with a couple of dealers because I had been watching them. They told me that if I was going to bother them, that they were going to bother me. Later that night, six shots from what sounded like an automatic weapon were fired at my house. One of the bullets entered through my dining room window and lodged into a wall. This is no way to live.

The mayor says you shouldn't have to move to live in a better neighborhood and I don't want to move. This is my home and my neighborhood. But things won't get better until we get tougher with the dealers. No more slaps on the wrist when they get caught.

I have seen dealers arrested, and within a few hours they're right back on the street dealing. In the year that they're waiting for their court trial, they're still in the street doing business. After they have been convicted, they usually get a sentence of 6-23 months, but then serve less than five months. When they get out of jail, they go right back to

dealing drugs again.

The laws are too lenient. We have to get tougher. I believe all drug dealers should serve a minimum of ten years in jail with no parole for their first offense regardless of whether they are a street-level or a mid-level dealer. This would make them think twice before they start selling. If they get caught selling again, they should be put away for the rest of their lives.

It angers me when they use the excuse that they sell drugs because of family problems or they don't have a job. I have seen them use this line on people only to turn around and laugh about it later. They are very good actors. Besides, I know many people who have grown up without fathers who aren't criminals and are able to live a clean life. There is no excuse for selling drugs and destroying our neighborhoods.

I am concerned for our children, who are our future. We have to act right now, before it's too late. If we don't, things will only get worse.

I pray that the legislators in Harrisburg will do something quickly, before we lose the battle.

Name Withheld
Lancaster

Editor's note: Because the letter writer feared for the safety of his family, an exception was made to the Sunday News policy, and his name was not used.