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Office of the Coroner
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**TESTIMONY BEFORE THE
HOUSE JUDICIARY COMMITTEE**

ON HB 1289

JULY 6, 2011

SOUTH BUFFALO VOLUNTEER FIRE DEPARTMENT

Good morning, Chairman and Members of the House Judiciary Committee.

My name is Robert Bower and I serve as the Coroner for Armstrong County. I appreciate the opportunity to appear here today to discuss Representative Pyle's bill, HB 1289, further providing for sentencing for trafficking drugs in the presence of a minor by the minor's parent, guardian, or person standing in place of the parents. This bill is an enhancement long overdue.

As any coroner in Pennsylvania will tell you, drug related deaths continue to plague the state. Despite many legislative attempts to date, the cliché continues - "we have won some battles, we have not won the war".

HB 1289 recognizes the changing nature of the drug business. Persons who in their former years used the drug trade to bolster their own drug addiction and/or to gain financially at the peril of others are now parents or have children for whom they are responsible. These same people have now taken their drug trade to a new low by exposing their children to their violations of The Controlled Substance, Drug, Device and Cosmetic Act.

By providing safeguards and increased penalties, the drug abuser/user is hit where it hurts the most, their pocketbook. Adding to that additional jail time will help stymie the drug trade.

As an example, I would like to take the House Judiciary Committee back to 1988 and 1994 when the laws for driving under the Influence were enhanced and penalties carried out. In Armstrong County in 1986 and 1987 there were 21 and 17 vehicle traffic deaths and 17 and 11 were alcohol related respectively. Following changes in the law relative to DUI there were 12 and 7 traffic related deaths in 1988 and 1989 and 7 and 5 were alcohol related. The reduced trend has continued in Armstrong County.

Representative Pyle's HB 1289 is a beginning. I do not think it goes far enough, but the wheels of government turn slow. I would also recommend that the Committee consider Representative Pyle's HB 887. This bill would clarify language previously passed by the Legislature which was not upheld by the Pennsylvania Supreme Court due to what it considered to be a drafting error. This bill would allow a drug dealer who provides drugs to someone and that drug use results in the person's death to be charged with murder.

I believe that HB 1289 is imperative and a good beginning. The Bill is a seed that will grow and blossom into stiffer penalties that will aid in taking drugs off the streets. It represents another nail in the coffin in the sales arena of the illegal disbursement of drugs throughout Pennsylvania.

Thank you for allowing me to share my thoughts and experiences with you. I would be pleased to try to answer any questions you may have.