

COMMONWEALTH OF PENNSYLVANIA
HOUSE OF REPRESENTATIVES

APPROPRIATIONS COMMITTEE
BUDGET HEARING

STATE CAPITOL
HARRISBURG, PA

MAIN CAPITOL BUILDING
140 MAJORITY CAUCUS ROOM

THURSDAY, MARCH 1, 2018
1:00 P.M.

PRESENTATION ON COMBATING OPIOIDS IN PA
BY THE
PA OFFICE OF ATTORNEY GENERAL

BEFORE:

HONORABLE STANLEY SAYLOR, MAJORITY CHAIRMAN
HONORABLE KAREN BOBACK
HONORABLE SHERYL M. DELOZIER
HONORABLE GEORGE DUNBAR
HONORABLE GARTH D. EVERETT
HONORABLE KEITH J. GREINER
HONORABLE MARCIA M. HAHN
HONORABLE DOYLE HEFFLEY
HONORABLE SUSAN C. HELM
HONORABLE R. LEE JAMES
HONORABLE WARREN KAMPF
HONORABLE FRED KELLER
HONORABLE DUANE D. MILNE
HONORABLE JASON ORTITAY
HONORABLE MICHAEL PEIFER
HONORABLE BRAD ROAE
HONORABLE JAMIE R. SANTORA
HONORABLE CURTIS G. SONNEY

* * * * *

Debra B. Miller

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BEFORE (continued):

HONORABLE JOSEPH F. MARKOSEK, DEMOCRATIC CHAIRMAN
HONORABLE KEVIN J. BOYLE
HONORABLE TIM BRIGGS
HONORABLE DONNA BULLOCK
HONORABLE MARIA P. DONATUCCI
HONORABLE MARTY FLYNN
HONORABLE PATTY KIM
HONORABLE STEPHEN KINSEY
HONORABLE LEANNE KRUEGER-BRANEKY
HONORABLE MICHAEL H. O'BRIEN
HONORABLE MARK ROZZI
HONORABLE PETER SCHWEYER

ALSO IN ATTENDANCE:

HONORABLE BRYAN BARBIN
HONORABLE JIM COX
HONORABLE GENE DIGIROLAMO
HONORABLE MICHAEL J. DRISCOLL
HONORABLE CRIS DUSH
HONORABLE ROB W. KAUFFMAN
HONORABLE MICHAEL H. SCHLOSSBERG
HONORABLE BRIAN SIMS
HONORABLE JUDY WARD

COMMITTEE STAFF PRESENT:

DAVID DONLEY
MAJORITY EXECUTIVE DIRECTOR
RITCHIE LaFAVER
MAJORITY DEPUTY EXECUTIVE DIRECTOR

MIRIAM FOX
DEMOCRATIC EXECUTIVE DIRECTOR
TARA TREES
DEMOCRATIC CHIEF COUNSEL

I N D E X

TESTIFIERS

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JENNIFER SELBER EXECUTIVE DEPUTY ATTORNEY GENERAL, CRIMINAL LAW DIVISION, PA OFFICE OF ATTORNEY GENERAL.....	4

SUBMITTED WRITTEN TESTIMONY

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P R O C E E D I N G S

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3 MAJORITY CHAIRMAN SAYLOR: I'll call the hearing
4 to order.

5 And Mr. Attorney General and anybody else that is
6 going to offer testimony, if they would rise and raise
7 their right hand to be sworn in:

8 Do you swear or affirm that the testimony you are
9 about to give is true to the best of your knowledge,
10 information, or belief? If so, say "I do."

11 ATTORNEY GENERAL SHAPIRO: I do.

12 EXECUTIVE DEPUTY ATTORNEY GENERAL SELBER: I do.

13 MAJORITY CHAIRMAN SAYLOR: Thank you.

14 Mr. Attorney General, we're glad you're here
15 today, and I appreciate you taking time out of your busy
16 schedule with everything that has been going on with drugs
17 across our Commonwealth and the number of children and
18 young people. I opened up the newspaper the last few days
19 in York, and I see two young people who have lost their
20 lives due to drugs.

21 So it is a scourge that has hit this Commonwealth
22 and this whole nation, so that's what we're here to talk
23 about today.

24 I'll ask Representative Markosek if he has any
25 comments before we start.

1 MINORITY CHAIRMAN MARKOSEK: Welcome, General.

2 Welcome, Executive Deputy---

3 EXECUTIVE DEPUTY ATTORNEY GENERAL SELBER: Thank
4 you.

5 MINORITY CHAIRMAN MARKOSEK: ---and all of your
6 staff that are here today, and it's good to see you again.

7 ATTORNEY GENERAL SHAPIRO: Good to see you.

8 MINORITY CHAIRMAN MARKOSEK: It's hard for me
9 to refer to former Legislators as anything but
10 "Representative," but you are the General, so.

11 ATTORNEY GENERAL SHAPIRO: Call me whatever you
12 want.

13 MINORITY CHAIRMAN MARKOSEK: So anyway, welcome.
14 And when it's appropriate, Chairman, I'll have some
15 questions.

16 MAJORITY CHAIRMAN SAYLOR: You may go ahead and
17 start.

18 MINORITY CHAIRMAN MARKOSEK: Okay.

19 MAJORITY CHAIRMAN SAYLOR: Sure.

20 ATTORNEY GENERAL SHAPIRO: And, Mr. Chairman, if
21 I may, just to introduce---

22 MAJORITY CHAIRMAN SAYLOR: Sure. Absolutely.

23 ATTORNEY GENERAL SHAPIRO: This is Jennifer
24 Selber, my Executive Deputy Attorney General in charge of
25 our Criminal Division in the Attorney General's Office.

1 And I appreciate your attention on the drug
2 issues, particularly the heroin and opioid crisis and the
3 opportunity to devote some time to it. So thank you for
4 having me here today.

5 MAJORITY CHAIRMAN SAYLOR: Did you want to
6 introduce any other members of your staff, even though
7 they're not going to testify?

8 ATTORNEY GENERAL SHAPIRO: I think we're good.
9 Thank you.

10 MAJORITY CHAIRMAN SAYLOR: I thought maybe you
11 might want to introduce the former Representative sitting
12 back there.

13 ATTORNEY GENERAL SHAPIRO: I'll allow you to
14 single out anyone you want, Mr. Chairman, so.

15 MAJORITY CHAIRMAN SAYLOR: Can I say anything I
16 want?

17 ATTORNEY GENERAL SHAPIRO: Anything you want.

18 I don't know; are you under oath? I guess---

19 (Laughing.)

20 MAJORITY CHAIRMAN SAYLOR: If you took notice, I
21 didn't take the oath.

22 Anyway, Representative Markosek.

23 MINORITY CHAIRMAN MARKOSEK: Thank you, Chairman.

24 General Shapiro, I turned the TV on the other
25 night, the national news, and there's my good friend,

1 Attorney General Shapiro. You had appeared with other
2 Attorneys General and with the Attorney General of the
3 United States. Do you want to tell us about that?

4 ATTORNEY GENERAL SHAPIRO: Sure. And thank you
5 for asking.

6 Attorney General Sessions invited me to
7 participate in a meeting and in an important announcement
8 that he had regarding the heroin and opioid epidemic,
9 specifically that the United States Department of Justice
10 would be filing a statement of interest in support of the
11 ongoing investigation of the 41 State Attorneys General,
12 which we are one of the leads of, of six opioid
13 manufacturers and three distributors, along with other
14 States, municipalities, cities, others that have actually
15 litigated or are in the process of litigating the issue.

16 And, you know, I was pleased to stand with the
17 Attorney General. I also stood with other Attorneys
18 General from around the country who I'm working with on
19 this. And I think it should hopefully be something that is
20 supported by the American people in that here you have
21 Republicans and Democrats coming together with a common
22 purpose, and that is to hold the opioid manufacturers and
23 distributors accountable for their role in this process.

24 I can tell you that we have worked very closely
25 with the Department of Justice. Typically, that manifests

1 itself with my work with our three United States Attorneys
2 here in Pennsylvania, Scott Brady, Lou Lappen, and of
3 course Dave Freed, who many of us are familiar with from
4 his time as District Attorney in this region.

5 And the working relationship with them and our
6 agency is terrific, along with the FBI, DEA, and others.
7 The collaboration between the Federal level and the State
8 level has never been better, and I'll take an opportunity,
9 I'll take any opportunity to stand with anyone who wants to
10 work with me to help deal with this here in Pennsylvania.
11 And I was really pleased to have the opportunity to stand
12 with General Sessions for that announcement.

13 MINORITY CHAIRMAN MARKOSEK: Well, well said.
14 And I could probably speak for everybody here, we're happy
15 to stand with you---

16 ATTORNEY GENERAL SHAPIRO: Thank you.

17 MINORITY CHAIRMAN MARKOSEK: ---in trying to
18 solve this very, very difficult problem, so.

19 ATTORNEY GENERAL SHAPIRO: Thank you,
20 Mr. Chairman.

21 MINORITY CHAIRMAN MARKOSEK: Thank you.

22 MAJORITY CHAIRMAN SAYLOR: I did want to
23 recognize, before I go to the next questioner, that we have
24 been joined by Representative Kauffman and Representative
25 Barbin as well.

1 And with that, we'll move to Representative
2 Jamie Santora for his questions.

3 ATTORNEY GENERAL SHAPIRO: Good.

4 REPRESENTATIVE SANTORA: General, thanks for
5 being here today.

6 You came out recently opposed to the safe
7 injection sites in Philadelphia.

8 ATTORNEY GENERAL SHAPIRO: Yeah.

9 REPRESENTATIVE SANTORA: And Philadelphia and I
10 thank you for that, because I think they're going to be
11 dangerous and it's just going to create more issues. Is
12 there any intention, from your office, to be further
13 looking into these sites if they do open up?

14 ATTORNEY GENERAL SHAPIRO: Well, I think that a
15 lot will depend on what the city of Philadelphia, who has,
16 you know, talked about this idea -- I can't even say
17 proposed the idea, but talked about this idea and expressed
18 some support for it -- I think a lot depends on what
19 they're going to do.

20 My understanding is that it is in very
21 preliminary stages in the city. And what I have tried to
22 point out is that for these sites to operate, changes would
23 need to be made under our State law and under Federal law.

24 And furthermore, in my experience dealing with
25 this issue, there is no safe way to go buy these poisons on

1 our street corners and inject them into your body. And I
2 think that we ought to be focused more on getting people
3 into treatment and less on something like a safe injection
4 site.

5 Furthermore, you know, I have examined a lot of
6 the data available, and I'm sure there's other data as
7 well, and those who disagree with my position have been
8 sharing that with me. But there is no clear data to show
9 that there is a direct pathway to treatment from these
10 safe injection sites, and I think we should be looking at
11 avenues to treatment, first and foremost.

12 REPRESENTATIVE SANTORA: So let's talk about
13 that.

14 I have a proposal. I spoke about it in an
15 earlier hearing. In the Good Samaritan Law right now,
16 Narcan can be dosed to a person that has overdosed and they
17 can walk away, basically.

18 ATTORNEY GENERAL SHAPIRO: Mm-hmm.

19 REPRESENTATIVE SANTORA: My proposal would
20 require them to see a certified recovery specialist before
21 they have the opportunity to walk away, one more step to
22 try to get to recovery.

23 Is there any funding through your office that's
24 available or grants that could be put out for areas that
25 don't have enough recovery specialists, certified recovery

1 specialists?

2 ATTORNEY GENERAL SHAPIRO: Well, I don't know
3 that we would have direct funding for that, unless, of
4 course, you know, the House and Senate and the Governor
5 decided to provide it to us, and we'll take anything you
6 want to give us, of course.

7 But in all sincerity -- and I appreciate where
8 you're coming from in your question. I do think, and I say
9 this respectfully, because I'm a law enforcer, not a law
10 maker. You are the law makers. But since you opened the
11 door, I'll opine on it.

12 I do think that it is time for this body and the
13 Senate and the Governor to relook at the Good Samaritan
14 Law. It has had the desired effect to get people to call
15 for help when they need it. It has literally saved lives.

16 One thing it has not effectively done is gotten
17 people who routinely and regularly are administered Narcan,
18 sometimes 7, 8, 9, 10 times to the same person, it has not
19 then gotten them into treatment, and I think there has to
20 be a discussion about how we can, in a more forceful or
21 mandated way, push people into treatment.

22 REPRESENTATIVE SANTORA: I agree wholeheartedly.

23 ATTORNEY GENERAL SHAPIRO: In terms of -- if I
24 could just finish this thought.

25 In terms of creating access to treatment, there

1 are ways to do this without expending additional State
2 dollars. There's something known as the IMD exclusion,
3 which says that the Federal Government, through Medicaid,
4 cannot reimburse for treatment in facilities where there
5 are more than 16 -- 1-6 -- beds.

6 Governor Christie, President Trump, myself,
7 Governor Wolf, others, have all called for lifting the
8 IMD exclusion. Congress needs to act. I have endorsed
9 Congressman Brian Fitzpatrick's bill on this. We got
10 39 Attorneys General to come together and endorse this
11 concept.

12 And we have learned recently through some
13 engagement with the Trump Administration that the
14 President, through an Executive Order, can actually do away
15 with this, and I have been encouraging him to do that.
16 That would allow you to create greater avenues to treatment
17 in your district without State dollars.

18 REPRESENTATIVE SANTORA: And that is exactly what
19 I would like to do. I've been in touch with my health
20 system down there. They have got a hospital floor ready to
21 go, and if we can get people into the beds.

22 And originally when I was proposing my bill, I
23 wanted them to have to go in through an ER and be checked
24 out before they could be released and meet with a recovery
25 specialist. Through pushback, I was told, go for the

1 recovery specialists because you're going to get a lot of
2 pushback from HAP.

3 ATTORNEY GENERAL SHAPIRO: Right.

4 REPRESENTATIVE SANTORA: I'm willing to take the
5 pushback, but I want to get a bill that's successful to at
6 least get that next step.

7 So I'm glad you support these initiatives, and I
8 will be in contact with the other former Representative to
9 discuss some of that.

10 Thanks.

11 ATTORNEY GENERAL SHAPIRO: Good, and we'd be
12 happy to partner with you on it.

13 Thank you, Representative.

14 MAJORITY CHAIRMAN SAYLOR: Representative Briggs.

15 REPRESENTATIVE BRIGGS: Thank you, Mr. Chairman.

16 And thank you, General, for everything you do for
17 the citizens of Pennsylvania every day. You really have
18 brought the Office of the Attorney General to a level
19 that's something we can be proud of, and I want to thank
20 you and your staff for that.

21 ATTORNEY GENERAL SHAPIRO: Thank you,
22 Representative.

23 REPRESENTATIVE BRIGGS: As you know, I have an
24 elderly mother, who actually lives in former Representative
25 Vereb's neighborhood, and she, every week, is getting more

1 and more prescriptions.

2 And a challenge that a lot of our constituents
3 have, and we partner with our local law enforcement to do
4 drug drop-off and safe drop-off to be able to clear out our
5 medicine cabinets to get unwanted prescription drugs out of
6 our homes. But something that I was proud to stand with
7 you on last summer had to do with a disposal bag
8 initiative.

9 If you could share with us a little bit about
10 that initiative and how it has progressed over the last few
11 months, I would appreciate it.

12 ATTORNEY GENERAL SHAPIRO: Sure.

13 And, you know, you have the benefit in
14 Montgomery County, the district that you so ably serve, of
15 having a significant number of drug drop boxes where your
16 mother or others can go drop off their pills.

17 And in fact, through a coordinated effort between
18 my office, the DAs, DEA, the Pennsylvania National Guard,
19 and others, we, through those boxes, disposed of about
20 45 tons of pills in 2017, nearly double the amount from
21 2016. That's working. The problem is, there are a lot of
22 counties where they don't have access to those boxes, or
23 when they do, it can be an hour-long drive.

24 I was in Shelocta, Pennsylvania, which is in
25 Indiana County. It was an hour's long drive for someone to

1 go to the box, dispose of their pills, and then come back.
2 So we purchased 300,000 of what is known as drug
3 deactivation pouches. And basically it looks like a big
4 Ziploc bag, almost like with a fish tank filter in it, like
5 a carbon-based filter. You can dump up to 45 pills in
6 there, a little bit of warm water, zip it up, shake it up,
7 and then you deactivate the pills and you can throw it away
8 in an environmentally safe way, which, of course, flushing
9 it down the toilet is not environmentally safe. And we
10 have distributed 300,000 of these in 17 counties, primarily
11 rural counties, in Pennsylvania.

12 We then distributed 50,000 more to hospice-care
13 workers, because under the law of Pennsylvania, while a
14 hospice-care worker administers pills to people they are
15 taking care of at the end stages of life, when that person
16 passes, they are not legally permitted to take those pills
17 from that home and take it somewhere to dump them in a
18 deactivation box or something like that. That might be
19 something that this body would want to consider changing.
20 So we gave 50,000 of them to hospice-care workers all
21 across Pennsylvania, including in Montgomery County where
22 you're from, to help with folks at the end stages of life.

23 This program has worked, especially in rural
24 Pennsylvania, and we hope to scale it up even further to
25 counties we have not yet been able to hit.

1 REPRESENTATIVE BRIGGS: That is outstanding.
2 It's the kind of leadership that I am excited to support
3 you, to bring to Pennsylvania.

4 How was the funding found to purchase the 300,000
5 and then the 50,000?

6 ATTORNEY GENERAL SHAPIRO: There is funding that
7 is derived from DUI fines that comes to my office that we
8 have to spend on efforts to combat drug use and things like
9 that. So there was money in that fund, and we spent down
10 some of that money in order to pay for these. It was not
11 tax dollars that was used.

12 REPRESENTATIVE BRIGGS: Well, terrific.

13 Thank you, General, and thank you, Mr. Chairman,
14 for allowing me the opportunity.

15 ATTORNEY GENERAL SHAPIRO: Thank you,
16 Representative.

17 MAJORITY CHAIRMAN SAYLOR: Representative Helm.

18 REPRESENTATIVE HELM: Thank you, Mr. Chairman.
19 Welcome, General.

20 Chairman Markosek opened on this topic, but I
21 would like to pursue it a little bit further.

22 Your office is a leader among 41 State Attorneys
23 General investigating the five opioid manufacturers and
24 three drug distributors to see if they should be held
25 accountable for the rising levels of opioid addiction and

1 death.

2 Could you comment on the status of the
3 investigation, and when do you anticipate the investigation
4 being completed? And will your office, in conjunction with
5 the 41 other Attorneys General, determine if litigation
6 against the manufacturers and distributors should be
7 pursued?

8 ATTORNEY GENERAL SHAPIRO: Sure. Thank you for
9 your question.

10 And there today are 41 States organized across
11 this country, and Pennsylvania is one of I think four or
12 five leads of this investigation, investigating the five
13 manufacturers and three distributors, actually six and
14 three, that represent more than 90 percent of the opioids
15 consumed in the Commonwealth of Pennsylvania and across
16 this country.

17 We are investigating them to determine whether or
18 not they turned a blind eye to certain things, whether it's
19 the addictive nature of these opioid painkillers; whether
20 from a distributing perspective they over-distributed --
21 particularly in rural counties in Pennsylvania we saw this;
22 whether they over-distributed and then failed to notify the
23 proper authorities of that distribution, along with many
24 other things.

25 We have subpoenaed, demanded, you know, a lot of

1 information and have received probably millions of pages of
2 documents; that the States have organized themselves into
3 work groups, and we are pouring through that information
4 now; and engaged in some fairly high-level discussions with
5 the companies as well.

6 I can't sit here today and tell you precisely
7 when this investigation could potentially conclude and
8 whether we will file litigation or not. But what I can
9 tell you for sure is that we are the only avenue to
10 addressing this issue when it comes to the manufacturers
11 and distributors.

12 While I respect the municipalities, States,
13 others, that have chosen to file their own lawsuits, at the
14 end of the day, the only entity that is in a position to
15 fully investigate and come to some conclusion on this are
16 the State Attorneys General. A good example of that would
17 have been the tobacco, you know, matter from years ago.

18 So we are working in a concerted effort to bring
19 this to conclusion as quickly as possible. My goals in
20 this are very clear, and I think it's important for you to
21 know what my goals are in this process.

22 Number one, to recover for the Commonwealth of
23 Pennsylvania and its political subdivisions, counties,
24 cities, you know, others that have been impacted by this,
25 and make sure that those companies, if we can prove their

1 culpability, pay for the damage that their drugs created.

2 And then two, almost as importantly, to change
3 the corporate behavior. Look, four out of every five
4 heroin users start with a legal prescription drug, like an
5 OxyContin or a Percocet. So if you want to look at the
6 supply chain, we go on street corners all the time and make
7 a lot of arrests. I'm sure we'll talk about that today.
8 But if you really want to get at the supply chain, it goes
9 directly to the boardrooms of these pharmaceutical
10 companies, and we think they need to be held accountable.

11 And we're working our tails off on this. There
12 is no higher priority in my office than combating the
13 heroin and opioid epidemic.

14 REPRESENTATIVE HELM: Well, we all know that's
15 important, so please keep it up.

16 I just have another quick question.

17 The drivers with a medical marijuana registry
18 card, if they are driving and a policeman stops them, you
19 know, the policeman really can't look into the JNET system
20 and say exactly what's happening. Do you have any concern
21 for the safety of our law enforcement officers?

22 ATTORNEY GENERAL SHAPIRO: Well, I'm always
23 concerned about the safety of our law enforcement officers,
24 my agents and others who are out in the field every day,
25 and that's why I'm constantly fighting to make sure they

1 have the funding for the technology, the equipment, the
2 clothing and other apparatus to keep them safe, and they
3 have got to have access to the technology that gives them
4 the most information they need in various circumstances.

5 So I am worried every day when I send our folks
6 out on operations, and I'm sure the Governor is with PSP as
7 well, as is our municipal police chiefs. We're concerned
8 about that every day.

9 REPRESENTATIVE HELM: All right. Thank you.

10 ATTORNEY GENERAL SHAPIRO: Thank you.

11 MAJORITY CHAIRMAN SAYLOR: Representative
12 Donatucci.

13 REPRESENTATIVE DONATUCCI: Thank you,
14 Mr. Chairman, and it's good to see you, General.

15 ATTORNEY GENERAL SHAPIRO: Good to see you.

16 REPRESENTATIVE DONATUCCI: As we were talking, we
17 know that opioid addiction is an epidemic. The number of
18 people dying is horrific. In Pennsylvania alone, between
19 July 2016 and July 2017, overdose deaths increased by
20 43.4 percent. That's one of the highest rates in our whole
21 country.

22 Philadelphia, where I live, had 12,000 deaths in
23 2017. That's the highest of all U.S. cities. And
24 yesterday, there were 10 people arrested in a fake opioid
25 pill mill ring right here in Pennsylvania.

1 So we know that the supply of opioids comes from
2 both illegal drug trafficking and also from illegal
3 prescribing from pharmacies and pill mills. You
4 successfully tackled both of these last year. Which vector
5 of supply is more difficult to interdict, and have you
6 committed more resources to illegal prescribing or to drug
7 trafficking networks?

8 ATTORNEY GENERAL SHAPIRO: Sure. Thank you for
9 your question.

10 And just if I may, one point of clarification.
11 It was 1,200 deaths in Philadelphia last year, not 12,000,
12 thank God. No, and I know what you meant, but I just
13 thought for the record that ought to be pointed out.

14 And look, I mean, we are now losing
15 15 Pennsylvanians every single day. And Philadelphia,
16 where you ably represent, in terms of big cities in
17 America, has the highest number of opioid and
18 heroin-related deaths in the entire country.

19 This is a crisis. And we're trying to come at it
20 from both ways, both dealing on the pill side and dealing
21 on the heroin side.

22 So, for example, we have arrested, since I have
23 been in office, a total of, and December actually just
24 ticked up a little bit in the last couple of days, but
25 1,779 people. That's five drug dealers a day, every single

1 day, I have been in office. We have aggressively pursued
2 operations on the streets of Philadelphia and, of course,
3 across the Commonwealth.

4 We just had a huge bust in Feltonville, which is
5 just outside of your district, but, you know, a major one,
6 on top of another major one we had in the Summerdale
7 section of Philadelphia not too long ago.

8 But when I appeared before you last year, I
9 asked, Mr. Chairman, if we could have additional funds to
10 specifically not only increase those kinds of operations
11 but increase diversion. That is where a doc, nurse,
12 someone else, takes a legal prescription drug and diverts
13 it for illegal use.

14 And thank you to the Members of this body who
15 gave us some additional funding. I think we asked for
16 about 14 or so more agents. We have hired them, and our
17 diversion arrests are up 72 percent, because we have got an
18 added focus on this, we have put more personnel on it, and
19 we are taking that very seriously. So we come at it both
20 ways.

21 You need a multidisciplinary approach. You got
22 to be on the street corners. You got to be in the
23 boardrooms of these pharmaceutical companies. You got to
24 be in these doctor's offices, and, you know, we take that
25 very, very seriously. And doing all of that work, I think

1 we are, you know, we're making some progress. We have got
2 a ways to go, but we're making some progress.

3 REPRESENTATIVE DONATUCCI: Thank you.

4 Thank you, Mr. Chairman.

5 MAJORITY CHAIRMAN SAYLOR: Representative Boback.

6 REPRESENTATIVE BOBACK: Thank you, Mr. Chair.

7 General, I'm really excited about the drug
8 disposal bags, and I'm just curious, I know you're doing
9 them in hospice and probably different home settings for
10 the elderly. I hope so, anyway.

11 ATTORNEY GENERAL SHAPIRO: Yep.

12 REPRESENTATIVE BOBACK: But eventually I'm
13 looking at, because we have drop boxes like in our
14 courthouses and different drug stores, would we be able
15 to have bags like that at our disposal in our office if
16 somebody came in and experienced a death of a loved one
17 over the weekend and just wants to get rid of those
18 pills?

19 There was a scam going on that if you have
20 somebody that passed away and the obituary says it was from
21 cancer or a real debilitating type of disease that would
22 require strong opioids, that you couldn't leave your house
23 unattended.

24 ATTORNEY GENERAL SHAPIRO: Mm-hmm.

25 REPRESENTATIVE BOBACK: So that happens

1 sometimes. And the two times that it did occur, I
2 suggested that they take it immediately down to the drop
3 box at the drugstore.

4 But I thought, maybe that's something that we
5 would have access to through our offices. Just a thought.
6 I know they are expensive, not a lot, but for somebody who
7 needs them and just wants to get rid of that scourge from
8 their house, you know, please consider that.

9 ATTORNEY GENERAL SHAPIRO: Sure.

10 I would be happy to partner with the Members of
11 this body to, you know, procure the bags. We'd have to
12 look at our funds just to determine how much we have and if
13 we're committed to spending the money on those bags, and I
14 think we probably would have enough to be able to provide
15 them to you. If not, we would let the Chairman know and
16 could work it out from there.

17 We have negotiated, you know, a cut price for
18 these because of the good purpose they are being used for,
19 and we'd be happy to partner with you or any other Member
20 of this Committee or this House.

21 Perhaps if I can, I'll leave it to the respective
22 Chairmen to determine how best to do that, but we're happy
23 to work with you on that.

24 REPRESENTATIVE BOBACK: Great. And what a
25 wonderful idea, those bags are.

1 My other question is, I have had the opportunity
2 to participate in drug court graduations and to speak at
3 the ceremonies, and I just think that these are a
4 phenomenal venue for those who really want to get their
5 lives back in order.

6 I know it's not directly under your venue, but
7 how do you feel about the drug courts, and how could we
8 instill in more counties the idea that they do work?

9 ATTORNEY GENERAL SHAPIRO: Yeah.

10 I'm a big believer in these problem-solving
11 courts, especially drug court.

12 And prior to my service as Attorney General, I
13 was Chairman of the Pennsylvania Commission on Crime and
14 Delinquency, and we supported the, you know, scaling up of
15 these problem-solving courts in various counties. And
16 especially in rural counties or less populated counties,
17 those counties have come together to form coalitions that
18 allow them to take advantage of things like drug court. It
19 absolutely works.

20 Listen, we don't want to go out and jail addicts
21 who are nonviolent, who aren't dealing. We want them to
22 get into treatment, but oftentimes they do have run-ins
23 with the law, and rather than incarcerate them where they
24 oftentimes can't get the help they need, if they can go
25 through a county drug court program and get into the

1 treatment that they need and the treatment becomes their
2 sentence, if you will, and they have to keep coming back
3 before the court and demonstrating that they are clean,
4 demonstrating that they have, you know, dealt with their
5 addiction, that is something that, you know, will literally
6 save lives and certainly make our communities safer.

7 So I think the more resources that can be put
8 into problem-solving courts, especially drug courts, mental
9 health court as well, the better off we all are.

10 And it is a small price to pay compared to the
11 roughly 25,000 bucks you're paying for a county jail or the
12 42,000 or 43,000 bucks a year we're paying for a State
13 prison. That would be something that I think would be
14 money well spent and a lot cheaper than incarcerating
15 someone.

16 REPRESENTATIVE BOBACK: And I know we can't
17 mandate it. I do believe it's up to the judge of the
18 county if they -- how do they decide which counties
19 participate?

20 ATTORNEY GENERAL SHAPIRO: Well, each county has
21 what's known as a CJAB, a criminal justice advisory board.
22 They come together, usually under the leadership of the
23 county commissioners, the DA, president judge -- typically,
24 although it can be different -- and they make a
25 determination that they would like to start a drug court or

1 start a mental health court, a veterans court, whatever the
2 case may be.

3 And then typically the CJAB would apply to PCCD
4 for funding. I think all of the funding flows through
5 PCCD, though Mr. Chairman can correct me if I'm wrong.
6 There may be other lines that I'm not aware of. And then
7 from there, the counties scale that up.

8 In Montgomery County, where I formally served as
9 county commissioner, we did get some funding for our
10 problem-solving courts, but then ultimately the county
11 commissioners had to fund it.

12 REPRESENTATIVE BOBACK: Mm-hmm.

13 ATTORNEY GENERAL SHAPIRO: So the idea here is
14 that it gets started through the process through PCCD, and
15 then from there, the counties take it over.

16 And frankly, any county who sees this operating
17 for a period of time sees that you are saving money and you
18 are saving lives. It works. And I'd be happy to work with
19 you and any counties you represent that need that kind of
20 assistance.

21 REPRESENTATIVE BOBACK: I do appreciate that.
22 Thank you.

23 ATTORNEY GENERAL SHAPIRO: Thank you,
24 Representative.

25 REPRESENTATIVE BOBACK: Thank you, Mr. Chairman.

1 MAJORITY CHAIRMAN SAYLOR: Again I'll use
2 Chairman's prerogative to say that Judge Kennedy of York
3 County, I believe, started the first drug court in the
4 Commonwealth of Pennsylvania, so we're very proud of that.
5 And I know other counties have followed and have been very
6 effective, so we'll be looking at what we can do.

7 We did put more money in for drug courts last
8 year, and we'll hopefully continue that process as we go
9 forward, Mr. Attorney General.

10 With that, we go to Representative
11 Krueger-Braneky.

12 REPRESENTATIVE KRUEGER-BRANEKY: Thank you,
13 Mr. Chairman.

14 Thank you, General, for joining us here today.

15 So I want to talk about your pledge to hold
16 fracking companies accountable. Your office is currently
17 involved in a civil lawsuit alleging that Chesapeake Energy
18 inflated production costs to reduce royalty payments to
19 landowners. And I know that this is an issue that a lot of
20 my colleagues who serve rural districts are hearing about a
21 lot, and our college, Garth Everett, has a bill around
22 royalties.

23 Can you tell us how that case is proceeding?

24 ATTORNEY GENERAL SHAPIRO: Sure, and I appreciate
25 you asking the question.

1 And it is a big issue in Representative Everett's
2 district, I think Representative Boback as well, and I'm
3 sure others here.

4 Essentially, here's the issue in a nutshell.
5 These companies, Chesapeake being the biggest of them, made
6 a deal with landowners. They said, you're going to get
7 X amount of money for the amount of natural gas that we
8 take out from under the ground below the property that you
9 own. I mean, that's the basic benefit of the bargain.

10 What we have found is that Chesapeake and other
11 companies failed to do that. They failed to go and pay
12 people what they are owed.

13 The insanity of this is that they have deducted
14 so many, you know, costs, if you will, that they are now
15 actually sending what should be checks to these landowners,
16 telling the landowners that they owe money in the process.
17 It's absolutely outrageous. So we have taken them to
18 court, and we keep winning in court.

19 At the same time, there is a separate -- this has
20 nothing to do with us, but it's important to kind of
21 describe the whole procedural posture. There is a separate
22 class action lawsuit that Chesapeake has claimed they are
23 prepared to settle with landowners, but they won't settle
24 until I settle my case with them.

25 Well, that's ridiculous. I mean, they can't

1 dictate to us what's going to happen with our case and hold
2 that over the landowners who they should be settling with
3 in this separate Federal class action suit.

4 And I am not going to be leveraged, nor will the
5 people of Pennsylvania be leveraged, by Chesapeake Energy
6 and, in the process, have landowners -- excuse my language,
7 Mr. Chairman -- get screwed in the process. So we're going
8 to continue to stand up for these landowners and fight like
9 heck to make sure they get their royalty payments.

10 Where things stand now is, we just want a
11 critical ruling in court, which I think has put a lot of
12 wind in our sails, and we're going to continue to press our
13 case for these landowners, who are primarily in the
14 northeastern part of the State but also a little bit in the
15 southwestern and central part of the State as well.

16 This is really critical, because if we get this
17 wrong now and we fail to protect the interests of these
18 landowners, then these companies are going to run roughshod
19 over them.

20 And it's really important, this issue isn't
21 whether you are for drilling or against drilling. That
22 doesn't matter. The drilling is happening. A contract was
23 made with these landowners, and these companies are not
24 owning up to their end of the deal, and we're going to hold
25 them accountable.

1 REPRESENTATIVE KRUEGER-BRANEKY: Okay. Another
2 question.

3 So I have seen reports that your office receives
4 several calls a day expressing concerns about air and water
5 quality issues related to fracking. Now, I know that the
6 DEP receives some of these calls as well, but I have talked
7 to constituents back in my district in Delaware County who
8 are so desperate that they're looking for someone to
9 intervene, and they are frustrated with the DEP.

10 ATTORNEY GENERAL SHAPIRO: Yeah.

11 REPRESENTATIVE KRUEGER-BRANEKY: How does your
12 office respond to complaints coming from Pennsylvanians
13 about air and water quality related to fracking?

14 ATTORNEY GENERAL SHAPIRO: Well, we take the
15 complaints in, and unlike a consumer issue where we would
16 immediately open an investigation, or we would immediately
17 pursue, you know, a criminal investigation if it warranted
18 that, the issue on environmental protection is much more
19 difficult.

20 Because of the way the laws are written in the
21 Commonwealth, the primary jurisdiction on these matters
22 falls to DEP. And in fact I can't even commence a criminal
23 investigation unless DEP or a local district attorney
24 refers something to me.

25 Now, we do have ongoing investigations, criminal

1 investigations, on the environmental side, but unlike other
2 matters, I can't initiate it without a referral from DEP or
3 the DA.

4 I would leave it to this body to determine
5 whether or not, you know, original jurisdiction makes
6 sense. I happen to think it would make sense. It would
7 allow us to do a better job protecting the environment here
8 in Pennsylvania, making sure there aren't spills, making
9 sure people aren't illegally dumping, things like that.
10 But our hands in many cases, unfortunately, are tied.

11 I know you have been, for example, you know,
12 standing in opposition to the pipeline project because of
13 the negative impact it's having in your community. And I
14 share many of your frustrations, and I have spoken out
15 about those frustrations. But unfortunately, my hands are
16 tied in many ways, both because DEP handles the permitting
17 process and DEP holds all the cards when it comes to making
18 a referral.

19 REPRESENTATIVE KRUEGER-BRANEKY: Right.

20 And to clarify, I have been standing in support
21 of public safety, which is the issue that matters on the
22 ground most in Delaware County.

23 ATTORNEY GENERAL SHAPIRO: Yeah. And that's
24 fair. I didn't mean to put words in your mouth. I
25 apologize.

1 REPRESENTATIVE KRUEGER-BRANEKY: Sure.

2 And I'm hoping -- I know my time is up -- if you
3 could follow up or have a staff member follow up, I'm
4 interested to hear whether you have actually had any cases
5 referred to your office by the DEP or a local DA's office
6 on this issue.

7 ATTORNEY GENERAL SHAPIRO: Well, I would probably
8 not follow up as it relates to any criminal investigations.
9 I wouldn't comment on that. But civil matters, depending
10 upon the confidential nature of it, if we can share that
11 information with you, I will be happy to.

12 REPRESENTATIVE KRUEGER-BRANEKY: Even if it's
13 just an account of how many.

14 ATTORNEY GENERAL SHAPIRO: Okay. Thank you,
15 Representative.

16 MAJORITY CHAIRMAN SAYLOR: Representative
17 Heffley.

18 REPRESENTATIVE HEFFLEY: Thank you, Mr. Chairman,
19 and thank you, General, for being here today.

20 I want to bring us back on focus on the
21 number-one health crisis in the State, because we have very
22 limited time to discuss that. So I want to try to stay on
23 target.

24 With the stats going up, a 43-percent increase in
25 overdose deaths from July '16 to July '17 as reported by

1 Pew, and what we are seeing is 50 percent of these overdose
2 deaths are in some way related to Fentanyl. So heroin in
3 the Philadelphia area and the southeastern part of the
4 State is the purest and cheapest in the nation. They lace
5 that with Fentanyl, and it's a disaster.

6 According to some reports I read through the DEA,
7 they had said that I guess a lot of the drugs that are
8 coming in, because these are coming in from out of -- as
9 well as meth, which is getting to be a huge issue once
10 again -- are coming from outside of the State, many of them
11 running through the Mexican drug cartels.

12 Do you -- first off, I guess a two-part question.
13 I wanted to know what the Attorney General's Office is
14 doing to aggressively address the issue of Fentanyl,
15 because I believe that there's less Fentanyl, there's less
16 deaths. It's a risk assessment.

17 And then also, with the Mexican drug cartels
18 controlling most of these products and illegal drugs coming
19 into our communities, do you find any issues with
20 municipalities or boroughs or local government agencies in
21 not cooperating with either our Federal or local law
22 enforcement or our State agencies in any of these
23 prosecutions when going into areas where a high volume of
24 maybe folks that are immigrants or illegal in this country?
25 Because I feel there's an illegal population that is being

1 vastly exploited as part of this, these crime syndicates
2 which are operating here.

3 So a two-part question, and I didn't get the red
4 light yet, so.

5 ATTORNEY GENERAL SHAPIRO: In 30 seconds or less,
6 right?

7 I appreciate the question.

8 Look, I mean, first let's start with, where are
9 these drugs coming from? We're seeing more and more the
10 drugs are coming off the dark web, I mean literally through
11 the mail. People are ordering it on the Internet.
12 Obviously we're seeing it come on our street corners.
13 We're seeing significant heroin pipelines that are coming
14 from out of State.

15 So, for example, we shut down two heroin
16 pipelines that were coming from New York City all the way
17 through our Commonwealth out to Altoona and Johnstown, in
18 that area -- a million and a half bags of heroin through
19 those two pipelines. We shut that down.

20 And we have been collaborating with other State
21 Attorneys General to shut down some of the major
22 trafficking pipelines to our State. So, for example,
23 working with Michigan on the pipeline into Erie; New York
24 into northeastern Pennsylvania; Maryland and West Virginia
25 up---

1 REPRESENTATIVE HEFFLEY: Okay. If I could, just
2 because I have limited time.

3 But, like, we know these pipelines exist, right?
4 I mean, we hear reports there is X amount of tons of heroin
5 and so much Fentanyl. Like, we know this exists and we
6 know what's coming, and what can we do to more aggressively
7 go after this? Because today, 15 people are going to die
8 in the State of Pennsylvania from overdoses---

9 ATTORNEY GENERAL SHAPIRO: Right. And that's---

10 REPRESENTATIVE HEFFLEY: ---and about half of
11 those are going to be somehow Fentanyl related.

12 And we know that as we cut back on the
13 prescriptions, which we need to do, that there are going to
14 be more people that are searching for heroin, and then they
15 fall into the trap of the Fentanyl.

16 So I guess, I mean, what can we do to more
17 aggressively -- and I know you're working on it, but I
18 think that we need to step this up. We need to do more---

19 ATTORNEY GENERAL SHAPIRO: Okay.

20 REPRESENTATIVE HEFFLEY: ---to protect those
21 folks in our communities.

22 ATTORNEY GENERAL SHAPIRO: And that's what I'm
23 trying to answer for you, which is, you have to have
24 more of a commitment, both financially and from a
25 law enforcement perspective, to collaborate. The

1 collaboration occurs with other States. The collaboration
2 occurs with the Federal Government. The collaboration
3 occurs with our local drug task forces.

4 A few examples of that.

5 Together, working with our local drug task
6 forces, we arrested 7,000 people last year for their role
7 in drug crimes. That's just working with our local
8 partners.

9 In Feltonville, which is a neighborhood in
10 Philadelphia -- I mentioned this before to Representative
11 Donatucci -- we partnered with Homeland Security and with
12 the Feds, as well as with the Philadelphia Police
13 Department, to shut down a massive heroin operation there
14 where we literally took 250,000 doses of heroin and
15 presumably Fentanyl out of a row home.

16 So the key is collaboration. It's one of the
17 reasons why I have asked the Legislature for additional
18 funding for local drug task forces. It's one of the
19 reasons why I'm asking the Legislature to fund the needs we
20 have for agents. I'll give you an example, Representative.

21 When General Corbett took office, he had 40 more
22 drug agents -- you know, Bureau of Narcotics investigators
23 -- than I had the day I took office, and he didn't have a
24 heroin epidemic back then. So part of what we're trying to
25 do is rebuild what was a real depleted workforce in the

1 Office of Attorney General so we can better collaborate, we
2 can put more people out in the streets, and we can have
3 more success.

4 Clearly, arresting five dealers a day, every day
5 I have been in office; a 72-percent increase in diversion
6 arrests; shutting down these pipelines; opening up new
7 avenues to cooperation with the Department of Justice, FBI,
8 DEA, and others, is having a positive impact on the
9 Commonwealth of Pennsylvania. We got a ways to go, but
10 we're making progress.

11 REPRESENTATIVE HEFFLEY: If I could just get one
12 plug in here, and I'm going to be real quick.

13 One of the things, Narcan is very important in
14 saving lives, and I appreciate it. And it's not my
15 frustration with you or anything; it's just my frustration,
16 because these are the frustrations that I hear from the
17 people in my district.

18 ATTORNEY GENERAL SHAPIRO: Sure.

19 REPRESENTATIVE HEFFLEY: But with Narcan, one of
20 the things that I would just mention is, I think it's very
21 important that we get this into the hands of law
22 enforcement with the Fentanyl being so dangerous. And
23 these are folks that are public servants, that are out
24 there, you know, investigating these crimes, that we would
25 provide more and more access to Narcan for our police, not

1 just to save lives but for also their own protection.

2 Thank you.

3 ATTORNEY GENERAL SHAPIRO: You and your
4 colleagues have done a great job of that, of making sure
5 that PSP, local police, and first responders and others
6 have access to it.

7 When we had a big drug bust in Summerdale, also,
8 again, just using this example in Philadelphia to stay with
9 it, we had three Philadelphia police officers and one agent
10 in my office who got hit with Fentanyl and had to be
11 administered Narcan. We had that on our person. Narcan
12 works.

13 But I want to caution everybody, it's not the
14 answer. Just simply reviving people with Narcan over and
15 over and over again is not the answer. We have got to
16 create greater avenues to treatment, and that's going to
17 take dollars and it's going to take time and it's going to
18 take a bipartisan commitment to getting that done.

19 MAJORITY CHAIRMAN SAYLOR: Mr. Attorney General,
20 thank you for that comment, because I think one of the
21 things I'm hearing, particularly from first responders,
22 is they are appearing at people's houses four times a day
23 and the frustration that they have, and also relatives,
24 and they are just wondering about the treatment side, you
25 know.

1 And I agree with you 100 percent on your
2 statement. It's going to take time here to get more beds
3 and more of those kinds of things that we need to do. So
4 thank you for those comments.

5 I do want to remind Members, this is about the
6 drugs and I would like to keep focused on the drug issue
7 today. To me, it's still the scourge. That's so critical
8 to our Commonwealth right now, so I would like to remind
9 Members to please try and stay on topic today.

10 With that, we'll move to Representative Rozzi.

11 REPRESENTATIVE ROZZI: Thank you, Chairman.

12 Good afternoon, General. Thank you for being
13 here. Thank you for your great work in the Commonwealth,
14 truly.

15 When we talk about the opioid epidemic, we go
16 over so many different statistics. But to what extent do
17 you think that it's affecting the children of this
18 Commonwealth?

19 ATTORNEY GENERAL SHAPIRO: Big time, and it
20 breaks my heart, and it affects kids in so many different
21 ways.

22 Roughly 10 percent of the overdoses that we see
23 are under the age of 25. We also see homes absolutely
24 wrecked by their parents, you know, or caretakers who are
25 dealing with children in the house.

1 I mean, I can tell you I personally went out with
2 some of our agents on a recent raid, actually here in the
3 Harrisburg area -- I think it was in Representative Kim's
4 district, if I'm not mistaken -- and we pulled the dealers
5 out of that home. This was now 5:30, 6 o'clock in the
6 morning. Our folks did an incredible job, especially
7 working with the local authorities here in Harrisburg.

8 But what happened after we took the dealers out
9 is what broke my heart, and that is, we had three young
10 children get taken out of that house. And our agents did a
11 beautiful job: put them in the back of our BearCat, made
12 sure they were safe, cared for them, got them to OCY or
13 whatever the children and youth authority is called here in
14 Dauphin County, and got them the help they need. But those
15 kids were living in a house where their parents were
16 dealing drugs.

17 REPRESENTATIVE ROZZI: I see it all the time in
18 Reading, General.

19 ATTORNEY GENERAL SHAPIRO: In Erie recently, we
20 took kids out of a meth lab house where their school
21 lunches were being prepared on the same table as the meth.
22 They could have killed those kids from that.

23 And a big part of what is not getting enough
24 attention here is not just the kids who are dying of
25 overdose, but the kids whose lives are being wrecked by

1 their parents who are dealing and who are using.

2 And when you look at the average age of the
3 person who is dying of a heroin overdose, they're not 15 or
4 18 or 20; they're close to 40, and this is really becoming
5 a generational issue as well.

6 When you're a 16-year-old kid living in a house
7 with a 40-year-old parent or a 35-year-old parent who is
8 using heroin every day, what do you think the chances are
9 that 16-year-old is going to use heroin? Pretty high.

10 REPRESENTATIVE ROZZI: Right.

11 ATTORNEY GENERAL SHAPIRO: Pretty high. And so
12 you have got to deal with this through more education in
13 our schools, through making sure our OCY and other agencies
14 are getting these kids the help that they need. And we
15 have got to be mindful of the cost and drain on the system
16 as a result of these parents dealing and using.

17 REPRESENTATIVE ROZZI: I would like, you know,
18 hopefully to have you continue speaking publicly about that
19 issue, because I think, you know, again, you know, in the
20 work that we do here, sometimes I definitely see our
21 children left behind.

22 You know, children aren't corporations in this
23 Commonwealth. They don't write checks to Legislators, and,
24 you know, they're always left behind, and to me, that's
25 just outrageous.

1 So, you know, I just want to make sure that you
2 continue that great work and exposing that.

3 ATTORNEY GENERAL SHAPIRO: Well, I appreciate
4 it.

5 And look, I appreciate how strong of a voice you
6 have been for kids on this topic, on the topic of sexual
7 abuse and assault throughout this Commonwealth, and I hope
8 you will continue to raise your voice and lift all of us up
9 who are battling this every day.

10 REPRESENTATIVE ROZZI: To my last breath, I can
11 promise you that.

12 One other question. How has the Prescription
13 Drug Monitoring Program helped your office in diversion
14 cases as well?

15 ATTORNEY GENERAL SHAPIRO: I don't think there's
16 a question that it has been the most important tool that we
17 have had available to us. I want to thank the Legislature
18 for their commitment, and the Governor, to getting this in
19 place. It is an incredibly effective tool. It has
20 actually allowed us to more effectively partner with the
21 Feds, with local authorities, to make bigger cases.

22 We literally just had a case yesterday, I think
23 in your area, actually, in Berks County and Lancaster and
24 that region. And, you know, we rely on it every day, you
25 know, many, many times a day. It's very important.

1 REPRESENTATIVE ROZZI: Since I have a couple of
2 minutes, or a couple of seconds left here, I notice that
3 you are part of the PIL Task Force with Attorney General
4 Sessions.

5 ATTORNEY GENERAL SHAPIRO: Yes.

6 REPRESENTATIVE ROZZI: Can you just expand on
7 that a little bit and tell us what's going on.

8 ATTORNEY GENERAL SHAPIRO: Well, again, I stood,
9 as I was mentioning to Chairman Markosek, I stood with
10 Attorney General Sessions, I guess 2 days ago now, when he
11 announced this.

12 Look, the key is greater collaboration and more
13 resources coming from the Department of Justice, and
14 General Sessions has put more personnel into this, more
15 dollars into this. There are more prosecutors in
16 Pennsylvania and agents in Pennsylvania because of the
17 collaborative work that we have done on this. And I think
18 that that is, you know, one of many important initiatives
19 that are underway right now.

20 REPRESENTATIVE ROZZI: Thank you for your great
21 work. Thank you, General.

22 ATTORNEY GENERAL SHAPIRO: Thank you.

23 REPRESENTATIVE ROZZI: Thank you, Chairman.

24 MAJORITY CHAIRMAN SAYLOR: Representative Hahn.

25 REPRESENTATIVE HAHN: Thank you, Chairman.

1 Thank you, General.

2 I'm hearing, we talked about the Good Samaritan
3 Law earlier, and I'm hearing from my local law enforcement
4 that there's a problem. I think the intent of that
5 legislation was that if there were a group of people who
6 were out at a party or had some, maybe were doing criminal
7 activity together and someone overdoses, they call to help
8 the person they're with, and then they don't get prosecuted
9 and neither does the person they call on, because there's
10 always fear, especially among, like, college students, they
11 don't want to turn in their friends.

12 But what they are seeing, the law enforcement is
13 seeing, there was someone at a Wawa who overdosed in the
14 men's room. Someone just walked in, saw them there, and
15 called the police. They could not arrest or cite the
16 person who overdosed because a Good Samaritan called in. I
17 think there was a court case that found that.

18 So I have legislation that is going to limit that
19 scope again, to say there has to be some kind of a
20 relationship between them, that somebody who just walks in
21 and finds someone would not eliminate them from being able
22 to be prosecuted.

23 Do you agree with that, and do you think that
24 would help the law enforcement? Are we hindering law
25 enforcement with the legislation that we have?

1 ATTORNEY GENERAL SHAPIRO: Well, I would have to
2 examine the specifics of the bill. But, look, my view, and
3 I expressed this earlier in response to one of the
4 Representative's questions, it is probably time to review
5 the Good Samaritan Law. But I would review it maybe from a
6 different perspective than what you have, which is to try
7 and create an opportunity to get people into treatment.

8 If that person that you are talking about who had
9 been, you know, who was overdosing, you know, in a Wawa
10 bathroom or what have you, I'm not sure that arresting that
11 person is the answer. Getting them into treatment probably
12 is.

13 Now, if that person was violent, if that person
14 was dealing, that's a different topic. But assuming
15 they're just a user and they're an addict, I don't know
16 that giving law enforcement greater, you know, incentive to
17 arrest that person is the answer. Giving them and first
18 responders greater incentive and ability to get them into
19 treatment is probably a more effective modification to the
20 Good Samaritan Law.

21 Again, I haven't read your bill, I haven't looked
22 at the specifics, but those are my general views on this.

23 REPRESENTATIVE HAHN: But if they are -- if they
24 have a large amount of drugs on them or something, I
25 mean---

1 ATTORNEY GENERAL SHAPIRO: Well, that's a
2 different case. Then if they're dealing, that's different.
3 But if there are no signs that they're dealing, if they're
4 not violent, they're not breaking the law in terms of, you
5 know, aside from using, then I think what we all should be
6 focused on is getting those individuals into treatment.

7 Sure, if they are there with a significant amount
8 of drugs and there's evidence that they're dealing, that's
9 a different story.

10 REPRESENTATIVE HAHN: Okay. Thank you.

11 Thank you, Chairman.

12 MAJORITY CHAIRMAN SAYLOR: Representative
13 Schweyer.

14 REPRESENTATIVE SCHWEYER: Thank you,
15 Mr. Chairman.

16 And I'm going to half lift the phrase that the
17 Chairman is using, and instead of invoking Chairman's
18 prerogative, I'm going to invoke Allentown prerogative and
19 focus my entire questions on these specific issues of
20 what's happening in the Lehigh Valley.

21 You had come to the Lehigh Valley back, I believe
22 it was last August, last September, in and around that time
23 period. And we had a roundtable, and we talked about some
24 of the specific things at the time that we were seeing in
25 the Lehigh Valley.

1 Lehigh County does not have a drug court,
2 although we have a different agreement with our DA,
3 Jim Martin, who I know you know well.

4 I'm just wondering, since that meeting, since
5 that roundtable, is there anything else that we need to be
6 doing differently in the Lehigh Valley, my area,
7 Representative Hahn's area, to continue to push the
8 envelope forward on the issue of opioids and addictions?

9 ATTORNEY GENERAL SHAPIRO: Well, look, I think
10 Jim is doing a great job as DA. John is doing a good job
11 as DA. I mean, there's a lot of good work being done in
12 law enforcement.

13 I think that the RIIC, which Jim leads, is
14 providing really helpful information to those of us in
15 law enforcement, and particularly locally.

16 I guess I would encourage you to, you know, do
17 more when it comes to problem-solving courts, to start
18 them, though I don't want to impose my views if the local
19 authorities are not into it. I think that could be a big
20 help and a big boost in that community.

21 REPRESENTATIVE SCHWEYER: Very good.

22 Any other specific issues for the entire
23 northeast that you're seeing? Is our area hit any harder
24 than any of the other areas of the Commonwealth? Are we
25 facing basically the same amount, the same strife that

1 everyone else is?

2 ATTORNEY GENERAL SHAPIRO: Well, you are being
3 hit harder, and we are seeing that throughout not just the
4 Lehigh Valley but NEPA in general. But I would say, and
5 maybe this is probably outside of your district, the rural
6 parts of that region are being hit particularly hard.

7 And in fact, if you stack up each of
8 Pennsylvania's 67 counties in terms of the percentage
9 increase in overdose deaths, the top 18 of them are rural
10 counties. And so obviously there are some more densely
11 populated areas, like the one you represent, but just
12 outside of that is more rural.

13 I think in these rural communities, we suffer
14 from a few things. Number one, there are not enough
15 treatment beds. Number two, there is not enough police,
16 and I know I don't work for the Pennsylvania State Police,
17 but I would be here advocating for more PSP personnel in
18 rural communities that are not served by municipal police
19 forces. And you need to make sure that there is a greater
20 level of coordination and cooperation.

21 A good example of that, this is not your
22 district, but out in the Cambria County area, we just came
23 in and took over, with the invitation of the local
24 authorities, the drug task force so that we could bring
25 more resources to bear and coordinate in a more helpful way

1 there. I think rural Pennsylvania needs more of that.

2 So I know that's probably less of an issue in
3 your district specifically, but certainly in that region,
4 it's important.

5 REPRESENTATIVE SCHWEYER: Well, thank you very
6 much.

7 And again, echoing the comments of all of my
8 colleagues from a very bipartisan way, I appreciate all of
9 the efforts of your office. It has been an incredible
10 effort on everybody's part. We have a long way to go as a
11 Commonwealth, but I know some of our very finest folks are
12 out there on the front lines doing some great work.

13 ATTORNEY GENERAL SHAPIRO: They are.

14 REPRESENTATIVE SCHWEYER: So thank you, General.

15 ATTORNEY GENERAL SHAPIRO: They are.

16 And I appreciate the work you've done. I mean,
17 you are always here making sure that what we need, we have,
18 and we appreciate that very much. Thank you.

19 REPRESENTATIVE SCHWEYER: Thank you, sir.

20 MAJORITY CHAIRMAN SAYLOR: Representative
21 Everett.

22 REPRESENTATIVE EVERETT: Thank you, Mr. Chairman,
23 and thank you, Attorney General, for being here today.

24 I guess I have kind of two hats on, Judiciary and
25 Appropriations today, so.

1 We were talking about legislation and maybe
2 having to do some tuning up on the Good Samaritan Law. Are
3 there any other, you know, from a Judiciary point of view,
4 is there any other legislation that you would like to see
5 move through the House and the Senate that could help you
6 in this fight against the opioid epidemic?

7 ATTORNEY GENERAL SHAPIRO: I'm smiling, because I
8 wish when I was a Representative someone asked me that
9 question and then it would happen.

10 But no, look, I don't want to step on your toes
11 as the Judiciary Committee or as a lawmaker. I would say
12 that things that would be particularly helpful to us, and
13 we have talked about these in the past, so I'll share them
14 with you.

15 Number one, following up on the grand jury report
16 in the Harrisburg incinerator case, which I think
17 Representative Kim and others -- it has been bipartisan --
18 have been involved in. We need to have local -- we need to
19 have jurisdiction over local public corruption so that we
20 can more quickly get into cases, save taxpayers money, and
21 root out the corruption more quickly.

22 Right now, we need to wait for referrals. And as
23 was the case with the Harrisburg incinerator, a lot was
24 missed over the years because we weren't in there. That's
25 one important thing.

1 Two, I think it would be helpful for us to go
2 and review the law as it relates to sexual assault,
3 particularly of our children here in the Commonwealth of
4 Pennsylvania, and make sure that we can hold people
5 accountable for those kinds of crimes and that kind of
6 conduct.

7 Third, as it relates to the drug issue -- I'm not
8 looking at the Chairman but I can see him looking at me and
9 probably asking me to get back on topic. But you did open
10 the door a little bit, Representative Everett, so I'm
11 taking that opportunity.

12 I think having stronger penalties for people
13 dealing Fentanyl would be very, very helpful. And I
14 probably wouldn't limit it to Fentanyl. I would also
15 include Carfentanil, which we are now seeing creep in to
16 the western part of our State. I mean, it is literally
17 horse tranquilizer, and people are dying from it at an
18 alarming rate.

19 So those are some things that I would strongly
20 encourage the Judiciary Committee under your leadership to
21 work toward, and we would be happy to work with you on
22 that.

23 REPRESENTATIVE EVERETT: I don't think I'm quite
24 the leadership of the Judiciary Committee yet, but.

25 ATTORNEY GENERAL SHAPIRO: To me you are.

1 REPRESENTATIVE EVERETT: Okay.

2 ATTORNEY GENERAL SHAPIRO: You never know.

3 REPRESENTATIVE EVERETT: Yeah.

4 And I think another thing, as was mentioned, I'm
5 going to follow up on the drug disposal bags.

6 ATTORNEY GENERAL SHAPIRO: Sure.

7 REPRESENTATIVE EVERETT: As a rural Legislator, I
8 don't think we have looked at that up in the northern tier
9 too much.

10 And finally, and I know that neither you nor I
11 have medical degrees. We have other degrees. But there is
12 still in rural Pennsylvania with respect to Narcan, there
13 is this opinion that some law enforcement and some EMS
14 folks don't want to be administering it because of the
15 folks coming out of their, whatever their drug-induced
16 state in a violent manner.

17 Can you, just from your experience with your
18 agents and the number of times that you have seen and heard
19 about Narcan being administered, sort of talk about that
20 and maybe help me dispel that myth?

21 ATTORNEY GENERAL SHAPIRO: Yeah.

22 I think that myth has largely gone away, although
23 in the area of the Commonwealth that you represent, I have
24 heard that opinion before.

25 I mean, there are a number of frustrations by

1 first responders and law enforcement when it comes to
2 administering Narcan. Certainly they are concerned about
3 their own safety when that person comes back, although that
4 really has not been a huge issue.

5 Second, there is the frustration that they can't
6 get these folks into treatment and that they are
7 administering the Narcan -- I think the Chairman alluded to
8 this earlier -- time and time and time again on the same
9 individual, sometimes in the same day.

10 The third big issue I hear about, especially in
11 rural Pennsylvania, is when an ambulance goes out and they
12 are called and they administer the Narcan, and the
13 individual won't allow themselves to be transported to the
14 hospital, that ambulance company can't get reimbursed.
15 They can't get paid.

16 And in rural Pennsylvania, I don't have to tell
17 you this, especially in the northern tier, you could drive
18 many, many miles to get there, burn a lot of fuel, a lot of
19 time, potentially take you away from some other emergency,
20 and as a result, you have now burnt that cost and you can't
21 get reimbursed. And so that is something, you know,
22 potentially this body would want to look at in terms of
23 reimbursements.

24 But those are the main frustrations I hear from
25 first responders.

1 REPRESENTATIVE EVERETT: And finally, and this is
2 related to when you talk about getting people into
3 treatment after Narcan or after a number of overdoses.

4 Do you think we need to have a new structure of
5 legislation that would allow folks to be forced to go into
6 treatment? Or, again, I have heard a lot of testimony, as
7 being on the board of the Center for Rural Pennsylvania,
8 from folks who have recovered that until you are ready to
9 go into treatment---

10 ATTORNEY GENERAL SHAPIRO: Right.

11 REPRESENTATIVE EVERETT: ---and ready to
12 participate, it's a waste of time and money to force people
13 to go into treatment.

14 So I'm just, you know, rolling those two ideas
15 around in my head of, you know, we're saying we need to get
16 people into treatment, but until they want to go into
17 treatment, you know, are we trying to lead a horse to water
18 that's not going to drink anyway?

19 ATTORNEY GENERAL SHAPIRO: I think that's a
20 reasonable question. In fact, I testified before
21 Senator Yaw at the rural commission hearing in your area.

22 Look, I think it goes back to the amendments that
23 you all might want to consider on the Good Samaritan Law
24 and think about ways in which you can get people greater
25 opportunities to get into treatment.

1 Massachusetts has been talking about mandating
2 treatment. Now, I mean, there are some civil liberties
3 issues there. There is obviously, you know, some data to
4 say that if someone is not ready for treatment, that no
5 matter how much you force them, it's not going to work.
6 There is some data that shows, look, if you are forcing
7 them and you are sort of leading a horse to water, what
8 have you, that there's, you know, there's at least a better
9 chance than if you didn't do that.

10 I think this body needs to figure out how to
11 balance all of that and get greater, you know, a greater
12 number of beds available for treatment for a longer
13 sustained period of time. And yes, you know, whether we
14 are forcing people into it, mandating people into it, or
15 sort of pushing them along, there has to be a real
16 examination of that. We can't continue to do it this way.

17 You know, we're having great success when it
18 comes to the number of arrests and this and that, and our
19 investigation of the opioid manufacturers and distributors
20 I think is going to yield positive results for
21 Pennsylvania. But until we create greater avenues and
22 access to treatment, we're not going to fully address this
23 crisis.

24 REPRESENTATIVE EVERETT: Thanks, and I agree with
25 you. It's a conundrum that I don't know quite how to

1 unravel.

2 ATTORNEY GENERAL SHAPIRO: Yeah.

3 And I would just say, look, I'm not a public
4 health expert. So there are people, I'm sure, the Chairman
5 could invite to speak on these issues from a public health
6 perspective who would be better than I to address that. I
7 just think logic would dictate, if you have more access to
8 treatment, you are pushing more people toward treatment,
9 you're going to have better results.

10 REPRESENTATIVE EVERETT: Thank you, and thanks
11 for all your work.

12 And thanks -- I know we're supposed to be on
13 topic -- but thanks for all your work on the royalty issue.

14 ATTORNEY GENERAL SHAPIRO: Thank you.

15 MAJORITY CHAIRMAN SAYLOR: Very good.

16 Representative Kim.

17 REPRESENTATIVE KIM: Hi, General.

18 You have been a dog on a bone with this opioid
19 crisis, and again, we appreciate all of your work.

20 Going back to the Mobile Street Crimes Unit---

21 ATTORNEY GENERAL SHAPIRO: Mm-hmm.

22 REPRESENTATIVE KIM: ---I'm glad you were there.
23 I know it's messy and not something you really want to see.
24 And as a father, you saw the kids. And I know that some of
25 those kids growing up, you know, their two options in life

1 is to either sell or use.

2 ATTORNEY GENERAL SHAPIRO: Yeah.

3 REPRESENTATIVE KIM: It's a real problem, and
4 again, I appreciate you seeing that firsthand.

5 With that raid, so to speak, is there any
6 follow-up? And even though I appreciate you working and
7 fighting on the street level, how about the mid-level? How
8 about upper on the food chain?

9 Now, I think you were talking about
10 pharmaceutical boards, but what are you doing to get above
11 the street level and stopping the methadone, you know, the
12 labs and whatnot?

13 ATTORNEY GENERAL SHAPIRO: Oh; sure.

14 I mean, we don't typically deal with just
15 street-level dealers. I mean, I think that's, you know,
16 local DAs and local police and what have you that deal with
17 that. We are really dealing with mid- and higher-level
18 dealers. You know, we're running grand juries. We have
19 wiretaps we use. We have, you know, CIs, confidential
20 informants, and others that we use.

21 We're trying to climb up the food chain, and we
22 have had real success at that. And again, we have had a
23 number of examples in your area and just most recently in
24 Feltonville in Philadelphia. So we are constantly striving
25 to climb higher and higher.

1 We do that with the collaboration of the Feds and
2 local authorities as well, and that's why the sharing of
3 intelligence and collaboration is so key. But we're
4 constantly trying to climb up as high as we can.

5 REPRESENTATIVE KIM: And have you seen an overlap
6 with human trafficking? I know that drugs and human
7 trafficking go hand in hand.

8 ATTORNEY GENERAL SHAPIRO: Yeah.

9 REPRESENTATIVE KIM: Have you been able to break
10 up any of those, I don't know what they are, pimps,
11 whatever they're called, in the human trafficking arena?

12 ATTORNEY GENERAL SHAPIRO: Yeah.

13 Yeah. And in fact, I might take this opportunity
14 to reopen Representative Everett's question, if I'm
15 allowed, in discussing human trafficking.

16 Yes; we have had two major human trafficking
17 cases in the last 2 months or so, and in both cases, the
18 way these young women are taken away from their
19 communities, often from great distances away from
20 Pennsylvania, is they are plied away with drugs. They are
21 oftentimes addicted to heroin, and they are trafficked for
22 sex and they are given heroin to keep them, you know,
23 connected to these criminals.

24 Now, we have shut down two human trafficking
25 operations in Pennsylvania. Part of our challenge there,

1 and again, just returning to Representative Everett's
2 question, is we don't have original jurisdiction on human
3 trafficking cases. The local DAs do. If ever there is an
4 issue for an Attorney General to have original jurisdiction
5 on, it's human trafficking, because really by definition,
6 it crosses county lines.

7 REPRESENTATIVE KIM: Right.

8 ATTORNEY GENERAL SHAPIRO: And so it is really
9 hard.

10 Now, we work really well with the DAs, and when
11 they see these things happening, they refer the cases to
12 us. But that's an area where if we had original
13 jurisdiction, I'm confident that we could do more.

14 And Representative Kim, you are spot on. There
15 is a direct connection between human trafficking and the
16 drug issue, especially the heroin issue, that, you know,
17 you can't ignore. And we would love to have some greater
18 jurisdiction in that area and be able to be even more
19 aggressive about going after human trafficking.

20 REPRESENTATIVE KIM: Thank you for your
21 testimony.

22 No further questions. Thank you.

23 ATTORNEY GENERAL SHAPIRO: Thank you.

24 MAJORITY CHAIRMAN SAYLOR: Representative James.

25 REPRESENTATIVE JAMES: Thank you, Mr. Chairman.

1 Thank you, Attorney General Shapiro, for your
2 comments and testimony today.

3 We have spent a little over an hour now talking
4 about the interdicting of drugs and the dangers of
5 Fentanyl, Carfentanil, heroin, et cetera.

6 ATTORNEY GENERAL SHAPIRO: Mm-hmm.

7 REPRESENTATIVE JAMES: And I agree with
8 everything that has been said on that issue, and yet, here
9 within the last week or two, Pennsylvania has now started
10 to distribute medical marijuana. I happen to be one of
11 those dinosaurs that believes marijuana is a gateway drug.

12 And I'm wondering in your meetings in your office
13 if your advisors and you have discussed whether or not you
14 anticipate any problems arising around these new
15 distribution points. Your comments on that issue.

16 ATTORNEY GENERAL SHAPIRO: Well, the issue of
17 medicinal marijuana was, you know, passed overwhelmingly in
18 the Legislature, a bipartisan basis, signed by the
19 Governor, obviously popular here in the Commonwealth of
20 Pennsylvania, and medically serves an important purpose.

21 Our view is that we need to defend that industry
22 if there is an encroachment on it or an attempt to shut it
23 down by anyone at the Federal level or anywhere else.

24 As for whether or not that will, you know, add
25 to the drug crisis we are facing with heroin here in

1 Pennsylvania, I do not believe that medicinal marijuana in
2 the regulated manner that it is will lead to that.

3 Now, I say that from a purely theoretical
4 perspective, because the industry just got off its feet in
5 the last couple of weeks, I think it was. And I think so
6 long as we limit this to medicinal marijuana at this point,
7 that that should not feed the drug epidemic we face with
8 heroin and opioids right now.

9 REPRESENTATIVE JAMES: Okay. Thank you.

10 And I would like to get on the list for some of
11 those drug disposal bags for Venango County.

12 ATTORNEY GENERAL SHAPIRO: Okay.

13 REPRESENTATIVE JAMES: Thank you very much.

14 ATTORNEY GENERAL SHAPIRO: I was at a farm in
15 Venango County a couple of weeks ago. It was cold. It was
16 really cold. A lot of snow.

17 REPRESENTATIVE JAMES: It's February.

18 ATTORNEY GENERAL SHAPIRO: What's that?

19 REPRESENTATIVE JAMES: You'll have that in
20 February.

21 ATTORNEY GENERAL SHAPIRO: Yeah. I'll be back in
22 Venango County in June maybe, when it's sunny out.

23 MAJORITY CHAIRMAN SAYLOR: Mr. Attorney General,
24 since we have had a number of both sides talk about the
25 drug disposal bags, maybe after the Chairman and I,

1 Markosek and I, finish these hearings, we can have a
2 meeting with former Representative Vereb to talk about how
3 we can work together to assist Members and stuff and how we
4 work that out.

5 ATTORNEY GENERAL SHAPIRO: You can count on it.
6 We'd look forward to it.

7 MAJORITY CHAIRMAN SAYLOR: Thanks.

8 With that, we'll go to Representative Dunbar.

9 REPRESENTATIVE DUNBAR: Thank you, Mr. Chairman.

10 And I will apologize up front, and I know I have
11 heard about Chairman's privilege and Allentown privilege.
12 I don't think I have any privilege, but what I do have is a
13 promise that I made to Representative Kampf, who had to
14 have a family event that he had to attend, that I would ask
15 a couple of questions for him. And they are not directly
16 related to opioids, but there's a slight little stretch I
17 guess I could make, if the Chairman would allow.

18 MAJORITY CHAIRMAN SAYLOR: Yes.

19 REPRESENTATIVE DUNBAR: Thank you.

20 And basically---

21 ATTORNEY GENERAL SHAPIRO: So you're not only
22 asking a question off topic, you're doing it for someone
23 else?

24 REPRESENTATIVE DUNBAR: That's right.

25 ATTORNEY GENERAL SHAPIRO: Hey, that's a new one

1 there.

2 REPRESENTATIVE DUNBAR: Hey, full disclosure, you
3 know?

4 MAJORITY CHAIRMAN SAYLOR: He'll do anything so I
5 don't pick on him.

6 REPRESENTATIVE DUNBAR: And I got away with it,
7 Josh, too. So that's not bad.

8 Anyways, I believe it's in regard to pending
9 legislation. He wanted to know about contingency-fee
10 arrangements, if the AG's Office has any contingency-fee
11 arrangements with any outside law firms.

12 ATTORNEY GENERAL SHAPIRO: We haven't hired any
13 outside counsel during my time. And in fact, we think it's
14 important to be very open and transparent in the process,
15 so we have put together an internal document that would
16 govern how, if we ever did, how we would hire outside
17 counsel, how the fees would be structured, and to do so in
18 a very open and transparent way.

19 Look, there are times where you need the
20 expertise of lawyers who might not be in your own shop, and
21 I think we can all agree that there may be some specific
22 issue that you want outside assistance on. I think what
23 frustrates the public and what you're probably getting at
24 in your question is when there's not transparency, when
25 fees are excessive, and when the taxpayers get taken

1 advantage of, and that's why we put a policy in place to
2 defend against all of that.

3 Now again, this is also theoretical because we
4 haven't hired outside counsel, other than we had to hire
5 local counsel for a lawsuit that we filed in Texas, but
6 that's more of a pro forma issue. I don't think that's
7 what you're getting at in your question.

8 REPRESENTATIVE DUNBAR: No. And the policy, is
9 that something that we can read or get a copy of?

10 ATTORNEY GENERAL SHAPIRO: Uh, I don't know.
11 I'll take a look and make that determination.

12 REPRESENTATIVE DUNBAR: Or just have former
13 Representative Vereb get in touch with Warren on that.

14 We appreciate it. Thank you.

15 MAJORITY CHAIRMAN SAYLOR: Very good.

16 We have one last question from Representative
17 Heffley, who has asked for a second time. So we will give
18 him one question so we can get the Attorney General out of
19 here.

20 ATTORNEY GENERAL SHAPIRO: Is this on his behalf
21 or someone else's behalf?

22 MAJORITY CHAIRMAN SAYLOR: I'm not sure.

23 REPRESENTATIVE HEFFLEY: No, this is on my
24 behalf. And I guess it just goes back to, I'm very
25 passionate about this issue because it is such an important

1 issue.

2 But in my earlier question, and maybe I just
3 didn't give you the opportunity to respond, but in light of
4 the local governments working together with the different
5 agencies, whether it be the Federal agencies or the State
6 agencies, you know, especially with such a large portion of
7 these drugs running through the drug cartels from out of
8 the country who have representatives here, maybe legally or
9 illegally, with the local governments, are they working
10 together or are they taking every opportunity to work
11 together with Federal and State agencies or are they
12 blocking in any way at all to infiltrate these crime rings
13 in those communities?

14 ATTORNEY GENERAL SHAPIRO: I have never
15 experienced a situation where a local jurisdiction or State
16 jurisdiction or Federal jurisdiction wouldn't work with us.
17 And I have never instructed our personnel, from our agent
18 in charge down to our agents, to not cooperate. In fact,
19 one of the things that I preach every day is the importance
20 of collaboration and the importance of working together.

21 Like I said, I mean, today I was standing with a
22 local police chief in Bucks County. Yesterday I was
23 standing with, you know, the Attorney General of the
24 United States of America. I think it's important to work
25 with everyone, and we do that every day in our office.

1 REPRESENTATIVE HEFFLEY: And I'm not citing any
2 particular incident or anything like that. What I'm just
3 trying to get a grasp on is, you hear all across the State
4 and the nation that certain areas want to be set up in
5 certain ways and don't want to cooperate with Federal
6 agencies, whether it be immigration or anything else, and I
7 just want to make sure that that in no way is affecting any
8 of the investigations or anything into the, you know, the
9 Fentanyl or heroin epidemic.

10 ATTORNEY GENERAL SHAPIRO: Yeah. I get what
11 you're asking. That is really outside the scope of what I
12 do, and I can tell you that in the work that I do, whether
13 you're talking about the drug issue, whether you're talking
14 about organized crime, whether you're talking about public
15 corruption or any other issue, we collaborate with our
16 partners, Federal, State, and local. We work really well
17 together. We share intelligence. We share information.
18 And I have never had a situation where an authority or a
19 local authority or State or Federal said, you know, we're
20 not going to work with you.

21 Now, there is sometimes information. For
22 example, I can't share grand jury information with another
23 authority. I don't think that's what you're referring to
24 here. But in terms of just a willingness to cooperate, I
25 have never experienced anything but that willingness to

1 cooperate.

2 MAJORITY CHAIRMAN SAYLOR: Representative Heffley
3 started something here.

4 We have one last question from Representative
5 Boback as well.

6 ATTORNEY GENERAL SHAPIRO: Okay.

7 REPRESENTATIVE BOBACK: Thank you, Mr. Chairman.
8 Thank you, everyone, for your indulgence.

9 My concern is when somebody goes through a meth
10 lab, our first responders, they have to wear a hazmat suit.
11 From what I understand, they can't touch the substance.

12 ATTORNEY GENERAL SHAPIRO: Mm-hmm.

13 REPRESENTATIVE BOBACK: Well, is it Fentanyl, or
14 what is the drug now that I understand if somebody touches
15 a body or somebody who has been using the drug, that it
16 actually absorbs into their skin?

17 ATTORNEY GENERAL SHAPIRO: Okay. So a couple
18 different issues there.

19 I mean, going into a meth lab is very dangerous.
20 The materials are explosive. I mean, literally you can
21 see, especially in like northwestern Pennsylvania, you can
22 see old barns and old abandoned homes that look like they
23 have been on fire. They quite literally were on fire
24 because of these meth labs that exploded. That's one type
25 of danger.

1 The other type of danger, which I think is what
2 you're getting at, is when our agents, police, others, come
3 in contact with Fentanyl or Carfentanil.

4 REPRESENTATIVE BOBACK: That was it.

5 ATTORNEY GENERAL SHAPIRO: And if they touch it,
6 it can absorb in their skin.

7 REPRESENTATIVE BOBACK: Yes.

8 ATTORNEY GENERAL SHAPIRO: It is very, very
9 dangerous.

10 I used an example before about the drug raid in
11 Summerdale where we had to administer Narcan to one of our
12 agents and three Philadelphia police officers, just simply
13 because they came in contact with it.

14 And because we don't exactly know what the
15 substances are when we're out, you know, making a, where
16 there's a raid or a bust or what have you, our folks have
17 to be incredibly careful. And they have part of what I
18 have asked this body for, is for more money for the proper
19 equipment for our folks to have, and they now have it.

20 REPRESENTATIVE BOBACK: Okay.

21 ATTORNEY GENERAL SHAPIRO: And that is something
22 we take great precautions over.

23 Under the Chief's leadership, we have also been
24 administering more technology. We have more technology now
25 around field testing and things like that so we can have a

1 better idea of what we're dealing with when we show up on
2 the scene.

3 But, you know, there is no way around it. When
4 we send our agents out there, they are going into danger.
5 They are coming across substances that can literally kill
6 them, and they need to have all of the equipment, all of
7 the technology, all of the support personnel, to keep them
8 safe.

9 That's why I asked you for the money I asked you
10 for in this budget. That's why I am dogged about pushing
11 the envelope to get us back to where this agency needs to
12 be, so we have the resources we need to go combat this
13 epidemic.

14 REPRESENTATIVE BOBACK: So our first responders
15 then are in-serviced on this? Because, I mean, I could see
16 somebody just going to help a person without having gloves.
17 I mean, are they in-serviced as to how to handle a
18 potential drug? Because as you said, they don't know if
19 they are on---

20 ATTORNEY GENERAL SHAPIRO: Well, I can't speak to
21 how first responders are trained. I can speak to how our
22 agents are trained.

23 REPRESENTATIVE BOBACK: Okay.

24 ATTORNEY GENERAL SHAPIRO: And that is something,
25 under the Chief's leadership, that we have really expanded,

1 a whole new regiment when it comes to training, making sure
2 we have got the gloves and the suits and the things that
3 are needed to keep our folks safe, and we take that very
4 seriously.

5 And based on my experience, observing other
6 agencies, law enforcement and first responders, I think
7 they get it as well in their training as well.

8 REPRESENTATIVE BOBACK: Well, please get the word
9 out from your office, also. I'll do my part, but they have
10 got to know. And I thank you so much.

11 Thanks for your indulgence, Mr. Chairman. Thank
12 you.

13 Thank you, General.

14 MAJORITY CHAIRMAN SAYLOR: Representative
15 Markosek.

16 MINORITY CHAIRMAN MARKOSEK: Thank you, Chairman.

17 And I was thinking, trying to think of a question
18 that I could ask Jen here just to give her something to
19 say. But thank you, General.

20 ATTORNEY GENERAL SHAPIRO: Do you want to jump
21 in?

22 MINORITY CHAIRMAN MARKOSEK: But thank you,
23 General. Thank you, Jen. A great presentation. You
24 handle yourself well.

25 And this is such a difficult, difficult, in many

1 ways intractable problem, not only for Pennsylvania but all
2 throughout the country, and I'm glad to see that you're
3 taking a lead, not only here in Pennsylvania but
4 nationwide. So keep up the good work.

5 ATTORNEY GENERAL SHAPIRO: Thank you.

6 MAJORITY CHAIRMAN SAYLOR: The only closing
7 comment, General, and it's tough not to call you by your
8 first name since I've known you for so long.

9 ATTORNEY GENERAL SHAPIRO: Whatever you'd like.

10 MAJORITY CHAIRMAN SAYLOR: But anyway, one of the
11 things that we found in York County, besides the drug
12 courts, that has been so effective has been helping our
13 veterans with the veterans courts, because a lot of the
14 veterans come back with PTSD, if I have said that
15 correctly, and other things, which they end up on drugs and
16 everything else. So the veterans courts have been a huge
17 success.

18 And I know York County is not the only county
19 that has started these veterans courts, so hopefully we'll
20 be able to also find additional funding for those as well
21 that will help us with this drug problem, particularly for
22 our veterans, as we move forward.

23 I also want to thank both you and Jen for
24 appearing before us today and your staff for all you are
25 doing, and I appreciate your passion for this particular

1 issue. It is one that I agree with you, and I think all of
2 us in the Legislature are trying to figure out in our own
3 local communities how to deal with this and are trying to
4 make sure that we're doing as much research as possible.

5 Because as Representative Everett talked about
6 earlier, what is the acceptable way to do this, whether you
7 tell somebody, for instance, in the ambulance case, you've
8 got to go to the hospital or we're going to have to call
9 the police, and you do 48 hours in jail, which isn't
10 necessary, and I surely am not sitting here recommending
11 it. But I think we have to start looking at multiple
12 things.

13 I have also heard the same thing as
14 Representative Everett, that forcing somebody into
15 treatment doesn't mean that they're going to stay off drugs
16 either. But our first responders are finding themselves
17 just overtaxed with this issue, and law enforcement as
18 well.

19 So I know working together, the General Assembly,
20 the Governor, and yourself, along with all the DAs and
21 law enforcement across the State, we'll find a way. But I
22 know also it's going to take some time.

23 So again, I appreciate all you are doing, and we
24 look forward to working with you and your staff.

25 ATTORNEY GENERAL SHAPIRO: Great.

1 MAJORITY CHAIRMAN SAYLOR: Thank you.

2 And the Committee will reconvene on Monday,
3 March 5th, with the Department of Education.

4 I will give you, Mr. Attorney General, a chance
5 to make any closing comments here quick.

6 ATTORNEY GENERAL SHAPIRO: No. Just, look, I
7 can't tell you how heartening it is to have Members of this
8 Committee, from both parties, come together around an issue
9 as important as this, which, I mean, none of us want to see
10 15 Pennsylvanians die each and every day.

11 And, you know, for as polarized and divisive as
12 our politics can be, to see everyone coming together and
13 being willing to work with one another and work with the
14 Governor and try and tackle this epidemic together, and put
15 real money behind it when I know you have tight budgets, it
16 sends a real message to all of us in law enforcement how
17 important this is to you, and we applaud you for it and we
18 appreciate it.

19 And the fact that you dedicated your, you know,
20 your coveted time here to discussing this issue today means
21 a lot to us. So thank you, Mr. Chairman.

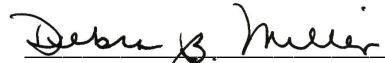
22 MAJORITY CHAIRMAN SAYLOR: Thank you.

23 This hearing is adjourned.

24

25 (At 2:18 p.m., the budget hearing adjourned.)

1 I hereby certify that the foregoing proceedings
2 are a true and accurate transcription produced from audio
3 on the said proceedings and that this is a correct
4 transcript of the same.

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6
7 

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