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## District Judge Andrea Duffy goes into heart of heroin trade in mission to help local addicts

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Montgomery Township District Judge Andrea Duffy stands at the scene of a drug bust by the Philadelphia Police Department Narcotics Strike Force in the Kensington section of Philadelphia.

The streets of the Badlands are aglow with the fiery oranges and reds of a setting April sun as Andrea Duffy stares out the passenger window of an idling Philadelphia police SUV at the wobbly, skeletal bodies shuffling past in layers of rotting clothes, unmoved by the presence of law enforcement in their hellish corner of the world.

Lt. Michael Young of the Philadelphia Police Department's Narcotics Strike Force sits behind the wheel, scanning the scene with eyes that have seen this dismal parade of the downtrodden and addicted for too many days. Months. Years.

Earlier in the evening, Duffy had been reminiscing about her time at Temple Law School at the tail-end of the '80s, shortly before she joined the Bucks County District Attorney's Office in 1990 as a young prosecutor. Around that same time, Young was a freshly minted cop from West Philly who had grown up with Jeff "DJ Jazzy Jeff" Townes. Young had even played the boxing referee in the DJ Jazzy Jeff & the Fresh Prince video for "I Think I Can Beat Mike Tyson," which was all over MTV in the fall of 1989.

Even then, these Kensington blocks were awash with drugs and desperation. It was primarily crack cocaine in those days, with some heroin, too. Now, three decades later, it's the bustling hub of the city's ghastly and well-documented heroin trade — open-air dope markets where death and violence are as constant a presence as the hordes of users who flood the area in unprecedented numbers day and night to get their fix.

Duffy had been in these neighborhoods plenty in recent months, joining other volunteers from the Philly-based Angels in Motion to hand out "blessing bags" — filled with food, clothes, hygiene products, notes of encouragement and information about available resources — to addicts under the elevated train tracks along Kensington Avenue awaiting their arrival.

Those missions had often been grim and heartbreaking. A few days earlier, children ran up to Duffy and asked to play with her long red hair and begged for candy while their parents milled around nearby with glazed eyes, fiending for junk. About 20 feet away, a man quickly injected himself with heroin. It was the first time Duffy had ever seen that in person, and it made her sick to her stomach. She wanted to grab the needle and pull it out of his arm, but she couldn't, and she'd never felt so helpless.

On this particular evening, though, sitting inside the SUV, Duffy was on a different mission, this one shepherded by Young.

She needed to witness the heroin trade for herself.

Intellectually speaking, Duffy already understood. She'd read enough articles and seen enough TV news accounts and talked to enough people to know what's going on. And as magisterial district judge for Montgomery Township and part of Hatfield Township since 2012, she'd pored through enough police affidavits and search warrant applications to get that this part of Philly is

where the scores of people turning up in her courtroom for heroin-related cases — whether simple possession or DUI, or drug-fueled offenses like theft or burglary — were scoring their dope, by and large, and bringing it back to the North Penn area.

But she needed to see the faces doing the buying and the selling deeper within Badlands blocks. The streets and what they look like and feel like and smell like. The places where users go after they've copped. To get as close to all of it as she could, to try to put herself in the shoes of addicts and get a taste of what life is like down here every day and every night, without actually living it. Arming herself with that knowledge was the best way to make a difference back in the suburbs, she believed.

Police radio chatter breaks the temporary silence. A surveillance cop gives a play-by-play of hand-to-hand drug deals involving a couple of sellers, including a bearded guy in a black hoodie. Duffy's all ears, like a baseball fan hanging on every pitch of a radio broadcast.

The voice suddenly turns urgent. "He's moving, he's moving. Go! Go hard, go hard!!"

The SUV lurches forward, barreling toward East Somerset and Ormes streets, one of the most active drug corners in the area. By the time Young gets there, there's seven or eight squad cars parked askew and more than a dozen Strike Force cops handling the bust. The bearded, hoodied man and a woman in a knee-length sweater coat are in cuffs near the stucco wall of an abandoned rowhouse, both sour-faced as police search them.

Duffy hops out of the SUV as officers walk three or four alleged buyers to a police van. Some denizens of the block have their cellphones out, filming the police activity from maybe 10 feet away. Others scowl at the cops and hurl invective from second-floor windows. Small clusters of users watch anxiously, hoping it's not going to be an all-day affair that hampers their ability to score.

A Strike Force sergeant beckons Duffy toward another condemned house on Ormes Street. She steps gingerly past piles of syringes and used condoms sitting next to a decrepit mattress on the collapsing porch, and nearly gags at the stench of urine and feces as cops lead her around the side of the building to the backyard, where she's greeted by heaps of garbage and plenty more syringes and other drug detritus. It's much worse inside this well-known shooting gallery, the sergeant assures Duffy.

Back on the corner, cops show Duffy what they've taken from the man and woman — a Newport cigarette pack stuffed with heroin baggies stamped "Pink Pussy," and a good-sized bag of suspected crack cocaine. Officers poke around ground-level windows and inspect crumpled paper bags on the ground, hoping to find a bigger stash. No luck. A few more minutes later, all the arrested are driven off and the scene is cleared. The corner is deserted.

Duffy and Young get back into the SUV.

Will this enforcement effort curb drug sales here for, say, 24 hours?

“Try 24 minutes,” Young snorts.

It’s less than that. After a short trip around the block, Young pilots the SUV back toward the corner. From up the street it’s evident the place is hopping again. Teenaged look-outs on bikes call out “Cop, cop!” and dealers with cellphones plastered to their ears glare at Young as he glares right back at them.

He can’t linger here. The rest of the Strike Force has moved on to more action a couple blocks away, on Boudinot Street. There, the scene is much the same. More heroin, more arrests. And still more users flowing into the block where they typically score, cigarettes dangling from dejected lips as they retreat into the shadows, deciding whether to wait it out or drift down East Auburn Street in search of another set.

On still another block — as cops cuff a teenage boy with resentment in his eyes, and other officers kick pieces of cinder block in a weed-choked vacant lot during yet another search for stash that looks like the world’s most depressing Easter egg hunt — a pastor steps out of a storefront church, paying no heed to the bleak tableau as he heads up the block. Duffy, a woman of deep religious faith, is aghast, though she quickly realizes that what’s spectacle for her is commonplace for him.

Soon it’s dark. Young slowly pilots the SUV past blocks where the streetlights have been shot or smashed out to obscure the hand-to-hand transactions that appear to be going on in earnest along the inky streets. This is the time of night when so many suburban parents who’ve already spent hours driving around the Badlands searching for a son or daughter caught in heroin’s devilish clutches reluctantly give up and head home, praying their loved one makes it to the morning light.

After a while longer, Young takes Duffy back to Strike Force headquarters in Northwest Philly where, in a large and noisy room, squad members are busy cranking out the night’s reports on old computers and ancient typewriters while others count and bag the night’s haul of drugs and money.

One officer shows Duffy what they’ve taken off the streets during this shift. There’s small glassine baggies filled with powder — most of it likely a mix of heroin and the even more potent synthetic opioid fentanyl, though only the lab will be able to tell for sure later. The bags are branded with stamps like “911” and the smiling, bearded face of basketball superstar James Harden (last year, bags emblazoned with fellow NBA star Steph Curry’s likeness were popular). They go for \$10 bucks on the street.

There’s also tiny plastic cones filled with the same amount of powder found in the dime bags. The caps bear a stamp cops recognize, indicating the contents are likely pure fentanyl. Those cones go for \$5.

The block of Somerset near where the night’s first arrests took place is pulling in roughly \$100,000 a day in heroin sales, one sergeant estimates.

He tells Duffy that of the 21 people arrested tonight and transported downtown — a couple dealers, the rest buyers — six are from the suburbs. Most of the users will be let go soon without being charged; the already overloaded Philly criminal justice system can't handle them. The dealers will probably be out by the next morning, he says. It won't be long before nearly everybody's back on the streets, picking up right where they left off.

“It was terrible, but I needed to see what I saw down there,” Duffy says later. “I needed to see how these deals went down. I needed to understand the whole system down there, how rampant it is. The looks on everyone's faces. All the needles everywhere, all that poison everywhere. Everything about it. I needed to soak it all in.”

“I consider my approach to be extremely personal with addicts,” she continues. “If they want to talk to me about their plight, I know that I can have a better, more informed conversation with them if I've actually seen that life. It's so important for me to get off the bench and down into the reality of what's going on out there. How else am I going to talk to addicts and be in tune with what they're saying, and let them know that I really understand what's going on and that I can actually help them? DARA doesn't really work if people don't buy in. And it starts with that connection.”

## **FILLING A VOID**

A mother of four, Duffy considers DARA (short for Drug Addiction Resource Alliance) her “fifth child.” Officially named in 2016, but first conceived and put into practice more than two years ago to try to combat a worsening opioid epidemic, DARA is a collective of more than two-dozen agencies in Montgomery County working in harmony, with Duffy at the helm, to overcome myriad barriers — logistical, financial and otherwise — to getting opioid addicts who've been arrested and brought before her on drug-related offenses into treatment as soon as possible.

Included in the DARA network are detox locations like Eagleville Hospital and the Valley Forge Medical Center; inpatient and outpatient facilities such as Gaudenzia, Livengrin, Penn Foundation, Renew Family Services, and the Malvern Institute; and other agencies that provide mobile assessments, referrals, holistic care, support groups and more, all available for any addict willing to seek help.

Representatives from all the agencies are in daily contact with one another, and meet regularly with Duffy, in order to coordinate efforts to get users into treatment as quickly as possible after their arrest.

“Treatment is it,” Duffy says. “When there is an arrest, there's the treatment, and then there's hope. Arrests without treatment does not work. I don't have all the answers, and I don't know anyone who absolutely does, but I do know that we're not doing enough. We are not going the right way now.”

Indeed, Duffy established DARA due to the dearth of other official mechanisms in the region to divert addicts into treatment with urgency. Yes, there's Montgomery County's Drug Court, but

given the way the system operates, qualified admission into that program at Common Pleas court doesn't occur for several months after an arrest — plenty of time, as Duffy has sadly discovered, for an active user out on the street waiting for their next court date to succumb to their addiction.

In other parts of the country, there are protocols in place to get users into treatment fast and without feeding them into the criminal justice system. [Law Enforcement Assisted Diversion \(LEAD\)](#), for example — a collaborative, privately funded harm-reduction program between cops and community agencies to address low-level drug crimes started in Seattle in 2011 that has since spread to Baltimore, Albany, Santa Fe and a handful of other cities after researchers reported in 2015 that with Seattle's LEAD, participants were 58 percent less likely to be arrested again than those following the usual path of processing, jail and court.

With LEAD, arresting officers can immediately redirect users to treatment and a variety of other services — housing, job training, mental health support, and more — instead of booking them, if the user opts for that over jail (and many do, naturally). The goals, according to LEAD, are “to reduce the harm a drug offender causes him or herself, as well as the harm that the individual is causing the surrounding community.”

But there's no LEAD in Philadelphia and its immediate suburbs, owing perhaps to the fact that the current scope of Philly's heroin trade dwarfs that of the aforementioned cities.

According to the LEAD National Support Bureau, Philly is one of the cities exploring the idea of LEAD, but nothing has been implemented yet.

“We're always looking at everything that's out there, and if someone comes up with something that works, we want to use that,” said Philadelphia Police Department Deputy Commissioner Dennis Wilson one recent afternoon, adding that he had just gotten off a conference call with other local officials about trying to get a diversion program going for buyers.

“It's not totally enforcement — we understand the big picture, so we're evolving,” Wilson said. “We definitely realize that locking up these buyers doesn't help them much, and if we can get them help, that would be better for the whole situation.”

But until such programs are embraced and put into use, the arrests and all the usual ways of doing things are still in effect, even if they don't seem to be doing all that much good. “We lock up large numbers of people, we may get a very temporary slowdown, and then we'll see the sales again,” Wilson laments. “It's a flood of money coming in and there's always going to be someone who's willing to risk arrest and multiple arrests to sell (drugs) there, and the users, they're addicted, so they're not scared of being arrested. But we still have to be down there and putting the resources in, because you can't just leave it be.”

“Law enforcement cannot back off of this until we have something in place that's going to stem the tide of this epidemic,” agrees Lt. Alex Kromdyk, acting chief of the Lansdale Police Department. “Police on the street are mandated to enforce the law, as it's always been. But we as a society have to come up with a better solution.”

DARA is one solution within the existing constraints, Duffy believes.

“We can’t ignore the (drug) supply, we have to have the police out there doing what they’re doing, but we have to stop sending (dealers) customers,” Duffy says. “We do that by making sure the customers no longer feel that they need the product. That has to be the goal.”

And, she stresses — while alluding to the DARA slogan “Getting Help Where You Live” — this is most certainly a local issue.

“This is not some distant problem, this is not other people who are just passing through our area and getting arrested — these are our people,” Duffy says, noting that more than half of the hundreds of heroin-related cases she deals with at her court every year involve North Penn residents. “Philly is where my neighbors are getting their drugs,” she says. “I’ve got to do something about it right here, so I am.”

## **FINDING HELP**

DARA has its roots in a procedural change Duffy found tragically necessary in 2015. At that point, individuals arrested and charged with ungraded misdemeanor drug offenses — simple possession of illicit substances or drug paraphernalia — were typically being issued summonses by mail to appear in court for preliminary hearings (unlike Philadelphia, most people caught possessing heroin, syringes, even dime bags with dope residue get charged). But Duffy noticed that hardly any defendants in heroin cases were showing up in her courtroom on the appointed day.

“I asked my staff to take the two-week pile of no-shows and look into them,” Duffy re-calls. “They came back and said, ‘This person is dead, and this person is dead, and—,’ and I went, ‘OK, that’s enough, we’re not wasting any more time.’ I started thinking to myself, ‘I have the ability, working here in the trenches, I’m going to do something about this.’”

The first thing she did was talk to Montgomery Township and Hatfield Township police about forgoing the summons and bring arrestees — not only in possession cases but any case, from DUI to retail theft, in which the underlying motivation for the alleged crime was addiction — before her for preliminary arraignment shortly after they were taken into custody.

“I said to (police), what we’re doing is not working, people are dropping, and I can’t help them if they don’t show up here,” Duffy says. “We discussed how we could do some-thing so that their policework wasn’t going for naught, that we’re not seeing repeat of-fenders because they’re not getting the help they need. It was a lose-lose position, so they agreed to do that.”

The next step was getting addicts brought before her into treatment, and for that Duffy decided on a carrot-and-stick approach: After reading the charges levied against them, she’d set a cash bail of varying amounts at her discretion — meaning the defendant would be committed to county jail to await their preliminary hearing unless they could post cash or bond — but tell them that in lieu of ponying up any money, they could agree to go into inpatient treatment if they wanted help overcoming their addiction.

More often than not, people wanted the help and took the deal, Duffy says. “I’d see them first, I’d see them raw, I’d see them begging for help, and you have to strike while the iron is hot to help them,” she says.

Some expressed skepticism that Duffy could really get them the treatment they said they wanted. “They’d say to me, ‘I’ve already tried to get help, I don’t have insurance, I don’t have a car, I don’t have a family, I don’t have a job, I don’t even have a dime. There’s nothing you can do to help me.’ And I’d say, ‘I get all that, and I can help you.’ And they’d be shocked.”

Then, while the defendant was still in the courtroom, Duffy would start working the phones at the bench, calling provider after provider, agency after agency, to find out what kind of space, funds, and transportation was available.

At the outset of this new approach, she admits, it could be incredibly difficult to get people into detox or rehab facilities amid an exploding opioid crisis in which the demand for beds in the county was outstripping the supply. The funding piece is often difficult, too: According to the Montgomery County Office of Drug and Alcohol Programs, by Pennsylvania regulation the pool of county funds earmarked for drug treatment services is reserved for those for who have no other payment avenue, such as personal savings, private health insurance, or Medicare/Medicaid. Individuals have to be assessed to determine if they’re eligible for county money, and that can take time.

“When I was first trying to get people inpatient, it seemed like it was taking hours and hours, and I’d be like, ‘This is the most frustrating experience, I can’t believe this,’” she says. “As someone who had never been through that process, when people were saying they were trying for months and couldn’t get help, I was still kind of in disbelief about that until I tried to do it myself with them standing there and I went, ‘Oh my Gosh, all of this bureaucracy, all of these questions, all of these waiting periods, all of these obstacles...it hit me like a ton of bricks. But I’m a person who really does have to walk in another person’s shoes to get it.’”

Sometimes she’d luck out and find a bed while the defendant was still in the courtroom. Other times, the defendant would have to go to jail until a bed opened up or funding was obtained. Setting unsecured bail and letting an addict walk immediately after the arraignment, however, wasn’t going to happen — even if they swore up and down they’d go seek treatment on their own.

“My way was never going to be, ‘Oh, you say you’re going to get help? Let me let you out on the streets and we’ll just hope that you do,’” Duffy says. “They don’t. They usually just disappear. Jail and treatment are together for me. I don’t want anyone spending any time in jail at all. I really don’t. But if I don’t put that piece in there, if you don’t have jail hanging over your head, you’re not going to choose the inpatient. It’s a choice. I can’t force you into inpatient treatment. But I can help you, if you want it.”

“And I’d make a promise to them that I’d do everything in my power, even if it’s on a weekend, to contact the people that need to be contacted to get them a bed as soon as possible,” Duffy continues. “I wouldn’t just abandon them in jail.”

She set detailed bail conditions and met with Montgomery County Correctional Facility officials to ensure that when a bed was found, funding secured if need be, and transportation sorted out, the defendant would be released from jail straight to treatment without having to post bail. “They cannot release them to anyone other than a treatment facility, a provider who is going to transport,” Duffy says. “There is no family member or friend that’s allowed to do it, no one other than the treatment facility themselves, and they need to supply all the required documentation to inmate services and the jail.”

Duffy says it became habitual for her to make phone calls to providers at all hours of the night to fulfill her promises. “Something would always be in the works before they left my courtroom — meaning I’ve gotten all the personal information I need from them, whether it be their health insurance or lack thereof, or whatever else I need to authorize things right away — so that they don’t have to be in jail any longer than they have to.”

Sometimes, she says, she’s able to find a bed for a defendant the same day as the arraignment; other times it might take longer, but their jail stay rarely exceeds a few days.

“I have not failed anyone who has chosen inpatient,” she insists. “I have always gotten them in, whatever it takes.”

Since that start nearly two years ago, the DARA network has gotten bigger and more efficient, Duffy says. Some of her DARA contacts monitor an array of treatment facilities, calling numerous times a day to find out if a bed has opened up, and if one does, they immediately notify the judge. Even with an overall shortage of beds, Duffy says beds open up constantly, it’s just a matter of being persistent. And sometimes lucky. “(The bed situation) can change in a minute — people sometimes walk away from a treatment facility against medical advice. There are sudden openings all the time.”

Duffy says she’s consistently amazed by DARA contacts who manage to find funding sources for addicts, including scholarship and grant money, “seemingly out of nowhere.”

Through all of it, Duffy stresses, “I am in no way dismissing (criminal) charges in any of this. I send them to treatment so they can have productive and hopefully healthy lives awaiting whatever might happen to them at Common Pleas court. So that they can tell the judge that they have been in treatment and that they are in recovery. That certainly will affect their sentence, no doubt, but I’m trying to keep them alive. I’m trying to get them the help they need so that they are still with us when it comes time for their Common Pleas court date.”

## **MAKING A CONNECTION**

Not everyone is thrilled at having to pick treatment or jail, with no Door Number Three that lets them go straight home from Duffy’s courtroom. Occasionally, a defendant will cuss her out when faced with that choice. Others try a different tactic.

“They’ll try so hard to convince me that they have (their heroin usage) under control,” Duffy says. “But no one just dabbles in heroin — it’s not a drug you can use recreationally.”

Duffy admits that during her early days on the bench, “I had been burned many times by the people who tried to sell me a story. Addicts are the best con artists in the world, and they’ll try to convince you to give them unsecured bail. You say, ‘OK, within seven days you’re ordered to get that (drug) evaluation,’ and they say, ‘I’ll do it.’ But they don’t. Maybe in the beginning, when I was trying to believe in them and I was a little more naive, I’d do the unsecured bail, but not anymore. But they think that if they tell enough stories that I’m going to trust that they’re going to go out on their own and get help.”

Richard, a 29-year-old Lansdale resident who spoke on the condition his full name not be used, says that he was one of those people with little interest in treatment and zero interest in jail.

“I was really just hoping to go home,” he says of standing before Duffy in January shortly after being arrested when cops found him in possession of heroin and cocaine following a traffic stop in Montgomery Township. “I tried just about everything. I was like, ‘I swear to God, I’ll never touch it again! Please don’t send me to jail.’ I mean, when people first go in front of her they’re gonna be stubborn, even me, before I realized what was going on and she started talking about rehab. I didn’t want that at the time. Some people aren’t gonna want to, and they’re gonna protest, lie, find any way they can to get out of it.”

But in those situations, Duffy says, she tries to establish a connection, to break through that wall of stories and lies — through her genuine empathy and by leaning on the knowledge and experience she’s gained talking to addicts in her courtroom and on the streets and seeing the drug trade up close and personal and recognizing so much of what it entails.

“I can send them to inpatient, but if their heart isn’t in it, then it’s probably going to be useless,” she says. “But if I can connect with them, and tell them that I understand where they’ve been and how they feel, and the hopelessness they feel... I think they can talk to me and they can realize I’m not just this judge who sits up here and is out of touch. I think it’s really important from their perspective to realize that I get it, because it’s not even just whether I can discern if they’re handing me a story, it’s that they see that I not only care, but I’ve seen the life that they’ve been living. That connection can make a difference whether they’re going to actually take advantage of what I’m offering them and run with it, and that they believe me when I say, ‘I understand how bad it’s been for you, I understand the frustration, how you believe there’s no hope, but I’ve seen that there is.’”

“I’m not going to pretend that this journey I’ve been taking is gonna make me understand what an actual heroin addict feels like, but I’m closer than I’ve ever been and I’m closer than a lot of people get,” Duffy says. “You have to find out everything about addiction, at least the most that you can, in order to best help people.”