

COSBY TRIAL: DAY 3



Andrea Constand is cross-examined by defense attorney Angela Agrusa during the third day of the Bill Cosby criminal trial Wednesday at the Montgomery County Courthouse in Norristown.

Constand denies relationship

Andrea Constand's mother also took the stand Wednesday, describing a phone conversation she had with Cosby after learning of the alleged assault.

By STAFF and WIRE REPORTS

The woman who accused Bill Cosby of drugging and violating her more than a decade ago stood by her story on the third day of his trial for aggravated indecent assault Wednesday, withstanding hours of often ponderous cross-examination that didn't produce the stumbles for which the TV star might have hoped.

Calm and composed, Andrea Constand brushed off suggestions she and Cosby had a romantic relationship before the March 2004 encounter at his Cheltenham home.

Cosby lawyer Angela Agrusa drew attention to inconsistencies in the woman's early statements to police. Agrusa needled Constand over a three-month discrepancy between the date she originally said Cosby sexually assaulted her, January 2004, and the revised date she gave police in another interview months later. But Constand said she got confused and initially thought the episode happened in March 2004.

"I was mistaken," Constand testified. Montgomery County District Attorney Kevin Steele pinched the bridge of his nose and stared at the table as Constand gave the response.

Agrusa also pored over phone records that showed numerous contacts between Cosby and Constand. The defense said Constand called Cosby 53 times after the alleged assault, including one call that lasted 20 minutes.

Video online

Check out our daily coverage from the courthouse



With assistance from his aide, Bill Cosby arrives for the third day of his sexual assault trial at the Montgomery County Courthouse in Norristown on Wednesday.

Meet the barber of the Bill

Commentary

Phil Gianficaro

The blue Acura raced down Swede Street past the Montgomery County Courthouse in Norristown, the late spring rain spraying from its tires and ugliness spraying from its driver.

"Guilty! Guilty! Hang him!" the male driver, who was white, shouted out his window before speeding away.

Not a big Bill Cosby fan, I thought, as I stood on the sidewalk with the assembled media and assorted interested parties wondering when — and I hesitate to suggest, if ever — that

degree of hatred will end. Call it a hunch.

Another hunch is the driver might be the type of person who would've read the recent reprehensible news about a noose hanging inside the National Museum of African-American History and Culture in Washington, D.C., on two separate days and reacted to it by cracking open a celebratory beer. I'm not just whistling "Dixie." But he might.

See PHIL, Page A4

Barrier\$ to Betterment



BILL FRASER / PHOTOJOURNALIST
Danielle Voight talks to an attorney during an event where staff lawyers from Legal Aid of Southeastern Pennsylvania and volunteer attorneys provide free legal help to area residents in need.

Legal aid hard to come by for poor

Some are having trouble finding a lawyer for civil cases, and it might get worse.

By JO CIAVAGLIA
STAFF WRITER

Since she became homeless two years ago, Renee has felt invisible. And without a copy of her birth certificate, she essentially is invisible to government agencies.

Renee, who didn't want to give her last name, said she lost her belongings — including her purse with identification and government paperwork — when the Bristol Township tent city where she was living was bulldozed in January. She recently moved into the Family Service Association's Bucks County Emergency Homeless Shelter, which requires residents obtain proof of identification — but works with people like Renee to help them get it.

"I'm starting over," she explained. "Everything you do, you need ID. I have nothing."

Renee is among countless Pennsylvanians who face life-changing legal problems but can't afford a lawyer. She's also one of a dwindling number of people who can get free assistance through Legal Aid of Southeastern Pennsylvania, a private nonprofit that provides civil legal services to the lowest income residents of the Philadelphia suburbs, including Bucks and Montgomery counties.

"Not surprisingly, people who have to go to court or have legal problems and don't have the benefit of legal counsel, let alone advice, are put in a much more vulnerable position to be taken advantage of (by plaintiffs and their lawyers)," said Elizabeth Fritsch, executive director of the Legal Aid of Southeastern Pennsylvania.

And the situation could get worse, she and others worry.

Video online

Legal experts discuss issues of declining funding for civil legal services for the poor

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72°
47°

Some sunshine giving way to clouds.
B3

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6 53310 00001 9

\$70,000

\$65,000

\$60,000

\$55,000

\$50,000

\$45,000

The United Way of Bucks County continues to accept donations toward BKO!Hunger's unmet fundraising goal. Canisters will remain in place through Friday, June 27. Donations may also be made online at uwbucks.org/bkohunger or by check to United Way of Bucks County (Bucks Knocks Out Hunger in subject line) and mailed to UW Bucks, 413 Hood Blvd., Fairless Hills, PA 19030.

House lawmakers pass bill to create voluntary regulations for recovery houses

By JO CIAVAGLIA
STAFF WRITER

Pennsylvania lawmakers have taken a step toward establishing a statewide voluntary certification process for homes for newly sober drug and alcohol abusers, but two Bucks County representatives said the bill needs tweaks to make it stronger.

The state's Department of Drug and Alcohol Programs would be responsible for creating the guidelines for inspection and certification of recovery homes, under House Bill 119, which the House unanimously passed Wednesday. DDAP is responsible for the licensing and oversight of drug and alcohol treatment programs and centers in the state.

Introduced by Rep. Aaron Kaufer, R-Luzerne, the bill would disqualify recovery house operators and owners who fail to obtain certification from receiving state or federal funding, and require licensed treatment centers and programs to refer clients to only certified recovery homes. The bill would bar recovery house owners or employees from requiring residents to sign over any public assistance benefits.

The bill also would limit a single owner to operating no more than five recovery homes, require criminal background checks for owners and

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Houses

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employees, and bar individuals convicted of specific crimes from operating certified homes.

An array of recommendations from the state's Certified Drug and Alcohol Recovery Housing Task Force released last year — ethical standards, physical and structural requirements for houses, procedural and organizational standards, safety, good neighbor and enforcement policies — also are included in the bill.

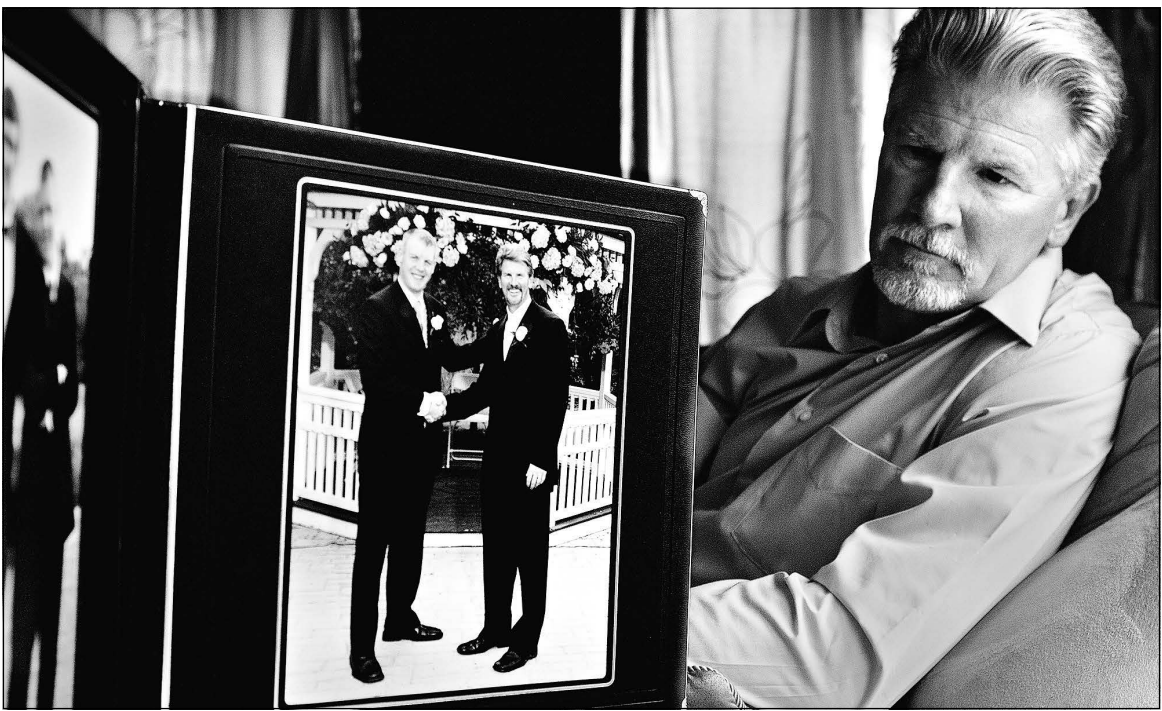
Kaufer's bill now moves to the Senate, where a similar bill has been introduced.

Like most states, Pennsylvania has no operating standards, employee training requirements or review protocol for recovery and sober living homes, which are supposed to provide structured, drug-free housing and support for recovering substance abusers as they rebuild their lives after treatment or prison. Recovery house residents are protected from discrimination under federal housing and disability laws, which makes imposing regulations difficult, local and state officials have said.

The lack of government oversight has made it difficult for recovering addicts, their families and local officials to learn much about recovery houses, including where they're located, who runs them and if they provide the sober and safe environment that those who treat substance abusers say is critical to lasting sobriety.

At least 122 confirmed recovery houses were operating in Bucks County last year, according to an analysis by this news organization. More than three-quarters of them were in Bristol Township, where they have faced intense public scrutiny.

Bristol Township police responded to 17 medical dispatch



(File) Leonard Spearing's son Leonard, pictured with him at a 2007 wedding, died of a heroin overdose at age 33, six days after he was released from a drug rehab in Philadelphia to what Spearing says was a recovery house in Bristol Township. The home's owner denied that it was a sober house.

calls for overdoses at recovery houses last year, including two deaths, according to Lt. Ralph Johnson. Last month, Bucks County detectives charged a 25-year-old man with selling drugs in the Middletown recovery house where he lived. The charges came after two house residents survived overdoses of heroin mixed with fentanyl and other residents claimed they bought drugs from the man.

On Wednesday, Rep. Frank Farry, R-142, of Langhorne, who has advocated for recovery house regulation since 2013, called the House bill a good first step, but said that both it and a companion Senate bill need work. He wants to see stronger language in the bill, including a provision that county probation and parole offices could place offenders under its supervision only in a state certified

recovery house.

"It's absolutely a step in the right direction," Farry added. "There is good stuff in (the bill) but it doesn't get fully to where I think it needs to be. It needs to be tightened up."

Rep. Tina Davis, D-141, of Bristol Township, said that she worked with Kaufer on his bill and that some of its amendments came out of recovery house bills that she had also introduced.

"I'm happy that it's a start. At least we're on the books for something," Davis said.

But Davis is disappointed that two major provisions in her bills are not included: a mandatory annual inspection of houses to maintain certification and language that would include penalties for licensed treatment centers that refer to uncertified recovery residences. She also expressed concern

that DDAP has indicated it wants to limit the number of certifications to 500 homes.

Recovery house owner Bryan Kennedy said he and other members of the Bucks County Recovery House Association provided insight and direction to lawmakers drafting the certification bill.

"We support certifications of recovery houses in hope that it shuts down some of the poorly run rogue houses in our community that give the recovery house community at large a negatively tainted reputation as a whole," said Kennedy, who chairs the recovery house association. "A recovery house should be held accountable in providing what they claim to provide."

Local parents whose adult children had fatal overdoses in places they thought were regulated recovery houses said the effort to bring

standards and oversight to recovery houses and sober living homes is long overdue.

Horsham resident Leonard Spearing lost his son, also named Leonard, 33, from a drug overdose in November 2015, less than a week after he left drug rehab and entered what Spearing believed was a recovery house in Bristol Township. The home's owner, whose application to open a recovery house was denied for zoning reasons, has denied the shared residence was a recovery house, though county 911 records as far back as 2012 listed it as one.

Spearing said he is glad the recovery house legislation is moving forward, but strongly believes it needs to include language that would require any resident receiving any public assistance, such as food stamps or Medicaid, to only live in a certified recovery or sober living home. Similarly, he believes that treatment centers should recommend only certified recovery homes and inform clients or family if a home is not state certified.

Middletown resident Angelina Lafaro Mundy was pleased to learn the House bill would bar house owners and employees from requiring residents to turn over public benefits. Her daughter Katelynne Sheaf, 27, who fatally overdosed in the same house as Spearing's son in June 2015, used her food stamps to pay rent in recovery houses, she said. Lafaro Mundy also called criminal background checks for owners, operators and employees crucial.

She added that she cannot see why a legitimate recovery home operator would not get state certification.

"Even as a first pass, which may need tweaking, this bill is a step toward securing a safer and more regimented environment which will encourage continued growth towards recovery," she added.

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Barrier

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By the numbers

In his 2018 federal budget proposal, President Donald Trump would eliminate funding for the Legal Services Corp., a federally funded national organization that provides most funding for civil legal services for the poor.

That cut, combined with proposed reductions in federal Community Development Block Grants, would reduce Legal Aid funding by 40 percent, according to Ann Tydeman-Solomon, development director for Legal Aid of Southeastern Pennsylvania.

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The result of those cuts alone would be "thousands" fewer people who could be served, she said, and a widening of the civil "justice gap" experienced by the poor.

The proposed federal funding loss would follow a decade of significant erosion of civil legal resources for the poor in Pennsylvania.

State appropriations for civil legal services for the poor have dropped 26 percent since the 2007-08 fiscal year, to about \$20 million, according to Sam Milkes, executive director of the Pennsylvania Legal Aid Network, which distributes funding for indigent civil legal services in the state.

Other government and private funding also has declined significantly since 2008, according to a 2014 report to the Pennsylvania Senate Judiciary Committee.

One of the most dramatic declines was in the Interest on Lawyers Trust Accounts, which fell to \$1.45 million last year — down from \$12.2 million in 2009. The account is a pool of money generated from interest on lawyer trust accounts. Attorneys aren't legally able to make money from client funds, so the funds are deposited in the IOLTA when they'd earn less interest than the cost of opening and closing an interest-bearing account.

Before the recession,

money from the attorney trust fund accounted for roughly one-third of the state's Legal Aid funding, Milkes said.

Now, it's one-tenth.

The one exception to the losses was a \$200,000 increase in Pennsylvania's appropriation for civil legal services for the poor. That raised the state's contribution to \$2.66 million, but that's less than half of what is needed, Milkes said. And Gov. Wolf's budget proposes no additional money for 2017-18.

Less money; less help

Lack of funds means fewer attorneys to provide free legal assistance.

Statewide, about 100,000 Pennsylvanians receive free legal representation each year, but nearly 2 million who sought help and qualified didn't get it due to lack of Legal Aid funds. Last year alone, Legal Aid of Southeastern Pennsylvania reported that it turned down more than 12,000 otherwise eligible residents because it didn't have enough staff to assist them.

"We have to pick and choose those cases where we think we'll have the most impact. It's hard to say no to people, but we have to do it," Fritsch said. "The bottom line is that we have had less funding over the past several years and so have had to cut back on our cases."

Those who get help are the poorest of the poor, earning no more than 125 percent of the federal income poverty level, or \$15,075 for a one-person household this year, according to Legal Aid. That number doesn't include domestic violence victims, who are assisted

regardless of income, according to the Pennsylvania Legal Aid Network.

Civil legal matters can include child custody disputes, mortgage foreclosures, tenant disputes, personal bankruptcy, unemployment or Social Security Disability claims, and other such matters.

Even something as seemingly mundane as obtaining a copy of a birth certificate can require legal help — and Renee was one of nearly 50 people who registered for free legal help at an event that was co-sponsored by Legal Aid of Southeastern Pennsylvania and the Bucks County Bar Association. Legal Aid staff attorneys and volunteer lawyers from the bar association provided the help at the May event.

How hard can it be to get something as seemingly simple as a copy of your birth certificate?

Karl Johnson and Justina Brewington, who were among two dozen walk-ins seeking help at the May event, offered an explanation.

Without state identification, they couldn't get copies of their birth certificates. Without his birth certificate, Johnson couldn't get a state ID card, which he needed to get a job. And without a job, he couldn't afford the \$20 the state charges for a birth certificate.

"We're stuck," said Brewington, who recently moved into the homeless shelter with Johnson and their infant son.

Fighting for funds

State Sen. Stewart Greenleaf Jr., R-12, of Willow Grove, chairman of the Senate Judiciary Committee, has been a staunch advocate for improved funding for indigent civil defense and has introduced legislation to continue the 2002 Access to Justice Act and ensure it provides adequate funding.

The Pennsylvania Legal Aid Network found the \$53.6 million invested in Pennsylvania's indigent civil legal services in 2011 yielded \$594 million in income and savings for state residents and supported 2,643 jobs by helping people access federal programs that provide housing, unemployment, disability or Social Security benefits.

The Legislature hasn't taken any action on recommendations to boost funding for civil justice representation, Greenleaf said.

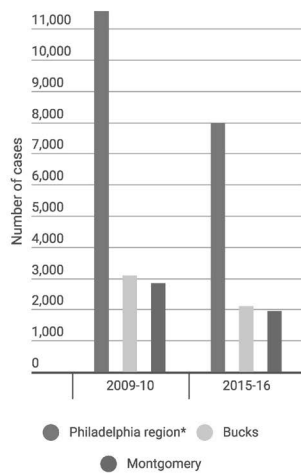
Meanwhile, people who can't get help from Legal Aid are referred to local bar associations, which refer them to private attorneys who have agreed to charge reduced rates for financially qualified clients.

The Bucks County Bar Association has 36 attorneys in its Civil Marginal Income Program, said Lynn Abbonizio, the referral service administrator. The agency doesn't disclose income guidelines to the public and considers only people who are referred from Legal Aid. Last year, the program referred 139 individuals to participating attorneys, down from 207 in 2010, Abbonizio said.

The Modest Means Legal Access Project is a joint project of the Montgomery County Bar Association and Legal Aid. Participating attorneys offer reduced fees to qualified clients for civil matters, according to Nancy Walsh, coordinator of the association's Access to Justice program. Last year, about 300

Less money, fewer served

Funding declines have meant Legal Aid of Southeastern Pennsylvania is handling fewer cases in the Philadelphia region than it did six years ago.



*The Philadelphia region includes Bucks, Chester, Delaware and Montgomery counties. Funding for the city of Philadelphia is separate.

Source: Legal Aid Society of Southeastern Pennsylvania

people qualified under the program, which refers individuals to private attorneys who charge a discounted \$75 an hour.

Recently, the program was overhauled to better address the growing gap in access to civil attorneys, Walsh said. It almost doubled the qualifying income threshold from 125 percent of the federal poverty limit to 200 percent, which is \$24,120 for a one-person household this year. The Montgomery County Bar Association also hired a coordinator to work with nonprofit agencies and recruit more attorneys.

"This will allow us to reach more people in need of affordable legal assistance than ever before," Walsh said.

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TODAY

COURIER TIMES

72°
47°

Some sun giving way to clouds.

LOTTERIES Wed., 6/7/17

NEW JERSEY

Pick 3: 0-1-9, Fireball: 7
Pick 4: 3-6-3-1, Fireball: 7
Cash 5: 10-18-21-29-42
Xtra: 2
Midday Pick 3: 7-6-6, Fireball: 3
Midday Pick 4: 9-5-5-2, Fireball: 3
5 Card Cash:

10★ 10B

4★ 4S

3★ 3C

4★ 4C

6★ 6C

PENNSYLVANIA

Pick 2 Day: 8-7, Wild: 3
Pick 2 Evening: 0-4, Wild: 7
Pick 3 Day: 9-8-9, Wild: 3
Pick 3 Evening: 5-8-6, Wild: 7
Pick 4 Day: 2-4-0-9, Wild: 3
Pick 4 Evening: 3-1-9-7, Wild: 7
Pick 5 Day: 8-3-4-5-4, Wild: 3
Pick 5 Evening: 8-8-4-8-9, Wild: 7
Cash 5: 6-15-17-21-36
Treasure Hunt: 8-10-15-20-26


MULTI-STATE LOTTERIES


Mon., 6-5-17 Cash4Life: 3-29-32-48-56 1	Tue., 6-6-17 Mega Millions: 3-5-16-49-75 5	Wed., 6-7-17 Powerball: 5-21-57-66-69 13
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ONLINE POLLS

buckscountycouriertimes.com

Should the Eagles bring back wide receiver Jeremy Maclin?


 44%

 56%

Vote in our latest poll

Can Odubel Herrera be a leader the Phillies can build around?

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