

Wheels of Justice Crushing Delaware Cities

by Fred Neil, President Dover City Council

Those of us who have been elected to create the best possible environment for the citizens to live and prosper in our cities find ourselves in an impossible position thanks to the Department of Justice (DOJ) enabling individuals, who no longer can make rational decisions with their lives, commit illegal act after illegal act. The Lady with the Blindfold holding the Scales of Justice does not see that our hands are tied as these individuals trespass, destroy vacant buildings, commit burglaries, commit sex acts in public view, and use our streets as toilets and trash cans.

Here are the basics: These are individuals who no longer have the capacity to rationalize on a short or long term basis because they are affected by addiction or mental illness. They need our compassion and help. When they refuse that help and they are not held accountable for their actions affecting others, these irrational individuals keep doing the same things. For cities, this is like damage by a thousand pin pricks.

I started my career as a professional newsman, an observer who looks at everything. I witnessed a niece, who served a State's Attorney for a Maryland County, who was injured in an auto accident, become hooked on prescription narcotics and died of an overdose. She left a grieving husband and son. I worked over 20 years in vocational rehab watching individuals with disabilities develop the skills to enter the competitive work world. These included persons with mental illnesses who could function and learn when they took their medication. Many reached a point when they thought they no longer needed their meds. Their world crashed around them.

Although the DOJ did not ask for additional Prosecutors last January, they claim they do not have enough to handle all cases. Thus, who gets prosecuted is based on a scale. Our police can arrest but the revolving door of justice becomes a pass through. There are no consequences for the damage done to others.

The Evidence

The legal system has a privacy curtain over it's legal activities keeping them away from the view of the public until trial. Dover Police at the direction of Mayor Robin Christiansen launched a "Quality of Life Enforcement Initiative (QOL)". A 6 page summary report from November 5, 2024 to May 8, 2025, has been posted on the City of Dover website. The detailed appendix is also available upon request. A Behavioral Health Unit (BHU) of the Dover Police Department was created by Chief Thomas Johnson.

In this concerted effort to provide the help needed to "at-Risk" offenders, the BHU linked up with a number of providers for specialized services for voluntary care and treatment. In one very notable case, Dover Police brought a group of prostitutes to a neutral site where they were offered social services to help them escape their life style. Knowing they were not going to be prosecuted, they walked away.

That is only a tiny glimpse of where help was offered that was turned down by people who no longer can make rational decisions and who are not held accountable for their actions. This brings us to what we can do about it. One thing the Dover Police QOL effort discovered was there are simply not enough Detox Centers for addicts. I believe the Committee the Mayor appointed Dover Councilman Roy Sudler to head, on the disposition of the funds from the Opioid Settlement, is looking to add Detox facilities.

Where Can We Go from Here

Creation of new Detox Centers are a must. Chief Johnson also brought up the Delaware law which

permits involuntary commitment (not incarceration) of individuals with mental health conditions under specific legal criteria, primarily governed by Title 16, Chapter 50 of the Delaware Code. Amendments should be added to Title 16, Chapter 22 to include addiction and co-occurring disorders as qualifying conditions for commitment. Another amendment is recommended for Title 16 is to permit treatment of SUD aligning with Pennsylvania's SB 716 model. It needs to be used along with whatever new **companionate** facilities are necessary.

The taxpayers in our city pay a high price for the failure of the Attorney General to take the measures as we elected officials can not require these individuals, who are unable to help themselves and refuse help, do so when offered. These same taxpayers will still have to pay for the treatment centers to help these offenders. The differences will be the absence of the problems plaguing the streets in our cities. There is the bonus that some, hopefully many, will return as constructive members of our society.

Statewide, everyone benefits if we change the status quo. The public needs to demand our Delaware State Legislators, the Governor, our Judges and the Attorney, that the current form of no consequences is unacceptable.

It is not too soon to call, email, write requesting action before the new legislative session starts in January.

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