



NEW YORK STATE SENATOR

Martin J. Golden

## Move to Reform Rockefeller Drug Laws Will Hurt New York

MARTIN J. GOLDEN March 5, 2009

### **DROPPING THE ROCK WILL CRUSH OUR COMMUNITIES**

Members of the Urban Task Force and Senate Republican Conference today blasted an ill-advised and potentially dangerous attempt by the Assembly Democrats to weaken New York State's anti drug laws. The Rockefeller Drug Laws, a series of stringent anti-drug measures passed in 1973 which were once considered among the most strongest in the nation, were dramatically reformed in 2004.

"What the Assembly wants to do regarding the Rockefeller Drug Laws is hasty, irresponsible and dangerous. The Assembly's bill would enable even biggest and most dangerous kingpins to avoid prison simply by claiming to have a drug habit of their own. They are buying into common myths that are being perpetuated by those who want to coddle criminals rather than punish them," said Senator Golden.

In recent years, New York has developed a number of programs that mitigate the effects of the Rockefeller Drug Laws either by combining elements of "shock" prison program and treatment with early release or by diverting certain prison-bound offenders into treatment as an alternative to prison. Amendments made to the drug laws in 2004 provided for reduced sentences for nonviolent drug offenders. From 2003 to 2007 the percentage of those arrested

for drug felonies in New York State that resulted in incarceration dropped from 53% to 43% according to the Department of Criminal Justice Services.

The Assembly legislation A. 6085 would also strip power from district attorneys by not requiring their consent to transfer certain cases to drug court, and allowing drug dealers and users to have their records conditionally sealed.

“The Assembly Rockefeller Drug Law bill is dangerously flawed, riddled with too many unanswered questions and includes provisions that will only lead to more problems than solutions,” Senator Padavan (Queens) said. “The amendments to the Correction Law contained within the Assembly bill will weaken district attorney’s and law enforcements power to effectively prosecute drug offenses and help keep our streets safe from crime. In effect, this bill will turn back years of hard work and progress we have made in combating crime in our communities and will increase costs for the state by untold millions of dollars.”

““Drugs destroy families and destroy communities,” said Senator Andrew Lanza (R – Staten Island). “They lead to burglaries, murder, rape, drive-by shootings and the list goes on and on. We should not be reducing prison sentences for criminals who put dangerous narcotics into the hands of our children. I urge Democrats to consider these ramifications and change their course of action,” said Lanza.

“The State Assembly’s so-called “drug reform” proposal does one thing extremely well. It lets out thousands of felons back on our streets so they can destroy lives, pollute our children's' future and reverse our hard-fought successes in stemming the scourge of illegal narcotics in our streets and neighborhoods,” said Senator Dale M. Volker.

“What the Assembly wants the people of New York to believe is that the use of illegal drugs is a victimless crime, that those arrested for drug felonies end up in prison, and that tough

crime laws don't work so we should do away with them. If you add all those myths together you have a public safety disaster," concluded Senator Golden.