



NEW YORK STATE SENATOR

James L. Seward

## Drug Dealers Protection Act Takes Hold

JAMES L. SEWARD October 11, 2009

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ONEONTA, 10/12/09 -- State Senator James L. Seward (R/C/I – Oneonta) said today that thousands of drug felons are much closer to being set free and put back into our communities, as a result of drug law changes that senate Democrats pushed through as part of the 2009-10 state budget.

**“The argument that the drug law changes only impact low-level drug users is a myth,”** said Senator Seward. **“District attorneys and law enforcement officials were highly critical of the change, and I**

**voted against the so called ‘drug-dealers protection act’ because it will hand dangerous criminals who have been convicted of serious felonies a get out of jail free card.”**

The changes taking effect last week could result in the release of thousands of drug dealers who were convicted of serious class B drug felonies and are serving prison sentences for selling significant quantities of illegal drugs including heroin and cocaine. The changes allow drug offenders to apply for resentencing to have their prison time shortened. In addition, judges will have discretion to send new offenders to drug treatment instead of prison.

Along with shortening the prison time for drug criminals, the Democrats’ changes will allow judges to seal the criminal records of drug felons for their current crime and up to three prior misdemeanors, following the completion of drug court. Therefore, potential employers will be kept in the dark regarding the seriousness of the applicant’s criminal history and whether or not the individual should even be allowed to hold the job in the first place.

**“This change defies all common sense because it would effectively wipe the slate clean for drug dealers,”** Seward continued. **“This means convicted drug dealers could be taking care of children at a day care center, teaching at a school, working at a nursing home or some other position of trust. There will now be an air of uncertainty in these normally secure environments.”**

Senate Republicans proposed a bill to repeal the section of the law that allowed criminal records to be hidden from employment background checks. The bill was opposed by Senate Democrats.

**“While I am supportive of individuals who are trying to turn their lives around, I cannot condone jeopardizing our public safety. This measure goes too far, and flies in the face of documented facts that show that crime is down and our communities are safer when criminals are kept behind bars,”**

Seward concluded.