



NEW YORK STATE SENATOR

Jack M. Martins

Senator Martins' Legislation Raising Penalties for Dealing Drugs to Children Passed by Senate

JACK M. MARTINS March 2, 2015

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Senator Jack M. Martins (R-7th Senate District) announced that the New York State Senate passed legislation he sponsored to strengthen penalties for dealing drugs to children.

The legislation (S208) creates the new class A-II felony crime of “criminal sale of a controlled substance to a child in the first degree” for adults over age 18 who sell drugs to a minor under the age of 14. Individuals convicted of the crime would face a maximum penalty of up to 10 years in prison and lifetime probation following release from jail. Adults over age 21 who sell drugs to children between the ages of 14 and 17 would be guilty of “criminal sale of a controlled substance to a child in the second degree” a class B felony punishable by up to 9 years in prison.

“We have a dangerous combination; prescription drugs and heroin are more potent and being abused in record numbers, and children are trying them at an increasingly younger age. Raising penalties for the drug dealers who are poisoning our kids will help keep them off the streets and out of our communities. The Assembly should join the Senate in passing this legislation,” said Senator Martins.

Current law does not contain any enhanced penalties for dealing drugs to children under the age of 14.

“Selling or giving illegal narcotics is bad enough, and it is contributing to destroying our neighborhoods, but when an adult sells them to our children, they are poisoning our neighborhoods even worse. Adults should be warning children to stay away from drugs, not taking advantage of the youth for their own greedy personal gains. We applaud Senator Martins for putting our kids first by recognizing this criminal assault on our nation’s children and by having the courage to pass legislation mandating a serious penalty to match a serious crime,” said Pete Paterson, New York State Association of PBAs (NYSAPBA) Legislative Chairman and First Vice President of the Nassau County PBA.