



NEW YORK STATE SENATOR

Jack M. Martins

From the Desk of Senator Jack M. Martins

JACK M. MARTINS April 18, 2016

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“...there is no such thing as a left or a right. There’s only an up or down,” Ronald Reagan

Last week as I was participating in a Senate Heroin Task Force hearing, one of my colleagues leaned over and told me that he had gotten word that a ninth grader in one of his communities had overdosed on heroin the night before; a ninth grader – a 14 year old. Incredible sadness, anger, frustration, and, yes, fear gripped me as I heard the news. Heroin abuse is all around us, picking off hundreds of young lives and yet so many are in denial, others just don’t care.

This news hit me particularly hard. It’s not just that as a father with teenage and pre-teen daughters, I am terrified of the possibility of my children succumbing to the pressure of this drug. No one is immune. It’s also because not long ago, various law enforcement and nonprofit officials came to me to discuss the scourge of heroin that plagues our communities. It’s no secret that I’m troubled by how rapidly substance abuse is growing right here in our own neighborhoods. And while it is routinely called an “epidemic” we really don’t treat it as such because there is no game plan, no true sharing of resources to tackle it from all sides as we would any other crisis.

Sadly, I learned that one of the most troubling trends is that kids are getting hooked at younger and younger ages because dealers are specifically targeting children who simply don't have the social tools to resist the pressure. So I asked the experts, "How can I help?"

It turns out that current New York law does not contain any enhanced penalties for dealing drugs to children under the age of 14. I therefore proposed a law that creates a new felony crime of "criminal sale of a controlled substance to a child in the first degree" for adults over 18 who sell drugs to minors under 14. It carries a maximum penalty of up to 10 years in prison. Additionally, adults over 21 who sell drugs to children between the ages of 14 and 17 would be guilty "in the second degree," a class B felony punishable by up to 9 years in prison.

Now think about this sobering reality for a moment. There are drug dealers – here in our own backyards – who seek out grammar school children because they know they're easier to pressure, easier to intimidate, and easier to hook on drugs. There are parents who instead of worrying about things like getting their kids to eat broccoli, finish their homework, or clean up after themselves are instead frantically battling substance abuse in their children! It's clear to me and the experts that these dealers are actually predators who intentionally prey on our most vulnerable for personal monetary gain. They rob these young people of their futures and they don't give a damn what havoc they wreak on families and communities.

As if this wasn't sickening enough it gets worse. Despite what I thought was overwhelming support for the bill I was met by puffed up, chest-beating arguments from Democratic senators that were downright appalling. They protested that we were already an over incarcerated state and that this would make it worse, therefore we should ignore the problem. Another compared the bill to otherwise outdated Rockefeller drug laws. And most sickening of all, another laid out the ridiculous argument that dealers are only dealing drugs because they can't find jobs and therefore shouldn't face tougher penalties! My friends, at

the risk of sounding cliché, how many of our grandparents and parents knew true hardship but remained honorable, law-abiding people? How many friends and neighbors and single moms and recent immigrants are struggling right now – as we speak – but still choose to stand tall and make an honest living? As if the cards weren't already stacked against the middle class and the working poor enough, I'm supposed to stand by as we protect predators and allow our children to become their victims?

I will not. Let me be clear - I will do everything in my power to see that this bill becomes law. I will advocate, organize, and mobilize our communities because I live in the real world, not in the utopian fantasy of some of my more progressive peers from New York City. I am sick and I am tired of these increasingly ridiculous, “politically correct” theories that are anything but correct and that disregard common sense.

On issues as basic as these, I respectfully suggest we heed the advice of President Ronald Reagan who said, “...there is no such thing as a left or a right. There is only up and down.” [Please sign the petition on my website](#) and join us as we try to move “up” in the right direction.