



NEW YORK STATE SENATOR

Dale M. Volker

Senator Dale M. Volker Responds to Assembly Drug Reform Proposal

DALE M. VOLKER March 4, 2009

Move to Reform Current Drug Laws Will Hurt New York Families and Communities

(ALBANY, NY) Dale M. Volker (R-C-I, Depew) today voiced concerns on the State Assembly's ill-advised and potentially dangerous attempt 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 strongest in the nation, were dramatically reformed in 2004.

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, and expanded "Alternative to Incarceration" programs aimed at diverting some drug addicts treatment so as to allow them to re-enter society as productive citizens. 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.

One of the most regressive portions of Assembly Bill A. 6085 is the stripping of 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. This is a criminal justice recipe for disaster.

"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 on our streets and neighborhoods," said Senator Dale M. Volker. "I am very nervous that if this legislation becomes law, we will see a spike in drug-related crimes that will destroy communities and ruin the lives of husbands, wives, daughters and sons."

For several years now, Senate Republicans have worked diligently to adopt meaningful drug law reform. This is especially true when it concerns first time, nonviolent felony offenders who merit a second chance; as long as the individual is compelled to participate and complete meaningful substance abuse services and treatment. At the same time, we have always believed that stiffening criminal penalties for those drug dealers, especially armed drug dealers and those who use children to peddle their "death trade" must not be watered down.

"The State Assembly's drug law reform bill not only concerns me greatly, but should be a concern to all law-abiding New Yorkers," said Senator Dale M. Volker. "Ask everyday New Yorkers if they would prefer to live in safe neighborhoods, if they want to educate their children in safe scholastic environments, and if they want to live full, productive lives without the scourge of illegal narcotics destroying their families, children and neighborhoods. The answer to that is simple--Of course! If enacted, the Assembly proposal would trample these ideals."

I urge those in the State Assembly to stop the political posturing and come together on a drug reform proposal that can, and will, give a second chance to many who are addicted to illegal narcotics; and at the same time severely punish those who destroy futures by preying on vulnerable populations and our children. Now is the time to make realistic and responsible drug reform a reality. It is not a time to politicize, and insert regressive policy proposals, that would in fact poison a public policy issue of such magnitude simply to gain political points. Lets pass drug reform that is meaningful, not menacing.