



NEW YORK STATE SENATOR

Andrew J. Lanza

Rockefeller Drug Law Changes Will Put Hundreds of Drug Felons Back On the Streets Faster

ANDREW J LANZA October 9, 2009

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Senator Lanza said today that thousands drug felons will be 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. Senator Lanza voted against the changes in the law.

Senate Democrats and Governor Paterson came under strong criticism from District Attorneys across the state who opposed the relaxation of the state's drug laws.

"The argument that the drug law changes only impact low-level drug users is a myth," Senator Lanza said. "These so-called 'reforms' will hand dangerous criminals, who have been convicted of serious felonies, a get out of jail free card with no input from the law enforcement officials who put them behind bars in the first place."

"Drugs destroy families and destroy communities," said Lanza. "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.," said Lanza.

The changes taking effect this 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.

In addition to 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.

“Once a felon completes drug court, a judge could seal his criminal record from background checks so no prospective employer would know if he operated a meth lab, or was convicted of burglary or grand larceny,” Senator Lanza said. “These background check laws were originally enacted to protect employers such as schools, nursing homes, banks and others, from hiring criminals who could put people at risk.”

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.

“The roll back of the state’s drug laws is more evidence that Senate Democrats are trying to ease the state’s criminal justice laws and allow offenders get out of prison and get back on the streets as soon as possible,” Senator Lanza. “This completely goes against the facts that show that crime is down and our communities are safer when criminals are kept behind bars.”

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