

Real Reform

Reform the Rockefeller Drug Laws *New York*

Real Reform New York FACT SHEET: *Reducing Sentences*

Reduce sentences to levels proportionate to those for other non-violent crimes, and bring New York into line with national standards.

“This is a small step, but we need to do more.”

Senate Leader Joe Bruno on passage of the limited sentencing reform bill in December 2004.

Though the Rockefeller drug laws were set up to catch drug kingpins, the majority of individuals convicted under the laws are low-level offenders. The small time sellers and offenders often end up serving unusually long and cruel sentences because they have little or no information with which to plea bargain. Reducing sentences creates a win-win situation for New Yorkers by restoring individuals to their communities, saving taxpayer money and creating a more humane alternative to these draconian laws.

Currently, prisoners convicted of **low-level possession or sales offenses comprise nearly 60%** of people convicted of drug offenses serving time in New York State prisons. With the **state prison operating expenses at nearly \$3 billion per year, New York could save millions** by reducing the sentences of low-level drug offenders. To house an inmate in a prison, New York State spends approximately \$32,400 per year per person for each of its 14,058 persons incarcerated for drug offenses. **Diverting 1,000 low-level offenders into alternatives to incarceration could potentially save New York taxpayers tens of millions of dollars in operating costs.**

The racial disparities in the application of the Rockefeller drug laws are staggering. For example, **91% of those serving time under the Rockefeller Drug Laws are people of color despite the fact that white people and people of color use drugs at approximately equal rates.** And almost 65% of drug offenders in New York State prisons are from New York City. Reducing sentences for nonviolent drug offenders would address some of the most racist impacts of these laws, while simultaneously offering relief to the communities most affected.

New York's Rockefeller Drug Laws are painfully out-of-step with national standards. For instance, according to a detailed report by state Senator David A. Paterson, **New York's sentencing scheme is the harshest in the country** for low-level drug sellers with a prior non-violent conviction. While most states—including California, Texas, Florida, Maryland and Michigan—have enacted some kind of sentencing reform for drug use and low-level sales, **New York remains mired in a failed policy that costs taxpayers millions and destroys communities.**

In December 2004, under pressure from Real Reform New York, the New York State Legislature passed a bill which made limited sentencing reforms to the Rockefeller Drug Laws. The bill provides some sentencing relief, but is not enough. Real sentencing reform will include substantive sentence reductions for those convicted of non-A1 Rockefeller felonies, and will be truly retroactive.