Assembly advances drug law changes

Revisions to Rockefeller rules need approval by GOP-controlled Senate

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ALBANY -- The Assembly voted Wednesday to further change New York's strict Rockefeller Drug Laws, but advocates said the changes need support from the Republican Senate.

The legislation would increase judicial discretion to order treatment and probation instead of prison for some first- and second-time drug offenders. Others convicted of certain felonies could request resentencing. Excluded are those convicted of violent crimes or sales to children.

"The opposition will say we are soft on crime," said Jeffrion Aubrey, D-Queens, who chairs the Assembly Committee on Correction. "But we understand the revolving door of criminal justice and we want to shut that door."

The Senate supported substantial changes in the past, said Mark Hanson, a spokesman for Senate Majority Leader Joseph L. Bruno, "and we will take a look at the Assembly bill."

Aubrey and Sen. Eric Schneiderman, D-New York, were joined in a news conference before the vote by representatives of the Drug Policy Alliance; the Black, Puerto Rican, Hispanic and Asian Legislative Caucus; and Albany County District Attorney David Soares.

More than 15,000 New Yorkers are incarcerated under the decades-old laws and 94 percent of them are African-American and Latino, said Sen. Tom Duane, D-Manhattan.

Earlier changes lowered some sentences, Schneiderman said. "But only 177 have gotten out so far and that is clearly not enough. It is unassailable that treatment is more effective than incarceration for reducing crime," he said.

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