



## Changes in drug laws pay off

It is indeed good news the state prison population has dropped so precipitously, as outlined in a special report appearing in the Poughkeepsie Journal recently.

For years, the Journal and many others had argued the state's Rockefeller drug laws were too rigid, that too many nonviolent offenders were being locked up longer than rapists in some cases. Over time, the state has made some changes to these laws and to that, in part, can be attributed the fact New York has seen a 62 percent drop in people serving time for drug crimes today compared with 2000.

This means fewer lives are being wasted in prison. Nevertheless, the taxpayers haven't seen the corresponding payoff they should expect through a reduction in prison costs. That, too, could change over time, though, as Gov. Andrew Cuomo continues the trend of closing more facilities.

A Journal analysis found that, among the 50 states, New York charted the biggest drop in its prison rolls from 2000 to 2010, a time frame that actually saw 37 state prison systems have double-digit population hikes.

In 2004 and 2005, the state made some modest changes to the Rockefeller drug laws, reducing the harshest sentences — 15 years to life for selling as little as two

ounces of cocaine or possessing four ounces. But first-time nonviolent offenders still were facing between eight and 20 years because the Rockefeller laws are based on weight and possession of drugs, not on a person's history or any other mitigating circumstance.

In 2009, state officials went much further, giving judges the authority to consider defendants' history or any other mitigating circumstance that might have made them a viable candidate for a drug treatment program. It cost taxpayers about \$45,000 a year to house each inmate in prison; residential treatment programs can cost one-third of that figure.

The mid-Hudson Valley hasn't seen many prison closings as a result of these changes, in part, because because the vacancy rate at local prisons is not as high as in some areas. Further, there is something to be said for keeping the majority of the remaining prisons closer to New York City and its suburbs since more than half of the prison population is from

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those areas. Advocates note that it's better to incarcerate people closer to their homes, giving them a better chance to maintain family and community ties, placing less of a hardship on any children they may have and making it more likely they will stay out of trouble and live productive lives after their release.

Cutting down on recidivism and getting more drug users to clean up their destructive habits are hugely important goals — impacting not only those afflicted but society at large. The state needs to continue this transition from warehousing drug users to enabling them to get treatment if the courts and medical experts deem them eligible. The results of these reforms are good, but they could be better.

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