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Reform that worked

TUESDAY, JUNE 11, 2013

Former Gov. David A. Paterson, having watched the impact of Gov. Nelson Rockefeller's repressive drug laws for 36 years on his New York City constituents, pushed through legislative reform in 2009, removing, among other things, minimum sentences of 15 years for possession of four ounces of an illegal drug. Now a study commissioned by the New York Unified Court System and completed by the Center for Court Innovation of New York City concludes that the Paterson reforms have had a positive impact on the state, local governments and drug offenders.

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The reforms provided judges the latitude to impose a variety of sentences by eliminating mandatory prison time for first-time and some second-time offenders. Judges were given leeway to mix prison, probation or treatment through a drug court.

The state court system wanted to know if diversion from prison to treatment was having an impact. The study shows significant progress for aiding the recovery of offenders and reducing costs for government. Comparing felony offenders before and after the 2009 reform legislation, the study found savings of about \$5,100 per offender and that court ordered treatment enrollment grew 77 percent. A companion study found the recidivism rate fell for offenders who went through drug court rather than those sentenced to prison.

The population of the state prison system peaked at 72,500 under the Rockefeller laws. Today, fewer than 55,000 are in prison and the state predicts the number of inmates will decline to 53,600 in four years. A decline which is positive economic news for the state.

All of this is good news and proves that treatment of the ravages of drug abuse is much more effective than incarceration.

Drug courts provide community-based treatment and oversight of the offenders during the treatment period. Treatment can include residential or outpatient programs and requires drug testing and regular interaction with a specially trained drug court judge. The study concludes that "drug courts seek to reduce drug use and improve quality of life of their participants. Larger anticipated benefits to society include lower recidivism, improved public safety and costs savings for the criminal justice system."

Judge Judy Harris Kluger, chief of policy and planning for New York state's Unified Court System, told the Associated Press that "it's something we had expected but any time there's empirical data to support, it's good."

The effort in the 1970s to reduce the scourge of drug crime depended upon severe sentences for violating the law. The concept was that the fear of long prison sentences would change behavior.

That assumption proved incorrect because the crime wave was driven by drug addiction. Gov. Paterson recognized that chemical dependency treatment was preferable and would give offenders a better chance to return to productive lives, thus breaking the cycle of repeated jail time.

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WELCOME HOME Here's to all the

The lesson of Rockefeller drug laws and the resulting Paterson reforms will help New York manage its criminal justice system and assure that resources are spent to treat, rather than punish.

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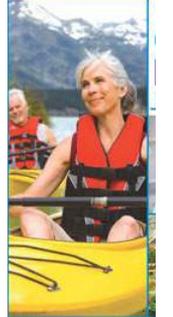


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