

Working for Real Reform

Founded in April 2004, the *Real Reform New York* Coalition is working for repeal of these failed laws. We are committed to repealing the current inhumane, ineffective and wasteful drug policies. In their place, we seek cost-effective, just, and community-based alternatives that do not rely on incarceration for low-level drug offenses. Real Reform New York is made up of dozens of organizations and community members, activists, advocates, policy and treatment experts, and Rockefeller Drug Law survivors and their families and friends. We are a growing movement dedicated to repeal of these failed laws. Please contact us to learn more!

New Yorkers want real reform.

Real Reform is defined as:

1. Reducing sentences and expanding alternatives to incarceration for or nonviolent and low-level drug offenses.
2. Restoring judicial discretion so judges can fashion sentences based on consideration of the particular case and utilize alternatives to incarceration.
3. Delivering retroactive sentencing relief to currently incarcerated Rockefeller prisoners serving unjustly long sentences.
4. Expanding community-based drug treatment programs and other alternatives to incarceration for people convicted of drug offenses. Treatment, not incarceration!

What can I do to repeal the Rockefeller Drug Laws?

* *Learn* about the Rockefeller Drug Laws and share this information with your family, friends, and co-workers.

* *Attend* a Real Reform New York Coalition meeting. Contact us to find out about upcoming meetings and events.

* *Invite* Real Reform New York to give a presentation to your church, school, or organization about the Rockefeller Drug Laws.

For more information:

* call 212-613-8060

* email nyc@drugpolicy.org

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Real Reform New York includes: Drug Policy Alliance, JusticeWorks Community/SNAP, Bronx Defenders, NYCAHN, NYCLU, Correctional Association, Drop the Rock!, Hip Hop Summit Youth Council, Interfaith Drug Policy Initiative, In Arms Reach, King of Kings Foundation, Nat. Assoc. of Social Workers—NYC Chapter, NY Mothers of the Disappeared, Positive Health Prevention, Revel Arts Collective, and more.

Why do New Yorkers demand repeal of the Rockefeller Drug Laws?



Because these laws are racist, ineffective, wasteful, and unjust.

Real Reform
Reform the Rockefeller Drug Laws *New York*

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What are the Rockefeller Drug Laws?

Enacted in 1973 under Governor Nelson Rockefeller, the Rockefeller Drug Laws require extremely harsh prison terms for the possession or sale of relatively small amounts of drugs.

Most of the people incarcerated under these laws are convicted of low-level, nonviolent offenses, and many of them have no prior criminal records. Today 14,139 people are locked-up for drug offenses in NY State prisons, comprising nearly 38% of the prison population. This costs New Yorkers over *half a billion* dollars a year.

FACT: New York could save hundreds of millions of dollars every year by enacting real reform of the Rockefeller Drug Laws. This money could be more effectively utilized on community based treatment, education, and job training.

The Rockefeller Drug Laws strip judges of their discretion, because the laws focus on the amount of drugs, not a person's role, in the transaction. Harsh mandatory minimum sentences are based solely on the quantity of a drug involved in the offense, regardless of the individual's background, character, role or the circumstances of the offense. Because of this, judges can't utilize more effective, cheaper programs as alternatives to incarceration.

The Rockefeller Drug Laws are some of the harshest drug sentencing schemes in the nation. These laws are destroying communities, separating families, and failing to stop drug use and abuse in our neighborhoods.

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Rockefeller Drug Law Facts:

- In New York, people convicted of nonviolent drug offenses are serving years, sometimes decades, in prison, even though education and drug treatment are cheaper and more effective than incarceration to reduce drug abuse.
- Of all the people sent to New York State prison for drug offenses in 2005, *nearly 75% had never been convicted of a violent felony.*
- Over 35% of the people incarcerated for drug offenses in New York State prisons were locked up for *simple drug possession alone.*
- Almost 92% of the people incarcerated under the RDL are Black and Latino. Yet national studies show whites use and sell illicit drugs at slightly higher rates than people of color.
- It costs approximately \$32,000 to warehouse a person in prison. For the 2005 New York State Budget, if only 800 prisoners were diverted into treatment instead of incarcerated, the state could save over \$25 million.
- Nearly 53% of the people incarcerated in NYS on drugs were convicted of the three lowest felonies – Class C, D, or E – which involve small drug amounts. For example, only ½ gram of cocaine is required for conviction of Class D felony possession, and 1,329 people are locked up for that offense.
- Providing treatment as an alternative to incarceration would cut crime, save taxpayer money, and help people, families, and communities.

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Have the Rockefeller Drug Laws already been repealed?

No! Since 2004, under pressure from the Real Reform New York Coalition, the New York State Legislature has passed some limited reforms to the Rockefeller Drug Laws, including small sentence reductions and reforms to harsh parole practices. These reforms were a small step forward, but we still have a long way to go before we reach real reform. Even Republican State Senator Joseph Bruno admitted "This is only a small step, and we need to do more."

New York needs drug policies that focus on treatment, public health, education, and harm reduction. Incarcerating people for drug use is ineffective, wasteful, unjust, and inhumane.

Real Reform of the Rockefeller Drug Laws must include these four parts:

1. Reduce Sentences
2. Restore Judicial Discretion
3. Deliver Retroactive Sentencing Relief
4. Expand and fund Community-Based Treatment Alternatives to Prison.

New Yorkers Demand Real Reform!

Do You Know someone incarcerated under the Rockefeller Drug Laws?

If someone you know is imprisoned under the Rockefeller Drug Laws, contact Real Reform New York or the Legal Aid Society to learn more about how the latest sentencing reforms impact everyone serving Rockefeller time, as well as those still on probation and parole for Rockefeller offenses. You can reach the Legal Aid Society at (212) 577-3300.

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