

Legislature expected to OK amending drug dealer law

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Albany lawmakers are expected to amend an ineffective law originally designed to strengthen penalties for drug dealing in school areas.

Senate Majority Leader Ralph Marino said these penalties are supposed to be more severe than other forms of dealing, but are difficult to prosecute because of a technicality requiring that the buyer be under 19.

"This effectively prevents them from making arrests that lead to prosecution for pushing drugs in or near school grounds."

Conviction under this law carries a two year mandatory minimum sentence.

Sen. Christopher Mega, R-Bay Ridge, sponsor of the bill, said that by amending the 1986 law "we hope to expel drug pushers who loiter near school grounds."

The 1986 legislation was enacted to remove dealers from school areas below the college level where there is a concentration of youngsters.

Already passed in the Senate, this bill will probably pass in the Assembly, said Assemblyman Joseph Lentol, D-Brooklyn.

Lentol, chairman of the Codes Committee, said this bill identifies that enforcement of the original law has been ineffective. "This bill has not worked as it should have because of the age requirement."

The requirement was included to emphasize the severity of the crime. Most undercover officers are in their early 20s, which effectively handicaps most "buy and bust" operations under present law.

Mega said the objective, to severely punish drug dealers who prey on children, never materialized. "My bill will close the loophole and put some real teeth into this law."

Lentol, an Assembly sponsor of this bill, said while this legislation won't stop drug dealing, it will help protect the most vulnerable portion of the population, the children.

"If the drug dealer's going to ply his trade, he's going to find out that school yards are the wrong place for him."

If enacted, prosecution under this law would also be expanded to include sale to any individual under 19 regardless of location.