

# Officials want drug law revisions

by CRAIG McGUIRE  
Herald staff writer

Twenty years after the Rockefeller Drug Laws were enacted, some law enforcement officials believe it's time to revise the program. Others, ranging from users to corrections officials to lawmakers, have their own solutions.

District attorneys from New York City and upstate agree that a new approach is needed. They told an Assembly Codes Committee hearing that throwing low-level dealers and users into prison for years has created overcrowding in the system and many major suppliers remain unscathed by laws that were supposed to put them out of business.

They want to target non-violent second drug felons and offer them a pre-sentencing opportunity to waive their rights and enter a mandatory drug treat-

ment system for 15-20 months in lieu of 2-4 years in prison.

"It makes sense, it's workable and it's cheaper," said Brooklyn District Attorney Joseph Hines who said the \$18,000 treatment price-tag is much cheaper than the estimated \$40,000 for incarceration.

That is precisely what Assemblyman Daniel L. Feldman has proposed. Feldman wants to establish drug treatment alternatives to incarceration.

The legislation, reported by the Codes Committee, is presently in the Ways and Means Committee.

As for Corrections Commissioner Thomas A. Coughlin, he believes it's time to deal with sentencing structure flaws.

"We have more drug offenders than violent offenders in the [prison] system."

Coughlin said the statutes are ineffective because "laws from the 70s are not in tune

with what's going on in the 90s."

Organized Crime Task Force Director Ronald Goldstock proposed disrupting the market place in specific areas in New York City.

He wants agents posing as dealers to saturate drug-infested areas with vials containing a non-narcotic substance or simply litter the streets with them.

Goldstock said similar programs were used during World War II when Germans littered the streets of London with bogus English currency.

While these proposals target specific areas of New York City, others say the drug problem is not uniquely urban.

Rensselaer County District Attorney Mary O. Donohue said that despite the large volume of arrests and intense prosecution efforts "new plants are growing."

Albany County District Attorney Sol Greenberg said New York City gangs move in and take over upstate territories.

Greenberg proposed education and rehabilitation as ways to overcome the "drug cancer."

Donohue favors alternatives to incarceration that will work better over the long term.

Carolyn A. Portanova, spokesperson for the Catholic Family Center and New York State Catholic Conference, urged that addictive illness be viewed as a health problem, and not a criminal justice problem.

"We really need to look at the root causes because treatment alone isn't going to do it."

Peter Crist, who identified himself only as a retired police captain, said the problem

is addiction. He said the law enforcement community is so addicted to the drug war "we just can't stop."

Assemblyman Joseph Lentol, who chaired the hearing, agreed with Crist. "Calling it a drug war assumes we are in a battle that can be won, and that's just true."

Lentol, D-Brooklyn, said "the unfortunate reality is that the main objectives of the Rockefeller Drug Laws have not been met."

Others who attended the hearing offered another option: Legalization. Tom Phelan, spokesman for the Capitol District Drug Policy Council and an admitted marijuana user, told the committee "make drugs safe, not people sorry."

"It irks me to pay taxes to wage war against myself and others like me."

Sen. Joseph Galiber, D-Bronx, agreed and called any policy aimed at eradicating drugs "doomed to failure."

He has repeatedly introduced legislation in the upper house aimed at removing the profit motive from drug dealing.

"The profit from drug dealing causes problems independent of addiction."

Although Galiber's proposal has repeatedly failed, "I think alternatives to incarceration are closer than ever in my years. My colleagues in the Senate are beginning to see the light."

Following the passage of ineffective liberal drug laws in 1965, the 1973 legislation was engineered by former Gov. Nelson Rockefeller to deter drug abusers and dealers, and reduce drug-related crime through a punitive approach.

## Lobbying Commission mulls oversight plan for agencies

by CRAIG McGUIRE  
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The New York State Temporary Commission on Lobbying, established to identify and monitor the activities of lobbyists, is considering an "in-house" oversight program for state agencies.

Commission Vice Chairman Albert S. Callan said the program would be helpful for the commission as well as the agencies.

"It helps us to identify the lobbyists and also helps the agencies [to] identify the lobbyists."

A similar program already exists in the Legislature where the commission reviews bills to identify which lobbyists may have had impact.

Currently, each agency is required to send the commission a list of lobbyists four times a year that identifies with whom it has had contact.

The program initially would be instituted on a small scale. Each agency would be asked to volunteer a list of up to four rules introduced in which lobbyists expressed interest.

The target areas could be determined from newspaper articles and the State Register.

The Register, a weekly publication of the office of state, lists approximate approval dates, public hearings, and contact persons as well as pending rules, regulations, and rates.