



**ONE YEAR LATER**  
**NEW YORK'S EXPERIENCE WITH DRUG LAW REFORM**  
A Fact Sheet by the Legal Aid Society

**New York's Drug Law Reform Act of 2004 (DLRA)**

- Lowered most drug sentences.
- Allowed those serving the most serious of the old sentences (the A-I cases) to apply to be re-sentenced to a term allowed by the new law.
- Increased good time allowances for everyone else already serving drug sentences.
- Expanded eligibility for prison-based drug treatment.

**The DLRA Did Not**

- Increase the power of judges to place addicts into treatment programs.
- Provide any more money to increase the availability of community-based drug treatment.
- Allow most people serving the old law draconian sentence—especially those serving B felonies—to apply for shorter terms.

**State Leaders**

- Promised to continue discussions to create more alternatives to prison.
- Expected that hundreds of people would get out of prison quickly.

**After One Year**

- Hundreds of people did not get out of prison.
- The re-sentencing process is much slower than expected.
- District Attorneys are often fighting re-sentencing and asking for high sentences.
- The DLRA did not significantly lower the prison population.
- The State Department of Correctional Services has not expanded drug treatment in prison, as required.

**The Legislature Should**

- Let the judge, not just the District Attorney, decide who gets into treatment.
- Increase funding for drug treatment programs.
- Drop low level street sales out of the "B" felony category.
- Allow those serving long "B" felony sentences to apply for re-sentencing.