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Statement for Assembly Committee on Codes
May 8, 2008

My name is Henry G. Fury, I am the pastor of the United Presbyterian Church of Ridgewood, Queens. On this 35th Anniversary of the enactment of the Rockefeller Drug Laws, I wish to urge the Committee to consider additional legislation that will enlarge and improve the current drug programs afforded inmates while they are incarcerated, and to further urge that alternatives to incarceration be considered when deemed appropriate by the sentencing judge.

I myself am an ex-offender sentenced 20 years ago for financial crimes surrounding the operation of my real estate enterprises. As a result of these mis-deeds I lost my legal license and destroyed my family life. In the course of my criminal behavior I also engaged in drug use and one of the most useful aspect of my incarceration was my participation in the CSAT Program offered by the Department of Corrections. That six month program, along with the work release facit of it, was instrumental in giving me the opportunity to remake my life, attending New York Theological Seminary, becoming a duly ordained minister and entering a career in the not-for-profit sector, dealing with homeless men and women, many of whom were substances abusers.

Over the last 15 years I have established a prison program working with men and women in the State and City corrections system as part of my ministry. My personal experience as an abuser, and as a counselor to addicts, has convinced me that the most useful utilization of resources to deal with drug offenders is to allow them the opportunity to participate in professionally run drug programs for a period of 6 to 18 months. Furthermore, after completion of the program we should permit them to return to the community to become gainfully employed under a carefully supervised work release program. Re-entry into society is difficult for ex-offenders and therefore we must provide additional post release services to these individuals. These post release services should include counseling, job placement and housing assistance, and at all times the individual should be closely supervised and held to a strict code of conduct. Abusers, can often take kindness as weakness, and therefore tough love must be part of any program of rehabilitation.

Simply incarcerating individuals for long periods of time is counter productive and achieves nothing but destroying the life of the inmate, as well as that of his or her family. Without positive programs for rehabilitation, our prisons become schools of higher learning for criminal activity. Although I have 14 years 'clean' that does not change the fact that I am in recovery and I must always humbly remember that one is always at risk of 'slipping' back into the chaos of drug abuse.

I do not advocate a policy of going soft on abusers, but a humane policy of using hard

pressed governmental financial resources to put abusers on the rocky road of recovery through meaningful programs that give the individual the option of reclaiming his or her life by providing the tools of recovery. However, the commitment to truly embark on the road of recovery is theirs to make. The option to make that choice should be afforded every addict. God made no garbage, only we do as humans.

Sentencing judges must have the ability to sentence individuals, not engaged in violent crime in the course of their addiction, to rehabilitative drug programs, coupled with probation after completion of the program and post release assistance

Before I ruined my life through criminal activity, I was a town justice. I was not engaged in criminality while on the bench. The six years I served as a justice, and my subsequent years of federal and state incarceration has given me a keen insight into our criminal justice system. I can say that our corrections system, is anything but corrective and for the moneys we expend to operate it, we are not getting our moneys worth. This is evidenced by the high recidivism rates among ex-offenders. We need to focus on rehabilitation of people, not vindictive punishment.

I urge the committee to continue to expand the reforms of the Rockefeller drug laws begun in recent years by supporting and financing meaningful therapeutic recovery programs for offenders. Mandated sentences for drug offenders is unreasonable and only reflects a lack of confidence in our judiciary which is best addressed by removing politics from our court system and putting the blind fold back on the statute of justice! I thank you for your time and courtesies today and I pray that you heed the cry of the sick and suffering addicts who need help, not life imprisonment.