

# The New York Times

## Name by Name, a Push to Change Drug Laws

By MARTIN ESPINOZA  
October 5, 2008

Ashley O'Donoghue walked slowly up and down a stretch of 125th Street in Harlem on Saturday with a clipboard in his hand. As hip-hop music boomed from a health fair in the plaza in front of the [Adam Clayton Powell Jr.](#) State Office Building, Mr. O'Donoghue, a 25-year-old grocery store worker, nervously asked passers-by, "Do you know about the Rockefeller drug laws?"

Some said no and stopped to hear Mr. O'Donoghue's explanation. One man said, without breaking stride, "Not yet."

Mr. O'Donoghue was taken aback by the man's matter-of-fact response. "That's just ignorance," he said. "But until it hits home, that's when someone starts worrying about it — at least someone like that."

For Mr. O'Donoghue, the laws did hit home. About a month ago, he was released from state prison, where he had served five years after being convicted under drug laws that were enacted in 1973. [Nelson A. Rockefeller](#) was governor of New York then, and New York City was riddled with crime. Though the laws were amended in 2005, they still carry mandatory minimum sentences and are considered among the harshest drug laws in the country.

On Saturday, Mr. O'Donoghue was part of a petition drive and education campaign aimed at generating public support to urge the State Legislature to repeal the drug laws. The campaign included voter registration drives and had a presence in 20 neighborhoods across the city — including Crown Heights, Brooklyn; Jamaica, Queens; and the South Bronx — that have been particularly affected by the stringent laws.

Opponents of the laws say long mandatory sentences — in some cases longer than those for murder convictions — have clogged the prisons at great cost without stemming drug abuse or drug-related crime. But for years, state officials have failed to agree on when and how to offer drug treatment instead of prison.

Before the laws were amended three years ago, a person convicted of selling two ounces or possessing four ounces of a drug like heroin or cocaine would receive a minimum sentence of 15 years in prison, according to [Robert Gangi](#), executive director of the Correctional Association of New York, a nonprofit advocacy and public policy group that focuses on prison-related issues.

Amendments to the laws had reduced the minimum sentences, Mr. Gangi said. Now, for defendants convicted of selling two ounces or possessing eight ounces of heroin or cocaine, judges are given a sentencing range of 8 to 20 years, he said. But he said the sentences were still mandatory.

“Eight to 20 years is still a very long sentence for a relatively minor offense,” Mr. Gangi said, adding that judges do not have the option to order alternatives to jail, like drug treatment.

On the streets of Harlem on Saturday, most people obliged when asked to sign their names to the petition. But there were some who refused.

Lucy Taylor, who lives in Newark and had just walked out of a Harlem church, said that she would not sign because she believed that softening the laws would reward drug dealers. Ms. Taylor said her brother died in 2004 from health complications caused by his drug addiction.

“Do I want to put my name on a list for someone who is not going to turn their life around?” she asked. “No. My answer is no.”

Ms. Taylor, a sales representative for a health maintenance organization, said that although she believed blacks and other minorities were disproportionately affected by the drug laws, she doubted that a petition drive would accomplish anything. Instead, she said, parents need to show “tough love” and raise their children to make smart decisions.

Organizers of the campaign said 5,000 signatures were gathered throughout the city on Saturday, including about 500 in Harlem. That raised the total number of signatures gathered since the drive began to 17,000, a little less than half the goal of 35,000. Organizers hope to reach that target by the end of the year.

Mr. O’Donoghue was judicious about the people he approached, quickly learning to read faces for signs that they would be responsive.

“I’m just looking for an aura,” he said. “Once I find the vibe, I shoot.”