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Drug Leniency for the Privileged
Draconian Sentences for Blacks and Latinos
by Anthony Papa
Guest Commentator

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Julia Diaco, the so-called "Pot Princess" was sentenced on March 22 in Manhattan Supreme Court to 5 years probation for drug dealing. Ms. Diaco was 18 years old when she was arrested for multiple sales of drugs to undercover narcotic officers from her dorm room at NYU University. Despite having a "strong" case against her and facing up to 25 years in prison if convicted, she received probation upon completing a drug rehab and education program.

This follows another high profile case where Caroline Quartararo, a former spokeswoman on Rockefeller drug law reform for Governor Pataki received a similar minor sentence after being arrested with crack cocaine. Ms. Quartararo was given treatment and a \$250 fine. She was arrested on December 20th for possessing three rocks of crack cocaine. Ms. Quartararo pleaded guilty to seventh degree criminal possession of a controlled substance.



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"Julia Diaco and Caroline Quartararo's cases remind us that, if you are rich and privileged you will likely receive compassion from the courts," said Cheri O'Donoghue, whose son Ashley is currently serving a sentence of 7–21 years, also for a first–time non–violent drug offense. "While I support the notion of compassion and access to treatment for people who use and abuse drugs," continued Cheri O'Donoghue, "the reality is that people of color who get caught up in the criminal justice system generally receive neither. Although drug use rates are similar between blacks and whites, approximately 92 percent of the people in prison on drug charges in New York are Black and Latino."



O'Donoghue's son, a 23–year–old black man, sold cocaine to two white students, who in turn sought to re–sell the drugs on their Hamilton College campus. The students were caught, and as with the Diaco and Quartararo, were given probation, while Ashley was left to languish in prison, another casualty of the draconian Rockefeller drug laws. Ashley is one of more than 4,000 people sitting in NYS prisons convicted of B–level Rockefeller Drug Law felonies. The B–Level offenders are a group of people for whom the modest reforms to the state's drug laws in 2004 and 2005 did not have any impact.

"New Yorkers want to see meaningful Rockefeller Drug Law reform," said Gabriel Sayegh, director of the State Organizing and Policy Project of the Drug Policy Alliance. "Even after the reforms last year, the vast majority of people incarcerated under these failed laws are still languishing behind bars. Our elected officials in Albany need to take action to enact real reform of these laws, so that young men like Ashley O'Donoghue can receive the same compassion as those who are rich, well–connected, or, are employed by the Governor."

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