

January 13, 2005

FOR IMMEDIATE RELEASE

**ON THE DAY THE LAW BECOMES EFFECTIVE, FIRST MOTION
FOR SENTENCE REDUCTION UNDER THE REFORMED
ROCKEFELLER DRUG LAW IS FILED.**

On January 13, 2005, the effective date of the historic reforms made in the last legislative session to the Rockefeller Drug Laws, the first New York State prisoner has filed a motion for reduction of sentence, to the new minimum term of eight years.

Roberto Oms, 30, was convicted in 2002 for two counts of criminal sale of a controlled substance in the first degree, based upon a minor role he played in a sale of heroin to an undercover agent. It was his first offense and he received a sentence of 15 years to life. The main conspirators were offered and accepted guilty pleas to lesser charges. Oms rejected a plea that would have resulted in a five-year sentence, going to trial instead.

Following his conviction, the Hon. Roslyn Richter, New York State Supreme Court Justice, adjourned sentence on several occasions in 2002, in the anticipation that the Rockefeller Drug Laws would be amended. When no such change was coming, she reluctantly sentenced Oms to the minimum 15 years to life with the direction to return to the Court if the laws are ever changed.

That day, long awaited, has finally come.

Oms, a native of Miami, has a stable, loving, and supportive family who has remained close to him since his incarceration. While in prison, he has earned commendations from prison officials for his work as a teaching assistant. He has an excellent institutional record. He is currently confined at Green Haven Correctional Facility. He is represented by New York civil rights lawyers Ronald L. Kuby and Daniel M. Perez.