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## Judicial overdose: 'Drug-free zones' take in too much territory

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The drug war is its own drug. You start with a little, and pretty soon you just need more, and more, until it has consumed your life.

Unable to stem the demand for illegal drugs, and unwilling to fully fund workable alternatives such as treatment and drug courts, lawmakers around the country have become addicted to applying criminal justice solutions to a public health problem.

The result has been similar to the individual who is disappointed to find that casual use of a softish drug hasn't solved all of his problems so, instead of getting clean, he moves on to larger amounts and/or harder drugs.

In Utah, as in other states, one step up the crack-down ladder was the idea of the "drug-free zone." The law draws a circle, usually with a 1,000-foot radius, around a school and adds extra penalties for those caught peddling drugs within that area. The reasonable idea is to come down harder on the scum who sell dangerous drugs to school children than on those who deal to, say, fellow members of their motorcycle gang.

Utah, though, doesn't just draw such circles around schools and churches. It applies the stiffer penalties - the first-degree felony standard more commonly applied to killers and rapists - to drug crimes committed within 1,000 feet of shopping centers, parks, shopping malls, sports facilities and parking lots.

But it can be difficult to find a part of any town that isn't that close to one of those uses. Thus there are many more long - and, to the taxpayers, expensive - prison terms for minor offenders who were never even accused of pushing drugs to children.

And, according to current and former members of the Utah Board of Pardons and Parole, it has also encouraged law enforcement agencies to deliberately stage their stings and undercover buys within those zones. That gives them a hammer to elicit guilty pleas out of suspects who might have beat the rap if they had gone to trial, but who didn't want to risk first-degree sentences that, in theory, could stretch into life in prison.

The parole board and the Utah Sentencing Commission have seen that this particular anti-drug law amounts to a judicial overdose, and they are asking the Legislature to ease up. That's exactly what it should do.