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Biondi calling for harsher drug penalties

Assemblyman introduces bill in response to Hillsborough petition

By PAMELA SROKA
Staff Writer

HILLSBOROUGH -- Assemblyman Peter Biondi has drafted a bill to hit drug dealers with harsher penalties, in response to hundreds of township residents signing a petition opposing a bill before the Legislature that would reduce the size of drug-free school zones in New Jersey.

Biondi's bill calls for stiffening the crime of "distributing, dispensing or possessing" a controlled dangerous substance on or within 1,000 feet of school property -- a drug-free school zone -- to a second-degree crime, Biondi said. Currently, the charge is a third-degree offense.

The change also would increase the punishment to include a term of imprisonment of

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five to 10 years and a fine up to \$150,000, or both.

In March, the Township Committee voted 5-0 to adopt a resolution opposing the state Senate bill proposes cutting the size of drug-free school zones from within 1,000 feet of a school to 200 feet.

The bill, sponsored by Sen. Bernard Kenny, D-Hoboken, reduces drug-free zones "to help relieve prison overcrowding," according to the township's resolution. About 600 township residents signed a petition opposing the reduction.

The New Jersey Commission to Review Criminal Sentencing, composed of 15 law enforcement officials, legislators, public defenders, prosecutors and judges, released a report in December 2005 recommending that the school zones be reduced. The commission stated in its report that the zones are ineffective.

The Township Committee then created the petition, which has spawned a similar petition drive in Green Brook, said Kevin Davis, township clerk and business administrator.

The Manville Borough Council also is opposing the bill.

"By cutting it short, you're defeating the whole purpose of having drug-free school zones," Manville Mayor Angelo Corradino has said.

On Oct. 6, Committeewoman Lisa Nisivoccia hand delivered Hillsborough's petitions to Biondi, stating the signatures would show the Legislature that "Hillsborough will not tolerate endangering the safety of its children," she said.

"Biondi, listening to the people of Somerset County, has taken on the task of making sure the petitioners' voices are heard in Trenton," Nisivoccia said in a statement. "His drafting of this recent bill is an attempt to make sure that not only are drug-free zones not reduced but further measures are taken to ensure our children's safety."

Hillsborough Board of Education members had said the resolution is a product of the township, not the school district.

"It's not an issue for our schools to get involved in," board member Chris Pulsifer had said.

Ben Barlyn, deputy attorney general and executive director of the New Jersey Commission to Review Criminal Sentencing, has said that prison overcrowding and prison costs are not prime reasons why the commission recommended the law be changed.

He said considerations for the change included an "unfair and devastating effect" on minority communities. Minorities represent 27 percent of the state's population, but account for 96 percent of all inmates jailed for drug-zone violations.

Barlyn said another key consideration was the current drug-free zones aren't always marked with signs. He said 1,000 feet doesn't approximate "a line of sight view" and municipalities aren't required by statute to post signs showing where the drug-free zones begin or end.

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