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# The Star-Ledger

## Booker redirects his anger at the war on drugs

Sunday, June 24, 2007

The BlackBerry in Mayor Cory Booker's jacket pocket signals him every time the gunfire in Newark claims another victim. It happens almost every day.

A man shot in the neck while fending off a robber on Spruce Street at dusk. Two men shot in the face during an argument on 19th Street just after midnight. A man assassinated on Clinton Avenue by a gunman who fired several shots into his chest from close range.

That BlackBerry carries grim news.

"It's frustrating," Booker says, shaking his head. "I've said this is what I'm going to hang my hat on, the safety of my residents. That's how I want to be judged. That's my mandate."

For Booker, it has been a sobering first year as mayor. When he swore his oath last summer he was the whiz kid, the fast-talking Rhodes scholar with a million strategies to make the city safe. He pinned everything on that.

Now he is staring into this abyss, and it's leaving a mark on him. He is an angrier man now. And the focus of that anger is a public policy that he believes is ruining his city and threatening his hopes to change it.

The problem, he says, is New Jersey's tough tactics in the drug war. We are heavy on jail time and unforgiving even when prisoners finish their terms. At a time when even states like Texas are changing course, we are sticking with our failed strategy.

The result is to turn thousands of young men into economic cripples and to give the crime wave in Newark a flood of fresh recruits. Booker describes it as almost an economic genocide against African-American men in his city.

And if it doesn't change, he says, he's ready to go to jail in protest, in the tradition of the civil rights movement.

"I'm going to battle on this," the mayor says. "We're going to start doing it the gentlemanly way. And then we're going to do the civil disobedience way. Because this is absurd.

"I'm talking about marches. I'm talking about sit-ins at the state capitol. I'm talking about whatever it takes."

He wants to reserve prison cells for those who do violence and divert the nonviolent drug offenders into treatment programs and halfway houses.

He wants to change the New Jersey laws that bar many ex-cons from getting a driver's license. He wants a black kid from Newark who sells marijuana to clear his record as easily as the white kid from the suburbs who buys it.

He wants to stop banning ex-cons from such a long list of jobs, including warehouse jobs at the nearby airport.

The scale of the problem is staggering: About 1,500 convicts are released from state prison to Newark each year, and 1,000 of them will likely be arrested again within three years -- mostly for drug crimes.

"The drug war is causing crime," Booker says. "It is just chewing up young black men. And it's killing Newark."

## **FUTILITY ON THE MARCH**

At his headquarters, Police Director Garry McCarthy sat behind a big wooden desk and looked over the stat sheets.

"It's really mind-boggling," he says. "I don't have an answer."

The mystery is at the heart of Booker's major failure as mayor so far: After a year in office, the city's horrifying murder rate has barely budged. And last year's 105 homicides was the highest number in more than a decade.

McCarthy is perplexed because every other crime in the city is dropping like a stone. The number of people hit by gunfire is down by 31 percent this year. Reported burglaries are down 36 percent, rapes by 18 percent and robberies by 16 percent.

McCarthy's best guess is that the drug trade is the root cause. The killings this year tend to be more ruthless, he says -- one bad guy shooting another at close range with a potent weapon.

"We're stopping the random shootings," he says. "But the targeted assassinations we have had a lot of trouble getting inside of. These guys are not trying to send a message. They're trying to hurt that other person."

McCarthy is a veteran New York City cop with a belligerent look, like he's ready for a fistfight at any moment. But he's with Booker on the need to retool the drug war.

"I don't possess the answer, but something different has to be done," he says.

Talk to any of the people on the front lines of the drug war -- the cops, the judges, the social workers -- and you hear a lot of frustration like that. These are people who see the results up close and know that the tough approach simply isn't working.

Take Barnett Hoffman, a retired judge in Middlesex County who spent years sending addicts to prison with a growing sense of futility. Hoffman started a drug treatment program in the county jail, but he says that diverts only a trickle of the addicts flooding the state prisons at an annual cost of \$32,400 each.

"I don't think the public understand two things," he says. "One, how expensive it is to lock somebody up. And two, they think all drug dealers are Al Pacino, and they're not. They're a bunch of people who have made bad

decisions and have become addicted to drugs."

Hoffman now chairs a state commission pushing to divert more drug offenders into treatment and to cut back on mandatory prison terms, especially the one mandating three years for drug offenses within 1,000 feet of a school.

The impact of that law is profoundly racist. In Newark, the entire city is within a drug zone except the airport. Hoffman's commission found that 96 percent of those sentenced under the school zone laws are African-American or Latino.

Dave Kerr has another up-close view on the drug war. He runs a sprawling treatment program out of a handful of brownstones in downtown Newark. Nearly every day, addicts knock on his door asking for help and he has to turn them away because his beds are filled.

"We have 423 people on the waiting list right now," he says.

That's 423 more addicts in Newark, fueling the drug trade, committing crimes and in many cases abusing or neglecting their children. Many of them will wind up in jail, which is far more costly than Kerr's treatment program.

"It's just crazy," Kerr says.

## **SCALING THE WALL**

If Booker really does push this, his fight in Trenton will be as difficult to win as the fight on Newark's streets.

New Jersey may be a liberal state -- but not when it comes to the drug war. Our prison system, which costs just over \$1 billion a year, is stuffed with nonviolent drug offenders. They take up about one-third of all the beds, the highest portion in the country. Our barriers to employment after prison are also among the nation's toughest.

So far, the Legislature has shown no interest in changing the tough mandatory sentences that apply in most drug cases.

In late 2005, Hoffman's commission proposed redrawing the drug zones to 200 feet of schools, rather than 1,000 feet. This came after they found almost none of those arrested in the zones was selling drugs to schoolchildren.

But even that modest move provoked a backlash. Assemblyman Peter Biondi (R-Somerset) drew up a bill to toughen the mandatory penalties.

"People are looking for more severe penalties, not lesser penalties," Biondi says.

Still, some changes are possible. Assemblyman Joe Cryan (D-Union), the Democratic state chairman, said the Legislature is open to expanding the drug courts, which divert offenders into treatment programs, because they have proved wildly successful in reducing recidivism.

Legislators also may be willing to knock down barriers that are keeping ex-cons from getting jobs. Under current state law, ex-offenders are banned from working at airports, in government jobs and as home health aides, for example.

"If we don't do anything, they'll just wind up back in prison," Cryan says. "There's more understanding on that now."

That is exactly where Booker wants to start.

He knows it'll be tough. But when he talks about it, the political smile disappears and he wears the expression of a man preparing to smash his head into a brick wall if that's what it takes.

Lucky thing. Because that wall is sturdy. And it's way past time that someone knocked it down.

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