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## Drug-free zones cited for racial bias

Thursday, March 23, 2006

**BY RICK HEPP**  
Star-Ledger Staff

Laws passed in the 1980s to protect children from drug dealers not only fail to deter narcotics sales near schools, but unfairly target minorities and subject them to stiffer penalties than drug pushers in white communities, according to a report that examined the effectiveness of drug-free zones nationwide.

"For two decades, policymakers have mistakenly assumed that these statutes shield children from drug activity," said Judith Greene, who co-authored the report for the Washington-based Justice Policy Institute. "We found no evidence that drug-free zone laws protect children, but ample evidence that the laws hurt communities of color and contribute to mounting correctional costs."

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The Justice Policy Institute's report, which will be released today, also found "there may be sharp disparities in the way drug-free zone laws are enforced" in white and minority communities and "the primary function of drug-free zone laws is not to drive drug activity away from schools but to deter defendants from exercising their right to trial."

The report was commissioned by the Drug Policy Alliance, a liberal group that promotes an overhaul of the nation's approach to drug problems and advocates needle exchange.

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The findings come on the heels of a blue-ribbon panel's report to New Jersey lawmakers that the state's current drug-free zones are so large -- 1,000 feet around schools and 500 feet around parks, libraries, museums or public housing -- they blanket entire cities populated mostly by minorities.

As a result, the blue-ribbon panel found, 96 percent of those in New Jersey prisons for drug-zone crimes are "either black or Hispanic." They recommended reducing drug-free zones in New Jersey to 200 feet and increasing penalties for selling or possessing drugs with intent to distribute in those areas. A bill to implement the new zones is currently awaiting action in the Legislature.

In fact, the Justice Policy Institute's report, "Disparity by Design: How Drug-Free Zone Laws Impact Racial Disparity," relied heavily on the New Jersey panel's findings because it was the first to take a comprehensive look at drug-free zones, the authors noted. It also reviewed data on the legacy of drug laws in Massachusetts, Connecticut, Washington, Utah, Texas and Illinois.

"The results of the New Jersey Sentencing Commission's research should alarm policymakers in other states where drug-free zone statutes are similarly structured," the report states, "the real picture (nationwide) is, if anything, worse than that depicted by New Jersey's commission."

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