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Drug-free zone shift advances

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Reacting to statistics showing that 96 percent of those snared by the state's drug-free zones are black or Hispanic, an Assembly committee yesterday approved legislation to shrink the zones to 200 feet to make them "fairer and more effective."

Members of a blue-ribbon commission told lawmakers the current drug-free zones are so large -- 1,000 feet for schools and 500 feet for parks, libraries, museums or public housing -- they have defeated the purpose of discouraging dealers.

Commission Chairman Barnett Hoffman, a retired Superior Court judge, said because those overlapping zones blanket entire cities populated mostly by minorities, 96 percent of those in prison for drug-zone crimes "are either black or Hispanic."

"This is wrong," Hoffman said.

The bill would create a uniform, 200-foot drug-free zone around schools and other public places in which heavier penalties would apply for selling drugs or possessing them with intent to distribute.

Selling a small amount of marijuana within a drug-free school zone would no longer carry a mandatory one-year jail term but would still be punishable by up to five years in prison. The mandatory three-year term for selling harder drugs also would be repealed, but the maximum prison term would increase to 10 years, up from five.

"This is not a softening of the drug laws," Hoffman said. "It is a refocusing of the laws to make them fairer and more effective."

The bill (A4465) is the key recommendation of a report the New Jersey Commission to Review Criminal Sentencing is scheduled to unveil tomorrow.

Deputy Attorney General Ben Barlyn, the commission's executive director, said the report will include additional data supporting the case for reforming drug-free zones. Assemblywoman Mary Previte (D-Camden) said it shows a 1987 law intended to prevent the sale of drugs within 1,000 feet of schools "has failed."

"Drug-dealing has been as prevalent inside the school zones as outside them," Previte said. "This legislation is

not being soft on crime; it is being smart on crime."

Assemblyman Brian Rumpf (R-Ocean) asked whether the commission considered tailoring its recommendations to the needs of rural areas by allowing each municipality to determine the size of its own drug-free zones.

"I think that would create a rather haphazard, crazy-quilt piece of legislation," Hoffman replied. Rumpf cast the only vote against the bill, while the other Republican on the Law and Public Safety Committee, Assemblyman Jon Bramnick of Union County, abstained.

The New Jersey Council of Churches and Families Against Mandatory Minimums testified in support of the bill, which advances to the full Assembly.

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