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Study fuels debate on drug-free zones

By Martha T. Moore, USA TODAY

Drug-free school zones, which stiffen penalties for drug crimes committed within their boundaries, don't discourage drug dealing around the buildings and are unfair to minorities, a report released today says.

The study by the Drug Policy Alliance and the Justice Policy Institute, two non-profit groups that advocate reducing penalties for non-violent drug crimes, echoes concerns already raised by lawmakers and even prosecutors who are pushing to revise the laws.

Drug-free zones, which have been around since the 1980s, commonly extend 1,000 feet in all directions from a school, but some set the distance as far as 3 miles. They have been expanded over the years to cover such places as public housing, parks, playgrounds and, in Utah, shopping malls and churches.

In some urban areas, drug-free zones are so numerous that they blanket almost entire cities. As a result, no one knows where the zones begin and end and therefore they have little deterrent effect, the report says. Minorities also are more likely to bear the brunt of tougher sentencing rules that apply to the zones, it says.

At least three state legislatures are considering bills to reduce the size of the zones. Bills would shrink the zones to 200 feet from 1,500 feet in

Connecticut and from 1,000 feet in New Jersey and Washington. A similar attempt died in the South Dakota Legislature last

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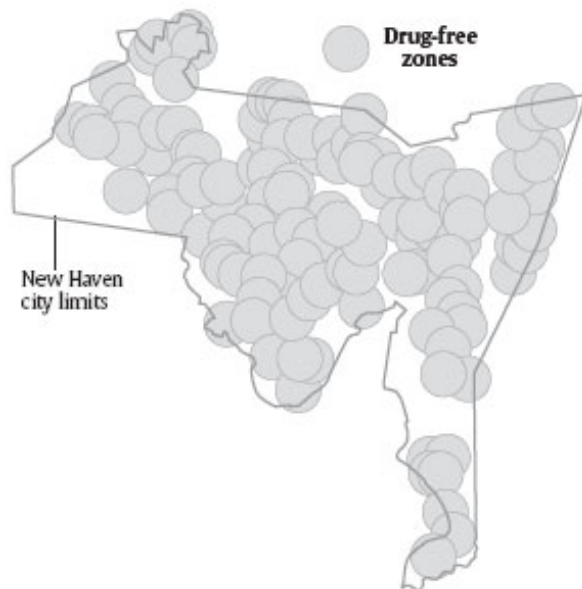
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By Adrienne Lewis, USA TODAY, Source: Connecticut Office of Legislative Services
Connecticut has designated all territory within 1,500 feet of schools, day care centers and public housing to be drug-free zones, where drug dealing is more severely punished. Overlapping zones can cover much of a city, such as New Haven.

the National Crime Prevention Council.

"It'll look like it's a pullback, a reduction of our sincere efforts to reduce drugs in and around our schools," Lenhardt says. "Anything that sends a signal that we're backing away from the commitment to provide a drug-free zone around our schools is not the way to go."

"Nobody feels sorry for drug dealers" who are penalized for being in a zone they didn't know existed, says Ben Barlyn, a deputy attorney general in New Jersey and executive director of the state sentencing commission, which recommended that drug-free zones be made smaller. "The question is, is it fair and does it work?"

Critics say the tougher penalties in drug-free zones mean that drug dealers in cities, who are more likely to be minorities, are punished more harshly than their suburban and rural counterparts.

"We end up creating two different criminal justice systems," says Gabriel Sayegh of the Drug Policy Alliance, which supports legislation to make drug-free zones smaller and more identifiable. "What we're talking about is focusing the laws to make them effective."

Drug-free zones are fewer and farther apart in the suburbs. In suburban Connecticut, "the houses are more than 1,500 feet away from each other, let alone a school," says Connecticut state Rep. Mike Lawler, chairman of the House Judiciary Committee, which will hold hearings Friday on the bill to shrink the zones. In a city, "You might as well stand next to the school (to sell drugs), because there's no where else you can stand" and not be in a drug-free zone.

"You might just as well say blacks get one penalty and whites get another penalty," Lawler says.

Rolling back penalties on drug dealing is a tough sell, especially when schools are involved, even though Barlyn says a "statistically insignificant" number of arrests in drug zones involve selling drugs to children.

year.

In Utah, the parole board recommended last fall that drug-free zones be replaced with stiffer penalties for drug offenses committed in the presence of children.

Drug arrests don't decline in the zones, according to the report's figures from Connecticut and New Jersey.

In New Jersey, where a drug-free zone law was passed in 1987, arrests near schools rose from 8,000 in 1993 to 14,000 in 2002, according to the state Commission to Review Criminal Sentencing.

Shrinking protected zones sends the wrong message, says Alfonso Lenhardt, president of

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