

## Newark Star-Ledger

### More sensible drug laws

Friday, December 09, 2005

Though well-intended, get-tough drug laws have been a colossal failure. Since the late 1980s, when state lawmakers everywhere began adopting such laws, the number of people serving time in New Jersey prisons has jumped from 6,000 to 27,000. Of those incarcerated, nearly 36 percent are there for drug crimes, most serving lengthy sentences imposed by judges who had no choice.

This week a commission created by the Legislature last year came to the logical conclusion that the laws are not producing the desired results. The New Jersey Commission to Review Criminal Sentencing, made up of Democrats and Republicans, liberals and conservatives, prosecutors and defense lawyers, unanimously agreed that the system is broken.

The centerpiece of a just-released commission report is a call to shrink drug-free school zones from the 1,000-foot range to 200 feet. An Assembly bill (A4465) that would make the change fortunately appears headed for approval.

Swift passage is in order, particularly in the face of overwhelming evidence that the drug-free school zone law has a disparate impact on minorities. Statistics compiled by the commission show 96 percent of those snagged by the state's drug-free school zone law are black or Hispanic. That's partly because up to 76 percent of people in some cities, such as Newark and Jersey City, are within 1,000 feet of a school. (Another drug law lengthens sentencing if the crime occurred within 500 feet of a park, a public housing facility, library or museum.) In rural areas, only a small percentage of people are in drug-free zones. In Mansfield Township in Burlington County, for example, the figure is just 6 percent.

The commission rightly argues that a 200-foot range, which would put the focus on people peddling drugs at or near schools, is a more sensible approach. In 90 percent of drug arrests that took place within drug-free zones, no sales to minors were involved, the commission noted.

The panel also wants mandatory minimum sentences eliminated for drug crimes, which would then carry five- to 10-year sentences, with a judge determining the final term.

None of this means the state will go soft on crime. Representatives of the 21 county prosecutors and the Attorney General's Office, who served on the commission, voted to support the changes. The New Jersey Police Chiefs Association hasn't opposed the changes, either.

As now written, New Jersey's drug laws are neither fair nor effective. To keep them on the books makes no sense.

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