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For All the Good It Does

You're probably in a drug-free school zone right now

Ⓢ Ever seen a crack dealer brandish a chrome tape measure and inch his way out of a "drug-free school zone" before sling- ing fat rocks to pregnant teenage mothers? No? According to the Northampton-based Prison Policy Initiative (PPI), that's because the threat of two-year mandatory-minimum sentences for drug offenses committed within a 1000-foot radius of school property doesn't keep pushers away from school- children. The strict "sentencing- enhancement zones," which also protect day-care centers and head-start facilities, do help prosecutors incarcerate a dispro- portionate number of urban residents — which coincidentally equals a dispropor- tionate number of minorities — but that's about it.

This past week, the PPI — which in 2008 released a report subtitled "The Geography of Punishment: How Huge Sen- tencing Enhance- ment Zones Harm Communities, Fail To Protect Chil- dren" — followed

up with an analysis dubbed "Reaching too Far, Coming up Short: How Large Sentencing-Enhancement Zones Miss the Mark." Among the PPI's chief findings: "Blacks and Latinos are a minority of the state's population and drug users, but received an overwhelming majority of the 796 years of prison time imposed for zone offenses [in 2007]."

With this new research in his quiver, State Representative William Browns- berger of Belmont has worked to taper sentence- enhancement zones since arriv- ing at the State House in 2007. A former Massa- chusetts assistant attorney general who specialized in prosecuting narcotics offend- ers, Brownsberg- er stresses that a drug-free zone is not an effective deterrent.

In his own 2001 study, conducted for the Boston Uni- versity School of Public Health, Brownsberger

found that, because of the high density of schools in high-poverty and high-crime areas (almost all of Boston falls into en- hancement zones), about 80 percent of drug arrests occurred in school zones, though less than one percent of drug cases involved sales to minors.

"This isn't about anybody being soft on crime — of course we need to discour- age drug dealing," says Brownsberger. "But this is a money issue now. We're just sending too many people to prison and we're locking them up for too long."

Though his bill to change enhancement- zone laws died on the House floor this past year, Brownsberger says his similar proposal this session — that scales zones down to 100 feet — has a better chance of surviving the political gauntlet. Comparable bills filed by State Representative Ben Swan of Springfield and State Senator Cynthia Creem of Newton also aim to lower the number of non-violent offenders who Massachusetts incarcerates, at a cost of \$50,000 each per year. Accord- ing to PPI Executive Director Peter Wagner, passing zone-reform legislation is the least Beacon Hill lawmakers can do since they helped former Governor Michael Dukakis light this fire back in 1989.

"We know that Dukakis didn't mean for this," says Wagner. "But Massa- chusetts was one of the first places to make these laws, and I'm hoping that we'll be one of the first places to get rid of them."

Chris Faraone

