

1,000 feet is a lot
further than you think.

Experiments conducted for the
Geography of Punishment report

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The intent of Sentencing Enhancement Zone Laws

- Create a higher penalty for offenses that occur within a certain distance (often 1,000 feet) of places considered to need special protection.
- Create an incentive for criminal activity to move away from areas in need of special protection.

The practice of Sentencing Enhancement Zone Laws

- Our other research found that the 1,000 foot distance results in blanketing entire urban areas in overlapping enhancement zones, nullifying the legislature's effort to afford some places special protection. Simply put, when a legislature says that everywhere is special, no place is special.

Was the 1,000 foot
distance itself a
fundamental law
in the law?

The questionable assumptions of geography-based deterrence

- Existing laws do not contain additional penalties for selling drugs to minors, or for involving minors in the drug trade. (Not true)
- It is not possible to make a geography-based law apply only when school is in session. (Not true)
- It is reasonable to assume that anyone committing a drug offense within 1,000 feet of a school must intend to sell drugs to children. (To be tested...)

Experimental questions:

- What does 1,000 feet even look like?
- Is 1,000 feet is an appropriate size for a sentencing enhancement zone?

Methodology

- Purchased professional surveying equipment (because consumer measuring equipment does not measure that far).
- Picked ideal conditions:
 - Found the straightest flattest street near a school in all of Hampden County.
 - Waited until Fall when the leaves were down.



View From School Property

Author Aleks Kajstura 100 feet from the school property line.
The authors found that at this distance, it was impossible to communicate except by shouting.



Kajstura 250 feet from the property line.
At this distance, the authors had to use cell phones to communicate.



View From School Property

Kajstura 500 feet from the property line.
She is almost impossible to see.



View From School Property

Kajstura 1,000 feet from the property line, now on the grass behind the road, which ended at about 900 feet. It is extremely difficult to distinguish her from the stop sign on the left side of the road, and the sign she is holding is the only reason she is visible at all.

At this distance she has little ability to affect someone on school property.

Experiment Conclusions:

- Even under artificial circumstances 1,000 feet is a significant distance to pedestrians.
- It is not reasonable to assume that someone anywhere within 1,000 feet from school property intends to sell drugs to children at the school.
- The legislature erred in assuming that 1,000 feet was an effective distance with which to deter drug dealers from operating near schools.

Design principles for geography-based deterrent laws

- In order to work as intended, the legislature should pick the minimum distance where it would be reasonable to assume that anyone committing a prohibited act intends to involve children in that act.
- A distance of 1,000 feet is simply too far.

For more information:

The Geography of Punishment:

*How Huge Sentencing Enhancement Zones Harm
Communities, Fail to Protect Children*

<http://www.prisonpolicy.org/zones/>

Reaching too far, coming up short:

*How large sentencing enhancement zones
miss the mark*

<http://www.prisonpolicy.org/toofar/>