ZONES: Effective Deterrent?

Hampden County’s new DA considers drug-free school zone laws

By Maureen Turner

NRC Okays Nuke Relicensing
New DA Talks About Drug-Free School Zones

Are they an effective deterrent, or just a lever to force lesser pleas from drug offenders?

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Earlier this year, Gov. Deval Patrick proposed a number of changes to the criminal justice system, with an eye to reducing costs.

The list includes amending so-called “drug-free school zones” laws, which were created under the Dukakis administration as a way to prevent drug activity near children. Under the 22-year-old law, people convicted of drug crimes within 1,000 feet of a school or daycare center face mandatory minimum sentences of two to 15 years, in addition to any sentences for the underlying charge itself.

Patrick’s proposal would not eliminate school zones or the mandatory minimum sentences, but would allow judges to sentence drug offenders to terms that are proportional to the offenses. Judges would also have discretion to sentence offenders to incarceration terms that are less than the mandatory minimum sentences if they decide it is appropriate.

Patrick’s proposal was recently amended by a number of law enforcement officials, from Attorney General Martha Coakley to the Mass. police chiefs' and district attorneys' associations. But critics of the existing law applauded the idea, arguing that the zones are too large to effectively serve their stated purpose and that they have the unintended effect of penalizing urban residents more than residents of less dense areas for the same crimes.

Indeed, if Patrick’s proposal is successful, its effects would be felt nowhere more keenly than in communities like Springfield and Holyoke, where geographic realities mean drug-criminal defendants are much more likely to face the added penalties than their counterparts in neighboring communities.

Mark Mastroianni, the newly elected district attorney for Hampden County, sees statutes like the school zone laws as having both benefits and potential pitfalls. As a prosecutor, he said, he likes having mandatory minimum laws as one of the tools at his disposal. “I think that’s an important tool for us to use. They’re effective deterrents, they’re effective as sentencing options for me to apply to individuals who deserve that type of harsh punishment.”

“But they’re also subject to overuse,” Mastroianni added. “And that creates some inequities and problems within the system.”

A 2009 report by Easthampton’s Prison Policy Initiative illustrates how school zone laws disproportionately affect urban residents.

The report, titled The Geography of Punishment, points out that the relatively large number of schools and daycare facilities in densely populated urban areas create numerous overlapping “drug-free” zones, rendering entire areas—including large swatches of Springfield’s core and much of the city of Holyoke—one giant school zone. In Hampden County, the report notes, residents of urban communities are five times more likely to live in a school zone than residents of rural communities.

The law’s effect has racial implications as well. “Because Blacks and Latinos are more likely to live in urban areas, a law that enhances the sentences of urban residents does more harm to Black and Latino populations than to whites,” the PPI authors write. “This racial disparity in the populations covered by sentencing enhancement zones is a large part of why almost 8 out of 10 people convicted of drug offenses in Massachusetts are Black or Latino.”

The report also notes the heavy price tag that comes with enforcement of school-zone laws: the state spends more than $31 million a year to incarcerate prisoners sentenced under the law.

Critics also contend that, because they are so widely drawn, school zones fail to address their initial intended purpose: discouraging drug crimes near schools by subjecting offenders to extra penalties. The zones stretch 1,000 feet in all directions from the edges of school properties; that, the PPI points out, means that the law can apply in areas that are actually quite inaccessible from the schools themselves. Aerial photos included in the report make this particularly clear: one image, for example, shows that Bonner Street, in Chicopee, falls within the zone attached to Holyoke’s Dean Technical High School despite the fact that the Connecticut River runs between the two sites, and, short of swimming, the fastest way to get from one point to the other would entail driving more than four miles and crossing a bridge. In another example, Darling Street in Springfield is technically within 1,000 feet of JFK Middle School although, in reality, obstacles including Long Pond and a cemetery mean the most accessible route between the two places involves traveling 3,800 feet.

It seems hard to imagine that a drug dealer on Bonner Street would be targeting students at Dean Tech—indeed, he or she might not even be aware of the school’s proximity across the river. By extension, then, would the existence of the added school zone penalties deter him or her from committing the crime in that area, as the law was intended to do? The law does not distinguish crimes that happen in full view of school children from crimes that occur when school’s not in session, or in concealed indoor spaces, like a private residence around the block from the school.

Barbara Dougan, director of the Massachusetts chapter of Families Against Mandatory Minimums, recently told the Advocate that the school zones, as currently drawn, are so large that they’re meaningless. “Nobody really understands whether they really are or are not within a zone, so [the laws] lose their deterrent value, they lose the very reason they were enacted,” she said. “What [the law] does do is impose harsher penalties on people because of where they live, not what they do.” And, Dougan added, there are already laws on the books that impose mandatory minimum sentences for selling drugs to children or...
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The student’s experiences and beliefs about school and education can have a profound impact on their academic performance. The atmosphere in the classroom, the interaction with teachers and peers, and the overall educational environment can significantly influence a student’s motivation and engagement. Teachers play a crucial role in shaping students’ perceptions of their subject matter, which can affect their interests and future career choices. Therefore, it is essential that schools provide a supportive and inclusive learning environment to help students thrive.

In recent years, there has been a growing awareness of the importance of mental health support in schools. Many schools have implemented programs to address the needs of students, such as providing counseling services, promoting healthy coping mechanisms, and fostering a positive school culture. These efforts are vital in ensuring that students feel safe, supported, and motivated to succeed.

However, the challenges of providing comprehensive mental health support can be significant. Schools need to allocate resources, train staff, and create policies that align with the needs of their students. It is crucial that schools prioritize mental health as an integral part of their educational mission and work collaboratively with families, communities, and other stakeholders to create a supportive ecosystem for students.

Ultimately, the well-being of students is linked to their academic success and personal growth. By creating a supportive and nurturing environment, schools can help students develop the skills and knowledge they need to succeed in all areas of their lives.