



A Better Way Foundation is a Connecticut non-profit organization that is dedicated to a sensible shift in drug policy from one of incarceration to substance abuse treatment and public health.

[www.abwfct.org](http://www.abwfct.org)

## **In Favor of Raised Senate Bill 259: An Act Concerning the Recommendation of the Connecticut Sentencing Commission Regarding the Enhanced Penalty for The Sale or Possession of Drugs Near Schools, Day Care Centers and Public Housing Projects**

Good afternoon,

Thank you for the opportunity to address the Judiciary Committee and its distinguished members. A Better Way Foundation has worked on reforming drug free school zones since its inception in 1999. Our membership is over 10,000 across the state of Connecticut representing various stakeholders directly and indirectly impacted by the implementation of the drug free school zones law.

A Better Way Foundation supports **ALL** of the recommendation of An Act Concerning the Recommendations of the Connecticut Sentencing Commission, which include reducing the size from 1500 feet to 200 and proof of “intent” is on the arresting officer and state’s attorney office.

According to Connecticut’s Department of Correction’s Offender Programs and Addiction Services Unit’s website: *“The agency’s Objective Classification System indicates that 88% of the inmates who come into the system have a substance abuse history that suggests a significant need for some level of substance abuse treatment.”*

Senate Bill 259 will reduce the arrests and incarceration of people dealing with substance use disorders. Today many of the people arrested and charged with drug free school zones are forced to take a plea bargain to avoid the mandatory minimums. Because the zones are so large and in some cases cover the entire city many times people struggling with drug addiction are arrested and forced to plea a felony conviction. By reducing the size of the zone and putting the responsibility to prove “intent to sale” on law enforcement we can reduce the incarceration of people who are addicted and focus law enforcement resources on crimes against persons.

On January 1, 2014 substance use disorder treatment (drug addiction treatment) was included as one of the 10 Essential Benefits that must be included in medical insurance coverage. This means many of the people who did not have insurance before will now be able to access medical treatment as an option. The creation of Access Health CT and the commitment to the new healthcare law changes how we deal with people with substance use disorder and mental illness.

For years A Better Way Foundation has argued that treatment was less expensive than incarceration. We are now at a place where we can facilitate the necessary systemic change to make that debate a reality.

- Drug-free zones are more common urban centers communities were majority of the residents get healthcare through the emergency room or prisons. Access Health CT reported people in the *Hartford, New Haven, and Fairfield Counties* representing 80% of CT uninsured in 2013.

- Taxpayers pay **\$50,262<sup>1</sup>** on average *to incarcerate* a person with substance use disorder.

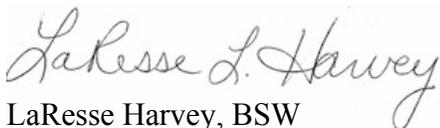
Drug Free School Zones will continue to incarcerate *unintended* individuals living in overlapping zones without the benefit of substance use treatment first verse incarceration only tactics. It is time to reform drug free school zones and allow poor people to seek substance use disorder and mental health treatment, become self-sufficient, and keep families together.

A Better Way Foundation recommends the following changes to **Raised Senate Bill 259: An Act Concerning the Recommendation of the Connecticut Sentencing Commission Regarding the Enhanced Penalty for The Sale or Possession of Drugs Near Schools, Day Care Centers and Public Housing Projects** to ensure the efforts of cost-savings and the success of the Affordable Care Act implementation **should also, include:**

- 1. Removing public housing, which had bipartisan support during 2012 session.**
- 2. Provide a new Racial Ethnic Impact Statement this information will show the ineffectiveness and the racial discrimination the current law presents.**
  - As the legislature takes up consideration of the need to reform these laws again this year, they will need to know the facts. They should be **fully informed about the number of people arrested for violating the zone laws; their ages; their gender; their race and ethnicity – and they should be able to compare this data with figures for people arrested for drug offenses outside of the prohibited zones.**

Thank you for your attention to this important issues and your commitment to seeking real public safety for the state of Connecticut by passing and supporting **Raised Senate Bill 259: An Act Concerning the Recommendation of the Connecticut Sentencing Commission Regarding the Enhanced Penalty for The Sale or Possession of Drugs Near Schools, Day Care Centers and Public Housing Projects.**

Respectfully,



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<sup>1</sup> July 20, 2012 Vera Institute of Justice report, “The Price of Prisons: What Incarceration Costs Taxpayers”