



# State of Connecticut

## DIVISION OF PUBLIC DEFENDER SERVICES

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### Testimony of Deborah Del Prete Sullivan, Legal Counsel, Director Office of Chief Public Defender

#### *Raised Bill 259*

#### *An Act Concerning The Recommendations 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*

#### Judiciary Committee Public Hearing March 12, 2014

The Office of Chief Public Defender supports *Raised Bill No. 259, An Act Concerning The Recommendations 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*. This recommendation of the Connecticut Sentencing Commission is before this Committee again this session and is the result of a consensus reached between members of a working group which included the Division of Criminal Justice and the Office of Chief Public Defender.

Sections 1 and 2 would amend C.G.S. §21a-267 and §21a-278a to clarify that a person who violates either statute must possess the intent to commit the violation in a specific location. In addition, the bill defines that as being within two hundred feet of the perimeter of the real property of a school, daycare or public housing facility.

Section 3 amends C.G.S. §21a-279 and provides that the enhanced consecutive mandatory minimum sentence would be imposed upon a person convicted under §21a-279 if the violation occurred within 200 feet of the perimeter of the real property of a school or day care and makes other changes consistent with the changes in Sections 1 and 2.

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Testimony    Deborah Del Prete Sullivan, Legal Counsel, Director,  
                         Office of Chief Public Defender

R. B. 259    *An Act Concerning the Recommendations 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*

Existing drug free zones in Connecticut has been an issue that has been discussed by this Committee previously. The current law provides for a large zone which can significantly impact upon the population of a city because of the existence of numerous schools, public housing and daycare centers within such. But when compared to a suburban area, urban residents are more at risk for being arrested for violating these statutes than residents of suburban areas. Due to the current statutory definition of a drug free zone, there can be a disparate impact upon minorities who reside in urban areas. By setting a specific boundary from the *perimeter* of a property, the racial disparity that may exist between urban and suburban areas, for persons being arrested for the same conduct, may diminish. For these reasons this Office supports this bill and urges this Committee to report it out favorably.