

## **New Jersey Comprehensive Drug Reform Act**

In July, 1987, the New Jersey Comprehensive Drug Reform Act became law. This law was intended to “ensure the imposition of stern, consistent punishment for all drug offenders, and transferred all drug offenses into the Code of Criminal Justice.

### **PENALTIES THAT CAN AFFECT A COLLEGE STUDENT**

1. “Designer Drugs”: These drugs, for example, “Ecstasy” and the look-alikes, are now included in the list of “controlled and dangerous substances.”
2. Criminal Homicide: If a person dies as a result of using a drug given by another, the giver of the drug can be charged with criminal homicide.
3. Drug-Free School Zones: There is a special provision in this Act if you are on any school property (elementary or secondary) or within 1000 feet of any school property or school bus or on any school bus and are convicted of distributing, dispensing or possessing with intent to distribute a “controlled or dangerous substance”, you will be sentenced to a term of imprisonment and a fine up to \$100,000 depending upon amount of the substance you possess. During part of this term of imprisonment you would not be eligible for parole.

### **STIFFER PENALTIES**

1. There is a penalty of mandatory loss or postponement of driving privileges of at least 6 months upon conviction of many drug offenses
2. Especially harsh penalties are established to impose “stern punishment for persons involved in illegal manufacture of drugs.”
3. If a person distributes a drug to a minor (under the age of 17) or a pregnant female, there is a stiffer penalty.
4. The Act provides for forfeiture provisions under which the state may confiscate a motor vehicle in which any “controlled dangerous substance” is found, no matter how small the amount.

### **POTENTIAL PENALTIES FOR A CONVICTION**

1. Simple possession, use or being under the influence of:
  - MARIJUANA: 0-18 months in jail and a fine of \$500 to \$15,000
  - COCAINE/CRACK: 3-5 years in jail and a fine of \$1000 to \$25,000
  - SPEED: same as cocaine
  - PSILOCYBIN and LSD: same as cocaine
2. Use or possession with intent to distribute:
  - MARIJUANA: 0-10 years in jail and a fine of \$750 to \$100,000

- COCAINE: 3-20 years in jail (with a 3-5 year mandatory sentence with no parole if amount exceeds 5 oz.) and a fine of \$1000 to \$300,000
- SPEED: 3-10 years in jail and a fine of \$1000 to \$100,000
- PSILOCYBIN and LSD: 3-5 years in jail and a fine of \$2000 to \$300,000 In addition to the foregoing fines, every defendant convicted of any drug offense or who goes into a drug diversionary program must pay a mandatory penalty ranging from \$500 to \$3000 and a mandatory \$50 laboratory charge.

Use or possession of drug paraphernalia: up to six months in jail, mandatory fine of \$500 to \$1000 and a mandatory loss of driving privileges for up to two years.