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New Jersey Senator Raymond J. Lesniak

# “It's time to start winning the War on Drugs.”

**THE PARTNERSHIP FOR A DRUG-FREE NEW JERSEY**  
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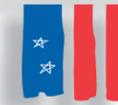
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# UPDATE

**DRUGS  
DON'T  
WORK  
IN NJ!**



Partnership for a Drug-Free New Jersey

Update No. 58

Spring 2011

## It's Time to Start Winning the War on Drugs.

by New Jersey Senator Raymond J. Lesniak

Since the inception of the War on Drugs, New Jersey's prison population has increased from 5,886 in 1980 to 25,436 in 2009. Eighty percent of these prison inmates have substance abuse addictions and nearly sixty percent are re-arrested within two years of release from prison. Clearly, we are losing the War on Drugs.

“One of the reasons why, despite decades of heightened law enforcement and longer prison sentences, we're losing the War on Drugs is that we're continuing to recycle substance abuse addicts in and out of prison without giving them a chance to take charge of their lives and recover from their addiction. As a result, they inevitably find their way back into

Prison is the easy way out. Drug treatment is demanding.’

“The initial two year \$40 million cost of the Earn Your Way Out Of Prison program will be paid by a restructuring of two percent of the over \$1 billion budget of the Department of Corrections which, from 1999 to 2009, has had a forty percent increase while its prison population, thanks to the establishment of Drug Courts and elimination of some mandatory sentencing, was decreasing twenty percent. At the end of the second year, the cost savings from the closing of a prison wing exceed the cost of the program. The cost reduction to society through reduced crime and recidivism is priceless.

*‘Most addicted offenders choose to serve a prison sentence rather than enter a drug court program. The drug treatment is rigorous and tough. It takes courage to enter the program. Prison is the easy way out. Drug treatment is demanding.’*

prison after again threatening and harming the lives and stealing the property of their family members, their neighbors, or anyone else whom they can prey upon, in order to relieve the craving caused by their addiction of choice.

“Earn Your Way Out Of Prison and Into Supervision, Treatment and Recovery recognizes the popular definition of insanity and expects different results by doing things differently. It challenges prison inmates to earn their way out of prison by participating in a recovery program based on self responsibility, a concept foreign to any addict.

“The goal of this pilot program will be to grant a two year early release from prison to 1000 inmates who successfully complete its course of self responsibility. This is not an easy way out. Two years ago, when I testified on behalf of drug court diversion for one of the robbers who invaded my home at two o'clock in the morning and threatened my life, I said, ‘Most addicted offenders choose to serve a prison sentence rather than enter a drug court program. The drug treatment is rigorous and tough. It takes courage to enter the program.



Notice: This article reflects the opinion of the author and does not necessarily reflect the opinion of Partnership for a Drug-Free New Jersey (PDFNJ). This information should not be construed as legal advice from the author or PDFNJ. Please consult your own attorney before making any legal decisions.

## New Jersey Drug Court Program Economic Impact



- Researchers have estimated<sup>1</sup> that a baby born of a drug-addicted mother will cost the medical and social systems between \$750,000 to 1.5 million dollars per baby. Thanks to New Jersey's Drug Court Program, 48 drug-free babies were born to formerly drug addicted mothers, saving society between 36 and 72 million dollars.



- The RAND Corporation<sup>2</sup> found that for heavy users of cocaine, treatment costs one-seventh as much as enforcement to achieve the same reduction in cocaine use.



- Every dollar spent on treatment leads to a \$7.46 reduction in crime-related spending and lost productivity, according to a study conducted for the Office of National Drug Control Policy<sup>3</sup>.



- The State of Washington<sup>4</sup> found that for every dollar spent in drug court the Criminal Justice System benefits would be \$2.46.

- The State of Texas<sup>5</sup> found that for every dollar spent on upgrading drug treatment from the traditional method of adjudication to drug treatment through DIVERT (drug) Court, \$9.43 of costs can be saved by society over a 40 month period.



- California<sup>6</sup>, in a study conducted between January 2000 and September 2001, found that during that period the State's drug courts saved approximately \$43 million in incarceration costs alone and collected almost \$1 million in fees and fines from drug court participants.



- In the State of New Jersey, drug court participants are expected to obtain employment, pay penalties, taxes, child support (if appropriate), victim restitution and otherwise meet financial obligations.

<sup>1</sup> Study by Christopher J. Kalotra for the Office of Justice Programs, Drug Court Clearinghouse and Technical Assistance Project, American University, March, 2001.

<sup>2</sup> Rydell, C.Peter, and Susan S. Everingham, Controlling Cocaine: Supply Versus Demand Programs, Santa Monica, CA.:RAND, MR-331-ONDPC/A/DPRC, 1994.

<sup>3</sup> Drug Use Forecasting, Annual Report on Adult and Juvenile Arrestees 1995, National Institute of Justice.

<sup>4</sup> Washington State Institute for Public Policy, Olympia, Wa., January, 1999.

<sup>5</sup> Department of Economics at Southern Methodist University, study published in August, 2002.

<sup>6</sup> State of California, Administrative Office of the Courts, 2003.

## About the Author

New Jersey Senator  
**Raymond J. Lesniak**

A Native of Elizabeth, NJ, Senator Raymond J. Lesniak began his legislative career in 1978. He served five and one-half years in the New Jersey General Assembly. In 1983, he was elected to the State Senate and currently Chairs the Senate Economic Growth Committee and serves on the Judiciary and Commerce Committees.

Taking on less than politically popular issues of social justice, like repealing mandatory prison sentences for non-violent drug offenses targeted exclusively at African-Americans and Hispanics was nothing new for Senator Lesniak. Under his sponsorship, New Jersey became the first state in the nation since the death penalty was reinstated by the U.S. Supreme Court in 1978 to repeal the death penalty and to recognize that "no good comes from the death penalty". The "no good" quote is from Senator Lesniak's speech at Le Memorial de Caen, the museum in Normandy, France, dedicated to promoting human rights throughout the world, where he became, in 2009, the second American in its 20 year history to win its prestigious International Human Rights Award.

The Senator holds an undergraduate degree from Rutgers University in Economics and a Juris Doctorate degree from St. John's University School of Law. He served in the U.S. Army 1967-69, Specialist Fourth Class. He is a partner in the law firm Weiner Lesniak.

THE PARTNERSHIP FOR A DRUG-FREE NEW JERSEY

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# Invites

## Drugs Don't Work In NJ! Members

# To the Thirteenth Annual

# Legal Issues of a

# Drug-Free Workplace Member Seminar

Wednesday, June 15, 2011  
Hilton Woodbridge  
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Guest Speaker: Nancy N. Delogu, Esq.,  
Employment Law Attorney, Littler Mendelson PC, Washington DC

### Emphasis

Employment Discrimination Counseling and Litigation Defense  
Privacy Law and Regulation  
Drug-Free Workplace and Drug-Testing Policy Development  
Department of Transportation Regulations

### Biography

Ms. Delogu defends employers in employment disputes before federal and state courts and administrative agencies on a range of employment issues including workplace harassment and discrimination, workplace privacy, and disability accommodation issues. She also counsels employers on implementing reductions-in-force, including compliance with the federal Older Workers' Benefit Protection Act (OWBPA) and the Worker Adjustment and Retraining Notification Act (WARN), and similar state statutes.

Ms. Delogu is also a leading expert on federal and state drug-free workplace and drug-testing issues, and has drafted dozens of substance-abuse prevention policies, including Department of Transportation (DOT) mandated programs. In this realm, she advises both employers and testing service providers on compliance.

### Publications

Ms. Delogu is a co-author and former editor of the comprehensive annual *Guide to State and Federal Drug-Testing Laws*. Recent publications include: *Ruling Clears Haze Over Pot, Pre-Employment Drug Tests* (San Francisco Daily Journal), with Rod Fliegel; *I Don't Know Why They Picked Me: 10th Circuit Broadens Requirements for Waiving Age Discrimination Claims*, and *Employers Exhale: Supreme Court Medical Marijuana Decision Aids Employer Anti-Drug Programs*.

**This seminar is provided free-of-charge to all *Drugs Don't Work In NJ!* Members.**

You may register online by visiting  
[www.DrugFreeNJ.org/DDW2011Registration](http://www.DrugFreeNJ.org/DDW2011Registration)

Addictions Hotline of New Jersey (1-800-238-2333)