

December 8, 2009

To Governor Jon S. Corzine and the Members of the New Jersey Legislature:

We, the undersigned former Attorneys General of the State of New Jersey, express our strong support for Senate Bill 1866 and urge the Governor and members of the Legislature to take action to pass this important legislation before the end of the year.

As law enforcement professionals, whose primary goal has been to protect the public, we understand how the criminal laws work and what makes our citizens safer. Strict mandatory minimum sentences for nonviolent drug offenses do not work and do not make the people of New Jersey safer.

Senate Bill 1866 would give judges the discretion to waive mandatory minimum sentences for some nonviolent drug offenses and allow them to craft individualized sentences. At the same time, the legislation provides guidelines for judges to apply when making the decision when to waive a mandatory sentence. This balanced and moderate legislation makes sense.

Mandating sentences for nonviolent drug offenders regardless of individual circumstances wastes money and does not increase public safety. A compelling body of evidence, including outcome data from New Jersey's own drug courts, indicates that drug treatment can be effective in treating offenders' addictions, enabling them to lead productive, law-abiding lives. In short, drug treatment for carefully screened nonviolent offenders can save lives, cut crime and reduce costs. When this happens we all win.

Mandatory sentences for nonviolent drug offenders tie judges' hands and prevent them from taking advantage of treatment alternatives. Indeed, the wisdom of mandatory sentences for nonviolent drug offenders has been challenged by many other criminal justice professionals, including former U.S. Drug Czar General Barry McCaffrey, former U.S. Attorney General Edwin Meese and U.S. Supreme Court Justice Anthony Kennedy. In addition, mandatory minimum sentences have been opposed by an impressive list of organizations including the United States Conference of Mayors, the United States Sentencing Commission, the American Bar Association, and the Judicial Conference of the United States.

For these reasons, we respectfully urge the Governor and members of the Legislature to do everything in their power to pass Senate Bill 1866 before the end of the year.

Sincerely,

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