



November 9, 2017

Governor Bill Haslam
First Floor, State Capitol
Nashville, TN 37243

Dear Governor Haslam,

We applaud your commitment to enacting meaningful pro-safety, pro-taxpayer, and pro-family criminal justice reform in Tennessee. The undersigned organizations believe that common sense sentencing reform, particularly changes to the state's drug-free school zone law, will help Tennessee achieve the same positive results this year.

Under Tennessee's current drug-free school zone law, every defendant who commits a drug-related offense within 1,000 feet of a school, child care agency, public library, recreational center, or park faces a mandatory sentencing enhancement that, in some cases, amounts to twice as long as the term he could have received had the offense occurred outside of the protected zone.

An enhanced sentence is clearly appropriate for defendants who target school-aged children with drugs or expose children to harm by selling drugs on school grounds during school hours. However, Tennessee's law is routinely applied to individuals whose illicit conduct took place outside the presence of children where one may easily be unaware of their location within a protected area, such as inside their own home. Current law does not allow for these and other important distinctions.

Unfortunately, the size of these zones has effectively swallowed entire neighborhoods and districts across the state, which makes it difficult for individuals to realize they are in a protected zone. Roughly 27% of all cities and towns in Tennessee are covered by drug free school zones. Some cities, for instance Knoxville and Memphis, are nearly 40% covered. This fact removes any possible deterrent effect the enhanced penalty might have otherwise provided.

While enacted with the intention of keeping children safe from illegal drug activity, Tennessee's school zone law has ensnared many individuals who fall outside of the scope and purpose of the law. The collateral consequence has been passed on to taxpayers without any public safety returns. Common sense reforms to the school zone law, such as shrinking the size of the zone and allowing more discretion in sentencing determinations, will not only save millions in

taxpayer money, it will improve public safety by allowing valuable resources to be focused on those offenders for whom the zones were the intended target.

A number of states, including conservative Utah and Indiana, have reformed their drug-free school zone policies to better prioritize public safety. These reforms include a reduction in the geographic size of school zones, an extension of discretionary authority to courts, or requiring the enhancement to apply only to offenses that occurred during business or school hours.

The organizations below encourage you to consider drug-free school zone reform as a part of your legislative priorities for the 2018 legislative session. We thank you for your consideration to this important issue, and we look forward to working with you to advance smart justice reforms in Tennessee.

Sincerely,

Lauren Krisai
Director of Criminal Justice Reform, **The Reason Foundation**

Jason Pye
Vice President of Legislative Affairs, **FreedomWorks**

Kevin Ring
President, **Families Against Mandatory Minimums**

Arthur Rizer
National Security and Justice Policy Director, **The R Street Institute**

Julie Warren
State Director of Tennessee and Kentucky, **Right on Crime**