

DRUG  
FREE  
SCHOOL  
ZONE

# TENNESSEE'S DRUG-FREE SCHOOL ZONE LAW: 5 STORIES

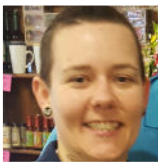
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Families for Justice Reform



## Calvin Bryant

In 2009, Calvin Bryant was convicted of selling drugs to a police informant and sentenced to 17 years. He was a first-time offender, and he could have served fewer than three years. But because his crime took place in his apartment in the urban Edgehill Housing Projects, which are in a drug-free school zone—there is a school, park, or daycare center on practically every corner—his felony sentence was bumped up a full class, greatly extending his sentence.

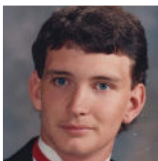
Since the drug-free zone law was enacted roughly 20 years ago, it has only been used in 62 cases in Davidson County, where Calvin was convicted. Calvin is the only defendant in the history of the county to have the law applied for a first-time offense. In prison, he was determined to show that 17 years was too long a sentence for his crime and petitioned for relief. Happily, the court and prosecutor agreed. In October 2018, he was resentenced to time served. Calvin is now a free man.



## Sara Moore

Sara Moore was 26, broke, and deep into drug addiction. Her addiction led to her arrest for selling just over two grams of methamphetamine on four different occasions to a confidential informant. The sales took place in her home—which happened to be next to an elementary school. With no prior felonies on her record, Sara is now in prison for eight years, a term far more severe than it would have been had she not been in a school zone.

Proponents of the drug-free zone law say it deters crime, but Sara disagrees. “I knew I was in a school zone, but it was not something I steadily thought about as I sold the drugs. And I NEVER knew the penalty of selling drugs in a school zone.” In other words, deterrence didn’t work—even for someone who lived right next to a school.



## Wayne Potee

Wayne Potee had a stable, productive life. But after he suffered a bad injury on the job, the doctor prescribed Percocet. In seemingly no time at all, Wayne became addicted and his life went to pieces. After difficult years of bouncing in and out of recovery, he ended up selling very small amounts of methamphetamine—roughly two grams at each sale, with a street value of \$100 to \$300—to pay for addiction treatment. Two of these sales were to a government informant—in a school zone.

The drug-free zone law triggered a hefty sentence—even though his crimes took place during the summer, at night, and with no harm to children. For his low-level drug sales, Wayne received a sentence of 15 years, 100 percent of which he will serve in prison.

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## Terrance Davis

A distance of 101 feet. For Terrance Davis, that distance made the difference between 12 years in prison—with the possibility of parole after serving four years—and the sentence he got: 22 years without parole. Terrance was 24 and selling small amounts of powder cocaine in his home when he was arrested. And although it hadn't ever seemed to be an important issue before, Terrance's apartment was just over 900 feet from a school—in a drug-free school zone. There were no children anywhere near Terrance's home, and school wasn't even in session at the time of the offense. If he'd lived on the other side of his apartment complex, he would have been outside the school zone—and his sentence would have been 10 years shorter. On February 18, 2020, Terrance was released after serving 22 years.



## Brian Keys

Brian Keys' low-level drug crime was his first felony, stemming directly from untreated drug addiction. And it seems that the sentence he received—15 years at 100 percent—doesn't sit right with most people.

The friends he's made in prison are shocked when they compare his term to others'. The judge at his trial, Judge Robert Holloway, said that eight years with parole at 30 percent of the term would have been fair for Brian, but that his hands were tied and he had to abide by the sentencing laws of Tennessee. In this case, the fact that Brian's crime took place in a school zone gave the court no leeway. After sentencing, Judge Holloway read a note from one of the jurors asking if Brian could receive rehabilitation for drug addiction as part of his sentence—but it was too late.