



Lieutenant Governor Randy McNally
Tennessee Senate
700 Cordell Hull Bldg.
Nashville, TN 37243

Speaker Cameron Sexton
Tennessee House of Representatives
425 5th Ave. N.
Ste. 600, Cordell Hull Bldg.
Nashville, TN 37243

The Honorable Mike Bell
Chair, Judiciary Committee
Tennessee Senate
425 5th Ave. N.
Ste. 716, Cordell Hull Bldg.
Nashville, TN 37243

The Honorable Michael Curcio
Chair, Judiciary Committee
Tennessee House of Representatives
425 5th Ave. N.
Ste. 630, Cordell Hull Bldg.
Nashville, TN 37243

June 2, 2020

Dear Lt. Gov. McNally, Speaker Sexton, Chair Bell, and Chair Curcio:

I write to urge you to prioritize and pass SB 2734 and HB 2517 in the Tennessee General Assembly this year. I am grateful and encouraged to see the introduction of these two bills by Chairs Bell and Curcio. They would reform Tennessee's drug-free zone laws, save the state millions, prevent unjust sentencing, and make the public safer. These bills should be passed this session. Their reforms cannot wait another year.

Tennessee's drug-free zone law was passed with good intentions but is ineffective and produces unjust results. None of us want people to sell drugs to children or near schools, but the drug-free zone law is not deterring this behavior. Instead, it requires excessive and arbitrary sentences for drug activity that occurs within 1,000 feet of a school – even if children are not present, involved, or harmed. These 1,000-foot zones are so big that they cover entire cities, and people do not even know when they are inside them. Tennesseans like Cal Bryant, Sara Moore, and Terrance Davis, for example, all committed their drug offenses at their homes, without children present, but inside school zones. All were forced to serve sentences two or three times longer than they would have otherwise received, because they sold drugs where they lived. These prison sentences cost taxpayers a fortune without making children or schools safer. This wastes money that could be better spent elsewhere to increase public safety.

SB 2734 and HR 2517 would give courts freedom to apply the sentencing enhancement in cases where children and schools are directly impacted, but not in cases where the extra punishment is unjustified. The bills would also reduce the 1,000-foot zones to 500 feet. These reforms should be applied retroactively. I served 21 years of a 35-year sentence for a federal drug offense. I was released only because President Donald Trump signed the First Step Act into law, and that new law had made sentencing reforms retroactive. I and thousands of others like me are now home contributing to our communities, serving in our churches, taking care of our families, and



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working and paying taxes because we were given a second chance. There are 400 people serving drug-free zone sentences in Tennessee prisons now. Their stories help us see why this law needs to be reformed. These people should not be forgotten when the legislature corrects the law that put them in prison. They should get a chance to be considered for a fairer punishment and a sentence adjustment.

SB 2734 and HB 2517 will also save \$18.5 million per year in prison costs. The COVID-19 crisis is going to hurt our state budget for many years. Every dollar of our budget now counts, and these savings can be used to help people and communities recover from the COVID-19 pandemic. Through my volunteer work in Nashville, I have seen first-hand how much communities are hurting from the pandemic and its economic impact. The savings from drug-free zone reform can help Tennesseans in need right now and in the years ahead.

I hope you and the legislature will prioritize and pass SB 2734 and HB 2517 this year. I am living proof that sentencing laws passed with good intentions can still need reform. Tennessee should follow the examples of other states and Congress and reform its drug-free zone law today. Thank you for considering my views, and please contact me if I can be of assistance to you.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Charles", with a stylized flourish at the end.

Matthew Charles
Justice Fellow, FAMM