



February 24, 2020

Senator Mike Bell
Chair, Senate Judiciary Committee
425 5th Avenue North
Suite 716 Cordell Hull Bldg.
Nashville, TN 37243

Representative Michael G. Curcio
Chair, House Judiciary Committee
425 5th Avenue North
Suite 630 Cordell Hull Bldg.
Nashville, TN 37243

Dear Chairs Bell and Curcio:

We are writing to thank you for introducing HB 2517 and SB 2734, legislation to improve Tennessee's drug free school zone law. We strongly support your legislation and encourage your colleagues to do the same.

As you know, current law requires every person who commits a drug-related offense within 1,000 feet of a school to receive a mandatory sentence enhancement that could more than double the sentence they otherwise would have received. While an enhanced sentence might very well be appropriate for people who target school-aged children with deadly drugs or expose children to harm by selling drugs on school grounds during school hours, a longer sentence might not be warranted if school children are not involved in any way or even in the vicinity when a drug sale takes place. Current law does not allow for these and other important distinctions at sentencing.

The current law also needs reform because the zones it creates are so expansive that they swallow entire neighborhoods and districts across the state. It is common for people to have their sentence enhanced even if they did not know they were in protected zones. This fact removes any possible deterrent effect the enhanced penalty might have otherwise provided.

Regardless of its drafters' best intentions, Tennessee's drug free school zone law ensnares too many individuals who had no intention of interacting with or harming students or children. The result is that some people receive punishments that far exceed the severity of their crimes – and the state wastes expensive prison bed space on people who committed less serious drug offenses. Your bills wisely give judges discretion to ensure that tougher penalties are reserved for those who prey on school children and make school grounds less safe. As a result, your bills will increase public safety by allowing millions of taxpayer dollars to be focused on interventions that will reduce crime.

Thank you for your leadership on this important issue.

Sincerely,

Americans for Prosperity – Tennessee

Beacon Impact

FAMM

FreedomWorks

Justice Action Network

R Street Institute

Right on Crime

cc: Members of the Senate and House Judiciary Committees