

## Kemba Smith Teaches Others The Importance Of Making The Right Choices

By Margena A. Christian  
JET MAGAZINE

**K**emba Smith paid a high price for having low self esteem and loving a man more than she loved herself.

Trying to “fit in” with the wrong crowd, teenager Smith ended up falling for a violent drug dealer. Because she didn’t have the strength to end her turbulent four-year relationship with boyfriend Peter Hall, the head of a \$4-million-crack cocaine ring in southern Virginia who was found dead before he could be prosecuted. In 1994 Smith, then 22, ended up being sentenced to 24.5 years with no chance for parole for a minor role in a drug ring.

After serving 6.5 years in federal prison, in 2000 Smith was granted clemency three days before Christmas by President Bill Clinton.

Today the 36-year-old, who will be the subject of an upcoming movie, speaks to others about the importance of making the right choices and loving yourself.

“I’m always truthful about the choices that I made and just grateful for God’s grace in having turned the situation around,” she said.

Smith garnered national attention in 1996 when she was on the May cover of



JET photo by Valerie Goodloe

▲ Kemba Smith speaks at the 2008 National Offender Workforce Development Conference at the Radisson Hotel at Los Angeles Airport. She also received the Keynote Speaker Award from the organization.

Emerge magazine.

The gripping, 17-page story, *Kemba’s Nightmare*, written by Reginald Stuart, traced how she went from being a sheltered, middle-class college student at Hampton University to a federal inmate whose association with Hall was the reason authorities went after the first-time, nonviolent offender though federal prosecutors acknowledged that she neither sold nor used narcotics.

“This was the first story that put the truth out there and the facts out there that really struck people and resonated,” said Stuart, a veteran journalist of 40 years. “People thought that could have been me.”

George E. Curry, the editor-in-chief of *Emerge* from 1993 until the last issue in June 2000, made the decision to put





Smith on the cover.

“I was told, ‘You do realize that if you run one story instead of using three or four, hoping one will capture the readers’ attention, is taking a gamble,’” recalled Curry, a syndicated columnist. “I said, ‘It’s a gamble worth taking.’ My gut told me that story would be well received. I was taking a gamble that this story would be so well received that people would be willing to stick with us through all those pages because of the interest in the story.”

The response was phenomenal, said Curry and Stuart. Readers from across the nation and the world were deeply moved by her story, which drew attention about the trend of lengthy sentences for first-time, nonviolent offenders.

Elaine R. Jones, who was the president and director-counsel of the NAACP Legal Defense and Educational Fund (LDF) at the time, saw the story and decided to represent Smith in future court proceedings.

“I’m grateful I had the NAACP Legal Defense Fund who was in my corner representing me pro bono,” said Smith. “The first time she came to visit me while I was incarcerated, she told me she was going to help me see justice and she was going to

◀ Smith greets writer Reginald Stuart last year at the 32nd NABJ Convention in Las Vegas. The two have kept in touch since he wrote the acclaimed 1996 *Emerge* magazine cover story, *Kemba’s Nightmare*.

stick by me to the end. That’s what they did.”

The LDF petitioned President Bill Clinton for clemency when its efforts failed to free Smith. Before he left office, Clinton granted the request in 2000.

Since she wasn’t pardoned, Smith doesn’t have a clean slate. The terms of her release included five years of supervised probation. She also lives in Virginia, one of two states—the other being Kentucky—that permanently removes voting rights from all felons and requires personal gubernatorial action for restoration.

“The most important impact for me, especially as it relates to this year, is the elections and not being able to vote,” said Smith. “With the state of Virginia, I can’t apply to get my rights restored until the year 2010.”

Stuart also wrote a side story in the May 1996 issue of *Emerge* called *The Sentencing Game*, which “looked at the pitfalls and rush to judgment decisions that created the mandatory sentencing laws for drug dealers,” he said.

The 1986 death of Len Bias, a former University of Maryland student who died from a cocaine overdose less than 48 hours after he was drafted in the first round by the Boston Celtics, triggered this.

During the media frenzy following Bias’ death, the Anti-Drug Abuse Act of



1986 was passed that established mandatory minimum sentences for possession of specific amounts of cocaine.

It also established a 100-to-1 disparity between distribution of powder and crack cocaine. For example, distributing just five grams of crack carries a minimum five-year federal prison sentence, while distributing 500 grams of powder cocaine carries the same sentence.

A 2006 American Civil Liberties Union (ACLU) report found that “sentencing policies, particularly the mandatory minimum for low-level crack offenses, subject people who are low-level participants to the same or harsher sentences as major dealers.”

Last year, the Supreme Court issued a decision that federal sentencing judges are not required to apply the 100-to-1 disparity between crack and powder cocaine in Federal Sentencing Guidelines.

Smith said, “I never handled, used or sold any of the drugs involved, but because of the mandatory minimum sentencing, I was sentenced to the total amount of drugs that were said to be involved with the conspiracy.”

Crack cocaine, which has a low cost, is more accessible to poor people, many of whom are Black. Powder cocaine, which is more expensive, tends to be used by affluent Whites.

Smith eventually went back to school, earning a degree in social work from Virginia Union University. She also complet-

ed a year of law school at Howard University and was a Soros Justice Fellow.

Most recently she was a recipient of an Oliver W. Hill Sr. Flame Bearer of Education Award by the United Negro College Fund in Richmond.

Her only child, son William Armani Smith, was born while she was in federal custody and taken away less than a week afterward. He was 6 when his mother was released. Today he is 13 and an eighth grader.

Smith is self-publishing her memoirs and anticipating its release this summer. She also works with her Kemba Smith Foundation, which teaches youth the importance of making healthy choices ([www.kembasmithfoundation.org](http://www.kembasmithfoundation.org)).

“It took me empowering myself because I didn’t really particularly care for the reason people know me,” she said. “But I’ve been able to embrace that part of my life as a part of me. I’ve become a strong woman. I’ve recognized what God has done for me and He’s used me as a vessel.”

Filmmaker Will Packer, who produced the critically-acclaimed movies *Stomp The Yard* and *This Christmas*, recently acquired the rights to produce Smith’s life story (JET, April 28).

“There are hundreds of Kembas who are still in federal prisons, so I’m hoping that my story being told on a broader scale can help people as far as making choices that will better them and help those that are still incarcerated under similar laws.” □