Legislation

## Reduces Crack Cocaine Inequality

Quarter-century-old law subjected tens of thousands of Blacks to long prison terms for crack cocaine convictions

# The Black Voice News

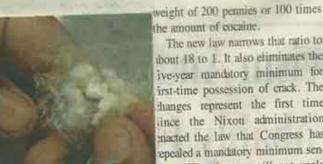
Serving the Inland Empire Riverside/San Bernardino Countle

Thursday, August 5, 2010

#### The Black Voice New

SAN BERNARDINO

Continued from Front Page



A 1986 law passed to stem rampant crack cocaine use, had the effect of giving crack cocaine loward saying 'we have made a misoffenders the same jall sentence take and this sentence is too severe' as someone who possessed 100 times the same amount of pow-der cocaine. New legislation nar-Virginia Sloan, president of the rows that ratio to 18 to one.

#### By Chris Levister

what Addressing Democrats and Republicans agreed The old law imposed mandatory mandatory sentencing for crick and rystals. powder cocsine. The law many considered blatantly racist has subjected tens of thousands of Blacks to long prison terms for crack cocaine convictions while giving far more lenient treatment to those, mainly whites, caught with the powder form of the drug.

The Obama administration has called the sentencing disparity "fundamentally unfair".

The law was enacted in 1986, when erack cocaine use was rampant and often associated with violent crime. Under its terms, a person convicted of possessing an amount of crack equal to the weight of two pennies resulted in a mandstory minimum sentence of five years. In order to receive a similar sentence, possessing chemically similar powder cocaine, one would have to be carrying the still a controlled substance." That's Kim Carter Founder and Executive Director of Time for Change Foundation, a San Bernardino sober living organization that provides reentry services to women who are

it, snort it, shoot it or toot it, it's

homeless, ex-offenders and recovering from physical and substance

abuse.

The Congressional Budget Office estimates the new measure will save the federal prison system about \$42 million over the next five years. 80 percent of those convicted of crack cocaine offenses are Black. Carter says the sentencing inequity has been particularly devastating to the Black community.

The sentencing disparity "has disproportionately filled our prisons with young Black and Latino drug users." Motivated by her own experiences as a former incarcerated woman Carter cited figures that Blacks serve almost as much time for drug possession offenses - 58.7 months - as whites do for violent offenses - 61.7 months.

"Besides the fact that African American men are incarcerated 14 to 15 times more than whites, since the war on drugs began in the 1980s

we've seen nearly an 800 percent increase in the rate of incarceration for African American women," said

"Not only are parents removed from their children and families for long periods of time, upon release they face a vicious cycle of secondary punishment denial of jobs, publie housing and other basic social services and benefits. The impact on the Black family has been devastat-

Texas representative Lamar Smith, the top Republican on the Judiciary Committee was the only lawmaker to speak out against the bill during the House debate.

"Why are we coddling some of the most dangerous drug traffickers in America?" Smith argued passage could increase drug violence to the same levels as the 1980s, when crack cocaine was rife.

Carter says while the new legislation is monumental the measure does not go far enough.

"Because it still treats crack and powder cocaine differently. There can be no real justice until there is equity in cocaine sentencing."

### CRACK

the amount of cocaine. The new law narrows that ratio to about 18 to 1. It also eliminates the ive-year mandstory minimum for irst-time possession of crack. The hanges represent the first time ince the Nixon administration nacted the law that Congress has epealed a mandatory minimum senence. The changes will not apply etroactively.

"For Congress to take a step

. . is really remarkable," said Constitution Project. In studies of sentencing practices, the group has referred to crack cocaine mandates as a "poster child for the injustices of both mandatory sentencing."

was a quarter-century old injustice minimums on crack cocaine largely in drug sentencing, Congress pased on its method of preparation passed historic legislation that prepared with - with ammonia or reduces the inequity between paking soda), which is often sold in

"Whether you crunch it, munch

Son CRACK, Page A-4