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# United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

BRUCE A. COHEN, *Chief Counsel and Staff Director*  
BRIAN A. BENCKOWSKI, *Republican Staff Director*

July 20, 2010

Dear Colleague:

We urge you to support S. 1789, the Fair Sentencing Act, bipartisan legislation that would reduce the sentencing disparity between crack and powder cocaine and significantly increase criminal penalties for serious drug offenders.

Crack and powder cocaine have a devastating effect on families and our society. Tough anti-cocaine legislation is needed, but the law also must be fair. Under current federal law, possessing five grams of crack cocaine is subject to the same mandatory minimum sentence as selling 500 grams of powder cocaine. This creates a 100:1 crack-powder sentencing disparity.

The bipartisan U.S. Sentencing Commission and the Judicial Conference of the United States both support reducing the crack-powder disparity. According to the Sentencing Commission, reducing the disparity “would dramatically improve the fairness of the federal sentencing system.”

The Fair Sentencing Act would establish an 18:1 crack-powder ratio, which reflects a bipartisan compromise that was reached in the Senate Judiciary Committee. This 18:1 ratio responds to concerns raised by many in law enforcement, who agree that the 100:1 disparity is unjustified, but argue that crack is associated with greater levels of violence and therefore should be subject to tougher penalties.

The Fair Sentencing Act also includes tough new mandatory sentencing enhancements for all drug offenses. The National District Attorneys Association says the bill would “significantly increase enhancements, targeting those individuals who use crack as weapon in America’s neighborhoods.” The National Association of Police Organizations says, “These sentencing enhancements will target and punish those who bring the most destruction to our neighborhoods.”

The Senate Judiciary Committee reported the Fair Sentencing Act by a unanimous 19-0 vote and the Senate subsequently passed the bill by unanimous consent. The Fair Sentencing Act is cosponsored by 16 of the 19 members of the Senate Judiciary Committee, including all of the signatories to this letter.

For your information, we attach letters supporting the Fair Sentencing Act from:

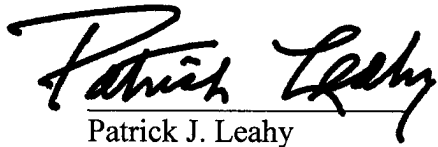
1. The National District Attorneys Association, which represents 40,000 state and local prosecutors;

2. The National Association of Police Organizations, which represents 240,000 law enforcement officers;
3. The Federal Law Enforcement Officers Association, which represents more than 26,000 federal agents from over 65 different federal law enforcement agencies; and
4. The International Union of Police Associations, which represents more than 100,000 law enforcement officers.

Congress has debated the need to address the crack-powder disparity for too long. It has been nearly a decade since Senator Sessions and Senator Hatch first introduced legislation to reduce the disparity. We now have the opportunity to address this issue on a bipartisan basis. We respectfully request that you support the Fair Sentencing Act.

Sincerely,

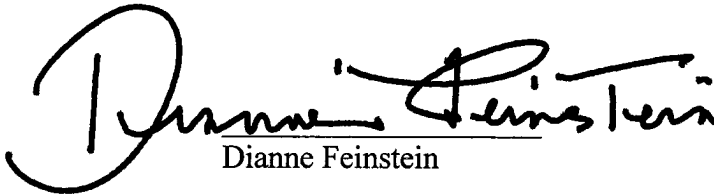
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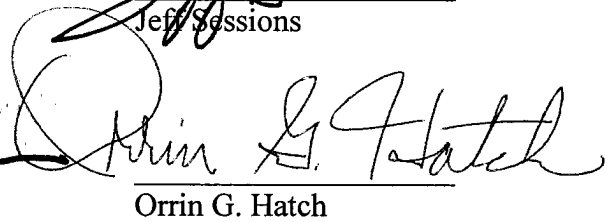
Patrick J. Leahy



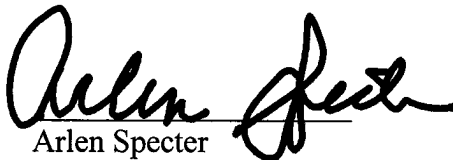
Jeff Sessions



Dianne Feinstein



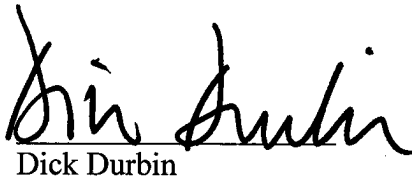
Orrin G. Hatch




Arlen Specter



Chuck Grassley



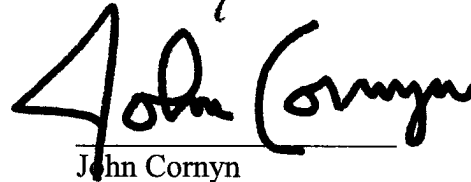
Dick Durbin



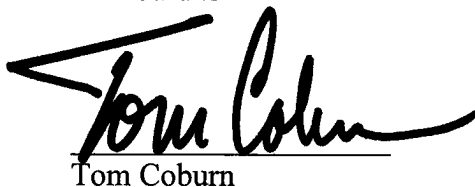
Lindsey Graham



Ben Cardin



John Cornyn



Tom Coburn