



NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS, INC.

Representing America's Finest

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Executive Director

April 22, 2010

The Honorable Nancy Pelosi
Speaker
United States House of Representatives
Washington, D.C. 20515

Dear Madam Speaker:

On behalf of the National Association of Police Organizations (NAPO), representing 241,000 rank-and-file law enforcement officers from across the United States, I would like to advise you of our support for S. 1789, the "Fair Sentencing Act of 2009," as passed by the Senate by unanimous consent. This legislation recognizes the concerns raised by NAPO and the law enforcement community that crack cocaine has proved to be more accessible on the streets and thus presents a greater danger to our nation's communities and law enforcement.

The "Fair Sentencing Act of 2009" as originally proposed would have eliminated the present 100:1 sentencing ratio for crack and powder cocaine offenses and instead create a 5-year mandatory minimum for simple possession of 500 grams of either crack or powder cocaine. As crack is usually sold in much smaller quantities than powder cocaine, NAPO believes that eliminating the sentencing disparity will negatively affect the work law enforcement has done to protect our nation's communities from the crime and violence associated with crack cocaine.

The bipartisan, Senate-passed "Fair Sentencing Act of 2009" will create an 18:1 sentencing ratio for crack and powder cocaine offenses. It will establish a 5-year mandatory minimum for simple possession of 28 grams of crack cocaine, while possession of 280 grams of crack will trigger a 10-year mandatory minimum. Importantly, this legislation will mandate that the United States Sentencing Commission significantly increase sentencing enhancements for drug offenses – both crack and powder cocaine - involving aggravating factors. These sentencing enhancements will target and punish those who bring the most destruction to our neighborhoods: dealers or sellers who use violence or weapons, or cause injury to or threaten others, regardless of the form of cocaine.

Therefore, NAPO respectfully urges you to support the passage of S. 1789, the "Fair Sentencing Act of 2009," in the House of Representatives to ensure just sentencing and the protection of our communities. If you have any questions, please feel free to contact me, or NAPO's Government Affairs Director, Andrea Mournighan, at (703) 549-0775.

Sincerely,

William J. Johnson
Executive Director