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CRACK/COCAINE AMENDMENT

March 1, 1994

United States Sentencing Commission
One Columbus Circle, Northeast
Suite 2-500, South Lobby
Washington, DC 20002-8002

To Whom It May Concern:

I would like to make my opinion known concerning the current status of sentencing for crack/cocaine offenders, and the need for significant changes to be made in the sentencing guidelines as applied to offenses relating to this drug.

In my view the current sentencing scheme for crack/cocaine offenders represents an absurd waste of federal resources and is tantamount to the wholesale warehousing of human beings. While there is no dispute that crack/cocaine is a dangerous drug, there is little logic in a scheme which sentences someone to a ten fold greater sentence for taking powdered cocaine, mixing it with baking soda, heating it up on a stove so that the molecular structure can be changed such that it may be smoked rather than snorted. There is significant evidence available which shows that powdered cocaine is in fact more dangerous than crack/cocaine and is responsible for far more deaths than crack/cocaine.

It has also become extremely clear that this statute/sentencing scheme has a racially disparate impact on African/Americans. In fact recent studies show that while approximately 50% of powdered cocaine defendants are white, 96% of crack/cocaine prosecutions are against blacks. The constitutional implications of this scenario are obvious.

cc: Sub B, 1
cc: Sub C, 1
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cc: Sub E, 1

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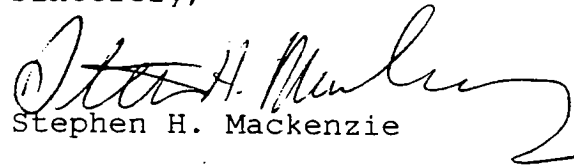
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I hope that the Sentencing Commission will take the time to rectify this travesty of justice, and enact sentencing guidelines, RETROACTIVE to the enactment of the differentiation between powder and crack/cocaine under the guidelines, which will punish all cocaine offenders equally.

I thank the Commission for taking my opinion into its consideration.

Sincerely,



Stephen H. Mackenzie

SHM:psw

cc: Daryl Singleterry