

059-94
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TO: U.S. SENTENCING COMMISSION

Members of the Commission, we know that in order to have peace and tranquility in our land, we have to have good laws. Laws that are based on common sense and fairness and justice. Our democracy has elected officials to make those laws. When these elected officials create laws out of fear or anger, or vindictiveness, then we no longer have good and just laws.

I am here this morning to witness to the growing number of clergy and citizens who have become more and more disenchanted with the criminal justice system and the law and the way it is being enforced. There is growing anger towards mandatory sentences. Particularly against those who are non-violent offenders. There is growing hostility, resentment and disrespect for the injustices of our mandatory sentences and the legal manipulation of the law by legal professionals, and by the seizure laws and the drug laws that often are counter-productive and are doing more harm than good.

We citizens are spending 23 billion dollars on prisons and law enforcement with little positive results. The "Draconian" mandatory sentences are unfair and unjust, and they lack, in many cases, common sense. They do far more harm than good in the long run. They destroy families and individuals. We have demonized drug offenders and the whole drug problem. During the time of Christ, those who had leprosy were demonized; but Jesus did not demonize them, instead he healed them and helped them. I am the

President of Clergy for Enlighten Drug Policy and we receive letters from all over the country. Here is one from Columbia County Jail, Bloomsburg, PA. This woman is in jail for two and a half years. She is a widow with three children. She writes, "Where I live the courts prove over and over that violent crimes are the thing to do. A drunken woman serves eleven and a half months for vehicle homicide. A man kills an infant and gets three years. It really makes a person wonder what is wrong with the system. It is obvious that any alcohol related crime or crimes against innocent children will get you a slap on the wrist. Yet a drug offender who hurts no one gets a very stiff mandatory sentence".

As a citizen and as a clergy man, I am against alcohol, nicotine, marijuana, cocaine and all the other hard drugs. But on the other hand we recognize that alcohol, if appropriately used on social occasions, is acceptable. And that marijuana and cocaine can and should be used for medical reasons. In my judgement, we need to rethink our failed drug policies. They have become an excuse for police violence and corruption. In sentencing, the sentencing guidelines must be based on accurate facts. I am told that one thousand grams per marijuana plant is totally unreasonable and way off the mark. It should be one hundred grams per plant. Thus on this matter the guidelines should be changed and made retroactive. I've seen a chart where there is a cliff between certain numbers of plants of marijuana plants. I hope the Commission will consider rectifying this so that there are not these steep cliffs. I thank the Commission for this opportunity to appear before them and bring to you my testimony. Thank you very much.