

Reps. Stanley, Bledsoe, Constan, Dean, Durhal, Espinoza, Geiss, Gonzales, Robert Jones, Lahti, Lemmons, Miller, Scripps and Smith offered the following resolution:

**House Resolution No. 98.**

A resolution to memorialize the United States Congress to eliminate the sentencing disparity for crimes involving different forms of cocaine.

Whereas, Current federal law prescribes different mandatory penalties for cocaine and crack cocaine, with significantly higher punishments for crack cocaine offenses. There is a 5-year minimum prison penalty for a first-time trafficking offense involving 5 grams or more of crack cocaine while it takes 500 grams of powder cocaine to suffer a similar penalty; and

Whereas, This law unfairly targets African American communities where crack is more prevalent. According to the United States Sentencing Commission, the vast majority of crack cocaine offenders are black while the vast majority of powder cocaine offenders are white or Hispanic. This law disproportionately and detrimentally effects African Americans and the communities in which they live; and

Whereas, This law also fails to target drug kingpins and most effects those who conduct lower-level functions in a criminal organization. Most offenders who are actually convicted under this law are those low-level offenders who carry the drugs rather than the powerful individuals in a criminal organization who are making the decisions; and

Whereas, The Obama administration favors shorter jail sentences for crimes involving crack cocaine. The administration believes the goal of the United States Congress should be to completely eliminate the sentencing disparity between crack cocaine and powder cocaine. We believe the Congress should work toward that goal; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the United States Congress to eliminate the sentencing disparity for crimes involving different forms of cocaine; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.