

WASHINGTON, DC – Today, President Obama took the first step toward ending the unfair federal crack cocaine law by signing into law the Fair Sentencing Act of 2010.

Congressman Robert C. “Bobby” Scott (VA-3) led the effort in the House of Representatives to pass this historic legislation and has led the effort in the Congress to address the crack cocaine and powder cocaine sentencing disparity since his arrival. He issued the following statement in connection with the signing today:

“This new law reduces the disparity in mandated sentencing between crack and powder cocaine from 100 to 1 to 18 to 1. My goal is to eliminate the disparity entirely, and this is good progress toward that goal.”

“Under the previous law, selling 5 grams of crack cocaine resulted in a 5 year mandatory minimum sentence and 50 grams resulted in a 10 year mandatory minimum sentence. The legislation signed into law today results in 28 grams (about an ounce) of crack cocaine being the threshold for a 5 year mandatory sentence with 280 grams triggering a 10 year mandatory minimum sentence.”

“Also, under the prior law, crack cocaine was the only illegal drug for which there was a mandatory minimum sentence for mere possession of 5 grams. The new law eliminates the 5 year mandatory minimum for merely possessing crack cocaine.”

“Another important aspect of the bill signed into law today is that it represents a significant step toward reducing the impact of racial disparities in the federal criminal justice system. Although crack cocaine and powder cocaine are the same drug in different formations, more than 80% of people convicted of the more harshly sentenced crack cocaine offenses under the old law were African American. In contrast, only 27% of those convicted of powder cocaine offenses, which had much lower penalties for the same amount of the drug, were African American.”

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