

knowledge on how cocaine...powder cocaine and crack cocaine, some of the background on where the feds have gone on this. But I would give this background, cocaine and crack cocaine are not chemically different from one another. They are both cocaine. There is a difference in the way they are ingested. I would defer to other members of the Legislature with experience...see if anybody's paying attention. They are ingested in different manners. The crack cocaine is generally smoked, powder cocaine is inhaled, but as far as what their chemical compound is they are identical. There is now a movement in the federal system, which was the first one to make a determination of the differences between the two and they should be treated differently. The federal courts...federal court in Omaha, Judge Strom, last year I believe, issued an opinion in which he said that crack cocaine and powder cocaine are basically the same, that by differentiating between the two crack cocaine...since crack cocaine is predominantly used by blacks and powder cocaine is predominantly used by whites, the effect of treating the two differently, and crack cocaine at the federal level is treated as 100 times worse than powder cocaine, that results in disparity of sentencing between blacks and whites for...under the sentencing guidelines. Since then the U.S. Sentencing Commission, which is the commission which proposes the sentencing guidelines and proposes amendments to those guidelines, has proposed a change to the guidelines so that crack and powder cocaine would be treated the same under the U.S. sentencing guidelines. Because of that, the committee had a...treat those two the same, initially raised the levels of crack cocaine up to the levels of powder cocaine. The second time that was amended so that the levels of powder cocaine were reduced to the levels of crack cocaine. Given that background, in a nutshell what this amendment would do is to toughen the penalties on powder cocaine. And that's...it would make those penalties identical to the penalties on crack cocaine. It would not lower the penalties for crack cocaine, rather it would enhance the penalties...I'm so chcked up about this, it would enhance the penalties for powder cocaine. And the way that's done is by reducing the amount necessary to reach those higher level of sentences. In that, again so that in a nutshell, and I think the operative portion or the operative effect of this portion of the bill is to simply lower the amount of powder cocaine necessary to reach those enhanced levels of sentencing. With that I'd be happy to try to answer any questions and I would urge adoption of this portion of the amendments.