

level they are correcting it. Senator Abboud is offering a proposal, this is his proposal, I think, where you, instead of reducing the punishment for crack down to the level of powder cocaine, they are raising the punishment for powder cocaine to the level of crack. If the crack punishment was unfair because it was being placed on black people, primarily, and yet the drug involved is basically the same, what ought to be done to correct this is to reduce the punishment for crack possession to the level of the punishment that has always been in place for...

SENATOR HALL: One minute.

SENATOR CHAMBERS: ...powder cocaine possession or distribution. When I say possession whatever, that includes for my purposes here anything to do with this drug that can get you a prison sentence. With what is being attempted by this bill if prosecutors choose to file the charge far more white people will be going to jail for longer periods of time for powder cocaine use, possession or whatever. But what I realize is that those who use powder cocaine are in a higher income bracket, they'll get lawyers and they will not serve those sentences. They're not going to be serving stiffer sentences, deals will be reached. And the black people who are using crack will still get the heavy sentence, but people's conscience can rest easy because they say on the books they both face the same, but in practice and reality it will not be the same.

SENATOR HALL: Time. Thank you, Senator Chambers. Senator Abboud, your light is next.

SENATOR ABOUD: Mr. President, members, the issue that has been addressed here today was really first brought up by our local federal judge. And he had a decision that alleged that the federal legislation that was enacted was discriminatory, equal protection arguments that these laws should not be...should not be on the books, that individuals were being improperly sentenced. Well that decision was appealed, actually there were two decisions that were appealed to the Eighth Circuit Court of Appeals, and in those decisions they stated specifically that this was in fact constitutional, that even though the ratio of the federal government being 100 to 1 differential between powder cocaine and crack cocaine, this differential did not violate any constitutional...did not have any constitutional problems. And I'm going to read specifically what they stated here. We reviewed the questions involving constitutionality of