

believe in trying to fit a punishment to the nature of the crime or the offense. Since for all of these years at the state and federal level, there seems to have been a consensus in terms of what the punishment for handling powder cocaine ought to be, there is no need in our artificially inflating that simply because we are going to equalize the penalties for crack and powder. The reason the equalization came about is because the federal courts, themselves, and others in the federal judicial system and criminal justice system felt that there was no basis for having the disparity between the two since chemically they are the same. There was some misperceptions, some leaping to conclusions when crack first became something known to the majority population. As time has passed, a better understanding of this substance, this form of cocaine has come, and with it the recognition that the existing sentencing structure is patently unfair and unjust, and when those terms are used, the judges nor I mean that it is unjust to sentence a drug dealer. That's not what we mean at all. It is saying that two very disparate sentences are being handed down for virtually the same offense. That is where the unfairness comes in. You can either increase the penalty for powder cocaine or reduce the penalty for crack down to where powder is. My view is that since the difference in the penalties came about through an artificial inflation of the punishment for crack, we only aggravate the situation by artificially inflating the punishment for powder. We should deflate the sentence for crack and let it drop to the level that we have felt for all these years was adequate for powder cocaine. So when we do get the amendment down here, there will be some aspect of it which will allow a discussion of this matter, and I am just kind of giving you a preliminary view of one aspect of the amendment that I intend to discuss. Some of the other items relate to mandatory sentencing, parole, and I don't know what all else. Senator Witek even has something in there about licensing sex offenders, and I was wondering what they will be licensed to do once they meet all the requirements and qualifications, and I will want to ask her whether or not there is a waiting period before they...

SENATOR HALL: One minute.

SENATOR CHAMBERS: ...can procure this license, and if they have to be a certain age and meet other qualifications, but, in any case, I will want to know a little more about that situation. If the Governor is listening, if the Governor's representatives are listening, I would advise them to just go on home and take