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October 29, 2007

Ricardo H. Hinojosa
United States Sentencing Commission
One Columbus Circle, NE
Suite 2-500, South Lobby
Washington, DC 20002-8002

Re: Public Comment for 72 FR 28558 (May 21, 2007)

Dear Chairman Hinojosa:

As a concerned citizen and the president of the local chapter of the National Association of Black Social Workers and an avid supporter of Families against Mandatory Minimums; I urge the United States Sentencing Commission to make retroactive its proposed amendment to the Crack Sentencing guidelines, should this amendment go into effect on November 1, 2007.

The Denver Chapter of the Association of Black Social Workers is committed to addressing issues that affect the African descent community in the state of Colorado. The Mandatory Minimum Sentencing policy as it relates to Crack cocaine has devastated this community in so many ways. It has clearly been used disproportionately in the African American community. Further, when women are sentenced to prison; it affects children and families. This social policy has been at the core of the high number of African descent children in foster care in the state of Colorado. And to add insult to injury; in Colorado, when a woman is sentenced to more than six months and remanded to the Department of Corrections, the county department of Human Services can terminate her parental rights without due process. So, again African descent families are particularly and negatively affected by Mandatory Minimums.

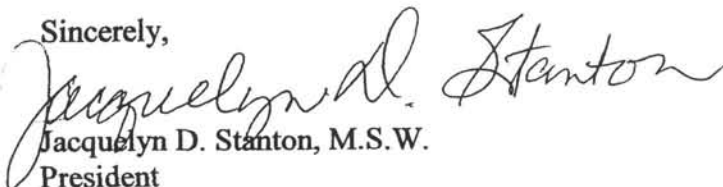
The Commission has repeatedly said that the disparity between crack and powder cocaine sentences is unsupported by research. Making the Crack Amendment retroactive will ensure that thousands of individual's currently serving unjustifiably harsh sentences for Crack have a chance to benefit from sentence reductions. And here in Colorado, it will afford so many African descent families the opportunity to seek and secure rehabilitation and treatment. And remain intact.

Making the Amendment retroactive will also help repair the image of the sentencing guidelines in communities of color. The impression that our guidelines discriminate on the basis of race is rooted in the disparity in sentencing between Crack and powder cocaine, which has resulted in longer sentences for African American defendants. In the past, the Commission made amendments affecting LSD, marijuana and Percocet retroactive. Each of these changes largely affected white offenders. By making the Crack Amendment retroactive; the Commission will send a powerful message that its pursuit of justice is color-blind.

Making the Crack Amendment retroactive is the right thing to do. And will result in fairer sentences for thousands of people. It is cruel and arbitrary. So, to fix this injustice for some but not for others, solely because of the date they were sentenced, especially when the amendment was driven by the recognition that these Crack sentences were unjustified from the beginning. I encourage the Commission to do the right thing and make the amendment applicable to everyone.

Thank you for your time and consideration.

Sincerely,

 Jacquelyn D. Stanton, M.S.W.
President