



NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE

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September 17, 2007

JULIAN BOND
Chairman, Board of Directors

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

Attention: Public Affairs - Retroactivity Public Comment

Dear Chairman Hinojosa and Members of the Sentencing Commission:

I am writing to urge the United States Sentencing Commission to make retroactive its proposed amendment to the crack sentencing guidelines if the amendment goes into effect on November 1, 2007.

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 individuals currently serving unjustifiably harsh sentences for crack have a chance to benefit from the sentence reductions.

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 to fix this injustice for some, but not for others, solely because of the date they were

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sentenced, especially when the amendment was driven by the recognition that these crack sentences were unjustified from the start. I encourage the Commission to do the right thing and make the amendment applicable to everyone.

Best wishes,

A handwritten signature in black ink, appearing to read "Julian Bond". The signature is fluid and cursive, with a large initial "J" and "B".

Julian Bond, Chairman
NAACP National Board of Directors

JB/smg