

City of Philadelphia



Council of the City of Philadelphia
Office of the Chief Clerk
Room 402, City Hall
Philadelphia

(Resolution No. 140106)

RESOLUTION

Urging the United States Congress to pass Senate Bill 1410, entitled the Smarter Sentencing Act, which provides for fairer drug sentencing guidelines.

WHEREAS, Senate Bill 1410, entitled the Smarter Sentencing Act, would improve unjust sentencing guidelines by reducing minimum sentences for non-violent drug offenses and making the 2010 reforms in crack cocaine sentencing retroactive; and

WHEREAS, Current drug law results in mandatory minimum and unfair crack sentencing leading to severe racial disparity between citizens who are otherwise equal before the law; and

WHEREAS, Crack cocaine and powder cocaine are pharmacologically equivalent yet it takes possession of 28 grams of crack cocaine to prompt the same sentence as 500 grams of powder cocaine; and

WHEREAS, Under current drug laws, the United States incarcerates the largest population in the world, with 15 percent of prisoner's serving crack cocaine sentences. Over 80 percent of those serving sentences for crack cocaine offenses are African-American; and

WHEREAS, Current drug law has high costs of operation and implementation for local governments, while proving to be ineffective in reducing crime rates; and

WHEREAS, In the year 2010, Congress recognized the massive racial disparity between mandatory minimum sentences for crack cocaine offenses and cocaine offenses and reduced the ratio from 100:1 to 18:1 under the Fair Sentencing Act; and

WHEREAS, Senate Bill 1410 reduces mandatory minimum sentences for non-violent drug offenses by amending the Controlled Substances Act (CSA) and the Controlled Substances Import and Export Act (CSIEA); and

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WHEREAS, Senate Bill 1410 reduces minimum sentences for certain drug offenses and authorizes a court that imposed a sentence for a crack cocaine offense committed before August 3, 2010, to impose a reduced sentence as if provisions of the Fair Sentencing Act of 2010 were in effect at the time such offense was committed; and

WHEREAS, Senate Bill 1410 will provide for lower costs on local governments, lower rates of incarceration, lower rates of racial inequality, and will be more effective in reducing crime rates; and

WHEREAS, The cost savings realized by the Smarter Sentencing Act are to be leveraged to help reduce prison overcrowding, increase investment in law enforcement and crime prevention, and reduce recidivism; now, therefore

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That the members of the United States Congress are urged to pass Senate Bill 1410.

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CERTIFICATION: This is a true and correct copy of the original Resolution, Adopted by the Council of the City of Philadelphia on the twenty-seventh of February, 2014.

Darrell L. Clarke
PRESIDENT OF THE COUNCIL

Michael A. Decker
CHIEF CLERK OF THE COUNCIL

Introduced by: Councilmember Johnson

Sponsored by: Councilmembers Johnson, Bass, Goode, Greenlee, Kenney,
Reynolds Brown, Blackwell and Squilla