

November 17, 2021

Dear Senator,

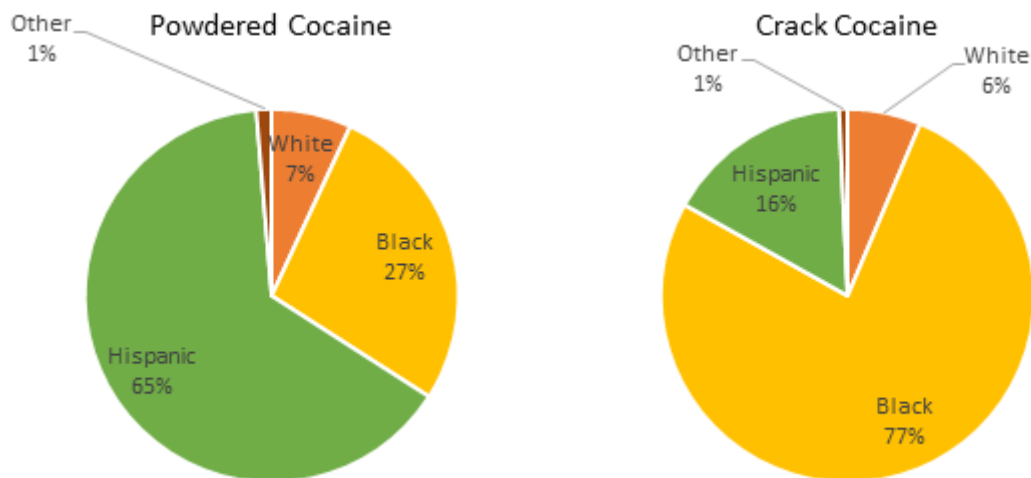
We, the undersigned faith organizations, strongly urge you to support and pass the EQUAL Act, S. 79, introduced by Sen. Cory Booker (D-NJ) and cosponsored by Senators across the ideological spectrum, including Sens. Dick Durbin (D-IL), Rob Portman (R-OH), Rand Paul (R-KY), Thom Tillis (R-NC), Lindsey Graham (R-SC), and Lisa Murkowski (R-AK).

The EQUAL Act would finally end the federal sentencing disparity between crack and powdered cocaine established in 1986 when Congress passed the Anti-Drug Abuse Act. Congress set a 100:1 disparity, sentencing crack cocaine offenses at a higher level even though the drugs are nearly identical chemically and comparable in physiological and psychoactive effects. Although it did not address the disparity fully, Congress passed the bipartisan Fair Sentencing Act of 2010, which reduced the disparity to 18:1 for pending and future cases only. The change was not made retroactive until the bipartisan First Step Act of 2018.

The consequences of the sentencing disparity between crack and powdered cocaine, in particular, have been devastating, especially for communities of color. From 1994 to 2014, Black and Hispanic people accounted for over 75 percent of growth in the federal prison population, largely driven by the enactment of longer sentences for drug offenses, of which the federal sentencing disparity placed a significant part.<sup>1</sup> This is especially true for the Black community. As shown in the following figure from the U.S. Sentencing Commission report, Black Americans are more likely to be arrested and convicted for crack cocaine than for powdered cocaine, which is why the disparity has been so devastating for the Black community.<sup>2</sup>

#### Race of Cocaine Trafficking Offenders

Fiscal Year 2020



As people of faith, we believe that justice must reflect the human dignity that we all share equally. The sentencing disparity that currently exists between crack and powdered cocaine violates this belief, codifies disparate treatment under law, and therefore must change.

The EQUAL Act is a win-win. It addresses the policy mistakes of the past while advancing fair sentencing moving forward. The House passed the bill on September 28, 2021, with a bipartisan vote of 361-66. It is now time for the Senate to do their part and make this bill a law. Please support and pass the EQUAL Act and help heal our past wounds.

If you have any questions, please contact Lindsey Warburton at [lwarburton@episcopalchurch.org](mailto:lwarburton@episcopalchurch.org).

Sincerely,

Christian Reformed Church Office of Social Justice

Church of Scientology National Affairs Office

Church World Service

Congregation of Our Lady of Charity of the Good Shepherd, US Provinces

Disciples Center for Public Witness (Disciples of Christ)

The Episcopal Church

Evangelical Lutheran Church in America

The Festival Center

Friends Committee on National Legislation

Jesuit Conference Office of Justice and Ecology

Jewish Council for Public Affairs

Mennonite Central Committee U.S.

National Advocacy Center of the Sisters of the Good Shepherd

National Council of Churches USA

NETWORK Lobby for Catholic Social Justice

Pax Christi USA

Sojourners

Unitarian Universalist Association