

# LAW & JUSTICE

## Cocaine Sentencing Disparities Narrowed

### Corrects law that targeted blacks

(AP) -- Congress has changed a quarter-century-old law that has subjected tens of thousands of blacks to long prison terms for crack cocaine convictions while giving far more lenient treatment to those, mainly whites, caught with the powder form of the drug.

The House, by voice vote, approved a bill last week reducing the

disparities between mandatory crack and powder cocaine sentences, sending the measure to President Barack Obama. The president signed the bill Tuesday in the Oval Office with news photographers present. He made no remarks, but during his presidential campaign, Obama said that the wide gap in sentencing "cannot be justified and should be eliminated." The Senate passed the bill in March.

The measure alters a 1986 law, enacted at a time when crack co-

caine use was rampant and considered a particularly violent drug, under which a person convicted of crack cocaine possession gets the same mandatory prison term as someone with 100 times the same amount of powder cocaine.

The legislation reduces that ratio to about 18-1.

The bill also eliminates the five-year mandatory minimum for first-time possession of crack, the first time since the Nixon administration that Congress has repealed a mandatory minimum sentence.

Under the old law, possession of five grams of crack triggered a man-

datory minimum five-year prison sentence. The same mandatory sentence applied to a person convicted of trafficking 500 grams of powder cocaine.

The proposed legislation would apply the five-year term to someone with 28 grams, or an ounce, of crack.

Julie Stewart, president of Families Against Mandatory Minimums, said 28 grams is about what the average crack dealer might carry around.

She said politicians and the U.S. Sentencing Commission have for years acknowledged the unfairness of the system, "but no one wanted to look soft on crime." The legislative change, she said, is "much more

about being smart on crime."

She cited Sentencing Commission estimates that almost 3,000 people a year subjected to the mandatory sentence would be affected by the change. The average sentence in these cases would be reduced from 106 months to 79 months.

Sen. Dick Durbin, D-Ill., the main sponsor of the bill in the Senate, said last year close to 1,500 people were convicted for possession of somewhere between five and 25 grams of crack cocaine, subjecting them to mandatory minimum sentences.

Some 80 percent of those convicted of crack cocaine offenses are black.

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## Porn Collector Draws 15 Years

A man who federal prosecutors said had the largest collection of child pornography they have ever

found in Oregon has been sentenced to 15 years in prison.

Dewey Burr of Hillsboro pleaded

guilty last March to distribution of child pornography after his arrest last year.

The FBI said investigators found 1.1 million images of child pornography on his computer, including graphic images of babies and toddlers being sexually abused.

Federal prosecutors said the 51-year-old Burr admitted that he viewed and traded child pornography on a daily basis and had been collecting images for a long time.

Burr was sentenced July 28 in U.S. District Court in Portland.

## DNA Cracks 1984 Murder

Portland Police cold case homicide detectives arrested a man in Gresham Thursday and charged him with murder in the 1984 death of a northeast Portland woman.

Frederick Alvin Richey, 56, is accused of killing Francis Marie Waites who was 28-years-old at the time of her death.

Waites was found murdered in her residence in the 5200 block of Northeast 24th Avenue on March 23, 1984. The Medical Examiner's Office determined that she died from multiple stab wounds.

Retired detectives from the bureau's Cold Case unit began reviewing this case in 2008 and it was assigned to a primary detective in 2009. The Oregon State Police Crime Laboratory reported a DNA hit to detectives in 2009 and investigators followed up on the DNA lead.

Richey is being held at the Multnomah County Jail in downtown Portland.

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