



ERLC Supports the Eliminating a Quantifiably Unjust Application of the Law Act

Southern Baptists believe that all men and women are created in the image of God and have the right to fair and just treatment under the law. God has established government as a legitimate authority to ensure justice for its citizens (Rom. 13:1). We believe true justice executed by the government punishes wrongdoers consistently and proportionately to the crime committed (Pro. 16:11). The ERLC is dedicated to advocating for policy changes that remedy unjust disparities in the law and advance human dignity in the United States' penal system.

The Anti-Drug Abuse Act of 1986 [disproportionately punishes crack cocaine-related crimes](#) despite the drug being equivalent to powder cocaine in its effects on the human body. The inconsistency in punitive measures for almost identical crimes has [significant implications for communities](#) across the country. Under current federal law, the statutory penalty for a crack cocaine crime is eighteen times that of the same crime with powder cocaine. In 2018, [African Americans accounted for 81%](#) of all federal crack cocaine distribution charges.

The Eliminating a Quantifiably Unjust Application of the Law Act would remedy the disparity in federal sentencing for crack and powder cocaine related crimes. The bill would amend federal mandatory minimums so that crack and powder cocaine activities warrant the same criminal punishment. Additionally, this act would allow federal courts to review the sentences of currently incarcerated crack and powder cocaine offenders who were subject to former federal laws. The Act [would prohibit arbitrary discrimination](#) between indistinguishable crimes.

Over forty states [do not discriminate between crack cocaine and powder cocaine](#) related crimes. The federal government should do the same. The United States Sentencing Commission [finds no evidence](#) of increased violence or addiction among crack cocaine users, increased recidivism rates among individuals charged with crack cocaine crimes, or increased crack cocaine use when sentencing is equal with that of powder cocaine.

The ERLC urges Congress to swiftly pass the Eliminating a Quantifiably Unjust Application of the Law Act and end the federal crack and powder cocaine sentencing disparity.