

May 24, 2024

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## **Attorney General Marshall Commends Supreme Court's Commonsense Decision Affirming Enhanced Penalties for Career Criminals**

(Montgomery) - Alabama Attorney General Steve Marshall applauded the U.S. Supreme Court's decision in *Brown v. United States*, which rejected a recidivist criminal's argument that the Armed Career Criminal Act (ACCA) allowed him to evade full responsibility for his cocaine-related convictions because the federal government has slightly modified the definition of cocaine. In doing so, the Supreme Court agreed with the position advanced by the Alabama-led amicus brief in July 2022.

"We have recently seen the devastating effects of pro-crime policies ripple throughout this country. But the Supreme Court moved to restore the rule of law by issuing a strong decision that prevents minor changes to federal regulations from allowing repeat criminals to dodge justice," said Attorney General Marshall. "The ACCA has been an important tool in protecting citizens from illicit drugs and violent crime, and that will remain true thanks to this decision."

Under the ACCA, enhanced sentences attach to federal gun crimes when the offender has at least "three previous convictions by any court" – state or federal – "for a violent felony or a serious drug offense, or both." In 2022, the United States Court of Appeals for the Eleventh Circuit decided that Eugene Jackson's convictions for possession and distribution of cocaine were not "serious drug offenses" because the federal government narrowly adjusted the definition of cocaine more than a decade after his cocaine-related convictions. Attorney General Marshall filed a brief urging the court to reconsider, explaining that it "makes little sense" to completely ignore "crimes that were indisputably 'serious drug offenses' under state law when they were committed ... merely because the federal government" later changed the definition of cocaine. In an extraordinary order, the Eleventh Circuit reconsidered and agreed with the Attorney General's position. Today, the Supreme Court of the United States adopted the same argument advanced by Attorney General Marshall and affirmed Jackson's sentence.

Alabama's brief in the Eleventh Circuit was joined by Florida and Georgia.

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