

ENDING MANDATORY MINIMUMS

FACT SHEET

THE PROBLEM

In both state and federal courts, mandatory minimum sentencing laws force judges to hand down prescribed prison sentences for certain crimes. The punishment dictated by mandatory minimums is often much more harsh than punishment for crimes without mandatory minimums. In 2017, the United States Sentencing Commission found that, on average, defendants convicted of a crime carrying a mandatory minimum received a prison sentence almost four times longer than the average sentence length of defendants convicted of other crimes.

Mandatory minimums also prevent judges from exercising discretion and considering relevant circumstances in each case. Even if a judge believes that a defendant deserves leniency, they are required by law to impose the mandatory minimum sentence.

Finally, mandatory minimums are not enforced equally. Statistics show that prosecutors are twice as likely to seek a mandatory minimum sentence for Black defendants as for white defendants. Keeping in mind that Black Americans are incarcerated at over five times the rate of white Americans, it's clear that mandatory minimums pose a major threat to the freedom of Black communities.

THE SOLUTION

The only way to solve mass incarceration is to solve our problem with sentencing. At the end of 2019, there were a total of 1,435,500 people incarcerated in federal and state prisons. That's 437 people per 100,000 residents. By repealing mandatory minimums, we can reduce both the number of people who enter prison and the length of their stay, shrinking the criminal legal system overall and saving taxpayers approximately \$33,000 per person a year.

HOW YOU CAN GET INVOLVED & TAKE ACTION

Legislators can shrink the criminal legal system by reclassifying some felonies as misdemeanors and rethinking which actions should be considered crimes. Elected state officials control a large portion of what causes mass incarceration, plus they can determine how this system operates. Changing state laws and policies can reduce the number of people who go into the criminal legal system and mitigate the harms of those already involved with the system.