



## Mandatory Minimum Frequently Asked Questions

---

### ***What are mandatory minimum sentences?***

Mandatory minimum sentencing is used when an individual is convicted of a specific crime that by law requires that person to serve a minimum amount of prison time.

### ***Why are mandatory minimum sentences problematic?***

A number of reasons.

The threat of serving a mandatory minimum sentence can be an incentive in causing an individual to strike a plea deal even though they may be innocent.

Mandatory minimums have been shown time and again to disproportionately impact people of color in communities that are overpoliced.

Mandatory minimums disproportionately impact individuals who have committed low-level offenses like drug charges.

Mandatory minimums cost taxpayers more money. The re-implementation of mandatory minimums could cost Pennsylvania taxpayers up to \$85 million annually.

Mandatory minimums do not deter crime. A 2009 report from the Pennsylvania Commission on Sentencing found that most Pennsylvanians could not name a single offense that carried with it a mandatory minimum sentence.

### ***Why are mandatory minimums being debated now?***

The Pennsylvania Supreme Court struck down most of Pennsylvania's mandatory minimum sentencing laws in 2015. Since 2017, some lawmakers in Harrisburg have been trying to pass a bill re-establishing mandatory minimums, in line with the court's ruling. A version of this bill may have its best chance yet to pass in 2019.

### ***What are the alternatives to mandatory minimums?***

Judges should have the discretion at sentencing to determine the appropriate length of a sentence, based on the individual circumstances of a case, not a blanket mandate by the legislature.