



March 15, 2017

The Honorable Stewart Greenleaf  
Senator  
Commonwealth of Pennsylvania State Senate  
Senate Box 203012  
Harrisburg, PA 17120-3012

Dear Senator Greenleaf:

The legislature this year is likely to consider legislation to implement the recommendations of Pennsylvania's Justice Reinvestment Working Group. While you and your colleagues consider the Working Group's proposals to reduce recidivism and corrections spending, we urge you to reject calls to reinstate certain mandatory minimum sentencing laws.

The undersigned organizations believe that any value from mandatory minimums is far outweighed by the cost imposed on taxpayers, families, communities, and victims. Thus, it is no surprise that in the last 15 years, more than 30 states around the country have reconsidered the wisdom of mandatory minimum sentencing laws, because:

- Mandatory minimums require courts to treat all offenders the same, regardless of the facts of the case or the person's circumstances. This one-size-fits-all approach undermines basic expectations of fairness and individualized consideration in the American justice system.
- Such an approach to sentencing fills prisons with people who are often not a threat to public safety. Given the cost of prison beds, the incarceration of non-violent offenders for unnecessarily long periods is very expensive for the taxpayers.
- By diverting limited resources away from pursuing more serious offenders, supporting local law enforcement, and restoring victims, mandatory minimums have the perverse effect of undermining public safety.

- Unnecessary incarceration due to the imposition of mandatory minimum sentences also harms families and communities. Children are deprived of parental involvement by the offender. Spouses bear additional stresses, putting relationships and marriages at risk.

In essence, reinstating mandatory minimum prison sentences for nonviolent and first-time offenders does not promote public safety. The illusory promise of mandatory minimums becomes even more evident in Pennsylvania, however, when one considers that under current law, judges already have the authority to impose the maximum penalty to make the punishment fit the crime.

Pennsylvania policymakers have taken steps in recent years to make its criminal justice system more precise and efficient, and the results have been extremely positive. Pennsylvania's violent crime rate is lower than it has been since the late 1970s. In recent years, the Commonwealth has been able to reduce both its crime rate and its incarceration rate, resulting in safer communities and neighborhoods at a lower cost to taxpayers. This progress continued after many of the Commonwealth's mandatory minimum sentencing laws were ruled unconstitutional.

Now is not the time for Pennsylvania to go backward. Instead, Commonwealth leaders should continue to look for evidence-based solutions to improve public safety and maximize anti-crime resources.

Thank you for considering our views, and please do not hesitate to call on us to provide additional information on this important topic.

Sincerely,

**PAT NOLAN**  
*Director, Center for Criminal Justice Reform*  
*American Conservative Union Foundation*

**MARC A. LEVIN, ESQ.**  
*Policy Director*  
*Right on Crime*

**ARTHUR RIZER, ESQ.**  
*Justice Policy Director*  
*R Street Institute*

**ADAM BRANDON**  
*President*  
*FreedomWorks*

**NATHAN BENEFIELD**  
*Vice President & Chief Operating Office*  
*The Commonwealth Foundation*