

City of Philadelphia



Council of the City of Philadelphia
Office of the Chief Clerk
Room 402, City Hall
Philadelphia

(Resolution No. 170318)

RESOLUTION

Urging the Pennsylvania state legislature to reject H.B. 741, which seeks to reintroduce certain mandatory minimum sentences in the Commonwealth of Pennsylvania.

WHEREAS, Recently introduced in the Pennsylvania House of Representatives, H.B. 741 intends to reintroduce mandatory minimum sentencing in the Commonwealth of Pennsylvania. If adopted, this policy would severely hinder efforts to reform the criminal justice system without accomplishing any of its stated goals; and

WHEREAS, Mandatory minimum sentencing laws have little, if any, provable relation to improved public safety outcomes. In a July 2010 review of crime statistics and research, criminal just reform expert Marc Mauer, of the Sentencing Project, found that there is “virtually no data that is capable of demonstrating a direct link” between federal mandatory minimum sentencing guidelines and declines in crime; and

WHEREAS, A 2009 study published by the Pennsylvania Commission on Sentencing found that there was no correlation between the imposition of a mandatory minimum sentence and the rate of recidivism upon release; and

WHEREAS, Mass incarceration is generally a matter of great concern as a matter of public policy and social welfare, particularly given that the United States has, by a great margin, the highest incarceration rate in the world; and

WHEREAS, Racial disparities in incarceration rates are deeply troubling. A 2010 study of federal mandatory minimum sentencing, by the United States Sentencing Commission, shows that Hispanic offenders accounted for the largest number of convictions involving a mandatory minimum, at 38%, while African Americans accounted for 31%; and

WHEREAS, Mandatory minimum sentencing guidelines present a major impediment to judicial discretion, preventing judges from performing their duty to weigh the merits of each case within its given context. The judiciary plays a vital role in the criminal justice

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system and mandatory minimum sentencing laws often impede judges in their obligation to administer fair and individualized sentencing decisions; and

WHEREAS, Estimates from an article written jointly by officials from the Pennsylvania Department of Corrections, Dr. Bret Bucklen and John E. Wetzel, found that mandatory minimum sentencing laws cost more than \$85 million per year; and

WHEREAS, Mandatory minimum sentencing laws have no provable impact on public safety, but create a variety of issues that should concern state lawmakers who are considering reinstating the practice; now, therefore, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That the Council hereby urges the Pennsylvania state legislature to reject H.B. 741, which seeks to reintroduce certain mandatory minimum sentences in the Commonwealth of Pennsylvania.

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CERTIFICATION: This is a true and correct copy of the original Resolution, Adopted by the Council of the City of Philadelphia on the sixth of April, 2017

Darrell L. Clarke
PRESIDENT OF THE COUNCIL

Michael A. Decker
CHIEF CLERK OF THE COUNCIL

Introduced by: Councilmember Johnson

Sponsored by: Councilmembers Johnson, Blackwell, Gym, Green, Jones, Domb and Quiñones Sánchez