

A RESOLUTION TO REPEAL MANDATORY MINIMUM SENTENCES

Picture this scenario: You are in a courtroom awaiting sentencing from a judge. You are there for a home invasion, and because this is your third conviction- the other two being armed robberies- you are facing, at minimum, 30 years. Most people would agree this makes sense as you are clearly a violent criminal with a relatively low chance of rehabilitation as this is your third offense, and society would clearly benefit from your incarceration. In this scenario the mandatory minimum is in line with the size of the crime, and it serves to ensure you get the punishment you deserve.

But that type of scenario is not always the case, and mandatory minimums are not always so beneficial. Take the real case of Leandro Andrade- he stole 153 dollars' worth of videotapes, but he faced a mandatory life sentence without the chance of parole simply because this was his third felony conviction, the other two being nonviolent offenses, according to the Legal Information Institute. Because of the mandatory minimum sentence for his crime, the judge was unable to adjust the sentence to reflect Andrade's unique circumstances or the minor nature of his crimes.

This real life example demonstrates how problematic mandatory minimums can be in practice. These sentences are the product of good intentions, but good intentions do not always equate to good policies. Mandatory minimums remove the judge's ability to take into account individual circumstances when sentencing, they abandon the requirement of making the punishment proportional to the crime, and when you look at the facts- they simply aren't as effective in reducing crime as one is led to believe. That is why I am affirming this resolution to repeal mandatory minimum sentences, and you should too.

Mandatory minimums are meant to ensure that crimes are punished equally, and that felons aren't let go with just a slap on the wrist. But the issue is that not all crimes should be punished equally. Unique circumstances, the offender's motivations, and their role in the offense should all be important factors in sentencing because they help show if someone is actually likely to reoffend or if they can be rehabilitated. If someone isn't likely to be a repeat offender, or if they were involved in a non violent crime, then incarcerating them has no true benefit to society. If that criminal could be rehabilitated instead of incarcerated, or if they could serve a shorter sentence with parole, then giving them the longer mandatory sentence is simply wasteful. Incarcerating one person for a single year costs anywhere from \$15,000 to \$60,000, according to a CBS News article. In 2016, the federal prison budget was 7.3 billion, according to the US Department of Justice, which is 2 billion more than the federal government's budget for caring for the approximately half a million homeless people in America. Every year a prisoner is incarcerated could be a scholarship for 3 years of college to a decent state school for one student. Is this really where we want to put that money? Into unnecessary incarceration?

When it comes down to it; mandatory minimums turn the complex sentencing of an individual into an equation of severity of crime + previous felonies, which ignores the many other factors that should go into it. And it's not as if judges will just let every criminal go as they please. In the absence of minimum sentences, judges will still follow federal sentencing guidelines which give approximant punishment but allow the inclusion of personal circumstances.

Mandatory minimum sentences place value on “offense characteristics” over “offender characteristics”, which leads to unnecessary and wasteful incarceration. So stand with me and affirm this resolution to repeal mandatory minimum sentences.