

**SUPPORTING THE ELIMINATION OF MANDATORY MINIMUM SENTENCES
AND THE ENACTMENT OF “SAFETY VALVE” LEGISLATION**

WHEREAS, mandatory minimum sentences are a major contributor to prison and jail crowding and corrections budget growth; and

WHEREAS, a “safety valve” is a statutory provision, enacted by a legislature, that permits judges to sentence offenders below an applicable mandatory minimum sentence if certain conditions are met or certain facts and circumstances warrant such a sentence; and

WHEREAS, the Justice Safety Valve Act would create a “safety valve” provision that would apply to all federal mandatory minimum sentences and permit judges to sentence below the mandatory minimum term if doing so would not endanger the public and other facts and circumstances justified it; and

WHEREAS, model legislative language for state legislatures has been proposed to create a “safety valve” provision at the state level that would apply to many mandatory minimum sentences and permit judges to sentence below the mandatory minimum term if doing so would not endanger the public and certain other qualifications were met; and

WHEREAS, the use of statutory “safety valves” helps to reduce both prison and jail crowding and corrections costs, in turn making prisons safer and more rehabilitative, preserving limited resources for the most violent and dangerous offenders, and ensuring continued funding of other important law enforcement and crime reduction programs; and now

THEREFORE BE IT RESOLVED, the American Correctional Association supports the elimination of mandatory minimum sentencing policies; and now

THEREFORE BE IT FURTHER RESOLVED that the American Correctional Association supports enactment by state legislatures and the U.S. Congress of “safety valve” provisions.