Mandatory-minimum sentences are endangering public safety
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Peter Elikann is a Court TV Network commentator and author of “The Tough on Crime Myth: Real Solutions to Cut Crime.”

Any suggestion to reconsider mandatory-minimum sentencing laws has long been considered the third rail of politics for public officials who fear being labeled as coddlers of lawbreakers.

Ironically, mandatory sentencing, which was supposed to be tough on crime, has endangered the public by increasing the re-arrest rate and draining resources from crime prevention initiatives that can be more effective.

Gov. Deval L. Patrick’s review of mandatory-minimum sentencing laws is, indeed, an act of courage. It is a down-to-earth project that promises a fresh look at how to better protect the public rather than just falling back on tired bumper-sticker slogans that don’t examine how to most effectively fight crime.

These are the reasons why mandatory sentences often endanger public safety:

- Since it costs, on average, $43,000 a year to house a Massachusetts inmate, if one receives a 15-year mandatory sentence for drugs, this will cost the commonwealth approximately $645,000. So, if you were told you would receive almost three-quarters of a million dollars to fight the drug scourge, would you spend it on prevention, treatment or more cops? Or would you spend it to warehouse one foolish teenager or go-along girlfriend in a cell?

By spending most crime-fighting dollars on incarcerating non-violent, first-time offenders, money has been diverted from more effective crime fighting.

- Mandatory-minimum sentences forbid participation in pre-release or work-release programs. This is regrettable since studies show that someone who gradually re-enters society has a dramatically lower re-arrest rate than someone plucked from maximum security and thrust into the public arena.

- By putting young, first-time, non-violent offenders into prison “crime schools” where they learn from the older violent offenders,
they come out a greater danger to the public.

- For inmates who can’t be paroled or earn good time, there is no incentive to participate in education or work, which have proved to lower the re-arrest rate once released.

- Mandatory sentencing has overcrowded prisons and log jammed courts. There is little incentive to plead guilty instead of go to trial since the judge can’t give you a lesser sentence.

There are a number of other unintended consequences of mandatory sentencing:

- It frequently results in harsher sentences for more minor drug offenders than so-called kingpins. Much of the time, the only way a defendant can get his charge reduced is to testify or give information against others. Sadly, only a major criminal usually has enough information to help himself.

- Sentencing discretion remains as much as ever; it is just transferred from the judge to the prosecutor. Once the prosecutor decides the charge, he automatically sets the minimum sentence and the judge is forbidden to go below it.