RECENT STATE-LEVEL REFORMS TO MANDATORY MINIMUM LAWS

California On November 6, 2012, California voters passed Proposition 36. Almost 70 percent of voters supported its changes to the "three strikes and you're out" mandatory minimum law, which required a life sentence for a third offense, even if it was minor or petty (e.g., stealing a slice of pizza). Proposition 36 requires that mandatory minimum life sentences can only be imposed for a third strike if the third conviction is for a serious or violent felony. The reforms were also made retroactive, allowing judges to reduce sentences for about 3,500 prisoners serving life for non-serious or non-violent third convictions, if the person does not pose an unreasonable risk to public safety. Proposition 36 is projected to save the state $70-$100 million annually.

Ohio On June 29, 2011, Ohio enacted legislation that repeals mandatory minimum sentences for certain drug offenders, requires first-time nonviolent offenders to be sent to community control, job training or treatment programs instead of prison, and allows for shorter sentences for low level trafficking and possession offenses.

Delaware A decade after its first reforms, Delaware enacted a new law on April 20, 2011 that eliminated mandatory minimum sentences for some first-time drug offenders and reduced minimum prison sentences for drug felonies. The new law also reduced the size of drug-free school zones law from 1,000 feet to 300 feet, to restore the original intent of the law.

Massachusetts On August 2, 2012, a new sentencing law took effect that: reduces the length of some drug mandatory minimum sentences, increases the quantity of drugs needed to trigger certain low level trafficking offenses, reforms the state's "school zone" law, and makes some drug offenders now in prison eligible for the same reentry opportunities – parole, work release and earned good time – that are available to most other prisoners. In 2010, the Massachusetts legislature eased restrictions on drug offenders serving mandatory minimum sentences at county Houses of Correction. They are now eligible for parole after serving half of their sentences, unless the drug offense involved violence, a weapon or children, or if the drug offender "directed the activities of another" during the offense.

Georgia In May 2012, Georgia passed a new prison reform law that included minor reform to the state's drug mandatory minimums. Specifically, the law reduced the mandatory term required for possession of very small amounts of drugs.

Arkansas Arkansas enacted a prison reform bill in March 2011 that reduced mandatory minimum penalties for possession of drugs and reduced some of the harsher mandatory terms for distribution of drugs.

Missouri	In May 2012, Missouri reduced its crack-powder cocaine disparity by increasing the amount of crack cocaine that triggers a mandatory minimum sentence. With the new law, Missouri's crack-powder disparity decreased from 75:1 to 18:1.
Louisiana	Louisiana enacted new three prison reform laws in May 2012, including one that gave prosecutors discretion to waive mandatory minimum prison terms for non-violent, non-sex offenses.
South Carolina	In 2010, South Carolina removed the 10-year mandatory minimum sentence for school zone violations, allowed the possibility of probation for certain second and third drug possession convictions, and eliminated mandatory minimum sentences for first convictions of simple drug possession.
New Jersey	In 2010, New Jersey signed into law a bill that would give judges discretion when sentencing defendants convicted of drug-free "school zone" violations.
Rhode Island	In 2009, Rhode Island repealed all mandatory minimum sentencing laws for drug offenses. Previously, drug offenders received 10 and 20-year sentences, even for possession offenses, along with $10,000 and $25,000 fines.
New York	In 2009, New York enacted comprehensive drug policy reforms that greatly expand treatment options while repealing most mandatory minimum sentences for drug offenses. Certain drug offenders will be allowed to enter treatment under close supervision by specially trained drug court personnel, instead of automatically being sent to prison. Judges will have far greater discretion to impose sentences that fit the circumstances of an individual's case while still protecting public safety.
Minnesota	In 2009, the Minnesota legislature amended the law to allow courts to sentence fifth-degree felony controlled substances sale or possession offenders without regard to the mandatory minimum.
Nevada	In 2007, the Nevada legislature repealed mandatory sentencing enhancements and expanded "good time" eligibility for certain offenses.
Pennsylvania	In 2007, Pennsylvania lawmakers directed the Commission on Sentencing to study the effectiveness of mandatory minimum sentences and their impact on recidivism, cost-efficiency, and fairness in sentencing. The Commission, which published its report in 2009, questioned the efficacy of mandatory minimums and called for the repeal of the drug-free school zone mandatory penalty.

Michigan Michigan passed sweeping reforms of its mandatory minimum drug penalties in 2003 and 1998. In 1998, lawmakers repealed mandatory life sentences without parole for certain drug offenses and made those serving such sentences eligible for parole. In 2003, the legislature repealed almost all drug mandatory minimums, changed lifetime probation to a five-year probationary period and implemented new sentencing guidelines. In 2010, the state passed additional reforms that provide earlier parole eligibility to most of the drug offenders who were not affected by the earlier reforms.

Maine In 2003, Maine legislators reduced the mandatory minimum sentence for murder from 25 to 20 years, and authorized courts to suspend other mandatory prison sentences altogether if they are found to create a "substantial injustice" and if doing so would not diminish the gravity of the offense nor endanger public safety.

New Mexico In 2002, the New Mexico legislature repealed a mandatory sentence enhancement that required prosecutors to charge defendants with a prior drug conviction as habitual offenders. The sentence enhancement is now discretionary, allowing judges to determine whether it is appropriate on a case-by-case basis.

Connecticut In 2001, Connecticut legislators gave courts some leeway to relax mandatory minimum sentencing laws for sale or possession of drugs if there is "good cause," even if the offense occurred within a drug-free school zone.