



October 19, 2017

The Honorable Van H. Wanggaard  
Room 319 South  
State Capitol  
PO Box 7882  
Madison, WI 53707-7882

Dear Chairman Wanggaard:

On behalf of FAMM (Families Against Mandatory Minimums), a non-partisan, nonprofit sentencing reform advocacy group, I am writing to urge you to oppose Senate Bill 408. We believe this bill, however well-intentioned, will do more harm than good.

FAMM shares your concern about the disturbing spike in violent crime and homicides in some major American cities over the past couple of years. Rising crime rates make it imperative that we get criminal justice policy right. Policymakers must rely on evidence-based strategies and approaches that will achieve the highest level of public safety with limited taxpayer resources. For this reason, we believe SB 408 should be rejected.

Put simply, there is no evidence to support the claim that mandatory minimum sentences reduce crime or gun violence. A 2013 report by the Bluhm Legal Clinic at Northwestern Law School found that “the evidence indicates, repeatedly, that mandatory minimum sentences will not reduce gun violence. On the contrary, such restrictions are both costly and counterproductive.” The same report concluded:

Decades of empirical research, including a recent meta-analysis reviewing over 29 separate studies of the effectiveness of policies and programs that attempt to reduce firearm violence, have established that “policies [like enhanced prison terms] rooted in the deterrence theory framework . . . have been shown to have little empirical support.


Furthermore, a 2003 study of Virginia’s “Project Exile” gun sentence enhancements, conducted by Steven Raphael and Jens Ludwig, “demonstrated fairly conclusively that [Project Exile] is a bust. It has no impact. It did not work.” We know why. Crime rates respond to policies that ensure swift and certain sanctions on those who choose to break the law. Fear of being caught and punished quickly, not lengthy sentences, deters criminal behavior.

FAMM’s opposition to this legislation is not rooted in sympathy for anyone who chooses to engage in violent crime. Rather, our opposition is rooted in the belief – backed by credible evidence – that mandatory minimums make law-abiding citizens less safe. Mandatory minimums tie the hands of local courts that know their communities best. Bills like SB 408 earmark for incarceration resources that would be better used by hiring more police officers to patrol streets

or detectives to clear outstanding murders. Criminal justice policy requires exactly the kind of flexibility SB 408 eliminates.

Therefore, we urge you to oppose SB 408. FAMM is happy to provide the committee with any materials that might be helpful when considering this bill. We thank you for your service to the State of Wisconsin, and look forward to working with you in the future.

Sincerely,

A handwritten signature in blue ink, appearing to read 'KAR', is written over the typed name.

Kevin A. Ring  
President

CC All members of the Committee on Judiciary and Public Safety