



Bill Summary: Mandatory Minimums for Drug Trafficking (HB 1343, Rep. Moul)

The bill: If passed, HB 1343 would reinstate mandatory minimum sentences for drug trafficking. The bill would require a mandatory 25-year prison sentence for the first offense of drug trafficking and life without parole for a second or subsequent offense for most crimes. **FAMM opposes this bill.**

Bill status: *This bill is not yet law.* To become law, it must go through the committee process, pass through both the Pennsylvania Senate and House of Representatives, and be signed by the governor.

What the bill would do: HB 1343 would amend the drug trafficking penalties under 18 Pa. C.S. § 7508 and create the following mandatory sentences:

Drug type	Drug weight	Mandatory sentence	If defendant has another drug trafficking offense conviction
Schedule I or II Narcotic	At least 100 grams	25 years	Life without parole
Cocaine or crack	At least 100 grams	4 years, if no prior drug conviction 25 years, if there is a prior drug conviction	Life without parole
Methamphetamine or PCP	At least 100 grams	25 years	Life without parole
Heroin or derivatives	At least 50 grams	25 years	Life without parole
MDA; MDMA; MMDA or derivatives	1,000 tablets or 300 grams	25 years	Life without parole

Problems with HB 1343:

Long mandatory prison sentences do not reduce drug use or addiction: Nationwide, data shows that higher rates of imprisonment for drug offenses do not reduce rates of drug use, arrests, or overdose deaths.¹ Mandatory minimums do not solve our drug problems.

HB 1343 will increase spending on corrections: The costs of excessive incarceration siphon off money that could be better invested in other public safety priorities, like smarter policing, more victim services, or more drug treatment programs to reduce the demand for drugs.

¹ Pew Charitable Trusts, "[More Imprisonment Does Not Reduce State Drug Problems](#)," Mar. 8, 2018.

HB 1343 increases costs but does not increase public safety: Decades of research show no connection between long or mandatory prison sentences and reduced recidivism. A study of Michigan, Maryland, and Florida found that long prison terms did not prevent crime or stop people from committing crimes after being released.²

HB 1343 requires judges to sentence people to lengthy prison terms based solely on drug weight: HB 1343 does not permit courts to consider all of the relevant facts and circumstances about the crime and its impact on the community, or the offender's criminal record, role, motive, profit from the crime, age, likelihood of rehabilitation, or need for mental health or drug treatment. As a result, people who pose little threat to public safety will be sentenced to long prison terms when a shorter sentence is more appropriate. This wastes prison cells and taxpayer dollars on people who do not need to be in prison for the full minimum term.

² Pew Charitable Trusts, "[Prison Time Served and Recidivism](#)," Oct. 3, 2013.