



Bill Summary: Consecutive Mandatory Sentences for Offenses Committed with Firearms HB 726 (Rep. DeLuca)

The bill: HB 726, if passed, would require five-year mandatory minimum sentences for those who possess a firearm or a replica of a firearm while committing a “crime of violence” under Section 9714(g), and would require that these sentences run consecutively (back-to-back) with any other sentence the court imposes. **FAMM opposes this bill.**

Bill status: Bill status: This bill is not yet law. To become law, it must first be approved by committees, then passed by the Pennsylvania House and Senate, and signed by the governor.

Why FAMM opposes HB 726:

- Mandatory minimum sentences do not deter or reduce gun crime.

While FAMM does not condone people engaging in violent behavior with firearms, all the research and data show that mandatory minimum sentences do not deter or prevent this behavior. There is no evidence showing that long, mandatory minimum prison sentences deter, stop, or reduce gun violence.

- Mandatory minimum sentences make the public less safe.

Mandatory minimum sentences require courts to send people to prison indiscriminately, even if they pose little danger to the public or the sentence is unnecessarily lengthy. Under HB 726, a person who receives a 10-year robbery sentence must receive an additional five years if they possessed a gun during the crime – even if 15 years in prison is unnecessary to keep the public safe. Mandatory minimum sentences often incarcerate people well past the point at which they are rehabilitated and no longer pose a risk to their communities.

- Mandatory minimum sentences waste taxpayer resources.

Incarceration is expensive. Mandatory minimum sentences fill prisons and increase prison costs. This money would be better spent on victim services, strategic policing, and community-led programs that actually stop violence before it starts.

- Mandatory minimum sentences are unjust.

HB 726 requires an extra five years in prison for a repeat offender who robs someone with an AK47 assault rifle – and for a first-time offender who holds someone up with a fake but convincing revolver. Mandatory minimums force courts to ignore distinctions that matter for justice and public safety. Courts can only make us safer when they have the flexibility to fit the punishment to the crime and the offender in each and every case.