



Families for Justice Reform

ARIZONA: SECOND CHANCES AGENDA



THE PROBLEM – Excessive and Ineffective Sentencing Laws

Arizona sentences people to prison terms far longer than necessary or appropriate to protect the public. Arizona uses one-size-fits-all mandatory minimum sentences, which often do not fit the crime or the person. Arizona also requires virtually everyone in prison to serve 85 percent of the sentence, regardless of their rehabilitation. Finally, Arizona law offers no meaningful or effective way to review or change an excessive sentence or remove people from prison when they are so elderly or ill they no longer pose a danger to others.

Arizona's overreliance on long prison sentences, and its lack of meaningful mechanisms for reviewing these sentences, has led to the unnecessary incarceration of thousands of people over the past several decades and contributes to overcrowding and high costs in Arizona's Department of Corrections, Rehabilitation, and Reentry.

Arizona's excessive sentences offer no tangible public safety benefits but create negative unintended consequences. In addition to unjustly and unnecessarily depriving people of their liberty, Arizona's punishment system wastes money, destroys families, weakens communities, exacerbates intolerable racial disparities, and denies opportunities for redemption to people who have grown beyond their mistakes.

THE SOLUTION – Expand Opportunities for Second Chances

To fix this problem, Arizona must reform its excessive sentencing laws, allow earlier release for those who participate in rehabilitative programming, and create meaningful ways to have lengthy sentences reviewed, including when people grow old or ill. People in prison who are ready for a second chance at a free and productive life deserve an opportunity to be considered for one.

In Arizona, this can be accomplished in several ways.

- **Retroactive Sentencing Reform** – Repeal mandatory minimum laws, make the reforms retroactive, and allow Arizona's judges to impose appropriate sentences based on all of the available facts.
- **Pass "Second Look" Laws** – People change, mature, and rehabilitate. The law should reflect a belief in second chances and allow courts to review long sentences to ensure they are – or remain – appropriate.
- **Create Elderly and Medical Release** – Arizona's only release mechanism for terminally ill prisoners requires the governor to grant medical clemency, something that rarely happens. Arizona's prison population includes many people who are elderly, chronically ill, or both, yet there is no way for them to seek release from a local court. Keeping elderly and seriously ill people in prison when they are not a threat to public safety is costly, unnecessary, and counterproductive.

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