

February 17, 2021

The Honorable Eileen Filler-Corn  
Pocahontas Building  
900 E. Main St  
Richmond, Virginia 23219

The Honorable Charniele L. Herring  
Pocahontas Building  
900 E. Main St  
Richmond, Virginia 23219

*Sent via e-mail*

Dear Speaker Filler-Corn and Leader Herring:

We, the undersigned organizations, write today to urge you to support and advance legislation to eliminate all mandatory minimum sentencing laws in Virginia, consistent with the state crime commission's recommendation. We are a diverse group of organizations from across the political spectrum, yet all of us strongly oppose mandatory minimums because they are not proven to reduce crime or keep communities safe, are expensive to taxpayers, and result in unjust sentences.

Our opposition to mandatory sentencing laws is rooted in evidence and data showing that our country's experiment with mandatory minimums has utterly failed to deter or reduce crime. All the evidence and experience with these sentences show that they increase prison populations and costs without preventing or reducing crime. Mandatory minimum sentences siphon off money and resources that could be better invested in evidence-based public safety strategies. These unjust sentences also tear families apart and are disproportionately imposed on communities of color.

We are pleased to see the General Assembly take steps to undo these unjust, one-size-fits-all sentences and want to renew our call to the House of Delegates to eliminate all mandatory minimums, not just a select subset of them. All mandatory minimums, even those for more serious offenses, fly in the face of evidence. There's simply no reasoning for choosing which mandatory sentences to eliminate and which to keep. Virginia cannot afford to allow politics to crowd out the evidence. One-size-fits-all sentencing is no way to administer justice or increase public safety.

We also want to emphasize that repealing mandatory minimums does not eliminate punishment. It merely allows judges, who are selected by the General Assembly and informed by sentencing guidelines, to decide appropriate sentences rather than apply a one-size-fits-all approach to sentencing. Efficient and effective criminal justice policy requires precisely the kind of flexibility that mandatory minimum sentences eliminate. Not all cases are the same, and judges and juries need the flexibility to consider all the unique facts and circumstances about a case and the defendant to make meaningful distinctions at sentencing and impose punishments that are proportionate to the crime.

Should Virginia eliminate its mandatory sentencing laws, it will join a growing list of states that have improved public safety by enacting smart, evidence-driven sentencing reform. In the last two decades, dozens of states as varied as Utah, North Dakota, Iowa, South Carolina, Michigan,

and Louisiana, have significantly reformed their sentencing laws to return discretion to the courts and reduce their state's reliance on lengthy prison sentences as a response to crime.

We are encouraged by your commitment to advancing criminal justice reform and urge you to follow the state crime commission's recommendation and repeal all mandatory minimum sentences.

Sincerely,

**ACLU of Virginia**  
**Americans for Prosperity-Virginia**  
**FAMM**  
**Humanization Project**  
**Interfaith Action for Human Rights**  
**Justice Forward Virginia**  
**Virginia Sexual and Domestic Violence Action Alliance**