



## U.S. Sentencing Commission

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# NEWS RELEASE

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### **SENTENCING COMMISSION ISSUES STATEMENT FOR SENATE JUDICIARY COMMITTEE HEARING ON FEDERAL MANDATORY MINIMUM PENALTIES**

*Calls for Congressional Action Including Reduction of Mandatory Minimum Penalties for Drug Offenses*

WASHINGTON, DC—The United States Sentencing Commission today submitted a statement for the Senate Judiciary Committee's hearing on federal mandatory minimum penalties, calling on Congress to pass legislation reforming existing federal mandatory minimum sentences.

Judge Patti B. Saris, chair of the Commission, submitted a written statement for today's hearing entitled "Reevaluating the Effectiveness of Federal Mandatory Minimum Sentences," chaired by Judiciary Committee Chairman Patrick Leahy.

"The bipartisan seven-member Commission unanimously agrees that mandatory minimum sentences in their current form have led to unintended results, caused unwarranted disparity in sentencing, and contributed to the current crisis in the federal prison population and budget," Judge Saris wrote. "We unanimously agree that statutory changes to address these problems are appropriate."

The Commission endorsed four specific legislative reforms in Judge Saris's statement, recommending that Congress:

- Reduce the current statutory mandatory minimum penalties for drug trafficking;
- Make the provisions of the Fair Sentencing Act of 2010, reducing mandatory sentences for crack cocaine offenders, retroactive;
- Consider expanding the "safety valve," which allows sentences below mandatory minimum penalties for non-violent low-level drug offenders, to offenders with slightly greater criminal histories; and
- Apply safety valve provisions and potentially other relief for mandatory minimum penalties beyond drug offenders to other low-level non-violent offenders.

Judge Saris, in her statement, detailed key findings in the Commission's 2011 report entitled *Mandatory Minimum Penalties in the Federal Criminal Justice System* and in subsequent data analysis and explained why the reforms the Commission recommends would help to address the concerns identified in that report.

"Since 2011, circumstances have made the need to address the problems caused by the current mandatory minimum penalties still more urgent," Judge Saris wrote, pointing to the increasing federal prison population and a worsening budget crisis as factors that have heightened the need for reforms.

Judge Saris's full statement is available on the Commission's website at [www.ussc.gov](http://www.ussc.gov).

The United States Sentencing Commission, an independent agency in the judicial branch of the federal government, was organized in 1985 to develop national sentencing policy. The resulting federal sentencing guidelines provide the starting point for the court's consideration of a sentence and help ensure that similar

offenders who commit similar offenses receive similar sentences.

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