SENTENCING REFORM IN THE STATES: RECENT TRENDS

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Maryland’s Bipartisan Reform
States Restore Flexibility (2000-Present)

Over the past couple of decades, states have moved away from mandatory sentencing laws.

Some have repealed or dramatically reformed their mandatory drug sentencing laws, e.g. Maryland, Delaware, Michigan, Rhode Island, and New York.

Others have passed sentencing safety valves, including Georgia, Mississippi, North Dakota, and Maryland.

Other reform approaches:
• Reducing recommended or guideline ranges for drug crimes (Minnesota)
• Eliminated predicate crimes that triggered mandatory minimums (Florida)
• Modify Three Strikes/habitual offender laws (Delaware)
• Eliminating or reducing disparity between crack and powder cocaine (Missouri)
Pew: States Reducing Crime Rates and Prisons Simultaneously

From 2010 to 2015, 44 states experienced a reduction in crime and 35 states reduced their imprisonment rates.

- Across those 44 states with crime declines, imprisonment-rate changes ranged from a 25% decrease to a 13.5% increase.
- Crime trends were consistent across both the 35 states where imprisonment dropped and the 15 states where it increased.
- In the 10 states with the largest imprisonment declines, the crime rate fell an average of 14%, in the 10 states with the biggest growth in imprisonment, crime fell 8%
2017: Are We Moving Backwards? Opioid Bill Proposals

In response to the opioid crisis, more states considering return to mandatory sentencing and other old approaches:

- Imposing new, lengthy mandatory minimums for crimes involving heroin and fentanyl
- Extending existing mandatory sentences to smaller quantities of these drugs
- Imposing new mandatory sentences for cases where “death results” from overdoses