
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 12

Session of
2007

INTRODUCED BY VITALI, CALTAGIRONE, CLYMER, COHEN, CREIGHTON,
CURRY, DALEY, FRANKEL, GOODMAN, HARPER, HENNESSEY, JAMES,
JOSEPHS, LEACH, LEVDANSKY, MARKOSEK, MUNDY, PAYTON, PRESTON,
READSHAW, ROEBUCK, STABACK, WALKO, WHEATLEY, YOUNGBLOOD,
LONGIETTI, SCAVELLO AND WANSACZ, JANUARY 30, 2007

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 30, 2007

A RESOLUTION

1 Directing the Pennsylvania Commission on Sentencing to conduct a
2 study on the use and impact of mandatory minimum sentences.

3 WHEREAS, A "mandatory minimum sentence" refers to a
4 statutorily defined minimum term of imprisonment that a court is
5 required to impose on a defendant at sentencing; and

6 WHEREAS, Certain conduct prohibited under the Crimes Code,
7 Title 18 of the Pennsylvania Consolidated Statutes, including,
8 but not limited to, criminal offenses committed with firearms,
9 drug offenses and crimes against children and the elderly, and
10 under other acts of the General Assembly provide for the
11 imposition of a mandatory minimum sentence; and

12 WHEREAS, Mandatory minimum sentences significantly increase
13 the cost of corrections by imposing longer prison terms and
14 increasing the prison population; and

15 WHEREAS, Nationwide there is a lack of information on the
16 cost-effectiveness, deterrence and justice of mandatory minimum

1 sentences; and

2 WHEREAS, Mandatory minimum sentences may have a greater
3 effect on deterring certain types of crime than others; and

4 WHEREAS, The term of a mandatory minimum sentence should bear
5 a rational relationship to the type of crime committed; and

6 WHEREAS, The existence of statutes requiring the imposition
7 of mandatory minimum sentences can affect all aspects of the
8 criminal justice system; and

9 WHEREAS, Mandatory minimum sentences limit the discretion of
10 a sentencing judge; and

11 WHEREAS, Knowledge that a guilty plea or guilty verdict for
12 any offense requires the imposition of a mandatory minimum
13 sentence may affect the plea or verdict particularly in judicial
14 districts with heavy dockets; and

15 WHEREAS, Imposition of a mandatory minimum sentence may
16 affect an offender's eligibility for rehabilitation programs and
17 early release; and

18 WHEREAS, The House of Representatives should be knowledgeable
19 about the use and impact of mandatory minimum sentences on the
20 criminal justice system in this Commonwealth; and

21 WHEREAS, A review of mandatory minimum sentences is necessary
22 to determine in what circumstances and for what types of crimes
23 the sentences are most effective as well as the appropriate
24 length of sentence; therefore be it

25 RESOLVED, That the House of Representatives direct the
26 Pennsylvania Commission on Sentencing to study the use and
27 impact of mandatory minimum sentences on the criminal justice
28 system in this Commonwealth; and be it further

29 RESOLVED, That the Pennsylvania Commission on Sentencing
30 report to the House of Representatives on its activities,

- 1 findings and recommendations no later than two years following
- 2 the adoption of this resolution.