



**Senate Judiciary Committee and
Appropriations Subcommittee on Public Safety and Criminal Justice
Joint Public Hearing on Mandatory Minimum Sentencing
Monday, May 22, 2017**

**Testimony of
Mr. Charles Ramsey, Chairman
Pennsylvania Commission on Crime and Delinquency**

Thank you, Chairman Greenleaf, Chairman Leach and members of the Senate Judiciary Committee, for the opportunity to provide testimony to you today on behalf of the Pennsylvania Commission on Crime and Delinquency (PCCD). I am Charles Ramsey, and I was appointed to serve as the Chairman of PCCD by Governor Tom Wolf earlier this year.

As you know, PCCD is a state agency that is governed by a 48-member board. The board consists of cabinet secretaries from state agencies, judges, district attorneys, victim advocates, county probation and parole administrators, juvenile justice administrators, members of the General Assembly, and many others within the field of criminal justice. Since 1978, our mission has been three-fold: 1) to enhance the quality, coordination and planning within the criminal and juvenile justice systems; 2) to facilitate the delivery of services to victims of crime; and 3) to increase the safety of our communities.¹

As a body that represents the entirety of the criminal justice system, PCCD is very familiar with the positions related to the mandatory minimum sentencing question before you today. We know that some district attorneys are very much in support of these standardized sentences, as they believe that they can be a useful prosecutorial tool when negotiating pleas and gaining cooperation from defendants. Victims also view mandatories favorably, as they ensure that the perpetrators of the crimes against them serve long prison terms. There are some judges, however, that oppose mandatories, as they inhibit their ability to impose sentences that are appropriate for the case before them. And finally, there are correctional administrators who are concerned with the logistics of housing hundreds of more offenders if mandatories would be re-imposed. Clearly, this is an issue where reasonable people can disagree, and there are no easy answers.

At PCCD, we see it as our role to sift through all the facts. To that end, I must point out that according to the PA State Police's Uniform Crime Report data, crime has been trending downward in Pennsylvania.² That has been the trend when mandatories were in place, and after they were suspended. It may be too soon to draw conclusions on what the impact may be in the long-run on recidivism rates, but time will tell.

¹Our agency's main functions are: 1) the administration of millions in federal and state dollars in grants to state and local criminal justice and juvenile justice agencies, victim service providers and children's advocacy centers; 2) the training and certification of sheriffs, deputy sheriffs and constables; and 3) administering victim's compensation.

² Source: Uniform Crime Report, Pennsylvania State Police (2010-2015, total offenses and total arrests).

My second point is that opiate-related and synthetic drug arrests have seen an increase during this same time period.³ Clearly, the opioid epidemic is being reflected in our arrest data, and continues to be on the rise. I believe that we should be addressing that issue as the public health crisis it is and have the flexibility to offer alternatives in sentencing, other than just incarceration.

My third and final point, is that since 2012, the state's prison population has been slowly declining.⁴ It appears that Pennsylvania's prison population is finally beginning to mirror the drop we are seeing in our crime trends, which I believe is a result of the system as a whole utilizing programs and practices that we know work. Pennsylvania is a large battleship, and it takes time to turn. The impact that reinstating mandatory minimums may have on our burgeoning state prison and county jail populations would be concerning to PCCD. I defer to the Pennsylvania Commission on Sentencing for information on that potential impact.

Ultimately, I believe that we are best served by a system that provides strong, empirical guidance on sentencing, not mandates. Our system is not perfect, but for justice to prevail all of the elements of a case – the facts of the crime, the offender, the victims – should be taken before the court and weighed accordingly.

Thank you for your consideration. I am happy to answer any questions you may have for me at this time.

³ Source: Uniform Crime Report, Pennsylvania State Police (2010-2015, total offenses and total arrests).

⁴ Source: Criminal Justice Population Projection Committee, Jan. 2017.