



Mandatory Minimums Hurt Families, Children and Communities

Promoting Fair & Effective Criminal Sentencing • Strengthening Families & Communities

Harsh and Unfair Mandatory Minimum Drug Sentences Have Filled New Jersey

The United States now has the largest prison population numerically and per capita in the world. More than 2.2 million people are incarcerated in the U.S. – one of every one hundred adults. The U.S. accounts for only five percent of the world's population, but we account for 25 percent of the world's prisoners.

Until recently, little thought was given to the negative consequences of incarcerating such large numbers of people. But a growing body of research has found that our policies of mass incarceration, especially as they relate to nonviolent drug law violators, are hurting the vulnerable families and communities they were meant to protect.

Nationally, one in three young black men is under the supervision of the criminal justice system. Among young black men who receive no more than a high school education, 30 percent will serve time in prison. For those without high school educations, 60 percent will spend time in prison. The time spent in prison will disrupt their lives at a time when they should be continuing their education, finding a job, getting married and starting a family. The enormous increase in the number of African-American men incarcerated over the last 20 years has been associated with a 19 percent increase in the number of families headed by African-American women alone.

More than a million African-American children—nine percent of those under eighteen years of age—have a father in prison. Children with a parent in prison are seven times more likely to spend time in prison themselves than children without a parent in prison. Keeping families together and increasing the chances of success for vulnerable children and families is critically important, but mandatory minimum sentences tie the hands of judges and corrections professionals and increase the chances that families will be torn apart and children put at risk.

Mandatory minimum sentences also destroy the chances for economic stability for at-risk individuals, families and communities. A prison record continues to damage an individual's chances for stable lives even after they are released. Research has shown that lifetime wage growth is severely limited for formerly incarcerated individuals. Men with prison records are estimated to earn 30 to 40 percent less annually than men without prison records. Individuals with prison records not only make less money, they experience more unemployment and are more likely to have unstable family lives.

More flexible sentencing policies would also allow courts craft fair and effective sentences and to take individual circumstances into consideration.

The bottom line is that incarceration triggers a spiral of disadvantages that negatively affect the incarcerated person, their family and community.

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