

Mandatory Minimum Sentencing Laws

Disclaimer:

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What are mandatory minimum sentencing laws?

 Mandatory minimum sentences are the punishments for certain crimes like drug possession where the judicial discretion is limited by the law and judges cannot extenuate them.



What is general sentencing?

- In general sentencing the judge can use his discretion to decide the punishment for a crime. But, it is not mandatory that he has to strictly adhere to the sentencing guidelines.
- If the judge finds that the convicted has no prior criminal record and is a well behaved, he can reduce the punishment. Sometime the sentencing given by the judge can be longer than mandatory minimum sentencing.



Do mandatory minimum sentencing laws affect your sentence?

 Mandatory minimum sentencing laws do affect your final sentencing. This is because, even if the evidence shows that you are eligible for a shorter sentence, the judge is not permitted to do so.



- For example, if you are convicted for possession of illegal drugs like heroin of about 100 grams or more, you have to face minimum 5 years jail time.
- You have to face this punishment without any other options.



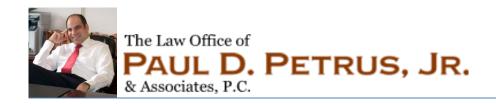
A look into the history of mandatory minimum sentencing

- The judges in the USA had unlimited sentencing discretion until the Anti-Drug Abuse Act was passed in 1986. This act set mandatory minimum sentencing for all types of drug crime convictions in the USA.
- Several other types of offenses like child pornography, serious white collar crimes etc. are also subjected to mandatory minimums.



Are mandatory minimums necessary?

- Most of people argue that mandatory minimum sentencing laws impose harsh penalties and are completely irrational.
- But some defend this way of sentencing. They argue that this is a transparent way of sentencing and there is a significant reduction in crime rate in the USA after its implementation.



Charged with crime in NY?

- If you are charged with crime in NY and looking for an expert New York criminal defense attorney, then contact Paul D. Petrus Jr. immediately.
- Mr. Petrus works in federal and state courts and can help you with his extensive experience in a variety of criminal areas.



Contact Us: Paul D. Petrus, Jr. Criminal Defense Attorney, NY The Empire State Building, 350 Fifth Avenue, Suite 3601, New York, NY 10118 Ph. No.**212-564-2440** Email: paul@petruslaw.com www.petruslaw.com