



Text Resize: A A A

- [Home](#)

- [About the Commission](#)

- [Newsroom](#)

- [Guidelines Manual](#)

- [Research](#)

- [Data and Statistics](#)

- [Education and Training](#)

- [Legal](#)

- [Legislative and Public Affairs](#)

- [Affairs](#)

- [Meetings and Rulemaking](#)

- [Publications](#)

- [Advisory Groups](#)

[Legislative and Public Affairs](#) » [Congressional Testimony and Reports](#) » [Mandatory Minimum Penalties](#)

Report to Congress: Mandatory Minimum Penalties in the Federal Criminal Justice System

About the Office of Legislative and Public Affairs

October 2011

This report assesses the impact of mandatory minimum penalties on federal sentencing, particularly in light of the Supreme Court's decision in *Booker v. United States*, which rendered the federal sentencing guidelines advisory. The United States Sentencing Commission prepared this report pursuant to a congressional directive contained in section 4713 of the Matthew Shepherd and James Byrd, Jr. Hate Crimes Prevention Act of 2009, Pub L. No. 111-84, and the Commission's general authority under 28 U.S.C. §§ 994-995, as well as its specific authority under 28 U.S.C. § 995(a)(20) to "make recommendations to Congress concerning modification or enactment of statutes relating to sentencing, penal, and correctional matters that the Commission finds to be necessary and advisable to carry out an effective, humane, and rational sentencing policy."

Topics of Interest

- [Annual National Training Seminar](#)
- [Latest Sentencing Data](#)
- [Proposed Amendments](#)

Related Information

- [Publications](#)
- [Current Guidelines Manual](#)
- [Federal Register Notices](#)

[COVER AND TITLE PAGE](#)

[TABLE OF CONTENTS](#)

[TABLE OF FIGURES](#)

[EXECUTIVE SUMMARY](#)

[CHAPTER 1](#) – Overview

[CHAPTER 2](#) – History of Mandatory Minimum Penalties and Statutory Relief Mechanisms

[CHAPTER 3](#) – The Interaction Between Mandatory Minimum Penalties and the Sentencing Guidelines

[CHAPTER 4](#) – Changes in the Federal Criminal Justice System, Mandatory Minimum Penalties, and the Federal Prison Population

[CHAPTER 5](#) – Policy Views About Mandatory Minimum Penalties

[CHAPTER 6](#) – The Use of Mandatory Minimum Penalties in Selected Districts

[CHAPTER 7](#) – Statistical Overview of Mandatory Minimum Penalties

[CHAPTER 8](#) – Mandatory Minimum Penalties for Drug Offenses

[CHAPTER 9](#) – Mandatory Minimum Penalties for Firearm Offenses

[CHAPTER 10](#) – Mandatory Minimum Penalties for Sex Offenses

[CHAPTER 11](#) – Mandatory Minimum Penalties for Identity Theft Offenses

[CHAPTER 12](#) – Conclusions and Recommendations

APPENDICES

- A. [Current Statutory Provisions Requiring Mandatory Minimum Terms of Imprisonment](#)
- B. [Pending Mandatory Minimum Legislation](#)
- C. [Table Listing Mandatory Minimums in the 1878 Revised Statutes](#)
- D. [Empirical Analysis of Mandatory Minimums – Tables and Figures](#)
- E. [Brief Review of Case Law Relating to Mandatory Minimum Sentences](#)
- F. [Field Interview Questions for Federal Prosecutors and Defense Attorneys](#)
- G. [Summaries of Oral and Written Remarks of the Witnesses to the Commission about Mandatory Minimum Penalties at May 27, 2010 Hearing](#)
- H. [Methodology for Offender Function Coding](#)
- I. [Bibliography](#)
- J. [Summaries of Oral and Written Remarks of the Witnesses to the Commission About the Topic of Mandatory Minimum Penalties at the Sentencing Reform Act 25th Anniversary Regional Hearings](#)

