

Imposing Mandatory Minimums for Gun Crimes in Texas

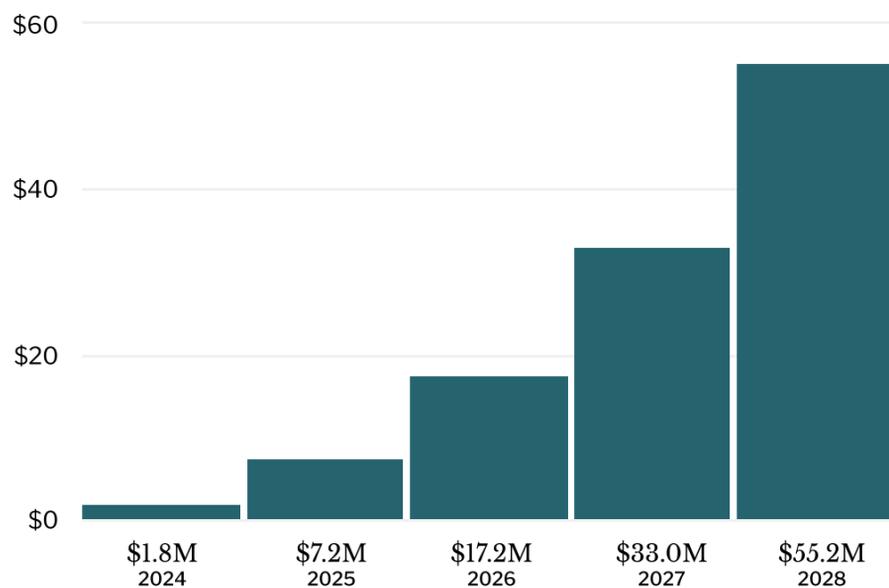
5-year impact in Texas

By adding mandatory minimum sentences for people convicted of using firearms during certain felony offenses, SB23 would result in \$55M in additional costs over five years and increase the prison population by a projected 6,094 people. SB23 would require people who use or exhibit a firearm while committing certain felony offenses to serve a mandatory minimum of ten years in prison if convicted.

Projected correctional costs incurred

\$11M Average increase in annual cost

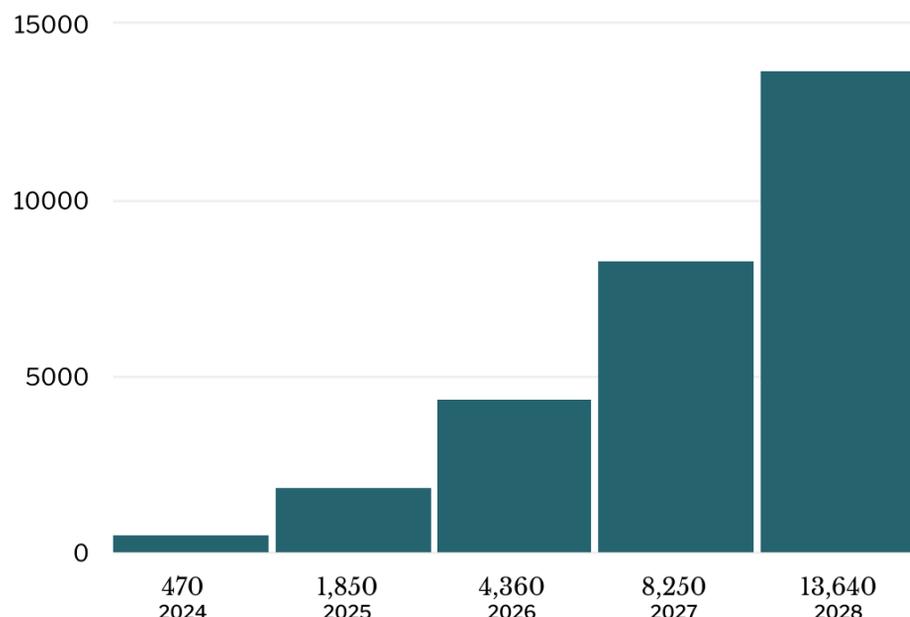
\$55M Total additional TDCJ spending over five years



Projected impact on life years spent in prison

13,600+ Additional life years spent in prison over five years

6,094 More people in Texas prisons after five years



The risk

All U.S. states currently have some form of mandatory minimum laws. However, extensive [research](#) shows that mandatory minimums fail to deter crime and reduce crime rates, and instead increase prison populations and exacerbate racial disparities. The [federal prison population](#) increased over 200% from 1991 to 2012 driven, in part, by mandatory minimums, with 55% of people in custody in 2016 there due to a mandatory minimum, and Black people in custody 13% more likely to be impacted by a mandatory minimum. In some instances, mandatory minimums can have unintended consequences. For example, a [mandatory minimum](#) for carrying an unlicensed firearm in the 1970's in Massachusetts resulted in 80% of people avoiding conviction for the crime compared with 53% prior to the law's passage due to increased dismissals, acquittals and appeals.

Given this research, [over half the country](#) has reformed or repealed mandatory minimum sentences in the past 20 years. For example, [New York, Michigan, and Florida](#) all repealed drug-related mandatory minimums, reducing their prison populations and saving money all without increasing crime rates.

118,000

People in TX state prisons in 2021 (5th highest incarceration rate in the nation)

200%

Increase in federal prison population during the rise of mandatory minimum sentences

In [2021](#), there were over 118,000 people in state prison in Texas, the [fifth highest](#) incarceration rate in the country. In fiscal year 2022, there were 1,708 people admitted to state prison for felony offenses covered by SB23 that involved a deadly weapon. Additionally, 1,982 individuals were sentenced to community supervision for crimes covered by this bill (though no data is available on whether these individuals used firearms or other deadly weapons).

Similar policies in other states

► Massachusetts

Studies of Massachusetts' [mandatory minimum](#) for carrying an unlicensed firearm found the policy had either no deterrent effect on the use of firearms in violent crimes or a small short-term effect that quickly dissipated.

► Michigan

Researchers found that [Michigan's](#) two-year mandatory minimum policy for possessing a gun during a felony resulted in judges and prosecutors changing their behavior to avoid imposing the mandatory minimum, for example by convicting the defendant of a misdemeanor instead of a felony.