TESTIMONY

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Comparing the Cost-Effectiveness of Federal Mandatory Minimum Sentences and Other Federal Enforcement Programs

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My name is Peter Reuter. I am a professor in the School of Public Affairs and Department of Criminology at the University of Maryland. I am also a consultant to RAND and will primarily present findings developed by my colleagues there. While this statement is based on research conducted at RAND, the opinions and conclusions expressed are mine and my colleagues' and should not be interpreted as representing those of RAND or any of the agencies or others sponsoring its research. I ask that our full written statement be entered into the record.

The Drug Enforcement Administration has primary responsibility to investigate and apprehend drug dealers for federal prosecution. That responsibility also requires discretion as to which dealers get targeted for federal enforcement. We argue that these decisions should take into account the high costs arising from federal sentencing policies and ensuring that drug control resources are well allocated.

Federal mandatory minimum sentences are frequently criticized on a variety of legal and ethical grounds. This testimony addresses a different dimension, namely the effectiveness of the current mandatory minimums at reducing cocaine consumption for each public dollar spent. When I say the "current mandatory minimums" I mean those implemented in the sentencing guidelines and applied to drug dealers appearing in federal court. The empirical work of my RAND colleagues suggests that mandatory minimum sentences are more expensive as a means of reducing cocaine consumption than are some other federal enforcement options. If the mandatory minimums also predictably lead to inequities, this strengthens the case for repealing them or reducing their length.
The results reported here\(^1\) are based on data from the early 1990s for cocaine and on a model that has been used to compare a variety of drug policy changes\(^2\). The effect of arrests, seizures and incarceration, all components of drug enforcement, are modeled initially in terms of how they increase the costs and risks of drug dealing. Higher risks and costs are passed on through higher prices, which lead to lower consumption. The model compares different kinds of enforcement in terms of how much US cocaine consumption\(^3\) is reduced by additional expenditures of one million dollars on each enforcement program.

The effects of drug enforcement can only be understood with the help of an economic model because it is implausible, fifteen years after cocaine became a mass market drug, that cocaine consumption is reduced by keeping some cocaine dealers off the street. If these sentence increases have an effect, it is through deterrence of consumption, mediated by the market, not through creating a shortage of competent dealers.

My colleagues’ study compares a number of enforcement programs. Here I will just consider two. Assume $1 million is available for either of two programs. The first is to investigate and arrest more cocaine dealers and then sentence them under the federal regime that existed prior to the current mandatory minimums regime.\(^4\) The second is to incarcerate for longer terms those who would have been convicted anyway, as under the current regime. The principal finding is that spending money on bringing more dealers\(^5\) to justice is superior in terms of the consequent reduction in cocaine consumption. Whereas spending $1 million on more arrests etc. generates a reduction of 63 kilograms in cocaine consumption, spending $1 million on longer sentences reduces consumption by only 36 kilograms. This suggests that shifting resources used


\(^3\) Other effectiveness measures, such as crime reduction, are also considered in the report. They produce similar results.

\(^4\) The report takes 1990 release data, which include a small number who were sentenced under the current regime. See p. 118, fn. 4.

\(^5\) Dealers representing the same mix of seriousness of involvement in the cocaine trade as those currently appearing in federal court.
for additional prison time to investigative and prosecutorial agencies could lead to less cocaine consumption and associated crime. Though these results have only been demonstrated for cocaine, the underlying logic suggests that they are likely to be true for heroin as well.

This is not to say that longer sentences can never be efficient. If the mandatory minimums were actually applied just to high level dealers, then they might be more cost-effective than conventional enforcement. The current sentence structure based on amount and prior criminal history is intended to achieve this kind of targeting but does not do so. The class of dealers for whom federal mandatory minimums are cost-effective consists of those dealers that are difficult to arrest precisely because they value their freedom highly and are able to spend money on security and distancing themselves from their operations.

These are not indisputable findings. They come from a model which is both structurally complex and dependent on many assumptions. It represents however the only effort to date to develop a systematic understanding of the resource implications of longer federal sentences.

These findings have implications for federal enforcement agencies, both investigative and prosecutorial. If the current sentencing structure is retained, then bringing minor offenders to federal courts is inefficient. Drug enforcement is certainly a complex business; no agency can effectively confine itself to making cases only against high level traffickers because so often they can only be reached by making cases against less significant associates. However there are some judicial districts in which it appears that the federal government has consistently taken on many minor cases, thus raising clearly the question of efficiency as well as equity. For example, in Richmond, Virginia, “Project Exile” has encouraged state and local enforcement agencies to bring into federal court many minor offenses, precisely because of the longer sentences that they produce. In others the fraction of all drug cases that are crack cases also suggests too broad a net, given that powder is converted to crack quite far down in the distribution system.\(^6\)

I would be happy to answer any questions.

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\(^6\) In 1995 I prepared expert witness testimony on behalf of the government in US vs. Anthony Henry et al. (CR-94-628-CBM, alleging bias in federal prosecution of crack defendants in the Central District of California). I testified that the defendant’s evidence concerning the composition of the crack selling and using populations were not relevant to assessing bias in charging. In the Central District of California, crack prosecutions were small in number. In some other jurisdictions, such as West Virginia, they account for about half of all federal drug trafficking prosecutions.
Attachment

Written Statement Presented to the Subcommittee on Crime
of the House Committee on the Judiciary
July 29, 1999

The following written testimony is derived from Caulkins, Jonathan P., C. Peter Rydell, William L. Schwabe, and James Chiesa, Mandatory Minimum Drug Sentences: Throwing Away the Key or the Taxpayers’ Money?, RAND, MR-827-DPRC, 1997.

In recent decades, the American public has responded favorably to political leaders and candidates who have espoused longer sentences for the possession and sale of drugs. Among the more popular sentencing extensions are “mandatory minimums,” which require that a judge impose a sentence of at least a specified length if certain criteria are met. For example, federal law requires that a person convicted of possessing half a kilogram or more of cocaine powder be sentenced to at least five years in prison.

Mandatory minimums have enjoyed strong bipartisan support from elected representatives and presidential candidates. To these proponents, the certainty and severity of mandatory minimums make them better able to achieve incarceration’s goals than are more flexible sentencing policies. Those goals include punishing the convicted and keeping them from committing more crimes for some period of time, as well as deterring others not in prison from committing similar crimes. Critics, however, worry that mandatory minimums foreclose discretionary judgment where it may most be needed, and they fear mandatory minimums result in instances of unjust punishment.

These are all important considerations, but mandatory minimums associated with drug crimes may also be viewed as a means of achieving the nation’s drug control objectives. As such, how do they compare with other means? Do they contribute to the central objective—decreasing the nation’s drug consumption and related consequences—at a cost that compares favorably with other approaches? In the RAND report Mandatory Minimum Drug Sentences: Throwing Away the Key or the Taxpayers’ Money?, we estimate how successful mandatory minimum sentences are, relative to other control strategies, at reducing drug consumption, drug-related crime, and the total flow of revenue through the cocaine market. The latter is a worthy objective in itself—America would be better off if money spent on drugs were spent on almost anything else—and it is also associated with drug-related crime.

We focus on cocaine, which many view as the most problematic drug in America today. We take two approaches to mathematically modeling the market for cocaine and arrive at the same basic conclusion: Mandatory minimum sentences are not justifiable on the basis of cost-effectiveness at reducing cocaine consumption, cocaine expenditures, or drug-related crime. Mandatory minimums reduce cocaine consumption less per million taxpayer dollars spent than does spending the same amount on enforcement under the previous sentencing regime. And either type of incarceration approach reduces drug consumption less than does putting heavy users through treatment programs, per million dollars spent. Similar results are obtained if the objective is to reduce spending on cocaine or cocaine-related crime. A principal reason for these findings is the high cost of incarceration. (Note these findings are limited to relative cost-effectiveness. As mentioned above, mandatory minimums have been justified—and criticized—on other grounds.)
REDUCING CONSUMPTION: MORE ENFORCEMENT AGAINST TYPICAL DEALERS

First, we estimate the cost-effectiveness of additional expenditures on enforcement against the average drug offender apprehended in the United States (whether that apprehension is by federal, state, or local authorities). In this approach, we track the flows of users among light-use, heavy-use, and no-use categories, and we analyze how overall cocaine market demand and supply respond to price. That is, if more money is spent on enforcement and incarceration, costs to dealers are increased, and so is the street price of cocaine; higher prices mean lower consumption. If more money is spent on treatment, consumption is reduced for most clients while they are in the program, and for some, after they get out. We estimate the changes in total cocaine consumption over time for an additional million dollars invested in the alternatives considered.

First we consider spending a million dollars on additional enforcement by agencies at various levels of government against a representative sample of drug dealers. If that money were used to extend to federal mandatory minimum lengths the sentences of dealers who would have been arrested anyway, U.S. cocaine consumption would be reduced by almost 13 kilograms. If, however, the money were used to arrest, confiscate the assets of, prosecute, and incarcerate more dealers (for prison terms of conventional length), cocaine consumption would be reduced by over 27 kilograms. (As a point for comparison, we estimate that spending the million dollars treating heavy users would reduce cocaine consumption by a little over 100 kilograms.)

Note that we refer to “longer sentences” rather than to “mandatory minimums.” Data on drug dealers arrested at state and local levels are insufficient to isolate those associated with drug amounts sufficient to trigger mandatory minimums. Instead, we analyze a hypothetical policy of applying the mandatory minimum sanction—longer sentences—to all convicted dealers.

The values shown are dependent, of course, on various assumptions we make. If the assumptions are changed, the values change. But for changes in assumptions over reasonable ranges, do the values change enough to make longer sentences more cost-effective than either of the other alternatives? We find they do not.

As an example, the values shown are dependent on the time horizon in which one is interested. The reason for this is as follows. When faced with extended sentences, drug dealers will want more income today to compensate them for the risk of increased prison time. As a result, cocaine prices will go up and consumption will go down. Benefits from reduced consumption will thus accrue immediately, while the costs of the extended prison terms will stretch out into the future. In contrast, if more users are treated this year, the costs accrue immediately, while the benefits in terms of reduced consumption by those who stay off cocaine stretch out into the future. In our analysis, we account for these different allocations of costs and benefits across future years in that future costs and benefits are discounted annually. The aforementioned 13, 27, and 100 kilograms reduction in cocaine consumption includes costs and benefits out to 15 years—a time horizon typical in analyzing public policy. Beyond that point, any further costs and benefits count as zero. What if that terminal point were moved closer? What if one had not just a discounted interest in anything beyond the immediate future, but no interest? If the time horizon is set early enough, the effect is to “zero out” both the future stream of costs from mandatory minimums and the future benefits from treatment. Only if the time horizon is shortened to about three years do mandatory minimums appear preferable to additional conventional enforcement. Hence, mandatory minimums appear cost-effective only to the highly myopic.

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1 Note we are estimating the impact of an additional million dollars. The results can be extrapolated to multiples thereof, but not to extremely large changes in spending. They certainly do not suggest that the most cost-effective approach is to shift all drug control resources from enforcement to treatment.
We also analyzed the implications of changing other assumptions. For example, dealers would want to be compensated for the increased risk of imprisonment they would incur in the event of increased enforcement. But the typical person would demand less compensation for being imprisoned five years from now than next year, and we assume drug dealers demand even less compensation for future risks—i.e., are even more “present-oriented.” What would happen, though, if dealers wanted more risk compensation and if they discounted future costs less heavily than we assume? Longer sentences would seem more burdensome than we assume, dealers would demand a higher premium for handling cocaine, the price of cocaine would rise even more with increased enforcement spending, and consumption would fall even more. Consumption would also fall more than we expected if users were more responsive to price increases, i.e., if demand were more “elastic.” We attempted to swing the balance toward extended incarceration by simultaneously increasing risk compensation by one-third, cutting the dealer discount rate by two-thirds, and increasing the elasticity of demand by 50 percent. Although the cost-effectiveness figures did indeed change, the order of the ranking did not.

REduCing CONSUMPTION: mORE ENFORCEMENT AGAINST hIGHER-LEVEL DEALERS

The analysis discussed above represents enforcement approaches applied to a representative sample of all drug dealers arrested. Perhaps mandatory minimum sentences would be more cost-effective if they were restricted to somewhat “higher-level dealers.” By higher-level dealers, we mean those who operate at higher levels of the drug distribution system, who make more money and thus have more to lose from more intensive enforcement. To approximate such a restriction, we limit the set of offenders analyzed to those who are prosecuted at the federal level and possess enough drugs to trigger a federal mandatory minimum sentence.

The results are shown in the figure below. There, the darkest bars represent the reduction in cocaine consumption from spending an additional million dollars in enforcement against the federal-level offenders just defined. The light bars represent enforcement against the “typical” drug dealer, the “average” among all arrested, which was addressed above. Reading from the left, each light/dark pair of bars represents the same kind of program. The distribution of long sentences is the same for the first two bars, and the kinds of additional enforcement actions funded (arrest, seizure, prosecution, and incarceration for conventional sentence lengths) are the same for the next two bars.

Benefits of Alternative Cocaine Control Strategies
Federal mandatory minimums applied to higher-level dealers do better than longer sentences for all dealers. To the higher-level dealers considered in this analysis, time in prison carries a greater cost, and amounts of cocaine and other assets seized through increased enforcement are also larger. Thus, risk compensation must be higher, and the higher resulting cocaine prices drive down consumption more. Nonetheless, at any given level of government, or against any given type of dealer, mandatory minimums are less cost-effective than conventional enforcement.

Why is that the case? Drug enforcement comprises two types of components, each of which is costly for taxpayers and each of which contributes to keeping drugs expensive: (1) arrest and conviction, which impose costs on suppliers principally through the seizure of drugs and other assets, and (2) incarceration of convicted defendants. Amid complaints about the “revolving door” of justice, some overlook that arrest and conviction impose costs on dealers. In fact, on average, arrest and conviction impose greater costs on dealers per taxpayer dollar spent than does incarcerating dealers. Since mandatory minimums alter the mix of these two components of enforcement in favor of incarceration, they dilute or reduce the efficiency of enforcement relative to simply expanding both components proportionately.

As with the light bars, the precise heights of the dark bars in the figure depend on various assumptions. Again, these include assumptions about such uncertain values as the compensation dealers would demand for increased imprisonment risk, the rate at which dealers discount future costs, the responsiveness of buyers to shifts in cocaine prices, what it costs to arrest a dealer, and the value of drugs and other assets seized. To test the sensitivity of our results to these assumptions, we vary the assumed values of factors such as these one at a time over substantial ranges. In all cases, conventional enforcement is more cost-effective than mandatory minimums (and treatment is more than twice as cost-effective as mandatory minimums). Even when assumed values are varied two at a time, large departures from assumed values are required for mandatory minimums to be the most cost-effective approach. For example, the government’s cost of arresting a dealer and the compensation a dealer wants for risking a year of imprisonment are assumed to be about $20,000 and $85,000. Our model indicates that mandatory minimums would be the most cost-effective alternative only if arrest costs were to exceed $30,000 and a dealer were to value his time at some $250,000 or more per year. Such dollar values would typify only those dealers at a fairly high level in the cocaine trade and who are unusually difficult to arrest. For dealers costing less to arrest, cocaine control dollars would be better spent on further conventional enforcement. For dealers demanding less risk compensation, the money would be better spent treating heavier users than on enforcement against such dealers.

Long sentences could thus be a smart strategy if selectively applied. This sort of targeting is achieved to some degree by mandatory minimum sentencing laws. For a mandatory minimum sentence to take effect, certain conditions must be met, e.g., some threshold quantity of drugs has to have been in the convicted person’s possession at the time of arrest. Federal law (as well as some state laws) regarding mandatory minimum drug sentences contains such quantity triggers, along with other provisions regarding prior convictions. Unfortunately, because the thresholds that trigger mandatory minimum sentences are low, they are not selectively applied to high-level dealers. Indeed, anecdotal evidence

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2 Even for these dealers, it is possible that conventional enforcement would be more cost-effective than mandatory minimums. That would be the case if the range of conventional sentences could be matched to the range of offenders so that the highest-level dealers received very long sentences.

3 A typical drug dealing hierarchy might have retail sellers buying fractions of an ounce to resell in fractions of a gram, first-level wholesale dealers buying multiple ounces to resell as fractions of an ounce, second-level wholesale dealers buying kilograms to resell in multiple ounce lots, and third-level wholesale dealers selling kilograms at a time. This suggests that sentences as long as federal mandatory minimums might be cost-effective for some third-level wholesale dealers, but not for their subordinates.
suggests that high-level dealers can sometimes avoid mandatory minimums more easily than their subordinates. High-level dealers have more knowledge about their organization to use as bargaining chips with prosecutors. Furthermore, such dealers often do not physically possess their drugs, as is required for a mandatory minimum to take effect; they hire others to incur that risk.

REDUCING COCAINE-RELATED CRIME

Of course, cocaine consumption is not the only measure of interest. Many Americans are worried about the crime associated with cocaine production, distribution, and use. Using data on the causes of drug-related crime and our cocaine market analysis, we quantify the approximate crime reduction benefits of the various alternatives. We find no difference between conventional enforcement and mandatory minimums in relation to property crime; the former, however, should reduce crimes against persons by about 70 percent more than the latter.

Most drug-related crime is economically motivated—undertaken, e.g., to procure money to support a habit or to settle scores between rival dealers. Fewer crimes are the direct result of drug consumption—crimes committed “under the influence.” However, we find very little difference between conventional enforcement and mandatory minimums in their effects on the money flowing through the market, and thus very little difference in their effects on economically motivated crime. We do find, as shown in the figure, appreciable differences in consumption effects, and thus appreciable differences in effects on crimes committed under the influence. The latter are more likely than are economically motivated crimes to be crimes against persons.

When a dealer facing the risk of a longer sentence raises his price, say one percent, to compensate, buyers will reduce the amount of cocaine they purchase. The best evidence suggests that reduction will be something on the order of one percent. Thus, the total revenue flowing through the cocaine market stays about the same, and so do the incentives for economically motivated drug-related crimes. Therefore, the effect of the enforcement alternatives is limited almost entirely to the relatively small number of crimes committed under the influence. Treatment, however, has an advantage over enforcement in reducing the economic value of the cocaine market and thus against the larger number of economically motivated crimes.

CONCLUSIONS

The first conclusion deriving from the analysis is that extending sentences for all drug dealers is less cost-effective than expanding the scope of conventional enforcement by arresting and prosecuting more dealers under traditional sentencing laws. Thus, if the objective is to increase the stringency of drug enforcement in a manner that maximizes the benefits obtained per dollar spent, expanding conventional-enforcement budgets is preferable to passing laws increasing sentence length.

 Longer sentences, however, can be more efficient if they are limited to drug dealers with a higher-than-average position in the distribution hierarchy. Our second conclusion, however, is that even the level of targeting achieved by federal mandatory minimum sentencing is not enough to make such sentences more cost-effective than conventional enforcement against similar offenders.
A third conclusion, though, is that there does exist a class of drug dealers for whom long sentences such as those imposed by federal mandatory minimums are more cost-effective than conventional enforcement. That class is identified by two distinguishing characteristics. First, they must be substantially more difficult to arrest than the typical dealer apprehended by federal agencies. Second, they must demand very high compensation for the risk of spending a year in prison, on the order of the annual dollar profits of someone who makes 25 one-kilogram cocaine sales per year.

Our fourth conclusion is that the targeting principle applies across types of enforcement. Not only are long sentences for dealers qualifying for federal mandatory minimums more cost-effective than long sentences for typical dealers, but conventional enforcement directed against dealers qualifying for federal mandatory minimums is more cost-effective than conventional enforcement applied to typical dealers.4

A fifth conclusion of the analysis is that treatment is more cost-effective at controlling drug use, drug spending, and drug-related crime than is either conventional enforcement or long sentences, whether targeted through mandatory minimum "trigger" provisions or applied generally.

Our sixth conclusion is that mandatory minimum sentences should seem most appealing to people with very short time horizons. The benefits of imposing mandatory minimum sentences are realized up front, whereas the costs come due in the future. In contrast, the costs and benefits of conventional enforcement are roughly contemporaneous (and treatment the costs come early and the benefits accrue over time). Mandatory minimums might be supported by people with no concern for cost and benefits accruing more than a few years in the future, even though such sentences are not cost-effective for society as a whole.

POLICY IMPLICATIONS

The conclusions drawn about effectiveness above are of general interest with regard to debating and formulating drug policy. However, our report was motivated by a rather specific policy question: Are mandatory minimum drug sentences a good policy that should be extended or should they be repealed? There is no one answer to that question. Different people will have different opinions depending on their values and what they think drug control policy should strive to achieve. Some might support mandatory minimums because they think such sentences constitute "just" punishment for convicted defendants, regardless of other consequences or considerations of effectiveness. Some might oppose them because they are triggered by the amount of drugs possessed, not the amount owned or controlled, again without considering other factors.

The opinion of many people might, however, be influenced by an assessment of how well mandatory minimum sentences "work" at controlling drug-related problems. If they could be shown to work well, that might be sufficient to draw support from some who are troubled by the sharp distinction drawn between cocaine powder and crack. If they are shown not to work well, that might give pause to those who value mandatory minimum laws' power to induce plea bargains and cooperation from defendants.

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4 This suggests an implication for local enforcement policy. Because federal enforcement is more targeted at higher-level dealers than are state and local efforts, state and local enforcement is typically less cost-effective at driving up drug prices than are federal efforts. However, local enforcement is more directly able to respond to the problems generated by street markets, ranging from simple disorder to drive-by shootings. Hence, one might infer that local enforcement should be freed, to some extent, from the expectation or obligation that it must seek to impose costs on dealers generally. Instead, it should be allowed to focus on dealers who generate problems beyond those inherent to selling or problems such as violence and the exploitation of youths for criminal labor.
To some it may seem strange to evaluate drug sentences in terms of benefits achieved per million taxpayer dollars spent. After all, no legislature votes explicitly on a budget item labeled “extending sentences for dealers who meet the criteria for mandatory minimum sentences.” Nevertheless, many public officials make decisions that do lead to more or fewer taxpayer dollars being spent on such sentences. This is most obvious for members of Congress and state legislators. When a new sentencing bill is passed (or repealed), it influences who goes to prison for how long, and incarcerating people costs money.

More subtly, prosecutors influence how corrections budgets are divided between mandatory minimum sentences and punishment of other offenders whenever they decide whether to prosecute an arrested dealer or not, or to prosecute the dealer under one statute or another. Heads of enforcement agencies do likewise when they decide how many people to assign to drug control work and whether to target lower-level or higher-level dealing. The more enforcement agents there are, the more drug arrests. The more drug arrests there are, the more long sentences for drug offenders. And, as this analysis shows, the higher the targeted dealers are in the drug market hierarchy, the more cost-effective are the enforcement efforts. This is particularly true when the sentences are as long as are current federal mandatory minimums.

The analysis above certainly does not say that drug enforcement should be eliminated, for at least two reasons. First, reducing drug use and related crime and spending are not the only legitimate objectives of drug control. Second, the analysis pertains to relatively modest changes in the scale of drug-control programs. Eliminating federal mandatory minimum drug sentences would constitute such a modest change. (Recall that most dealers are convicted in state courts and those convicted in federal courts would still be subject to conventional sentences.) Eliminating all enforcement would not be a modest change, and its consequences cannot be inferred by extrapolating the results above.

The analysis above does say, however, that passing and maintaining laws such as the federal mandatory minimum sentencing statutes do not represent an effective or efficient way of reducing drug use, drug spending, or drug-related crime. Conversely, a desire to fight drug use, spending, and crime is not sufficient reason to oppose repealing these laws. It would be perfectly reasonable for someone dedicated to controlling drug use to support repeal of mandatory minimum sentences. That is particularly the case if repeal could be tied to a reallocation of the resources saved into other, more effective drug control programs. Given that one such alternative program is conventional enforcement without mandatory minimum sentences, such a reallocation is not difficult to imagine. It could be achieved, for example, by simultaneously repealing mandatory minimum sentencing laws and expanding the number of enforcement agents, prosecutors, and judges enough to hold constant total spending on drug enforcement.

The title of this report asks whether mandatory minimum drug sentences should be seen as just punishment for heinous offenders (“throwing away the key”) or simply as wasteful (“throwing away the taxpayers’ money”). Issues of justice cannot be reduced to numbers; issues of efficiency are, however, amenable to quantitative analysis. Our analysis shows that mandatory minimum drug sentences do throw away taxpayer money in the sense that there are other, more efficient, less costly ways of achieving the same drug control ends.
SUMMARY

Long sentences for serious crimes have intuitive appeal. They respond to deeply held beliefs about punishment for evil actions, and in many cases they ensure that, by removing a criminal from the streets, further crimes that would have been committed will not be. But in the case of black-market crimes like drug dealing, a jailed supplier is often replaced by another supplier if demand remains. And not all agree whether mandatory minimums satisfy American standards of fairness and justice. Even those who believe they do must ask themselves to what extent might it be desirable to give up some punishment of the guilty to gain some further reduction in cocaine consumption—consumption that can victimize the innocent. This trade of punishment for drug use reduction must be considered because long sentences are expensive and cocaine control resources are limited. As we show, if reducing consumption or violence is the goal, more can be achieved by spending additional money arresting, prosecuting, and sentencing dealers to standard prison terms than by spending it sentencing (fewer) dealers to longer, mandatory terms. (And that is to say nothing of what might be achieved by redirecting resources from enforcement to treatment—admittedly, a more difficult reallocation because those programs might be run by completely different agencies.) We find an exception in the case of the highest-level dealers—those who value their time most highly and are hardest to apprehend—where sentences of mandatory minimum length appear to be the most cost-effective approach. However, current mandatory minimum laws are not focused on those dealers.