



POLICY GOAL #5

State law should eliminate mandatory minimum sentences for all offenses committed by minors.

State ¹	Where mandatory minimums do apply, does state law permit a departure based on the defendant's age and/or evidence of trafficking/past trauma? ²	Relevant statute(s)
Alabama	No	N/A
Alaska	No*	Alaska Stat. § 12.55.155 (Factors in aggravation and mitigation)
Arizona	No	N/A
Arkansas	No*	Ark. Code Ann. § 16-90-123 (Sentencing of juvenile or person convicted for offense committed as juvenile – Factors)
California	No*	Cal Pen Code §§ 1170 (Determinate sentencing; sentence recall; medical release); 1016.7 (Factors in support of a mitigated sentence to consider during plea negotiations); 1385 (Order dismissing action; statement of reasons for dismissal, striking of priors for purposes of sentence enhancement)
Colorado	No	N/A
Connecticut	No	N/A
Delaware	No	N/A
District of Columbia	Yes	D.C. Code § 24-903 (Sentencing alternatives)
Florida	No*	Fla. Stat. §§ 921.0026 (Mitigating circumstances); 958.04(1) (Judicial disposition of youthful offenders)
Georgia	Yes, but limited	Ga. Code Ann. § 17-10-22 (Consideration of past violence or abuse against defendant during sentencing)
Hawaii	Yes	Haw. Rev. Stat. Ann. § 706.606.7 (Discretion when sentencing a defendant for an offense committed while a minor)
Idaho	No	N/A
Illinois	Yes, but limited	730 Ill. Comp. Stat. Ann. 5/5-4.5-105 (Sentencing of individuals under the age of 18 at the time of the commission of an offense)
Indiana	No	N/A
Iowa	No	N/A
Kansas	Yes, but limited	Kan. Stat. Ann. § 21-6627 (Mandatory term of imprisonment of 25 or 40 years for certain offenders; exceptions)
Kentucky	No	N/A
Louisiana	No	N/A

¹ Evaluations of state laws are based on legislation enacted as of July 1, 2025. Responses do not include an analysis of case law, agency rules, regulations, or practices/initiatives that exist outside of statutory law.

² An asterisk (*) indicates that, for crimes that do not carry a mandatory minimum, states law permits courts to consider trafficking victimization, past trauma, or age as grounds supporting mitigated (reduced) sentencing.

State ¹	Where mandatory minimums do apply, does state law permit a departure based on the defendant's age and/or evidence of trafficking/past trauma? ²	Relevant statute(s)
Maine	No	N/A
Maryland	Yes	Md. Code Ann., Crim. Proc. § 6-235 (Sentencing a minor convicted as an adult – Less than minimum term – Life imprisonment without parole prohibited)
Massachusetts	No	N/A
Michigan	No	N/A
Minnesota	No	N/A
Mississippi	No	N/A
Missouri	No	N/A
Montana	No	N/A
Nebraska	No*	Neb. Rev. Stat. Ann. § 29-2260 (Certain juveniles; disposition; certain offenders; sentence of probation, when)
Nevada	Yes	Nev. Rev. Stat. Ann. § 176.017 (Imposition of sentence on person convicted as adult for offense committed when person was under age of 18 years: Additional considerations; reduction of sentence)
New Hampshire	No	N/A
New Jersey	No	N/A
New Mexico	Yes	N.M. Stat. Ann. § 31-18-13 (Sentencing authority; all crimes)
New York	No*	N.Y. Penal Law § 60.12 (Authorized disposition; alternative sentence; domestic violence cases); N.Y. Crim. Proc. Law § 530.11(1) (Procedures for family offense matters)
North Carolina	No	N/A
North Dakota	Yes, but limited	N.D. Cent. Code, § 12.1-32-02.3(1) (Mandatory sentences – Exceptions)
Ohio	No	N/A
Oklahoma	Yes, but limited	Okla. Stat. Ann. tit. 10A, § 2-5-401 (Minor convicted as adult for crime committed against person who trafficked or sexually abused the minor)
Oregon	No*	Or. Rev. Stat. § 137.090 (Considerations in determining aggravation or mitigation)
Pennsylvania	No	N/A
Rhode Island	No	N/A
South Carolina	No	N/A
South Dakota	No	N/A
Tennessee	No*	Tenn. Code Ann. §§ 40-35-210(b)(5) (Imposition of sentence – Evidence to be considered – Presumptive sentence – Sentence explanation); 40-35-113 (Mitigating factors)
Texas	No	N/A
Utah	No	N/A
Vermont	No	N/A

State ¹	Where mandatory minimums do apply, does state law permit a departure based on the defendant's age and/or evidence of trafficking/past trauma? ²	Relevant statute(s)
Virginia	Yes	Va. Code Ann. § 16.1-272 (Power of circuit court over juvenile offender)
Washington	Yes, but limited	Wash. Rev. Code Ann. § 9A.40.100 (Mandatory minimum terms)
West Virginia	No*	W. Va. Code § 61-11-23 (Punishment for juvenile convicted as an adult; eligibility for parole; factors to be considered prior to sentencing)
Wisconsin	No	N/A
Wyoming	No	N/A
Totals:	11 states + D.C. permit a judge to depart from mandatory minimum sentences based on the defendant's age and/or evidence of trafficking/past trauma.	