

Access Free Sentencing And
Criminal Justice (Law In
Context)

Sentencing And Criminal Justice (Law In Context)

Celebrating the scholarship of Andrew Ashworth, Vinerian Professor of English Law at the University of Oxford, this collection brings together leading international scholars to explore questions of principle and value in criminal law and criminal justice. Internationally renowned for elaborating a body of principles and values that should underpin criminalization, the criminal process, and sentencing, Ashworth's contribution to the field over forty years of scholarship has been immense. Advancing his project of

Access Free Sentencing And Criminal Justice (Law In Context)

exploring normative issues at the heart of criminal law and criminal justice, the contributors examine the important and fascinating debates in which Ashworth's influence has been greatest. The essays fall into three distinct but related areas, reflecting Ashworth's primary spheres of influence. Those in Part 1 address the import and role of principles in the development of a just criminal law, with contributions focusing upon core tenets such as the presumption of innocence, fairness, accountability, the principles of criminal liability, and the grounds for defences. Part 2 addresses questions of human rights and due process protections in both domestic and international law. In Part 3 the essays are addressed to core

Access Free Sentencing And Criminal Justice (Law In Context)

issues in sentencing and punishment: they explore questions of equality, proportionality, adherence to the rule of law, the totality principle (in respect of multiple offences), wrongful acquittals, and unduly lenient sentences. Together they demonstrate how important Ashworth's work has been in shaping how we think about criminal law and criminal justice, and make their own invaluable contribution to contemporary discussions of criminalization and punishment.

*Sentencing and Criminal Justice Cambridge University Press
Combining the latest work of leading sentencing and punishment scholars from twelve different countries, this major new international volume*

Access Free Sentencing And Criminal Justice (Law In Context)

answers key questions in the study of sentencing and society. It presents not only a rigorous examination of the latest legal and empirical research from around the world, but also reveals the workings of sentencing within society and as a social practice. Traditionally, work in the field of sentencing has been dominated by legal and philosophical approaches. Distinctively, this volume provides a more sociological approach to sentencing: so allowing previously unanswered questions to be addressed and new questions to be opened. This extensive collection is drawn from around one third of the papers presented at the First International Conference on Sentencing and Society. Almost without exception, the

Access Free Sentencing And Criminal Justice (Law In Context)

chapters have been revised, cross-referenced and updated. The overall themes and findings of the international volume are set out by the opening "Introduction" and the closing "Reflections" chapters. Research findings on particular penal policy questions are balanced with an analysis of fundamental conceptual issues, making this international volume essential reading for: sentencing and punishment scholars, criminal justice policy-makers, and graduate students.

"I can think of no authors more qualified to research the complex impact of life sentences than Marc Mauer and Ashley Nellis. They have the expertise to track down the information that all citizens need to

Access Free Sentencing And Criminal Justice (Law In Context)

know and the skills to translate that research into accessible and powerful prose.” —Heather Ann Thompson, author of the Pulitzer Prize–winning Blood in the Water From the author of the classic Race to Incarcerate, a forceful and necessary argument for eliminating life sentences, including profiles of six people directly impacted by life sentences by formerly incarcerated author Kerry Myers Most Western democracies have few or no people serving life sentences, yet here in the United States more than 200,000 people are sentenced to such prison terms. Marc Mauer and Ashley Nellis of The Sentencing Project argue that there is no practical or moral justification for a sentence longer than twenty years. Harsher

Access Free Sentencing And Criminal Justice (Law In Context)

*sentences have been shown to have little effect on crime rates, since people “age out” of crime—meaning that we’re spending a fortune on geriatric care for older prisoners who pose little threat to public safety. Extreme punishment for serious crime also has an inflationary effect on sentences across the spectrum, helping to account for severe mandatory minimums and other harsh punishments. A thoughtful and stirring call to action, *The Meaning of Life* also features moving profiles of a half dozen people affected by life sentences, written by former “lifer” and award-winning writer Kerry Myers. The book will tie in to a campaign spearheaded by The Sentencing Project and offers a much-*

Access Free Sentencing And
Criminal Justice (Law In
Context)

*needed road map to a more humane
criminal justice system.*

*Sentencing Policy: Oxford
Bibliographies Online Research
Guide*

How Do Judges Decide?

*The Case for Abolishing Life
Sentences*

Striking the Balance

International Perspectives

Exploring the English Model

New Trajectories in Law

**The dramatic increase in U.S.
prison populations since the
1970s is often blamed on
mandatory sentencing laws,
but this case study of a state
with judicial discretion in
sentencing reveals that other
significant factors influence**

Access Free Sentencing And Criminal Justice (Law In Context)

high incarceration rates. Illustrates the issue of economic inequality within the American justice system. The best-selling text, *The Rich Get Richer and the Poor Get Prison* contends that the criminal justice system is biased against the poor from start to finish. The authors argue that even before the process of arrest, trial, and sentencing, the system is biased against the poor in what it chooses to treat as crime. The authors show that numerous acts of the well-off--such as their refusal to make workplaces safe, refusal to curtail deadly pollution, promotion of

Access Free Sentencing And Criminal Justice (Law In Context)

unnecessary surgery, and prescriptions for unnecessary drugs--cause as much harm as the acts of the poor that are treated as crimes. However, the dangerous acts of the well-off are almost never treated as crimes, and when they are, they are almost never treated as severely as the crimes of the poor. Not only does the criminal justice system fail to protect against the harmful acts of well-off people, it also fails to remedy the causes of crime, such as poverty. This results in a large population of poor criminals in our prisons and in our media. The authors contend that the idea of crime

Access Free Sentencing And
Criminal Justice (Law In
Context)

as a work of the poor serves the interests of the rich and powerful while conveying a misleading notion that the real threat to Americans comes from the bottom of society rather than the top. Learning Goals Upon completing this book, readers will be able to: Examine the criminal justice system through the lens of the poor. Understand that much of what goes on in the criminal justice system violates one's own sense of fairness. Morally evaluate the criminal justice system's failures. Identify the type of legislature that is biased against the poor. In this revised edition of their

Access Free Sentencing And
Criminal Justice (Law In
Context)

concise, readable, yet wide-ranging book, Greg Berman and Aubrey Fox tackle a question students and scholars of law, criminology, and political science constantly face: what mistakes have led to the problems that pervade the criminal justice system in the United States? The reluctance of criminal justice policymakers to talk openly about failure, the authors argue, has stunted the public conversation about crime in this country and stifled new ideas. It has also contributed to our inability to address such problems as chronic offending in low-

Access Free Sentencing And Criminal Justice (Law In Context)

income neighborhoods, an overreliance on incarceration, the misuse of pretrial detention, and the high rates of recidivism among parolees. Berman and Fox offer students and policymakers an escape from this fate by writing about failure in the criminal justice system. Their goal is to encourage a more forthright dialogue about criminal justice, one that acknowledges that many new initiatives fail and that no one knows for certain how to reduce crime. For the authors, this is not a source of pessimism, but a call to action. This revised edition is updated with a new

Access Free Sentencing And
Criminal Justice (Law In
Context)

**foreword by Cyrus R. Vance,
Jr., and afterword by Greg
Berman.**

**"CRS Report for Congress
prepared for members and
committees of Congress."**

Federal Criminal Sentencing

Sentencing, Supervised

Release and Restitution

The Machinery of Criminal

Justice

Risk Assessment and

Sentencing in the Criminal

Justice System

Sentencing and Sanctions in

Western Countries

The Search for Fairness and

Justice in Punishment

Criminal Justice in America:

The Encyclopedia of Crime,

Access Free Sentencing And Criminal Justice (Law In Context)

Law Enforcement, Courts, and Corrections [2 volumes]

This ebook is a selective guide designed to help scholars and students of criminology find reliable sources of information by directing them to the best available scholarly materials in whatever form or format they appear from books, chapters, and journal articles to online archives, electronic data sets, and blogs. Written by a leading international authority on the subject, the ebook provides bibliographic information supported by direct recommendations about which sources to consult and editorial commentary to make

Access Free Sentencing And Criminal Justice (Law In Context)

it clear how the cited sources are interrelated related. A reader will discover, for instance, the most reliable introductions and overviews to the topic, and the most important publications on various areas of scholarly interest within this topic. In criminology, as in other disciplines, researchers at all levels are drowning in potentially useful scholarly information, and this guide has been created as a tool for cutting through that material to find the exact source you need. This ebook is a static version of an article from Oxford Bibliographies Online:

Access Free Sentencing And Criminal Justice (Law In Context)

Criminology, a dynamic, continuously updated, online resource designed to provide authoritative guidance through scholarship and other materials relevant to the study and practice of criminology. Oxford Bibliographies Online covers most subject disciplines within the social science and humanities, for more information visit www.aboutobo.com.

Crimes and Punishments: Entering the Mind of a Sentencing Judge provides a cross-section of different crimes for which Judge Frederic Block sentenced a convicted criminal.

The appropriate amount of

Access Free Sentencing And Criminal Justice (Law In Context)

punishment for a given crime is an issue that has been debated by scholars, philosophers and legal professionals since the beginning of civilizations. This book seeks to address this issue in all of its complexity by providing a comprehensive overview of the sentencing process in the United States. The book begins by discussing the overall concept of punishment and then proceeds to dissect individual aspects of punishment. Topics include: the sentencing process; responsibility of the judge; disparity and discrimination in sentencing; and

Access Free Sentencing And Criminal Justice (Law In Context)

sentencing reform. This book is an ideal text for introductory courses on the judicial system, criminal law, law and society. It can be an essential resource to help students understand patterns in the wide discretion and latitude given to judges when determining punishments within the framework of the United States judicial system.

This title presents a fully developed punishment theory which incorporates both utilitarian and retributive sentencing purposes. The author describes and defends a hybrid sentencing model that integrates theory and

Access Free Sentencing And Criminal Justice (Law In Context)

*practice - blending and
balancing both the competing
principles of retribution
and rehabilitation and the
procedural concern of
weighing rules against
discretion.*

*A Selected Bibliography
How Judges Retained Power
and Why Mass Incarceration
Happened Anyway
Penal Reform in America,
1975-2025*

*Towards a Theory of
Restorative Justice
Sentencing in International
Criminal Law*

*Handbook on Sentencing
Policies and Practices in
the 21st Century*

*Sentencing and Criminal
Justice*

Access Free Sentencing And Criminal Justice (Law In Context)

The Federal Sentencing Guidelines greatly influence the sentences imposed for federal crimes. Once binding on federal courts, the Guidelines are now the starting point for Federal sentencing in most cases. They provide the principal standard against which the reasonableness of any sentence imposed is judged. This book provides an overview of how the federal Sentencing Guidelines work and an examination of the three strike mandatory sentencing provision. Also discussed is the duration and conditions for an offender's supervised release term and a look at restitution in federal criminal cases

Access Free Sentencing And Criminal Justice (Law In Context)

The politics of criminal sentencing has recently crystallised around the issue of whether and how a system of structured sentencing should inform judicial approaches to punishing criminals. Increasingly, structured sentencing guidelines are being introduced to frame judicial discretion. This volume is the first to examine the experience in England and Wales in the light of international developments. This collection of essays begins with a clear and concise history of the guidelines as well as a description of how they function. Topics addressed include the effect of guidelines on judicial practice, the role of public opinion in developing sentencing

Access Free Sentencing And Criminal Justice (Law In Context)

guidelines, the role of the crime victim in sentencing guidelines, and the use of guidelines by practicing barristers. In addition, the international dimension offers a comparative perspective: the English guidelines are explored by leading academics from the United States and New Zealand. Although there is a vast literature on sentencing guidelines across the United States, the English guidelines have attracted almost no attention from scholars. As other jurisdictions look to introduce more structure to sentencing, the English scheme offers a real alternative to current US schemes. Contributors include practicing lawyers, legal and socio-

Access Free Sentencing And Criminal Justice (Law In Context)

legal academics, and also scholars from several other countries including New Zealand and the United States, providing a multidisciplinary and cross-jurisdictional approach to sentencing. This book will be of interest to academics from law, sociology and criminology, legal practitioners, and indeed anyone else with an interest in sentencing, around the world.

A leading text in criminal law, co-authored by leading scholars in the field, *Sentencing Law and Policy* draws from extensive sources to present a comprehensive overview of all aspects of criminal sentencing. Online integration with sentencing

Access Free Sentencing And Criminal Justice (Law In Context)

commissions, thorough treatment of current case law, and provocative notes and questions, stimulate students to consider connections between disparate institutions and examine the purposes and politics of the criminal justice system. The Third Edition has been updated to include recent developments in sentencing case law and provocative discussions of policy debates across a wide range of topics, including discretion in sentencing, race, death penalty abolition, state sentencing guidelines, second-look policies, the impact of new technologies, drug courts and much more. Features: Authors are among the leading sentencing scholars in the United

Access Free Sentencing And Criminal Justice (Law In Context)

States. Demleitner and Berman are editors of the leading sentencing journal, *Federal Sentencing Reporter*. Berman is the blog master of the leading sentencing blog, with huge readership. Intuitive organization tracks the process that occurs in every criminal sentencing. Each chapter draws on the most relevant examples from three distinct sentencing worlds: guideline-determinate, indeterminate, and capital. Wide-ranging source materials, including: U.S. Supreme Court decisions. Cases from state high courts, federal appellate courts, and foreign jurisdictions. Statutes and guidelines provisions. Reports and data from sentencing

Access Free Sentencing And Criminal Justice (Law In Context)

commissions and other agencies.

Problems and questions in text are integrated with websites of sentencing commissions, such as the site for the U.S. Sentencing Commissions (www.ussc.gov).

Challenging questions ask students to compare institutions and consider the connections between specific sentencing rules and the purposes and politics of criminal justice, emphasizing the effects of sentencing. Notes tell students directly what are the most common practices in U.S. jurisdictions.

Instructors' website (www.sentencingbook.net) provides the Teacher's Manual—available only electronically on the site— with

Access Free Sentencing And Criminal Justice (Law In Context)

additional teaching materials to be posted as needed. Students' website (www.sentencingbook.com) features longer collections of rules and guidelines, statutes, case studies, recent articles, practice problems, sample exams, and a virtual library. Thoroughly updated, the revised Third Edition includes: New Supreme Court cases, including *Gall*, *Kimbrough*, *Padilla* (6th Amendment), and *Kennedy* (child rape sentencing limits). Policy debates over mass incarceration, the relevance of the budget crisis, and the state-level variation in deincarceration. Shifting authority among key actors in the crack penalty/crack reform debate,

Access Free Sentencing And Criminal Justice (Law In Context)

including the Fair Sentencing Act (FSA). Expanded core study of discretion in sentencing and attention to race in sentencing, with a close study of the North Carolina Racial Justice Act and the emergence of “ racial impact statements ” about existing systems and proposed legislation in a number of states. Death penalty abolition. Developments in state sentencing guidelines, noting stand-still in new states, and the relevance of the ALI MPC project. Emergence of “ second look ” policy discussions, the troubled debate over the theory, operation and impact of parole systems, and the “ supervised release ” that has come to replace

Access Free Sentencing And Criminal Justice (Law In Context)

traditional parole. Discussion of new technologies, developm

Sentencing Policies and Practices in the 21st Century focuses on the evolution and consequences of sentencing policies and practices, with sentencing broadly defined to include plea bargaining, judicial and juror decision making, and alternatives to incarceration, including participation in problem-solving courts. This collection of essays and reports of original research explores how sentencing policies and practices, both in the United States and internationally, have evolved, explores important issues raised by guideline and non-guideline sentencing, and provides

Access Free Sentencing And Criminal Justice (Law In Context)

an overview of recent research on plea bargaining in the United States, Australia, and the United Kingdom. Other topics include the role of criminal history in sentencing, the past and future of capital punishment, strategies for reducing mass incarceration, problem-solving courts, and restorative justice practices. Each chapter summarizes what is known, identifies the gaps in the research, and discusses the theoretical, empirical, and policy implications of the research findings. The volume is grounded in current knowledge about the specific topics, but also presents new material that reflects the thinking of the leading minds in the field and that outlines a

Access Free Sentencing And Criminal Justice (Law In Context)

research agenda for the future. This is Volume 4 of the American Society of Criminology ' s Division on Corrections and Sentencing handbook series. Previous volumes focused on risk assessment, disparities in punishment, and the consequences of punishment decisions. The handbooks provide a comprehensive overview of these topics for scholars, students, practitioners, and policymakers.

Principles and Procedures for a Workable System

Sentencing Research : Two Studies

SOU-CCJ230 Introduction to the American Criminal Justice System

Principles and Values in Criminal Law and Criminal Justice: Essays in

Access Free Sentencing And Criminal Justice (Law In Context)

Honour of Andrew Ashworth

Uniform Law Commissioners'

Model Sentencing and Corrections

Act

Determinate Sentencing

Criminal Justice at the Crossroads

Award-winning professor and author

Matthew Lippman enhances teaching

and learning with his newest text,

Striking the Balance: Debating

Criminal Justice and Law. Organizing

the book around clashing points of

view on contemporary issues in

criminal justice and criminal law,

Lippman puts each debate into context

for students to help them develop a

better understanding of the issue.

Designed to develop the reader's

critical thinking skills, the text offers

students summaries of contrasting

views from original sources, questions

Access Free Sentencing And Criminal Justice (Law In Context)

for classroom discussion, and engaging “You Decide” activities. Additionally, chapter topics are independent of one another, giving instructors the flexibility to customize the material to their individual course organization. Edited to minimize technical legal terms, the text is the perfect companion to any criminal law or introductory criminal justice textbook.

This authoritative set provides a comprehensive overview of issues and trends in crime, law enforcement, courts, and corrections that encompass the field of criminal justice studies in the United States. This work offers a thorough introduction to the field of criminal justice, including types of crime; policing; courts and sentencing; landmark legal decisions; and local, state, and federal

Access Free Sentencing And Criminal Justice (Law In Context)

corrections systems—and the key topics and issues within each of these important areas. It provides a complete overview and understanding of the many terms, jobs, procedures, and issues surrounding this growing field of study. Another major focus of the work is to examine ethical questions related to policing and courts, trial procedures, law enforcement and corrections agencies and responsibilities, and the complexion of criminal justice in the United States in the 21st century. Finally, this title emphasizes coverage of such politically charged topics as drug trafficking and substance abuse, immigration, environmental protection, government surveillance and civil rights, deadly force, mass incarceration, police militarization, organized crime, gangs, wrongful

Access Free Sentencing And Criminal Justice (Law In Context)

convictions, racial disparities in sentencing, and privatization of the U.S. prison system. Approximately 300 authoritative entries on important topics pertaining to the discipline of criminal justice Illuminating timeline of events in the history of criminal justice in the United States Extensive general bibliography providing students with useful resources for further study

This book provides an accessible and systematic restatement of the desert model for criminal sentencing by one of its leading academic exponents.

The desert model emphasises the degree of seriousness of the offender's crime in deciding the severity of his punishment, and has become increasingly influential in recent penal practice and scholarly debate. It explains why sentences should be based principally on crime-

Access Free Sentencing And Criminal Justice (Law In Context)

seriousness, and addresses, among other topics, how a desert-based penalty scheme can be constructed; how to gauge punishments' seriousness and penalties' severity; what weight should be given to an offender's previous convictions; how non-custodial sentences should be scaled; and what leeway there might be for taking other factors into account, such as an offender's need for treatment. The volume will be of interest to all those working in penal theory and practice, criminal sentencing and the criminal law more generally.

The number of people incarcerated in the United States has increased significantly over the past three decades from approximately 419,000 inmates in 1983 to approximately 1.5 million inmates in 2013. Concerns

Access Free Sentencing And Criminal Justice (Law In Context)

about both the economic and social consequences of the country's growing reliance on incarceration have led to calls for reforms to the nation's criminal justice system. There have been legislative proposals to implement a risk and needs assessment system in federal prisons. The system would be used to place inmates in rehabilitative programs. Under the proposed system some inmates would be eligible to earn additional time credits for participating in rehabilitative programs that reduce their risk of recidivism. Such credits would allow inmates to be placed on prerelease custody earlier. The proposed system would exclude inmates convicted of certain offenses from being eligible to earn additional time credits. This book provides information on the use of risk and

Access Free Sentencing And Criminal Justice (Law In Context)

needs assessment in the criminal justice system. It starts with an overview of risk and needs assessment and a discussion of some of the critiques of it, and also discusses issues policymakers might consider if they debate legislation to expand the use of risk and needs assessment in the federal prison system. Moreover, the book reviews mandatory minimum sentencing legislation in the 114th Congress.

Cases, Statutes, and Guidelines
Rich Get Richer and the Poor Get Prison, The (Subscription)
Sentencing Fragments
Entering the Mind of a Sentencing Judge
Who to Release?
The UN ad hoc Tribunals and Future Perspectives for the ICC
Transforming Crime and Punishment

Access Free Sentencing And Criminal Justice (Law In Context)

The leading textbook on sentencing, and the only one to integrate theory and empirical research with legislation, guidelines and case law. Over the past forty years, the criminal justice system in the United States has engaged in a very expensive policy failure, attempting to punish its way to public safety, with dismal results. So-called "tough on crime" policies have not only failed to effectively reduce crime, recidivism, and victimization but also created an incredibly inefficient system that routinely fails the public, taxpayers, crime victims, criminal offenders, their families, and their communities. Strategies that focus on behavior change are much more productive and cost effective for reducing crime than punishment, and in this book, William R. Kelly

Access Free Sentencing And Criminal Justice (Law In Context)

discusses the policy, process, and funding innovations and priorities that the United States needs to effectively reduce crime, recidivism, victimization, and cost. He recommends proactive, evidence-based interventions to address criminogenic behavior; collaborative decision making from a variety of professions and disciplines; and a focus on innovative alternatives to incarceration, such as problem-solving courts and probation.

Students, professionals, and policy makers alike will find in this comprehensive text a bracing discussion of how our criminal justice system became broken and the best strategies by which to fix it.

This book deals with sentencing in international criminal law, focusing on the approach of the UN ad hoc

Access Free Sentencing And Criminal Justice (Law In Context)

Tribunals for the former Yugoslavia (ICTY) and Rwanda (ICTR). In contrast to sentencing in domestic jurisdictions, and in spite of its growing importance, sentencing law is a part of international criminal law that is still 'under construction' and is unregulated in many aspects. International sentencing law and practice is not yet defined by exact norms and principles and as yet there is no body of international principles concerning the determination of sentence, notwithstanding the huge volume of sentencing research and the extensive modern debate about sentencing principles. Moreover international judges receive very little guidance in sentencing matters: this contributes to inconsistencies and may increase the risk that similar cases will be sentenced in different

Access Free Sentencing And Criminal Justice (Law In Context)

ways. One purpose of this book is to investigate and evaluate the process of international sentencing, especially as interpreted by the ICTY and the ICTR, and to suggest a more comprehensive and coherent system of guiding principles, which will foster the development of a law of sentencing for international criminal justice. The book discusses the law and jurisprudence of the ad hoc Tribunals, and also presents an empirical analysis of influential factors and other data from ICTY and ICTR sentencing practice, thus offering quantitative support for the doctrinal analysis. This publication is one of the first to be entirely devoted to the process of sentencing in international criminal justice. The book will thus be of great interest to practitioners, academics and

Access Free Sentencing And Criminal Justice (Law In Context)

students of the subject.

This book examines the process and purpose of sentencing in the criminal justice system, beyond the confines of its legalistic aspects. Sentencing is the process that concludes any criminal trial that ends with the defendant being convicted, and any hearing in which a defendant pleads guilty. Those convicted of crime have been subject to sentencing as the method of imposing a punishment for their offences since the earliest existence of anything we would recognise as a criminal justice system. Yet the rationale behind sentencing, and the process by which it happens, has long been viewed through a traditional lens. In contrast, this book considers not just the process by which a Judge arrives at a numerical sentence of months in

Access Free Sentencing And Criminal Justice (Law In Context)

custody or the amount of a fine, but the wider meanings and effects of sentencing, as seen through the lens of various ideas of social justice. The book will appeal to students, academics, and legal practitioners who wish to consider a different perspective on the well-known and well-researched, but often shifting, area of sentencing.

*The Practice of Punishment
Criminal Justice Research Solicitation
Issues in Sentencing*

*Trial and Error in Criminal Justice
Reform*

*Ideology, Class, and Criminal Justice
Violent Crime Control and Law
Enforcement Act of 1994*

*The Promise and the Reality of
Retributive Justice*

***This study focuses on the
practice of punishment, as***

it is inflicted by the state. The author's first-hand experience with penal reform, combined with philosophical reflection, has led him to develop a theory of punishment that identifies the principles of sentencing and corrections on which modern correctional systems should be built. This new theory of punishment is built on the view that the central function of the law is to reduce the need to use force in the resolution of disputes. Professor Cragg argues that the proper role of sentencing and sentence

administration is to sustain public confidence in the capacity of the law to fulfil that function. Sentencing and corrections should therefore be guided by principles of restorative justice. He points out that, although punishment may be an inevitable concomitant of law enforcement in general and sentencing in particular, inflicting punishment is not a legitimate objective of criminal justice. The strength and appeal of this account is that it moves well beyond the boundaries of conventional discussions.

Access Free Sentencing And Criminal Justice (Law In Context)

It examines punishment within the framework of policing and adjudication, analyses the relationship between punishment and sentencing, and provides a basis for evaluating correctional practices and such developments as electronic monitoring.

Sentencing matters. Life, liberty, and property are at stake. Convicted offenders and victims care about it for obvious reasons, while judges and prosecutors also have a moral stake in the process. Never-the-less, the current system of sentencing criminal

offenders is in a shambles, with a crazy quilt of incompatible and conflicting laws, policies, and practices in each state, not to mention an entirely different process at the federal level. In Sentencing Fragments, Michael Tonry traces four decades of American sentencing policy and practice to illuminate the convoluted sentencing system, from early reforms in the mid-1970's to the transition towards harsher sentences in the mid-1980's. The book combines a history of policy with an examination of

Access Free Sentencing And
Criminal Justice (Law In
Context)

current research findings regarding the consequences of the sentencing system, calling attention to the devastatingly unjust effects on the lives of the poor and disadvantaged. Tonry concludes with a set of proposals for creating better policies and practices for the future, with the hope of ultimately creating a more just legal system. Lucid and engaging, Sentencing Fragments sheds a much-needed light on the historical foundation for the current dynamic of the American criminal justice system, while

simultaneously offering a useful tool for potential reform.

The Sentencing Council of England and Wales has as its core aim to promote consistency in sentencing, with a developed system of appellate guidance at sentencing in addition to a narrative guidelines system which is now two decades old. As such, there is much to analyse and many lessons to be learned - for England and Wales and other jurisdictions. Consistency in sentencing is widely regarded to be an essential component of a fair

sentencing system; but what does consistency mean exactly? In Achieving Consistency in Sentencing , the author maintains that consistency incorporates both substantive and procedural elements, focussing upon the proper application of principle. The notion of comparing 'like' cases is rejected as simplistic, impractical, and unprincipled. Lyndon Harris argues that a more principled approach reconciles the tension between consistency and individualised justice which has been suggested to exist.

The author uses clear empirical evidence of inconsistency in sentencing to emphasize the crucial need for discretion during the sentencing exercise which, he argues, should be structured in a way that encourages sentences to be imposed in accordance with the principles underpinning the scheme while maintaining the ability to individualise sentences. Using England and Wales as a case study, this work analyses various methods of structuring discretion. The latter part of the book examines the interplay

between the primary givers of guidance: Parliament, the Court of Appeal (Criminal Division), and the Sentencing Council and draws conclusions (good and bad) as to ways in which consistency can be achieved. Lyndon Harris identifies lessons to be learned while pointing out the strengths and deficiencies in the various devices used to guide sentencing judges when they are required to exercise their discretion. The book draws attention to the need for greater flexibility and structure

while emphasising the work that needs to be done to address racial and gender inconsistencies in sentencing. Thus, while providing a theoretically sound critique of the concept, this monograph is of direct practical relevance to those studying or practising in sentencing systems worldwide. This collection of original essays surveys the evolution of sentencing policies and practices in Western countries over the past twenty-five years. Contributors address plea-bargaining, community

Access Free Sentencing And
Criminal Justice (Law In
Context)

service, electronic monitoring, standards of use of incarceration, and legal perspectives on sentencing policy developments, among other topics. Sentencing and Sanctions in Western Countries provides a range of scholars and students excellent cross-national knowledge of sentencing laws and practices, when and why they have changed over time, and with what effects.

Debating Criminal Justice and Law

***Sentencing and Society
Deserved Criminal***

Sentences

Wisconsin Sentencing in the Tough-On-Crime Era Laws, Issues, and Sentencing Guidelines Sentencing Guidelines Sentencing of California Felony Offenders

This book discusses in depth the rise and fall of the determinate ideal, once heralded as a replacement to the old order of criminal justice. Using new materials and combining political, empirical, and theoretical perspectives, Griset examines the attempt in New York State to establish determinate sentencing -- "punishment for its own sake" -- to replace the existing policy of rehabilitation. In portraying New York's experience against the backdrop

Access Free Sentencing And Criminal Justice (Law In Context)

of a national reform agenda, she analyzes the development and ultimate failure of a major social movement. Two centuries ago, American criminal justice was run primarily by laymen. Jury trials passed moral judgment on crimes, vindicated victims and innocent defendants, and denounced the guilty. But since then, lawyers have gradually taken over the process, silencing victims and defendants and, in many cases, substituting plea bargaining for the voice of the jury. The public sees little of how this assembly-line justice works, and victims and defendants have largely lost their day in court. As a result, victims rarely hear defendants express remorse and apologize, and defendants rarely receive forgiveness. This lawyerized machinery has

Access Free Sentencing And Criminal Justice (Law In Context)

purchased efficient, speedy processing of many cases at the price of sacrificing softer values, such as reforming defendants and healing wounded victims and relationships. In other words, the U.S. legal system has bought quantity at the price of quality, without recognizing either the trade-off or the great gulf separating lawyers' and laymen's incentives, values, and powers. In *The Machinery of Criminal Justice*, author Stephanos Bibas surveys the developments over the last two centuries, considers what we have lost in our quest for efficient punishment, and suggests ways to include victims, defendants, and the public once again. Ideas range from requiring convicts to work or serve in the military, to moving power from

Access Free Sentencing And Criminal Justice (Law In Context)

prosecutors to restorative sentencing juries. Bibas argues that doing so might cost more, but it would better serve criminal procedure's interests in denouncing crime, vindicating victims, reforming wrongdoers, and healing the relationships torn by crime.

This book is concerned to explore the changing role of the Parole Board across the range of its responsibilities, including the prediction of risk and deciding on the release (or continued detention) of the growing number of recalled prisoners and of those subject to indeterminate sentences. In doing so it aims to rectify the lack of attention that has been given by lawyers, academics and practitioners to back door sentencing (where the real length of a sentence is decided by those who

Access Free Sentencing And Criminal Justice (Law In Context)

take the decision to release) compared to front door sentencing' (decisions taken by judges or magistrates in court). Particular attention is given in this book to the important changes made to the role and working of the Parole Board as a result of the impact of the early release scheme of the Criminal Justice Act 2005, with the Parole Board now deciding in Panels concerned with determinate sentence prisoners, lifers and recalled prisoners. A wide range of significant issues, and case law, has arisen as a result of these changes, which the contributors to this book, leading authorities in the field, aim to explore.

Perspectives of Analysis and a Design for Research

Federal Crimes

Access Free Sentencing And Criminal Justice (Law In Context)

The Meaning of Life

Crimes and Punishments

Criminal Justice

Considerations and Proposals