

rethinking sentencing

a contribution to the debate



Rethinking Sentencing

Cassia Spohn, Pauline Brennan



Rethinking Sentencing:

Rethinking Sentencing Peter Humphrey Sedgwick, 2004 This report considers the efficacy and integrity of the current criminal justice system and the principles of restorative justice responsible sentencing rehabilitation and atonement from the Christian perspective

Rethinking Punishment in the Era of Mass Incarceration Chris Surprenant, 2017-07-06 This book offers a philosophical examination of incarceration as a form of punishment A diverse group of contributors engages with research in criminology economics law and sociology to help contextualize the philosophical issues

Rethinking Punishment Karol Lucken, 2017-02-10 There are visible signs that the get tough era of punishment is finally winding down A get smart agenda has emerged that aims to reduce costs and crime by reducing the incarceration of non violent drug offenders expanding use of community based corrections revising sentencing structures and supporting offender re entry into the community This change in policy affords an opportunity to re examine and challenge certain other conventions in the study and practice of punishment Each chapter of *Rethinking Punishment* examines a convention and posits arguments that challenge that convention and expand the conversation These arguments are based on the prior literature existing and original data and historical documents These conventions and arguments for rethinking punishment are framed accordingly

Justifying Penal Policy Defining the Attributes of Punishment Measuring the Scope and Severity of Punishment Evaluating Effectiveness in Punishment Finally the author provides specific recommendations for research and policy based on these original arguments Drawing on underlying philosophical empirical and political issues and offering a critical discussion of the relationship between research policy and practice this book makes compelling and instructive reading for students taking courses in criminal justice corrections philosophy of punishment the sociology of punishment and law and justice

Rethinking Sentencing, 2004

The Lived Sentence Maggie Hall, 2017-03-29 This book examines the lives of the sentenced to argue that sentencing should be re conceived to consider the human perspective It combines a range of modern criminological and legal theories together with interviews with prisoners in New South Wales to examine their lives during and beyond completing the terms of imprisonment for a more continuous and coherent perspective on the process of sentencing This book makes a strong argument for the practical advantages of listening to the voices of the sentenced and it is therefore a useful tool for the correctional community engaged in providing services and programmes to reduce recidivism A methodological and well researched text this book will be of particular interest to scholars of criminal justice and the penal system as well as policy makers and practitioners

Rethinking Punishment Karol M Lucken, 2017-02-10 There are visible signs that the get tough era of punishment is finally winding down A get smart agenda has emerged that aims to reduce costs and crime by reducing the incarceration of non violent drug offenders expanding use of community based corrections revising sentencing structures and supporting offender re entry into the community This change in policy affords an opportunity to re examine and challenge certain other conventions in the study and practice of punishment Each chapter of

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Rethinking Society's Approach: Poverty, Race, and Systemic Change Pasquale De Marco, 2025-07-20

Rethinking Society's Approach: Poverty, Race, and Systemic Change is a groundbreaking work that challenges conventional wisdom and offers fresh perspectives on some of society's most pressing issues. With meticulous research and compelling arguments, the book delves into the complexities of poverty, race, and the underclass, urging readers to rethink their understanding of these phenomena and their impact on individuals and communities. Through a comprehensive examination of poverty's evolution, the book highlights the changing face of inequality in a globalized world. It explores the widening income gap, the impact of technological advancements, and the changing nature of work, shedding light on the challenges faced by those left behind in the economic recovery. The book also confronts the enduring legacy of racial discrimination in America, exposing its insidious effects on opportunity, education, wealth accumulation, and criminal justice. It delves into the history of racist policies and practices, their lasting impact on communities of color, and the urgent need for transformative change to dismantle systemic racism. Furthermore, the book explores the complexities of the underclass, a marginalized segment of society often trapped in a cycle of poverty and despair. It examines the factors that contribute to concentrated poverty, social isolation, and crime, while also highlighting the resilience and potential of individuals and communities struggling against these challenges. Rethinking Society's Approach also takes a critical look at welfare policy, examining its historical roots, controversial reforms, and complex relationship with poverty reduction. It analyzes the impact of welfare programs on individuals and families, highlighting both their successes and limitations. The book calls for a balanced approach to welfare reform, one that promotes self-sufficiency while also providing a safety net for those in need. With a focus on education as a key to breaking the cycle of poverty, the book explores the importance of early childhood programs, K-12 education reform, and college affordability. It emphasizes the need for innovative approaches to education that address the unique challenges faced by disadvantaged students, ensuring that all children have the opportunity to succeed. If you like this book, write a review.

Rethinking Punishment Leo Zaibert, 2018-04-19

Rejecting traditional alternatives, Leo Zaibert offers an original and refreshing approach to the age-old problem of the justification of punishment.

Handbook on Sentencing Policies and Practices in the 21st Century

Cassia Spohn, Pauline Brennan, 2019-06-14 *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 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 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. Crime and Justice, Volume 45 Michael Tonry, 2017-02-22 *Sentencing Policies and Practices in Western Countries: Comparative and Cross national Perspectives* is the forty fifth addition to the Crime and Justice series. Contributors include Thomas Weigend on criminal sentencing in Germany since 2000, Julian V Roberts and Andrew Ashworth on the evolution of sentencing policy and practice in England and Wales from 2003 to 2015, Jacqueline Hodgson and Laurence Soubise on understanding the sentencing process in France, Anthony N Doob and Cheryl Marie Webster on Canadian sentencing policy in the twenty first century, Arie Freiberg on Australian sentencing policies and practices, Krzysztof Krajewski on sentencing in Poland, Alessandro Corda on Italian policies, Michael Tonry on American sentencing and Tapio Lappi Seppälä on penal policy and sentencing in the Nordic countries. **Federal Probation**, 1999

Sentencing: A Social Process Cyrus Tata, 2019-12-28 This book asks how we should make sense of sentencing when despite huge efforts world wide to analyse, critique and reform it it remains an enigma. *Sentencing: A Social Process* reveals how both research and policy thinking about sentencing are confined by a paradigm that presumes autonomous individualism, projecting an artificial image of sentencing practices and policy potential. By conceiving of sentencing instead as a social process the book advances new policy and research agendas. *Sentencing: A Social Process* proposes innovative solutions to classic conundrums including rules versus discretion, aggravating versus mitigating factors, individualisation versus consistency, punishment versus rehabilitation, efficient technologies versus the quality of justice and ways of reducing imprisonment. *Rethinking Corporate Crime* James Gobert, Maurice Punch, 2003-03 Critiques the application of the current criminal law system to corporate wrongdoing and assesses the potential for legal control of corporate criminality. **I Know**

What You're Thinking Sarah Richmond, Geraint Rees, Sarah J. L. Edwards, 2012-08-02 I know what you're thinking is a fascinating exploration into the neuroscientific evidence on mind reading. In addition, it provides a thorough analysis of both legal and moral accounts of privacy with chapters written by together leading academics from the fields of psychology, neuroscience, philosophy, and law. Remorse and Criminal Justice Steven Tudor, Richard Weisman, Michael Proeve, Kate Rossmanith, 2021-11-28 This multi-disciplinary collection brings together original contributions to present the best of current thinking about the nature and place of remorse in the context of criminal justice. Despite the widespread and long-standing nature of interest in offender remorse, the topic has until recently been peripheral in academic studies. The authors are scholars from North America, the United Kingdom, Europe, South Africa, and Australia from diverse academic disciplines. They reflect on the role of remorse in law, for better or for worse, on how expressions of remorse are affected by the legal contexts in which they arise, and on the impact of these expressions on the individual, the court, and the community. The work is divided into four parts. Part I Judging Remorse addresses issues concerning the task of assessing remorse in the courtroom, usually prior to determining sentence. Part II Remorse Beyond the Courtroom explores the place and significance of remorse in various post-court settings. Part III Remorse, War, and Social Trauma addresses remorse in the context of political violence and social trauma in the former Yugoslavia and South Africa. Finally, Part IV Reflections seeks to underscore the multi-disciplinary and inter-disciplinary nature of the collection as a whole through personal and disciplinary reflections on remorse. The work provides a showcase for how diverse academic disciplines can be brought together through a focus on a common topic. As such, the collection will become a standard reference work for further research across a range of disciplines and promote inter-disciplinary dialogue. American Exceptionalism in Crime and Punishment Kevin R. Reitz, 2018 Introduction American exceptionalism perspectives American exceptionalism in crime, punishment, and disadvantage race federalization and politicization in the perspective of local autonomy Nicola Lacey and David Soskice The concept of American exceptionalism and the case of capital punishment David Garland Penal optimism understanding American mass imprisonment from a Canadian perspective Cheryl Marie Webster and Anthony N. Doob The complications of penal federalism American exceptionalism or fifty different countries Franklin E. Zimring American exceptionalism in crime American exceptionalism in comparative perspective explaining trends and variation in the use of incarceration Tapio Lappi Seppälä How exceptional is the history of violence and criminal justice in the United States variation across time and space as the keys to understanding homicide and punitiveness Randolph Roth Making the state pay violence and the politicization of crime in comparative perspective Lisa L. Miller Comparing serious violent crime in the United States and England and Wales why it matters and how it can be done Zelia Gallo Nicola Lacey and David Soskice American exceptionalism in community supervision a comparative analysis of probation in the United States, Scotland, and Sweden Edward E. Rhine and Faye S. Taxman American exceptionalism in parole release and supervision a European perspective Dirk van Zyl Smit and Alessandro

Corda Collateral sanctions and American exceptionalism a comparative perspective Nora V Demleitner Index Criminal Law Without Punishment Valerij Zisman,2023-09-05 How can criminal punishment be morally justified Zisman addresses this classical question in legal philosophy He provides two maybe surprising answers to the question First as for a methodological claim it argues that this question cannot be answered by philosophers and legal scholars alone Rather we need to take into account research from social psychology economy anthropology and so on in order to properly analyze the arguments in defense of criminal punishment Second the book argues that when such research is properly accounted for none of the current attempts to justify criminal punishment succeed But that does not imply that the state should do nothing about criminal wrongdoing Rather the arguments that were supposed to justify criminal punishment actually speak in favor of an alternative approach to criminal law restitution to the victim and restorative justice That is to say the state should coerce offenders to provide restitution for the harm inflicted on victims and whenever possible restorative approaches should be taken to address criminal wrongdoing The Future of Crime and Punishment William R. Kelly,2019-05-20 Today we know that crime is often not just a matter of making bad decisions Rather there are a variety of factors that are implicated in much criminal offending some fairly obvious like poverty mental illness and drug abuse and others less so such as neurocognitive problems Today we have the tools for effective criminal behavioral change but this cannot be an excuse for criminal offending In *The Future of Crime and Punishment* William R Kelly identifies the need to educate the public on how these tools can be used to most effectively and cost efficiently reduce crime recidivism victimization and cost The justice system of the future needs to be much more collaborative utilizing the expertise of a variety of disciplines such as psychology psychiatry addiction and neuroscience Judges and prosecutors are lawyers not clinicians and as we transition the justice system to a focus on behavioral change the decision making will need to reflect the input of clinical experts The path forward is one characterized largely by change from traditional criminal prosecution and punishment to venues that balance accountability compliance and risk management with behavioral change interventions that address the primary underlying causes for recidivism There are many moving parts to this effort and it is a complex proposition It requires substantial changes to law procedure decision making roles and responsibilities expertise and funding Moreover it requires a radical shift in how we think about crime and punishment Our thinking needs to reflect a perspective that crime is harmful but that much criminal behavior is changeable *The Palgrave Handbook on the Philosophy of Punishment* Matthew C. Altman,2023-03-23 This Handbook provides a comprehensive survey of major topics in the philosophy of punishment from many of the field s leading scholars Key features Presents a history of punishment theory from ancient times to the present Evaluates the main proposed justifications of punishment including retributivism general and specific deterrence theories mixed theories expressivism societal defense theory fair play theory rights forfeiture theory and the public health quarantine model Discusses sentencing proportionality policing prosecution and the role punishment plays in the context of the state

Examines advances in neuroscience and debates about whether free will skepticism undermines the justifiability of punishment Considers forgiveness restorative justice and calls to abolish punishment Addresses pressing social issues such as mass incarceration juvenile justice punitive torture the death penalty and cruel and unusual punishment With its unmatched breadth and depth this book is essential reading for scholars who want to keep abreast of the field and for advanced students wishing to explore the frontiers of the subject

Sentencing guidelines and Parliament Great Britain: Parliament: House of Commons: Justice Committee, 2009-07-02 Parliament and the judiciary have different and complementary roles in determining sentencing Parliament sets the overall legislative framework sentencers determine the individual sentence in a particular case In the middle sit sentencing guidelines The Justice Committee provides a form of parliamentary comment on these by considering draft sentencing guidelines This is an area that has recently been subject to debate in terms of how to enhance democratic engagement within the constitutional framework The Committee's work with sentencing guidelines suggests that more attention needs to be paid to how sentencing contributes to public confidence in the criminal justice system and to the costs of different sentences and their relative effectiveness in achieving the purposes of sentencing These areas will be the priorities for the Committee's scrutiny of sentencing guidelines and scrutiny of criminal justice policy more broadly The danger of a sentencing policy based on misconceptions about what the public wants is that over the longer term resources will be diverted away from a sentencing framework that is effective in reducing re-offending creating more victims of crime There are still fundamental questions to be answered in discerning what works in achieving an effective sentencing framework

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