

Colonial America

Prior to the American revolution, American criminal justice practices resembled those in Britain. The criminal law was harsh. In a society with limited communications, no police (only a voluntary nightwatch system), few jails, and rudimentary record-keeping, crime control efforts were designed principally to deter would-be offenders by imposing punishments so terrible that few would dare break the law. More than 350 offenses were punishable by capital punishment (Hartung, 1952), and less serious offenses were subject to sentences of corporal punishment, fines, or banishment. Penal incarceration was a rarely applied sanction, although sometimes offenders were held in jail to prevent flight pending trial or until their execution.

1790–1820: Reform of the Law

The founding of the republic and the era of political ferment that followed it led to major reforms in American sentencing ideas and practices that increasingly diverged from those in Europe. The principal one was a movement away from capital punishment to imprisonment—a measured time of exclusion from society for criminal offenses. This change had both ideological and practical support. The number of capital crimes was greatly reduced, in part because such harsh punishment had failed to deter crime and had resulted, instead, in juries that more and more frequently refused to convict. At the same time, Enlightenment ideas, particularly those of the philosopher Beccaria, gained favor. He argued that greater certainty of punishment, rather than an emphasis on severity, would more effectively deter crime. Many legislatures came to the conclusion that wholesale reliance on capital punishment was self-defeating. More lenient codes prescribing fixed periods of imprisonment were recognized as both more humane and appropriate for a new nation with a populist government. They also represented a more promising form of crime control, since they offered the prospect of reforming criminals, not merely punishing them.

By 1820 many state legislatures had drafted new criminal codes that prescribed fixed sentences to match the seriousness of the offense. Sentences were long: 40 years for murder, 20 years for arson, and 10 years for burglary were common (Rothman, 1981). Yet, in contrast to capital punishment, imprisonment seemed more humane and more certain, and therefore more effective.

Research On Sentencing The Search For Reform

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Research On Sentencing The Search For Reform:

Research on Sentencing National Research Council, Division of Behavioral and Social Sciences and Education, Commission on Behavioral and Social Sciences and Education, Committee on Research on Law Enforcement and the Administration of Justice, Panel on Sentencing Research, 1983-02-01 *Research on Sentencing* National Research Council, Division of Behavioral and Social Sciences and Education, Commission on Behavioral and Social Sciences and Education, Committee on Research on Law Enforcement and the Administration of Justice, Panel on Sentencing Research, 1983-02-01 **Research on Sentencing**, 1983 **Research on Sentencing** Panel on Sentencing Research, Committee on Research on Law Enforcement and the Administration of Justice, Commission on Behavioral and Social Sciences and Education, Division of Behavioral and Social Sciences and Education, National Research Council, 1983-01-15 **Research on Sentencing** National Institute of Justice (U.S.), 1983 **Criminal Justice 2000: Policies, processes, and decisions of the criminal justice system**, 2000 **Handbook of Issues in Criminal Justice Reform in the United States** Elizabeth Jeglic, Cynthia Calkins, 2021-12-04 This handbook provides a holistic and comprehensive examination of issues related to criminal justice reform in the United States from a multidisciplinary perspective Divided into five key domains of reform in the criminal justice system it analyzes Policing Policy and sentencing Reentry Treatment Alternatives to incarceration Each section provides a history and overview of the domain within the criminal justice system followed by chapters discussing issues integral to reform The volume emphasizes decreasing incarceration and minimizing racial ethnic and economic inequalities Each section ends with tangible recommendations based on evidence based approaches for reform Of interest to researchers scholars activists and policy makers this unique volume offers a pathway for the future of criminal justice reform in the United States *Caught* Marie Gottschalk, 2016-02-16 A major reappraisal of crime and punishment in America The huge prison buildup of the past four decades has few defenders yet reforms to reduce the numbers of those incarcerated have been remarkably modest Meanwhile an ever widening carceral state has sprouted in the shadows extending its reach far beyond the prison gate It sunders families and communities and reworks conceptions of democracy rights and citizenship posing a formidable political and social challenge In *Caught* Marie Gottschalk examines why the carceral state remains so tenacious in the United States She analyzes the shortcomings of the two dominant penal reform strategies one focused on addressing racial disparities the other on seeking bipartisan race neutral solutions centered on reentry justice reinvestment and reducing recidivism With a new preface evaluating the effectiveness of recent proposals to reform mass incarceration *Caught* offers a bracing appraisal of the politics of penal reform Handbook on Punishment Decisions Jeffery T. Ulmer, Mindy S. Bradley, 2017-10-16 *Handbook on Punishment Decisions* Locations of Disparity provides a comprehensive assessment of the current knowledge on sites of disparity in punishment decision making This collection of essays and reports of original research defines disparity

broadly to include the intersection of race ethnicity gender age citizenship immigration status and socioeconomic status and it examines dimensions such as how pretrial or guilty plea processes shape exposure to punishment how different types of sentencing decisions and or policy structures sentencing guidelines mandatory minimums risk assessment tools might shape and condition disparity and how post sentencing decisions involving probation and parole contribute to inequalities The sixteen contributions pull together what we know and what we don't about punishment decision making and plow new ground for further advances in the field The ASC Division on Corrections Sentencing Handbook Series publishes volumes on topics ranging from violence risk assessment to specialty courts for drug users veterans or people with mental illness Each thematic volume focuses on a single topical issue that intersects with corrections and sentencing research **The**

Changing Role of the American Prosecutor John Worrall, M. Elaine Nugent-Borakove, 2014-03-14 Leading prosecution researchers throughout the United States are brought together in this book to illuminate the new environment of prosecution in America the prosecution of troubling and emerging crime problems prosecutorial problem solving and community prosecution and the future of prosecution in the twenty first century The contributors explore how American prosecutors are moving away from a traditional reactive approach to the crime problem and instead how they are developing creative problem solving strategies for dealing with crime and disorder *The American Prison* Lynne Goodstein, Doris L.

MacKenzie, 2013-03-08 Despite the dire forecasts of others who had themselves edited books we proceeded with the project of an edited volume on the American prison although with more than a little trepidation We had heard the horror stories of authors turning in their chapters months or years late or never at all of publishers delaying publication dates of volumes that read more like patchwork quilts than finely loomed cloth As if to prove the others wrong our experience in editing this volume has been marvelous and we think the volume reflects this Most likely the success of our experience and of the volume stems from two elements first the professionalism and commitment of the authors themselves and second the fact that early in the life of this volume most of the authors convened for a conference to critique and coordinate the chapters This book brings together an illustrious group of criminologists and correctional scholars who wrote chapters explicitly for this volume Co hesiveness was furthered by the charge we gave to each author to 1 present the major issues 2 review the empirical research and 3 discuss the implications of this work for present and future correctional policy The goal of this project was to examine the major correctional issues facing prison systems The chapters scrutinize the issues from the perspective of the system and the individual from theory to practical and daily management problems from legal to psychological concerns **21st Century Criminology: A Reference Handbook** J. Mitchell Miller, 2009-08-06 Criminology

has experienced tremendous growth over the last few decades evident in part by the widespread popularity and increased enrollment in criminology and criminal justice departments at the undergraduate and graduate levels across the U S and internationally Evolutionary paradigmatic shift has accompanied this surge in definitional disciplinary and pragmatic terms

Though long identified as a leading sociological specialty area criminology has emerged as a stand alone discipline in its own right one that continues to grow and is clearly here to stay Criminology today remains inherently theoretical but is also far more applied in focus and thus more connected to the academic and practitioner concerns of criminal justice and related professional service fields Contemporary criminology is also increasingly interdisciplinary and thus features a broad variety of ideological orientations to and perspectives on the causes effects and responses to crime 21st Century Criminology A Reference Handbook provides straightforward and definitive overviews of 100 key topics comprising traditional criminology and its modern outgrowths The individual chapters have been designed to serve as a first look reference source for most criminological inquires Both connected to the sociological origins of criminology i e theory and research methods and the justice systems response to crime and related social problems as well as coverage of major crime types this two volume set offers a comprehensive overview of the current state of criminology From student term papers and masters theses to researchers commencing literature reviews 21st Century Criminology is a ready source from which to quickly access authoritative knowledge on a range of key issues and topics central to contemporary criminology This two volume set in the SAGE 21st Century Reference Series is intended to provide undergraduate majors with an authoritative reference source that will serve their research needs with more detailed information than encyclopedia entries but not so much jargon detail or density as a journal article or research handbook chapter 100 entries or mini chapters highlight the most important topics issues questions and debates any student obtaining a degree in this field ought to have mastered for effectiveness in the 21st century Curricular driven chapters provide students with initial footholds on topics of interest in researching term papers in preparing for GREs in consulting to determine directions to take in pursuing a senior thesis graduate degree career etc Comprehensive in coverage major sections include The Discipline of Criminology Correlates of Crime Theories of Crime Justice Measurement Research Types of Crime and Crime the Justice System The contributor group is comprised of well known figures and emerging young scholars who provide authoritative overviews coupled with insightful discussion that will quickly familiarize researchers students and general readers alike with fundamental and detailed information for each topic Uniform chapter structure makes it easy for students to locate key information with most chapters following a format of Introduction Theory Methods Applications Comparison Future Directions Summary Bibliography Suggestions for Further Reading and Cross References Availability in print and electronic formats provides students with convenient easy access wherever they may be **National Academy Press ... Publications Catalog** ,1985 Crime File Study Guide , The Changing Borders of Juvenile Justice Jeffrey Fagan, Franklin E. Zimring, 2000-09 Since the 1960s recurring cycles of political activism over youth crime have motivated efforts to remove adolescents from the juvenile court Periodic surges of crime youth violence in the 1970s the spread of gangs in the 1980s and more recently epidemic gun violence and drug related crime have spurred laws and policies aimed at narrowing the reach of the juvenile court Despite declining juvenile crime

rates every state in the country has increased the number of youths tried and punished as adults Research in this area has not kept pace with these legislative developments There has never been a detailed sociolegal analytic book devoted to this topic In this important collection researchers discuss policy substantive procedural and empirical dimensions of waivers and where the boundaries of the courts lie Part 1 provides an overview of the origins and development of law and contemporary policy on the jurisdiction of adolescents Part 2 examines the effects of jurisdictional shifts Part 3 offers valuable insight into the developmental and psychological aspects of current and future reforms Contributors Donna Bishop Richard Bonnie M A Bortner Elizabeth Cauffman Linda Frost Clausel Robert O Dawson Jeffrey Fagan Barry Feld Charles Frazier Thomas Grisso Darnell Hawkins James C Howell Akiva Liberman Richard Redding Simon Singer Laurence Steinberg David Tanenhaus Marjorie Zatz and Franklin E Zimring

Monthly Catalog of United States Government Publications, 1984 **Crime and Justice, Volume 42: Crime and Justice in America** Michael Tonry, 2013-10-06 For the American criminal justice system 1975 was a watershed year Offender rehabilitation and individualized sentencing fell from favor The partisan politics of law and order took over Among the results four decades later are the world's harshest punishments and highest imprisonment rate Policymakers interest in what science could tell them plummeted just when scientific work on crime recidivism and the justice system began to blossom Some policy areas sentencing gun violence drugs youth violence became evidence free zones In others developmental crime prevention policing recidivism studies evidence mattered Crime and Justice in America 1975 2025 tells how policy and knowledge did and did not interact over time and charts prospects for the future What accounts for the timing of particular issues and research advances What did science learn or reveal about crime and justice and how did that knowledge influence policy Where are we now and perhaps even more important where are we going The contributors to this volume the leading scholars in their fields bring unsurpassed breadth and depth of knowledge to bear in answering these questions They include Philip J Cook Francis T Cullen Jeffrey Fagan David Farrington Daniel S Nagin Peter Reuter Lawrence W Sherman and Franklin E Zimring For thirty five years the Crime and Justice series has provided a platform for the work of sociologists psychologists criminal lawyers justice scholars and political scientists as it explores the full range of issues concerning crime its causes and its remedies

Applications of Heuristics and Biases to Social Issues Linda Heath, R. Scott Tindale, John Edwards, Emil J. Posavac, Fred B. Bryant, Eaaron Henderson-King, Yolanda Suarez-Balcazar, Judith Myers, 2013-06-29 This volume presents the latest research on applying heuristics and biases to the areas of health law education and organizations Authors adopt a cross disciplinary approach to study various theories

Sociology of Crime, Law and Deviance Jeffrey T. Ulmer, 2000-12-20 Volume 2 of the Sociology of Crime Law and Deviance series demonstrates methodological diversity by presenting quantitative studies ethnographies and discourse analyses Through an application of these methodologies the authors examine sanctions crime and fear legal and social control organizations and processes and theory development *Confronting Crime* Michael Tonry, 2013-10-11 From Labour

s promise to be tough on crime tough on the causes of crime through to the White Paper and new criminal justice legislation controlling crime and reforming the criminal justice system has been one of the government s key priorities This book provides a detailed review of the thinking behind these new plans and legislation looking at policies and proposals in the field of punishment particularly those embodied in the Halliday Review of the Sentencing Framework 2001 the government White Paper Justice for All 2002 and the 2002 Criminal Justice Bill The contributors to the book subject to scrutiny the evidence for the evidence based policy making that is often claimed as a distinctive new feature to these processes examining approaches to drug dependent offenders dangerous sex offenders nuisance offenders procedural and evidential protections in the courts sentencing guidelines sentencing management racism in sentencing custody plus custody minus and reducing the prison population

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