

# The Sentencing Stage of the Criminal Process

- **Suspended Sentence** – trial court's decision to place a defendant on probation or under community control instead of imposing a sentence.
- **Concurrent Sentencing** – practice in which a trial court imposes separate sentences to be served at the same time.
- **Consecutive Sentencing** – practice in which a trial court imposes a sentence or sentences to be served following completion of a prior sentence or sentences.
- **Victim Impact Evidence** – evidence relating to the physical, economic, and psychological impact that a crime has on the victim.
- **Victim Impact Statement** – statement read into the record during the sentencing phase of a criminal trial to inform the court about the impact of the crime on the victim.

# Sentencing Process And Purpose

**Léo Pomar**



## **Sentencing Process And Purpose:**

*Sentencing* Gerhard O. W. Mueller, 1977      **Sentencing in International Criminal Law** Silvia D'Ascoli, 2011-04-01

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

*Sentencing and Criminal Justice* Andrew Ashworth, Rory Kelly, 2021-07-15. This revised and updated new edition focuses on major developments in sentencing law, practice and theory. Sentencing in England and Wales is now dominated by Sentencing Council guidelines and scrutiny of those guidelines is central to this book. Issues of principle are identified and discussed to include the constitutional position of the Sentencing Council, the meaning of and challenges to proportionality and the sentencing of BAME offenders and women offenders. The book welcomes the new Sentencing Code introduced as the Sentencing Act 2020 and critically examines the government's plans for sentencing reform set out in the 2020 White Paper *A Smarter Approach to Sentencing*. Throughout the book, sentencing is explored in its wider criminal justice context, making it essential reading for courses on sentencing, criminal justice and criminal law.

*Introduction to Criminal Justice* Lawrence Travis III, 2017-10-23. This student-friendly introductory core text describes the criminal justice process in the United States, outlining the decisions, practices, people and issues involved. It provides a solid introduction to the mechanisms of the criminal justice system with balanced coverage of the issues presented by each facet of the process, including a thorough review of practices and controversies in law enforcement, the criminal courts and corrections.

*Reform of the Federal Criminal Laws* United States. Congress. Senate. Committee on the Judiciary. Subcommittee on Criminal Laws and Procedures, 1977      *Congressional Record* United States. Congress, 1983. The *Congressional Record* is the official record of the proceedings and debates of the United States Congress.

It is published daily when Congress is in session The Congressional Record began publication in 1873 Debates for sessions prior to 1873 are recorded in The Debates and Proceedings in the Congress of the United States 1789 1824 the Register of Debates in Congress 1824 1837 and the Congressional Globe 1833 1873      **Justice in Motion** Pasquale De Marco, Justice in Motion is a groundbreaking exploration of the American criminal justice system providing a comprehensive and engaging introduction to its complexities and challenges This book takes a multifaceted approach examining the roles of law enforcement the courts and corrections while also delving into the impact of social and cultural factors on criminal justice outcomes With a focus on accessibility and clarity Justice in Motion explains the overarching processes and purposes of the criminal justice system It traces the historical evolution of the system shedding light on the underlying principles that guide its operation and the dynamic relationships between its components The book confronts the challenges faced by the criminal justice system head on addressing issues such as mass incarceration racial disparities and the need for sentencing reforms It delves into the complexities of policing the intricacies of the court system and the realities of corrections offering a nuanced understanding of each component Justice in Motion recognizes the importance of public safety while also advocating for a balanced approach that prioritizes justice equity and rehabilitation It explores innovative approaches to crime prevention and rehabilitation emphasizing the role of community engagement and restorative justice practices This book is an essential resource for anyone seeking a deeper understanding of the criminal justice system its challenges and its potential for positive transformation It is a call to action for a more just and equitable system that promotes safety accountability and healing for all Justice in Motion is written in an engaging and accessible style making it suitable for a wide range of readers It is an invaluable resource for students practitioners and anyone interested in the criminal justice system and its impact on society

*Prosecuting International Crimes in Africa* Chacha Murungu, Japhet Biegon, 2011 Prosecuting international crimes in Africa contributes to the understanding of international criminal justice in Africa The book argues for the rule of law respect for human rights and the eradication of a culture of impunity in Africa it is a product of peer reviewed contributions from graduates of the Centre for Human Rights Faculty of Law University of Pretoria where the Master's degree programme in Human Rights and Democratisation in Africa has been presented since 2000 Back cover      **Introduction to Criminal**

**Justice** Lawrence F. Travis III, 2010-04-07 This student friendly introductory core text describes the criminal justice process in the United States outlining the decisions practices people and issues involved It provides a solid introduction to the mechanisms of the criminal justice system with balanced coverage of the issues presented by each facet of the process including a thorough review of practices and controversies in law enforcement the criminal courts and corrections Each chapter is enhanced by important terms boxes photos and review questions Includes a glossary      **Punishment and**

**Process in International Criminal Trials** Ralph Henham, 2017-03-02 International sentencing has become significant given the numerous events on the world stage which have focused attention on the justifications and adequacy of punishment

for heinous crimes such as genocide and crimes against humanity In addition to providing a detailed evaluation of the philosophical and theoretical difficulties raised by this rapidly developing area of international criminal justice this book provides an integrated socio legal analysis of the law and process of international sentencing It considers the rationale and development of international sentencing structures and processes the nature and scope of legal and procedural constraints on decision making as well as access to justice and rights issues The book discusses sentencing within the context of international criminal law and examines internationalized trial processes and alternative mechanisms for resolution In seeking to comprehend the punishment of international crimes through the comparative contextual analysis of trial processes it challenges our present understanding of how and why particular sentencing outcomes are produced and the perceived legitimacy of international trial justice     *Introduction to Psychology and Law* James R. P. Ogloff, Regina A.

Schuller, 2001-01-01 Leading Canadian scholars cover a wide range of topics spanning the applications of psychology in both criminal and civil areas of law An authoritative introduction to law and psychology for a Canadian audience     Criminal Code Reform Act of 1977 United States. Congress. Senate. Committee on the Judiciary, 1977     *Research Handbook on the Punishment of Atrocity Crimes* Róisín Mulgrew, Mikkel J. Christensen, 2024-11-08 This Research Handbook examines the punishment of atrocity crime and presents a wide ranging critique of post conviction law policy and practice With a team of expert contributing authors Róisín Mulgrew and Mikkel Jarle Christensen provide insights into the impact and implications of punishment models strategies and frameworks     **Criminal Justice Research and Development** United States. National Advisory Committee on Criminal Justice Standards and Goals. Task Force on Criminal Justice Research and Development, United States. National Advisory Committee on Criminal Justice Standards and Goals, 1976 Intended for federal state and local policymakers in the area of criminal justice research and development this report includes guidelines for improvement of the quality relevance and utilization of research results In order to cover these issues part two of this report focuses respectively on the needs of research and development policymakers who fund criminal justice research and development researchers who conduct research and development and practitioners who put research and development results into use Guidelines and principles are proposed which should assist policymakers at all levels of government However some topics tend to be addressed more to the federal level where major research and development decisions are often made The first chapter of this part presents a detailed discussion of institutional support for criminal justice research and development It describes the federal role in supporting this effort focusing on who the agencies are the extent of their involvement and how the principal agencies are organized to manage their research and development programs Recommendations regarding the research and development management activities of criminal justice funding agencies are included Several important issues in the conduct of criminal justice research and development are examined in the second chapter Among the topics discussed are constraints on research ethical issues research designs and methodologies

prerequisites for sound planning and project selection ways of maintaining the confidentiality of data and ways of making data more easily available for research and statistical purposes The final chapter of this section discusses research and development utilization practices and the assumptions underlying current policies in this area A criticism of these policies and recommendations for new strategies is presented The final part of this report provides an analysis of the kinds of problems often encountered in research and development Three general types of criminal justice research and development are discussed technology e g hardware research research on problems of criminal justice organizations e g arrest prosecution sentencing and parole and research on new criminal justice problems For each type of research and development the relevant issues and recommendations are discussed Most of these however still related to either the support or conduct of research and development The report also attempts to provide concrete illustrative examples by raising the relevant issues in the context of crime prevention at commercial and residential sites technology research sentencing research on problems of criminal justice organizations and problems of the victim research on new criminal justice problems

Corrections United States. National Advisory Commission on Criminal Justice Standards and Goals,1973 The Commission recommends specific standards in pursuit of the achievement of six major goals for the improvement of the American correctional system The American correctional system today appears to offer minimum protection for the public and maximum harm to the offender The National Advisory Commission on Criminal Justice Standards and Goals in its report on corrections has proposed about 140 standards designed to change that situation The standards spell out in detail where why how and what improvements can and should be made in the corrections segment of the criminal justice system This report is a reference work for the correctional professional as well as for the interested layman Among its goals the commission urges that disparities in sentencing be removed and justice in corrections be upheld by measures guaranteeing offenders rights during and after incarceration The scope of corrections can and should be narrowed by diverting many juveniles and sociomedical cases alcoholics drug addicts prostitutes and the mentally disturbed to noncorrectional treatment programs and by decriminalizing certain minor offenses such as public drunkenness and vagrancy Another goal states that probation should become the standard criminal sentence retaining confinement chiefly for dangerous offenders and releasing a majority of offenders to improved and extended community based programs Corrections should undergo a planned integration into the total criminal justice system with each state unifying all correctional functions and programs for adults and juveniles within its executive branch

*Criminal Sentencing as Practical Wisdom* Graeme Brown,2017-06-01 How do judges sentence In particular how important is judicial discretion in sentencing Sentencing guidelines are often said to promote consistency but is consistency in sentencing achievable or even desirable Whilst the passing of a sentence is arguably the most public stage of the criminal justice process there have been few attempts to examine judicial perceptions of and attitudes towards the sentencing process Through interviews with Scottish judges and by presenting a comprehensive

review and analysis of recent scholarship on sentencing including a comparative study of UK Irish and Commonwealth sentencing jurisprudence this book explores these issues to present a systematic theory of sentencing Through an integration of the concept of equity as particularised justice the Aristotelian concept of phronesis or practical wisdom the concept of value pluralism and the focus of appellate courts throughout the Commonwealth on sentencing by way of instinctive synthesis it is argued that judicial sentencing methodology is best viewed in terms of a phronetic synthesis of the relevant facts and circumstances of the particular case The author concludes that sentencing is best conceptualised as a form of case orientated concrete and intuitive decision making one that seeks individualisation through judicial recognition of the profoundly contextualised nature of the process

**Hearings, Reports and Prints of the Senate Committee on the Judiciary** United States. Congress. Senate. Committee on the Judiciary,1972

**Forensic Psychology** Joanna Pozzulo,Craig Bennell,Adelle Forth,2021-09-01 Forensic Psychology takes a broad based perspective incorporating both experimental and clinical topics This text includes current developments by theorists and researchers in the field By focusing on multidisciplinary theories readers gain an understanding of different forensic psychology areas showing interplay among cognitive biological and social factors Readers will find that the ideas issues and research in this text are presented in a style that they will understand enjoy and find useful in their professional careers

The Practice of Punishment Wesley Cragg,2003-09-02 Cragg combines the findings of contemporary studies reports and papers focusing on crime punishment and penal practice with philosophical argument and thereby constructs a radical theory of restorative justice

*The Right to Be Punished* Gabriel Hallevy,2012-10-12 Does an offender have the right to be punished The right to be punished may sound like an oxymoron but it is not necessarily so With the emergence of modern criminal law the offender gained the right to be punished by rational criminal law rather than being lynched by an angry mob The present day offender may have the right to be punished by doctrinal sentencing rather than being subjected to verdicts based on vague unclear and uncertain principles In modern criminal law the imposition of criminal liability follows accurate and strict rules whereas there are no similar rules for the imposition of punishment The process of sentencing is vague and obscure as are the considerations used for the imposition of punishments The objective of the present book is to propose a comprehensive general and legally sophisticated theory of modern doctrinal sentencing The challenges of such a legal theory are plenty and complex In addition to increasing clarity and certainty modern doctrinal sentencing must deal with modern types of delinquency e g organized crime recidivism corporate offenders high tech offenses etc and modern principles of criminal law Modern doctrinal sentencing must serve to ensure optimal sentencing

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