

# Rapid change in sentencing processes



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Many countries are moving away from the itativesystem of government. Consequently, these countries are adopting various measures to promote democracy and respect for human rights. United States of America is an example of the countries that are making various changes to promote democracy. The country has adopted a number of changes in the sentencing process to ensure citizens enjoy fair trial in the courts of justice and other correctional facilities. Through the various programs such as restorative and community justice, the country has managed to promote fairness. In addition, use of evidence-based research has also enhanced fairness in the sentencing process.

In a bid to promote peace and unity in the country through the sentencing and correction process, the state adopted the restorative and community justice (Allen, Latessa and Ponder, 2009). This program provides new ways of viewing and responding to crimes in the country. The fundamental assumption of this program is that crime is destructive and results in poor relationship ties in the community. The sentence decision-making process involves the offender and the victim with the rest of community members free to contribute their views. Though this program is in effect in the country, it is only useful in limited cases. The program is adopted in cases that involve juveniles and minor offenses in the society.

In addition, the decision of the Supreme Court to abolish the mandatory use of federal sentencing guidelines also impacted positively on the sentencing process. In the past decades, the government expected judges to follow the federal guidelines strictly to determine cases. These guidelines provided a range of jail terms for different cases committed. Besides the guidelines

provided exact fines for various offenses committed. The decision of the Supreme Court gave judges freedom to perform their work efficiently. The decision meant judges were at liberty to make their decisions concerning sentencing and fines for various crimes. Although the decision gave judges freedom, the decisions they make must be rational and wise. The need for fairness and independence of judges and other arbitrators necessitated this decision. Furthermore, it also brought the much-needed fairness in the judicial system for both the judges and the victims.

In addition, the judicial system adopted evidence-based corrections (Mackenzie, 2001). Currently, the legal system uses research-based evidence as opposed to the previous verbal based corrections. The sentencing process requires rigorous research in order to make decisions based on the outcome. The judges and other decision makers need this research for them to make a reasonable decision and warrant relevant sentences to various offenders. The country adopted this resolution as a way of eliminating past mistakes and granting citizens fair judgment and punishment for various crimes committed.

Evidently, the sentencing process has gradually evolved. The government has managed to make the process a success and efficient in administering justice and fairness to the offenders. The judges no longer sentence criminals without adequate and proper research conducted. In addition, they are facing an independent judiciary that has not been influenced or restricted by federal laws. All these, serve to benefit the judicial system and portray the country as democratic. In addition, through this many view the United States of America as a country committed to protecting and defending citizen's right for fair trial.

## References

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Mackenzie, D. (2001). *Sentencing and Corrections in the 21st Century: Setting the Stage for the Future*. Retrieved 2 April 2015 from [www.ncjrs.gov/pdffiles1/nij/189106-2.pdf](http://www.ncjrs.gov/pdffiles1/nij/189106-2.pdf)