

Seminar in criminology classmate response 7

Law



**ASSIGN
BUSTER**

Law Response Essay 7: Criminology After reading Moses Gaitan's discussion on "Liberation Hypothesis" by Kalven and Zeisel (1996), I learnt that at times juries and judge's decisions might be biased when it comes to offenses that are not serious. It was also evident that other factors such as a judge's own perception and the defendant's race or ethnicity mattered. From the reading that Gaitan refers to, it was also clear that defendants from minority communities were highly likely get sentenced as compared to defendants from other groups.

Though Gaitan's discussion provides the readers with the right information and he supports his arguments with proper in-text references, it was not well-organized. I had a hard time understanding the connection between the authors of the article that Gaitan references and other names such as "Cassia Spohn and Jerry Cederblom". In my opinion, it is not clear whether these are the authors of another article or researchers that are mentioned in Kalven and Zeisel's article. Gaitan has also not provided the reader with enough information on how people from minority groups get sentenced to death. Gaitan has only mentioned the sentencing trends of African-Americans but there is no information on the sentencing trends of other minority groups in America. In my view, Gaitan should have also mentioned about the other sentencing trends of other minority groups, such as Asians, Arabs, Native-Americans and Mexican-Americans among others. In my view, this would have made a better representation of minority groups and how the judges made their decisions regarding each group.

Gaitan has also mentioned that another study conducted by Larry Hembroff and James Unnever had similar results. In my opinion, it was also difficult to tell whether these were researchers in the article by Kalven and Zeisel

(1996), or authors of a new article.

Reference

Kalven, H., & Zeisel, H. (1966). The American jury. In A. Thistlethwaite & J. Wooldredge (Eds.), *Forty Studies that Changed Criminal Justice: Explorations into the History of Criminal Justice Research* (pp. 183-190). Boston: Little, Brown & Company