

Apperendi v. new jersey

Law



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Due Apprendi v. New Jersey Apprendi v. New Jersey is a Supreme Court case decided in 2000. The case is cited as 530 U. S. 466, 120 S. Ct. 2348, 147 L. Ed. 2d 435, 2000 U. S. The case is about aggravation of factors in crime. The case was determined by a trial judge in New Jersey but was appealed on grounds that the judge did not prove beyond reasonable doubt that the defendant committed a racially-motivated crime.

Apprendi is convicted for firing multiple shots into the home of an African-American family on December 22, 1994. The petitioner recorded a statement with police arguing that he did so because he did not want the black family in the neighborhood. However, he later retracted the statement. During trial, the judge found that the crimes were racially motivated since no other intention could be identified from the petitioner's statements. The judge proved beyond doubt that apart from having an illegal firearm, the petitioner was guilty of racially motivated crime and gave an enhanced sentence of 12 years. The Supreme Court of New Jersey affirmed the decision.

The case is important in criminal justice since it sheds light on the relationship between crime and constitution rights that cannot be surpassed. The petitioner violated the right of non-discrimination by racial biasness thus received an enhanced sentence. This case set precedent on future crimes directed at minority or generally racial motivated crimes.

As a defense attorney, my submission is that the judge could not prove beyond doubt that Apprendi indeed committed the crime on racial basis. Due process requires that any arising issue that extends sentencing should be among the charges in the current case (Jones v. United States 1999).

Consequently, the petitioner must be given a full hearing to defend his position so that the jury can establish beyond doubt whether the accused is
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guilty or not.

Work cited

Apperendi v. New Jersey. 530 U. S. 466. Supreme Court of New Jersey. 26 June 2000. Findlaw. Web. 26 Feb. 2014.