

Vera Institute of Justice

Criminal Justice Issues and Prisoners' Rights

<https://www.vera.org/publications/aggravated-sentencing-blakely-v-washington-practical-implications-for-state-sentencing-systems>

Policy Issue Resources

Publication

This summer, the Supreme Court sent the criminal justice systems in perhaps half of the states, and the federal system, into a state of simmering unrest. *Blakely v. Washington* cast doubt on two decades of efforts to channel judicial discretion in sentencing by finding that the Sixth Amendment forbids a judge to increase a criminal sentence based on facts not found by a jury beyond a reasonable doubt, even when those sentences are well short of statutory maximums. This report offers an examination of which state systems are affected and the options available to policymakers in affected states.

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