

Literature Review

Background Research:

The American criminal justice system has long been criticized for racial disparities in its sentencing, and federal sentencing guidelines have been introduced to minimize race-based disparities. However, some studies have found that even after these guidelines have been implemented, African Americans, Hispanics, and Native Americans still receive harsher sentences than their white counterparts and that these differences can only partly be explained by differences in the characteristics of their individual offenses (Everett 2002). Multiple studies have produced similar results, including the work of Doerner et al, who found that Hispanics and Blacks receive harsher sentences even after controlling for other factors. Doerner's work also includes the dimension of age and concludes that younger defendants are more likely to receive longer sentences than older defendants. Interestingly, a recent study, published in 2017 by Ryon et al, focused on age specifically, finds that there is a relationship between age and sentencing, but that it is non-linear, and that those who benefit most from age-related leniency in sentencing are only the youngest and oldest offenders at the extreme ends of the spectrum. However, none of the literature we have encountered thus far explores the specific difference between indefinite sentences (life in prison or death row) vs definite sentences (expected to be completed within the defendant's lifetime).

Works Cited:

- Doerner, Jill K.; Demuth, Stephen. "The Independent and Joint Effects of Race/Ethnicity, Gender, and Age on Sentencing Outcomes in U.S. Federal Courts," *Justice Quarterly* vol. 27, no. 1 (February 2010): p. 1-27.
- Everett, Ronald S; Wojtkiewicz, Roger A. (2002). Difference, Disparity, and Race/Ethnic Bias in Federal Sentencing: [1]. *Journal of Quantitative Criminology*; New York Vol. 18, Iss. 2, 189-211.
- Ryon, Stephanie Bontrager, et al. "Sentencing in Light of Collateral Consequences: Does Age Matter?" *Journal of Criminal Justice*, vol. 53, 2017, pp. 1–11., doi:10.1016/j.jcrimjus.2017.07.009.