

University of Mississippi

eGrove

University of Mississippi News

1-30-2019

Law Professor Assists Mississippi's Sentencing Disparity Task Force

Christina Steube

Follow this and additional works at: <https://egrove.olemiss.edu/umnews>

Recommended Citation

Steube, Christina, "Law Professor Assists Mississippi's Sentencing Disparity Task Force" (2019).
University of Mississippi News. 2727.
<https://egrove.olemiss.edu/umnews/2727>

This Article is brought to you for free and open access by eGrove. It has been accepted for inclusion in University of Mississippi News by an authorized administrator of eGrove. For more information, please contact egrove@olemiss.edu.

Law Professor Assists Mississippi's Sentencing Disparity Task Force

Phillip Broadhead presented data for task force, legislators to review while considering reforms

 JANUARY 30, 2019 BY [CHRISTINA STEUBE](#)

[Fa](#) [Tv](#) [Li](#) [Er](#) [Cc](#) [SM](#) [Pr](#) [St](#)



UM law professor Phillip Broadhead presents a report of sentencing data in Mississippi before the Sentencing Disparity Task Force. The task force and the Legislature will review the data to determine the need for sentencing guidelines. Photo courtesy Beverly Kraft/Administrative Office of the Courts

OXFORD, Miss. – In an effort to establish uniform justice in criminal cases, the Sentencing Disparity Task Force, authorized by the 2018 session of the Mississippi Legislature, is working to determine whether some judges sentence some criminals more harshly than others.

Phillip Broadhead, a [University of Mississippi](#) professor of law and director of the [Criminal Appeals Clinic](#) at the [School of Law](#), assisted the task force by putting together a report of statutory guidelines from other states and sentencing data across the state's 22 judicial districts.

Broadhead presented important policy considerations and sentencing data from the Administrative Office of Courts to the task force's first meeting in July.

"We appreciate Professor Broadhead's work on this important project," said Steven Pickett, task force chairman. "His work is compelling in that everyone agrees we need tempered justice and fair justice."

The data Broadhead presented included statistical information of individual sentences over the last decade for 10 different crimes: armed robbery, sexual battery, manslaughter, possession of a firearm by a convicted felon, uttering a forgery, sale of a controlled substance (other than marijuana), sale of a controlled substance, felonious child abuse, receiving stolen property and grand larceny.

"The task force is asking if there is a disparity of similarly situated defendants getting different sentences," Broadhead said. "Federal sentencing guidelines were provided in the 1980s, but those guidelines aren't binding. However, they should be considered by the district judge in sentencing."

Early this year, a legislative committee working in conjunction with the task force is to provide data policy decisions on detention and sentence lengths for all incarcerated people in Mississippi. The data will be reviewed by the state House and Senate to determine whether the need for reform includes statutory guidelines for sentencing.

In consideration of the adoption of state guidelines, Broadhead presented Mississippi Supreme Court Chief Justice William L. Waller Jr. and the task force with previous findings from the [National Center for State Courts](#). In a 2006 survey, the NCSC found that most Americans prefer a tougher sentencing approach to violent offenders.

Follow us on social

[Fa](#) [Tv](#) [Li](#) [Er](#) [Cc](#) [SM](#) [Pr](#) [St](#)

Campus Briefs

Civil Engineering Professor Receives Most-Cited Paper Award

OXFORD, Miss. – Peer recognition is a rewarding experience for anyone, but University of Mississippi researcher Amir Mehrara Molan was elated when an article he co-authored recently received the Most Cited Paper Award at the 102nd Transportation Research Board meeting in the nation's capital. The International Journal of Transportation Science and Technology presented the civil engineering

[Read the story ...](#)

More Posts from this Category

Thank You To Our Donors

Young Alumna Gives Back to School of Accountancy

OXFORD, Miss. – Stephanie Jennings Teague, of Chicago, sees her commitment of \$100,000 to the Patterson School of Accountancy's new building at the University of Mississippi as a means of saying "thank you." "It is a way to show a small token of my appreciation to Ole Miss, the faculty and staff, and the accounting

[Read the story ...](#)

More Posts from this Category

Ole Miss In the News

Reuters: Keep an Eye on the Money Supply

U.S. inflation roller coaster prompts fresh look at long-ignored money supply By Michael S. Derby NEW YORK – The amount of money sloshing around the U.S. economy shrank last year for the first time on record, a development that some economists believe bolsters the case for U.S. inflation pressures continuing to

The survey determined that Americans think that prevention and rehabilitation methods are more important and more effective than enforcement and punishment for nonviolent offenders. The survey also found that current sentencing practices are viewed as unfair to minorities, non-English speakers and low-income offenders, while giving preferential treatment to offenders of higher socioeconomic status.

A few states, including Maryland, Missouri and North Carolina, have sentencing guidelines in place. The task force of 15, which includes law enforcement officers, prosecutors, public defenders, legislators and staff members from the Mississippi Department of Corrections, will review the data and present recommendations to the Legislature.

For the state to adopt sentencing policies and practices, state courts need a baseline sentencing structure that can be personalized to each offender, and there should not be a voluntary implementation of the guidelines, which results in disparity in sentencing among individual judges, said Broadhead, who has 35 years of practice experience as a criminal defense attorney.

With more than 19,000 people incarcerated in Mississippi, legislative solutions are needed to prevent prison overcrowding and to assist offenders in re-entering society so they will be less likely to return to prison, he said.

"The fact is, we have 2.6 million individuals incarcerated in this country," Broadhead said. "A person who went to jail in 2005 doesn't even know what a smartphone is, much less how it works.

"They have no way to get a job upon release because they have no applicable skills for today's job market."

Additionally, it costs about \$87 a day to house each incarcerated person in the Mississippi Department of Corrections system.

"We need to strongly consider our approach to sentencing to not only prevent disparity, but to also provide them skills before their release from prison so these individuals are less likely to become repeat offenders," Broadhead said.



FILED UNDER: **NEWS RELEASES, SCHOOL OF LAW**

abate. The Federal Reserve's

[Read the story ...](#)

More Posts from this Category