

Sentencing Disparity

Criminal Justice

Why similar cases draw different sentences, and what narrows the gap.

Variation is expected; unwarranted variation is the problem.

Sources of variation

Real differences in harm and culpability

Different weight on the same factor

Local sentencing practice and custom

Plea timing and the credit given

Disparity linked to defendant characteristics

What narrows it

Structured guidelines with defined ranges

Reasons given in open court

Appellate review of wrong sentences

Published data and monitoring

Training and comparable case references

Educational reference. Guidelines reduce variation but shift discretion towards charging; disparity findings are jurisdiction-specific.