



2024

ANNUAL REPORT



**Supporting fair and
proportional sentencing policy**

(301) 403-4165 | www.msccsp.org | msccsp@umd.edu

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Maryland State Commission on
Criminal Sentencing Policy

2024 | Annual Report



MSCCSP

University of Maryland

4511 Knox Road, Suite 309, College Park, MD 20742

www.msccsp.org

COMMISSION STAFF



DAVID A. SOULÉ, PH.D.

Executive Director

STACY S. NAJAKA, PH.D.

Research Director

SARAH E. BOWLES

Program Analyst

KATHARINE B. PEMBROKE

Administrative and Training Coordinator

ANABELLA E. NOSEL

Research Assistant
(6/2024 - Present)

JULIA G. CASPERO

Policy Analyst/Graduate Research Assistant
(8/2024 - Present)

Former 2024 Commission Staff:

LYDIA BECKER

Policy Analyst/Graduate Research Assistant
(8/2023 - 8/2024)

KATHY SANCHEZ

Research Analyst
(1/2023 - 1/2024)

MSCCSP



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David A. Soulé, Ph.D.

January 31, 2025

To: The Honorable Wes Moore, Governor
The Honorable Aruna Miller, Lt. Governor
The Honorable Matthew J. Fader, Chief Justice of Maryland
The Honorable Anthony G. Brown, Attorney General of Maryland
The Honorable Members of the General Assembly of Maryland

Pursuant to Criminal Procedure Article, § 6-209, Annotated Code of Maryland, the Maryland State Commission on Criminal Sentencing Policy (the MSCCSP or Commission) shall annually review sentencing policy and practice and report upon the work of the Commission. Accordingly, we submit respectfully for your review the 2024 Annual Report of the MSCCSP.

The annual report details the activities of the MSCCSP during the past year, highlighted by recognizing the Commission's milestone [25-year anniversary](#). Further, the annual report summarizes circuit court sentencing practices and trends in Maryland for fiscal year 2024, provides a comprehensive examination of judicial compliance with the State's voluntary sentencing guidelines, describes information provided on the State's sentencing guidelines worksheets, and offers a description of planned activities for 2025. Finally, the annual report includes a detailed report on sentences for crimes of violence as required by Criminal Procedure Article, § 6-209(b)(iii), Annotated Code of Maryland. We hope that this report and the other resources provided by the MSCCSP help inform and promote fair, proportional, and non-disparate sentencing practices throughout Maryland.

The MSCCSP acknowledges and thanks those agencies and individuals whose contributions to the sentencing guidelines and corresponding guidelines worksheets enabled us to complete our work and produce this report. If you have any questions or comments regarding the annual report, please contact Dr. Soulé or me.

Sincerely,

Dana Middleton

Judge Dana M. Middleton
Chair

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Executive Summary



EXECUTIVE SUMMARY

The Judiciary introduced the concept of judicial sentencing guidelines in Maryland in the late 1970s. The Court of Appeals formed a committee in May 1978 to review recent developments in sentencing in the United States, study the major proposals for reform (e.g., determinate sentencing, mandatory sentencing, sentencing guidelines, sentencing councils), and consider sentencing practices in Maryland. The sentencing guidelines were developed based on an extensive collection and analysis of data on past sentencing practices in Maryland, and their design accounts for both offender and offense characteristics in determining the appropriate sentence range. Beginning in June 1981, four jurisdictions representing a diverse mix of geographic areas piloted the sentencing guidelines. At the conclusion of the test period in May 1982, the Judicial Conference decided to continue using sentencing guidelines in the pilot jurisdictions for an additional year, given the initial success of the guidelines. After two years of experience with sentencing guidelines in Maryland on a test basis, in 1983 the Judicial Conference voted favorably on (and the Maryland General Assembly approved) the guidelines, adopting them formally statewide.

The voluntary sentencing guidelines cover most circuit court cases and provide recommended sentence ranges for three broad categories of offenses: person, drug, and property. The guidelines recommend whether to incarcerate an individual and if so, provide a recommended sentence length range, based largely on the available data for how Maryland circuit court judges have sentenced similar cases. The sentencing guidelines are advisory, and judges may, at their discretion, impose a sentence outside of the guidelines. Judges are, however, required to document the reason or reasons for sentencing outside of the guidelines if they do so.

The Maryland General Assembly created the Maryland State Commission on Criminal Sentencing Policy (MSCCSP or Commission) in 1999 to oversee sentencing policy and to monitor the State's voluntary sentencing guidelines. The General Assembly established six goals to guide the Commission's work:

- (1) Sentencing should be fair and proportional and sentencing policies should reduce unwarranted disparity;
- (2) Sentencing policies should help citizens understand how long a criminal will be confined;
- (3) The preservation of meaningful judicial discretion;
- (4) Sentencing guidelines should be voluntary;
- (5) The prioritization of prison usage for violent and career criminals; and

(6) The imposition of the most appropriate criminal penalties.

The Commission consists of 19 members, including members of the Judiciary, justice partners, members of the Senate of Maryland and the House of Delegates, and representatives of the public. The primary responsibilities of the MSCCSP include collection and automation of the sentencing guidelines worksheets, maintaining the sentencing guidelines database, and conducting training and orientation for criminal justice personnel. In addition, the Commission monitors judicial compliance with the guidelines and may adopt changes to the guidelines consistent with the sentencing practices of Maryland circuit court judges.

In 2024, the MSCCSP:

- Reviewed new and amended criminal laws from the 2024 Legislative Session;
- Assigned a seriousness category to subsequent violations of *Receive, acquire, give, sell, transfer, etc., proceeds knowing that the proceeds are derived from a CDS offense* (Criminal Law Article (CR), § 5-623) and revised the seriousness category for first offenses;
- Revised the seriousness category for *Malfeasance, misconduct in office* (Common Law);
- Adopted revisions to the offense score for criminal events involving a feigned weapon;
- Adopted revisions to clarify that animals may not be considered victims for the purposes of applying the multiple victims stacking rule;
- Adopted clarifications to the guidelines scoring for sentences to probation before judgment (PBJ) pursuant to Criminal Procedure Article (CP), § 6-220(c);
- Adopted revisions to stack the upper limit of the guidelines for offenses that statutorily require the sentence to run consecutive to that of another offense in the same criminal event;
- Released an updated version of the Maryland Automated Guidelines System (MAGS, Version 12.0);
- Clarified the instructions for calculating the guidelines for criminal events involving multiple rules;
- Voted to modify the seriousness categories for select offenses involving threats to public officials;

- Reviewed the seriousness category for *Committing a crime of violence in the presence of a minor* (CR, § 3-601.1);
- Completed a judicial survey to solicit input and voted to adopt amended list of common guidelines departure reasons; and
- Adopted a proposal to study the prior adult criminal record score.

2024 also proudly marks the 25th anniversary of the MSCCSP! To honor this milestone, the MSCCSP created a commemorative [booklet](#) highlighting significant accomplishments and recognizing the service and contributions of commissioners and other justice partners over the last 25 years. The booklet includes the Commission’s history and purpose, past and present MSCCSP commissioners and staff, a timeline of notable events, infographics showcasing the Commission’s achievements, and personal reflections submitted by current and former commissioners, as well as other notable dignitaries.



In fiscal year 2024, the MSCCSP received guidelines worksheets for 9,698 sentencing events in the State’s circuit courts. A worksheet was submitted for 92.6% of guidelines-eligible cases. With a handful of exceptions, fiscal year 2024 worksheets were submitted electronically using the Maryland Automated Guidelines System (MAGS). The most common disposition of sentencing events was an other plea agreement¹ (43.4%), followed by an MSCCSP binding plea agreement (31.6%) and a plea with no agreement (19.9%). The majority (84.2%) of sentencing events resulted in a sentence to incarceration, and the median sentence length among those incarcerated (excluding suspended time) was one year. Commission-defined corrections options were used in 6.9% of sentencing events, and other alternatives to incarceration were used in 6.1% of sentencing events.

¹ “Other plea agreements” include any plea agreement that did not include an agreement to a specific amount of active time (if any) and/or the agreement was not approved by, and thus not binding on, the court.

**82.5% of sentences
were guidelines
compliant in FY 2024**

The overall guidelines compliance rate in fiscal year 2024 was 82.5%, which exceeded the Commission's goal of 65% compliance. When departures occurred, they were more often below the guidelines than above. All eight of the trial court judicial circuits met the benchmark rate of 65% compliance, with compliance rates ranging from 76.2% in the Fourth Circuit to 95.1% in the Eighth Circuit. Departures were least likely for drug offenses, followed closely by property offenses. A comparison of judicial compliance rates by type of disposition (plea agreement, plea with no agreement, bench trial, and jury trial) showed that compliance was most likely in cases adjudicated by a plea agreement. In contrast, compliance was least likely in cases adjudicated by a jury trial. When considering compliance rates by defendant race (i.e., Black, White, Hispanic, Other), rates were similar across racial categories. Guidelines compliance ranged from 82.6% for White defendants to 88.7% for Hispanic defendants. Similarly, compliance rates were comparable for male (84%) and female (86.6%) defendants. The most cited reason for departures below the guidelines was that the parties reached a plea agreement that called for a reduced sentence. In comparison, the most cited reason for departures above the guidelines was the State's Attorney or Division of Parole and Probation's recommendation.

The 2024 Annual Report includes a detailed report on sentences for crimes of violence (COV) as required by Section 6-209 of the Criminal Procedure Article, Annotated Code of Maryland. In fiscal year 2024, the MSCCSP received sentencing guidelines worksheets for 1,730 sentencing events that involved 2,657 COV. Similar to all sentencing events, the vast majority of COV were resolved by either an other plea agreement (35.5%), an MSCCSP binding plea agreement (31.2%), or a plea with no agreement (18.2%). The overall guidelines compliance rate for sentencing events involving COV increased slightly from 65.8% in fiscal year 2023 to 66.2% in fiscal year 2024, which just exceeds the Commission's goal of 65% compliance. Two of the eight trial court judicial circuits (the Seventh and Eighth Circuits) met the benchmark rate of 65% compliance. When departures occurred, they were more often below the guidelines than above. The most cited reason for departures below the guidelines in sentencing events involving COV was that the parties reached a plea agreement that called for a reduced sentence. The most cited reason for departures above the guidelines in sentencing events involving COV was the State's Attorney or Division of Parole and Probation's recommendation.

MSCCSP 2024 Annual Report

The MSCCSP has several important activities planned for 2025. The MSCCSP will continue to administer the sentencing guidelines by collecting sentencing guidelines worksheets, maintaining the sentencing guidelines database, monitoring judicial compliance with the guidelines, and providing sentencing guidelines education and training. Additionally, the MSCCSP will review all criminal offenses and changes in the criminal laws passed by the General Assembly during the 2025 Legislative Session and adopt seriousness categories for new and revised offenses as needed. Furthermore, the MSCCSP will update the crimes of violence data dashboard to describe fiscal year 2024 sentences and add fiscal year 2024 data to the MSCCSP website data download tool. Finally, the MSCCSP has identified additional important activities that the Commission plans to address in 2025. ■

The Maryland State Commission on Criminal Sentencing Policy



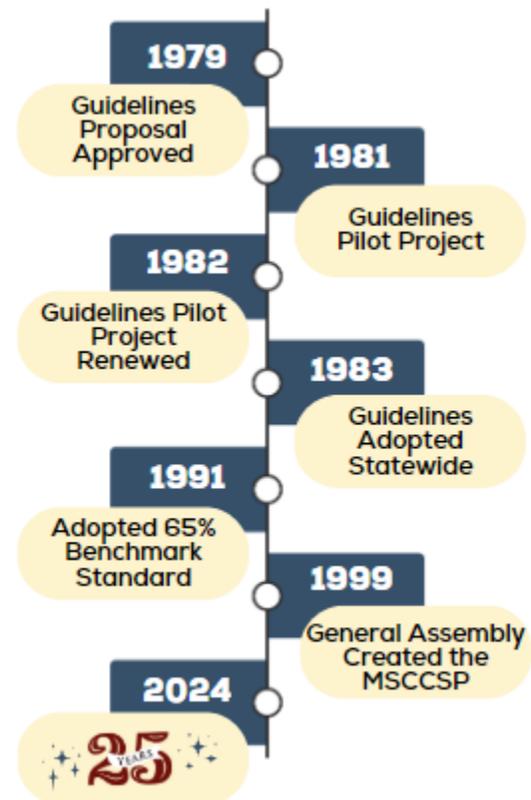
THE MARYLAND STATE COMMISSION ON CRIMINAL SENTENCING POLICY

Guidelines Background

History of the Maryland Sentencing Guidelines

The Maryland Judiciary introduced sentencing guidelines in the late 1970s in response to nationwide concerns about unwarranted disparities in sentencing. The Court of Appeals formed the Judicial Committee on Sentencing in May 1978 to review recent developments in sentencing in the United States, study the major proposals for reform (e.g., determinate sentencing, mandatory sentencing, sentencing guidelines, sentencing councils), and consider sentencing practices in Maryland. In its report to the Maryland Judicial Conference, the Judicial Committee on Sentencing recommended a system of voluntary, descriptive sentencing guidelines for use in circuit courts only. The Judicial Conference unanimously approved this proposal in April 1979. Later that year, Maryland received a grant from the National Institute of Justice

to participate in a multijurisdictional field test of sentencing guidelines. Under this grant, a system of sentencing guidelines for Maryland's circuit courts was created, and an Advisory Board was established to oversee the guidelines. The sentencing guidelines were developed based on analyses of Maryland sentencing data and surveys of judges who were asked to report on factors that they would consider at sentencing in a series of hypothetical scenarios. Guided by these analyses, sentencing guidelines were designed to account for both offender and offense characteristics in determining the appropriate sentence range. Beginning in June 1981, four geographically diverse jurisdictions in Maryland piloted these sentencing guidelines. At the conclusion of the test period in May 1982, the Judicial Conference decided to continue using sentencing guidelines in the pilot jurisdictions for an additional year, given their initial success. In



1983, after two years of the pilot sentencing guidelines, the Judicial Conference voted favorably on (and the Maryland General Assembly approved) adopting the guidelines statewide.

The Judicial Committee on Sentencing established that the sentencing guidelines are primarily descriptive; that is, the guidelines are informed by analysis of actual sentencing practices and are designed to illustrate to judges how their colleagues are sentencing, on average, a typical case. In 1991, the Sentencing Guidelines Revision Committee of the Judiciary's Guidelines Advisory Board established an expectation that two-thirds of sentences would fall within the recommended sentencing range; and when sentencing practice resulted in departures from the recommended range in more than one-third of the cases, guidelines revisions should be considered. Based on this policy, the Commission adopted the goal of 65% as the benchmark standard for sentencing guidelines compliance. Over the years, the MSCCSP has maintained the primarily descriptive nature of the guidelines, while allowing for the Commission to make nuanced policy decisions to ensure the guidelines are consistent with legislative intent and that the guidelines are scored consistently statewide. The guidelines are not intended to be static. Therefore, the Commission may amend the guidelines when the data indicate that sentencing practices are not consistent with the recommended ranges.

The Present Sentencing Guidelines

Pursuant to Criminal Procedure Article (CP), § 6-216, Annotated Code of Maryland, the circuit courts shall consider the sentencing guidelines in deciding the proper sentence. The voluntary sentencing guidelines apply to cases prosecuted in Maryland circuit courts generally, with a few key exceptions. The guidelines were designed to apply to incarcerable offenses for which the circuit court has original jurisdiction. Therefore, the following categories of circuit court cases are excluded from the guidelines: prayers for jury trials from the District Court in which a pre-sentence investigation (PSI) was not ordered, criminal appeals from the District Court in which a PSI was not ordered, crimes that carry no possible penalty of incarceration, criminal nonsupport and criminal contempt cases, cases adjudicated in a juvenile court, sentencing hearings in response to a violation of probation, violations of public local laws and municipal ordinances, and cases in which the individual was found not criminally responsible (NCR). Prayers for jury trials and criminal appeals from the District Court in which a PSI is ordered are defined as guidelines-eligible cases because they generally involve more serious and/or incarcerable offenses. Reconsiderations/modifications and three-judge panel reviews involving COV are also defined as guidelines-eligible cases if there is an adjustment made to the individual's active sentence. Table 1 provides a complete description of guidelines-eligible and ineligible cases.

Table 1. Guidelines-Eligible and Ineligible Cases

For Cases Originating in Circuit Court	
Guidelines-Eligible	Guidelines-Ineligible
<p>✓ Offenses originally prosecuted in Circuit Court</p>	<p>✗ Violations of public local laws and municipal ordinances</p> <p>✗ Offenses that carry no possible penalty of incarceration</p> <p>✗ Criminal nonsupport and criminal contempt</p> <p>✗ Cases adjudicated in a juvenile court</p>
<p>✓ All pleas, including binding pleas, nonbinding pleas, and pleas of <i>nolo contendere</i> (no contest) by the defendant</p>	<p>✗ Cases in which the defendant was found not criminally responsible (NCR)</p>
<p>✓ Sentences to probation before judgment (PBJ)</p>	<p>✗ Sentencing hearings in response to a violation of probation</p>
<p>✓ Initial sentences with a condition of drug court or an inpatient commitment under Health-General Article, Title 8, Subtitle 5, Annotated Code of Maryland</p>	<p>✗ Reconsiderations/modifications not involving a crime violence</p>
<p>✓ Reconsiderations/modifications involving a crime of violence (as defined in Criminal Law Article, § 14-101, Annotated Code of Maryland) if there is an adjustment to the active sentence</p>	<p>✗ Reconsiderations/modifications involving a crime of violence if there is <u>NOT</u> an adjustment to the active sentence</p> <p>✗ Three-judge panel reviews not involving a crime of violence</p>
<p>✓ Three-judge panel reviews involving a crime of violence if there is an adjustment to the active sentence</p>	<p>✗ Three-judge panel reviews involving a crime of violence if there is <u>NOT</u> an adjustment to the active sentence</p>
For Cases Originating in District Court	
Guidelines-Eligible	Guidelines-Ineligible
<p>✓ Prayers for a jury trial if a pre-sentence investigation (PSI) is ordered</p>	<p>✗ Prayers for a jury trial if a PSI is <u>NOT</u> ordered</p>
<p>✓ Appeals from District Court if a PSI is ordered</p>	<p>✗ Appeals from District Court if a PSI is <u>NOT</u> ordered</p>

The sentencing guidelines cover three broad categories of offenses: person, drug, and property. The guidelines recommend whether to incarcerate an individual and, if so, provide a recommended sentence range based on the available data for how Maryland circuit court judges

have sentenced similar cases. Each offense category (drug, person, or property) has a unique sentencing matrix that includes recommended sentencing ranges in each grid cell. The matrices for drug, person, and property offenses are provided in Appendix A. The sentence recommendation is determined by the grid cell corresponding to an individual's offender score and the offense seriousness category (for drug and property offenses) or offense score (for person offenses). The offense seriousness category is an offense ranking that ranges from I to VII, where I designates the most serious criminal offenses and VII designates the least serious criminal offenses. For person offenses, the offense score is determined by the seriousness category, the physical or psychological injury to the victim, the presence of a weapon, and any special vulnerability of the victim (such as being under 11 years old, 65 years or older, or physically or cognitively impaired). The offender score is a measure of the individual's criminal history, determined by whether the individual was in the criminal justice system at the time the offense was committed (i.e., on parole, probation, or temporary release from incarceration, such as work release), has a juvenile record or prior criminal record as an adult, and has any prior adult parole or probation violations.

The guidelines sentence range represents only non-suspended time. The sentencing guidelines are advisory and judges may, at their discretion, impose a sentence outside the guidelines. If a judge chooses to depart from the sentencing guidelines, the Code of Maryland Regulations (COMAR) 14.22.01.05A states that the judge shall document the reason or reasons for imposing a sentence outside of the recommended guidelines range.

MSCCSP Background

The Maryland General Assembly created the MSCCSP in May 1999, after a study commission (the Maryland Commission on Criminal Sentencing Policy) recommended creating a permanent commission in its final report to the General Assembly. The MSCCSP assumed the functions of the Sentencing Guidelines Advisory Board of the Judicial Conference, initially established in 1979 to develop and implement Maryland's sentencing guidelines. The General Assembly created the MSCCSP to oversee sentencing policy and to maintain and monitor the State's voluntary sentencing guidelines. CP, § 6-202 outlines six goals for the MSCCSP, stating "[t]he General Assembly intends that:

- (1) sentencing should be fair and proportional and that sentencing policies should reduce unwarranted disparity, including any racial disparity, in sentences for criminals who have committed similar crimes and have similar criminal histories;

- (2) sentencing policies should help citizens to understand how long a criminal will be confined;
- (3) sentencing policies should preserve meaningful judicial discretion and sufficient flexibility to allow individualized sentences;
- (4) sentencing guidelines be voluntary;
- (5) the priority for the capacity and use of correctional facilities should be the confinement of violent and career criminals; and
- (6) sentencing judges in the State should be able to impose the most appropriate criminal penalties, including corrections options programs for appropriate criminals.”

The General Assembly designed the MSCCSP to fulfill the above legislative intentions. The General Assembly authorized the MSCCSP to “adopt existing sentencing guidelines for sentencing within the limits established by law which shall be considered by the sentencing court in determining the appropriate sentence for defendants who plead guilty or nolo contendere to, or who were found guilty of crimes in a circuit court” (1999 Md. Laws, Chap. 648). The MSCCSP also has authority to “adopt guidelines to identify defendants who would be appropriate for participation in corrections options programs” (1999 Md. Laws, Chap. 648). The sentencing court is to consider these guidelines in selecting either the guidelines sentence for an individual or sanctions under corrections options.

**Sentencing should be
fair and proportional
and should reduce
unwarranted disparities**

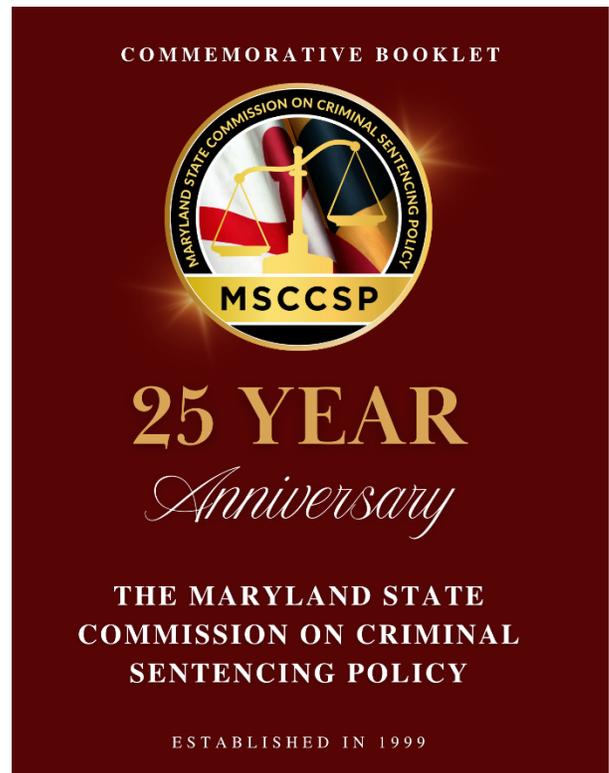
Pursuant to CP, § 6-210, the MSCCSP collects sentencing guidelines worksheets, monitors sentencing practice, and adopts changes to the sentencing guidelines. The Maryland sentencing guidelines worksheet enables the MSCCSP to collect criminal sentencing data from State and local agencies involved in criminal sentencing. Justice partners complete worksheets for all guidelines-eligible criminal cases prosecuted in the circuit court to determine the recommended sentencing outcome and to record sentencing data. Appendix B illustrates the current Maryland sentencing guidelines worksheet. The courts shall review worksheets to confirm that the guidelines reflected on the worksheets were considered in the respective cases (COMAR 14.22.01.03F(4)). The electronic worksheets are completed and submitted via the Maryland Automated Guidelines System (MAGS). The Commission staff is responsible for monitoring all data collected via the sentencing guidelines worksheets. Data collected by the Commission

enable analyses of sentencing trends related to particular offenses, demographics, criminal histories, geographic variation, and compliance with the guidelines. The MSCCSP uses the guidelines data to monitor circuit court sentencing practices and, when necessary, to adopt changes to the guidelines consistent with legislative intent.

The legislation that established the Commission also authorizes the MSCCSP to conduct guidelines training and orientation for criminal justice system participants and other interested parties. The MSCCSP administers the guidelines system and provides fiscal and statistical information on proposed legislation concerning sentencing and correctional practice.

Recognizing 25 Years of the MSCCSP

2024 proudly marks the 25th anniversary of the MSCCSP! To honor this milestone, the MSCCSP created a commemorative [booklet](#) highlighting significant accomplishments and recognizing the service and contributions of commissioners and other justice partners over the last 25 years. The booklet includes the Commission's history and purpose, past and present MSCCSP commissioners and staff, a timeline of notable events, infographics showcasing the Commission's achievements, and personal reflections submitted by current and former commissioners, as well as other notable dignitaries. The MSCCSP remains committed to informing fair, proportional, and non-disparate sentencing practices throughout Maryland, and thanks all of the agencies and individuals whose contributions to the sentencing guidelines and corresponding sentencing guidelines worksheets have enabled us to complete our work.



MSCCSP Structure



**MSCCSP Chair, The Honorable
Dana M. Middleton**

The MSCCSP consists of 19 members, including members of the Judiciary, justice partners, members of the Maryland Senate and House of Delegates, as well as public representatives. On December 12, 2023, Governor Wes Moore appointed the Honorable Dana M. Middleton, Judge, Circuit Court for Baltimore City, 8th Judicial Circuit, as the chair of the MSCCSP. Other Governor appointees include Kyle E. Scherer, an attorney with Venable LLP, and Larry L. Johnson, Special Agent In-Charge, Office of Investigations, Department of Social Security Administration, who serve as the two public representatives on the

Commission; Richard E. Gibson, Deputy Police Chief, Westminster Police Department, who serves as the law enforcement representative; Robert H. Harvey, Jr., State's Attorney for Calvert County, who serves as the representative for the Maryland State's Attorneys' Association; Rodney R. Davis, Correctional Officer, Department of Pretrial and Detention Services, who serves as the local correctional facilities representative; Richard A. Finci, a criminal defense attorney, who serves as the representative for the Maryland Criminal Defense Attorneys' Association; Alethea P. Miller, Forensic Interviewer/Victim Advocate for the Harford County State's Attorney's Office, who serves as the victims' advocacy group representative; and Dr. Brian D. Johnson, Professor, University of Maryland Department of Criminology and Criminal Justice (CCJS), who serves as the criminal justice/corrections policy expert.

The Chief Justice of the Supreme Court of Maryland is responsible for three appointments to the Commission: the Honorable Melanie M. Shaw, Judge, Appellate Court of Maryland, 4th Appellate Judicial Circuit, Prince George's County; the Honorable Michelle R. Saunders, Judge, District Court of Maryland, District 4, Calvert County; and the Honorable Brian L. DeLeonardo, Judge, Circuit Court for Carroll County, 5th Judicial Circuit. In February 2024, Judge Shaw assumed the roles of vice-chair of the Commission and co-chair of the Guidelines Subcommittee.

The President of the Senate is responsible for two appointments: Senators Charles E. Sydnor, III and Christopher R. West. The Speaker of the House is also responsible for two appointments: Delegates David Moon and J. Sandy Bartlett.

Finally, ex-officio members include the State's Attorney General, Anthony G. Brown; the State's Public Defender, Natasha Dartigue; and the Secretary of the Department of Public Safety and Correctional Services (DPSCS), Carolyn J. Scruggs.

In 2024, five of the commissioners participated as members of the Sentencing Guidelines Subcommittee (Guidelines Subcommittee). Judges Melanie M. Shaw and Brian L. DeLeonardo co-chaired the Guidelines Subcommittee. The other members included Robert H. Harvey, Jr., Richard A. Finci, and Senator Charles E. Sydnor, III. Each year, the Guidelines Subcommittee reviews all new and revised offenses created by the General Assembly and provides recommendations to the full Commission for seriousness category classification. Additionally, the Guidelines Subcommittee reviews suggested revisions to the sentencing guidelines and routinely reports to the overall Commission on guidelines compliance data.

The MSCCSP is a State agency within the Executive Branch of Maryland, with its office in College Park. To allow the Commission to benefit from the shared resources of the University of Maryland, the Commission established its staff office with guidance from the Department of Criminology and Criminal Justice. The University of Maryland connection reinforces the independent status of the Commission by ensuring non-partisan review and analyses of sentencing data. The MSCCSP and University of Maryland's relationship is mutually beneficial. The University provides administrative and information technology support. The MSCCSP employs a graduate research assistant from the University of Maryland to fulfill its policy analyst position. The University benefits from opportunities for graduate research assistants to develop research and practical skills through their experience at the MSCCSP.

Recognition of Former and Newly Appointed Commissioners and Representatives

The MSCCSP recognizes Donald Zaremba who served as the representative for State Public Defender Dartigue from December 2020 through his retirement in November 2024. Matthew Fraling, general counsel for the Maryland Office of the Public Defender, was designated as State Public Defender Dartigue's new representative effective December 2024. The Commission

thanks Mr. Zaremba for his service and appreciates his thoughtful input, as his participation contributed greatly to a more informed and fair sentencing guidelines process.

Recognition of Former and New Commission Staff

In 2024, the Commission welcomed two new members to the staff. In June, Anabella Nosel joined the MSCCSP team as its new research assistant. She replaced Kathy Sanchez who was the Commission's research analyst from January 2023 through January 2024. In August, Julia Caspero joined the team as its new policy analyst/graduate research assistant. She replaced Lydia Becker, who served in the role from August 2023 through August 2024. The staff thanks both former colleagues for their many contributions throughout the course of their tenure.

In Memoriam – Past Commissioners: Judges James P. Salmon, Andrew L. Sonner and John F. McAuliffe

It is with great sadness that the MSCCSP reports the passing of Judges James P. Salmon, Andrew L. Sonner, and John F. McAuliffe on January 17, 2024, October 13, 2024, and October 25, 2024, respectively. Judge Salmon was a former Maryland Special Court of Appeals and Prince George's County Circuit Court judge and served as the Appellate Courts representative on the Commission for eight years from November 2014 through November 2022. Judge Salmon is remembered as an incredibly thoughtful and kind individual with an extensive knowledge of the history of Maryland law.

Judge Sonner served as the first chair of the Commission when the permanent Sentencing Commission was created in 1999. He was a staunch advocate for evidence-based research and briefly served a second term on the MSCCSP (2013-2015) as the Governor-appointed recognized expert in criminal justice/corrections policy.

Judge McAuliffe was a former Maryland Court of Appeals (Supreme Court of Maryland) and Montgomery County Circuit Court judge and was appointed as the first chair of the Study Commission. He served as chair from 1996 through 1999. Judge McAuliffe was instrumental in the passing of the legislation that created the current day Commission in 1999.

The MSCCSP expresses its deepest condolences to their families, friends, and colleagues. They will be greatly missed. ■

3

MSCCSP Activities in 2024



MSCCSP ACTIVITIES IN 2024

The MSCCSP held four meetings in 2024, on May 7, July 9, September 10, and December 3. The July 9 and September 10 meetings were held via videoconference, while the May 7 and December 3 meetings were held in person at the Maryland Judicial Center in Annapolis. In addition, the Commission held its annual public comments hearing on December 3. In compliance with the Public Meetings Act, meeting details were published to the MSCCSP website. Additionally, all meetings were livestreamed through the MSCCSP's YouTube channel. The minutes for all Commission meetings are available on the Commission's [website](#).² The following discussion provides a review of the Commission's activities in 2024.

Review and Classification of New and Amended Offenses Passed During the 2024 Legislative Session

The MSCCSP reviewed new criminal laws from the 2024 Legislative Session to identify new and amended offenses requiring the adoption or modification of seriousness categories.³ To determine new and revised seriousness categories, the MSCCSP reviews the seriousness categories for similar offenses (i.e., offenses with similar penalties, misdemeanor/felony classification, and crime type) previously classified by the Commission.

New Offenses Passed During the 2024 Legislative Session

The MSCCSP reviewed thirteen new offenses passed during the 2024 Legislative Session and voted for their respective seriousness categories, shown in Table 2, during its July 9 meeting. After promulgating the proposed classifications for the new offenses through the COMAR review process, the MSCCSP adopted these updates effective November 1, 2024.



**Effective Date:
November 1, 2024**

² The minutes for the December 3 meeting will be available on the MSCCSP website after the Commission reviews and approves the minutes at its next meeting, scheduled for May 6, 2025.

³ The Commission did not reclassify any amended offenses in 2024.



In 2024, the Maryland General Assembly unanimously passed the Judge Andrew F. Wilkinson Judicial Security Act, making it a crime to knowingly publish the personal information of a judge under certain circumstances.

Table 2. Adopted Seriousness Categories for New Offenses, 2024 Legislative Session

Legislation	Annotated Code of Maryland	Offense	Statutory Maximum	Adopted Seriousness Category	Offense Type
Chapter 418 (SB0740)	NR, §8-738.3(c)(1)	Boating Offenses Operate a vessel while prohibited from operating a vessel under NR, §8-738(e)(3)(i), 1 st offense	1 year ⁴	VII	Property
Chapter 418 (SB0740)	NR, §8-738.3(c)(2)	Boating Offenses Operate a vessel while prohibited from operating a vessel under NR, §8-738(e)(3)(i), 2 nd offense	2 years	VI	Property
Chapter 418 (SB0740)	NR, §8-738.3(c)(3)	Boating Offenses Operate a vessel while prohibited from operating a vessel under NR, §8-738(e)(3)(i), 3 rd or subsequent offense	3 years	V	Property
Chapter 242 (HB0272)	AB, §36-1103	Cannabis License or Registration Use of straw ownership to apply for or hold a cannabis license or registration	1 year ⁴	VII	Property
Chapter 249 (HB1230)	HG, §21-2D-02	CDS and Paraphernalia Distribute, sell, expose for sale, or advertise for sale a tianeptine product	90 days	VII	Drug
Chapter 748 (HB1229)	HG, §21-2E-02(f)	CDS and Paraphernalia Preparation, distribution, or sale of kratom products to an individual under 21; without proper label disclosures; or that contain certain other substances	90 days	VII	Drug

⁴ By MSCCSP rule, any offense with a maximum incarceration penalty of one year or less is automatically assigned a seriousness category VII (COMAR 14.22.01.09B(2)(f)) unless the Commission chooses to adopt a different seriousness category. The Commission added these offenses to the Guidelines Offense Table because it expects they will be prosecuted in the circuit courts.

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Legislation	Annotated Code of Maryland	Offense	Statutory Maximum	Adopted Seriousness Category	Offense Type
Chapters 20 and 21 (SB0480/HB0585)	EL, §16-904	Election Offenses Threaten election official or immediate family member of election official	3 years	V	Person
Chapter 789 (HB1498)	HO, §6-504(b)(1) (penalty)	Fraud, Miscellaneous Aiding or abetting the unauthorized practice of massage therapy in violation of HO, §6-501(b), 1 st offense	1 year ⁴	VII	Person
Chapter 789 (HB1498)	HO, §6-504(b)(2) (penalty)	Fraud, Miscellaneous Aiding or abetting the unauthorized practice of massage therapy in violation of HO, §6-501(b), subsequent	5 years	VI	Person
Chapter 101 (SB0273)	CS, §8-804	Harboring, Escape, and Contraband Operate unmanned aircraft over a correctional facility to photograph or record images of facility without authorization	3 years	VI	Property
Chapter 101 (SB0273)	CR, §9-417.1	Harboring, Escape, and Contraband Contraband—deliver contraband using an unmanned aircraft	3 years	VI	Property
Chapters 858 and 859 (HB0005/SB0130)	CR, §11-107(d)(2)	Nudity and Related Sexual Displays Indecent exposure when person knows or should know that a minor is present	5 years	V	Person
Chapters 414 and 415 (HB0664/SB0575)	CJ, §3-2304	Protected Individuals, Protected Information Publish personal information of protected individual knowing that publishing the information poses a threat to protected individual; and its publishing results in assault, harassment, trespass, or malicious destruction of property	18 months	V	Person

Additional Modifications to the Guidelines Offense Table

Classification of Previously Unclassified Offense

During its July 9 meeting, the MSCCSP reviewed one previously unclassified offense with a penalty greater than one year. The Commission’s policy is to classify any offense with a maximum penalty exceeding one year. The previously unclassified offense is a subsequent violation of *Receive, acquire, give, sell, transfer, etc., proceeds knowing that the proceeds are derived from a CDS offense*, penalized under CR, §5-623(c)(2). The Commission classified this offense as a seriousness category IV drug offense. After promulgating the proposed classifications for the previously unclassified offense through the COMAR review process, the MSCCSP adopted these updates effective November 1, 2024.



**Effective Date:
November 1, 2024**

Table 3. Previously Unclassified Offense

Annotated Code of Maryland	Offense	Statutory Maximum	Offense Type	Adopted Seriousness Category
CR, §5-623(c)(2)	CDS and Paraphernalia Receive, acquire, give, sell, transfer, etc., proceeds knowing that the proceeds are derived from a CDS offense, subsequent	10 years	Drug	IV

Revised Seriousness Categories for Two Offenses

In 2024, the MSCCSP revised the seriousness categories for two offenses. The first offense is a first violation of *Receive, acquire, give, sell, transfer, etc., proceeds knowing that the proceeds are derived from a CDS offense*, penalized under CR, § 5-623(c)(1). The Commission revised the seriousness category from IV to V for this offense. The second offense is *Malfeasance, misconduct in office*, penalized under Common Law. The Commission revised the seriousness category from V to IV for this offense. After promulgating the proposed classifications for these two offenses through the COMAR review process, the MSCCSP adopted these updates effective November 1, 2024.



**Effective Date:
November 1, 2024**

Table 4. Offenses with Seriousness Category Changes

Annotated Code of Maryland	Offense	Statutory Maximum	Prior Seriousness Category	New Seriousness Category	Offense Type
CR, §5-623(c)(1)	CDS and Paraphernalia Receive, acquire, give, sell, transfer, etc., proceeds knowing that the proceeds are derived from a CDS offense, 1 st offense	5 years	IV	V	Drug
Common law	Interference with or Misuse of Government Operations Malfeasance, misconduct in office	LIFE	V	IV	Person Drug Property

Other Miscellaneous Offense Table Edits

The MSCCSP made minor edits to the Guidelines Offense Table in 2024. These edits include: (1) adding a motor vehicle offense with a penalty of less than one year, due to the frequency with which the offense is sentenced in circuit courts (*Driver failing to render reasonable assistance to person injured in an accident*); (2) revising the maximum fine amount for various driving under the influence and driving while impaired offenses, due to increases resulting from the 2024 Legislative Session; and (3) revising the offense description for various offenses, due to revisions in the corresponding statutes resulting from the 2024 Legislative Session.

Adopted Revisions to the Offense Score for Criminal Events Involving a Feigned Weapon

The MSCCSP adopted revisions to the instructions for scoring weapon presence points for part C of the offense score when the offense involves the presence of a feigned weapon. The MSCCSP adopted these revisions in response to an assistant state’s attorney who, in 2022, notified the MSCCSP staff of an inconsistency in the instructions for scoring weapon presence points for person offenses involving a feigned weapon. Weapon presence is scored on a scale from zero to two points, with one point scored for a weapon other than a firearm or explosive and two points scored for a firearm or explosive (Maryland Sentencing Guidelines Manual (MSGM), Chapter 6.1.C). The MSGM (Chapter 6.1.C) defines weapon presence as “the presence of an article or device which **reasonably appears capable of causing injury**” (emphasis added). Prior to 2024, the instructions for scoring weapon presence provided that the score shall be zero points if “a weapon was feigned but no weapon was actually present.” Taken together, these instructions caused confusion among practitioners. Although feigned weapons are not real weapons, they can still appear reasonably capable of causing injury.

To address these concerns, the MSCCSP voted at its September 12, 2023, meeting to instruct users to score one point for weapon presence if the individual intentionally created the false impression that there was an actual weapon present, including: a finger used to simulate a gun, a written note stating that there is a dangerous weapon present, or a verbal statement that there is a dangerous weapon present. After promulgating the proposed revisions through the COMAR review process, the MSCCSP adopted the revisions to the offense score effective February 1, 2024.



**Effective Date:
February 1, 2024**

Adopted Revisions to Clarify that Animals May Not be Considered Victims for the Purposes of Applying the Multiple Victims Stacking Rule

The MSCCSP clarified the instructions for applying the multiple victims stacking rule (MVSR) to explicitly exclude animals as victims. The MVSR provides that when there is a criminal event with multiple victims and not more than one seriousness category I or II offense, the person completing the sentencing guidelines worksheet shall add the highest of the upper limits of the guidelines ranges for each victim to determine the overall range for the criminal event. In response to multiple inquiries questioning whether the MVSR may be applied in a criminal event with multiple counts of animal cruelty, each involving a different animal, the Commission considered the issue of animals as victims and concluded that most definitions of the term victim in Maryland specifically cite references to a person or an individual and do not outwardly encompass animals. As such, the MSCCSP voted at its May 9, 2023, meeting to add clarifying language that explicitly excludes animals from the MVSR. The new language was adopted in COMAR and published in the MSGM (see Chapter 10.1), effective February 1, 2024.



Effective Date:
February 1, 2024

Adopted Clarification to the Guidelines Scoring for Sentences to Probation Before Judgment (PBJ) Pursuant to Criminal Procedure Article, § 6-220(c)

The MSCCSP clarified guidelines scoring for sentences to probation before judgment (PBJ) pursuant to CP, § 6-220(c), Annotated Code of Maryland. Effective October 1, 2023, CP, § 6-220(c) authorized a new form of PBJ that allows individuals to plead not guilty while still maintaining the benefits of a traditional PBJ. Under the traditional PBJ, when a defendant enters a plea of guilty or nolo contendere—or is found guilty at trial—the court can stay the



Effective Date:
February 1, 2024

entering of a judgment of conviction and place the individual on PBJ under certain circumstances.⁵ A person who complies with the terms of this PBJ is discharged from probation without a conviction. While a successfully completed traditional PBJ is not considered a conviction for many state purposes, federal definitions of what constitutes a “conviction” are often broad enough to include the traditional Maryland PBJ, causing some individuals who receive a Maryland PBJ to suffer unintended adverse federal consequences (e.g., deportation or ineligibility for certain social service programs). To address this situation, the Maryland General Assembly passed Senate Bill (SB) 211 during the 2023 Legislative Session.

CP, § 6-220(c) allows a judge to impose a PBJ without a finding of guilt

SB 211, which went into effect October 1, 2023, amended CP, § 6-220 to create an additional type of probation before judgment that allows individuals to plead not guilty while still maintaining the

benefits of a traditional PBJ, thus allowing them to avoid the adverse federal consequences of a traditional PBJ.

The MSCCSP affirmed at its September 12, 2023, meeting that a new PBJ pursuant to CP, § 6-220(c) counts towards the calculation of an individual’s prior adult criminal record score (part C of the offender score; MSGM, Chapter 7.1.C).⁶ Additionally, to provide clarity to practitioners, the MSCCSP adopted at its September 12, 2023, meeting three sets of revisions to the MSGM and COMAR: (1) to add an explicit reference to the new PBJ in the definition of adjudication; (2) to replace all references to “adjudication of guilt” with simply “adjudication”; and (3) to replace references to “conviction” with “adjudication” in instances where the intended meaning of “conviction” includes both types of PBJs. After promulgating the proposed revisions through the COMAR review process, the MSCCSP adopted these revisions effective February 1, 2024.

⁵ A court may still impose a traditional PBJ, pursuant to CP, § 6-220(b).

⁶ The prior adult criminal record component of the offender score (part C) includes all PBJs, both traditional and new, unless the adjudication was expunged from the record or proven by the defense to have been eligible for expungement as a matter of right prior to the date of the offense, pursuant to Subtitle 1 (Expungement of Police and Court Records) of Title 10 (Criminal Records) of the Criminal Procedure Article, Annotated Code of Maryland (MSGM, Chapter 7.1.C).

Adopted Revisions to Stack the Upper Limit of the Guidelines for Offenses that Statutorily Require the Sentence to Run Consecutive to that of Another Offense

The MSCCSP adopted revisions to the instructions for calculating the overall guidelines range when a criminal event includes an offense with a statutorily mandated consecutive sentence to instruct practitioners to stack the upper limits of the guidelines for the offense and the offense to which its sentence must run consecutive. The Commission adopted this rule to reflect the increased severity of sentencing events involving offenses with mandatory consecutive sentences. Currently, the law prescribes mandatory consecutive sentences for 10 offenses (see Table 5). The MSCCSP voted unanimously to adopt the rule at its May 9, 2023, meeting. After promulgating the proposed revisions through the COMAR review process, the MSCCSP adopted the revised instructions effective February 1, 2024.



Effective Date:
February 1, 2024

Table 5. Offenses with Statutorily Mandated Consecutive Sentences

Offense	Annotated Code of Maryland	Statutory Maximum/Mandatory Minimum	Offense Type	Seriousness Category
Abuse and Other Offensive Conduct Commit COV in presence the of a minor	CR, § 3-601.1(e)	5 years	Person	VI
Assault Weapons Use of assault weapon, rapid fire trigger activator, or magazine with a capacity of more than 10 rounds in the commission of a felony or crime of violence, subsequent	CR, §4-306(b)(3)(iii)	20 years	Person	II
CDS and Paraphernalia Knowingly violated CR, §5-602 with a mixture of heroin and fentanyl or any analogue of fentanyl; or fentanyl or any analogue of fentanyl	CR, §5-608.1(c)	10 years	Drug	IIIC

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Offense	Annotated Code of Maryland	Statutory Maximum/Mandatory Minimum	Offense Type	Seriousness Category
CDS and Paraphernalia Manufacture, distribute, or dispense controlled dangerous substances near schools or on school vehicles, 1st offense	CR, §5-627(c)(3)	20 years	Drug	IIIB
CDS and Paraphernalia Manufacture, distribute, or dispense controlled dangerous substances near schools or on school vehicles, subsequent	CR, §5-627(c)(3)	40 years MM=5 years	Drug	IIIC
Criminal Organizations Participate as member of criminal gang in commission of crime; in receipt and use or investment, of proceeds of \$10,000 or more from underlying crime in the acquisition of real property or establishment or operation of any enterprise; in acquisition or maintenance of any interest or control of any enterprise or property through an underlying crime, subsequent	CR, §9-804(f)(1)(i)	15 years	Person	One category more serious than most serious underlying offense. If no conviction on underlying offense, category = IV
Criminal Organizations Participate as member of criminal gang in commission of crime— resulting in death of victim	CR, §9-804(f)(1)(ii)	25 years	Person	One category more serious than most serious underlying offense. If no conviction on underlying offense, category = III
Criminal Organizations Organize, supervise, finance, or manage a criminal gang	CR, §9-805(c)	20 years	Person	III
Weapons Crimes—In General Possess, use, wear, carry, or transport a firearm in a drug offense, subsequent	CR, §5-621(c)(iii)	20 years MM=10 years	Person	III
Weapons Crimes—In General Unlawful use of firearm in commission of felony or crime of violence, subsequent	CR, §4-204(c)(2)	20 years MM=5 years	Person	II

Clarified Instructions for Calculating Guidelines for Criminal Events Involving Multiple Rules

The MSCCSP adopted rules to clarify how to calculate the overall guidelines range when multiple rules apply to the same criminal event. The clarifications, summarized below, are intended to prevent the excessive stacking of individual guidelines ranges when calculating the overall guidelines range.



**Effective Date:
November 1, 2024**

1. **Mandatory consecutive sentence rule / Multiple seriousness category I or II offenses:** The mandatory consecutive sentence rule does not apply when there are two or more seriousness category I or II offenses in a criminal event. In such instances, the upper limit of the overall guidelines range equals the sum of the upper guidelines limits for the seriousness category I and II offenses.
2. **Mandatory consecutive sentence rule / Multiple victims stacking rule (MVSR):** When both the mandatory consecutive sentence rule and the MVSR apply to the same criminal event, the upper limit of the overall guidelines range is calculated as the greater of:
 - a. the highest upper guidelines limit of the individual guidelines ranges;
 - b. the sum of the upper limits of one offense per unique victim (MVSR); or
 - c. the sum of the upper limits of the offense with a mandatory consecutive sentence and its underlying offense (mandatory consecutive sentence rule).
3. **Multiple offenses with mandatory consecutive sentences:** When there are multiple offenses with mandatory consecutive sentences in the same criminal event, the upper limit of the overall guidelines range is calculated as the sum of the upper limits of the one pair of offenses whose sum is the greatest.

The Guidelines Subcommittee reviewed these rules at its April 22, 2024, meeting and recommended that the Commission adopt the rules at the Commission's May 7, 2024, meeting. The Commission unanimously adopted the Subcommittee's recommendations. After promulgating the proposed revisions through the COMAR review process, the MSCCSP adopted the clarified rules effective November 1, 2024.

Voted to Modify Seriousness Categories for Select Offenses Involving Threats to Public Officials

The MSCCSP voted at its September 10, 2024, meeting to revise the seriousness category for two offenses involving threats to public officials: (1) *Threaten to take the life, kidnap, or cause physical injury to State or local official, deputy or assistant State's Attorney, or assistant Public Defender*, and (2) *Interference with performance of official duties by election official, an individual present at polling place, or canvass of votes*. The Commission took this action following the Guidelines Subcommittee's review of multiple offenses involving threats to public officials.



**Anticipated
Effective Date:
July 1, 2025**

The Guidelines Subcommittee requested a review of all offenses involving public officials at its June 18, 2024, meeting after classifying two new offenses from the 2024 Legislative Session, both of which involved threats to public officials.⁷ Given the increased prevalence of threats to public officials, including judges, legislators, and election officials, the Subcommittee expressed concern that the classifications for other similar existing offenses may not adequately reflect their severity.⁸ As such, the Subcommittee requested a review of all offenses involving threats to public officials. The MSCCSP staff presented a review of these offenses to the Subcommittee at its August 29, 2024, meeting. The Subcommittee voted to recommend to the Commission that they act with respect to two offenses.

First, the Guidelines Subcommittee recommended that the Commission increase the seriousness category from a VI to a V for *Threaten to take the life, kidnap, or cause physical injury to State or local official, deputy or assistant State's Attorney, or assistant Public Defender*. Reclassifying the

⁷ The Subcommittee classified as a seriousness category V the following two new offenses at its June 18, 2024, meeting: (1) *Knowingly publishing personal information of a protected individual if the individual knows or should know that publishing the information poses an imminent and serious threat to the protected individual; and its publishing results in assault, harassment, trespass, or malicious destruction of property* (CJ, § 3-2304), and (2) *Threatening election official or immediate family member of election official* (EL, § 16-904). The Guidelines Subcommittee agreed that both offenses were substantively most comparable to *Assault, 2nd degree* (a seriousness category V offense), as assault is a component of both offenses.

⁸ Specifically, the Subcommittee expressed concern that a similar offense, *Threaten to take the life, kidnap, or cause physical injury to State or local official, deputy or assistant State's Attorney, or assistant Public Defender* (CR, § 3-708), was classified as only a seriousness category VI offense and not a V, prompting the Subcommittee to request the review of all offenses involving threats to public officials.

offense from a VI to a V recognizes the serious nature of the offense and makes its classification consistent with comparable offenses.⁹

Second, the Guidelines Subcommittee recommended that the Commission classify *Interference with performance of official duties by election official, an individual present at polling place, or canvass of votes* (Election Law Article (EL), § 16-205) as a seriousness category V person offense and a seriousness category VI property offense. A violation of EL, § 16-205 has a statutory maximum penalty of 1 year incarceration, or a fine not less than \$50 and not greater than \$1,000, or both. The offense was not classified previously by the Commission, though typically, by MSCCSP rule, any offense with a maximum incarceration penalty of 1 year or less automatically receives a seriousness category VII (COMAR 14.22.01.09B(2)(f)) unless the Commission chooses to adopt a different seriousness category. The Guidelines Subcommittee recommended that the MSCCSP dually classify this offense as a seriousness category V person offense and a seriousness category VI property offense because the act underlying this offense could be either person- or property-related.¹⁰

The Subcommittee presented its recommendations to the Commission, and the Commission adopted the recommendation at its September 10, 2024, meeting. These revisions are being promulgated through COMAR, with an anticipated effective date of July 1, 2025.

⁹ Comparable seriousness category V offenses include: *Assault, 2nd degree* (CR, § 3-203); *Knowingly publishing personal information of a protected individual if the individual knows or should know that publishing the information poses an imminent and serious threat to the protected individual; and its publishing results in assault, harassment, trespass, or malicious destruction of property* (CJ, § 3-2304); and *Threatening election official or immediate family member of election official* (EL, § 16-904).

To note, the reclassification of this offense will not impact the offense's recommended guidelines range, as the guidelines for person offenses are based on the offense score; and seriousness categories V, VI, and VII offenses receive the same score on part A of the offense score (1 point, see MSGM, Chapter 6.1.A) Reclassifying the offense could impact a defendant's prior adult criminal record score (part C of the offender score, see MSGM Chapter 7.1.C), depending on the number and type of offenses that compose the prior record.

¹⁰ For example, this offense could involve blocking an election official's entrance into a polling place (a person offense); or it could involve an individual throwing a rock through the window of a polling place (a property offense).

Practitioners will have the discretion to select whether the offense is a person or property offense based on the specific facts of the case. If the State and the defense disagree as to offense type, they shall bring it to the attention of the judge at sentencing. Changes to the worksheet may be made only by or with the approval of the judge (MSGM, Chapter 3.6).

Reviewed Seriousness Category for Committing a Crime of Violence in the Presence of a Minor

The MSCCSP reviewed the history of and sentencing guidelines data for the offense, *Commit a crime of violence (COV) in the presence of a minor (CR, § 3-601.1)*. The Commission agreed to review the classification of *Commit a COV in the presence of a minor* at its July 9, 2024, meeting. This was after the Guidelines Subcommittee recommended a seriousness category V for the new offense of *Indecent exposure when person knows or should know that a minor is present*. *Commit a COV in the presence of a minor* was listed as a comparable offense for *Indecent exposure when person knows or should know that a minor is present*, and a commissioner expressed concern that it was the only comparable offense classified as a seriousness category VI.¹¹ The Commission agreed to review the seriousness category of this offense and assigned this task to the Guidelines Subcommittee.

The Guidelines Subcommittee reviewed the history of and data for *Commit a COV in the presence of a minor* at its August 29, 2024, meeting. *Commit a COV in the presence of a minor* was enacted as an offense/sentence enhancement effective October 1, 2014 (Chapters 115 and 116, 2014 Laws of Maryland). CR, § 3-601.1 prohibits the

commission of a COV when the person knows or reasonably should know that a minor who is at least 2 years old is present in a residence.¹² The Subcommittee did not recommend that the Commission act with respect to reclassification for three reasons. First, the sentencing guidelines compliance rate for this offense from fiscal years 2015 through 2023 was relatively high at 83% and exceeded the benchmark standard of 65%. Second, by definition, the offense is always convicted with an underlying COV. Per CR, § 3-601.1, the sentence for this offense shall be served

**94% of sentences for
*Commit a COV in the
presence of a minor* were
guidelines compliant**

¹¹ The Commission classified *Indecent exposure when person knows or should now that a minor is present* (CR, § 11-107(d)(2)) as a seriousness category V offense primarily because *Indecent exposure*, generally is a seriousness category VI offense. The Commission agreed that the presence of a minor warranted a more serious classification for the new offense.

¹² Crime of violence here is defined pursuant to Public Safety Article (PS), § 5-101.

consecutive to that of the underlying crime of violence. Pursuant to the Commission's recently adopted mandatory consecutive sentence offense rule, the upper limit of the guidelines range for an offense that is statutorily required to be served consecutive to that of another offense shall be added to the upper limit of the guidelines range for its underlying offense. Therefore, the overall guidelines range for a sentencing event involving *Commit a COV in the presence of a minor* is already enhanced.¹³ Finally, reclassifying the offense would have no impact on the recommended guidelines range or the calculation of an individual's prior adult criminal record score. The guidelines for person offenses are based on the offense score; and seriousness categories V, VI, and VII offenses receive the same score on part A of the offense score (1 point). Reclassifying the offense would most likely have no impact on the calculation of an individual's prior adult criminal record score because only the most serious offense per prior criminal event counts towards the individual's prior record score (MSGM, Version 16.0, Chapter 7.1.C.1). *Commit a COV in the presence of a minor* is always, by definition, convicted with an underlying COV. No COV is assigned a seriousness category less than V. Therefore, the prior record score for an individual previously convicted of this offense will always be based on at least a seriousness category V offense, regardless of the classification of *Commit a COV in the presence of a minor*. The Guidelines Subcommittee presented their review to the full Commission during the September 10, 2024, meeting and recommended no further action.

Completed Judicial Survey to Solicit Input and Voted to Adopt Amended List of Common Guidelines Departure Reasons

In 2024, the MSCCSP continued its review of the listed common reasons for sentencing guidelines departures. The purpose of the review was to consider how the Commission might update the list of common



**Anticipated
Effective Date:
July 1, 2025**

¹³ Prior to the adoption of this rule, practitioners could apply the MVSR in cases involving *Commit a COV in the presence of a minor*. The MVSR instructs that, when there is a criminal event with multiple victims and not more than one seriousness category I or II offense, the person completing the sentencing guidelines worksheet shall add the highest of the upper limits of the guidelines ranges for each victim to find the correct overall range for the criminal event (Chapter 10.5, MSGM, Version 16.0). The MVSR was applied in 14.6% of sentencing events involving *Commit a COV in presence of a minor*, sentenced from fiscal years (FY) 2015 through 2023. Practitioners can still apply the MVSR to criminal events involving this offense, though the overall guidelines range for the event would be calculated by applying the rule that results in the greatest upper guidelines limit (i.e., the mandatory consecutive offense sentence or the multiple victims stacking rule).

departure reasons to (1) more closely align with the reasons reflected in the current guidelines data, (2) reflect input received via a survey of circuit court judges, and (3) provide greater insight into the circumstances of the case. The MSCCSP also agreed to revise the corresponding instructions to more clearly explain why data on departure reasons are collected. The sentencing guidelines data on reasons for departure were analyzed and the staff researched how other jurisdictions record sentencing guidelines departure reasons. Additionally, the MSCCSP distributed a survey to solicit feedback from Maryland circuit court judges about the common reasons for departures on April 19th, at the 2024 annual judicial conference. Informed by input from the April 2024 judicial survey, the analysis of the guidelines data, and the review of sentencing guidelines departure reasons from other jurisdictions, the Commission voted at its September 10, 2024, meeting to amend the list of common sentencing guidelines departure reasons, as well as to amend the corresponding instructions. Prior listed departure reasons that were rarely identified in the data and the judicial survey were removed (e.g., offender was influenced by coercion or duress), while a few new reasons that were commonly identified in the data and judicial survey (e.g., offender's criminal history is less severe/more severe than represented by offender score) were added. The revisions are being promulgated through COMAR, with an anticipated effective date of July 1, 2025.

Adopted Proposal to Study the Prior Adult Criminal Record Score

The MSCCSP adopted a proposal to study the prior adult criminal record score component of the offender score at its December 3, 2024, meeting. This proposal is based on a recommendation included in the MSCCSP's 2023 report, [*An Assessment of Racial Differences in Guidelines-Eligible Sentencing Events*](#).

The prior adult criminal record score is one of four measures that determine an individual's offender score. The offender score and offense seriousness category (or offense score for person offenses), in turn, determine an individual's recommended sentencing guidelines. The prior adult criminal record score is calculated using a matrix based on the number and severity of an individual's prior adjudications (MSGM, Version 16.1, Chapter 7.C). A prior record is scored as none (0 points), minor (1 point), moderate (3 points), or major (5 points). An individual may score a moderate or a major prior adult criminal record based on just one prior serious offense, a mix

of serious and minor offenses, or an accumulation of multiple minor offenses.¹⁴ The matrix used to score the prior adult criminal record was developed by the Sentencing Guidelines Advisory Board and first introduced in 1982 (MSGM, Revised, [October 1982](#)). The MSCCSP has not revised the matrix since its introduction.

The MSCCSP first explored the prior adult criminal record score in its 2023 report on racial differences in guidelines-eligible sentencing events. The findings indicated that Black guidelines individuals sentenced from 2008 through 2012, on average, scored higher on the prior adult criminal record score than White, Hispanic, or Other race individuals. Black guidelines individuals, on average, were more likely than individuals of any other race to have any prior adult criminal record, to have a greater number of prior adult adjudications, and to have a record of more serious prior adult adjudications. These differences in prior records, in part, explained the generally higher incarceration rates and longer sentences observed among Black guidelines-sentenced individuals relative to White individuals.

These analyses were a useful preliminary examination of the prior adult record score, however the age of the data and issues with missing and incomplete data made it difficult to draw conclusions or make future policy recommendations based on the analyses. Further, the expansion of expungement laws in recent years has increased the number of offenses eligible for expungement and, thus, not included in the calculation of the adult prior criminal record for guidelines purposes.¹⁵ As such, the MSCCSP recommended in its 2023 report that it complete a new study of the prior adult criminal record score component of the offender score.

The proposed study will use sentencing guidelines data and adult criminal record data to explore several aspects of the adult prior record score, including the most common ways in which individuals accumulate minor, moderate, and major prior record scores; the extent to which drug offenses contribute to racial differences in the prior adult criminal record score; the extent to which individuals score a major prior record based on the accumulation of multiple minor offenses; and

¹⁴ For instance, there are 41 different combinations of prior adult criminal records that would place an individual in the major prior record category, ranging from having one prior adjudication for a seriousness category I offense to having 10 or more prior adjudications for seriousness category VII offenses.

¹⁵ Expansion of the State's expungement laws began in 2016 with the Justice Reinvestment Act (2016 Md. Laws, Ch. 515). The Maryland General Assembly has passed new or revised expungement laws nearly every year since 2016 (e.g., 2017 Md. Laws 2017, Ch. 62, Ch. 703, Ch. 801; 2018 Md. Laws, Ch. 12, Ch. 143; 2019 Md. Laws, Ch. 8, Ch. 21, Ch. 22, c. 599, Ch. 600; 2021 Md. Laws, Ch. 31, Ch. 620; 2022 Md. Laws, Ch. 26; 2023 Md. Laws, Ch. 254, Ch. 255, Ch. 683, Ch. 784).

the extent to which the criminal record decay factor is applied.¹⁶ The study is exploratory in nature. The Commission has not committed to whether or what action it may take in response to the study.

The Guidelines Subcommittee reviewed the proposal at its November 29, 2024, meeting and recommended its adoption at the Commission's meeting on December 3, 2024. The Commission adopted the Subcommittee's recommendation. The MSCCSP estimates that the study will be completed in 2025.

Public Comments Hearing



The MSCCSP acknowledges the significance of providing a forum for the public to discuss sentencing-related issues. As such, the MSCCSP conducts an annual hearing for public comments. The 2024 public comments hearing occurred on December 3, 2024, at the Maryland Judicial Center in Annapolis. Prior to the hearing, the MSCCSP emailed hearing invitations to key criminal justice stakeholders throughout the State via the Commission's listserv. The hearing was also announced on the Commission's website, the Judiciary's website, the Maryland Register, the Maryland General Assembly's hearing schedule, and through a press release issued by the DPSCS.

At the beginning of the public comments hearing, commissioners introduced themselves and briefly explained their role on the Commission. Dr. Soulé, the MSCCSP's Executive Director, followed with a presentation on the history and mission of the MSCCSP. Afterward, registered speakers were invited to share their comments.

¹⁶ The decay factor applies to the adult prior record score when an individual has lived in the community for at least ten years prior to the instant offense without criminal justice system involvement resulting from an adjudication or a plea of *nolo contendere* (MSGM, Chapter 7.C.2). It reduces the prior record score by one level, from major to moderate, from moderate to minor, or from minor to none. A defendant was involved in the criminal justice system for the purposes of the decay factor if they were on parole, on probation, incarcerated, on work release, on mandatory supervision, were an escapee, or had a comparable status. An offender was not involved in the criminal justice system if the offender was on unsupervised probation for an offense not punishable by imprisonment.

Brian Shefferman, a private defense attorney, spoke first. Mr. Shefferman informed the Commission on expungement laws and how these laws interact with the sentencing guidelines. Mr. Shefferman explained the challenges associated with getting a case expunged since the burden falls on the defense to

raise this issue to the court. Mr. Shefferman also suggested that the guidelines instructions be revised to state that the prior adult criminal record shall not include adjudications “if the court finds” they are eligible for expungement as a matter or right prior to the date of the offense, rather than “if proven by the defense.” Mr. Shefferman then responded to questions from commissioners. Mr. Shefferman’s remarks concluded the public comments hearing.

Offenses that have been expunged or proven eligible for expungement do not count towards the adult prior record score. The expansion of expungement laws means that this rule may apply to more defendants.

The MSCCSP will publish to its website minutes for the December 3, 2024, public comments hearing after the Commission reviews and approves the minutes at its next meeting, scheduled for May 6, 2025. The MSCCSP welcomes testimony from members of the public, as public participation is essential to raising awareness of sentencing issues. ■

Education, Training, Information, and Outreach



EDUCATION, TRAINING, INFORMATION, AND OUTREACH

Training and Education



The MSCCSP provides sentencing guidelines and MAGS training to promote the consistent application of the guidelines and accurate completion of the sentencing guidelines worksheet. Guidelines trainings provide a comprehensive overview of the sentencing guidelines calculation process, instructions for calculating the offender and offense scores,

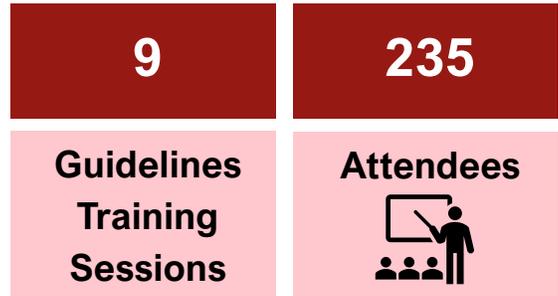
advice for avoiding common mistakes/omissions, examples of more complicated sentencing guidelines scenarios, a demonstration of MAGS and the Guidelines Calculator Tool (GLCT), and a focus on recent and upcoming guidelines-related updates.

The majority of 2024 guidelines trainings and orientations were conducted remotely through interactive online webinars, allowing the MSCCSP to reach a broader audience in terms of the total number of individuals who can view and/or participate in the online training sessions. *What's New in MAGS 12.0* webinars were held throughout June and focused on updates related to the July 1, 2024, release of MAGS 12.0. Additional MAGS and Sentencing Guidelines 101 webinars were also held for various criminal justice partners throughout September 2024, and a similar in-person training was provided to parole and probation supervisors and investigators in October 2024.

To meet the MSCCSP's goal of promoting the accurate completion of the sentencing guidelines worksheet, sentencing guidelines and MAGS orientation is provided annually to circuit court law clerks throughout the State, as they play a pivotal role in the guidelines worksheet completion process. As such, multiple webinars were completed for law clerks, judges and other judicial court staff in September 2024. Following these webinars, a recording of the law clerk/court staff orientation was made available to all law clerks and judges through the Judicial College's digital library.

In addition to general MAGS and guidelines training, MSCCSP staff routinely participate in educational outreach opportunities as they are made available. On January 24, 2024, Dr. Soulé, the MSCCSP Executive Director, provided a presentation at a Judicial College sentencing seminar regarding the goals and objectives of the sentencing guidelines. The seminar was attended by 40 judges from around the State.

In total, the MSCCSP provided nine guidelines and outreach training sessions in 2024. Approximately 235 individuals participated in these sessions, including circuit court judges, judicial staff, prosecutors, public defenders, parole and probation agents, and private defense attorneys. To allow for



practitioners to view the trainings on demand, the MSCCSP uploads all completed webinar recordings to the MSCCSP's [training page](#) and [YouTube channel](#).

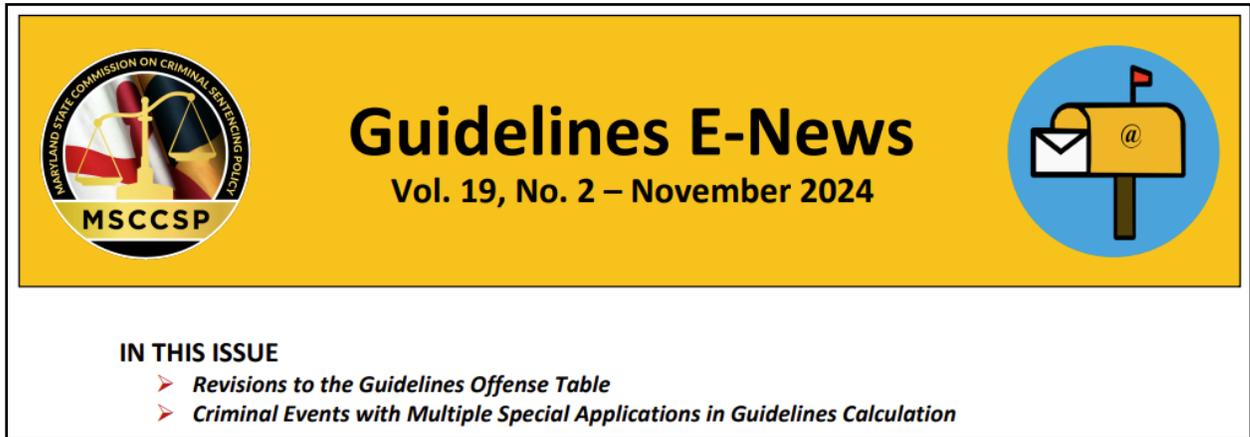
This past year, Dr. Soulé, met with the circuit court judges and/or judicial court staff in 11 of Maryland's 24 jurisdictions (Allegany, Caroline, Cecil, Dorchester, Kent, Queen Anne's, Somerset, St. Mary's, Talbot, Wicomico, and Worcester Counties). The meetings provided an opportunity to review sentencing guidelines-related data with the individual jurisdictions, offer status reports on guidelines worksheet submission rates, and receive feedback from the judges on areas of interest or concern regarding the guidelines and the activities of the MSCCSP.

The MSCCSP released two new versions of the MSGM in 2024. MSGM 16.0 (released February 1, 2024) clarified the instructions for applying the MVSR to explicitly exclude animals as victims and adopted instructions to stack the upper guidelines limits in criminal events involving an offense with a statutorily mandated consecutive sentence. MSGM 16.0 also modified the instructions for scoring weapon presence points for part C of the offense score when the offense involves the presence of a feigned weapon and clarified guidelines scoring for sentences to PBJ pursuant to CP, § 6-220(c).

MSGM 16.1 (released November 1, 2024) provided clarification of guidelines calculation rules in criminal events with multiple special applications and revised the Guidelines Offense Table to reflect the classification of new and amended offenses passed during the 2024 Legislative Session; the classification of one previously unclassified offense; revised seriousness categories for two offenses; and other minor edits to the table. In 2024, the MSCCSP continued to deliver timely notice of guidelines-relevant information via the dissemination of the [Guidelines E-News](#).

The *Guidelines E-News* (see Image 1) is a periodic newsletter delivered electronically to criminal justice partners throughout Maryland. The *Guidelines E-News* notifies justice partners of changes to the guidelines and informs them of sentencing policy decisions. For example, the November 2024 edition provided clarification of guidelines calculation rules in criminal events with multiple special applications and highlighted various revisions to the Guidelines Offense Table.

Image 1. Guidelines E-News, Vol.19, Issue No. 2



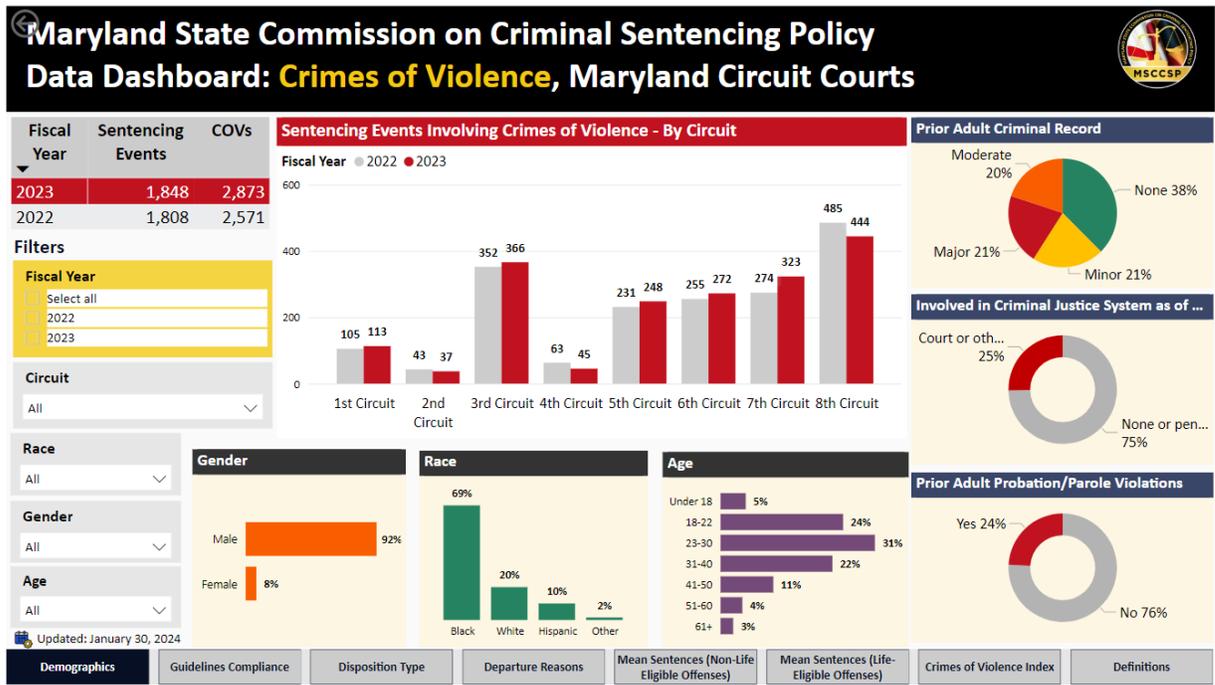
Added Data Download Tool to Website

A core function of the MSCCSP is responding to requests for guidelines data and sentencing information. As of March 1, 2024, individuals interested in conducting analyses of the sentencing guidelines data may now download the available raw data directly from the MSCCSP website using the [data download tool](#). The download tool and related materials describing the available data, including the [data codebook](#), are accessible on the [DATA page](#) of the MSCCSP website.

Updated Crimes of Violence Dashboard

The MSCCSP launched the [Crimes of Violence \(COV\) Data Dashboard](#) on its website on January 31, 2023, fulfilling the requirements of Chapter 141 (S.B. 763), Acts of 2022 (see Image 2). The dashboard provides demographic and sentence information for all guidelines-eligible COV sentenced in Maryland circuit courts in fiscal years 2022 through 2024. The MSCCSP updates the dashboard annually each January.

Image 2. Crimes of Violence Data Dashboard



Information, Data Requests, and Outreach

The MSCCSP strives to be a valuable resource for both our criminal justice partners and others interested in sentencing policy. To aid public understanding of the sentencing process in Maryland, the MSCCSP responds to inquiries for information related to sentencing in the State’s circuit



70

Requests
for Data

courts. In 2024, the Commission responded to approximately 70 requests for data and/or information related to the sentencing guidelines and sentencing trends throughout the State. A variety of individuals, including legislators/legislative staff, judges/court staff, prosecutors, defense

attorneys, parole and probation agents, victims and their family members, defendants and their family members, faculty/students of law and criminal justice, and media personnel submit requests for information and/or data. To respond to data requests, the MSCCSP typically provides the requester an electronic data file created from the information collected on the sentencing guidelines worksheets. In March 2024, the MSCCSP added a data download tool to its website that permits individuals to directly download an Excel file containing all available sentencing guidelines data.

In 2024, the MSCCSP provided sentencing information and/or data to several committees/agencies including, but not limited to, the Maryland Department of Legislative Services, the Maryland Office of the Attorney General, the Maryland Office of the Public Defender, the Maryland Office of the State Prosecutor, the Maryland Department of Juveniles Services, the Circuit Court for St. Mary's County, the Maryland Crime Victims' Resource Center, the Frederick County State's Attorneys' Office, the Montgomery County State's Attorneys' Office, the St. Mary's County State's Attorneys' Office, the Worcester County State's Attorneys' Office, the Montgomery County Criminal Justice Coordinating Council, the New York Law Institute, the University of Connecticut School of Law, the Baltimore Banner, the Baltimore Sun, and multiple private criminal defense attorneys.

Additionally, the MSCCSP published two issues of the [Sentencing Snapshot](#) in 2024. The *Sentencing Snapshot* is a series of topical mini-reports intended to aid the public's understanding of sentencing policy and practices. Additionally, the MSCCSP completes an annual topical report titled, [Maryland Sentencing Guidelines Compliance and Average Sentence for the Most Common Person, Drug, and Property Offenses](#). This report summarizes sentencing guidelines compliance and average sentences for the five most common single count offenses in each crime category (person, drug, and property). Both the *Sentencing Snapshot* and the common offense report are available on the MSCCSP website. Appendix C provides an abbreviated version of the common offense report for fiscal year 2024.

The Commission also responds to the Maryland Department of Legislative Services' requests for information to help produce fiscal estimate worksheets for sentencing-related legislation. This is an annual task performed while the General Assembly is in session. In 2024, the Commission provided information for 83 bills that proposed modifications to criminal penalties or sentencing/correctional policies in the State.

Finally, the MSCCSP conducts outreach with other criminal justice stakeholders to provide updates about the activities completed by the Commission and to exchange information, ideas, and experiences on issues related to sentencing policies, guidelines, and other criminal justice related activities. In April 2024, Dr. Soulé participated in a judicial seminar regarding structural inequality. As one portion of a larger judicial seminar on anti-racism, he provided a summary of the MSCCSP July 2023 report assessing racial differences in sentences among those sentenced under the criminal sentencing guidelines. On May 2, 2024, the MSCCSP staff participated in the University of Maryland Behavioral and Social Sciences Inequality Research Showcase. In August 2024, Dr. Soulé attended the National Association of Sentencing Commissions annual conference and was invited to speak on two topics, sentencing data applications and research on sentencing disparities. Finally, Dr. Soulé participated in 15 [Maryland Equal Justice Collaborative](#) Criminal Law and Sentencing Reform Committee meetings throughout 2024.

Maryland Automated Guidelines System (MAGS)



MAGS is a web-based application that permits completion and submission of sentencing guidelines worksheets. MAGS calculates the appropriate sentencing guidelines range based on the offense and offender characteristics. The automated system was designed to mimic the flow of the paper guidelines worksheet. The State's Attorney's Office, Office of the Attorney General, Office of the Maryland State Prosecutor, or a parole and probation agent initiates the worksheet in MAGS. Defense attorneys can view, but not edit the initiated worksheet. MAGS creates a printable PDF of the sentencing guidelines worksheet that can be presented at sentencing. The sentencing judge or their designee enters the appropriate sentence information and then electronically submits the completed worksheet and provides a copy to the Clerk's Office for distribution. MAGS provides many benefits in comparison to the paper worksheet process. MAGS simplifies sentencing guidelines calculations, reduces calculation errors, improves the accuracy and completeness of data, enables timely and accurate assessment of sentencing policy and practice, and allows the MSCCSP to monitor completion and submission of guidelines worksheets. MAGS users are encouraged to contact the MSCCSP

staff with questions, feedback, or suggestions by phone (301-403-4165) or e-mail (msccsp@umd.edu).

MAGS was first deployed as a pilot project in the Montgomery County Circuit Court in April 2012. Effective January 27, 2014, the Conference of Circuit Judges (CCJ) approved the permanent adoption of MAGS through a gradual roll-out on a jurisdiction-by-jurisdiction basis. Effective October 1, 2019, MAGS is available for use in all 24 circuit courts. MAGS is accessible from the MSCCSP website at: www.msccsp.org/MAGS (see Image 3).

Image 3. MAGS Page of MSCCSP Website



On July 1, 2024, the MSCCSP released an updated version of MAGS (12.0). Many of the updates and enhancements were deployed in response to feedback from MAGS users and greatly enhance the overall function and utility of the application. The following is a summary of the changes released with MAGS 12.0:

- New mobile-friendly display;
- New and simplified format for entering sentence information (to more closely align with the conventional reporting of sentences in the format of *Total Sentence and Suspend All But Active Sentence*);
- Ability to copy existing worksheets for reconsiderations/modifications/reviews;
- Baltimore City case number prefixes pre-populate using the Maryland Electronic Court System's (MDEC) format;
- New feature for offenses with mandatory consecutive sentences;
- Ability to assign victim numbers when applying the multiple victims stacking rule;
- Numeric value for a life sentence increased to 100 years;
- Life sentence automatically flagged for *Murder, 1st degree*;

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- Ability to flag a sentence as generally suspended;
- A new alert reminder to remove merged or nolle prossed offenses from the guidelines calculation;
- Update to the *50% of Sentence Announced* field; and
- *Count Number* and *Worksheet ID* now appear on the worksheet PDF.

Various instructional and support materials related to the release of MAGS 12.0 can be viewed on the [MAGS homepage](#). The MSCCSP welcomes feedback from MAGS users as it works to continually update and advance the application.

In calendar year 2024, there were approximately 54,000 MAGS user logins, a 4% decrease from calendar year 2023 (see Figures 1 and 2). The majority (95%) of the user logins in 2024 originated from either prosecutors or the circuit courts. Additionally, the GLCT was accessed over 8,500 times in calendar year 2024, a 7% percent increase from calendar year 2023.

Figure 1. MAGS and GLCT User Logins, January 2020 through December 2024

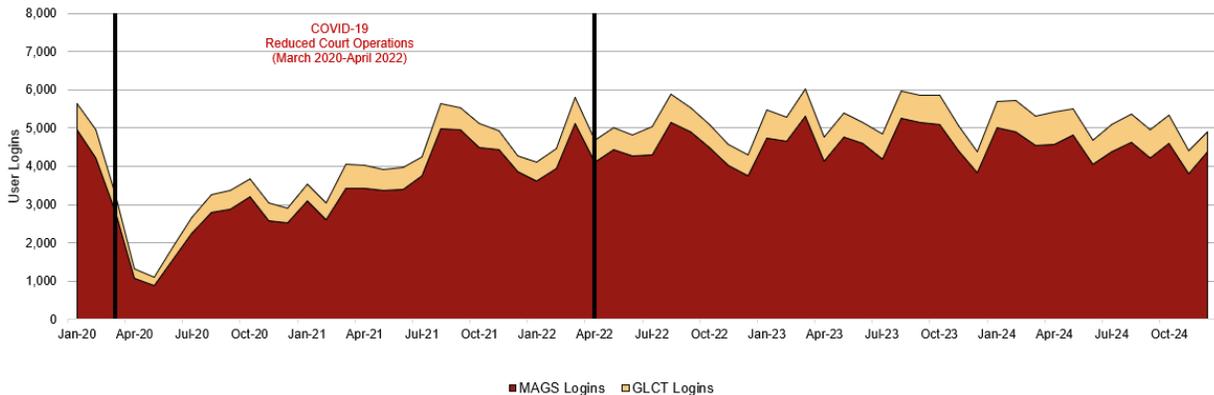
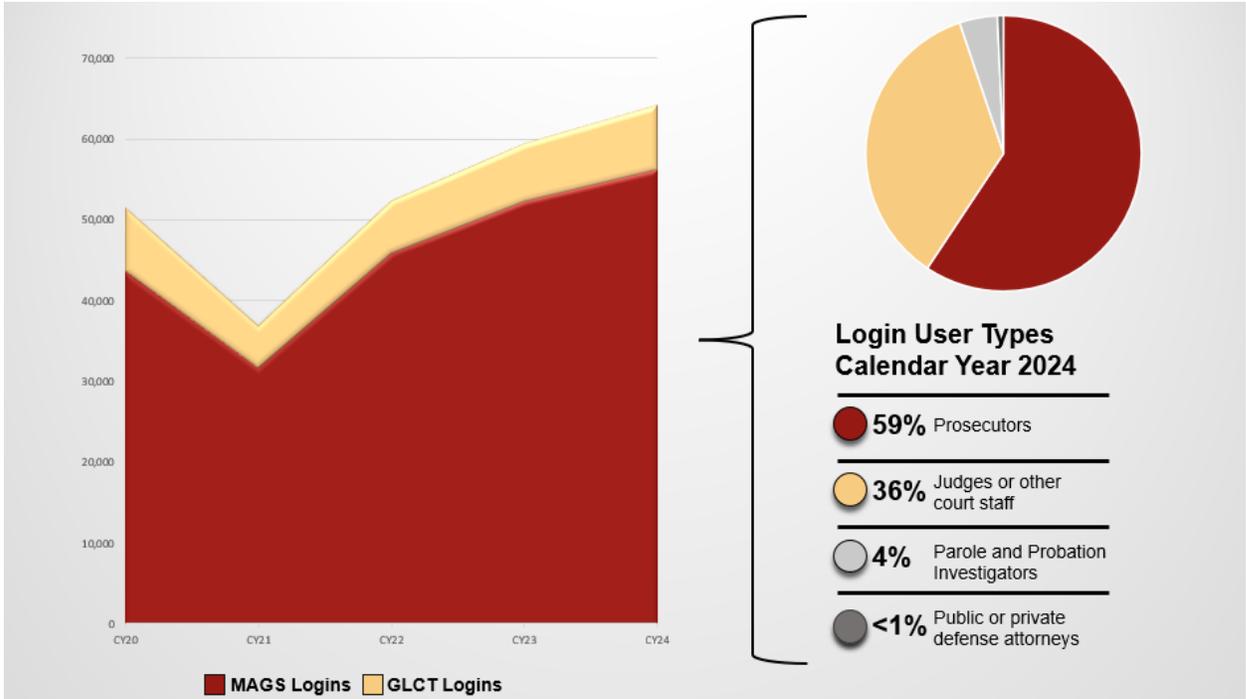
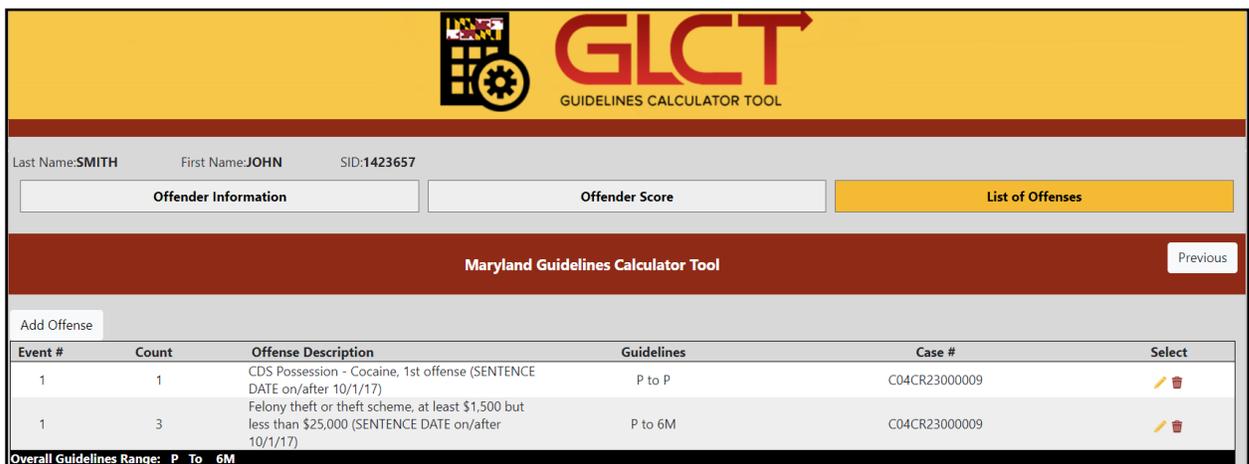


Figure 2. MAGS User Logins, by User Type, Calendar Years 2020 through 2024



The GLCT (see Image 4) is a stand-alone, publicly available tool that can be used to calculate sample sentencing guidelines. The GLCT does not require login information, nor does it save or store any of the entered information. Figure 1 indicates that, though the statewide deployment of MAGS was completed in October 2019, the GLCT is still frequently used.

Image 4. Guidelines Calculator Tool (GLCT)



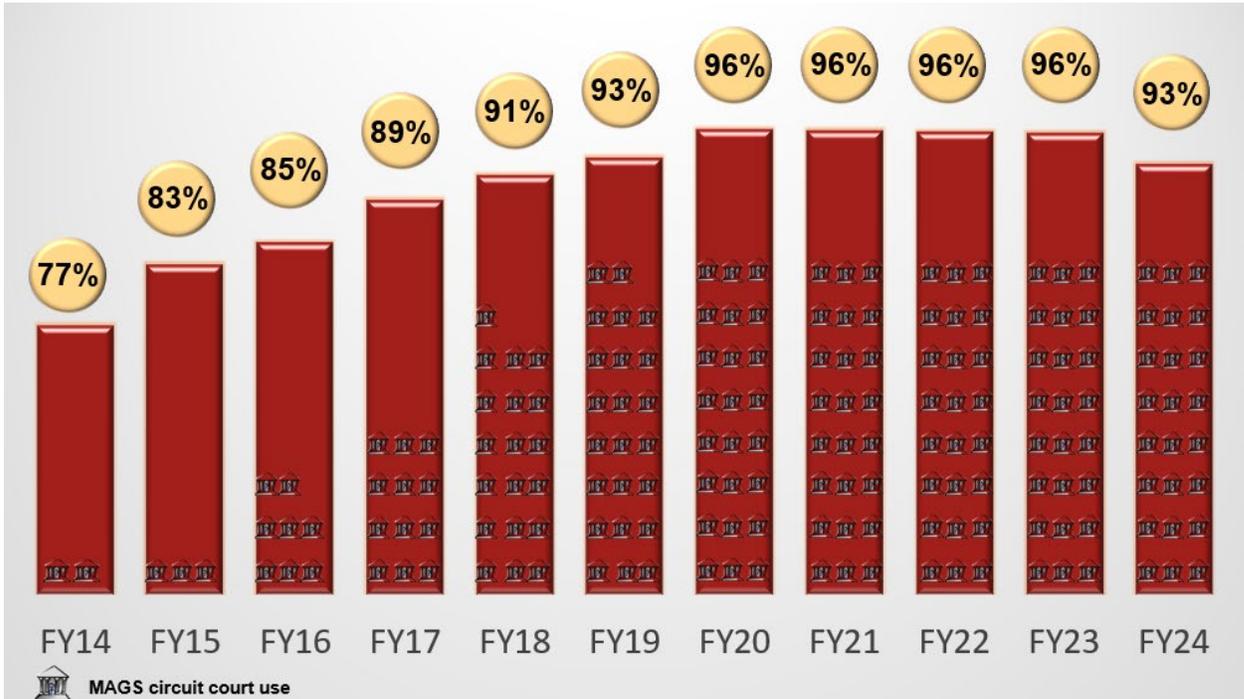
To aid in guidelines worksheet submission, in 2014 the MSCCSP staff began working with various State agencies to identify all guidelines-eligible cases sentenced in circuit courts, match these cases to guidelines worksheets received by the MSCCSP, and provide feedback regarding

worksheet submission rates to individual jurisdictions. Each month, the AOC sends the MSCCSP a dataset containing limited case-level information for all guidelines-eligible cases sentenced in circuit courts during the previous month.¹⁷ The MSCCSP staff links these datasets to sentencing guidelines worksheet data. Using this data, the MSCCSP staff calculates worksheet submission rates for each jurisdiction.

The MSCCSP sends to each Maryland jurisdiction a monthly status report indicating the number of guidelines-eligible cases sentenced in their jurisdiction during the previous month, the number of worksheets submitted via MAGS, and the number of and case information for worksheets not submitted. These status reports provide worksheet submission updates for the most recent two months. Biannually, the MSCCSP sends to each jurisdiction an additional status report detailing case information for worksheets not submitted during the previous six months. Since the MSCCSP began providing MAGS status reports to individual jurisdictions, the worksheet submission rate has increased from 77% in fiscal year 2014 to 93% in fiscal year 2024 (see Figure 3). Additionally, the MSCCSP is coordinating with the AOC to implement a statewide, aggregated worksheet status report. The MSCCSP anticipates that, in providing individual jurisdictions with feedback, worksheet submission rates will continue to near 100 percent, thus improving the completeness and reliability of the MSCCSP's data.

¹⁷ For a complete description of guidelines-eligible cases, see *The Present Sentencing Guidelines* section of this report, starting at page 2.

Figure 3. Worksheet Submission Rates, by MAGS Circuit Court Usage, Fiscal Years 2014 through 2024



Data Collection, Oversight, and Verification

The MSCCSP staff is responsible for compiling and maintaining the Maryland sentencing guidelines database, which contains data from guidelines worksheets submitted via MAGS, as well as data previously submitted via paper sentencing guidelines worksheets. The MSCCSP staff conducts periodic reviews of the guidelines worksheets. The staff verifies accurate completion of the worksheets to reduce the likelihood of repeated mistakes, and contacts individuals who prepared inaccurate worksheets to discuss detected errors. When possible, the MSCCSP staff resolves detected errors.

Each year, the staff reviews the data maintained within the Maryland sentencing guidelines database to maximize the accuracy of the data. These data verification activities involve identifying cases in the database with characteristics likely to have resulted from data entry error (e.g., sentence outliers), reviewing the sentencing guidelines worksheets for these cases, and, when necessary, making corrections to the records in the database. The MSCCSP staff also routinely verifies key variables through the Maryland Judiciary Case Search website and the Maryland Electronic Courts system (MDEC). Finally, the MSCCSP staff regularly verifies and updates the database containing the guidelines offenses. Checking and updating the data on a

regular basis throughout the year allow for increased confidence in the accuracy of the data and permit more reliable offense-specific analyses of the data. ■

5

Sentences Reported in FY 2024



SENTENCES REPORTED IN FY 2024

The MSCCSP collects sentencing guidelines worksheets and automates the information to monitor sentencing practice and adopt changes to the sentencing guidelines as warranted. From July 1983 through June 2000, the AOC maintained the sentencing guidelines worksheet data. Beginning in July 2000, the MSCCSP assumed this responsibility. The MSCCSP routinely updates the sentencing guidelines worksheet data, checks it for errors, makes corrections to the database, and incorporates additionally submitted worksheets. These updates and corrections may affect the data and figures presented in previous reports. The data and figures presented in this report reflect only guidelines-eligible sentencing events for which the MSCCSP received a sentencing guidelines worksheet as of December 30, 2024.

Sentencing Guidelines Worksheets Received

In fiscal year 2024, the MSCCSP received sentencing guidelines worksheets for 9,698 sentencing events.¹⁸ With a handful of exceptions, all the fiscal year 2024 worksheets were submitted electronically using MAGS.¹⁹ The second and third columns of Table 6 illustrate the number and percentage of sentencing guidelines worksheets submitted in fiscal year 2024 by judicial circuit. Image 5 identifies the individual jurisdictions in each judicial circuit. The Seventh Circuit (Calvert, Charles, Prince George's, and St. Mary's Counties) submitted the largest number of sentencing guidelines worksheets (1,945), while the Second Circuit (Caroline, Cecil, Kent, Queen Anne's, and Talbot Counties) submitted the fewest (350).

9,698
sentencing guidelines
worksheets received
in FY 2024



In fiscal year 2024, the AOC identified 10,730 guidelines-eligible cases, and the MSCCSP received a MAGS submission or paper worksheet for 9,931 (92.6%) of the guidelines-eligible

¹⁸ A sentencing event will include multiple sentencing guidelines worksheets if the individual is being sentenced for more than three offenses and/or multiple criminal events. Sentencing guidelines worksheet totals throughout this report treat multiple worksheets for a single sentencing event as one worksheet.

¹⁹ Twelve of the 9,698 worksheets were submitted by e-mail to the MSCCSP. Rarely, a criminal justice partner cannot use MAGS to initiate and/or submit a sentencing guidelines worksheet. This typically happens only in the rare instance where an offense in the sentencing event is not included in the MAGS offense table.

cases.^{20,21} The sixth column of Table 6 indicates the percentage of guidelines-eligible cases with a submitted worksheet in fiscal year 2024 by judicial circuit. Worksheet submission rates ranged from 82% in the Seventh Circuit to 99.8% in the Sixth Circuit. Worksheet submission rates varied by individual jurisdictions within each judicial circuit. As Figure 4 illustrates, the number of criminal sentencings in the past decade has fluctuated, while worksheet submission rates increased with the statewide expansion of MAGS. With the statewide deployment of MAGS completed in October 2019, the MSCCSP anticipates that worksheet submission rates will continue to near 100 percent.

Table 6. Number and Percentage of Sentencing Guidelines Worksheets and Cases Submitted by Circuit, Fiscal Year 2024

Circuit	Number of Worksheets Submitted	Percent of Total Worksheets Submitted	Number of Guidelines-Eligible Cases Submitted	Total Number of Guidelines-Eligible Cases	Percent of Guidelines-Eligible Cases with Submitted Worksheet
1	636	6.6%	648	656	98.8%
2	350	3.6%	363	372	97.6%
3	1,708	17.6%	1,757	1,967	89.3%
4	600	6.2%	593	694	85.4%
5	1,246	12.8%	1,309	1,314	99.6%
6	1,275	13.1%	1,333	1336	99.8%
7	1,945	20.1%	1,984	2,419	82.0%
8	1,938	20.0%	1,944	1,972	98.6%
TOTAL	9,698	100.0%	9,931	10,730	92.6%

²⁰ Whereas most of this section refers to worksheets or sentencing events that may consist of several case numbers, a guidelines-eligible case is defined as one unique case number. Because case numbers, rather than sentencing events, are used to compute the number of guidelines-eligible cases, the number of guidelines-eligible cases received is greater than the total number of worksheets received.

²¹ The AOC identified eligible cases in all jurisdictions using data entered into MDEC.

Figure 4. Number and Percentage of Sentencing Guidelines Worksheets Submitted by Fiscal Year, Fiscal Years 2015 through 2024

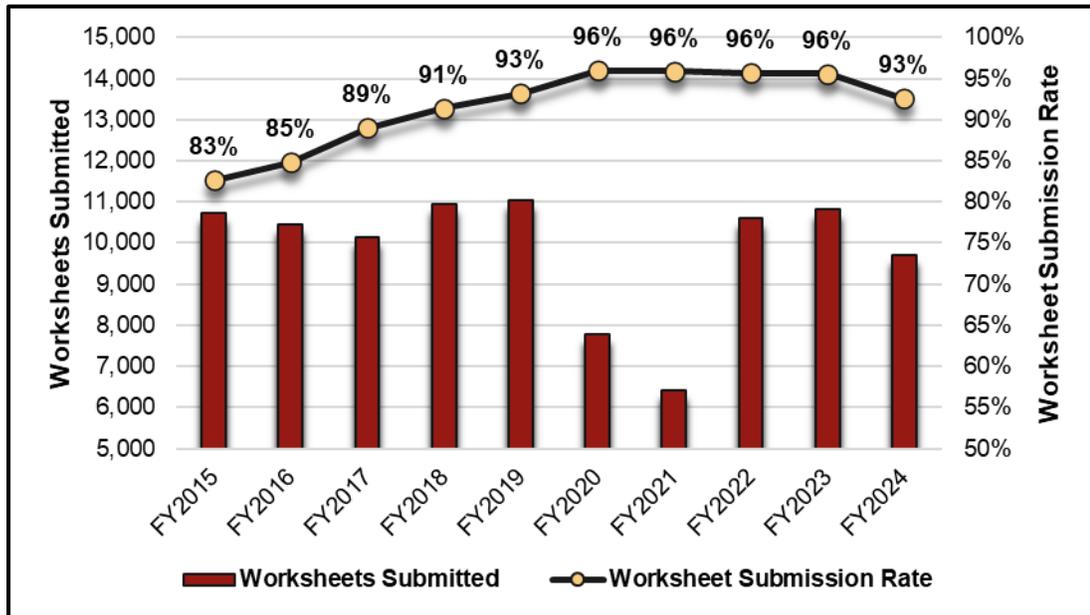
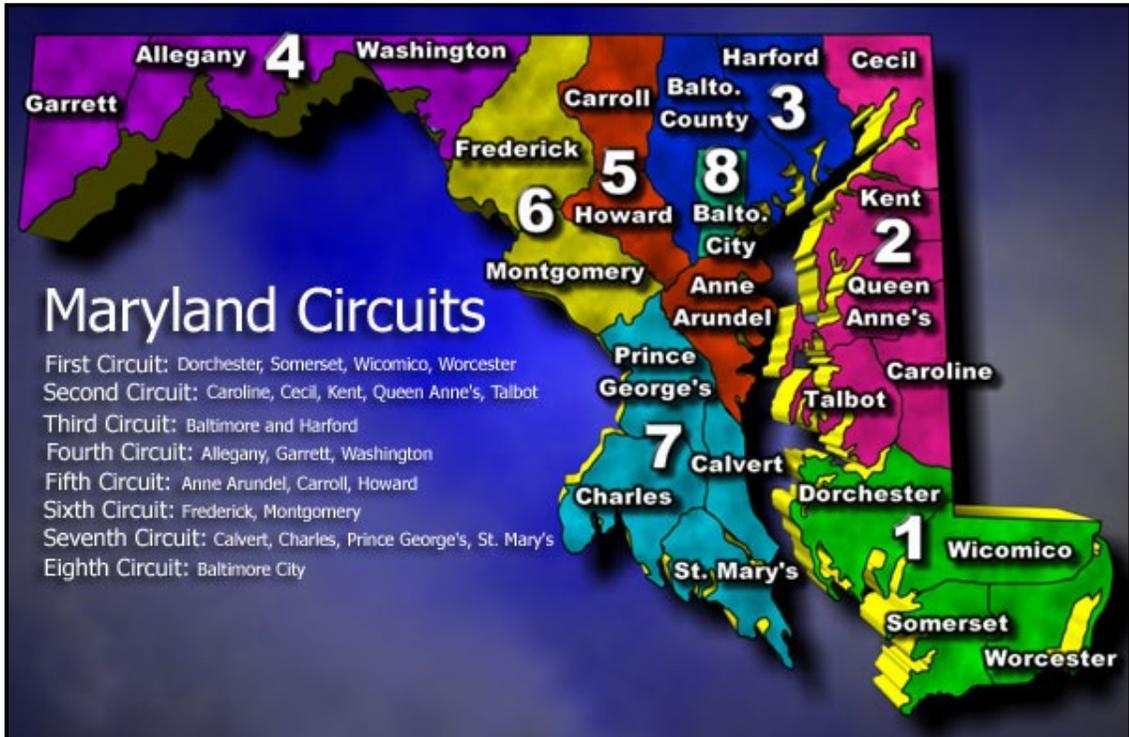


Image 5. Maryland Judicial Circuits



Source: <http://www.courts.state.md.us/clerks/circuitmap2.jpg> (extracted December 2010)

Characteristics of Sentenced Individuals

Figures 5 through 10 summarize the characteristics of sentenced individuals from the 9,698 sentencing guidelines worksheets submitted for fiscal year 2024. Most sentenced individuals were male (88.8%) and Black (62.8%). Approximately 10% were of Hispanic or Latino origin. The median age of sentenced individuals at the date of the offense was 30 years. The youngest individual was 13, while the oldest was 83 years of age. Fewer than 2% of sentenced individuals were under 18 years of age; 19.7% were 18-22 years old; 29.5% were 23-30 years old; 28% were 31-40 years old; and the remaining 20.9% were 41 years or older. Most defendants were represented by either a public defender (53.4%) or by a private defense attorney (44.1%). Only 2.5% of sentenced individuals received court appointed representation or represented themselves.

Figure 5. Distribution of Guidelines Sentencing Events by Sex, Fiscal Year 2024

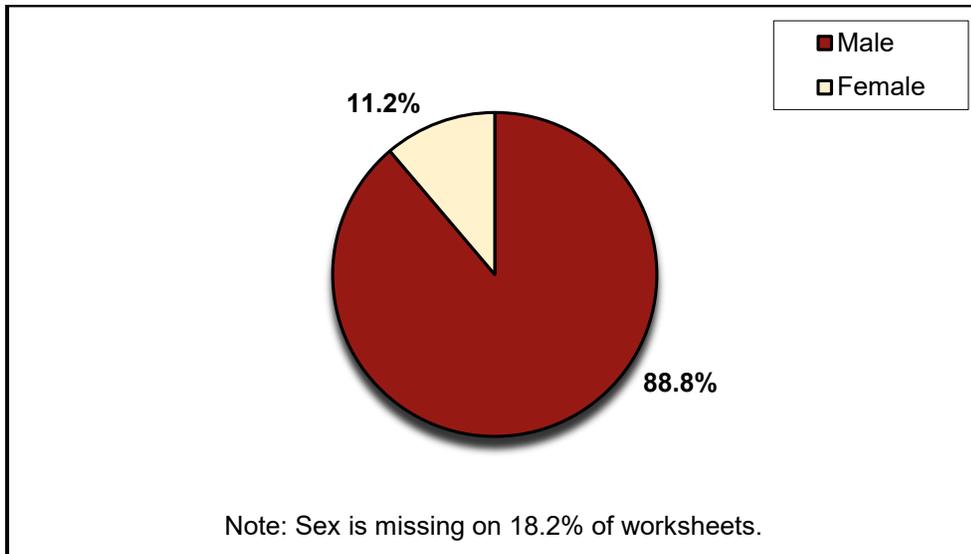


Figure 6. Distribution of Guidelines Sentencing Events by Race, Fiscal Year 2024²²

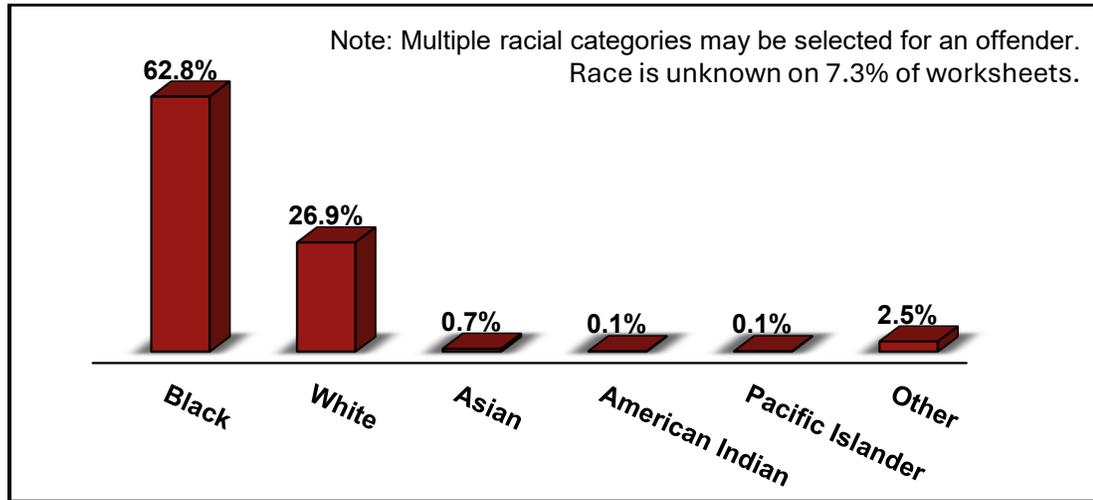
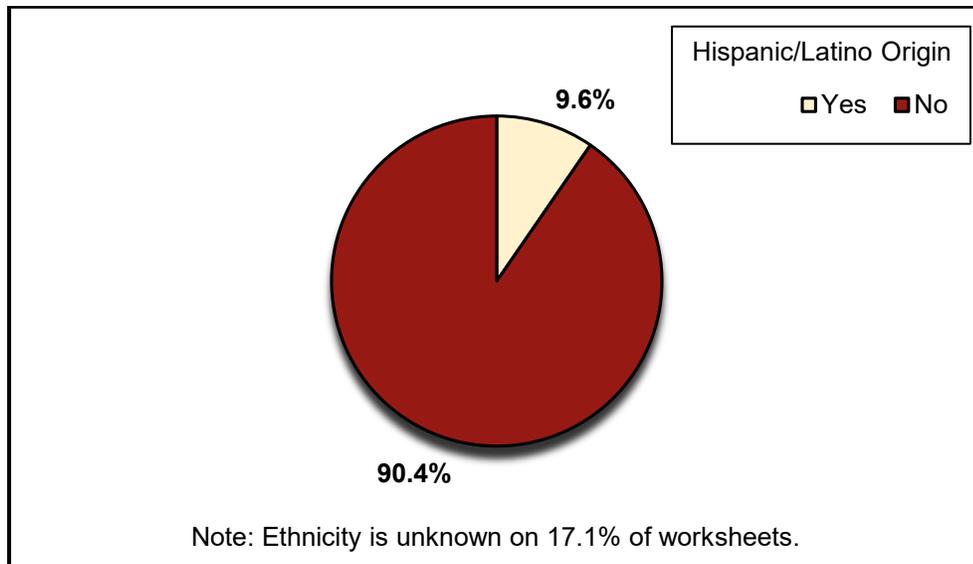


Figure 7. Distribution of Guidelines Sentencing Events by Ethnicity, Fiscal Year 2024²³



²² The racial categories on the sentencing guidelines worksheets comply with the requirements specified in State Government Article (SG), § 10-603. Effective July 1, 2019, the worksheet permits multiracial responses. Effective April 1, 2021, race is a mandatory field in MAGS; however, users may select “unknown” as a valid response category.

²³ Effective April 1, 2021, ethnicity is a mandatory field in MAGS; however, users may select “unknown” as a valid response category.

Figure 8. Distribution of Guidelines Sentencing Events by Age, Fiscal Year 2024

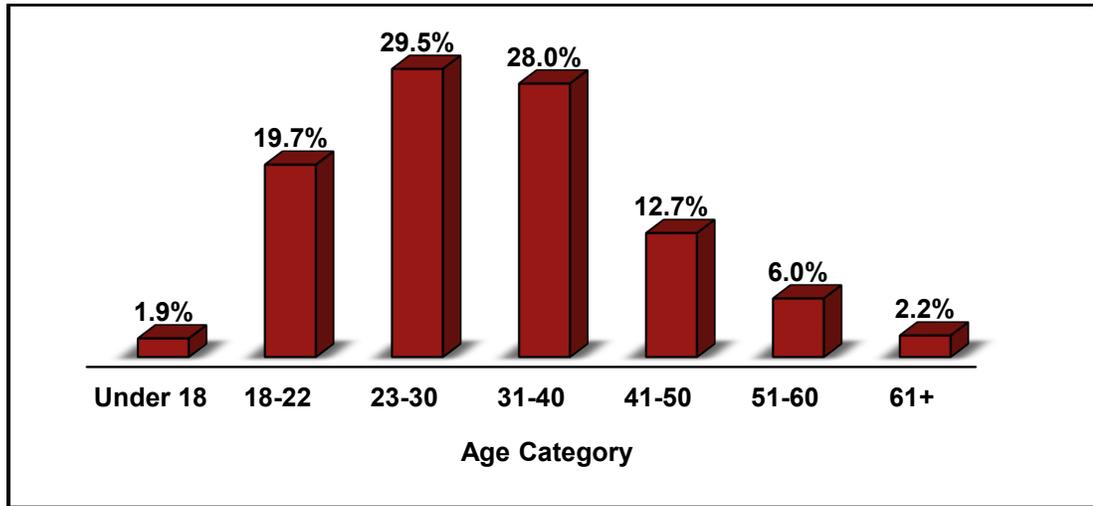


Figure 9. Distribution of Guidelines Sentencing Events by Type of Legal Representation, Fiscal Year 2024

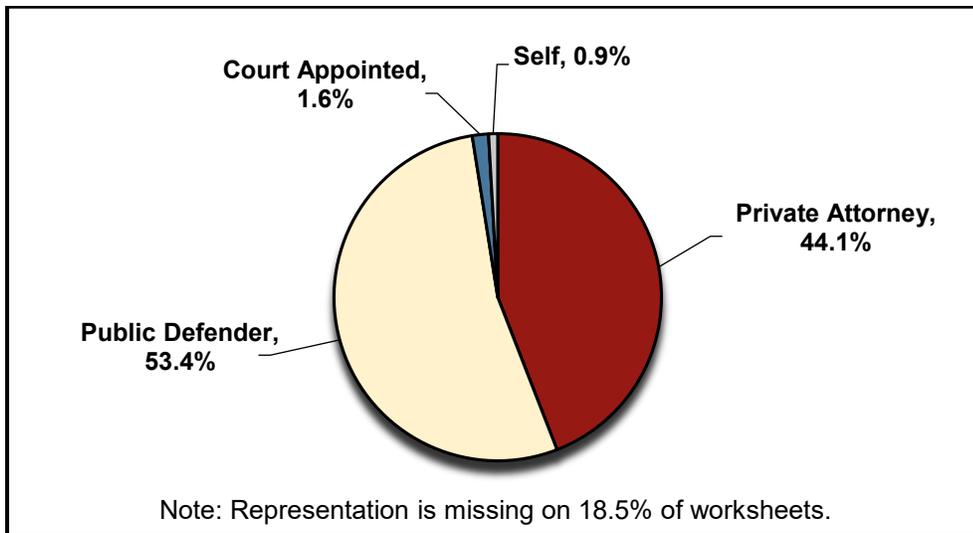
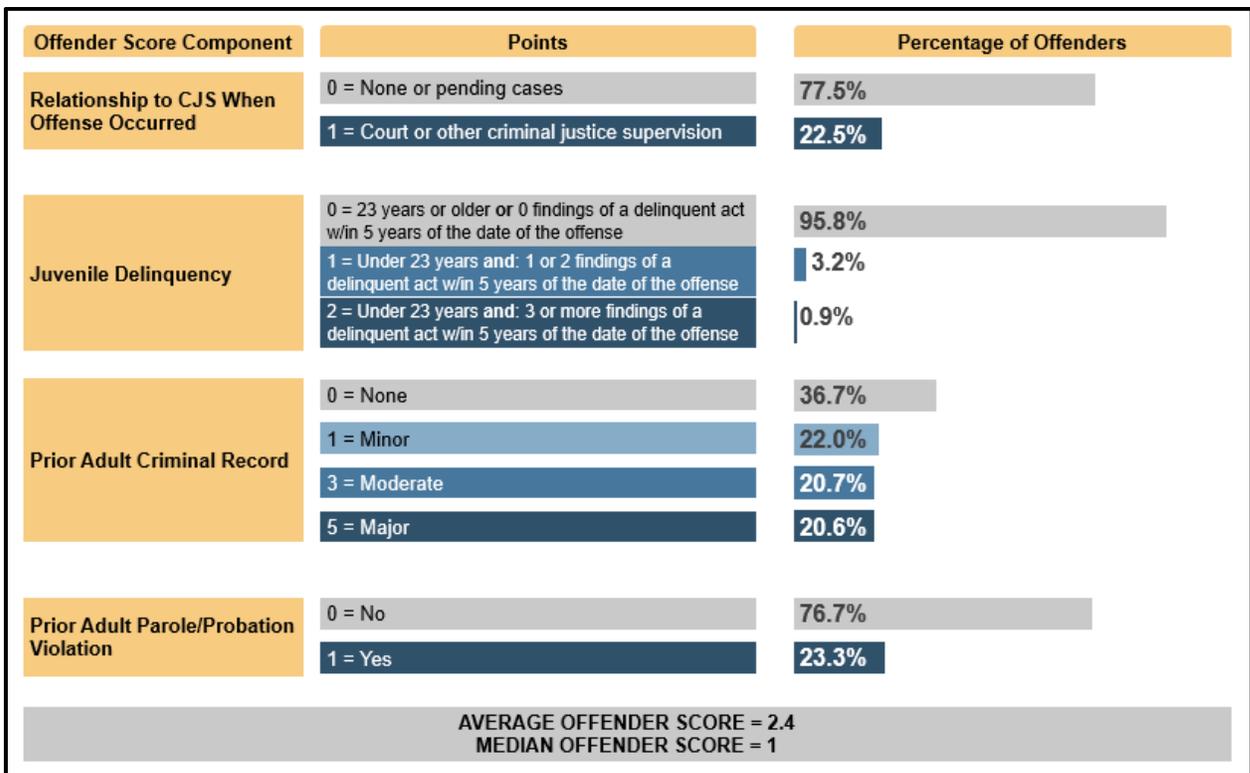


Figure 10 shows the distribution of guidelines sentencing events by the four components of the offender score. The offender score provides a measure of the sentenced individual's prior criminal history and ranges from 0 to 9. The second column of Figure 10 details the point values for each component of the offender score. The average offender score in fiscal year 2024 was 2.4. The median or middle score was 1. Approximately one-third (33.5%) of individuals had an offender score of 0, indicating no prior involvement in the criminal justice system. Turning to the four individual components of the offender score, more than three-quarters of sentenced individuals had no relationship to the criminal justice system when the instant offense occurred (77.5%). Similarly, 76.7% had no prior adult parole or probation violations, and fewer than 5% received

points for a juvenile record. Greater variability was observed for the prior adult criminal record component of the offender score, with 36.7% of individuals with no record and the remaining offenders distributed similarly among the minor (22%), moderate (20.7%), and major (20.6%) prior adult criminal record categories. Lastly, the criminal record decay factor was applied in 5.2% of sentencing events. The application of the decay factor reduces the prior adult criminal record by one level (from Major to Moderate, from Moderate to Minor, or from Minor to None) for individuals who have lived in the community for at least ten years prior to the instant offense without criminal justice system involvement.

Figure 10. Distribution of Guidelines Sentencing Events by Offender Score, Fiscal Year 2024

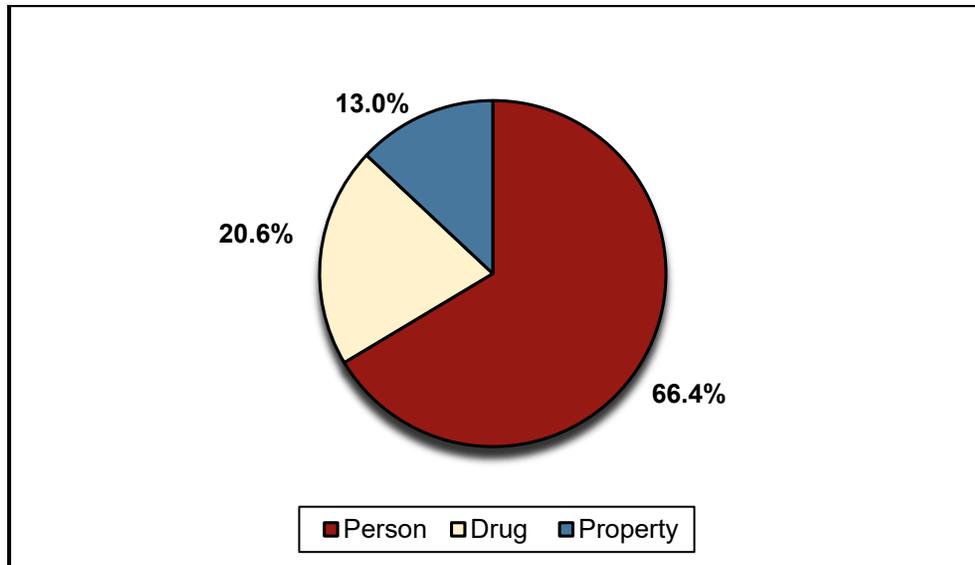


Offense Characteristics

Figures 11 through 16 summarize the offense characteristics from the 9,698 sentencing guidelines worksheets submitted for individuals sentenced in fiscal year 2024. Figure 11 illustrates the distribution of guidelines sentencing events by crime category. For sentencing events involving multiple offenses, the figure considers only the most serious offense. Sentencing events involving a person offense were most common (66.4%), followed by those involving a drug offense (20.6%). In 13% of sentencing events, the most serious offense was a property crime. The distribution of sentencing events by crime category followed a similar pattern when limiting the analysis to individuals sentenced to incarceration (68.6% person, 20% drug, 11.3% property).²⁴

2024 Most Common Offenses
Assault, 2 nd Degree
Distribute, PWID, Etc., Cocaine
Distribute, PWID, Etc., Fentanyl
Possession of Regulated Firearm by Restricted Person
Assault, 1 st Degree

Figure 11. Distribution of Guidelines Sentencing Events by Crime Category, Fiscal Year 2024



Figures 12, 13, and 15 display the distribution of guidelines offenses by offense seriousness category for each of the three crime categories. Among drug offenses, offenses with a seriousness category of IIIB (63.7%) were most common, followed by offenses with a seriousness category of

²⁴ Incarceration includes home detention and credited time, as well as post-sentence jail/prison time.

VII (19.1%). The five most frequent drug offenses were *Distribute, PWID, manufacture, etc. cocaine* (IIIB); *Distribute, PWID, manufacture, etc. fentanyl* (IIIB); *Possess cocaine* (VII); *PWID, manufacture, possess production equipment – cannabis* (V); and *Possess other drug* (VII).

Figure 12. Distribution of Drug Offenses by Seriousness Category, Fiscal Year 2024

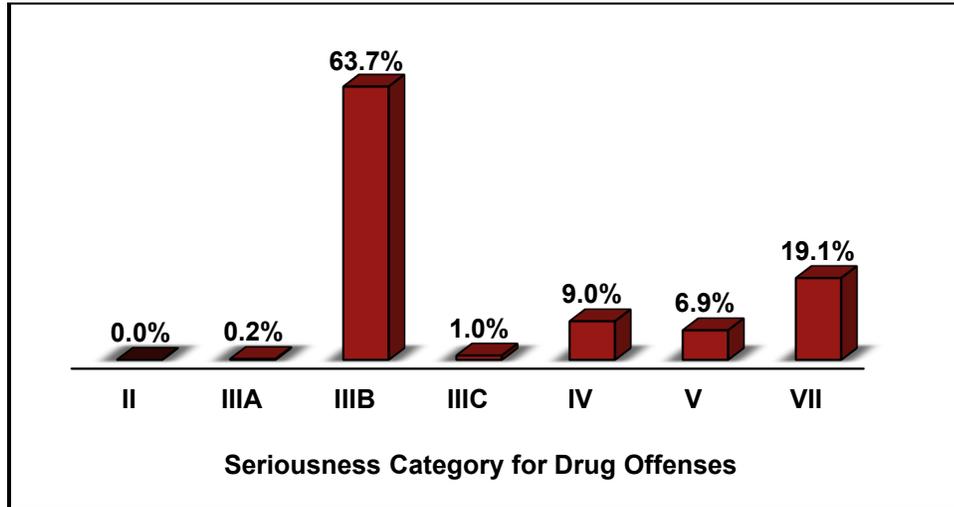
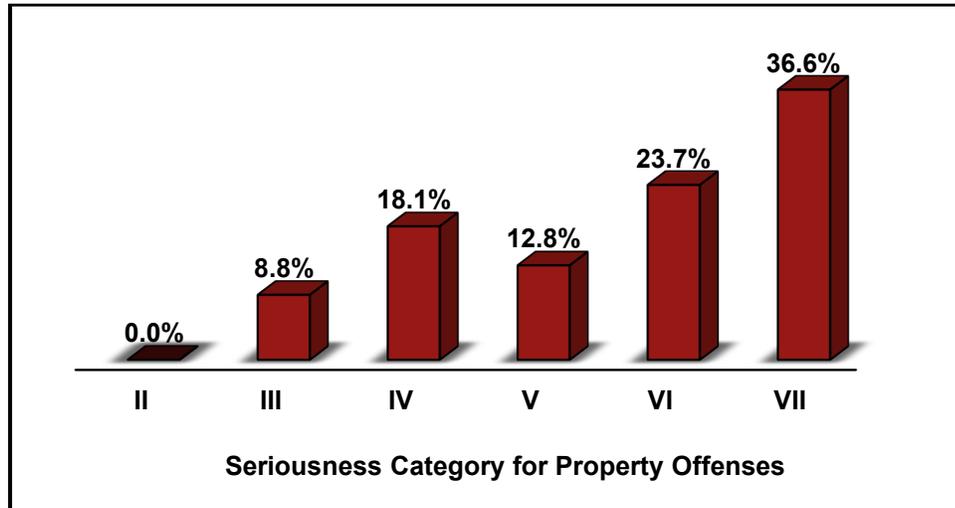


Figure 13 provides the distribution of property offenses by seriousness category. Offenses with a seriousness category of VII were most common (36.6%), followed by offenses with a seriousness category of VI (23.7%). In contrast, none of the reported property offenses in fiscal year 2024 were seriousness category II offenses. The five most frequent property offenses were *Burglary, 2nd degree* (IV); *Felony theft or theft scheme of at least \$1,500 but less than \$25,000* (VI); *Burglary, 4th degree* (VII); *Misdemeanor theft or theft scheme of at least \$100 but less than \$1,500* (VII); and *Burglary, 1st degree* (III).

Figure 13. Distribution of Property Offenses by Seriousness Category, Fiscal Year 2024



CP, § 6-214 directs the MSCCSP to include an entry location on the sentencing guidelines worksheet to allow for the reporting of the specific dollar amount, when available, of the economic loss to the victim for theft and related crimes under Title 7 of the Criminal Law Article and fraud and related crimes under Title 8 of the Criminal Law Article.²⁵ In fiscal year 2024, sentencing guidelines worksheets reported 837 sentences for theft, fraud, and related crimes. Figure 14 shows that in 561 (67%) of these sentences, an actual dollar amount to indicate the economic loss to the victim was recorded. *Unknown amount* was marked for 276 (33%) of 837 theft- and fraud-related offenses. When reported, economic loss ranged in value from a minimum of no loss to a maximum of \$8,500,000. The mean (average) amount of loss was \$41,249, while the median (middle) amount of loss was \$1,000. The fact that the mean is larger than the median indicates that the distribution of economic loss has a positive skew, with a few extremely large loss amounts pulling the mean above the median. *Felony theft or theft scheme of at least \$1,500 but less than \$25,000* was the most common offense for which the amount of economic loss was reported on the sentencing guidelines worksheet.

²⁵ The MSCCSP adopted the following definition of economic loss: the amount of restitution ordered by a circuit court judge or, if not ordered, the full amount of restitution that could have been ordered (COMAR 14.22.01.02B(6-1)).

Figure 14. Economic Loss for Theft- and Fraud-Related Offenses, Fiscal Year 2024

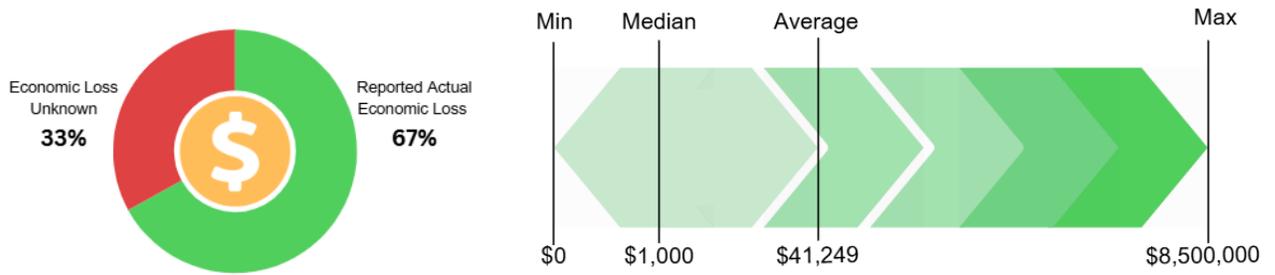


Figure 15 summarizes the distribution of person offenses by seriousness category. Offenses with a seriousness category of V were most common (34.1%), followed by offenses with a seriousness category of III (18.1%). The five most frequent offenses were *Assault, 2nd degree* (V); *Assault, 1st degree* (III); *Possession of a regulated firearm by a restricted person* (VI); *Firearm use in a felony or crime of violence* (III); and *Wear, carry, or transport a handgun* (VII).

Figure 15. Distribution of Person Offenses by Seriousness Category, Fiscal Year 2024

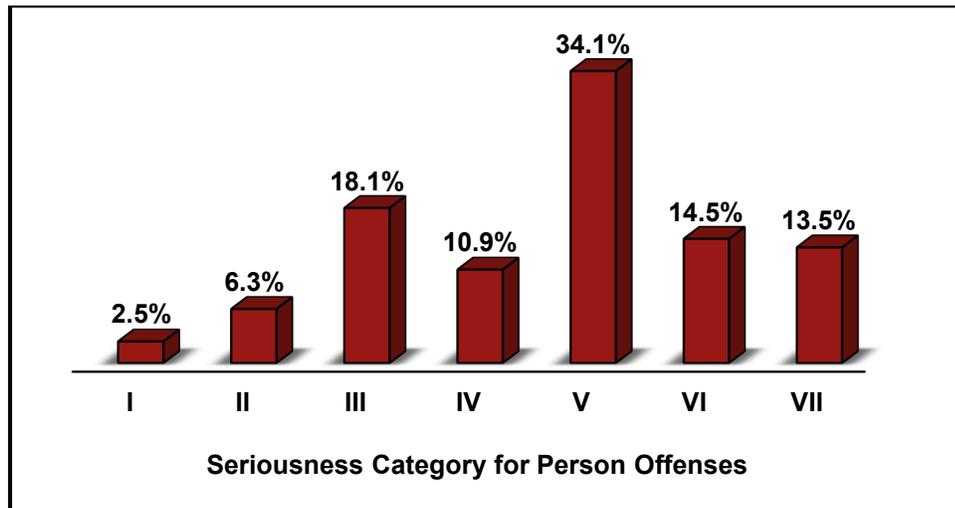
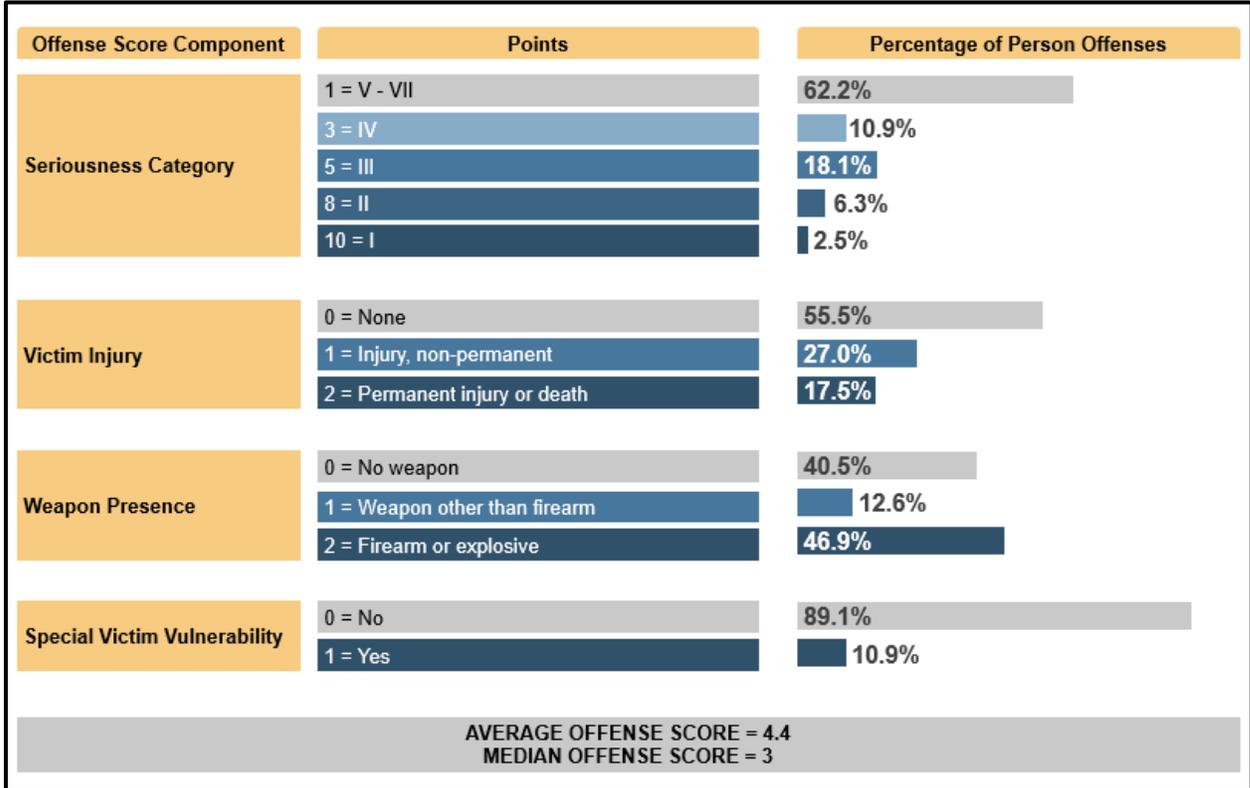


Figure 16 displays the distribution of person offenses by the four components of the offense score. The offense score provides a measure of the seriousness of an offense against a person and ranges from 1 to 15. The second column of Figure 16 details the point values for each of the components of the offense score for person offenses. The average offense score for person offenses in fiscal year 2024 was 4.4. The median or middle score was 3. Most person offenses (62.2%) had a seriousness category of V, VI, or VII. Approximately 56% of person offenses involved no injury to the victim, although more than half (59.5%) involved a weapon. Finally, 10.9%

of person offenses were committed against vulnerable victims (defined as those under 11 years old, 65 years or older, or physically or cognitively impaired).

Figure 16. Distribution of Person Offenses by Offense Score, Fiscal Year 2024



Victim Information

The sentencing guidelines worksheet includes multiple victim-related items to describe the role of victims at sentencing and to ascertain whether victim-related court costs were imposed pursuant to Courts and Judicial Proceedings Article (CJ), § 7-409, Annotated Code of Maryland, and Maryland Rule 4-353. Figures 17 through 19 detail the responses to these items in fiscal year 2024. Unfortunately, the victim-related items are often not reported by the individuals who initiate the sentencing guidelines worksheet. For example, whether victim-related court costs were imposed was left blank on 49.6% of worksheets, and more than half of all worksheets (54%) were missing information on whether there was a victim. The figures presented here are limited to the subset of cases with valid victim-related data.

Figure 17 indicates that victim-related court costs were imposed in 29.8% of sentencing events. These court costs may be imposed for all crime types, not just those involving a direct victim. The

costs outlined in CJ, § 7-409 include a \$45 Circuit Court fee that is divided among the State Victims of Crime Fund, the Victim and Witness Protection and Relocation Fund, and the Criminal Injuries Compensation Fund. Figure 18 illustrates that 63.2% of worksheets with valid information on the victim-related questions indicated that there was a victim.

Figure 17. Distribution of Guidelines Sentencing Events by Whether Victim-Related Court Costs Imposed, Fiscal Year 2024

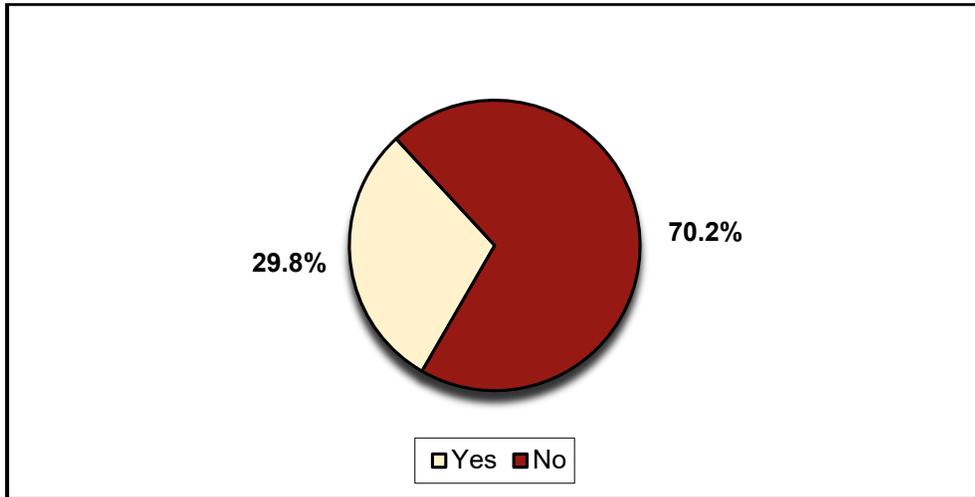


Figure 18. Distribution of Guidelines Sentencing Events by Whether Victim Involved, Fiscal Year 2024

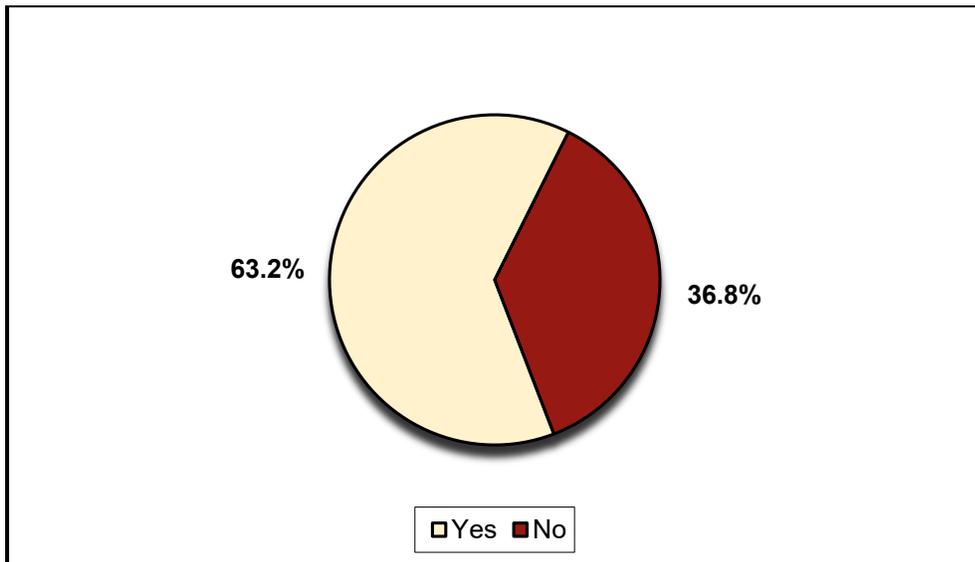
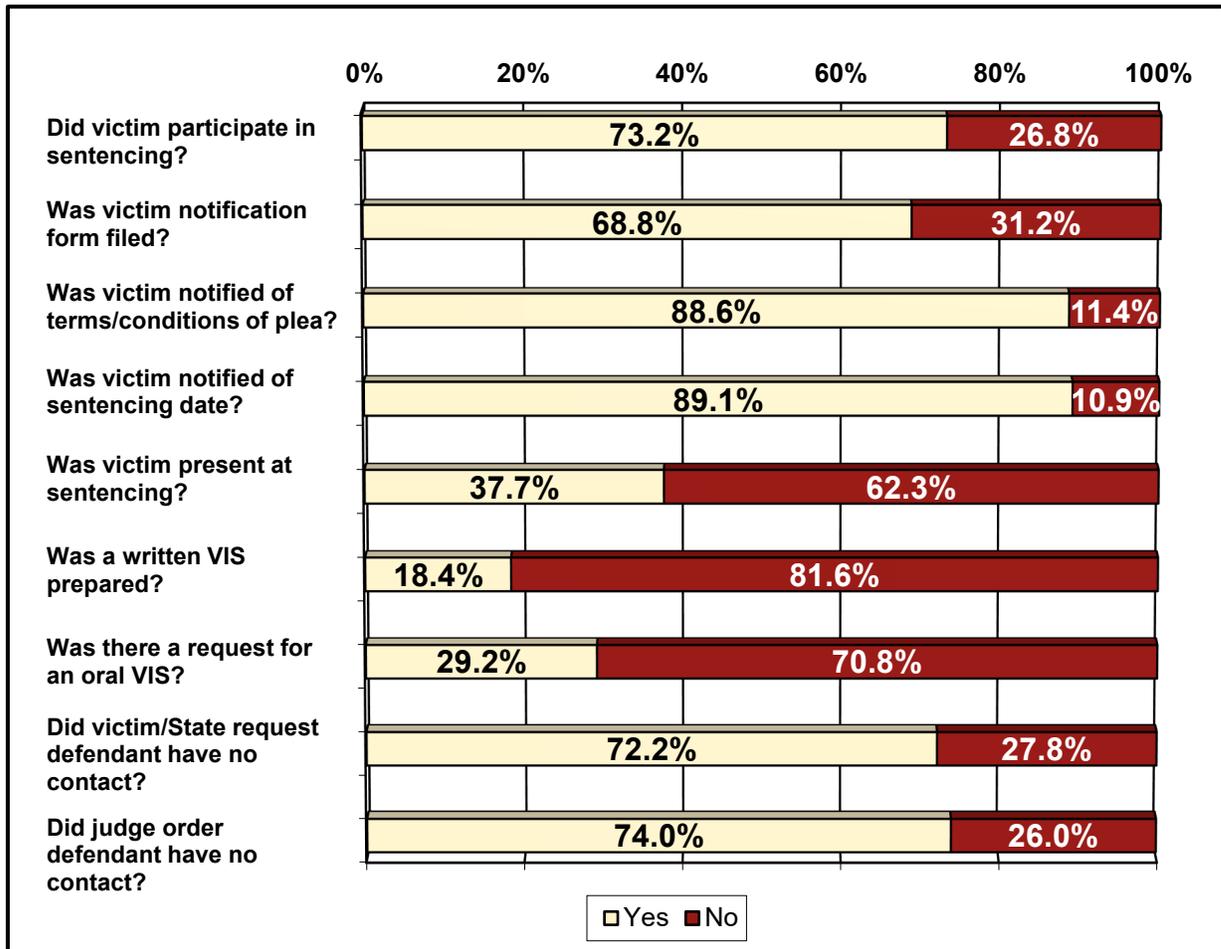


Figure 19 summarizes the responses to the items in the *Victim Information* section of the worksheet for sentencing events involving a victim. In 26.8% of sentencing events involving a victim, the victim did not participate, was not located, did not maintain contact with involved

parties, or waived their rights. The victim filed a Crime Victim Notification and Demand for Rights form in 68.8% of sentencing events. Most victims (88.6%) were notified of the terms and conditions of a plea agreement before the defendant entered a plea. Similarly, 89.1% of victims were notified of the court date for sentencing. More than one-third of victims (37.7%) were present at sentencing. A written Victim Impact Statement (VIS) was prepared in 18.4% of sentencing events involving a victim, while the victim or State made a request for an oral VIS in 29.2% of sentencing events. Finally, the victim or State made a request that the sentenced individual have no contact with the victim in 72.2% of sentencing events, and the sentencing judge ordered the sentenced individual to have no contact with the victim in 74% of sentencing events involving a victim.

Figure 19. Distribution of Guidelines Sentencing Events by Victim Information, Fiscal Year 2024



Disposition and Sentence Characteristics

Figures 20 through 24 and Tables 7 through 9 summarize the disposition and sentence characteristics, including the use of corrections options and other alternatives to incarceration, from the 9,698 sentencing guidelines worksheets submitted for individuals sentenced in fiscal year 2024. Figure 20 shows the distribution of guidelines sentencing events by disposition type (Appendix D contains a description of the five major disposition types listed on the sentencing guidelines worksheet). The most common disposition of sentencing events was an other plea agreement (43.4%), followed by an MSCCSP binding plea agreement (31.6%) and a plea with no agreement (19.9%). The remaining 5.1% of sentencing events were resolved by either a bench or jury trial (0.7% and 4.4%, respectively).

Figure 20. Distribution of Guidelines Sentencing Events by Disposition, Fiscal Year 2024

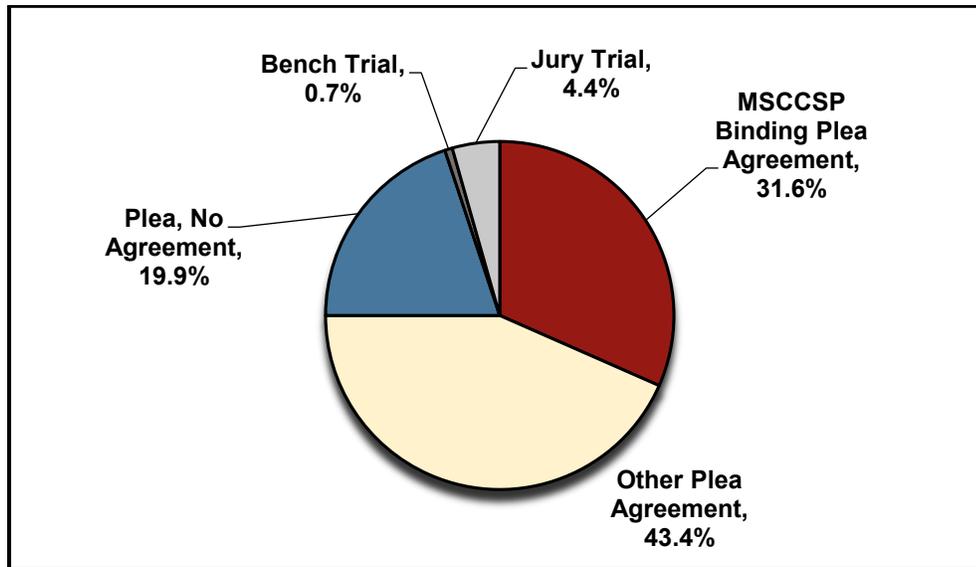
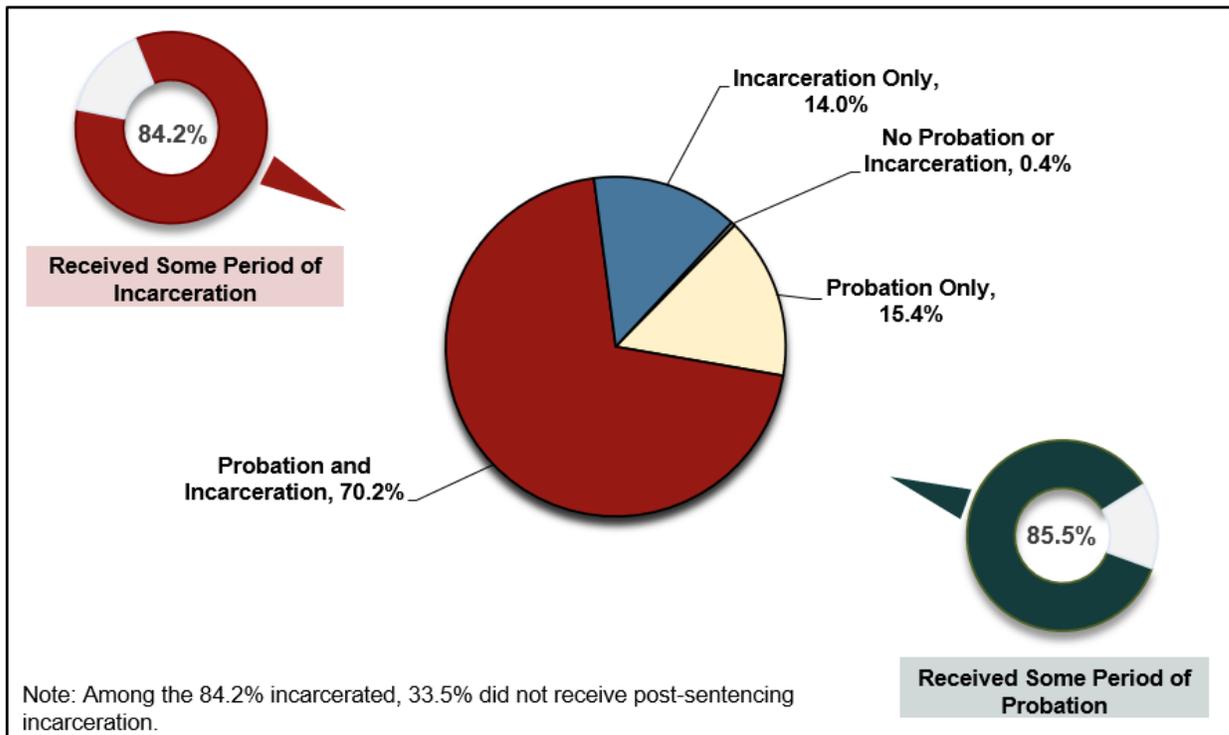


Figure 21 displays the distribution of guidelines sentencing events by sentence type. Note that incarceration includes home detention and credited time, as well as post-sentence jail/prison time. Few individuals (0.4%) received a sentence that did not include either incarceration or probation. Approximately 15% received sentences to probation only, while 14% of sentenced individuals received incarceration only. The majority (70.2%) of sentencing events resulted in a sentence to both incarceration and probation. Among those incarcerated, 33.5% did not receive post-sentencing incarceration.

Figure 21. Distribution of Guidelines Sentencing Events by Sentence Type, Fiscal Year 2024

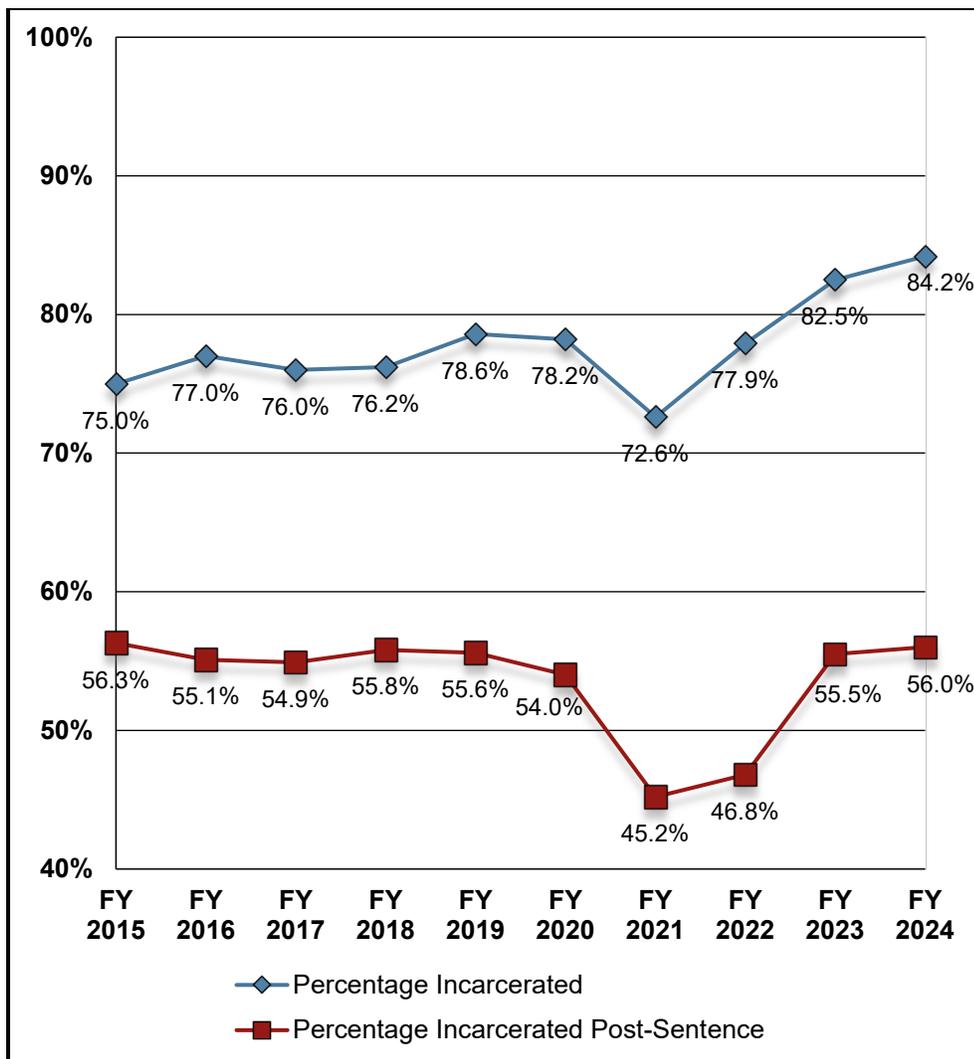


Figures 22a and 22b review incarceration for the past ten fiscal years (2015-2024). Fig. 22a shows the percentage of guidelines sentencing events resulting in incarceration, and Fig. 22b shows the typical (mean and median) sentence length among those incarcerated. As in the previous figure, incarceration excludes suspended sentence time and includes jail/prison time, home detention time, and credit for time served (except where noted). For individuals with multiple offenses sentenced together, the figures consider the sentence across all offenses.

Figure 22a indicates that the percentage of individuals sentenced to incarceration during the past ten fiscal years was lowest in fiscal year 2021 (72.6%), a decrease of more than 5 percentage

points from 78.2% in fiscal year 2020. Similarly, the percentage of individuals incarcerated post-sentence was at its lowest in fiscal year 2021 (45.2%), declining nearly 9 percentage points from 54% in fiscal year 2020. As previously reported, these decreases were likely related to the COVID-19 pandemic and concerted efforts to divert individuals from incarceration when feasible to minimize the risk of COVID-19 transmission in jails and prisons. Incarceration rates have steadily increased since then, with the overall percentage incarcerated at its highest in fiscal year 2024 (84.2%), and the percentage incarcerated post-sentence approximating pre-pandemic levels in fiscal year 2024 (56%). The overall percentage incarceration rate increase may be driven by changes in pre-sentence detention. This is evident because the post-sentence incarceration rate has remained steady beyond the years impacted by COVID-19, while the overall percent incarcerated has steadily increased.

Figure 22a. Incarceration Rates for Guidelines Sentencing Events, by Fiscal Year



While Figure 22a indicates an increase in incarceration rates, Figure 22b indicates a decrease in the typical sentence length among those incarcerated. The average (or mean) sentence length decreased in the past fiscal year from 5 years to 4.8 years, while the median (middle) sentence also decreased from 1.4 years to 1 year. The fact that the mean is larger than the median indicates that the distribution of sentences has a positive skew, with a few extremely long sentences pulling the mean above the median.

Figure 22b. Length of Sentence for Guidelines Sentencing Events, by Fiscal Year

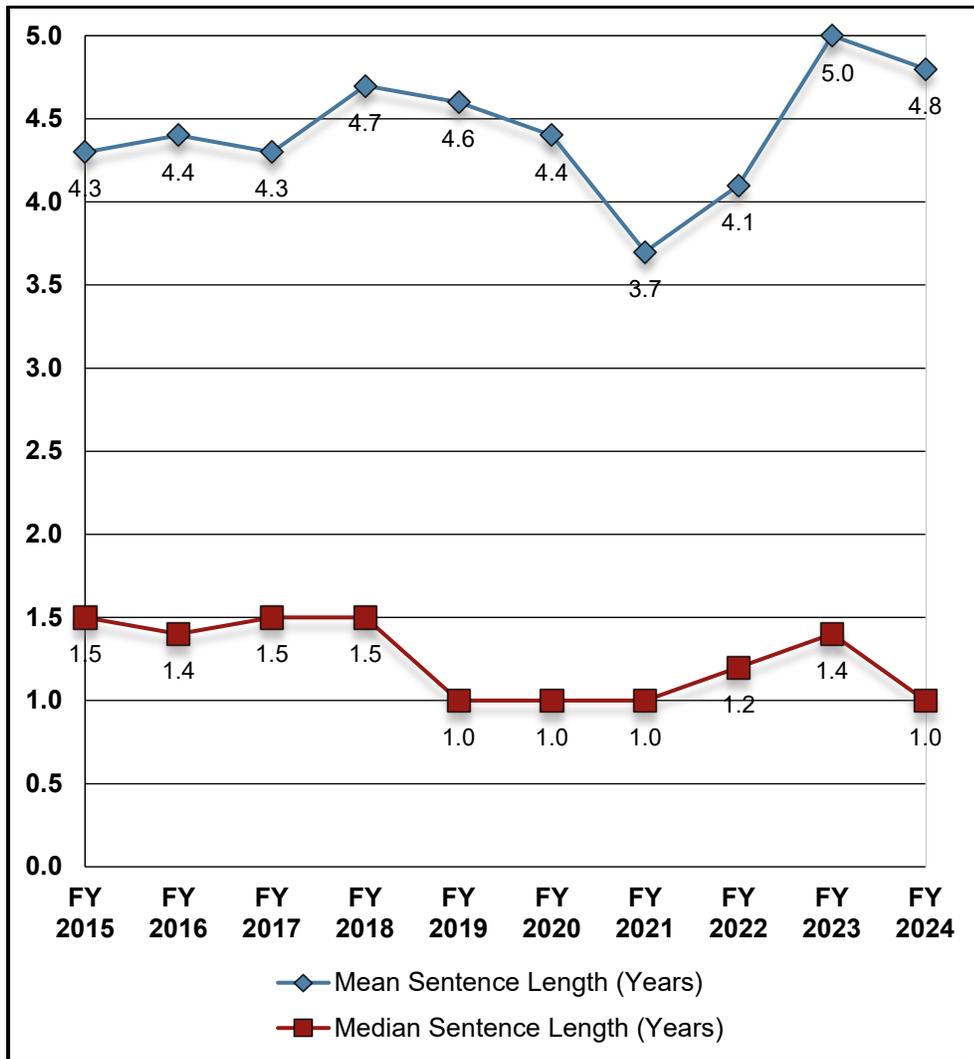
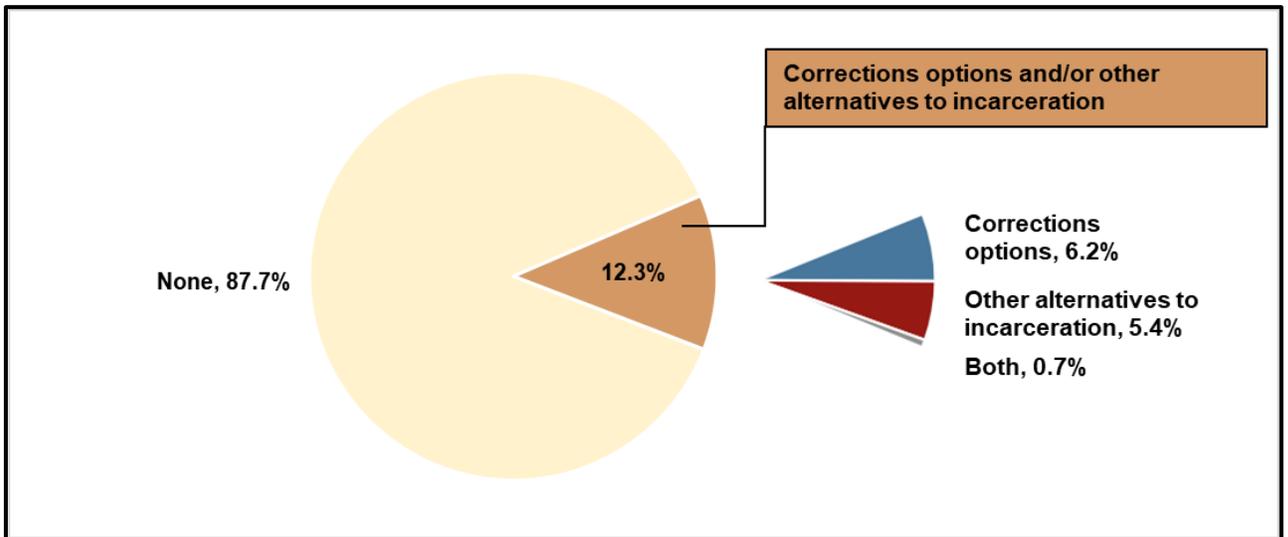


Figure 23 displays the percentage of sentencing events that used one or more corrections options or other alternatives to incarceration. The MSCCSP defines corrections options as home detention, work release, weekend (or other discontinuous) incarceration, inpatient substance abuse treatment, inpatient mental health treatment, a Health General Article (HG), § 8-507 order, a suspended sentence per CR, § 5-601(e), drug court, and other problem-solving courts. Other alternatives to incarceration include outpatient substance abuse treatment, outpatient mental health treatment, and other programs. A sentence may include multiple corrections options and/or alternatives to incarceration. In fiscal year 2024, 12.3% of guidelines-eligible sentencing events involved corrections options and/or other alternatives to incarceration, with 6.2% of sentencing events involving corrections options, 5.4% involving other alternatives to incarceration, and less than 1% involving both corrections options and other alternatives to incarceration.²⁶

The MSCCSP encourages judges to consider at sentencing evidence-based or innovative alternatives to incarceration that are appropriate for defendants based on their specific risks and needs

Figure 23. Corrections Options and Other Alternatives to Incarceration, Fiscal Year 2024



²⁶ The MSCCSP data underrepresent the utilization of certain corrections options, specifically drug courts, other problem-solving courts, and HG, § 8-507 commitments. Sentences are often deferred for individuals who participate in drug court and other problem-solving courts; therefore, their use is not recorded in the guidelines data because no sentence has been imposed. Similarly, HG, § 8-507 commitments are often ordered after the initial sentencing; therefore, they are not captured in the sentencing guidelines data. Finally, any criminal case that results in pre-sentence diversion is not included in the sentencing guidelines data because no sentence has been imposed.

Table 7 details the specific type of corrections options imposed. Among those sentencing events involving one or more corrections options, the most common corrections option was home detention (62.1%), followed by drug court (18.5%) and HG, § 8-507 orders (10.5%).

Table 7. Corrections Options Utilized, Fiscal Year 2024

Corrections Options	Percent of Total Sentencing Events	Percent of Sentencing Events that Involve One or More Corrections Options
<i>One or more corrections option imposed</i>	6.9%	---
Home detention	4.2%	62.1%
Drug court	1.3%	18.5%
HG, § 8-507 order	0.7%	10.5%
Work release	0.6%	8.3%
Inpatient substance abuse treatment	0.4%	6.4%
Weekend (or other discontinuous) incarceration	0.4%	5.8%
Other problem-solving court	0.4%	5.6%
Inpatient mental health treatment	0.2%	3.6%
Suspended sentence per CR, § 5-601(e)	0.0%	0.0%

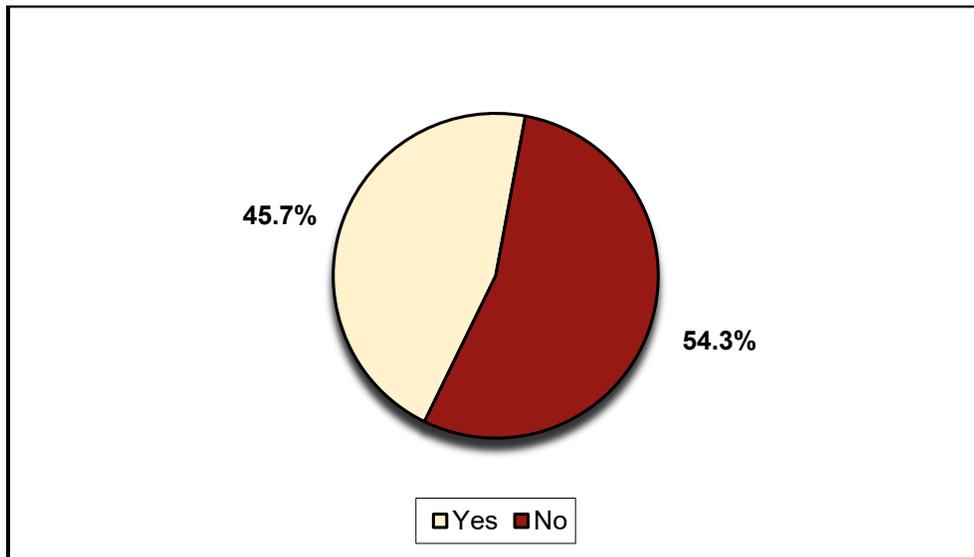
Table 8 details the specific other alternatives to incarceration used. Outpatient substance abuse treatment was the most common other alternative to incarceration. More than half (61.2%) of sentencing events involving other alternatives to incarceration involved outpatient substance abuse treatment. Among sentencing events involving other alternatives to incarceration, 32% included outpatient mental health treatment and 36% included other programs. Commonly cited other programs included sex offender supervision and/or treatment, domestic violence programs, anger management, and forfeiture of items.

Table 8. Other Alternatives to Incarceration Utilized, Fiscal Year 2024

Other Alternatives to Incarceration	Percent of Total Sentencing Events	Percent of Sentencing Events that Involve One or More Other Alternatives to Incarceration
<i>One or more other alternatives to incarceration imposed</i>	6.1%	---
Outpatient substance abuse treatment	3.8%	61.2%
Outpatient mental health treatment	2.0%	32.0%
Other alternatives to incarceration	2.2%	36.0%

Pursuant to CP, § 6-217, when a sentence of confinement is imposed for a violent crime as defined in Correctional Services Article (CS), § 7-101, Annotated Code of Maryland, for which the individual will be eligible for parole under CS, § 7-301(c) or (d), the court shall state in open court the minimum time the individual must serve before becoming eligible for parole and before becoming eligible for conditional release under mandatory supervision under CS, § 7-501. The sentencing guidelines worksheet includes an entry location to report whether this announcement was made for sentences involving a violent crime. In fiscal year 2024, 1,654 sentencing guidelines events included post-sentence confinement for a violent crime. Figure 24 indicates that among these sentencing events, the court announced the minimum time the individual must serve in 45.7% of guidelines eligible sentencings.

Figure 24. Distribution of Guidelines Sentencing Events by Whether 50% Announcement Was Made, Fiscal Year 2024



CP, § 6-209(b)(1)(iii-iv) requires the MSCCSP’s annual report to (1) review reductions or increases in original sentences that have occurred because of reconsiderations of sentences²⁷ imposed for COV, as defined under § 14-101 of the Criminal Law Article, and (2) categorize the number of reconsiderations by crime and judicial circuit. Table 9 reviews reconsidered sentences for COV reported to the MSCCSP in fiscal year 2024, by judicial circuit and crime. Reconsidered sentences were reported for 86 guidelines-sentenced individuals and 164 offenses. Two-thirds (65.1%) of

²⁷ Maryland Rule 4-345(e) indicates that upon a motion filed within 90 days after imposition of a sentence (A) in the District Court, if an appeal has not been perfected or has been dismissed, and (B) in a circuit court, whether or not an appeal has been filed, the court has revisory power over the sentence except that it may not revise the sentence after the expiration of five years from the date the sentence originally was imposed on the defendant and it may not increase the sentence.

the reconsidered sentences were pursuant to Maryland Rule 4-345, and one-third (34.9%) were associated with an HG, § 8-507 order. *Robbery with a dangerous weapon* (N=38) was the most common COV in reconsidered cases reported to the MSCCSP in fiscal year 2024, followed by *Firearm use in a felony or crime of violence* (N=35) and *Murder, 1st degree* (N=26).

Table 9. Reconsiderations/Modifications for Crimes of Violence (CR, § 14-101), Fiscal Year 2024²⁸

Circuit	Offense	N
FIRST	Assault, 1 st Degree	5
	Firearm Use in Felony or Crime of Violence	2
	Murder, 2 nd Degree, Attempted	1
	Robbery with Dangerous Weapon	5
SECOND	Assault, 1 st Degree	1
	Murder, 2 nd Degree	1
THIRD	Assault, 1 st Degree	2
	Firearm Use in Felony or Crime of Violence	1
	Murder, 1 st Degree	2
	Rape, 2 nd Degree	1
	Robbery with Dangerous Weapon	3
FOURTH	Assault, 1 st Degree	1
	Robbery with Dangerous Weapon	1
FIFTH	Assault, 1 st Degree	5
	Assault by Incarcerated Individual, 1 st Degree	1
	Firearm Use in Felony or Crime of Violence	4
	Home Invasion	1
	Kidnapping	2
	Manslaughter, Voluntary	1
	Murder, 1 st Degree	3
	Robbery	3
	Robbery with Dangerous Weapon	6
SIXTH	Assault, 1 st Degree	3
	Child Abuse, Sexual	1
	Firearm Use in Felony or Crime of Violence	3
	Murder, 1 st Degree, Attempted	1
	Robbery	3
	Robbery with Dangerous Weapon	7
	Sex Offense, 2 nd Degree	2

²⁸ Table 9 identifies reconsidered sentences for 86 guidelines-sentenced individuals and 164 offenses.

MSCCSP 2024 Annual Report

Circuit	Offense	N
SEVENTH	Assault, 1 st Degree	2
	Carjacking, Armed	1
	Firearm Use in Felony or Crime of Violence	12
	Manslaughter, Voluntary	2
	Murder, 1 st Degree	12
	Murder, 1 st Degree, Attempted	4
	Murder, 2 nd Degree	3
	Murder, 2 nd Degree, Attempted	1
	Rape, 1 st Degree	2
	Robbery	2
	Robbery with Dangerous Weapon	12
Sex Offense, 2 nd Degree	1	
EIGHTH	Assault, 1 st Degree	3
	Firearm Use in Felony or Crime of Violence	14
	Murder, 1 st Degree	9
	Murder, 1 st Degree, Attempted	4
	Murder, 2 nd Degree	1
	Murder, 2 nd Degree, Attempted	1
	Rape, 1 st Degree	1
	Robbery	1
Robbery with Dangerous Weapon	4	

6

Judicial Compliance with Maryland's Voluntary Sentencing Guidelines



JUDICIAL COMPLIANCE WITH MARYLAND'S VOLUNTARY SENTENCING GUIDELINES



The MSCCSP's governing legislation mandates the Commission to examine judicial compliance based on data extracted from the sentencing guidelines worksheets submitted after circuit courts sentence individuals. The following provides a detailed examination of judicial compliance with Maryland's voluntary sentencing guidelines.

Judicial Compliance Rates Overall

The MSCCSP deems a sentence compliant with the guidelines if the initial sentence (defined as the sum of incarceration, credited time, and home detention) falls within the applicable guidelines range. In addition, the MSCCSP deems a sentence compliant if the judge sentenced an individual to a period of pre-sentence incarceration time with no additional post-sentence incarceration time and the length of credited pre-sentence incarceration exceeds the upper guidelines range for the sentencing event. The MSCCSP deems sentences to corrections options programs (e.g., drug court; HG, § 8-507 commitments; home detention) compliant provided that the initial sentence plus any suspended sentence falls within or above the applicable guidelines range and the sentencing event does not include a crime of violence, child sexual abuse, or escape. By doing so, the Commission recognizes the State's interest in promoting these alternatives to incarceration. Finally, sentences pursuant to an MSCCSP binding plea agreement are guidelines-compliant (COMAR 14.22.01.17).²⁹ The MSCCSP adopted the binding plea agreement compliance policy in 2001 to acknowledge that binding plea agreements reflect the consensus of the local view of an appropriate sentence within each specific community. The corrections options and binding plea agreement compliance policies allow the court to set a

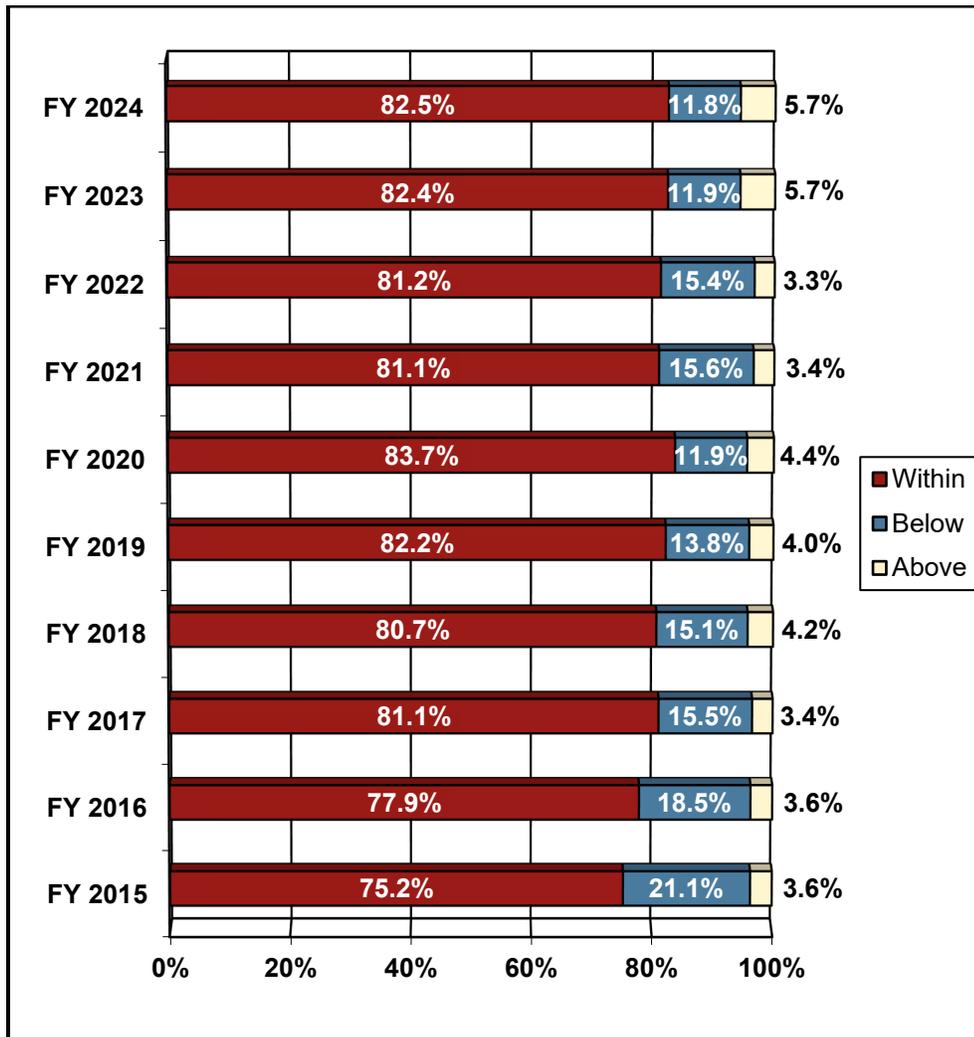
**82.5% of sentences
were guidelines
compliant in FY 2024**

²⁹ For sentencing events prior to April 1, 2021, "binding plea agreement" refers to sentences resolved by an ABA plea agreement. For sentencing events on or after April 1, 2021, "binding plea agreement" refers to sentences resolved by an MSCCSP binding plea agreement. See Appendix D for definitions.

guidelines-compliant sentence that considers the specific needs of the individual, such as substance abuse treatment, as opposed to incarceration.

Figure 25 illustrates the overall guidelines compliance rates for the past ten fiscal years (2015-2024). The figure indicates that in all ten years, the overall rate of compliance exceeded the Commission’s benchmark standard of 65% compliance. The aggregate compliance rate was highest in fiscal year 2020 (83.7%).

Figure 25. Overall Sentencing Guidelines Compliance by Fiscal Year (All Sentencing Events)

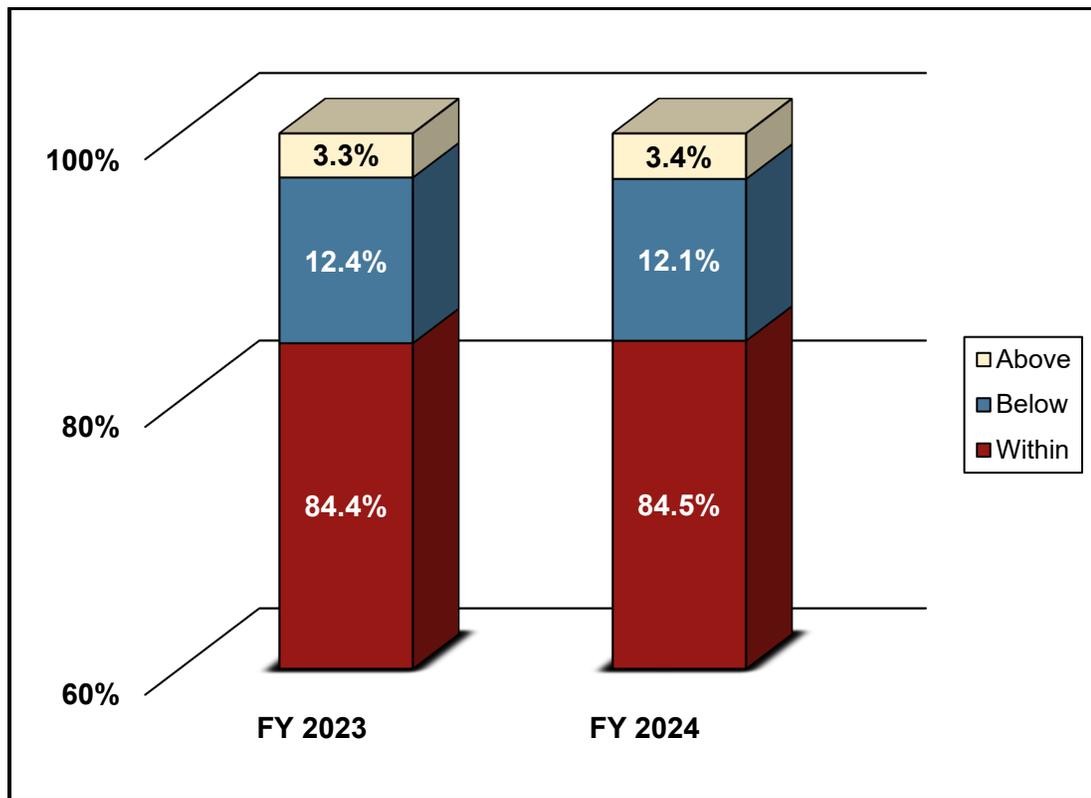


Analyses of judicial compliance in Maryland traditionally focus on sentences for single-count sentencing events, excluding reconsiderations, modifications, and three-judge panel reviews, because they permit the most direct comparison of compliance by crime category and by offense

type within the applicable cell of the sentencing matrix.³⁰ Because multiple-count sentencing events can consist of any combination of person, drug, and property offenses, meaningful interpretations of sentencing patterns within matrices are not possible. Thus, the figures from this point forward focus on sentences for single-count sentencing events during fiscal years 2023 and 2024. Of the 9,698 sentencing guidelines worksheets submitted to the MSCCSP in fiscal year 2024, 6,834 (70%) pertained to single-count sentencing events.

Figure 26 provides the overall guidelines compliance rates for fiscal years 2023 and 2024 based on single-count sentencing events. Compliance was remarkably similar in both years, increasing ever so slightly from 84.4% in 2023 to 84.5% in 2024. When departures occurred, they were more often below the guidelines than above.

Figure 26. Overall Sentencing Guidelines Compliance by Fiscal Year (Single-Count sentencing Events)

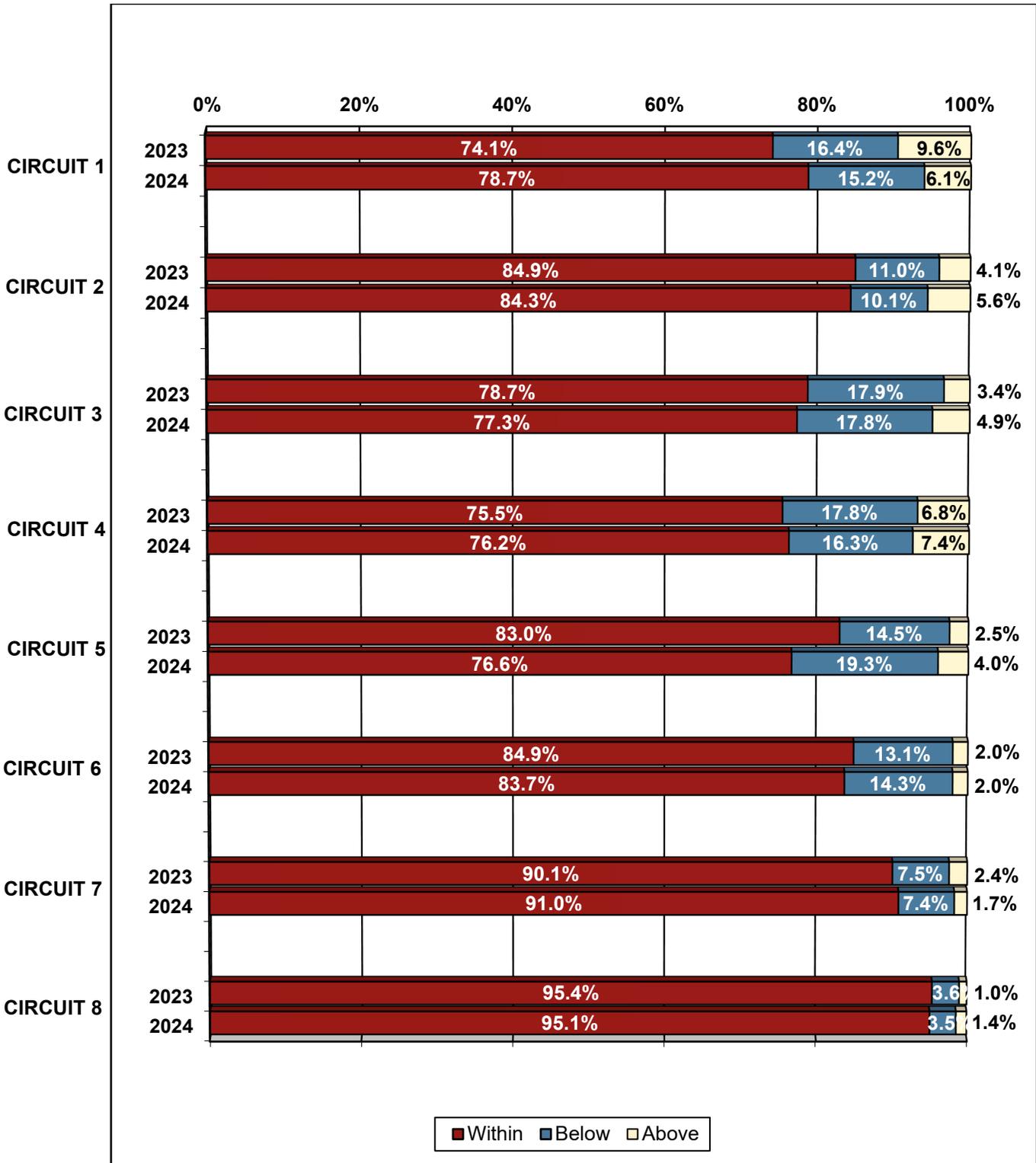


³⁰ Of the 9,698 worksheets received in fiscal year 2024, 86 were reconsiderations/modifications involving COV, four were reconsiderations/modifications not involving COV, and none were three-judge panel reviews.

Judicial Compliance Rates by Circuit

As shown in Figure 27, all eight trial court judicial circuits met the 65% compliance benchmark in fiscal year 2024. Compliance rates ranged from 76.2% in the Fourth Circuit to 95.1% in the Eighth Circuit. Rates were relatively stable year over year. The largest increase occurred in the First Circuit, where the rate rose from 74.1% in fiscal year 2023 to 78.7% in fiscal year 2024. The largest decrease was observed in the Fifth Circuit, where the rate declined from 83% in 2023 to 76.6% in 2024.

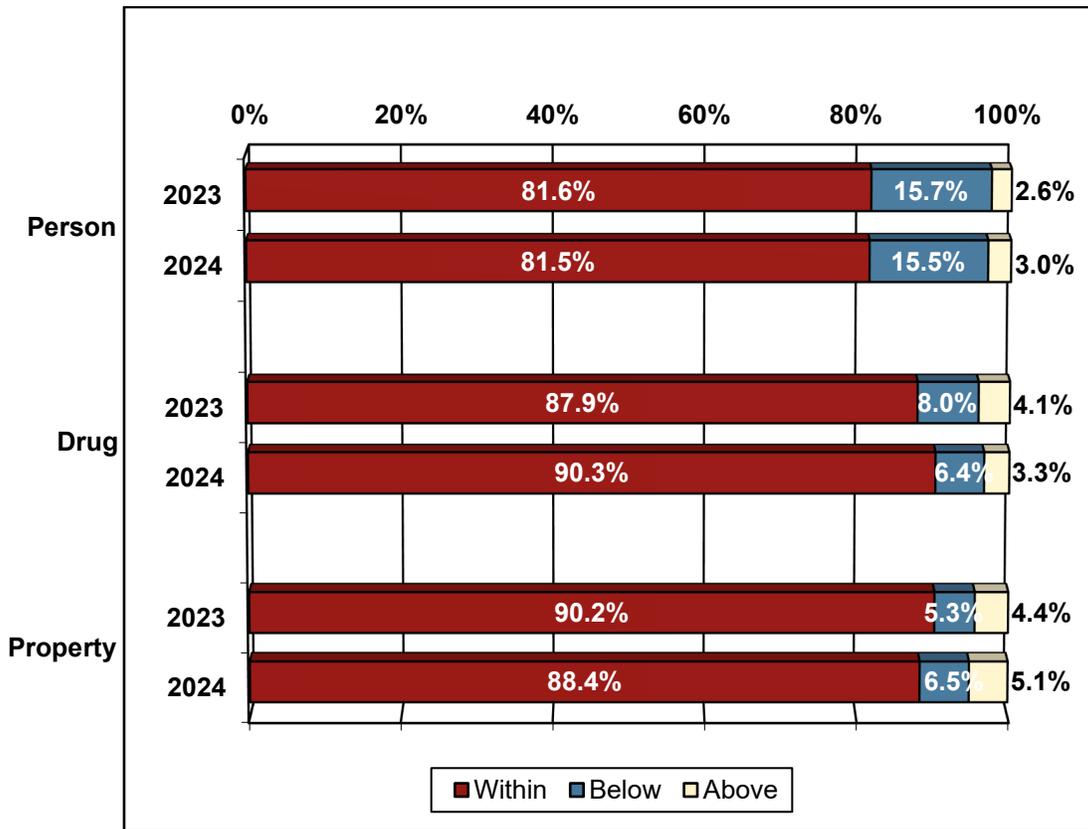
Figure 27. Sentencing Guidelines Compliance by Circuit and Fiscal Year



Judicial Compliance Rates by Crime Category

Figure 28 shows judicial compliance by crime category for fiscal years 2023 and 2024. Compliance rates were high across all three crime categories, ranging from 81.5% for person offenses to 90.3% for drug offenses.³¹ The slightly higher compliance rate for both drug and property offenses, in comparison to person offenses, is likely reflective of revisions to the sentencing matrices for drug and property offenses that the Commission adopted effective July 1, 2022 (the start of fiscal year 2023). The current matrices, which are noted in Appendix A, more accurately reflect current sentencing practices while also maintaining proportionality across the rows and columns of the sentencing matrices.³²

Figure 28. Sentencing Guidelines Compliance by Crime Category and Fiscal Year



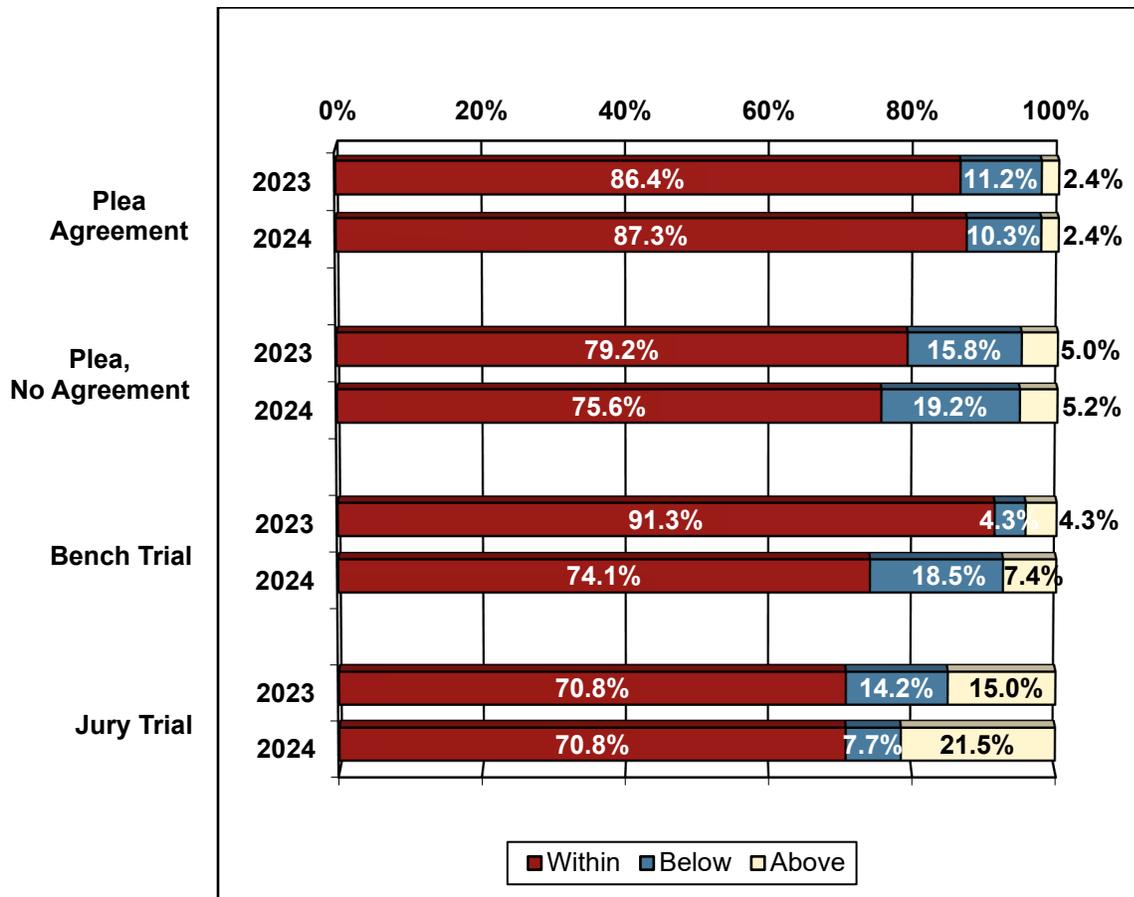
³¹ See Appendix C for sentencing guidelines compliance and average sentence for the five most common offenses in each crime category among single-count sentencing events.

³² The [MSCCSP 2021 annual report](#) further details the process of how the Commission completed the cell-by-cell compliance analysis that culminated in the adoption of revisions to the sentencing matrices for drug and property offenses.

Judicial Compliance Rates by Type of Disposition

Figure 29 examines the extent to which judicial compliance rates varied by type of disposition (i.e., plea agreement, plea with no agreement, bench trial, and jury trial). Plea agreements accounted for the highest percentage of compliant sentencing events in fiscal year 2024 (87.3%). This is not surprising given that the plea agreement category includes binding plea agreements, which are compliant by definition. Downward departures were more common than upward departures for the two plea dispositions and bench trials, while jury trials were more likely to result in upward departures than downward departures in fiscal year 2024. The largest change in the compliance rate was seen among bench trials, where compliance decreased from 91.3% in fiscal year 2023 to 74.1% in fiscal year 2024. It is important to note that some of the rates are based on a very small number of cases. For example, the MSCCSP received only 27 worksheets in fiscal year 2024 for single-count sentencing events adjudicated by a bench trial. Small numbers limit the ability to provide meaningful interpretation.

Figure 29. Sentencing Guidelines Compliance by Type of Disposition and Fiscal Year



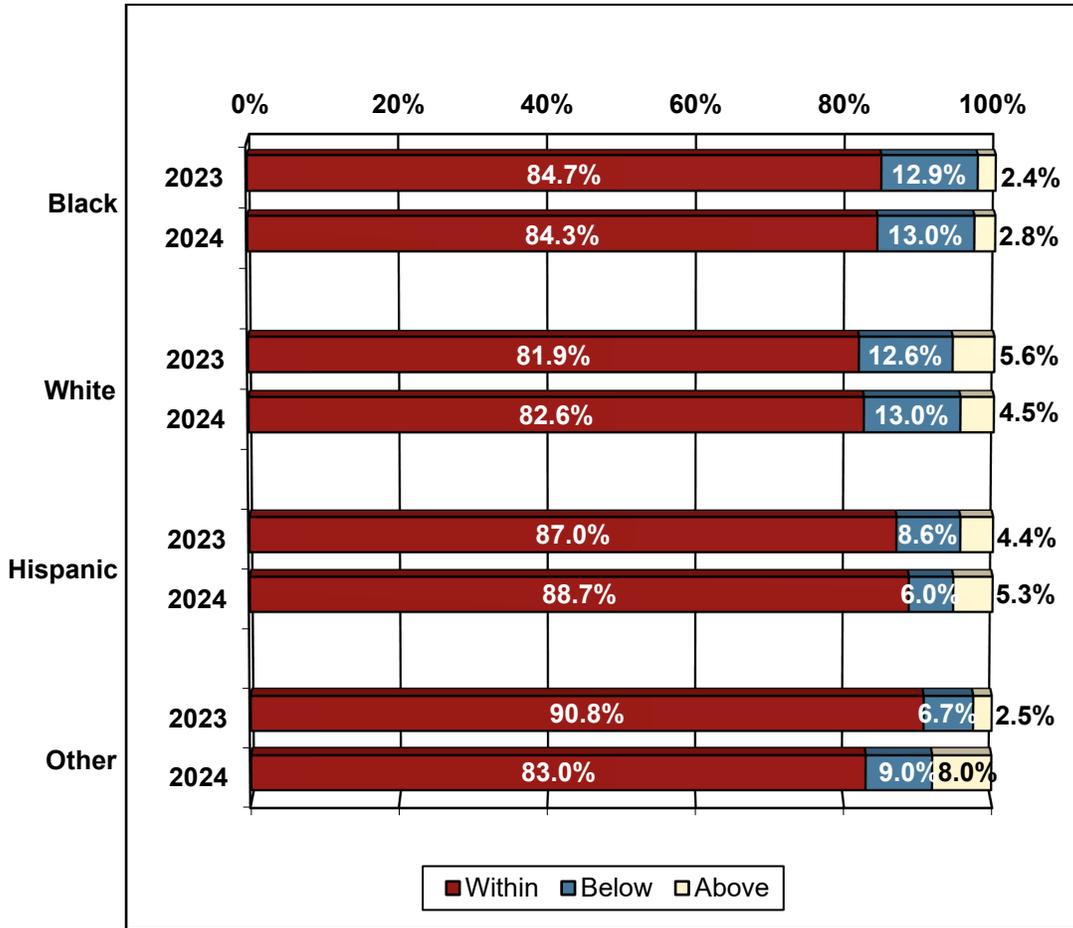
Judicial Compliance Rates by Race/Ethnicity

Figure 30 displays compliance rates by the sentenced individual's race/ethnicity for fiscal years 2023 and 2024. Consistent with the requirements specified in State Government Article (SG), § 10-603, the sentencing guidelines worksheet provides for the following defendant racial categories: American Indian or Alaska Native, Asian, Black or African American, Native Hawaiian or other Pacific Islander, and White. Prior to July 1, 2019, racial categories on the worksheet were mutually exclusive, permitting selection of no more than a single category. Effective July 1, 2019, the sentencing guidelines worksheet permits multiracial responses. Additionally, per the requirements specified in SG, § 10-603, the worksheet includes a separate question about whether the defendant is of Hispanic or Latino origin.

For the purposes of the analysis presented here, the racial categories American Indian/Alaska Native, Asian, and Native Hawaiian/other Pacific Islander were combined in a single category labeled "Other." This was done because of the small number of cases in each of these racial groups. In addition, because there were fewer than 1% of defendants with multiple racial categories indicated, they too were included in the category labeled "Other." Because some respondents may not distinguish between race and ethnicity, defendants identified as being of Hispanic or Latino origin in the separate ethnicity question were labeled "Hispanic" regardless of the racial category selected.

Figure 30 indicates that compliance rates in both fiscal years and across race/ethnicity categories well exceeded the 65% benchmark. In fiscal year 2024, guidelines compliance ranged from a low of 82.6% for White defendants to a high of 88.7% for Hispanic defendants. When departures occurred, below departures were more common than above departures across all race/ethnicity categories.

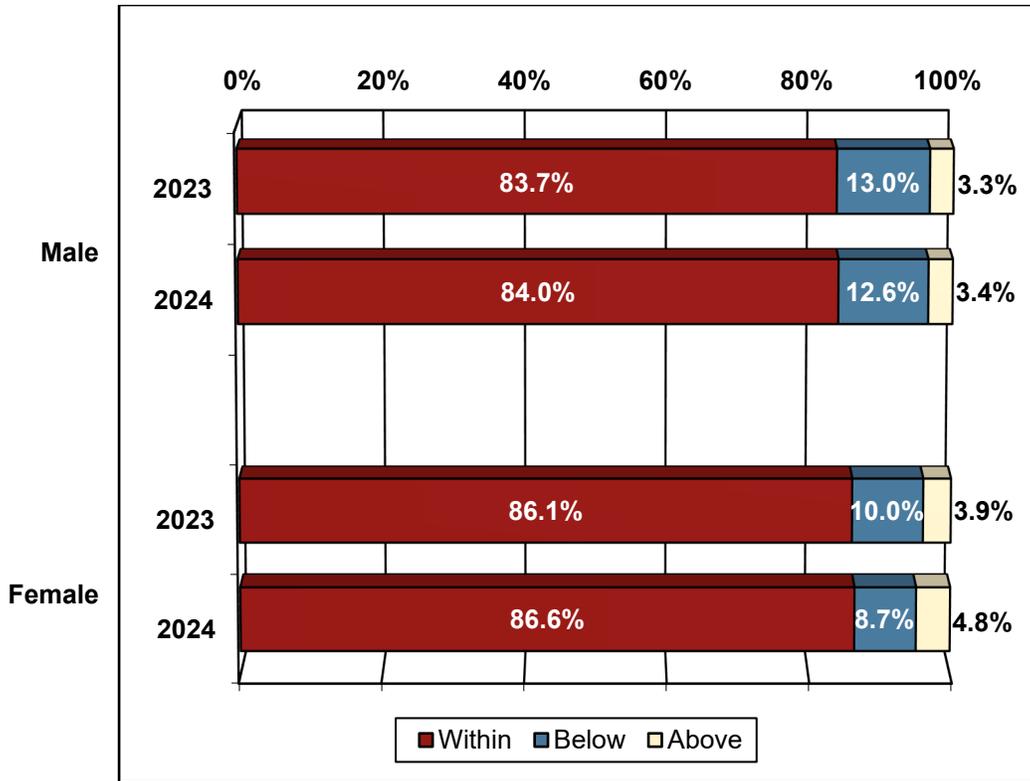
Figure 30. Sentencing Guidelines Compliance by Race/Ethnicity and Fiscal Year



Judicial Compliance Rates by Sex

Figure 31 displays compliance rates by the sentenced individual’s sex for fiscal years 2023 and 2024. Compliance rates were similar for male and female defendants in both years, and rates increased slightly for both groups in fiscal year 2024 (to 84% for males and 86.6% for females). As with compliance rates by race/ethnicity, when departures occurred, below departures were more common than above departures.

Figure 31. Sentencing Guidelines Compliance by Sex and Fiscal Year



Departure Reasons

COMAR 14.22.01.05A directs the sentencing judge to document the reason, or reasons, for imposing a sentence outside of the recommended guidelines range on the sentencing guidelines worksheet. To facilitate the reporting of mitigating and aggravating departure reasons on the sentencing guidelines worksheet, the MSCCSP provides judges with a reference card listing the most common departure reasons and including the accompanying numerical departure code (Appendix E contains a list of these departure reasons).³³ The common departure reasons and corresponding codes are listed in MAGS as well. The worksheet allows for up to three departure codes and provides a space for the judge to report other reasons not contained on the reference card. Additionally, MAGS ensures the collection of reasons for all departures, as the departure reason is a required field necessitating completion before the electronic submission of any sentence identified as a departure from the guidelines. It is important for judges to provide the reason for departure because those reasons may help inform the Commission’s consideration of potential guidelines revisions.

³³ As noted earlier in this report, the list of common departure reasons will be revised in 2025 based largely on the feedback that was provided by circuit court judges at the Judicial Conference in April 2024.

Tables 10 and 11 display the reasons given for departures from the guidelines in fiscal year 2024. The tables include the reasons listed on the reference card as well as many of the “other” cited reasons. Table 10 provides a rank order of the mitigating reasons judges provided for sentencing events where the sentence resulted in a downward departure. The most cited reasons for downward departures were: 1) the parties reached a plea agreement that called for a reduced sentence; 2) recommendation of the State’s Attorney or Division of Parole and Probation; and 3) judicial discretion.

Table 10. Departure Reasons for Sentencing Events Below the Guidelines, Fiscal Year 2024³⁴

Mitigating Reasons	Percent of Departures Where Reason is Cited
The parties reached a plea agreement that called for a reduced sentence	39.7%
Recommendation of State’s Attorney or Division of Parole and Probation	35.3%
Judicial discretion	8.4%
Offender’s commitment to substance abuse treatment or other therapeutic program	8.1%
Offender made restorative efforts after the offense	5.3%
Offender’s minor role in the offense	4.5%
Offender had diminished capability for judgment	3.0%
Victim’s participation in the offense lessens the offender’s culpability	2.8%
Offender’s age/health	2.1%
Victim requested a more lenient sentence or victim/witness unavailable or not willing to cooperate	1.9%
Offender’s prior criminal record not significant	1.6%
Offender was influenced by coercion or duress	1.5%

³⁴ Each sentencing event may cite multiple reasons, therefore the cited percentages will exceed a total of 100%.

Mitigating Reasons	Percent of Departures Where Reason is Cited
Offender serving or facing sentence in another case	1.5%
Offender is amenable to probation or other community supervision	1.1%
Nature/circumstances of the offense	1.0%
Offender waived credit for time served	0.6%
Offender’s family responsibilities/circumstances	0.6%
Offender cooperated with authorities	0.5%
Offender expressed remorse	0.5%
Weak facts of the case or failure of the State to provide evidence	0.5%
Offender’s employment or education status	0.4%
Good behavior	0.2%
Other reason (not specified above)	5.5%

Table 11 provides a rank order of the aggravating reasons judges provided for sentencing events where the sentence resulted in an upward departure. The most cited reasons for departures above the guidelines were: 1) recommendation of the State’s Attorney or Division of Parole and Probation; 2) the level of harm was excessive; and 3) offender’s major role in the offense.

Table 11. Departure Reasons for Sentencing Events Above the Guidelines, Fiscal Year 2024³⁵

Aggravating Reasons	Percent of Departures Where Reason is Cited
Recommendation of State’s Attorney or Division of Parole and Probation	50.9%
The level of harm was excessive	14.3%
Offender’s major role in the offense	13.9%
The vicious or heinous nature of the conduct	12.6%
Special circumstances of the victim	7.8%
Judicial discretion	6.1%
Offender exploited a position of trust	4.3%
Offender’s significant participation in major controlled substance offense	4.3%
The parties reached a plea agreement that called for an increased sentence	3.9%
Nature/circumstances of the offense	3.9%
Offender’s criminal history is more severe than represented by offender score	3.5%
Offender is serving time for another offense	2.2%
Increased sentence to allow access to treatment program or institutional program	1.3%
For the interest of public/victim safety	0.9%
White collar offense	0.4%
Other reason (not specified above)	9.6%

³⁵ Each sentencing event may cite multiple reasons, therefore the cited percentages will exceed a total of 100%.

Crimes of Violence



CRIMES OF VIOLENCE

Section 6-209 of the Criminal Procedure Article, Annotated Code of Maryland, requires the MSCCSP to include in its annual report certain statistics for sentences for crimes of violence (COV).³⁶ The following analyses detail sentences for COV. These figures and additional information may be found on the [Crimes of Violence Data Dashboard](#) on the MSCCSP's website.

Crimes of Violence by Judicial Circuit and Offense

In fiscal year 2024, the MSCCSP received sentencing guidelines worksheets for 1,730 sentencing events involving 2,657 COV, representing a 6.4% decrease in COV sentencing events and a 7.5% decrease in COV offenses from fiscal year 2023. Table 12 provides the number of sentencing events and offenses involving COV, by judicial circuit. As illustrated, the greatest number of sentencing events involving a COV took place in the Eighth Circuit (Baltimore City). The fewest sentencing events involving COV took place in the Second Circuit (Caroline, Cecil, Kent, Queen Anne's, and Talbot Counties).

Table 12. Number and Percentage of Sentencing Guidelines Events and Offenses Involving Crimes of Violence by Circuit, Fiscal Year 2024

Circuit	Total Sentencing Events	Sentencing Events Involving Crimes(s) of Violence		Total Offenses	Crimes of Violence			
	#	#	% in State	% in Circuit	#	% in State	% in Circuit	
1	636	96	5.5%	15.1%	988	137	5.2%	13.9%
2	350	44	2.5%	12.6%	485	55	2.1%	11.3%
3	1,708	342	19.8%	20.0%	2,297	453	17.0%	19.7%
4	600	51	2.9%	8.5%	772	68	2.6%	8.8%
5	1,246	207	12.0%	16.6%	1,807	310	11.7%	17.2%
6	1,275	252	14.6%	19.8%	1,930	351	13.2%	18.2%
7	1,945	343	19.8%	17.6%	3,054	546	20.5%	17.9%
8	1,938	395	22.8%	20.4%	2,960	737	27.7%	24.9%
Total	9,698	1,730	100.0%	17.8%	14,293	2,657	100.0%	18.6%

³⁶ COV are defined here pursuant to CR, § 14-101.

Table 13 provides frequencies, in descending order, for each COV in fiscal year 2024 (see Appendix F, Table 1, for this table broken down by judicial circuit and offense). The most common COV reported to the MSCCSP in fiscal year 2024 was *Assault, 1st degree*, followed by *Firearm use in COV/select felony, Robbery*, and *Robbery with a dangerous weapon*.

Table 13. Number of Crimes of Violence by Offense, Fiscal Year 2024

Crime of Violence	Number of Offenses
Assault, 1 st Degree	548
Firearm Use in COV/Select Felony	498
Robbery	298
Robbery w/Dangerous Weapon	274
Child Sexual Abuse	199
Murder, 1 st Degree	182
Murder, 2 nd Degree	124
Rape, 2 nd Degree ³⁷	106
Murder, 2 nd Degree, Attempt	69
Murder, 1 st Degree, Attempt	68
Carjacking, Armed	51
Carjacking, Unarmed	49
Manslaughter	46
Home Invasion	27
Rape, 1 st Degree ²⁸	27
Continuing Course of Conduct	22
Arson, 1 st Degree	20
Kidnapping	16
Child Abuse, Physical, 1 st Degree	12
Sex Offense, 2 nd Degree ^{28,38}	12
Sex Offense, 1 st Degree ^{28,29}	5
Sex Trafficking	3
Abduction	1
Assault w/Intent to Murder, etc.	0
Maiming	0
Total	2,657

³⁷ Due to the small number of attempted offenses, figures presented for *Rape, 1st degree*, *Rape, 2nd degree*, *Sex offense, 1st degree*, and *Sex offense, 2nd degree*, include both completed and attempted offenses.

³⁸ Effective October 1, 2017, *Sex offense, 1st degree*, and *Sex offense, 2nd degree*, were reclassified as *Rape, 1st degree*, and *Rape, 2nd degree*, respectively. The *Sex offense, 1st degree*, and *Sex offense, 2nd degree*, figures referred to in this report were committed prior to October 1, 2017, and were sentenced or had their original sentence modified in fiscal year 2024.

Disposition and Sentence Characteristics for Crimes of Violence

Figures 32 through 39 summarize disposition and sentence characteristics for the 1,730 sentencing guidelines events and 2,657 offenses involving COV submitted for individuals sentenced in fiscal year 2024.

Figure 32 shows the distribution of guidelines sentencing events involving one or more COV by disposition type and judicial circuit (Appendix D contains a description of the five major disposition types listed on the sentencing guidelines worksheet; see Appendix F, Table 2, for the number and percentage of sentencing events by disposition and judicial circuit). The majority of sentencing events involving COV in every circuit were resolved via a plea agreement, including either an other plea agreement (35.5%), an MSCCSP binding plea agreement (31.2%), or a plea with no agreement (18.2%). An additional 15.1% of sentencing events were resolved by a jury or bench trial (13.6% and 1.4%, respectively). Jury trials were more frequent among sentencing events involving COV relative to all sentencing events (13.6% versus 4.4%, respectively, see Figure 20).

Figure 32. Distribution of Guidelines Sentencing Events Involving Crimes of Violence by Disposition and Judicial Circuit, Fiscal Year 2024

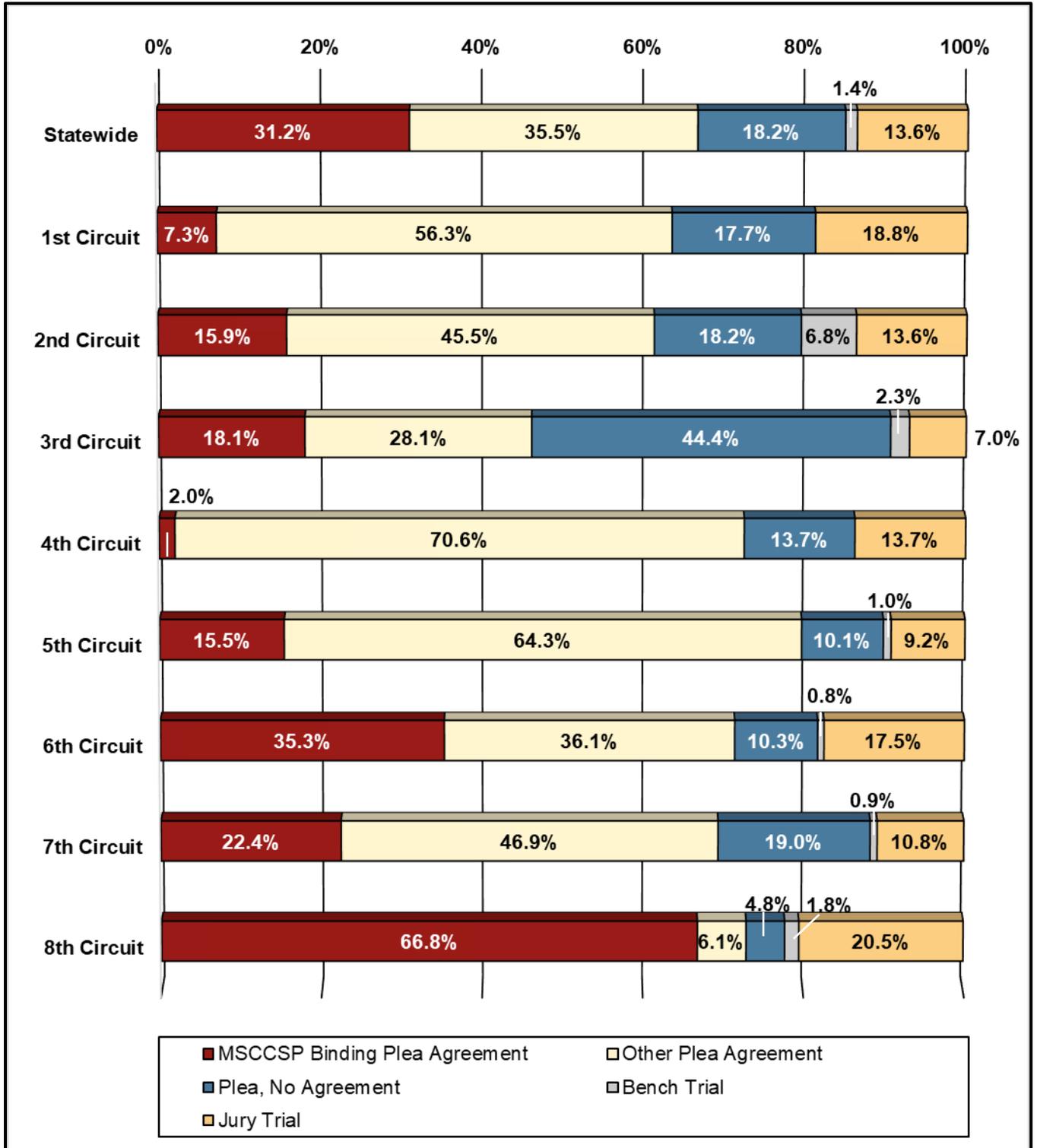
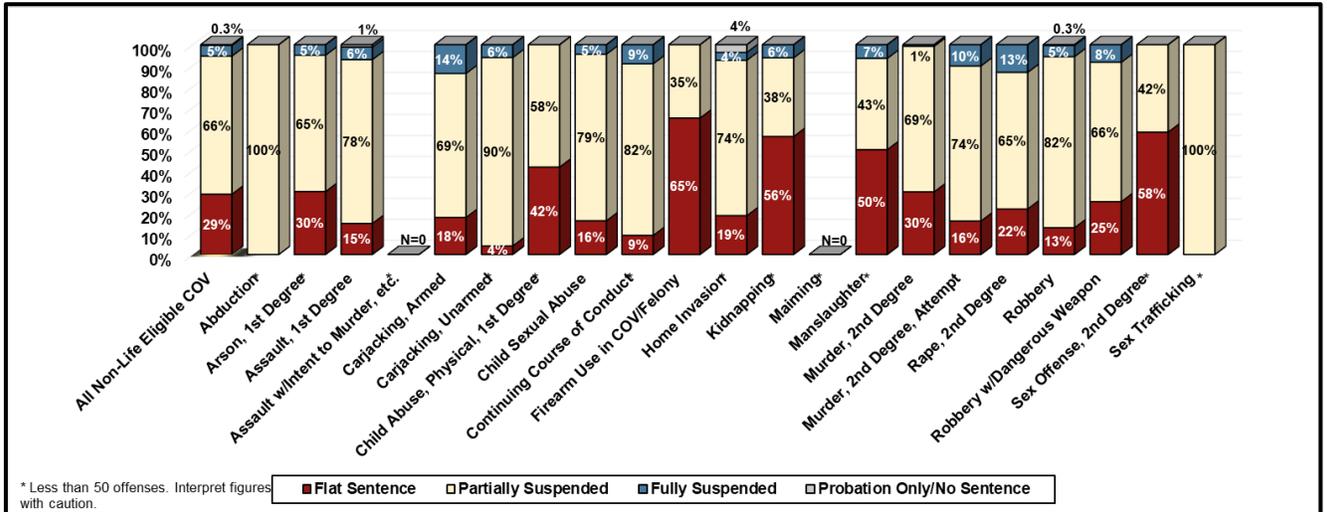


Figure 33 displays sentence type for COV that have a statutory maximum penalty that is less than life imprisonment (i.e., “non-life” eligible offenses; see Appendix F, Tables 3a through 3i, for these figures broken down by judicial circuit and offense).³⁹ Sentence types are defined as:

- A **flat sentence**, which includes incarceration only and no suspended time.
- A **partially suspended sentence**, which includes incarceration, suspended time, and typically a period of probation.
- A **fully suspended sentence**, which includes suspended time, typically a period of probation, and no incarceration.
- **Probation only / no sentence**, which includes no incarceration and no suspended time but may include a period of probation. Sentences to PBJ typically fall in this category.

Incarceration includes home detention and credited time, as well as post-sentence jail/prison time. Few COV received no sentence (0.3%). The majority of COV received a partially suspended sentence (65.8%), followed by a flat sentence (28.8%). Approximately 5% of COV received a fully suspended sentence.

Figure 33. Distribution of Non-Life Eligible Crimes of Violence by Sentence Type and Offense, Fiscal Year 2024



³⁹ Non-life-eligible offenses have a statutory maximum penalty that is less than life imprisonment. Life-eligible offenses have a statutory maximum penalty of life imprisonment. This report presents separately figures for non-life eligible and life-eligible offenses as it is impossible to quantify the total sentence or percentage of the total sentence suspended when the total sentence is life imprisonment.

Figure 34 illustrates the mean total and non-suspended sentence lengths for each non-life eligible COV (see Appendix F, Tables 4a through 4e, for these figures broken down by judicial circuit and offense).

Figure 34. Mean Total and Non-Suspended Sentence Lengths (in Years) for Non-Life Eligible Crimes of Violence by Offense, Fiscal Year 2024

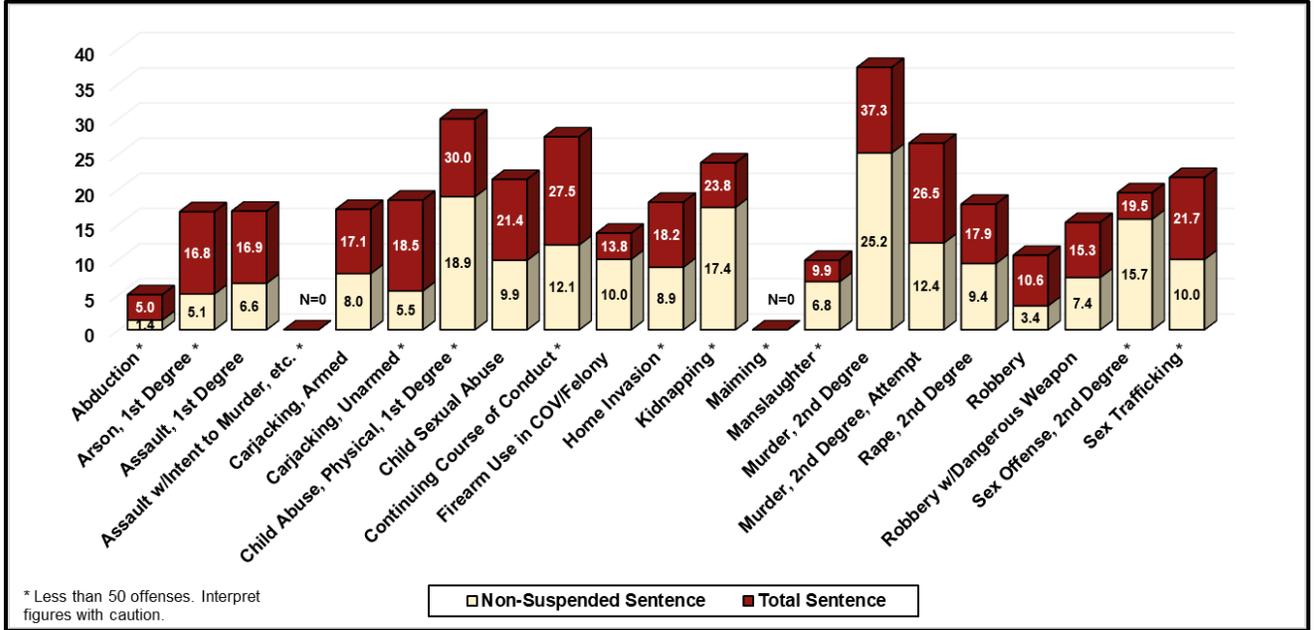


Figure 35 illustrates the mean percentage of the total sentence suspended for each non-life eligible COV that received a partially or fully suspended sentence (See Appendix F, Tables 5a through 5c, for these figures broken down by judicial circuit and offense).

Figure 35. Mean Percentage of the Total Sentence Suspended for Non-Life Eligible Crimes of Violence that Received Partially or Fully Suspended Sentences, by Offense, Fiscal Year 2024

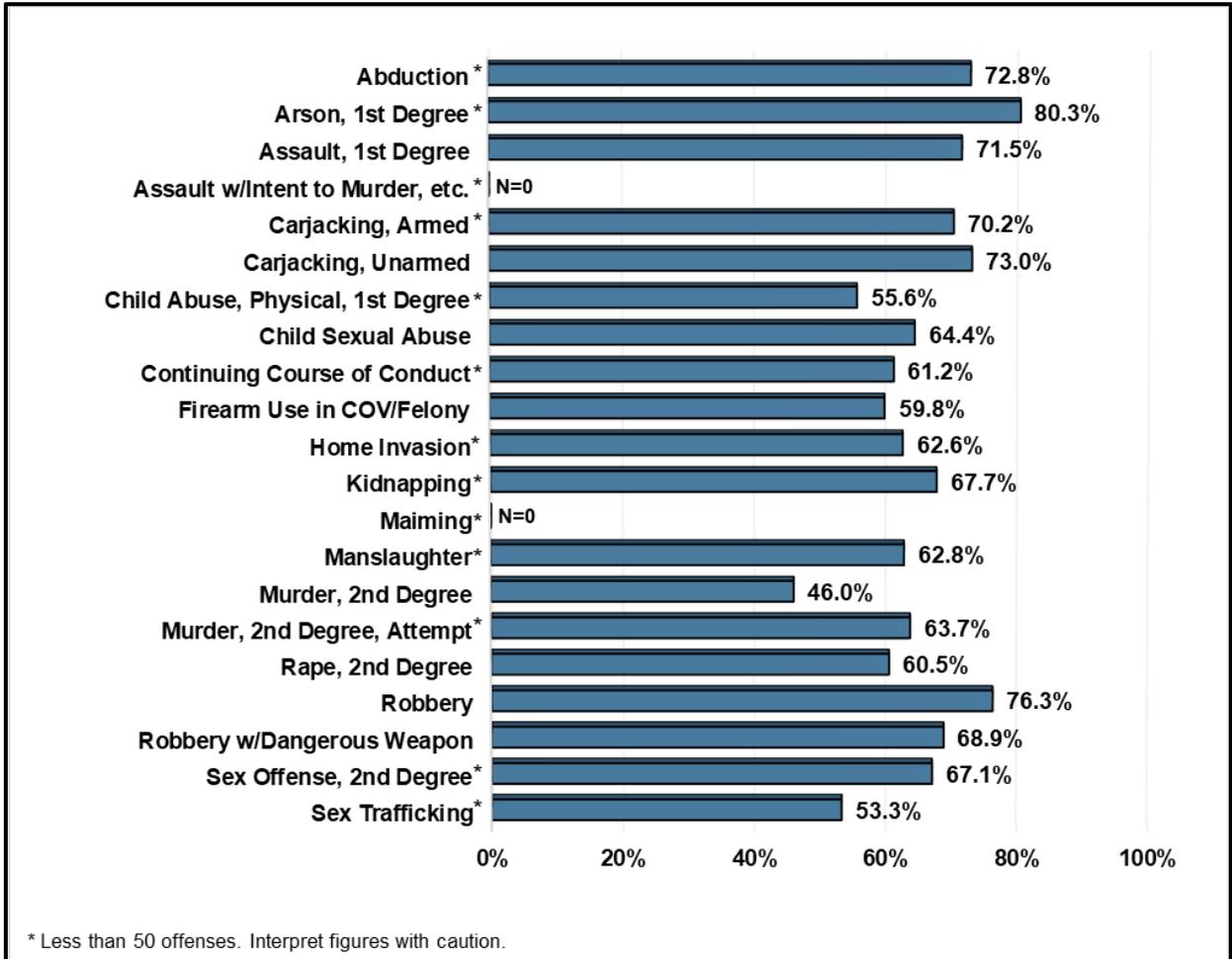
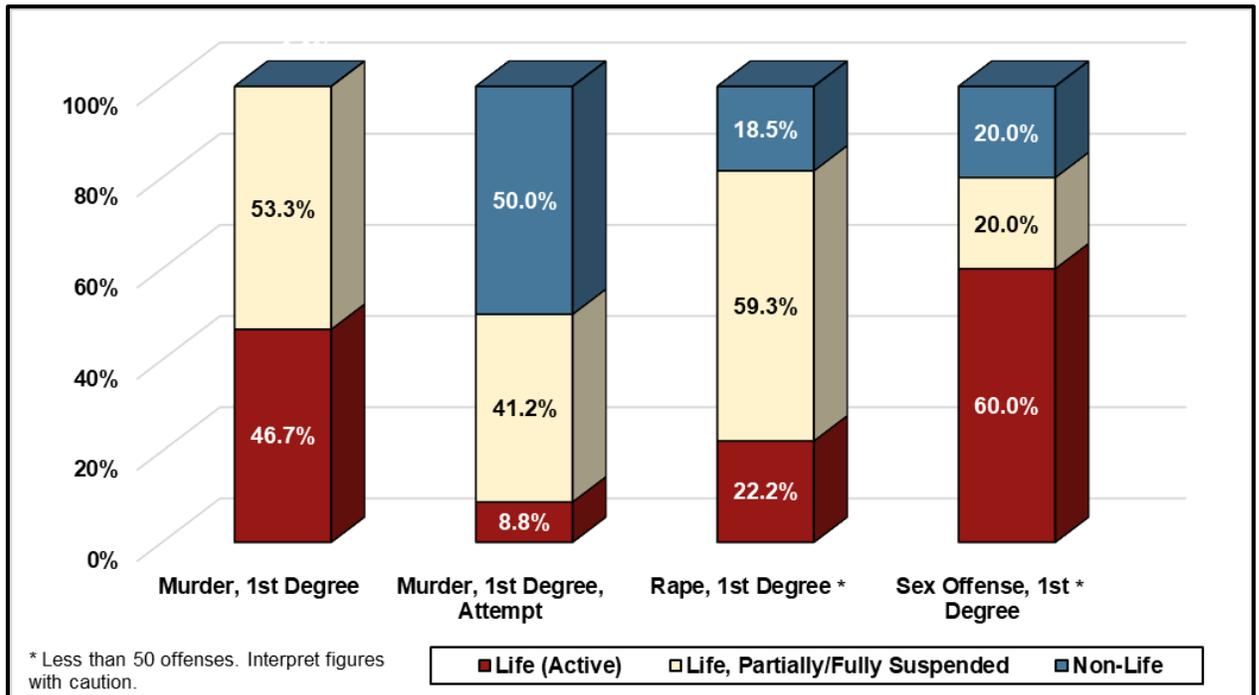


Figure 36 displays the distribution of life-eligible COV by sentence type (see Appendix F, Tables 6a through 6c, for these figures broken down by judicial circuit and offense). Life-eligible offenses include *Murder, 1st degree*; *Murder, 1st degree, attempt*; *Rape, 1st degree*; *Rape, 1st degree, attempt*; *Sex offense, 1st degree*; and *Sex offense, 1st degree, attempt*.⁴⁰ Sentence types are defined as:

- A **life (active) sentence** consists of life imprisonment, with or without parole, and no suspended time.
- A **life, partially/fully suspended sentence** consists of a life sentence, a portion or all of which is suspended, and typically a period of probation.
- A **non-life sentence** includes a defined period of imprisonment that is less than life, a portion or all of which may be suspended, and may include a period of probation.

The majority (64.5%) of life-eligible COV sentenced in fiscal year 2024 were imposed a non-suspended sentence length that was less than life imprisonment.

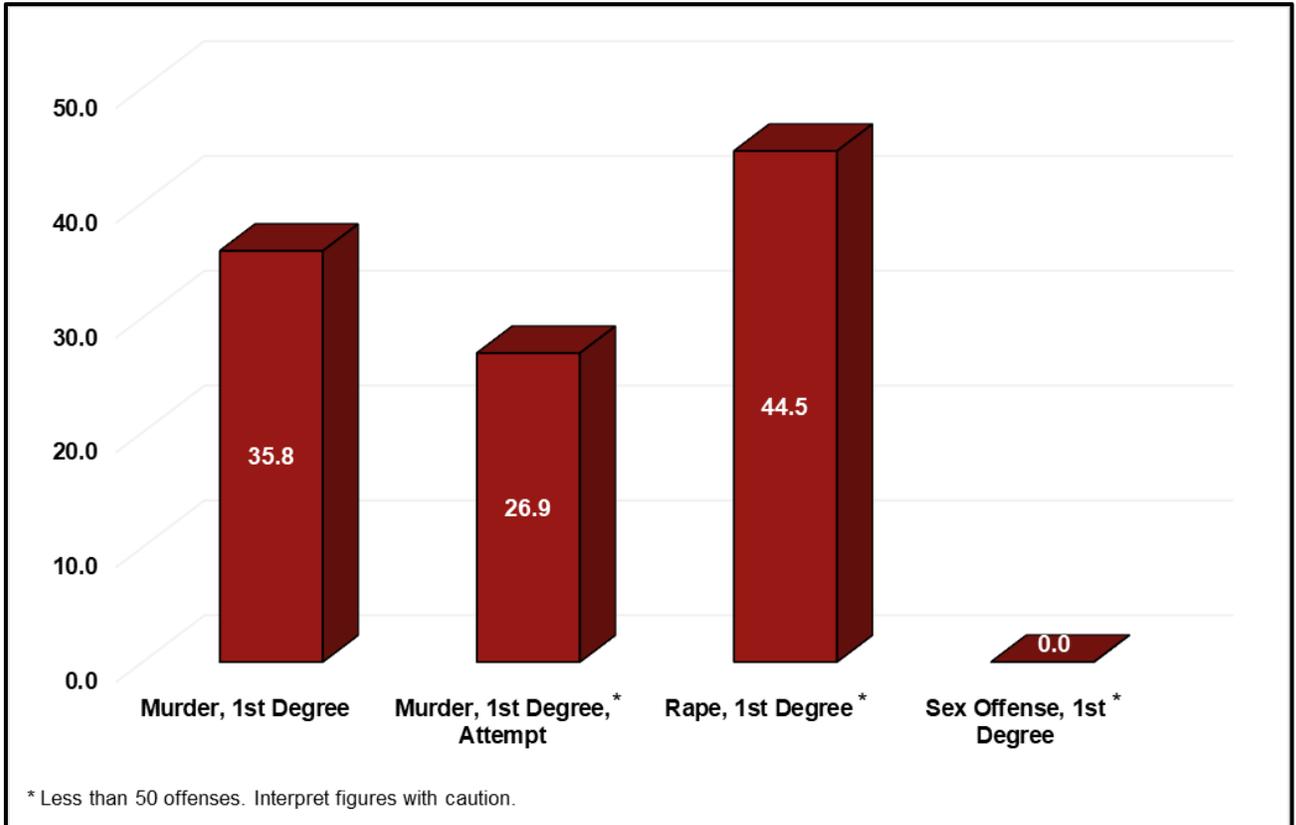
Figure 36. Distribution of Life-Eligible Crimes of Violence by Sentence Type and Offense, Fiscal Year 2024



⁴⁰ These analyses do not include non-life eligible offenses that may be subject to enhanced or subsequent offender penalties of life imprisonment (e.g., *Child abuse, physical, 1st degree with death, victim at least 13 years old*; *Rape, 2nd degree, adult offender with victim under 13*). These offenses are included in the analyses of non-life eligible offenses. In fiscal year 2024, seven COV for which the MSCCSP received a worksheet involved subsequent offender or enhanced penalties of life imprisonment.

Figure 37 illustrates the mean non-suspended sentence lengths for life-eligible COV that received partially or fully suspended life sentences (See Appendix F, Table 7, for these figures broken down by judicial circuit and offense).⁴¹

Figure 37. Mean Non-Suspended Sentence Lengths (in Years) for Life-Eligible Crimes of Violence that Received Partially or Fully Suspended Life Sentences, by Offense, Fiscal Year 2024



⁴¹ One life-eligible COV (a *Sex Offense, 1st Degree*) received a fully suspended life sentence in fiscal year 2024.

Figure 38 illustrates the mean total sentence and non-suspended sentence lengths for life-eligible COV that received non-life sentences (See Appendix F, Table 8, for these figures broken down by judicial circuit and offense).

Figure 38. Mean Total Sentence and Non-Suspended Sentence Lengths (in Years) for Life-Eligible Crimes of Violence that Received Non-Life Sentences, by Offense, Fiscal Year 2024

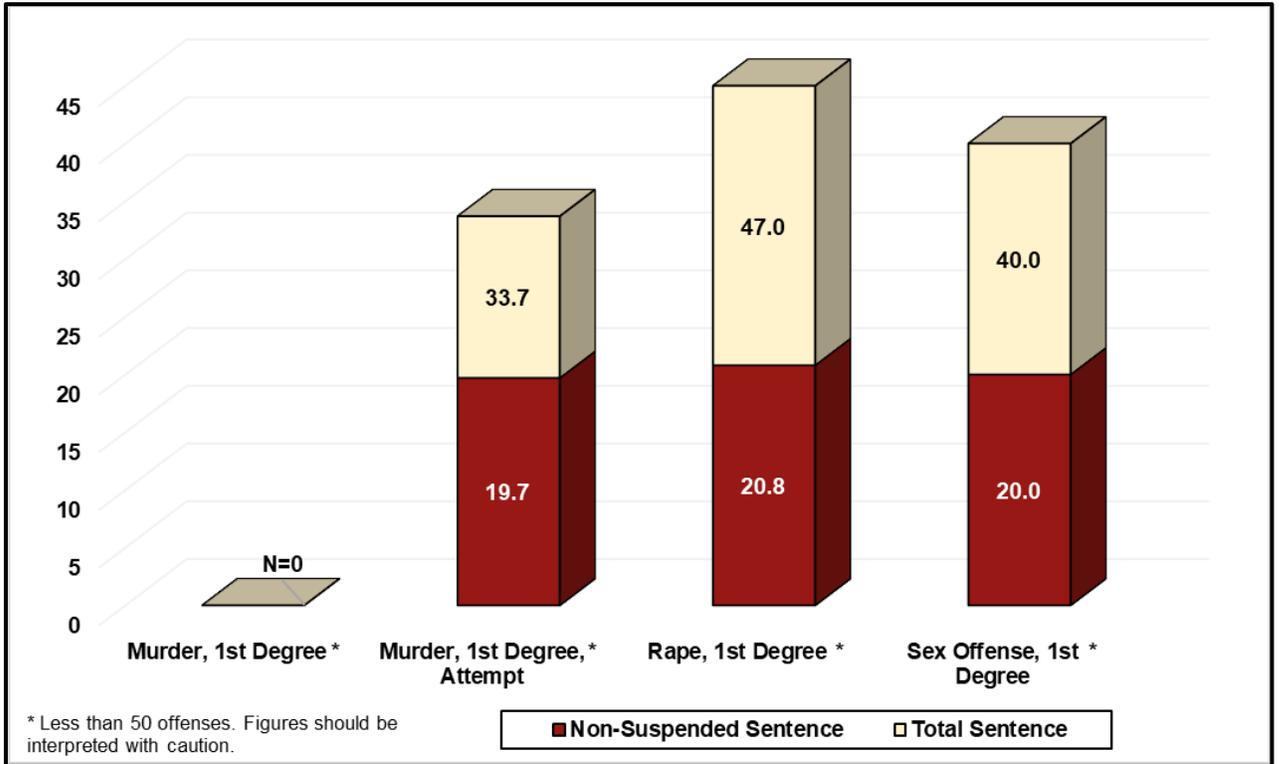
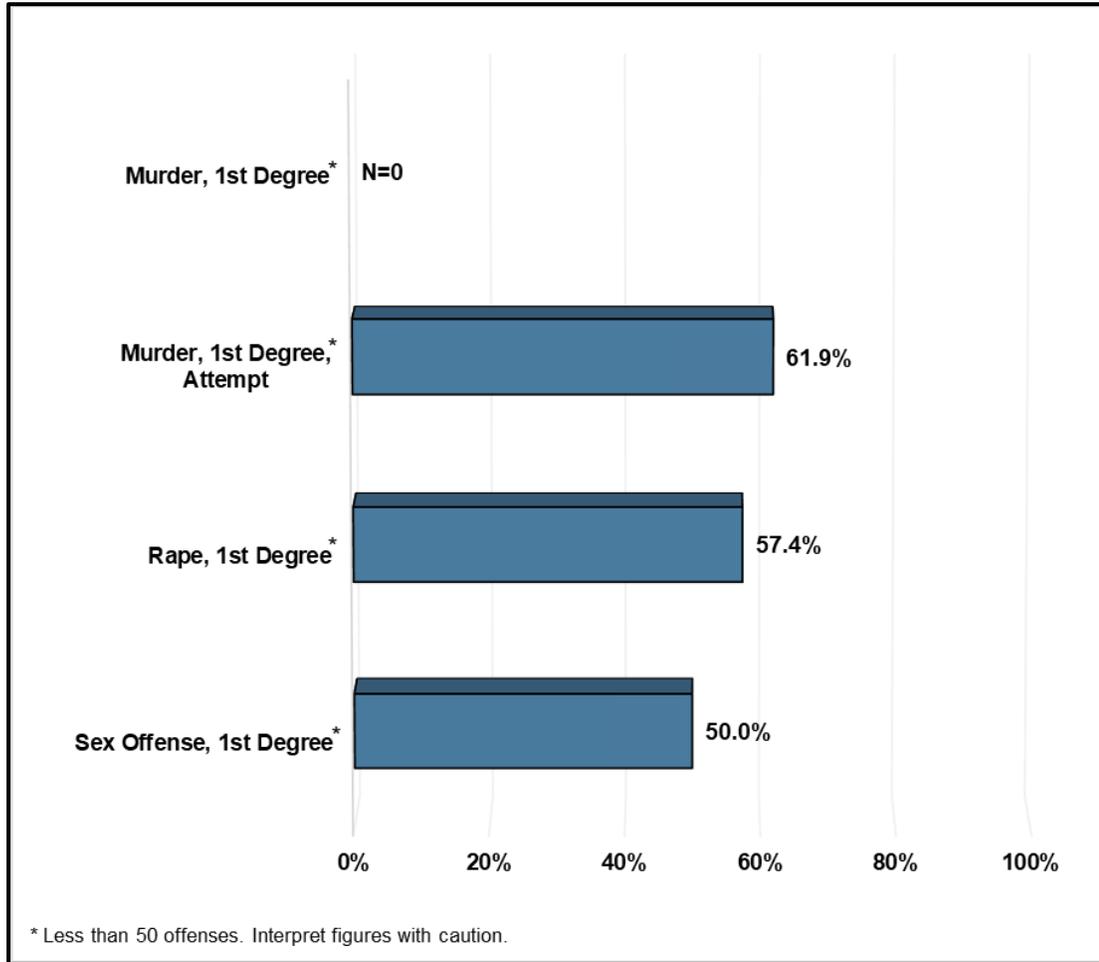


Figure 39 illustrates the mean percentage of the total sentence suspended for life-eligible COV that received partially or fully suspended non-life sentences by offense (See Appendix F, Table 9, for these figures broken down by judicial circuit and offense).⁴²

Figure 39. Mean Percentage of Sentence Suspended for Life-Eligible Crimes of Violence that Received Partially or Fully Suspended Non-Life Sentences, by Offense, Fiscal Year 2024



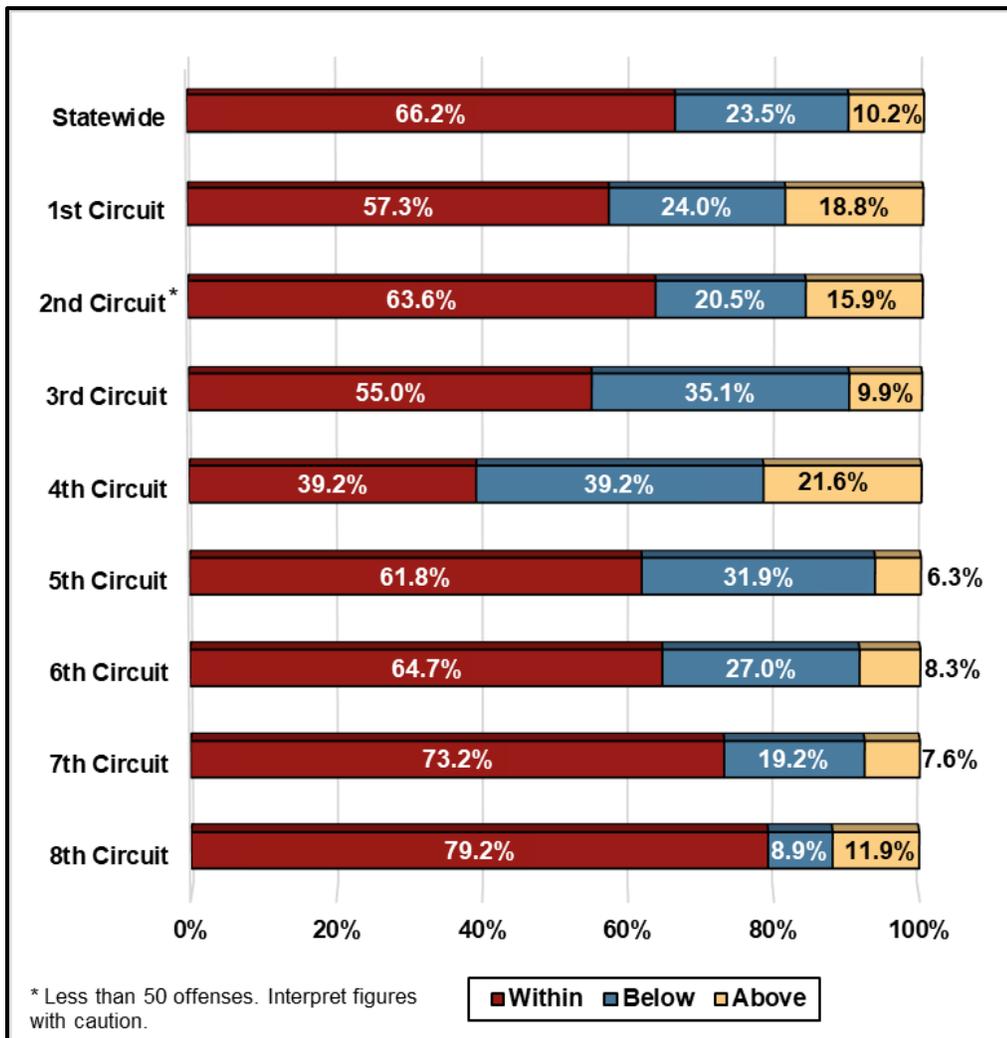
Judicial Compliance Rates for Crimes of Violence

Figure 40 provides the judicial compliance rates for sentencing events involving COV by judicial circuit (see Appendix F, Table 10, for the number and percentage of sentencing events by

⁴² No life-eligible COV received a fully suspended non-life sentence in fiscal year 2024.

guidelines compliance category and judicial circuit).⁴³ Overall, 66.2% of sentencing events involving COV were guidelines-compliant in fiscal year 2024, while 23.5% departed below the guidelines, and 10.2% departed above the guidelines. Compliance rates varied among the judicial circuits, ranging from 39.2% in the Fourth Circuit (Washington, Allegany, and Garrett Counties) to 79.2% in the Eighth Circuit (Baltimore City). The compliance rate for sentencing events involving COV met the Commission’s benchmark standard of 65% compliance in two of the eight judicial circuits. When departures occurred, they were more often below the guidelines than above, though above departures exceeded below departures in the Eighth Circuit.

Figure 40. Sentencing Guidelines Compliance for Sentencing Events Involving Crimes of Violence by Judicial Circuit, Fiscal Year 2024



⁴³ The compliance rates for sentencing events involving COV include both single and multiple-count sentencing events.

Departure Reasons for Crimes of Violence

Tables 14 and 15 display the guidelines departure reasons given for sentencing events involving COV in fiscal year 2024. The tables include the reasons listed on the reference card provided to circuit court judges (see Appendix E). Table 14 provides a rank order of the mitigating reasons judges provided for sentencing events involving COV where the sentence resulted in a downward departure (see Appendix F, Table 11, for these figures broken down by judicial circuit). The most cited reasons for downward departures in sentencing events involving COV were: 1) the parties reached a plea agreement that called for a reduced sentence; and 2) recommendation of the State’s Attorney or Division of Parole and Probation.

Table 14. Departure Reasons for Sentencing Events Involving COV, Below the Guidelines, Fiscal Year 2024⁴⁴

Mitigating Reasons	Percent of Departures Where Reason is Cited
The parties reached a plea agreement that called for a reduced sentence	37.1%
Recommendation of State’s Attorney or Division of Parole and Probation	33.4%
Offender’s commitment to substance abuse treatment or other therapeutic program	10.6%
Offender had diminished capability for judgment	4.4%
Offender made restorative efforts after the offense	4.2%
Offender influenced by coercion or duress	2.0%
Offender’s minor role in the offense	1.7%
Victim’s participation in the offense lessens the offender’s culpability	1.7%
Other reason (not specified above) ⁴⁵	25.8%

⁴⁴ Each sentencing event may cite multiple reasons, therefore the cited percentages will exceed a total of 100%.

⁴⁵ Other reasons for departure included, but were not limited to, judicial discretion (6.1%), the individual’s age/health (4.7%), the individual’s prior criminal record (3.2%), the individual waived credit for time served

Table 15 provides a rank order of the aggravating reasons judges provided for sentencing events involving COV where the sentence resulted in an upward departure (see Appendix F, Table 12, for these figures broken down by judicial circuit). The most cited reasons for departures above the guidelines in sentencing events involving COV were: 1) recommendation of the State’s Attorney or Division of Parole and Probation; 2) the vicious or heinous nature of the conduct; 3) the level of harm was excessive; and 4) the offender’s major role in the offense.

Table 15. Departure Reasons for Sentencing Events Involving COV, Above the Guidelines, Fiscal Year 2024⁴⁶

Aggravating Reasons	Percent of Departures Where Reason is Cited
Recommendation of State’s Attorney or Division of Parole and Probation	38.4%
The vicious or heinous nature of the conduct	42.9%
The level of harm was excessive	38.4%
Offender’s major role in the offense	28.8%
Special circumstances of the victim	12.4%
Offender exploited a position of trust	12.4%
Offender’s significant participation in major controlled substance offense	0.0%
Offender committed a “white collar” offense	0.0%
Other reason (not specified above) ⁴⁷	17.5%

(1.7%), the individual was sentenced or is pending sentence for another offense or case (1.5%), victim request or the victim/witness was unavailable or uncooperative (1.2%), the nature/circumstances of the offense (1.2%), the sentencing event was a modification to a previously imposed sentence (1.0%), the individual is or was suffering from a mental or physical condition that reduces culpability for the offense (0.7%), familial circumstances (0.7%), amenability to community supervision (0.5%), good behavior (0.5%), the individual expressed remorse (0.5%), and weak facts of the case (0.5%).

⁴⁶ Each sentencing event may cite multiple reasons, therefore the cited percentages will exceed a total of 100%.

⁴⁷ Other reasons for departure included, but were not limited to, the guidelines-sentenced individual’s prior criminal record (3.8%), the nature/circumstances of the offense (2.7%), judicial discretion (2.2%), plea agreement (1.6%), and the individual’s lack of remorse (0.5%).

Planned Activities for 2025



PLANNED ACTIVITIES FOR 2025

The MSCCSP's work in 2025 will be determined, in part, by emerging policy issues and concerns that develop throughout the course of the year. In addition, the MSCCSP will continue to work on the new and previously initiated activities described below.

The MSCCSP will continue to administer Maryland's sentencing guidelines by collecting sentencing guidelines worksheets, maintaining the sentencing guidelines database, monitoring judicial compliance with the guidelines, providing sentencing guidelines education and training, and delivering orientation and instruction on the use of the MAGS application. Additionally, the MSCCSP will review all criminal offenses and changes in the criminal code resulting from the 2025 Legislative Session and adopt seriousness categories for these offenses. Finally, the MSCCSP will continue coordination with the AOC to implement a statewide, aggregated worksheet status report.

The MSCCSP also plans to address the following activities in 2025:

- Review the prior adult criminal record score component of the sentencing guidelines offender score;
- Examine automatically assigning points in the sentencing guidelines offense score for victim injury in cases involving child sexual abuse;
- Implement revised sentencing guidelines departure reasons; and
- Update the MSCCSP website crimes of violence data dashboard and data download tool.

The activities described above, in combination with work associated with any pressing policy issues and concerns that develop over the year, are but a few of the many tasks that the MSCCSP will consider in 2025 to support consistent, fair, and proportional sentencing in Maryland. ■

Appendices



APPENDIX A:**Sentencing Guidelines Matrices**

Sentencing Matrix for Offenses Against Persons								
Offender Score								
Offense Score	0	1	2	3	4	5	6	7 or more
1	P	P	P-3M	3M-1Y	3M-18M	3M-2Y	6M-2Y	1Y-3Y
2	P-6M	P-1Y	P-18M	3M-2Y	6M-3Y	1Y-5Y	18M-5Y	3Y-8Y
3	P-2Y	P-2Y	6M-3Y	1Y-5Y	2Y-5Y	3Y-7Y	4Y-8Y	5Y-10Y
4	P-3Y	6M-4Y	1Y-5Y	2Y-5Y	3Y-7Y	4Y-8Y	5Y-10Y	5Y-12Y
5	3M-4Y	6M-5Y	1Y-6Y	2Y-7Y	3Y-8Y	4Y-10Y	6Y-12Y	8Y-15Y
6	1Y-6Y	2Y-7Y	3Y-8Y	4Y-9Y	5Y-10Y	7Y-12Y	8Y-13Y	10Y-20Y
7	3Y-8Y	4Y-9Y	5Y-10Y	6Y-12Y	7Y-13Y	9Y-14Y	10Y-15Y	12Y-20Y
8	4Y-9Y	5Y-10Y	5Y-12Y	7Y-13Y	8Y-15Y	10Y-18Y	12Y-20Y	15Y-25Y
9	5Y-10Y	7Y-13Y	8Y-15Y	10Y-15Y	12Y-18Y	15-25Y	18Y-30Y	20Y-30Y
10	10Y-18Y	10Y-21Y	12Y-25Y	15Y-25Y	15Y-30Y	18Y-30Y	20Y-35Y	20Y-L
11	12Y-20Y	15Y-25Y	18Y-25Y	20Y-30Y	20Y-30Y	25Y-35Y	25Y-40Y	25Y-L
12	15Y-25Y	18Y-25Y	18Y-30Y	20Y-35Y	20Y-35Y	25Y-40Y	25Y-L	25Y-L
13	20Y-30Y	25Y-35Y	25Y-40Y	25Y-L	25Y-L	30Y-L	L	L
14	20Y-L	25Y-L	28Y-L	30Y-L	L	L	L	L
15	25Y-L	30Y-L	35Y-L	L	L	L	L	L

P=Probation, M=Months, Y=Years, L=Life

Sentencing Matrix for Drug Offenses								
<i>Offender Score</i>								
Offense Seriousness Category	0	1	2	3	4	5	6	7 or more
VII	P	P	P-1M	P-3M	P-4M	P-6M	P-9M	P-1Y
VI	Available for future use. There are currently no seriousness category VI drug offenses.							
V	P-1M	P-3M	P-4M	P-6M	P-9M	P-1Y	1M-18M	2M-2Y
IV	P-3M	P-4M	P-6M	P-9M	P-1Y	1M-18M	2M-2Y	3M-3Y
III-A Cannabis import 45 kilograms or more, and MDMA over 750 grams	P-6M	P-9M	P-18M	1M-2Y	3M-3Y	6M-5Y	1Y-6Y	2Y-8Y
III-B Non-cannabis and non-MDMA, Except Import	P-9M	P-18M	1M-2Y	3M-3Y	6M-5Y	1Y-6Y	2Y-8Y	4Y-12Y
III-C Non-cannabis and non-MDMA, Import	P-18M	1M-2Y	3M-3Y	6M-5Y	1Y-6Y	2Y-8Y	4Y-12Y	6Y-14Y
II	16Y-20Y	18Y-22Y	20Y-24Y	22Y-26Y	24Y-28Y	26Y-30Y	28Y-32Y	30Y-36Y

P=Probation, M=Months, Y=Years

Sentencing Matrix for Property Offenses								
Offender Score								
Offense Seriousness Category	0	1	2	3	4	5	6	7 or more
VII	P	P-3M	P-6M	P-9M	P-1Y	P-18M	1M-2Y	6M-2.5Y
VI	P-3M	P-6M	P-9M	P-1Y	P-18M	1M-2Y	3M-3Y	9M-5Y
V	P-6M	P-9M	P-1Y	P-18M	1M-2Y	3M-3Y	6M-5Y	1Y-6Y
IV	P-9M	P-1Y	P-18M	1M-2Y	3M-3Y	6M-5Y	9M-6Y	18M-8Y
III	P-1Y	P-18M	1M-2Y	3M-3Y	6M-5Y	9M-6Y	1Y-8Y	2Y-9Y
II	1Y-3Y	18M-4Y	2Y-5Y	3Y-7Y	5Y-8Y	5Y-10Y	7Y-12Y	8Y-15Y

P=Probation, M=Months, Y=Years

APPENDIX B:

Maryland Sentencing Guidelines Worksheet (version MAGS 12.0)

MARYLAND SENTENCING GUIDELINES WORKSHEET				OFFENDER NAME - Last, First, Middle		JURISDICTION	
PSI	DATE OF OFFENSE	DATE OF SENTENCING	DISPOSITION TYPE	MODIFICATION TO COV SENTENCES (if applicable)	REPRESENTATION	SEX	BIRTHDATE
<input type="checkbox"/> Yes <input type="checkbox"/> No AT THIS SENTENCING NUMBER OF:	CRIMINAL EVENTS <input type="checkbox"/> WORKSHEET # _____ OF _____ <input type="checkbox"/> CRIMINAL EVENT # _____		MDCSP binding plea agreement Other plea agreement Plea, no agreement Court trial Jury trial	Per MD Rule 3-345 HG, § 8-507 Order Three-Judge Panel Review	Private Public defender Court appointed Self	M ___ F ___ Ethnicity Hispanic/Latino origin Yes ___ No ___ Unknown Victim Court Costs Imposed Yes ___ No ___	RACE (Select all that apply) American Indian or Alaska Native Black or African American White Other Unknown
OFFENSE TITLE				MD CODE, ART, & SECTION		STAT. MAX MIN TERM CASE #	
1st Offense							
2nd Offense							
3rd Offense							
OFFENSE SCORE(S) - Offense Against a Person Only				OFFENDER SCORE		ACTUAL SENTENCE	
1st Off 2nd Off 3rd Off A. Seriousness Category 1 = I = V - VII 3 = 3 = IV 5 = 5 = III 8 = 8 = II 10 = 10 = I B. Victim Injury 0 = 0 = No injury 1 = 1 = Injury, non-permanent 2 = 2 = Injury, permanent 3 = 3 = Permanent injury or death C. Weapon Presence 0 = 0 = No weapon 1 = 1 = Weapon other than firearm 2 = 2 = Firearm or explosive D. Special Victim Vulnerability 0 = 0 = No 1 = 1 = Yes				A. Relationship to CBS When Instant Offense Occurred 0 = None or pending cases 1 = Court or other criminal justice supervision B. Juvenile Delinquency 0 = 23 years or older or 0 findings of a delinquent act within 5 years of the date of the most recent offense 1 = Under 23 years and: 1 or 2 findings of a delinquent act within 5 years of the date of the most recent instant offense 2 = Under 23 years and: 3 or more findings of a delinquent act within 5 years of the date of the most recent instant offense C. Prior Adult Criminal Record 0 = None 1 = Minor 5 = Major D. Prior Adult Parole/Prob Violation 0 = No 1 = Yes		1st Offense TO 2nd Offense TO 3rd Offense TO For theft, fraud, and related crimes, please indicate: <input type="checkbox"/> Economic Loss \$ _____ <input type="checkbox"/> Restitution Proven _____ Yes ___ No ___ Subsequent Offender Proven _____ Yes ___ No ___ For theft, fraud, and related crimes, please indicate: <input type="checkbox"/> Economic Loss \$ _____ <input type="checkbox"/> Restitution Proven _____ Yes ___ No ___ Subsequent Offender Proven _____ Yes ___ No ___ For theft, fraud, and related crimes, please indicate: <input type="checkbox"/> Economic Loss \$ _____ <input type="checkbox"/> Restitution Proven _____ Yes ___ No ___ Subsequent Offender Proven _____ Yes ___ No ___ Additional Sentence Information Probation Community Service Was the offender sentenced to a Corrections Option under Commission criteria? If yes, select all that apply: <input type="checkbox"/> Drug court <input type="checkbox"/> HG, § 8-507 order <input type="checkbox"/> Home detention <input type="checkbox"/> Suspended sentence per CR, § 5-601(e) <input type="checkbox"/> Inpatient substance abuse treatment <input type="checkbox"/> Work release <input type="checkbox"/> Inpatient mental health treatment <input type="checkbox"/> Weekend (or other discontinuous) incarceration <input type="checkbox"/> Other problem solving court (specify): _____ Fine \$ _____ Was the offender sentenced to some other alternative to incarceration? If yes, select all that apply: <input type="checkbox"/> Outpatient substance abuse treatment <input type="checkbox"/> Outpatient mental health treatment <input type="checkbox"/> Other (explain): _____	
VICTIM INFORMATION				REASONS FOR GUIDELINES DEPARTURE		ADDITIONAL INFORMATION	
Victim participation Yes ___ No ___ Victim notification form Yes ___ No ___ Victim notified plea Yes ___ No ___ Victim notified date Yes ___ No ___ Victim present Yes ___ No ___ Written VIS Yes ___ No ___ Oral VIS Yes ___ No ___ No contact requested Yes ___ No ___ No contact ordered Yes ___ No ___				Departure Code 9 or 18 (Please Explain): _____ _____ _____		Probation Notification Yes ___ No ___ Parole Notification Yes ___ No ___ Sentencing Judge's Signature _____ Title _____ Sentencing Judge (Please Print) _____ Worksheet Completed By _____	
Overall Guidelines Range Multiple Counts Only				50% of Sentence Announced for COVs		Additional Information or Institutional/Parole Recommendation	

APPENDIX C:

Sentencing Guidelines Compliance and Average Sentence by Offense Type, Single Count Cases, Fiscal Year 2024 (Most Common Person, Drug, and Property Offenses)

	N	Guidelines Compliance			% Incarc ⁴⁸	Average Sentence Among Incarcerated	
		Within	Below	Above		Total Sentence	Total, Less Suspended
Person Offenses							
Assault, 2 nd Degree	1,233	85.8%	10.8%	3.4%	75.6%	6.2 years	1.1 years
Possession of Regulated Firearm by Restricted Person	261	76.6%	21.8%	1.5%	93.9%	4.3 years	1.4 years
Assault, 1 st Degree	251	61.8%	35.1%	3.2%	97.6%	14.9 years	4.4 years
Robbery	229	79.5%	19.2%	1.3%	93.9%	9.5 years	2.4 years
Wear, Carry, or Transport Handgun ⁴⁹	224	92%	7.6%	0.4%	68.3%	2.5 years	0.5 years
Drug Offenses							
Distribute, PWID, Manufacture, etc. Cocaine	632	88.8%	9.2%	2.1%	84.8%	6.9 years	1.3 years
Distribute, PWID, Manufacture, etc. Fentanyl	294	87.8%	8.8%	3.4%	87.8%	8.8 years	1.8 years
PWID, Manufacture, Possess Production Equipment - Cannabis	102	98%	---	2%	48%	2 years	0.2 years
Possess Cocaine	88	95.5%	---	4.5%	73.9%	0.7 years	0.3 years
Distribute, PWID, Manufacture, etc. Heroin	47	85.1%	10.6%	4.3%	89.4%	7.2 years	2.1 years
Property Offenses							
Burglary, 2 nd Degree	143	87.4%	9.8%	2.8%	83.2%	7.1 years	1.3 years
Felony Theft or Theft Scheme, At Least \$1,500 but Less Than \$25,000	129	83.7%	4.7%	11.6%	61.2%	4 years	0.9 years
Burglary, 4 th Degree	109	92.7%	3.7%	3.7%	65.1%	2.2 years	0.4 years
Burglary, 1 st Degree	70	84.3%	11.4%	4.3%	85.7%	8.8 years	1.9 years
Deliver, Possess with Intent to Deliver, Knowingly Possess Contraband	69	81.2%	15.9%	2.9%	82.6%	1.1 years	0.8 years

⁴⁸ % *Incarcerated* includes those who are incarcerated pre-trial only, as well as those incarcerated after sentencing.

⁴⁹ The legislature raised the maximum penalty for *Wear, Carry, or Transport Handgun* from three years to five years effective October 1, 2023. In response, the Commission changed the seriousness category from VII to VI. The statistics presented in the table are limited to sentencing events involving *Wear, Carry, or Transport Handgun* with an offense date prior to October 1, 2023.

APPENDIX D:

Description of Types of Disposition

Disposition Type	Description
MSCCSP Binding Plea Agreement ⁵⁰	A plea agreement presented to the court in agreement by an attorney for the government and the defendant's attorney, or the defendant when proceeding pro se, that a court has approved relating to a particular sentence and disposition. An MSCCSP binding plea agreement means an agreement to a specific amount of active time (if any), not merely a sentence cap or range. The court has the discretion to accept or reject the plea. The agreement is binding on the court under Maryland Rule 4-243(c) if the court accepts the plea.
Other Plea Agreement	The disposition resulted from a plea agreement reached by the parties that did not include an agreement to a specific amount of active time (if any) and/or the agreement was not approved by, and thus not binding on, the court.
Plea, No Agreement	The defendant pleaded guilty without any agreement from the prosecutor or judge to perform in a particular way.
Bench Trial	The disposition resulted from a trial without a jury in which the judge decided the factual questions.
Jury Trial	The disposition resulted from a trial in which the jury decided the factual questions.

⁵⁰ The name and definition of a guidelines-compliant plea agreement was revised effective April 1, 2021. Prior to April 1, 2021, a guidelines-compliant plea was termed an *ABA plea agreement* and defined as follows: *The disposition resulted from a plea agreement that the court approved relating to a particular sentence, disposition, or other judicial action, and the agreement is binding on the court under Maryland Rule 4-243(c).*

APPENDIX E:

Common Departure Reasons Listed on the Sentencing Guidelines Departure Reference Card

Departure Code	Mitigating Reasons
1	The parties reached a plea agreement that called for a reduced sentence.
2	Offender’s minor role in the offense.
3	Offender was influenced by coercion or duress.
4	Offender had diminished capability for judgment.
5	Offender made restorative efforts after the offense.
6	Victim’s participation in the offense lessens the offender’s culpability.
7	Offender’s commitment to substance abuse treatment or other therapeutic program.
8	Recommendation of State’s Attorney or Division of Parole and Probation.
9	Other reason (not specified above).
Departure Code	Aggravating Reasons
10	Offender’s major role in the offense.
11	The level of harm was excessive.
12	Special circumstances of the victim.
13	Offender exploited a position of trust.
14	Offender committed a “white collar” offense.
15	Offender’s significant participation in major controlled substance offense.
16	The vicious or heinous nature of the conduct.
17	Recommendation of State’s Attorney or Division of Parole and Probation.
18	Other reason (not specified above).

APPENDIX F:

Additional Crime of Violence (COV) Statistics

Table 1. Crimes of Violence by Offense and Judicial Circuit, FY 2024

	Total	1st Circuit	2nd Circuit	3rd Circuit	4th Circuit	5th Circuit	6th Circuit	7th Circuit	8th Circuit
Abduction	1	0	0	0	0	1	0	0	0
Arson, 1st Degree	20	2	1	2	0	3	1	3	8
Assault, 1st Degree	548	31	20	108	19	82	74	85	129
Assault w/Intent to Murder, etc.	0	0	0	0	0	0	0	0	0
Carjacking, Armed	51	0	0	13	0	10	9	8	11
Carjacking, Unarmed	49	0	0	10	0	4	6	20	9
Child Abuse, Physical, 1st Degree	12	1	0	3	0	0	2	0	6
Child Sexual Abuse	199	20	10	45	10	22	42	30	20
Continuing Course of Conduct	22	1	1	1	2	4	2	6	5
Firearm Use in COV/Felony	498	17	1	58	3	56	43	99	221
Home Invasion	27	0	0	9	2	9	3	0	4
Kidnapping	16	2	1	3	1	4	1	3	1
Maiming	0	0	0	0	0	0	0	0	0
Manslaughter	46	2	1	3	0	2	3	20	15
Murder, 1st Degree	182	5	0	21	2	15	6	45	88
Murder, 1st Degree, Attempt	68	2	1	6	0	4	7	14	34
Murder, 2nd Degree	124	5	4	13	7	6	14	43	32
Murder, 2nd Degree, Attempt	69	1	4	3	1	3	7	10	40
Rape, 1st Degree	27	1	2	3	0	3	9	5	4
Rape, 2nd Degree	106	10	0	25	5	13	24	18	11
Robbery	298	18	7	52	10	27	52	80	52
Robbery w/Dangerous Weapon	274	17	1	70	6	41	39	53	47
Sex Offense, 1st Degree	5	0	1	2	0	0	1	1	0
Sex Offense, 2nd Degree	12	2	0	3	0	1	4	2	0
Sex Trafficking	3	0	0	0	0	0	2	1	0
Total	2,657	137	55	453	68	310	351	546	737

Table 2. Distribution of Sentencing Events Involving Crimes of Violence by Disposition and Judicial Circuit, and Offense, Fiscal Year 2024, Statewide

	Total		1st Circuit		2nd Circuit		3rd Circuit		4th Circuit	
	#	% in State	#	% in Circuit						
MSCCSP Binding Plea Agreement	539	31.2%	7	7.3%	7	15.9%	62	18.1%	1	2.0%
Other Plea Agreement	615	35.5%	54	56.3%	20	45.5%	96	28.1%	36	70.6%
Plea, No Agreement	315	18.2%	17	17.7%	8	18.2%	152	44.4%	7	13.7%
Bench Trial	25	1.4%	0	0.0%	3	6.8%	8	2.3%	0	0.0%
Jury Trial	236	13.6%	18	18.8%	6	13.6%	24	7.0%	7	13.7%
Total	1,730	100.0%	96	100.0%	44	100.0%	342	100.0%	51	100.0%

	5th Circuit		6th Circuit		7th Circuit		8th Circuit	
	#	% in Circuit						
MSCCSP Binding Plea Agreement	32	15.5%	89	35.3%	77	22.4%	264	66.8%
Other Plea Agreement	133	64.3%	91	36.1%	161	46.9%	24	6.1%
Plea, No Agreement	21	10.1%	26	10.3%	65	19.0%	19	4.8%
Bench Trial	2	1.0%	2	0.8%	3	0.9%	7	1.8%
Jury Trial	19	9.2%	44	17.5%	37	10.8%	81	20.5%
Total	207	100.0%	252	100.0%	343	100.0%	395	100.0%

Table 3a. Distribution of Non-Life Eligible Crimes of Violence by Sentence Type, Judicial Circuit, and Offense, Fiscal Year 2024, Statewide

Statewide						
		Total	Flat Sentence	Partially Suspended	Fully Suspended	Probation Only/No Sentence
Abduction	#	1	0	1	0	0
	%	100.0%	0.0%	100.0%	0.0%	0.0%
Arson, 1st Degree	#	20	6	13	1	0
	%	100.0%	30.0%	65.0%	5.0%	0.0%
Assault, 1st Degree	#	548	81	428	33	6
	%	100.0%	14.8%	78.1%	6.0%	1.1%
Assault w/Intent to Murder, etc.	#	0	0	0	0	0
	%	-	-	-	-	-
Carjacking, Armed	#	51	9	35	7	0
	%	100.0%	17.6%	68.6%	13.7%	0.0%
Carjacking, Unarmed	#	49	2	44	3	0
	%	100.0%	4.1%	89.8%	6.1%	0.0%
Child Abuse, Physical, 1st Degree	#	12	5	7	0	0
	%	100.0%	41.7%	58.3%	0.0%	0.0%
Child Sexual Abuse	#	199	32	158	9	0
	%	100.0%	16.1%	79.4%	4.5%	0.0%
Continuing Course of Conduct	#	22	2	18	2	0
	%	100.0%	9.1%	81.8%	9.1%	0.0%
Firearm Use in COV/Felony	#	498	324	174	0	0
	%	100.0%	65.1%	34.9%	0.0%	0.0%
Home Invasion	#	27	5	20	1	1
	%	100.0%	18.5%	74.1%	3.7%	3.7%
Kidnapping	#	16	9	6	1	0
	%	100.0%	56.3%	37.5%	6.3%	0.0%
Maiming	#	0	0	0	0	0
	%	-	-	-	-	-
Manslaughter	#	46	23	20	3	0
	%	100.0%	50.0%	43.5%	6.5%	0.0%
Murder, 2nd Degree	#	124	37	86	1	0
	%	100.0%	29.8%	69.4%	0.8%	0.0%
Murder, 2nd Degree, Attempt	#	69	11	51	7	0
	%	100.0%	15.9%	73.9%	10.1%	0.0%
Rape, 2nd Degree	#	106	23	69	14	0
	%	100.0%	21.7%	65.1%	13.2%	0.0%
Robbery	#	298	38	243	16	1
	%	100.0%	12.8%	81.5%	5.4%	0.3%
Robbery w/Dangerous Weapon	#	274	69	182	23	0
	%	100.0%	25.2%	66.4%	8.4%	0.0%
Sex Offense, 2nd Degree	#	12	7	5	0	0
	%	100.0%	58.3%	41.7%	0.0%	0.0%
Sex Trafficking	#	3	0	3	0	0
	%	100.0%	0.0%	100.0%	0.0%	0.0%
Total	#	2,375	683	1,563	121	8
	%	100.0%	28.8%	65.8%	5.1%	0.3%

Table 3b. Distribution of Non-Life Eligible Crimes of Violence by Sentence Type, Judicial Circuit, and Offense, Fiscal Year 2024, 1st Circuit

1st Circuit						
		Total	Flat Sentence	Partially Suspended	Fully Suspended	Probation Only/No Sentence
Abduction	#	0	0	0	0	0
	%	-	-	-	-	-
Arson, 1st Degree	#	2	0	2	0	0
	%	100.0%	0.0%	100.0%	0.0%	0.0%
Assault, 1st Degree	#	31	8	23	0	0
	%	100.0%	25.8%	74.2%	0.0%	0.0%
Assault w/Intent to Murder, etc.	#	0	0	0	0	0
	%	-	-	-	-	-
Carjacking, Armed	#	0	0	0	0	0
	%	-	-	-	-	-
Carjacking, Unarmed	#	0	0	0	0	0
	%	-	-	-	-	-
Child Abuse, Physical, 1st Degree	#	1	1	0	0	0
	%	100.0%	100.0%	0.0%	0.0%	0.0%
Child Sexual Abuse	#	20	13	7	0	0
	%	100.0%	65.0%	35.0%	0.0%	0.0%
Continuing Course of Conduct	#	1	0	1	0	0
	%	100.0%	0.0%	100.0%	0.0%	0.0%
Firearm Use in COV/Felony	#	17	11	6	0	0
	%	100.0%	64.7%	35.3%	0.0%	0.0%
Home Invasion	#	0	0	0	0	0
	%	-	-	-	-	-
Kidnapping	#	2	2	0	0	0
	%	100.0%	100.0%	0.0%	0.0%	0.0%
Maiming	#	0	0	0	0	0
	%	-	-	-	-	-
Manslaughter	#	2	0	1	1	0
	%	100.0%	0.0%	50.0%	50.0%	0.0%
Murder, 2nd Degree	#	5	3	2	0	0
	%	100.0%	60.0%	40.0%	0.0%	0.0%
Murder, 2nd Degree, Attempt	#	1	0	1	0	0
	%	100.0%	0.0%	100.0%	0.0%	0.0%
Rape, 2nd Degree	#	10	3	6	1	0
	%	100.0%	30.0%	60.0%	10.0%	0.0%
Robbery	#	18	2	14	2	0
	%	100.0%	11.1%	77.8%	11.1%	0.0%
Robbery w/Dangerous Weapon	#	17	6	9	2	0
	%	100.0%	35.3%	52.9%	11.8%	0.0%
Sex Offense, 2nd Degree	#	2	2	0	0	0
	%	100.0%	100.0%	0.0%	0.0%	0.0%
Sex Trafficking	#	0	0	0	0	0
	%	-	-	-	-	-
Total	#	129	51	72	6	0
	%	100.0%	39.5%	55.8%	4.7%	0.0%

Table 3c. Distribution of Non-Life Eligible Crimes of Violence by Sentence Type, Judicial Circuit, and Offense, Fiscal Year 2024, 2nd Circuit

2nd Circuit						
		Total	Flat Sentence	Partially Suspended	Fully Suspended	Probation Only/No Sentence
Abduction	#	0	0	0	0	0
	%	-	-	-	-	-
Arson, 1st Degree	#	1	1	0	0	0
	%	100.0%	100.0%	0.0%	0.0%	0.0%
Assault, 1st Degree	#	20	1	19	0	0
	%	100.0%	5.0%	95.0%	0.0%	0.0%
Assault w/Intent to Murder, etc.	#	0	0	0	0	0
	%	-	-	-	-	-
Carjacking, Armed	#	0	0	0	0	0
	%	-	-	-	-	-
Carjacking, Unarmed	#	0	0	0	0	0
	%	-	-	-	-	-
Child Abuse, Physical, 1st Degree	#	0	0	0	0	0
	%	-	-	-	-	-
Child Sexual Abuse	#	10	1	7	2	0
	%	100.0%	10.0%	70.0%	20.0%	0.0%
Continuing Course of Conduct	#	1	1	0	0	0
	%	100.0%	100.0%	0.0%	0.0%	0.0%
Firearm Use in COV/Felony	#	1	0	1	0	0
	%	100.0%	0.0%	100.0%	0.0%	0.0%
Home Invasion	#	0	0	0	0	0
	%	-	-	-	-	-
Kidnapping	#	1	1	0	0	0
	%	100.0%	100.0%	0.0%	0.0%	0.0%
Maiming	#	0	0	0	0	0
	%	-	-	-	-	-
Manslaughter	#	1	0	1	0	0
	%	100.0%	0.0%	100.0%	0.0%	0.0%
Murder, 2nd Degree	#	4	2	2	0	0
	%	100.0%	50.0%	50.0%	0.0%	0.0%
Murder, 2nd Degree, Attempt	#	4	1	3	0	0
	%	100.0%	25.0%	75.0%	0.0%	0.0%
Rape, 2nd Degree	#	0	0	0	0	0
	%	-	-	-	-	-
Robbery	#	7	2	5	0	0
	%	100.0%	28.6%	71.4%	0.0%	0.0%
Robbery w/Dangerous Weapon	#	1	0	1	0	0
	%	100.0%	0.0%	100.0%	0.0%	0.0%
Sex Offense, 2nd Degree	#	0	0	0	0	0
	%	-	-	-	-	-
Sex Trafficking	#	0	0	0	0	0
	%	-	-	-	-	-
Total	#	51	10	39	2	0
	%	100.0%	19.6%	76.5%	3.9%	0.0%

Table 3d. Distribution of Non-Life Eligible Crimes of Violence by Sentence Type, Judicial Circuit, and Offense, Fiscal Year 2024, 3rd Circuit

3rd Circuit						
		Total	Flat Sentence	Partially Suspended	Fully Suspended	Probation Only/No Sentence
Abduction	#	0	0	0	0	0
	%	-	-	-	-	-
Arson, 1st Degree	#	2	0	2	0	0
	%	100.0%	0.0%	100.0%	0.0%	0.0%
Assault, 1st Degree	#	108	17	83	5	3
	%	100.0%	15.7%	76.9%	4.6%	2.8%
Assault w/Intent to Murder, etc.	#	0	0	0	0	0
	%	-	-	-	-	-
Carjacking, Armed	#	13	4	8	1	0
	%	100.0%	30.8%	61.5%	7.7%	0.0%
Carjacking, Unarmed	#	10	1	8	1	0
	%	100.0%	10.0%	80.0%	10.0%	0.0%
Child Abuse, Physical, 1st Degree	#	3	1	2	0	0
	%	100.0%	33.3%	66.7%	0.0%	0.0%
Child Sexual Abuse	#	45	6	38	1	0
	%	100.0%	13.3%	84.4%	2.2%	0.0%
Continuing Course of Conduct	#	1	1	0	0	0
	%	100.0%	100.0%	0.0%	0.0%	0.0%
Firearm Use in COV/Felony	#	58	44	14	0	0
	%	100.0%	75.9%	24.1%	0.0%	0.0%
Home Invasion	#	9	1	7	0	1
	%	100.0%	11.1%	77.8%	0.0%	11.1%
Kidnapping	#	3	3	0	0	0
	%	100.0%	100.0%	0.0%	0.0%	0.0%
Maiming	#	0	0	0	0	0
	%	-	-	-	-	-
Manslaughter	#	3	2	1	0	0
	%	100.0%	66.7%	33.3%	0.0%	0.0%
Murder, 2nd Degree	#	13	5	8	0	0
	%	100.0%	38.5%	61.5%	0.0%	0.0%
Murder, 2nd Degree, Attempt	#	3	0	3	0	0
	%	100.0%	0.0%	100.0%	0.0%	0.0%
Rape, 2nd Degree	#	25	10	11	4	0
	%	100.0%	40.0%	44.0%	16.0%	0.0%
Robbery	#	52	5	39	8	0
	%	100.0%	9.6%	75.0%	15.4%	0.0%
Robbery w/Dangerous Weapon	#	70	17	50	3	0
	%	100.0%	24.3%	71.4%	4.3%	0.0%
Sex Offense, 2nd Degree	#	3	1	2	0	0
	%	100.0%	33.3%	66.7%	0.0%	0.0%
Sex Trafficking	#	0	0	0	0	0
	%	-	-	-	-	-
Total	#	421	118	276	23	4
	%	100.0%	28.0%	65.6%	5.5%	1.0%

Table 3e. Distribution of Non-Life Eligible Crimes of Violence by Sentence Type, Judicial Circuit, and Offense, Fiscal Year 2024, 4th Circuit

4th Circuit						
		Total	Flat Sentence	Partially Suspended	Fully Suspended	Probation Only/No Sentence
Abduction	#	0	0	0	0	0
	%	-	-	-	-	-
Arson, 1st Degree	#	0	0	0	0	0
	%	-	-	-	-	-
Assault, 1st Degree	#	19	1	17	0	1
	%	100.0%	5.3%	89.5%	0.0%	5.3%
Assault w/Intent to Murder, etc.	#	0	0	0	0	0
	%	-	-	-	-	-
Carjacking, Armed	#	0	0	0	0	0
	%	-	-	-	-	-
Carjacking, Unarmed	#	0	0	0	0	0
	%	-	-	-	-	-
Child Abuse, Physical, 1st Degree	#	0	0	0	0	0
	%	-	-	-	-	-
Child Sexual Abuse	#	10	7	3	0	0
	%	100.0%	70.0%	30.0%	0.0%	0.0%
Continuing Course of Conduct	#	2	0	2	0	0
	%	100.0%	0.0%	100.0%	0.0%	0.0%
Firearm Use in COV/Felony	#	3	1	2	0	0
	%	100.0%	33.3%	66.7%	0.0%	0.0%
Home Invasion	#	2	2	0	0	0
	%	100.0%	100.0%	0.0%	0.0%	0.0%
Kidnapping	#	1	1	0	0	0
	%	100.0%	100.0%	0.0%	0.0%	0.0%
Maiming	#	0	0	0	0	0
	%	-	-	-	-	-
Manslaughter	#	0	0	0	0	0
	%	-	-	-	-	-
Murder, 2nd Degree	#	7	1	6	0	0
	%	100.0%	14.3%	85.7%	0.0%	0.0%
Murder, 2nd Degree, Attempt	#	1	0	1	0	0
	%	100.0%	0.0%	100.0%	0.0%	0.0%
Rape, 2nd Degree	#	5	0	2	3	0
	%	100.0%	0.0%	40.0%	60.0%	0.0%
Robbery	#	10	0	10	0	0
	%	100.0%	0.0%	100.0%	0.0%	0.0%
Robbery w/Dangerous Weapon	#	6	1	5	0	0
	%	100.0%	16.7%	83.3%	0.0%	0.0%
Sex Offense, 2nd Degree	#	0	0	0	0	0
	%	-	-	-	-	-
Sex Trafficking	#	0	0	0	0	0
	%	-	-	-	-	-
Total	#	66	14	48	3	1
	%	100.0%	21.2%	72.7%	4.5%	1.5%

Table 3f. Distribution of Non-Life Eligible Crimes of Violence by Sentence Type, Judicial Circuit, and Offense, Fiscal Year 2024, 5th Circuit

5th Circuit						
		Total	Flat Sentence	Partially Suspended	Fully Suspended	Probation Only/No Sentence
Abduction	#	1	0	1	0	0
	%	100.0%	0.0%	100.0%	0.0%	0.0%
Arson, 1st Degree	#	3	1	2	0	0
	%	100.0%	33.3%	66.7%	0.0%	0.0%
Assault, 1st Degree	#	82	15	60	7	0
	%	100.0%	18.3%	73.2%	8.5%	0.0%
Assault w/Intent to Murder, etc.	#	0	0	0	0	0
	%	-	-	-	-	-
Carjacking, Armed	#	10	1	6	3	0
	%	100.0%	10.0%	60.0%	30.0%	0.0%
Carjacking, Unarmed	#	4	0	4	0	0
	%	100.0%	0.0%	100.0%	0.0%	0.0%
Child Abuse, Physical, 1st Degree	#	0	0	0	0	0
	%	-	-	-	-	-
Child Sexual Abuse	#	22	1	18	3	0
	%	100.0%	4.5%	81.8%	13.6%	0.0%
Continuing Course of Conduct	#	4	0	4	0	0
	%	100.0%	0.0%	100.0%	0.0%	0.0%
Firearm Use in COV/Felony	#	56	33	23	0	0
	%	100.0%	58.9%	41.1%	0.0%	0.0%
Home Invasion	#	9	0	8	1	0
	%	100.0%	0.0%	88.9%	11.1%	0.0%
Kidnapping	#	4	2	1	1	0
	%	100.0%	50.0%	25.0%	25.0%	0.0%
Maiming	#	0	0	0	0	0
	%	-	-	-	-	-
Manslaughter	#	2	1	0	1	0
	%	100.0%	50.0%	0.0%	50.0%	0.0%
Murder, 2nd Degree	#	6	3	3	0	0
	%	100.0%	50.0%	50.0%	0.0%	0.0%
Murder, 2nd Degree, Attempt	#	3	0	3	0	0
	%	100.0%	0.0%	100.0%	0.0%	0.0%
Rape, 2nd Degree	#	13	5	7	1	0
	%	100.0%	38.5%	53.8%	7.7%	0.0%
Robbery	#	27	3	24	0	0
	%	100.0%	11.1%	88.9%	0.0%	0.0%
Robbery w/Dangerous Weapon	#	41	9	29	3	0
	%	100.0%	22.0%	70.7%	7.3%	0.0%
Sex Offense, 2nd Degree	#	1	0	1	0	0
	%	100.0%	0.0%	100.0%	0.0%	0.0%
Sex Trafficking	#	0	0	0	0	0
	%	-	-	-	-	-
Total	#	288	74	194	20	0
	%	100.0%	25.7%	67.4%	6.9%	0.0%

Table 3g. Distribution of Non-Life Eligible Crimes of Violence by Sentence Type, Judicial Circuit, and Offense, Fiscal Year 2024, 6th Circuit

6th Circuit						
		Total	Flat Sentence	Partially Suspended	Fully Suspended	Probation Only/No Sentence
Abduction	#	0	0	0	0	0
	%	-	-	-	-	-
Arson, 1st Degree	#	1	0	1	0	0
	%	100.0%	0.0%	100.0%	0.0%	0.0%
Assault, 1st Degree	#	74	5	58	10	1
	%	100.0%	6.8%	78.4%	13.5%	1.4%
Assault w/Intent to Murder, etc.	#	0	0	0	0	0
	%	-	-	-	-	-
Carjacking, Armed	#	9	0	8	1	0
	%	100.0%	0.0%	88.9%	11.1%	0.0%
Carjacking, Unarmed	#	6	0	6	0	0
	%	100.0%	0.0%	100.0%	0.0%	0.0%
Child Abuse, Physical, 1st Degree	#	2	1	1	0	0
	%	100.0%	50.0%	50.0%	0.0%	0.0%
Child Sexual Abuse	#	42	1	39	2	0
	%	100.0%	2.4%	92.9%	4.8%	0.0%
Continuing Course of Conduct	#	2	0	1	1	0
	%	100.0%	0.0%	50.0%	50.0%	0.0%
Firearm Use in COV/Felony	#	43	22	21	0	0
	%	100.0%	51.2%	48.8%	0.0%	0.0%
Home Invasion	#	3	1	2	0	0
	%	100.0%	33.3%	66.7%	0.0%	0.0%
Kidnapping	#	1	0	1	0	0
	%	100.0%	0.0%	100.0%	0.0%	0.0%
Maiming	#	0	0	0	0	0
	%	-	-	-	-	-
Manslaughter	#	3	3	0	0	0
	%	100.0%	100.0%	0.0%	0.0%	0.0%
Murder, 2nd Degree	#	14	8	6	0	0
	%	100.0%	57.1%	42.9%	0.0%	0.0%
Murder, 2nd Degree, Attempt	#	7	1	6	0	0
	%	100.0%	14.3%	85.7%	0.0%	0.0%
Rape, 2nd Degree	#	24	3	19	2	0
	%	100.0%	12.5%	79.2%	8.3%	0.0%
Robbery	#	52	10	39	3	0
	%	100.0%	19.2%	75.0%	5.8%	0.0%
Robbery w/Dangerous Weapon	#	39	8	25	6	0
	%	100.0%	20.5%	64.1%	15.4%	0.0%
Sex Offense, 2nd Degree	#	4	2	2	0	0
	%	100.0%	50.0%	50.0%	0.0%	0.0%
Sex Trafficking	#	2	0	2	0	0
	%	100.0%	0.0%	100.0%	0.0%	0.0%
Total	#	328	65	237	25	1
	%	100.0%	19.8%	72.3%	7.6%	0.3%

Table 3h. Distribution of Non-Life Eligible Crimes of Violence by Sentence Type, Judicial Circuit, and Offense, Fiscal Year 2024, 7th Circuit

7th Circuit						
		Total	Flat Sentence	Partially Suspended	Fully Suspended	Probation Only/No Sentence
Abduction	#	0	0	0	0	0
	%	-	-	-	-	-
Arson, 1st Degree	#	3	0	3	0	0
	%	100.0%	0.0%	100.0%	0.0%	0.0%
Assault, 1st Degree	#	85	6	70	9	0
	%	100.0%	7.1%	82.4%	10.6%	0.0%
Assault w/Intent to Murder, etc.	#	0	0	0	0	0
	%	-	-	-	-	-
Carjacking, Armed	#	8	1	6	1	0
	%	100.0%	12.5%	75.0%	12.5%	0.0%
Carjacking, Unarmed	#	20	0	18	2	0
	%	100.0%	0.0%	90.0%	10.0%	0.0%
Child Abuse, Physical, 1st Degree	#	0	0	0	0	0
	%	-	-	-	-	-
Child Sexual Abuse	#	30	1	29	0	0
	%	100.0%	3.3%	96.7%	0.0%	0.0%
Continuing Course of Conduct	#	6	0	5	1	0
	%	100.0%	0.0%	83.3%	16.7%	0.0%
Firearm Use in COV/Felony	#	99	40	59	0	0
	%	100.0%	40.4%	59.6%	0.0%	0.0%
Home Invasion	#	0	0	0	0	0
	%	-	-	-	-	-
Kidnapping	#	3	0	3	0	0
	%	100.0%	0.0%	100.0%	0.0%	0.0%
Maiming	#	0	0	0	0	0
	%	-	-	-	-	-
Manslaughter	#	20	6	14	0	0
	%	100.0%	30.0%	70.0%	0.0%	0.0%
Murder, 2nd Degree	#	43	4	38	1	0
	%	100.0%	9.3%	88.4%	2.3%	0.0%
Murder, 2nd Degree, Attempt	#	10	1	9	0	0
	%	100.0%	10.0%	90.0%	0.0%	0.0%
Rape, 2nd Degree	#	18	1	14	3	0
	%	100.0%	5.6%	77.8%	16.7%	0.0%
Robbery	#	80	1	76	3	0
	%	100.0%	1.3%	95.0%	3.8%	0.0%
Robbery w/Dangerous Weapon	#	53	6	42	5	0
	%	100.0%	11.3%	79.2%	9.4%	0.0%
Sex Offense, 2nd Degree	#	2	2	0	0	0
	%	100.0%	100.0%	0.0%	0.0%	0.0%
Sex Trafficking	#	1	0	1	0	0
	%	100.0%	0.0%	100.0%	0.0%	0.0%
Total	#	481	69	387	25	0
	%	100.0%	14.3%	80.5%	5.2%	0.0%

Table 3i. Distribution of Non-Life Eligible Crimes of Violence by Sentence Type, Judicial Circuit, and Offense, Fiscal Year 2024, 8th Circuit

8th Circuit						
		Total	Flat Sentence	Partially Suspended	Fully Suspended	Probation Only/No Sentence
Abduction	#	0	0	0	0	0
	%	-	-	-	-	-
Arson, 1st Degree	#	8	4	3	1	0
	%	100.0%	50.0%	37.5%	12.5%	0.0%
Assault, 1st Degree	#	129	28	98	2	1
	%	100.0%	21.7%	76.0%	1.6%	0.8%
Assault w/Intent to Murder, etc.	#	0	0	0	0	0
	%	-	-	-	-	-
Carjacking, Armed	#	11	3	7	1	0
	%	100.0%	27.3%	63.6%	9.1%	0.0%
Carjacking, Unarmed	#	9	1	8	0	0
	%	100.0%	11.1%	88.9%	0.0%	0.0%
Child Abuse, Physical, 1st Degree	#	6	2	4	0	0
	%	100.0%	33.3%	66.7%	0.0%	0.0%
Child Sexual Abuse	#	20	2	17	1	0
	%	100.0%	10.0%	85.0%	5.0%	0.0%
Continuing Course of Conduct	#	5	0	5	0	0
	%	100.0%	0.0%	100.0%	0.0%	0.0%
Firearm Use in COV/Felony	#	221	173	48	0	0
	%	100.0%	78.3%	21.7%	0.0%	0.0%
Home Invasion	#	4	1	3	0	0
	%	100.0%	25.0%	75.0%	0.0%	0.0%
Kidnapping	#	1	0	1	0	0
	%	100.0%	0.0%	100.0%	0.0%	0.0%
Maiming	#	0	0	0	0	0
	%	-	-	-	-	-
Manslaughter	#	15	11	3	1	0
	%	100.0%	73.3%	20.0%	6.7%	0.0%
Murder, 2nd Degree	#	32	11	21	0	0
	%	100.0%	34.4%	65.6%	0.0%	0.0%
Murder, 2nd Degree, Attempt	#	40	8	25	7	0
	%	100.0%	20.0%	62.5%	17.5%	0.0%
Rape, 2nd Degree	#	11	1	10	0	0
	%	100.0%	9.1%	90.9%	0.0%	0.0%
Robbery	#	52	15	36	0	1
	%	100.0%	28.8%	69.2%	0.0%	1.9%
Robbery w/Dangerous Weapon	#	47	22	21	4	0
	%	100.0%	46.8%	44.7%	8.5%	0.0%
Sex Offense, 2nd Degree	#	0	0	0	0	0
	%	-	-	-	-	-
Sex Trafficking	#	0	0	0	0	0
	%	-	-	-	-	-
Total	#	611	282	310	17	2
	%	100.0%	46.2%	50.7%	2.8%	0.3%

Table 4a. Mean Total Sentence and Non-Suspended Sentence Lengths for Non-Life Eligible Crimes of Violence by Judicial Circuit and Offense, Fiscal Year 2024, Statewide and 1st Circuit

	Statewide			1st Circuit		
	#	Mean Total Sentence (Years)	Mean Non-Suspended Sentence (Years)	#	Mean Total Sentence (Years)	Mean Non-Suspended Sentence (Years)
Abduction	1	5.0	1.4	0	-	-
Arson, 1st Degree	20	16.8	5.1	2	22.5	4.8
Assault, 1st Degree	548	16.9	6.6	31	16.8	8.2
Assault w/Intent to Murder, etc.	0	.	.	0	-	-
Carjacking, Armed	51	17.1	8.0	0	-	-
Carjacking, Unarmed	49	18.5	5.5	0	-	-
Child Abuse, Physical, 1st Degree	12	30.0	18.9	1	20.0	20.0
Child Sexual Abuse	199	21.4	9.9	20	23.0	17.0
Continuing Course of Conduct	22	27.5	12.1	1	25.0	15.0
Firearm Use in COV/Felony	498	13.8	10.0	17	14.7	11.2
Home Invasion	27	18.2	8.9	0	-	-
Kidnapping	16	23.8	17.4	2	25.0	25.0
Maiming	0	.	.	0	-	-
Manslaughter	46	9.9	6.8	2	10.0	2.5
Murder, 2nd Degree	124	37.3	25.2	5	38.0	32.0
Murder, 2nd Degree, Attempt	69	26.5	12.4	1	30.0	10.5
Rape, 2nd Degree	106	17.9	9.4	10	17.9	10.6
Robbery	298	10.6	3.4	18	11.9	3.2
Robbery w/Dangerous Weapon	274	15.3	7.4	17	17.9	11.1
Sex Offense, 2nd Degree	12	19.5	15.7	2	20.0	20.0
Sex Trafficking	3	21.7	10.0	0	-	-
Total	2,375			129		

Table 4b. Mean Total Sentence and Non-Suspended Sentence Lengths for Non-Life Eligible Crimes of Violence by Judicial Circuit and Offense, Fiscal Year 2024, 2nd Circuit and 3rd Circuit

	2nd Circuit			3rd Circuit		
	#	Mean Total Sentence (Years)	Mean Non-Suspended Sentence (Years)	#	Mean Total Sentence (Years)	Mean Non-Suspended Sentence (Years)
Abduction	0	-	-	0	-	-
Arson, 1st Degree	1	10.0	10.0	2	27.5	1.0
Assault, 1st Degree	20	14.8	5.4	108	15.5	6.6
Assault w/Intent to Murder, etc.	0	-	-	0	-	-
Carjacking, Armed	0	-	-	13	16.5	9.4
Carjacking, Unarmed	0	-	-	10	12.5	3.2
Child Abuse, Physical, 1st Degree	0	-	-	3	21.7	12.0
Child Sexual Abuse	10	19.5	10.6	45	20.6	8.7
Continuing Course of Conduct	1	30.0	30.0	1	15.0	15.0
Firearm Use in COV/Felony	1	20.0	5.0	58	13.0	10.2
Home Invasion	0	-	-	9	18.1	7.7
Kidnapping	1	30.0	30.0	3	26.7	26.7
Maiming	0	-	-	0	-	-
Manslaughter	1	10.0	5.0	3	10.0	8.3
Murder, 2nd Degree	4	38.8	31.3	13	36.2	22.2
Murder, 2nd Degree, Attempt	4	30.0	21.3	3	26.7	13.0
Rape, 2nd Degree	0	-	-	25	16.7	9.4
Robbery	7	10.3	5.2	52	9.9	3.1
Robbery w/Dangerous Weapon	1	20.0	10.0	70	14.4	7.3
Sex Offense, 2nd Degree	0	-	-	3	13.3	6.1
Sex Trafficking	0	-	-	0	-	-
Total	51			421		

Table 4c. Mean Total Sentence and Non-Suspended Sentence Lengths for Non-Life Eligible Crimes of Violence by Judicial Circuit and Offense, Fiscal Year 2024, 4th Circuit and 5th Circuit

	4th Circuit			5th Circuit		
	#	Mean Total Sentence (Years)	Mean Non-Suspended Sentence (Years)	#	Mean Total Sentence (Years)	Mean Non-Suspended Sentence (Years)
Abduction	0	-	-	1	5.0	1.4
Arson, 1st Degree	0	-	-	3	20.0	11.7
Assault, 1st Degree	19	19.6	8.4	82	15.0	6.2
Assault w/Intent to Murder, etc.	0	-	-	0	-	-
Carjacking, Armed	0	-	-	10	18.0	9.5
Carjacking, Unarmed	0	-	-	4	17.0	6.4
Child Abuse, Physical, 1st Degree	0	-	-	0	-	-
Child Sexual Abuse	10	20.5	18.0	22	23.6	8.2
Continuing Course of Conduct	2	27.5	19.5	4	28.8	11.3
Firearm Use in COV/Felony	3	20.0	10.0	56	10.5	6.8
Home Invasion	2	17.5	17.5	9	18.9	6.7
Kidnapping	1	30.0	30.0	4	20.0	11.6
Maiming	0	-	-	0	-	-
Manslaughter	0	-	-	2	10.0	5.0
Murder, 2nd Degree	7	39.7	26.0	6	33.3	26.7
Murder, 2nd Degree, Attempt	1	30.0	25.0	3	30.0	12.0
Rape, 2nd Degree	5	16.0	4.0	13	17.3	10.2
Robbery	10	14.5	3.8	27	11.9	3.5
Robbery w/Dangerous Weapon	6	15.3	5.0	41	17.1	8.3
Sex Offense, 2nd Degree	0	-	-	1	20.0	10.0
Sex Trafficking	0	-	-	0	-	-
Total	66			288		

Table 4d. Mean Total Sentence and Non-Suspended Sentence Lengths for Non-Life Eligible Crimes of Violence by Judicial Circuit and Offense, Fiscal Year 2024, 6th Circuit and 7th Circuit

	6th Circuit			7th Circuit		
	#	Mean Total Sentence (Years)	Mean Non-Suspended Sentence (Years)	#	Mean Total Sentence (Years)	Mean Non-Suspended Sentence (Years)
Abduction	0	-	-	0	-	-
Arson, 1st Degree	1	10.0	1.5	3	19.3	2.4
Assault, 1st Degree	74	16.0	4.7	85	19.7	6.6
Assault w/Intent to Murder, etc.	0	-	-	0	-	-
Carjacking, Armed	9	17.0	4.8	8	18.3	10.4
Carjacking, Unarmed	6	14.7	3.6	20	21.9	6.3
Child Abuse, Physical, 1st Degree	2	25.0	23.0	0	-	-
Child Sexual Abuse	42	20.8	7.7	30	23.5	11.1
Continuing Course of Conduct	2	30.0	5.0	6	30.0	13.0
Firearm Use in COV/Felony	43	11.7	6.8	99	17.9	11.1
Home Invasion	3	23.3	15.0	0	-	-
Kidnapping	1	5.0	0.4	3	30.0	10.5
Maiming	0	-	-	0	-	-
Manslaughter	3	10.0	10.0	20	9.8	6.0
Murder, 2nd Degree	14	36.1	31.1	43	37.9	22.2
Murder, 2nd Degree, Attempt	7	26.4	14.6	10	24.5	8.4
Rape, 2nd Degree	24	18.3	10.3	18	19.7	9.4
Robbery	52	8.2	3.4	80	12.7	2.6
Robbery w/Dangerous Weapon	39	10.9	5.2	53	18.1	6.8
Sex Offense, 2nd Degree	4	13.5	10.1	2	40.0	40.0
Sex Trafficking	2	20.0	10.0	1	25.0	10.0
Total	328			481		

Table 4e. Mean Total Sentence and Non-Suspended Sentence Lengths for Non-Life Eligible Crimes of Violence by Judicial Circuit and Offense, Fiscal Year 2024, 8th Circuit

	8th Circuit		
	#	Mean Total Sentence (Years)	Mean Non-Suspended Sentence (Years)
Abduction	0	-	-
Arson, 1st Degree	8	12.3	4.6
Assault, 1st Degree	129	17.8	7.5
Assault w/Intent to Murder, etc.	0	-	-
Carjacking, Armed	11	16.5	5.9
Carjacking, Unarmed	9	20.7	7.3
Child Abuse, Physical, 1st Degree	6	37.5	20.8
Child Sexual Abuse	20	18.4	5.7
Continuing Course of Conduct	5	24.8	6.7
Firearm Use in COV/Felony	221	13.2	10.9
Home Invasion	4	13.0	7.6
Kidnapping	1	15.0	10.0
Maiming	0	-	-
Manslaughter	15	10.0	8.0
Murder, 2nd Degree	32	37.5	25.4
Murder, 2nd Degree, Attempt	40	26.3	11.8
Rape, 2nd Degree	11	18.2	8.2
Robbery	52	8.6	4.6
Robbery w/Dangerous Weapon	47	14.3	8.4
Sex Offense, 2nd Degree	0	-	-
Sex Trafficking	0	-	-
Total	611		

Table 5a. Mean Percent of Sentence Suspended for Non-Life Eligible Crimes of Violence that Received Partially or Fully Suspended Sentences, by Judicial Circuit and Offense, Fiscal Year 2024, Statewide, 1st Circuit, and 2nd Circuit

	Statewide		1st Circuit		2nd Circuit	
	# Offenses w/ Suspended Sentence	Mean % of Total Sentence Suspended	# Offenses w/ Suspended Sentence	Mean % of Total Sentence Suspended	# Offenses w/ Suspended Sentence	Mean % of Total Sentence Suspended
Abduction	1	72.8%	0	-	0	-
Arson, 1st Degree	14	80.3%	2	82.0%	0	-
Assault, 1st Degree	461	71.5%	23	68.0%	19	72.0%
Assault w/Intent to Murder, etc.	0	.	0	-	0	-
Carjacking, Armed	42	70.2%	0	-	0	-
Carjacking, Unarmed	47	73.0%	0	-	0	-
Child Abuse, Physical, 1st Degree	7	55.6%	0	-	0	-
Child Sexual Abuse	167	64.4%	7	68.0%	9	58.0%
Continuing Course of Conduct	20	61.2%	1	40.0%	0	-
Firearm Use in COV/Felony	174	59.8%	6	57.0%	1	75.0%
Home Invasion	21	62.6%	0	-	0	-
Kidnapping	7	67.7%	0	-	0	-
Maiming	0	0.0%	0	-	0	-
Manslaughter	23	62.8%	2	75.0%	1	50.0%
Murder, 2nd Degree	87	46.0%	2	38.0%	2	38.0%
Murder, 2nd Degree, Attempt	58	63.7%	1	65.0%	3	39.0%
Rape, 2nd Degree	83	60.5%	7	66.0%	0	-
Robbery	259	76.3%	16	78.0%	5	54.0%
Robbery w/Dangerous Weapon	205	68.9%	11	63.0%	1	50.0%
Sex Offense, 2nd Degree	5	67.1%	0	-	0	-
Sex Trafficking	3	53.3%	0	-	0	-
Total	1,684		78		41	

Table 5b. Mean Percent of Sentence Suspended for Non-Life Eligible Crimes of Violence that Received Partially or Fully Suspended Sentences, by Judicial Circuit and Offense, Fiscal Year 2024, 3rd Circuit, 4th Circuit, and 5th Circuit

	3rd Circuit		4th Circuit		5th Circuit	
	# Offenses w/ Suspended Sentence	Mean % of Total Sentence Suspended	# Offenses w/ Suspended Sentence	Mean % of Total Sentence Suspended	# Offenses w/ Suspended Sentence	Mean % of Total Sentence Suspended
Abduction	0	-	0	-	1	73.0%
Arson, 1st Degree	2	96.0%	0	-	2	58.0%
Assault, 1st Degree	88	70.0%	17	61.0%	67	72.0%
Assault w/Intent to Murder, etc.	0	-	0	-	0	-
Carjacking, Armed	9	81.0%	0	-	9	60.0%
Carjacking, Unarmed	9	77.0%	0	-	4	74.0%
Child Abuse, Physical, 1st Degree	2	70.0%	0	-	0	-
Child Sexual Abuse	39	68.0%	3	37.0%	21	68.0%
Continuing Course of Conduct	0	-	2	30.0%	4	59.0%
Firearm Use in COV/Felony	14	66.0%	2	75.0%	23	59.0%
Home Invasion	7	66.0%	0	-	9	64.0%
Kidnapping	0	-	0	-	2	77.0%
Maiming	0	-	0	-	0	-
Manslaughter	1	50.0%	0	-	1	100.0%
Murder, 2nd Degree	8	62.0%	6	40.0%	3	33.0%
Murder, 2nd Degree, Attempt	3	52.0%	1	17.0%	3	60.0%
Rape, 2nd Degree	15	70.0%	5	78.0%	8	61.0%
Robbery	47	77.0%	10	75.0%	24	77.0%
Robbery w/Dangerous Weapon	53	67.0%	5	73.0%	32	68.0%
Sex Offense, 2nd Degree	2	75.0%	0	-	1	50.0%
Sex Trafficking	0	-	0	-	0	-
Total	299		51		214	

Table 5c. Mean Percent of Sentence Suspended for Non-Life Eligible Crimes of Violence that Received Partially or Fully Suspended Sentences, by Judicial Circuit and Offense, Fiscal Year 2024, 6th Circuit, 7th Circuit, and 8th Circuit

	6th Circuit		7th Circuit		8th Circuit	
	# Offenses w/ Suspended Sentence	Mean % of Total Sentence Suspended	# Offenses w/ Suspended Sentence	Mean % of Total Sentence Suspended	# Offenses w/ Suspended Sentence	Mean % of Total Sentence Suspended
Abduction	0	-	0	-	0	-
Arson, 1st Degree	1	85.0%	3	88.0%	4	76.0%
Assault, 1st Degree	68	77.0%	79	73.0%	100	70.0%
Assault w/Intent to Murder, etc.	0	-	0	-	0	-
Carjacking, Armed	9	75.0%	7	52.0%	8	80.0%
Carjacking, Unarmed	6	79.0%	20	69.0%	8	73.0%
Child Abuse, Physical, 1st Degree	1	16.0%	0	-	4	58.0%
Child Sexual Abuse	41	66.0%	29	55.0%	18	70.0%
Continuing Course of Conduct	2	83.0%	6	57.0%	5	76.0%
Firearm Use in COV/Felony	21	56.0%	59	59.0%	48	60.0%
Home Invasion	2	58.0%	0	-	3	54.0%
Kidnapping	1	92.0%	3	65.0%	1	33.0%
Maiming	0	-	0	-	0	-
Manslaughter	0	-	14	57.0%	4	75.0%
Murder, 2nd Degree	6	33.0%	39	46.0%	21	49.0%
Murder, 2nd Degree, Attempt	6	50.0%	9	68.0%	32	70.0%
Rape, 2nd Degree	21	52.0%	17	56.0%	10	60.0%
Robbery	42	73.0%	79	80.0%	36	74.0%
Robbery w/Dangerous Weapon	31	70.0%	47	70.0%	25	73.0%
Sex Offense, 2nd Degree	2	68.0%	0	-	0	-
Sex Trafficking	2	50.0%	1	60.0%	0	-
Total	262		412		327	

Table 6a. Distribution of Life-Eligible Crimes of Violence by Sentence Type, Judicial Circuit, and Offense, Fiscal Year 2024, All Life-Eligible Offenses and Murder, 1st Degree

		All Life-Eligible Offenses				Murder, 1st Degree			
		Total	Life (Active)	Life, Partially/Fully Suspended	Non-Life	Total	Life (Active)	Life, Partially/Fully Suspended	Non-Life
1st Circuit	#	8	5	1	2	5	4	1	0
	%		62.5%	12.5%	25.0%		80.0%	20.0%	0.0%
2nd Circuit	#	4	2	2	0	0	0	0	0
	%		50.0%	50.0%	0.0%		-	-	-
3rd Circuit	#	32	18	13	1	21	14	7	0
	%		56.3%	40.6%	3.1%		66.7%	33.3%	0.0%
4th Circuit	#	2	1	1	0	2	1	1	0
	%		50.0%	50.0%	0.0%		50.0%	50.0%	0.0%
5th Circuit	#	22	8	9	5	15	6	9	0
	%		36.4%	40.9%	22.7%		40.0%	60.0%	0.0%
6th Circuit	#	23	3	14	6	6	1	5	0
	%		13.0%	60.9%	26.1%		16.7%	83.3%	0.0%
7th Circuit	#	65	13	48	4	45	12	33	0
	%		20.0%	73.8%	6.2%		26.7%	73.3%	0.0%
8th Circuit	#	126	50	54	22	88	47	41	0
	%		39.7%	42.9%	17.5%		53.4%	46.6%	0.0%
Total	#	282	100	142	40	182	85	97	0
	%	100.0%	35.5%	50.4%	14.2%	100.0%	46.7%	53.3%	0.0%

Table 6b. Distribution of Life-Eligible Crimes of Violence by Sentence Type, Judicial Circuit, and Offense, Fiscal Year 2024, Murder, 1st Degree, Attempt, and Rape, 1st Degree

		Murder, 1st Degree, Attempt				Rape, 1st Degree			
		Total	Life (Active)	Life, Partially/Fully Suspended	Non-Life	Total	Life (Active)	Life, Partially/Fully Suspended	Non-Life
1st Circuit	#	2	1	0	1	1	0	0	1
	%		50.0%	0.0%	50.0%		0.0%	0.0%	100.0%
2nd Circuit	#	1	0	1	0	2	1	1	0
	%		0.0%	100.0%	0.0%		50.0%	50.0%	0.0%
3rd Circuit	#	6	1	4	1	3	1	2	0
	%		16.7%	66.7%	16.7%		33.3%	66.7%	0.0%
4th Circuit	#	0	0	0	0	0	0	0	0
	%		-	-	-		-	-	-
5th Circuit	#	4	0	0	4	3	2	0	1
	%		0.0%	0.0%	100.0%		66.7%	0.0%	33.3%
6th Circuit	#	7	0	2	5	9	2	6	1
	%		0.0%	28.6%	71.4%		22.2%	66.7%	11.1%
7th Circuit	#	14	1	10	3	5	0	5	0
	%		7.1%	71.4%	21.4%		0.0%	100.0%	0.0%
8th Circuit	#	34	3	11	20	4	0	2	2
	%		8.8%	32.4%	58.8%		0.0%	50.0%	50.0%
Total	#	68	6	28	34	27	6	16	5
	%	100.0%	8.8%	41.2%	50.0%	100.0%	22.2%	59.3%	18.5%

Table 6c. Distribution of Life-Eligible Crimes of Violence by Sentence Type, Judicial Circuit, and Offense, Fiscal Year 2024, Sex Offense, 1st Degree

		Sex Offense, 1st Degree			
		Total	Life (Active)	Life, Partially Suspended	Non-Life
1st Circuit	#	0	0	0	0
	%		-	-	-
2nd Circuit	#	1	1	0	0
	%		100.0%	0.0%	0.0%
3rd Circuit	#	2	2	0	0
	%		100.0%	0.0%	0.0%
4th Circuit	#	0	0	0	0
	%		-	-	-
5th Circuit	#	0	0	0	0
	%		-	-	-
6th Circuit	#	1	0	1	0
	%		0.0%	100.0%	0.0%
7th Circuit	#	1	0	0	1
	%		0.0%	0.0%	100.0%
8th Circuit	#	0	0	0	0
	%		-	-	-
Total	#	5	3	1	1
	%		60.0%	20.0%	20.0%

Table 7. Mean Non-Suspended Sentence Lengths for Life-Eligible Crimes of Violence that Received Partially or Fully Suspended Life Sentences by Judicial Circuit and Offense, Fiscal Year 2024

	Total Life-Eligible Offenses	Murder, 1st Degree		Murder, 1st Degree, Attempt		Rape, 1st Degree		Sex Offense, 1st Degree	
		#	Mean Non-Suspended Sentence (Years)	#	Mean Non-Suspended Sentence (Years)	#	Mean Non-Suspended Sentence (Years)	#	Mean Non-Suspended Sentence (Years)
1st Circuit	1	1	50.0	0	-	0	-	0	-
2nd Circuit	2	0	-	1	30.0	1	25.0	0	-
3rd Circuit	13	7	35.7	4	26.8	2	60.0	0	-
4th Circuit	1	1	40.0	0	-	0	-	0	-
5th Circuit	9	9	36.8	0	-	0	-	0	-
6th Circuit	14	5	37.0	2	27.5	6	31.7	1	0.0
7th Circuit	48	33	37.1	10	35.7	5	59.3	0	-
8th Circuit	54	41	33.9	11	18.7	2	40.0	0	-
Total	142	97	35.8	28	26.9	16	44.5	1	0.0

Table 8. Mean Total Sentence and Non-Suspended Sentence Lengths for Life-Eligible Crimes of Violence that Received Non-Life Sentences by Judicial Circuit and Offense, Fiscal Year 2024

	Total Life-Eligible Offenses	Murder, 1st Degree			Murder, 1st Degree, Attempt		
		#	Mean Total Sentence (Years)	Mean Non-Suspended Sentence (Years)	#	Mean Total Sentence (Years)	Mean Non-Suspended Sentence (Years)
1st Circuit	2	0	0.0	0.0	1	25.0	25.0
2nd Circuit	0	0	0.0	0.0	0	0.0	0.0
3rd Circuit	1	0	0.0	0.0	1	25.0	9.0
4th Circuit	0	0	0.0	0.0	0	0.0	0.0
5th Circuit	5	0	0.0	0.0	4	36.3	27.5
6th Circuit	6	0	0.0	0.0	5	29.0	12.6
7th Circuit	4	0	0.0	0.0	3	30.0	16.0
8th Circuit	22	0	0.0	0.0	20	35.9	20.7
Total	40	0	-	-	34	33.7	19.7

	Rape, 1st Degree			Sex Offense, 1st Degree		
	#	Mean Total Sentence (Years)	Mean Non-Suspended Sentence (Years)	#	Mean Total Sentence (Years)	Mean Non-Suspended Sentence (Years)
1st Circuit	1	30.0	30.0	0	0.0	0.0
2nd Circuit	0	0.0	0.0	0	0.0	0.0
3rd Circuit	0	0.0	0.0	0	0.0	0.0
4th Circuit	0	0.0	0.0	0	0.0	0.0
5th Circuit	1	30.0	15.0	0	0.0	0.0
6th Circuit	1	15.0	9.0	0	0.0	0.0
7th Circuit	0	0.0	0.0	1	40.0	20.0
8th Circuit	2	80.0	25.0	0	0.0	0.0
Total	5	47.0	20.8	1	40.0	20.0

Table 9. Mean Percent of Sentence Suspended for Life-Eligible Crimes of Violence that Received Non-Life Partially or Fully Suspended Sentences by Judicial Circuit and Offense, Fiscal Year 2024

	Total	Murder, 1st Degree		Murder, 1st Degree, Attempt	
		# Offenses w/Susp Sentence	Mean % of Total Sentence Suspended	# Offenses w/Susp Sentence	Mean % of Total Sentence Suspended
1st Circuit	0	0	0.0%	0	0.0%
2nd Circuit	0	0	0.0%	0	0.0%
3rd Circuit	1	0	0.0%	1	64.0%
4th Circuit	0	0	0.0%	0	0.0%
5th Circuit	3	0	0.0%	2	50.0%
6th Circuit	6	0	0.0%	5	59.1%
7th Circuit	3	0	0.0%	2	63.8%
8th Circuit	11	0	0.0%	9	65.6%
Total	24	0	-	19	61.9%

	Rape, 1st Degree		Sex Offense, 1st Degree	
	# Offenses w/Susp Sentence	Mean % of Total Sentence Suspended	# Offenses w/Susp Sentence	Mean % of Total Sentence Suspended
1st Circuit	0	0.0%	0	0.0%
2nd Circuit	0	0.0%	0	0.0%
3rd Circuit	0	0.0%	0	0.0%
4th Circuit	0	0.0%	0	0.0%
5th Circuit	1	50.0%	0	0.0%
6th Circuit	1	40.0%	0	0.0%
7th Circuit	0	0.0%	1	50.0%
8th Circuit	2	69.8%	0	0.0%
Total	4	57.4%	1	50.0%

Table 10. Sentencing Guidelines Compliance for Sentencing Events Involving Crimes of Violence by Judicial Circuit, Fiscal Year 2024

	Total	Within		Below		Above	
	#	#	% in Circuit	#	% in Circuit	#	% in Circuit
1st Circuit	96	55	57.3%	23	24.0%	18	18.8%
2nd Circuit	44	28	63.6%	9	20.5%	7	15.9%
3rd Circuit	342	188	55.0%	120	35.1%	34	9.9%
4th Circuit	51	20	39.2%	20	39.2%	11	21.6%
5th Circuit	207	128	61.8%	66	31.9%	13	6.3%
6th Circuit	252	163	64.7%	68	27.0%	21	8.3%
7th Circuit	343	251	73.2%	66	19.2%	26	7.6%
8th Circuit	395	313	79.2%	35	8.9%	47	11.9%
Total	1,730	1,146	66.2%	407	23.5%	177	10.2%

Table 11. Reasons Reported for Departures Below the Sentencing Guidelines for Sentencing Events Involving Crimes of Violence, by Judicial Circuit, Fiscal Year 2024

	Statewide		1 st Circuit		2 nd Circuit		3 rd Circuit		4 th Circuit	
	#	Valid %	#	Valid % in Circuit						
Plea agreement reached for reduced sentence	151	37.5%	13	61.9%	6	66.7%	38	31.9%	7	35.0%
Minor role in offense	7	1.7%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Influenced by coercion or duress	8	2.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Diminished capability for judgement	18	4.5%	0	0.0%	0	0.0%	1	0.8%	0	0.0%
Made restorative efforts after offense	17	4.2%	1	4.8%	0	0.0%	0	0.0%	0	0.0%
Victim's participation lessens culpability	7	1.7%	1	4.8%	0	0.0%	1	0.8%	0	0.0%
Commitment to treatment program	43	10.7%	3	14.3%	1	11.1%	5	4.2%	2	10.0%
Recommendation of State's Attorney or Parole/Probation	136	33.7%	13	61.9%	1	11.1%	48	40.3%	16	80.0%
Other	105	26.1%	3	14.3%	2	22.2%	43	36.1%	4	20.0%
Missing	4		2		0		1		0	
Total Below Departures	407		23		9		120		20	

	5 th Circuit		6 th Circuit		7 th Circuit		8 th Circuit	
	#	Valid % in Circuit						
Plea agreement reached for reduced sentence	18	27.3%	26	38.2%	32	49.2%	11	31.4%
Minor role in offense	2	3.0%	1	1.5%	3	4.6%	1	2.9%
Influenced by coercion or duress	3	4.5%	2	2.9%	1	1.5%	2	5.7%
Diminished capability for judgement	8	12.1%	3	4.4%	1	1.5%	5	14.3%
Made restorative efforts after offense	6	9.1%	3	4.4%	4	6.2%	3	8.6%
Victim's participation lessens culpability	1	1.5%	2	2.9%	1	1.5%	1	2.9%
Commitment to treatment program	7	10.6%	13	19.1%	9	13.8%	3	8.6%
Recommendation of State's Attorney or Parole/Probation	25	37.9%	12	17.6%	15	23.1%	6	17.1%
Other	9	13.6%	19	27.9%	11	16.9%	14	40.0%
Missing	0		0		1		0	
Total Below Departures	66		68		66		35	

Note. Each sentencing event may cite multiple reasons for departure, therefore the cited percentages will exceed a total of 100%. Valid percentages are based on non-missing data.

Table 12. Reasons Reported for Departures Above the Sentencing Guidelines for Sentencing Events Involving Crimes of Violence, by Judicial Circuit, Fiscal Year 2024

	Total		1st Circuit		2nd Circuit		3rd Circuit		4th Circuit	
	#	%	#	% in Circuit						
Major role in offense	51	29.0%	8	44.4%	1	14.3%	7	20.6%	2	18.2%
Excessive level of harm	68	38.6%	5	27.8%	5	71.4%	7	20.6%	7	63.6%
Special circumstances of victim	22	12.5%	2	11.1%	1	14.3%	6	17.6%	0	0.0%
Exploited a position of trust	22	12.5%	6	33.3%	0	0.0%	2	5.9%	0	0.0%
Committed white collar offense	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Significant participation in major controlled substance offense	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Vicious or heinous nature of conduct	76	43.2%	12	66.7%	4	57.1%	9	26.5%	3	27.3%
Recommendation of State's Attorney or Parole/Probation	68	38.6%	7	38.9%	1	14.3%	14	41.2%	5	45.5%
Other	31	17.6%	0	0.0%	1	14.3%	10	29.4%	2	18.2%
Missing	1		0		0		0		0	
Total Above Departures	177		18		7		34		11	

	5th Circuit		6th Circuit		7th Circuit		8th Circuit	
	#	% in Circuit						
Major role in offense	1	8.3%	6	28.6%	3	11.5%	23	48.9%
Excessive level of harm	1	8.3%	6	28.6%	10	38.5%	27	57.4%
Special circumstances of victim	1	8.3%	6	28.6%	3	11.5%	3	6.4%
Exploited a position of trust	2	16.7%	4	19.0%	7	26.9%	1	2.1%
Committed white collar offense	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Significant participation in major controlled substance offense	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Vicious or heinous nature of conduct	7	58.3%	10	47.6%	9	34.6%	22	46.8%
Recommendation of State's Attorney or Parole/Probation	7	58.3%	6	28.6%	11	42.3%	17	36.2%
Other	1	8.3%	1	4.8%	9	34.6%	7	14.9%
Missing	1		0		0		0	
Total Above Departures	13		21		26		47	

Note. Each sentencing event may cite multiple reasons for departure, therefore the cited percentages will exceed a total of 100%. Valid percentages are based on non-missing data.



Maryland State Commission on Criminal Sentencing Policy

University of Maryland, College Park

4511 Knox Road, Suite 309

College Park, MD 20742-8660

(301) 403-4165

mcccsp@umd.edu

www.mcccsp.org