



Guidelines Offenses with Non-Suspendable Mandatory Minimum Penalties

OFFENSE	SOURCE	TYPE	LEVEL	CAT	MAX	MIN
Assault Pistols <i>Use of assault pistol; magazine with a capacity of more than 20 rounds in the commission of a felony or crime of violence, 1st offense</i>	CR, §4-306(b)(2)	Person	Misd.	III	20Y	5Y
CDS and Paraphernalia <i>Unlawful distribution, manufacture, etc.; counterfeiting, etc.; manufacture, possession, etc., of certain equipment for illegal use; keeping common nuisance, Schedules I through V non-narcotics (e.g., amphetamines, marijuana, diazepam, and Valium), subsequent</i>	CR, §5-607(b)	Drug	Felony	IV	5Y	2Y
CDS and Paraphernalia <i>Unlawful distribution, manufacture, etc.; counterfeiting, etc., manufacture, possession, etc., of certain equipment for illegal use; keeping common nuisance, Schedule I or II narcotics and hallucinogenics (e.g., PCP, heroin, cocaine, and LSD), subsequent</i>	CR, §5-608(b) CR, §5-609(b) CR, §5-608(c) CR, §5-609(c) CR, §5-608(d) CR, §5-609(d)	Drug	Felony	IIIB	1 st = 20Y 2 nd = 25Y 3 rd = 40Y	1st = 10Y 2nd = 25Y 3rd = 40Y
CDS and Paraphernalia <i>Unlawful distribution, manufacture, etc.; counterfeiting, etc., manufacture, possession, etc., of certain equipment for illegal use; keeping common nuisance, MDMA (methylenedioxymethamphetamine), 750 grams or more, subsequent</i>	CR, §5-609(b) CR, §5-609(c) CR, §5-609(d)	Drug	Felony	IIIA	1 st = 20Y 2 nd = 25Y 3 rd = 40Y	1st = 10Y 2nd = 25Y 3rd = 40Y
CDS and Paraphernalia <i>Manufacture, distribute, dispense, or possess certain Schedule I through V non-narcotics, large amounts as specified in CR, §5-612</i>	CR, §5-612	Drug	Felony	IV	5Y	5Y
CDS and Paraphernalia <i>Manufacture, distribute, dispense, or possess certain Schedule I or II controlled dangerous substances, large amounts as specified in CR, §5-612</i>	CR, §5-612	Drug	Felony	IIIB	20Y	5Y
CDS and Paraphernalia <i>Drug distribution—drug kingpin</i>	CR, §5-613	Drug	Felony	II	40Y	20Y
CDS and Paraphernalia <i>Manufacture, distribute, or dispense controlled dangerous substances near schools or on school vehicles, subsequent</i>	CR, §5-627	Drug	Felony	IIIB	40Y	5Y

Maryland State Commission on Criminal Sentencing Policy



Guidelines Offenses with Non-Suspendable Mandatory Minimum Penalties (continued)

OFFENSE	SOURCE	TYPE	LEVEL	CAT	MAX	MIN
Crime of Violence (COV), 4 th conviction (after serving 3 separate terms of confinement as a result of separate convictions of any COV)	CR, §14-101(c)	Person	Felony	varies	LIFE	LIFE
Crime of Violence (COV), 3 rd conviction (after conviction of COV on 2 prior separate occasions and having served at least 1 term of confinement as a result of a COV conviction)	CR, §14-101(d)	Person	Felony	varies	varies	25Y
Crime of Violence (COV), 2 nd conviction (after conviction for prior occasion of COV and having served a term of confinement for prior COV conviction)	CR, §14-101(e)	Person	Felony	varies	varies	10Y
Handguns, In General <i>Unlawful use in commission of felony or crime of violence, 1st offense</i>	CR, §4-204(b)(1)	Person	Misd.	III	20Y	5Y
Handguns, In General <i>Unlawful use in commission of felony or crime of violence, subsequent</i>	CR, §4-204(b)(2)	Person	Misd.	II	20Y	5Y
Sexual Crimes <i>Rape, 1st degree, adult offender with victim younger than 13 years old</i>	CR, §3-303(d)(4)	Person	Felony	I	LIFE without parole	25Y
Sexual Crimes <i>Sex offense, 1st degree, adult offender with victim younger than 13 years old</i>	CR, §3-305(d)(4)	Person	Felony	I	LIFE without parole	25Y
Sexual Crimes <i>Rape, 2nd degree, adult offender with victim younger than 13 years old</i>	CR, §3-304(c)(2)	Person	Felony	II	LIFE	15Y
Sexual Crimes <i>Sex offense, 2nd degree, adult offender with victim younger than 13 years old</i>	CR, §3-306(c)(2)	Person	Felony	II	LIFE	15Y
Weapons Crimes, In General <i>Possess, use, wear, carry, or transport a firearm in a drug offense, 1st offense</i>	CR, §5-621(c)	Person	Felony	III	20Y	5Y
Weapons Crimes, In General <i>Possess, use, wear, carry, or transport a firearm in a drug offense, subsequent</i>	CR, §5-621(c)	Person	Felony	III	20Y	10Y
Weapons Crimes, In General <i>Possess, use, wear, carry, or transport a firearm in a drug offense, 1st offense (if firearm is listed in CR, §4-301 or PS, §5-101, is a machine gun, or is equipped with a silencer)</i>	CR, §5-621(d)	Person	Felony	III	20Y	5Y

Maryland State Commission on Criminal Sentencing Policy



Guidelines Offenses with Non-Suspendable Mandatory Minimum Penalties (continued)

OFFENSE	SOURCE	TYPE	LEVEL	CAT	MAX	MIN
Weapons Crimes, In General <i>Possess, use, wear, carry, or transport a firearm in a drug offense, subsequent (if firearm is listed in CR, §4-301 or PS, §5-101, is a machine gun, or is equipped with a silencer)</i>	CR, §5-621(d)	Person	Felony	III	20Y	20Y
Weapons Crimes, In General <i>Possession of regulated firearm after having been convicted of a crime of violence or select drug crimes</i>	PS, §5-133(c) PS, §5-143 (penalty)	Person	Felony	V	5Y	5Y