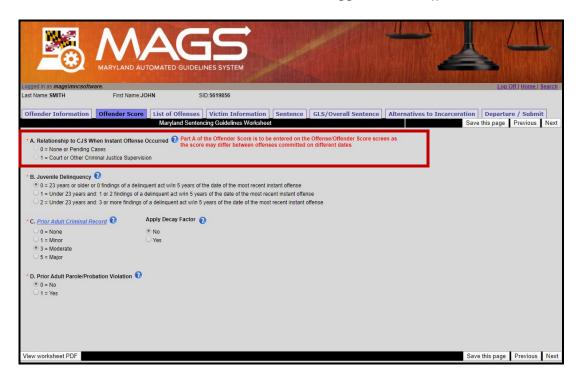# *What's New in MAGS*
MAGS 9.0, February 2020

On February 1, 2020, an updated version of the Maryland Automated Guidelines System (MAGS, version 9.0) will be released for immediate use. The following is a summary of the changes to MAGS. In addition, the Maryland State Commission on Criminal Sentencing Policy (MSCCSP) suggests that users reference the MAGS User Manual and Frequently Asked Questions (FAQ) documents, which have been revised in accordance with the new version of MAGS and are available on the MSCCSP website, www.msccsp.org.

- Effective February 1, 2020, part A of the offender score, the defendant's relationship to the criminal justice system (CJS), may differ across offenses in multiple offense sentencing events. If there is more than one instant offense and the offender was in the CJS at the time one or more offenses occurred, but not in the CJS at the time additional offense(s) in the sentencing event occurred, the person completing the sentencing guidelines worksheet shall assign a score of 1 to those offenses that were committed while the offender was in the CJS. The person completing the sentencing guidelines worksheet shall assign a score of zero to those offenses that were committed while the offender was not in the CJS.

  The offender score in MAGS will be completed now in two parts. First, the user will access the *Offender Score* screen to complete parts B, C, and D of the offender score, which remain the same across all offenses contained within a sentencing event. Part A of the offender score is disabled on the *Offender Score* screen, with a note indicating that this part of the offender score will now be completed on the *Offense/Offender Score* screen. Once the user enters parts B, C, and D of the offender score, the user must save the page and proceed to the *List of the Offenses* screen. Note that the total offender score will <u>not</u> appear on the *Offender Score* screen.

The user must click "Add New" on the *List of Offenses* screen to add an offense to the worksheet, upon which the *Offense/Offender Score* screen will appear. This screen has been renamed from *Offense/Offense Score* to reflect the addition of the offender score to the screen.

In addition to offense information, the user must complete part A of the offender score on this screen. Parts B, C, and D of the offender score will auto-populate based on the user's entries on the *Offender Score* screen. Once part A of the offender score has been entered, the total offender score will appear. The individual guidelines range for the offense will be calculated based on the total offender score for the offense. The overall guidelines range will be calculated according to the standard guidelines rules (see the Maryland Sentencing Guidelines Manual, Chapter 9). For each subsequent offense that is added to the worksheet, the user must provide a score for part A of the offender score as the scores may differ across offenses.

When viewing a PDF of the worksheet, there will be space for three total offender scores, one corresponding to each offense entered on the worksheet. When part A of the offender score differs between offenses, a score of 0 points will be marked with a blue circle and the total offender score and individual offense guidelines range associated with 0 points will be recorded in blue. A score of 1 point will be marked with a green circle, and the total offender score and individual offense guidelines range associated with 1 point will be recorded in green.

MARYLAND SENTENCING GUIDELINES WORKSHEET

OFFENDER NAME - Last, First, Middle: SMITH, JOHN
SID #: 5619856
SEX: X M __ F
BIRTHDATE: 05 | 31 | 1986
JURISDICTION: 3

PSI: __ Yes X No
DATE OF OFFENSE: 01 31 2019
DATE OF SENTENCING:
CONVICTED OFFENSES: 3
CRIMINAL EVENTS: 1
AT THIS SENTENCING NUMBER OF:
WORKSHEET # 1 OF
CRIMINAL EVENT # 1

DISPOSITION TYPE:
__ ABA plea agreement
__ Non-ABA plea agreement
__ Plea, no agreement
__ Court trial
__ Jury trial

RECONSIDERATION OR REVIEW:
__ Reconsideration (COVs only)
__ Review
__ Neither

REPRESENTATION:
__ Private
X Public defender
__ Court appointed
__ Self

ETHNICITY: Hispanic/Latino origin __ Yes X No
Victim Court Costs Imposed __ Yes __ No

RACE (Select all that apply):
__ American Indian or Alaska Native
__ Black or African American
X White
__ Other
__ Asian
__ Native Hawaiian or other Pacific Islander
__ Unknown

CONVICTED OFFENSE TITLE	I-VII	CJIS CODE	MD CODE, ART, & SECTION	STAT. MAX	MIN TERM	CASE #
1st Convicted Offense Felony theft or theft scheme, at least $1,500 but less than $25,000 (SENTENCE DATE on/after 10/1/17)	VI	1-1136, 1-1160	CR, §7-104(g)(1)(i)	5Y		C03CR19009114
2nd Convicted Offense Handgun, unlawful wearing, carrying, etc., 1st weapon offense, generally	VII	1-5212, 1-0175	CR, §4-203(c)(2)(i)	3Y	1M	C03CR19009114
3rd Convicted Offense CDS Possession - Cocaine, 1st offense (SENTENCE DATE on/after 10/1/17)	VII	1-1110, 1-1111, 1-1112, 1-1113, 1-1114, 1-1115	CR, §5-601(c)(1)(i)	1Y		C03CR19009114

OFFENSE SCORE(S) — Offense Against a Person Only

A. Seriousness Category
1st Off	2nd Off	3rd Off	
①	①	1	= V - VII
3	3	3	= IV
5	5	5	= III
8	8	8	= II
10	10	10	= I

B. Victim Injury
1st Off	2nd Off	3rd Off	
0	0	0	= No injury
1	①	1	= Injury, non-permanent
2	2	2	= Permanent injury or death

C. Weapon Presence
1st Off	2nd Off	3rd Off	
0	0	0	= No weapon
1	1	1	= Weapon other than firearm
2	②	2	= Firearm or explosive

D. Special Victim Vulnerability
1st Off	2nd Off	3rd Off	
0	⓪	0	= No
1	1	1	= Yes

____ 4 ____ OFFENSE SCORE(S)

OFFENDER SCORE

A. Relationship to CJS 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 w/in 5 years of the date of the most recent offense
1 = Under 23 years and 1 or 2 findings of a delinquent act w/in 5 years of the date of the most recent instant offense
2 = Under 23 years and 3 or more findings of a delinquent act w/in 5 years of the date of the most recent instant offense

C. Prior Adult Criminal Record
0 = None   ③ = Moderate
1 = Minor   5 = Major

D. Prior Adult Parole/Prob Violation
⓪ = No   1 = Yes

4 3 3 OFFENDER SCORE(S)

GUIDELINES RANGE

1st Con. Off.
1Y
3Y TO

2nd Con. Off.
2Y
3Y TO

3rd Con. Off.
P
1M TO

Overall Guidelines Range Multiple Counts Only
2Y
3Y TO

50% of Sentence Announced for COVs
__ Yes __ No

ACTUAL SENTENCE – Imposed, Suspended, Time Served, Probation, Restitution, Fine, Corrections Options Program (Drug Court, Home Detention, Etc.)

1st Convicted Offense
For theft, fraud, and related crimes, please indicate: ☐ Economic Loss $_____ ☐ Unknown Amount
Subsequent Offender Proven __ Yes __ No   Restitution Proven __ Yes __ No

2nd Convicted Offense
For theft, fraud, and related crimes, please indicate: ☐ Economic Loss $_____ ☐ Unknown Amount
Subsequent Offender Proven __ Yes __ No   Restitution Proven __ Yes __ No

3rd Convicted Offense
For theft, fraud, and related crimes, please indicate: ☐ Economic Loss $_____ ☐ Unknown Amount
Subsequent Offender Proven __ Yes __ No   Restitution Proven __ Yes __ No

Additional Sentence Information
Probation ____ Community Service ____ Fine $ ____
Was the offender sentenced to a Corrections Option under Commission criteria? __ Yes __ No
If yes, select all that apply: ☐ Drug court ☐ HG, § 8-507 order ☐ Home detention
☐ Suspended sentence per CR, § 5-601(e) ☐ Inpatient substance abuse treatment ☐ Work release
☐ Inpatient mental health treatment ☐ Weekend (or other discontinuous) incarceration
☐ Other (explain):
☐ Other problem solving court (explain):
Was the offender sentenced to some other alternative to incarceration? __ Yes __ No
If yes, select all that apply: ☐ Outpatient substance abuse treatment ☐ Outpatient mental health treatment
☐ Other (explain):

Additional Information or Institutional/Parole Recommendation

Worksheet Completed By: State's Attorney's Office   TOM JONES
Title:
Sentencing Judge (Please Print):
Sentencing Judge's Signature:

VICTIM INFORMATION
Victim	__ Yes	__ No
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

REASONS FOR GUIDELINES DEPARTURE
Departure Code 9 or 18 (Please Explain):

DEPARTURE __ Yes __ No

Parole Notification __ Yes __ No

Court clerks should attach completed copies to the commitment or probation order and also distribute copies to the following: sentencing judge, court file, prosecution, and defense

Version: MAGS 9.0

- A trashcan icon will appear now next to each offense on the *Sentence* screen. Prior to MAGS Version 9.0, users could only edit, not delete, sentence information. This feature was added to MAGS in response to user feedback requesting the ability to remove sentence information from the worksheet. Users may click this button to clear <u>all</u> sentence information entered for an offense, for instance if sentencing information was entered in error. Note that this icon does not delete the offense from the worksheet. To delete the entire offense from the worksheet, users must click the eraser icon on the *List of Offenses* screen.