

2025

ANNUAL REPORT

**Maryland State Commission on
Criminal Sentencing Policy**



**Supporting fair and
proportional sentencing
policy**

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**Maryland State Commission on
Criminal Sentencing Policy**

2025 | Annual Report



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David A. Soulé, Ph.D.

January 31, 2026

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 (CP), § 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 respectfully submit the 2025 Annual Report of the MSCCSP for your review.

The annual report details the activities of the MSCCSP during the past year. Further, the annual report summarizes circuit court sentencing practices and trends in Maryland for fiscal year 2025, 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 2026. 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 the MSCCSP Executive Director 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 2025, the MSCCSP:

- Reviewed new and amended criminal laws from the 2025 Legislative Session;
- Adopted an amended list of common sentencing guidelines departure reasons;
- Adopted a revision to the guidelines to provide that animals shall be considered victims for the purpose of applying the multiple victims stacking rule;
- Released three rounds of MAGS updates to enhance the efficiency and functionality of the application;
- Voted to expand the definition of psychological victim injury;
- Voted to reduce the seriousness category for subsequent violations of Criminal Law Article (CR), §§ 4-204 and 4-306 from II to III, and to add guidelines instructions pertaining to subsequent violations of these statutes;
- Voted to reclassify from a property to a person offense *Practicing polysomnography without a license* (Health Occupations Article (HO), § 14-5C-23(a) (penalty));
- Voted to classify three previously unclassified offenses; and
- Worked with the Department of Public Safety and Correctional Services (DPSCS) to obtain criminal history data to study the adult prior record score component of the offender score.

In fiscal year 2025, the MSCCSP received guidelines worksheets for 9,202 sentencing events in the State's circuit courts. A worksheet was submitted for 93.5% of guidelines-eligible cases. With a handful of exceptions, fiscal year 2025 worksheets were submitted electronically using the Maryland Automated Guidelines System (MAGS). The most common disposition of sentencing

events was an other plea agreement¹ (46.7%), followed by an MSCCSP binding plea agreement (30.3%) and a plea with no agreement (17.6%). The majority (85.4%) of sentencing events resulted in a sentence to incarceration, and the median sentence length among those incarcerated (excluding suspended time) was 1.1 years. Commission-defined corrections options were used in 7.1% of sentencing events, and other alternatives to incarceration were used in 5.5% of sentencing events.

The overall guidelines compliance rate in fiscal year 2025 was 83.2%, 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 73.9% in the Fourth Circuit to 95.7% in the Eighth Circuit. Departures were least likely for property offenses, followed closely by drug 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 bench trial. When considering compliance rates by defendant race (i.e., Black, White, Hispanic, Other), rates were similar across racial categories. Guidelines compliance ranged from 83.2% for Other defendants to 85.7% for Hispanic defendants. Similarly, compliance rates were comparable for male (83.8%) and female (87.5%) 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.

**83.2% of sentences
were guidelines
compliant in FY 2025**

The MSCCSP has several important activities planned for 2026. 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 2026 Legislative Session and adopt seriousness categories for new and revised offenses as

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.

needed. Furthermore, the MSCCSP will update the crimes of violence data dashboard to describe fiscal year 2025 sentences and add fiscal year 2025 data to the MSCCSP website data download tool. Finally, the MSCCSP has identified additional important activities that the Commission plans to address in 2026. ■

2

The Maryland State Commission on Criminal Sentencing Policy

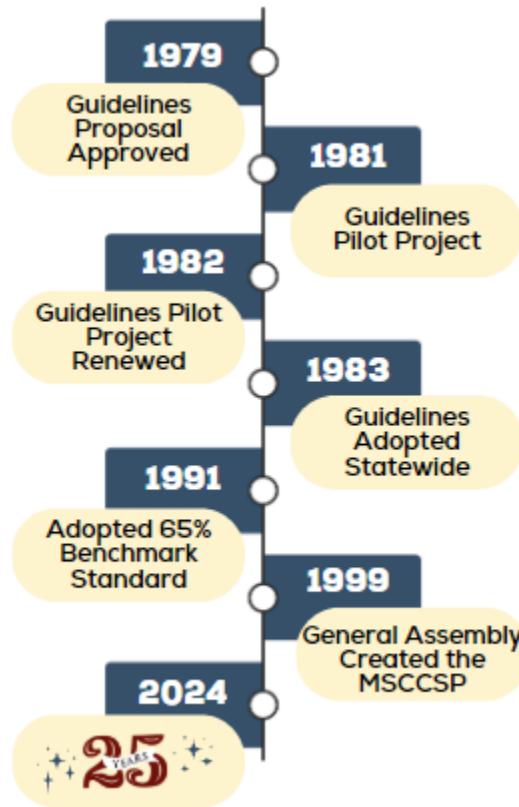


THE MARYLAND STATE COMMISSION ON CRIMINAL SENTENCING POLICY

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, the 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 incarcerated 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 incarcerated offenses. Reconsiderations/modifications and three-judge panel reviews involving a crime of violence (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
Offenses originally prosecuted in Circuit Court	<ul style="list-style-type: none"> ✖ Violations of public local laws and municipal ordinances ✖ Offenses that carry no possible penalty of incarceration ✖ Criminal nonsupport and criminal contempt ✖ Cases adjudicated in a juvenile court
All pleas, including binding pleas, nonbinding pleas, and pleas of <i>nolo contendere</i> (no contest) by the defendant	<ul style="list-style-type: none"> ✖ Cases in which the defendant was found not criminally responsible (NCR)
Sentences to probation before judgment (PBJ)	<ul style="list-style-type: none"> ✖ Sentencing hearings in response to a violation of probation
Initial sentences with a condition of drug court or an inpatient commitment under Health-General Article, Title 8, Subtitle 5, Annotated Code of Maryland	<ul style="list-style-type: none"> ✖ Reconsiderations/modifications not involving a crime violence
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	<ul style="list-style-type: none"> ✖ Reconsiderations/modifications involving a crime of violence if there is <u>NOT</u> an adjustment to the active sentence ✖ Three-judge panel reviews not involving a crime of violence
Three-judge panel reviews involving a crime of violence if there is an adjustment to the active sentence	<ul style="list-style-type: none"> ✖ Three-judge panel reviews involving a crime of violence if there is <u>NOT</u> an adjustment to the active sentence
For Cases Originating in District Court	
Guidelines-Eligible	Guidelines-Ineligible
Prayers for a jury trial if a pre-sentence investigation (PSI) is ordered	<ul style="list-style-type: none"> ✖ Prayers for a jury trial if a PSI is NOT ordered
Appeals from District Court if a PSI is ordered	<ul style="list-style-type: none"> ✖ Appeals from District Court if a PSI is <u>NOT</u> ordered

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 average sentence as calculated from 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.

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.

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 Larry L. Johnson, Director of Public Safety for Johns Hopkins Health Systems, and Nakita A. Ross, a Maryland parole and probation investigator, who serve as the two public representatives on the Commission; Richard

E. Gibson, Chief of Fraud Investigations, State of Maryland Insurance Administration, 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. In 2025, Governor Moore reappointed Robert H. Harvey, Jr., Dr. Brian D. Johnson, and Alethea P. Miller, each for another four-year term.

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 Brian L. DeLeonardo, Judge, Circuit Court for Carroll County, 5th Judicial Circuit; and the Honorable Michelle R. Saunders, Judge, District Court of Maryland, District 4, Calvert County.

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. In 2025, the President reappointed Senators Charles E. Sydnor, III and Christopher R. West, each for another four-year term.

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 2025, 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 classifications. 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 to the MSCCSP. 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

The MSCCSP recognizes Kyle E. Scherer who served as a public representative from August 2021 through May 2025. Nakita A. Ross, parole and probation investigator, was appointed as the new public representative effective July 2025. The Commission thanks Mr. Scherer for his service and appreciates his input, as his participation contributed greatly to a more informed and fair sentencing guidelines process. ■

3

MSCCSP Activities in 2025



MSCCSP ACTIVITIES IN 2025

The MSCCSP held five total meetings in 2025, on January 7, February 24, July 8, September 9, and December 2. In addition to the three regularly scheduled meetings in July, September, and December, the MSCCSP met twice in 2025 to discuss the impact of proposed legislation on the sentencing guidelines and operations of the Commission. On January 7, the Commission met to review Senate Bill 152 (Criminal Law – Crimes Relating to Animals – Conviction and Sentencing). On February 24, the Commission met to review House Bill 1423 (Commission to Review and Assess Racial Disparities in the State Criminal Justice System – Establishment). The January 7, February 24, July 8, and September 9 meetings were held via videoconference, while the December 2 meeting was held in person at the Maryland Judicial Center in Annapolis. In addition, the Commission held its annual public comments hearing on December 2. 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 2025.

Review and Classification of New and Amended Offenses Passed During the 2025 Legislative Session

The MSCCSP reviewed new criminal laws from the 2025 Legislative Session to identify new and amended offenses requiring the adoption or modification of seriousness categories. 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 2025 Legislative Session

The MSCCSP reviewed 20 new offenses passed during the 2025 Legislative Session in total and voted to adopt



**Effective Date:
November 3, 2025**

² The minutes for the December 2 meeting will be available on the MSCCSP website after the Commission reviews and approves the minutes at its next meeting, scheduled for May 5, 2026.

seriousness categories for 13 of these new offenses, shown in Table 2, during its July 8 meeting.³ After promulgating the proposed classifications for the new offenses through the COMAR review process, the MSCCSP adopted these updates effective November 3, 2025.



In 2025, the Maryland General Assembly unanimously passed a law making it a felony to commit an act of malicious or fraudulent burning that results in the death of a firefighter.

Table 2. Adopted Seriousness Categories for New Offenses, 2025 Legislative Session

Legislation	Annotated Code of Maryland	Offense	Statutory Maximum	Adopted Seriousness Category	Offense Type
Chapter 183 (SB0080)	CR, §10-604.1	Animals, Crimes Against Abuse or neglect of an animal that results in the death of or need to euthanize a domestic animal or livestock	1 year ⁴	VII	Property
Chapters 189 and 190 (HB0943/SB0334)	CR, §6-112	Arson and Burning Malicious or fraudulent burning resulting in the death of or serious physical injury to a firefighter	10 years	IV	Person
Chapter 275 (SB0123)	NR, §8-724(a)(3)(ii)(1)	Boating Offenses Failure to immediately stop a vessel involved in a collision, accident, or other casualty that results in bodily injury to another person	1 year ⁴	VII	Person
Chapter 275 (SB0123)	NR, §8-724(a)(3)(ii)(2)	Boating Offenses Failure to immediately stop a vessel involved in a collision, accident, or other casualty that results in the death of another person	5 years	V	Person

³ The MSCCSP did not act on seven of the 20 new offenses resulting from the 2025 Legislative Session. The most common reason why action is not required is because the offense has a penalty of one year or less. See FN 4 for further discussion.

⁴ By MSCCSP rule, any offense with a maximum incarceration penalty of one year or less is automatically assigned a seriousness category VII (COMAR 14.22.01.08C(5)) unless the Commission chooses to adopt a different seriousness category. The Commission added these offenses to the Guidelines Offense Table because it expects they may be prosecuted in the circuit courts.

Legislation	Annotated Code of Maryland	Offense	Statutory Maximum	Adopted Seriousness Category	Offense Type
Chapter 275 (SB0123)	NR, §8-724(a)(3)(iii)(1)	Boating Offenses Failure to immediately stop a vessel involved in a collision, accident, or other casualty when the person knew or reasonably should have known that serious bodily injury to another person might occur and serious bodily injury actually occurred	5 years	V	Person
Chapter 275 (SB0123)	NR, §8-724(a)(3)(iii)(2)	Boating Offenses Failure to immediately stop a vessel involved in a collision, accident, or other casualty when the person knew or reasonably should have known that the death of another person might occur and death actually occurred	10 years	IV	Person
Chapter 275 (SB0123)	NR, §8-724(b)	Boating Offenses Failure to render all practical and necessary assistance to persons affected by a vessel collision, accident, or other casualty; failure to provide operator's information	2 months ⁴	VII	Person
Chapter 704 (HB0996)	HG, §21-2F-02(f)	CDS and Paraphernalia Prepare, distribute, sell, or expose for sale phenibut product without required disclosures; not recognized by the FDA; adulterated or contaminated with a dangerous substance; or to an individual under the age of 21 years	90 days ⁴	VII	Drug
Chapter 545 (HB0674)	CR, §10-405	Cemeteries and Funerary Objects, Crimes Involving Committing, or aiding or abetting another to commit, certain destructive acts to human remains with the intent to conceal a crime	5 years	VI	Property
Chapters 160 and 161 (SB0081/HB0445)	CR, §7-302(d)(5)	Telecommunications and Electronics, Crimes Involving Taking certain actions with the intent to interrupt or impair the functioning of a public safety answering point	5 years	V	Property
Chapters 191 and 192 (SB0011/HB0179)	CR, §7-104.1(c)(1)	Theft, Crimes Involving Organized retail theft, at least \$1,500 but less than \$25,000	5 years	VI	Property

Legislation	Annotated Code of Maryland	Offense	Statutory Maximum	Adopted Seriousness Category	Offense Type
Chapters 191 and 192 (SB0011/HB0179)	CR, §7-104.1(c)(2)	Theft, Crimes Involving Organized retail theft, at least \$25,000 but less than \$100,000	10 years	V	Property
Chapters 191 and 192 (SB0011/HB0179)	CR, §7-104.1(c)(3)	Theft, Crimes Involving Organized retail theft, \$100,000 or greater	20 years	III	Property

Amended Offenses Passed During the 2025 Legislative Session

The MSCCSP reviewed 10 amended offenses passed during the 2025 Legislative Session, shown in Table 3.

The MSCCSP voted to revise the seriousness categories for eight of these offenses, during its July 8 meeting, and removed two offenses from the Guidelines Offense Table because they were repealed or decriminalized. After promulgating the proposed classifications for the new offenses through the COMAR review process, the MSCCSP adopted these updates effective November 3, 2025.



**Effective Date:
November 3, 2025**

Amended Drug Offenses

House Bill 413 altered CR, § 5-612(c)(2), eliminating the five-year mandatory minimum penalty and increasing from five years to ten years the maximum incarceration penalty for *Manufacture, distribute, dispense, or possess 50 pounds or more of cannabis*. Based on the classification of other comparable drug offenses, the MSCCSP voted at its July 8 meeting to make no changes to the seriousness category for this offense. House Bill 413 also altered CR, § 5-613 to eliminate the 20-year mandatory minimum penalty and reduce from 40 years to 20 years the maximum incarceration penalty for *Drug kingpin—cannabis*. Given these changes, the MSCCSP revised the seriousness category for this offense from II to III-B. Finally, House Bill 260 made various changes to prohibitions against the possession, sale, or distribution of drug and controlled paraphernalia, including to eliminate the possibility of incarceration for a violation of CR, § 5-620(d)(1), *Possess or distribute controlled paraphernalia—non-cannabis, 1st offense*. Because the guidelines apply only to criminal offenses that carry a possible penalty of incarceration, the MSCCSP removed this offense from the Guidelines Offense Table. However, this offense remains

a criminal offense, and any adjudication should continue to be counted towards the scoring of the prior adult criminal record.

Amended Weapons Offenses

House Bill 413 increased the penalty for violations of Public Safety Article (PS), §§ 5-406(c)(1) and 5-406(c)(2), Annotated Code of Maryland, involving the manufacture, distribution, or sale of a handgun not included on the handgun roster, from a fine only to up to a maximum penalty of five years incarceration. The MSCCSP classified these offenses as seriousness category VI.

Additionally, House Bill 413 reclassified from a misdemeanor to a felony violations of PS, § 5-703(c)(1) (*Purchase, receive, sell, offer to sell, or transfer an unfinished frame or receiver that has not been imprinted with a serial number in compliance with federal laws and regulations (i.e., a “ghost gun”)*) and PS, § 5-138 (*Possess, sell, transfer, or otherwise dispose of stolen regulated firearm*), and provided that each violation of PS, § 5-138 is a separate crime. Lastly, Senate Bill 443/House Bill 413, reclassified from a misdemeanor to a felony a violation of PS, § 5-140 (*Transport regulated firearm into State for purpose of unlawfully selling or trafficking*). Based on the classification of other comparable firearms offenses, the MSCCSP voted at its July 8 meeting to make no changes to the seriousness categories for these three offenses.

Other Amended Offenses

House Bill 39/Senate Bill 356 repealed the crime of *Knowingly transfer or attempt to transfer HIV virus* effective October 1, 2025. Because the guidelines apply only to criminal offenses, the MSCCSP removed this offense from the Guidelines Offense Table. Finally, House Bill 744/Senate Bill 590 increased the penalty for violations of TR, § 21-901.1(c)(1), *Reckless driving*, from a fine only to a maximum penalty of 60 days incarceration. The MSCCSP classified this offense as a seriousness category VII. After promulgating these revisions through the COMAR review process, the MSCCSP adopted these revisions effective November 3, 2025.

Table 3. Amended Offenses, 2025 Legislative Session

Legislation	Annotated Code of Maryland	Offense	Prior Stat. Max. / Seriousness Category	New Stat. Max. / Seriousness Category	Offense Type
Chapters 651 and 652 (HB0039/SB0356)	HG, §18-601.1	Assault and Other Bodily Woundings Knowingly transfer or attempt to transfer HIV virus	3 years / V Misd.	N/A	Person
Chapter 136 (HB0413)	CR, §5-612(c)(2)	CDS and Paraphernalia Manufacture, distribute, dispense, or possess 50 pounds or more of cannabis	5 years / IV Felony (5Y mand. min.)	10 years / IV Misd.	Drug
Chapter 136 (HB0413)	CR, §5-613(b)(2)	CDS and Paraphernalia Drug Kingpin—cannabis	40 years / II Felony (20Y mand. min.)	20 years / III-B Felony	Drug
Chapter 180 (HB0260)	CR, §5-619(c)(2)(ii)	CDS and Paraphernalia Paraphernalia—use or possess with intent to use drug paraphernalia—non-cannabis, subsequent	2 years / VII Misd.	1 year / VII Misd.	Drug
Chapter 180 (HB0260)	CR, §5-619(d)(2)(ii)	CDS and Paraphernalia Paraphernalia—deliver or sell, or manufacture or possess with intent to deliver or sell, drug paraphernalia, subsequent	2 years / VII Misd.	1 year / VII Misd.	Drug
Chapter 180 (HB0260)	CR, §5-620(d)(1)	CDS and Paraphernalia Paraphernalia—possess or distribute controlled paraphernalia—non-cannabis, 1 st offense	4 years / V Misd.	Fine only Misd.	Drug
Chapter 180 (HB0260)	CR, §5-620(d)(2)	CDS and Paraphernalia Paraphernalia—possess or distribute controlled paraphernalia—non-cannabis, subsequent	4 years / V Misd.	1 year / VII Misd.	Drug
Chapters 465 and 136 (SB443/HB0413)	PS, §5-140	Weapons Crimes—In General Transport regulated firearm into State for purpose of unlawfully selling or trafficking	10 years / IV Felony	10 years / IV Felony	Person

Legislation	Annotated Code of Maryland	Offense	Prior Stat. Max. / Seriousness Category	New Stat. Max. / Seriousness Category	Offense Type
Chapter 136 (HB0413)	PS, §5-703(c)(1)	Weapons Crimes—In General Purchase, receive, sell, offer to sell, or transfer an unfinished frame or receiver that has not been imprinted with a serial number in compliance with federal laws and regulations (i.e., a “ghost gun”)	5 years / V Misd.	5 years / V Felony	Person
Chapter 136 (HB0413)	PS, §5-138	Weapons Crimes—In General Possess, sell, transfer, or otherwise dispose of stolen regulated firearm	5 years / VI Misd.	5 years / VI Felony	Person
Chapter 136 (HB0413)	PS, §5-406(c)(1)	Handguns—In General Manufacture for distribution or sale a handgun that is not included on the handgun roster	Fine only Misd.	5 years / VI Felony	Person
Chapter 136 (HB0413)	PS, §5-406(c)(2)	Handguns—In General Sell or offer to sell a handgun that is not included on the handgun roster	Fine only Misd.	5 years / VI Misd.	Person
Chapters 446 and 447 (HB0744/SB0590)	TR, §21-901.1(c)(1)	Motor Vehicle Offense Reckless driving	Fine only Misd.	60 days / VII Misd.	Person

Additional Modifications to the Guidelines Offense Table

Classification of Previously Unclassified Offense

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 first violation of *Interference with performance of official duties by election official, an individual present at polling place, or canvass of votes*, penalized under Election Law Article (EL), § 16-205, Annotated Code of Maryland. The Commission classified this offense as a seriousness category V person or property offense, giving practitioners the discretion to determine which offense type matches the



Effective Date:
July 1, 2025

specific facts of the case. After promulgating the proposed classifications for the previously unclassified offense through the COMAR review process, the MSCCSP adopted these updates effective July 1, 2025.

Table 4. Previously Unclassified Offense

Annotated Code of Maryland	Offense	Statutory Maximum	Minimum	Offense Type	Adopted Seriousness Category
EL, §16-205	Election Offenses Interference with performance of official duties by election official, an individual present at polling place, or canvass of votes	1 year	3 months	Person ⁵	V
EL, §16-205	Election Offenses Interference with performance of official duties by election official, an individual present at polling place, or canvass of votes	1 year	3 months	Property ⁵	VI

Revised Seriousness Category for One Offense

In 2025, the MSCCSP revised the seriousness category for one offense. This offense is *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*, penalized under CR, § 3-708. The Commission increased the seriousness category for this offense from VI to V. The revised seriousness category (V) is consistent with those of comparable offenses, including a violation of Courts and Judicial Proceedings Article (CJ), § 3-2304, Annotated Code of Maryland, (Knowingly publishing information of a protected individual, etc.) and a violation of EL, § 16-904 (Threatening election official or immediate family member of election official). After promulgating the proposed classification for this offense through the COMAR review process, the MSCCSP adopted this update effective July 1, 2025.



Effective Date:
July 1, 2025

⁵ Practitioners 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.

Table 5. Offense with Seriousness Category Change

Annotated Code of Maryland	Offense	Statutory Maximum	Offense Type	Prior Seriousness Category	New Seriousness Category
CR, §3-708	Extortion and Other Threats 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	3 years	Person	VI	V

Other Miscellaneous Offense Table Edits

The MSCCSP made minor edits to the Guidelines Offense Table in 2025. These edits include: (1) adding a fraud offense with a penalty of one year; (2) adding updated CJIS Codes for various offenses; and (3) updating the statute reference for various offenses, due to updates resulting from the 2025 Legislative Session.

Adopted Amended List of Common Sentencing Guidelines Departure Reasons

As noted, the Maryland sentencing guidelines are voluntary, and judges maintain the discretion to impose a sentence outside of the sentencing guidelines. In accordance with COMAR 14.22.01.05, judges shall document the reason or reasons for imposing a sentence outside the sentencing guidelines range. To facilitate the reporting of mitigating and aggravating departure reasons on the sentencing guidelines worksheet, judges are provided with a reference card listing some of the common reasons for departure and their corresponding numerical codes. The list is not intended to be a complete enumeration of all reasons, and judges may provide any “other” reason explaining their reason for departing from the guidelines.

Effective July 1, 2025, the MSCCSP adopted revisions to the list of common departure reasons and the corresponding instructions. The Commission voted to amend the list and instructions at its September 10, 2024, business meeting. The purpose of the amendments was to (1) provide reasons that more closely align with the reasons submitted by judges in the current guidelines data, (2) reflect input received via the Commission's survey of circuit court judges, and (3) provide greater insight into the circumstances of the case. The Commission revised the instructions to more clearly explain why it collects data on departure reasons.

The Commission removed from the list those reasons that were rarely identified in the data and the judicial survey (e.g., offender was influenced by coercion or duress) and added to the list several new departure 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).



**Effective Date:
July 1, 2025**

Table 6 provides the amended list of the most common mitigating and aggravating reasons for departure. Table 7 lists the reasons removed from the list.

Table 6. Most Common Reasons for Departure (Eff. July 1, 2025)
Bolded reasons were added to the list in 2025.

Departure Code	Mitigating Reasons	Departure Code	Aggravating Reasons
1	The parties reached a plea agreement that called for a reduced sentence.	11	Offender's major role in the offense.
2	Offender's minor role in the offense.	12	The level of harm was excessive.
3	Offender is or was suffering from a mental or physical condition that reduces culpability for the offense.	13	Special circumstances of the victim.
4	Offender's age/health.	14	Offender exploited a position of trust.
5	Offender amenable to probation or other community supervision.	15	Offender's criminal history is more serious than represented by offender score.
6	Offender made restorative efforts after the offense.	16	The parties reached a plea agreement that called for an increased sentence.
7	Offender's criminal history is less severe than represented by offender score.	17	The vicious or heinous nature of the conduct.
8	Offender's commitment to substance abuse treatment or other therapeutic program.	18	Recommendation of State's Attorney or Division of Parole and Probation.
9	Recommendation of State's Attorney or Division of Parole and Probation.	19	Other circumstances of the crime and/or the offender do not warrant a sentence within the guidelines (explain).
10	Other circumstances of the crime and/or the offender do not warrant a sentence within the guidelines (explain).		

**Table 7. Reasons Removed from the List of Most Common Reasons for Departure
(Eff. July 1, 2025)**

Mitigating Reasons	Aggravating Reasons
☒ Offender was influenced by coercion or duress.	☒ Offender committed a “white collar” offense.
☒ Offender had diminished capability for judgment.	☒ Offender’s significant participation in major controlled substance offense.
☒ Victim’s participation in the offense lessens the offender’s culpability.	

Adopted Revision to Provide that Animals Shall be Considered Victims for the Purposes of Applying the Multiple Victims Stacking Rule

In its 2025 Legislative Session, the Maryland General Assembly passed Senate Bill 152/House Bill 89, which provides that each animal harmed in a violation of Section 10, Subtitle 6 of the Criminal Law Article is a separate offense and shall be deemed an individual victim for purposes of the sentencing guidelines stacking rule or what is referred to in the Maryland Sentencing Guidelines Manual (MSGM) as the multiple victims stacking rule (MCSR).



**Effective Date:
November 1, 2025**

At the time the legislation passed, Chapter 10.1 of the MSGM provided the following instructions for the MCSR:

“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. Animals may not be considered victims for the purposes of applying the multiple victims stacking rule.”

Each animal harmed in a violation of Section 10, Subtitle 6 of the Criminal Law Article shall be deemed an individual victim for purposes of the multiple victims stacking rule.

The Commission adopted the clarification to explicitly exclude animals effective February 1, 2024, following the Commission's discussion and vote at its May 9, 2023, meeting. The Commission did not consider the added instruction a rule change, but rather a clarification of the existing rule. In response to Senate Bill 152/House Bill 89, the MSCCSP voted, at its July 8, 2025, meeting, to amend the rule to instruct that animals shall be considered victims for purposes

of applying the MVSR. After promulgating the proposed revision through the COMAR review process, the MSCCSP adopted the revision to the MVSR instructions effective November 3, 2025.

Voted to Reduce the Seriousness Category for Subsequent Violations of Criminal Law Article, §§ 4-204 and 4-306 and to Add Clarifying Instructions

The Commission voted at its September 9, 2025, meeting to reduce the seriousness category for subsequent violations of Criminal Law Article (CR), §§ 4-204 and 4-306(b), Annotated Code of Maryland, from II to III and to adopt instructions for subsequent violations of these statutes. The Commission made these amendments in response to case law⁶ and the Commission's 2023 adoption of the mandatory consecutive sentence rule, which instructs that the person completing the sentencing guidelines worksheet shall add the upper limit of the guidelines range for the offense for which the sentence is required to run consecutive to another offense to the upper limit of the guidelines range for the eligible other offense to obtain the upper limit of the overall guidelines range (MSGM, Version 17.2, Chapter 10.5).



**Effective Date:
January 1, 2026**

⁶ *Garner v. State*, 442 Md. 226 (2015); *Gray v. State*, 2022 WL 6833132 (Md. App. Mar. 8, 2022).

CR, §§ 4-204 and 4-306(b) prohibit the use of a firearm or assault weapon, respectively, in the commission of a COV or any felony. A first-time or subsequent violation of CR, § 4-204 is subject to up to 20 years imprisonment and a non-suspendable 5-year mandatory minimum sentence. A first-time violation of CR, § 4-306 is subject to up to 20 years imprisonment and a non-suspendable 5-year mandatory minimum sentence, while a subsequent violation is subject to up to 20 years imprisonment and a suspendable 10-year minimum sentence. The sentence for a subsequent violation of either statute must be consecutive to the sentence for the underlying COV or felony.

Questions surrounding the guidelines for these subsequent offenses arose in response to case law, which held that subsequent violations of CR, § 4-204 refer to subsequent, contemporaneous violations or those that occur during the same criminal transaction. *Garner v. State*, 442 Md. 226 (2015); *Gray v. State*, 2022 WL 6833132 (Md. App. Mar. 8, 2022).

The Commission initially classified "first" violations of CR, §§ 4-204 and 4-306(b) as seriousness category III offenses and subsequent violations as seriousness category II offenses based on the assumption that

"subsequent" violations referred to defendants who were convicted of this offense after one or more prior convictions. Given the holdings in *Garner* and *Gray*, practitioners expressed concern that the more serious classifications would increase significantly the guidelines ranges for multiple violations of these statutes committed during the same criminal transaction.

Subsequent violations of CR, §§ 4-204 and 4-306 include multiple contemporaneous violations

The Guidelines Subcommittee reviewed the issue at its June 3, 2025, meeting and sent a request to the Office of the Attorney General (OAG) to clarify its understanding of a "subsequent violation" as used in CR, §§ 4-204 and 4-306. The OAG confirmed that when a criminal event involves multiple contemporaneous violations of CR, § 4-204, all violations but the first violation are defined as subsequent violations and subject to the subsequent penalty. The OAG also confirmed that the same rule applies when a sentencing event involves multiple violations of CR, § 4-204 that are part of separate criminal events (i.e., committed during separate criminal transactions) or a defendant has a prior conviction for CR, § 4-204 but only one instant violation. Finally, the OAG confirmed that this rule applies to CR, § 4-306 as well because the statute contains language nearly identical to that in CR, § 4-204.

Based on the OAG's response, the Guidelines Subcommittee voted at its August 21, 2025, meeting to recommend that the Commission take two actions. First, it recommended that the Commission reduce the seriousness category for subsequent violations of CR, §§ 4-204 and 4-306 from II to III, given that the first-time and subsequent offenses have the same statutory maximum penalty (20 years), and the mandatory consecutive sentence rule otherwise increases the guidelines for a subsequent violation. Second, in response to questions from practitioners, the Guidelines Subcommittee recommended that the Commission adopt instructions to clarify the definition of subsequent violations of these two statutes. Given the impact of a first-time versus subsequent violation on the sentencing guidelines, it is important that attorneys and judges throughout the State interpret and apply CR, §§ 4-204(c) and 4-306(b) consistently.

The Guidelines Subcommittee presented these recommendations, and the Commission adopted them at its September 9 meeting. These revisions were promulgated through COMAR and adopted effective January 1, 2026.

Voted to Reclassify Practicing Polysomnography Without a License From a Property to a Person Offense

The MSCCSP voted to reclassify, from a property to a person offense, violations of HO, §14-5C-23(a), which prohibits an individual from practicing polysomnography (a sleep study) without a license. This offense was originally classified as a property offense at the Commission's June 5, 2006, meeting. At the time, the Commission classified the offense based on fraud offenses with similar maximum penalties. However, the Commission currently classifies other offenses involving the unlicensed practice of a profession as person offenses when they involve potential harm to an individual.

The Guidelines Subcommittee reviewed the offense at its November 21, 2025, meeting and recommended that the full Commission reclassify the offense as a person offense. The Commission unanimously adopted the Subcommittee's recommendation at its December 2, 2025, meeting. This revision is being promulgated through COMAR, with an anticipated effective date in summer 2026.



**Anticipated
Effective Date:
Summer 2026**

Voted to Classify Three Previously Unclassified Offenses

The Commission voted to classify three previously unclassified offenses at its December 2, 2025, meeting: (1) TR, § 16-301(r)(2), which prohibits an individual from obtaining or attempting to obtain a driver's license or moped operator's permit by misrepresentation; (2) TR, § 12-301(m)(1), which prohibits an individual from failing to provide satisfactory documentary evidence of their lawful status and valid social security number when applying for an identification card; and (3) BR, § 9A-505, which prohibits an individual from providing heating, ventilation, air conditioning, or refrigeration services without a license, employing unlicensed individuals, or misrepresenting themselves as a license holder.

The Guidelines Subcommittee reviewed these offenses at its November 21, 2025, meeting and recommended that the Commission classify them as seriousness category VII property offenses.

The Commission unanimously adopted the Subcommittee's recommendation at its December 2 meeting. These classifications are being promulgated through COMAR, with an anticipated effective date in summer 2026.



**Anticipated Effective Date:
Summer 2026**

Voted to Expand the Definition of Psychological Victim Injury

During its September 9, 2025, meeting, the MSCCSP revised the instructions pertaining to psychological victim injury (part C of the offense score) in the MSGM and COMAR. This revision was in response to feedback from a First Judicial Circuit judge during a judicial feedback meeting in September 2024. He asked if the Commission would consider automatically applying permanent victim injury points to sexual abuse of a minor (as defined in CR, § 3-602). The judge and his colleague compared this issue to the similar manner in which the Commission revised the rule regarding child pornography offenses in October 2021.⁷



**Effective Date:
January 1, 2026**

⁷ In October 2021, the Commission adopted revisions to the guidelines to instruct that offenses involving photographic or video evidence of child pornography shall be scored as permanent victim injury.

The Guidelines Subcommittee met to review the staff's analysis of the possibility of automatically assigning permanent victim injury points to the sentencing guidelines for child sexual abuse. Two guests were invited to share their perspectives on the issue, Mr. Michael Calabrese, Senior Assistant State's Attorney for the Office of the State's Attorney for Wicomico County, and Mr. Brian Shefferman, President-Elect of the Maryland Criminal Defense Attorneys' Association. Following a thorough discussion, the Subcommittee unanimously agreed to table the issue until reviewing further analyses on lessening the standard of proof for permanent psychological injury for sexual abuse of a minor and the relationship between victim vulnerability and injury points in these cases.

At its June 3 and June 25 meetings, the Subcommittee reviewed multiple versions of proposed language to provide an exception to victim injury for sexual



The sentencing guidelines recognize that not all victims have access to psychological treatment

abuse of a minor. At its June 25 meeting, Subcommittee members raised concern about carving out a rule specific to sexual abuse of a minor when similar arguments could be made for victims of child physical abuse or domestic violence. Therefore, the Subcommittee voted unanimously to have staff draft language to broaden the overall definition of victim injury for all offenses. Additionally, the Subcommittee asked staff to examine how other jurisdictions address victim injury.

The Guidelines Subcommittee reviewed the staff's language at its August 21 meeting, which expanded the definition of psychological victim injury as follows:

"The sentencing guidelines recognize that not all victims have access to psychological counseling or treatment. Victims may not have been provided treatment, and the psychological impact on certain victims, for example minors, may not manifest until later in life. Proof of psychological injury shall be based on (1) confirmed medical diagnosis or psychological counseling or treatment, or (2) other forms of reasonable proof. Rape crisis hotlines, clergy conferences, educational counseling, and other similar services are considered psychological counseling or treatment. Permanent psychological injury shall be based on proof of a substantial impairment likely to be of an extended or continuous duration."

The Guidelines Subcommittee recommended that the Commission adopt the language at its meeting on September 9, 2025. The Commission adopted the Subcommittee's recommendation. The revisions were promulgated through COMAR with an effective date of January 1, 2026.

Began Review of Instructions for Scoring Physical Victim Injury

During its September 9, 2025, meeting, the MSCCSP voted to examine the instructions for scoring physical victim injury. This followed the Guidelines Subcommittee's meeting on August 21, at which the Subcommittee voted to revise the instructions for scoring psychological victim injury for the purposes of part C of the offense score. There, the Subcommittee suggested that the Commission's next step should be to revisit the sentencing guidelines scoring instructions regarding physical victim injury. Specifically, the review would focus on clarifying language that practitioners can use to classify the severity of different types of injury.

The Subcommittee met on November 21, 2025, and discussed possible revisions to the definition of physical injury. The Subcommittee reviewed how other sentencing commissions score physical victim injury and agreed that the MSGM should provide examples of non-permanent and permanent victim injuries. The Subcommittee plans to continue this discussion at its next meeting and to present proposed revisions to the scoring instructions for physical victim injury to the full Commission at its next meeting in May 2026.

Began Review of Sentencing Guidelines Worksheet Data Fields

Sentencing guidelines worksheets are completed and submitted to the MSCCSP electronically via MAGS. The sentencing guidelines worksheet collects information about offender characteristics, offense characteristics, recommended sentence range, victims' rights information, disposition and sentence characteristics, and compliance with the sentencing guidelines. Guidelines worksheets are typically initiated by the State's Attorney's Office or the Division of Parole and Probation (in instances where a pre-sentence investigation (PSI) was ordered). Prosecutors and parole and probation agents record the worksheet information up to the point of sentence information. Sentencing judges or their designees complete initiated worksheets by

providing necessary sentence information and the reason(s) for departure from the guidelines, if applicable.

Over the years, the MSCCSP has added and, to a lesser degree, removed fields from the guidelines worksheet. The current worksheet contains more than 80 fields. As such, the time required to complete the worksheet is notable. The MSCCSP staff believes the sentencing guidelines worksheet can potentially be streamlined to make the worksheet completion process more efficient. Recognizing this, in November 2025, the MSCCSP staff initiated a review to assess the utility of the 80 fields to consider whether there are fields that could potentially be removed from the worksheet for various reasons. This review will continue in 2026.

Worked with the Department of Public Safety and Correctional Services to Obtain Criminal History Data to Study Adult Prior Record Score

The MSCCSP worked with the DPSCS to obtain criminal history data for its study of the prior adult criminal record score component of the offender score, which the Commission approved at its December 3, 2024, meeting. This study is based on a recommendation included in the MSCCSP's 2023 report, [An Assessment of Racial Differences in Guidelines-Eligible Sentencing Events](#) (see page 53).

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 17.2, 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.⁸ The matrix used to score the prior adult criminal record was developed by the Sentencing Guidelines Advisory

⁸ 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.

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.

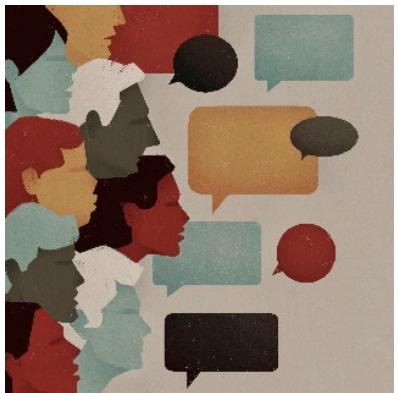
These analyses were a useful preliminary examination of the prior adult record score, however the age of the data and issues with missing and incomplete data made it difficult to draw conclusions or make policy recommendations based on the analyses. Further, the expansion of expungement laws in recent 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.⁹ 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 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 the extent to which the criminal record decay factor is applied. The study is exploratory in nature. The Commission has not committed to whether or what action it may take in response to the study.

⁹ Expansion of the State's expungement laws began in 2016 with the Justice Reinvestment Act (2016 Md. Laws, Ch. 515). The Maryland General Assembly 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; 2024 Md. Laws, Ch. 715; 2025 Md. Laws, Ch. 95).

In 2025, the MSCCSP executed a memorandum of understanding with the DPSCS to obtain criminal history data for guidelines-eligible individuals sentenced from fiscal years 2020 through 2024. The MSCCSP anticipates that it will receive the criminal history data and complete the study in 2026.

Public Comments Hearing



In recognition of the importance of providing a forum for the public to discuss sentencing-related issues, the MSCCSP conducts an annual public comments hearing. The 2025 public comments hearing occurred on December 2, 2025, at the Maryland Judicial Center in Annapolis. Prior to the hearing, the MSCCSP distributed invitations to key criminal justice stakeholders throughout the State via email through the Commission's listserv. The hearing was also announced on the Commission's website and LinkedIn page; the Judiciary's website, LinkedIn page, and account on X (formerly Twitter); the Maryland Register; the Maryland General Assembly's hearing schedule; and through a press release issued by the DPSCS.

The public comments hearing began with commissioners introducing themselves and briefly explaining their role on the Commission. Dr. Soulé, the MSCCSP's Executive Director, followed with a presentation on the history and mission of the MSCCSP. Then, registered speakers were invited to share their comments.

Elizabeth Hilliard, Director of Government Relations for the Maryland Office of the Public Defender (OPD), spoke first. Ms. Hilliard's testimony addressed recommendations from the OPD related to the work of the Commission. These recommendations included analysis on racial and geographic disparities, wider implementation of alternative sanctions, and the reduced use of pretrial detention. Three members of the public spoke after Ms. Hilliard. The first testified on racial disparities in Maryland's prison population, recommending that the Commission examine the roles that criminal history and certain weapons and drug offenses play in furthering racial disparities. The next member of the public testified regarding the problems she experienced as a pro se litigant in receiving access to sentencing guidelines worksheets through MAGS. The last member of the public spoke about the Commission's statutory data maintenance obligations and issues

he experienced as a pro se litigant in accessing past sentencing worksheets. His remarks concluded the public comments hearing.

The minutes from the public comments hearing contain a summary of the testimonies provided by all speakers. The MSCCSP will publish the minutes to its website after the Commission reviews and approves the minutes at its next meeting, scheduled for May 5, 2026. The MSCCSP welcomes testimony from members of the public, as public participation is essential to raising awareness of sentencing-related matters. ■

Education, Training, Information, and Outreach



TRAINING, EDUCATION, 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 training provides 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 2025 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. *Sentencing Guidelines and What's New in MAGS 12.1* webinars were held throughout April and focused on updates related to the April 3, 2025, release of MAGS 12.1. On May 29, 2025, a *MAGS and Sentencing Guidelines 101* webinar was held for the Office of the State's Attorney for Harford County, and a similar *MAGS and Sentencing Guidelines 101 "Refresher"* webinar was held for various criminal justice partners on September 12, 2025. 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. Multiple webinars were completed for law clerks, judges and other judicial court staff in September 2025. 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.

8	230
Guidelines Training Sessions	Attendees



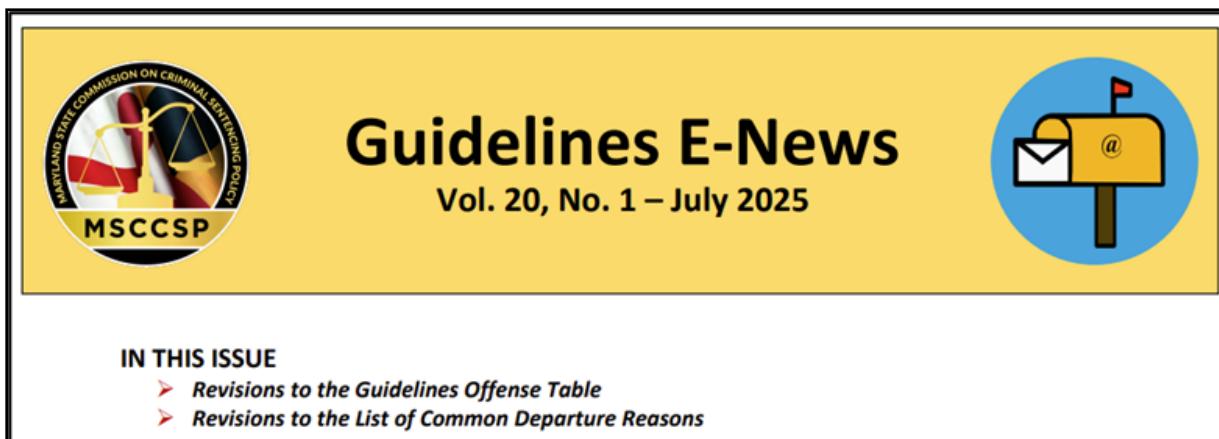
In total, the MSCCSP provided eight guidelines training sessions in 2025. Approximately 230 individuals participated in these sessions, including circuit court judges, judicial staff, prosecutors, public defenders, parole and probation agents, and private defense attorneys. To allow for practitioners 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 18 of Maryland's 24 jurisdictions (Anne Arundel, Baltimore, Calvert, Caroline, Carroll, Cecil, Charles, Frederick, Garrett, Harford, Howard, Kent, Montgomery, Prince George's, Queen Anne's, Talbot, and Washington Counties, and Baltimore City). 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 2025. MSGM 17.0 (released July 1, 2025) provided revisions to the Guidelines Offense Table, including the classification of one previously unclassified offense (EL, § 16-205); a revised seriousness category for one offense (CR, § 3-708); and other minor, non-substantive edits to two offenses. MSGM 17.0 also provided revisions to the list of common departure reasons. MSGM 17.1 (released November 3, 2025) provided additional revisions to the Guidelines Offense Table, including the classification of new offenses passed during the 2025 Legislative Session; the classification of amended offenses passed during the 2025 Legislative Session; and other minor edits to the table. MSGM 17.1 also clarified a revision to the multiple victims stacking rule (MVS) in response to Senate Bill 152/House Bill 89.

In 2025, 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 July 2025 edition highlighted various revisions to the Guidelines Offense Table and to the list of common departure reasons.

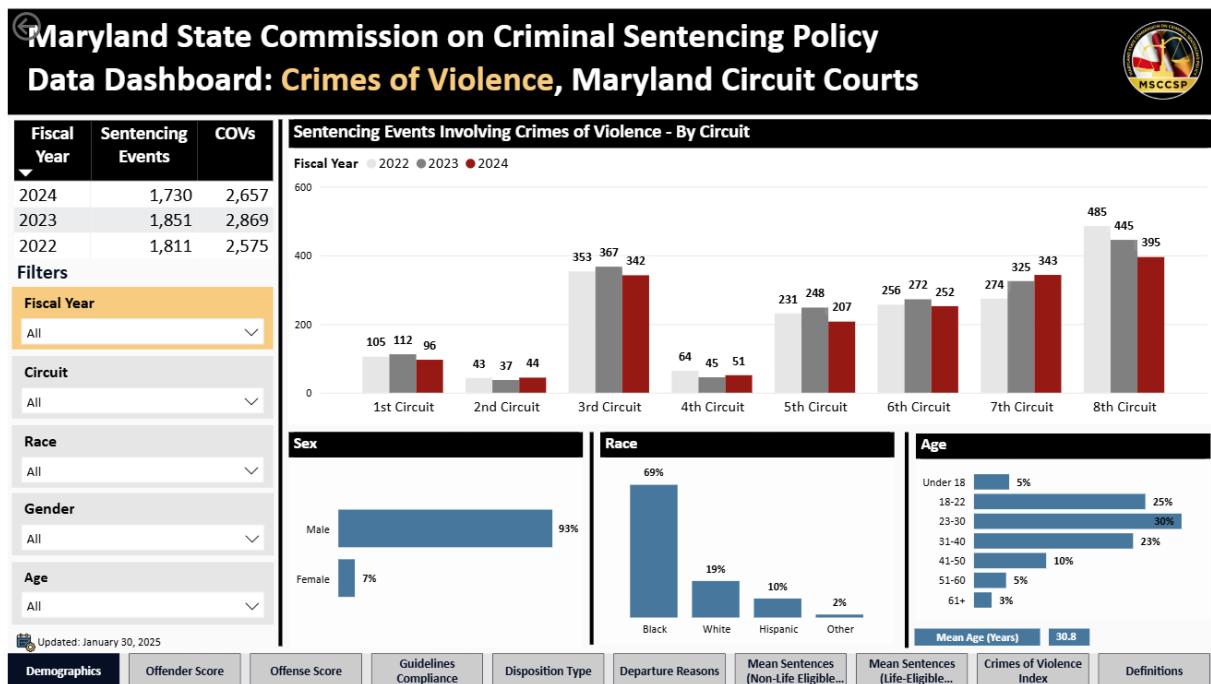
Image 1. Guidelines E-News, Vol. 20, Issue No. 1



Updated Crimes of Violence Dashboard

The MSCCSP launched the [Crimes of Violence \(COV\) Data Dashboard](#) on its website on January 31, 2023 (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 2025. 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 courts. In 2025, the Commission responded to 31 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 with an electronic data file created from the information collected on the sentencing guidelines worksheets. As of March 1, 2024, individuals interested in conducting analyses of the sentencing guidelines data may 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.



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Requests
for Data

In 2025, the MSCCSP provided sentencing information and/or data to several committees/agencies including, but not limited to, the Governor's Office of Crime Control and Prevention, the Maryland Department of Legislative Services, the Maryland Office of the Public Defender, the Maryland Department of Juvenile Services, the Maryland Crime Research & Innovation Center, the Anne Arundel County State's Attorneys' Office, the Frederick County State's Attorneys' Office, the Worcester County State's Attorneys' Office, the Reform Alliance, the Sentencing Project, the Justice Policy Institute, Human Rights for Kids, and the Washington Post. Sentencing information and/or data were provided additionally to multiple private criminal defense attorneys and individual defendants.

Additionally, the MSCCSP published two issues of the [Sentencing Snapshot](#) in 2025. The *Sentencing Snapshot* is a series of topical mini-reports intended to aid the public's understanding of sentencing policy and practices. The MSCCSP also 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 2025.

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 2025 the Commission provided information for 92 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 February 2025, 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 March 24, 2025, Dr. Soulé provided a presentation for Conference of Circuit Judges. This presentation provided information about the MAGS on-demand guidelines worksheet status project, updated sentencing guidelines departure codes, and the MSCCSP planned prior criminal record study. In April 2025, the MSCCSP Executive Director and Research Director met with staff from the newly reconstituted Michigan Sentencing Commission to offer input to guide the commission's work. In October 2025, Dr. Soulé was invited to contribute to the Judiciary's Criminal Law Bench Book project update. Finally, Dr. Soulé participated in eight Maryland Equal Justice Collaborative (MEJC) Criminal Law and Sentencing Reform Committee meetings throughout 2025.

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 email (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



In 2025, the MSCCSP released two updated versions of MAGS, incorporating enhancements informed by user feedback. The updates improved the system's functionality and efficiency. The following is a summary of the changes to MAGS:

April 3, 2025: The MSCCSP released an updated version of MAGS (12.1) with the following updates:

- Added an alert message that displays on the *Offender Score* screen when initiating a potential multiple criminal event/single sentencing event scenario; and
- Added a new alert message noting when a required field is incomplete.

June 30, 2025: The MSCCSP released an updated version of MAGS (13.0) with the following updates:

- Revisions to the Guidelines Offense Table; and
- Revisions to the list of common departure reasons.

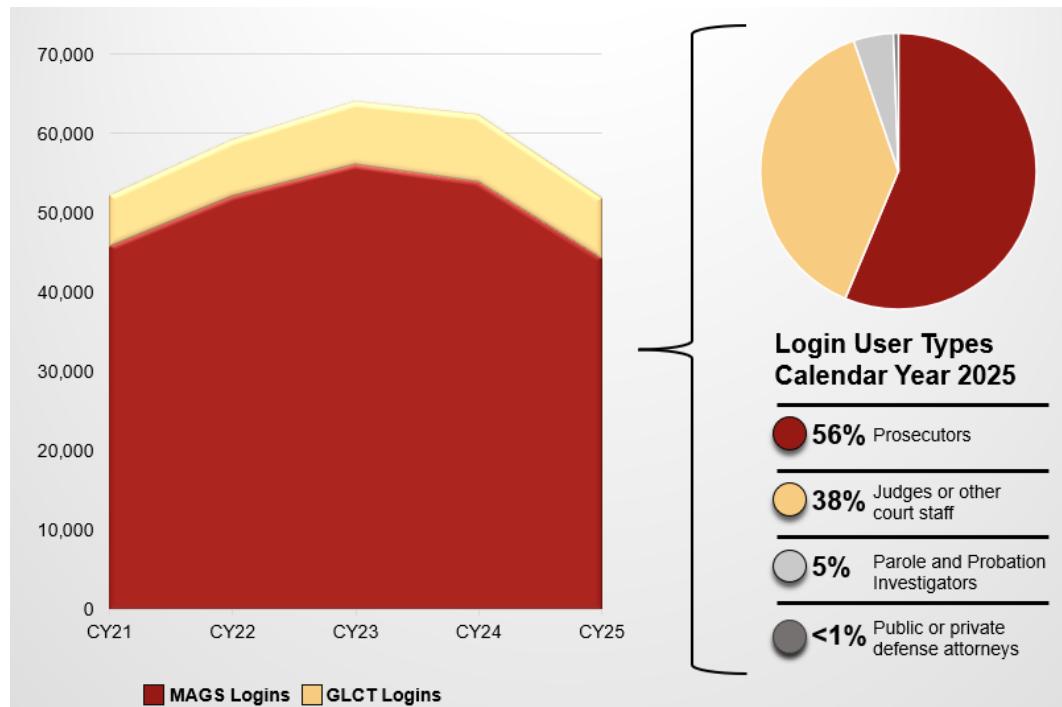
August 26, 2025: The MSCCSP released the following new features in version 13.0 of MAGS:

- Judges and their designees are immediately redirected to the *Home* screen upon submission of a sentencing guidelines worksheet;
- Home detention is automatically checked as a “corrections options” program, when applicable;
- An alert message appears if “Home Detention” is checked as a “corrections options” program but not entered on the *Sentence* screen; and
- An improved display of “Offense Title”, “Most Common Offenses” and “Search for All Offenses” buttons.

Various instructional and support materials related to MAGS 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 2025, there were approximately 44,000 MAGS user logins (see Figure 1). The majority (95%) of the user logins in 2025 originated from either prosecutors or the circuit courts. Additionally, the GLCT was accessed over 7,500 times in calendar year 2025.

Figure 1. MAGS User Logins, by User Type, Calendar Years 2021 through 2025



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. Figure 1 indicates that, though the statewide deployment of MAGS was completed in October 2019, the GLCT is still frequently used.

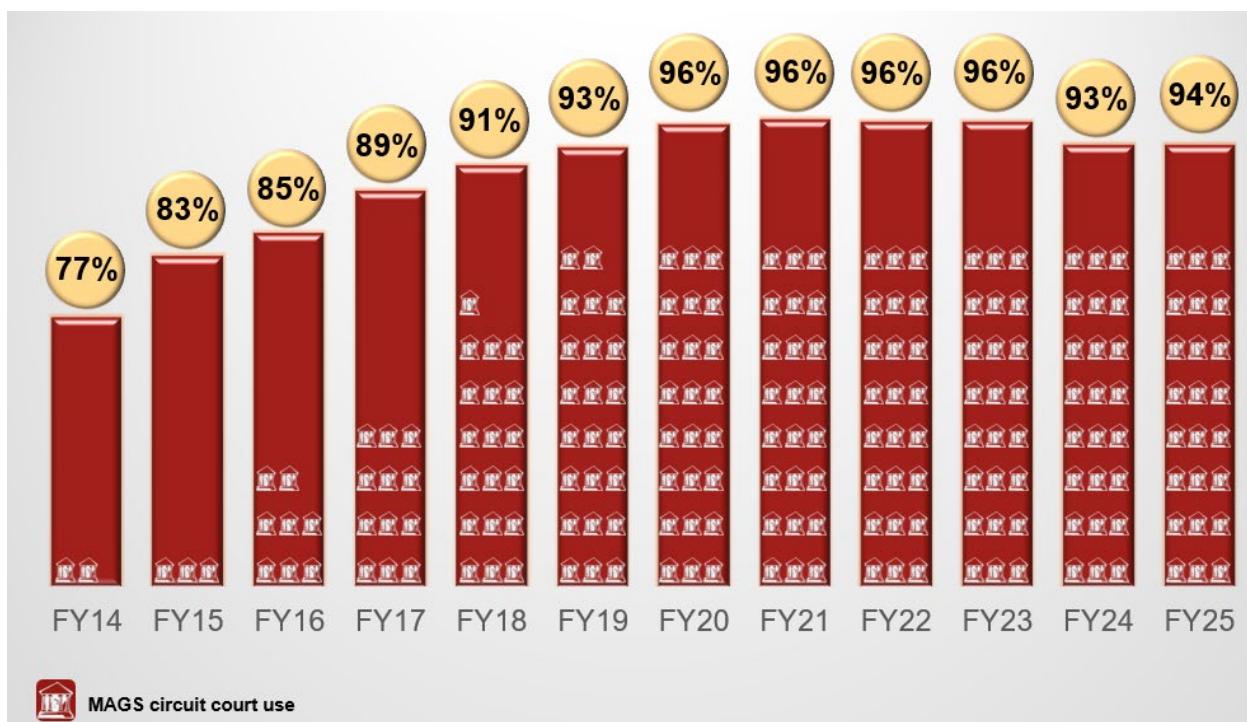
Image 4. Guidelines Calculator Tool (GLCT)

Event #	Count	Offense Description	Guidelines	Case #	Select
1	1	CDS Possession - Cocaine, 1st offense (SENTENCE DATE on/after 10/1/17)	P to P	C08CR25001122	<input type="checkbox"/>
1	3	Felony theft or theft scheme, at least \$1,500 but less than \$25,000 (SENTENCE DATE on/after 10/1/17)	P to 6M	C08CR25001122	<input type="checkbox"/>

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 Administrative Office of the Courts (AOC) sends the MSCCSP a dataset containing limited case-level information for all guidelines-eligible cases sentenced in circuit courts during the previous month.¹⁰ The MSCCSP staff links this dataset to sentencing guidelines worksheet data. Using this data, the MSCCSP staff calculates worksheet submission rates for each jurisdiction.

¹⁰ For a complete description of guidelines-eligible cases, see *The Present Sentencing Guidelines* section of this report, starting at page 3.

**Figure 2. Worksheet Submission Rates, by MAGS Circuit Court Usage,
Fiscal Years 2015 through 2025**



The MSCCSP sends to each Maryland jurisdiction a monthly status report identifying guidelines-eligible cases sentenced in their jurisdiction during the previous month, worksheets submitted via MAGS, 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 94% in fiscal year 2025 (see Figure 2). 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.

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. ■

5

Sentences Reported in FY 2025



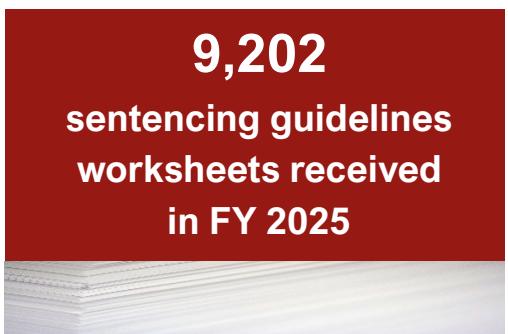
SENTENCES REPORTED IN FY 2025

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 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 16, 2025.

Sentencing Guidelines Worksheets Received

In fiscal year 2025, the MSCCSP received sentencing guidelines worksheets for 9,202 sentencing events.¹¹ With a handful of exceptions, all the fiscal year 2025 worksheets were submitted electronically using MAGS.¹² The second and third columns of Table 8 illustrate the number and percentage of sentencing guidelines worksheets submitted in fiscal year 2025 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 (1,844), while the Second Circuit (Caroline, Cecil, Kent, Queen Anne's, and Talbot Counties) submitted the fewest (373).

In fiscal year 2025, the AOC identified 10,097 guidelines-eligible cases, and the MSCCSP received a MAGS submission or paper worksheet for 9,440 (93.5%) of the guidelines-eligible



¹¹ 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.

¹² Eight of the 9,202 worksheets were submitted by email 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.^{13,14} The sixth column of Table 8 indicates the percentage of guidelines-eligible cases with a submitted worksheet in fiscal year 2025 by judicial circuit. Worksheet submission rates ranged from 85.2% in the Seventh Circuit to 99.5% in the Sixth Circuit. Worksheet submission rates varied by individual jurisdictions within each judicial circuit. As Figure 3 illustrates, the number of criminal sentencing 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 8. Number and Percentage of Sentencing Guidelines Worksheets and Cases Submitted by Circuit, Fiscal Year 2025

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	6.9%	653	655	99.7%
2	373	4.1%	387	393	98.5%
3	1,556	16.9%	1,617	1,753	92.2%
4	533	5.8%	539	596	90.4%
5	1,226	13.3%	1,287	1,297	99.2%
6	1,261	13.7%	1,276	1,282	99.5%
7	1,844	20.0%	1,838	2,158	85.2%
8	1,773	19.3%	1,843	1,963	93.9%
TOTAL	9,202	100.0%	9,440	10,097	93.5%

¹³ 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.

¹⁴ The AOC identified eligible cases in all jurisdictions using data entered into MDEC.

Figure 3. Number and Percentage of Sentencing Guidelines Worksheets Submitted by Fiscal Year, Fiscal Years 2016 through 2025

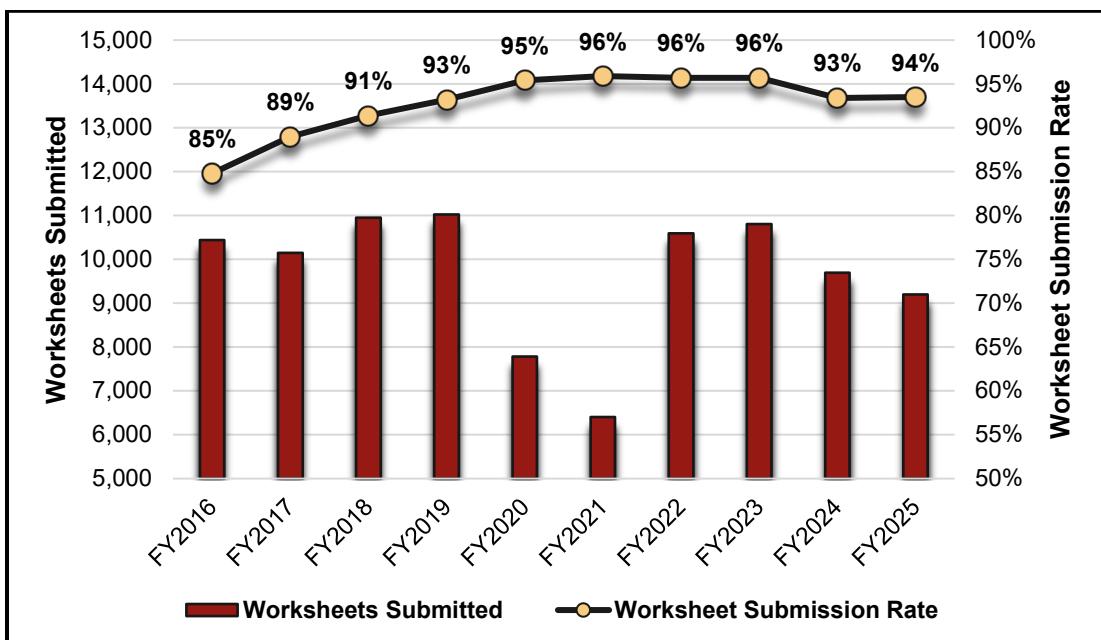
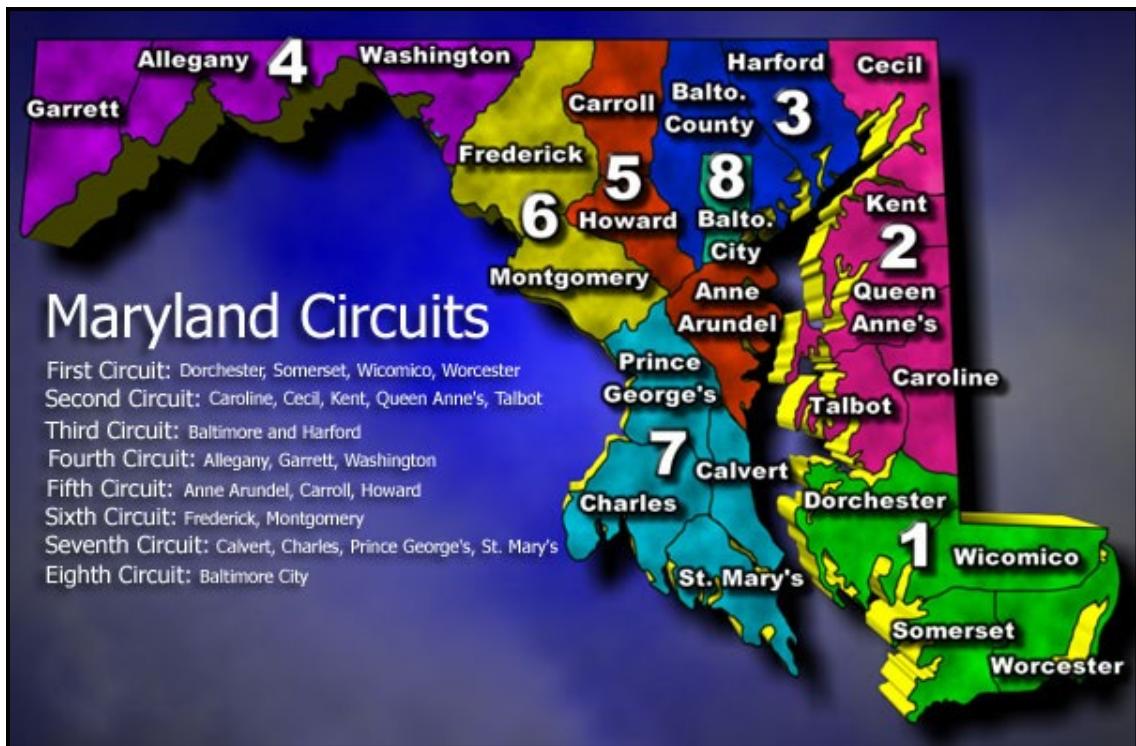


Image 5. Maryland Judicial Circuits

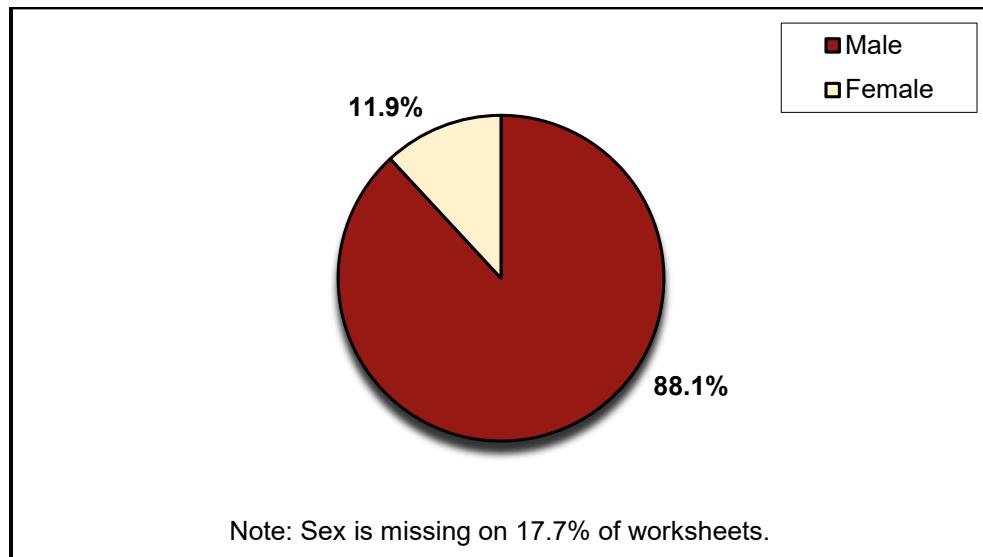


Source: <http://www.courts.state.md.us/clerks/circuitmap2.jpg> (extracted December 2010)

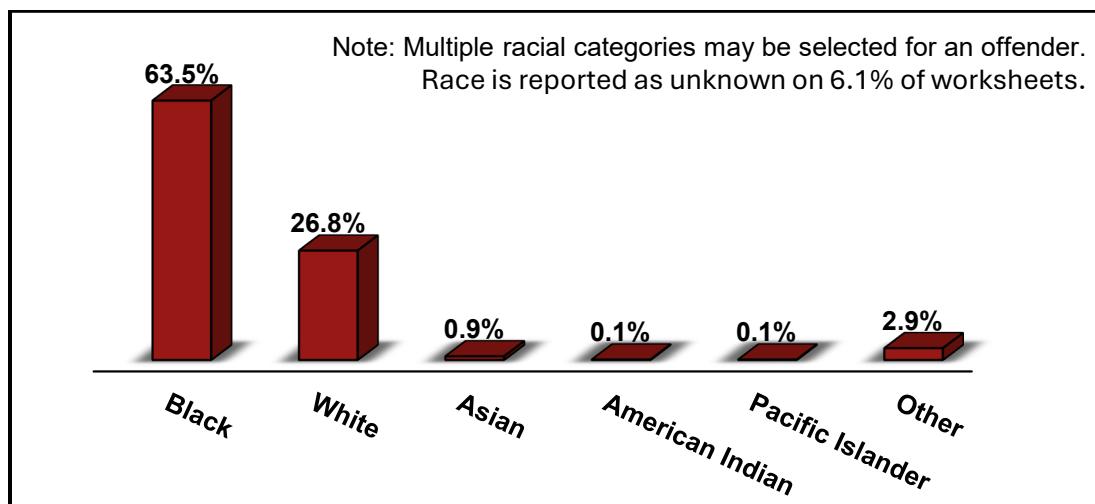
Characteristics of Sentenced Individuals

Figures 4 through 9 summarize the characteristics of sentenced individuals from the 9,202 sentencing guidelines worksheets submitted for fiscal year 2025. Most sentenced individuals were male (88.1%) and Black (63.5%). Approximately 10% were of Hispanic or Latino origin. The median age of sentenced individuals at the date of the offense was 31 years. The youngest individual was 14, while the oldest was 89 years of age. Fewer than 3% of sentenced individuals were under 18 years of age; 18.8% were 18-22 years old; 27.2% were 23-30 years old; 28.7% were 31-40 years old; and the remaining 22.7% were 41 years or older. Most defendants were represented by either a public defender (53.9%) or by a private defense attorney (43.8%). Only 2.4% of sentenced individuals received court appointed representation or represented themselves.

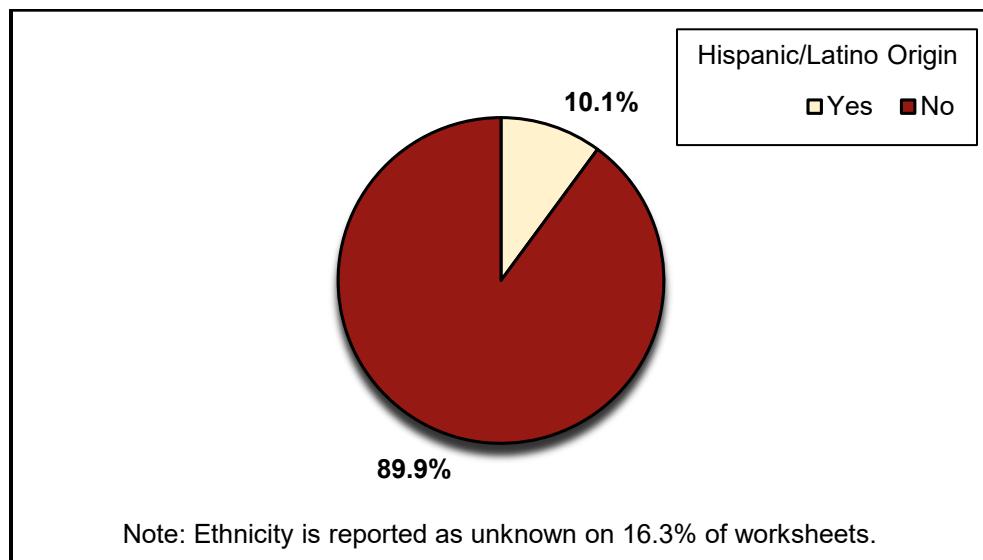
Figure 4. Distribution of Guidelines Sentencing Events by Sex, Fiscal Year 2025



**Figure 5. Distribution of Guidelines Sentencing Events by Race,
Fiscal Year 2025¹⁵**



**Figure 6. Distribution of Guidelines Sentencing Events by Ethnicity,
Fiscal Year 2025¹⁶**



¹⁵ The racial categories on the sentencing guidelines worksheets comply with the requirements specified in State Government Article (SG), § 10-603, Annotated Code of Maryland. 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.

¹⁶ Effective April 1, 2021, ethnicity is a mandatory field in MAGS; however, users may select “unknown” as a valid response category.

Figure 7. Distribution of Guidelines Sentencing Events by Age, Fiscal Year 2025

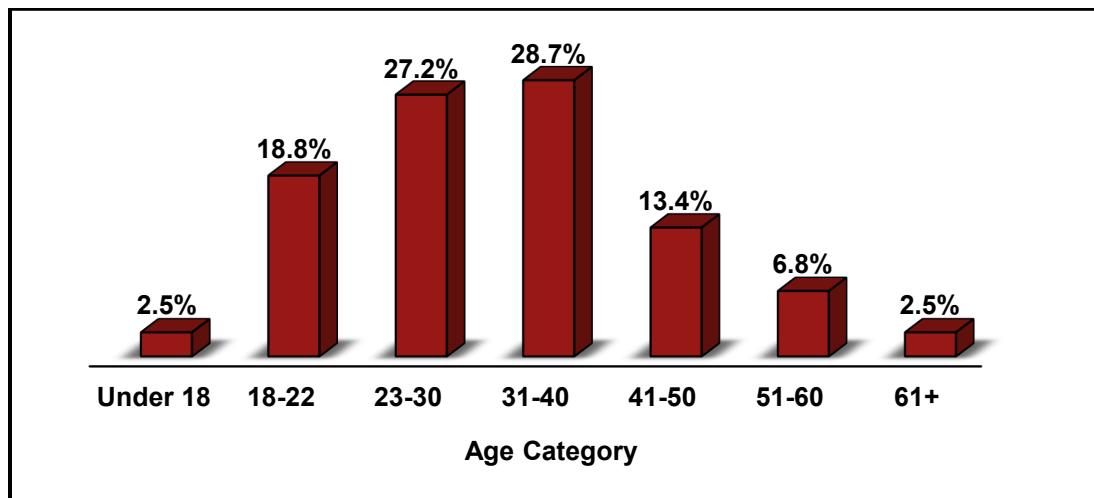


Figure 8. Distribution of Guidelines Sentencing Events by Type of Legal Representation, Fiscal Year 2025

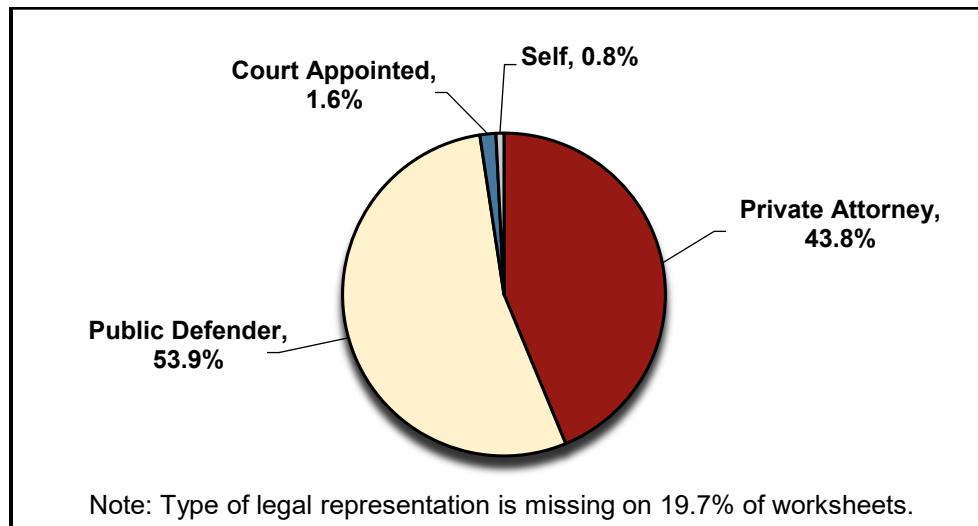
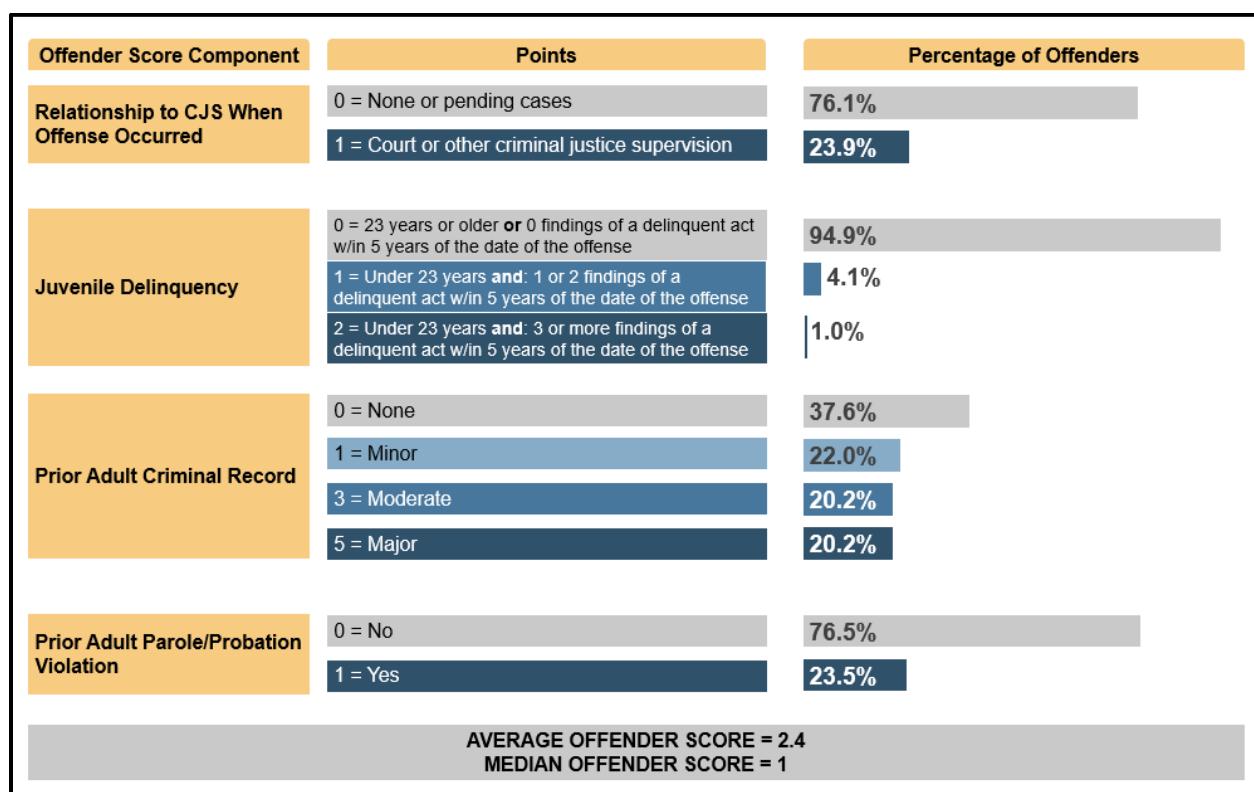


Figure 9 shows the distribution of guidelines sentencing events by the four components of the offender score. The offender score provides a measure of the sentenced individual's prior criminal history and ranges from 0 to 9. The second column of Figure 9 details the point values for each component of the offender score. The average offender score in fiscal year 2025 was 2.4. The median or middle score was 1. Approximately one-third (33.7%) 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 (76.1%). Similarly, 76.5% had no prior adult parole or probation violations, and only 5.1% received points

for a juvenile record. Greater variability was observed for the prior adult criminal record component of the offender score, with 37.6% of individuals with no record and the remaining offenders distributed similarly among the minor (22%), moderate (20.2%), and major (20.2%) prior adult criminal record categories. Lastly, the criminal record decay factor was applied in 5.7% 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 9. Distribution of Guidelines Sentencing Events by Offender Score, Fiscal Year 2025



Offense Characteristics

Figures 10 through 15 summarize the offense characteristics from the 9,202 sentencing guidelines worksheets submitted for individuals sentenced in fiscal year 2025. Figure 10 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 (67.3%), followed by those involving a drug offense (18.4%). In approximately 14% 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 (69.7% person, 17.8% drug, 12.6% property).¹⁷

2025 Most Common Offenses

Assault, 2nd Degree

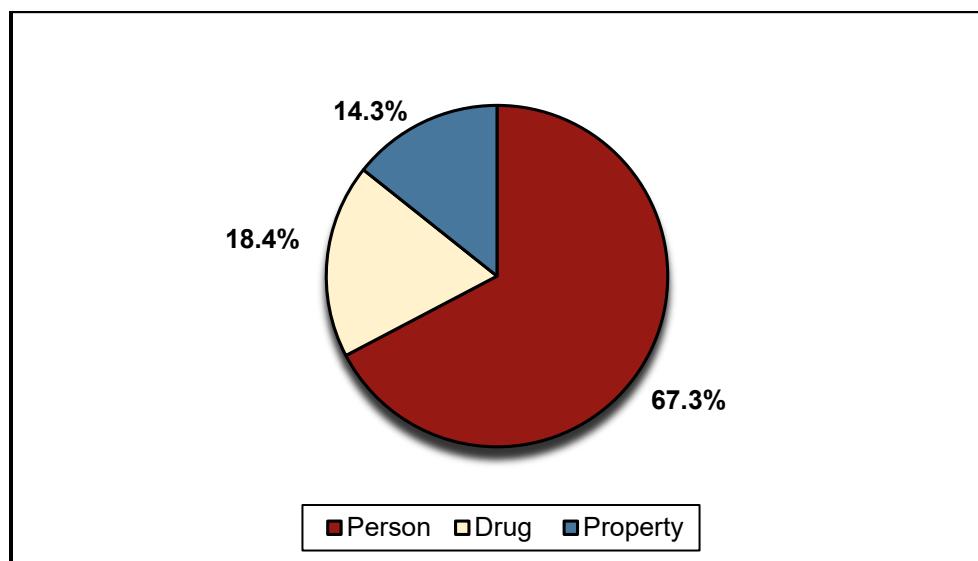
Distribute, PWID, Etc., Cocaine

Assault, 1st Degree

Firearm Use in a Felony or Crime of Violence

Robbery

Figure 10. Distribution of Guidelines Sentencing Events by Crime Category, Fiscal Year 2025



Figures 11, 12, and 14 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 (66%) were most common, followed by offenses with a seriousness category of VII (18.3%). The five most frequent drug offenses were *Distribute, PWID, manufacture, etc.*

¹⁷ Incarceration includes home detention and credited time, as well as post-sentence jail/prison time.

cocaine (IIIB); *Distribute, PWID, manufacture, etc. fentanyl (IIIB); Possess cocaine (VII); PWID, manufacture, possess production equipment – cannabis (V); and Distribute, PWID, manufacture, etc. other non-narcotics (IV).*

Figure 11. Distribution of Drug Offenses by Seriousness Category, Fiscal Year 2025

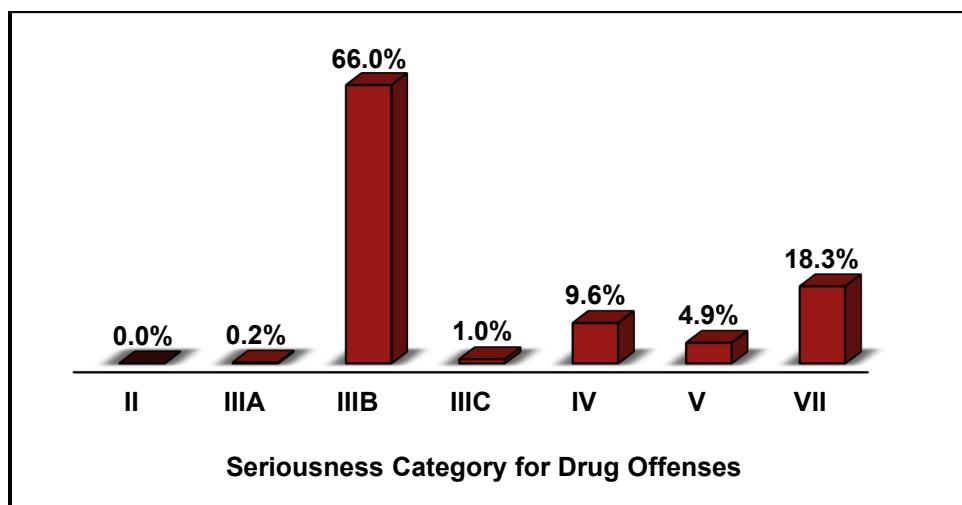
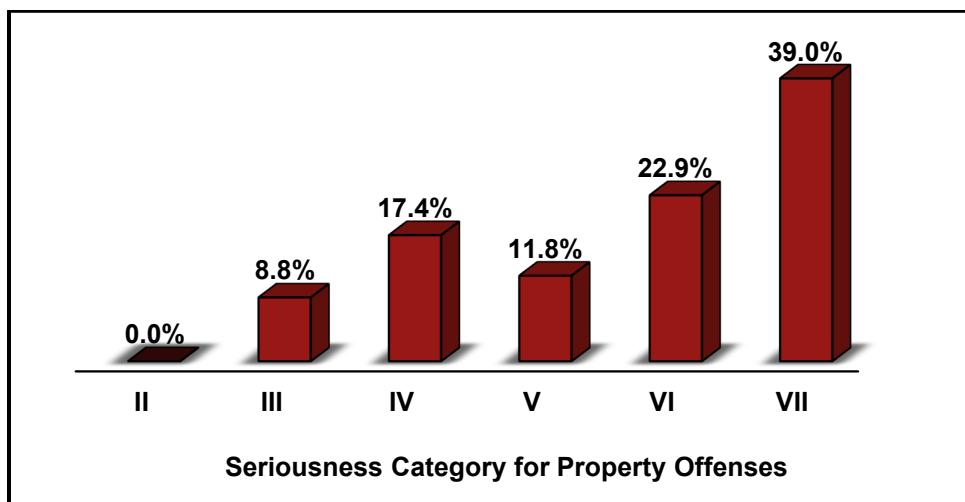


Figure 12 provides the distribution of property offenses by seriousness category. Offenses with a seriousness category of VII were most common (39%), followed by offenses with a seriousness category of VI (22.9%). In contrast, none of the reported property offenses in fiscal year 2025 were seriousness 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 12. Distribution of Property Offenses by Seriousness Category, Fiscal Year 2025



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.¹⁸ In fiscal year 2025, sentencing guidelines worksheets reported 928 sentences for theft, fraud, and related crimes. Figure 13 shows that in 592 (63.8%) of these sentences, an actual dollar amount to indicate the economic loss to the victim was recorded. *Unknown amount* was marked for 336 (36.2%) of 928 theft- and fraud-related offenses. When reported, economic loss ranged in value from a minimum of no loss to a maximum of \$1,019,719.71. The mean (average) amount of loss was \$26,016.66, while the median (middle) amount of loss was \$1,386.32. 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.

¹⁸ 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(7)).

Figure 13. Economic Loss for Theft- and Fraud-Related Offenses, Fiscal Year 2025

Figure 14 summarizes the distribution of person offenses by seriousness category. Offenses with a seriousness category of V were most common (34%), followed by offenses with a seriousness category of III (19.2%) and VI (19%). The five most frequent offenses were *Assault, 2nd degree* (V); *Assault, 1st degree* (III); *Firearm use in a felony or crime of violence* (III); *Robbery* (IV); and *Possession of a regulated firearm by a restricted person* (VI).

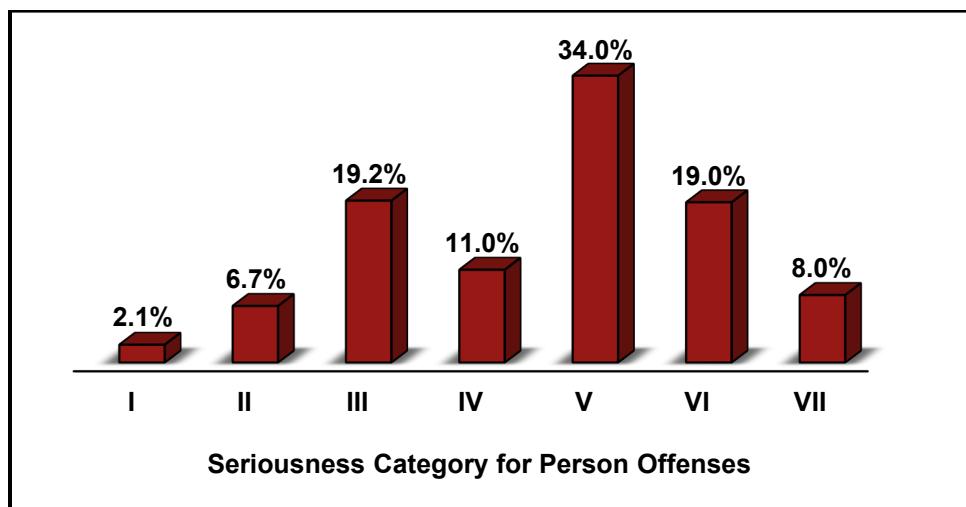
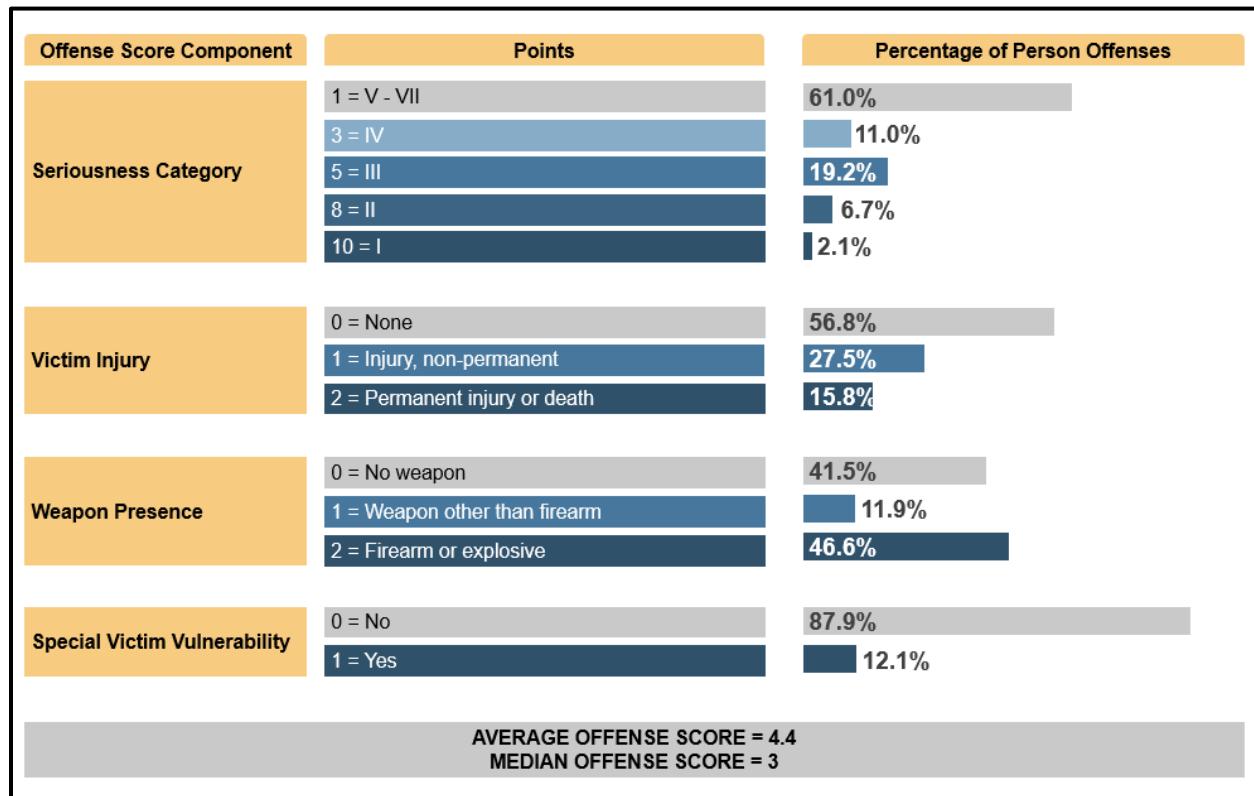
Figure 14. Distribution of Person Offenses by Seriousness Category, Fiscal Year 2025

Figure 15 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 15 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 2025 was 4.4. The median or middle score was 3. Most person offenses (61%) had a seriousness category of V, VI, or VII. Approximately 57% of person offenses involved no injury to the victim, although more than half (58.5%) involved a weapon. Finally, 12.1% 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 15. Distribution of Person Offenses by Offense Score, Fiscal Year 2025



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 CJ, § 7-409, Annotated Code of Maryland, and Maryland Rule 4-353. Figures 16 through 18 detail the responses to these items in fiscal year 2025. Unfortunately, the victim-related items are often not reported by the individuals who initiate or complete the sentencing guidelines worksheet. For example, whether victim-related court costs were imposed was left blank on 47.1% of worksheets, and more than half of all worksheets (55.4%) 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 16 indicates that victim-related court costs were imposed in 31.1% of sentencing events. These victim-related 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 17 illustrates that 62.6% of worksheets with valid information on the victim-related questions indicated that there was a victim.

Figure 16. Distribution of Guidelines Sentencing Events by Whether Victim-Related Court Costs Imposed, Fiscal Year 2025

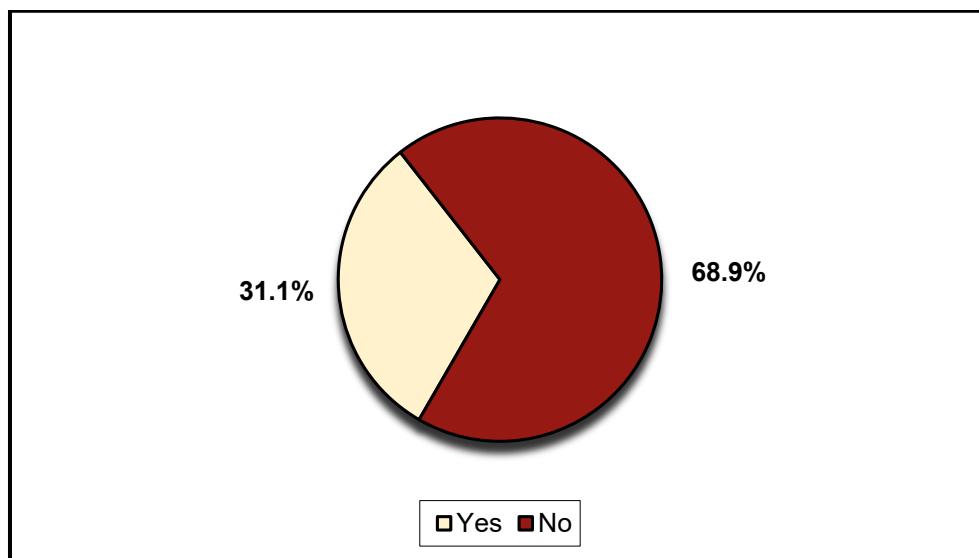


Figure 17. Distribution of Guidelines Sentencing Events by Whether Victim Involved, Fiscal Year 2025

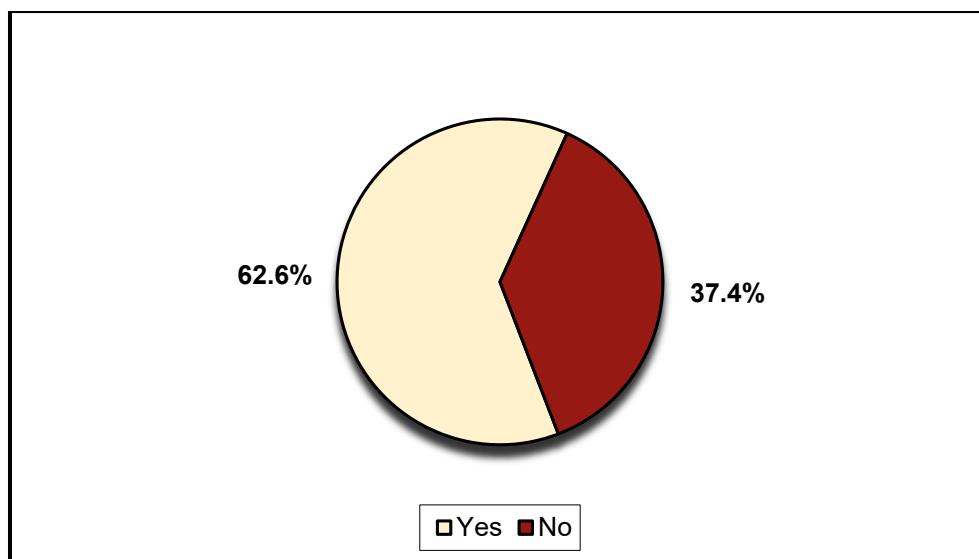
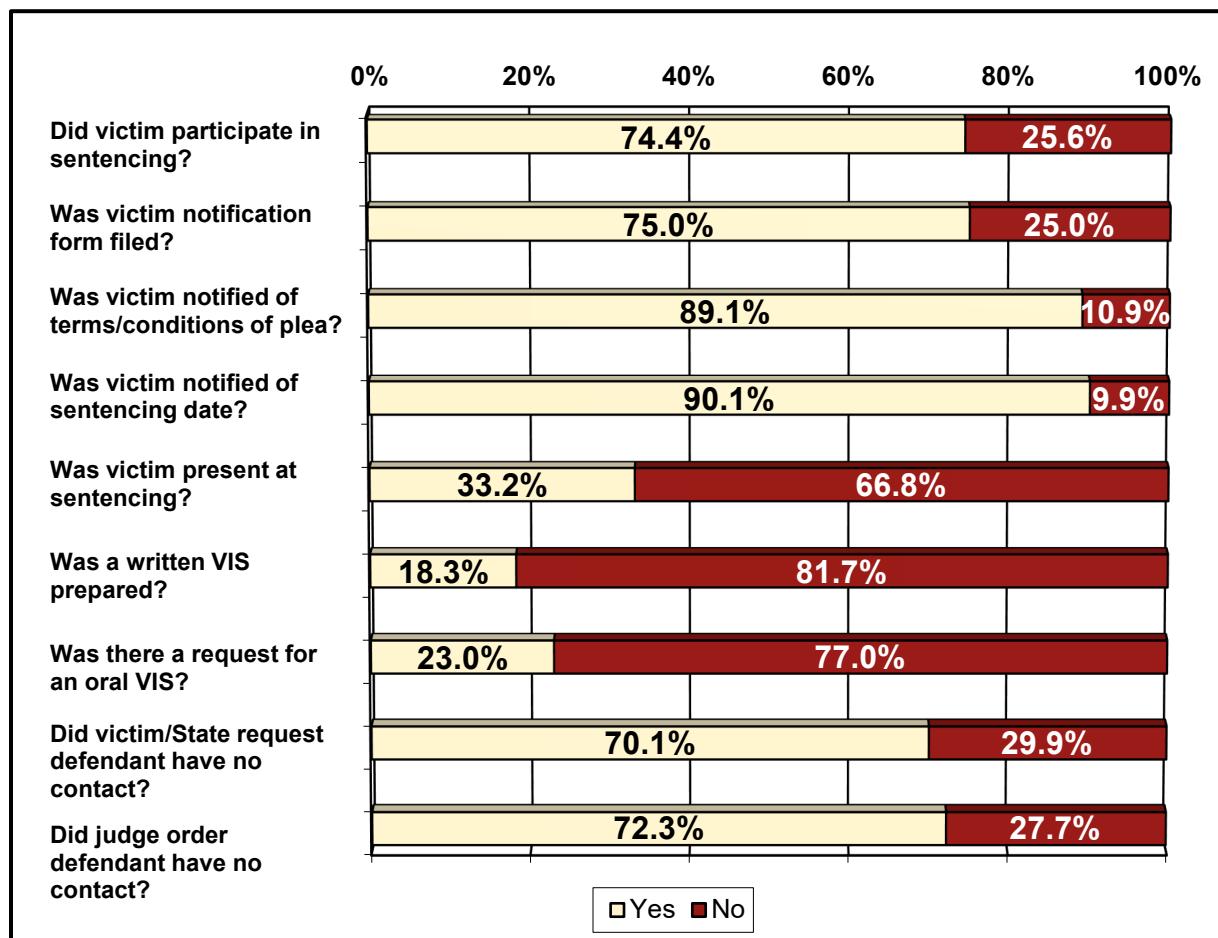


Figure 18 summarizes the responses to the items in the *Victim Information* section of the worksheet for sentencing events involving a victim. In 25.6% of sentencing events involving a

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 75% of sentencing events. Most victims (89.1%) were notified of the terms and conditions of a plea agreement before the defendant entered a plea. Similarly, 90.1% of victims were notified of the court date for sentencing. One-third of victims (33.2%) were present at sentencing. A written Victim Impact Statement (VIS) was prepared in 18.3% of sentencing events involving a victim, while the victim or State made a request for an oral VIS in 23% of sentencing events. Finally, the victim or State made a request that the sentenced individual have no contact with the victim in 70.1% of sentencing events, and the sentencing judge ordered the sentenced individual to have no contact with the victim in 72.3% of sentencing events involving a victim.

Figure 18. Distribution of Guidelines Sentencing Events by Victim Information, Fiscal Year 2025



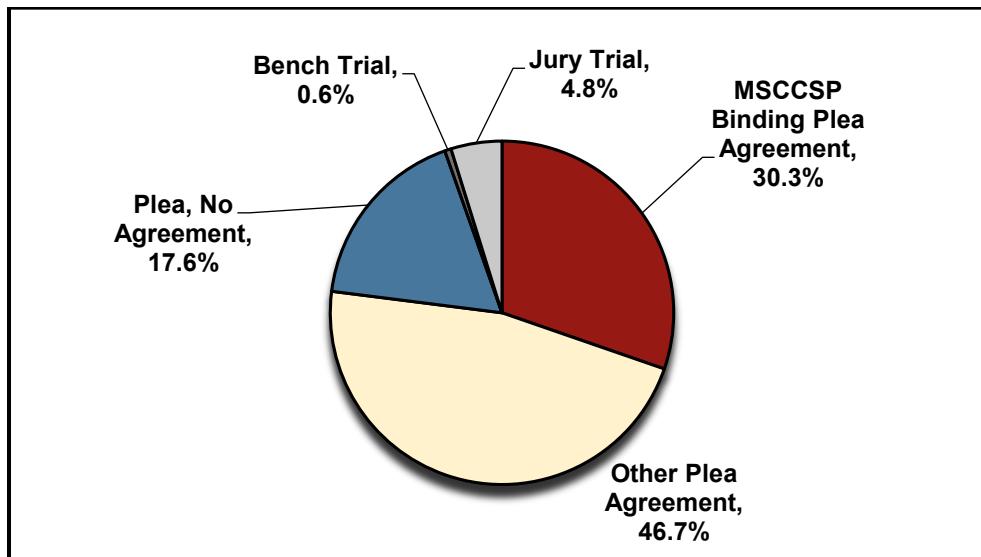
Disposition and Sentence Characteristics

Figures 19 through 23 and Tables 9 through 11 summarize the disposition and sentence characteristics, including the use of corrections options and other alternatives to incarceration, from the 9,202 sentencing guidelines worksheets submitted for individuals sentenced in fiscal year 2025.

Disposition Type

Figure 19 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 (46.7%), followed by an MSCCSP binding plea agreement (30.3%) and a plea with no agreement (17.6%). The remaining 5.4% of sentencing events were resolved by either a bench or jury trial (0.6% and 4.8%, respectively).

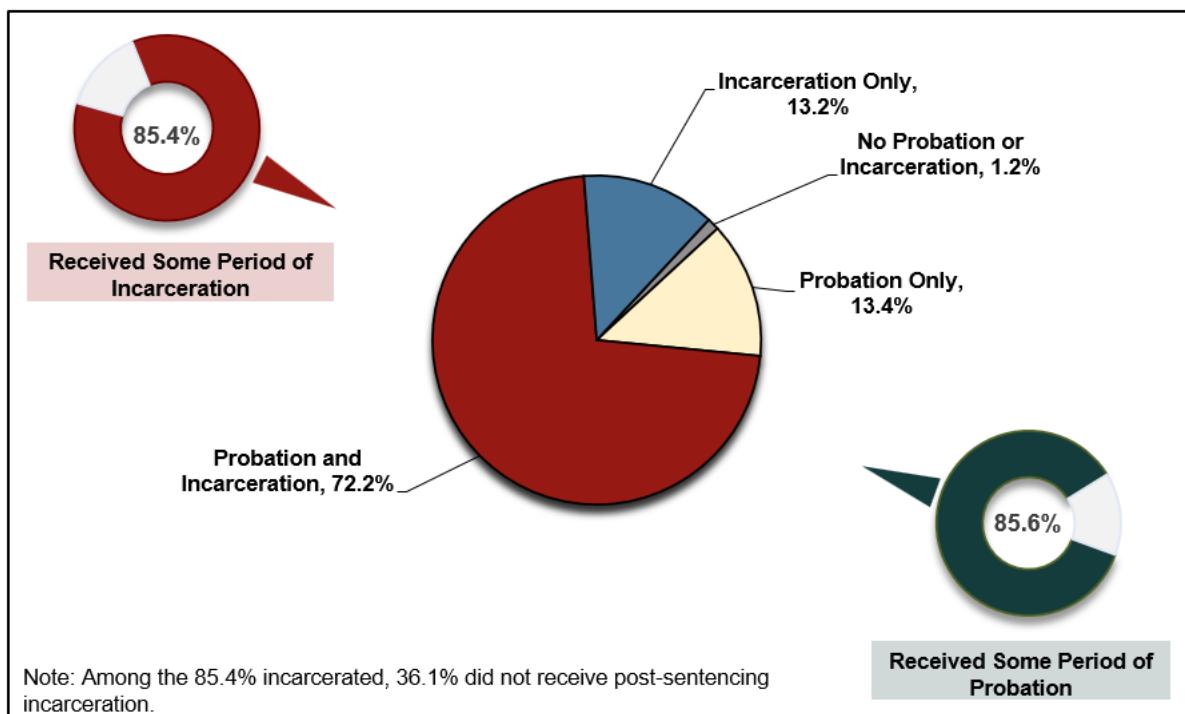
Figure 19. Distribution of Guidelines Sentencing Events by Disposition, Fiscal Year 2025



Sentence Type

Figure 20 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 (1.2%) received a sentence that did not include either incarceration or probation. Approximately 13% received sentences to probation only. Similarly, 13.2% of sentenced individuals received incarceration only. The majority (72.2%) of sentencing events resulted in a sentence to both incarceration and probation. Among those incarcerated, 36.1% did not receive post-sentencing incarceration.

Figure 20. Distribution of Guidelines Sentencing Events by Sentence Type, Fiscal Year 2025



Incarceration Rate and Sentence Length

Figures 21a and 21b review incarceration for the past ten fiscal years (2016-2025). Fig. 21a shows the percentage of guidelines sentencing events resulting in incarceration, and Fig. 21b 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 21a 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 2025 (85.4%), and the percentage incarcerated post-sentence approximating pre-pandemic levels in fiscal year 2025 (54.6%). While the post-sentence incarceration rate has remained largely unchanged in the years following the COVID-19 pandemic, the overall percent incarcerated has steadily increased, surpassing pre-pandemic levels. This suggests that the overall incarceration rate increase is at least in part driven by an increase in pre-sentence detention.

Figure 21a. Incarceration Rates for Guidelines Sentencing Events, by Fiscal Year

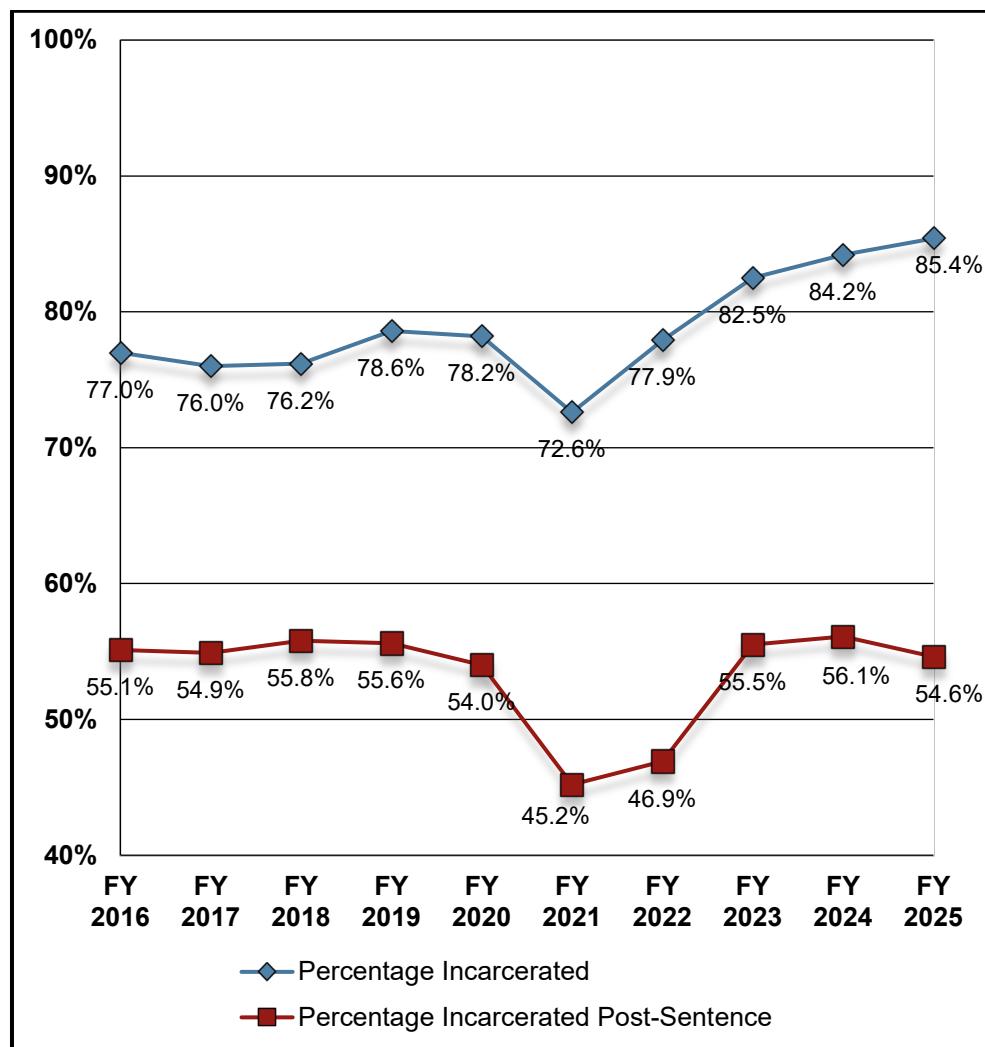
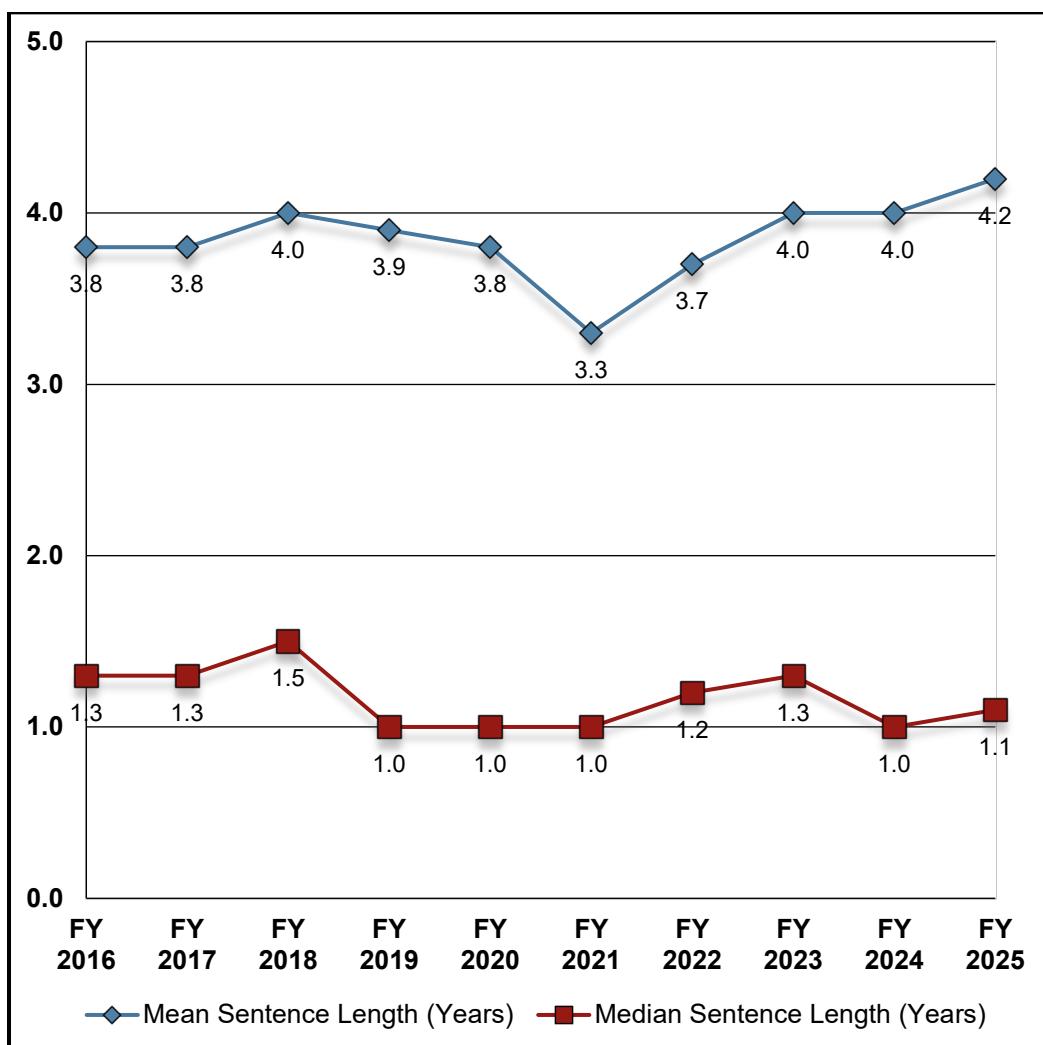


Figure 21b indicates an increase in the typical sentence length among those incarcerated. The average (or mean) sentence length increased in the past fiscal year from 4 years to 4.2 years, while the median (middle) sentence also increased from 1 year to 1.1 years. The fact that the mean is larger than 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 21b. Length of Sentence for Guidelines Sentencing Events, by Fiscal Year¹⁹



¹⁹ The mean and median sentence length were calculated differently than in prior annual reports. Specifically, sentencing events involving an active life sentence (i.e., a life sentence with no portion suspended) were excluded from the current figure. Therefore, these numbers should not be compared to previous reports. In fiscal year 2025, 67 of the 9,202 submitted worksheets included an active life sentence.

Corrections Options and Other Alternatives to Incarceration

Figure 22 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 2025, 11.9% of guidelines-eligible sentencing events involved corrections options and/or other alternatives to incarceration, with 6.4% of sentencing events involving corrections options, 4.8% involving other alternatives to incarceration, and 0.7% involving both corrections options and other alternatives to incarceration.²⁰

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

²⁰ The total number of sentencing events including a corrections option in fiscal year 2025 was calculated differently than in prior years. Therefore, these numbers should not be compared to previous reports. Table 9 provides a comparison of corrections options reported in FY2025 and FY2024 based on the new method of calculation. 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.

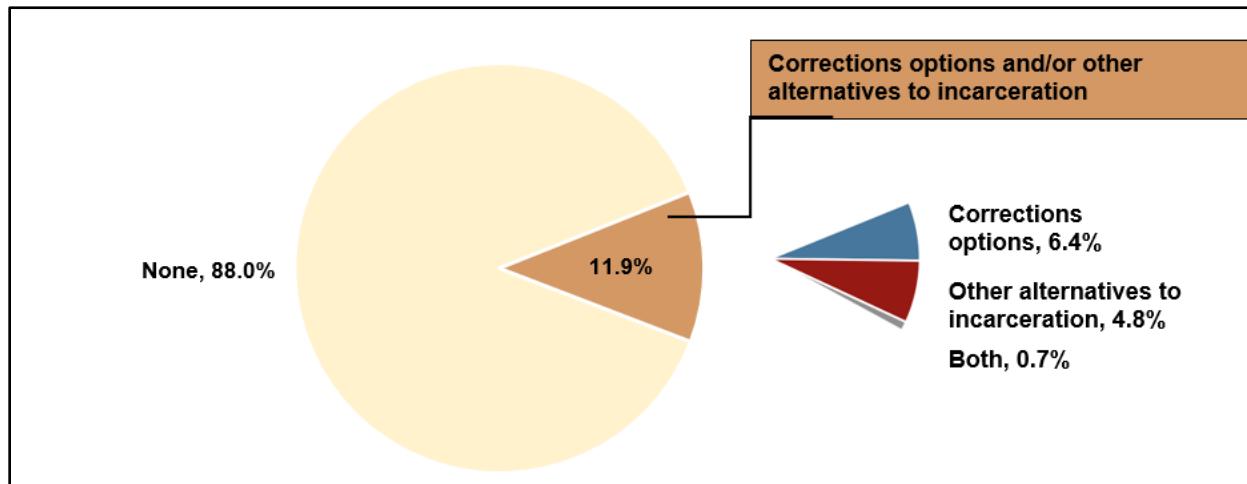
Figure 22. Corrections Options and Other Alternatives to Incarceration, Fiscal Year 2025

Table 9 details the specific type of corrections options imposed in fiscal years 2024 and 2025. Among those sentencing events involving one or more corrections options, the most common corrections option in fiscal year 2025 was home detention (50.5%), followed by drug court (17.6%) and inpatient substance abuse treatment (12.1%).

Table 9. Corrections Options Utilized, by Fiscal Year

Corrections Options	Percent of Total Sentencing Events		Percent of Sentencing Events that Involve One or More Corrections Options	
	Fiscal Year 2025	Fiscal Year 2024	Fiscal Year 2025	Fiscal Year 2024
<i>One or more corrections option imposed</i>	7.1%	7.8%	---	---
Home detention	3.6%	4.2%	50.5%	54.0%
Drug court	1.2%	1.3%	17.6%	16.1%
Inpatient substance abuse treatment	0.9%	0.4%	12.1%	5.7%
HG, § 8-507 order	0.7%	0.7%	9.8%	9.1%
Work release	0.4%	0.6%	6.1%	7.2%
Inpatient mental health treatment	0.4%	0.2%	5.8%	3.2%

Corrections Options	Percent of Total Sentencing Events		Percent of Sentencing Events that Involve One or More Corrections Options	
	Fiscal Year 2025	Fiscal Year 2024	Fiscal Year 2025	Fiscal Year 2024
Other problem-solving court	0.4%	0.4%	5.7%	4.6%
Weekend (or other discontinuous) incarceration	0.1%	0.4%	1.5%	5.0%
Suspended sentence per CR, § 5-601(e)	<0.1%	0.0%	0.2%	0.0%

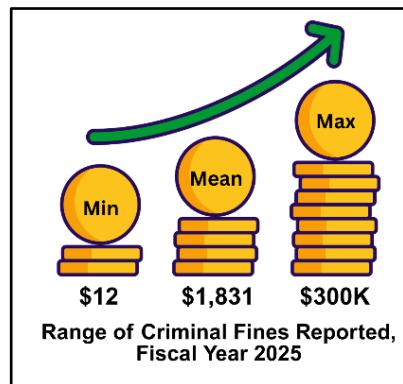
Table 10 details the specific other alternatives to incarceration used. Outpatient substance abuse treatment was the most common other alternative to incarceration. More than half (63.9%) of sentencing events involving other alternatives to incarceration involved outpatient substance abuse treatment. Among sentencing events involving other alternatives to incarceration, 46% included outpatient mental health treatment and 27% included other programs. Commonly cited other programs included sex offender supervision and/or treatment, domestic violence programs, and anger management.

Table 10. Other Alternatives to Incarceration Utilized, Fiscal Year 2025

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>	5.5%	---
Outpatient substance abuse treatment	3.5%	63.9%
Outpatient mental health treatment	2.6%	46.4%
Other alternatives to incarceration	1.5%	27.2%

Fines and Community Service

The sentencing guidelines worksheet also captures information regarding community service and fines. Fines were reported in approximately 3% of sentencing events in fiscal year 2025. When reported, fines ranged in value from a minimum of \$12 to a maximum of \$300,000. The mean (average) fine was \$1,831.46, while the median (middle) fine was \$300.

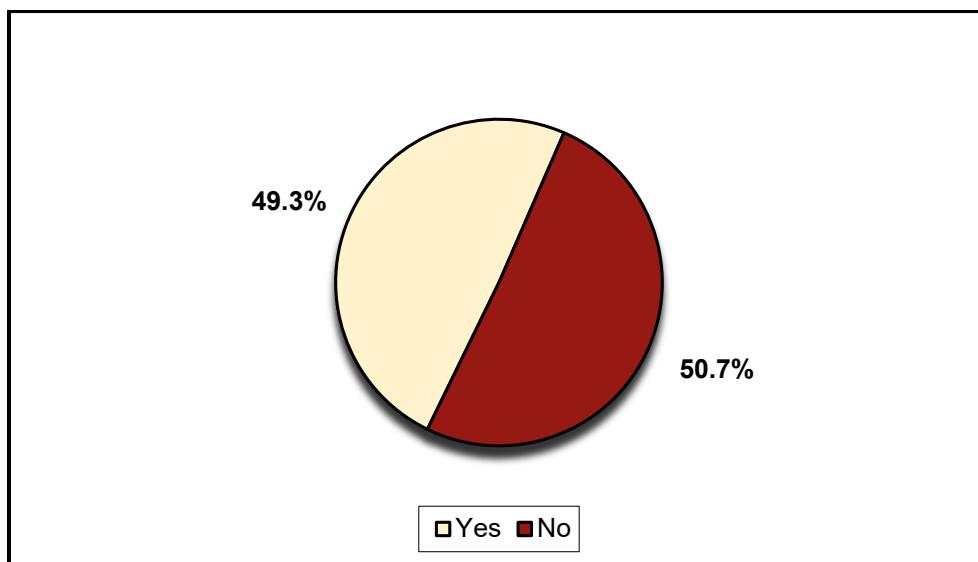


Community service was reported in approximately 2.6% of sentencing events in fiscal year 2025. When reported, the number of hours of community service ordered ranged from a minimum of 6 hours to a maximum of 500 hours. The mean (average) number of community service hours imposed was 71.6 hours, while the median (middle) was 50 hours.

Announcement of Minimum Time to be Served for Violent Crimes

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 2025, 1,669 sentencing guidelines events included post-sentence confinement for a violent crime. Figure 23 indicates that among these sentencing events, the court announced the minimum time the individual must serve in 49.3% of guidelines eligible sentencings.

Figure 23. Distribution of Guidelines Sentencing Events by Whether 50% Announcement Was Made, Fiscal Year 2025



Reconsiderations/Modifications for Crimes of Violence

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 sentences²¹ 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 11 reviews reconsidered sentences for COV reported to the MSCCSP in fiscal year 2025, by judicial circuit and crime. Reconsidered sentences were reported for 91 guidelines-sentenced individuals and 154 offenses. More than half (56%) of the reconsidered sentences were pursuant to Maryland Rule 4-345, and 44% were associated with an HG, § 8-507 order. *Firearm use in a felony or crime of violence* (N=29) was the most common COV in reconsidered cases reported to the MSCCSP in fiscal year 2025, followed by *Robbery with a dangerous weapon* (N=25) and *Robbery* (N=22).

**Table 11. Reconsiderations/Modifications for Crimes of Violence (CR, § 14-101),
Fiscal Year 2025²²**

Circuit	Offense	N
FIRST	Robbery	2
SECOND	Assault, 1 st Degree	1
THIRD	Assault, 1 st Degree	1
	Murder, 2 nd Degree	1
	Robbery with Dangerous Weapon	2
FOURTH	Assault, 1 st Degree	1
	Robbery	2
	Robbery with Dangerous Weapon	1

²¹ 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.

²² Table 11 identifies reconsidered sentences for 91 guidelines-sentenced individuals and 154 offenses.

Circuit	Offense	N
FIFTH	Assault, 1 st Degree	8
	Carjacking, Armed	1
	Firearm Use in Felony or Crime of Violence	4
	Kidnapping	1
	Murder, 1 st Degree	1
	Murder, 1 st Degree, Attempted	2
	Murder, 2 nd Degree, Attempted	3
	Rape, 2 nd Degree	1
	Robbery	14
	Robbery with Dangerous Weapon	12
	Sex Offense, 2 nd Degree	1
SIXTH	Assault, 1 st Degree	6
	Child Abuse, Sexual	3
	Firearm Use in Felony or Crime of Violence	3
	Home Invasion	1
	Manslaughter, Voluntary	2
	Murder, 1 st Degree	1
	Murder, 1 st Degree, Attempted	2
	Rape, 1 st Degree	2
	Robbery	1
	Robbery with Dangerous Weapon	7
	Sex Offense, 1 st Degree	1
	Sex Offense, 2 nd Degree	1
SEVENTH	Assault, 1 st Degree	2
	Child Abuse, Sexual	2
	Firearm Use in Felony or Crime of Violence	18
	Murder, 1 st Degree	13
	Murder, 1 st Degree, Attempted	1
	Murder, 2 nd Degree	5
	Murder, 2 nd Degree, Attempted	2
	Robbery	3
	Robbery with Dangerous Weapon	2
	Sex Offense, 2 nd Degree	1
EIGHTH	Assault, 1 st Degree	1
	Carjacking, Armed	1
	Firearm Use in Felony or Crime of Violence	4
	Murder, 1 st Degree	3
	Murder, 1 st Degree, Attempted	2
	Murder, 2 nd Degree	2
	Murder, 2 nd Degree, Attempted	2
	Robbery with Dangerous Weapon	1

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 limit 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 COV, 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).²³ 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 provide a guidelines-compliant

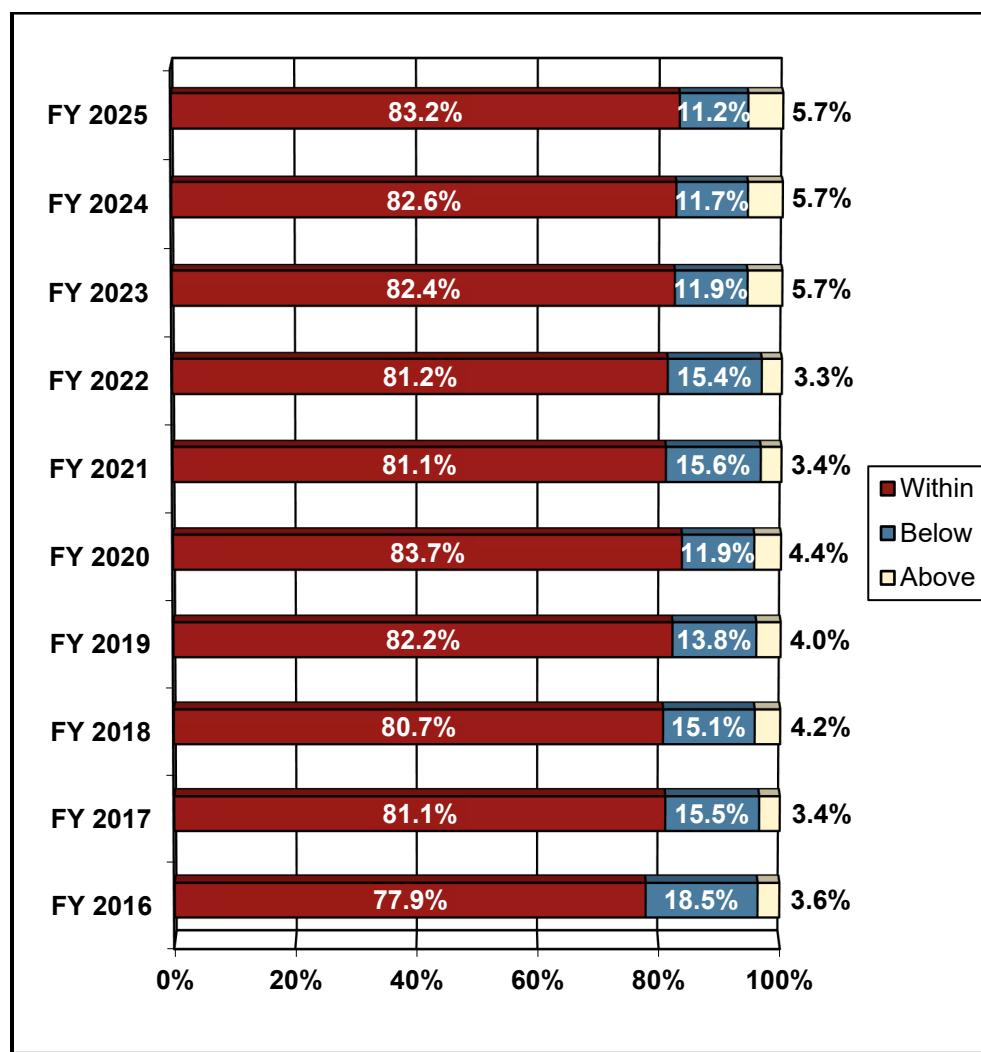
**83.2% of sentences
were guidelines
compliant in FY 2025**

²³ 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.

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

Figure 24 illustrates the overall sentencing guidelines compliance rates for the past ten fiscal years (2016-2025). 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 24. Overall Sentencing Guidelines Compliance by Fiscal Year
(All Sentencing Events)**

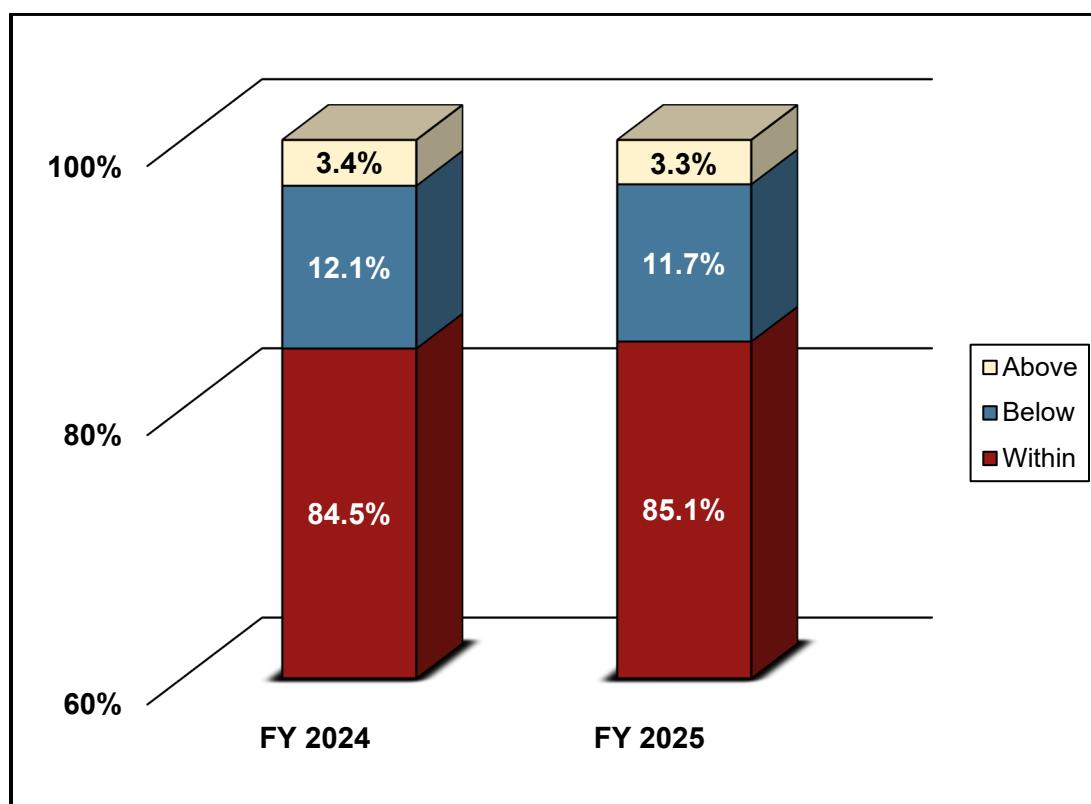


Analyses of judicial compliance in Maryland traditionally focus on sentences for single-count sentencing events, excluding reconsiderations, modifications, and three-judge panel reviews, because they permit the most direct comparison of compliance by crime category and by offense

type within the applicable cell of the sentencing matrix.²⁴ 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 2024 and 2025. Of the 9,202 sentencing guidelines worksheets submitted to the MSCCSP in fiscal year 2025, 6,327 (69%) pertained to single-count sentencing events.

Figure 25 provides the overall guidelines compliance rates for fiscal years 2024 and 2025 based on single-count sentencing events. Compliance was remarkably similar in both years, increasing ever so slightly from 84.5% in 2024 to 85.1% in 2025. When departures occurred, they were more often below the guidelines than above.

Figure 25. Overall Sentencing Guidelines Compliance by Fiscal Year (Single-Count sentencing Events)

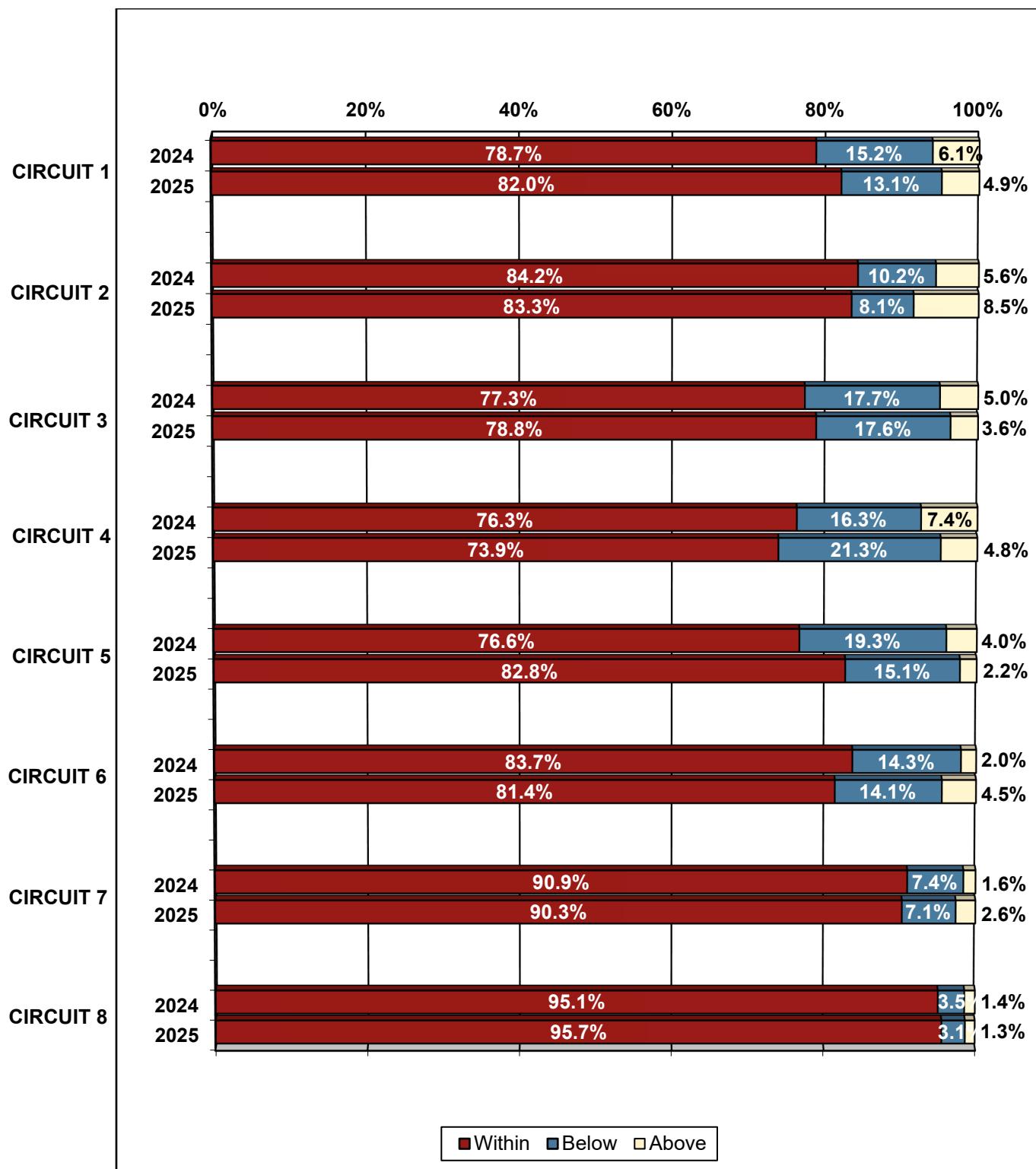


²⁴ Of the 9,202 worksheets received in fiscal year 2025, 91 were reconsiderations/modifications involving COV, one was a reconsideration/modification not involving COV, and one was a three-judge panel review.

Judicial Compliance Rates by Circuit

As shown in Figure 26, all eight trial court judicial circuits met the 65% compliance benchmark in fiscal year 2025. Compliance rates ranged from 73.9% in the Fourth Circuit to 95.7% in the Eighth Circuit. Rates were relatively stable year over year. The largest increase occurred in the Fifth Circuit, where the rate rose from 76.6% in fiscal year 2024 to 82.8% in fiscal year 2025. The largest decrease was observed in the Fourth Circuit, where the rate declined from 76.3% in 2024 to 73.9% in 2025.

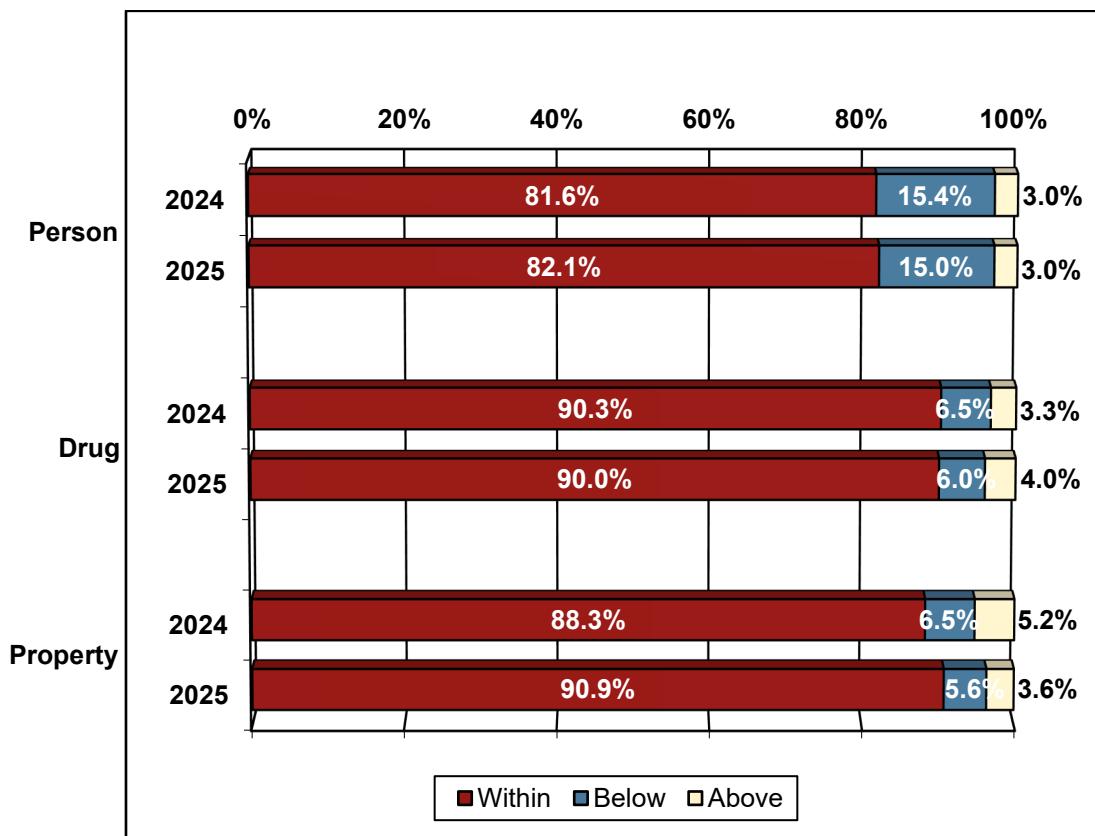
Figure 26. Sentencing Guidelines Compliance by Circuit and Fiscal Year



Judicial Compliance Rates by Crime Category

Figure 27 shows judicial compliance by crime category for fiscal years 2024 and 2025. Compliance rates were high across all three crime categories, ranging from 82.1% for person offenses to 90.9% for property offenses in fiscal year 2025.²⁵

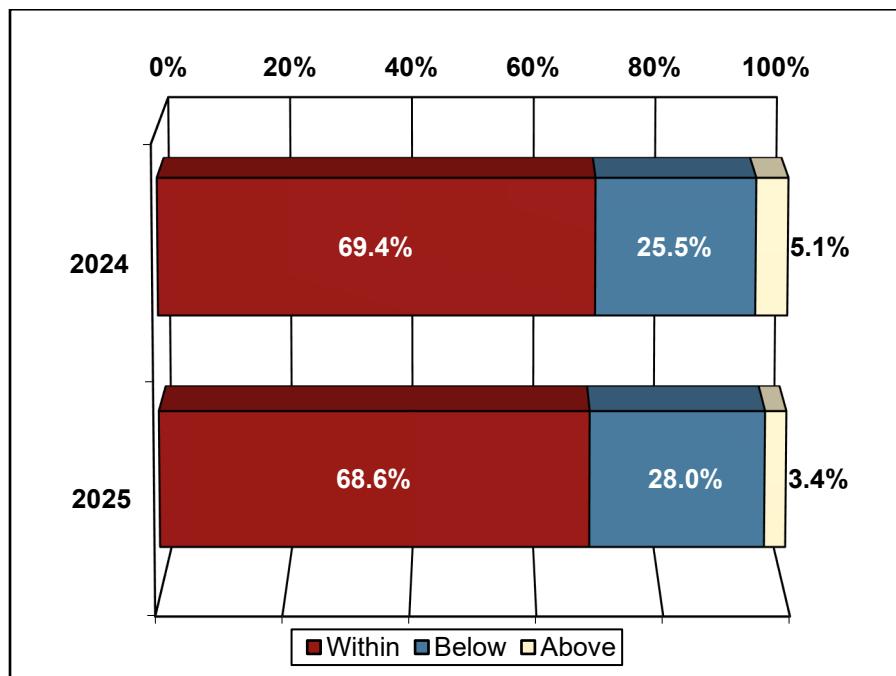
Figure 27. Sentencing Guidelines Compliance by Crime Category and Fiscal Year



²⁵ 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.

Compliance rates for the subset of person offenses defined as COV in CR, § 14-101 are displayed in Figure 28. Compliance in fiscal year 2025 was notably lower for COV (68.6%) in comparison to all person offenses (82.1%). This difference is largely due to downward departures being more common among sentences for COV offenses (28%) than among sentences for all person offenses (15%).

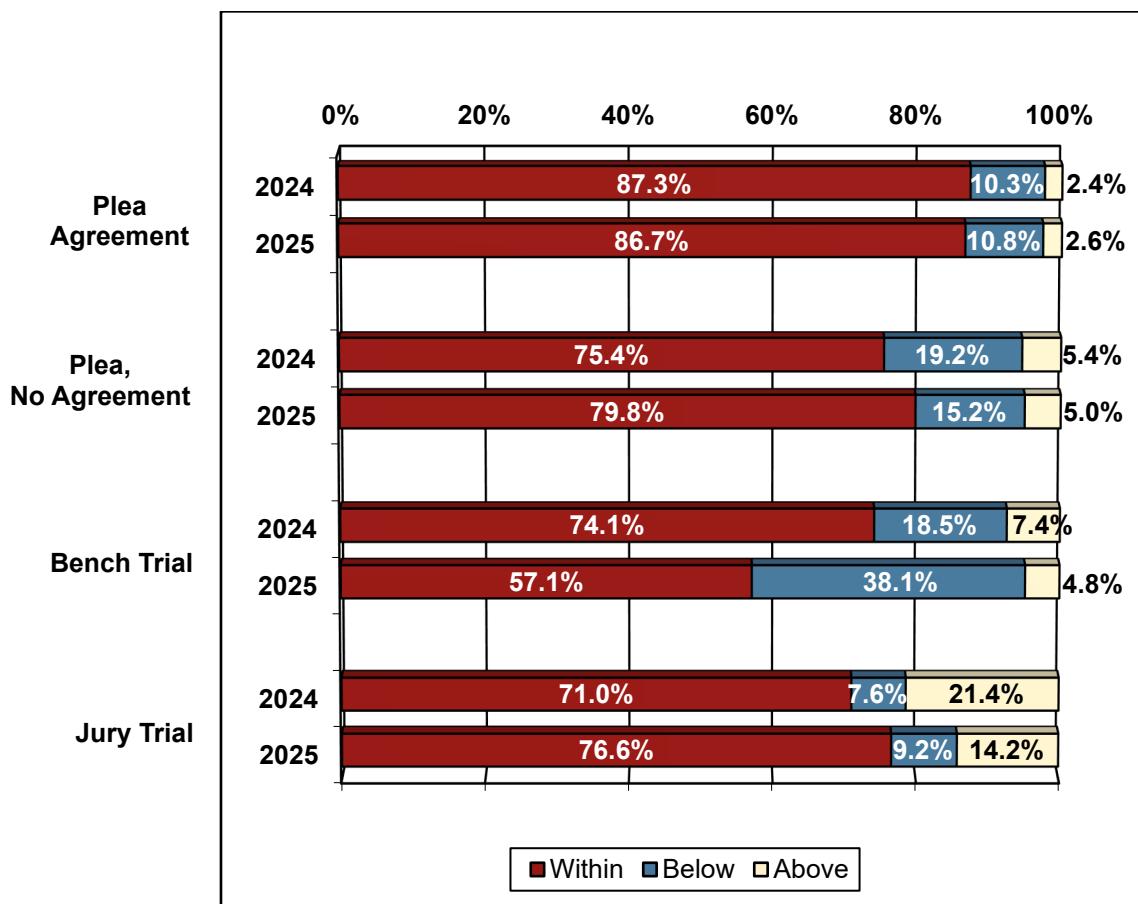
Figure 28. Sentencing Guidelines Compliance for Crimes of Violence (CR, § 14-101) by Fiscal Year



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 2025 (86.7%). 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 2025. The largest change in the compliance rate was seen among bench trials, where compliance decreased from 74.1% in fiscal year 2024 to below the 65% benchmark (57.1%) in fiscal year 2025. 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 21 worksheets in fiscal year 2025 for single-count sentencing events adjudicated by a bench trial. Small sample sizes limit the ability to provide meaningful interpretation.

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



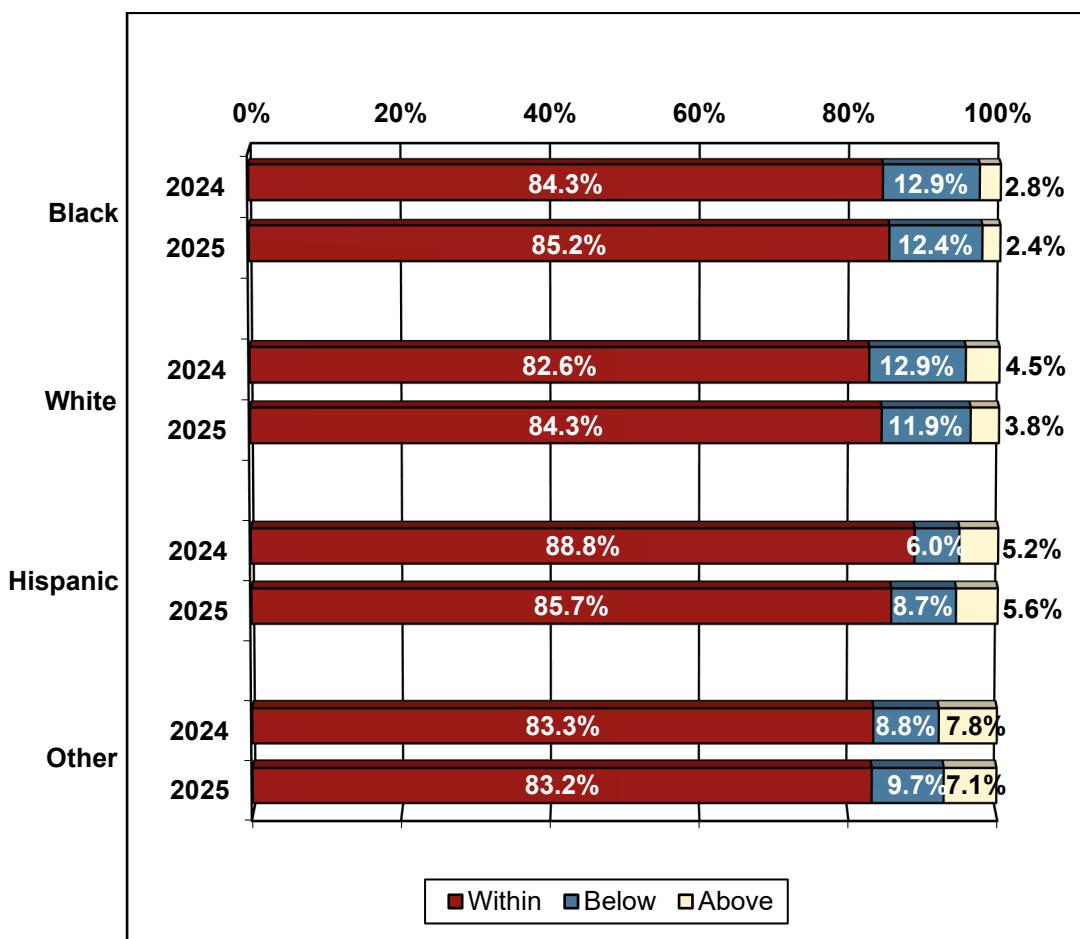
Judicial Compliance Rates by Race/Ethnicity

Figure 30 displays compliance rates by the sentenced individual's race/ethnicity for fiscal years 2024 and 2025. Consistent with the requirements specified in 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.

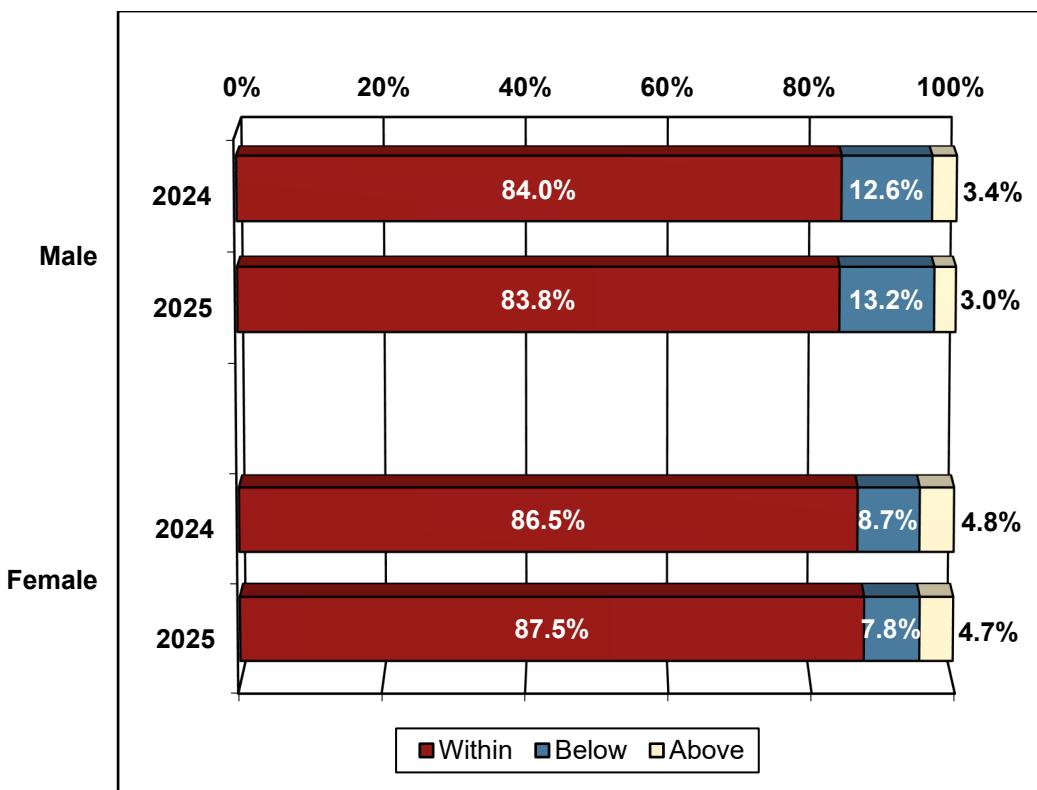
Figure 30 indicates that compliance rates in both fiscal years and across race/ethnicity categories well exceeded the 65% benchmark. In fiscal year 2025, guidelines compliance was remarkably similar across categories, ranging from 83.2% for Other defendants to 85.7% for Hispanic defendants. When departures 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 2024 and 2025. Compliance rates were similar for male and female defendants, and rates changed very little for both groups in fiscal year 2025 (to 83.8% for males and 87.5% 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).²⁶ The common departure reasons and corresponding codes are listed in MAGS as well. The worksheet allows for up to three departure codes and provides 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

²⁶ As noted earlier in this report, the list of common departure reasons was revised effective July 1, 2025, based largely on the feedback that was provided by circuit court judges at the Judicial Conference in April 2024.

the Commission's consideration of potential guidelines revisions and because they aid the public's understanding of the sentencing process.

Tables 12 and 13 display the reasons given for departures from the guidelines in fiscal year 2025. The tables include the reasons listed on the reference card as well as many of the "other" cited reasons. Table 12 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) offender's commitment to substance abuse treatment or other therapeutic program.

Table 12. Departure Reasons for Sentencing Events Below the Guidelines, Fiscal Year 2025²⁷

Mitigating Reasons	Percent of Departures Where Reason is Cited
The parties reached a plea agreement that called for a reduced sentence	37.4%
Recommendation of State's Attorney or Division of Parole and Probation	37.4%
Offender's commitment to substance abuse treatment or other therapeutic program	9.8%
Offender made restorative efforts after the offense	7.1%
Judicial discretion	6.7%
Offender had diminished capability for judgment	4.4%
Offender's age/health	3.1%
Offender's minor role in the offense	3.0%
Offender's criminal history is less severe than represented by offender score	2.3%

²⁷ 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
Victim's participation in the offense lessens the offender's culpability	2.2%
Offender serving or facing sentence in another case	1.6%
Victim requested a more lenient sentence or victim/witness unavailable or not willing to cooperate	1.5%
Offender was influenced by coercion or duress	1.4%
Offender's employment or education status	1.4%
Offender waived credit for time served or time served considered sufficient	1.2%
Weak facts of the case or failure of the State to provide evidence	1.0%
Offender amenable to probation or other community supervision	0.8%
Nature/circumstances of the offense	0.8%
Offender expressed remorse	0.7%
Offender facing immigration consequences	0.4%
Offender's family responsibilities/circumstances	0.4%
Other reason (not specified above)	3.6%

Table 13 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 vicious or heinous nature of the conduct; and 3) the level of harm was excessive.

Table 13. Departure Reasons for Sentencing Events Above the Guidelines, Fiscal Year 2025²⁸

Aggravating Reasons	Percent of Departures Where Reason is Cited
Recommendation of State's Attorney or Division of Parole and Probation	53.9%
The vicious or heinous nature of the conduct	18.0%
The level of harm was excessive	16.5%
Offender's major role in the offense	11.2%
Special circumstances of the victim	9.2%
Offender exploited a position of trust	8.3%
The parties reached a plea agreement that called for an increased sentence	7.3%
Offender's significant participation in major controlled substance offense	5.3%
Offender's criminal history is more serious than represented by offender score	3.4%
Judicial discretion	1.9%
Access to correctional programming	1.0%
Nature/circumstances of the offense	1.0%
Termination from drug court/treatment program	1.0%
Offender committed a "white collar" offense	0.5%
Other reason (not specified above)	6.3%

²⁸ Each sentencing event may cite multiple reasons, therefore the cited percentages will exceed a total of 100%.

Planned Activities for 2026



PLANNED ACTIVITIES FOR 2026

In 2026, the MSCCSP's work will primarily be guided by emerging policy issues and concerns that develop throughout the course of the year. In addition, the MSCCSP will 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 2026 Legislative Session and adopt seriousness categories for these offenses. Finally, the MSCCSP will continue coordination with the AOC to implement a statewide, on-demand aggregated worksheet status report.

The MSCCSP also plans to address the following activities in 2026:

- Continue to review the prior adult criminal record score component of the sentencing guidelines offender score;
- Review the sentencing guidelines offense score physical victim injury component; and
- Continue the review of the sentencing guidelines worksheet fields to assess whether the worksheet can be streamlined to make the worksheet completion process more efficient.

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 2026 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								
Offender Score								
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 13.0)

MARYLAND SENTENCING GUIDELINES WORKSHEET									
OFFENDER NAME - Last, First, Middle			DISPOSITION TYPE			MODIFICATION TO			SID #
PSI	DATE OF OFFENSE	CRIMINAL EVENTS	COV SENTENCES (if applicable)	Other plea agreement	MSCCSP binding plea agreement	Private	REPRESENTATION	SEX	BIRTHDATE
— Yes — No	— Per MD Rule 3-345	— Per MD Rule 3-345	— Per MD Rule 3-345	— Plea, no agreement	— Jury trial	— HG, § 8-507 Order	— Court appointed	— M — F	JURISDICTION
AT THIS SENTENCING NUMBER OF: _____	OFFENSES	WORKSHEET # _____ OF CRIMINAL EVENT # _____	Three-Judge Panel Review	Court trial	Self	Victim Court Costs Imposed	Other	RACE / Select all that apply	
Criminal Offense	Criminal Offense	Criminal Offense	Criminal Offense	Criminal Offense	Criminal Offense	Hispanic/Latino origin	Asian	Native Hawaiian or other Pacific Islander	Native American
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
OFFENSE SCORE(S) – Offense Against a Person Only									
1st Off	2nd Off	3rd Off	A. Seriousness Category			OFFENDER SCORE	GUIDELINES RANGE	ACTUAL SENTENCE	
1	1	1	= V - VII	A. Relationship to CIS When Instant Offense Occurred			1st Offense	1st Offense	
3	3	3	= IV	0 = None or pending cases			TO	TO	
5	5	5	= III	1 = Court or other criminal justice supervision				TO	
8	8	8	= II	B. Juvenile Delinquency				TO	
10	10	10	= I	0 = 23 years or older or 0 findings of a delinquent act w/in 5 years as of the date of the most recent offense				TO	
1st Off 2nd Off 3rd Off									
B. Victim Injury									
0	0	0	= No injury	1 = Under 23 years and; 1 or 2 findings of a delinquent act w/in 5 years as of the date of the most recent offense				TO	
1	1	1	= Injury, non-permanent	2 = Under 23 years and; 3 or more findings of a delinquent act w/in 5 years as of the date of the most recent instant offense				TO	
2	2	2	= Permanent injury or death	3 = Under 23 years and; 3 or more findings of a delinquent act w/in 5 years as of the date of the most recent instant offense				TO	
1st Off 2nd Off 3rd Off									
C. Weapon Presence									
0	0	0	= No weapon	C. Prior Adult Criminal Record				TO	
1	1	1	= Weapon other than firearm	0 = None 3 = Moderate				TO	
2	2	2	= Firearm or explosive	1 = Minor 5 = Major				TO	
1st Off 2nd Off 3rd Off									
D. Special Victim Vulnerability									
0	0	0	= No	D. Prior Adult Parole/Prob Violation				TO	
1	1	1	= Yes	0 = No 1 = Yes				TO	
1st Off 2nd Off 3rd Off									
OFFENDER SCORE(S)									
REASONS FOR GUIDELINES DEPARTURE									
VICTIM INFORMATION									
Additional Information or Institutional/Parole Recommendation									
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): _____									
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"/> Inpatient substance abuse treatment <input type="checkbox"/> Work release <input type="checkbox"/> Prior sentence per CR § 5-601(e) <input type="checkbox"/> Inpatient mental health treatment <input type="checkbox"/> Weekend (or other discontinuous) incarceration <input type="checkbox"/> Other problem solving court (specify): _____									
Community Service									
Fine \$ _____									
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"/> Inpatient substance abuse treatment <input type="checkbox"/> Work release <input type="checkbox"/> Prior sentence per CR § 5-601(e) <input type="checkbox"/> Inpatient mental health treatment <input type="checkbox"/> Weekend (or other discontinuous) incarceration <input type="checkbox"/> Other problem solving court (specify): _____									
Additional Sentence Information									
Probation _____									
Community Service _____									
Fine \$ _____									
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"/> Inpatient substance abuse treatment <input type="checkbox"/> Work release <input type="checkbox"/> Prior sentence per CR § 5-601(e) <input type="checkbox"/> Inpatient mental health treatment <input type="checkbox"/> Weekend (or other discontinuous) incarceration <input type="checkbox"/> Other (explain): _____									
Overall Guidelines Range									
Multiple Counts Only									
50% of Sentence Announced for COVs									
DEPARTURE _____									
DEPARTURE _____									
Offender Notification _____									
Parole Notification _____									
Sentencing Judge (Please Print) _____									
Sanctioning Judge's Signature _____									

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 13.0

APPENDIX C:

Sentencing Guidelines Compliance and Average Sentence by Offense Type, Single Count Cases, Fiscal Year 2025 (Most Common Person, Drug, and Property Offenses)

	N	Guidelines Compliance			% Incarc ²⁹	Average Sentence Among Incarcerated ²⁹	
		Within	Below	Above		Total Sentence	Total, Less Suspended
Person Offenses							
Assault, 2nd Degree	1,117	85.6%	10.2%	4.2%	79.7%	6.5 years	1.2 years
Assault, 1st Degree	275	58.9%	39.3%	1.8%	95.3%	15.1 years	3.9 years
Robbery	253	81.8%	16.6%	1.6%	94.1%	9.8 years	2.1 years
Wear, Carry, or Transport Handgun ³⁰	223	96%	3.1%	0.9%	69.5%	4 years	0.8 years
Possession of Regulated Firearm by Restricted Person	170	78.8%	21.2%	---	93.5%	4.5 years	1.5 years
Drug Offenses							
Distribute, PWID, Manufacture, etc. Cocaine	515	88.3%	9.1%	2.5%	87.6%	7.9 years	1.6 years
Distribute, PWID, Manufacture, etc. Fentanyl	261	89.3%	6.5%	4.2%	84.7%	8.6 years	1.9 years
Possess Cocaine	94	92.6%	---	7.4%	68.1%	0.8 years	0.4 years
PWID, Manufacture, Possess Production Equipment - Cannabis	66	93.9%	3%	3%	60.6%	2.1 years	0.3 years
Distribute, PWID, Manufacture, etc. Other Non-Narcotics	56	89.3%	3.6%	7.1%	82.1%	3.9 years	1.3 years
Property Offenses							
Burglary, 2 nd Degree	143	90.9%	8.4%	0.7%	83.2%	7.1 years	1.5 years
Felony Theft or Theft Scheme, At Least \$1,500 but Less Than \$25,000	127	92.1%	4.7%	3.1%	73.2%	3.9 years	0.9 years
Burglary, 4 th Degree	97	93.8%	3.1%	3.1%	76.3%	2.5 years	0.6 years
Deliver, Possess with Intent to Deliver, Knowingly Possess Contraband	81	77.8%	19.8%	2.5%	69.1%	1 year	0.8 years
Burglary, 1 st Degree	71	93%	7%	---	81.7%	7.5 years	1.7 years

²⁹ Incarceration includes both pre-trial and post-sentencing incarceration, as well as home detention.

³⁰ 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 on or after October 1, 2023.

APPENDIX D:

Description of Types of Disposition

Disposition Type	Description
MSCCSP Binding Plea Agreement ³¹	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.

³¹ 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 Card³²

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.

³² This is the list of common departure reasons for fiscal year 2025. The list was amended at the beginning of fiscal year 2026. For details on the revisions, see the section of this report titled *Adopted Amended List of Common Sentencing Guidelines Departures Reasons*.



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