ADMINISTRATIVE OFFICE OF THE COURTS

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DEPUTY STATE COURT ADMINISTRATOR
FRANK BROCCOLINA

Memorandum

To: Recipients of the *Maryland Sentencing Guidelines Manual*

From: George N. Weber, Jr.
Assistant Administrator

Subject: Revision to Appendix A of the *Maryland Sentencing Guidelines Manual*

Date: September 23, 1996

Enclosed is a revised copy of Appendix A of the *Maryland Sentencing Guidelines Manual*. The revision to Appendix A involves an update to the statutory references for the current Sentencing Guidelines offenses, as well as providing additional delineation for certain Sentencing Guidelines offenses that were previously merged under a single category. Further, the assault law revisions that take effect October 1, 1996, are included.

Three new Sentencing Guidelines offenses have been included; (1) Pipe Bomb, Article 27, § 139C, (2) Stalking, Article 27, § 121B, and (3) Threat of Arson, Article 27, § 9. If one of these offenses occur on or after October 1, 1996, a Sentencing Guidelines work sheet should be submitted.

If you have any questions concerning these revisions, please do not hesitate to call me at (410) 974-2186.

cc: Honorable Robert C. Murphy
Honorable Joseph H. H. Kaplan
George B. Riggin, Jr.

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ADMINISTRATIVE OFFICE OF THE COURTS
MARYLAND SENTENCING GUIDELINES

Annapolis, Maryland 21401

MANUAL

REVISED JULY, 1987

841-1059

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PREFACE

The Maryland sentencing guidelines cover most criminal cases originating in a circuit court. Based on sentencing experience in Maryland, the guidelines were first developed, with staff assistance, by a Board of judges, legislators and other representatives of the Criminal Justice System.

The chief goals of sentencing guidelines are:

1. To increase equity in sentencing, i.e., to reduce unwarranted variation while retaining judicial discretion to individualize sentences;

2. To articulate an explicit sentencing policy while providing a regular basis for policy review and change;

3. To provide information for new or rotating judges; and

4. To promote increased visibility and understanding of the sentencing process.

Sentencing guidelines make it possible to take into account systematically and publicly the most common variations in offenders and their offenses, within the current sentencing framework. Systematic sentencing can be achieved by having the judiciary, as a body, agree on certain core factors and their weights, to be considered in making sentencing decisions. It should be emphasized that sentencing guidelines are, as the name indicates, guidelines to assist judges in sentencing. They are not mandatory. Guidelines complement rather than replace the judicial decision-making process or the proper exercise of judicial discretion.

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PART 1

GENERAL INSTRUCTIONS

1.1 GUIDELINES OFFENSES

Person Offenses (Sample Case 1, p. E-3)

Drug Offenses (Sample Case 2, p. E-7)

Property Offenses (Sample Case 3, p. E-10)

Offenses covered by the guidelines are those initiated in a circuit court. They are divided into three categories: person, drug and property. An offense against a person is defined as an offense involving confrontation between the offender and the victim, with bodily harm or the threat of bodily harm. Also included in this category are all weapons offenses. Drug offenses are those involving controlled dangerous substances or related paraphernalia. Property offenses are offenses where property is unlawfully damaged or taken.

Offenses listed in Appendix A

A list of many Maryland offenses appears in Appendix A. Any misdemeanor which carries a possible penalty of incarceration and is not listed should be assigned to Seriousness Category VII. If a felony is not listed, call the Sentencing Guidelines Office for assistance.

New trials ordered by appellate courts should be treated as new cases.

Exclusions

Certain sentencing matters handled by judges in the circuit court are excluded from guidelines coverage. The exclusions are:

- Prayers for jury trial from District Court
- Appeals from District Court
- Parole or probation revocations
- Crimes which carry no possible penalty of incarceration
- First Degree Murder convictions pursuant to Article 27/413 (death penalty)[1]
- Public local laws and municipal ordinances

[1]Unless Article 27/413 is invoked, the guidelines sentence for First Degree Murder is life.

1.2 GUIDELINES WORKSHEET

One Criminal Event, up to three Offenses per Worksheet

The Sentencing Guidelines Worksheet is to be used for up to three convicted offenses from a single criminal event. (A single criminal event is defined as one or more crimes committed in the course of the same transaction.) If there are more than three convicted offenses from a single criminal event, additional worksheets are to be used as needed for that event.

Criminal Behavior over a Period of Time

When two or more convictions result from criminal behavior over a period of time, each conviction is considered a separate event. At least one worksheet must be used for each. Please do not compile multiple events on a single worksheet.

Prior to any sentencing decision using the guidelines, a worksheet or worksheets should be completed, down to the section labeled "Actual Sentence." Each convicted offense for which the offender is to be sentenced should be included. The worksheet, a copy of which appears on page 3, is printed on six-part pressure-sensitive paper, so care must be used to make sure that all copies are legible.

Worksheets Completed by

If the judge orders a presentence investigation, each worksheet will be filled out by the Division of Parole and Probation. If the judge does not order a presentence investigation, he or she can complete the worksheet personally or delegate the task to opposing counsel or one of the judge's staff. Regardless of who completes a worksheet, it is the responsibility of the judge to review the worksheets for completeness and accuracy.

Presentencing Distribution of Worksheets

Additions or Corrections to Worksheets

A copy of each completed worksheet should be forwarded to both the defense attorney and the prosecutor so that they will have an opportunity to review the information provided. Any disagreements they may have should be brought to the judge's attention prior to sentencing. Changes in the worksheet may be made only by or with the approval of the sentencing judge.

1.3 GUIDELINES SENTENCE

The guidelines sentence, based on the type of offense and type of offender, is given as a range.

MARYL[illegible] SENTENCING GUIDEL[illegible] WORKSHEET

OFFENDER NAME (Last, First, [illegible]dle)

Male	Female	Black	White	Hispanic	Other	BIRTHDATE	JURISDICTION
1	2	1	2	3	4		

PSI (1 Yes, 2 No) | DATE OF OFFENSE | DATE OF SENTENCING

AT THIS SENTENCING NUMBER OF: CONVICTED OFFENSES | CRIMINAL EVENTS | WORKSHEET # _____ OF | CRIMINAL EVENT # _____

DISPOSITION TYPE

1. Plea agreement - state nature of _____
2 Plea, no agreement
3 Court trial
4 Jury trial

AOC USE ONLY. DO NOT WRITE IN SPACE BELOW

INC ____ SUS ____ ACT ____ STA ____ CON ____ PRO ____ RAN ____ FI ____ REST ____ CS ____ 01 ____ 02 ____ USE ____

CONVICTED OFFENSE TITLE	AOC CODE	MD. CODE, ART. & SECTION	STAT. MAX.	DOCKET NUMBER
1st				
2nd				
3rd				

OFFENSE SCORE(S) (Offense Against a Person Only)

1st Off	2nd Off	3rd Off		
				A. Seriousness Category
01	01	01	=	V - VII
03	03	03	=	IV
05	05	05	=	III
08	08	08	=	II
10	10	10	=	I
				B. Victim Injury
0	0	0	=	No Injury
1	1	1	=	Injury, Non-Permanent
2	2	2	=	Permanent Injury or Death
				C. Weapon Usage
0	0	0	=	No Weapon
1	1	1	=	Weapon Other Than Firearm
2	2	2	=	Firearm or Explosive
				D. Special Vulnerability of Victim
0	0	0	=	No
1	1	1	=	Yes

__ __ __ **OFFENSE SCORE (S)**

OFFENDER SCORE

A. Relationship to CJS When Instant Count Occurred
0 = None or Pending Cases
1 = Court or Other Criminal Justice Supervision

B. Juvenile Delinquency
0 = Not More Than One Finding of Delinquency or over age 25
1 = Two or More Findings, No or One Commitment
2 = Two or More Commitments

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

D. Prior Adult Parole/Probation Violations
0 = No 1 = Yes

__ **OFFENDER SCORE**

GUIDELINES RANGE

1st Offense: ____ TO ____
2nd Offense: ____ TO ____
3rd Offense: ____ TO ____
OVERALL GUIDELINES RANGE (For Multiple Counts Only): ____ TO ____

ACTUAL SENTENCE Imposed, suspended, time served, probation, fine, restitution, community service

1st Convicted Offense — Subsequent offender: 1 Yes / 2 No

2nd Convicted Offense — Subsequent offender: 1 Yes / 2 No

3rd Convicted Offense — Subsequent offender: 1 Yes / 2 No

SUS ____ ACT ____ CON ____ PRO ____ FI ____ REST ____ CS ____

SUS ____ ACT ____ CON ____ PRO ____ FI ____ REST ____ CS ____

TLRANGE ____ TURANGE ____ TOTALI ____ TOTALS ____ TOTALN ____ TF1 ____ REST ____ TCS ____ TRANGE ____ TOUT1 ____ TOUT2 ____ TUSE ____

REASON IF ACTUAL SENTENCE DEPARTS FROM GUIDELINES RANGE

SENTENCING JUDGE _____ SIGNATURE _____

INSTITUTIONAL/PAROLE RECOMMENDATION/ADDITIONAL INFO.

WORKSHEET COMPLETED BY _____ TITLE _____

COPIES: White-Judge; Blue-AOC; Green-Attach to Commitment or Probation Order; Yellow-File; Pink-Prosecution; Gold-Defense

(Rev. 7/87)

Non-suspended Incarceration

The guidelines sentence range represents only non-suspended time. If the guidelines range for a particular case is 6 to 12 years, the judge will be within the guidelines if he gives a sentence such as 10 years with 4 years suspended or 15 years with 5 years suspended. If, however, he gives 6 years, all suspended, the sentence will be outside the guidelines.

If an offender is already under sentence, time remaining to be served should be indicated on the worksheet with the rest of the sentencing information. This remaining time will be counted in determining whether the new sentence or sentences are within the guidelines. If the guidelines range is 2 to 5 years and the offender has served 1 year of a previous 3 year sentence, he would have to receive at least two years of additional unsuspended time to be sentenced within guidelines. Among sentences that would be within the guidelines in this example are 4 years concurrent, 2 years consecutive or 8 years concurrent with 4 years suspended.

Probation

Within statutory limits, the length of any probation imposed is left to the discretion of the judge.

1.4 SENTENCES OUTSIDE THE GUIDELINES

Written Reasons for Departure from Guidelines

Whenever a sentence outside the recommended guidelines range is imposed, the judge should give written reasons on the guidelines worksheet. Reasons for departing from guidelines should indicate specifically why the sentence actually imposed is more appropriate, reasonable, or equitable than a sentence within the guidelines. These reasons may be brief but should be substantive. Although the guidelines are advisory to the sentencing judge, it is expected that he or she will deviate from the guidelines only when circumstances are compelling.

1.5 GUIDELINES WORKSHEET DISTRIBUTION

Distribution of Color-coded Worksheets

Copies of each guidelines worksheet should be distributed as follows:

White - Sentencing Judge
Blue - Administrative Office of the Courts (Maryland Sentencing Guidelines)

Green	(a) Attached to commitment order if defendant receives any period of incarceration; or (b) Attached to probation order if defendant is put on probation immediately; and (c) If the case is a split sentence, the preparer is to send a photocopy to the Division of Parole and Probation.
Yellow	- Court File
Pink	- State's Attorney
Gold	- Defense Attorney

The sentencing judge and opposing counsel should have received or completed their copies of the worksheets prior to sentencing. When a presentence investigator fills in a worksheet, he should send the judge the first four copies, together with the presentence investigation (PSI) and the Maryland Sentencing Guidelines Criteria for Prior Record. If no PSI is ordered, the judge will have decided who is to complete the forms.

At sentencing, the actual sentence and any changes on the worksheet should be entered by the judge and recorded by the two attorneys on their copies.

After sentencing, the judge distributes the blue, green and yellow copies to the indicated recipients according to individual court practice. The Maryland Sentencing Guidelines Criteria for Prior Record form should accompany the blue worksheet sent to the Administrative Office of the Courts. In split sentence cases, the court should make a copy of the worksheet for the appropriate probation office. An institution receiving a prisoner eligible for parole will duplicate its worksheet copy for the Parole Commission.

PART 2

USING THE GUIDELINES WORKSHEET

2.1 CASE INFORMATION

General Information

The top section of the worksheet, as shown in Table 2, contains space for information important for purposes of both case identification and analysis. The items requested are the offender's name, sex, ethnicity, birthdate, jurisdiction where the case was tried, whether or not a PSI was available, dates of offense and sentencing, number of convicted offenses and criminal events at the sentencing being reported, the number of the worksheet and criminal event, the title of the instant offense with its Maryland Code article and section number statutory maximum, and the case or docket number.

Appendix D contains a numeric code for each jurisdiction in the State. The code for the jurisdiction in which the defendant was tried should be used.

TABLE 2
CASE INFORMATION

MARYLAND SENTENCING GUIDELINES WORKSHEET	OFFENDER NAME (Last, First, Middle)	Male 1	Female 2	Black 1	White 2	Hispanic 3	Other 4	BIRTHDATE	JURISDICTION

PSI 1 Yes 2 No	DATE OF OFFENSE	DATE OF SENTENCING	DISPOSITION TYPE
AT THIS SENTENCING NUMBER OF: CONVICTED OFFENSES	CRIMINAL EVENTS	WORKSHEET # ____ OF ____ CRIMINAL EVENT # ____	1. Plea agreement - state nature of ____ 2 Plea, no agreement 3 Court trial 4 Jury trial

CONVICTED OFFENSE TITLE	AOC CODE	MD. CODE, ART. & SECTION	STAT. MAX	DOCKET NUMBER
1st				
2nd				
3rd				

Convicted Offenses

In the space for the number of convicted offenses at this sentencing write the total number of offenses for which one judge must impose a specific sentence at one time and place. Merged offenses are not to be used in the calculations of guidelines. That is, those offenses considered as merged are not to be placed on the worksheet or considered in any of the worksheet computations.

Numbering of Worksheets

In the space for the number of criminal events at this sentencing, write the total number of criminal events being sentenced at this time. As

defined earlier, a single criminal event is one or more offenses committed in the course of the same transaction. Multiple criminal events being sentenced together may have occurred on the same or different dates. Offenses which occur on different dates are almost always separate criminal events.

The block for the worksheet number and criminal event number is intended to provide information as to the total number of convicted offenses at a sentencing event. For sentencings involving more than one criminal event, this block should also reflect the chronological order in which the events occurred and which offenses were part of which event.

When the offense is a single conviction, a score of one is to be placed as the number of convicted offenses and the number of convicted events (See sample case 1, p. E-3). This section is located in the upper left hand corner of the worksheet.

For multiple convicted offenses the number of convicted offenses entered on the worksheet is the total number being sentenced at this sentencing event. (See sample cases 4 thru 8, pages E-11-E-35.)

For multiple offenses from more than one criminal event, the number of criminal events is numbered chronologically by date of offense. (See sample case 6, page E-29.)

Convicted Offense Title(s)

Spaces are provided on each worksheet for listing up to three convicted offense titles for a single criminal event (whether the same or different docket numbers). Convicted offense titles and their corresponding Maryland code references may be abbreviated but should be as specific as possible. For example, the offense title for a drug violation (even if it is a conspiracy or attempt) should include the name of the drug and whether possession, distribution, etc. was involved. Property offenses should include any relevant dollar categories, such as "Theft Under $300" or "Extortion $300 or More".

Spaces are provided at the bottom of the worksheet for the signature of the sentencing judge and the person completing the worksheet.

The Sentencing Judge Should Indicate Disposition Type

The disposition type refers to the nature and circumstances of the conviction and sentencing. Since the probation agent frequently lacks this information, the sentencing judge should make sure it is included. The disposition box, shown in Table 2, should be marked according to the conditions described there.

Plea Agreement

If the disposition resulted from plea negotiations, circle "1" and provide a brief description. Examples are: lesser charge, reduced number of charges, binding plea agreement as to actual sentence, binding plea agreement as to sentence maximum or range, State recommendation as to sentence, and agreed statement of facts.

Plea, No Agreement

If the defendant pled guilty without any agreement from the prosecutor or judge to perform in a particular way, circle "2".

Court Trial

If the disposition resulted from a court trial, circle "3".

Jury Trial

If the disposition followed a trial by jury, circle "4".

2.2 GUIDELINES SCORING

For offenses against persons, an offense score and an offender score must be computed for each offense to be sentenced. Since there are no special offense characteristics to be used in determining the guidelines sentence for drug and property offenses, only an offender score needs to be computed for them.

2.2.1 Computation of the Offense Score

Offense Score for Offenses Against Persons Only (Sample Case 1, p. E-3)

The offense score for each convicted offense is derived by totaling the points given for certain factors of that offense. Items may be included if known to the judge even if not within the scope of the convicted offense, e.g., weapon usage in a robbery conviction or victim injury in a handgun violation conviction.

A firearm offense is considered a person offense under guidelines.

The four elements of the offense score appear in Table 3 below. A column of offense scores is provided on the worksheet for each of three

possible offenses within a single criminal event.

TABLE 3

OFFENSE SCORE

OFFENSE SCORE(S) (Offense Against a Person Only)				
1st Off	2nd Off	3rd Off		A. Seriousness Category
01	01	01	=	V - VII
03	03	03	=	IV
05	05	05	=	III
08	08	08	=	II
10	10	10	=	I
				B. Victim Injury
0	0	0	=	No Injury
1	1	1	=	Injury, Non-Permanent
2	2	2	=	Permanent Injury or Death
				C. Weapon Usage
0	0	0	=	No Weapon
1	1	1	=	Weapon Other Than Firearm
2	2	2	=	Firearm or Explosive
				D. Special Vulnerability of Victim
0	0	0	=	No
1	1	1	=	Yes
___	___	___		OFFENSE SCORE (S)

Following are a description and an interpretation of the scoring for each offense factor.

Seriousness Category

A. Seriousness Category of the Convicted Offense

Points are given on the basis of the seriousness category of the convicted offense. In Appendix A, Maryland criminal offenses are listed alphabetically with Seriousness Categories.

Conspiracies, Attempts and Solicitations

Accessory Before or After the Fact

A conspiracy, attempt or solicitation should be considered in the same seriousness category as the substantive offense unless placed in a different category in Appendix A or specifically addressed by separate statute (e.g., Attempted Arson, Article 27/10). Accessory before or after the fact is considered to be one seriousness category below the substantive offense. Worksheets submitted for conspiracy, attempt, solicitation or accessory should specify the substantive illegal activity involved.

B. Victim Injury

Victim injury may be physical or mental. The latter must be based on confirmed medical diagnosis or psychological treatment. For guidelines purposes, mental injury is always to be considered non-permanent.

In a multiple offense case, injury points are given only for the offense or offenses where a victim was injured.

C. Weapon Usage

A weapon is any article or device which reasonably appears capable of causing injury or any article that could result in conviction under the concealed weapons statute.

Explosives are to be considered the same as firearms.

Weapons other than firearms include incendiaries, knives, tire irons and clubs. CO_2 guns (including pellet guns), and starter pistols are also scored as weapons other than firearms and receive one point.

Ordinarily, a toy gun is not considered a weapon, Brooks V. State No. 60 (1988), and should be scored as zero. The only exception would be if the instrument was capable of being used as a bludgeon.

Not included among weapons are automobiles, unless deliberately used as weapons; or parts of the body, e.g., hands or feet, unless the offender is a professional in some form of self-defense.

If a weapon was feigned but no weapon was actually present, the score would be "0" (no weapon used).

Any applicable guidelines points for weapon usage should be given to an accessory before the fact but not to an accessory after the fact.

D. Special Vulnerability of Victim

This item is designed to cover cases in which the relative helplessness of the victim tends to render the actions of the perpetrator all the more brutal or sadistic. An especially vulnerable victim is anyone 10 years of age or less, 60 years of age or more, or physically or mentally handicapped. The handicap may be temporary or permanent.

Total Offense Score

To obtain an offense score, add the circled points in A, B, C and D for each person offense of which the defendant was convicted. The maximum offense score is 15; the minimum is 1.

2.2.2 Computation of the Offender Score

Offender's Criminal History

The offender score is derived by totaling the points represented by the offender's prior criminal history. The factors comprising this history are shown in Table 4 below.

TABLE 4

OFFENDER SCORE

OFFENDER SCORE
A. Relationship to CJS When Instant Count Occurred 0 = None or Pending Cases 1 = Court or Other Criminal Justice Supervision
B. Juvenile Delinquency 0 = Not More Than One Finding of Delinquency or over age 25 1 = Two or More Findings, No or One Commitment 2 = Two or More Commitments
C. Prior Adult Criminal Record 0 = None 1 = Minor 5 = Major 3 = Moderate
D. Prior Adult Parole/Probation Violations 0 = No 1 = Yes
__|__ **OFFENDER SCORE**

Following are a description and interpretation of the scoring for each offender factor. Any prior criminal activity which the defendant admits should be included. Variables A, C and D refer only to the defendant's adult involvement with the criminal justice system.

Offender under Criminal Justice Supervision

A. Relationship to CJS When Instant Offense Occurred

If the offender was in the criminal justice system as the result of an adjudication of guilt as an adult, this factor should be scored as "1". The

defendant may have been on parole, probation, incarcerated, on work release, etc., at the time the offense was committed.

Juvenile Record

B. Juvenile Delinquency

Findings of delinquency are counted the same as convictions would be for an adult; that is, there may be more than one as part of a single event. Commitments refer to the court's assignment of a juvenile to a correctional facility, large or small. Suspended juvenile commitments should be counted as findings of delinquency.

An incarcerable traffic offense in which the court finds a juvenile involved should be treated as part of his or her juvenile record.

Age for Considering Juvenile Record

If the offender was 26 or older at the time of the instant offense, any juvenile record should be excluded from consideration. An offender who had reached his 26th birthday by the date of the offense will be scored "0" whether or not he had a juvenile record.

C. Prior Adult Criminal Record

Adult Criminal Record

When determining the defendant's prior criminal adult record, Appendix B is to be used. Appendix B presents severity score criteria to calculate the adult criminal record. The Appendix provides those instructions necessary to calculate the prior adult criminal record score. If the defendant has no prior adult criminal record then a score of zero (0) is the appropriate response. However, if the defendant has a minor adult criminal record one point is issued, moderate criminal record, three points; and major criminal record, five points.

D. Prior Adult Parole/Probation Violations

Parole or Probation Violations

Score "0" if offender has never before been on adult parole or probation or has successfully completed previous periods of supervision as an adult. Score one point if offender was ever adjudicated in violation of parole or probation or was convicted of an offense while on parole or probation, unless the adjudication or conviction arose from the offense or offenses of this sentencing event. Do not give a point simply

because offender was on parole or probation at the time of the instant offense; he will already have been penalized in "A" for being under supervision when he committed this offense.

Total Offense Score

To obtain the total offender score, add the circled points in A, B, C and D. The maximum offender score is "9"; the minimum is "0".

2.3 DETERMINING THE GUIDELINES SENTENCE

Guidelines Range

After the offense and offender scores have been calculated for each offense for which there is a conviction or other adjudication of guilt, use the appropriate matrix - person, drug, or property - to determine the guidelines range. (See Table 5.) In multiple offense cases, the overall guidelines range is determined after calculating guidelines for the individual offenses (See pages 15-20.) A sentence within the guidelines is a sentence where the net unsuspended incarceration after the expiration of any previously imposed incarceration is within the guidelines.

TABLE 5

GUIDELINES RANGE

GUIDELINES RANGE
1st Offense
_____ TO _____
2nd Offense
_____ TO _____
3rd Offense
_____ TO _____
OVERALL GUIDELINES RANGE (For Multiple Counts Only)
_____ TO _____

2.3.1 Actual Sentence

Judge Enters Actual Sentences

At the time of sentencing, the actual sentence is entered on the worksheet by the sentencing judge. Complete sentencing information for each convicted offense includes: credit for time served, suspended time, length of probation, fine, restitution[1], and community service. (See Table 6)

TABLE 6

ACTUAL SENTENCE

ACTUAL SENTENCE	Imposed, suspended, time served, probation, fine, restitution, and/or community service	
1st Convicted Offense	Subsequent Offender 1 Yes	2 No
2nd Convicted Offense	Subsequent Offender 1 Yes	2 No
3rd Convicted Offense	Subsequent Offender 1 Yes	2 No

A judge, who reconsiders his sentence within 90 days, should notify the sentencing guidelines office as to any change. Only the offender's name and docket number need to be given with the new sentence.

2.3.2 Person Offenses

Offense Against A Person (Sample Case 1, P. E-3)

To find the guidelines sentence for an offense against a person, refer to Appendix Table C.1a, page C-1, or C.1b, page C-3. In Appendix C.1a, the guideline ranges are in a grid format with the offense score on the vertical axis and the offender score on the horizontal axis. The guidelines range for any given convicted offense is in the block where the two scores intersect.

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[1] On May 26, 1988 the Maryland Sentencing Guidelines Advisory Board unanimously agreed that restitution should be included as a part of the Sentencing Guidelines, and that restitution should be ordered in all cases where appropriate. Article 27, Section 640 of the Annotated Code of Maryland allows the court to order the defendant, as a sentence or condition of probation or parole, to make restitution upon conviction of a crime. Restitution can be ordered for any property losses or medical expenses incurred by the victim of the crime. Furthermore, a third party payor, including an insurer that has made payment to the victim, may also be entitled to restitution.

Appendix Table C.1b is an alternative presentation. The various combinations of offense and offender scores with their respective guidelines ranges are listed for any who finds that format preferable.

First Degree Murder

As was previously stated, the person offense sentencing matrix is not necessary for First Degree Murder. The guidelines sentence for First Degree Murder (unless the offender is being sentenced pursuant to Article 27/413) is life.

2.3.3 Drug Offenses

Drug Offenses (Sample Case 2, p. E-7)

To find the guidelines sentence for a drug offense, refer to Appendix Table C.2a, page C-5, or C.2b, page C-7. In Appendix Table C.2a, the guidelines range for a particular instant offense is in the block opposite the seriousness category for that offense and under the applicable offender score.

Appendix Table C.2b lists each drug seriousness category opposite the offender scores and guidelines ranges for each. When using this table, match the seriousness category of the convicted offense to the offender score to find the guidelines sentence. Possession with Intent to Distribute is considered an offense under 27/286 rather than 27/287.

The sale or possession of an unusally large amount of drugs or evidence that the offender is an upper echelon dealer are aggravating factors that should be considered as reasons for sentencing above the guidelines.

Property Offenses (Sample Case 3, p. E-10)

2.3.4 Property Offenses

To find the guidelines sentence for a property offense, refer to either Appendix Table C.3a, page C-9, or C.3b, page C-11.

In Appendix Table C.3a, the guidelines range for a particular offense is in the block opposite the seriousness category for that offense and under the applicable offender score.

Appendix Table C.3b lists the guidelines ranges by seriousness category and offender score. To use this table, match the instant offense seriousness category and the offender score to find

the guidelines sentence range.

Single Criminal Event, Not More Than One Seriousness Category I or II Offense

2.3.5 Multiple Offenses

2.3.5.1 Scoring Single Criminal Events - Not More Than One Offense from Seriousness Category I or II (See Table 7)

1. Calculate the guidelines range for each offense.

2. Determine the overall guidelines range by identifying the highest of the lower guidelines limit and the highest of the upper guidelines limit. Usually these will be the lower and upper limits of the guidelines range for one of the offenses, but there are infrequent exceptions. (See Example 3 in Table 7.)

TABLE 7

Example 1

Criminal Event	Offense	Seriousness Category	Guidelines Range
1	Second Degree Rape	II	12-25 Yrs.
1	Handgun Violation	III	5*-8 Yrs.
	Overall guidelines range		12-25 Yrs.

Example 2

Criminal Event	Offense	Seriousness Category	Guidelines Range
1	Burglary	IV	1-4 Yrs.
1	Theft $300 or More	V	1-3 Yrs.
1	Destroying Property	VII	6M-1 Yr.
	Overall guidelines range		1-4 Yrs.

Example 3

Criminal Event	Offense	Seriousness Category	Guidelines Range
1	Assault	V	1-5 Yrs.
1	Distribution of LSD	IV	2-3 Yrs.
	Overall guidelines range		2-5 Yrs.

*Guidelines range was 3-8 years but statutory Minimum is 5 Years

3. Any combinations of sentences imposed, concurrent or consecutive, are within the guidelines when the net time to be served (i.e., the initial sentence minus suspended sentence) falls within the overall guideline range.

Single Criminal Event, Two or More Seriousness Category I or II Offenses (Sample Case 5, p. E-20)

2.3.5.2 Scoring Single Criminal Events - Two or More Offenses from Seriousness Category I or II (See Table 8)

1. Calculate the guidelines range for each offense.

2. Determine the overall guidelines range by adding the guidelines ranges for each offense in Seriousness Category I or II.

TABLE 8

Example 1

Criminal Event	Offense	Seriousness Category	Guidelines Range
1	First Degree Rape	I	15-25 Yrs.
1	Kidnapping	II	7-13 Yrs.
1	Robbery	IV	2- 7 Yrs.
	Overall guidelines range		22-38 Yrs.

Example 2

Criminal Event	Offense	Seriousness Category	Guidelines Range
1	1st Degree Sex Offense	I	30Y-Life
1	1st Degree Sex Offense	I	30Y-Life
1	1st Degree Rape	I	30Y-Life
	Overall guidelines range		90Y(Life +30 Yrs.)* to 3 consc Life terms

*60 years is considered equivalent to one sentence to life imprisonment.

3. Any combinations of sentences imposed, concurrent or consecutive, are within the guidelines when the net time to be served (i.e.,

the initial sentence minus suspended sentence) falls within the overall guideline range.

Multiple Criminal Events, One Offense in Each Event

2.3.5.3 Scoring Multiple Criminal Events - One Offense in Each Event (See Table 9)

1. Arrange the offenses in chronological order beginning with the one committed first.

2. Calculate the guideline range for each event's convicted counts. The prior criminal adult record is constant throughout each event. A prior adult criminal record score reflects the defendant's criminal history on the date of sentencing. The prior adult criminal record calculated for the first event is the same for all proceeding events, as long as they are being sentenced at the same time.

3. Determine the overall guidelines range by adding the ranges for each event.

TABLE 9

Example 1

Criminal Event	Offense	Seriousness Category	Guidelines Range
1	RDW	III	3-8 Yrs.
2	RDW	III	3-8 Yrs.
3	RDW	III	3-8 Yrs.
	Overall guidelines range		9-24 Yrs.

Example 2

Criminal Event	Offense	Seriousness Category	Guidelines Range
1	Burglary	IV	10-20 Yrs.
2	Forgery	V	*8-10 Yrs.
	Overall guidelines range		18-30 Yrs.

*Statutory Maximum is 10 Years

4. Any combinations of sentences imposed, concurrent or consecutive, are within the guidelines when the net time to be served (i.e., the initial sentence minus suspended sentence) falls within the overall guideline range.

Multiple Criminal Events, More Than One Offense in at Least One Event

2.3.5.4 Scoring Multiple - Criminal Events More than One Offense in One or More Events
(See Table 10)

1. Arrange the events in chronological order, beginning with the offense or offenses committed in the first event.

TABLE 10

Example 1

Criminal Event	Offense	Seriousness Category	Guidelines Range
1	RDW	III	6-12 Yrs.
1	Handgun Violation	III	6-12 Yrs.
2	RDW	III	6-12 Yrs.
2	Poss. of Marijuana	VII	P- 1 Mo.
	Overall guidelines range		12-24 Yrs.

Example 2

Criminal Event	Offense	Seriousness Category	Guidelines Range
1	Sthse-breaking	V	P-6 Mos.
2	Sthse-breaking	V	P-6 Mos.
2	Theft $300 or More	V	P-6 Mos.
2	Assault	V	P
	Overall guidelines range		P-1Yr.

Example 3

Criminal Event	Offense	Seriousness Category	Guidelines Range
1	1st Degree Rape	I	10-18 Yrs.
1	Robbery	IV	P- 2 Yrs.
2	Burglary	IV	P- 1 Yr.
	Overall guidelines range		10-19 Yrs.

2. Calculate the guidelines range for each offense in the first event.

3. Determine the overall guidelines range for the first criminal event as in 2.3.5.1 or 2.3.5.2, but do not enter it on a worksheet.

4. Follow steps two and three for each succeeding criminal event. The prior criminal adult record is constant throughout each event. A prior adult criminal record score reflects the defendant's criminal history on the date of sentencing. The prior adult criminal record calculated for the first event is the same for all proceeding events, as long as they are being sentenced at the same time.

5. After determining the overall guidelines range for each criminal event, the ranges are added to determine the overall guidelines range for the entire case.

6. Any combinations of sentences imposed, concurrent or consecutive, are within the guidelines when the net time to be served (i.e., the initial sentence minus suspended sentence) falls within the overall guideline range.

2.3.6 Presentence Detention

Credit for Time Served

When a defendant has been incarcerated prior to sentencing, this detention should be indicated under "Actual Sentence" by the judge. Either the number of days credit for time served or the date from which the sentence is to run should be given.

2.3.7 Mandatory Sentences

Statutory Maximums and Minimums (Sample Case 8, p. E-43)

If the guidelines sentence range exceeds the statutory maximum for a given offense, the statutory maximum becomes the upper limit of the guidelines range. If the guidelines sentence range is below the mandatory statutory minimum, that minimum becomes the lower limit of the guidelines range.

2.3.8 Subsequent Offenses

Second or Subsequent Offenses

Enhanced punishment legislation for subsequent offenders also takes precedence over guidelines ranges if not otherwise provided for in this Manual. When the statutory penalty for a drug offense is doubled under Article 27, Section 293, the guidelines range for that offense is also doubled. The guidelines sentence is determined by doubling the appropriate sentence from the drug offense sentencing matrix except when the mandatory minimum sentence under 27/286 is invoked and takes precedence.

If sentencing is pursuant to an enhanced punishment statute, mark the box provided on the worksheet and specify the statute.

"White Collar" Crimes

2.3.9 "White Collar" Offenses

The guidelines apply to white collar offenses. However, it is pointed out and emphasized that the presence of a white collar offense should be viewed as an aggravating factor which may lead the sentencing judge to exceed the applicable guidelines. A white collar offense is defined as follows:

The offense was a major economic offense, identified as an illegal act or series of illegal acts committed by other than physical means and by concealment or guile to obtain money or property, to avoid payment or loss of money or property, or to obtain business or professional advantage.

APPENDIX A

SENTENCING GUIDELINES OFFENSES

OFFENSE LITERAL	SERIOUSNESS CATEGORY	SOURCE	MAXIMUM TERM	MINIMUM TERM	OFFENSE TYPE
Abduction					
Child under sixteen for immoral purposes	III	27, § 1	8Y		Person
Child under twelve	III	27, § 2	20Y		Person
Child under twelve by relative in state	VII	FL § 9-304	30D		Person
Child under twelve by relative outside state 30 days or less	VII	FL § 9-305	30D		Person
Child under twelve by relative outside state more than 30 days	VII	FL § 9-305	1Y		Person
Arson					
Burning personal property of another less than $1,000 (malicious burning 2nd degree)	VII	27, § 8(a)(1),(2)	18M		Property
Burning personal property of another $1,000 or more (malicious burning 1st degree)	VI	27, § 8(a)(1),(3)	5Y		Property
Burning property with intent to defraud	VII	27, § 8(b)(1)	5Y		Property
Dwelling or occupied structure (arson 1st degree)	III	27, § 6(a)	30Y		Property
Other structure (arson 2nd degree)	IV	27, § 7(a)	20Y		Property
Trash bin	VII	27, § 9A(a)	30D		Property
Threat of	IV	27, § 9(a)(1),(2)	10Y		Property
Assault					
Assault and/or battery	V	CL			Person
Assault on division of correction or patuxent institution, jail or detention center inmate or employee	IV	27, § 12A-6		consecutive no suspension	Person
*Assault with deadly weapon**	V	FEDERAL OFFENSE			
*Assault with intent to commit 1st degree rape****	III	27, § 12	15Y	2Y	Person
*Assault with intent to commit 2nd degree rape****	III	27, § 12	15Y	2Y	Person

OFFENSE LITERAL	SERIOUSNESS CATEGORY	SOURCE	MAXIMUM TERM	MINIMUM TERM	OFFENSE TYPE
*Assault with intent to commit 1st degree sex offense****	III	27, § 12	15Y	2Y	Person
*Assault with intent to commit 2nd degree sex offense****	III	27, § 12	15Y	2Y	Person
*Assault with intent to maim, disable, etc.****	III	27, § 386	15Y		Person
*Assault with intent to murder****	III	27, § 12	30Y	2Y	Person
*Assault with intent to prevent lawful apprehension****	III	27, § 386	15Y		Person
*Assault with intent to rob****	IV	27, § 12	10Y	2Y	Person
*Assault, 1st degree*****	II	27, § 12A-1	25Y		Person
*Assault, 2nd degree*****	IV	27, § 12A	10Y		Person
Bad check					
Obtaining property/services under $300	VII	27, § 141	18M		Property
Obtaining property/services worth $300 or more	V	27, § 141	15Y		Property
Breaking and entering					
Breaking into railroad car or entering by force	VI	27, § 115	10Y	2Y	Property
Breaking into or entering railroad car or attached freight with intent to steal	VI	27, § 114	10Y	1Y	Property
Motor vehicle	VII	27, § 35	3Y		Property
Research facility	VI	27, § 34(b)	5Y		Property
Bribery to or by public officer (27, § 22)	V	CL	12Y	2Y	Property
Burglary					
1st degree	III	27, § 29(a)	20Y		Property
2nd degree	IV	27, § 30(a)	15Y		Property
2nd degree, steal or take firearm	IV	27, § 30(b)	20Y		Property
3rd degree	IV	27, § 31(a)	10Y		Property
4th degree	VII	27, § 32(a),(b),(c)	3Y		Property

OFFENSE LITERAL	SERIOUSNESS CATEGORY	SOURCE	MAXIMUM TERM	MINIMUM TERM	OFFENSE TYPE
With explosives	III	27, § 33(a)	20Y		Property
Carjacking	II	27, § 348A(b)(1),(2)	30Y		Person
Child abuse					
Physical	IV	27, § 35C(b)(1)	15Y		Person
Sexual	IV	27, § 35C(b)(1)	15Y		Person
With death	III	27, § 35C(b)(2)	20Y		Person
Child pornography					
1st offense	V	27, § 419A	10Y		Person
Subsequent	III	27, § 419A	20Y		Person
Contempt, Criminal*	VII	CL			
Contraband					
Delivery in or out of institution to effect escape	VI	27, § 122A(b)	10Y		Property
Delivery in or out of institution other than to effect escape	VI	27, § 122A(c)	3Y		Property
Contributing to certain conditions of a child	VII	CJP § 3-831(a)	3Y		Person
Controlled dangerous substance - importation into state	III	27, § 286A(a)	25Y		Drug
Credit card					
$300 or under	VII	27, § 145	18M		Property
More than $300	V	27, § 145	15Y		Property
Crimes against religious property, institutions, or personal property because of race, religious belief					
Involving misdemeanor	V	27, § 470A(b)(4)	3Y		Person
Involving separate felony generally	IV	27, § 470A(b)(4)	10Y		Person
Involving separate felony resulting in death	III	27, § 470A(b)(4)	20Y		Person

OFFENSE LITERAL	SERIOUSNESS CATEGORY	SOURCE	MAXIMUM TERM	MINIMUM TERM	OFFENSE TYPE
Cruelty to animals					
Dog fighting	VI	27, § 59(b)(2)	3Y		Property
Injuring a racehorse	VI	27, § 61	3Y	1Y	Property
Destruction of property					
Damage under $300	VII	27, § 111(a)	60D		Property
Damage $300 or more	VII	27, § 111(a)	3Y		Property
Injuring or destroying railroad locomotive, car etc., or chattels therein	VI	27, § 113	10Y		Property
Distribution					
Distribution of non-controlled substance as controlled dangerous substance	IV	27, § 286B	5Y		Drug
Drug kingpin	II	27, § 286(g)	40Y	20Y	Drug
Unlawful manufacture, distribution, etc.; counterfeiting, etc., manufacture, possession, etc., of certain equipment for illegal use; keeping common nuisance, schedule I or II narcotics (e.g., pcp, heroin, cocaine, and LSD)	III	27, § 286(b)(2)	20Y		Drug
Unlawful manufacture, distribution, etc.; counterfeiting, etc.; manufacture, possession, etc., of certain equipment for illegal use; keeping common nuisance, schedule I or II narcotics (e.g., pcp, heroin, cocaine, and LSD), subsequent	III	27, § 286(c)(1)	20Y	10Y	Drug
Unlawful manufacture, distribution, etc.; counterfeiting, etc.; manufacture, possession, etc., of certain equipment for illegal use; keeping common nuisance, schedule I through V non-narcotics (e.g., amphetamines, marijuana, diazepam, and valium)	IV	27, § 286(b)(3)	5Y		Drug

OFFENSE LITERAL	SERIOUSNESS CATEGORY	SOURCE	MAXIMUM TERM	MINIMUM TERM	OFFENSE TYPE
Unlawful manufacture, distribution, etc.; counterfeiting, etc.; manufacture, possession, etc., of certain equipment for illegal use; keeping common nuisance, schedule I through V non-narcotics (e.g., amphetamines, marijuana., diazepam, and valium), subsequent	IV	27, § 286(b)(3)	5Y	2Y	Drug
Using minors for manufacture, delivery or distribution of controlled dangerous substances.	III	27, § 286C	20Y		Drug
Escape					
Aiding	IV	27, § 139(c)	10Y		Person
From penitentiary, jail, reformatory, etc., or from alcohol and drug abuse administration	IV	27, § 139(a)(1),(3)	10Y		Person
Explosives					
Destructive explosive devices	III	27, § 139B(a)	20Y		Property
Dynamiting, etc., property	III	27, § 119	LIFE/ 20Y		Property
Molotov cocktail	VII	27, § 139A(a)	5Y		Property
Possession without a license	VI	38A, § 29	5Y		Property
Pipe Bomb	III	27, § 139C(a)	20Y		Property
Unlawful manufacture or dealing without license	VI	38A, § 27	5Y		Property
Extortion					
By anyone, under $300	VII	27, § 562B	18M		Property
By anyone, $300 or more	V	27, § 562B	10Y		Property
By false accusation	VI	27, § 563	2Y		Property
By state or local officer, $300 or less	VII	27, § 562C	6M		Property
By state or local officer, over $300	V	27, § 562C	10Y		Property
By state or local officer or employee against another employee	VI	27, § 562D	5Y		Property
Sending, etc. a threatening letter, etc.	V	27, § 561(a)	10Y	2Y	Property

OFFENSE LITERAL	SERIOUSNESS CATEGORY	SOURCE	MAXIMUM TERM	MINIMUM TERM	OFFENSE TYPE
Threatening verbally	V	27, § 562	10Y	2Y	Property
Failure to appear					
*Felony**	V	27, § 12B			
*Misdemeanor**	VII	27, § 12B			
False alarms, fire, ambulance or rescue squad calls	V	27, § 156	5Y		Property
False imprisonment	V	CL			Person
False statement					
On application for funds from Maryland higher education commission	VII	27, § 151B(a)	1Y		Property
Rumor as to bomb	VII	27, § 151A	10Y		Property
To official or agencies of state or its subdivisions	VII	27, § 151	6M		Property
To peace or police officers	VII	27, § 150	6M		Property
Falsifying, destroying, concealing, accessing, etc., public records	VII	27, § 45A	3Y		Property
Federal income tax evasion*	VII				
Forgery					
Forgery, counterfeiting, etc. (27, § 44 (a))	V	CL	10Y		Property
Forgery, counterfeiting, etc. of public documents	V	27, § 45	10Y	2Y	Property
Forgery, etc. of prescriptions, etc.	VI	27, § 55	2Y		Property
Orders, etc., for money or goods	V	27, § 48	10Y	2Y	Property
Uttering (27, § 44 (b))	V	CL	10Y		Property
Fraud					
Abandoning or refusing to return, leased motor vehicle	VII	27, § 206	1Y		Property
Failure to provide or providing false information wilfully or with intent to evade taxes	VI	TG § 13-1024(a)	18M		Property

OFFENSE LITERAL	SERIOUSNESS CATEGORY	SOURCE	MAXIMUM TERM	MINIMUM TERM	OFFENSE TYPE
Falsely Representing self as lawyer	VII	BOP § 10-602	1Y		Property
Medicaid fraud, under $500	VII	27, § 230B	3Y		Property
Medicaid fraud, $500 or more	V	27, § 230B	5Y		Property
Misappropriation by fiduciaries, generally	V	27, § 132	5Y	1Y	Property
Misuse by lawyer	V	BOP § 10-306	5Y		Property
Public assistance fraud, generally	VII	27, § 230A	3Y		Property
Willful failure to file income tax return	VII	TG § 13-1001(c)	5Y		Property
Willful failure to withhold income tax	VII	TG § 13-1007(b)	5Y		Property
Willful preparation of false income tax return	VII	TG § 13-1004	5Y		Property
Gambling					
Betting, wagering, etc.; pools on horses, etc.	VII	27, § 240	1Y	6M	Property
Keeping gaming table or place	VII	27, § 241	1Y	6M	Property
Handgun					
Carrying, etc., with deliberate purpose to injure or kill	V	27, § 36B(b)(iv)	5Y	5Y	Person
Obliterating, etc., identification mark or number	VI	27, § 444	3Y		Person
Restrictions on sale, transfer and possession of pistols and revolvers	VI	27, § 445(b),(c)	3Y		Person
Sale, transfer, etc., of stolen pistols	VI	27, § 446	3Y		Person
Short-barrelled rifles and shotguns, unlawful possession	VI	27, § 481C(b)	5Y		Person
Unlawful use in commission of felony or crime of violence, 1st offense	III	27, § 36B(d)(1)	20Y	5Y	Person
Unlawful use in commission of felony or crime of violence, subsequent	II	27, § 36B(d)(2)	20Y	5Y	Person
Unlawful wearing, carrying, etc., 1st weapon offense, generally	VII	27, § 36B(b)(i)	3Y	30D	Person

OFFENSE LITERAL	SERIOUSNESS CATEGORY	SOURCE	MAXIMUM TERM	MINIMUM TERM	OFFENSE TYPE
Unlawful wearing, carrying on school property, etc., 1st weapon offense	VII	27, § 36B(b)(i)	3Y	90D	Person
Unlawful wearing, carrying, etc., 2nd weapon offense, generally	III	27, § 36B(b)(ii)	10Y	1Y	Person
Unlawful wearing, carrying on school property, etc., 2nd weapon offense	III	27, § 36B(b)(ii)	10Y	3Y	Person
Unlawful wearing, carrying, etc., more than two prior weapon offenses, generally	III	27, § 36B(b)(iii)	10Y	3Y	Person
Unlawful wearing, carrying on school property, etc., more than two prior weapon offenses	III	27, § 36B(b)(iii)	10Y	5Y	Person
Wearing, carrying, etc., under influence	VI	27, § 36E(l)	1Y		Person
Harmful substances					
Distributing, etc., to minors, 1st offense	VII	27, § 301A(a),(b)	18M		Drug
Distributing, etc., to minors, subsequent	VII	27, § 301A(a),(b)	3Y		Drug
Smelling or inhaling harmful substances	VII	27, § 301(a)	6M		Drug
Hinder police officer	VI	CL			Person
Home improvement, without license	VII	BR § 8-601	2Y		Property
Homicide by motor vehicle or vessel while intoxicated	VI	27, § 388A(b)	5Y		Person
Incest (27, § 335)	V	CL	10Y	1Y	Person
Indecent exposure (27, § 335A)	VI	CL	3Y		Person
Interference, obstruction or false representation of fire or emergency services personnel	VII	27, § 11D	3Y		Person
Interfering with rights of mentally retarded individual	VII	HG § 7-1102	2Y		Person
Kidnapping					
Child under 16	II	27, § 338	30Y		Person
Generally	II	27, § 337	30Y		Person

OFFENSE LITERAL	SERIOUSNESS CATEGORY	SOURCE	MAXIMUM TERM	MINIMUM TERM	OFFENSE TYPE
Lotteries					
Devices to evade lottery proscription	VII	27, § 357	12M	3M	Property
Importing ticket or possession of lottery, records or money	VII	27, § 362	1Y		Property
Keeping place for selling, etc., of lottery tickets	VII	27, § 360	1Y		Property
Owner permitting use of house, etc., for sale of tickets	VII	27, § 361	1Y		Property
~~Sale~~ or Drawing of lottery	VII	27, § 356	12M	3M	Property
~~Subsequent~~	VI	27, § 366	5Y		Property
Maiming					
*Malicious injury to tongue, nose, eye, limb, etc.****	III	27, § 385	15Y		Person
*Mayhem; tarring and feathering (27, § 384)****	III	CL	10Y	18M	Person
Malfeasance, misconduct in office	V	CL			Person Drug Property
Manslaughter					
By automobile, vessel, etc.	IV	27, § 388	10Y		Person
Involuntary (27, § 387)	IV	CL	10Y		Person
Voluntary (27, § 387)	IV	CL	10Y		Person
Motor vehicle offenses (only incarcerable traffic offenses.)*	VII				
Murder**					
1st degree, during rape, etc. (27, § 410)	I	CL	LIFE		Person
1st degree, generally (27, § 407)	I	CL	LIFE		Person
1st degree perpetration of arson (27, § 408)	I	CL	LIFE		Person
1st degree burning barn, tobacco house etc. (27, § 409)	I	CL	LIFE		Person
1st degree, attempted	II	CL	LIFE		Person

OFFENSE LITERAL	SERIOUSNESS CATEGORY	SOURCE	MAXIMUM TERM	MINIMUM TERM	OFFENSE TYPE
1st degree, solicitation	II	CL	LIFE		Person
2nd degree (27, § 411)	II	CL	30Y		Person
2nd degree, attempted	III	CL	30Y		Person
Obstructing justice (27, § 26)	V	CL	5Y		Person
Paraphernalia					
Controlled dangerous substance-paraphernalia-delivery or sale generally, etc. 1st offense	VII	27, § 287A(d)(1)	Fine		Drug
Controlled dangerous substance-paraphernalia-delivery or sale generally, etc. subsequent	IV	27, § 287A(d)(1)	2Y		Drug
Controlled dangerous substance-paraphernalia-use or possession, with intent to use, 1st offense	VII	27, § 287A(c)	Fine		Drug
Controlled dangerous substance-paraphernalia-use or possession, with intent to use, subsequent	V	27, § 287A(c)	2Y		Drug
Controlled dangerous substance-paraphernalia-delivery or sale to minor by adult three or more years older	III	27, § 287A(d)(2)	8Y		Drug
Perjury					
Public assistance fraud in application (88A, § 62)	IV	CL	10Y		Property
Subornation of perjury	IV	27, § 438	10Y		Person
Willfully filing false income tax returns-perjury	IV	TG § 13-1002(b)	10Y		Property
Perverted sexual practices	VII	27, § 554	10Y		Person
Poisoning					
Attempted	II	27, § 450	10Y	2Y	Person
Contaminating water, food, etc.	II	27, § 451	20Y		Person

OFFENSE LITERAL	SERIOUSNESS CATEGORY	SOURCE	MAXIMUM TERM	MINIMUM TERM	OFFENSE TYPE
Pollutants					
Dispersing into state waters, first offense	VII	E § 9-322	1Y		Property
Dispersing into state waters, subsequent	VII	E § 9-322	2Y		Property
Dispersing into state waters, falsification	VII	E § 9-343(b)	6M		Property
Possession					
Compounding or selling different drug, controlled dangerous substance, medicine, etc.	VI	27, § 300(i)	12M	1M	Property
Prescription drugs-manufacture, distribute, etc.; obtain by fraud, etc., forgery, etc., label property, destruction	VI	27, § 300(g-1)	2Y		Property
Unlawful possession or administering to another; obtaining, etc., substance or paraphernalia by fraud, forgery, misrepresentation, etc.; affixing forged labels; altering etc., label; unlawful possession or distribution of controlled paraphernalia - marijuana	VII	27, § 287	1Y		Drug
Unlawful possession or administering to another; obtaining, etc., substance or paraphernalia by fraud, forgery, misrepresentation, etc.; affixing forged labels; altering, etc., label; unlawful possession or distribution of, controlled paraphernalia - non-marijuana	V	27, § 287	4Y		Drug
Unsolicited mailing of certain drugs, controlled dangerous substances, medicines, etc.	VII	27, § 300(j)	6M		Property
Prostitution, etc.					
Bawdyhouses and houses of ill fame	VI	27, § 15	1Y		Property
Detaining person in house of prostitution for debt, etc.	IV	27, § 431	12Y		Person
Pandering generally	IV	27, § 426	12Y		Person
Placing, etc., of spouse in house of prostitution, etc.	IV	27, § 429	10Y		Person

OFFENSE LITERAL	SERIOUSNESS CATEGORY	SOURCE	MAXIMUM TERM	MINIMUM TERM	OFFENSE TYPE
Placing, etc., person for immoral purposes	IV	27, § 427	10Y		Person
Receiving earnings of prostitute	IV	27, § 430	10Y		Person
Receiving money, etc., for procuring person for house of prostitution, etc.	IV	27, § 428	10Y		Person
~~*Solicitation*~~	VII	27, § 15(e)	1Y		Property
Transporting person for prostitution	IV	27, § 432	10Y		Person
Rape					
1st degree	I	27, § 462(a)	LIFE		Person
2nd degree	II	27, § 463(a)	20Y		Person
Reckless endangerment	V	12A-2	5Y		Person
Resisting arrest	VI	CL			Person
Rioting	IV	CL			Person
Robbery (27, § 486)	IV	CL	15Y		Person
Robbery with a deadly weapon (27, § 488)	III	CL	20Y		Person
Sabotage					
Attempted	VI	27, § 538	5Y	6M	Property
Intentional defective workmanship	V	27, § 537	10Y	1Y	Property
Intentional injury to or interference with property	V	27, § 536	10Y	1Y	Property
Serial numbers, removing, etc.	VII	27, § 389	1Y		Property
Sex offense					
1st degree	I	27, § 464(a)	LIFE		Person
2nd degree	II	27, § 464A(a)	20Y		Person
3rd degree	V	27, § 464B(a)	10Y		Person
4th degree	VII	27, § 464C(a)	1Y		Person
Sodomy (27, § 553)	V	CL	10Y		Person
Stalking	V	27, § 121B(a)	5Y		Person

OFFENSE LITERAL	SERIOUSNESS CATEGORY	SOURCE	MAXIMUM TERM	MINIMUM TERM	OFFENSE TYPE
Telephone, unlawful use of	VII	27, § 555A	3Y		Property
Theft					
$300 or more	V	27, § 342	15Y		Property
Less than $300	VII	27, § 342	18M		Property
Trespass on posted property	VII	27, § 576	3M		Property
Unauthorized connections, etc.; tampering or interfering with meters, poles, wires, etc.	VII	27, § 194	6M		Property
Unauthorized use of livestock, vehicle, etc.	V	27, § 349	4Y	6M	Property
Weapons					
Carrying dangerous or deadly weapon, etc., openly with intent to injure	VII	27, § 36(a)(1)	3Y		Person
Carrying or possessing deadly weapon on school property, other than handgun	VI	27, § 36A(a)	3Y		Person
Carrying dangerous or deadly weapon openly or concealed with deliberate intent to kill or injure	VI	27, § 36(a)(2)	3Y	3Y	Person
Carrying or wearing concealed, dangerous or deadly weapon, etc.	VII	27, § 36(a)(1)	3Y		Person
Possession or use of machine gun	III	27, § 373	20Y		Person
Use, etc., of a weapon in a drug offense, 1st offense	III	27, § 281A(b)	20Y	5Y	Person
Use, etc., of a weapon in a drug offense, subsequent	III	27, § 281A(b)	20Y	10Y	Person
Use, etc., of a weapon in a drug offense, 1st offense (only for certain weapons)	III	27, § 281A(c)	20Y	10Y	Person
Use, etc., of a weapon in a drug offense, subsequent (only for certain weapons)	III	27, § 281A(c)	20Y	20Y	Person

OFFENSE LITERAL	SERIOUSNESS CATEGORY	SOURCE	MAXIMUM TERM	MINIMUM TERM	OFFENSE TYPE
Wiretapping					
Breaking and entering, etc., to place, remove, or adjust equipment	V	CJP § 10-412	10Y		Property
Unlawful interception of communications	V	CJP § 10-402(a)	5Y		Property

* The offense is not a Maryland Sentencing Guidelines offense and a worksheet should not be prepared if a defendant is found guilty or given a PBJ. It is listed only to provide the worksheet preparer an offense seriousness category with regards to calculating the defendant's prior adult criminal record.

**Incidents in which the State is seeking the death penalty (i.e., 27, § 413) are exclusions under the Maryland Sentencing Guidelines. There is no need to prepare a Guidelines Worksheet for these offenses.

***Repealed effective October 1, 1996.

****Effective October 1, 1996.

APPENDIX B

CLASSIFICATION OF THE PRIOR ADULT CRIMINAL RECORD

PROCEDURES

If the offender has ever been convicted of an offense as an adult or received an adjudication of guilt, use the criteria in Table B.1 (p. B-3) or B.2 (pp. B-6-B-7) before completing the worksheet for each criminal event to determine whether the prior record for that criminal event should be considered Minor, Moderate or Major. Using the Criteria for Prior Record form (p. B-4) to record the details of prior record information will make worksheet tabulation simpler and more accurate. The procedure for the proper use of Table B.1 consists of the following steps:

1. Count the number of prior adjudications of guilt according to the Seriousness Categories in Appendix A.

2. Taking the number of adjudications in the most serious category of offenses, refer to Table B.1 and locate the block containing the number of convictions for that seriousness category.

3. Use the criteria in the identified block to classify the record as Minor, Moderate or Major.

Table B.2 may be used instead of Table B.1 to classify a prior record. It is simply a verbal description of Table B.1

ADDITIONAL INSTRUCTIONS

Prior Adult Criminal Record

The prior adult criminal record includes all adjudications of guilt preceding the current sentencing event, whether the offense(s) was committed before or after the instant one. Probations before judgment (PBJ) and convictions under the Federal Youth Corrections Act (FYCA) are included unless expunged from the record. (If a PBJ or FYCA conviction appears in the defendant's record, it has not been expunged.) Not considered part of a prior adult criminal record are public local laws, municipal infractions, contempt, criminal non-support, and non-incarcerable traffic offenses. If the seriousness category of a Maryland offense is not in the Manual, use Seriousness Category VII.

Different Criminal Events Sentenced Together

If multiple offenses from different criminal events are being sentenced together at this sentencing event, the offender's criminal record will include any adjudication of guilt prior to

the current sentencing and will be the same for each offense being sentenced at this time.

Convictions Out of State

If an offender has ever been convicted out of state, the offense should be matched as closely as possible to a Maryland offense. If no Maryland counterpart exists, the offense should be counted in the lowest seriousness category, VII, and the sentencing judge should be informed.

Theft-Type Offenses

In 1978, a comprehensive theft statute replaced the previously separate designation of offenses such as Larceny, Larceny by Trick, Larceny after Trust, Embezzlement, False Pretenses, Shop- lifting, and Receiving Stolen Goods. For purposes of guidelines, the old offenses should be considered "Theft under $300" if they were misdemeanors and "Theft $300 or More" if they were felonies.

Criminal Record Decay Factor

If an offender has lived in the community for at least ten years prior to the instant offense without parole or probation supervision and without any adjudication of guilt, his criminal record should be lowered one level: from Major to Moderate, from Moderate to Minor, or from Minor to None.

Conspiracies, Attempts and Solicitations

Conspiracies, attempts and solicitations should be considered in the same seriousness category as the substantive offense unless placed in a different category in Appendix A or specifically addressed by separate statute (e.g., Attempted Arson, 27/10). Accessory before or after the fact is considered to be one seriousness category below the substantive offense.

CRITERIA FOR PRIOR ADULT CRIMINAL RECORD

NUMBER OF CONVICTIONS

SERIOUSNESS CATEGORY	1	2	3	4	5-9	10 or more
I	Major	Major	Major	Major	Major	Major
II	Major if combined with any offenses in Categories III - VI or any 5 offenses --- Moderate	Major	Major	Major	Major	Major
III	Major if combined with two or more offenses in Categories IV-VI, or any 6 offenses --- Moderate	Major	Major	Major	Major	Major
IV	Major if combined with 3 or more offenses from Categories V or VI, or any 7 offenses --- Moderate	Major if combined with 1 or more offenses from Categories V or VI, or any 6 offenses --- Moderate	Major	Major	Major	Major
V	Major if combined with any 8 offenses --- Moderate if combined with not less than 3, nor more than 7 offenses --- Minor	Major if combined with any 7 offenses --- Moderate if combined with not less than 1, nor more than 6 offenses --- Minor	Major if combined with any 6 offenses --- Moderate	Major if combined with any 5 offenses --- Moderate	Major	Major
VI	Major if combined with any 9 offenses --- Moderate if combined with not less than 4, nor more than 8 offenses --- Minor	Major if combined with any 8 offenses --- Moderate if combined with not less than 3, nor more than 7 offenses --- Minor	Major if combined with any 7 offenses --- Moderate if combined with not less than 2, nor more than 7 offenses --- Minor	Major if combined with any 6 offenses --- Moderate	Major if total number of convictions is equal to or greater than 10 --- Moderate	Major
VII	Minor	Minor	Minor	Minor	Moderate	Major

MARYLAND SENTENCING GUIDELINES CRITERIA FOR PRIOR RECORD	Offender's Name	Docket Number

JUVENILE DELINQUENCY	Offense Title (With finding of Delinquency)	Commitment Date
☐ Offender 26 or older when current offense committed		

☐ Not more than 1 Finding ☐ 2 or more Findings/1 Commitment ☐ 2 or more Commitments

ADULT CONVICTIONS	Offense Title (Code Art. & Sec., if available)	Disp. Date	Sentence
Seriousness Category I No.__			
Seriousness Category II No.__			
Seriousness Category III No.__			
Seriousness Category IV No.__			
Seriousness Category V No.__			
Seriousness Category VI No.__			
Seriousness Category VII No.__			

☐ None ☐ Minor ☐ Moderate ☐ Major

Completed By _____

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APPENDIX TABLE B.2

DESCRIPTION

Major Record

An offender who has been found guilty of one or more offenses in the past as an adult is considered to have a major adult criminal record if his or her record contains:

- One or more Seriousness Category I offenses.
- One Seriousness Category II offense, combined with:
  One or more offenses from Seriousness Category III - VI, or
  Any other five offenses.
- Two or more Seriousness Category II offenses.
- One Seriousness Category III offense, combined with:
  Two or more offenses from Seriousness Category IV - VI, or
  Any other six offenses.
- Two or more Seriousness Category III offenses.
- One Seriousness Category IV offense, combined with:
  Three or more offenses from Seriousness Category V or VI, or
  Any other seven offenses.
- Two Seriousness Category IV offenses, combined with:
  One or more offenses from Seriousness Category V or VI, or
  Any other six offenses.
- Three or more Seriousness Category IV offenses.
- One Seriousness Category V offense, combined with any other eight offenses.
- Two Seriousness Category V offenses, combined with any other seven offenses.
- Three Seriousness Category V offenses, combined with any other six offenses.
- Four Seriousness Category V offenses, combined with any other five offenses.

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- Five or more Seriousness Category V offenses.

- Ten or more adjudications of guilt from any combination of seriousness categories.

Moderate Record

An offender who has been found guilty of one or more offenses in the past as an adult is considered to have a moderate record if he or she does not meet any of the criteria for a major record, but whose record contains:

- One Seriousness Category II offense.

- One Seriousness Category III offense.

- One or two Seriousness Category IV offenses.

- One Seriousness Category V offense, combined with not less than three nor more than seven other offenses.

- Two Seriousness Category V offenses, combined with not less than one nor more than six other offenses.

- Three or four Seriousness Category V offenses.

- One Seriousness Category VI offense, combined with not less than four nor more than eight other offenses.

- Two Seriousness Category VI offenses, combined with not less than three nor more than seven other offenses.

- Three Seriousness Category VI offenses, combined with not less than two nor more than six other offenses.

- Not less than four nor more than nine Seriousness Category VI offenses.

- Not less than five nor more than nine Seriousness Category VII offenses.

Minor Record

An offender who has been found guilty as an adult of one or more offenses in the past, but does not meet the criteria for either a major or a moderate record is considered to have a minor record.

APPENDIX TABLE C.1a

SENTENCING MATRIX FOR OFFENSES AGAINST PERSONS

Offense Score	Offender 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	15Y-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=Year L=Life

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APPENDIX TABLE C.1b

SENTENCING GUIDELINES FOR OFFENSES AGAINST PERSONS

OFFENSE SCORE	OFFENDER SCORE	GUIDELINE RANGE	OFFENSE SCORE	OFFENDER SCORE	GUIDELINE RANGE
1	0	P	6	0	1Y-6Y
1	1	P	6	1	2Y-7Y
1	2	P-3M	6	2	3Y-8Y
1	3	3M-1Y	6	3	4Y-9Y
1	4	3M-18M	6	4	5Y-10Y
1	5	3M-2Y	6	5	7Y-12Y
1	6	6M-2Y	6	6	8Y-13Y
1	7+	1Y-3Y	6	7+	10Y-20Y
2	0	P-6M	7	0	3Y-8Y
2	1	P-1Y	7	1	4Y-9Y
2	2	P-18M	7	2	5Y-10Y
2	3	3M-2Y	7	3	6Y-12Y
2	4	6M-3Y	7	4	7Y-13Y
2	5	1Y-5Y	7	5	9Y-14Y
2	6	18M-5Y	7	6	10Y-15Y
2	7+	3Y-8Y	7	7+	12Y-20Y
3	0	P-2Y	8	0	4Y-9Y
3	1	P-2Y	8	1	5Y-10Y
3	2	6M-3Y	8	2	5Y-12Y
3	3	1Y-5Y	8	3	7Y-13Y
3	4	2Y-5Y	8	4	8Y-15Y
3	5	3Y-7Y	8	5	10Y-18Y
3	6	4Y-8Y	8	6	12Y-20Y
3	7+	5Y-10Y	8	7+	15Y-25Y
4	0	P-3Y	9	0	5Y-10Y
4	1	6M-4Y	9	1	7Y-13Y
4	2	1Y-5Y	9	2	8Y-15Y
4	3	2Y-5Y	9	3	10Y-15Y
4	4	3Y-7Y	9	4	12Y-18Y
4	5	4Y-8Y	9	5	15Y-25Y
4	6	5Y-10Y	9	6	18Y-30Y
4	7+	6Y-12Y	9	7+	20Y-30Y
5	0	3M-4Y	10	0	10Y-18Y
5	1	6M-5Y	10	1	10Y-21Y
5	2	1Y-6Y	10	2	12Y-25Y
5	3	2Y-7Y	10	3	15Y-25Y
5	4	3Y-8Y	10	4	15Y-30Y
5	5	4Y-10Y	10	5	18Y-30Y
5	6	6Y-12Y	10	6	20Y-35Y
5	7+	8Y-15Y	10	7+	20Y-L

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APPENDIX TABLE C.1b
(Continued)

SENTENCING GUIDELINES FOR OFFENSES AGAINST PERSONS

OFFENSE SCORE	OFFENDER SCORE	GUIDELINE RANGE
11	0	12Y-20Y
11	1	15Y-25Y
11	2	18Y-25Y
11	3	20Y-30Y
11	4	20Y-30Y
11	5	25Y-35Y
11	6	25Y-40Y
11	7+	25Y-L
12	0	15Y-25Y
12	1	18Y-25Y
12	2	18Y-30Y
12	3	20Y-35Y
12	4	20Y-35Y
12	5	25Y-40Y
12	6	25Y-L
12	7+	25Y-L
13	0	20Y-30Y
13	1	25Y-35Y
13	2	25Y-40Y
13	3	25Y-L
13	4	25Y-L
13	5	30Y-L
13	6	L
13	7+	L
14	0	20Y-L
14	1	25Y-L
14	2	28Y-L
14	3	30Y-L
14	4	L
14	5	L
14	6	L
14	7+	L
15	0	25Y-L
15	1	30Y-L
15	2	35Y-L
15	3	L
15	4	L
15	5	L
15	6	L
15	7+	L

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APPENDIX TABLE C.2a

SENTENCING MATRIX FOR DRUG OFFENSES

OFFENSE	OFFENDER SCORE 0	1	2	3	4	5	6	7 or more
SERIOUSNESS CATEGORY VII	P	P	P	P-1M	P-3M	P-6M	3M-6M	6M-12M
SERIOUSNESS CATEGORY V	P-6M	P-12M	3M-12M	6M-18M	1Y-2Y	1.5Y-2.5Y	2Y-3Y	3Y-4Y
SERIOUSNESS CATEGORY IV	P-12M	P-18M	6M-18M	1Y-2Y	1.5Y-2.5Y	2Y-3Y	3Y-4Y	3.5Y-5Y
SERIOUSNESS CATEGORY III EXCEPT IMPORTATION	6M-3Y	1Y-3Y	18M-4Y	3Y-7Y	4Y-8Y	5Y-10Y	7Y-14Y	12Y-20Y
SERIOUSNESS CATEGORY III IMPORTATION	1Y-4Y	2Y-5Y	3Y-6Y	4Y-7Y	5Y-8Y	6Y-10Y	8Y-15Y	15Y-25Y

P=Probation M=Months Y=Years

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APPENDIX TABLE C.2b

SENTENCING GUIDELINES FOR DRUG OFFENSES

SERIOUSNESS CATEGORY	OFFENDER SCORE	GUIDELINE RANGE
VII	0	P
	1	P
	2	P
	3	P-1M
	4	P-3M
	5	P-6M
	6	3M-6M
	7+	6M-12M
V	0	P-6M
	1	P-12M
	2	3M-12M
	3	6M-18M
	4	1Y-2Y
	5	1.5Y-2.5Y
	6	2Y-3Y
	7+	3Y-4Y
IV	0	P-12M
	1	P-18M
	2	6M-18M
	3	1Y-2Y
	4	1.5Y-2.5Y
	5	2Y-3Y
	6	3Y-4Y
	7+	3.5Y-5Y

SERIOUSNESS CATEGORY	OFFENDER SCORE	GUIDELINE RANGE
III (Except Importation)	0	6M-3Y
	1	1Y-3Y
	2	18M-4Y
	3	3Y-7Y
	4	4Y-8Y
	5	5Y-10Y
	6	7Y-14Y
	7+	12Y-20Y
III (Importation)	0	1Y-4Y
	1	2Y-5Y
	2	3Y-6Y
	3	4Y-7Y
	4	5Y-8Y
	5	6Y-10Y
	6	8Y-15Y
	7+	15Y-25Y

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APPENDIX TABLE 3C.a

SENTENCING MATRIX FOR PROPERTY OFFENSES

OFFENSE SERIOUSNESS CATEGORY	OFFENDER SCORE							
	0	1	2	3	4	5	6	7 or more
VII	P-1M	P-3M	3M-9M	6M-1Y	9M-18M	1Y-2Y	1Y-3Y	3Y-5Y
VI	P-3M	P-6M	3M-1Y	6M-2Y	1Y-3Y	2Y-5Y	3Y-6Y	5Y-10Y
V	P-6M	P-1Y	3M-2Y	1Y-3Y	18M-5Y	3Y-7Y	4Y-8Y	8Y-15Y
IV	P-1Y	3M-2Y	6M-3Y	1Y-4Y	18M-7Y	3Y-8Y	5Y-12Y	10Y-20Y
III	P-2Y	6M-3Y	9M-5Y	1Y-5Y	2Y-8Y	3Y-10Y	7Y-15Y	15Y-30Y
II	2Y-5Y	3Y-7Y	5Y-8Y	5Y-10Y	8Y-15Y	10Y-18Y	12Y-20Y	15Y-40Y

P=Probation M=Months Y=Years

APPENDIX TABLE C.3b

SENTENCING GUIDELINES FOR PROPERTY OFFENSES

SERIOUSNESS CATEGORY	OFFENDER SCORE	GUIDELINE RANGE
VII	0	P-1M
	1	P-3M
	2	3M-9M
	3	6M-1Y
	4	9M-18M
	5	1Y-2Y
	6	1Y-3Y
	7+	3Y-5Y
VI	0	P-3M
	1	P-6M
	2	3M-1Y
	3	6M-2Y
	4	1Y-3Y
	5	2Y-5Y
	6	3Y-6Y
	7+	5Y-10Y
V	0	P-6M
	1	P-1Y
	2	3M-2Y
	3	1Y-3Y
	4	18M-5Y
	5	3Y-7Y
	6	4Y-8Y
	7+	8Y-15Y
IV	0	P-1Y
	1	3M-2Y
	2	6M-3Y
	3	1Y-4Y
	4	18M-7Y
	5	3Y-8Y
	6	5Y-12Y
	7+	10Y-20Y
III	0	P-2Y
	1	6M-3Y
	2	9M-5Y
	3	1Y-5Y
	4	2Y-8Y
	5	3Y-10Y
	6	7Y-15Y
	7	15Y-30Y
II	0	2Y-5Y
	1	3Y-7Y
	2	5Y-8Y
	3	5Y-10Y
	4	8Y-15Y
	5	10Y-18Y
	6	12Y-20Y
	7	15Y-40Y

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APPENDIX D

JURISDICTION CODES

CODE	JURISDICTION
01	Allegany County
02	Anne Arundel County
24	Baltimore City
03	Baltimore County
04	Calvert County
05	Caroline County
06	Carroll County
07	Cecil County
08	Charles County
09	Dorchester County
10	Frederick County
11	Garrett County
12	Harford County
13	Howard County
14	Kent County
15	Montgomery County
16	Prince George's County
17	Queen Anne's County
18	St. Mary's County
19	Somerset County
20	Talbot County
21	Washington County
22	Wicomico County
23	Worcester County

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APPENDIX E

SAMPLE CASES

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5	Offenses Against a Person Multiple Offenses from Categories I and II - Single Criminal Event	E-20
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SAMPLE CASE 1

OFFENSE AGAINST A PERSON - SINGLE CONVICTED OFFENSE

OFFENDER'S NAME: P_____B_____
DATE OF BIRTH: 02/25/66
SEX: Male
RACE: White
DATE OF OFFENSE: 09/27/86

DOCKET NO: 00000001
DATE OF PLEA/VERDICT: 01/08/87
DISPOSITION TYPE: Plea Agreement/Non-Binding Recommendation of State's Attorney
JURISDICTION: Montgomery County
CONVICTED COUNT: Robbery with a Deadly Weapon 27/488

OFFENSE DESCRIPTION:

On 09/27/86, police were summoned to a convenience store for a report of an armed robbery. The cashier reported that two white males had entered the store and that one of the men was armed with a sawed-off shotgun. The cashier and a clerk were instructed to lie on the floor as one of the men removed money from the cash register. The subjects fled in a car and, based on a witness's description of the vehicle, were apprehended by another unit a short time later. The defendant was identified by the cashier as the man with the shotgun. Defendant pled guilty to Robbery with a Deadly Weapon on 01/08/87.

OFFENDER'S PRIOR RECORD:

JUVENILE: No juvenile record was found for the name and birthdate provided.

ADULT:

Date	Offense	Disposition
08/01/84	Possession of Marijuana	Fine $100.00; Court Costs.
06/10/85	Unemployment Insurance Fraud	6 months suspended; 2 years probation; restitution.

The offender was still under supervision at the time of the instant offense.

(Rev. 7/87)

COMPUTATION OF OFFENSE AND OFFENDER SCORES
ROBBERY WITH A DEADLY WEAPON 27/488

OFFENSE SCORE:

A. Seriousness Category of Instant Offense

As shown in Appendix A, Robbery with a Deadly Weapon is a Category III Offense. — 5 points

B. Victim Injury

No injury — 0 points

C. Weapon Usage

A firearm (sawed-off shotgun) was used. — 2 points

D. Special Vulnerability of Victim

Victim over 10 and under 60 years old and not mentally nor physically handicapped — 0 points

TOTAL OFFENSE SCORE — 7 points

OFFENDER SCORE:

A. Relationship to CJS When Instant Offense Occurred

Was on probation for Unemployment Compensation Fraud. — 1 point

B. Juvenile Delinquency

No record found. — 0 points

C. Prior Adult Criminal Record

Step I - Possession of Marijuana - Seriousness Category VII
Unemployment Insurance Fraud - Seriousness Category VII

The number of prior convictions according to Seriousness Category are:

SERIOUSNESS CATEGORY	NUMBER OF PRIOR CONVICTIONS
I	0
II	0
III	0
IV	0
V	0
VI	0
VII	2

Step II - Since the offender's most serious prior convictions were in Category VII, refer to the block in Appendix Table B.1 which indicates two Seriousness Category VII convictions. This block identifies the record as "Minor".

Step III - An offender with a minor record receives 1 point — 1 point

D. Prior Adult Parole/Probation Violations

None. — 0 points

TOTAL OFFENDER SCORE — 2 points

GUIDELINES RANGES:

An examination of Appendix Table C.1a or C.1b shows that the recommended range for an offense score of 7 and an offender score of 2 is 5Y-10Y.

MARYLAND SENTENCING GUIDELINES WORKSHEET

OFFENDER NAME (Last, First, Middle): B P

Male (1) | Female 2 | Black 1 | White (2) | Hispanic 3 | Other 4 | BIRTHDATE 0 1 2 1 5 6 6 | JURISDICTION 15

PSI: (1) Yes 2 No

DATE OF OFFENSE: 0 9 2 7 8 6

DATE OF SENTENCING: 0 1 1 0 8 7

AT THIS SENTENCING NUMBER OF: CONVICTED OFFENSES 0 1 | CRIMINAL EVENTS 0 1

WORKSHEET # 1 OF

CRIMINAL EVENT # 1

DISPOSITION TYPE

(1) Plea agreement - state nature of: non-binding recommendation of State's Attorney

2 Plea, no agreement

3 Court trial

4 Jury trial

AOC USE ONLY. DO NOT WRITE IN SPACE BELOW

INC ____ SUS ____ ACT ____ STA __ CON __ PRO __ RAN __ FI ____ REST __ CS ____ 01 ___ 02 ___ USE __

CONVICTED OFFENSE TITLE	AOC CODE	MD. CODE, ART. & SECTION	STAT. MAX.	DOCKET NUMBER
1st RDW		27/488	20Y	00000001
2nd				
3rd				

OFFENSE SCORE(S) (Offense Against a Person Only)

1st Off	2nd Off	3rd Off		
				A. Seriousness Category
01	01	01	=	V - VII
03	03	03	=	IV
(05)	05	05	=	III
08	08	08	=	II
10	10	10	=	I
				B. Victim Injury
(0)	0	0	=	No Injury
1	1	1	=	Injury, Non-Permanent
2	2	2	=	Permanent Injury or Death
				C. Weapon Usage
0	0	0	=	No Weapon
1	1	1	=	Weapon Other Than Firearm
(2)	2	2	=	Firearm or Explosive
				D. Special Vulnerability of Victim
(0)	0	0	=	No
1	1	1	=	Yes

0 7 | | | OFFENSE SCORE (S)

OFFENDER SCORE

A. Relationship to CJS When Instant Count Occurred: 0 = None or Pending Cases; (1) = Court or Other Criminal Justice Supervision

B. Juvenile Delinquency: (0) = Not More Than One Finding of Delinquency or over age 25; 1 = Two or More Findings, No or One Commitment; 2 = Two or More Commitments

C. Prior Adult Criminal Record: 0 = None; (1) = Minor; 5 = Major; 3 = Moderate

D. Prior Adult Parole/Probation Violations: (0) = No; 1 = Yes

0 2 OFFENDER SCORE

GUIDELINES RANGE

1st Offense: 5Y TO 10Y

2nd Offense: ____ TO ____

3rd Offense: ____ TO ____

OVERALL GUIDELINES RANGE (For Multiple Counts Only): ____ TO ____

ACTUAL SENTENCE Imposed, suspended, time served, probation, fine, restitution, community service

1st Convicted Offense — Subsequent offender 1 Yes 2 No

SUS ____ ACT ____ CON __ PRO __ FI ____ REST __ CS ____

2nd Convicted Offense — Subsequent offender 1 Yes 2 No

SUS ____ ACT ____ CON __ PRO __ FI ____ REST __ CS ____

3rd Convicted Offense — Subsequent offender 1 Yes 2 No

SUS ____ ACT ____ CON __ PRO __ FI ____ REST __ CS ____ TLRANGE ____ TURANGE ____ TOTALI ____ TOTALS ____ TOTALN ____ TF1 ____ REST __ TCS ____ TRANGE __ TOUT1 ____ TOUT2 ____ TUSE ___

REASON IF ACTUAL SENTENCE DEPARTS FROM GUIDELINES RANGE

INSTITUTIONAL/PAROLE RECOMMENDATION/ADDITIONAL INFO.

SENTENCING JUDGE _____ SIGNATURE _____

J _____ D _____ P.A.

WORKSHEET COMPLETED BY TITLE

COPIES: White-Judge; Blue-AOC; Green-Attac... mitment or Probation Order; Yellow-File; Pink-Prosecution; Gold-Defense

(Rev. 7/87)

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SAMPLE CASE 2

DRUG OFFENSE - SINGLE CONVICTED OFFENSE

OFFENDER'S NAME: R_____C_____
DATE OF BIRTH: 11/10/58
SEX: Female
RACE: White
DATE OF OFFENSE: 03/07/86

DOCKET NO: 00000002
DATE OF PLEA/VERDICT: 06/30/86
DISPOSITION TYPE: Charge Bargain
JURISDICTION: Montgomery County
CONVICTED COUNT: Possession with Intent to Distribute Marijuana 27/286(b)(3)

OFFENSE DESCRIPTION:

On 03/07/86, police serving a search warrant at defendant's home found one plastic bag of marijuana, a glass jar of marijuana seeds and a scale in the living room; six bags of marijuana in the master bedroom; and a green can, labelled "one oz. of grass," which contained marijuana seeds in another bedroom. The subject was arrested and eventually charged with Possession with Intent to Distribute Marijuana and simple Possession. On 06/30/86, the defendant pled guilty to one count of Possession with Intent to Distribute.

OFFENDER'S PRIOR RECORD:

JUVENILE: None known.

ADULT: None known.

COMPUTATION OF OFFENSE AND OFFENDER SCORES
POSSESSION WITH INTENT TO DISTRIBUTE
MARIJUANA 27/286(b)(3)

OFFENSE SCORE:

There is no offense score for drug offenses.

OFFENDER SCORE:

A. Relationship to CJS when Instant Offense Occurred

None. 0 points

B. Juvenile Delinquency

Defendant was over 26 years of age when the instant offense was committed. 0 points

(Rev. 7/87)

C. Prior Adult Criminal Record

No record found. 0 points

D. Prior Adult Parole/Probation Violations

None. 0 points

TOTAL OFFENSE SCORE 0 points

OFFENDER SCORE:

An examination of Appendix Table C.2a or C.2b shows that the guideline sentence for Possession with intent to Distribute Marijuana (Seriousness Category IV) by a person with an offender score of 0 is P-12M.

MARYL[illegible] SENTENCING GUIDE[illegible]S WORKSHEET

OFFENDER NAME (Last, First, Middle): C R

Male	Female	Black	White	Hispanic	Other	BIRTHDATE	JURISDICTION
1	(2)	1	(2)	3	4	11 10 58	15

PSI: (1) Yes 2 No

DATE OF OFFENSE: 03 07 86

DATE OF SENTENCING: 01 10 87

AT THIS SENTENCING NUMBER OF: CONVICTED OFFENSES 01; CRIMINAL EVENTS 01

WORKSHEET # 1 OF

CRIMINAL EVENT # 1

DISPOSITION TYPE

(1) Plea agreement - state nature of: plea to highest of two charges

2 Plea, no agreement
3 Court trial
4 Jury trial

AOC USE ONLY. DO NOT WRITE IN SPACE BELOW

INC ——————
SUS ——————
ACT ——————
STA ——CON ——
PRO ——RAN ——
FI ——————
REST ——
CS ——————
01 ——————
02 ——————
USE ——

CONVICTED OFFENSE TITLE	AOC CODE	MD. CODE, ART. & SECTION	STAT. MAX.	DOCKET NUMBER
1st Possession w/i to Distribute Marijuana		27/286(b)(3)	5Y	00000002
2nd				
3rd				

OFFENSE SCORE(S) (Offense Against a Person Only)

1st Off	2nd Off	3rd Off		A. Seriousness Category
01	01	01	=	V - VII
03	03	03	=	IV
05	05	05	=	III
08	08	08	=	II
10	10	10	=	I

B. Victim Injury

0	0	0	=	No Injury
1	1	1	=	Injury, Non-Permanent
2	2	2	=	Permanent Injury or Death

C. Weapon Usage

0	0	0	=	No Weapon
1	1	1	=	Weapon Other Than Firearm
2	2	2	=	Firearm or Explosive

D. Special Vulnerability of Victim

0	0	0	=	No
1	1	1	=	Yes

__ __ __ OFFENSE SCORE (S)

OFFENDER SCORE

A. Relationship to CJS When Instant Count Occurred
(0) = None or Pending Cases
1 = Court or Other Criminal Justice Supervision

B. Juvenile Delinquency
(0) = Not More Than One Finding of Delinquency or over age 25
1 = Two or More Findings, No or One Commitment
2 = Two or More Commitments

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

D. Prior Adult Parole/Probation Violations
(0) = No 1 = Yes

00 OFFENDER SCORE

GUIDELINES RANGE

1st Offense: P TO 12M
2nd Offense: ____ TO ____
3rd Offense: ____ TO ____

OVERALL GUIDELINES RANGE (For Multiple Counts Only): ____ TO ____

ACTUAL SENTENCE — Imposed, suspended, time served, probation, fine, restitution, community service

1st Convicted Offense — Subsequent offender: 1 Yes 2 No

SUS ——————
ACT ——————
CON — PRO ——
FI ——————
REST ——
CS ——————

2nd Convicted Offense — Subsequent offender: 1 Yes 2 No

SUS ——————
ACT ——————
CON — PRO ——
FI ——————
REST ——
CS ——————

3rd Convicted Offense — Subsequent offender: 1 Yes 2 No

SUS ——————
ACT ——————
CON — PRO ——
FI ——————
REST ——
CS ——————
TLRANGE ——
TURANGE ——
TOTALI ——
TOTALS ——————
TOTALN ——————
TF1 ——————
REST ——
TCS ——————
TRANGE —
TOUT1 ——
TOUT2 ——
TUSE ——

REASON IF ACTUAL SENTENCE DEPARTS FROM GUIDELINES RANGE

SENTENCING JUDGE _____ SIGNATURE _____

INSTITUTIONAL/PAROLE RECOMMENDATION/ADDITIONAL INFO.

A _____ R _____ P.A.

WORKSHEET COMPLETED BY TITLE

COPIES: White-Judge; Blue-AOC; Green-Attach to Commitment or Probation Order; Yellow-File; Pink-Prosecution; Gold-Defense

(Rev. 7/87)

E-9

SAMPLE CASE 3

PROPERTY OFFENSE - SINGLE CONVICTED OFFENSE

OFFENDER'S NAME: A_____C_____
DATE OF BIRTH: 12/27/66
SEX: Male
RACE: Black
DATE OF OFFENSE: 01/17/86

DOCKET NO: 00000003
DATE OF PLEA/VERDICT: 08/13/86
DISPOSITION TYPE: Plea/Agreed Statement of Facts
JURISDICTION: Montgomery County
CONVICTED COUNT: Theft $300.00 or more 27/342(f)(1)

OFFENSE DESCRIPTION:

On 01/17/86, defendant was observed by a security officer in a department of a large suburban store removing seven blazers, three pairs of pants, seven skirts, and one shirt (total value - $1,153.89). After placing the merchandise in four bags, defendant left the department, passed many cash registers without paying, went down the escalator, and was arrested as he paused to buy shopping bags. On 08/13/86, the defendant pled guilty to one count of Theft $300.00 or more.

OFFENDER'S PRIOR RECORD:

JUVENILE:

Date	Offense	Disposition
06/26/80	Shoplifting	Delinquent; 1 year probation
12/11/80	Larceny	Delinquent; probation continued
06/10/81	Unauthorized Use	Delinquent; Greenridge Forestry Camp for 6 months

ADULT:

Date	Offense	Disposition
02/06/85	Petty Larceny - Violation of Bail Reform Act	Unknown
04/09/85	Theft	2 years probation. (D. C.)

Since 08/13/86, the subject has been in the Prince George's County Detention Center. He is still on probation in the District of Columbia where in June, 1986 his probation

officer took him to court for a show-cause hearing because of his unsatisfactory adjustment.

COMPUTATION OF OFFENSE AND OFFENDER SCORES
THEFT $300.00 OR MORE 27/342(f)(1)

OFFENSE SCORE:

There is no offense score for property offenses.

OFFENDER SCORE:

A. Relationship to CJS When Instant Offense Occurred

On probation for Theft. 1 point

B. Juvenile Delinquency

Three findings of delinquency with one commitment. 1 point

C. Prior Adult Criminal Record

Step I - Theft - Seriousness Category VII

The number of prior convictions according to Seriousness Category are:

SERIOUSNESS CATEGORY	NUMBER OF PRIOR CONVICTIONS
I	0
II	0
III	0
IV	0
V	0
VI	0
VII	1

NOTE: In this case, the prior Theft must be assumed to be under $300.00 since the amount is not known. The Petty Larceny (02/06/85) was not counted since the disposition is unknown.

Step II - Since the most serious prior conviction was in Seriousness Category VII, refer to the block in Appendix Table B.1 which indicates one Seriousness Category VII conviction. This block identifies the record as "Minor".

Step III - An offender with a minor record receives 1 point. 1 point

D. Prior Adult Parole/Probation Violations

No adult violations prior to instant offense 0 points

TOTAL OFFENDER SCORE 3 points

GUIDELINES RANGE:

An examination of Appendix Table C.3a or C.3b shows that the guideline sentence range for Theft $300.00 or more (Seriousness Category V) committed by a person with an offender score of 3 is 1Y-3Y.

ev. 7/87)

MARYL[illegible] SENTENCING GUIDEL[illegible]S WORKSHEET

OFFENDER NAME (Last, First, Middle): C A

Male (1) | Female 2 | Black (1) | White 2 | Hispanic 3 | Other 4

BIRTHDATE: 12/7/66

JURISDICTION: 15

PSI: (1) Yes 2 No

DATE OF OFFENSE: 01/17/86

DATE OF SENTENCING: 01/10/87

AT THIS SENTENCING NUMBER OF: CONVICTED OFFENSES 01 | CRIMINAL EVENTS 01

WORKSHEET # 1 OF

CRIMINAL EVENT # 1

DISPOSITION TYPE

(1) Plea agreement - state nature of: Agreed statement of fact

2 Plea, no agreement

3 Court trial

4 Jury trial

AOC USE ONLY. DO NOT WRITE IN SPACE BELOW

INC ——————

SUS ——————

ACT ——————

STA ——CON ——

PRO ——RAN ——

FI ——————

REST ——

CS ——————

01 ——————

02 ——————

USE ——

CONVICTED OFFENSE TITLE	AOC CODE	MD. CODE, ART. & SECTION	STAT. MAX.	DOCKET NUMBER
1st Theft $300 or more		27/342(f)(1)	15Y	00000003
2nd				
3rd				

OFFENSE SCORE(S) (Offense Against a Person Only)

1st Off	2nd Off	3rd Off		
				A. Seriousness Category
01	01	01	=	V - VII
03	03	03	=	IV
05	05	05	=	III
08	08	08	=	II
10	10	10	=	I
				B. Victim Injury
0	0	0	=	No Injury
1	1	1	=	Injury, Non-Permanent
2	2	2	=	Permanent Injury or Death
				C. Weapon Usage
0	0	0	=	No Weapon
1	1	1	=	Weapon Other Than Firearm
2	2	2	=	Firearm or Explosive
				D. Special Vulnerability of Victim
0	0	0	=	No
1	1	1	=	Yes
___	___	___		**OFFENSE SCORE (S)**

OFFENDER SCORE

A. Relationship to CJS When Instant Count Occurred
0 = None or Pending Cases
(1) = Court or Other Criminal Justice Supervision

B. Juvenile Delinquency
0 = Not More Than One Finding of Delinquency or over age 25
(1) = Two or More Findings, No or One Commitment
2 = Two or More Commitments

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

D. Prior Adult Parole/Probation Violations
(0) = No 1 = Yes

03 OFFENDER SCORE

GUIDELINES RANGE	
1st Offense	1Y TO 3Y
2nd Offense	___ TO ___
3rd Offense	___ TO ___
OVERALL GUIDELINES RANGE (For Multiple Counts Only)	___ TO ___

ACTUAL SENTENCE Imposed, suspended, time served, probation, fine, restitution, community service

1st Convicted Offense — Subsequent offender 1 Yes 2 No

SUS ——————

ACT ——————

CON — PRO ——

FI ——————

REST ——

CS ——————

2nd Convicted Offense — Subsequent offender 1 Yes 2 No

SUS ——————

ACT ——————

CON — PRO ——

FI ——————

REST ——

CS ——————

3rd Convicted Offense — Subsequent offender 1 Yes 2 No

SUS ——————

ACT ——————

CON — PRO ——

FI ——————

REST ——

CS ——————

TLRANGE ——————

TURANGE ——————

TOTALI ——————

TOTALS ——————

TOTALN ——————

TF1 ——————

REST ——

TCS ——————

TRANGE —

TOUT1 ——————

TOUT2 ——————

TUSE ——

REASON IF ACTUAL SENTENCE DEPARTS FROM GUIDELINES RANGE

SENTENCING JUDGE _____ SIGNATURE _____

INSTITUTIONAL/PAROLE RECOMMENDATION/ADDITIONAL INFO.

N D — WORKSHEET COMPLETED BY

P.A. — TITLE

COPIES: White-Judge; Blue-AOC; Green-Attach to Commitment or Probation Order; Yellow-File; Pink-Prosecution; Gold-Defense

(Rev. 7/87)

E-13

SAMPLE CASE 4

MULTIPLE COUNTS - SINGLE CRIMINAL EVENT

OFFENDER'S NAME: J_____B_____
DATE OF BIRTH: 01/26/65
SEX: Male
RACE: Black
DATE OF OFFENSES: 12/03/85

DOCKET NO: 00000004
DATE OF PLEA/VERDICT: 06/18/86
DISPOSITION TYPE: Jury Trial
JURISDICTION: Baltimore City
CONVICTED COUNTS: Robbery with a Deadly Weapon 27/488
Use of a Handgun in the Commission of Crime 27/36B(d)
Possession of Marijuana 27/287

OFFENSE DESCRIPTION:

On 12/03/85, the victim and a friend had left a restaurant and were walking toward their car when they were approached by a lone, black male. The defendant grabbed the victim and pushed him against a car. After producing a small handgun, he demanded and received the victim's wallet. The defendant then fled on foot. A few minutes later, the victim's friend observed a passing patrol car and yelled for help. During a search of the surrounding area, the victim identified a man walking across a vacant lot as his assailant. As the patrol car approached, the defendant threw an object and began to run. The defendant was apprehended by another police unit circling the area, at which time a small glassine bag containing marijuana was found on his person. A search for the thrown object produced a 25 caliber automatic pistol. The victim was subsequently transported to a nearby hospital where he received treatment for a sprained wrist. On 06/18/82, a jury found the defendant guilty of Robbery with a Deadly Weapon, Use of a Handgun in the Commission of a Felony, and Possession of Marijuana.

OFFENDER'S PRIOR RECORD:

JUVENILE:

Date	Offense	Disposition
10/03/81	Malicious Destruction	Delinquent, 18 months probation.
11/20/82	Assault	Delinquent; probation continued.

ADULT:

Date	Offense	Disposition
10/05/83	Theft under $300.00	18 months suspended; 3 years probation.

ev. 7/87)

SAMPLE CASE 4 (Continued)

Offender was placed on three years adult probation in 1983 for Theft under $300.00 and was under supervision at the time he committed the instant offense.

COMPUTATION OF OFFENSE AND OFFENDER SCORES
ROBBERY WITH A DEADLY WEAPON 27/488

OFFENSE SCORE:

A. Seriousness Category of Instant Offense

As shown in Appendix A, Robbery with a Deadly Weapon is a Category III Offense. 5 points

B. Victim Injury

Victim suffered a sprained wrist. 1 points

C. Weapon Usage

A handgun was used. 2 points

D. Special Vulnerability of Victim

Victim over 10 and under 60 years old and not mentally nor physically handicapped 0 points

TOTAL OFFENSE SCORE 8 points

OFFENDER SCORE:

A. Relationship to CJS When Instant Offense Occurred

Offender was on probation for Theft under $300.00 at the time he committed the instant offenses. 1 point

B. Juvenile Delinquency

Offender has been found delinquent twice, once for Malicious Destruction and once for Assault. 1 point

C. Prior Adult Criminal Record

Step I - Theft under $300.00 - Seriousness Category VII

The number of prior convictions according to Seriousness Category are:

SERIOUSNESS CATEGORY	NUMBER OF PRIOR CONVICTIONS
I	0
II	0
III	0
IV	0
V	0
VI	0
VII	1

Step II - Since the offender's only adult conviction was in Seriousness Category VII, refer to the block in Appendix Table B.1 which indicates one Seriousness Category VII conviction. This block identifies the record as "Minor".

Step III - An offender with a minor record receives 1 point — 1 point

D. Prior Adult Parole/Probation Violations

None. — 0 points

TOTAL OFFENDER SCORE — 3 points

GUIDELINES RANGE FOR THE ROBBERY WITH A DEADLY WEAPON

An examination of Appendix Table C.1a or C.1b shows the recommended range for an offense score of 8 and an offender score of 3 is 7Y-13Y.

COMPUTATION OF OFFENSE AND OFFENDER SCORES
USE OF HANDGUN IN COMMISSION OF A FELONY

OFFENSE SCORE:

Since this offense is the same seriousness category as the Robbery with a Deadly Weapon and was part of the same criminal event, the offense score is the same, 8.

OFFENDER SCORE:

The offender score is also the same as for the Robbery with a Deadly Weapon, 3.

GUIDELINES RANGE FOR USE OF A HANDGUN IN THE COMMISSION OF A FELONY

Since the offense and offender scores are 8 and 3 respectively, the recommended guideline range for the handgun conviction is 7Y-13Y.

COMPUTATION OF OFFENSE AND OFFENDER SCORES
POSSESSION OF MARIJUANA 27/286

OFFENSE SCORE:

There is no offense score for drug offenses.

OFFENDER SCORE:

The offender score is 3, the same as in the Robbery with a Deadly Weapon and Use of a Handgun in the Commission of A Felony.

TOTAL OFFENDER SCORE 3 points

GUIDELINES RANGE FOR THE POSSESSION OF MARIJUANA

An examination of Appendix Table C.2a or C.2b shows the recommended range for an offender score of 3 is P-1M.

OVERALL GUIDELINES RANGE FOR THE SENTENCING EVENT

Following the procedure as defined on Page 16 for determining the guidelines for multiple counts from same criminal event, the overall recommended range is the highest of the recommended ranges, i.e., 7Y-13Y.

SAMPLE CASE 4 (Continued)

Criminal Event	Offense	Guidelines Range
1	Robbery with a Deadly Weapon	7-13 years
1	Use of a Handgun in the Commission of a Felony	~~7-13 years~~
1	Possession of Marijuana	~~P-1month~~
		7-13 years

(Rev. 7/87)

MARYL[illegible] SENTENCING GUIDE[illegible]S WORKSHEET

OFFENDER NAME (Last,	First,	Middle)	Male	Female	Black	White	Hispanic	Other	BIRTHDATE	JURISDICTION
B	J		(1)	2	(1)	2	3	4	01/26/6[illegible]	24

PSI	DATE OF OFFENSE	DATE OF SENTENCING	AT THIS SENTENCING NUMBER OF: CONVICTED OFFENSES	CRIMINAL EVENTS	WORKSHEET #	CRIMINAL EVENT #
(1) Yes 2 No	12/03/85	02/13/87	03	01	1 OF	1

DISPOSITION TYPE

1. Plea agreement - state nature of

2 Plea, no agreement
3 Court trial
(4) Jury trial

AOC USE ONLY. DO NOT WRITE IN SPACE BELOW

INC ____
SUS ____
ACT ____
STA ____ CON ____
PRO ____ RAN ____
FI ____
REST ____
CS ____
01 ____
02 ____
USE ____

CONVICTED OFFENSE TITLE	AOC CODE	MD. CODE, ART. & SECTION	STAT. MAX.	DOCKET NUMBER
1st RDW		27/488	20Y	00000004
2nd Handgun Use in Felony		27/36B(d)	20Y	00000004
3rd Possession of Marijuana		27/287	1Y	00000004

OFFENSE SCORE(S) (Offense Against a Person Only)

1st Off	2nd Off	3rd Off		A. Seriousness Category
01	01	01	=	V - VII
03	03	03	=	IV
(05)	(05)	05	=	III
08	08	08	=	II
10	10	10	=	I
				B. Victim Injury
0	0	0	=	No Injury
(1)	(1)	1	=	Injury, Non-Permanent
2	2	2	=	Permanent Injury or Death
				C. Weapon Usage
0	0	0	=	No Weapon
1	1	1	=	Weapon Other Than Firearm
(2)	(2)	2	=	Firearm or Explosive
				D. Special Vulnerability of Victim
(0)	(0)	0	=	No
1	1	1	=	Yes
08	08	1		OFFENSE SCORE (S)

OFFENDER SCORE

A. Relationship to CJS When Instant Count Occurred
0 = None or Pending Cases
(1) = Court or Other Criminal Justice Supervision

B. Juvenile Delinquency
0 = Not More Than One Finding of Delinquency or over age 25
(1) = Two or More Findings, No or One Commitment
2 = Two or More Commitments

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

D. Prior Adult Parole/Probation Violations
(0) = No 1 = Yes

03 OFFENDER SCORE

GUIDELINES RANGE	
1st Offense	7Y TO 13Y
2nd Offense	7Y TO 13Y
3rd Offense	P TO 1M
OVERALL GUIDELINES RANGE (For Multiple Counts Only)	7Y TO 13Y

ACTUAL SENTENCE Imposed, suspended, time served, probation, fine, restitution, community service

1st Convicted Offense Subsequent offender 1 Yes 2 No

2nd Convicted Offense Subsequent offender 1 Yes 2 No

3rd Convicted Offense Subsequent offender 1 Yes 2 No

SUS ____
ACT ____
CON ____ PRO ____
FI ____
REST ____
CS ____

SUS ____
ACT ____
CON ____ PRO ____
FI ____
REST ____
CS ____

TLRANGE ____
TURANGE ____
TOTALI ____
TOTALS ____
TOTALN ____
TF1 ____
REST ____
TCS ____
TRANGE ____
TOUT1 ____
TOUT2 ____
TUSE ____

REASON IF ACTUAL SENTENCE DEPARTS FROM GUIDELINES RANGE

INSTITUTIONAL/PARole RECOMMENDATION/ADDITIONAL INFO.

SENTENCING JUDGE

SIGNATURE

L J
WORKSHEET COMPLETED BY

P.A.
TITLE

COPIES: White-Judge; Blue-AOC; Green-Attach to Commitment or Probation Order; Yellow-File; Pink-Prosecution; Gold-Defense

(Rev. 7/87)

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SAMPLE CASE 5

OFFENSE AGAINST A PERSON - MULTIPLE OFFENSES FROM CATEGORIES I AND II - SINGLE CRIMINAL EVENT

OFFENDER'S NAME: B_____D_____
DATE OF BIRTH: 10/04/63
SEX: Male
RACE: White
DATE OF OFFENSES: 11/22/85

DOCKET NO: 00000005
DATE OF PLEA/VERDICT: 09/10/86
DISPOSITION TYPE: Jury Trial
JURISDICTION: Baltimore City
CONVICTED COUNT: First Degree Rape 27/462
Assault with Intent to Murder 27/12
Kidnapping 27/337
Use of a Handgun in Commission of a Felony 27/36B(d)

OFFENSE DESCRIPTION:

On 11/22/85, the victim was walking to her car on a shopping center parking lot when two men approached in a car. One of the men jumped out of the car, grabbed her and pushed her into the car. She was driven to a secluded area where she was raped by both men and shot. After managing to crawl to a road she was noticed by a passing motorist and taken to a nearby hospital. The victim suffered permanent damage to her right kidney. Using her description of the defendant and the license number of the car, police were able to arrest the defendant the following day. On 09/10/86, a jury found him guilty of First Degree Rape, Assault with Intent to Murder, Kidnapping and Use of a Handgun in the Commission of a Felony.

OFFENDER'S PRIOR RECORD:

JUVENILE:

Date	Offense	Disposition
07/10/74	Unauthorized Use	Delinquent; 1 year probation
08/05/79	Shoplifting	Delinquent; 1 year probation
08/26/80	Assault with Intent Rob	Delinquent; committed to Boys Village for 2 months.

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ADULT:

Date	Offense	Disposition
05/20/82	Driving While Intoxicated	6 months
03/01/84	Assault	1 year suspended; 1 year probation

The offender had recently completed his probation for the Assault conviction (03/01/84).

COMPUTATION OF OFFENSE AND OFFENDER SCORES
FIRST DEGREE RAPE 27/462

OFFENSE SCORE:

A. Seriousness Category of Instant Offense

As shown in Appendix A, First Degree Rape is a Category I Offense. — 10 points

B. Victim Injury

Permanent injury resulting from gunshot wounds — 2 points

C. Weapon Usage

Handgun was used. — 2 points

D. Special Vulnerability of Victim

Victim over 10 and under 60 years old and not mentally nor physically handicapped — 0 points

TOTAL OFFENSE SCORE — 14 points

OFFENDER SCORE:

NOTE: The offender score will be same for each offense.

A. Relationship to CJS When Instant Offense Occurred

Defendant was not under any supervision at the time of the offense — 0 points

B. Juvenile Delinquency

Offender had 3 findings and 1 commitment — 1 point

C. Prior Adult Criminal Record

Step I - Assault - Category V
Driving While Intoxicated - Category VII

The number of prior convictions according to Seriousness Category are:

SERIOUSNESS CATEGORY	NUMBER OF PRIOR CONVICTIONS
I	0
II	0
III	0
IV	0
V	1
VI	0
VII.	1

Step II - Since the offender's most serious prior conviction was in Seriousness Category V, refer to the block in Appendix Table B.1 which indicates one Seriousness Category V conviction. This block identifies the record as "Minor".

Step III - An offender with a minor record receives 1 point — 1 point

D. Prior Adult Parole/Probation Violations

None. — 0 points

TOTAL OFFENDER SCORE — 2 points

GUIDELINES RANGE FOR FIRST DEGREE RAPE

An examination of Appendix Table C.1a or C.1b shows that the recommended range for an offense score of 14 and an offender score of 2 is 28Y-L.

COMPUTATION OF OFFENSE AND OFFENDER SCORES
ASSAULT WITH INTENT TO MURDER 27/12

OFFENSE SCORE:

A. Seriousness Category of Instant Offense

As shown in Appendix A, Assault with Intent to Murder is a Category III Offense.	5 points

B. Victim Injury

Permanent injury resulting from gunshot wounds.	2 points

C. Weapon Usage

Handgun was used.	2 points

D. Special Vulnerability of Victim

Victim over 10 and under 60 years old and not mentally nor physically handicapped.	0 points
TOTAL OFFENSE SCORE	9 points

OFFENDER SCORE:

The offender score is the same for all offenses at this sentencing event, 2.

GUIDELINES RANGE FOR ASSAULT WITH INTENT TO MURDER

An examination of Appendix Table C.1a or C.1b shows that the recommended range for an offense score of 9 and an offender score of 2 is 8Y-15Y.

COMPUTATION OF OFFENSE AND OFFENDER SCORES
KIDNAPPING, 27/337

OFFENSE SCORE:

A. Seriousness Category of Instant Offense

As shown in Appendix A, Kidnapping is a Category II Offense.	8 points

B. Victim Injury

Permanent injury resulting from gunshot wound.	2 points

C. Weapon Usage

Handgun was used.	2 points

D. Special Vulnerability of Victim

Victim over 10 and under 60 years old and not mentally nor physically handicapped.	0 points
TOTAL OFFENSE SCORE	12 points

OFFENDER SCORE:

The offender score is the same for all offenses at this sentencing event, 2.

GUIDELINES RANGE FOR KIDNAPPING

An examination of Appendix Table C.1a or C.1b shows that the recommended range for an offense score of 12 and an offender score of 2 is 18Y-30Y.

COMPUTATION OF OFFENSE AND OFFENDER SCORE
USE OF HANDGUN IN COMMISSION OF A FELONY, 27/36B(d)

NOTE: Because this is the fourth convicted offense, a separate worksheet must be used even though all offenses are from one criminal event.

OFFENSE SCORE:

A. Seriousness Category of Instant Offense

As shown in Appendix A, Handgun Used in the Commission of a Felony is a Category III Offense. 5 points

B. Victim Injury

Permanent injury resulting from gunshot wounds. 2 points

C. Weapon Usage

Handgun was used. 2 points

D. Special Vulnerability of Victim

Victim over 10 and under 60 years old and not mentally nor physically handicapped. 0 points

TOTAL OFFENSE SCORE 9 points

OFFENDER SCORE:

The offender score is the same for all offenses at this sentencing event, 2.

GUIDELINES RANGE FOR HANDGUN VIOLATION

An examination of Appendix Table C.1a or C.1b shows that the recommended range for an offense score of 9 and an offender score of 2 is 8Y-15Y.

OVERALL GUIDELINES RANGE FOR THE SENTENCING EVENT

Because two of the offenses in this criminal event were in either Seriousness Category I (First Degree Rape) or Seriousness Category II (Kidnapping), the overall recommended guideline range is determined by adding together the respective lower and upper limits of the ranges of each Category I or II conviction. Following this procedure, the overall recommended sentencing range would be 46 years (28 years plus 18 years) to Life plus 30 years (Life plus 30 years).

SAMPLE CASE 5 (Continued)

Offense	Guideline Range
Rape	28Y-Life
AWI Murder	8Y-15Y
Kidnapping	18Y-30Y
Use of Handgun	8Y-15Y
	46Y-Life plus 30Y

MARYL[illegible] SENTENCING GUIDEL[illegible]ES WORKSHEET

OFFENDER NAME (Last,	First,	[illegible]ddle)	Male	Female	Black	White	Hispanic	Other	BIRTHDATE	JURISDICTION
D	B		(1)	2	1	(2)	3	4	1 0 / 0 4 / 6 [illegible]	24

PSI	DATE OF OFFENSE	DATE OF SENTENCING
(1) Yes 2 No	1 1 / 2 2 / 8 5	0 3 / 0 4 / 8 7

AT THIS SENTENCING NUMBER OF: CONVICTED OFFENSES 0 4 | CRIMINAL EVENTS 0 1 | WORKSHEET # 1 OF | CRIMINAL EVENT # 1

DISPOSITION TYPE

1. Plea agreement - state nature of

2 Plea, no agreement
3 Court trial
(4) Jury trial

AOC USE ONLY. DO NOT WRITE IN SPACE BELOW

INC ——— SUS ——— ACT ——— STA — CON — PRO — RAN — FI ——— REST — CS ——— 01 ——— 02 ——— USE ——

CONVICTED OFFENSE TITLE	AOC CODE	MD. CODE, ART. & SECTION	STAT. MAX.	DOCKET NUMBER
1st Rape 1°		27/462	Life	00000005
2nd AWI/Murder		27/12	30Y	00000005
3rd Kidnapping		27/337	30Y	00000005

OFFENSE SCORE(S) (Offense Against a Person Only)

1st Off	2nd Off	3rd Off		
				A. Seriousness Category
01	01	01	=	V - VII
03	03	03	=	IV
05	(05)	05	=	III
08	08	(08)	=	II
(10)	10	10	=	I
				B. Victim Injury
0	0	0	=	No Injury
1	1	1	=	Injury, Non-Permanent
(2)	(2)	(2)	=	Permanent Injury or Death
				C. Weapon Usage
0	0	0	=	No Weapon
1	1	1	=	Weapon Other Than Firearm
(2)	(2)	(2)	=	Firearm or Explosive
				D. Special Vulnerability of Victim
(0)	(0)	(0)	=	No
1	1	1	=	Yes
1 4	0 9	1 2		**OFFENSE SCORE (S)**

OFFENDER SCORE

A. **Relationship to CJS When Instant Count Occurred**
(0) = None or Pending Cases
1 = Court or Other Criminal Justice Supervision

B. **Juvenile Delinquency**
0 = Not More Than One Finding of Delinquency or over age 25
(1) = Two or More Findings, No or One Commitment
2 = Two or More Commitments

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

D. **Prior Adult Parole/Probation Violations**
(0) = No 1 = Yes

0 2 **OFFENDER SCORE**

GUIDELINES RANGE	
1st Offense	28Y TO Life
2nd Offense	8Y TO 15Y
3rd Offense	18Y TO 30Y
OVERALL GUIDELINES RANGE (For Multiple Counts Only)	46Y TO L+30Y

ACTUAL SENTENCE Imposed, suspended, time served, probation, fine, restitution, community service

1st Convicted Offense — Subsequent offender 1 Yes 2 No

2nd Convicted Offense — Subsequent offender 1 Yes 2 No

3rd Convicted Offense — Subsequent offender 1 Yes 2 No

SUS ——— ACT ——— CON — PRO — FI ——— REST — CS ———

SUS ——— ACT ——— CON — PRO — FI ——— REST — CS ———

TLRANGE ——— TURANGE ——— TOTALI ——— TOTALS ——— TOTALN ——— TF1 ——— REST — TCS ——— TRANGE — TOUT1 ——— TOUT2 ——— TUSE ——

REASON IF ACTUAL SENTENCE DEPARTS FROM GUIDELINES RANGE

INSTITUTIONAL/PAROLE RECOMMENDATION/ADDITIONAL INFO.

SENTENCING JUDGE _____ SIGNATURE _____

M A _____ P.A.
WORKSHEET COMPLETED BY TITLE

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(Rev. 7/87)

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MARYLAND SENTENCING GUIDELINES WORKSHEET

OFFENDER NAME (LAST) D FIRST B

(1) 2 | 1 | (2) 3 4 | 1 0 0 1 4 6 3 24

PSI (1) Yes 2 No | DATE OF OFFENSE 1 1 2 2 8 5 | DATE OF SENTENCING 0 9 3 0 8 6

AT THIS SENTENCING NUMBER OF: CONVICTED OFFENSES 0 4 | CRIMINAL EVENTS 0 1 | WORKSHEET # 2 OF | CRIMINAL EVENT # 1

DISPOSITION TYPE

1. Plea agreement - state nature of
2 Plea, no agreement
3 Court trial
(4) Jury trial

AOC USE ONLY. DO NOT WRITE IN SPACE BELOW

INC ____ SUS ____ ACT ____ STA __ CON __ PRO __ RAN __ FI ____ REST __ CS ____ 01 ___ 02 ___ USE __

CONVICTED OFFENSE TITLE	AOC CODE	MD. CODE, ART. & SECTION	STAT. MAX.	DOCKET NUMBER
1st Handgun Used in Commission of a Felony		27/36B(d)	20Y	00000005
2nd				
3rd				

OFFENSE SCORE(S) (Offense Against a Person Only)

1st Off	2nd Off	3rd Off		A. Seriousness Category
01	01	01	=	V - VII
03	03	03	=	IV
(05)	05	05	=	III
08	08	08	=	II
10	10	10	=	I

				B. Victim Injury
0	0	0	=	No Injury
1	1	1	=	Injury, Non-Permanent
(2)	2	2	=	Permanent Injury or Death

				C. Weapon Usage
0	0	0	=	No Weapon
1	1	1	=	Weapon Other Than Firearm
(2)	2	2	=	Firearm or Explosive

				D. Special Vulnerability of Victim
(0)	0	0	=	No
1	1	1	=	Yes

0 9 | | | OFFENSE SCORE (S)

OFFENDER SCORE

A. Relationship to CJS When Instant Count Occurred
(0) = None or Pending Cases
1 = Court or Other Criminal Justice Supervision

B. Juvenile Delinquency
0 = Not More Than One Finding of Delinquency or over age 25
(1) = Two or More Findings, No or One Commitment
2 = Two or More Commitments

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

D. Prior Adult Parole/Probation Violations
(0) = No 1 = Yes

0 2 OFFENDER SCORE

GUIDELINES RANGE	
1st Offense	8Y TO 15Y
2nd Offense	____ TO ____
3rd Offense	____ TO ____
OVERALL GUIDELINES RANGE (For Multiple Counts Only)	46Y TO L+30Y

ACTUAL SENTENCE

Imposed, suspended, time served, probation, fine, restitution, community service

1st Convicted Offense — Subsequent offender 1 Yes 2 No

2nd Convicted Offense — Subsequent offender 1 Yes 2 No

3rd Convicted Offense — Subsequent offender 1 Yes 2 No

SUS ____ ACT ____ CON __ PRO __ FI ____ REST __ CS ____

SUS ____ ACT ____ CON __ PRO __ FI ____ REST __ CS ____

SUS ____ ACT ____ CON __ PRO __ FI ____ REST __ CS ____ TLRANGE ____ TURANGE ____ TOTALI ____ TOTALS ____ TOTALN ____ TF1 ____ REST __ TCS ____ TRANGE __ TOUT1 ____ TOUT2 ____ TUSE __

REASON IF ACTUAL SENTENCE DEPARTS FROM GUIDELINES RANGE

SENTENCING JUDGE _____ SIGNATURE _____

INSTITUTIONAL/PARole RECOMMENDATION/ADDITIONAL INFO.

M A WORKSHEET COMPLETED BY P.A. TITLE

COPIES: White-Judge; Blue-AOC; Green-Attac... mmitment or Probation Order; Yellow-File; Pink-Prosecution; Gold-Defense

(Rev. 7/87)

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SAMPLE CASE 6

MULTIPLE OFFENSES - MULTIPLE CRIMINAL EVENTS

OFFENDER'S NAME: R_____W_____
DATE OF BIRTH: 01/10/64
SEX: Male
RACE: White
DATE OF OFFENSES: 05/10/85
05/25/85

DOCKET NO: 00000006
DATE OF PLEA/VERDICT: 01/05/86
DISPOSITION TYPE: Binding Plea Agreement as to Sentence Maximum
JURISDICTION: Harford County
CONVICTED COUNT: Distribution of PCP 27/286
Assault with Intent to Murder 27/12

OFFENSE DESCRIPTION:

On 05/10/85, as part of a narcotics investigation, two undercover policemen purchased from the defendant a 2-oz. vial of a liquid which was later identified as PCP. The defendant was arrested and released on $10,000.00 bond.

On 05/25/85, police responded to a report of a shooting in a shopping center parking lot. Police were informed by the victim that he was talking about buying some "grass" with a man he had met in a bar. An argument ensued and the man pulled out a gun and shot the victim, hitting him in the right arm. The victim was treated in a hospital for a flesh wound and released. Based on the information provided by the victim and witnesses at the bar, a warrant was obtained and the defendant was arrested at his home.

On 01/05/86, the defendant pled guilty to one count of Distribution of PCP 27/286 and one count of Assault with Intent to Murder 27/12.

OFFENDER'S PRIOR RECORD:

JUVENILE:

Date	Offense	Disposition
03/23/80	Possession of Marijuana	Delinquent; 1 year probation

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ADULT:

Date	Offense	Disposition
09/12/82	Possession of Cocaine	4 years suspended
	Carrying a Handgun	1 year suspended; 2 years probation

Offender was placed on 2 years adult probation in 1982. He successfully completed his probationary period.

COMPUTATION OF OFFENSE AND OFFENDER SCORES
DISTRIBUTION OF PCP 27/286

OFFENSE SCORE:

There is no offense score for drug offenses.

OFFENDER SCORE:

NOTE: The offender score used in computing guidelines for multiple criminal events is the same for each event. The highest score for any event at the time of this sentencing should be used throughout.

OFFENDER SCORE:

A. Relationship to CJS When Instant Offense Occurred

Defendant was not under any supervision at the time of the instant offense. 0 points

B. Juvenile Delinquency

Offender was found delinquent for Possession of Marijuana 0 points

C. Prior Adult Criminal Record

Step I - Possession of Cocaine - Category V
Carrying Handgun - Category VII

The number of prior convictions according to Seriousness Category are:

SERIOUSNESS CATEGORY	NUMBER OF PRIOR CONVICTIONS
I	0
II	0
III	0
IV	0
V	1
VI	0
VII	1

Step II - Since the offender's most serious adult conviction was in Seriousness Category V, refer to the block in Appendix Table B.1 which indicates one Seriousness Category V conviction. This block identifies the record as "Minor".

Step III - An offender with a minor record receives 1 point — 1 point

D. Prior Adult Parole/Probation Violations

None. — 0 points

TOTAL OFFENSE SCORE — 1 point

GUIDELINES RANGE FOR DISTRIBUTION OF PCP

An examination of Appendix Table C.2a or C.2b shows that the recommended range for Distribution of PCP with an offender score of 1 point is 1Y-3Y.

COMPUTATION OF OFFENSE AND OFFENDER SCORES
ASSAULT WITH INTENT TO MURDER 27/12

NOTE: Even though there were only two convicted offenses at this sentencing, a second worksheet must be used because each convicted offense was part of a separate criminal event.

OFFENSE SCORE

A. Seriousness Category of Instant Offense

As shown in Appendix A, Assault with Intent to Murder is a Category III Offense.	5 points

B. Victim Injury

Victim was shot but not permanently injured.	1 point

C. Weapon Usage

Firearm was used.	2 points

D. Special Vulnerability of Victim

Victim over 10 and under 60 years old and not mentally nor physically handicapped.	0 points
TOTAL OFFENSE SCORE	8 points

OFFENSE SCORE:

The offender score is the same for all criminal events at this sentencing event, 1.

GUIDELINES RANGE FOR ASSAULT WITH INTENT TO MURDER

An examination of Appendix Table C.1a or C.1b shows that the recommended range for an offense score of 8 and an offender score of 1 is 5Y-10Y.

OVERALL GUIDELINES RANGE FOR THE SENTENCING EVENT

The overall guideline range for the sentencing event according to the procedure defined on page would be to add the upper ranges and to add the lower ranges, resulting in a cumulative range of 6-13 years (1 year plus 5 years and 3 years plus 10 years).

Criminal Event	Offense	Guideline Range
1	Distribution of PCP 27/286	1-3 years
2	Assault with Intent to Murder 27/12	5-10 years
		6-13 years

ev. 7/87)

MARY[illegible] SENTENCING GUIDE[illegible]S WORKSHEET

OFFENDER NAME (Last, First, Middle): W R

Male (1) | Female 2 | Black 1 | White (2) | Hispanic 3 | Other 4 | BIRTHDATE 0 1 0 6 [illegible] 4 | JURISDICTION 12

PSI: 1 Yes (2) No

DATE OF OFFENSE: 0 5 1 0 8 5

DATE OF SENTENCING: 1 2 1 2 8 6

AT THIS SENTENCING NUMBER OF: CONVICTED OFFENSES 0 2 | CRIMINAL EVENTS 0 2

WORKSHEET # 1 OF

CRIMINAL EVENT # 1

DISPOSITION TYPE

(1) Plea agreement - state nature of: Binding agreement as to sentence maximum

2 Plea, no agreement
3 Court trial
4 Jury trial

AOC USE ONLY. DO NOT WRITE IN SPACE BELOW

INC ——————
SUS ——————
ACT ——————
STA ___ CON ___
PRO ___ RAN ___
FI ——————
REST ___
CS ——————
01 ——————
02 ——————
USE ——————

CONVICTED OFFENSE TITLE	AOC CODE	MD. CODE, ART. & SECTION	STAT. MAX.	DOCKET NUMBER
1st Distribution of PCP		27/286	20Y	00000006
2nd				
3rd				

OFFENSE SCORE(S) (Offense Against a Person Only)

1st Off	2nd Off	3rd Off		A. Seriousness Category
01	01	01	=	V - VII
03	03	03	=	IV
05	05	05	=	III
08	08	08	=	II
10	10	10	=	I

				B. Victim Injury
0	0	0	=	No Injury
1	1	1	=	Injury, Non-Permanent
2	2	2	=	Permanent Injury or Death

				C. Weapon Usage
0	0	0	=	No Weapon
1	1	1	=	Weapon Other Than Firearm
2	2	2	=	Firearm or Explosive

				D. Special Vulnerability of Victim
0	0	0	=	No
1	1	1	=	Yes

[ ][ ][ ] OFFENSE SCORE (S)

OFFENDER SCORE

A. Relationship to CJS When Instant Count Occurred
(0) = None or Pending Cases
1 = Court or Other Criminal Justice Supervision

B. Juvenile Delinquency
(0) = Not More Than One Finding of Delinquency or over age 25
1 = Two or More Findings, No or One Commitment
2 = Two or More Commitments

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

D. Prior Adult Parole/Probation Violations
(0) = No 1 = Yes

0 1 OFFENDER SCORE

GUIDELINES RANGE

1st Offense: 1Y TO 3Y
2nd Offense: ___ TO ___
3rd Offense: ___ TO ___

OVERALL GUIDELINES RANGE (For Multiple Counts Only): 6Y TO 13Y

ACTUAL SENTENCE Imposed, suspended, time served, probation, fine, restitution, community service

1st Convicted Offense — Subsequent offender 1 Yes 2 No

2nd Convicted Offense — Subsequent offender 1 Yes 2 No

3rd Convicted Offense — Subsequent offender 1 Yes 2 No

SUS ——————
ACT ——————
CON ___ PRO ___
FI ——————
REST ___
CS ——————

SUS ——————
ACT ——————
CON ___ PRO ___
FI ——————
REST ___
CS ——————
TLRANGE ————
TURANGE ————
TOTALI ———
TOTALS ——————
TOTALN ——————
TF1 ——————
REST ___
TCS ————
TRANGE ___
TOUT1 ———
TOUT2 ———
TUSE ———

REASON IF ACTUAL SENTENCE DEPARTS FROM GUIDELINES RANGE

SENTENCING JUDGE _____ SIGNATURE _____

INSTITUTIONAL/PAROLE RECOMMENDATION/ADDITIONAL INFO.

L D Judge

WORKSHEET COMPLETED BY TITLE

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MARYLAND SENTENCING GUIDELINES WORKSHEET

OFFENDER NAME (Last): W First: R Middle:

1	2	1	2	3	4	0 1 1 0 6 4	12

PSI: 1 Yes (2) No

DATE OF OFFENSE: 05 25 85

DATE OF SENTENCING: 06 20 86

AT THIS SENTENCING NUMBER OF: CONVICTED OFFENSES 02 | CRIMINAL EVENTS 02

WORKSHEET # 1 OF

CRIMINAL EVENT # 2

DISPOSITION TYPE

(1) Plea agreement - state nature of: Binding agreement as to sentence maximum

2 Plea, no agreement
3 Court trial
4 Jury trial

AOC USE ONLY. DO NOT WRITE IN SPACE BELOW

INC ____ SUS ____ ACT ____ STA __ CON __ PRO __ RAN __ FI ____ REST __ CS ____ 01 ___ 02 ___ USE __

CONVICTED OFFENSE TITLE	AOC CODE	MD. CODE, ART. & SECTION	STAT. MAX.	DOCKET NUMBER
1st AWI Murder		27/12	30Y	00000006
2nd				
3rd				

OFFENSE SCORE(S) (Offense Against a Person Only)

1st Off	2nd Off	3rd Off		
				A. Seriousness Category
01	01	01	=	V - VII
03	03	03	=	IV
(05)	05	05	=	III
08	08	08	=	II
10	10	10	=	I
				B. Victim Injury
0	0	0	=	No Injury
(1)	1	1	=	Injury, Non-Permanent
2	2	2	=	Permanent Injury or Death
				C. Weapon Usage
0	0	0	=	No Weapon
1	1	1	=	Weapon Other Than Firearm
(2)	2	2	=	Firearm or Explosive
				D. Special Vulnerability of Victim
(0)	0	0	=	No
1	1	1	=	Yes
08				OFFENSE SCORE (S)

OFFENDER SCORE

A. Relationship to CJS When Instant Count Occurred
(0) = None or Pending Cases
1 = Court or Other Criminal Justice Supervision

B. Juvenile Delinquency
(0) = Not More Than One Finding of Delinquency or over age 25
1 = Two or More Findings, No or One Commitment
2 = Two or More Commitments

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

D. Prior Adult Parole/Probation Violations
(0) = No 1 = Yes

01 OFFENDER SCORE

GUIDELINES RANGE

1st Offense: 5Y TO 10Y

2nd Offense: ____ TO ____

3rd Offense: ____ TO ____

OVERALL GUIDELINES RANGE (For Multiple Counts Only): 6Y TO 13Y

ACTUAL SENTENCE

Imposed, suspended, time served, probation, fine, restitution, community service

1st Convicted Offense — Subsequent offender: 1 Yes | 2 No

2nd Convicted Offense — Subsequent offender: 1 Yes | 2 No

3rd Convicted Offense — Subsequent offender: 1 Yes | 2 No

SUS ____ ACT ____ CON __ PRO __ FI ____ REST __ CS ____

SUS ____ ACT ____ CON __ PRO __ FI ____ REST __ CS ____

SUS ____ ACT ____ CON __ PRO __ FI ____ REST __ CS ____ TLRANGE ____ TURANGE ____ TOTALI ___ TOTALS ____ TOTALN ____ TF1 ____ REST __ TCS ____ TRANGE __ TOUT1 ____ TOUT2 ____ TUSE __

REASON IF ACTUAL SENTENCE DEPARTS FROM GUIDELINES RANGE

SENTENCING JUDGE _____ SIGNATURE _____

INSTITUTIONAL/PAROLE RECOMMENDATION/ADDITIONAL INFO.

L D — WORKSHEET COMPLETED BY

Judge — TITLE

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SAMPLE CASE 7

MULTIPLE OFFENSES FROM SINGLE AND MULTIPLE CRIMINAL EVENTS

OFFENDER'S NAME: M_____K_____
DATE OF BIRTH: 06/10/68
SEX: Male
RACE: Black
DATE OF OFFENSES: 09/10/85
12/09/85

DOCKET NO: 00000007
DATE OF PLEA/VERDICT: 02/20/86
DISPOSITION TYPE: Binding Plea Agreement as to Actual Sentence
JURISDICTION: Baltimore City
CONVICTED COUNT: Robbery with a Deadly Weapon 27/488
Robbery 27/486
Assault CL

OFFENSE DESCRIPTION:

On 09/10/85, a 32-year old male, answering the door in his apartment, was confronted by a man wielding a revolver and demanding money. The victim relinquished his wallet, but the assailant forced the victim into the bedroom and tied his hands and feet with his own neckties. After ransacking the bedroom, the gunman left. As soon as he could free himself, the victim called police and reported the incident.

On 12/09/85, police responded to a call at an apartment house. Upon arriving, they were given custody of a man who, according to a security guard, had forced his way into a woman's apartment and tried to attack her. In questioning the victim, police learned that she had opened the door thinking her boyfriend had arrived, but a strange man had burst in. The victim stated that she was instructed to give him her money because he had a gun in his pocket and would use it. After handing over her purse, she was pushed into the bedroom and told to get undressed. She was resisting when her boyfriend appeared. As the boyfriend and the assailant struggled, she went to the phone and summoned security who helped to hold the defendant. A starter pistol was found in his pocket.

On 02/20/86, the defendant pled guilty to Robbery with a Deadly Weapon from the first event and Robbery and Assault from the second event.

OFFENDER'S PRIOR CRIMINAL RECORD:

NOTE: The offender score used in computing guidelines for multiple criminal events is the same for each event. The highest score for any event at the time of this sentencing should be used throughout.

JUVENILE: No juvenile record was found for the name and birthdate provided.

ADULT:

Date	Offense	Disposition
11/30/85	Theft under $300	PBJ, 1 year probation

Offender is currently on probation.

COMPUTATION OF OFFENSE AND OFFENDER SCORES
ROBBERY WITH A DEADLY WEAPON 27/488 - CRIMINAL EVENT 1

OFFENSE SCORE:

A. Seriousness Category of Instant Offense

As shown in Appendix A, Robbery with a Deadly Weapon is a Category III Offense. 5 points

B. Victim Injury

No injury. 0 points

C. Weapon Usage

Handgun was used. 2 points

D. Special Vulnerability of Victim

Victim over 10 and under 60 years old and not mentally nor physically handicapped. 0 points

TOTAL OFFENSE SCORE 7 points

OFFENDER SCORE:

A. Relationship to CJS When Instant Offense Occurred

The offender was on probation at the time of the second criminal event. 1 point

B. Juvenile Delinquency

No record found. 0 points

C. Prior Adult Criminal Record

Step I - theft under $300 - Category VII

The number of prior convictions according to Seriousness Category are:

SERIOUSNESS CATEGORY	NUMBER OF PRIOR CONVICTIONS
I	0
II	0
III	0
IV	0
V	0
VI	0
VII	1

Step II - Since the only conviction is in Seriousness Category VII, refer to the block in Appendix Table B.1 which indicates one Seriousness Category VII conviction. This block identifies the record as "Minor".

Step III - An offender with a minor record receives 1 point 1 point

D. Prior Adult Parole/Probation Violations

The offender does not get a point here because he had no violations except for the offenses of this sentencing event. He has already been penalized in "A" for committing these offenses while under supervision. 0 points

TOTAL OFFENDER SCORE 2 points

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GUIDELINES RANGE FOR ROBBERY WITH A DEADLY WEAPON OF CRIMINAL EVENT 1

An examination of Appendix Table C.1a or C.1b shows that the recommended range for an offense score of 7 and an offender score of 2 is 5Y-9Y.

COMPUTATION OF OFFENSE AND OFFENDER SCORES
ROBBERY 27/486 - CRIMINAL EVENT 2

NOTE: A second worksheet must be used for this separate criminal event.

OFFENSE SCORE:

A.	Seriousness Category of Instant Offense	
	As shown in Appendix A, Robbery is a Category IV Offense.	3 points
B.	Victim Injury	
	No injury.	0 points
C.	Weapon Usage	
	A starter pistol was used; therefore, 1 point is given for a weapon other than a firearm.	1 point
D.	Special Vulnerability of Victim	
	Victim over 10 and under 60 years old and not mentally nor physically handicapped.	0 points
	TOTAL OFFENSE SCORE	4 points

OFFENDER SCORE:

The offender score is the same for all offenses in this sentencing event, 2.

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GUIDELINES RANGE FOR ROBBERY CRIMINAL EVENT 2

An examination of Appendix Table C.1a or C.1b shows that the recommended range for an offense score of 4 and an offender score of 2 is 1Y-5Y.

COMPUTATION OF OFFENSE AND OFFENDER SCORES
ASSAULT -CRIMINAL EVENT 2

OFFENSE SCORE:

A. Seriousness Category of Instant Offense

As shown in Appendix A, Assault is a Category V offense. — 1 point

B. Victim Injury

No injury. — 0 points

C. Weapon Usage

A starter pistol was used; therefore, 1 point is given for a weapon other than a firearm. — 1 point

D. Special Vulnerability of Victim

Victim over 10 and under 60 years old and not mentally nor physically handicapped. — 0 points

TOTAL OFFENSE SCORE — 2 points

OFFENDER SCORE:

The offender score is the same for all offenses in this sentencing event, 2.

GUIDELINES RANGE FOR ASSAULT - CRIMINAL EVENT 2

An examination of Appendix Table C.1a or C.1b shows that the recommended range for an offense score of 2 and an offender score is 2 is P-18M.

OVERALL GUIDELINES RANGE FOR THE SENTENCING EVENT

To determine the overall guideline range for the sentencing event, add the respective lower and upper limits of the guideline ranges for each criminal event. These ranges are the highest upper and highest lower ranges from each event. (See Sample Case 4 and the explanation on page 16.) The overall guideline range in this instance would be 3.5 years (3 years plus 6 months) to 12 years (8 years plus 4 years):

Criminal Event	Offense	Guideline Range
1	Robbery with a Deadly Weapon	5-10 Years
2	Robbery	1-5 Years
2	Assault	~~P-18-Months~~ 6-15 Years

MARYL[illegible] SENTENCING GUIDE[illegible]ES WORKSHEET

OFFENDER NAME (Last, First, Middle): K M

Male	Female	Black	White	Hispanic	Other	BIRTHDATE	JURISDICTION
(1)	2	(1)	2	3	4	0 6 1 0 [illegible] 8	24

PSI: 1 Yes (2) No

DATE OF OFFENSE: 0 9 1 0 8 5

DATE OF SENTENCING: 0 9 0 1 8 6

AT THIS SENTENCING NUMBER OF: CONVICTED OFFENSES 03 | CRIMINAL EVENTS 0 2 | WORKSHEET # 1 OF | CRIMINAL EVENT # 1

DISPOSITION TYPE

(1) Plea agreement - state nature of: Binding agreement as to actual sentence

2 Plea, no agreement
3 Court trial
4 Jury trial

AOC USE ONLY. DO NOT WRITE IN SPACE BELOW

INC ——— SUS ——— ACT ——— STA ___ CON ___ PRO ___ RAN ___ FI ——— REST ___ CS ——— 01 ——— 02 ——— USE ———

CONVICTED OFFENSE TITLE	AOC CODE	MD. CODE, ART. & SECTION	STAT. MAX.	DOCKET NUMBER
1st RDW		27/488	20Y	00000007
2nd				
3rd				

OFFENSE SCORE(S) (Offense Against a Person Only)

1st Off	2nd Off	3rd Off		
				A. Seriousness Category
01	01	01	=	V - VII
03	03	03	=	IV
(05)	05	05	=	III
08	08	08	=	II
10	10	10	=	I
				B. Victim Injury
(0)	0	0	=	No Injury
1	1	1	=	Injury, Non-Permanent
2	2	2	=	Permanent Injury or Death
				C. Weapon Usage
0	0	0	=	No Weapon
1	1	1	=	Weapon Other Than Firearm
(2)	2	2	=	Firearm or Explosive
				D. Special Vulnerability of Victim
(0)	0	0	=	No
1	1	1	=	Yes

0 7 | | | **OFFENSE SCORE (S)**

OFFENDER SCORE

A. Relationship to CJS When Instant Count Occurred
0 = None or Pending Cases
(1) = Court or Other Criminal Justice Supervision

B. Juvenile Delinquency
(0) = Not More Than One Finding of Delinquency or over age 25
1 = Two or More Findings, No or One Commitment
2 = Two or More Commitments

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

D. Prior Adult Parole/Probation Violations
(0) = No 1 = Yes

0 2 **OFFENDER SCORE**

GUIDELINES RANGE	
1st Offense	5Y TO 9Y
2nd Offense	___ TO ___
3rd Offense	___ TO ___
OVERALL GUIDELINES RANGE (For Multiple Counts Only)	6Y TO 15Y

ACTUAL SENTENCE — Imposed, suspended, time served, probation, fine, restitution, community service

1st Convicted Offense — Subsequent offender: 1 Yes | 2 No

SUS ——— ACT ——— CON ___ PRO ___ FI ——— REST ___ CS ———

2nd Convicted Offense — Subsequent offender: 1 Yes | 2 No

SUS ——— ACT ——— CON ___ PRO ___ FI ——— REST ___ CS ———

3rd Convicted Offense — Subsequent offender: 1 Yes | 2 No

SUS ——— ACT ——— CON ___ PRO ___ FI ——— REST ___ CS ——— TLRANGE ——— TURANGE ——— TOTALI ——— TOTALS ——— TOTALN ——— TF1 ——— REST ___ TCS ——— TRANGE ___ TOUT1 ——— TOUT2 ——— TUSE ———

REASON IF ACTUAL SENTENCE DEPARTS FROM GUIDELINES RANGE

SENTENCING JUDGE _____ SIGNATURE _____

INSTITUTIONAL/PAROLE RECOMMENDATION/ADDITIONAL INFO.

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MARYLAND SENTENCING GUIDELINES WORKSHEET

OFFENDER NAME (LAST) K FIRST M

(1) | 2 | (1) | 2 | 3 | 4 | 0 6 1 0 6 8 | 24

PSI: 1 Yes (0) No

DATE OF OFFENSE: 1 2 0 9 8 5

DATE OF SENTENCING: 1 1 1 6 8 6

AT THIS SENTENCING NUMBER OF: CONVICTED OFFENSES 0 3 ; CRIMINAL EVENTS 0 2

WORKSHEET # 1 OF

CRIMINAL EVENT # 2

DISPOSITION TYPE

(1) Plea agreement - state nature of: Binding agreement as to actual sentence

2 Plea, no agreement
3 Court trial
4 Jury trial

AOC USE ONLY. DO NOT WRITE IN SPACE BELOW

INC ——————
SUS ——————
ACT ——————
STA ——CON ——
PRO ——RAN ——
FI ——————
REST ——
CS ——————
01 ——————
02 ——————
USE ——

CONVICTED OFFENSE TITLE	AOC CODE	MD. CODE, ART. & SECTION	STAT. MAX.	DOCKET NUMBER
1st Robbery		27/486	10Y	00000007
2nd Assault		CL		00000007
3rd				

OFFENSE SCORE(S) (Offense Against a Person Only)

1st Off	2nd Off	3rd Off		
				A. Seriousness Category
01	(01)	01	=	V - VII
(03)	03	03	=	IV
05	05	05	=	III
08	08	08	=	II
10	10	10	=	I
				B. Victim Injury
(0)	(0)	0	=	No Injury
1	1	1	=	Injury, Non-Permanent
2	2	2	=	Permanent Injury or Death
				C. Weapon Usage
0	0	0	=	No Weapon
(1)	(1)	1	=	Weapon Other Than Firearm
2	2	2	=	Firearm or Explosive
				D. Special Vulnerability of Victim
(0)	(0)	0	=	No
1	1	1	=	Yes
0 4	0 2	1		**OFFENSE SCORE (S)**

OFFENDER SCORE

A. Relationship to CJS When Instant Count Occurred
0 = None or Pending Cases
(1) = Court or Other Criminal Justice Supervision

B. Juvenile Delinquency
(0) = Not More Than One Finding of Delinquency or over age 25
1 = Two or More Findings, No or One Commitment
2 = Two or More Commitments

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

D. Prior Adult Parole/Probation Violations
(0) = No 1 = Yes

0 2 **OFFENDER SCORE**

GUIDELINES RANGE

1st Offense: 1Y TO 5Y

2nd Offense: P TO 18M

3rd Offense: ____ TO ____

OVERALL GUIDELINES RANGE (For Multiple Counts Only): 6Y TO 15Y

ACTUAL SENTENCE Imposed, suspended, time served, probation, fine, restitution, community service

1st Convicted Offense — Subsequent offender: 1 Yes | 2 No

2nd Convicted Offense — Subsequent offender: 1 Yes | 2 No

3rd Convicted Offense — Subsequent offender: 1 Yes | 2 No

SUS ——————
ACT ——————
CON — PRO ——
FI ——————
REST ——
CS ——————

SUS ——————
ACT ——————
CON — PRO ——
FI ——————
REST ——
CS ——————

SUS ——————
ACT ——————
CON — PRO ——
FI ——————
REST ——
CS ——————
TLRANGE ——————
TURANGE ——————
TOTALI ——————
TOTALS ——————
TOTALN ——————
TF1 ——————
REST ——
TCS ——————
TRANGE ——
TOUT1 ——————
TOUT2 ——————
TUSE ——

REASON IF ACTUAL SENTENCE DEPARTS FROM GUIDELINES RANGE

SENTENCING JUDGE _____ SIGNATURE _____

INSTITUTIONAL/PAROLE RECOMMENDATION/ADDITIONAL INFO.

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SAMPLE CASE 8

MANDATORY MINIMUM SENTENCE

OFFENDER'S NAME: D_____W_____
DATE OF BIRTH: 02/10/60
SEX: Male
RACE: White
DATE OF OFFENSE: 07/19/86

DOCKET NO: 00000008
DATE OF PLEA/VERDICT: 09/01/86
DISPOSITION TYPE: Jury Trial
JURISDICTION: Prince George's County
CONVICTED COUNTS: Manufacture of PCP 27/286(b)(2)

OFFENSE DESCRIPTION:

On 07/19/86, police, acting on a search warrant, conducted a search of the defendant's home. Police found a small lab and confiscated a number of chemical compounds and three 1/2 liter bottles of suspected PCP. Later chemical tests were positive for PCP. On 09/01/86, the jury found the defendant guilty of manufacture of PCP.

OFFENDER'S PRIOR RECORD:

JUVENILE:

Date	Offense	Disposition
12/28/75	Possession of Marijuana	Delinquent; probation
07/05/76	Possession of LSD	Delinquent; probation continued

ADULT:

Date	Offense	Disposition
01/06/80	Possession of LSD	6 months, all but 10 days suspended; 1 year probation
04/10/83	Daytime Housebreaking	6 months
07/20/84	Distribution of PCP	5 years, 3 years suspended;
	Carrying a Handgun	1 year concurrent

Offender is currently on probation.

COMPUTATION OF OFFENSE AND OFFENDER SCORES
MANUFACTURE OF PCP 27/286(b)(2)

OFFENSE SCORE:

There is no offense score for drug offenses.

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OFFENDER SCORE:

A. Relationship to CJS When Instant Offense Occurred

Offender was on probation at the time he committed the instant offense. 1 points

B. Juvenile Delinquency

Offender was over 25 years of age at the time of the instant offense. 0 points

C. Prior Adult Criminal Record

Step I - Possession of LSD - Category V
Daytime Housebreaking - Category IV
Distribution of PCP - Category III
Carrying a Handgun - Category VII

The number of prior convictions according to Seriousness Category is:

SERIOUSNESS CATEGORY	NUMBER OF PRIOR CONVICTIONS
I	0
II	0
III	1
IV	1
V	1
VI	0
VII	1

Step II - Since the most serious prior conviction is in Seriousness Category III, refer to the block in Appendix Table B.1 which indicates one Seriousness Category III conviction. This block identifies the record as "Major".

Step III - An offender with a major record receives 5 points 5 points

D. Prior Adult Parole/Probation Violations

None. 0 points

TOTAL OFFENDER SCORE 6 points

GUIDELINES RANGE

An examination of Appendix Table C.1a or C.1b shows that the recommended range for manufacture of PCP and an offense score of 6 is 7Y-14Y.

Since the offender in this case is being sentenced pursuant to 286(b)(2) (previous PCP Distribution) which carries a 10-year mandatory minimum, the actual recommended range is 10-14 years, and 10 years is mandatory.

NOTE: If the offender was sentenced under 27/293 as a subsequent offender, the recommended guidelines range would be 14-28 years or double the usual guidelines range.

MARYLAND SENTENCING GUIDELINES WORKSHEET

OFFENDER NAME (Last) W First D Middle

Male	Female	Black	White	Hispanic	Other	BIRTHDATE	JURISDICTION
(1)	2	1	(2)	3	4	02/10/60	16

PSI: (1) Yes 2 No

DATE OF OFFENSE: 07/19/86

DATE OF SENTENCING: 03/10/87

AT THIS SENTENCING NUMBER OF: CONVICTED OFFENSES 01 CRIMINAL EVENTS 01

WORKSHEET # 1 OF

CRIMINAL EVENT # 1

DISPOSITION TYPE

1. Plea agreement - state nature of
2 Plea, no agreement
3 Court trial
(4) Jury trial

AOC USE ONLY. DO NOT WRITE IN SPACE BELOW

INC ____ SUS ____ ACT ____ STA ____ CON ____ PRO ____ RAN ____ FI ____ REST ____ CS ____ 01 ____ 02 ____ USE ____

CONVICTED OFFENSE TITLE	AOC CODE	MD. CODE, ART. & SECTION	STAT. MAX.	DOCKET NUMBER
1st Manufacture of PCP subsequent offender under 27/286(b)(2)		27/286	20Y	00000008
2nd				
3rd				

OFFENSE SCORE(S) (Offense Against a Person Only)

1st Off	2nd Off	3rd Off		A. Seriousness Category
01	01	01	=	V - VII
03	03	03	=	IV
05	05	05	=	III
08	08	08	=	II
10	10	10	=	I
				B. Victim Injury
0	0	0	=	No Injury
1	1	1	=	Injury, Non-Permanent
2	2	2	=	Permanent Injury or Death
				C. Weapon Usage
0	0	0	=	No Weapon
1	1	1	=	Weapon Other Than Firearm
2	2	2	=	Firearm or Explosive
				D. Special Vulnerability of Victim
0	0	0	=	No
1	1	1	=	Yes

__ __ __ OFFENSE SCORE (S)

OFFENDER SCORE

A. Relationship to CJS When Instant Count Occurred
0 = None or Pending Cases
(1) = Court or Other Criminal Justice Supervision

B. Juvenile Delinquency
(0) = Not More Than One Finding of Delinquency or over age 25
1 = Two or More Findings, No or One Commitment
2 = Two or More Commitments

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

D. Prior Adult Parole/Probation Violations
(0) = No 1 = Yes

06 OFFENDER SCORE

GUIDELINES RANGE	
1st Offense	10Y TO 14Y
2nd Offense	____ TO ____
3rd Offense	____ TO ____
OVERALL GUIDELINES RANGE (For Multiple Counts Only)	____ TO ____

ACTUAL SENTENCE

Imposed, suspended, time served, probation, fine, restitution, community service

1st Convicted Offense — Subsequent offender (1) Yes 2 No

2nd Convicted Offense — Subsequent offender 1 Yes 2 No

3rd Convicted Offense — Subsequent offender 1 Yes 2 No

SUS ____ ACT ____ CON ____ PRO ____ FI ____ REST ____ CS ____

SUS ____ ACT ____ CON ____ PRO ____ FI ____ REST ____ CS ____

TLRANGE ____ TURANGE ____ TOTALI ____ TOTALS ____ TOTALN ____ TF1 ____ REST ____ TCS ____ TRANGE ____ TOUT1 ____ TOUT2 ____ TUSE ____

REASON IF ACTUAL SENTENCE DEPARTS FROM GUIDELINES RANGE

INSTITUTIONAL/PAROLE RECOMMENDATION/ADDITIONAL INFO.

SENTENCING JUDGE

SIGNATURE

P N WORKSHEET COMPLETED BY

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