

This version of the Maryland Sentencing Guidelines Manual was created in 1987 and used through July 2001. Although few changes occurred to the manual during that time, many revisions and additions were made to the offense table (i.e., Appendix A). Below you will find a copy of the 1987 manual as well as the most recent offense table (rev. 1996) prior to the 2001 version.

**ADMINISTRATIVE OFFICE OF THE COURTS  
MARYLAND SENTENCING GUIDELINES**

**MANUAL**

Revised July, 1987  
(841-1059)

**Maryland Sentencing Guidelines Board**

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#### Staff

Michael V. O'Malley  
George N. Weber, Jr.  
Debruoh D. Taylor  
Deborah L. Forrester

## **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.

## **Part 1 - General Instructions**

## 1.1 Guidelines Offenses

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

A list of many Maryland offenses appears in Offenses Listed in Appendix A. Any misdemeanor which carries a Appendix 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.

Certain sentencing matters handled by judges Exclusions 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)
- Public local laws and municipal ordinance

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

## 1.2 Guidelines 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 per Worksheet 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.

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.

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 for review the worksheets for completeness and accuracy.

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.

Table 1 - Sentencing Guidelines Worksheet

NAME (Last, First, Middle)		Male	Female	Black	White	Hispanic	Other	BIRTHDATE	JURISDICTION
DATE OF SENTENCING WORKSHEET # OF CRIMINAL EVENT #	DISPOSITION TYPE							2 Plea, no agreement 3 Court trial 4 Jury trial	AOC USE ONLY DO NOT WRITE IN SPACE BELOW
1. Plea agreement - state nature of	AOC CODE	MD CODE, ART & SECTION	STAT	MAX	DOCKET NUMBER				INC _____ SUS _____ ACT _____ STA _____ CON _____ PRO _____ RAN _____ FI _____ REST _____ CS _____ 01 _____ 02 _____ USE _____
Person Only) Offense Category	GUIDELINES RANGE	ACTUAL SENTENCE		Imposed, suspended, time served, probation, fine, restitution, community service					
	1st Offense	1st Convicted Offense		Subsequent offender		1 Yes 2 No			
	2nd Offense	2nd Convicted Offense		Subsequent offender		1 Yes 2 No			
Permanent Injury or Death	3rd Offense	3rd Convicted Offense		Subsequent offender		1 Yes 2 No			
	TO								
	OVERALL GUIDELINES RANGE (For Multiple Counts Only)								
Age	OFFENDER SCORE	OFFENSE SCORE		INSTITUTIONAL/PAROLE RECOMMENDATION/ADDITIONAL INFO.					
		A. Relationship to CJS When Instant Count Occurred							
Other Than Firearm	OFFENDER SCORE	B. Juvenile Delinquency							
		C. Prior Adult Criminal Record							
Explosive	OFFENDER SCORE	D. Prior Adult Parole/Probation Violations							
		OFFENSE SCORE							
ORE (S)	ARTS FROM GUIDELINES RANGE				WORKSHEET COMPLETED BY		TITLE		

MARYLAND SENTENCING GUIDELINES WORKSHEET		OFFENDER NAME	
DATE OF OFFENSE		DATE	
1. Yes, 2. No	CONVICTED AT THIS SENTENCING NUMBER OF:	CRIMINAL EVENTS	
CONVICTED OFFENSE TITLE			
1st			
2nd			
3rd			
OFFENSE SCORE(S) (Offense Against a Person)			
1st Off 2nd Off 3rd Off A. Seriousness Cat			
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-Perm
2	2	2	= Permanent Injury
C. Weapon Usage			
0	0	0	= No Weapon
1	1	1	= Weapon Other Than
2	2	2	= Firearm or Explosive
D. Special Vulnerability			
0	0	0	= No
1	1	1	= Yes
OFFENSE SCORE			
REASON IF ACTUAL SENTENCE DEPARTS			
SENTENCING JUDGE			

### 1.3 Guidelines Sentence

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

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.

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

### 1.4 Sentences Outside the 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

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

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 - Offender Information

<b>MARYLAND SENTENCING GUIDELINE WORKSHEET</b>		OFFENDER NAME (Last)		First	Middle	Male 1	Female 2	Black 1	White 2	Hispanic 3	Other 4	BIRTHDATE	JURISDICTION
PSI	DATE OF OFFENSE	DATE OF SENTENCING		DISPOSITION TYPE									
1 Yes 2 No				1. Plea agreement - state nature of				2 Plea, no agreement					
AT THIS SENTENCING NUMBER OF:	CONVICTED OFFENSES	CRIMINAL EVENTS	WORKSHEET # _____ OF _____	3 Court trial				4 Jury trial					
			CRIMINAL EVENT # _____										
CONVICTED OFFENSE TITLE				AOC CODE	MD CODE, ART & SECTION	STAT MAX	DOCKET NUMBER						
1st													
2nd													
3rd													

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.

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.)

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 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.

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.

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

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

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

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

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

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

#### 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.

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. CO2 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.

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

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	
<b>A. Relationship to CJS When Instant Count Occurred</b>	
0 = None or Pending Cases	
1 = Court or Other Criminal Justice Supervision	
<b>B. Juvenile Delinquency</b>	
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	
<b>C. Prior Adult Criminal Record</b>	
0 = None	1 = Minor
5 = Major	3 = Moderate
<b>D. Prior Adult Parole/Probation Violations</b>	
0 = No	1 = Yes
<input type="text"/>	<b>OFFENDER SCORE</b>

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.

#### 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.

#### 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 If the offender was 26 or older at the time of Considering 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

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

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.

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

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

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

### 2.3.1 Actual Sentence

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

<b>ACTUAL SENTENCE</b>		Imposed, suspended, time served, probation, fine, restitution, community service	
<b>1st Convicted Offense</b>	Subsequent offender	1 Yes	2 No
<b>2nd Convicted Offense</b>	Subsequent offender	1 Yes	2 No
<b>3rd Convicted Offense</b>	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

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 (Sample Case 1, score on the horizontal axis. The guidelines range P. E-3) for any given convicted offense is in the block where the two scores intersect.

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.

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

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 unusually 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.

#### 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.

#### 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	12Y-25Y
1	Handgun Violation	III	5Y*-8Y
Overall guidelines range			12Y-25Y
Example 2			
Criminal Event	Offense	Seriousness Category	Guidelines Range
1	Burglary	IV	1Y-4Y
1	Theft \$300 or More	V	1Y-3Y
1	Destroying Property	VII	6M-1Y
Overall guidelines range			1Y-4Y
Example 3			
Criminal Event	Offense	Seriousness Category	Guidelines Range
1	Assault	V	1Y-5Y
1	Distribution of LSD	IV	2Y-3Y
Overall guidelines range			2Y-5Y

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

- 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.

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

- Calculate the guidelines range for each offense.
- 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	15Y-25Y
1	Kidnapping	II	7Y-13Y
1	Robbery	IV	2Y-7Y
Overall guidelines range			22Y-38Y
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+30Y) * - 3 consec. LIFE terms

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

- 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.

### 2.3.5.3 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	3Y-8Y
2	RDW	III	3Y-8Y
3	RDW	III	3Y-8Y
Overall guidelines range			9Y-24Y
Example 2			
Criminal Event	Offense	Seriousness Category	Guidelines Range
1	Burglary	IV	10Y-20Y
2	Forgery	V	8Y*-10Y
Overall guidelines range			18Y-30Y

*\*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.

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

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

**Table 10**

Example 1			
Criminal Event	Offense	Seriousness Category	Guidelines Range
1	RDW	III	6Y-12Y
1	Handgun Violation	III	6Y-12Y
2	RDW	III	6Y-12Y
2	Poss. of Marijuana	VII	P-1M
Overall guidelines range			12Y-24Y
Example 2			
Criminal Event	Offense	Seriousness Category	Guidelines Range
1	Sthse-breaking	V	P-6M
2	Sthse-breaking	V	P-6M
2	Theft \$300 or More	V	P-6M
2	Assault	V	P
Overall guidelines range			P-1Y
Example 3			
Criminal Event	Offense	Seriousness Category	Guidelines Range
1	1st Degree Rape	I	10Y-18Y
1	Robbery	IV	P-2Y
2	Burglary	IV	P-1Y
Overall guidelines range			10Y-19Y

2. Calculate the guideline 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

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

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

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.

### 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 - Offense Table (Rev. 1996)

OFFENSE LITERAL	SERIOUSNESS CATEGORY	SOURCE	MAX TERM	MIN TERM	OFFENSE TYPE
<b>Abduction</b>					
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
<b>Arson</b>					
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 2nd degree)	VI	27, §8(a)(1),(3)	5Y		Property
Burning 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
<b>Assault</b>					
Assault and/or battery	V	CL			Person
Assault on division of correction or patuxent institution, jail or detention center inmate or employee	IV	27, §12.A-6		consecutive no suspension	Person
Assault with deadly weapon*	V	FEDERAL OFFENSE			Person
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
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
<b>Bad Check</b>					
Obtaining property/services under \$300	VII	27, §141	18M		Property

Obtaining property/services worth \$300 or more	V	27, §141	15Y		Property
<b>Breaking and Entering</b>					
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
<b>Bribery to/by Public Officer</b>					
Bribery to or by a public officer	V	CL	12Y	2Y	Property
<b>Burglary</b>					
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
With explosives	III	27, §33(a)	20Y		Property
<b>Carjacking</b>					
Carjacking	II	27, §348A(b)(1),(2)	30Y		Person
<b>Child abuse</b>					
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
<b>Child Pornography</b>					
1st offense	V	27, §419A	10Y		Person

Subsequent	III	27, §419A	20Y		Person
Contempt					
Contempt, Criminal*	VII				
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					
Contributing to certain conditions of a child	VII	CJP §3-831(a)	3Y		Person
Controlled Dangerous Substance					
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
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
<b>Distribution</b>					
Distribution of non-controlled substance as controlled dangerous substance	IV	27, §286B	5Y		Drug
Drug kingpin	II	27, §286(g)	40Y	20Y	Drug
Etc.; counterfeiting, etc., manufacture, illegal use; keeping common nuisance	III	27, §286(b)(2)	20Y		Drug
Distribution, etc.; counterfeiting, etc.; manufacture, schedule I or II narcotics (e. g., pcp, heroin, cocaine, and LSD), subsequent	III	27, §286(c)(1)	20Y	10Y	Drug
Illegal use; keeping common nuisance, amphetamines, marijuana, diazepam	IV	27, §286(b)(3)	5Y		Drug
Distribution, etc.; counterfeiting, etc.; manufacture, illegal use; keeping common nuisance, amphetamines, marijuana., diazepam	IV	27, §286(b)(3)	5Y	2Y	Drug
Using minors for manufacture, delivery or distribution of controlled dangerous substances	III	27, §286C	20Y		Drug
<b>Escape</b>					
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
<b>Explosives</b>					
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
<b>Extortion</b>					
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
Threatening verbally	V	27, §562	10Y	2Y	Property
<b>Failure to Appear</b>					
Felony*	V	27, §12B			
Misdemeanor*	VII	27, §12B			
<b>False Alarms</b>					
False alarms, fire, ambulance or rescue squad calls	V	27, §156	5Y		Property
<b>False Imprisonment</b>					
False imprisonment	V	CL			Person
<b>False Statement</b>					
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
<b>Falsifying Public Records</b>					
Falsifying, destroying, concealing, accessing, etc., public records	VII	27, §45A	3Y		
<b>Federal Tax Evasion</b>					
Federal income tax evasion*	VII				
<b>Forgery</b>					
Forgery, counterfeiting, etc. [27, § 44 (a)]	V	27, §45A	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
<b>Fraud</b>					
Abandoning or refusing to return, leased motor vehicle	VII	27, §206	1Y		Property
Failure to provide or providing false information willfully or with intent to evade taxes	VI	TG § 13-1024(a)	18M		Property
Falsely Representing self as lawyer	VII	BOP, §I G-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
<b>Gambling</b>					
Betting, wagering, etc.; pools on horses, etc.	VII	27, §240	1Y	6M	Property
Keeping gaming table or place	VII	27, §241	1Y	6M	Property
<b>Handgun</b>					
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-barreled 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
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)(d)	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	3Y	Person
Wearing, carrying, etc., under influence	VI	27, §36E(l)	1Y	5Y	Person
<b>Harmful Substances</b>					
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
<b>Hinder Police Officer</b>					
Hinder police officer	VI	CL			Person
<b>Home Improvement</b>					
Home improvement, without license	VII	BR, §9-601	2Y		Property
<b>Homicide by Motor Vehicle</b>					
Homicide by motor vehicle or vessel while intoxicated	VI	27, §388A(b)	5Y		Person
<b>Incest</b>					
Incest (27, §335)	V	CL	10Y	1Y	Person
<b>Indecent Exposure</b>					
Indecent exposure (27, §335A)	VI	CL	3Y		Person
<b>Interference of Emergency Personnel</b>					
Interference, obstruction or false representation of fire or emergency services personnel	VII	27, §11D	3Y		Person

Interfering with Rights					
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
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	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					
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
<b>Motor Vehicle</b>					
Motor vehicle offenses (only incarcerable traffic offenses.)*	VII				
<b>Murder</b>					
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
1st degree, solicitation	II	CL	LIFE		Person
2nd degree (27, §411)	II	CL	30Y		Person
2nd degree, attempted	III	CL	30Y		Person
<b>Obstructing Justice</b>					
Obstructing justice (27, §26)	V	CL	5Y		Person
<b>Paraphernalia</b>					
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
<b>Perjury</b>					
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
<b>Perverted Sexual Practices</b>					
Perverted sexual practices	VII	27, §554	10Y		Person
<b>Poisoning</b>					
Attempted	II	27, §450	10Y	2Y	Person
Contaminating water, food, etc	II	27, §451	20Y		Person
<b>Pollutants</b>					
Dispersing into state waters, first offense	VII	EN, §9-322	1Y		Property
Dispersing into state waters, subsequent	VII	EN, §9-322	2Y		Property
Dispersing into state waters, falsification	VII	EN, §9-343(b)	6M		Property
<b>Possession</b>					
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
<b>Prostitution, Etc.</b>					
Bawdy houses 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
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
<b>Rape</b>					
1st degree	I	27, §462(a)	LIFE		Person

2nd degree	II	27, §463(a)	20Y		Person
<b>Reckless Endangerment</b>					
Reckless endangerment	V	27, §12A-2	5Y		Person
<b>Resisting Arrest</b>					
Resisting arrest	VI	CL			Person
<b>Rioting</b>					
Rioting	IV	CL			Person
<b>Robbery</b>					
Robbery, generally (27, §486)	IV	CL	15Y		Person
Robbery, with a deadly weapon (27 §488)	III	CL	20Y		Person
<b>Sabotage</b>					
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
<b>Sex offense</b>					
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
<b>Sodomy</b>					
Sodomy (27, §553)	V	CL	10Y		Person
<b>Stalking</b>					
Stalking	V	27, §121B(a)	5Y		Person

Telephone					
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
Trespassing					
Trespass on posted property	VII	27, §576	3M		Property
Unauthorized Connections					
Unauthorized connections, etc.; tampering or interfering with meters, poles, wires, etc.	VII	27, §194	6M		Property
Unauthorized Use					
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
<b>Wiretapping</b>					
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
<p>* 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 F`8J. It is listed only to provide the worksheet preparer an offense seriousness category with regards to calculating the defendant's prior adult criminal record.</p> <p>** Incidents in which the State is seeking the death penalty (Le., 27, § 413) are exclusions under the Maryland Sentencing Guidelines. There is no need to prepare a Guidelines Worksheet for these offenses.</p> <p>*** Repealed effective October 1, 1996.</p> <p>**** Effective October 1, 1996.</p>					

[Appendix A - Offense Table \(Rev. 1987\)](#)

[Appendix B - Prior Record](#)

[Appendix C - Matrices](#)

[Appendix D - Jurisdiction Codes](#)

[Appendix E - Sample Cases](#)

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