

COMMEMORATIVE BOOKLET



25 YEAR
Anniversary

THE MARYLAND STATE
COMMISSION ON CRIMINAL
SENTENCING POLICY

ESTABLISHED IN 1999



**MSCCSP Executive Director,
David A. Soulé, Ph.D.**

It is my pleasure to present this booklet to commemorate the 25th anniversary of the Maryland State Commission on Criminal Sentencing Policy (MSCCSP or Commission). The MSCCSP was created on July 1, 1999, with the adoption of HB 602 from the 1999 Legislative Session. The Maryland General Assembly created the MSCCSP as an independent agency to support fair and proportional sentencing policy and to maintain the State's voluntary sentencing guidelines for criminal cases sentenced in the circuit courts. In recognition of this milestone anniversary, this commemorative booklet acknowledges the significant

accomplishments of the MSCCSP's work and highlights the important contributions of past and present MSCCSP members.

The *History and Purpose* section of this booklet summarizes the origins and mission of the Commission, while the *Membership* section identifies the more than 80 Commission members who have contributed to its work. The significant role of the MSCCSP commissioners cannot be overstated. Commissioners selflessly volunteer their time to complete the work of the MSCCSP while also maintaining regular full-time commitments. Each commissioner's service has made a positive and lasting difference towards developing and maintaining fair and equitable sentencing policy in our State.

The MSCCSP also acknowledges and thanks those agencies and individuals whose contributions to the sentencing guidelines and corresponding guidelines worksheets enable the Commission to complete its work. In particular, the MSCCSP thanks our justice partner, the Maryland Department of Public Safety and Correctional Services (DPSCS) for hosting, maintaining, and providing secure access to the Maryland Automated Guidelines System (MAGS). Without the generous assistance of DPSCS, the MSCCSP would not be able to maintain MAGS and the corresponding sentencing guidelines database that provides a wealth of information regarding circuit court sentencing events in the State.

Finally, the MSCCSP acknowledges our partnership with the University of Maryland. As an independent agency within the Executive Branch of Maryland, the MSCCSP is grateful for the University's support which helps to reinforce the independent status of the Commission and the non-partisan review and analyses of sentencing data.

I hope this publication provides the reader with a better understanding of the scope of the Maryland sentencing guidelines and the impact of the MSCCSP's work throughout the last 25 years. The *Timeline of Notable Events* and the *By the Numbers* sections of this booklet illustrate the breadth and comprehensiveness of the Commission's work, while the *Reflections* section highlights the Commission's significant impact and influence. As the MSCCSP reflects on its past accomplishments, it looks forward to continuing to inform and promote fair, proportional, and non-disparate sentencing practices throughout Maryland for many years to come.

Sincerely,

David A. Soulé

David A. Soulé
MSCCSP Executive Director

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HISTORY AND PURPOSE OF THE COMMISSION

History of the Maryland Sentencing Guidelines

The Maryland Judiciary introduced sentencing guidelines in the late 1970s in response to nationwide concerns about unwarranted disparities in sentencing. The Court of Appeals formed the Judicial Committee on Sentencing in May 1978 to review recent developments in sentencing in the United States, study the major proposals for reform (e.g., determinate sentencing, mandatory sentencing, sentencing guidelines, sentencing councils), and consider sentencing practices in Maryland. In its report to the Maryland Judicial Conference, the Judicial Committee on Sentencing recommended a system of voluntary, descriptive sentencing guidelines for use in circuit courts only. The Judicial Conference unanimously approved this proposal in April 1979. Later that year, Maryland received a grant from the National Institute of Justice to participate in a multijurisdictional field test of sentencing guidelines. Under this grant, a system of sentencing guidelines for Maryland's circuit courts was created, and an Advisory Board was established to oversee the guidelines. The sentencing guidelines were developed based on analyses of Maryland sentencing data and surveys of judges who were asked to report on factors they would consider at sentencing in a series of hypothetical scenarios. Guided by these analyses, the Maryland sentencing guidelines were designed to account for both offender and offense characteristics in determining the appropriate sentence range. Beginning in June 1981, four geographically diverse jurisdictions in Maryland piloted these sentencing guidelines. At the conclusion of the test period in May 1982, the Judicial Conference decided to continue using sentencing guidelines in the pilot jurisdictions for an additional year, given their initial success. In 1983, after two years of the pilot sentencing guidelines, the Judicial Conference voted favorably on (and the Maryland General Assembly approved) adopting the guidelines statewide.

The Judicial Committee on Sentencing established that the sentencing guidelines are primarily descriptive; that is, the guidelines are informed by analysis of actual sentencing practices and are designed to illustrate to judges how their colleagues are sentencing, on average, a typical case. In 1991, the Sentencing Guidelines Revision Committee of the Judiciary's Guidelines Advisory Board established an expectation that two-thirds of sentences would fall within the recommended sentencing range; and when sentencing practice resulted in departures from the recommended range in more than one-third of the cases, guidelines revisions should be considered. Based on this policy, the Commission adopted the goal of 65% as the benchmark standard for sentencing guidelines compliance. Over the years, the MSCCSP has maintained the primarily descriptive nature of the guidelines, while allowing for the Commission to make nuanced policy decisions to ensure the guidelines are consistent with legislative intent and that the guidelines are scored consistently statewide. The guidelines are not intended to be static. Therefore, the Commission may amend the guidelines when the data indicate that sentencing practices are not consistent with the recommended ranges.

The Present Maryland Sentencing Guidelines

Pursuant to Criminal Procedure Article (CP), § 6-216, Annotated Code of Maryland, the circuit courts shall consider the sentencing guidelines in deciding the proper sentence. The sentencing guidelines cover three broad categories of offenses: person, drug, and property. The guidelines recommend whether to incarcerate an individual and if so, provide a recommended sentence range based on the available data for how Maryland circuit court judges have sentenced similar adjudications. Each offense category (drug, person, and property) has a unique sentencing matrix that includes a recommended sentencing range in each grid cell.

HISTORY AND PURPOSE OF THE COMMISSION

The grid cell corresponding to an individual's offender score and the offense seriousness category (for drug and property offenses) or offense score (for person offenses) determines the sentence recommendation. The offense seriousness category is an offense ranking that ranges from I to VII, where I designates the most serious criminal offenses and VII designates the least serious criminal offenses. For person offenses, the offense score is determined by the seriousness category, the physical or psychological injury to the victim, the presence of a weapon, and any special vulnerability of the victim (such as being under 11 years old, 65 years or older, or physically or cognitively impaired). The offender score is a measure of the individual's criminal history, determined by whether the individual was in the criminal justice system at the time the offense was committed (i.e., on parole, probation, or temporary release from incarceration, such as work release), has a juvenile record or prior criminal record as an adult, and has any prior adult parole or probation violations.

The recommended guidelines sentence range represents only non-suspended time. The sentencing guidelines are advisory and judges may, at their discretion, impose a sentence outside the guidelines. If a judge chooses to depart from the sentencing guidelines, the Code of Maryland Regulations (COMAR) 14.22.01.05A states that the judge shall document the reason or reasons for imposing a sentence outside of the recommended guidelines range.

About the Maryland State Commission on Criminal Sentencing Policy (MSCCSP)

In the spring of 1996, the Maryland General Assembly created an advisory commission (Maryland Commission on Criminal Sentencing Policy) and charged it with the important task of evaluating the State's sentencing and correctional laws and policies. Chapter 563 of the Laws of Maryland 1996 directed the advisory commission to make recommendations to the Governor and the General Assembly regarding key aspects of sanctioning policy in a report to be submitted on or before September 30, 1997. In May 1999, the Maryland General Assembly created the Maryland State Commission on Criminal Sentencing Policy (MSCCSP) under Chapter 648 of the Laws of Maryland 1999, after the advisory commission recommended creating a permanent commission in its final report. In July 1999, the MSCCSP formally replaced its predecessor advisory commission and assumed the functions of the Sentencing Guidelines Advisory Board of the Judicial Conference, initially established in 1979 to develop and implement Maryland's sentencing guidelines. The General Assembly created the MSCCSP to oversee sentencing policy and to maintain and monitor the State's voluntary sentencing guidelines. CP, § 6-202 outlines six goals for the MSCCSP, stating "[t]he General Assembly intends that:

1. sentencing should be fair and proportional and that sentencing policies should reduce unwarranted disparity, including any racial disparity, in sentences for criminals who have committed similar crimes and have similar criminal histories;
2. sentencing policies should help citizens to understand how long a criminal will be confined;
3. sentencing policies should preserve meaningful judicial discretion and sufficient flexibility to allow individualized sentences;
4. sentencing guidelines be voluntary;
5. the priority for the capacity and use of correctional facilities should be the confinement of violent and career criminals; and
6. sentencing judges in the State should be able to impose the most appropriate criminal penalties, including corrections options programs for appropriate criminals."

HISTORY AND PURPOSE OF THE COMMISSION

The General Assembly designed the MSCCSP to fulfill the above legislative intentions. The General Assembly authorized the MSCCSP to “adopt existing sentencing guidelines for sentencing within the limits established by law which shall be considered by the sentencing court in determining the appropriate sentence for defendants who plead guilty or nolo contendere to, or who were found guilty of crimes in a circuit court” (1999 Md. Laws, Chap. 648). The MSCCSP also has authority to “adopt guidelines to identify defendants who would be appropriate for participation in corrections options programs” (1999 Md. Laws, Chap. 648). The sentencing court is to consider these guidelines in selecting either the guidelines sentence for an individual or sanctions under corrections options.

Pursuant to CP, § 6-210, the MSCCSP collects sentencing guidelines worksheets, monitors sentencing practice, and adopts changes to the sentencing guidelines. The Maryland sentencing guidelines worksheet enables the MSCCSP to collect criminal sentencing data from State and local agencies involved in criminal sentencing. Justice partners complete worksheets for all guidelines-eligible criminal cases prosecuted in circuit court to determine the recommended sentencing outcome and to record sentencing data. The worksheet data collected by the Commission enable analyses of sentencing trends related to particular offenses, demographics, criminal histories, geographic variation, and compliance with the guidelines. The MSCCSP uses the guidelines data to monitor circuit court sentencing practices and, when necessary, to adopt changes to the guidelines consistent with legislative intent.

The legislation that established the Commission also authorizes the MSCCSP to conduct guidelines training and orientation for criminal justice system participants and other interested parties. The MSCCSP administers the guidelines system and provides fiscal and statistical information on proposed legislation concerning sentencing and correctional practice.

MSCCSP Structure

The MSCCSP consists of 19 members, including members of the Judiciary, justice partners, members of the Maryland Senate and House of Delegates, as well as public representatives. The Governor is responsible for the appointment of the Chair of the MSCCSP. Other Governor appointees include a representative for the Maryland State’s Attorneys’ Association, a representative for the Maryland Criminal Defense Attorneys’ Association, a law enforcement representative, a local correctional facilities representative, a victims’ advocacy group representative, a criminal justice/corrections policy expert, and two public representatives.

The Chief Justice of the Supreme Court of Maryland is responsible for three appointments to the Commission, including an appellate courts representative, a circuit courts representative, and a District Court representative.

The President of the Senate is responsible for two appointments, and the Speaker of the House is also responsible for two appointments.

Finally, ex-officio members include the State’s Attorney General, the State’s Public Defender, and the Secretary of the Department of Public Safety and Correctional Services (DPSCS).

HISTORY AND PURPOSE OF THE COMMISSION

Currently, five commissioners participate additionally as members of the Sentencing Guidelines Subcommittee (Guidelines Subcommittee). Each year, the Guidelines Subcommittee reviews all new and revised offenses created by the General Assembly and provides recommendations to the full Commission for seriousness category classification. Additionally, the Guidelines Subcommittee reviews suggested revisions to the sentencing guidelines and routinely reports to the full Commission on guidelines compliance data.

The MSCCSP is a State agency within the Executive Branch of Maryland, with its office in College Park. To allow the Commission to benefit from the shared resources of the University of Maryland, the Commission established its staff office with guidance from the Department of Criminology and Criminal Justice. The University of Maryland connection reinforces the independent status of the Commission by ensuring non-partisan review and analyses of sentencing data.

Data-Driven Approach to Sentencing Policy Decisions

A hallmark of the MSCCSP's work is its data-driven approach to guide policy decisions that inform and promote fair, proportional, and non-disparate sentencing practices throughout Maryland. The MSCCSP emphasizes the timely collection of accurate and complete information. Quality data and comprehensive analyses are critical to maintaining the State's descriptive sentencing guidelines to ensure that they accurately reflect current sentencing practice.

In addition to the data-driven approach used by the MSCCSP, many justice partners rely on the quality and comprehensiveness of the MSCCSP sentencing guidelines and its corresponding data. For example, the Maryland Judiciary relies on the sentencing guidelines to help ensure consistent and just sentencing practices. The Maryland General Assembly uses the sentencing guidelines data to inform sound fiscal and policy assessments. Maryland prosecutors, defense attorneys, and parole and probation investigators use the sentencing guidelines to guide rational and just sentencing recommendations. Lastly, the public relies on the MSCCSP data to provide transparency and to help to understand the criminal sentencing process.

COMMISSION MEMBERSHIP

1999-2024

Appointed by the Governor

Chair

Honorable Andrew L. Sonner	1999-2003
Honorable Raymond G. Thieme	2003-2006
Honorable Howard S. Chasanow	2007-2011
Honorable Diane O. Leasure	2011-2015
Honorable Glenn T. Harrell, Jr.	2015-2019
Honorable Brett R. Wilson	2019-2022
Honorable Brian L. DeLeonardo	2022-2023
Honorable Dana M. Middleton	2023-Present

Law Enforcement

David B. Mitchell	1999-2002
Gary W. McLhinney	2003-2006
Marcus L. Brown	2007-2015
William M. Pallozzi	2015-2019
Douglas DeLeaver	2019-2023
Richard E. Gibson	2023-Present

State's Attorney

Honorable Marna McLendon	1999-2001
Honorable Robert Riddle	2002-2004
Honorable Leonard C. Collins, Jr.	2005-2009
Honorable Joseph I. Cassilly	2009-2015
Honorable Brian L. DeLeonardo	2016-2021
Honorable Robert H. Harvey, Jr.	2021-Present

Victim's Advocacy Group

Russell P. Butler	1999-2006
Laura L. Martin	2006-2018
Margaret "Molly" Knipe	2019-2020
Alethea P. Miller	2020-Present

Criminal Defense Attorney

Domenic R. Lamele	1999-2002
Richard A. Finci	2003-Present

Local Detention Centers

Barry L. Stanton	1999-2006
Barnard B. Foster, Sr.	2007-2011
LaMonte E. Cooke	2011-2019
Melinda Grenier	2019-2023
Rodney R. Davis	2023-2024

Criminal Justice Policy Expert

Charles F. Wellford, Ph.D.	1999-2013
Honorable Andrew L. Sonner	2013-2015
Brian D. Johnson, Ph.D.	2015-Present

Public

Gail M. Lankford	1999-2000
Arthur A. Marshall, Jr.	1999-2002
James V. Anthenelli	2003-2015
Janis Judson, Ph.D.	2003-2005
Laura L. Martin	2006
Paul F. Enzinna	2007-2017
Barbara Dorsey Domer	2015-2019
William "Willy" E. Koutroumpis	2017-2021
Lisa Spicknall-Horner	2019-2023
Kyle E. Scherer	2021-Present
Larry L. Johnson	2023-Present

COMMISSION MEMBERSHIP

Appointed by the Chief Judge of the Court of Appeals of Maryland

Appellate Courts

Honorable Howard S. Chasanow	1999
Honorable Arrie W. Davis	2000-2014
Honorable James P. Salmon	2014-2022
Honorable Melanie M. Shaw	2022-Present

District Court

Honorable Timothy J. Doory	1999-2006
Honorable John P. Morrissey	2007-2014
Honorable Patrice E. Lewis	2014-2022
Honorable Michelle R. Saunders	2022-Present

Appointed by the President of the Senate

Senator Delores G. Kelley	1999-2021
Senator Norman R. Stone	1999
Senator John A. Giannetti	2003-2006
Senator Lisa A. Gladden	2007-2015
Senator Robert G. Cassilly	2016-2021
Senator Charles E. Sydnor, III	2021-Present
Senator Christopher R. West	2021-Present

Circuit Court

Honorable John C. Themelis	1999-2009
Honorable Alfred Nance	2010-2015
Honorable Shannon E. Avery	2015-2023
Honorable Brian L. DeLeonardo	2023-Present

Appointed by the Speaker of the House

Delegate Kenneth C. Montague	1999-2000
Delegate Joseph F. Vallario, Jr.	1999-2018
Delegate Dana Lee Dembrow	2001-2002
Delegate Curtis S. Anderson	2003-2019
Delegate Luke H. Clippinger	2019-2021
Delegate Charles E. Sydnor, III	2019-2020
Delegate David H. Moon	2020-Present
Delegate J. Sandy Bartlett	2021-Present

Ex-Officio Members (*Representatives)

Attorney General

Honorable Joseph Curran, Jr.	1999-2006
Honorable Douglas F. Gansler	2007-2015
Honorable Brian E. Frosh	2015-2023
Honorable Anthony G. Brown	2023-Present
*Kate O'Donnell	2005-2010
*Megan Limarzi	2011-2016
*Thiru Vignarajah	2016
*Elizabeth Embry	2016-2018
*Kathleen Murphy	2018-2022
*Carrie Williams	2022
*Alexander Huggins	2023
*Katie Dorian	2023-Present

Public Defender

Stephen E. Harris	1999-2012
Nancy S. Forster	2004-2008
Paul B. DeWolfe	2009-2022
Natasha Dartigue	2022-Present
*Theodore Wiseman	1999
*Amy Brennan	2000
*Patrick Kent	2001-2009
*William "Bill" Davis	2010-2020
*Donald E. Zaremba	2020-Present

Secretary of Department of Public Safety and Correctional Services

Stuart O. Simms	1999-2002
Mary Ann Saar	2003-2006
Gary D. Maynard	2007-2013
Stephen T. Moyer	2015-2019
Robert I. Green	2019-2022
Carolyn J. Scruggs	2023-Present
*Robert Gibson	1999-2006
*Shannon E. Avery	2007-2010
*Rebecca Gowen	2010
*Christina Lentz	2011
*Rhea Harris	2012
*Kieran Dowdy	2013-2014
*Gregg Hershberger	2014-2015
*Rachel Sessa	2015-2022
*Angelina Guarino	2023-Present

STAFF

1999-2024

Current staff noted in bold

Executive Director

Kim Hunt, Ph.D. 1999
Michael Connelly 1999-2003
David Soulé, Ph.D. 2004-Present

Program Analyst

Sarah Bowles 2013-Present

Research Assistant

Kathy Sanchez 2023-2024
Anabella Nosel 2024-Present

Graduate Research Assistant / Policy Analyst

Shawn Flower 2005-2006
Kira Antell 2006-2007
Karlyn Sweetman 2008-2009
Eric Dunton 2009-2010
Jessica Rider 2011-2012
Christina Stewart 2012-2014
Justin Bernstein 2014-2016
Jennifer Lafferty 2016-2018
Molly Triage 2018-2019
Sean Houlihan 2019-2021
Mark Mills 2021-2023
Lydia Becker 2023-2024
Julia Caspero 2024-Present

Associate Director for Communications and Information

Kate Wagner 2001-2003

Research Director

Claire Souryal-Shriver, Ph.D. 1999-2000
Kristi Waits 2001-2003
Gary Locust, Jr. 2003-2005
Stacy Skroban Najaka, Ph.D. 2005-Present

Administrative / Training Coordinator

Haisha Thompson 2001-2007
Jessica Rider 2007-2011
Marlene Akas 2011-2014
Katharine Pembroke 2015-Present

Researcher

Philip Laffey 2001-2002
Jill Farrell 2001-2003
Greg Jones 2002
Dave Bierie 2002

Data Analyst

Gary Locust, Jr. 2002-2003

Staff Attorney

Dan Goldman 2001

Field Coordinator

Douglas McDonald 2000

Project Manager

Jennifer Cox 2000

TIMELINE OF NOTABLE EVENTS

1983

Sentencing guidelines deployed statewide

1999

MSCCSP created

2001

Adopted rules to clarify that sentences with certain specified alternative sanctions are guidelines-compliant

Adopted guidelines rule to identify all sentences pursuant to a binding plea agreement (e.g., American Bar Association (ABA)) as guidelines-compliant

2002

Began collection of data on modified sentences involving a crime of violence

Added to the guidelines worksheet fields about the role of victim at sentencing

2005

Began collection of victim economic loss data for theft- and fraud-related crimes

2006

Introduced the *Guidelines E-News*, an electronic newsletter delivered to criminal justice partners to relay updates to the guidelines

2009

Completed an inventory on the availability of sentencing alternatives for drug offenders

Hosted the National Association of Sentencing Commissions (NASC) Annual Conference

2012

Piloted Maryland Automated Guidelines System (MAGS)

2013

Began review of risk assessment instruments

2014

Initiated MAGS statewide deployment

2016

Completed review of risk assessment instruments

Adopted changes to the sentencing matrix for certain drug offenses to more accurately reflect current sentencing practice

2017

Reduced the seriousness categories for many drug and property offenses consistent with the intent of the Justice Reinvestment Act

TIMELINE OF NOTABLE EVENTS

2018

Completed a study on alternatives to incarceration

—
Adopted a policy statement encouraging the use of alternatives to incarceration, where appropriate

—
Completed a study on juvenile delinquency and adopted corresponding revisions to the juvenile delinquency component of the sentencing guidelines

2019

Expanded designated corrections options allowing judges to use a broader range of alternatives to incarceration while remaining compliant with the sentencing guidelines

—
Completed statewide deployment of MAGS

2020

Started an ongoing series of *Sentencing Snapshot* mini-reports

—
Surveyed members of the Maryland criminal justice community to solicit feedback on the State's sentencing guidelines and the activities of the MSCCSP

2021

Amended the definition of a guidelines-compliant plea to require agreement as to the specific active time

2022

Revised the sentencing matrices for drug and property offenses to more accurately reflect current sentencing practice

2023

Published *Analysis of Racial Differences in Guidelines-Eligible Sentencings* report

—
Deployed *Crimes of Violence Data Dashboard*

—
Initiated review of judicial reasons for departures from the sentencing guidelines

2024

Released an updated, mobile-friendly version of MAGS with a simplified screen to collect sentence information

—
Deployed data download tool

MSCCSP BY THE NUMBERS

WORK OF THE COMMISSION

81

Commissioners



Commission Meetings

105

20

Public Comments Hearings



25

Years Collaborating with
the National Association
of Sentencing
Commissions

25

Annual Reports

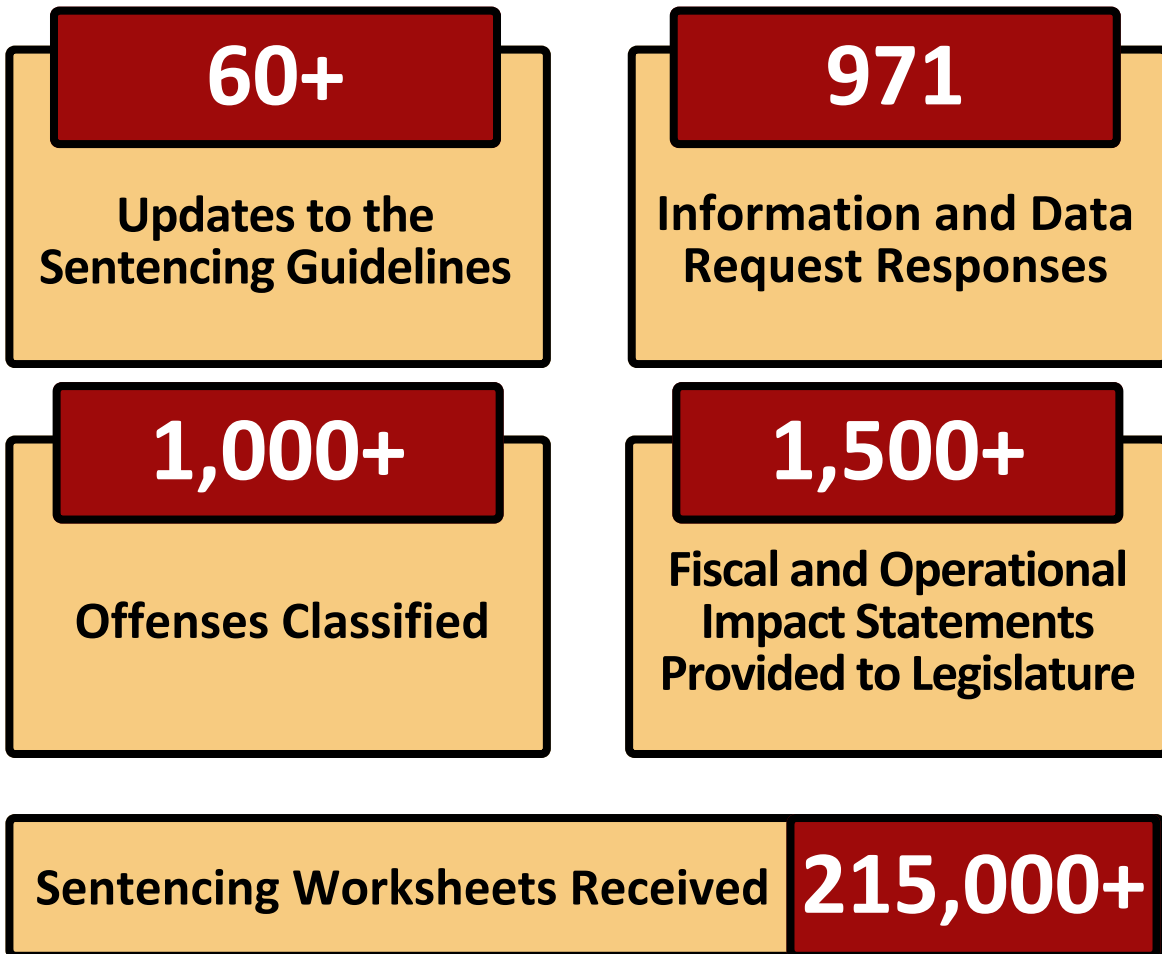


Sentencing Snapshots

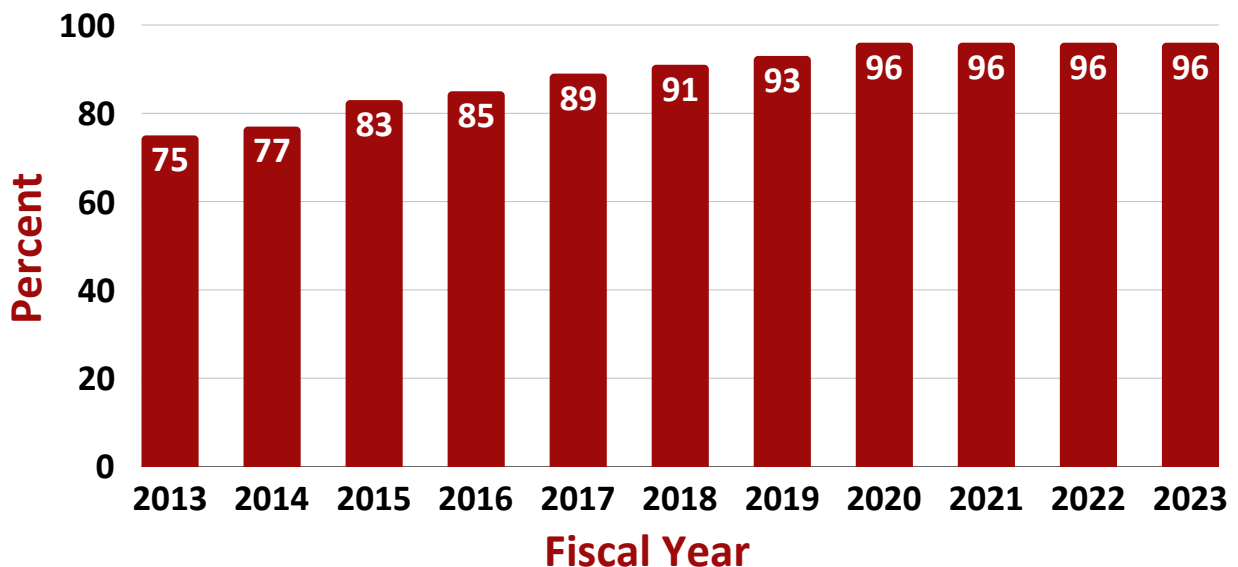
12

MSCCSP BY THE NUMBERS

FAIRNESS, PROPORTIONALITY, AND EQUITY IN SENTENCING

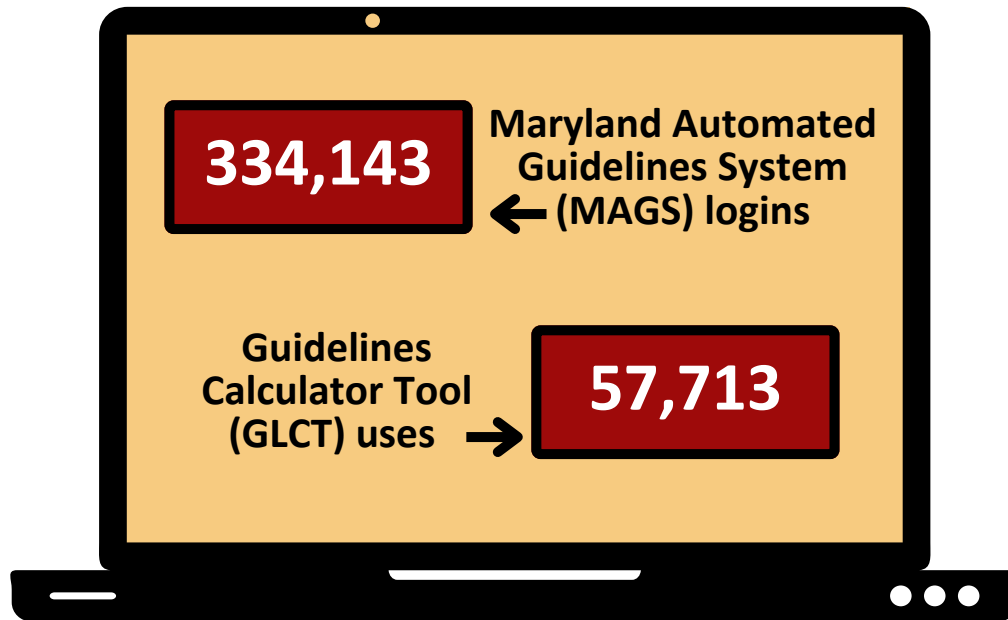


Guidelines Worksheet Submission Rates



MSCCSP BY THE NUMBERS

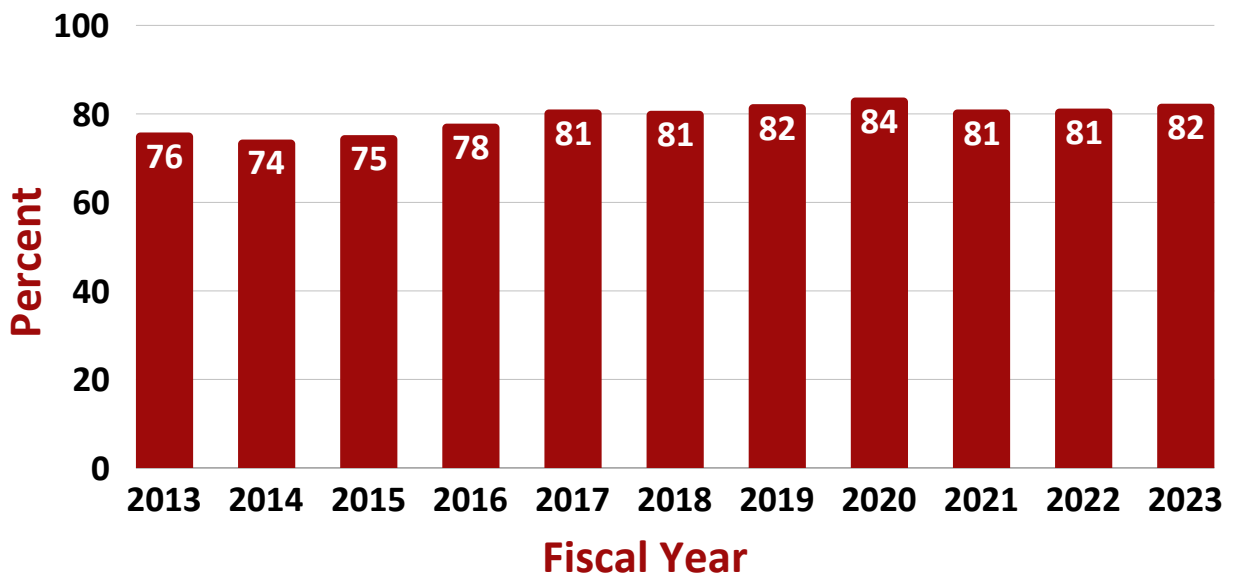
DATA COLLECTION AND TRANSPARENCY



12

MAGS Versions Since Deployment in 2012

Overall Sentencing Guidelines Compliance Rates



MSCCSP BY THE NUMBERS

EDUCATION AND TRAINING

57

**Maryland Sentencing
Guidelines Manual
(MSGM) Versions**

56

**Guidelines E-News
Published**

The MSCCSP provides training and meets with judges and judicial staff to promote the consistent application of the guidelines and accurate completion of the sentencing guidelines worksheet.



250+

**Guidelines Trainings
Conducted**



190+

**Judicial Feedback
Meetings**



1,500

**Average Number of Help Desk
Inquiries Per Year**

REFLECTIONS ON THE MSCCSP

Honorable Dana M. Middleton, Associate Judge, Circuit Court for Baltimore City; MSCCSP Chair, 2023-Present

It is truly an honor to serve as chair of the MSCCSP during its 25th year. Since 1999, the mission of the MSCCSP has been to utilize research and data to reduce disparities and inform fair and proportional sentences throughout Maryland. Needless to say, this Commission has done just that and much more! For example, in 2023, the Commission published *An Assessment of Racial Differences in Maryland Guidelines-Eligible Sentencing Events*. This report not only revealed important statistical data about sentencing practices but highlighted several societal and environmental factors that could impact sentencing disparities pre-sentencing. In addition, the Commission has maintained its relevance in this ever-changing digital world by launching a crimes of violence dashboard and the Maryland Automated Guidelines System (MAGS). Finally, the MSCCSP is filled with several long serving members from every facet of the criminal justice system including the legislature, prosecutors, defense attorneys, judges, and research and policy analysts. These members work tirelessly to ensure the Maryland sentencing guidelines fulfill their purpose, and we look forward to many years to come. Congratulations on 25 years of dedicated service!



**MSCCSP CHAIR, THE HONORABLE
DANA M. MIDDLETON**

REFLECTIONS ON THE MSCCSP

Honorable Matthew J. Fader, Chief Justice, Supreme Court of Maryland
(Formerly the Maryland Court of Appeals)

Congratulations to the MSCCSP for 25 years of impressive service to the people of Maryland. Sentencing is one of the most important and difficult responsibilities a judge has. The guidelines have come to play a significant role in carrying out that responsibility. The origins of the current sentencing guidelines date to 1978, when the Supreme Court of Maryland initiated an effort to develop guidelines based on actual sentencing data. Since 1999, the Commission has carried that effort forward, working as an independent body to ensure that the guidelines inform fair and proportional sentences statewide, stay up-to-date, and continue to be based on quality data and research. Those efforts, along with the transparent nature of the Commission's work and its involvement of community stakeholders, help bolster credibility and trust in the judicial system. Congratulations and thank you to the Commission and its current and past members on 25 years of service.

Bill Ferguson, President of the Maryland Senate

After 25 years of service promoting fairness and transparency in Maryland's criminal justice system, on behalf of the Senate of Maryland, I commend the work of the MSCCSP. The commissioners and staff have made crucial progress to make the State's sentencing policy more equitable, driven by advanced data analysis designed to make fair and proportional sentencing decisions. I am proud to have appointed such dedicated public servants, like Senator Charles Sydnor and Senator Chris West, who bring their expertise and diligence to this highly effective Commission. The Commission's work to reduce unwarranted and unjust disparities in criminal sentencing practices will continue as they build on the last 25 years of meaningful and lasting policy change.

Adrienne A. Jones, Speaker of the Maryland House of Delegates

On behalf of the Maryland House of Delegates, I am proud to extend my best wishes and sincere congratulations to the Maryland State Commission on Criminal Sentencing Policy on your 25th anniversary. For the past 25 years, the General Assembly has relied on your fair and data-driven approach for developing sentencing guidelines and policies. Thank you to all the MSCCSP commissioners and staff for their dedicated public service to the State of Maryland.

REFLECTIONS ON THE MSCCSP

Delores G. Kelley, Retired Maryland State Senator, Baltimore County; MSCCSP Commissioner/Guidelines Subcommittee Member, 1999-2020; Member of the Predecessor Study Commission; 23 years of service on the MSCCSP (longest serving member)

All Marylanders should take pride in the 25th anniversary of the MSCCSP, an interdisciplinary body, tasked with evaluating and annually reporting the extent to which sentences handed down by Maryland circuit courts comply with published guidelines adopted by the Commission to promote sentencing effectiveness and proportionality for all demographics statewide.

As a retired state senator who served on this important Commission from 1999-2020, I invite all Marylanders to review the Commission's very substantive annual reports, including juvenile delinquency components and judicial reasons for any departures from sentencing guidelines, which are intended to promote fairness and to reduce unwarranted disparity across various Maryland counties and other demographics.

Honorable Glenn T. Harrell, Jr., Retired Judge, Maryland Supreme Court (Formerly the Maryland Court of Appeals); MSCCSP Chair, 2015-2019

Hopefully channeling as well for the late Judge Howard Chasanow (a fellow Prince Georgian), who preceded me as a chair of the MSCCSP, I came to a conviction over my 4 years of service that the Commission, as an institution and its constituent members, acted as an entirely independent, non-partisan body in going about its business of fostering fair and proportional sentencing decisions across Maryland's circuit courts. It was important to its success in this regard that its meticulous data-gathering activities illustrated the need for transparency in the formulation of sentencing policy. On behalf of my colleagues at the time, I thank our predecessors and successors for making smooth the baton-pass between administrations.

REFLECTIONS ON THE MSCCSP

Honorable Robert H. Harvey, Jr., State's Attorney, Calvert County; MSCCSP Commissioner/Guidelines Subcommittee Member, 2021-Present

Equal justice under the law is one of the foundational principles of this country. For 25 years, the MSCCSP has served to advance this ideal. The Commission's primary work product, the Maryland sentencing guidelines, has injected fairness, proportionality, and accountability into sentencing criminal cases. By channeling judicial discretion, the guidelines have helped to ensure that justice is administered fairly and impartially throughout the State.

Natasha Dartigue, Maryland Public Defender; MSCCSP Commissioner, 2022-Present

The Maryland Office of the Public Defender (MOPD) congratulates the Commission on the celebration of its 25-year milestone. The work of overseeing sentencing policy and monitoring the State's voluntary sentencing guidelines is essential to ensuring transparency in sentencing and judicial accountability. Transparency allows all stakeholders to better understand sentencing practices and identify trends that have led to racial inequities. MOPD values the Commission's data collection efforts and the continuing work of maintaining transparency.

The Commission continues to serve an invaluable role in collecting and analyzing data that provides an accurate picture of sentencing practices in Maryland and adjusting recommended sentencing guidelines to reflect current norms. The revision to the sentencing guidelines matrices for nonviolent drug and property offenses, approved at the Commission's December 7, 2021, meeting and effective July 1, 2022, was impactful. It has helped improve uniformity of sentencing practices across Maryland jurisdictions as society increasingly recognizes that over-policing and mass incarceration are not a solution to societal problems.

Data collection remains a powerful tool for assessing equity and ensuring a justice system that is consistent and fair. As Maryland works to enact policies and implement practices to eliminate disparate treatment and ensure equity and fairness in sentencing, the Commission will continue to play a critical role. Congratulations to the Commission for its efforts over the past 25 years and OPD looks forward to the work to come.

REFLECTIONS ON THE MSCCSP

Honorable Brian L. DeLeonardo, Associate Judge, Circuit Court for Carroll County; MSCCSP Commissioner/Guidelines Subcommittee Member, 2016-2021 and 2023-Present; MSCCSP Chair, 2022-2023

The work of the MSCCSP, since its creation, has been instrumental in providing invaluable criminal sentencing guidance to judges of the circuit court. It has been my privilege to serve on this Commission in various roles over many years, and I am proud of the data-driven work the Commission has undertaken regarding implementing procedures and guidelines that increase transparency and reduce disparity of sentencing decisions made by the bench. While there will no doubt be new challenges the Commission will face in the future, I am confident that the dedicated members of this independent, non-partisan Commission will always work with an eye toward ensuring its decisions promote the core values of achieving fair and proportional sentences statewide.

Charles F. Wellford, Ph.D., Professor Emeritus, University of Maryland; MSCCSP Commissioner/Guidelines Subcommittee Chair, 1999-2013; Member of the Predecessor Study Commission

Serving on the MSCCSP was one of the most rewarding aspects of my career in criminological research and teaching. I joined the Commission shortly after coming to the University of Maryland from serving as the director of the Federal Justice Research Program in the Office of the United States Attorney General, where I had worked on research on federal sentencing. What made service on the Commission so rewarding was, both during the operation of the Study Commission and my service on the MSCCSP, the outstanding leadership from the chairs and executive directors and the truly collegial way the Commission operated. In a time of divisive politics in our country, the Commission approached its tasks with one driving motivation, to create a sentencing system for Maryland that was just, fair, and effective. Of course, there were differences of opinions, but never an unwillingness to listen and be influenced by the variety of perspectives on the Commission. For myself, I learned more about sentencing during those discussions than I had learned during all my other experiences. I treasure my service on the Commission and know it profoundly influenced my research and teaching.

REFLECTIONS ON THE MSCCSP

Richard A. Finci, Criminal Defense Attorney; MSCCSP Commissioner, 2003-Present; MSCCSP Guidelines Subcommittee Member, 2010-Present; 22 years of service on the MSCCSP (longest serving current member)

I am honored to have served on the MSCCSP as a commissioner for more than 20 years and as a member of the Sentencing Guidelines Subcommittee for the last 15 years. Over these years, the Commission has been professionally led by its outstanding executive director and exceptional staff! As the Maryland Criminal Defense Attorneys' Association representative, my most important role has been to advise other non-practitioner commissioners about the significant impact the sentencing guidelines have on the day-to-day functioning of the criminal justice system throughout the State of Maryland. Aside from informing the court at sentencing of what other judges throughout the State have considered fair and proportionate punishment for a particular offense, the guidelines are used in the plea-bargaining process to reach fair and equitable plea agreements which are then presented to the court. In the absence of this plea-bargaining process, criminal courts would grind to a halt delaying justice for victims and those charged with offenses alike. The development of MAGS and the online Guidelines Calculator Tool has well-served all its users—judges (and their law clerks), prosecutors, defense attorneys and probation officers—hundreds of times per day around the State to objectively assess the consistency and fairness of criminal punishment.

REFLECTIONS ON THE MSCCSP

Honorable Shannon E. Avery, Associate Judge, Circuit Court for Baltimore City; MSCCSP Vice-Chair, 2015-2023; MSCCSP Guidelines Subcommittee Chair, 2015-2023; DPSCS Secretary Representative, 2007-2010

Now more than ever it is important to honor the formal establishment of the MSCCSP and its premier accomplishment: the Maryland sentencing guidelines. The Maryland General Assembly, in partnership with the Maryland Judiciary, set out to remedy racial and regional disparities in criminal sentencing in a manner that did not interfere with judicial discretion and due process. Over the past 25 years, that visionary blueprint has proved to be successful. The sentencing guidelines provide necessary data to judges to inform fair, proportional, and transparent sentencing. Judges trust and value the quality data collection and useful research that goes into the sentencing guidelines. This public policy endeavor was ambitious but critical to public trust and transparency.

Honorable John P. Morrissey, Chief Judge, District Court of Maryland; MSCCSP Commissioner, 2007-2014; MSCCSP Guidelines Subcommittee Chair, 2013-2014

Congratulations to the MSCCSP (Sentencing Commission) in recognition of 25 years of dedicated service to the Maryland Judiciary, the public that we serve, and to the rule of law. I was privileged to have served as a member of the Sentencing Commission for eight years early in my judicial career and witnessed firsthand the value of a truly independent and bi-partisan Sentencing Commission. Sentencing decisions are oftentimes the most difficult and impactful decisions that a judge can make. The data compiled by the Sentencing Commission not only provides a valuable tool to all judges to review and reflect upon the appropriateness of any given sentence but provides transparency to the sentencing decisions that are being made every day throughout Maryland. Kudos to Executive Director Soulé and his staff for maintaining a standard of excellence. Wishing the Sentencing Commission continued success for the next 25 years.

REFLECTIONS ON THE MSCCSP

Brian D. Johnson, Ph.D., Professor and Associate Chair, Department of Criminology and Criminal Justice, University of Maryland; MSCCSP Commissioner, 2015-Present

The work of the MSCCSP has been invaluable for advancing the shared goals of increased transparency, proportionality, and use of evidence-informed approaches to sentencing in Maryland. The Commission collects systematic, detailed data on criminal sentencing and disseminates this information to the public through annual reports, data dashboards, and studies of key topics of interest, such as racial disparities in punishment. The data are extremely detailed, reliable, and high-quality, and they are made available directly to researchers, policymakers and the public, allowing for rigorous analyses of statewide sentencing patterns over time. This is essential for ensuring transparency and accountability, and for advancing the broader understanding of criminal sentencing practices in the State. The first-rate data produced by the Commission represents an invaluable resource for policymakers, scholars, and practitioners who require reliable data to inform contemporary sentencing policy.

The guidelines represent an essential tool, helping to establish and maintain fair and equitable sentence ranges, and serving to identify and address potential inequalities in punishment. Without the MSCCSP, the public would know little about current sentencing practices in the State, and policymakers and practitioners would be significantly disadvantaged in their efforts to provide for fair and effective sentencing policy in Maryland.

In accordance with best practices, the MSCCSP is engaged in continual efforts to identify sentencing trends and update recommended guidelines ranges. The Commission's affiliation with the University of Maryland is especially important in this regard, as it helps to ensure that independent, non-partisan research is used to support data-driven, evidence-based approaches to sentencing. Over the past 25 years, the MSCCSP has played an essential role in collecting and disseminating data on judicial sentencing decisions, encouraging greater transparency and accountability in sentencing, establishing data-driven and smart sentencing approaches, developing and maintaining updated guidelines ranges, and conducting empirical research to inform and implement best practices, all to ensure fair, proportional, and effective sentencing policy in Maryland.

REFLECTIONS ON THE MSCCSP

J. Sandy Bartlett, Maryland State Delegate; MSCCSP Commissioner, 2021-Present

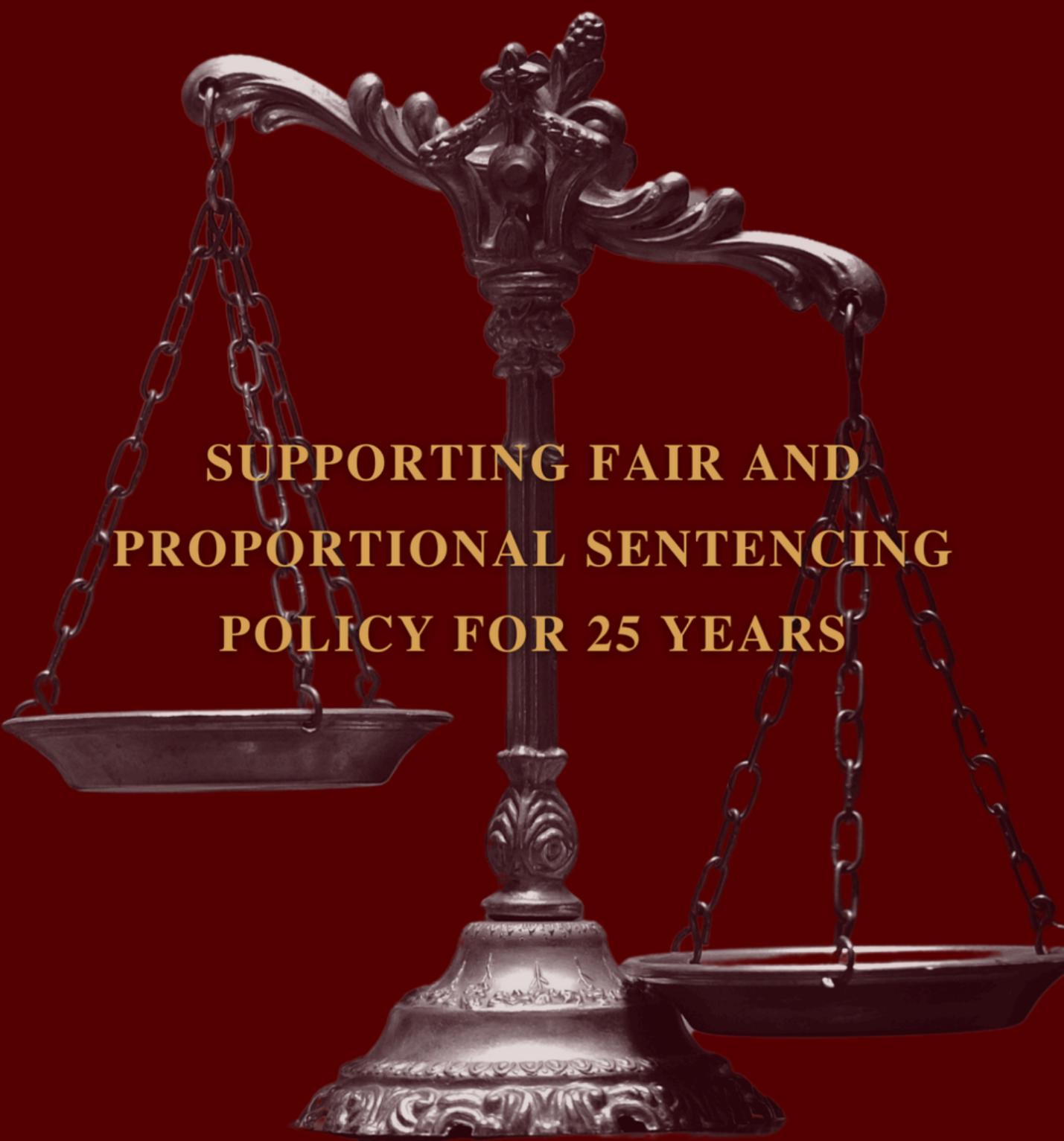
It is so impressive that the MSCCSP has been working hard for 25 years. Congratulations! Thank you, Dr. Soulé and staff, for the intensive, accurate, and data-driven analyses that you have provided the commissioners over the years. The MSCCSP provides a vital tool for the judiciary, practitioners, and legislators. Many more successful years ahead.

Charles E. Sydnor, III, Maryland State Senator; MSCCSP Commissioner, 2019-Present; MSCCSP Guidelines Subcommittee Member, 2021-Present

I congratulate and recognize the MSCCSP on its 25th anniversary for the difference it has made for Marylanders. Since 1999, the MSCCSP has worked to increase equity in sentencing by reducing unwarranted disparity and to promote increased visibility and aid public understanding of the sentencing process. It has been an honor to serve as a commissioner while in the House of Delegates, and now in the Maryland Senate, to help the MSCCSP work towards such laudable goals.

Carolyn J. Scruggs, Secretary, Maryland Department of Public Safety & Correctional Services; MSCCSP Commissioner, 2023-Present

The Maryland Sentencing Commission's guidelines ensure fair and equitable sentencing by promoting consistency, reducing disparities, and aligning punishments with the severity of the crime and the defendant's criminal history. Transparent decision-making in sentencing fosters trust in the justice system by ensuring consistent, proportional outcomes. This transparency reduces perceptions of bias and favoritism, while also educating the public, which leads to greater support for a fair and equitable process.



**SUPPORTING FAIR AND
PROPORTIONAL SENTENCING
POLICY FOR 25 YEARS**

The Maryland State Commission on Criminal Sentencing Policy is an independent agency located at the University of Maryland, College Park campus.

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