



## About the Maryland Sentencing Guidelines Data

**BACKGROUND** The State of Maryland has collected data utilized to calculate the sentencing guidelines and to review the corresponding sentences for guidelines-eligible cases since 1983. From 1983 to 2000, the Administrative Office of the Courts (AOC) was responsible for collecting these sentencing guidelines data. In July 2000, this responsibility was given to the Maryland State Commission on Criminal Sentencing Policy (MSCCSP).

The data collected by the MSCCSP are primarily used to monitor judicial compliance with the sentencing guidelines, inform potential changes to the guidelines based on actual sentencing practices, and summarize sentencing trends throughout the State.

**SOURCE** The sentencing guidelines data originate from [sentencing guidelines worksheets](#) submitted to the MSCCSP for guidelines-eligible cases sentenced in the State's circuit courts. The worksheet collects information on offender characteristics, offense characteristics, victim information, recommended sentence range, disposition and sentence characteristics, and compliance with the sentencing guidelines. The accuracy and completeness of the data are dependent on the information entered in each sentencing guidelines worksheet.

Sentencing guidelines worksheets are typically initiated by the State's Attorney's Office or the Division of Parole and Probation (in instances where a pre-sentence investigation (PSI) was ordered). Prosecutors and Parole and Probation agents record the worksheet information up to the point of sentence information. Sentencing judges or their designees complete initiated worksheets by providing necessary sentence information and the reason(s) for departure from the guidelines, if applicable.

Worksheet format:

1. paper worksheets
2. electronic worksheets, completed and submitted via the Maryland Automated Guidelines System (MAGS).

The sentencing guidelines worksheet originated as a paper form and transitioned to a predominantly electronic form, completed and submitted by practitioners via MAGS. MAGS was gradually [deployed](#) by jurisdiction starting in 2012. Effective October 1, 2019, MAGS is utilized in all twenty-four Maryland jurisdictions. Paper worksheets are still completed but only in the rare instance when a criminal justice practitioner is not able to use MAGS to complete a sentencing guidelines worksheet. This typically happens when an offense in the sentencing event is not included in the MAGS offense table.

**SCOPE/LIMITATIONS** The Maryland sentencing guidelines apply to [select circuit court cases](#) (i.e., guidelines-eligible cases). As such, the data collected via the sentencing guidelines worksheet are **not inclusive of all criminal sentencing events in Maryland**. A sentencing guidelines worksheet is completed for all criminal sentencing events involving an incarcerable offense that originate in and are sentenced in Maryland circuit courts. Additionally, a worksheet is completed for sentencing events involving jury trial prayers and appeals from the District Court if a PSI is ordered. This is because prayers and appeals where a PSI is ordered generally involve more serious and/or incarcerable offenses. Lastly, worksheets are submitted for sentence reconsiderations/modifications and three-judge panel reviews, provided that the sentencing event involves a crime of violence (as defined in Criminal Law Article, § 14-101, Annotated Code of Maryland) and there is an adjustment to the active sentence.

Circuit court sentencing events not requiring a sentencing guidelines worksheet include prayers and appeals from the District Court without a PSI, as well as most sentence modifications, including



modifications in response to a violation of probation. Similarly, sentencing guidelines worksheets are not submitted for cases adjudicated in a juvenile court or cases in which the offender was found not criminally responsible (NCR). Violations of public local laws and municipal ordinances, offenses that carry no possible penalty of incarceration, criminal nonsupport, and criminal contempt are excluded from guidelines coverage. Lastly, when considering the scope of the sentencing guidelines data it is important to note that **sentencing guidelines worksheets are not submitted to the MSCCSP for District Court cases.**