



## **Maryland Sentencing Guidelines Compliance and Average Sentence for the Most Common Person, Drug and Property Offenses (Fiscal Year 2024)**

The tables below summarize Maryland sentencing guidelines compliance and average sentence for the five most common offenses in each crime category (person, drug, and property). The tables are based on sentencing guidelines worksheets submitted to the Maryland State Commission on Criminal Sentencing Policy (MSCCSP) for circuit court convictions sentenced between July 1, 2023 and June 30, 2024. Only single count cases were included. The accuracy and completeness of the sentencing data summarized below are directly related to the quality of the information entered in each guidelines worksheet.

The MSCCSP deems a sentence compliant with the guidelines if the initial sentence (defined as the sum of incarceration, credited time, and home detention) falls within the applicable guidelines range. In addition, the MSCCSP deems a sentence compliant if the judge sentenced an offender to a period of pre-sentence incarceration time with no additional post-sentence incarceration time and the length of credited pre-sentence incarceration exceeds the upper guidelines range for the sentencing event. The MSCCSP deems sentences to corrections options programs (e.g., drug court; Health General Article, § 8-507 commitments; home detention) compliant provided that the initial sentence plus any suspended sentence falls within or above the applicable guidelines range and the sentencing event does not include a crime of violence, child sexual abuse, or escape. By doing so, the Commission recognizes the State's interest in promoting these alternatives to incarceration. Finally, sentences pursuant to an MSCCSP binding plea agreement are guidelines-compliant (COMAR 14.22.01.17). The MSCCSP adopted the binding plea agreement compliance policy in 2001 to acknowledge that binding plea agreements reflect the consensus of the local view of an appropriate sentence within each specific community. The corrections options and binding plea agreement compliance policies allow the court to set a guidelines compliant sentence which considers the individual needs of the offender, such as substance abuse treatment, as opposed to incarceration.



### Person Offenses – Fiscal Year 2024

Person Offenses	Cases with Valid Data	Guidelines Compliance			% Incarcerated*	Average Sentence Length Among Those Incarcerated:	
		% Within	% Below	% Above		Total Sentence	Total Sentence, Less Suspended Sentence
Assault, 2 <sup>nd</sup> Degree [CR, § 3-203]	1,233	85.8%	10.8%	3.4%	75.6%	6.2 years (3.4)	1.1 years (1.6)
Possession of Regulated Firearm by Restricted Person [PS, § 5-133(b)]	261	76.6%	21.8%	1.5%	93.9%	4.3 years (1.2)	1.4 years (1.3)
Assault, 1 <sup>st</sup> Degree [CR, § 3-202]	251	61.8%	35.1%	3.2%	97.6%	14.9 years (6.9)	4.4 years (4.4)
Robbery [CR, § 3-402]	229	79.5%	19.2%	1.3%	93.9%	9.5 years (4.8)	2.4 years (2.7)
Wear, Carry, or Transport Handgun <sup>a</sup> [CR, §4-203(c)(2)(i)]	224	92%	7.6%	0.4%	68.3%	2.5 years (0.8)	0.5 years (0.6)

NOTE: The standard deviation is listed in parentheses below each mean. The standard deviation measures the spread of a set of data around the mean of the data. In a normal distribution, approximately 68 percent of scores fall within plus or minus one standard deviation of the mean, and 95 percent fall within plus or minus two standard deviations of the mean.

\* % *Incarcerated* includes those who are incarcerated pre-trial only, as well as those incarcerated after sentencing.

<sup>a</sup> The legislature raised the maximum penalty for *Wear, Carry, or Transport Handgun* from three years to five years effective October 1, 2023. In response, the Commission changed the seriousness category from VII to VI. The statistics presented in the table are limited to sentencing events involving *Wear, Carry, or Transport Handgun* with an offense date prior to October 1, 2023.



### Drug Offenses – Fiscal Year 2024

Drug Offenses	Cases with Valid Data	Guidelines Compliance			% Incarcerated*	Average Sentence Length Among Those Incarcerated:	
		% Within	% Below	% Above		Total Sentence	Total Sentence, Less Suspended Sentence
Distribute, PWID, Manufacture, etc. Cocaine [CR, § 5-608(a)]	632	88.8%	9.2%	2.1%	84.8%	6.9 years (5.3)	1.3 years (2)
Distribute, PWID, Manufacture, etc. Fentanyl [CR, § 5-608(a)]	294	87.8%	8.8%	3.4%	87.8%	8.8 years (5.9)	1.8 years (2.7)
PWID, Manufacture, Possess Production Equipment - Cannabis [CR, § 5-607(a)(2)]	102	98%	---	2%	48%	2 years (1.2)	0.2 years (0.3)
Possess Cocaine [CR, §5-601(c)(1)(i)]	88	95.5%	---	4.5%	73.9%	0.7 years (0.4)	0.3 years (0.3)
Distribute, PWID, Manufacture, etc. Heroin [CR, § 5-608(a)]	47	85.1%	10.6%	4.3%	89.4%	7.2 years (5.7)	2.1 years (3.3)

NOTE: The standard deviation is listed in parentheses below each mean. The standard deviation measures the spread of a set of data around the mean of the data. In a normal distribution, approximately 68 percent of scores fall within plus or minus one standard deviation of the mean, and 95 percent fall within plus or minus two standard deviations of the mean.

\* % *Incarcerated* includes those who are incarcerated pre-trial only, as well as those incarcerated after sentencing.



### Property Offenses – Fiscal Year 2024

Property Offenses	Cases with Valid Data	Guidelines Compliance			% Incarcerated*	Average Sentence Length Among Those Incarcerated:	
		% Within	% Below	% Above		Total Sentence	Total Sentence, Less Suspended Sentence
Burglary, 2 <sup>nd</sup> Degree [CR, § 6-203(c)(1)]	143	87.4%	9.8%	2.8%	83.2%	7.1 years (4.6)	1.3 years (1.6)
Felony Theft or Theft Scheme, At Least \$1,500 but Less Than \$25,000 [CR, § 7-104(g)(1)(i)]	129	83.7%	4.7%	11.6%	61.2%	4 years (1.7)	0.9 years (1.2)
Burglary, 4 <sup>th</sup> Degree [CR, § 6-205]	109	92.7%	3.7%	3.7%	65.1%	2.2 years (1.1)	0.4 years (0.4)
Burglary, 1 <sup>st</sup> Degree [CR, § 6-202(c)]	70	84.3%	11.4%	4.3%	85.7%	8.8 years (6.2)	1.9 years (2.1)
Deliver, Possess with Intent to Deliver, Knowingly Possess Contraband [CR, § 9-412]	69	81.2%	15.9%	2.9%	82.6%	1.1 years (0.8)	0.8 years (0.6)

NOTE: The standard deviation is listed in parentheses below each mean. The standard deviation measures the spread of a set of data around the mean of the data. In a normal distribution, approximately 68 percent of scores fall within plus or minus one standard deviation of the mean, and 95 percent fall within plus or minus two standard deviations of the mean.

\* % *Incarcerated* includes those who are incarcerated pre-trial only, as well as those incarcerated after sentencing.