



SENTENCING SNAPSHOT



Issue 10—August 2023

SENTENCING TRENDS IN MARYLAND CIRCUIT COURTS FOR CHILD ABUSE

This Sentencing Snapshot examines all child abuse convictions sentenced in Maryland circuit courts in fiscal years (FY) 2018 through 2022. Additional information, including methodology for this report, may be found on the [MSCCSP website](https://www.msccsp.org).

KEY TAKEAWAYS

994
Sentences
FY 2018-FY 2022



71%
of sentences for
child abuse were for
sexual abuse

Individuals sentenced for **child sexual abuse** were more likely than individuals sentenced for all person offenses to be:

- Older
- Hispanic or White
- Have no prior record

Individuals sentenced for **child physical abuse** of any degree were more likely than individuals sentenced for all person offenses to be:

- Female
- Have no prior record

Injury

38%

Child sexual abuse

vs.

95%

Child physical abuse convictions of any degree involved an injury

Vulnerability

53%

Child sexual abuse

vs.

83%

Child physical abuse convictions of any degree involved special victim vulnerability

Weapon

<1%

Child sexual abuse

vs.

23%

Child physical abuse of any degree involved a weapon

CHILD ABUSE CONVICTIONS IN MARYLAND CIRCUIT COURTS FY 2018-FY 2022

Child Sexual Abuse **710**

Child Physical Abuse, 1st Degree **39**

Child Physical Abuse, 1st Degree, w/ Death **32**

Child Physical Abuse, 2nd Degree **213**



Source: Maryland Sentencing Guidelines Worksheets, FY2018-FY2022

CHILD ABUSE OFFENSES IN MARYLAND LAW

Offense	Statute	Stat Max	Seriousness Category
Child Sexual Abuse	CR, § 3-602(b)	25Y	II
Child Physical Abuse, 1 st Degree	CR, § 3-601(b)(2)(i)	25Y	II
Child Physical Abuse, 1 st Degree w/Death	CR, § 3-601(b)(2)(ii)	40Y (Victim 13 years+)	II
	CR, § 3-601(b)(2)(iii)	Life (Victim under 13 years)	I
Child Physical Abuse, 2 nd Degree	CR, § 3-601(c)(2)	Life (Previous conviction for child abuse)	I
	CR, § 3-601(d)	15Y (1st Offense)	IV
	CR, § 3-601(c)(1)	25Y (Previous conviction for child abuse)	II*

* Seriousness category classification has an anticipated effective date of November 13, 2023.

CHARACTERISTICS OF INDIVIDUALS SENTENCED FOR CHILD ABUSE FY 2018-FY 2022

AVERAGE AGE

37Y

Child Sexual Abuse

29Y

Child Physical Abuse, 1st Degree*

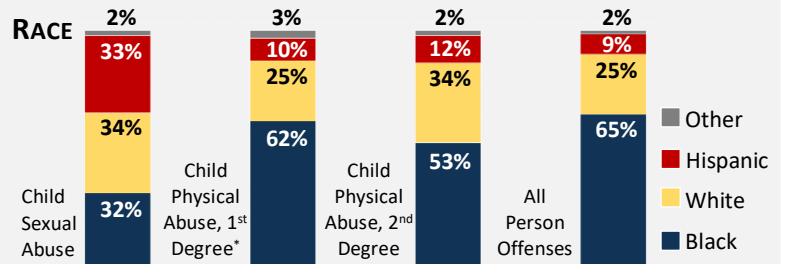
34Y

Child Physical Abuse, 2nd Degree

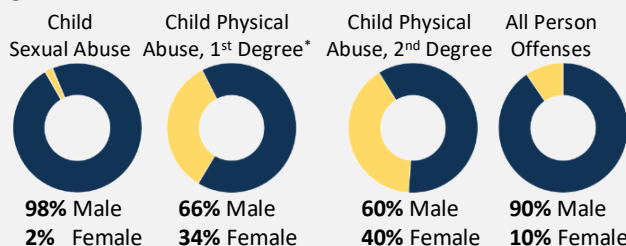
31Y

All Person Offenses

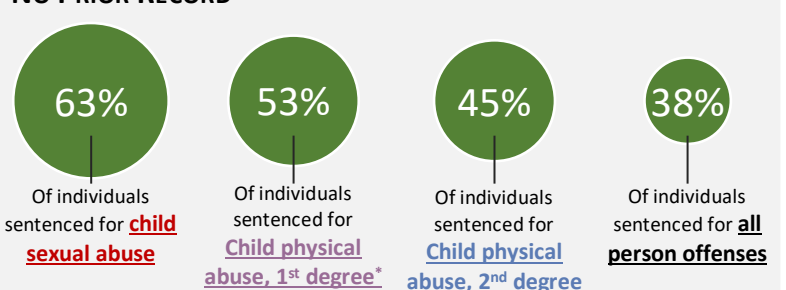
RACE



SEX



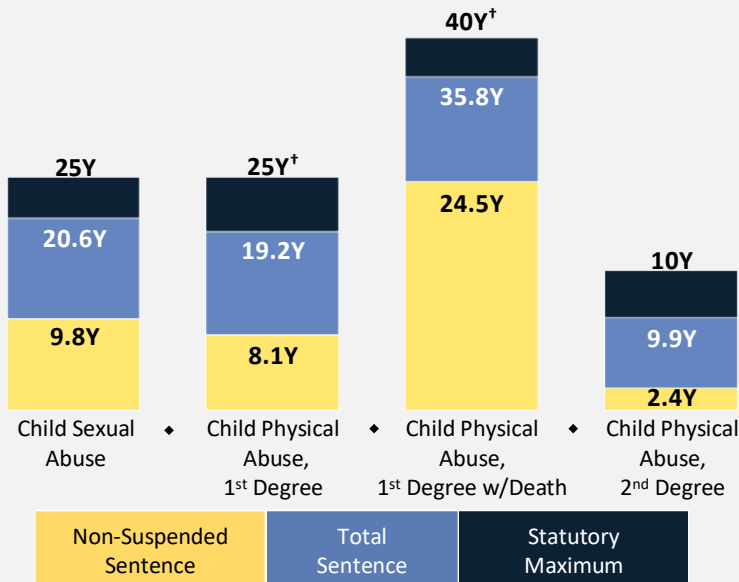
NO PRIOR RECORD



* Includes offenses resulting in death

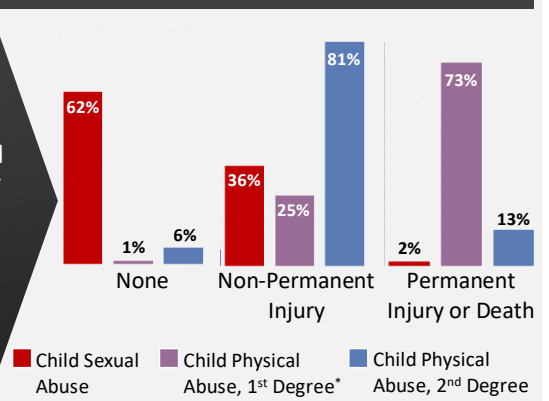


AVERAGE SENTENCES FOR INDIVIDUALS CONVICTED OF CHILD ABUSE IN MARYLAND CIRCUIT COURTS FY 2018-FY 2022

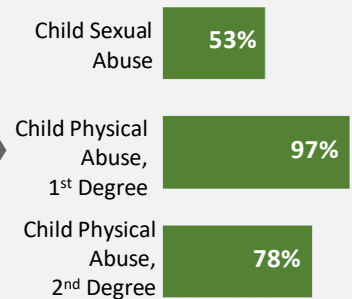


[†] Effective October 1, 2017, child physical abuse, 1st degree, carries a statutory maximum penalty of life imprisonment if the offense results in the death of a victim less than 13 years old or the sentenced individual has a previous conviction for child abuse.

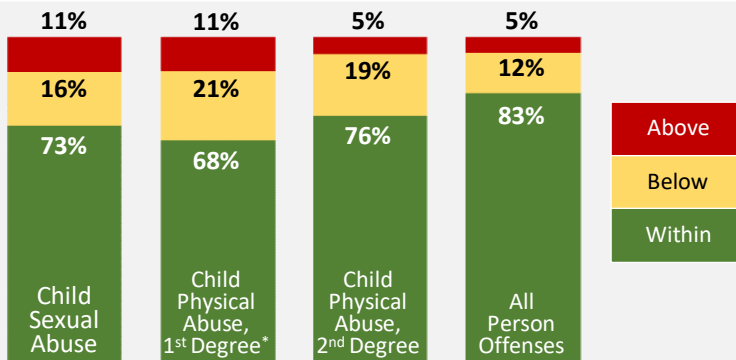
VICTIM INJURY



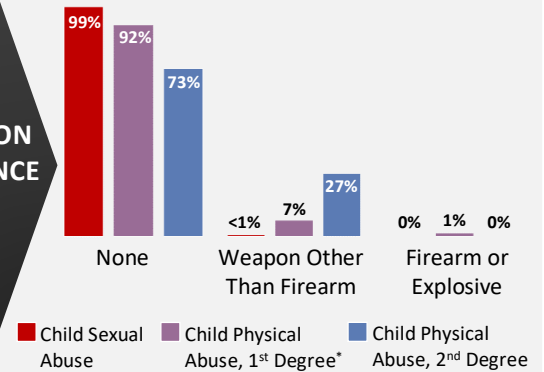
SPECIAL VICTIM VULNERABILITY



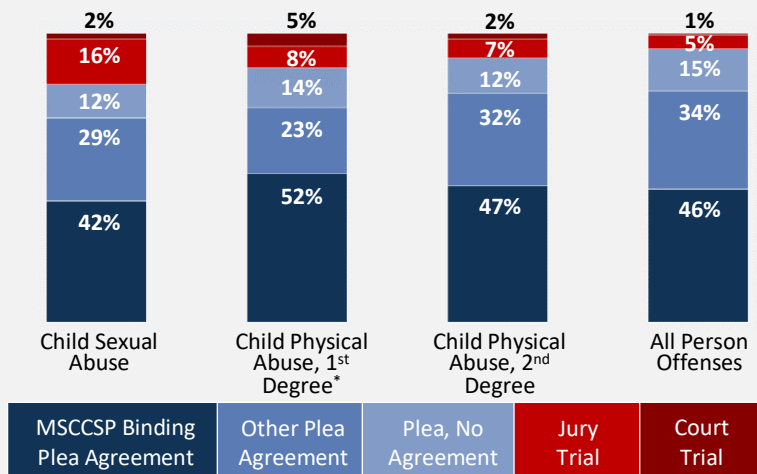
SENTENCING GUIDELINES COMPLIANCE



WEAPON PRESENCE



DISPOSITION TYPE



* Includes offenses resulting in death

- ▶ **Child sexual abuse** was **more likely** than all person offenses to be disposed of via a **jury trial** and to involve a **departure above or below the guidelines**.
- ▶ **Child physical abuse, 1st degree** sentences were **more likely** than all person offense sentences to involve a **departure above or below the guidelines**.
- ▶ **Child physical abuse, 2nd degree** sentences were **more likely** than all person offense sentences to involve a **departure below the guidelines**.