Racial Differences in Maryland Guidelines-Eligible Sentencing Events
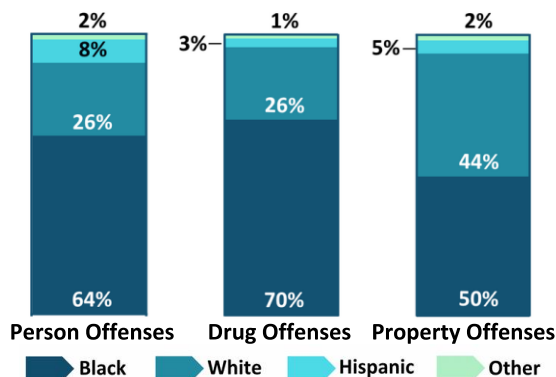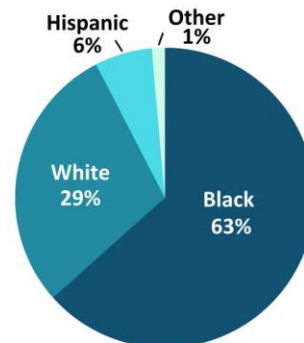
This Sentencing Snapshot includes all guidelines individuals sentenced in Maryland circuit courts from calendar years (CY) 2018 through 2020. Additional information, including methodology for this report, may be found in the **full report** released in July 2023.

Offense Type by Race

Person Offenses: Black 64%, White 26%, Hispanic 8%, Other 2%
Drug Offenses: Black 70%, White 26%, Hispanic 3%, Other 1%
Property Offenses: Black 50%, White 44%, Hispanic 5%, Other 2%

Legend: Black / White / Hispanic / Other

Racial Composition of Guidelines-Sentenced Individuals

Black 63%, White 29%, Hispanic 6%, Other 1%

Racial Composition of the Entire State of Maryland

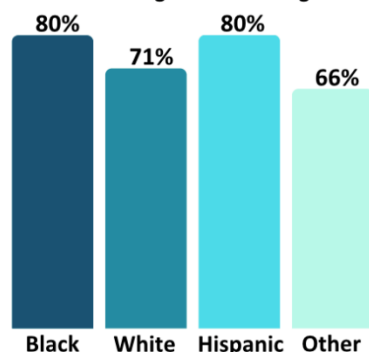Black 32%, White 48%, Hispanic 12%, Other 9%
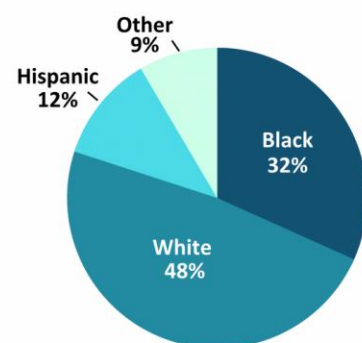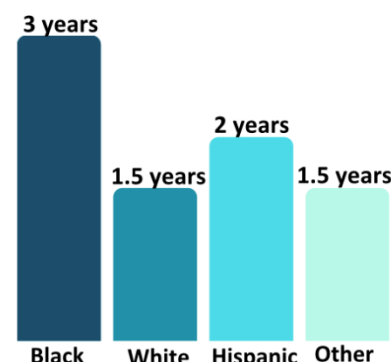
Source: U.S. Census Bureau (2020)

📢 Key Takeaways

- Black individuals composed 63% of guidelines-sentenced individuals versus 32% of the entire population in Maryland.

- Incarceration rates were highest and median sentence lengths were longest for Black and Hispanic individuals.

- Sentencing trends for Black individuals may be attributed, in part, to more extensive criminal records, greater offense severity, and greater firearm presence among Black relative to White and Other Race individuals.

- Sentencing trends for Hispanic individuals may be related to greater offense severity among Hispanic individuals relative to White and Other Race individuals.

- Each of these factors, in turn, led to higher guidelines ranges for Black and Hispanic individuals.

- When the guidelines were accounted for, racial differences in sentencing were reduced though not eliminated.

- Hispanic individuals were sentenced higher relative to their guidelines in comparison to Black, White, and Other Race individuals. This trend may be, in part, because Hispanic individuals were more likely to have no prior criminal record but to be convicted of relatively serious offenses.
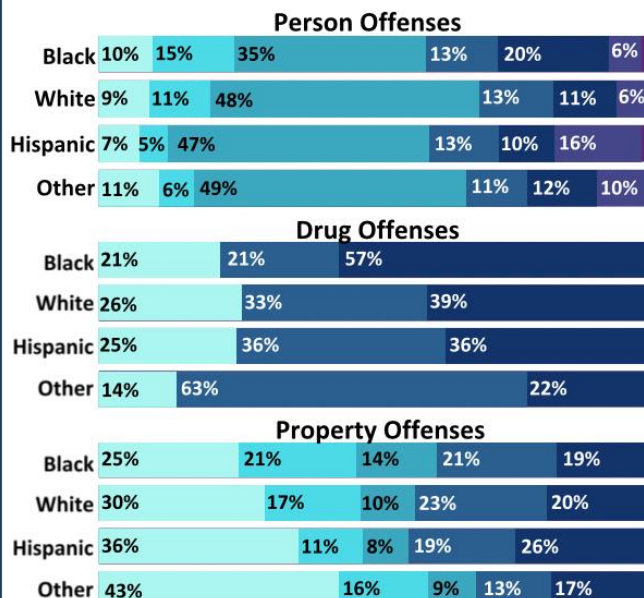
Incarceration Rates by Race
for Guidelines-Eligible Sentencing Events

Black 80%, White 71%, Hispanic 80%, Other 66%

Median Sentence Length by Race

Black 3 years, White 1.5 years, Hispanic 2 years, Other 1.5 years

Offense Seriousness Categories by Race

Person Offenses

Black	10%	15%	35%	13%	20%	6%
White	9%	11%	48%	13%	11%	6%
Hispanic	7%	5%	47%	13%	10%	16%
Other	11%	6%	49%	11%	12%	10%

Drug Offenses

Black	21%	21%	57%
White	26%	33%	39%
Hispanic	25%	36%	36%
Other	14%	63%	22%

Property Offenses

Black	25%	21%	14%	21%	19%
White	30%	17%	10%	23%	20%
Hispanic	36%	11%	8%	19%	26%
Other	43%	16%	9%	13%	17%

Seriousness Categories
Most Severe
- I
- II
- III
- IV
- V
- VI
- VII
Least Severe

The MSCCSP assigns seriousness categories to offenses based on the nature of the offense and its statutory maximum penalty.

Seriousness categories range from VII (least severe, such as Theft, <$1,500) to I (most severe, such as Murder, 1st degree).

An Individual's **Sentencing Guidelines Range** = **Offender Score** (criminal history) + **Offense Seriousness Category** (drug and property offenses) **or** **Offense Score** (person offenses)

Offender Score Components

- Relationship to CJS when Offense Occurred
- +
- Juvenile Delinquency
- +
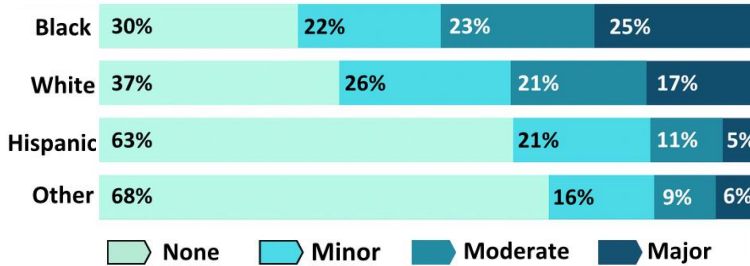- Prior Adult Parole/ Probation Violation
- +
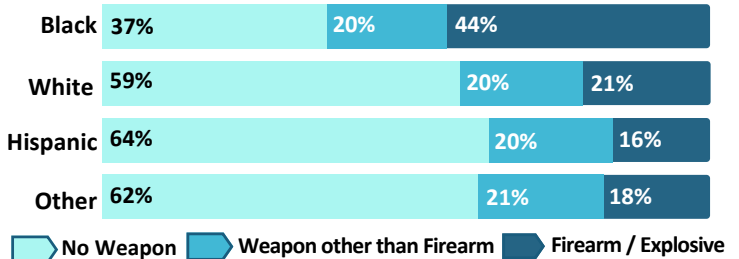- Prior Adult Criminal Record

Average Offender Score

Black	White	Hispanic	Other
2.8	2.2	1.1	1
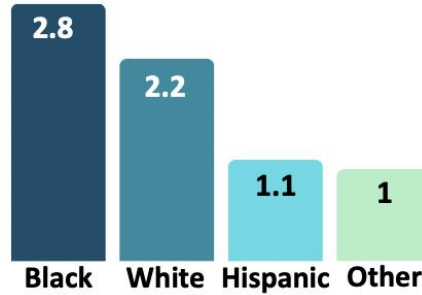
Offense Score Components

- Seriousness Category
- +
- Victim Injury
- +
- Special Victim Vulnerability
- +
- Weapon Presence

Prior Adult Criminal Record Severity

	None	Minor	Moderate	Major
Black	30%	22%	23%	25%
White	37%	26%	21%	17%
Hispanic	63%	21%	11%	5%
Other	68%	16%	9%	6%

Weapon Presence by Race
(for person offenses only)

	No Weapon	Weapon other than Firearm	Firearm / Explosive
Black	37%	20%	44%
White	59%	20%	21%
Hispanic	64%	20%	16%
Other	62%	21%	18%

Sentencing Guidelines Midpoint
(The middle of an individuals' guidelines range)

Bottom of Range — Top of Range

Average Midpoints

	Average Midpoints
Black	5.7 years
White	3.6 years
Hispanic	4.4 years
Other	2.6 years

Median Sentence Relative to the Sentencing Guidelines Midpoint

	Median %	Average Midpoints
Black	34%	5.7 years
White	31%	3.6 years
Hispanic	48%	4.4 years
Other	20%	2.6 years
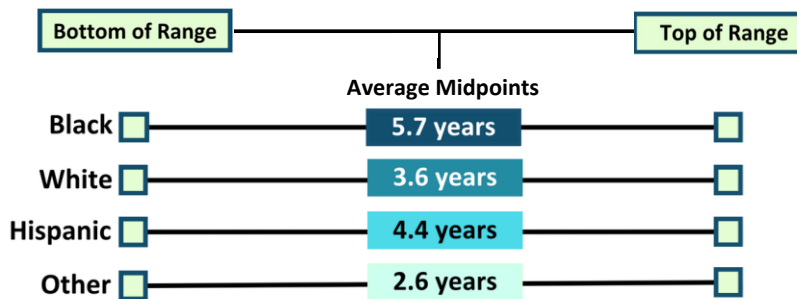
Please Note

This Snapshot is limited to the sentencing stage and cannot account for the impact of earlier or later stages of the criminal justice system on racial inequalities.

It is important to recognize that differences in the racial composition of individuals at sentencing are present before sentencing.

In other words, arrest practices, charging decisions, and pre-sentence detention significantly impact racial differences before any individual steps into a courtroom for sentencing.