



Methodology

Data Source

Issue 15 (October 2025) of the Sentencing Snapshot provides a descriptive analysis of the characteristics of and sentences for guidelines-eligible individuals sentenced in Maryland circuit courts for rape offenses from fiscal years (FY) 2020 through 2024. The data in these analyses were obtained from sentencing guidelines worksheets submitted to the Maryland State Commission on Criminal Sentencing Policy (MSCCSP) via either the Maryland Automated Guidelines System (MAGS) or paper guidelines worksheets. Sentencing guidelines worksheets are completed for all criminal sentencing events involving an incarcerable offense that originate in and are sentenced in Maryland circuit courts. Additionally, guidelines worksheets are completed for sentencing events involving jury trial prayers (JTPs) and appeals from the District Court, if a pre-sentence investigation (PSI) is ordered. A sentencing event is defined as one individual, sentenced in front of the same judge, on the same day. A sentencing event may contain multiple offenses.

These analyses exclude sentencing guidelines worksheets submitted for sentence reconsideration/modification hearings and three-judge panel reviews.¹ Sentencing guidelines worksheets are not completed for violations of probation or parole. Sentencing guidelines worksheets are not submitted to the MSCCSP for District Court cases.

¹ From FY 2020 through FY 2024, approximately 1% of sentencing events for which a guidelines worksheet was submitted were for sentence reconsideration/modification hearings or three-judge panel reviews.



Rape Laws in Maryland

Table 1 provides the current laws prohibiting rape in Maryland.

Table 1. Rape Laws in Maryland				
Offense	Source	Stat Max	Min	Ser. Cat.
1st Degree Rape				
1st degree rape	CR, § 3-303(d)(1)	Life	-	I
1st Degree Rape, Subcategories				
Attempted	CR, § 3-309(a)	Life	-	II
In conjunction with kidnapping child < 16 years	CR, § 3-303(d)(2)	Life w/o parole	-	I
Subsequent	CR, § 3-303(d)(3)	Life w/o parole	-	I
Adult offender with victim < 13 years	CR, § 3-303(d)(4)	Life w/o parole	MM*=25Y	I
2nd Degree Rape				
2nd degree rape	CR, § 3-304(c)(1)	20Y	-	II
2nd Degree Rape, Subcategories				
Attempted	CR, § 3-310(a)	20Y	-	III
Adult offender with victim < 13 years	CR, § 3-304(c)(2)	Life	MM*=15Y	II
Enhancement (May Apply to Any Rape)				
Repeat Sex Offender	CR, § 3-313	Life	-	-

** MM= Mandatory Minimum

Note. Effective October 1, 2017, 1st and 2nd degree sex offenses were reclassified as 1st and 2nd degree rape, respectively. The rape statistics cited in this Snapshot include 1st and 2nd degree sex offenses sentenced during this time. If either of these offenses was sentenced from FY 2020 through 2024, it is because the offense date was prior to October 1, 2017.



Analyses

This section provides statistics that correspond to the figures in Sentencing Snapshot #15.

Tables 2 and 3 provide the total number of rape sentences for guidelines-eligible individuals sentenced in Maryland circuit courts from FY 2020 to FY 2024, by offense and year.

Table 2. Guidelines Individuals Sentenced in Maryland Circuit Courts for Rape Offenses, FY 2020 through FY 2024		
	# Offenses	# Sentencing Events
Rape 1st Degree		
Total	75	59
Attempted	5	5
In conjunction with kidnapping child < 16 years	0	0
Adult offender with victim < 13 years	2	2
Subsequent	2	2
2nd Degree Rape		
Total	584	435
Attempted	42	39
Adult offender with victim < 13 years	38	29
Enhancement (May Apply to Any Rape)		
Repeat sex offender	6	4

Table 3. Guidelines Individuals Sentenced in Maryland Circuit Courts for Rape Offenses, by Year, FY 2020 through FY 2024			
	Total	1st Degree Rape	2nd Degree Rape
FY 2020	135	20	115
FY 2021	85	3	82
FY 2022	130	8	122
FY 2023	164	15	149
FY 2024	145	29	116
Total	659	75	584



Table 4 provides the demographic characteristics of guidelines-eligible individuals sentenced in Maryland circuit courts from FY 2020 to FY 2024.

Table 4. Characteristics of Guidelines Individuals Sentenced in Maryland Circuit Courts for Rape Offenses, FY 2020 through FY 2024

	Sentencing Event Contains One or More:							
	Person Offense		Rape		1st Degree Rape		2nd Degree Rape (No 1st Degree Rape)	
	#	%	#	%	#	%	#	%
Sex								
Male	22,631	90.8%	438	98.9%	56	98.2%	382	99.0%
Female	2,288	9.2%	5	1.1%	1	1.8%	4	1.0%
Race								
Black	17,684	65.9%	193	41.3%	32	57.1%	161	39.2%
White	6,277	23.4%	121	25.9%	9	16.1%	112	27.3%
Hispanic	2,425	9.0%	139	29.8%	13	23.2%	126	30.7%
Other	438	1.6%	14	3.0%	2	3.6%	12	2.9%
Total	29,047		487		59		428	

Notes: Percentages exclude missing data. Sex was missing for 4,128 guidelines individuals sentenced for one or more person offense, 44 individuals sentenced for one or more rape offense, 2 individuals sentenced for one or more 1st degree rape, and 42 individuals sentenced for one or more 2nd degree rape (and no 1st degree rape) during this period. Race was missing for 2,223 guidelines individuals sentenced for one or more person offenses, 20 individuals sentenced for one or more rape offenses, 3 individuals sentenced for one or more 1st degree rape offenses, and 17 individuals sentenced for one or more 2nd degree rape offenses (and no 1st degree rape offenses) during this period.

Definitions: Race and Ethnicity are separate fields on the sentencing guidelines worksheet. The following selections are available for Race: American Indian or Alaskan Native, Asian, Black or African American, Native Hawaiian or Other Pacific Islander, White, Other, and Unknown. The guidelines worksheet preparer may select more than one race. For the purposes of these analyses, some categories of race and ethnicity are combined. The Other race category combines the following race options: American Indian or Alaskan Native, Asian, Native Hawaiian or Other Pacific Islander, and Other. The Other race category also includes guidelines-sentenced individuals for whom multiple race categories were selected. Unknown race is classified as missing. The Ethnicity field asks whether the guidelines-sentenced individual is of Hispanic or Latino origin, with possible responses Yes, No, or Unknown. "Yes" responses are classified as Hispanic, regardless of selections made in the Race field. Worksheets with missing race, ethnicity, or sex, sentenced from calendar years 2018 through 2020, were supplemented with race, ethnicity, and sex data from the Administrative Office of the Courts (AOC), where available.



Table 5 provides the offense characteristics of rape convictions sentenced in Maryland circuit courts from FY 2020 to FY 2024.

Table 5. Characteristics of Rape Offenses Sentenced in Maryland Circuit Courts, FY 2020 through FY 2024				
	1st Degree Rape		2nd Degree Rape	
	#	%	#	%
Victim Injury				
None	14	18.7%	281	48.1%
Non-permanent	51	68.0%	291	49.8%
Permanent injury or death	10	13.3%	12	2.1%
Weapon				
None	30	40.0%	567	97.1%
Non-firearm	25	33.3%	14	2.4%
Firearm or other explosive	20	26.7%	3	0.5%
Special Victim Vulnerability				
Yes	10	13.3%	231	39.6%
No	65	86.7%	353	60.4%
Total	75		584	

Definitions: Victim injury is defined as “physical or psychological injury to the crime victim, the cause of which is directly linked to the conduct of the defendant in the commission of the convicted offense.” (MSGM, Chapter 6.1.B). Weapon presence is defined as “the presence of an article or device which reasonably appears capable of causing injury or the presence of an article that could result in conviction under CR, §4-101.” (MSGM, Chapter 6.1.C). Special victim vulnerability “refers to cases in which the relative status of the victim tends to render the actions of the perpetrator more serious.” Per the MSGM, “[a] vulnerable victim is anyone: a. Younger than 11 years old; b. 65 years old or older; or c. Having a temporary or permanent physical or mental disability, including an individual who is physically or mentally limited in a material way. Examples of a temporary physical or mental limitation include, but are not limited to, instances when the offender knew or should have known the victim was pregnant, unconscious, asleep, or intoxicated.” (MSGM, Chapter 6.1.D).



Table 6 provides the sentencing event characteristics for rape convictions sentenced in Maryland circuit courts from FY 2020 to FY 2024.

Table 6. Sentencing Event Characteristics for Guidelines Individuals Sentenced in Maryland Circuit Courts for Rape Offenses, FY 2020 through FY 2024						
	Sentencing Event Contains One or More:					
	Person Offense		1st Degree Rape		2nd Degree Rape (No 1st Degree Rape)	
	#	%	#	%	#	%
Disposition Type						
MSCCSP binding plea	11,007	37.9%	14	23.7%	146	34.2%
Other plea agreement	10,880	37.5%	17	28.8%	116	27.2%
Plea, no agreement	5,622	19.4%	7	11.9%	57	13.3%
Jury trial	218	0.8%	1	1.7%	15	3.5%
Court trial	1,296	4.5%	20	33.9%	93	21.8%
Compliance						
Within	23,647	81.4%	32	54.2%	301	70.3%
Below	3,873	13.3%	10	16.9%	70	16.4%
Above	1,523	5.2%	17	28.8%	57	13.3%
Co-Convictions						
Single offense sentencing event	18,621	64.1%	17	28.8%	198	46.3%
Multiple offense sentencing event	10,426	35.9%	42	71.2%	230	53.7%
Multiple rapes	105	0.4%	18	30.5%	87	20.3%
Child sexual abuse/continuing course of conduct	723	2.5%	4	6.8%	142	33.2%
Total	29,047		59		428	

Notes: Percentages exclude missing data. Disposition type was missing for 24 guidelines individuals sentenced for one or more person offense; 1 guidelines individual sentenced for one or more 2nd degree rape (and no 1st degree rape) during this time period. Compliance was missing for 4 guidelines individuals sentenced for one or more person offense. Co-convictions refer to individuals who were sentenced for multiple offenses at the same sentencing event.

Definitions (MSGM, Chapter 4.8):

- **MSCCSP binding plea agreement:** The term an MSCCSP binding plea agreement replaced the term ABA plea agreement in the MSGM effective April 1, 2021. An ABA plea agreement was defined as: A plea agreement that a court has approved relating to a particular sentence, disposition, or other judicial action. The agreement is binding on the court under Maryland Rule 4-243(c). (MSGM, Version 12.4). Currently, an MSCCSP binding plea agreement is defined as: "A plea agreement presented to the court in agreement by an attorney for the government and the defendant's attorney, or the defendant when proceeding pro se, that a court has approved relating to a particular sentence and disposition. An MSCCSP binding plea agreement means an agreement to a specific amount of active time (if any), not merely a sentence cap or range. The court has the discretion to accept or reject the plea. The agreement is binding on the court under Maryland Rule 4-243(c) if the court accepts the plea.
- **Other plea agreement:** A disposition resulted from a plea agreement reached by the parties that did not include an agreement to a specific amount of active time (if any) and/or the agreement was not approved by, and thus not binding on, the court.
- **Plea, no agreement:** When the defendant plead[s] guilty without any agreement from the prosecutor or judge to perform in a particular way.
- **Jury trial:** A disposition resulted from a trial in which a jury decided the factual questions.
- **Court trial:** A disposition resulted from a trial without a jury in which the judge decided the factual questions.



Tables 7 and 8 provide sentence information for rape convictions sentenced in Maryland circuit courts from FY 2020 to FY 2024.

Table 7. Sentences for 1st Degree Rape Convictions Sentenced in Maryland Circuit Courts, FY 2020 through FY 2024

	1st Degree Rape		1st Degree Rape, Attempted	
Mean non-suspended sentence Length (excluding active life sentences)	29.5 years		11.3 years	
Life	#	%	#	%
Eligible for life sentence	70	100.0%	5	100.0%
Received active life sentence	19	27.1%	2	40.0%
Total	70		5	

Note: An active life sentence is one that includes no suspended time, and it may be imposed with or without parole.

Table 8. Sentences for 2nd Degree Rape Convictions Sentenced in Maryland Circuit Courts, FY 2020 through FY 2024

	2nd Degree Rape		2nd Degree Rape, Attempted		2nd Degree Rape, Victim < 13 Years Old	
Mean non-suspended sentence Length (excluding active life sentences)	9.1 years		9.3 years		19.3 years	
Life*	#	%	#	%	#	%
Eligible for life sentence	5	0.99%	0	0.0%	38	100.0%
Received active life sentence	0	0.0%	-	-	11	28.9%
Total	503		43		38	

** The maximum penalty for 2nd degree rape is life if the defendant is a repeat sex offender pursuant to CR, § 3-313, or the defendant is an adult and the victim is less than 13 years old (CR, § 3-304(c)(2)).

Note: An active life sentence is one that includes no suspended time, and it may be imposed with or without parole.