



Methodology

Data Source

Issue 9 (March 2023) of the *Sentencing Snapshot* examines sentencing events involving convictions for manslaughter, including voluntary, involuntary, and by vehicle or vessel, that took place in calendar years (CY) 2017 through 2021. The primary source of data for these analyses is 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 defendant, 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.

The MSCCSP data and the average sentence lengths provided in this *Snapshot* reflect information collected via the sentencing guidelines worksheet and are limited to guidelines-eligible cases sentenced in the State's circuit courts. These analyses do not reflect statewide totals or mean (average) sentences for those offenses in which the District Court has exclusive or concurrent jurisdiction, nor do the analyses include data from non-guidelines eligible cases sentenced in the State's circuit courts (e.g., JTPs and District Court appeals without a PSI ordered; probation/parole violation sentences).

¹ From 2017 through 2021, approximately 1% of sentencing events for which a guidelines worksheet was submitted were for sentence reconsideration/modification hearings or three-judge panel reviews.



Tables

This section of the methodology provides supplemental tables for context as well as tables that correspond to each of the figures in *Sentencing Snapshot #9*.

Table 1 provides the total number of guidelines-eligible criminal sentencing events and offenses, sentenced from 2017 through 2021 and disaggregated by crime category, for which the MSCCSP received a sentencing guidelines worksheet.

Table 1. Guidelines-Eligible Criminal Sentencing Events and Offenses Sentenced in Maryland Circuit Courts, by Offense Type, CY2017 through CY2021

	Offenses		Sentencing Events Included One or More:	
	#	%	#	%
Crimes of violence	11,749	18.2%	8,103	17.4%
Firearms/other weapons offenses	8,648	13.4%	7,564	16.3%
Other person offenses	16,153	25.0%	12,846	27.6%
Drug offenses	16,526	25.6%	14,805	31.9%
Property offenses	11,600	17.9%	9,081	19.5%
Total offenses	64,676		46,473	

Note. Sentencing event percentages do not sum to 100% as a sentencing event may contain multiple offenses from multiple crime categories. The MSCCSP staff routinely conducts data checks and corrects errors identified in the data. Therefore, the numbers reported in this *Snapshot* may differ slightly from previous *Snapshots*.



Table 2 provides the statutory sources and maximum penalties for each category of manslaughter included in the present analyses.

Table 2. Manslaughter Statutes and Maximum Penalties in Maryland

	Source	Statutory Maximum	Fine	Seriousness Category	Classification
Voluntary Manslaughter	CR, § 2-207	10Y	\$500	IV	Felony
Involuntary Manslaughter	CR, § 2-207	10Y	\$500	IV	Felony
Manslaughter by Vehicle or Vessel, 1 st Offense	CR, § 2-209(d)(1)	10Y	\$5,000	IV	Felony
Manslaughter by Vehicle or Vessel, Subsequent Offense	CR, § 2-209(d)(2)	15Y	\$10,000	III	Felony
Criminally Negligent Manslaughter by Vehicle or Vessel, 1 st Offense	CR, § 2-210(f)(1)	3Y	\$5,000	VII	Misd.
Criminally Negligent Manslaughter by Vehicle or Vessel, Subsequent Offense	CR, § 2-210(f)(2)	5Y	\$10,000	V	Felony

Tables 3 provides offense frequencies for manslaughter by category, and Table 4 breaks these frequencies down by judicial circuit.

Table 3. Manslaughter Convictions Sentenced in Maryland Circuit Courts, CY2017 through CY2021

	Offenses	Sentencing Events Included One or More:
	#	#
Voluntary Manslaughter	105	101
Involuntary Manslaughter	60	60
Manslaughter by Vehicle or Vessel, 1 st Offense	112	96
Manslaughter by Vehicle or Vessel, Subsequent Offense	5	5
Criminally Negligent Manslaughter by Vehicle or Vessel, 1 st Offense	73	70
Criminally Negligent Manslaughter by Vehicle or Vessel, Subsequent Offense	2	2
Total	357	334



Table 4. Manslaughter Convictions Sentenced in Maryland Circuit Courts, by Judicial Circuit, CY2017 through CY2021

	Total	Voluntary Manslaughter		Involuntary Manslaughter		Manslaughter by Vehicle/Vessel ¹		Criminally Negligent Manslaughter by Vehicle/Vessel ¹	
		#	#	% State	#	% State	#	% State	#
1 st Circuit	4,799	7	6.7%	2	3.3%	2	1.7%	4	5.3%
2 nd Circuit	3,833	5	4.8%	2	3.3%	7	6.0%	13	17.3%
3 rd Circuit	12,195	10	9.5%	4	6.7%	19	16.2%	10	13.3%
4 th Circuit	3,521	7	6.7%	10	16.7%	2	1.7%	3	4.0%
5 th Circuit	8,409	7	6.7%	7	11.7%	27	23.1%	14	18.7%
6 th Circuit	9,096	11	10.5%	6	10.0%	10	8.5%	7	9.3%
7 th Circuit	10,386	27	25.7%	21	35.0%	35	29.9%	19	25.3%
8 th Circuit	12,437	31	29.5%	8	13.3%	15	12.8%	5	6.7%
Total offenses	64,676	105	100.0%	60	100.0%	117	100.0%	75	100.0%

¹ Figures include first and subsequent offenses.

Circuits:

- 1st Circuit: Dorchester, Somerset, Wicomico, and Worcester Counties
- 2nd Circuit: Caroline, Cecil, Kent, Queen Anne’s, and Talbot Counties
- 3rd Circuit: Baltimore and Harford Counties
- 4th Circuit: Allegany, Garrett, and Washington Counties
- 5th Circuit: Anne Arundel, Carroll, and Howard Counties
- 6th Circuit: Montgomery and Frederick Counties
- 7th Circuit: Calvert, Charles, Prince George’s, and St. Mary’s Counties
- 8th Circuit: Baltimore City



Table 5 provides the demographic characteristics of defendants sentenced for each category of manslaughter in Maryland circuit courts.

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 defendants for whom multiple race categories were selected. Unknown race is classified as missing. The Ethnicity field asks whether the defendant is of Hispanic or Latino origin, with possible responses Yes or No. Yes responses are classified as Hispanic, regardless of selections made in the Race field. Worksheets with missing race, ethnicity, or gender, sentenced from calendar years 2018 through 2020, were supplemented with race, ethnicity, and gender data from the Administrative Office of the Courts (AOC), where available.

Table 5. Demographics of Defendants Sentenced for Manslaughter Convictions in Maryland Circuit Courts, CY2017 through CY2021

	Voluntary Manslaughter		Involuntary Manslaughter		Manslaughter by Vehicle/Vessel ¹		Criminally Negligent Manslaughter by Vehicle/Vessel ¹	
Mean age (years)	29.4 years		32.1 years		31.8 years		37.7 years	
	#	%	#	%	#	%	#	%
Gender								
Male	82	83.7%	47	85.5%	80	81.6%	53	77.9%
Female	16	16.3%	8	14.5%	18	18.4%	15	22.1%
Missing	3		5		3		4	
Race/Ethnicity								
Black	72	75.0%	32	54.2%	47	47.0%	31	44.3%
White	11	11.5%	19	32.2%	42	42.0%	35	50.0%
Hispanic	10	10.4%	6	10.2%	11	11.0%	3	4.3%
Other	3	3.1%	2	3.4%	0	0.0%	1	1.4%
Missing	5		1		1		2	
Total sentencing events	101		60		101		72	

¹ Figures include first and subsequent offenses.



Table 6 provides the criminal history characteristics of defendants sentenced for each category of manslaughter in Maryland circuit courts.

Table 6. Prior Criminal Involvement Among Defendants Sentenced for Manslaughter Convictions in Maryland Circuit Courts, CY2017 through CY2021

	Voluntary Manslaughter		Involuntary Manslaughter		Manslaughter by Vehicle/Vessel ¹		Criminally Negligent Manslaughter by Vehicle/Vessel ¹	
Prior adult criminal record								
None	37	36.6%	13	21.7%	39	39.0%	45	62.5%
Minor	22	21.8%	18	30.0%	24	24.0%	13	18.1%
Moderate	18	17.8%	14	23.3%	15	15.0%	7	9.7%
Major	24	23.8%	15	25.0%	22	22.0%	7	9.7%
Missing	0		0		1			
Involvement in the criminal justice system at the time of the instant offense								
No	71	70.3%	43	71.7%	76	76.0%	64	88.9%
Yes	30	29.7%	17	28.3%	24	24.0%	8	11.1%
Missing	0		0		1		0	
Prior probation or parole violations								
No	77	76.2%	43	71.7%	71	71.0%	60	83.3%
Yes	24	23.8%	17	28.3%	29	29.0%	12	16.7%
Missing	0		0		1		0	
Total sentencing events	101		60		101		72	

¹ Figures include first and subsequent offenses.

Notes: Instructions for calculating the prior adult criminal record score are located in the Maryland Sentencing Guidelines Manual (MSGM), Chapter 7.1(C). A defendant is defined as involved in the criminal justice system if, at the time of the instance offense, the defendant was on parole, on probation, incarcerated, on work release, on mandatory supervision, was an escapee, or had a comparable status as result of an adjudication of guilt as an adult (MSGM, Chapter 7.1(A)). Percentages exclude missing data.



Table 7 provides the disposition type for manslaughter convictions in Maryland circuit courts.

Table 7. Disposition Type for Defendants Sentenced for Manslaughter Convictions in Maryland Circuit Courts, CY2017 through CY2021

	All Person Offenses		Voluntary Manslaughter		Involuntary Manslaughter		Manslaughter by Vehicle/Vessel ¹		Criminally Negligent Manslaughter by Vehicle/Vessel ¹	
	#	%	#	%	#	%	#	%	#	%
MSCCSP binding plea agreement	12,033	46.4%	35	35.4%	20	33.3%	26	26.0%	24	33.3%
Other plea agreement	8,861	34.1%	14	14.1%	21	35.0%	48	48.0%	34	47.2%
Plea, no agreement	3,543	13.7%	11	11.1%	10	16.7%	19	19.0%	6	8.3%
Jury trial	1,290	5.0%	37	37.4%	8	13.3%	4	4.0%	6	8.3%
Court trial	226	0.9%	2	2.0%	1	1.7%	3	3.0%	2	2.8%
Missing	379		2		0		1		0	
Total sentencing events	26,332		101		60		101		72	

¹ Figures include first and subsequent offenses.

Note: Percentages exclude missing data.

Definitions

- 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.” (MSGM, Version 14.3).
- 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.” (MSGM, Version 14.3).
- Plea, no agreement: When “the defendant plead[s] guilty without any agreement from the prosecutor or judge to perform in a particular way.” (MSGM, Version 14.3).
- Jury trial: A “disposition resulted from a trial in which a jury decided the factual questions.” (MSGM, Version 14.3).
- Court trial: A “disposition resulted from a trial without a jury in which the judge decided the factual questions.” (MSGM, Version 14.3).



Tables 8 through 10 provide weapon presence, special victim vulnerability, average sentences, and sentencing guidelines compliance for each category of manslaughter convictions in Maryland circuit courts.

Table 8. Weapon Presence and Special Victim Vulnerability for Manslaughter Convictions Sentenced in Maryland Circuit Courts, CY2017 through CY2021

	Voluntary Manslaughter		Involuntary Manslaughter		Manslaughter by Vehicle/Vessel ¹		Criminally Negligent Manslaughter by Vehicle/Vessel ¹	
	#	%	#	%	#	%	#	%
Weapon Presence								
No weapon	13	12.4%	35	58.3%	113	97.4%	73	97.3%
Weapon other than firearm/explosive	37	35.2%	12	20.0%	3	2.6%	2	2.7%
Firearm or other explosive	55	52.4%	13	21.7%	0	0.0%	0	0.0%
Missing	0		0		1		0	
Special Victim Vulnerability								
No	102	97.1%	48	80.0%	94	81.0%	67	89.3%
Yes	3	2.9%	12	20.0%	22	19.0%	8	10.7%
Missing	0		0		1		0	
Total offenses	105		60		117		75	

¹ Figures include first and subsequent offenses.

Notes: Weapon presence is defined in the MSGM (Version 14.3, Chapter 6.1(C)) 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.” Percentages exclude missing data.

Table 9. Mean Total and Non-Suspended Sentences for Manslaughter Convictions Sentenced in Maryland Circuit Courts, CY2017 through CY2021

	Total #	Mean Total Sentence	Mean Non-Suspended Sentence
Voluntary Manslaughter	105	9.4 years	7.0 years
Involuntary Manslaughter	60	9.7 years	6.1 years
Manslaughter by Vehicle or Vessel ¹	117	9.5 years	5.4 years
Criminally Negligent Manslaughter by Vehicle or Vessel ¹	75	2.8 years	1.0 years
Total offenses	357		

¹ Figures include first and subsequent offenses.



Table 10. Sentencing Guidelines Compliance for Manslaughter Convictions Sentenced in Maryland Circuit Courts, CY2017 through CY2021

	Total	Within		Below		Above	
	#	#	Valid %	#	Valid %	#	Valid %
All Person Offenses	26,312	21,760	82.7%	3,239	12.3%	1,313	5.0%
Voluntary Manslaughter	101	68	67.3%	8	7.9%	25	24.8%
Involuntary Manslaughter	60	44	73.3%	6	10.0%	10	16.7%
Manslaughter by Vehicle or Vessel ¹	101	80	80.0%	3	3.0%	17	17.0%
Criminally Negligent Manslaughter by Vehicle or Vessel ¹	72	63	80.0%	7	3.0%	2	2.8%

Notes: Percentages exclude missing data. Twenty person offenses, including one manslaughter by vehicle/vessel, were missing sentencing guidelines compliance. Sentencing guidelines compliance is computed based on the overall non-suspended sentence length for the sentencing event. The sentencing event may include multiple offenses. A sentence is defined as guidelines-compliant if it meets at least one of the following conditions:

- The non-suspended sentence (defined as the sum of incarceration, credit for time served, and home detention) is within the guidelines range;
- The non-suspended sentence exceeds the upper guidelines limit but includes only credit for time served;
- The sentencing event was disposed of via an ABA plea agreement or, effective April 1, 2021, an MSCCSP binding plea agreement; or
- The sentencing event involved the imposition of one or more corrections options and the total sentence falls within or above the recommended guidelines range (excluding sentencing events that contain a crime of violence, child sexual abuse, or escape).