

# Executive Department - State Commission on Criminal Sentencing Policy

## MISSION

The State Commission on Criminal Sentencing Policy serves the citizens of Maryland by promoting fair and proportional criminal sentences without unwarranted disparity for all offenders with similar criminal histories committing similar offenses within a voluntary guidelines system providing judges probation, prison or corrections options. It also serves Maryland citizens by assisting understanding of actual time to be served by offenders and by protecting public safety through prioritizing the incarceration of violent and career offenders. In establishing the Commission, the General Assembly stated its intent that unwarranted sentencing disparities should be reduced; truth-in-sentencing policies should be promoted; prison capacity and usage should give priority to the incarceration of violent and career offenders; meaningful judicial sentencing discretion should be preserved; and sentencing judges should be able to impose the most appropriate criminal penalties for offenders.

## VISION

A State where sentences are considered just by offenders and victims, well understood by the public and consistent with the State's voluntary guidelines; and individuals and communities possess knowledge and are empowered concerning crime and its effects on them.

## KEY GOALS, OBJECTIVES, AND PERFORMANCE MEASURES

### Goal 1. Minimal disparity in sentences of similar offenders sentenced for similar offenses.

**Obj. 1.1** The Commission will review all guidelines for offenses to ensure proportionality and fairness in the ranking and classification of offenses.

Performance Measures	2018 Act.	2019 Act.	2020 Act.	2021 Act.	2022 Act.	2023 Est.	2024 Est.
Commission review and vote on reclassification of offenses and timely submission to COMAR	3	2	4	3	6	2	2
Reports on compliance rates	1	1	1	1	4	2	2
Statewide aggregated guideline compliance rate	81%	82%	84%	81%	81%	80%	80%

### Goal 2. Judicial compliance with the State's voluntary sentencing guidelines.

**Obj. 2.1** Provide consistent analysis of and feedback on sentencing guidelines to encourage high compliance rates.

Performance Measures	2018 Act.	2019 Act.	2020 Act.	2021 Act.	2022 Act.	2023 Est.	2024 Est.
Judicial review and training sessions held	17	19	7	19	11	12	8
Reports on compliance issued	1	1	1	1	4	2	2
Percentage of (8) judicial circuits that met benchmark guideline compliance rate of 65 percent	100%	100%	100%	100%	88%	100%	100%
Percentage of guidelines-eligible cases for which a sentencing guidelines worksheet was submitted	91%	93%	95%	96%	94%	92%	92%

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## Goal 3. Understanding of expected time to be served by violent offenders when sentenced in circuit courts.

**Obj. 3.1** Cooperation with the State Parole Commission to obtain adherence by the courts to announce at sentencing that violent offenders are required to serve at least 50 percent of their sentence.

Performance Measures	2018 Act.	2019 Act.	2020 Act.	2021 Act.	2022 Act.	2023 Est.	2024 Est.
Judicial review and training sessions held	17	19	7	19	11	12	8
Percentage of violent offense cases with 50 percent of sentence announced	44%	46%	39%	45%	41%	50%	60%

## Goal 4. Use of corrections options as needed in participating local jurisdictions.

**Obj. 4.1** Utilize education and encourage information sharing to improve knowledge of and incorporation of corrections options programs throughout the State.

Performance Measures	2018 Act.	2019 Act.	2020 Act.	2021 Act.	2022 Act.	2023 Est.	2024 Est.
Judicial and practitioner training sessions held	N/A	25	13	26	17	14	10
Percentage of judicial circuits utilizing correctional options programs	100%	100%	100%	100%	100%	100%	100%

## Goal 5. Prioritize the use of confinement for violent and/or career offenders.

**Obj. 5.1** Support utilization of corrections options programs for low-risk offenders and for chemically-dependent offenders, for whom treatment and non-custodial sanctions may be appropriate.

Performance Measures	2018 Act.	2019 Act.	2020 Act.	2021 Act.	2022 Act.	2023 Est.	2024 Est.
Public hearing meetings held	1	1	1	1	1	1	1
Policy statement encouraging the use of alternatives to incarceration when appropriate	N/A	1	1	1	1	1	1
Reports with statistics on proportion of inmates by general offense type (person, property, drug)	1	1	1	1	1	1	1