

SENTENCING



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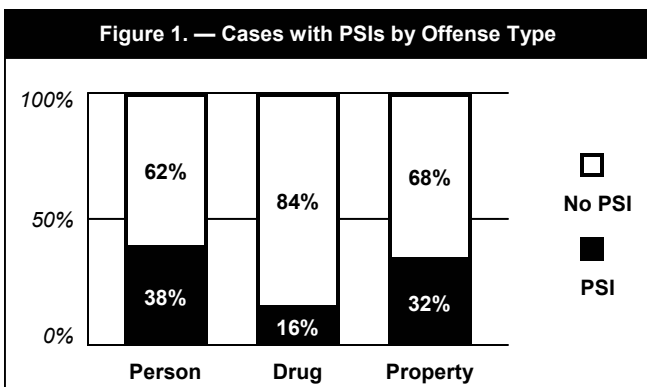
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Use of Pre-Sentence Investigations in Maryland Circuit Courts, January 1999 - June 2002

by Jill Farrell

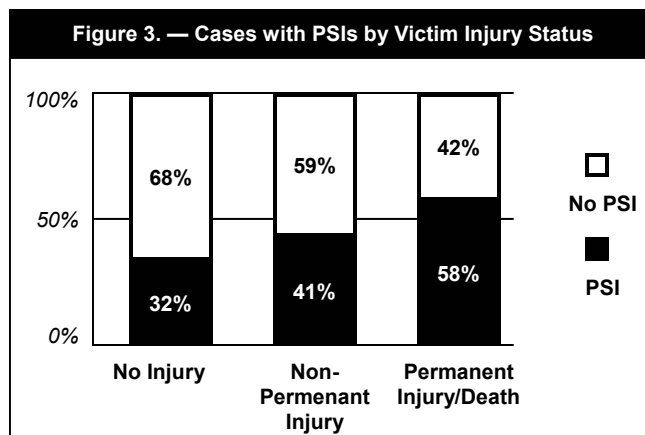
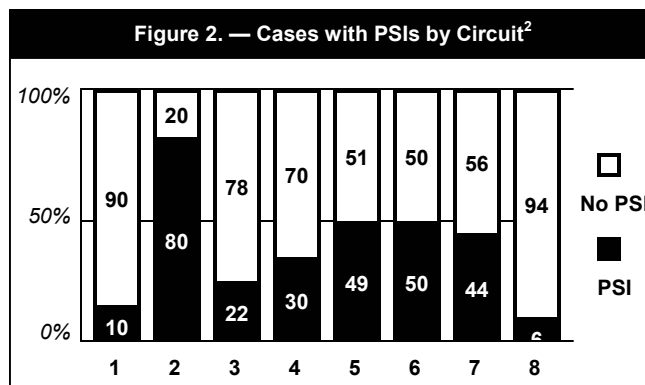
In Maryland, pre-sentence investigation reports (PSI) are prepared by the Division of Parole and Probation in an effort to provide background information on defendant and case characteristics. The information contained within PSIs is designed to assist the courts in the sentencing process. According to the Maryland statute, a PSI may be requested in cases in which the defendant is (1) convicted of a felony or misdemeanor that resulted in serious physical injury or death to the victim or (2) being referred to Patuxent Institution.

Between January 1999 and June 2002, 26% of all valid cases sentenced in Maryland circuit courts indicated the existence of a PSI report.¹ PSIs were nearly three times more likely to be completed for felony offenses (72%) than for misdemeanors (28%). With respect to offense types (Fig. 1), PSI reports were most likely completed for property offenses (68%), followed closely by person offenses (62%). Drug offenses were the least likely offense type (16%) to have a PSI report submitted.



As indicated in Figure 2, there was substantial variation between circuits. Eighty percent of cases in Circuit 2 had PSI reports submitted, while only 6% of cases submitted reports in Circuit 8. This may be due in part to a disproportionate number of drug cases in Circuit 8, thus minimizing the necessity for a PSI report. On average, 25% of circuit court cases in Maryland included PSI reports (75% did not).

With regard to victim injury, Figure 3 shows a gradual increase in the presence of PSI reports. In cases where there was a victim, a PSI was more likely to be completed when the offense resulted in serious injury or death (58%) than when the injury was non-permanent (41%) or when there was no injury (32%).



1 It should be noted that PSI data were missing on 23% of the guidelines worksheets, and were subsequently dropped from this analysis.

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

The Maryland State Commission on Criminal Sentencing Policy (SCCSP) collects and reports data on sentencing practices in the State's circuit courts. "Sentencing Fax" periodically publishes information about Maryland sentencing for state courts and policy makers. Its full collection of research, data, and reports can be found on its website, www.msccsp.org.