

The Forum for America's Ideas

MARYLAND TASK FORCE TO STUDY CRIME CLASSIFICATION & PENALTIES

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NATIONAL CONFERENCE *of* STATE LEGISLATURES

Since 1975, NCSL has been the bipartisan organization for all state legislators and staff

OUR MISSION IS TO:

- Improve quality and effectiveness of the institution,
- Promote policy innovation and communication among our members, and
- Ensure a strong, cohesive voice in the federal system.



CRIMINAL CODES

- Define criminal action & appropriate type/length of punishment
 - Infractions → fine-only
 - Misdemeanors → local jail
 - Felony → state prison
- Attention to property & drug crimes



NOTABLE CRIMINAL CODE REVISIONS

Broad Criminal Code Revisions

- Hawaii
- Illinois
- Indiana
- Maryland
- Missouri

Elements of Revisions

- Redefined offense elements
- Graduated penalties
- Reclassified offenses
- Added penalty categories



REDEFINED OFFENSE ELEMENTS

THRESHOLDS

Theft

↑ dollar amount

Drug

↑ weight amount

POSSESSION V. DEALING/TRAFFICKING

- Arkansas → separated manufacture, deliver & possess with intent
- Kentucky → added quantity thresholds for trafficking



GRADUATED PENALTIES

GEORGIA

- ✓ Burglary
- ✓ Theft
- ✓ Possession
- ✓ Forgery

MISSISSIPPI

- ✓ Theft
- ✓ Commercial drugs
(manufacture, possess with intent)
- ✓ Trafficking



RECLASSIFIED (CATEGORIZED) OFFENSES

DEFELONIZATION, DECRIMINALIZATION

- Drug possession
- Traffic offenses

TOP TIER FELONY

- ✓ Drug Kingpin
- ✓ \$1 million+ theft
- ✓ Grand Theft Auto



ADDED PENALTY CATEGORY: NEBRASKA

PREVIOUS

Felony Class	Sentence Range
I	Death
IA	Life
IB	20 years - life
IC	5 – 50 years
ID	3 – 50 years
II	1 – 50 years
III	1 – 25 years
IIIA	0 – 5 years
IV	0 – 5 years

NEW

Felony Class	Prison Range	Community Supervision
II	1 – 50 years	N/A
IIA	0 – 20 years	N/A
III	0 – 4 years	9 months – 2 years
IIIA	0 – 3 years	9 – 18 months
IV	0 – 2 years	9 – 12 months



ADDED PENALTY CATEGORIES: COLORADO

PREVIOUS

Felony Class	Sentence Range
1	Life / Death
2	8 – 24 years
3	4 – 12 years
4	2 – 6 years
5	1 – 3 years
6	1 year – 18 months

NEW

Drug Felony Class	Sentence Range
DF1	8 – 32 years
DF2	4 - 8 years
DF3	2 - 4 years
DF4	6 months – 1 year
Aggravated Range	
DF2	8 – 16 years
DF3	4 – 6 years
DF4	1 – 2 years



THANK YOU! QUESTIONS?

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