Susan appears before you for sentencing following her guilty plea to driving under the influence of alcohol per se. She is 34 years old and divorced. She shares custody of two children, ages 6 and 8 with her ex-husband. She is employed as an elementary school teacher.

On the night of Susan's arrest (March 26, 2024), an anonymous citizen called 911 and reported observing a vehicle being driven in an erratic manner, speeding up and slowing down, and crossing back and forth across the roadway's center line. A short time later, the police arrived on the scene of a property damage accident where Susan's vehicle was found resting against a guardrail on the side of a two-lane road. She was still in the driver's seat with the engine running. Susan did not appear to be injured. The officer detected a strong odor of alcohol on Susan's breath. Susan explained that a deer jumped out in front of her vehicle, and she swerved to avoid it and lost control of her vehicle.

After submitting to standardized field sobriety tests, which she failed, she submitted to a breath test with a resulting BAC of 0.19. Pursuant to a search incident to arrest, the police found a prescription bottle with the label partially scraped off. Inside were 15 pills later determined to oxycodone. Additionally, the officer located her medical marijuana card search incident to arrest.

A week ago, Susan was released from a 30 day stay in an inpatient facility where she received alcohol treatment. Her attorney explains that she has a medical marijuana card and uses it to help with her anxiety symptoms. She has no prior record however, she has a pending DUI/DWI/DWI by CDS charges related to an earlier arrest December 31, 2023.

In sentencing this defendant:

- **what are you concerns?**
- **what sentencing options would you consider?**
- **what are the barriers to an effective sentence?**
- **how might you help overcome these barriers?**

What, if any, additional information would you want prior to sentencing?

DISTRICT COURT OF MARYLAND
PROBATION/SUPERVISION DOCKET

☐ Probation before Judgment (Criminal Procedure §6-220)
☐ Probation Agreement Deferring Judgment (Criminal Procedure §6-220)

Case/Citation No. _____
Defendant _____
SID No. _____
Tracking No. _____
Other Reference No. _____
Address _____

(IF AVAILABLE, PLACE LABEL HERE)

IT IS ORDERED THAT DEFENDANT:

☐ Be supervised by Parole and Probation.
☐ Be supervised by:

_____
Other Agency

☐ Be unsupervised.

Probation begins ☐ on _____ ☐ upon admission to residential substance abuse program. Your first appointment with the supervising agency is _____ and the place to report to is _____.
Date / Date

Your failure to report could result in your arrest.

Convicted count(s): _____
Sentence: _____
Part of sentence executed: _____
Suspended: _____
☐ Balance of sentence suspended upon admission to treatment pursuant to HG §8-507
Credit for time served: _____
Length of probation: _____
Month(s)/Year(s)
☐ Participate and pay for psychological counseling

A. Standard Conditions (1-10): ☐ All Standard Conditions
☐ All Standard Conditions except Nos. _____

1. Report as directed and follow your supervising agent's lawful instructions.
2. Work and/or attend school regularly as directed and provide verification to your supervising agent.
3. Get permission from your supervising agent before changing your home address, changing your job, and/or leaving the State of Maryland.
   Additional Comments: _____
4. Obey all laws.
5. Notify your supervising agent at once if charged with a criminal offense, including jailable traffic offenses.
   Additional Comments: _____
6. Get permission from the court before owning, possessing, using, or having under your control any dangerous weapon or firearm of any description.
   Additional Comments: _____
7. Permit your supervising agent to visit your home.
8. Do not illegally possess, use, or sell any narcotic drug, controlled substance, counterfeit substance, or related paraphernalia.
   Additional Comments: _____
9. Appear in court when notified to do so.
10. Pay all fines, costs, restitution, and fees as ordered by the court or as directed by your supervising agent through a payment schedule.
    ☐ Fines of $_____ paid through ☐ Parole and Probation ☐ Clerk's Office ☐ Sheriff's Office
    ☐ Court costs of $_____ paid through ☐ Parole and Probation ☐ Clerk's Office
    ☐ Supervision fee of $50/month paid through ☐ Parole and Probation ☐ Supervision fee waived
    ☐ Restitution of $_____ to _____ paid through Maryland Division of Parole and Probation, Maryland Department of Juvenile Services, Division of Corrections, or local correctional facility, if applicable by _____.
    Date
    ☐ Public Defender fees of $_____ to the Office of the Public Defender for counsel fees.
    ☐ Pay the following fees through Parole and Probation or: _____
    ☐ Victims of Crime Fund $_____ ☐ CICF costs $_____ ☐ Other costs (Specify) $ _____
    ☐ The Division of Parole and Probation is hereby granted the discretion to refer the collection of funds it is authorized to collect to the State's Central Collection Unit without the need of further court approval.

B. Special Conditions (11-35):

11. ☐ Provide DNA sample as required by law by _____.
    Date
12. ☐ Submit to evaluation and attend and successfully complete mental health treatment as directed by your supervising agent.
13. ☐ Submit to, successfully complete, and pay required costs for evaluation, testing and treatment education, as directed by your supervising agent.
14. ☐ Attend and successfully complete ☐ alcohol ☐ drug ☐ alcohol and drug treatment ☐ education program _____
    _____
    Name of Program
15. ☐ Enroll in, pay any required costs for, and successfully complete treatment at _____.
16. ☐ Attend and successfully complete parenting class.
17. ☐ Attend _____ self-help group meetings per week for _____ weeks. ☐ Attendance may be modified by your supervising agent after _____ weeks.
18. ☐ Totally abstain from alcohol, marijuana (cannabis) (unless medically prescribed), all illegal substances, and abusive use of any prescription drugs.
19. ☐ Apply for alcohol restriction on driver's license within 10 days of trial date for _____ year(s)/month(s).
20. ☐ Refrain from driving and/or attempting to drive after consuming alcohol.
21. ☐ Attend Victim Impact Panel meetings when notified.
22. ☐ Attend and successfully complete MVA Driver Improvement Program.
23. ☐ Attend and successfully complete MVA Alcohol Education Program. (Social Drinkers Only)
24. ☐ Have Ignition Interlock installed for _____ months and pay costs. ☐ Employment vehicle exempted.

25. ☐ Complete _____ hours of community service by _____ (Date), under the direction of _____ and pay required fees.
26. ☐ Attend and successfully complete domestic violence counseling at _____ by _____ (Date) and pay required costs.
27. ☐ Have no contact with _____.
28. ☐ Do not enter or be found near _____.
29. ☐ Home confinement/detention to _____ for _____ months.
    ☐ Special conditions (e.g. doctor's appointments, attending classes, etc.) _____.
30. ☐ **Register as sexual offender** with the supervising authority under the provisions of Criminal Procedure Article, Title 11, Subtitle 7:
    ☐ (1) A Tier I Sex Offender;
    ☐ (2) A Tier II Sex Offender;
    ☐ (3) A Tier III Sex Offender;
    ☐ (4) A sexually violent predator;
    ☐ (5) A Tier I Sex Offender who, before moving into this state, was required to register in another state;
    ☐ (6) A Tier II Sex Offender, Tier III Sex Offender, or sexually violent predator who, before moving into this state, was required to register in another state;
    ☐ (7) A Tier I, Tier II, Tier III Sex Offender, or a Sex Offender who is required to register in another state, jurisdiction, a federal, military, or tribal court, or a foreign government, who is not a resident of this state, and who enters this state:
    (i) To reside or habitually live.
    (ii) To carry on employment or vocation that is full-time or part-time for a period exceeding fourteen (14) days or an aggregate period exceeding 30 days during a calendar year, whether financially compensated, volunteered, or for the purpose of government or educational benefit; or
    (iii) To attend a public or private educational institution, including a secondary school, trade or professional institution, or institution of higher education, as a full-time or part-time student.
    (iv) As a transient with the intent to be in the state for a period exceeding fourteen (14) days or an aggregate period exceeding 30 days during the calendar year.
31. ☐ Defendant shall keep appointment for HG §8-505 evaluation and shall immediately enter the recommended program upon admission.
    ☐ Defendant shall enter treatment program immediately upon admission.
    ☐ Defendant shall successfully complete treatment program and comply with terms of aftercare plan.
32. ☐ To be supervised by means of ☐ electronic monitoring ☐ electronic monitoring with victim stay-away alert technology.
33. ☐ Other _____

C. 34. ☐ Comply with special conditions of lifetime supervision - see form CC-DC-CR-136.

D. Recommendations to the Supervising Agency:

35. ☐ Transfer supervision to _____, State of Maryland.

_____ (Date) _____ (Judge) _____ (ID Number)

CONSENT

I have read, or have had read to me, the above conditions of probation. I understand these conditions and agree to follow them. I understand that if I do not follow these conditions, I could be charged with a violation of probation.

If I fail to abide by the above conditions, the court could proceed with sentencing as if I had not been placed under probation. I have been notified and understand that by consenting to and receiving a stay of judgment under Criminal Procedure Article, §6-220, I waive my right to appeal from a judgment of guilty, by the court in this case.

I understand that my failure to pay fines, costs, restitution, and fees may result in my case being referred to the State's Central Collection Unit, resulting in an additional collection fee as permitted by law.

I understand that Parole and Probation may impose graduated sanctions upon me for any technical violation of the above conditions of probation, as authorized pursuant to Correctional Services Article, §§ 6-111 and 6-121.

_____ (Date) _____ (Defendant's Signature)

_____ (Date of Birth) _____ (Address)

_____ (Telephone Number) _____ (Cell Phone Number) _____ (City, State, Zip)

_____ (E-mail)

_____ (Witness' Signature)

_____ (Printed Name)

Reset

DISTRICT COURT OF MARYLAND FOR [redacted]

City/County/Location

Case No: [redacted]

Case Number: [redacted] Date: [redacted] Time: [redacted] Docket Page: [redacted]
Driver's License: [redacted] Room: [redacted] Agency: [redacted]

[redacted]

ROUTINE TRAFFIC DOCKET

Def: [redacted] DOB: [redacted] Dr Lic: [redacted]

Charge: [redacted] Viol Date: [redacted] Time: [redacted] Speed: Zone:

Written Charge: [redacted]

Fine: [redacted] Paid: [redacted] Bond: Rel Cit: [redacted] Mail:

Acc: PI: PD: HM: VH: N CVL: Postponements:

Loc: [redacted] County: **Harford County**

Officer: [redacted] Witnesses:

Officer Comment:

☐ **POSTPONED** ☐ Def ☐ State ☐ Court ☐ Obtain Counsel ☐ Officer availability ☐ Other: _____

☐ **FTA** ☐ **ASF** **AMENDED:** _____ ☐ Personal Injury: _____ ☐ Cont. to acc. ☐ Speed reduced to _____

PLEA ☐ G ☐ NG ☐ NC

VERDICT ☐ G ☐ NG ☐ PBJ ☐ Dismissed ☐ Guilty - Merged ☐ ABD ☐ NCR ☐ JA ☐ NC
☐ NP ☐ Stet _____

☐ **FINE** $ _____ ☐ Susp $ _____ ☐ Comm in default ☐ **COSTS $25.50** ☐ Susp due to indigency of Def

☐ Defrd until _____ ☐ Thru P&P ☐ One pmt ☐ Installments of $ _____ ☐ Week ☐ Month Due today $ _____

☐ Other motor vehicle safety course (TR § 21-901.3): _____
Name of motor vehicle safety course

☐ Community Service _____ hours (TR § 21-901.3)

☐ **PROBATION** ____/____/____ ☐ Supervised by ☐ P&P ☐ JPS ☐ Unsupervised ☐ ACS _____(hrs) By _____
yrs / mos / dys

☐ Alcohol education program ☐ MVA driver improvement

Date: 08/13/2024 *Judge:* _____ *ID Number* _____

DISTRICT COURT OF MARYLAND FOR [redacted]

City/County/Location

Case No: [redacted]

Case Number: [redacted] Date: [redacted] Time: [redacted] Docket Page: [redacted]
Driver's License: [redacted] Room: [redacted] Agency: [redacted]
[redacted]

SERIOUS TRAFFIC DOCKET

Def: [redacted] DOB: [redacted] Dr Lic: [redacted]

Charge: [redacted] Viol Date: [redacted] Time: [redacted] Speed: Zone:

Written Charge: (DRIVING, ATTEMPTING TO DRIVE) VEH. WHILE IMPAIRED BY ALCOHOL

Fine: [redacted] Paid: [redacted] Bond: Rel Cit: [redacted] Mail:

Acc: Pl: PD: HM: VH: N CVL: Postponements:

Loc: FULFORD AVE AND BOND STREET HARFORD COUNTY, MD. County: Harford County

Officer: RENTERIA, L 0140 Witnesses:

Officer Comment:

☐ POSTPONED ☐ Def ☐ State ☐ Court ☐ Obtain Counsel ☐ Officer availability ☐ Other: _____

☐ FTA ☐ BW issued ☐ Bond forfeited ☐ New bond $ _____ ☐ Cash ☐ Pct _____ ☐ UPB ☐ Bail denied
☐ Commissioner to set ☐ Return to this county ☐ Forf stricken ☐ Warr recall ☐ Prev bond reinstated
Appeared ☐ With ☐ w/o counsel,no merit reason.Determined counsel waived ☐ Express waiver of counsel ☐ Complied w/rule 4-215
☐ JTP ☐ Jury trial waived ☐ ASF AMENDED: _____ ☐ Personal Injury ☐ Cont. to acc. ☐ Speed reduced to _____

PLEA ☐ G ☐ NG ☐ PBJ Agreement ☐ NCR ☐ NCR ☐ PSI ☐ Sub curia until _____
VERDICT/DISPOSITION ☐ G ☐ NG ☐ PBJ ☐ PBJ Agreement ☐ Dismissed ☐ Guilty - Merged ☐ ABD ☐ NCR
☐ NC ☐ JA ☐ NP ☐ Stet _____
☐ FINE $ _____ ☐ Susp $ _____ ☐ Comm in default COSTS $22.50 ☐ Waived/indigency CICF $35.00 ☐ Waived/indigency
☐ Deferred until _____ ☐ Through court ☐ Through P&P ☐ One pmt ☐ Installments of $ _____ ☐ Week ☐ Month Due today $_____
☐ JUDGMENT OF RESTITUTION (where restitution is NOT a condition of probation)

☐ SENTENCE _____ /_____/_____ ☐ Suspended _____/_____/_____ ☐ Commencing _____
yrs mos days yrs mos days
☐ Consecutive to _____ ☐ Concurrent with _____ ☐ Credit time served _____

☐ Doc ☐ Local jail ☐ DWI facility ☐ Weekends_____(weekends) beginning: _____
☐ Home Detention/Confinement Through ☐ Local Detention Facility ☐ Private Company_____
Private Company Name

☐ MVA Driver Improvement Program ☐ Work release: ☐ Recommended ☐ Ordered ☐ Repeat offender
☐ Other motor vehicle safety course (TR § 21-901.3): _____
Name of motor vehicle safety course

☐ Community Service _____ hours (TR § 21-901.3)
CONVICTION FOR 21-902(b) & (c) only:
☐ The court finds beyond a reasonable doubt that the defendant refused to take a test as defined in TR §16-205.1.
Defendant shall participate in the Ignition Interlock System Program under TR §16-404.1 for one (1) year.
PROBATION ☐ SEE PROB/SUPRV DOCKET
☐ Agreement Entered Under CP § 6-220(c). With consent of the State, defendant pled not guilty in exchange for the court withholding judgment.
☐ Supervised ☐ Unsupervised
Probation period: (years/months/days):_____ effective ☐ (date) _____ ☐ upon release
☐ Alcohol restr ☐ Pay PD $_____ ☐ Through P & P by_____ ☐ ACS_____(hrs) by_____
APPEAL ☐ Advised of right Sentence: ☐ To be stayed ☐ Continue PTR conditions ☐ Appeal bond $_____
Conditions of probation: ☐ to be stayed ☐ not to be stayed

Date: 08/13/2024 *Judge:* _____ *ID Number* _____

Scenario #1

Officer Testimony:

On Monday March 4, 2024, at 10:37 pm, I was operating my marked unit (#357) northbound in lane #3 on Interstate 95 at mile marker 74 when I observed a vehicle pass me in lane #1 at what appeared to be a high rate of speed. I immediately positioned my vehicle approximately 15 feet behind the suspect vehicle and activated my vehicle's LIDAR 360 unit by pointing the unit directly at the target vehicle. The LIDAR returned a reading of 74 mph per hour in a posted 65 mph zone at. No other vehicles or objects were between my vehicle's LIDAR 360 and the target vehicle prior to and during deployment activation of my unit.

The unit was tested before and after use and found to be working properly…I am trained and qualified to operate the unit…I used the unit properly during the traffic stop….and the records for the unit are properly maintained at HQ.

I activated lights and sirens and performed a traffic stop at mile marker 85. The operator was identified as Defendant. All events occurred in Harford County. Defendant was polite and cooperative.

Defendant Testimony:

On Monday March 4, 2024, at 10:37 pm, I was driving my Mercedes GLS northbound in lane #1 on I 95 at mile marker 74 when I noticed a marked unit in lane #3. Before I passed the marked unit, I looked at my speedometer to confirm I was not traveling at a speed greater than the posted speed limit of 65 mph. my speedometer read 64 mph at that time, and I maintained that speed until I slowed down to pull over when the officer activated his lights and siren.

When the Officer approached my vehicle, he requested my license and registration and commented how nice my car was. He asked where I was coming from… where I was going… and where I was employed… He then advised me he stopped me for speeding and proceeded to issue me a citation.

I did not argue with the Officer or protest the citation because I knew I would get my day in court to defend my case properly and appropriately.

***You are to assume the Defendant was properly cited with speeding and there are no issues with the charging document.

Scenario #2

Officer Testimony:

On Monday March 4, 2024, I was sitting stationary in the Harford County District Court parking lot when I observed a vehicle driven by the Defendant exit the parking lot onto Hansen Street without first stopping at the clearly visible stop sign. I activated my lights and siren, pulled behind the vehicle and performed a traffic stop on Hansen Street.

I advised the Defendant why I stopped him and issued him a citation for failing to stop at a stop sign and failing to obey a properly placed traffic control device. The operator of the vehicle was identified as the Defendant. All events occurred in Harford County. The Defendant was argumentative during the traffic stop.

Defendant Testimony:

On Monday March 4, 2024, I was exiting the Harford County District Court parking lot after testifying for the State as a witness in a criminal case. I absolutely stopped at the stop sign before exiting because there were several vehicles traveling on Hansen Street as I was about to exit the parking lot. I could not exit the parking lot until the vehicles traveling on Hansen cleared the exit.

I admit that I was annoyed about being pulled over because I clearly stopped at the stop sign, waited for the vehicles on Hansen Street to clear the exit and then proceeded to exit the parking lot by making a left onto Hansen Street.

***You are to assume the Defendant was properly cited with failing to stop and a stop sign and failing to obey a properly placed traffic control device and there are no issues with the charging document.