

## **MCJRP Ineligible Offense List**

(Updated 5/18/21)

The MCJRP process is intended for those arrested and/or charged with a felony offense which carries a presumptive prison sentence (12 months + 1 day or more), issued on or after July 1, 2014. Below is a list of felony charges that are **excluded** from participation in the MCJRP assessment.

- Aggravated Murder and Murder
- Attempted Aggravated Murder and Attempted Murder
- Manslaughter in the First Degree and Second Degree
- Criminally Negligent Homicide
- Aggravated Vehicular Homicide
- Failure to Perform the Duties of a Driver (Death involved)
- Any other Death involved offense (including Len Bias cases)
- Arson in the First Degree (only BM11 Arson offenses)
- Assault in the First Degree
- Kidnapping in the First Degree
- Robbery in the First Degree
- Domestic Violence involved Offenses
- Child Victim under the age of 14
- Sex Crimes/Offenses (including FRSO charges)
- Burglary in the First Degree Offenses with determinant sentences, such as Denny Smith (all other Burglary I charges are MCJRP eligible)

**Beginning on or after September 30, 2019, otherwise MCJRP-eligible cases in the following categories are not eligible for the MCJRP process:**

- Defendants who are currently serving a DOC (12 months + 1 day or more) sentence, unless all parties agree to the MCJRP process
- Defendants with more than one pending MCJRP Eligible Unlawful Use of a Vehicle (UUV) or Possession of a Stolen Vehicle (PSV) case
- Stand-alone vehicular crimes (e.g. Felony DUII, Felony DWS, H&R Felony)

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Note that Assault II, UUV and defendants facing FPFA charges with a grid score of A-D were ineligible between 9/30/19 and 1/31/21. On 2/1/21, unadjudicated case containing these charges were retroactively eligible for the MCJRP process. Defendants who previously resolved a case through the MCJRP process were ineligible as of 9/30/19. On 6/1/21, any new or unadjudicated case containing a previous participant will be (retroactively) eligible.

An otherwise eligible case may be deemed ineligible if a defendant has a pending disqualifying BM11 offense.