



What's New 2016

Virginia's Sentencing Guidelines



Changes to Virginia's Sentencing Guidelines*

Effective July 1, 2016

- 1 Two new offenses are covered by guidelines for any defendant sentenced on or after July 1, 2016.
- 2 Revised factor on Section A of the Larceny Worksheet.
- 3 Revised scores on Section C of the Murder Worksheet.
- 4 New factor and revised scores on the Other Sexual Assault Worksheet.
- 5 Revised scores on the Other Sexual Assault/Obscenity Worksheet.
- 6 Sentencing Revocation Report.

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Detailed information on each offense follows this summary slide.



1

Two new offenses are covered by guidelines for any defendant sentenced on or after **July 1, 2016**



Two New Guidelines Offenses

For Offenders Sentenced on July 1, 2016 and After

- Users will find the following offenses on the worksheets for offenders sentenced on or after July 1, 2016.
 1. **Strangulation** has been added to the Assault worksheet.
 - § 18.2-51.6
 - ASL-1347-F6
 2. **Aggravated Sexual Battery of a Child age 13-17 by a Parent, Step-Parent, Grandparent or Step-Grandparent** has been added to the Other Sexual Assault worksheet.
 - § 18.2-67.3(A,3)
 - RAP-1148-F9



Assault — Section A

Offender Name: _____

Primary Offense (scores for attempted/conspired offenses are in parentheses)

- A. Assault and battery against a family member, third or subsequent conviction (1 count)..... 2
- B. Assault and battery against a law enforcement officer, fire or medical services, etc. (1 count)..... 6
- C. Any attempted or conspired assault and battery, unlawful injury or strangulation (1 count).....(1)
- D. Unlawful injury to law enforcement officer, fire/rescue personnel services, etc. (1 count)..... 7
- E. Any other unlawful injury
 - 1 count..... 1
 - 2 counts..... 3
- F. Any attempted or conspired malicious injury (1 count).....(3)
- G. Any attempted, conspired or completed aggravated malicious injury (1 count)..... 7
- H. Malicious injury to a law enforcement officer, fire or medical services, etc. (1 count)..... 7
- I. Any other malicious injury (1 count)..... 7
- J. Use of firearm in the commission of a felony (1 count)..... 4
- K. DWI with reckless disregard, victim permanently impaired
 - 1 count..... 1
 - 2 counts..... 3
- L. Strangulation (1 count)..... 3

Score

0

New Offense
Strangulation



Primary Offense Remaining Counts Total the maximum penalties for counts of the primary not scored above

- Years: 3 - 10.....
- 11 - 17.....
- 18 - 23.....

Additional Offenses Total the maximum penalties

- Primary offense:
K: DWI with Reckless Disregard
- Years
 - Less than 2.....
 - 2 - 17.....
 - 18 - 23.....
 - 24 - 31.....
 - 32 - 39.....
 - 40 or more.....

Weapon Used

- None.....
- Automobile, simulated weapon or other
- Firearm.....

Life Threatening Injury

Prior Convictions/Adjudications Total the maximum penalties

- Primary offense:
K: DWI with Reckless Disregard
- Years
 - Less than 1.....
 - 1 - 46.....
 - 47 or more.....

Prior Incarcerations/Commitments

Prior Juvenile Record

Legally Restrained at Time of Offense

- None.....
- Other than post-incarceration supervision
- Post-incarceration supervision (supervised release).....

SCORE THE FOLLOWING FACTORS ONLY IF PRIMARY OFFENSE AT CONVICTION IS ASSAULT & BATTERY AGAINST A FAMILY MEMBER (§ 18.2-57.2(B))

Type of Prior Felony Person Convictions/Adjudications

- None.....
- Assault and battery against a family member.....
- Other person felony.....

Total Score

Assault — Section B

Offender Name: _____

Victim Injury

- Threatened, emotional, or physical..... 2
- Life Threatening..... 4

Score

0

Additional Offenses Total the maximum penalties for additional offenses, including counts

Primary offense: Strangulation (§ 18.2-51.6)

- Maximum Penalty (years) Points
- Less than 5..... 5
- 5 or more..... 6

Primary offense: All other offenses

- Maximum Penalty (years) Points
- Less than 5..... 1
- 5 or more..... 2

0

Weapon Used or Brandished If YES, add 2

0

Prior Convictions/Adjudications Total the maximum penalties for the 5 most recent and serious prior record events

Primary offense: Strangulation (§ 18.2-51.6)

- Maximum Penalty (years) Points
- Less than 5..... 0
- 5 - 18..... 3
- 19 - 38..... 4
- 39 or more..... 5

Primary offense: All other offenses

- Maximum Penalty (years) Points
- Less than 5..... 0
- 5 - 18..... 1
- 19 - 38..... 2
- 39 or more..... 3

0

Prior Juvenile Record If YES, add 3

0

SCORE THE FOLLOWING FACTORS ONLY IF PRIMARY OFFENSE AT CONVICTION IS ASSAULT & BATTERY AGAINST A FAMILY MEMBER (§ 18.2-57.2(B)) OR STRANGULATION (§ 18.2-51.6)

Prior Incarcerations/Commitments

- Number: 1..... 1
- 2..... 3
- 3 or more..... 5

0

Assault ❖ Section C

Offender Name: _____
 _____ Prior Record Classification _____

Primary Offense

Category I Category II Other
(scores for attempted/conspired offenses are in parentheses)

A. Assault and battery against a family member, third or subsequent conviction or Strangulation (1 count)	28	14	7
B. Assault and battery against a law enforcement officer, fire or medical services, etc. (1 count)	32	16	8
C. Unlawful injury (1 count)	32	16	8
D. Any attempted or conspired malicious injury (1 count)	(68)	(34)	(17)
E. Any completed malicious injury			
1 count	102	68	34
2 counts	120	80	40
3 counts	204	136	68
F. Aggravated malicious injury (1 count)	321	214	107
G. Use of firearm in the commission of a felony - first offense (1 count)	32	32	32
H. Use of firearm in the commission of a felony - subsequent offense (1 count)	56	56	56
I. DWI with reckless disregard, Victim permanently impaired (1 count)	48	24	12

Score

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New Offense
Strangulation

Primary Offense Remaining Counts Assign points to each count of the primary not scored above and total the points

Primary offense:
D, E, F, G, or H: All malicious wounding or use of a firearm

Maximum Penalty (years)	Points
3	2
5	3
10	6
20	13
30	19
Life	26

Primary offense:
A, B, C, or I: Unlawful injury, any A & B, DWI or strangulation

Maximum Penalty (years)	Points
5	3
10	5

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Additional Offenses Assign points to each additional offense (including counts) and total the points

Primary offense:
D, E, F, G, or H: All malicious wounding or use of a firearm

Maximum Penalty (years)	Points
Less than 1	0
1, 2	1
3	2
4, 5	3
10	6
20	13
30	19
40 or more	26

Primary offense:
A, B, C, or I: Unlawful injury, any A & B, DWI or strangulation

Maximum Penalty (years)	Points
Less than 1	0
1, 2	1
3, 4	2
5	3
10	5
20	11
30	16
40 or more	22

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Weapon Used

Primary offense:
D, E, F, G, or H: All malicious wounding or use of a firearm

Simulated weapon or other than listed below	0
Knife or firearm	4

Primary offense:
A, B, C, or I: Unlawful injury, any A & B, DWI or strangulation

Simulated weapon or other than listed below	0
Knife	2
Firearm	3

0	0	
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Number of Victims Receiving Life Threatening Injury

Primary offense:
D, E, F, G, or H: All malicious wounding or use of a firearm

Number	Score
1	14
2	70
3 or more	85

Primary offense:
A, B, C, or I: Unlawful injury, any A & B, DWI or strangulation

Number	Score
1 or more	3

0		
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Prior Convictions/Adjudications Assign points to the 5 most recent and serious prior record events and total the points

Primary offense:
D, E, F, G, or H: All malicious wounding or use of a firearm

Maximum Penalty (years)	Points
Less than 5	0
5, 10	1
20	2
30	3
40 or more	4

Primary offense:
A, B, C, or I: Unlawful injury, any A & B, DWI or strangulation

Maximum Penalty (years)	Points
Less than 4	0
4, 5, 10	1
20	3
30	4
40 or more	6

0		
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Prior Felony Convictions/Adjudications Against Person

Primary offense:
D, E, F, G, or H: All malicious wounding or use of a firearm

Number	Score
1	6
2	12
3 or more	18

Primary offense:
A, B, C, or I: Unlawful injury, any A & B, DWI or strangulation

Do Not Score

0		
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Legally Restrained at Time of Offense

Primary offense:
D, E, F, G, or H: All malicious wounding or use of a firearm

If YES, add 6

Primary offense:
A, B, C, or I: Unlawful injury, any A & B, DWI or strangulation

If YES, add 2

0	0	
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Total Score

See Assault Section C Recommendation Table for guidelines sentence range.

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If the primary offense is Strangulation, score these factors in the right column.

Other Sexual Assault ❖ Section A (Part II)

Offender Name: _____

◆ Primary Offense

A. Other than listed below; all attempted or conspired offenses (1 count)	1
B. Non-forcible sodomy, parent/grandparent to child or grandchild age 13 to 17 (1 count).....	7
C. Indecent liberties with child under age 15	
1 count	3
2 counts.....	8
3 counts.....	10
D. Indecent liberties by custodian	
1 count	4
2 counts.....	6
3 counts.....	7
E. Non-forcible carnal knowledge of child age 13, 14 (statutory rape)	
1 count	2
2 counts.....	8
3 counts.....	12
F. Aggravated sexual battery	
1 count	3
2 counts.....	6
3 counts.....	9
G. Aggravated sexual battery, victim age 13 or 14 or parent/grandparent to child/grandchild age 13 to 17	
1 count	6
2 counts.....	8
3 counts.....	10
H. Incest with own child/grandchild (1 count).....	3
I. Incest with own child/grandchild age 13 to 17 (1 count).....	2

Score
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New Offense

Aggravated Sexual Battery of a Child age 13-17 by a Parent, Step-Parent, Grandparent or Step-Grandparent

Other Sexual Assault ❖ Section C

Offender Name: _____

◆ Primary Offense

— Prior Record Classification —
 Category I Category II Other
(scores for attempted/conspired offenses are in parentheses)

A. All attempted or conspired sexual assault (1 count).....	(24)	(12)	(6)
B. Completed sexual assault other than listed below (1 count)	36	18	9
C. Non-forcible sodomy, parent/grandparent to child/grandchild age 13 - 17			
1 count	36	18	9
D. Indecent liberties with child			
1 count	24	12	6
2 counts.....	40	20	10
3 counts.....	104	52	26
E. Non-forcible carnal knowledge of child age 13 - 14 (statutory rape)			
1 count	36	18	9
F. Incest with own child/grandchild (1 count).....	104	52	26
G. Incest with own child/grandchild age 13 - 17 (1 count)	104	52	26
H. Aggravated sexual battery			
1 count	90	60	34
2 counts.....	132	88	50
3 counts.....	288	192	108
I. Aggravated sexual battery, parent/grandparent to child/grandchild age 13-17			
1 count	84	56	32
2 counts.....	90	60	34
3 counts.....	180	120	68

Score
▼
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2

Revised factor on Section A of the
Larceny Worksheet

Larceny Section A

Offender Name: _____

◆ Primary Offense (scores for attempted/conspired offenses are in parentheses)

A. Attempted or conspired larceny (1 count).....	(1)	
B. Statutory maximum penalty equals 5 years		
1 count	1	
2 counts	4	
3 counts	6	
C. Statutory maximum penalty equals 10 years (1 count).....	3	
D. Grand larceny auto		
1 count	5	
2 counts	7	
3 counts	10	
E. Grand larceny from person		
1 count	4	
2 counts	11	
F. Grand larceny of a firearm (1 count).....	1	
G. Failure of bailee to return animal, aircraft, vehicle or boat (1 count).....	4	
H. Larceny of bank notes, checks or any book of accounts; Any other larceny offense with maximum penalty of 20 years		
1 count	2	
2 - 3 counts	4	
4 counts	6	

Score

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◆ Primary Offense Remaining Counts Total the maximum penalties for counts of the primary not scored above

Years: 5 - 11	1	34 - 44	4
12 - 22	2	45 or more	5
23 - 33	3		

0	
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◆ Additional Offenses Total the maximum penalties for additional offenses, including counts

Years: Less than 1	0	23 - 33	3
1 - 11	1	34 - 44	4
12 - 22	2	45 or more	5

0	
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◆ Prior Convictions/Adjudications Total the maximum penalties for the 5 most recent and serious prior record events

Years: Less than 2	0	21 - 36	3
2 - 11	1	37 or more	4
12 - 20	2		

0	
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◆ Prior Felony Larceny Convictions/Adjudications

Number of Counts: 1	2
2 - 3	3
4 or more	4

0	
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◆ Other Prior Felony Property Convictions/Adjudications

Number of Counts: 1 - 4	1
5 or more	2

0	
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◆ Prior Felony Convictions/Adjudications Against Person

Number of Counts: 1	1
2 or more	2

0	
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◆ Prior Misdemeanor Convictions/Adjudications (Excludes Traffic)

Number of Counts: 1 - 4	1
5 - 8	2
9 or more	3

0	
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◆ Prior Incarcerations/Commitments _____ If YES, add 5

0	
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◆ Prior Juvenile Record _____ If YES, add 1

0	
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◆ Legally Restrained at Time of Offense

None	0
Other than parole/post-release, supervised probation or CCCA	1
Parole/post-release, supervised probation or CCCA	2

0	
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SCORE THE FOLLOWING FACTOR ONLY IF PRIMARY OFFENSE IS H: EMBEZZLEMENT (§ 18.2-111)

◆ Amount of Embezzlement

Amount: Less than \$10,000	0
\$10,000-\$19,999	3
\$20,000-\$74,999	6
\$75,000-\$119,999	9
\$120,000 or more	14

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Total Score

If total is 15 or less, go to Section B. If total is 16 or more, go to Section C.

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Larceny/Section A

Revised Factor On Section A

The Amount of Embezzlement factor has been adjusted to include an assignment of 14 points if the amount embezzled was \$120,000 or more when the primary offense is Embezzlement.





3

Revised scores on Section C of the
Murder Worksheet



Murder/Homicide Section C

Offender Name: _____

◆ **Primary Offense**

A. First degree murder

Completed: 1 count	Life	596	335
2 counts	Life	652	367
Attempted or conspired: 1 count	(120)	(118)	(59)

B. Second degree murder or felony homicide

Completed: 1 count	354	236	205
Attempted or conspired: 1 count	(120)	(118)	(59)

C. Voluntary manslaughter

Completed: 1 count	120	96	48
2 counts	180	120	60
Attempted or conspired: 1 count	(60)	(48)	(24)
2 counts	(96)	(48)	(24)

D. Involuntary manslaughter

Completed: 1 count	76	38	19
Attempted or conspired: 1 count	(60)	(38)	(19)

E. Vehicular Involuntary manslaughter

Completed: 1 count	80	40	20
2 counts	232	116	58
3 counts	320	160	80
Attempted or conspired: 1 count	(60)	(38)	(19)

F. Aggravated vehicular manslaughter 1 count..... 213..... 142..... 71

Revised Factors On Section C

Increased number of points for the primary offense of two (2) counts **Voluntary Manslaughter**

Increased number of points for the primary offense of **Vehicular Involuntary Manslaughter**

◆ **Primary Offense Remaining Counts** Assign points to each count of the primary not scored above and total the points

Primary offense: A. Completed first degree murder

Maximum Penalty (years)	Points
Life.....	34

Primary offense: All other offenses

Maximum Penalty (years)	Points
5.....	5
10.....	11
20.....	21
40.....	42

◆ **Additional Offenses** Assign points to each additional offense (including counts) and total the points

Primary offense: A. Completed first degree murder

Maximum Penalty (years)	Points
Less than 1.....	0
1.....	1
2.....	2
3.....	3
4.....	3
5.....	4
10.....	9
20.....	17
30.....	26
40 or more.....	34

Primary offense: All other offenses

Maximum Penalty (years)	Points
Less than 1.....	0
1.....	1
2.....	2
3.....	3
4.....	4
5.....	5
10.....	11
20.....	21
30.....	32
40 or more.....	42

Increased number of points for an additional offense of:

- Felony Hit and Run, or
- Victim Permanently Impaired DWI

◆ **Prior Convictions/Adjudications** Assign points to the 5 most recent and serious prior record events and total the points

Primary offense: A. Completed first degree murder

Maximum Penalty (years)	Points
Less than 1.....	0
1, 2.....	1
3.....	2
4, 5.....	3
10.....	7
20.....	14
30.....	20
40 or more.....	27

Primary offense: All other offenses

Maximum Penalty (years)	Points
Less than 2.....	0
2, 3.....	1
4, 5.....	2
10.....	3
20.....	6
30.....	10
40 or more.....	13

◆ **Weapon Used, Brandished, Feigned or Threatened**

Primary offense: A. Completed first degree murder

If YES, add 32

Primary offense: All other offenses

Do Not Score

◆ **Legally Restrained at Time of Offense**

Primary offense: A. Completed first degree murder

If YES, add 13

Primary offense: All other offenses

If YES, add 2

◆ **Type of Additional Offense**

Additional offense of felony Hit and Run (§ 46.2-894) or Victim Permanently Impaired, DWI (§ 18.2-51.4(A))..... 37

Total Score _____

See Murder/Homicide Section C Recommendation Table for guidelines sentence range.

when the primary offense is **Vehicular Involuntary Manslaughter**



4

New factor and revised scores on the
Other Sexual Assault Worksheet



Other Sexual Assault ❖ Section A (Part II)

Offender Name: _____

◆ **Primary Offense**

A. Other than listed below; all attempted or conspired offenses (1 count)	1
B. Non-forcible sodomy, parent/grandparent to child or grandchild age 13 to 17 (1 count).....	7
C. Indecent liberties with child under age 15	
1 count	3
2 counts.....	8
3 counts.....	10
D. Indecent liberties by custodian	
1 count	4
2 counts.....	6
3 counts.....	7
E. Non-forcible carnal knowledge of child age 13, 14 (statutory rape)	
1 count	2
2 counts.....	8
3 counts.....	12
F. Aggravated sexual battery	
1 count	3
2 counts.....	6
3 counts.....	9
G. Aggravated sexual battery, victim age 13 or 14 or parent/grandparent to child/grandchild age 13 to 17	
1 count	6
2 counts.....	8
3 counts.....	10
H. Incest with own child/grandchild (1 count).....	3
I. Incest with own child/grandchild age 13 to 17 (1 count).....	2

Score

▼

Revised scores on Section A

Increased number of points assigned for the Primary Offense factor if the primary offense is one of the following:

- Indecent Liberties with a child under age 15
- Indecent Liberties with a Child by Custodian
- Aggravated Sexual Battery, Victim age 13 or 14



Other Sexual Assault ❖ Section B

Offender Name: _____

◆ Primary Offense

- A. Other than listed below (1 count)1
- B. Aggravated sexual battery
 - 1 count2
 - 2 counts.....4
 - 3 counts.....6

Score

0	
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◆ Primary Offense Remaining Counts Total the maximum penalties for counts of the primary not scored above

- | | | |
|--------|----------------|--------------------|
| Years: | 5 - 72 | 27 - 30 8 |
| | 8 - 113 | 31 - 34 9 |
| | 12 - 154 | 35 - 3710 |
| | 16 - 195 | 38 - 4111 |
| | 20 - 226 | 42 or more12 |
| | 23 - 267 | |

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◆ Additional Offenses Total the maximum penalties for additional offenses, including counts

- | | | |
|--------|-------------------|--------------------|
| Years: | Less than 1.....0 | 23 - 26 7 |
| | 1 - 21 | 27 - 30 8 |
| | 3 - 72 | 31 - 34 9 |
| | 8 - 113 | 35 - 3710 |
| | 12 - 154 | 38 - 4111 |
| | 16 - 195 | 42 or more12 |
| | 20 - 226 | |

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◆ Victim Less than Age 13 at Time of Offense

If YES, add 3 →

0	
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◆ Prior Convictions/Adjudications Total the maximum penalties for the 5 most recent and serious prior record events

- | | |
|--------|--------------------|
| Years: | Less than 30 |
| | 3 - 191 |
| | 20 - 392 |
| | 40 or more3 |

0	
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◆ Prior Incarcerations / Commitments

If YES, add 1 →

0	
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SCORE THE FOLLOWING FACTOR ONLY IF PRIMARY OFFENSE AT CONVICTION IS INDECENT LIBERTIES BY CUSTODIAN (§ 18.2-370.1(A))

◆ Victim Injury

- Threatened or emotional3
- Physical or life threatening4

0	
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Total Score

See Other Sexual Assault Section B Recommendation Table to convert score to guidelines sentence.

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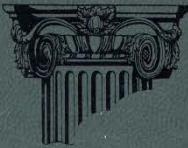
New Factor on Section B

A new victim injury factor has been added to worksheet B for defendants with a primary offense of **Indecent Liberties by Custodian**



5

Revised scores on the Other Sexual Assault
Obscenity Worksheet



Revised scores on Section A

Decreased number of points assigned for the *Primary Offense* factor if the primary offense is **Possess Child Pornography, First Offense**

Other Sexual Assault/Obscenity ❖ **Section A** Offender Name: _____

◆ **Primary Offense** _____ (scores for attempted/conspired offenses are in parentheses)

A. All attempted or conspired offenses (1 count).....	(1)
B. Production, publication, sale or financing child pornography (1 count).....	6
C. Possess child porn (1st Offense) (1 count).....	5
D. Possess child porn (2nd or subsequent) (1 count).....	9
E. Reproduce, transmit, sell, etc., child porn (1 count).....	5
F. Procure minor for obscene material by communications system (1 count).....	6
G. Procure minor for prostitution, sodomy, pornography by communications system (1 count).....	6
H. Propose sex act by communications system, child less than age 15 (1 count).....	8
I. Propose sex act by communications system, child less than age 15, offender 7+ years older (1 count).....	9
J. Propose sex act by communications system, child age 15 or more, offender 7+ years older (1 count).....	6
K. Propose sex act by communications system, child age 15 or more, offender 7+ yrs old (2nd/subseq.) (1 count).....	9

Score
0

◆ **Primary Offense Remaining Counts** Total the maximum penalties for counts of the primary not scored above

Primary offense B, C or D: Production or Possession of Child Porn		Primary offense: All other offenses	
Years	Points	Years	Points
5 - 26	2	5 - 26	1
27 - 52	3	27 - 52	2
53 or more	4	53 or more	3

0

◆ **Additional Offenses** Total the maximum penalties for additional offenses, including counts

Years:	Less than 1	0
	1 - 26	1
	27 - 52	2
	53 or more	3

0

Increased number of points assigned for the *Primary Offense Remaining Counts* factor if the primary offense at conviction is one of the following:

- **Possess Child Pornography, First Offense**
- **Possess Child Pornography, Second/Subsequent Offense**



Revised scores on
Section C

Other Sexual Assault/Obscenity ❖ **Section C** Offender Name: _____

— Prior Record Classification —
 Category I Category II Other
(scores for attempted/conspired offenses are in parentheses)

Primary Offense	Category I	Category II	Other
A. All attempted or conspired offenses of possess, reproduce, transmit etc. child porn 1 count (24) (12) (6)			
B. All attempted or conspired offenses of electronic solicitation of minor 1 count (24) (12) (6)			
C. Entice, etc., minor to perform in porn; take part in child porn 1 count 68 34 17			
D. Produce child porn; finance child porn Attempted, conspired or completed: 1 count 100 50 25 2 counts 216 108 54			
E. Possess child porn (1st Offense) 1 count 48 24 12			
F. Possess child porn (2nd or subsequent) 1 count 76 38 19			
G. Reproduce, transmit, sell, etc., child porn 1 count 100 50 25			
H. Procure minor for obscene material by communications system 1 count 68 34 17			
I. Procure minor for prostitution, sodomy, etc. by communications system 1 count 68 34 17			
J. Propose sex act by communications system, child less than age 15 1 count 68 34 17			
K. Propose sex act by communications system, child less than age 15, offender 7+ years 1 count 148 74 37			
L. Propose sex act by communications system, child age 15 or more, offender 7+ years (2nd+) 1 count 68 34 17			

Score
▼
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Decreased number of points assigned for the *Primary Offense* factor if the primary offense is one of the following:

- Possess Child Pornography, First Offense
- Possess Child Pornography, Second or Subsequent Offense



6

Sentencing Revocation Report (SRR).



Sentencing Revocation Report IMSP Case
Date Form Completed: _____

◆ **OFFENDER** _____
 First: _____ Middle: _____
 Last: _____ Suffix: _____
 Date of Birth: _____/_____/____ Social Security Number: _____
 SID/CCRE: _____ CORIS Offender ID: _____

◆ **COURT** _____
 Judicial Circuit: _____ City/County: _____ FIPS Code: _____
 Judge's Name: _____ Office Use Only

◆ **MOST SERIOUS ORIGINAL FELONY OFFENSE INFORMATION** _____
 Primary Offense _____ VCC _____ Sentencing Date (Original) _____
 PSI NUMBER: _____

◆ **ORIGINAL DISPOSITION INFORMATION** _____
 No Incarceration Detention or Diversion Center Incarceration (no active incarceration) Jail or Prison

◆ **TYPE OF REVOCATION (check all that apply)** _____
 Probation Post-Release Good Behavior Suspended Sentence Community-Based Program

◆ **CONDITIONS CITED IN VIOLATION (check all that apply)** _____
 1. Fail to obey all Federal, State, and local laws and ordinances
 2. Fail to report any arrests within 3 days to probation officer
 3. Fail to maintain employment or to report changes in employment
 4. Fail to report as instructed
 5. Fail to allow probation officer to visit home or place of employment
 6. Fail to follow instructions and be truthful and cooperative
 7. Use alcoholic beverages
 8. Use, possess, distribute controlled substances or paraphernalia
 9. Use, own, possess, transport or carry firearm
 10. Change residence or leave State of Virginia without permission
 11. Abscond from supervision
 Fail to follow special conditions (specify) _____

Complete if there are any new law or ordinance violations:
VCCs for most serious convictions

Location of Arrest:
 Virginia Out of State or Federal

◆ **VIOLATION GUIDELINES RECOMMENDATION** _____
 Probation/No Incarceration
 Incarceration (Enter Range Below)
 Range _____ to _____
 Recommendation Exceeds Revocable Time of _____

Probation Violation Guidelines **Do Not Apply** (check reason)
 _____ Condition 1 Violation
 _____ Deferred Finding/Sentence (Complete SG)
 _____ Parole Eligible Case
 _____ Revocation Other Than Probation

- Chapter 1042 of the 2016 Acts of the Assembly requires that the Sentencing Revocation Report (SRR) be prepared and presented to the court for any violation hearing conducted pursuant to §19.2-306 – in every case.



Sentencing Revocation Report IMSP Case
Date Form Completed: _____

◆ **OFFENDER** _____
 First: _____ Middle: _____
 Last: _____ Suffix: _____
 Date of Birth: _____ Social Security Number: _____
 SID/CCRE: _____ CORIS Offender ID: _____

◆ **COURT** _____
 Judicial Circuit: _____ City/County: _____ FIPS Code: _____
 Judge's Name: _____ Office Use Only

◆ **MOST SERIOUS ORIGINAL FELONY OFFENSE INFORMATION** _____
 Primary Offense VCC _____ Sentencing Date (Original) _____
 PSI NUMBER: _____

◆ **ORIGINAL DISPOSITION INFORMATION** _____
 No Incarceration Detention or Diversion Center Incarceration (no active incarceration) Jail or Prison

◆ **TYPE OF REVOCATION (check all that apply)** _____
 Probation Post-Release Good Behavior Suspended Sentence Community-Based Program

◆ **CONDITIONS CITED IN VIOLATION (check all that apply)** _____
 1. Fail to obey all Federal, State, and local laws and ordinances
 2. Fail to report any arrests within 3 days to probation officer
 3. Fail to maintain employment or to report changes in employment
 4. Fail to report as instructed
 5. Fail to allow probation officer to visit home or place of employment
 6. Fail to follow instructions and be truthful and cooperative
 7. Use alcoholic beverages
 8. Use, possess, distribute controlled substances or paraphernalia
 9. Use, own, possess, transport or carry firearm
 10. Change residence or leave State of Virginia without permission
 11. Abscond from supervision
 Fail to follow special conditions (specify) _____

Complete if there are any new law or ordinance violations:
VCCs for most serious convictions

Location of Arrest:
 Virginia Out of State or Federal

◆ **VIOLATION GUIDELINES RECOMMENDATION** _____
 Probation/No Incarceration
 Incarceration (Enter Range Below)
 Range _____ to _____
 Recommendation Exceeds Revocable Time of _____

Probation Violation Guidelines **Do Not Apply** (check reason)
 _____ Condition 1 Violation
 _____ Deferred Finding/Sentence (Complete SG)
 _____ Parole Eligible Case
 _____ Revocation Other Than Probation

Violation of conditions of probation, good behavior or a suspended sentence for a felony offense

The **Sentencing Revocation Report (SRR)** is prepared for every *capias*, show cause or revocation request submitted to the court for an offender who is accused of violating the conditions of a suspended sentence for a felony offense.



VIRGINIA CRIMINAL SENTENCING COMMISSION

VIRGINIA SENTENCING GUIDELINES

Sentencing Guidelines Cover Sheet		Scheduled Sentencing Date: _ _ / _ _ / _ _	
Complete this form ONLY for applicable felonies sentenced on or after July 1, 2016.			
◆ OFFENDER			
First _____ Middle _____ Last _____ Suffix _____			
Date of Birth: _ _ / _ / _ _		Social Security Number: _ _ - _ - _ _	
CCRE: <input type="checkbox"/> V <input type="checkbox"/> A	CORIS Offender ID: _ _ _ _ _ _ _ _	PSI #: _ _ _ _ _	
◆ COURT			
Judicial Circuit: _ _	City/County: _____	FIPS Code: _ _ _	
Sentencing Judge's Name: _____			
Preparer Name: _____			
<input type="checkbox"/> Commonwealth's Attorney <input type="checkbox"/> Probation Officer <input type="checkbox"/> Prosecuting Commonwealth's Attorney <input type="checkbox"/> Defense Attorney			
◆ CONVICTIONS			
Offense	Counts	VCC	Offense Date
Primary Offense	_ _	_ _ _ _ _ _ _ _ _	Month Day Year
Additional Offenses	_ _	_ _ _ _ _ _ _ _ _	_ _ _ _ _ _ _
	_ _	_ _ _ _ _ _ _ _ _	_ _ _ _ _ _ _
	_ _	_ _ _ _ _ _ _ _ _	_ _ _ _ _ _ _
Primary Offense Code Section § _____		Docket Number _____	
◆ METHOD OF ADJUDICATION			
<input type="checkbox"/> Jury Trial Sentence Set by Jury: _ _ _ _ _ _ _ _ _ _ <input type="checkbox"/> Life <input type="checkbox"/> Juvenile <input type="checkbox"/> Fine Only <input type="checkbox"/> Bench Trial <input type="checkbox"/> Guilty Plea <input type="checkbox"/> Alford Plea/Nolo contendere			
◆ SENTENCING GUIDELINES RECOMMENDATION			
Section B <input type="checkbox"/> Probation/No Incarceration <input type="checkbox"/> Incarceration 1 Day to 3 Months <input type="checkbox"/> Incarceration 1 Day to 6 Months <input type="checkbox"/> Incarceration 3 to 6 Months <input type="checkbox"/> Probation/No Incarceration or Incarceration to 6 Months	Section C <input type="checkbox"/> Life Sentence <input type="checkbox"/> Incarceration (Enter Midpoint and Range Below) Range Midpoint: _ _ _ _ _ _ _ _ Sentence Range: _ _ _ _ Months Days TO _ _ _ _ Months Days	Section B Mandatory Minimum _____ <input type="checkbox"/> Recommendation Adjusted for Mandatory Minimum	
◆ NONVIOLENT RISK ASSESSMENT Section D of Drug, Fraud, and Larceny Worksheets			
<input type="checkbox"/> Recommended for Alternative Punishment <input type="checkbox"/> Not Applicable (INELIGIBILITY CONDITIONS marked on Section D) <input type="checkbox"/> NOT Recommended for Alternative Punishment <input type="checkbox"/> Not a DRUG, FRAUD or LARCENY Offense			

The Exception

Violation of conditions of a deferred finding

In cases where the offender has violated the conditions of a **deferred finding**, the Sentencing Revocation Report (SRR) will not be submitted.
(*Example: § 18.2-251 - First Offender Violation*)

In these cases, the **sentencing guidelines** are prepared based on the offense(s) for which findings were taken under advisement.



Sentencing Revocation Report IMSP Case

Date Form Completed: _____

◆ **OFFENDER** _____
 First: _____ Middle: _____
 Last: _____ Suffix: _____
 Date of Birth: _____ Social Security Number: _____
 SID/CCRE: _____ CORIS Offender ID: _____

◆ **COURT** _____
 Judicial Circuit: _____ City/County: _____ FIPS Code: _____
 Judge's Name: _____ Office Use Only: _____

◆ **MOST SERIOUS ORIGINAL FELONY OFFENSE INFORMATION** _____
 Primary Offense ^{VCC} **BUR 2 2 1 3 F 9** Sentencing Date (Original) **07 01 14**
 PSI NUMBER: _____

◆ **ORIGINAL DISPOSITION INFORMATION** _____
 No Incarceration Detention or Diversion Center Incarceration (no active incarceration) Jail or Prison

◆ **TYPE OF REVOCATION (check all that apply)** _____
 Probation Post-Release Good Behavior Suspended Sentence Community-Based Program

◆ **CONDITIONS CITED IN VIOLATION (check all that apply)** _____
 1. Fail to obey all Federal, State, and local laws and ordinances
 2. Fail to report any arrests within 3 days to probation officer
 3. Fail to maintain employment or to report changes in employment
 4. Fail to report as instructed
 5. Fail to allow probation officer to visit home or place of employment
 6. Fail to follow instructions and be truthful and cooperative
 7. Use alcoholic beverages
 8. Use, possess, distribute controlled substances or paraphernalia
 9. Use, own, possess, transport or carry firearm
 10. Change residence or leave State of Virginia without permission
 11. Abscond from supervision
 Fail to follow special conditions (specify) _____

Complete if there are any new law or ordinance violations:
VCCs for most serious convictions

L AR 2359 F9

Location of Arrest:
 Virginia Out of State or Federal

◆ **VIOLATION GUIDELINE** _____
 Probation/No Incarceration
 Incarceration (Enter Range Below)
 Range: _____
 Recommendation Exceeds Revocable Time of _____

Sentencing Guidelines Cover Sheet

Complete this form ONLY for applicable felonies sentenced on or after July 1, 2016. Scheduled Sentencing Date: _____

◆ **OFFENDER** _____
 First _____ Middle _____ Last _____ Suffix _____
 Date of Birth: _____ Social Security Number: _____
 CCRE: **V A** CORIS Offender ID: _____ PSI #: _____

◆ **COURT** _____
 Judicial Circuit: _____ City/County: _____ FIPS Code: _____
 Sentencing Judge's Name: _____
 Preparer Name: _____ Commonwealth's Attorney Probation Officer
 Prosecuting Commonwealth's Attorney: _____ Defense Attorney: _____

◆ **CONVICTIONS**

Offense	Counts	VCC	Offense Date
Primary Offense Grand Larceny	01	L AR 2359 F9	02 14 16
Additional Offenses Probation Viol	01	PRB 4850 F9	04 01 16

Primary Offense Code Section § _____ Docket Number _____

Probation Violation as an Additional Offense

In cases where the offender will be sentenced for a violation (i.e., probation, good behavior or suspended sentence) with a new law violation in the same sentencing event the **violation will always be scored as an additional offense** and the new law violation will be the primary offense.

The official preparer will submit:

1. **Sentencing Revocation Report**

AND

2. **The sentencing guidelines** reflecting the probation or suspended sentence violation as an additional offense.



"Sentencing Guidelines"

Final Disposition Fill In After Sentence Has Been Pronounced

◆ **SENTENCE** _____

Total Time Imposed Before Suspension Life Sentence +

Years	Months	Days
<input type="text"/>	<input type="text"/>	<input type="text"/>

Total Effective Time to Serve Life Sentence +

Years	Months	Days
<input type="text"/>	<input type="text"/>	<input type="text"/>

Sentenced to Time Served

Post Release

Post Release Term § 18.2-10 | || Post Release Supervision Period § 19.2-295.2(A) | | |

Probation Period (Supervised) § 19.2-303 Indefinite | |

Check all that apply

Incarceration Sentence to Run Concurrently With Another Sentencing Event

In instances where the probation violation will be scored as an additional offense on the regular sentencing guidelines, the court shall record the total combined sentence for the revocation and the new law violation(s) on the sentencing guidelines Final Disposition form.

"Probation Violation Guidelines"

Final Decision/Disposition
To be completed by the sentencing judge or judge's designee.

◆ **DECISION OF THE COURT** _____

Found in Violation - OR - of Conditions Cited

Taken Under Advisement or Deferred

Not in Violation

Found in Violation of the Following Conditions: (check all that apply)

<input type="checkbox"/> Fail to obey all laws and ordinances	<input type="checkbox"/> Use alcoholic beverages
<input type="checkbox"/> Fail to report any arrests within 3 days	<input type="checkbox"/> Use, possess, distribute drugs or paraphernalia
<input type="checkbox"/> Fail to maintain employment/report changes	<input type="checkbox"/> Use, own, possess firearm
<input type="checkbox"/> Fail to report as instructed	<input type="checkbox"/> Change residence/leave State without permission
<input type="checkbox"/> Fail to allow probation officer to visit	<input type="checkbox"/> Abscond from supervision
<input type="checkbox"/> Fail to follow instructions and be truthful	<input type="checkbox"/> Fail to follow special conditions _____

◆ **SENTENCE FOR REVOCATION** _____

Amount of Revocable Time at Hearing/Sentencing Life +

Years	Months	Days
<input type="text"/>	<input type="text"/>	<input type="text"/>

Amount of Time to Serve for Violation Life +

Years	Months	Days
<input type="text"/>	<input type="text"/>	<input type="text"/>

Placed on Supervised Probation For Indefinite | |

Sentenced to Time Served

Continued on Same Period of Supervision

Continued Under Same Conditions Released from Supervision/Restrictions

In addition, the court shall also record just the revocation sentence on the SRR.

Following the entry of the final order, both the regular sentencing guidelines and the SRR shall be forwarded to the Sentencing Commission.



New Laws

What's New 2016



New Laws

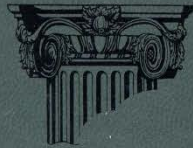
*Selected Laws Effective July 1, 2016 **

- § 18.2-308.1:4(B)- Possess firearm while permanent family abuse protective order in effect
- § 16.1-253.2(B) - Violate protective order while armed (J&DR Court)
- § 16.1-253.2(C) - Stalk person with protective order (J&DR Court)
- § 18.2-60.4(B) - Violate protective order while armed w/ deadly weapon
- § 18.2-60.4(C) - Stalk person with protective order
- § 18.2-60.3(B) - Stalking with intent to cause fear, 2nd Offense w/in 5 years

** Please refer to the 2016 VCC Book for a list of all criminal offenses*



Additional Information



Visit the Commission's new mobile site by texting **VCSC** to **56512**.

- Learn about the 2016 changes
- Register for seminars
- Review Virginia Crime Codes by statute or topic
- Quick reference to common rules
- Register for limited text alerts on changes
- View or download worksheets
- Access to the mobile guidelines manual and ranges

Go to <http://bycell.co/cgac> on your mobile device

Or dial **804-200-4941** on your mobile phone
to receive a text message and click on the link

Message & Data Rates May Apply. You can unsubscribe at any time by texting STOP to 56512.
Text HELP to 56512 for help or contact VCSC at 804.225.4398.



Information

- Contact staff of the Commission by phone from 7:30AM to 5:00PM (Monday – Friday) **804.225.4398**
- Contact staff of the Commission by text at **804.393-9588** or text VCSC to 56512 for the mobile web site.
- Contact Staff by Email. Email addresses are posted on the Commission's website: www.vcsc.virginia.gov.
- Sentencing Guidelines worksheets are available on the Commission's website: www.vcsc.virginia.gov
- Manuals, VCC Books and updates will be shipped in late June.
 - An order form for the 19th edition of *Virginia's Sentencing Guidelines Manual* is available on the Commission's website.
 - Judges, Commonwealth's Attorneys, Public Defenders and Probation Officers will automatically be shipped updates based on the number requested last year.





2016 Seminars

Registration Form is Available on the Commission's Website

Sentencing Guidelines Knowledge & Skills

Evaluation (Including Ethics Issues)

(5 Hours – Approved for 5 CLE (1 Ethics))

The evaluation course is designed for the experienced user of Virginia's Sentencing Guidelines. Attendees will complete a knowledge and skills exercise that will determine the topics covered in this seminar. Attendees will participate in a discussion-oriented workshop addressing common errors and complex scoring issues. Ethics Council with the Virginia State Bar will lead the discussion and answer questions related to ethical responsibilities relating to the Sentencing Guidelines. Register by completing the form and submit to the Commission. **Cost \$100.00**. Purchase manual separately. (Fee waived for Judges, Comm. Attorneys, P&P, Public Defenders & Staff. Limited scholarships are available for attorneys)

JULY 6, 2016 – PORTSMOUTH

Social Services Building – 1701 High Street
 9:30-4:00 (#590)

JULY 13, 2016 – FAIRFAX

Fairfax Government Center – 12000 Government Center Pky
 9:30-4:00 (#593)

AUGUST 11, 2016 – ABINGDON

Southwest Virginia Higher Education Center –
 French Moore Jr. Blvd.
 9:30-4:00 (#595)

SEPTEMBER 27, 2016 – WINCHESTER

Lord Fairfax Community College – 173 Skirmisher Lane
 9:30-4:00 (#596)

OCTOBER 12, 2016 – BIG STONE GAP

Mountain Empire Community College –
 3441 Mountain Empire Road
 9:30-4:00 (#597)

OCTOBER 14, 2016 – ROANOKE

Roanoke Higher Education Center – 108 N. Jefferson Street
 9:30-4:00 (#599)

OCTOBER 20, 2016 – HENRICO/RICHMOND

Henrico Police & Fire Training Center – 7701 E. Parham Rd.
 9:30-4:00 (#600)

OCTOBER 26, 2016 – DANVILLE

Danville Community College for Advanced Technology –
 121 Slayton Ave.
 9:30-4:00 (#601)

Introduction

to Sentencing Guidelines

(6 Hours – Approved for 6 CLE)

The introduction seminar is designed for the attorney or criminal justice professional who is new to Virginia's Sentencing Guidelines. The seminar will begin with general background information and progress to detailed information on scoring each of the guidelines factors to include changes beginning July 1, 2016. Register by completing the form and submit to the Commission. Space may be limited. **Cost \$125.00**. Purchase manual separately.

JULY 7, 2016 – CHESAPEAKE

Chesapeake Sheriff's Office – 401 Albemarle Dr
 9:30-5:00 (#591)

JULY 12, 2016 – FAIRFAX

Fairfax Government Center – 12000 Government Center Pky
 9:30-5:00 (#592)

AUGUST 4, 2016 – HENRICO/RICHMOND

Henrico Police & Fire Training Center – 7701 E. Parham Rd
 9:30-5:00 (#594)

OCTOBER 13, 2016 – ABINGDON

Southwest Virginia Higher Education Center –
 9:30-5:00 (#598)

DECEMBER 1, 2016 – FAIRFAX

Fairfax Government Center – 12000 Government Center Pky
 9:30-5:00 (#602)

DECEMBER 7, 2016 – HENRICO/RICHMOND

Henrico Police & Fire Training Center – 7701 E. Parham Rd.
 9:30-5:00 (#603)

DECEMBER 13, 2016 – ROANOKE

Roanoke Higher Education Center – 108 N. Jefferson St
 9:30-5:00 (#604)

DECEMBER 15, 2016 – PORTSMOUTH

Department of Social Services – 1701 High Street
 9:30-5:00 (#605)



Register Using the Mobile Site

Visit the Commission's mobile site by **texting the letters VCSC to 56512** and **follow the link or dial 804-200-4941 on your mobile phone to receive a text msg. - click on link.** (<http://bycell.co/cgac>)
Message & Data Rates May Apply. You can unsubscribe at any time by texting STOP to short code 56512. Text HELP to 56512 for help or contact



2016 Shipping and Registration Information

Mr. Ms. Mrs. _____

Name: _____

Office: _____

Address: *(Street Address for UPS Delivery):* _____

City: _____

State: _____ **Zip:** _____

Phone: _____

Cell (Text): _____

Fax: _____

E-Mail: _____

19th Edition Manual Selection (Effective July 1, 2016)

- Update from 18th Edition (July 2015) **\$30.⁰⁰**
- Update from 17th or earlier Edition **\$85.⁰⁰**
- Complete Manual with Binder & Tabs **\$155.⁰⁰**

2016 Seminar Selection (Directions will be mailed.)

- A Sentencing Guidelines Manual is required for the seminars*
- Intro to Guidelines.....Seminar # _____ .. **\$125.⁰⁰**
 - Knowledge & Skills (Ethics)Seminar # _____ .. **\$100.⁰⁰**

Total Enclosed: \$ _____

MAIL TO:
 Virginia Criminal Sentencing Commission
 100 N. 9th Street – 5th Floor
 Richmond, VA 23219

Make Checks Payable to the Treasurer of Virginia
 Fees Waived for Commonwealth's Atty., Public Defenders & P&P



Virginia Criminal Sentencing Commission

100 North Ninth Street
Richmond, VA 23219

Supreme Court Building
5th Floor

804-225-4398

www.vcsc.virginia.gov

