

# Sentencing Guidelines cover sheet

Scheduled Sentencing Date:

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Complete this form ONLY for applicable felonies sentenced on or after July 1, 2020.

## OFFENDER

First \_\_\_\_\_ Middle \_\_\_\_\_ Last \_\_\_\_\_ Suffix \_\_\_\_\_

Date of Birth: 

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Social Security Number: 

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CCRE: 

V	A								
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 CORIS Offender ID: 

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 PSI: 

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## COURT

Judicial Circuit 

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 City/County \_\_\_\_\_ FIPS Code: 

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Sentencing Judge's Name \_\_\_\_\_ 

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For Office Use OnlyPreparer Name \_\_\_\_\_ ☐ Commonwealth's Attorney ☐ Probation Officer

Prosecuting Commonwealth's Attorney \_\_\_\_\_ Defense Attorney \_\_\_\_\_

## CONVICTIONS

### Offense

Primary Offense \_\_\_\_\_

### Counts

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### VCC

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### Offense Date

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For a comprehensive list of all offenses in the sentencing event, please refer to the **Offense Details** page following **Section D**.

Primary Offense Code Section § \_\_\_\_\_

Docket Number \_\_\_\_\_

### Drug Type in Event Please check all that apply. This information is for research purposes only.

- |  |  |                                   |                                    |   |                                    |
|--|--|-----------------------------------|------------------------------------|---|------------------------------------|
| <input type="checkbox"/> Cocaine         | <input type="checkbox"/> Codeine         | <input type="checkbox"/> Fentanyl | <input type="checkbox"/> Heroin    | <input type="checkbox"/> Hydrocodone                  | <input type="checkbox"/> Methadone |
| <input type="checkbox"/> Methamphetamine | <input type="checkbox"/> Methylphenidate | <input type="checkbox"/> Morphine | <input type="checkbox"/> Oxycodone | <input type="checkbox"/> Any other Schedule I/II drug | _____                              |

## METHOD OF ADJUDICATION

☐ Jury Trial Sentence Set by Jury: 

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 Years 

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 Months 

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 Days ☐ Life ☐ Juvenile ☐ Fine Only☐ Bench Trial ☐ Guilty Plea ☐ Alford Plea/Nolo contendere

## SENTENCING GUIDELINES RECOMMENDATION

### Section B

- ☐ Probation/No Incarceration  
☐ Incarceration 1 Day to 3 Months  
☐ Incarceration 1 Day to 6 Months  
☐ Incarceration 3 to 6 Months  
☐ Probation/No Incarceration or Incarceration to 6 Months

### Section B

Mandatory Minimum \_\_\_\_\_

### Section C

- ☐ Life Sentence  
☐ Incarceration (Enter Midpoint and Range Below)

### Range Midpoint

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### Sentence Range

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TO 

--	--	--	--	--	--

 Years 

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 Months 

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 Days☐ Recommendation Adjusted for Mandatory Minimum☐ Non Guidelines Offense  
(Primary offense is a non guidelines offense)

## 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                          |

# ◆ Final Disposition Fill In After Sentence Has Been Pronounced

## ◆ SENTENCE

Total Time Imposed Before Suspension ..... ☐ Life Sentence +

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Total Effective Time to Serve ..... ☐ Life Sentence +

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☐ Sentenced to  
Time Served

### Post Release

Post Release Incarceration Term § 18.2-10 (suspended) .....

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Post Release Supervision Period § 19.2-295.2(A) .....

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Probation Period (Supervised) § 19.2-303 ..... ☐ Indefinite

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☐ Good Behavior Period (§ 19.2-306) \_\_\_\_\_  
Years Months Days

*Check all that apply*

☐ Incarceration Sentence to Run Concurrently With Another Sentencing Event

☐ Written Plea Agreement Accepted = Rule 3A:8(c)(1) (A) or (C)

☐ Plea and Recommendation Accepted = Rule 3A:8(c)(1)(B)

☐ Oral Sentence Recommendation Accepted

☐ Restitution \$ \_\_\_\_\_ ☐ Fine \$ \_\_\_\_\_

### Other Sentencing Programs *(check all that apply)*

☐ Day Reporting

☐ Electronic Monitoring

☐ Intensive Probation

☐ Substance Abuse Treatment

☐ § 18.2-251/§ 18.2-258.1

☐ Community-Based Program \_\_\_\_\_

☐ **CCAP** Detention/Diversion Center Incarceration, 22-48 weeks

☐ Drug Court

☐ Youthful Offender

☐ **DJJ** Commitment ☐ Indeterminate ☐ Determinate

☐ Other \_\_\_\_\_

Office Use Only					

## ◆ REASON FOR DEPARTURE AND/OR MODIFICATION OF JURY SENTENCE

Must be completed pursuant to § 19.2-298.01(B) and/or § 19.2-295(B)/ § 19.2-303

			Office Use Only		


## ◆ SENTENCING DATE

Month	Day	Year			

\_\_\_\_\_  
*Judge's Signature*

## ◆ ATTACH COURT ORDER AND MAIL Pursuant to § 19.2-298.01(E)

After sentencing, send to:

Virginia Criminal Sentencing Commission • 100 North Ninth Street • Fifth Floor • Richmond, Virginia 23219

# Drug/Other Section A

Offender Name: \_\_\_\_\_

## ◆ Primary Offense

- A. Other than listed below (1 count) ..... 1
- B. Sell, etc. 1 ounce - 5 pounds of marijuana for profit; Sell, etc. marijuana to inmate for accommodation  
1 count ..... 3  
2 counts ..... 8
- C. Sell, etc. more than 5 pounds of marijuana for profit; Sell, etc. third or subsequent felony (1 count) ..... 12
- D. Sell, etc. marijuana to minor (1 count) ..... 11
- E. Manufacture marijuana not for personal use (1 count) ..... 8
- F. Transport 5 pounds or more of marijuana into Commonwealth (1 count) ..... 12
- G. Sell, etc. Schedule III or IV drug to minor (1 count) ..... 11
- H. Sell, etc. Schedule III drug-not anabolic steroid  
1 count ..... 8  
2 counts ..... 10
- I. Sell, etc. Schedule IV drug  
1 count ..... 6  
2 counts ..... 8

Score

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

- Years: 5 - 10 ..... 0  
11 - 21 ..... 2  
22 - 30 ..... 3  
31 - 42 ..... 4  
43 or more ..... 5

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

- Years: Less than 4 ..... 0  
4 - 10 ..... 1  
11 - 21 ..... 2  
22 - 30 ..... 3  
31 - 42 ..... 4  
43 or more ..... 5

0	
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## ◆ Knife or Firearm in Possession at Time of Offense \_\_\_\_\_ If YES, add 2

0	
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## ◆ Conviction in Current Event Requiring Mandatory Minimum Term (6 mos or more) \_\_\_\_\_ If YES, add 9

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 7 ..... 0  
7 - 26 ..... 1  
27 - 48 ..... 2  
49 or more ..... 3

0	
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## ◆ Prior Incarcerations/Commitments \_\_\_\_\_ If YES, add 2

0	
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## ◆ Prior Felony Drug Convictions/Adjudications

- Number of Counts: 1 - 2 ..... 1  
3 - 4 ..... 2  
5 ..... 3  
6 or more ..... 4

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 ..... 4

0	
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**Total Score**

\_\_\_\_\_ If total is 10 or less, go to **Section B**. If total is 11 or more, go to **Section C**.

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# Drug/Other ❖ Section B

Offender Name: \_\_\_\_\_

## ◆ Primary Offense \_\_\_\_\_

- A. Other than listed below (1 count) ..... 1
- B. Sell, etc. 1 ounce - 5 pounds of marijuana for profit; Sell, etc. marijuana to inmate for accommodation  
1 count ..... 6  
2 counts ..... 9
- C. Manufacture marijuana not for personal use (1 count) ..... 5
- D. Sell, etc. Schedule III drug - not anabolic steroid  
1 count ..... 7  
2 counts ..... 12
- E. Sell, etc. Schedule IV drug  
1 count ..... 6  
2 counts ..... 9

Score

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

- Years: Less than 10 ..... 0  
10 - 19 ..... 2  
20 - 28 ..... 3  
29 - 38 ..... 4  
39 or more ..... 5

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

- Years: Less than 1 ..... 0  
1 - 9 ..... 2  
10 - 19 ..... 3  
20 - 28 ..... 4  
29 - 38 ..... 5  
39 or more ..... 6

0	
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## ◆ Knife or Firearm in Possession at Time of Offense \_\_\_\_\_ If YES, add 2 →

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 1 ..... 0  
1 - 22 ..... 1  
23 - 43 ..... 2  
44 or more ..... 3

0	
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## ◆ Prior Misdemeanor Convictions/Adjudications \_\_\_\_\_

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

0	
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## ◆ Prior Incarcerations/Commitments \_\_\_\_\_

Primary offense: D: Sale, etc. of a Schedule III drug - not anabolic steroid or E: Schedule IV drug  
If YES, add 4

Primary offense: \_\_\_\_\_  
All other offenses  
If YES, add 1

0	
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## ◆ Prior Juvenile Record \_\_\_\_\_ If YES, add 1 →

0	
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## ◆ Legally Restrained at Time of Offense \_\_\_\_\_

	Points
Primary offense: D: Sale, etc. of a Schedule III drug - not anabolic steroid or E: Schedule IV drug	
None	0
Other than parole/post-release, supervised probation or CCCA	3
Parole, post-release, supervised probation or CCCA	4

	Points
Primary offense: _____	
All other offenses	
None	0
Other than parole/post-release, supervised probation or CCCA	2
Parole, post-release, supervised probation or CCCA	3

0	
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**Total Score** \_\_\_\_\_

See Drug/Other Section B Recommendation Table to convert score to guidelines sentence.  
Then, go to Section D Nonviolent Risk Assessment and follow the instructions.

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Drug Other/ Section B

# Drug/Other Section C

Offender Name: \_\_\_\_\_

		Prior Record Classification		
		<input type="checkbox"/> Category I	<input type="checkbox"/> Category II	<input type="checkbox"/> Other
<b>◆ Primary Offense</b>				
A. Other than listed below: (1 count)	32	16	8	
B. Sell, etc. 1 oz - 5 pounds of marijuana for profit; Sell, etc. marijuana to inmate for accommodation				
Attempted, conspired or completed:	1 count	20	10	5
	2 counts	28	14	7
	3 counts	40	20	10
C. Sell, etc. more than 5 pounds of marijuana for profit; Sell etc. third or subsequent felony				
Attempted, conspired or completed:	1 count	76	38	19
D. Sell marijuana to minor				
Attempted, conspired or completed:	1 count	60	30	15
E. Manufacture marijuana not for personal use				
Attempted, conspired or completed:	1 count	24	12	6
F. Transport 5 pounds or more of marijuana into Commonwealth				
Attempted, conspired or completed:	1 count	76	38	19
G. Sell, etc. Schedule III or IV drug to minor				
Attempted, conspired or completed:	1 count	60	30	15
H. Sell, etc. Schedule III drug - not anabolic steroid				
Attempted, conspired or completed:	1 count	20	10	5
	2 counts	32	16	8
H. Sell, etc. Schedule IV drug				
Attempted, conspired or completed:	1 count	8	4	2
<b>◆ Primary Offense Remaining Counts</b>	Assign points to each count of the primary not scored above and total the points			
Maximum Penalty:	5, 10	1		
(years)	30	4		
	40 or more	5		
<b>◆ Additional Offenses</b>	Assign points to each additional offense (including counts) and total the points			
Maximum Penalty:	Less than 5	0		
(years)	5, 10	1		
	20	2		
	30	4		
	40 or more	5		
<b>◆ Mandatory Minimum for Weapon Conviction(s) in Current Event</b>	Assign points to each additional offense with a mandatory minimum and total the points			
	2 Year Mandatory Minimum	13		
	3 Year Mandatory Minimum	25		
	5 Year Mandatory Minimum	32		
<b>◆ Firearm in Possession at Time of Offense</b>	If YES, add 5			
		0	0	
<b>◆ Prior Convictions/Adjudications</b>	Assign points to the 5 most recent and serious prior record events and total the points			
Maximum Penalty:	Less than 5	0		
(years)	5, 10	1		
	20	2		
	30	3		
	40 or more	4		
<b>◆ Prior Felony Drug Convictions/Adjudications</b>				
Number of Counts:	1	2		
	2	3		
	3	5		
	4	7		
	5	8		
	6 or more	10		
<b>◆ Prior Felony Convictions/Adjudications Against Person</b>				
Number of Counts:	1	3		
	2	6		
	3	9		
	4 or more	12		
<b>◆ Prior Felony Property Convictions/Adjudications</b>				
Number of Counts:	1, 2	1		
	3	2		
	4 or more	3		
<b>◆ Prior Juvenile Record</b>	If YES, add 1			
		0	0	
<b>◆ Legally Restrained at Time of Offense</b>	If YES, add 3			
		0	0	
<b>Total Score</b>				
See Drug/Other Section C Recommendation Table for guidelines sentence range. Then, go to Section D Nonviolent Risk Assessment and follow the instructions.				

# Nonviolent Risk Assessment ❖ Drug/Other Section D

Offender Name: \_\_\_\_\_

## ◆ Ineligibility Conditions

- A. Was the offender recommended for **Probation/No Incarceration** on Section B? ..... ☐ Yes ☐ No
- B. Do any of the offenses at sentencing involve the sale, distribution, or possession with intent, etc. of cocaine of a combined quantity of 28.35 grams (1 ounce) or more? ..... ☐ Yes ☐ No
- C. Are any prior record offenses violent (Category I/II listed in Appendix A of the Guidelines Manual)? ..... ☐ Yes ☐ No
- D. Are any of the offenses at sentencing violent (Category I/II listed in Appendix A of the Guidelines Manual)? ..... ☐ Yes ☐ No
- E. Do any of the offenses at sentencing require a mandatory term of incarceration? ..... ☐ Yes ☐ No

**If answered YES to ANY, go to "Nonviolent Risk Assessment Recommendations" on cover sheet and check Not Applicable. If answered NO to ALL, complete remainder of Section D worksheet.**

## ◆ Offender Age at Time of Offense

- Younger than 21 years ..... 9
- 21 to 29 years ..... 6
- 30 to 43 years ..... 3
- Over 43 years ..... 1

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## ◆ Gender

- Offender is Male ..... 2

0	
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## ◆ Prior Juvenile Adjudication

- Female with prior juvenile adjudication ..... 1
- Male with prior juvenile adjudication ..... 7
- ☐ Juvenile record unknown

0	
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## ◆ Prior Adult Felony Convictions

- Number: 0 ..... 0
- 1 - 2 ..... 1
- 3 ..... 5
- 4 or more ..... 15

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## ◆ Prior Adult Incarcerations

- Number: 0 ..... 0
- 1 - 3 ..... 1
- 4 or more ..... 8

0	
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## ◆ Prior Arrest or Confinement Within Past 12 Months (Prior to Offense) — If YES, add 3

0	
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## Total Score

- ☐ 15 or less, check Recommended for Alternative Punishment.
- ☐ 16 or more, check NOT Recommended for Alternative Punishment.

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Drug/Other/Section D

Go to **Cover Sheet** and fill out **Nonviolent Risk Assessment Recommendations**.



## Offense Details

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**Offender Name:**

Offense	Counts	VCC	Offense Date	Docket No.
Primary Offense				
1.				

Additional Offense	Counts	VCC	Offense Date	Docket No.
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				
11.				
12.				
13.				
14.				
15.				
16.				
17.				
18.				
19.				
20.				