



# Sentencing Guidelines Cover Sheet

Scheduled Sentencing Date:

\_\_\_\_/\_\_\_\_/\_\_\_\_

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

## ◆ OFFENDER

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

Date of Birth: \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Month Day Year

Social Security Number: \_\_\_\_\_-\_\_\_\_-\_\_\_\_

CCRE:  V  A \_\_\_\_\_

CORIS Offender ID: \_\_\_\_\_

PSI: \_\_\_\_\_

## ◆ COURT

Judicial Circuit \_\_\_\_\_

City/County \_\_\_\_\_

FIPS Code: \_\_\_\_\_

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

\_\_\_\_\_  
For Office Use Only

Preparer Name \_\_\_\_\_  Commonwealth's Attorney

Probation Officer

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

## ◆ CONVICTIONS

### Offense

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

### Counts

\_\_\_\_

### VCC

\_\_\_\_-\_\_\_\_-\_\_\_\_

### Offense Date

\_\_\_\_/\_\_\_\_/\_\_\_\_  
Month Day Year

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.*

- Cocaine     Codeine     Fentanyl     Heroin     Hydrocodone     Methadone  
 Methamphetamine     Methylphenidate     Morphine     Oxycodone     Any other Schedule I/II drug \_\_\_\_\_

## ◆ METHOD OF ADJUDICATION

Jury Trial Sentence Set by Jury: \_\_\_\_\_  
Years Months 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     Non Guidelines Offense  
 Incarceration (*Enter Midpoint and Range Below*)  
(Primary offense is a non guidelines offense)

Range Midpoint \_\_\_\_\_  
Years Months Days

Sentence Range \_\_\_\_\_ TO \_\_\_\_\_  
Years Months Days

Recommendation Adjusted for Mandatory Minimum

## ◆ NONVIOLENT RISK ASSESSMENT Section D of Drug, Fraud, and Larceny Worksheets

- Recommended for Alternative Punishment     Not Applicable (INELIGIBILITY CONDITIONS marked on Section D)  
 NOT Recommended for Alternative Punishment     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) .....	<table border="1"><tr><td> </td><td> </td><td> </td></tr></table>				<table border="1"><tr><td> </td><td> </td></tr></table>			<table border="1"><tr><td> </td><td> </td><td> </td><td> </td></tr></table>				
Post Release Supervision Period § 19.2-295.2(A) .....	<table border="1"><tr><td> </td><td> </td><td> </td></tr></table>				<table border="1"><tr><td> </td><td> </td></tr></table>			<table border="1"><tr><td> </td><td> </td><td> </td><td> </td></tr></table>				

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)*

- |  |   |  |  |  |  |  |  |
|--|---|--|--|--|--|--|--|
| <ul style="list-style-type: none"> <li><input type="checkbox"/> Day Reporting</li> <li><input type="checkbox"/> Electronic Monitoring</li> <li><input type="checkbox"/> Intensive Probation</li> <li><input type="checkbox"/> Substance Abuse Treatment</li> <li><input type="checkbox"/> § 18.2-251/§ 18.2-258.1</li> </ul> | <ul style="list-style-type: none"> <li><input type="checkbox"/> Community-Based Program _____</li> <li><input type="checkbox"/> <b>CCAP</b> Detention/Diversion Center Incarceration, 22-28 weeks</li> <li><input type="checkbox"/> <b>CCAP</b> Detention/Diversion Center Incarceration, 42-48 weeks</li> <li><input type="checkbox"/> Drug Court</li> <li><input type="checkbox"/> Youthful Offender <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td> </td><td> </td><td> </td></tr></table> <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td> </td><td> </td><td> </td></tr></table></li> <li><input type="checkbox"/> <b>DJJ</b> Commitment    <input type="checkbox"/> Indeterminate    <input type="checkbox"/> Determinate</li> <li><input type="checkbox"/> Other _____</li> </ul> |  |  |  |  |  |  |
|  |   |  |  |  |  |  |  |
|  |   |  |  |  |  |  |  |

## 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

	<small>Office Use Only</small>										
	<table border="1" style="display: inline-table; vertical-align: middle;"><tr><td> </td><td> </td><td> </td></tr></table> <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td> </td><td> </td><td> </td></tr></table> <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td> </td><td> </td><td> </td><td> </td></tr></table>										

## 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/Schedule I/II ❖ Section A

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

## ◆ Primary Offense

A. Possess Schedule I or II drug or First offender violation	
1 count .....	1
2 counts .....	3
3 counts .....	8
B. Sell, distribute, possession with intent, etc., Schedule I or II drug	
1 count .....	12
2 counts .....	13
3 counts .....	14
4 counts .....	15
C. Manufacture Schedule I/II drug § 18.2-248(C) or Methamphetamine (1st or 2nd conviction) § 18.2-248(C1)	
1 count .....	12
2 counts .....	13
3 counts .....	14
4 counts .....	15
D. Accommodation - Sell, distribute, possession with intent Schedule I or II drug	
1 count .....	5
2 counts .....	7
E. Sell, etc., imitation Schedule I or II drug (1 count) .....	4
F. Possess precursors with intent to manufacture methamphetamine (1 count).....	6
G. Sell, etc., Schedule I or II drug to minor (1 count) .....	11

Score

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

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

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

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

Primary offense: F: Possession of Methamphetamine precursors	
Number of Counts	Points
1.....	3
2 or more .....	6

Primary offense: All other offenses	
Number of Counts	Points
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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SCORE THE FOLLOWING FACTOR **ONLY** IF PRIMARY OFFENSE IS **A: POSSESSION OF SCHEDULE I/II DRUG** (§ 18.2-250(A,a))

## ◆ Two or More Prior Felony Convictions/Adjudications \_\_\_\_\_ If YES, add 2

For Possession, Possession with Intent, Distribution, Manufacture or Sale of Schedule I or II Drug, etc.

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/Schedule I/II Section B

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

## ◆ Primary Offense

- A. Possess Schedule I or II drug or First offender violation
  - 1 count .....3
  - 2 counts.....6
- B. Accommodation - Sell, distribute, possession with intent Schedule I or II drug
  - 1 count .....8
  - 2 counts.....9
- C. Sell, etc., imitation Schedule I or II drug (1 count).....4
- D. Possession of methamphetamine precursors (1 count).....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 - 9 .....2
- 10 - 19 .....3
- 20 - 28 .....4
- 29 - 38 .....5
- 39 or more .....6

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 (Excludes Traffic) \_\_\_\_\_

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

0	
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## ◆ Prior Incarcerations/Commitments

Primary offense:

D. Possession of methamphetamine precursors If YES, add 2
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Primary offense:

All other offenses If YES, add 1
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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 .....2
- Parole/post-release, supervised probation or CCCA .....3

0	
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SCORE THE FOLLOWING FACTOR **ONLY** IF PRIMARY OFFENSE IS **A: POSSESSION OF SCHEDULE I/II DRUG** (§18.2-250(A,a))

## ◆ Two or More Prior Felony Convictions/Adjudications \_\_\_\_\_ If YES, add 2

For Possession, Possession with Intent, Distribution, Manufacture or Sale of Schedule I or II Drug, etc.

0	
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## Total Score

See Drug/Schedule I/II 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/Schedule I/II Section C

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

## ◆ Primary Offense

— Prior Record Classification —

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

A. Possess Schedule I or II drug or First offender violation	1 count.....	20	10	5	
Attempted, conspired or completed:	2 counts.....	28	14	7	
	3 counts.....	36	18	9	
B. Sell, Distribute, Possession with intent, etc., Schedule I or II drug	Completed (Attempted or Conspired):	1 count.....	60 (48)	36 (24)	12 (12)
	2 counts.....	80 (64)	48 (32)	16 (16)	
	3 counts.....	95 (76)	57 (38)	19 (19)	
	4 counts.....	130(104)	78 (52)	26 (26)	
C. Sell, etc., Schedule I or II drug, second offense	Completed (Attempted or Conspired):	1 count.....	110 (88)	66 (44)	22 (22)
	2 counts.....	310(248)	186(124)	62 (62)	
D. Sell, etc., Schedule I or II drug - third or subsequent offense	Attempted, conspired or completed:	1 count.....	175	105	35
	2 counts.....	390	234	78	
E. Manufacture Schedule I/II drug § 18.2-248(C) or Methamphetamine, 1st or 2nd offense, § 18.2-248(C1)	Attempted, conspired or completed:	1 count.....	130	78	26
F. Sell, etc., Schedule I or II drug to minor	Attempted, conspired or completed:	1 count.....	60	30	15
G. Accomodation—Sell, etc., Schedule I or II drug	Attempted, conspired or completed:	1 count.....	32	16	8
	2 counts.....	40	20	10	
H. Sell, etc., imitation Schedule I or II drug; Possession of methamphetamine precursors	Attempted, conspired or completed:	1 count.....	12	6	3
	2 counts.....	20	10	5	

Score

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

Maximum Penalty (years) 5,10..... 1 40 or more..... 5

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

Primary offense D: Sell, etc., Sch. I/II 3rd or Subsequent

Years	Points
Less than 5.....	0
5,10.....	2
20.....	4
30.....	6
40 or more.....	7

Primary offense: All other offenses

Years	Points
Less than 5.....	0
5,10.....	1
20.....	2
30.....	4
40 or more.....	5

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## ◆ Mandatory Minimum for Weapon Conviction(s) in Current Event 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

0		
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## ◆ Firearm in Possession at Time of Offense

If YES, add 5

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

Maximum Penalty: Less than 5..... 0      30..... 3  
(years) 5,10..... 1      40 or more..... 4

0		
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## ◆ Prior Felony Drug Convictions/Adjudications

Primary offense D: Sell, etc., Sch. I/II 3rd or Subsequent

Number of Counts	Score
2.....	9
3.....	10
4.....	17
5 or more.....	20

Primary offense: All other offenses

Number of Counts	Score
1.....	2
2.....	3
3.....	5
4.....	7
5.....	8
6 or more.....	10

0		
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## ◆ Prior Felony Convictions/Adjudications Against Person

Number of Counts: 1..... 3      3..... 9  
2..... 6      4 or more..... 12

0		
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## ◆ Prior Felony Property Convictions/Adjudications

Number of Counts: 1,2..... 1      4 or more..... 3  
3..... 2

0	0	
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## ◆ Prior Juvenile Record

If YES, add 1

0	0	
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## ◆ Legally Restrained at Time of Offense

If YES, add 3

0	0	
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## ◆ Type of Additional Offense (Score if primary offense is E: Manufacture Methamphetamine § 18.2-248 (C1))

Additional offense of child present during manufacture of methamphetamine If YES, add 14

0		
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## ◆ Sale/Quantity of Cocaine (Score if primary offense is B, C, D, or F: § 18.2-248(C) or §18.2-255(A))

Quantity of Cocaine: Less than 28.35 grams..... 0      28.35 g to less than 226.8 grams..... 36      226.8 grams or more..... 60

0		
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## Total Score

See Drug/Schedule I/II Section C Recommendation Table for guidelines sentence range.  
Then go to Section D Nonviolent Risk Assessment and follow the instructions.

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# Nonviolent Risk Assessment ~~❖~~ Drug/Schedule I/II 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
  - Older than 43 years ..... 1
- |  |  |
|--|--|
|  |  |
|--|--|

## ◆ Gender

- Offender is Male ..... 2
- |   |  |
|---|--|
| 0 |  |
|---|--|

## ◆ Prior Juvenile Adjudication

- Female with prior juvenile adjudication ..... 1
  - Male with prior juvenile adjudication ..... 7
  - Juvenile record unknown
- |   |  |
|---|--|
| 0 |  |
|---|--|

## ◆ Prior Adult Felony Convictions

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

## ◆ Prior Adult Incarcerations

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

## ◆ 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/Schedule I or II  
Section D**

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