

# Sentencing Guidelines Cover Sheet

Complete this form ONLY for applicable felonies sentenced on or after July 1, 2007.

## ◆ OFFENDER

First: \_\_\_\_\_ Middle: \_\_\_\_\_

Last: \_\_\_\_\_ Suffix: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ Social Security Number: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_  
Month Day Year

CCRE:  V  A \_\_\_\_\_ PSI Number: \_\_\_\_\_  
For Use by Probation Officer

## ◆ COURT

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

Judge's Name: \_\_\_\_\_ Office Use Only

Preparer Name: \_\_\_\_\_ Preparer Title:  Commonwealth's Attorney  Probation Officer

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

## ◆ CONVICTIONS

Offense	Counts	VCC	Offense Date
Primary Offense:	<input type="text"/>	<input type="text"/>	<input type="text"/> / <input type="text"/> / <input type="text"/> <small>Month Day Year</small>
Additional Offenses:	<input type="text"/>	<input type="text"/>	<input type="text"/> / <input type="text"/> / <input type="text"/> <small>Month Day Year</small>
	<input type="text"/>	<input type="text"/>	<input type="text"/> / <input type="text"/> / <input type="text"/> <small>Month Day Year</small>

Primary Offense Code Section : § \_\_\_\_\_ Docket Number: \_\_\_\_\_

## ◆ METHOD OF ADJUDICATION

Jury Trial → Sentence Set by Jury:  Life Sentence     
Enter Sentence Years Months Days

Bench Trial  Guilty Plea  Alford Plea/Nolo contendere

## ◆ SENTENCING GUIDELINES RECOMMENDATIONS

### 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

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

### Section C

- Detention Center Incarceration
- Life Sentence
- Incarceration (Enter Midpoint and Range Below)

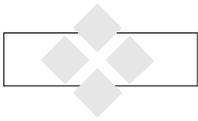
Range Midpoint     
Years Months

Sentence Range   TO    
Years Months Years Months

Recommendation Adjusted for **Mandatory Minimum**

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

- Recommended for Alternative Punishment  Not Applicable
- NOT Recommended for Alternative Punishment



# Final Disposition

Fill in after sentence has been pronounced.

## ◆ SENTENCE

	Years	Months	Days	
Total Time Imposed Before Suspension ..... <input type="checkbox"/> Life Sentence +	<input type="text"/>	<input type="text"/>	<input type="text"/>	
Total Time to Serve (effective) ..... <input type="checkbox"/> Life Sentence +	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> Sentenced to Time Served
Post Release Term §18.2 -10 .....	<input type="text"/>	<input type="text"/>	<input type="text"/>	
Post Release Supervision Period §19.2 - 295.2 (A) .....	<input type="text"/>	<input type="text"/>	<input type="text"/>	
Probation Period (Supervised) §19.2 - 303 ..... <input type="checkbox"/> Indefinite	<input type="text"/>	<input type="text"/>	<input type="text"/>	

Check all that apply

- Incarceration Sentence to Run Concurrently With Another Sentencing Event
- Written Plea Agreement Accepted     Oral Sentence Recommendation Accepted
- Restitution \$  ,  ,  .        Fine \$  ,  ,  .

### Other Sentencing Programs (Check all that apply)

- Day Reporting
- Diversion Center Incarceration
- Electronic Monitoring
- Unsupervised Probation
- §18.2-251
- Community-Based Program \_\_\_\_\_  
Specify type or name of program
- Detention Center Incarceration
- Drug Court
- Intensive Probation
- Youthful Offender
- Other \_\_\_\_\_  
Specify type or name of program

*Office Use Only*

<input type="text"/>	<input type="text"/>
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## ◆ REASON FOR DEPARTURE

Must be completed pursuant to §19.2-298.01(B)

*Office Use Only*

<input type="text"/>	<input type="text"/>	<input type="text"/>
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## ◆ SENTENCING DATE

<input type="text"/>	/	<input type="text"/>	/	<input type="text"/>
<small>Month</small>		<small>Day</small>		<small>Year</small>

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

## ◆ ATTACH COURT ORDER AND MAIL

Pursuant to §19.2-298.01(E) \_\_\_\_\_

After sentencing, send to:

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

*Office Use Only*

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<small>Error Code</small>	<small>Audit Code</small>	<small>PSI</small>	<small>Misc.</small>

# Assault Section A

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

## ◆ Primary Offense \_\_\_\_\_

- 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 rescue personnel (1 count) ..... 6
- C. Any attempted or conspired assault and battery or unlawful injury (1 count) ..... 1
- D. Unlawful injury to law enforcement officer, fire or rescue personnel (1 count) ..... 7
- E. Any other unlawful injury
  - 1 count ..... 1
  - 2 counts ..... 3
- F. Any attempted or conspired malicious injury or aggravated malicious injury (1 count) ..... 3
- G. Aggravated malicious injury (1 count) ..... 7
- H. Malicious injury to a law enforcement officer, fire or rescue personnel (1 count) ..... 7
- I. Any other malicious injury (1 count) ..... 7
- J. Use of firearm in the commission of a felony (1 count) ..... 4

**Score**

0	
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## ◆ Primary Offense Additional Counts Total the maximum penalties for counts of the primary not scored above \_\_\_\_\_

- Years: 3-10 ..... 1      24 - 31 ..... 4
- 11 - 17 ..... 2      32 - 39 ..... 5
- 18 - 23 ..... 3      40 or more ..... 6

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

- Years: Less than 2 ..... 0      24 - 31 ..... 4
- 2-10 ..... 1      32 - 39 ..... 5
- 11 - 17 ..... 2      40 or more ..... 6
- 18 - 23 ..... 3

0	
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## ◆ Weapon Used \_\_\_\_\_

- None ..... 0
- Simulated weapon or other than firearm ..... 1
- Firearm ..... 2

0	
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## ◆ Serious Physical Victim Injury \_\_\_\_\_ If YES, add 2 →

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

- Years: Less than 7 ..... 0
- 7 - 23 ..... 1
- 24 - 46 ..... 2
- 47 or more ..... 3

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

0	
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## ◆ Prior Juvenile Record \_\_\_\_\_ If YES, add 2 →

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

- None ..... 0
- Other than post-incarceration supervision ..... 3
- Post-incarceration supervision ..... 5

0	
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**SCORE THE FOLLOWING 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 ..... 0
- Assault and battery against a family member, third or subsequent (§18.2-57.2(B)) ..... 3
- Other person felony ..... 4

0	
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**Total Score** \_\_\_\_\_ →

If total is 5 or less, go to **Section B**. If total is 6 or more, go to **Section C**.

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# Assault Section B

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

◆ **Victim Injury** \_\_\_\_\_

	<b>Score</b> ▼		
Threatened, emotional, or physical .....	2	0	
Serious physical .....	4		

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

	▼		
Years: Less than 5 .....	1	0	
5 or more .....	2		

◆ **Weapon Used or Brandished** \_\_\_\_\_ **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 5 .....	0	0	
5 - 18 .....	1		
19 - 38 .....	2		
39 or more .....	3		

◆ **Prior Juvenile Record** \_\_\_\_\_ **If YES, add 3** →

0	
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**SCORE THE FOLLOWING ONLY IF PRIMARY OFFENSE AT CONVICTION IS  
ASSAULT & BATTERY AGAINST A FAMILY MEMBER § 18.2-57.2(B)**

◆ **Prior Incarcerations/Commitments** \_\_\_\_\_

	▼		
Number: 1 .....	1	0	
2 .....	3		
3 or more .....	5		

◆ **Prior Misdemeanor Convictions/Adjudications** \_\_\_\_\_

	▼		
Number: 1 - 2 .....	0	0	
3 - 5 .....	1		
6 - 8 .....	2		
9 or more .....	3		

**Total Score** \_\_\_\_\_ →

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

# Assault Section C

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

\_\_\_\_\_ Prior Record Classification \_\_\_\_\_

◆ **Primary Offense** \_\_\_\_\_  Category I  Category II  Other

A. Assault and battery against a family member, third or subsequent conviction (1 count) .....	28	14	7
B. Assault and battery against a law enforcement officer, fire or rescue personnel (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) .....	264	176	88
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

**Score**

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

Primary offense malicious, aggravated malicious wounding or use of firearm	
Maximum Penalty (years)	Points
3 .....	2
5 .....	3
10 .....	6
20 .....	13
30 .....	19
Life .....	26

Primary offense unlawful injury or any assault and battery	
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 malicious, aggravated malicious wounding or use of 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 unlawful injury or any assault and battery	
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 malicious, aggravated malicious wounding or use of firearm	
Simulated weapon or other than listed below .....	0
Knife or firearm .....	4

Primary offense unlawful injury or any assault and battery	
Simulated weapon or other than listed below .....	0
Knife .....	2
Firearm .....	3

0	0	
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◆ **Number of Victims Receiving Serious Physical Injury**

Primary offense malicious, aggravated malicious wounding or use of firearm	
Number	Score
1 .....	14
2 .....	70
3 or more .....	85

Primary offense unlawful injury or any assault and battery	
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 malicious, aggravated malicious wounding or use of firearm	
Maximum Penalty (years)	Points
Less than 5 .....	0
5, 10 .....	1
20 .....	2
30 .....	3
40 or more .....	4

Primary offense unlawful injury or any assault and battery	
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 malicious, aggravated malicious wounding or use of firearm	
Number	Score
1 .....	6
2 .....	12
3 or more .....	18

Primary offense unlawful injury or any assault and battery	
<b>Do Not Score</b>	

0		
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◆ **Legally Restrained at Time of Offense**

Primary offense malicious, aggravated malicious wounding or use of firearm	
If YES, add 6	

Primary offense unlawful injury or any assault and battery	
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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# Additional Offenses Continuation Sheet

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

Offense	Counts	VCC	Offense Date		
			Month	Day	Year
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