Sentencing Guidelines Cover Sheet

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

Clear Form

OFFENDER

First: _____ Middle: _____

Last: _____ Suffix: _____

Date of Birth: ____ / ____ / ____ (Month / Day / Year) Social Security Number:

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 (Month / Day / Year)
Primary Offense: _____	☐	___ - ___ - ___	___ / ___ / ___
Additional Offenses: _____	☐	___ - ___ - ___	___ / ___ / ___
_____	☐	___ - ___ - ___	___ / ___ / ___

More Offenses

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

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

Range Midpoint Years ____ Months ____

Sentence Range Years ____ Months ____ **TO** Years ____ Months ____

☐ Recommendation Adjusted for **Mandatory Minimum**

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

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

Final Disposition

Fill in after sentence has been pronounced.

◆ SENTENCE

Years | Months | Days

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

Total Time to Serve (effective) ..... ❑ Life Sentence + ❑ Sentenced to Time Served

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

❑ 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

◆ REASON FOR DEPARTURE

Office Use Only

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

_____

_____

_____

_____

◆ SENTENCING DATE

Judge's Signature

Month / Day / Year

◆ 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 Error Code | Audit Code | PSI | Misc.

Drug/Other — Section A

Offender Name: _____

◆ Primary Offense

A.	Other than listed below (1 count)	1
B.	Sell, etc. 1/2 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

Score ▼ [ ]

◆ Primary Offense Additional 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]

◆ 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]

◆ Knife or Firearm in Possession at Time of Offense

If YES, add 2 → [0]

◆ Mandatory Firearm Conviction for Current Event

If YES, add 6 → [0]

◆ 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]

◆ Prior Incarcerations/Commitments

If YES, add 2 → [0]

◆ Prior Felony Drug Convictions/Adjudications

Number:	1 - 2	1
	3 - 4	2
	5	3
	6 or more	4

[0]

◆ Prior Juvenile Record

If YES, add 1 → [0]

◆ 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]

Total Score → [0]

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

Drug/Other — Section B

Offender Name:

◆ Primary Offense

A. Other than listed below (1 count) 1

B. Sell, etc. 1/2 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

Score ▼ 0

◆ Primary Offense Additional 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

◆ 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

◆ Knife or Firearm in Possession at Time of Offense

If YES, add 2 → 0

◆ 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

◆ Prior Misdemeanor Convictions/Adjudications

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

0

◆ Prior Incarcerations/Commitments

If YES, add 1 → 0

◆ Prior Juvenile Record

If YES, add 1 → 0

◆ 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

Total Score → 0

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.

Drug/Other — Section C

Offender Name: _____

◆ Primary Offense

Prior Record Classification: ☐ Category I ☐ Category II ☐ Other

A. Other than listed below: (1 count)		32	16	8
B. Sell, etc. 1/2 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

Score ▼ [0]

◆ Primary Offense Additional Counts

Assign points to each count of the primary not scored above and total the points

Maximum Penalty: (years)		
5,10		1
30		4
40 or more		5

[ ]

◆ Additional Offenses

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

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

[ ]

◆ Firearm in Possession at Time of Offense

If YES, add 5 → [0 | 0 |]

◆ Prior Convictions/Adjudications

Assign points to the 5 most recent and serious prior record events and total the points

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

[0]

◆ Prior Felony Drug Convictions/Adjudications

Number:	
1	2
2	3
3	5
4	7
5	8
6 or more	10

[0]

◆ Prior Felony Convictions/Adjudications Against Person

Number:	
1	3
2	6
3	9
4 or more	12

[0]

◆ Prior Felony Property Convictions/Adjudications

Number:	
1, 2	1
3	2
4 or more	3

[0 | 0 |]

◆ Prior Juvenile Record

If YES, add 1 → [0 | 0 |]

◆ Legally Restrained at Time of Offense

If YES, add 3 → [0 | 0 |]

Total Score

[0]

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 — 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 Table A of the Guidelines Manual)? ☐ Yes ☐ No

D. Are any of the offenses at sentencing violent (Category I/II listed in Table 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.

Offense Type *Select the type of primary offense*

Drug 3
Fraud 3
Larceny 11

Additional Offense(s) — If YES, add 5 → 0

Offender Score factors A to D and enter the total score

A. Offender is a male ..... 8 ☐ +

B. Offender's age at time of offense
Younger than 30 years ..... 13 ☐ +
30 - 40 years 8
41 - 46 years 1
Older than 46 years 0

C. Offender not regularly employed ..... 9 ☐ +

D. Offender age 26 or more and never married (at time of offense) ..... 6 ☐ = Enter A to D Total: 0

Arrest or Confinement Within Past 18 Months (prior to instant offenses) — If YES, add 6 → 0

Prior Felony Convictions and Adjudications *Select the combination of adult and juvenile felony convictions/adjudications that characterizes the offender's prior record.*

Adult felony convictions only 3
Juvenile felony convictions or adjudications only 6
Both adult and juvenile felony convictions/adjudications 9

0

Prior Adult Incarcerations

Periods:
1 - 2 3
3 - 4 6
5 or more 9

0

Total Score → 0

☐ 38 or less, check Recommended for Alternative Punishment.
☐ 39 or more, check NOT Recommended for Alternative Punishment.

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

Section D Eff. 7-1-07

Go to Cover | Clear Form

Additional Offenses *Continuation Sheet*

Offender Name:

Offense	Counts	VCC	Offense Date (Month / Day / Year)
		- -	/ /
		- -	/ /
		- -	/ /
		- -	/ /
		- -	/ /
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		- -	/ /
		- -	/ /
		- -	/ /

Go to Cover

Clear Form