

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

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◆ 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	
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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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◆ Mandatory Firearm Conviction for Current Event _____ If YES, add 6 →

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: 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. 1/2 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	
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◆ 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	
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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: 1 - 4 1
- 5 - 9 2
- 10 or more 3

0	
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◆ Prior Incarcerations/Commitments

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

- 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 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		
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◆ Primary Offense Additional Counts

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

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◆ Additional Offenses

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

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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
(years) 5, 10 1
20 2
30 3
40 or more 4

0		
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◆ Prior Felony Drug Convictions/Adjudications

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

0		
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◆ Prior Felony Property Convictions/Adjudications

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

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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Total Score

See Drug/Other 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 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 & never married (at time of offense) 6

Enter
A to D
Total

◆ 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 _____

- ☐ 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