

# 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"/>
	<input type="text"/>	<input type="text"/>	<input type="text"/> / <input type="text"/> / <input type="text"/>

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)*

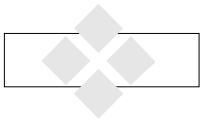
Range Midpoint      
Years Months

Sentence Range     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)

<input type="checkbox"/> Day Reporting	<input type="checkbox"/> Community-Based Program _____ <small>Specify type or name of program</small>
<input type="checkbox"/> Diversion Center Incarceration	<input type="checkbox"/> Detention Center Incarceration
<input type="checkbox"/> Electronic Monitoring	<input type="checkbox"/> Drug Court
<input type="checkbox"/> Unsupervised Probation	<input type="checkbox"/> Intensive Probation
<input type="checkbox"/> §18.2-251	<input type="checkbox"/> Youthful Offender
	<input type="checkbox"/> Other _____ <small>Specify type or name of program</small>

*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>

# Larceny Section A

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

## ◆ Primary Offense

- A. Attempted or conspired larceny (1 count) ..... 1
- B. Statutory maximum penalty equals 5 years
  - 1 count ..... 1
  - 2 counts ..... 4
  - 3 counts ..... 6
- C. Statutory maximum penalty equals 10 years (1 count) ..... 3
- D. Grand larceny auto
  - 1 count ..... 5
  - 2 counts ..... 7
  - 3 counts ..... 10
- E. Grand larceny from person
  - 1 count ..... 4
  - 2 counts ..... 11
- F. Grand larceny of a firearm (1 count) ..... 1
- G. Failure of bailee to return animal, aircraft, vehicle or boat (1 count) ..... 4
- H. Larceny of bank notes, checks or any book of accounts; Any other larceny offense with maximum penalty of 20 years
  - 1 count ..... 2
  - 2 - 3 counts ..... 4
  - 4 counts ..... 6

**Score**

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

- Years: 5 - 11 ..... 1      34 - 44 ..... 4
- 12 - 22 ..... 2      45 or more ..... 5
- 23 - 33 ..... 3

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

- Years: Less than 1 ..... 0      23 - 33 ..... 3
- 1 - 11 ..... 1      34 - 44 ..... 4
- 12 - 22 ..... 2      45 or more ..... 5

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 2 ..... 0      21 - 36 ..... 3
- 2 - 11 ..... 1      37 or more ..... 4
- 12 - 20 ..... 2

0	
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## ◆ Prior Felony Larceny Convictions/Adjudications

- Number: 1 ..... 2
- 2 - 3 ..... 3
- 4 or more ..... 4

0	
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## ◆ Other Prior Felony Property Convictions/Adjudications

- Number: 1 - 4 ..... 1
- 5 or more ..... 2

0	
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## ◆ Prior Felony Convictions/Adjudications Against Person

- Number: 1 ..... 1
- 2 or more ..... 2

0	
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## ◆ Prior Misdemeanor Convictions/Adjudications

- Number: 1 - 4 ..... 1
- 5 - 8 ..... 2
- 9 or more ..... 3

0	
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## ◆ Prior Incarcerations/Commitments

If YES, add 5 →

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 ..... 2

0	
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**SCORE THE FOLLOWING FACTOR ONLY IF PRIMARY OFFENSE IS EMBEZZLEMENT §18.2-111**

## ◆ Amount of Embezzlement

- Amount: Less than \$10,000 ..... 0
- \$10,000 - \$19,999 ..... 3
- \$20,000 - \$74,999 ..... 6
- \$75,000 or more ..... 9

0	
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**Total Score**

If total is 15 or less, go to **Section B**. If total is 16 or more, go to **Section C**.

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# Larceny Section B

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

## ◆ Primary Offense

- A. Any attempted or conspired larceny (1 count) ..... 1
- B. Maximum penalty equals 5 or 10 years
  - 1 count ..... 3
  - 2 counts ..... 4
  - 3 counts ..... 7
- C. Grand larceny auto
  - 1 count ..... 3
  - 2 counts ..... 4
  - 3 counts ..... 7
- D. Grand larceny from person (1 count) ..... 6
- E. Grand larceny of a firearm (1 count) ..... 1
- F. Failure of bailee to return animal, aircraft, vehicle or boat (1 count) ..... 1
- G. Larceny of bank notes, checks, etc. or any book of accounts
  - 1 count ..... 3
  - 2 counts ..... 4
  - 3 counts ..... 7
- H. Any other grand larceny offense with a maximum penalty of 20 years
  - 1 count ..... 3
  - 2 counts ..... 4
  - 3 counts ..... 7

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 22 ..... 0    32 -42 ..... 2  
 22 - 31 ..... 1    43 or more ..... 3

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

- Years: Less than 1 ..... 0  
 1 - 10 ..... 1  
 11 - 21 ..... 2  
 22 - 31 ..... 3  
 32 - 42 ..... 4  
 43 or more ..... 5

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 2 ..... 0  
 2 - 19 ..... 1  
 20 - 38 ..... 2  
 39 or more ..... 3

0	
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## ◆ Prior Misdemeanor Convictions/Adjudications

- Number: 1 - 2 ..... 2  
 3 ..... 3  
 4 or more ..... 4

0	
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## ◆ Prior Incarcerations/Commitments

If YES, add 7 →

0	
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## ◆ Legally Restrained at Time of Offense

- None ..... 0  
 Other than parole/post-release, supervised probation or CCCA ..... 4  
 Parole/post-release, supervised probation or CCCA ..... 5

0	
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**SCORE THE FOLLOWING FACTOR ONLY IF PRIMARY OFFENSE IS EMBEZZLEMENT §18.2-111**

## ◆ Amount of Embezzlement

- Amount: Less than \$15,000 ..... 0  
 \$15,000 or more ..... 3

0	
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## Total Score

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

# Larceny Section C

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

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

**Primary Offense**  Category I  Category II  Other

A. Attempted or conspired larceny (1 count) .....	8	4	2
B. Statutory maximum penalty equals 5 or 10 years			
1 count .....	20	10	5
2 counts .....	28	14	7
3 counts .....	40	20	10
C. Grand larceny auto			
1 count .....	32	16	8
2 - 3 counts .....	56	28	14
4 counts .....	72	36	18
D. Grand larceny from person			
1 count .....	40	20	10
2 counts .....	56	28	14
3 counts .....	68	34	17
E. Grand larceny of a firearm (1 count) .....	68	34	17
F. Failure of bailee to return animal, aircraft, vehicle or boat (1 count) .....	28	14	7
G. Larceny of bank notes, checks, etc. or any book of accounts			
1 - 2 counts .....	32	16	8
3 counts .....	96	48	24
H. Any other larceny offense with a maximum penalty of 20 years			
1 count .....	28	14	7
2 counts .....	44	22	11
3 counts .....	56	28	14

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) 20 .....	2

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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 .....	3
40 or more .....	5

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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 10 .....	0
(years) 10, 20 .....	1
30 .....	2
40 or more .....	3

0		
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**Prior Felony Larceny Convictions/Adjudications**

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

0	0	
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**Other Felony Prior Property Convictions/Adjudications**

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

0	0	
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**Prior Felony Convictions/Adjudications Against Person**

Number: 1 .....	2
2 .....	4
3 or more .....	6

0	0	
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**Prior Felony Drug Convictions/Adjudications**

Number: 1 - 2 .....	1
3 .....	2
4 or more .....	3

0	0	
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**Prior Juvenile Record**

If YES, add 3 →

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

None .....	0
Other than parole/post-release, supervised probation or CCCA .....	3
Parole/post-release, supervised probation or CCCA .....	4

0	0	
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SCORE THE FOLLOWING FACTOR **ONLY** IF PRIMARY OFFENSE IS **EMBEZZLEMENT §18.2-111**

**Amount of Embezzlement**

Amount: Less than \$28,000 .....	0
\$28,000 - \$89,999 .....	24
\$90,000 or more .....	30

0		
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**Total Score**

See **Larceny 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	<input type="checkbox"/>	
		+	
B. Offender's age at time of offense			
Younger than 30 years .....	13	<input type="checkbox"/>	
30 - 40 years .....	8		
41 - 46 years .....	1		
Older than 46 years .....	0	+	
C. Offender not regularly employed .....	9	<input type="checkbox"/>	
		+	
D. Offender age 26 or more and never married (at time of offense).....	6	<input type="checkbox"/>	=
			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	

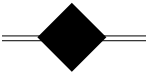
## ◆ Prior Adult Incarcerations \_\_\_\_\_

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

## 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**.



# Additional Offenses Continuation Sheet

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

Offense	Counts	VCC	Offense Date		
			Month	Day	Year
_____	<input type="text"/> <input type="text"/>	<input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/> <input type="text"/>
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