

# Rape 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"/>
Additional Offenses:	<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  Years  Months  Days

Bench Trial  Guilty Plea  Alford Plea/Nolo contendere

## ◆ SENTENCING GUIDELINES RECOMMENDATIONS

### Section C

Incarceration (Enter Midpoint and Range Below)  Life Sentence

Range Midpoint  Years  Months

Sentence Range  Years  Months TO  Years  Months

Recommendation Adjusted for **Mandatory Minimum**

### Modifications Based on Risk Assessment

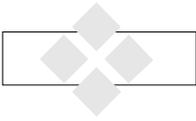
The upper end of the sentence range can be adjusted based on the risk assessment level.

Characteristics of the offender and the circumstances of the offense may have correlated with a significant risk of recidivism among other sex offenders. If so, the upper end of the recommended sentence range has been increased by:

Check one

300% - Level 1  
 100% - Level 2  
 50% - Level 3  
 No Adjustment

Adjusted High End  Years  Months



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

## ◆ REASON FOR DEPARTURE

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

Office Use Only					
<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>

# Rape Section A

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

◆ **Offender's Age at Time of Offense** \_\_\_\_\_

Younger than 35 years .....	12	↓	
35 to 46 years .....	4		
Older than 46 years .....	0		

◆ **Less than 9th Grade Education** \_\_\_\_\_ **If YES, add 4** →

0	
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◆ **Not Regularly Employed** \_\_\_\_\_ **If YES, add 5** →

0	
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◆ **Offender's Relationship with Victim** \_\_\_\_\_

Victim Under Age 10	Relative .....	0	↓	
	Known to victim (not relative or step-parent) .....	4		
	Stranger .....	4		
	Step-parent .....	9		
Victim Age 10 or more	Relative .....	2		
	Known to victim (not relative or step-parent) .....	3		
	Stranger .....	8		
	Step-parent .....	2		

◆ **Location of Offense** \_\_\_\_\_

Place of employment .....	0	↓	
Shared victim/offender residence .....	3		
Outdoors .....	3		
Motor Vehicle .....	4		
Victim's residence (not offender's) .....	5		
Offender's residence or other residence .....	9		
Location other than listed .....	3		

◆ **Prior Adult Felony/Misdemeanor Arrests for Crimes Against Person** \_\_\_\_\_

Number: 0 Felonies	1 - 3 Misdemeanors .....	1	↓	
	4+ Misdemeanors .....	8		
1 Felony	0 - 2 Misdemeanors .....	5		
	3+ Misdemeanors .....	8		
2+ Felonies	0 - 3 Misdemeanors .....	8		
	4+ Misdemeanors .....	15		

◆ **Prior Incarcerations/Commitments** \_\_\_\_\_ **If YES, add 3** →

0	
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◆ **Prior Treatment** \_\_\_\_\_

Prior mental health commitment .....	0	↓	
Prior mental health treatment .....	2		
Prior alcohol or drug treatment .....	3		
No prior treatment .....	4		

**Risk Score** \_\_\_\_\_ →

- Risk Level**  
(Risk Score)
- 44 or more ..... Level 1
  - 34 - 43 ..... Level 2
  - 28 - 33 ..... Level 3
  - up to 27 ..... No Adjustment

Go to **Section C**

# Rape Section C

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

There is no Section B for this offense.

◆ **Primary Offense** \_\_\_\_\_

— Prior Record Classification —

Category I     Category II     Other

A. Attempted or conspired forcible rape, forcible sodomy or object sexual penetration			
1 count .....	60	30	15
B. Forcible rape or object sexual penetration, victim under age 13			
1 - 2 counts .....	312	208	117
3 counts .....	882	588	331
C. Forcible sodomy, victim under age 13			
1 - 2 counts .....	354	236	133
3 counts .....	882	588	331
D. Forcible rape or object sexual penetration, victim age 13 or older			
1 count .....	402	268	151
2 counts .....	882	588	331
E. Forcible sodomy, victim age 13 or older			
1 count .....	324	216	122
2 counts .....	882	588	331

**Score**  
▼

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

Maximum Penalty:	10 .....	5
(years)	Life .....	18

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

Maximum Penalty:	Less than 2 .....	0
(years)	2, 3 .....	1
	4, 5 .....	2
	10 .....	5
	20 .....	9
	30 .....	14
	40 or more .....	18

◆ **Weapon Used, Brandished, Feigned or Threatened** \_\_\_\_\_ If YES, add 39 →

◆ **Victim Injury** \_\_\_\_\_

Threatened or emotional .....	3
Physical .....	20
Serious physical .....	76

◆ **Prior Felony Sexual Assault Convictions/Adjudications** \_\_\_\_\_

Number:	1 .....	13
	2 .....	26
	3 or more .....	39

**Total Score** \_\_\_\_\_ →

See Rape Section C Recommendation Table for guidelines sentence range.

If necessary, on the cover sheet also enter the adjusted high end of the guidelines sentence range based on Risk Level:  1  2  3 or  n/a