Sentencing Guidelines Cover Sheet

Complete this form ONLY for applicable felonies sentenced on or after **July 1, 2009**.

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

Clear Form

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.

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

Primary Offense Additional Counts

Total the maximum penalties for counts of the primary not scored above

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

0

Additional Offenses

Total the maximum penalties for additional offenses, including counts

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

0

Prior Convictions/Adjudications

Total the maximum penalties for the 5 most recent and serious prior record events

Years:
- Less than 2 0
- 2 - 11 1
- 12 - 20 2
- 21 - 36 3
- 37 or more 4

0

Prior Felony Larceny Convictions/Adjudications

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

0

Other Prior Felony Property Convictions/Adjudications

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

0

Prior Felony Convictions/Adjudications Against Person

Number:
- 1 1
- 2 or more 2

0

Prior Misdemeanor Convictions/Adjudications

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

0

Prior Incarcerations/Commitments

If YES, add 5 → 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 2

0

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

Total Score

0

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

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

◆ Primary Offense Additional Counts

Total the maximum penalties for counts of the primary not scored above

Years:
- Less than 22 0
- 22 - 31 1
- 32 -42 2
- 43 or more 3

▼ 0

◆ 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

◆ 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

◆ Prior Misdemeanor Convictions/Adjudications

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

▼ 0

◆ Prior Incarcerations/Commitments

If YES, add 7 → 0

◆ 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

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

Total Score → 0

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:

Primary Offense

Prior Record Classification: Category I | Category II | Other

		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

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
20	2

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	3
40 or more	5

Prior Convictions/Adjudications

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

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

0

Prior Felony Larceny Convictions/Adjudications

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

0 0

Other Felony Prior Property Convictions/Adjudications

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

0 0

Prior Felony Convictions/Adjudications Against Person

Number:	
1	2
2	4
3 or more	6

0 0

Prior Felony Drug Convictions/Adjudications

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

0 0

Prior Juvenile Record

If YES, add 3 → 0 0

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

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

Total Score

0

See **Larceny 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. 7-1-09

Go to Cover Sheet

Clear Form

Additional Offenses *Continuation Sheet*

Offender Name:

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

Go to Cover Sheet

Clear Form