Clear Form

Scheduled Sentencing Date: ___ / ___ / ___

Sentencing Guidelines Cover Sheet

Complete this form ONLY for applicable felonies sentenced on or after **July 1, 2010.**

OFFENDER

First _____ Middle _____ Last _____ Suffix _____

Date of Birth: ___ / ___ / _____ (Month / Day / Year)

Social Security Number: _____

CCRE: V A _____

PSI Number: _____

COURT

Judicial Circuit _____ City/County _____ FIPS Code: _____

Sentencing Judge's Name _____ (For Office Use Only)

Preparer Name _____ ☐ 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 _____

Crime was Witnessed by Or Committed in the Presence of a Child

☐ Please check box if any crime(s) in current event were witnessed by or committed in the presence of a minor child (age 17 or under). A child is present if he or she is within sight or sound of the offense when it occurs. This information is for research purposes only.

METHOD OF ADJUDICATION

☐ Jury Trial Sentence Set by Jury: ___ Years ___ Months ___ Days ☐ Life ☐ Juvenile ☐ Fine Only

☐ 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

Section B 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 (INELIGIBILITY CONDITIONS marked on Section D)

Final Disposition

Fill In After Sentence Has Been Pronounced

SENTENCE

		Years	Months	Days
Total Time Imposed Before Suspension	☐ **Life Sentence +**			
Total Effective Time to Serve	☐ **Life Sentence +**			

☐ Sentenced to Time Served

Post Release

	Years	Months	Days
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/Good Behavior
☐ § 18.2-251/§ 18.2-258.1
☐ Substance Abuse Treatment

☐ Community-Based Program _____
☐ Detention Center Incarceration
☐ Drug Court
☐ Intensive Probation
☐ Youthful Offender
☐ Other _____

Office Use Only
Other *CBP*

REASON FOR DEPARTURE

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

Office Use Only

_____

_____

_____

_____

_____

SENTENCING DATE

Month . Day . Year

ATTACH COURT ORDER AND MAIL

Pursuant to § 19.2-298.01(E)

After sentencing, send to:

Virginia Criminal Sentencing Commission • 100 North Ninth Street • Fifth Floor • Richmond, Virginia 23219

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
H. Sell, etc. Schedule III drug-not anabolic steroid
- 1 count 8
- 2 counts 10

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 of Counts:
- 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

D. Sell, etc. Schedule III drug - not anabolic steriod
- 1 count 7
- 2 counts 12

Score

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 of Counts:
- 1 - 4 1
- 5 - 9 2
- 10 or more 3

0

Prior Incarcerations/Commitments

Primary offense sale, etc. of a Schedule III drug - not anabolic steriod
If YES, add 4

Primary offense OTHER THAN sale, etc. of a Schedule III drug not anabolic steriod
If YES, add 1

0

Prior Juvenile Record

If YES, add 1 → 0

Legally Restrained at Time of Offense

Primary offense sale, etc. of a Schedule III drug - not anabolic steriod

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

Primary offense OTHER THAN sale, etc. of a Schedule III drug - not anabolic steriod

	Points
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

		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
H. Sell, etc. Schedule III drug - not anabolic steroid				
Attempted, conspired or completed:	1 count	20	10	5
	2 counts	32	16	8

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

Mandatory Minimum for Weapon Conviction(s) in Current Event

Assign points to each additional offense with a mandatory minimum and total the points

2 Year Mandatory Minimum	13
5 Year Mandatory Minimum	32

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

0

Prior Felony Convictions/Adjudications Against Person

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

0

Prior Felony Property Convictions/Adjudications

Number of Counts:	
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 (during 2 years prior to arrest date) ..... 9 ☐ +

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

☐ Information above not available (i.e., unable to interview defendant, defendant's lack of cooperation, etc.)

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

Number:
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**.

Drug Other/ Section D
Eff. 7-1-10

Go to Cover

Clear Form

Additional Offenses *Continuation Sheet*

Offender Name:

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

Go to Cover Sheet

Clear Form