

# Sentencing Guidelines Cover Sheet

Scheduled Sentencing Date:

 /  / 

Complete this form ONLY for applicable felonies sentenced on or after July 1, 2011.

## OFFENDER

First \_\_\_\_\_ Middle \_\_\_\_\_ Last \_\_\_\_\_ Suffix \_\_\_\_\_

Date of Birth:  /  /  Social Security Number:  -  - CCRE:  V  A  CORIS Offender ID:  PSI #: 

## COURT

Judicial Circuit  City/County \_\_\_\_\_ FIPS Code: Sentencing Judge's Name \_\_\_\_\_ For Office Use OnlyPreparer Name \_\_\_\_\_  Commonwealth's Attorney  Probation Officer

Prosecuting Commonwealth's Attorney \_\_\_\_\_ Defense Attorney \_\_\_\_\_

## CONVICTIONS

Offense	Counts	VCC	Offense Date
Primary Offense			Month Day Year
_____	<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 \_\_\_\_\_

### 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 RECOMMENDATION

### 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  DaysSentence Range  Years  Months  Days TO  Years  Months  Days Recommendation Adjusted for Mandatory Minimum

## NONVIOLENT RISK ASSESSMENT Section D of Drug, Fraud, and Larceny Worksheets

- 
- Recommended for Alternative Punishment
- 
- Not Applicable (INELIGIBILITY CONDITIONS marked on Section D)
- 
- 
- NOT Recommended for Alternative Punishment
- 
- Not a DRUG, FRAUD or LARCENY Offense



# Final Disposition

Fill In After Sentence Has Been Pronounced

## SENTENCE

Total Time Imposed Before Suspension .....  Life Sentence + 

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Total Effective Time to Serve .....  Life Sentence + 

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 Sentenced to Time Served

Post Release

Post Release Term § 18.2-10 ..... 

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Post Release Supervision Period § 19.2-295.2(A) ..... 

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Probation Period (Supervised) § 19.2 - 303 .....  Indefinite 

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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
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## REASON FOR DEPARTURE

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

Office Use Only

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## SENTENCING DATE

Month	Day	Year							

\_\_\_\_\_  
*Judge's Signature*

## 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**

# Miscellaneous/Other Section A Offender Name: \_\_\_\_\_

## ◆ Primary Offense

- A. Perjury, falsely swear an oath (1 count) ..... 1
- B. Nonviolent sex offender, fail to register, etc., 2nd/subsequent (1 count) ..... 2
- C. Violent sex offender, fail to register or provide false information (1 count) ..... 2
- D. Violent sex offender, fail to register, etc., 2nd/subsequent (1 count) ..... 2
- E. Failure to appear in court for felony offense
  - 1 count ..... 1
  - 2 counts ..... 4
- F. Escape from correctional facility (1 count) ..... 7
- G. Possession or sale of Schedule III drug or marijuana by prisoner (1 count) ..... 3
- H. Participation in offense by/for gang (1 count) ..... 5
- I. Participation in offense by/for gang with juvenile member (1 count) ..... 6

**Score**

0

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

- Years: 5 - 7 ..... 1
- 8 - 18 ..... 2
- 19 - 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 - 7 ..... 1
- 8 - 18 ..... 2
- 19 - 28 ..... 3
- 29 - 38 ..... 4
- 39 or more ..... 5

0

## ◆ Victim Injury

- Threatened, emotional or physical ..... 1
- Serious physical ..... 2

0

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

0

## ◆ 6 Prior Convictions/Adjudications Total the maximum penalties for the 5 most recent and serious prior record events

Primary offense sex offender registry violation	
Years	Points
Less than 6	0
6-64	1
65 or more	2

Primary offense OTHER THAN sex offender registry violation	
Years	Points
Less than 2	0
2-38	1
39 or more	2

0

## ◆ Prior Incarcerations/Commitments If YES, add 4

0

## ◆ Legally Restrained at Time of Offense

Primary offense sex offender registry violation	
	Points
Any legal restraint	1

Primary offense OTHER THAN sex offender registry violation	
	Points
None	0
Other than post-incarceration supervision	2
Post-incarceration supervision	5

0

**SCORE THE FOLLOWING FACTOR ONLY IF PRIMARY OFFENSE IS A GANG OFFENSE (§ 18.2-46.2)**

## ◆ Violent Additional or Prior Record Convictions/Adjudications If YES, add 2

0

## Total Score

If total is 8 or less, go to **Section B**. If total is 9 or more, go to **Section C**.

# Miscellaneous/Other Section B Offender Name: \_\_\_\_\_

◆ **Primary Offense** \_\_\_\_\_

A. Perjury, falsely swear an oath (1 count) .....	7
B. Nonviolent sex offender, fail to register, etc., 2nd/subsequent (1 count) .....	7
C. Violent sex offender, fail to register or provide false information (1 count) .....	8
D. Violent sex offender, fail to register, etc., 2nd/subsequent (1 count) .....	9
E. Failure to appear in court for felony offense (1 count) .....	10
F. Escape from correctional facility (1 count) .....	10
G. Possession or sale of Schedule III drug or marijuana by prisoner (1 count) .....	7
H. Participation in offense by/for gang (1 count) .....	7
I. Participation in offense by/for gang with juvenile member (1 count) .....	8

**Score**

▼

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

Years: 5 - 9 .....	2
10 - 19 .....	3
20 - 29 .....	4
30 - 39 .....	5
40 or more .....	6

▼

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 - 29 .....	4
30 - 39 .....	5
40 or more .....	6

▼

0	
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◆ **Victim Injury** \_\_\_\_\_

Threatened, emotional or physical .....	2
Serious physical .....	3

▼

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◆ **Legally Restrained at Time of Offense** \_\_\_\_\_ If YES, add 1 →

0	
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**SCORE THE FOLLOWING FACTOR ONLY IF PRIMARY OFFENSE IS SEX OFFENDER REGISTRY VIOLATION (§ 18.2-472.1)**

◆ **Prior Incarcerations/Commitments** \_\_\_\_\_ If YES, add 1 →

0	
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**SCORE THE FOLLOWING FACTOR ONLY IF PRIMARY OFFENSE IS A GANG OFFENSE (§ 18.2-46.2)**

◆ Score factors and enter the total score \_\_\_\_\_

A. Additional Offense of Assault (Felony or Misdemeanor) .....	1	□		
B. Prior Juvenile Felony Person Adjudication .....	1	□	+	
			=	Enter A + B Total

▼

0	
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**Total Score** \_\_\_\_\_

→

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See **Miscellaneous/Other Section B Recommendation Table** to convert score to guidelines sentence.

# Miscellaneous/Other Section C Offender Name: \_\_\_\_\_

**Primary Offense** \_\_\_\_\_ Prior Record Classification  
 Category I  Category II  Other

A. Perjury, falsely swear an oath (1 count) .....	12	6	3
B. Nonviolent sex offender, fail to register, etc., 2nd/subsequent (1 count) .....	8	4	2
C. Violent sex offender, fail to register or provide false info. (1 count) .....	8	4	2
D. Violent sex offender, fail to register, etc., 2nd/subsequent (1 count) .....	16	8	4
E. Failure to appear in court for felony offense (1 count) .....	32	16	8
F. Escape from correctional facility (1 count) .....	40	20	10
G. Possession or sale of Schedule III drug or marijuana by prisoner (1 count) .....	32	16	8
H. Participation in offense by/for gang (1 count) .....	84	42	21
I. Participation in offense by/for gang with juvenile member (1 count) .....	104	52	26

**Score**  
▼  

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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)

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

Years: Less than 5 ..... 0

5, 10 ..... 1

20 ..... 2

30 ..... 3

40 or more ..... 5

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**Firearm Used or Brandished** \_\_\_\_\_ If YES, add 2 →

0	0	
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**Victim Injury** \_\_\_\_\_

Threatened or emotional ..... 2

Physical ..... 4

Serious physical ..... 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 20 ..... 0

(years) 20, 30, 40 or more ..... 1

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

Number of Counts: 1 ..... 1

2 ..... 2

3 ..... 3

4 ..... 4

5 or more ..... 5

0	0	
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**Prior Felony Convictions/Adjudications with the Same VCC Prefix as Primary Offense** \_\_\_\_\_

Number of Counts: 1 ..... 2

2 ..... 4

3 ..... 6

4 ..... 8

5 or more ..... 10

0		
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**Legally Restrained at Time of Offense** \_\_\_\_\_ If YES, add 2 →

0	0	
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**SCORE THE FOLLOWING FACTOR ONLY IF PRIMARY OFFENSE IS A GANG OFFENSE (§ 18.2-46.2)**

**Violent Additional Offense (as defined in § 17.1-805)** \_\_\_\_\_

And Primary is without a Juvenile (MOB1291F5) ..... 12

And Primary is with a Juvenile (MOB1292F4) ..... 16

0		
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**Total Score** \_\_\_\_\_ →

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See Miscellaneous Section C Recommendation Table for guidelines sentence range.