





# 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	

## REASON FOR DEPARTURE

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

Office Use Only

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## SENTENCING DATE

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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**

# Assault Section A

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

## ◆ Primary Offense

- A. Assault and battery against a family member, third or subsequent conviction (1 count) ..... 2
- B. Assault and battery against a law enforcement officer, fire or rescue personnel (1 count) ..... 6
- C. Any attempted or conspired assault and battery or unlawful injury (1 count) ..... 1
- D. Unlawful injury to law enforcement officer, fire or rescue personnel (1 count) ..... 7
- E. Any other unlawful injury
  - 1 count ..... 1
  - 2 counts ..... 3
- F. Any attempted or conspired malicious injury or aggravated malicious injury (1 count) ..... 3
- G. Aggravated malicious injury (1 count) ..... 7
- H. Malicious injury to a law enforcement officer, fire or rescue personnel (1 count) ..... 7
- I. Any other malicious injury (1 count) ..... 7
- J. Use of firearm in the commission of a felony (1 count) ..... 4

Score

0	
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## ◆ Primary Offense Additional Counts Total the maximum penalties for counts of the primary not scored above

- Years: 3-10 ..... 1      24 - 31 ..... 4
- 11 - 17 ..... 2      32 - 39 ..... 5
- 18 - 23 ..... 3      40 or more ..... 6

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

- Years: Less than 2 ..... 0      24 - 31 ..... 4
- 2-10 ..... 1      32 - 39 ..... 5
- 11 - 17 ..... 2      40 or more ..... 6
- 18 - 23 ..... 3

0	
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## ◆ Weapon Used

- None ..... 0
- Simulated weapon or other than firearm ..... 1
- Firearm ..... 2

0	
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## ◆ Serious Physical Victim Injury If YES, add 2 →

0	
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## ◆ Prior Convictions/Adjudications Total maximum penalties for the 5 most recent and serious prior record events

- Years: Less than 7 ..... 0
- 7 - 23 ..... 1
- 24 - 46 ..... 2
- 47 or more ..... 3

0	
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## ◆ Prior Incarcerations/Commitments If YES, add 2 →

0	
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## ◆ Prior Juvenile Record If YES, add 2 →

0	
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## ◆ Legally Restrained at Time of Offense

- None ..... 0
- Other than post-incarceration supervision ..... 3
- Post-incarceration supervision (supervision after active incarceration)..... 5

0	
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**SCORE THE FOLLOWING ONLY IF PRIMARY OFFENSE AT CONVICTION IS  
ASSAULT & BATTERY AGAINST A FAMILY MEMBER § 18.2-57.2(B)**

## ◆ Type of Prior Felony Person Convictions/Adjudications

- None ..... 0
- Assault and battery against a family member, third or subsequent (§18.2-57.2(B)) ..... 3
- Other person felony ..... 4

0	
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**Total Score**

If total is 5 or less, go to **Section B**. If total is 6 or more, go to **Section C**.

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# Assault Section B

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

◆ **Victim Injury** \_\_\_\_\_

	<b>Score</b> ▼		
Threatened, emotional, or physical .....	2	0	
Serious physical .....	4		

◆ **Additional Offenses** Total the maximum penalties for additional offenses, including counts \_\_\_\_\_

	▼		
Years: Less than 5 .....	1	0	
5 or more .....	2		

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

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 5 .....	0	0	
5 - 18 .....	1		
19 - 38 .....	2		
39 or more .....	3		

◆ **Prior Juvenile Record** \_\_\_\_\_ **If YES, add 3** →

0	
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**SCORE THE FOLLOWING ONLY IF PRIMARY OFFENSE AT CONVICTION IS  
ASSAULT & BATTERY AGAINST A FAMILY MEMBER § 18.2-57.2(B)**

◆ **Prior Incarcerations/Commitments** \_\_\_\_\_

	▼		
Number: 1 .....	1	0	
2 .....	3		
3 or more .....	5		

◆ **Prior Misdemeanor Convictions/Adjudications** \_\_\_\_\_

	▼		
Number of Counts: 1 - 2 .....	0	0	
3 - 5 .....	1		
6 - 8 .....	2		
9 or more .....	3		

**Total Score** \_\_\_\_\_ →

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See Assault Section B Recommendation Table to convert score to guidelines sentence.

# Assault Section C

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

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

◆ **Primary Offense** \_\_\_\_\_  Category I  Category II  Other

A. Assault and battery against a family member, third or subsequent conviction (1 count) .....	28	14	7
B. Assault and battery against a law enforcement officer, fire or rescue personnel (1 count) .....	32	16	8
C. Unlawful injury (1 count) .....	32	16	8
D. Any attempted or conspired malicious injury (1 count) .....	68	34	17
E. Any completed malicious injury			
1 count .....	102	68	34
2 counts .....	120	80	40
3 counts .....	204	136	68
F. Aggravated malicious injury (1 count) .....	264	176	88
G. Use of firearm in the commission of a felony- first offense (1 count) .....	32	32	32
H. Use of firearm in the commission of a felony- subsequent offense (1 count) .....	56	56	56

**Score**

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

Primary offense malicious, aggravated malicious wounding or use of firearm

Maximum Penalty (years)	Points
3 .....	2
5 .....	3
10 .....	6
20 .....	13
30 .....	19
Life .....	26

Primary offense unlawful Injury or any assault and battery

Maximum Penalty (years)	Points
5 .....	3
10 .....	5

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

Primary offense malicious, aggravated malicious wounding or use of firearm

Maximum Penalty (years)	Points
Less than 1 .....	0
1, 2 .....	1
3 .....	2
4, 5 .....	3
10 .....	6
20 .....	13
30 .....	19
40 or more .....	26

Primary offense unlawful Injury or any assault and battery

Maximum Penalty (years)	Points
Less than 1 .....	0
1, 2 .....	1
3, 4 .....	2
5 .....	3
10 .....	5
20 .....	11
30 .....	16
40 or more .....	22

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◆ **Weapon Used** \_\_\_\_\_

Primary offense malicious, aggravated malicious wounding or use of firearm

Simulated weapon or other than listed below .....	0
Knife or firearm .....	4

Primary offense unlawful Injury or any assault and battery

Simulated weapon or other than listed below .....	0
Knife .....	2
Firearm .....	3

0	0	
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◆ **Number of Victims Receiving Serious Physical Injury** \_\_\_\_\_

Primary offense malicious, aggravated malicious wounding or use of firearm

Number	Score
1 .....	14
2 .....	70
3 or more .....	85

Primary offense unlawful Injury or any assault and battery

Number	Score
1 or more .....	3

0		
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◆ **Prior Convictions/Adjudications** Assign points to the 5 most recent and serious prior record events and total the points

Primary offense malicious, aggravated malicious wounding or use of firearm

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

Primary offense unlawful Injury or any assault and battery

Maximum Penalty (years)	Points
Less than 4 .....	0
4, 5, 10 .....	1
20 .....	3
30 .....	4
40 or more .....	6

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

Primary offense malicious, aggravated malicious wounding or use of firearm

Number of Counts	Score
1 .....	6
2 .....	12
3 or more .....	18

Primary offense unlawful Injury or any assault and battery

**Do Not Score**

0		
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◆ **Legally Restrained at Time of Offense** \_\_\_\_\_

Primary offense malicious, aggravated malicious wounding or use of firearm

If YES, add 6

Primary offense unlawful Injury or any assault and battery

If YES, add 2

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

See Assault Section C Recommendation Table for guidelines sentence range.

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# Additional Offenses Continuation Sheet

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

Offense	Counts	VCC	Offense Date		
			Month	Day	Year
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