

Sentencing Guidelines Cover Sheet

Scheduled Sentencing Date:

 / /

Complete this form ONLY for applicable felonies sentenced on or after July 1, 2012.

OFFENDER

First _____ Middle _____ Last _____ Suffix _____

Date of Birth: / /
Month Day YearSocial 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
			<small>Month Day Year</small>
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 _____

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

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, etc. (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
- K. Victim permanently impaired, DWI with reckless disregard
 - 1 count 1
 - 2 counts 3

Score

▼

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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

Primary offense DWI with reckless disregard	
Years	Points
Less than 2	0
2 - 17	2
18 - 23	3
24 - 31	4
32 - 39	5
40 or more	6

Primary offense OTHER THAN DWI with reckless disregard	
Years	Points
Less than 2	0
2 - 10	1
11 - 17	2
18 - 23	3
24 - 31	4
32 - 39	5
40 or more	6

▼

0	
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◆ Weapon Used

- None 0
- Automobile, 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 the maximum penalties for the 5 most recent and serious prior record events

Primary offense DWI with reckless disregard	
Years	Points
Less than 1	0
1 - 46	2
47 or more	3

Primary offense OTHER THAN DWI with reckless disregard	
Years	Points
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

▼

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SCORE THE FOLLOWING FACTOR 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** _____

	Score ▼		
Threatened, emotional, or physical	2		
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 FACTORS 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 _____ →

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

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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, etc. (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
I. Victim permanently impaired, DWI with reckless disregard (1 count)	48	24	12

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, any assault and battery or DWI with reckless disregard

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, any assault and battery or DWI with reckless disregard

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, any assault and battery or DWI with reckless disregard

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, any assault and battery or DWI with reckless disregard

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, any assault and battery or DWI victim impaired

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	Score
1	6
2	12
3 or more	18

Primary offense unlawful injury, any assault and battery or DWI with reckless disregard

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, any assault and battery or DWI with reckless disregard

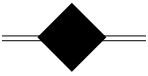
If YES, add 2

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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