Sentencing Guidelines Cover Sheet

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

Scheduled Sentencing Date: ☐☐ / ☐☐ / ☐☐

◆ OFFENDER

First _____ Middle _____ Last _____ Suffix _____

Date of Birth: ☐☐ / ☐☐ / ☐☐☐☐
Month Day Year

Social Security Number: ☐☐☐ · ☐☐ · ☐☐☐☐

CCRE: | V | A | ☐☐☐☐☐☐☐☐☐
CORIS Offender ID: ☐☐☐☐☐☐☐
PSI #: ☐☐☐☐☐☐☐

◆ 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			
_____	☐☐	☐☐☐☐-☐☐☐-☐☐☐	☐☐ / ☐☐ / ☐☐
_____	☐☐	☐☐☐☐-☐☐☐-☐☐☐	☐☐ / ☐☐ / ☐☐

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 Days

Sentence Range ☐☐☐ ☐☐ ☐ **TO** ☐☐☐ ☐☐ ☐
Years Months Days   Years Months Days

☐ Recommendation Adjusted for **Mandatory Minimum**

◆ **Final Disposition**   **Fill In After Sentence Has Been Pronounced**

◆ SENTENCE

	Years	Months	Days

Total Time <u>Imposed</u> Before Suspension .... ☐ **Life Sentence +** [ ][ ][ ] [ ][ ][ ] [ ][ ][ ]

Total <u>Effective</u> Time to Serve .... ☐ **Life Sentence +** [ ][ ][ ] [ ][ ][ ] [ ][ ][ ]   ☐ Sentenced to Time Served

Post Release

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   ☐ Community-Based Program _____
☐ Diversion Center Incarceration   ☐ Detention Center Incarceration
☐ Electronic Monitoring   ☐ Drug Court
☐ Unsupervised Probation/Good Behavior ☐ Intensive Probation
☐ § 18.2-251/§ 18.2-258.1   ☐ Youthful Offender
☐ Substance Abuse Treatment   ☐ 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*

_____
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

Office Use Only [ ][ ][ ] [ ][ ][ ] [ ][ ][ ]

Burglary/Dwelling ❖ Section A

Offender Name: _____

◆ Primary Offense

A. Occupied dwelling with intent to commit a misdemeanor without deadly weapon (1 count) 1

B. Dwelling with intent to commit larceny, etc. without deadly weapon; Dwelling at night without deadly weapon

    1 count 3

    2 counts 5

    3 counts 7

C. Dwelling at night with intent to commit larceny with deadly weapon (1 count) 7

D. Dwelling with intent to commit larceny, etc. with deadly weapon (1 count) 5

E. Occupied dwelling with intent to commit misdemeanor with deadly weapon (1 count) 9

F. Dwelling with intent to commit murder, rape, robbery or arson with or without a deadly weapon (1 count) 14

Score [ ]

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

Years: 5 - 14 1

    15 - 27 2

    28 - 43 3

    44 or more 4

[0]

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

Years: Less than 5 0

    5 - 14 1

    15 - 27 2

    28 - 43 3

    44 or more 4

[0]

◆ Mandatory Firearm Conviction for Current Event ——— If YES, add 3 ➡ [0]

◆ Weapon Used

    None 0

    Simulated weapon or other than listed below 2

    Knife 4

    Firearm 8

[0]

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

Years: Less than 2 0   20 - 31 3

    2 - 8 1   32 - 41 4

    9 - 19 2   42 or more 5

[0]

◆ Prior Adult Felony Property Convictions

Number: 1 1

    2 - 5 2

    6 - 10 3

    11 or more 4

[0]

◆ Prior Juvenile Property Adjudications

Number: 1- 2 1

    3 -11 2

    12 or more 3

[0]

◆ Prior Misdemeanor Convictions/Adjudications

Number: 1 1

    2 - 4 2

    5 - 6 3

    7 - 9 4

    10 or more 5

[0]

◆ Prior Incarcerations/Commitments ——— If YES, add 3 ➡ [0]

◆ Prior Revocations of Parole/Post-Release, Supervised Probation or CCCA— If YES, add 1 ➡ [0]

◆ Prior Juvenile Record ——— If YES, add 2 ➡ [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 7

[0]

Total Score ➡ [ ]

If total is 13 or less, go to **Section B**. If total is 14 or more, go to **Section C**.

Burglary/Dwelling ❖ Section B

Offender Name: _____

◆ **Primary Offense** ⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯

Score

A. Dwelling with intent to commit larceny, etc. without deadly weapon (all counts) 1
B. Dwelling at night with intent to commit larceny, etc. without deadly weapon (all counts) 1
C. Other than listed above (all counts) 4

| 0 | |

◆ **Prior Convictions/Adjudications** <u>Total</u> the maximum penalties for the 5 most recent and serious prior record events ⎯⎯

Years: 1 - 32 1
33 or more 2

| 0 | |

◆ **Prior Misdemeanor Convictions/Adjudications** ⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯

Number: 1 - 2 1
3 - 5 2
6 - 8 3
9 or more 4

| 0 | |

◆ **Prior Juvenile Record** ⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯ **If YES, add 4** ➤

| 0 | |

◆ **Legally Restrained at Time of Offense** ⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯ **If YES, add 3** ➤

| 0 | |

Total Score ⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯⎯➤

| | |

See **Burglary/Dwelling Section B Recommendation Table** to convert score to guidelines sentence.

Burg.Dwelling/Section B

Burglary/Dwelling ❖ Section C

Offender Name: _____

◆ Primary Offense
☐ Category I   ☐ Category II   ☐ Other

Dwelling Without Weapon

A. Occupied dwelling with intent to commit a misdemeanor without deadly weapon (1 count) .... 48 .... 32 16

B. Dwelling with intent to commit murder, rape, robbery or arson without deadly weapon
- Completed: 1 count .... 90 .... 60 30
- Attempted/conspired: 1 count .... 60 .... 30 15

C. Dwelling with intent to commit larceny, etc. without deadly weapon
- Completed: 1 count .... 54 .... 36 18
- Attempted/conspired: 1 count .... 36 .... 18 9

D. Dwelling at night with intent to commit larceny etc. without deadly weapon
- Completed: 1 count .... 54 .... 36 18
- Attempted/conspired: 1 count .... 36 .... 18 9

Dwelling With Weapon

E. Occupied dwelling with intent to commit misdemeanor with deadly weapon
- Completed: 1 count .... 114 .... 76 38
- Attempted/conspired: 1 count .... 76 .... 38 19

F. Dwelling with intent to commit larceny, etc. with deadly weapon
- Completed: 1 count .... 90 .... 60 30
- Attempted/conspired: 1 count .... 60 .... 30 15

G. Dwelling with intent to commit murder, rape, robbery or arson with deadly weapon; or Dwelling at night with intent to commit larceny, etc. with deadly weapon

Score

- Completed: 1 count .... 168 .... 112 56
-                2 counts .... 456 .... 304 152
- Attempted/conspired: 1 count .... 112 .... 56 28
-                2 counts .... 240 .... 152 76
-                3 counts .... 304 .... 152 76

◆ 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)   20 3
Life 6

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

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

◆ Weapon Used
Other than listed below 0
Knife or firearm 12

0		

◆ Physical or Serious Physical Victim Injury — If YES, add 10 →

0		

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

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

0		

◆ Prior Felony Burglary Convictions/Adjudications

Number: 1 2
2 3
3 5
4 6
5 8
6 or more 9

0	0	

◆ Prior Felony Convictions/Adjudications Against Person

Number: 1 4
2 9
3 13
4 or more 17

0		

◆ On Parole/Post-Release, Supervised Probation or CCCA at Time of Offense — If YES, add 3 →

0	0	

Total Score →

See **Burglary/Dwelling Section C Recommendation Table** for guidelines sentence range.

◆ Additional Offenses Continuation Sheet

Offender Name: _____

Offense	Counts	VCC	Offense Date
			Month Day Year
_____	[ ][ ]	[ ][ ][ ][ ]-[ ][ ][ ][ ]-[ ][ ][ ]	[ ][ ]/[ ][ ]/[ ][ ]
_____	[ ][ ]	[ ][ ][ ][ ]-[ ][ ][ ][ ]-[ ][ ][ ]	[ ][ ]/[ ][ ]/[ ][ ]
_____	[ ][ ]	[ ][ ][ ][ ]-[ ][ ][ ][ ]-[ ][ ][ ]	[ ][ ]/[ ][ ]/[ ][ ]
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_____	[ ][ ]	[ ][ ][ ][ ]-[ ][ ][ ][ ]-[ ][ ][ ]	[ ][ ]/[ ][ ]/[ ][ ]
_____	[ ][ ]	[ ][ ][ ][ ]-[ ][ ][ ][ ]-[ ][ ][ ]	[ ][ ]/[ ][ ]/[ ][ ]