

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 OfficerProsecuting 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

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

Drug/Schedule I/II Section A

Offender Name: _____

◆ Primary Offense

- A. Possess Schedule I or II drug or First offender violation
 - 1 count 1
 - 2 counts 3
 - 3 counts 8
- B. Sell, Distribute, Possession with Intent, etc., Schedule I or II drug
 - 1 count 12
 - 2 counts 13
 - 3 counts 14
 - 4 counts 15
- C. Manufacture Methamphetamine (1st or 2nd conviction)
 - 1 count 12
 - 2 counts 13
 - 3 counts 14
 - 4 counts 15
- D. Sell, etc., Schedule I or II drug to minor (1 count) 11
- E. Accommodation - Sell, Distribute, Possession with Intent Schedule I or II drug
 - 1 count 5
 - 2 counts 7
- F. Sell, etc., imitation Schedule I or II drug (1 count) 4

Score

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◆ Primary Offense Additional Counts

Total the maximum penalties for counts of the primary not scored above

- Years: 5 - 10 1 31 - 42 4
- 11 - 21 2 43 or more 5
- 22 - 30 3

0	
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◆ Additional Offenses

Total the maximum penalties for additional offenses, including counts

- Years: Less than 4 0 22 - 30 3
- 4 - 10 1 31 - 42 4
- 11 - 21 2 43 or more 5

0	
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◆ Knife or Firearm in Possession at Time of Offense

If YES, add 2

0	
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◆ Conviction in Current Event Requiring Mandatory Minimum Term (6 mos or more) If YES, add 9

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 7 0
- 7 - 26 1
- 27 - 48 2
- 49 or more 3

0	
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◆ Prior Incarcerations/Commitments

If YES, add 2

0	
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◆ Prior Felony Drug Convictions/Adjudications

- Number of 1 - 2 1
- Counts: 3 - 4 2
- 5 3
- 6 or more 4

0	
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◆ Prior Juvenile Record

If YES, add 1

0	
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◆ 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	
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SCORE THE FOLLOWING FACTOR ONLY IF PRIMARY OFFENSE IS POSSESSION OF SCHEDULE I/II DRUG (§ 18.2-250(A,a))

◆ Two or More Prior Felony Convictions/Adjudications

If YES, add 2

For Possession, Possession with Intent, Distribution, Manufacture or Sale of Schedule I or II Drug, etc.

0	
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Total Score

If total is 10 or less, go to **Section B**. If total is 11 or more, go to **Section C**.

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Drug/Schedule I/II



Section B

Offender Name: _____

◆ Primary Offense

- A. Possess Schedule I or II drug or First offender violation
 - 1 count 3
 - 2 counts 6
- B. Accommodation - Sell, distribute, possession with intent Schedule I or II drug
 - 1 count 8
 - 2 counts 9
- C. Sell, etc., imitation Schedule I or II drug (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: 5 - 9 2
- 10 - 19 3
- 20 - 28 4
- 29 - 38 5
- 39 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 - 28 4
- 29 - 38 5
- 39 or more 6

0	
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◆ Knife or Firearm in Possession at Time of Offense _____ 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 1 0
- 1 - 22 1
- 23 - 43 2
- 44 or more 3

0	
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◆ Prior Misdemeanor Convictions/Adjudications

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

0	
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◆ Prior Incarcerations/Commitments _____ If YES, add 1

0	
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◆ Prior Juvenile Record _____ If YES, add 1

0	
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◆ Legally Restrained at Time of Offense

- None 0
- Other than parole/post-release, supervised probation or CCCA 2
- Parole/post-release, supervised probation or CCCA 3

0	
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SCORE THE FOLLOWING FACTOR ONLY IF PRIMARY OFFENSE IS POSSESSION OF SCHEDULE I/II DRUG (§18.2-250(A,a))

◆ Two or More Prior Felony Convictions/Adjudications _____ If YES, add 2

For Possession, Possession with Intent, Distribution, Manufacture or Sale of Schedule I or II Drug, etc.

0	
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Total Score

See Drug/Schedule I/II Section B Recommendation Table to convert score to guidelines sentence. Then, go to Section D Nonviolent Risk Assessment and follow the instructions.

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Drug/Schedule I/II Section C

Offender Name: _____

◆ Primary Offense _____

— Prior Record Classification —
 Category I Category II Other
(scores for attempted/conspired offenses are in parentheses)

A. Possess Schedule I or II drug or First offender violation				
Attempted, conspired or completed:	1 count	20	10	5
	2 counts	28	14	7
	3 counts	36	18	9
B. Sell, Distribute, Possession with intent, etc., Schedule I or II drug				
Completed (Attempted or Conspired):	1 count	60 (48)	36 (24)	12 (12)
	2 counts	80 (64)	48 (32)	16 (16)
	3 counts	95 (76)	57 (38)	19 (19)
	4 counts	130(104)	78 (52)	26 (26)
C. Sell, etc., Schedule I or II drug, second offense				
Completed (Attempted or Conspired):	1 count	110 (88)	66 (44)	22 (22)
	2 counts	310(248)	186(124)	62 (62)
D. Sell, etc., Schedule I or II drug - third or subsequent offense				
Attempted, conspired or completed:	1 count	175	105	35
	2 counts	390	234	78
E. Manufacture Methamphetamine, first or second offense, § 18.2-248(C1)				
Attempted, conspired or completed:	1 count	145	87	29
F. Sell, etc., Schedule I or II drug to minor				
Attempted, conspired or completed:	1 count	60	30	15
G. Accomodation-Sell, etc., Schedule I or II drug				
Attempted, conspired or completed:	1 count	32	16	8
	2 counts	40	20	10
H. Sell, etc., imitation Schedule I or II drug				
Attempted, conspired or completed:	1 count	12	6	3
	2 counts	20	10	5

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 (years) 5,10 1 40 or more 5

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

Primary offense Sell, etc., Sch. I/II 3rd or Subsequent	
Years	Points
Less than 5	0
5,10	2
20	4
30	6
40 or more	7

Primary offense OTHER THAN Sell, etc., Sch. I/II 3rd or Subseq.	
Years	Points
Less than 5	0
5,10	1
20	2
30	4
40 or more	5

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◆ 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

0		
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◆ Firearm in Possession at Time of Offense _____ **If YES, add 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 5 0 30 3
 (years) 5, 10 1 40 or more 4
 20 2

0		
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◆ Prior Felony Drug Convictions/Adjudications

Primary offense Sell, etc., Sch. I/II 3rd or Subsequent	
Number of Counts	Score
2	9
3	10
4	17
5 or more	20

Primary offense OTHER THAN Sell, etc., Sch. I/II 3rd or Subseq.	
Number of Counts	Score
1	2
2	3
3	5
4	7
5	8
6 or more	10

0		
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◆ Prior Felony Convictions/Adjudications Against Person

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

0		
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◆ Prior Felony Property Convictions/Adjudications

Number of Counts: 1,2 1 4 or more 3
 3 2

0	0	
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◆ Prior Juvenile Record _____ **If YES, add 1**

0	0	
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◆ Legally Restrained at Time of Offense _____ **If YES, add 3**

0	0	
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◆ Manufacture of Methamphetamine (Score if primary offense is § 18.2-248 (C1))

Additional offense of child present during manufacture of methamphetamine _____ **If YES, add 14**

0		
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◆ Sale/Quantity of Cocaine (Score if primary offense is § 18.2-248(C) or §18.2-255(A))

Quantity of Cocaine: Less than 28.35 grams 0 28.35 g to less than 226.8 grams 36 226.8 grams or more 60

0		
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Total Score _____

See Drug/Schedule I/II Section C Recommendation Table for guidelines sentence range.
 Then go to Section D Nonviolent Risk Assessment and follow the instructions.

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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
- Information above not available (i.e., unable to interview defendant, defendant's lack of cooperation, etc.)
- = Enter A to D Total 0

◆ 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 _____

- 38 or less, check Recommended for Alternative Punishment.
- 39 or more, check NOT Recommended for Alternative Punishment.

0

Drug Schedule I or II
Section D

Go to **Cover Sheet** and fill out **Nonviolent Risk Assessment Recommendations**.