

# 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



# Miscellaneous/Person & Property Section A

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

## ◆ Primary Offense

A. Burn unoccupied dwelling/church (1 count) .....	6
B. Burn occupied dwelling/church (1 count) .....	6
C. Burning of personal property, standing grain, etc., value \$200 or more	
1 count .....	2
2 counts .....	6
D. Threatening to bomb, burn or explode (1 count) .....	1
E. Threat by letter, communication or electronic message (1 count) .....	3
F. Child neglect/abuse, serious injury	
1 count .....	3
2 counts .....	7
G. Gross, reckless care of child (1 count) .....	1
H. Cruelty and injury to child (1 count) .....	2
I. Maliciously shoot, throw missile at train, car, etc. (1 count) .....	1
J. Damage/destroy any property or monument \$1,000 or more (1 count) .....	2

**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

Primary offense with VCC prefix "FAM"	Points
Threatened, emotional, or physical .....	2
Serious physical .....	5

Primary offense with VCC prefix OTHER THAN "FAM"	Points
Threatened, emotional, or physical .....	1
Serious physical .....	2

0

## ◆ Mandatory Firearm Conviction for Current Event

If YES, add 6

0

## ◆ Prior Convictions/Adjudications

Total the maximum penalties for the 5 most recent and serious prior record events

Years: 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 felony vandalism-damage to property \$1,000 or more	Points
Any legal restraint .....	1

Primary offense OTHER THAN felony vandalism-damage to property \$1,000 or more	Points
None .....	0
Other than post-incarceration supervision .....	2
Post-incarceration supervision .....	5

0

**SCORE THE FOLLOWING FACTOR ONLY IF PRIMARY OFFENSE IS FELONY VANDALISM DAMAGE TO PROPERTY \$1,000 OR MORE**

## ◆ Prior Vandalism Convictions/Adjudications

Misdemeanor vandalism .....	1
Felony vandalism .....	2
Both felony and misdemeanor vandalism .....	3

0

## Total Score

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

# Miscellaneous/Person & Property Section B

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

## ◆ Primary Offense

- A. Burn unoccupied dwelling/church (1 count) ..... 6
- B. Burn occupied dwelling/church (1 count) ..... 7
- C. Burning of personal property, standing grain, etc., value \$200 or more (1 count) ..... 6
- D. Threatening to bomb, burn or explode (1 count) ..... 6
- E. Threat by letter, communication or electronic message (1 count) ..... 7
- F. Child neglect/abuse, serious injury (1 count) ..... 3
- G. Gross, reckless care of child (1 count) ..... 2
- H. Cruelty and injury to child (1 count) ..... 2
- I. Maliciously shoot, throw missile at train, car, etc. (1 count) ..... 7
- J. Damage/destroy any property or monument \$1,000 or more (1 count) ..... 8

Score

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## ◆ Primary Offense Additional Counts

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

Primary offense felony vandalism-damage to property \$1,000 or more

Years	Points
5 - 9 .....	1
10 - 19 .....	2
20 - 29 .....	3
30 - 39 .....	4
40 or more .....	5

Primary offense OTHER THAN felony vandalism-damage to property \$1,000 or more

Years	Points
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

Primary offense with VCC prefix "FAM"

Points
Threatened, emotional, or physical ..... 9
Serious physical ..... 10

Primary offense with VCC prefix OTHER THAN "FAM"

Points
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 FELONY VANDALISM DAMAGE TO PROPERTY \$1,000 OR MORE**

## ◆ Prior Incarcerations/Commitments

If YES, add 1 →

0	
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## Total Score

See Miscellaneous/Person & Property Section B Recommendation Table to convert score to guidelines sentence.

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# Miscellaneous/Person & Property

## Section C

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

A. Burn unoccupied dwelling/church (1 count) .....	68	34	17
B. Burn occupied dwelling/church			
Completed: 1 count .....	108	54	27
2 counts .....	200	100	50
Attempted or conspired: 1 count .....	68	34	17
2 counts .....	72	36	18
C. Burning of personal property, standing grain, etc., value \$200 or more (1 count) .....	32	16	8
D. Threatening to burn, bomb or explode (1 count) .....	32	16	8
E. Threat by letter, communication or electronic message (1 count) .....	40	20	10
F. Child neglect/abuse, serious injury (1 count) .....	32	16	9
G. Gross, reckless care of child (1 count) .....	28	14	7
H. Cruelty and injury to child (1 count) .....	28	14	7
I. Maliciously shoot, throw missile at train, car, etc. (1 count) .....	32	16	8
J. Damage/destroy any property or monument \$1,000 or more (1 count) .....	32	16	8

**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, 20, 30, 40 .....	1
(years) Life .....	5

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

Primary offense burn <u>occupied</u> dwelling/church	
Years	Points
Less than 5 .....	0
5,10 .....	3
20 .....	6
30 .....	9
40 or more .....	12

Primary offense <b>OTHER THAN</b> burn occupied dwelling/church	
Years	Points
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** \_\_\_\_\_

Primary offense with VCC prefix "FAM"	
	Points
Threatened or emotional .....	6
Physical .....	7
Serious physical .....	10

Primary offense with VCC prefix <b>OTHER THAN</b> "FAM"	
	Points
Threatened or emotional .....	2
Physical .....	4
Serious physical .....	5

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** \_\_\_\_\_

Primary offense burn <u>occupied</u> dwelling/church	
Number of Counts	Points
1 .....	3
2 .....	4
3 .....	6
4 or more .....	8

Primary offense <b>OTHER THAN</b> burn occupied dwelling/church	
Number of Counts	Points
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	4 .....	8
2 .....	4	5 or more .....	10
3 .....	6		

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 BURN OCCUPIED DWELLING/CHURCH (§ 18.2-77(A,I))**

◆ **Additional Offense with VCC Prefix of "MUR"** \_\_\_\_\_ If YES, add 133 →

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

See Miscellaneous Section C Recommendation Table for guidelines sentence range.

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