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 ☐☐☐ (Years) ☐☐☐ (Months) __ (Days) **TO** ☐☐☐ (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
☐ 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

_____
_____
_____
_____
_____

◆ 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

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		Primary offense with VCC prefix OTHER THAN "FAM"	Points
Threatened, emotional, or physical	2		Threatened, emotional, or physical	1
Serious physical	5		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		Primary offense OTHER THAN felony vandalism-damage to property $1,000 or more	Points
Any legal restraint	1		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
▼
[|]

◆ **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 |]

◆ **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 |]

◆ **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

▼
[|]

◆ **Legally Restrained at Time of Offense** ───────────── **If YES, add 1** → [0 |]

───

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 |]

Total Score ─────────────────────────────────→ [|]

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

Miscellaneous/Person & Property ❖═ Section C

◆ Primary Offense

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 ▼

[ ][ ][ ]

◆ 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

[ ][ ][ ]

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

Primary offense burn occupied dwelling/church		**Primary offense OTHER THAN burn occupied dwelling/church**	
Years	**Points**	**Years**	**Points**
Less than 5	0	Less than 5	0
5, 10	3	5, 10	1
20	6	20	2
30	9	30	3
40 or more	12	40 or more	5

[ ][ ][ ]

◆ Firearm Used or Brandished — If YES, add 2 ➤ [0][0][ ]

◆ Victim Injury

Primary offense with VCC prefix "FAM"		**Primary offense with VCC prefix OTHER THAN "FAM"**	
	Points		**Points**
Threatened or emotional	6	Threatened or emotional	2
Physical	7	Physical	4
Serious physical	10	Serious physical	5

[0][ ][ ]

◆ 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][ ]

◆ Prior Felony Convictions/Adjudications Against Person

Primary offense burn occupied dwelling/church		**Primary offense OTHER THAN burn occupied dwelling/church**	
Number of Counts	**Points**	**Number of Counts**	**Points**
1	3	1	1
2	4	2	2
3	6	3	3
4 or more	8	4	4
		5 or more	5

[0][0][ ]

◆ 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][ ][ ]

◆ Legally Restrained at Time of Offense — If YES, add 2 ➤ [0][0][ ]

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 ➤ [ ][ ][ ]

Total Score ➡ [ ][ ][ ][ ]

See **Miscellaneous Section C Recommendation Table** for guidelines sentence range.

Additional Offenses Continuation Sheet

Offender Name: _____

Offense	Counts	VCC	Offense Date
			Month Day Year
_____		|__|__|__|-|__|__|__|__|-|__|__|	|__|__|/|__|__|/|__|
_____		|__|__|__|-|__|__|__|__|-|__|__|	|__|__|/|__|__|/|__|
_____		|__|__|__|-|__|__|__|__|-|__|__|	|__|__|/|__|__|/|__|
_____		|__|__|__|-|__|__|__|__|-|__|__|	|__|__|/|__|__|/|__|
_____		|__|__|__|-|__|__|__|__|-|__|__|	|__|__|/|__|__|/|__|
_____		|__|__|__|-|__|__|__|__|-|__|__|	|__|__|/|__|__|/|__|
_____		|__|__|__|-|__|__|__|__|-|__|__|	|__|__|/|__|__|/|__|
_____		|__|__|__|-|__|__|__|__|-|__|__|	|__|__|/|__|__|/|__|
_____		|__|__|__|-|__|__|__|__|-|__|__|	|__|__|/|__|__|/|__|
_____		|__|__|__|-|__|__|__|__|-|__|__|	|__|__|/|__|__|/|__|
_____		|__|__|__|-|__|__|__|__|-|__|__|	|__|__|/|__|__|/|__|