

Rape 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: / /

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	<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 RECOMMENDATIONS

Section C

Incarceration (Enter Midpoint and Range Below) Life Sentence

Range Midpoint Years Months Days

Sentence Range Years Months Days TO Years Months Days

Recommendation Adjusted for Mandatory Minimum

Modifications Based on Risk Assessment

The upper end of the sentencing range can be adjusted based on the risk assessment level.

Characteristics of the offender and the circumstances of the offense may have correlated with a significant risk of recidivism among other sex offenders. If so, the upper end of the recommended sentence range can be increased by:

Check one

- 300% - Level 1
- 100% - Level 2
- 50% - Level 3
- No Adjustment

Adjusted High End

 Years Months

Rape Section A

Offender Name: _____

◆ **Offender's Age at Time of Offense** _____

Younger than 35 years	12	↓
35 to 46 years	4	
Older than 46 years	0	

◆ **Less than 9th Grade Education (by conviction date)** _____ If YES, add 4 → 0

◆ **Not Regularly Employed (during 2 years prior to arrest date)** _____ If YES, add 5 → 0

◆ **Offender's Relationship with Victim** _____

Victim Under Age 10	Relative	0	↓
	Known to victim (not relative or step-parent)	4	
	Stranger	4	
	Step-parent	9	
Victim Age 10 or more	Relative	2	0
	Known to victim (not relative or step-parent)	3	
	Stranger	8	
	Step-parent	2	

◆ **Location of Offense** _____

Place of employment	0	↓
Shared victim/offender residence	3	
Outdoors	3	
Motor Vehicle	4	
Victim's residence (not offender's)	5	
Offender's residence or other residence	9	
Location other than listed	3	

◆ **Prior Adult Felony/Misdemeanor Arrests for Crimes Against Person** _____

Number: 0 Felonies	1 - 3 Misdemeanors	1	↓
	4+ Misdemeanors	8	
1 Felony	0 - 2 Misdemeanors	5	
	3+ Misdemeanors	8	
2+ Felonies	0 - 3 Misdemeanors	8	
	4+ Misdemeanors	15	

◆ **Prior Incarcerations/Commitments** _____ If YES, add 3 → 0

◆ **Prior Treatment** _____

Prior mental health commitment	0	↓
Prior mental health treatment	2	
Prior alcohol or drug treatment	3	
No prior treatment	4	

Risk Score _____ →

- Risk Level**
(Risk Score)
- 44 or more Level 1
 - 34 - 43 Level 2
 - 28 - 33 Level 3
 - up to 27 No Adjustment

Go to **Section C**

Rape Section C

Offender Name: _____

There is no Section B for this offense.

Primary Offense _____

— Prior Record Classification —
 Category I Category II Other

A. Attempted or conspired forcible rape, forcible sodomy or object sexual penetration			
1 count	60	30	15
B. Forcible rape or object sexual penetration, victim under age 13			
1 - 2 counts	312	208	117
3 counts	882	588	331
C. Forcible sodomy, victim under age 13			
1 - 2 counts	354	236	133
3 counts	882	588	331
D. Forcible rape or object sexual penetration, victim age 13 or older			
1 count	402	268	151
2 counts	882	588	331
E. Forcible sodomy, victim age 13 or older			
1 count	324	216	122
2 counts	882	588	331

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: 10 (years)	5
Life	18

▼

0		
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Additional Offenses Assign points to each additional offense (including counts) and total the points

Maximum Penalty: Less than 2 (years)	0
2, 3	1
4, 5	2
10	5
20	9
30	14
40 or more	18

▼

0		
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Weapon Used, Brandished, Feigned or Threatened _____ If YES, add 39 →

0		
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Victim Injury _____

Threatened or emotional	3
Physical	20
Serious physical	76

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0		
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Prior Felony Sexual Assault Convictions/Adjudications _____

Number of Counts: 1	13
2	26
3 or more	39

▼

0		
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Total Score _____

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

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Rape/Section C

If necessary, on the cover sheet also enter the adjusted high end of the guidelines sentence range based on Risk Level: 1 2 3 or n/a