



# Sentencing Guidelines Cover Sheet

Scheduled Sentencing Date:

Month Day Year

Complete this form ONLY for applicable felonies sentenced on or after July 1, 2013.

## 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
Primary Offense			Month Day Year
Additional Offenses			

Primary Offense Code Section § Docket Number

## 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

## NONVIOLENT RISK ASSESSMENT Section D of Drug, Fraud, and Larceny Worksheets

- Recommended for Alternative Punishment
- NOT Recommended for Alternative Punishment
- Not Applicable (INELIGIBILITY CONDITIONS marked on Section D)
- 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 Remaining 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 A: 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 Remaining 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 (Excludes Traffic)

- 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 A: 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 —		
		<input type="checkbox"/> Category I	<input type="checkbox"/> Category II	<input type="checkbox"/> Other
<i>(scores for attempted/conspired offenses are in parentheses)</i>				
A. Possess Schedule I or II drug or First offender violation	1 count	20	10	5
Attempted, conspired or completed:	2 counts	28	14	7
	3 counts	36	18	9
B. Sell, Distribute, Possession with intent, etc., Schedule I or II drug	1 count	60 (48)	36 (24)	12 (12)
Completed (Attempted or Conspired):	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	1 count	110 (88)	66 (44)	22 (22)
Completed (Attempted or Conspired):	2 counts	310(248)	186(124)	62 (62)
D. Sell, etc., Schedule I or II drug - third or subsequent offense	1 count	175	105	35
Attempted, conspired or completed:	2 counts	390	234	78
E. Manufacture Methamphetamine, first or second offense, § 18.2-248(C1)	1 count	145	87	29
Attempted, conspired or completed:	1 count	60	30	15
F. Sell, etc., Schedule I or II drug to minor	1 count	60	30	15
Attempted, conspired or completed:	1 count	32	16	8
G. Accomodation-Sell, etc., Schedule I or II drug	1 count	32	16	8
Attempted, conspired or completed:	2 counts	40	20	10
H. Sell, etc., imitation Schedule I or II drug	1 count	12	6	3
Attempted, conspired or completed:	2 counts	20	10	5

Score

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## ◆ Primary Offense Remaining 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 D: 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: All other offenses	
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
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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 D: Sell, etc., Sch. I/II 3rd or Subsequent	
Number of Counts	Score
2	9
3	10
4	17
5 or more	20

Primary offense: All other offenses	
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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## ◆ Type of Additional Offense (Score if primary offense is E: Manufacture Methamphetamine § 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 B, C, D, or F: § 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
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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 Drug/Schedule I/II 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 Appendix A of the Guidelines Manual)? .....  Yes  No
- D. Are any of the offenses at sentencing violent (Category I/II listed in Appendix 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.**

## ◆ Offender Age at Time of Offense \_\_\_\_\_

- Younger than 21 years ..... 9
- 21 to 29 years ..... 6
- 30 to 43 years ..... 3
- Older than 43 years ..... 1

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## ◆ Gender \_\_\_\_\_

- Offender is Male ..... 2

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0	
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## ◆ Prior Juvenile Adjudication \_\_\_\_\_

- No prior juvenile adjudication ..... 0
- Female with prior juvenile adjudication ..... 1
- Male with prior juvenile adjudication ..... 7
- Juvenile record unknown

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0	
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## ◆ Prior Adult Felony Convictions \_\_\_\_\_

- Number of Counts: 0 ..... 0
- 1 - 2 ..... 1
- 3 ..... 5
- 4 or more ..... 15

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## ◆ Prior Adult Incarcerations \_\_\_\_\_

- Number: 0 ..... 0
- 1 - 3 ..... 1
- 4 or more ..... 8

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0	
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## ◆ Prior Arrest or Confinement Within Past 12 Months (Prior to Offense) — If YES, add 3 —>

0	
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## Total Score \_\_\_\_\_>

- 15 or less, check Recommended for Alternative Punishment.
- 16 or more, check NOT Recommended for Alternative Punishment.

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Drug/Schedule I or II  
Section D

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



# Additional Offenses Continuation Sheet

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

Offense	Counts	VCC	Offense Date		
			Month	Day	Year
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