Sentencing Guidelines Cover Sheet

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

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 _____

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

Total Time Imposed Before Suspension ..... ☐ **Life Sentence +** Years ☐☐☐ Months ☐☐ Days ☐☐☐

Total Effective 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 ☐☐☐ ☐☐☐ ☐☐☐

Traffic/Felony — Section A

Offender Name: _____

Primary Offense

A. DWI - Third conviction within 5 years (1 count) 1

B. DWI - Third conviction within 10 years (1 count) 1

C. DWI - Fourth or subsequent conviction within 10 years (1 count) 9

D. Habitual Offender: endangerment, second or subsequent, or DWI and declared habitual offender for DWI, involuntary manslaughter (1 count) 9

E. Drive on revoked license after DWI, involuntary manslaughter, or DWI victim permanently impaired (maiming) - endangerment (1 count) 9

F. Drive on revoked license after DWI, involuntary manslaughter, or DWI victim permanently impaired (maiming) and DWI, etc., violation (1 count) 9

G. Drive on revoked license after DWI, involuntary manslaughter, or DWI victim permanently impaired (maiming) - second or subsequent (1 count) 9

H. Hit and run, driver fails to stop and aid victim or hit and run, property damage $1,000 or more
- 1 count 1
- 2 counts 4

I. Disregard police command to stop, endangerment (1 count) 5

J. Driving after forfeiture of license, etc., 3rd offense within 10 Years (1 count) 1

Score → 0

Primary Offense Remaining 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

- Threatened, emotional or physical 1
- Life Threatening 2

→ 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

Primary Offense:
J: Driving, after forfeiture of license

Number	Score
1.	1
2 or more	4

Primary Offense:
All other offenses

If YES, add 4

→ 0

Legally Restrained at Time of Offense

Primary Offense
J: Driving, after forfeiture of license

	Points
Any legal restraint	4

Primary Offense:
All other offenses

	Points
None	0
Other than post-incarceration supervision	2
Post-incarceration supervision	5

→ 0

SCORE THE FOLLOWING FACTOR ONLY IF PRIMARY OFFENSE IS I: DISREGARD POLICE COMMAND TO STOP OR H: HIT AND RUN WITH PROPERTY DAMAGE $1,000 OR MORE (§ 46.2-894, § 46.2-817 (B))

Prior Criminal Traffic Convictions/Adjudications

Primary Offense:
I: Disregard police command to stop

Any prior felony traffic convictions/adjudications
If YES, add 8

Primary Offense:
H: Hit and run with property damage $1,000 or more

Number	Score
0-3 prior criminal misdemeanor traffic conv./adj.	0
4+ prior criminal misdemeanor traffic conv./adj.	1
1+ prior felony traffic convictions/adjudications	2

→ 0

Total Score

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

Traffic/Felony — Section B

Offender Name: _____

Primary Offense

A.	DWI – Third conviction within 5 years (1 count)	10
B.	DWI – Third conviction within 10 years (1 count)	10
C.	Hit and run, driver fails to stop and aid victim (1 count)	10
D.	Hit and run, property damage $1,000 or more (1 count)	8
E.	Disregard police command to stop, endangerment (1 count)	9
F.	Driving after forfeiture of license, etc., 3rd offense within 10 Years (1 count)	9

Score ▼ [ ][ ]

Primary Offense Remaining Counts

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

Years:	
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

Threatened, emotional, or physical	2
Life threatening	3

[0][ ]

Legally Restrained at Time of Offense

If YES, add 1 → [0][ ]

SCORE THE FOLLOWING FACTOR ONLY IF PRIMARY OFFENSE IS C OR D: HIT AND RUN (§ 46.2-894)

Prior Criminal Traffic Convictions/Adjudications

Number:		
0 Felonies:	1 - 4 Misdemeanors	1
	5+ Misdemeanors	2
1+ Felonies:	0 Misdemeanors	1
	1 - 4 Misdemeanors	2
	5+ Misdemeanors	3

[0][ ]

SCORE THE FOLLOWING FACTOR ONLY IF PRIMARY OFFENSE IS F: DRIVING AFTER FORFEITURE OF LICENSE, ETC. - 3RD OFFENSE WITHIN 10 YEARS (§ 18.2-272(A))

Prior Incarcerations/Commitments

If YES, add 2 → [0][ ]

Total Score

→ [ ][ ]

See **Traffic Section B Recommendation Table** to convert score to guidelines sentence.

Traffic/Felony — Section C

Offender Name: _____

Primary Offense

	Prior Record Classification: Category I	Category II	Other
A. DWI - Third conviction within 5 years (1 count)	20	10	5
B. DWI - Third conviction within 10 years (1 count)	20	10	5
C. DWI - Fourth or subsequent conviction within 10 years			
1 count	40	20	10
2 counts	48	24	12
3 counts	68	34	17
D. Habitual offender: endangerment, second or subsequent, or DWI and declared habitual offender for DWI, involuntary manslaughter			
1 count	40	20	10
2 counts	48	24	12
3 counts	68	34	17
E. Drive on revoked license after DWI, involuntary manslaughter, or DWI victim permanently impaired (maiming) - endangerment			
1 count	40	20	10
2 counts	48	24	12
3 counts	68	34	17
F. Drive on revoked license after DWI, involuntary manslaughter, or DWI victim permanently impaired (maiming) and DWI, etc., violation			
1 count	40	20	10
2 counts	48	24	12
3 counts	68	34	17
G. Drive on revoked license after DWI, involuntary manslaughter, or DWI victim permanently impaired (maiming) - second or subsequent			
1 count	40	20	10
2 counts	48	24	12
3 counts	68	34	17
H. Hit and run, driver fails to stop and aid victim or hit and run, property damage $1,000 or more (1 count)	20	10	5
I. Disregard police command to stop, endangerment (1 count)	40	20	10
J. Driving after forfeiture of license, etc., 3rd offense within 10 yrs (1 count)	32	16	8

Score: 0

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

Additional Offenses

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

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

DWI Convictions for Current Event

Primary Offense:	
Habitual offender or Drive on a revoked license with DWI as additional offense	11
DWI fourth offense, Driving after forfeiture of license, etc., 3rd offense within 10 yrs	2
DWI third offense, Hit and run or Disregard command to stop (with DWI as additional offense)	0

Score: 0

Victim Injury

Threatened or emotional	2
Physical	4
Life threatening	5

Score: 0 0

Prior Convictions/Adjudications

Assign points to the 5 most recent and serious prior record events and total the points

Maximum Penalty: (years)	
Less than 20	0
20, 30, 40 or more	1

Score: 0 0

Prior Felony Convictions/Adjudications Against Person

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

Score: 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		

Score: 0

Legally Restrained at Time of Offense

Primary Offense: H: Hit and run (§ 46.2-894)	Primary Offense: All other offenses
If YES, add 4	If YES, add 2

Score: 0 0

SCORE THE FOLLOWING FACTOR ONLY IF PRIMARY OFFENSE IS H: HIT AND RUN (§ 46.2-894)

Prior Criminal Traffic Convictions/Adjudications

Number:		
0 Felonies:	1 - 4 Misdemeanors	4
	5+ Misdemeanors	8
1+ Felonies:	0 Misdemeanors	4
	1 - 4 Misdemeanors	8
	5+ Misdemeanors	12

Total Score

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