



# 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



# Assault Section A

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

## ◆ Primary Offense \_\_\_\_\_ (scores for attempted/conspired offenses are in parentheses)

- A. Assault and battery against a family member, third or subsequent conviction (1 count) ..... 2
- B. Assault and battery against a law enforcement officer, fire or medical services, etc. (1 count) ..... 6
- C. Any attempted or conspired assault and battery or unlawful injury (1 count) ..... (1)
- D. Unlawful injury to law enforcement officer, fire/rescue personnel services, etc. (1 count) ..... 7
- E. Any other unlawful injury
  - 1 count ..... 1
  - 2 counts ..... 3
- F. Any attempted or conspired malicious injury or aggravated malicious injury (1 count) ..... (3)
- G. Aggravated malicious injury (1 count) ..... 7
- H. Malicious injury to a law enforcement officer, fire or medical services, etc. (1 count) ..... 7
- I. Any other malicious injury (1 count) ..... 7
- J. Use of firearm in the commission of a felony (1 count) ..... 4
- K. DWI with reckless disregard, victim permanently impaired
  - 1 count ..... 1
  - 2 counts ..... 3

**Score**

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## ◆ Primary Offense Remaining Counts Total the maximum penalties for counts of the primary not scored above

- |                     |   |                  |   |
|---------------------|---|------------------|---|
| Years: 3 - 10 ..... | 1 | 24 - 31 .....    | 4 |
| 11 - 17 .....       | 2 | 32 - 39 .....    | 5 |
| 18 - 23 .....       | 3 | 40 or more ..... | 6 |

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## ◆ Additional Offenses Total the maximum penalties for additional offenses, including counts

**Primary offense:**  
K: DWI with Reckless Disregard

Years	Points
Less than 2 .....	0
2 - 17 .....	2
18 - 23 .....	3
24 - 31 .....	4
32 - 39 .....	5
40 or more .....	6

**Primary offense:**  
All other offenses

Years	Points
Less than 2 .....	0
2 - 10 .....	1
11 - 17 .....	2
18 - 23 .....	3
24 - 31 .....	4
32 - 39 .....	5
40 or more .....	6

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## ◆ Weapon Used \_\_\_\_\_

- None ..... 0
- Automobile, simulated weapon or other than firearm ..... 1
- Firearm ..... 2

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## ◆ Life Threatening Injury \_\_\_\_\_ If YES, add 2 →

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## ◆ Prior Convictions/Adjudications Total the maximum penalties for the 5 most recent and serious prior record events

**Primary offense:**  
K: DWI with Reckless Disregard

Years	Points
Less than 1 .....	0
1 - 46 .....	2
47 or more .....	3

**Primary offense:**  
All other offenses

Years	Points
Less than 7 .....	0
7 - 23 .....	1
24 - 46 .....	2
47 or more .....	3

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## ◆ Prior Incarcerations/Commitments \_\_\_\_\_ If YES, add 2 →

0	
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## ◆ Prior Juvenile Record \_\_\_\_\_ If YES, add 2 →

0	
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## ◆ Legally Restrained at Time of Offense \_\_\_\_\_

- None ..... 0
- Other than post-incarceration supervision ..... 3
- Post-incarceration supervision (supervision after active incarceration) ..... 5

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**SCORE THE FOLLOWING FACTOR ONLY IF PRIMARY OFFENSE AT CONVICTION IS A:  
ASSAULT & BATTERY AGAINST A FAMILY MEMBER - § 18.2-57.2(B)**

## ◆ Type of Prior Felony Person Convictions/Adjudications \_\_\_\_\_

- None ..... 0
- Assault and battery against a family member, third or subsequent (§18.2-57.2(B)) ..... 3
- Other person felony ..... 4

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## Total Score \_\_\_\_\_

If total is 5 or less, go to **Section B**. If total is 6 or more, go to **Section C**.

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# Assault Section B

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

◆ **Victim Injury** \_\_\_\_\_

	<b>Score</b> ▼		
Threatened, emotional, or physical .....	2		
Life Threatening .....	4		
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◆ **Additional Offenses** Total the maximum penalties for additional offenses, including counts \_\_\_\_\_

	▼		
Years: Less than 5 .....	1		
5 or more .....	2		
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◆ **Weapon Used or Brandished** \_\_\_\_\_ **If YES, add 2** →

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◆ **Prior Convictions/Adjudications** Total the maximum penalties for the 5 most recent and serious prior record events \_\_\_\_\_

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Years: Less than 5 .....	0		
5 - 18 .....	1		
19 - 38 .....	2		
39 or more .....	3		
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◆ **Prior Juvenile Record** \_\_\_\_\_ **If YES, add 3** →

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**SCORE THE FOLLOWING FACTORS ONLY IF PRIMARY OFFENSE AT CONVICTION IS  
ASSAULT & BATTERY AGAINST A FAMILY MEMBER - § 18.2-57.2(B)**

◆ **Prior Incarcerations/Commitments** \_\_\_\_\_

	▼		
Number: 1 .....	1		
2 .....	3		
3 or more .....	5		
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◆ **Prior Misdemeanor Convictions/Adjudications** (Excludes Traffic) \_\_\_\_\_

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Number of Counts: 1 - 2 .....	0		
3 - 5 .....	1		
6 - 8 .....	2		
9 or more .....	3		
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**Total Score** \_\_\_\_\_ →  
See Assault Section B Recommendation Table to convert score to guidelines sentence.

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Assault/ Section B

# Assault Section C

Offender Name: \_\_\_\_\_  
 \_\_\_\_\_ Prior Record Classification \_\_\_\_\_

◆ **Primary Offense**  Category I  Category II  Other  
*(scores for attempted/conspired offenses are in parentheses)*

A. Assault and battery against a family member, third or subsequent conviction (1 count) .....	28	14	7
B. Assault and battery against a law enforcement officer, fire or medical services, etc. (1 count) .	32	16	8
C. Unlawful injury (1 count) .....	32	16	8
D. Any attempted or conspired malicious injury (1 count) .....	(68)	(34)	(17)
E. Any completed malicious injury			
1 count .....	102	68	34
2 counts .....	120	80	40
3 counts .....	204	136	68
F. Aggravated malicious injury (1 count) .....	264	176	88
G. Use of firearm in the commission of a felony - first offense (1 count) .....	32	32	32
H. Use of firearm in the commission of a felony - subsequent offense (1 count) .....	56	56	56
I. DWI with reckless disregard, Victim permanently impaired (1 count) .....	48	24	12

**Score**

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◆ **Primary Offense Remaining Counts** Assign points to each count of the primary not scored above and total the points

Primary offense:

D, E, F, G, or H: All malicious wounding or use of a firearm

Maximum Penalty (years)	Points
3 .....	2
5 .....	3
10 .....	6
20 .....	13
30 .....	19
Life .....	26

Primary offense:

A, B, C, or I: Unlawful injury, any assault and battery or DWI

Maximum Penalty (years)	Points
5 .....	3
10 .....	5

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

Primary offense:

D, E, F, G, or H: All malicious wounding or use of a firearm

Maximum Penalty (years)	Points
Less than 1 .....	0
1, 2 .....	1
3 .....	2
4, 5 .....	3
10 .....	6
20 .....	13
30 .....	19
40 or more .....	26

Primary offense:

A, B, C, or I: Unlawful injury, any assault and battery or DWI

Maximum Penalty (years)	Points
Less than 1 .....	0
1, 2 .....	1
3, 4 .....	2
5 .....	3
10 .....	5
20 .....	11
30 .....	16
40 or more .....	22

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◆ **Weapon Used**

Primary offense:

D, E, F, G, or H: All malicious wounding or use of a firearm

Simulated weapon or other than listed below .....	0
Knife or firearm .....	4

Primary offense:

A, B, C, or I: Unlawful injury, any assault and battery or DWI

Simulated weapon or other than listed below .....	0
Knife .....	2
Firearm .....	3

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◆ **Number of Victims Receiving Life Threatening Injury**

Primary offense:

D, E, F, G, or H: All malicious wounding or use of a firearm

Number	Score
1 .....	14
2 .....	70
3 or more .....	85

Primary offense:

A, B, C, or I: Unlawful injury, any assault and battery or DWI

Number	Score
1 or more .....	3

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◆ **Prior Convictions/Adjudications** Assign points to the 5 most recent and serious prior record events and total the points

Primary offense:

D, E, F, G, or H: All malicious wounding or use of a firearm

Maximum Penalty (years)	Points
Less than 5 .....	0
5, 10 .....	1
20 .....	2
30 .....	3
40 or more .....	4

Primary offense:

A, B, C, or I: Unlawful injury, any assault and battery or DWI

Maximum Penalty (years)	Points
Less than 4 .....	0
4, 5, 10 .....	1
20 .....	3
30 .....	4
40 or more .....	6

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◆ **Prior Felony Convictions/Adjudications Against Person**

Primary offense:

D, E, F, G, or H: All malicious wounding or use of a firearm

Number	Score
1 .....	6
2 .....	12
3 or more .....	18

Primary offense:

A, B, C, or I: Unlawful injury, any assault and battery or DWI

Do Not Score

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◆ **Legally Restrained at Time of Offense**

Primary offense:

D, E, F, G, or H: All malicious wounding or use of a firearm

If YES, add 6

Primary offense:

A, B, C, or I: Unlawful injury, any assault and battery or DWI

If YES, add 2

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0	0	
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**Total Score**

See Assault Section C Recommendation Table for guidelines sentence range.

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