Sentencing Guidelines Cover Sheet

Complete this form ONLY for applicable felonies sentenced on or after **July 1, 2014.**

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**

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

Final Disposition

Fill In After Sentence Has Been Pronounced

SENTENCE

		Years	Months	Days
Total Time Imposed Before Suspension	☐ **Life Sentence +**			
Total Effective Time to Serve	☐ **Life Sentence +**			

☐ Sentenced to Time Served

Post Release

	Years	Months	Days
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 (Rule 3A:8(c) (1) (A) or (C))
- ☐ Plea and Recommendation Accepted (Rule 3A:8 (c) (1) (B))
- ☐ 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

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 ▼ [ ]

Primary Offense Remaining Counts

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

Years:
- 5 - 10 1
- 11 - 21 2
- 22 - 30 3
- 31 - 42 4
- 43 or more 5

[0]

Additional Offenses

Total the maximum penalties for additional offenses, including counts

Years:
- Less than 4 0
- 4 - 10 1
- 11 - 21 2
- 22 - 30 3
- 31 - 42 4
- 43 or more 5

[0]

Knife or Firearm in Possession at Time of Offense

If YES, add 2 → [0]

Conviction in Current Event Requiring Mandatory Minimum Term (6 mos or more)

If YES, add 9 → [0]

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]

Prior Incarcerations/Commitments

If YES, add 2 → [0]

Prior Felony Drug Convictions/Adjudications

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

[0]

Prior Juvenile Record

If YES, add 1 → [0]

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]

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 → [0]

For Possession, Possession with Intent, Distribution, Manufacture or Sale of Schedule I or II Drug, etc.

Total Score

[ ]

If total is 10 or less, go to **Section B**. If total is 11 or more, go to **Section C**.

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

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

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

Knife or Firearm in Possession at Time of Offense

If YES, add 2 → 0

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

Prior Misdemeanor Convictions/Adjudications (Excludes Traffic)

Number of Counts:
- 1 - 4 1
- 5 - 9 2
- 10 or more 3

→ 0

Prior Incarcerations/Commitments

If YES, add 1 → 0

Prior Juvenile Record

If YES, add 1 → 0

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

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

For Possession, Possession with Intent, Distribution, Manufacture or Sale of Schedule I or II Drug, etc.

If YES, add 2 → 0

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.

Drug/Schedule I/II — Section C

Offender Name: _____

Primary Offense

Prior Record Classification: ☐ Category I ☐ Category II ☐ Other

(scores for attempted/conspired offenses are in parentheses)

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

Score ▼ ☐☐☐

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 → ☐☐☐

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

☐☐☐

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 → 0 ☐☐

Firearm in Possession at Time of Offense

If YES, add 5 → 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 5 ..... 0; 5, 10 ..... 1; 20 ..... 2; 30 ..... 3; 40 or more ..... 4 → 0 ☐☐

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 ☐☐

Prior Felony Convictions/Adjudications Against Person

Number of Counts: 1 ..... 3; 2 ..... 6; 3 ..... 9; 4 or more ..... 12 → 0 ☐☐

Prior Felony Property Convictions/Adjudications

Number of Counts: 1,2 ..... 1; 3 ..... 2; 4 or more ..... 3 → 0 0 ☐

Prior Juvenile Record

If YES, add 1 → 0 0 ☐

Legally Restrained at Time of Offense

If YES, add 3 → 0 0 ☐

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 ☐☐

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 → 0 ☐☐

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.

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

Gender

Offender is Male 2

0

Prior Juvenile Adjudication

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

0

Prior Adult Felony Convictions

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

Prior Adult Incarcerations

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

0

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

0

Total Score

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

Drug/Schedule I or II Section D

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