



# Sentencing Guidelines Cover Sheet

Scheduled Sentencing Date:

Grid for Scheduled Sentencing Date

Complete this form ONLY for applicable felonies sentenced on or after July 1, 2016.

## OFFENDER

First \_\_\_\_\_ Middle \_\_\_\_\_ Last \_\_\_\_\_ Suffix \_\_\_\_\_

Date of Birth: [Month] [Day] [Year]

Social Security Number: [Grid]

CCRE: [V] [A] [Grid] CORIS Offender ID: [Grid] PSI #: [Grid]

## COURT

Judicial Circuit [Grid] City/County \_\_\_\_\_ FIPS Code: [Grid]

Sentencing Judge's Name \_\_\_\_\_ [Grid] 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	[Grid]	[Grid]	[Grid]
Additional Offenses	[Grid]	[Grid]	[Grid]
	[Grid]	[Grid]	[Grid]

Primary Offense Code Section § \_\_\_\_\_ Docket Number \_\_\_\_\_

## METHOD OF ADJUDICATION

- Jury Trial Sentence Set by Jury: [Grid] [Grid] [Grid]  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 [Grid] [Grid]

Sentence Range [Grid] [Grid] [Grid] [Grid] [Grid] [Grid] [Grid] [Grid] TO [Grid] [Grid] [Grid] [Grid] [Grid] [Grid] [Grid] [Grid]

Recommendation Adjusted for Mandatory Minimum



# Miscellaneous/Person & Property Section A

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

## ◆ Primary Offense

A. Burn unoccupied dwelling/church (1 count) .....	6
B. Burn occupied dwelling/church (1 count) .....	6
C. Burning of personal property, standing grain, etc., value \$200 or more	
1 count .....	2
2 counts .....	6
D. Threatening to bomb, burn or explode (1 count) .....	1
E. Threat by letter, communication or electronic message (1 count) .....	3
F. Child neglect/abuse, serious injury	
1 count .....	3
2 counts .....	7
G. Gross, reckless care of child (1 count) .....	1
H. Cruelty and injury to child (1 count) .....	2
I. Maliciously shoot, throw missile at train, car, etc. (1 count) .....	1
J. Damage/destroy any property or monument \$1,000 or more (1 count) .....	2

Score

0	
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## ◆ 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	
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## ◆ 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	
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## ◆ Victim Injury

Primary offense:

F, G, or H: Offenses with VCC prefix "FAM"		Points
Threatened, emotional, or physical .....	2	
Life threatening .....	5	

Primary offense:

All other offenses		Points
Threatened, emotional, or physical .....	1	
Life threatening .....	2	

0	
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## ◆ Conviction in Current Event Requiring Mandatory Minimum Term (6 mos or more) If YES, add 8

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 2 .....	0
2 - 38 .....	1
39 or more .....	2

0	
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## ◆ Prior Incarcerations/Commitments

If YES, add 4

0	
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## ◆ Legally Restrained at Time of Offense

Primary offense:

J: Damage/Destroy property \$1,000 or more		Points
Any legal restraint .....	1	

Primary offense:

All other offenses		Points
None .....	0	
Other than post-incarceration supervision .....	2	
Post-incarceration supervision .....	5	

0	
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**SCORE THE FOLLOWING FACTOR ONLY IF PRIMARY OFFENSE IS J: DAMAGE/DESTROY TO PROPERTY \$1,000 OR MORE**

## ◆ Prior Vandalism Convictions/Adjudications

Misdemeanor vandalism .....	1
Felony vandalism .....	2
Both felony and misdemeanor vandalism .....	3

0	
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## Total Score

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

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# Miscellaneous/Person & Property ❖ Section B

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

## ◆ Primary Offense

- A. Burn unoccupied dwelling/church (1 count) ..... 6
- B. Burn occupied dwelling/church (1 count) ..... 7
- C. Burning of personal property, standing grain, etc., value \$200 or more (1 count) ..... 6
- D. Threatening to bomb, burn or explode (1 count) ..... 6
- E. Threat by letter, communication or electronic message (1 count) ..... 7
- F. Child neglect/abuse, serious injury (1 count) ..... 3
- G. Gross, reckless care of child (1 count) ..... 2
- H. Cruelty and injury to child (1 count) ..... 2
- I. Maliciously shoot, throw missile at train, car, etc. (1 count) ..... 7
- J. Damage/destroy any property or monument \$1,000 or more (1 count) ..... 8

Score

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

Primary offense:

J: Damage/Destroy property \$1,000 or more

Years	Points
5 - 9 .....	1
10 - 19 .....	2
20 - 29 .....	3
30 - 39 .....	4
40 or more .....	5

Primary offense:

All other offenses

Years	Points
5 - 9 .....	2
10 - 19 .....	3
20 - 29 .....	4
30 - 39 .....	5
40 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 - 29 ..... 4
- 30 - 39 ..... 5
- 40 or more ..... 6

0	
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## ◆ Victim Injury

Primary offense:

F,G or H: Offenses with VCC prefix "FAM"

Points
Threatened, emotional, or physical ..... 9
Life threatening ..... 10

Primary offense:

All other offenses

Points
Threatened, emotional, or physical ..... 2
Life threatening ..... 3

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## ◆ Legally Restrained at Time of Offense

If YES, add 1 →

0	
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**SCORE THE FOLLOWING FACTOR ONLY IF PRIMARY OFFENSE IS J: DAMAGE/DESTROY TO PROPERTY \$1,000 OR MORE**

## ◆ Prior Incarcerations/Commitments

If YES, add 1 →

0	
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## Total Score

See Miscellaneous/Person & Property Section B Recommendation Table to convert score to guidelines sentence.

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# Miscellaneous/Person & Property

## Section C

◆ **Primary Offense** \_\_\_\_\_ **Prior Record Classification**  **Category I**  **Category II**  **Other**  
(scores for attempted/conspired offenses are in parentheses)

A. Burn unoccupied dwelling/church (1 count) .....	68	34	17
B. Burn occupied dwelling/church			
Completed: 1 count .....	108	54	27
2 counts .....	200	100	50
Attempted or conspired: 1 count .....	(68)	(34)	(17)
2 counts .....	(72)	(36)	(18)
C. Burning of personal property, standing grain, etc., value \$200 or more (1 count) .....	32	16	8
D. Threatening to burn, bomb or explode (1 count) .....	32	16	8
E. Threat by letter, communication or electronic message (1 count) .....	40	20	10
F. Child neglect/abuse, serious injury (1 count) .....	32	16	9
G. Gross, reckless care of child (1 count) .....	28	14	7
H. Cruelty and injury to child (1 count) .....	28	14	7
I. Maliciously shoot, throw missile at train, car, etc. (1 count) .....	32	16	8
J. Damage/destroy any property or monument \$1,000 or more (1 count) .....	32	16	8

**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: 5, 10, 20, 30, 40 .....	1
(years) Life .....	5

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

Primary offense:	
B: Burn <u>occupied</u> dwelling/church	
Years	Points
Less than 5 .....	0
5,10 .....	3
20 .....	6
30 .....	9
40 or more .....	12

Primary offense:	
All other offenses	
Years	Points
Less than 5 .....	0
5,10 .....	1
20 .....	2
30 .....	3
40 or more .....	5

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◆ **Firearm Used or Brandished** \_\_\_\_\_ If YES, add 2 →

0	0	
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◆ **Victim Injury** \_\_\_\_\_

Primary offense:	
F,G, or H: Offenses with VCC prefix "FAM"	
	Points
Threatened or emotional .....	6
Physical .....	7
Life threatening .....	10

Primary offense:	
All other offenses	
	Points
Threatened or emotional .....	2
Physical .....	4
Life threatening .....	5

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 20 .....	0
(years) 20, 30, 40 or more .....	1

0	0	
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◆ **Prior Felony Convictions /Adjudications Against Person** \_\_\_\_\_

Primary offense:	
B: Burn <u>occupied</u> dwelling/church	
Number of Counts	Points
1 .....	3
2 .....	4
3 .....	6
4 or more .....	8

Primary offense:	
All other offenses	
Number of Counts	Points
1 .....	1
2 .....	2
3 .....	3
4 .....	4
5 or more .....	5

0	0	
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◆ **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		

0		
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◆ **Legally Restrained at Time of Offense** \_\_\_\_\_ If YES, add 2 →

0	0	
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**SCORE THE FOLLOWING FACTOR ONLY IF PRIMARY OFFENSE IS B: BURN OCCUPIED DWELLING/CHURCH (§ 18.2-77(A,I))**

◆ **Type of Additional Offense** \_\_\_\_\_

Additional offense with VCC Prefix "MUR" ..... 133

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**Total Score** \_\_\_\_\_

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

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