Sentencing Guidelines Cover Sheet

Complete this form ONLY for applicable felonies sentenced on or after **July 1, 201*.**

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

		Years	Months	Days
Total Time <u>Imposed</u> Before Suspension .... ☐ **Life Sentence +**		▢▢▢	▢▢	▢▢
Total <u>Effective</u> 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 (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
▢▢▢ ▢▢▢ ▢▢▢

Murder/Homicide ❖ Section A

◆ **Primary Offense** ———————————————————— *(scores for attempted/conspired offenses are in parentheses)*

   A. First degree murder   Completed: 1 count...9
                                 Attempted or conspired: 1 count...(8)

   B. Second degree murder or felony homicide
                               Completed: 1 count..8
               Attempted or conspired: 1 count...(4)

   C. Voluntary manslaughter
            Attempted, conspired or completed: 1 count..5

   D. Involuntary manslaughter
                                 Completed: 1 count..1
                                        2 counts...3
               Attempted or conspired: 1 count...(1)
   E. Involuntary manslaughter-vehicular 1 count...8
   F. Aggravated vehicular manslaughter 1 count...8

Score

`0` `☐`

◆ **Primary Offense Remaining Counts** <u>Total</u> the maximum penalties for counts of the primary not scored above ———

      Years: 5 - 17...5
                  18 - 27..6
                  28 - 37..7
                  38 or more..8

`0` `☐`

◆ **Additional Offenses** <u>Total</u> the maximum penalties for additional offenses, including counts ———

      Years: Less than 1...0
                  1 - 7 4
                  8 - 17..5
                  18 - 27...6
                  28 - 37...7
                  38 or more..8

`0` `☐`

◆ **Weapon Used** ————————————————————————————

            None 0
            Automobile, simulated weapon or other than listed below...........................4
            Knife or firearm 5

`0` `☐`

◆ **Conviction in Current Event Requiring Mandatory Minimum Term** (6 mos or more) If YES, add 7 ⟶ `0` `☐`

◆ **Prior Convictions/Adjudications** <u>Total</u> the maximum penalties for the **5 most recent and serious prior record events**

      Years: Less than 1...0
                  1 - 12..1
                  13 - 28...2
                  29 - 42...3
                  43 or more..4

`0` `☐`

———

**SCORE THE FOLLOWING ONLY IF PRIMARY OFFENSE AT CONVICTION IS
E OR F: INVOLUNTARY MANSLAUGHTER <u>WITH A VEHICLE</u> (§ 18.2-36.1(A) OR (B))**

◆ **Prior Criminal Traffic Misdemeanor Convictions/Adjudications** ———————

    Number   1 2
  of Counts: 2 4
               3 5
               4 6
               5 or more..7

`0` `☐`

Total Score ———————————————⟶ `☐` `☐`

If total is 7 or less, the guidelines sentence is **Probation/No Incarceration or
Incarceration to 6 Months.** If total is 8 or more, go to Section C.

Murter/Homicide ❖ Section C

Prior Record Classification
☐ Category I   ☐ Category II   ☐ Other

◆ Primary Offense

(scores for attempted/conspired offenses are in parentheses)

A. First degree murder
Completed: 1 count .... Life 596 335
2 counts .... Life 652 367
Attempted or conspired: 1 count .... (120) .... (118) .... (59)

B. Second degree murder or felony homicide
Completed: 1 count .... 354 .... 236 205
Attempted or conspired: 1 count .... (120) .... (118) .... (59)

C. Voluntary manslaughter
Completed: 1 count .... 120 .... 96 48
2 counts .... 180 .... 120 60
Attempted or conspired: 1 count .... (60) .... (48) .... (24)
2 counts .... (96) .... (48) .... (24)

D. Involuntary manslaughter
Completed: 1 count .... 76 .... 38 19
Attempted or conspired: 1 count .... (60) .... (38) .... (19)

E. Vehicular Involuntary manslaughter
Completed: 1 count .... 80 .... 40 20
2 counts .... 232 .... 116 58
3 counts .... 320 .... 160 80
Attempted or conspired: 1 count .... (60) .... (38) .... (19)

F. Aggravated vehicular manslaughter 1 count .... 213 .... 142 71

Score

or

☐ **Life**

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

Primary offense:
A. Completed first degree murder

Maximum Penalty (years)	Points
Life	34

Primary offense: All other offenses

Maximum Penalty (years)	Points
5	5
10	11
20	21
40	42

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

Primary offense:
A. Completed first degree murder

Maximum Penalty (years)	Points
Less than 1	0
1	1
2	2
3	3
4	3
5	4
10	9
20	17
30	26
40 or more	34

Primary offense: All other offenses

Maximum Penalty (years)	Points
Less than 1	0
1	1
2	2
3	3
4	4
5	5
10	11
20	21
30	32
40 or more	42

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

Primary offense:
A. Completed first degree murder

Maximum Penalty (years)	Points
Less than 1	0
1, 2	1
3	2
4, 5	3
10	7
20	14
30	20
40 or more	27

Primary offense: All other offenses

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

◆ Weapon Used, Brandished, Feigned or Threatened

Primary offense:
A. Completed first degree murder
If YES, add 32

Primary offense: All other offenses
Do Not Score

0

◆ Legally Restrained at Time of Offense

Primary offense:
A. Completed first degree murder
If YES, add 13

Primary offense: All other offenses
If YES, add 2

0

SCORE THE FOLLOWING ONLY IF PRIMARY OFFENSE AT CONVICTION IS
E: INVOLUNTARY MANSLAUGHTER WITH A VEHICLE (§ 18.2-36.1(A))

◆ Type of Additional Offense

Additional offense of felony Hit and Run (§ 46.2-894) or
Victim Permanently Impaired, DWI (§ 18.2-51.4(A)) 37

0

Total Score

See **Murder/Homicide Section C Recommendation Table** for guidelines sentence range.

Murder/Homicide/Section C

◆ Additional Offenses Continuation Sheet

Offender Name: _____

Offense	Counts	VCC	Offense Date
			Month Day Year
_____		⌷⌷⌷⌷ - ⌷⌷⌷⌷ - ⌷⌷⌷	⌷⌷ / ⌷⌷ / ⌷⌷
_____		⌷⌷⌷⌷ - ⌷⌷⌷⌷ - ⌷⌷⌷	⌷⌷ / ⌷⌷ / ⌷⌷
_____		⌷⌷⌷⌷ - ⌷⌷⌷⌷ - ⌷⌷⌷	⌷⌷ / ⌷⌷ / ⌷⌷
_____		⌷⌷⌷⌷ - ⌷⌷⌷⌷ - ⌷⌷⌷	⌷⌷ / ⌷⌷ / ⌷⌷
_____		⌷⌷⌷⌷ - ⌷⌷⌷⌷ - ⌷⌷⌷	⌷⌷ / ⌷⌷ / ⌷⌷
_____		⌷⌷⌷⌷ - ⌷⌷⌷⌷ - ⌷⌷⌷	⌷⌷ / ⌷⌷ / ⌷⌷
_____		⌷⌷⌷⌷ - ⌷⌷⌷⌷ - ⌷⌷⌷	⌷⌷ / ⌷⌷ / ⌷⌷
_____		⌷⌷⌷⌷ - ⌷⌷⌷⌷ - ⌷⌷⌷	⌷⌷ / ⌷⌷ / ⌷⌷
_____		⌷⌷⌷⌷ - ⌷⌷⌷⌷ - ⌷⌷⌷	⌷⌷ / ⌷⌷ / ⌷⌷
_____		⌷⌷⌷⌷ - ⌷⌷⌷⌷ - ⌷⌷⌷	⌷⌷ / ⌷⌷ / ⌷⌷
_____		⌷⌷⌷⌷ - ⌷⌷⌷⌷ - ⌷⌷⌷	⌷⌷ / ⌷⌷ / ⌷⌷