

Sentencing Guidelines Cover sheet

Scheduled Sentencing Date:

 / /

Complete this form ONLY for applicable felonies sentenced on or after July 1, 2017.

◆ OFFENDER

First _____ Middle _____ Last _____ Suffix _____

Date of Birth: / /
Month Day YearSocial Security Number: - - CCRE: V A

CORIS

Offender ID: PSI:

◆ COURT

Judicial Circuit

City/County _____

FIPS Code:

Sentencing Judge's Name _____

For Office Use OnlyPreparer Name _____ Commonwealth's Attorney Probation Officer

Prosecuting Commonwealth's Attorney _____ Defense Attorney _____

◆ CONVICTIONS

Offense

Primary Offense _____

Additional Offenses _____

Counts

VCC

 - - - - - -

Offense Date

Month Day Year / / / / / /

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** Non Guidelines Offense
(Primary offense is a non guidelines offense)

◆ Final Disposition Fill In After Sentence Has Been Pronounced

◆ SENTENCE

Total Time Imposed Before Suspension Life Sentence +

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Total Effective Time to Serve Life Sentence +

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 Sentenced to Time Served

Post Release

Post Release Term § 18.2-10

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Post Release Supervision Period § 19.2-295.2(A).....

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Probation Period (Supervised) § 19.2-303 Indefinite

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Good Behavior Period _____
Years Months Days

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)

- | | | | | | | | | |
|--|---|--|--|--|--|--|--|--|
| <ul style="list-style-type: none"> <input type="checkbox"/> Day Reporting <input type="checkbox"/> Detention Center Incarceration <input type="checkbox"/> Diversion Center Incarceration <input type="checkbox"/> Electronic Monitoring <input type="checkbox"/> § 18.2-251/§ 18.2-258.1 <input type="checkbox"/> Substance Abuse Treatment <input type="checkbox"/> Intensive Probation | <ul style="list-style-type: none"> <input type="checkbox"/> Community-Based Program _____ <input type="checkbox"/> CCAP Detention/Diversion Center Incarceration, 22-28 weeks <input type="checkbox"/> CCAP Detention/Diversion Center Incarceration, 42-48 weeks <input type="checkbox"/> Drug Court <input type="checkbox"/> Youthful Offender <i>(Enter 4 yrs. to serve)</i> <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td></tr></table> <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td></tr></table>
<small>Office Use Only</small> <input type="checkbox"/> DJJ Commitment <input type="checkbox"/> Indeterminate <input type="checkbox"/> Determinate <input type="checkbox"/> Other _____ | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

◆ REASON FOR DEPARTURE AND/OR MODIFICATION OF JURY SENTENCE

Must be completed pursuant to § 19.2-298.01(B) and/or § 19.2-295(B) / § 19.2-303

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◆ SENTENCING DATE

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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

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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**.

0	
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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
▼
[] [] []

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

[] [] []

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

Primary offense:	
B: Burn occupied 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

[] [] []

Firearm Used or Brandished _____ If YES, add 2 → [0] [0] []

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] [] []

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] []

Prior Felony Convictions /Adjudications Against Person _____

Primary offense:	
B: Burn occupied 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] []

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] [] []

Legally Restrained at Time of Offense _____ If YES, add 2 → [0] [0] []

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 [] [] []

Total Score _____ [] [] [] []

See Miscellaneous Section C Recommendation Table for guidelines sentence range.