

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 +

Years

Months

Days

Total Effective Time to Serve Life Sentence +

Years

Months

Days

Sentenced to Time Served

Post Release

Post Release Term § 18.2-10

Years

Months

Days

Post Release Supervision Period § 19.2-295.2(A)

Years

Months

Days

Probation Period (Supervised) § 19.2-303 Indefinite

Years

Months

Days

Good Behavior Period (§ 19.2-306) _____
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"/> Intensive Probation <input type="checkbox"/> § 18.2-251/§ 18.2-258.1 <input type="checkbox"/> Substance Abuse Treatment | <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 <input type="checkbox"/> DJJ Commitment <input type="checkbox"/> Indeterminate <input type="checkbox"/> Determinate <input type="checkbox"/> Other _____ |
|--|---|

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Other	CBP

◆ 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

Month

.

Day

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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

Miscellaneous/Other Section A Offender Name: _____

◆ Primary Offense _____

A. Perjury, falsely swear an oath (1 count)	1
B. Nonviolent sex offender, fail to register, etc., 2nd/subsequent (1 count)	2
C. Violent sex offender, fail to register or provide false information (1 count)	2
D. Violent sex offender, fail to register, etc., 2nd/subsequent (1 count)	2
E. Failure to appear in court for felony offense	
1 count	1
2 counts	4
F. Escape from correctional facility (1 count)	7
G. Possession or sale of Schedule III drug or marijuana by prisoner (1 count)	3
H. Participation in offense by/for gang (1 count)	5
I. Participation in offense by/for gang with juvenile member (1 count)	6

Score

0

◆ 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

◆ 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

◆ Victim Injury _____

Threatened, emotional or physical	1
Life Threatening	2

0

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

0

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

Primary offense: B, C, or D: Sex offender registry violation	
Years	Points
Less than 6	0
6-64	1
65 or more	2

Primary offense: All other offenses	
Years	Points
Less than 2	0
2-38	1
39 or more	2

0

◆ Prior Incarcerations/Commitments _____ If YES, add 4 →

0

◆ Legally Restrained at Time of Offense _____

Primary offense: B, C, or D: Sex offender registry violation	
Any legal restraint	Points
.....	1

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

0

SCORE THE FOLLOWING FACTOR ONLY IF PRIMARY OFFENSE IS H OR I: GANG OFFENSE (§ 18.2-46.2)

◆ Type of Additional or Prior Record Convictions/Adjudications

Violent Additional or Prior Record Convictions/Adjudications _____ If YES, add 2 →

0

Total Score _____

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

Miscellaneous/Other ❖ **Section B** Offender Name: _____

◆ **Primary Offense** _____

A. Perjury, falsely swear an oath (1 count)	7
B. Nonviolent sex offender, fail to register, etc., 2nd/subsequent (1 count)	7
C. Violent sex offender, fail to register or provide false information (1 count)	8
D. Violent sex offender, fail to register, etc., 2nd/subsequent (1 count)	9
E. Failure to appear in court for felony offense (1 count)	10
F. Escape from correctional facility (1 count)	10
G. Possession or sale of Schedule III drug or marijuana by prisoner (1 count)	7
H. Participation in offense by/for gang (1 count)	7
I. Participation in offense by/for gang with juvenile member (1 count)	8

Score
▼

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

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

◆ **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

◆ **Victim Injury** _____

Threatened, emotional or physical	2
Life threatening	3

◆ **Legally Restrained at Time of Offense** _____ If YES, add 1 →

SCORE THE FOLLOWING FACTOR ONLY IF PRIMARY OFFENSE IS B,C, OR D: SEX OFFENDER REGISTRY VIOLATION (§ 18.2-472.1)

◆ **Prior Incarcerations/Commitments** _____ If YES, add 1 →

SCORE THE FOLLOWING FACTOR ONLY IF PRIMARY OFFENSE IS H OR I: GANG OFFENSE (§ 18.2-46.2)

◆ **Type of Additional/Prior Record Offense(s)** Score factors and enter the total score

A. Additional Offense of Assault (Felony or Misdemeanor)	1	<input style="width: 30px; height: 20px; border: 1px solid black;" type="text"/>
B. Prior Juvenile Felony Person Adjudication	1	<input style="width: 30px; height: 20px; border: 1px solid black;" type="text"/>

+
= Enter A + B
Total

Total Score _____ →

See **Miscellaneous/Other Section B Recommendation Table** to convert score to guidelines sentence.

Miscellaneous/Other Section C Offender Name: _____

____ Prior Record Classification ____

Category I Category II Other

Primary Offense _____

A. Perjury, falsely swear an oath (1 count)	12	6	3
B. Nonviolent sex offender, fail to register, etc., 2nd/subsequent (1 count)	8	4	2
C. Violent sex offender, fail to register or provide false info. (1 count)	8	4	2
D. Violent sex offender, fail to register, etc., 2nd/subsequent (1 count)	16	8	4
E. Failure to appear in court for felony offense (1 count)	32	16	8
F. Escape from correctional facility (1 count)	40	20	10
G. Possession or sale of Schedule III drug or marijuana by prisoner (1 count)	32	16	8
H. Participation in offense by/for gang (1 count)	84	42	21
I. Participation in offense by/for gang with juvenile member (1 count)	104	52	26

Score
▼

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

Maximum Penalty: 5, 10 1
(years)

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

Years: Less than 5	0
5, 10	1
20	2
30	3
40 or more	5

Firearm Used or Brandished _____ **If YES, add 2** →

Victim Injury _____

Threatened or emotional	2
Physical	4
Life threatening	5

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

Prior Felony Convictions/Adjudications Against Person _____

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

Prior Felony Convictions/Adjudications with the Same VCC Prefix as Primary Offense _____

Number of Counts: 1	2
2	4
3	6
4	8
5 or more	10

Legally Restrained at Time of Offense _____ **If YES, add 2** →

SCORE THE FOLLOWING FACTOR ONLY IF PRIMARY OFFENSE IS H OR I: GANG OFFENSE (§ 18.2-46.2)

Type of Additional Offense _____

Violent Additional Offense (as defined in § 17.1-805)

And Primary is without a Juvenile (MOB1291F5)	12
And Primary is with a Juvenile (MOB1292F4)	16

Total Score _____ →

See Miscellaneous Section C Recommendation Table for guidelines sentence range.