

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 _____ | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

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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	

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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

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Traffic/Felony Section A

Offender Name: _____

◆ Primary Offense

- A. DWI - Third conviction within 5 years (1 count) 1
- B. DWI - Third conviction within 10 years (1 count) 1
- C. DWI - Fourth or subsequent conviction within 10 years (1 count) 9
- D. Habitual Offender: endangerment, second or subsequent, or DWI and declared habitual offender for DWI, involuntary manslaughter (1 count) 9
- E. Drive on revoked license after DWI, involuntary manslaughter, or DWI victim permanently impaired (maiming) - endangerment (1 count) 9
- F. Drive on revoked license after DWI, involuntary manslaughter, or DWI victim permanently impaired (maiming) and DWI, etc., violation (1 count) 9
- G. Drive on revoked license after DWI, involuntary manslaughter, or DWI victim permanently impaired (maiming) - second or subsequent (1 count) 9
- H. Hit and run, driver fails to stop and aid victim or hit and run, property damage \$1,000 or more
1 count 1
2 counts 4
- I. Disregard police command to stop, endangerment (1 count) 5
- J. Driving after forfeiture of license, etc., 3rd offense within 10 Years (1 count) 1

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

- Threatened, emotional or physical 1
 Life Threatening 2

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

Primary Offense: _____
J: Driving, after forfeiture of license

Number	Score
1	1
2 or more	4

Primary Offense: _____
All other offenses

If YES, add 4

0	
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◆ Legally Restrained at Time of Offense

Primary Offense: _____
J: Driving, after forfeiture of license

Any legal restraint	Points
.....	4

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 I: DISREGARD POLICE COMMAND TO STOP OR H: HIT AND RUN WITH PROPERTY DAMAGE \$1,000 OR MORE (§ 46.2-894, § 46.2-817 (B))

◆ Prior Criminal Traffic Convictions/Adjudications

Primary Offense: _____
I: Disregard police command to stop

Any prior felony traffic convictions/adjudications
 If YES, add 8

Primary Offense: _____
H: Hit and run with property damage \$1,000 or more

Number	Score
0-3 prior criminal misdemeanor traffic conv./adj.	0
4+ prior criminal misdemeanor traffic conv./adj.	1
1+ prior felony traffic convictions/adjudications	2

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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Traffic/Felony Section B

Offender Name: _____

◆ Primary Offense

- A. DWI – Third conviction within 5 years (1 count) 10
- B. DWI – Third conviction within 10 years (1 count) 10
- C. Hit and run, driver fails to stop and aid victim (1 count) 10
- D. Hit and run, property damage \$1,000 or more (1 count) 8
- E. Disregard police command to stop, endangerment (1 count) 9
- F. Driving after forfeiture of license, etc., 3rd offense within 10 Years (1 count) 9

Score

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◆ 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

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

- Threatened, emotional, or physical 2
- Life threatening 3

0	
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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 C OR D: HIT AND RUN (§ 46.2-894)

◆ Prior Criminal Traffic Convictions/Adjudications

- Number: 0 Felonies: 1 - 4 Misdemeanors 1
- 5+ Misdemeanors 2
- 1+ Felonies: 0 Misdemeanors 1
- 1 - 4 Misdemeanors 2
- 5+ Misdemeanors 3

0	
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SCORE THE FOLLOWING FACTOR ONLY IF PRIMARY OFFENSE IS F: DRIVING AFTER FORFEITURE OF LICENSE, ETC. - 3RD OFFENSE WITHIN 10 YEARS (§ 18.2-272(A))

◆ Prior Incarcerations/Commitments

If YES, add 2 →

0	
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Total Score

See Traffic Section B Recommendation Table to convert score to guidelines sentence.

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Traffic/Felony Section C

Offender Name: _____

Primary Offense _____ **Prior Record Classification**

	<input type="checkbox"/> Category I	<input type="checkbox"/> Category II	<input type="checkbox"/> Other
A. DWI - Third conviction within 5 years (1 count).....	20	10	5
B. DWI - Third conviction within 10 years (1 count).....	20	10	5
C. DWI - Fourth or subsequent conviction within 10 years			
1 count	40	20	10
2 counts	48	24	12
3 counts	68	34	17
D. Habitual offender: endangerment, second or subsequent, or DWI and declared habitual offender for DWI, involuntary manslaughter			
1 count	40	20	10
2 counts	48	24	12
3 counts	68	34	17
E. Drive on revoked license after DWI, involuntary manslaughter, or DWI victim permanently impaired (maiming) - endangerment			
1 count	40	20	10
2 counts	48	24	12
3 counts	68	34	17
F. Drive on revoked license after DWI, involuntary manslaughter, or DWI victim permanently impaired (maiming) and DWI, etc., violation			
1 count	40	20	10
2 counts	48	24	12
3 counts	68	34	17
G. Drive on revoked license after DWI, involuntary manslaughter, or DWI victim permanently impaired (maiming) - second or subsequent			
1 count	40	20	10
2 counts	48	24	12
3 counts	68	34	17
H. Hit and run, driver fails to stop and aid victim or hit and run, property damage \$1,000 or more (1 count)	20	10	5
I. Disregard police command to stop, endangerment (1 count)	40	20	10
J. Driving after forfeiture of license, etc., 3rd offense within 10 yrs (1 count)	32	16	8

Score

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0		
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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 1

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

Maximum Penalty: Less than 5 0

(years) 5, 10 1

20 2

30 3

40 or more 5

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DWI Convictions for Current Event

Primary Offense: Habitual offender or Drive on a revoked license with DWI as additional offense 11

DWI fourth offense, Driving after forfeiture of license, etc., 3rd offense within 10 yrs 2

DWI third offense, Hit and run or Disregard command to stop (with DWI as additional offense) 0

0		
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Victim Injury

Threatened or emotional 2

Physical 4

Life threatening 5

0	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

Number of Counts: 1 1 4 4

2 2 5 or more 5

3 3

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

Primary Offense: H: Hit and run (§ 46.2-894) _____

If YES, add 4

Primary Offense: All other offenses _____

If YES, add 2

0	0	
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SCORE THE FOLLOWING FACTOR ONLY IF PRIMARY OFFENSE IS H: HIT AND RUN (§ 46.2-894)

Prior Criminal Traffic Convictions/Adjudications

Number: 0 Felonies: 1 - 4 Misdemeanors 4

5+ Misdemeanors 8

1+ Felonies: 0 Misdemeanors 4

1 - 4 Misdemeanors 8

5+ Misdemeanors 12

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Total Score

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

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