

# 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"> <li><input type="checkbox"/> Day Reporting</li> <li><input type="checkbox"/> Detention Center Incarceration</li> <li><input type="checkbox"/> Diversion Center Incarceration</li> <li><input type="checkbox"/> Electronic Monitoring</li> <li><input type="checkbox"/> Intensive Probation</li> <li><input type="checkbox"/> § 18.2-251/§ 18.2-258.1</li> <li><input type="checkbox"/> Substance Abuse Treatment</li> </ul> | <ul style="list-style-type: none"> <li><input type="checkbox"/> Community-Based Program _____</li> <li><input type="checkbox"/> <b>CCAP</b> Detention/Diversion Center Incarceration, 22-28 weeks</li> <li><input type="checkbox"/> <b>CCAP</b> Detention/Diversion Center Incarceration, 42-48 weeks</li> <li><input type="checkbox"/> Drug Court</li> <li><input type="checkbox"/> Youthful Offender</li> <li><input type="checkbox"/> <b>DJJ</b> Commitment    <input type="checkbox"/> Indeterminate    <input type="checkbox"/> Determinate</li> <li><input type="checkbox"/> Other _____</li> </ul> |
|--|---|

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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**

# Weapon/Firearm Section A

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

## ◆ Primary Offense

- A. Maliciously discharge firearm, etc., in/at occupied building (1 count).....2
- B. Discharge firearm from vehicle (1 count).....1
- C. Possess firearm on school property (1 count).....1
- D. Possession of sawed-off shotgun (1 count).....2
- E. Carry concealed weapon, 2nd or 3rd offense (1 count).....2
- F. False statement on firearm consent form (1 count).....1
- G. Possession of firearm, other weapon, explosives or ammunition by convicted felon
  - 1 count.....3
  - 2 counts.....4

**Score**

0

## ◆ Primary Offense Remaining Counts

Total the maximum penalties for counts of the primary not scored above

Primary offense:

Maximum Penalty (years)	Points
A. Maliciously discharge firearm, etc., in/at occupied building	
5 - 7 .....	2
8 - 18 .....	3
19 - 28 .....	4
29 - 38 .....	5
39 or more .....	6

Primary offense: All other offenses

Maximum Penalty (years)	Points
5 - 7 .....	1
8 - 18 .....	2
19 - 28 .....	3
29 - 38 .....	4
39 or more .....	5

## ◆ Additional Offenses

Total the maximum penalties for additional offenses, including counts

Primary offense:

Maximum Penalty (years)	Points
A. Maliciously discharge firearm, etc., in/at occupied building	
Less than 1 .....	0
1 - 7 .....	3
8 - 18 .....	4
19 - 28 .....	5
29 - 38 .....	6
39 or more .....	7

Primary offense: All other offenses

Maximum Penalty (years)	Points
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

- Years:
- Less than 2 .....
  - 2 - 38 .....
  - 39 or more .....

0

## ◆ Prior Criminal Misdemeanor Convictions

Primary offense:

Number of Counts	Points
E. Carry concealed weapon, 2nd or 3rd offense	
1 - 6 .....	1
7 or more .....	2

Primary offense: All other offenses

Do Not Score

0

## ◆ Prior Incarcerations/Commitments

If YES, add 4 →

0

## ◆ Legally Restrained at Time of Offense

Primary offense:

	Points
A. Maliciously discharge firearm, etc., in/at occupied building	
None .....	0
Other than post-incarceration supervision.....	3
Post-incarceration supervision (supervision after incarceration) .....	6

Primary offense: All other offenses

	Points
None .....	0
Other than post-incarceration supervision.....	2
Post-incarceration supervision (supervision after incarceration) .....	5

0

## ◆ Type of Additional Offense(s)

Primary offense:

A. Maliciously discharge firearm, etc., in/at occupied building	
Additional offense with VCC prefix of WPN or ASL .....	2

Primary offense: All other offenses

Do Not Score

0

### SCORE THE FOLLOWING IF PRIMARY OFFENSE AT CONVICTION IS

#### F: FALSE STATEMENT ON A FIREARM CONSENT FORM (§ 18.2-308.2:2(K))

## ◆ Basis of False Statement on Consent Form (listed below)

If YES, add 3 →

0

Prior felony conviction/juvenile adjudication for crime against person, Other prior felony conviction/..... juvenile adjudication within 4 years of current offense, Prior domestic assault misdemeanor conviction or Subject to protective order at time of offense

## Total Score

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

# Weapon/Firearm Section B

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

## ◆ Primary Offense

- A. Maliciously discharge firearm, etc., in/at occupied building (1 count).....7
- B. Discharge firearm from vehicle (1 count).....8
- C. Possess firearm on school property (1 count).....7
- D. Possession of sawed-off shotgun (1 count).....6
- E. Carry concealed weapon, 2nd or 3rd offense (1 count).....7
- F. False statement on firearm consent form (1 count).....1
- G. Possession of firearm, other weapon, explosives or ammunition by convicted felon (1 count).....7

Score

0	
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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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## ◆ Prior Criminal Misdemeanor Convictions

Primary offense E: Carry concealed weapon, 2nd/3rd offense	
Number of Counts	Points
1 - 2 .....	1
3.....	2
4 or more.....	3

Primary offense: All other offenses	
Do Not Score	

0	
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## ◆ Victim Injury

Primary offense:	
A. Maliciously discharge firearm, etc., in/at occupied building	
	Points
Threatened, emotional or physical .....	3
Life threatening.....	4

Primary offense: All other offenses	
	Points
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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## Total Score

See **Weapon/Firearm Section B Recommendation Table** to convert score to guidelines sentence.

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# Weapon/Firearm Section C

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

## ◆ Primary Offense

\_\_\_\_ Prior Record Classification \_\_\_\_

Category I  Category II  Other  
(scores for attempted/conspired offenses are in parentheses)

- A. Maliciously discharge firearm, etc. in/at occupied building
  - Attempted or conspired: 1 count.....(32).....(16).....(8)
  - Completed: 1 count.....60.....30.....15
- B. Discharge firearm from vehicle (1 count).....48.....24.....12
- C. Possess firearm on school property (1 count).....32.....16.....8
- D. Possession of sawed-off shotgun (1 count).....36.....18.....9
- E. Carry concealed weapon, 2nd or 3rd offense (1 count).....32.....16.....8
- F. False statement on consent form (1 count).....32.....16.....8
- G. Possession of firearm, other weapon, explosives or ammunition by convicted felon (1 count) 32.....16.....8

Score

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

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

Primary offense:

A. Maliciously discharge firearm, etc., in/at occupied building Maximum Penalty (years)	Points
Less than 20.....	0
20, 30, 40 or more.....	5

Primary offense: All other offenses

Maximum Penalty (years)	Points
Less than 20.....	0
20, 30, 40 or more.....	1

0			
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## ◆ Prior Felony Convictions/Adjudications Against Person

Primary offense:

A. Maliciously discharge firearm, etc., in/at occupied building Number of Counts	Points
1.....	5
2.....	6
3.....	7
4.....	8
5 or more.....	9

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  
2.....4  
3.....6  
4.....8  
5 or more.....10

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

0	0		
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## Total Score

See Weapon/Firearm Section C Recommendation Table for guidelines sentence range.

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# Additional Offenses Continuation Sheet

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

Offense	Counts	VCC	Offense Date		
			Month	Day	Year
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