

Drug/Schedule I/II ❖ Section A

Offender Name: _____

◆ Primary Offense

- A. Possess Schedule I or II drug or First offender violation
- | | |
|----------------|---|
| 1 count | 1 |
| 2 counts | 3 |
| 3 counts | 8 |
- B. Sell, distribute, possession with intent, etc., Schedule I or II drug
- | | |
|----------------|----|
| 1 count | 12 |
| 2 counts | 13 |
| 3 counts | 14 |
| 4 counts | 15 |
- C. Manufacture Schedule I/II, Methamphetamine (1st/2nd) or Distribute Methamphetamine 10g or more
- | | |
|----------------|----|
| 1 count | 12 |
| 2 counts | 13 |
| 3 counts | 14 |
| 4 counts | 15 |
- D. Accommodation - Sell, distribute, possession with intent Schedule I or II drug
- | | |
|----------------|---|
| 1 count | 5 |
| 2 counts | 7 |
- E. Sell, etc., imitation Schedule I or II drug (1 count)
- F. Possess precursors with intent to manufacture methamphetamine (1 count)
- G. Sell, etc., Schedule I or II drug to minor (1 count)

Score

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

- | | | | | |
|--------|---------------|---|------------------|---|
| Years: | 5 - 10 | 1 | 31 - 42 | 4 |
| | 11 - 21 | 2 | 43 or more | 5 |
| | 22 - 30 | 3 | | |

0	
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◆ Additional Offenses Total the maximum penalties for additional offenses, including counts

- | | | | | |
|--------|-------------------|---|------------------|---|
| Years: | Less than 4 | 0 | 22 - 30 | 3 |
| | 4 - 10 | 1 | 31 - 42 | 4 |
| | 11 - 21 | 2 | 43 or more | 5 |

0	
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◆ Knife or Firearm in Possession at Time of Offense _____ If YES, add 2

0	
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◆ Conviction in Current Event Requiring Mandatory Minimum Term (6 mos or more) If YES, add 9

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 7 | 0 |
| | 7 - 26 | 1 |
| | 27 - 48 | 2 |
| | 49 or more | 3 |

0	
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◆ Prior Incarcerations/Commitments _____ If YES, add 2

0	
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◆ Prior Felony Drug Convictions/Adjudications

Primary offense:

F: Possession of Methamphetamine precursors

Number of Counts	Points
1	3
2 or more	6

Primary offense:

All other offenses

Number of Counts	Points
1 - 2	1
3 - 4	2
5	3
6 or more	4

0	
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◆ Prior Juvenile Record _____ If YES, add 1

0	
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◆ Legally Restrained at Time of Offense _____

- | | |
|--|---|
| None | 0 |
| Other, supervised probation | 1 |
| Parole, post-release, supervised probation after incarceration | 4 |

0	
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SCORE THE FOLLOWING FACTOR **ONLY** IF PRIMARY OFFENSE IS **A: POSSESSION OF SCHEDULE I/II DRUG** (§ 18.2-250(A,a))

◆ Two or More Prior Felony Convictions/Adjudications _____ If YES, add 2

For Possession, Possession with Intent, Distribution, Manufacture or Sale of Schedule I or II Drug, etc.

0	
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Total Score

If total is 10 or less, go to **Section B**. If total is 11 or more, go to **Section C**.

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Drug/Schedule I/II

Section B

Offender Name: _____

◆ Primary Offense

- A. Possess Schedule I or II drug or First offender violation
- 1 count3
 - 2 counts.....6
- B. Accommodation - Sell, distribute, possession with intent Schedule I or II drug
- 1 count8
 - 2 counts.....9
- C. Sell, etc., imitation Schedule I or II drug (1 count).....4
- D. Possession of methamphetamine precursors (1 count).....6

Score

0	
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◆ Primary Offense Remaining Counts Total the maximum penalties for counts of the primary not scored above

- Years: 5 - 92
- 10 - 193
- 20 - 284
- 29 - 385
- 39 or more6

0	
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◆ Additional Offenses Total the maximum penalties for additional offenses, including counts

- Years: Less than 10
- (12 Months = 1 Year) 1 - 92
- 10 - 193
- 20 - 284
- 29 - 385
- 39 or more6

0	
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◆ Knife or Firearm in Possession at Time of Offense

If YES, add 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 10
- (12 Months = 1 Year) 1 - 221
- 23 - 432
- 44 or more3

0	
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◆ Prior Misdemeanor Convictions/Adjudications (Excludes Traffic)

- Number of 1 - 41
- Counts: 5 - 92
- 10 or more3

0	
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◆ Prior Incarcerations/Commitments

Primary offense:

D. Possession of methamphetamine precursors

If YES, add 2

Primary offense:

All other offenses

If YES, add 1

0	
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◆ Prior Juvenile Record

If YES, add 1

0	
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◆ Legally Restrained at Time of Offense

- None0
- Other, supervised probation2
- Parole, post-release, supervised probation after incarceration3

0	
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SCORE THE FOLLOWING FACTOR **ONLY** IF PRIMARY OFFENSE IS **A: POSSESSION OF SCHEDULE I/II DRUG** (§18.2-250(A,a))

◆ Two or More Prior Felony Convictions/Adjudications

If YES, add 2

For Possession, Possession with Intent, Distribution, Manufacture or Sale of Schedule I or II Drug, etc.

0	
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Total Score

See Drug/Schedule I/II Section B Recommendation Table to convert score to guidelines sentence.
Then, go to Section D Nonviolent Risk Assessment and follow the instructions.

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Drug/Schedule I/II ❖ Section C

Offender Name: _____

◆ Primary Offense

— Prior Record Classification —

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

A. Possess Schedule I or II drug or First offender violation				
Attempted, conspired or completed:	1 count.....	20	10	5
	2 counts.....	28	14	7
	3 counts.....	36	18	9
B. Sell, Distribute, Possession with intent, etc., Schedule I or II drug				
Completed (Attempted or Conspired):	1 count.....	60 (48)	36 (24)	12 (12)
	2 counts.....	80 (64)	48 (32)	16 (16)
	3 counts.....	95 (76)	57 (38)	19 (19)
	4 counts.....	130 (104)	78 (52)	26 (26)
C. Sell, etc., Schedule I or II drug, second offense				
Completed (Attempted or Conspired):	1 count.....	110 (88)	66 (44)	22 (22)
	2 counts.....	310 (248)	186 (124)	62 (62)
D. Sell, etc., Schedule I or II drug - third or subsequent offense				
Attempted, conspired or completed:	1 count.....	175	105	35
	2 counts.....	390	234	78
E. Manufacture Schedule I/II, Methamphetamine (1st/2nd) or Distribute Methamphetamine 10g or more				
Attempted, conspired or completed:	1 count.....	130	78	26
F. Sell, etc., Schedule I or II drug to minor				
Attempted, conspired or completed:	1 count.....	60	30	15
G. Accommodation—Sell, etc., Schedule I or II drug				
Attempted, conspired or completed:	1 count.....	32	16	8
	2 counts.....	40	20	10
H. Sell, etc., imitation Schedule I or II drug; Possession of methamphetamine precursors				
Attempted, conspired or completed:	1 count.....	12	6	3
	2 counts.....	20	10	5

Score

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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 (years) 5,10 1 40, 50, Life..... 5

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

Primary offense D: Sell, etc., Sch. I/II 3rd or Subsequent

Years	Points
Less than 5.....	0
5, 10, 15.....	2
20.....	4
30.....	6
40, 50, Life.....	7

Primary offense: All other offenses

Years	Points
Less than 5.....	0
5, 10, 15.....	1
20.....	2
30.....	4
40, 50, Life.....	5

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◆ Mandatory Minimum in Current Event Assign points to each additional offense with a mandatory minimum and total the points

2 Year Mandatory Minimum.....13 3 Year Mandatory Minimum.....25 5 Year or more Mandatory Minimum.....32

0		
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◆ Firearm in Possession at Time of Offense If YES, add 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 5.....0 30.....3
(years) 5, 10, 151 40, 50, Life.....4
20.....2

0		
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◆ Prior Felony Drug Convictions/Adjudications

Primary offense D: Sell, etc., Sch. I/II 3rd or Subsequent

Number of Counts	Score
2.....	9
3.....	10
4.....	17
5 or more.....	20

Primary offense: All other offenses

Number of Counts	Score
1.....	2
2.....	3
3.....	5
4.....	7
5.....	8
6 or more.....	10

0		
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◆ Prior Felony Convictions/Adjudications Against Person

Number of Counts: 1.....3 3.....9
2.....6 4 or more.....12

0		
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◆ Prior Felony Property Convictions/Adjudications

Number of Counts: 1,2.....1 4 or more.....3
3.....2

0	0	
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◆ Prior Juvenile Record If YES, add 1

0	0	
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◆ Legally Restrained at Time of Offense If YES, add 3

0	0	
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◆ Type of Additional Offense (Score if primary offense is E: Manufacture Methamphetamine § 18.2-248 (C1))

Additional offense of child present during manufacture of methamphetamine If YES, add 14

0		
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◆ Sale/Quantity of Cocaine (Score if primary offense is B, C, D, or F: § 18.2-248(C) or §18.2-255(A))

Quantity of Cocaine: Less than 28.35 grams.....0 28.35 g to less than 226.8 grams.....36 226.8 grams or more.....60

0		
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Total Score

See Drug/Schedule I/II Section C Recommendation Table for guidelines sentence range.
Then go to Section D Nonviolent Risk Assessment and follow the instructions.

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Nonviolent Risk Assessment ❖ Drug/Schedule I/II Section D

◆ Ineligibility Conditions

Offender Name: _____

- A. Was the offender recommended for **Probation/No Incarceration** on Section B? ☐ Yes ☐ No
- B. Do any of the offenses at sentencing involve the sale, distribution, or possession with intent, etc. of cocaine of a combined quantity of 28.35 grams (1 ounce) or more? ☐ Yes ☐ No
- C. Are any prior record offenses violent (Category I/II listed in Appendix A of the Guidelines Manual)? ☐ Yes ☐ No
- D. Are any of the offenses at sentencing violent (Category I/II listed in Appendix A of the Guidelines Manual)? ☐ Yes ☐ No
- E. Do any of the offenses at sentencing require a mandatory term of incarceration? ☐ Yes ☐ No
- F. Did the offense occur while serving a sentence? ☐ Yes ☐ No

If answered YES to ANY, go to "Nonviolent Risk Assessment Recommendations" on cover sheet and check Not Applicable. If answered NO to ALL, complete remainder of Section D worksheet.

◆ Offender Age at Time of Offense

Younger than 21 years 9
21 to 29 years 6
30 to 43 years 3
Older than 43 years 1

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◆ Gender

Offender is Male 2

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0	
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◆ Prior Juvenile Adjudication

Female with prior juvenile adjudication 1
Male with prior juvenile adjudication 7
☐ Juvenile record unknown

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0	
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◆ Prior Adult Felony Convictions

Number of Counts: 0 0
1 - 2 1
3 5
4 or more 15

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◆ Prior Adult Incarcerations

Number: 0 0
1 - 3 1
4 or more 8

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0	
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◆ Prior Arrest or Confinement Within Past 12 Months (Prior to Offense) — If YES, add 3 —→

0	
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Total Score

- ☐ 15 or less, check Recommended for Alternative Punishment.
☐ 16 or more, check NOT Recommended for Alternative Punishment.

Go to **Cover Sheet** and fill out **Nonviolent Risk Assessment Recommendations**.

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Drug/Schedule I or II
Section D