

# Sentencing Guidelines Cover Sheet

Complete this form ONLY for applicable felonies sentenced on or after July 1, 2009.

## ◆ OFFENDER

First: \_\_\_\_\_ Middle: \_\_\_\_\_

Last: \_\_\_\_\_ Suffix: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ Social Security Number: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_  
Month Day Year

CCRE:  V  A \_\_\_\_\_ PSI Number: \_\_\_\_\_  
For Use by Probation Officer

## ◆ COURT

Judicial Circuit : \_\_\_\_\_ City/County: \_\_\_\_\_ FIPS Code: \_\_\_\_\_

Judge's Name: \_\_\_\_\_ Office Use Only

Preparer Name: \_\_\_\_\_ Preparer Title:  Commonwealth's Attorney  Probation Officer

Prosecuting Commonwealth's Attorney: \_\_\_\_\_ Defense Attorney: \_\_\_\_\_

## ◆ CONVICTIONS

Offense	Counts	VCC	Offense Date
Primary Offense:	<input type="text"/>	<input type="text"/>	<input type="text"/> / <input type="text"/> / <input type="text"/> <small>Month Day Year</small>
Additional Offenses:	<input type="text"/>	<input type="text"/>	<input type="text"/> / <input type="text"/> / <input type="text"/>
	<input type="text"/>	<input type="text"/>	<input type="text"/> / <input type="text"/> / <input type="text"/>

Primary Offense Code Section : § \_\_\_\_\_ Docket Number: \_\_\_\_\_

## ◆ METHOD OF ADJUDICATION

Jury Trial → Sentence Set by Jury:  Life Sentence     
Enter Sentence Years Months Days

Bench Trial  Guilty Plea  Alford Plea/Nolo contendere

## ◆ SENTENCING GUIDELINES RECOMMENDATIONS

### 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

Mandatory Minimum \_\_\_\_\_

### Section C

- Life Sentence
- Incarceration *(Enter Midpoint and Range Below)*

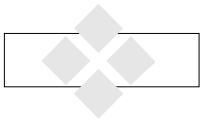
Range Midpoint     
Years Months

Sentence Range   TO    
Years Months Years Months

Recommendation Adjusted for Mandatory Minimum

## ◆ NONVIOLENT RISK ASSESSMENT Section D of Drug, Fraud, and Larceny Worksheets

- Recommended for Alternative Punishment  Not Applicable
- NOT Recommended for Alternative Punishment



# Final Disposition

Fill in after sentence has been pronounced.

## ◆ SENTENCE

	Years	Months	Days	
Total Time Imposed Before Suspension ..... <input type="checkbox"/> Life Sentence +	<input type="text"/>	<input type="text"/>	<input type="text"/>	
Total Time to Serve (effective) ..... <input type="checkbox"/> Life Sentence +	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> Sentenced to Time Served
Post Release Term §18.2 -10 .....	<input type="text"/>	<input type="text"/>	<input type="text"/>	
Post Release Supervision Period §19.2 - 295.2 (A) .....	<input type="text"/>	<input type="text"/>	<input type="text"/>	
Probation Period (Supervised) §19.2 - 303 ..... <input type="checkbox"/> Indefinite	<input type="text"/>	<input type="text"/>	<input type="text"/>	

Check all that apply

Incarceration Sentence to Run Concurrently With Another Sentencing Event

Written Plea Agreement Accepted     Oral Sentence Recommendation Accepted

Restitution \$  ,  ,  .        Fine \$  ,  ,  .

### Other Sentencing Programs (Check all that apply)

<input type="checkbox"/> Day Reporting	<input type="checkbox"/> Community-Based Program _____ <small>Specify type or name of program</small>
<input type="checkbox"/> Diversion Center Incarceration	<input type="checkbox"/> Detention Center Incarceration
<input type="checkbox"/> Electronic Monitoring	<input type="checkbox"/> Drug Court
<input type="checkbox"/> Unsupervised Probation	<input type="checkbox"/> Intensive Probation
<input type="checkbox"/> §18.2-251	<input type="checkbox"/> Youthful Offender
	<input type="checkbox"/> Other _____ <small>Specify type or name of program</small>

*Office Use Only*

<input type="text"/>	<input type="text"/>
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## ◆ REASON FOR DEPARTURE

Must be completed pursuant to §19.2-298.01(B)

*Office Use Only*

<input type="text"/>	<input type="text"/>	<input type="text"/>
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## ◆ SENTENCING DATE

<input type="text"/>	/	<input type="text"/>	/	<input type="text"/>
<small>Month</small>		<small>Day</small>		<small>Year</small>

\_\_\_\_\_  
Judge's Signature

## ◆ ATTACH COURT ORDER AND MAIL

Pursuant to §19.2-298.01(E) \_\_\_\_\_

After sentencing, send to:

**Virginia Criminal Sentencing Commission • Fifth Floor • 100 North Ninth Street • Richmond, Virginia 23219**

*Office Use Only*

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<small>Error Code</small>	<small>Audit Code</small>	<small>PSI</small>	<small>Misc.</small>

# 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. False statement on consent form (1 count) ..... 1
- F. Possession of firearm, other weapon, explosives or ammunition by convicted felon
  - 1 count ..... 3
  - 2 counts ..... 4

**Score**

0	
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## ◆ Primary Offense Additional 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
- Serious physical ..... 2

0	
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## ◆ Mandatory Firearm Conviction for Current Event If YES, add 6

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

- None ..... 0
- Other than post-incarceration supervision ..... 2
- Post-incarceration supervision ..... 5

0	
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**SCORE THE FOLLOWING ONLY IF PRIMARY OFFENSE AT CONVICTION IS 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

- Prior felony conviction for crime against person
- Other prior felony conviction within 4 years of current offense
- Prior domestic assault misdemeanor conviction
- Subject to protective order at time of offense

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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# 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. False statement on consent form (1 count) .....1
- F. Possession of firearm by convicted felon; Possession of other weapon,  
explosives or ammunition by convicted felon (1 count) .....7

Score

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## ◆ Primary Offense Additional 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
- Serious physical .....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** \_\_\_\_\_  **Category I**  **Category II**  **Other** \_\_\_\_\_

— Prior Record Classification —

A. Maliciously discharge firearm, etc. in/at occupied building			
Attempted or conspired: 1 count .....	32	16	8
Completed: 1 count .....	56	28	14
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. False statement on consent form (1 count) .....	32	16	8
F. Possession of firearm; or other weapon, explosives or ammunition by convicted felon (1 ct) ....	32	16	8

**Score**  
▼  

0		
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**Primary Offense Additional Counts** Assign points to each count of the primary not scored above and total the points \_\_\_\_\_ ▼

Maximum Penalty: 5,10 (years) ..... 1

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

Maximum Penalty: Less than 5 (years) ..... 0  
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  
Serious physical ..... 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 (years) ..... 0  
20, 30, 40 or more ..... 1

0	0	
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**Prior Felony Convictions/Adjudications Against Person** \_\_\_\_\_

Number: 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: 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** \_\_\_\_\_ → 

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