

Sentencing Guidelines Cover Sheet

Scheduled Sentencing Date:

/ /

Complete this form ONLY for applicable felonies sentenced on or after July 1, 2020.

◆ OFFENDER

First _____ Middle _____ Last _____ Suffix _____

Date of Birth: / / Social Security Number: --CCRE: CORIS Offender ID: PSI:

◆ COURT

Judicial Circuit City/County _____ FIPS Code: Sentencing Judge's Name _____ For Office Use Only Preparer Name _____ 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"/> <input type="text"/> <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/>	<input type="text"/> / <input type="text"/> / <input type="text"/>

For a comprehensive list of all offenses in the sentencing event, please refer to the **Offense Details** page following **Section C**.

Primary Offense Code Section § _____ Docket Number _____

◆ METHOD OF ADJUDICATION

 Jury Trial Sentence Set by Jury: 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**
-)

 Non Guidelines Offense
(Primary offense is a non guidelines offense)
Range Midpoint Sentence Range TO Recommendation Adjusted for **Mandatory Minimum**



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 Incarceration Term § 18.2-10 (suspended)	<table border="1"><tr><td> </td><td> </td><td> </td></tr></table>				<table border="1"><tr><td> </td><td> </td></tr></table>			<table border="1"><tr><td> </td><td> </td><td> </td><td> </td></tr></table>				
Post Release Supervision Period § 19.2-295.2(A)	<table border="1"><tr><td> </td><td> </td><td> </td></tr></table>				<table border="1"><tr><td> </td><td> </td></tr></table>			<table border="1"><tr><td> </td><td> </td><td> </td><td> </td></tr></table>				

Probation Period (Supervised) § 19.2-303 Indefinite

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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"/> Electronic Monitoring <input type="checkbox"/> Intensive Probation <input type="checkbox"/> Substance Abuse Treatment <input type="checkbox"/> § 18.2-251/§ 18.2-258.1 | <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 <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td> </td><td> </td><td> </td></tr></table> <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td> </td><td> </td><td> </td></tr></table> <input type="checkbox"/> DJJ Commitment <input type="checkbox"/> Indeterminate <input type="checkbox"/> Determinate <input type="checkbox"/> Other _____ | | | | | | |
| | | | | | | | |
| | | | | | | | |

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

	<small>Office Use Only</small> <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td> </td><td> </td><td> </td></tr></table> <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td> </td><td> </td><td> </td></tr></table> <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td> </td><td> </td><td> </td><td> </td></tr></table>										

SENTENCING DATE

Month	Day	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

Assault Section A

Offender Name: _____

◆ Primary Offense _____ (scores for attempted/conspired offenses are in parentheses)

- A. Assault and battery against a family member, third or subsequent conviction (1 count).....2
- B. Assault and battery against a law enforcement officer, fire or medical services, etc. (1 count)6
- C. Any attempted or conspired assault and battery, unlawful injury or strangulation (1 count)(1)
- D. Unlawful injury to law enforcement officer, fire/rescue personnel services, etc. (1 count).....7
- E. Any other unlawful injury
 - 1 count 1
 - 2 counts.....3
- F. Any attempted or conspired malicious injury (1 count).....(3)
- G. Any attempted, conspired or completed aggravated malicious injury (1 count).....7
- H. Malicious injury to a law enforcement officer, fire or medical services, etc. (1 count).....7
- I. Any other malicious injury (1 count)7
- J. Use of firearm in the commission of a felony (1 count)4
- K. DWI with reckless disregard, victim permanently impaired
 - 1 count 1
 - 2 counts.....3
- L. Strangulation (1 count).....3

Score

▼

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

- | | | |
|--------|-----------------|--------------------|
| Years: | 3 - 10 1 | 24 - 31 4 |
| | 11 - 17 2 | 32 - 39 5 |
| | 18 - 23 3 | 40 or more 6 |

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

Primary offense: K: DWI with Reckless Disregard		Primary offense: All other offenses	
Years	Points	Years	Points
Less than 2.....	0	Less than 2.....	0
2 - 17.....	2	2 - 10.....	1
18 - 23.....	3	11 - 17.....	2
24 - 31.....	4	18 - 23.....	3
32 - 39.....	5	24 - 31.....	4
40 or more.....	6	32 - 39.....	5
		40 or more.....	6

0	
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◆ Weapon Used _____

- None.....0
- Automobile, simulated weapon or other than firearm.....1
- Firearm.....2

0	
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◆ Life Threatening Injury _____ 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

Primary offense: K: DWI with Reckless Disregard		Primary offense: All other offenses	
Years	Points	Years	Points
Less than 1.....	0	Less than 7.....	0
1 - 46.....	2	7 - 23.....	1
47 or more.....	3	24 - 46.....	2
		47 or more.....	3

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

0	
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◆ Prior Juvenile Record _____ If YES, add 2 →

0	
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◆ Legally Restrained at Time of Offense _____

- None.....0
- Other than post-incarceration supervision3
- Post-incarceration supervision (supervision after active incarceration)5

0	
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**SCORE THE FOLLOWING FACTOR ONLY IF PRIMARY OFFENSE AT CONVICTION IS A:
ASSAULT & BATTERY AGAINST A FAMILY MEMBER - § 18.2-57.2(B)**

◆ Type of Prior Felony Person Convictions/Adjudications _____

- None.....0
- Assault and battery against a family member, third or subsequent (§18.2-57.2(B)).....3
- Other person felony.....4

0	
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Total Score _____

If total is 5 or less, go to **Section B**. If total is 6 or more, go to **Section C**.

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Assault Section B

Offender Name: _____

◆ Victim Injury

Threatened, emotional, or physical/serious 2
 Life Threatening 4

Score

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

Primary offense: Strangulation (§ 18.2-51.6)	
Maximum Penalty (years)	Points
Less than 5	5
5 or more	6

Primary offense: All other offenses	
Maximum Penalty (years)	Points
Less than 5	1
5 or more	2

0	
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◆ Weapon Used or Brandished

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

Primary offense: Strangulation (§ 18.2-51.6)	
Maximum Penalty (years)	Points
Less than 5	0
5 - 18	3
19 - 38	4
39 or more	5

Primary offense: All other offenses	
Maximum Penalty (years)	Points
Less than 5	0
5 - 18	1
19 - 38	2
39 or more	3

0	
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◆ Prior Juvenile Record

If YES, add 3

0	
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**SCORE THE FOLLOWING FACTORS ONLY IF PRIMARY OFFENSE AT CONVICTION IS
 ASSAULT & BATTERY AGAINST A FAMILY MEMBER (§ 18.2-57.2(B))
 OR STRANGULATION (§ 18.2-51.6)**

◆ Prior Incarcerations/Commitments

Number: 1 1
 2 3
 3 or more 5

0	
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◆ Prior Misdemeanor Convictions/Adjudications (Excludes Traffic)

Number of Counts: 1 - 2 0
 3 - 5 1
 6 - 8 2
 9 or more 3

0	
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Total Score

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

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Assault/ Section B

Assault Section C

Offender Name: _____
 _____ Prior Record Classification _____

◆ **Primary Offense** _____ **Category I** **Category II** **Other**
(scores for attempted/conspired offenses are in parentheses)

A. Assault and battery against a family member, third or subsequent conviction or Strangulation (1 count)	28	14	7
B. Assault and battery against a law enforcement officer, fire or medical services, etc. (1 count)	32	16	8
C. Unlawful injury (1 count)	32	16	8
D. Any attempted or conspired malicious injury (1 count)	(68)	(34)	(17)
E. Any completed malicious injury			
1 count	102	68	34
2 counts	120	80	40
3 counts	204	136	68
F. Aggravated malicious injury (1 count)	321	214	107
G. Use of firearm in the commission of a felony - first offense (1 count)	32	32	32
H. Use of firearm in the commission of a felony - subsequent offense (1 count)	56	56	56
I. DWI with reckless disregard, Victim permanently impaired (1 count)	48	24	12

Score

▼

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

Primary offense:

D, E, F, G, or H: All malicious woundings or use of a firearm

Maximum Penalty (years)	Points
3	2
5	3
10	6
20	13
30	19
Life	26

Primary offense:

A, B, C, or I: Unlawful injury, any A & B, DWI or strangulation

Maximum Penalty (years)	Points
5	3
10	5

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

Primary offense:

D, E, F, G, or H: All malicious woundings or use of a firearm

Maximum Penalty (years)	Points
Less than 1	0
1,2	1
3	2
4,5	3
10	6
20	13
30	19
40 or more	26

Primary offense:

A, B, C, or I: Unlawful injury, any A & B, DWI or strangulation

Maximum Penalty (years)	Points
Less than 1	0
1,2	1
3,4	2
5	3
10	5
20	11
30	16
40 or more	22

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◆ **Weapon Used**

Primary offense:

D, E, F, G, or H: All malicious woundings or use of a firearm

Simulated weapon or other than listed below	0
Knife or firearm	4

Primary offense:

A, B, C, or I: Unlawful injury, any A & B, DWI or strangulation

Simulated weapon or other than listed below	0
Knife	2
Firearm	3

▼

0	0	
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◆ **Number of Victims Receiving Life Threatening Injury**

Primary offense:

D, E, F, G, or H: All malicious woundings or use of a firearm

Number	Score
1	14
2	70
3 or more	85

Primary offense:

A, B, C, or I: Unlawful injury, any A & B, DWI or strangulation

Number	Score
1 or more	3

▼

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:

D, E, F, G, or H: All malicious woundings or use of a firearm

Maximum Penalty (years)	Points
Less than 5	0
5,10	1
20	2
30	3
40 or more	4

Primary offense:

A, B, C, or I: Unlawful injury, any A & B, DWI or strangulation

Maximum Penalty (years)	Points
Less than 4	0
4,5,10	1
20	3
30	4
40 or more	6

▼

0		
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◆ **Prior Felony Convictions/Adjudications Against Person**

Primary offense:

D, E, F, G, or H: All malicious woundings or use of a firearm

Number	Score
1	6
2	12
3 or more	18

Primary offense:

A, B, C, or I: Unlawful injury, any A & B, DWI or strangulation

Do Not Score

▼

0		
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◆ **Legally Restrained at Time of Offense**

Primary offense:

D, E, F, G, or H: All malicious woundings or use of a firearm

If YES, add 6

Primary offense:

A, B, C, or I: Unlawful injury, any A & B, DWI or strangulation

If YES, add 2

▼

0	0	
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Total Score _____

See Assault Section C Recommendation Table for guidelines sentence range.

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Offense Details

Offender Name:

Offense	Counts	VCC	Offense Date	Docket No.
Primary Offense				
1.				

Additional Offense	Counts	VCC	Offense Date	Docket No.
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				
11.				
12.				
13.				
14.				
15.				
16.				
17.				
18.				
19.				
20.				