



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: V A _____ 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			
_____	____	_____	____/____/____

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: _____ 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 Incarceration Term § 18.2-10 (suspended)

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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 (§ 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)

- Day Reporting
- Electronic Monitoring
- Intensive Probation
- Substance Abuse Treatment
- § 18.2-251/§ 18.2-258.1
- Community-Based Program _____
- CCAP Detention/Diversion Center Incarceration, 22-28 weeks
- CCAP Detention/Diversion Center Incarceration, 42-48 weeks
- Drug Court
- Youthful Offender

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Office Use Only
- DJJ Commitment Indeterminate Determinate
- 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

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Office Use Only

SENTENCING DATE

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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

Other Sexual Assault/Obscenity **Section A** Offender Name: _____

◆ Primary Offense

- A. All attempted or conspired offenses (1 count)..... 1
- B. Production, publication, sale or financing child pornography (1 count)..... 6
- C. Possess child porn (1st Offense) (1 count)..... 5
- D. Possess child porn (2nd or subsequent) (1 count)..... 9
- E. Reproduce, transmit, sell, etc., child porn (1 count)..... 5
- F. Procure minor for obscene material by communications system (1 count)..... 6
- G. Procure minor for prostitution, sodomy, pornography by communications system (1 count)..... 6
- H. Propose sex act by communications system, child less than age 15 (1 count)..... 8
- I. Propose sex act by communications system, child less than age 15, offender 7+ years older (1 count)..... 9
- J. Propose sex act by communications system, child age 15 or more, offender 7+ years older (1 count)..... 6
- K. Propose sex act by communications system, child age 15 or more, offender 7+ yrs old (2nd/subseq.) (1 count)..... 9

Score

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

Primary offense B, C or D: Production or Possession Child Porn	
Years	Points
5-26	2
27 - 52	3
53 or more	4

Primary offense: All other offenses	
Years	Points
5-26	1
27 - 52	2
53 or more	3

0

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

- Years: Less than 1..... 0
- 1 - 26..... 1
- 27 - 52..... 2
- 53 or more..... 3

0

◆ Victim Less than Age 13 at Time of Offense If YES, add 5

0

◆ Victim Injury

- Threatened or emotional 2
- Physical, serious or life threatening 4

0

◆ Prior Convictions/Adjudications Total maximum penalties for the 5 most recent and serious prior record events

- Years: Less than 3..... 0
- 3 - 18..... 1
- 19 - 31..... 2
- 32 - 44..... 3
- 45 or more..... 4

0

◆ Prior Felony Sexual Assault Convictions/Adjudications

- Number of Counts: 1..... 1
- 2..... 2
- 3 or more..... 3

0

◆ Prior Incarcerations/Commitments If YES, add 3

0

◆ Legally Restrained at Time of Offense

- None..... 0
- Other than parole/post-release, supervised probation or CCCA..... 2
- Parole/post-release, supervised probation or CCCA..... 3

0

Total Score

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

Other Sexual Assault/Obscenity Section B

Offender Name: _____

◆ Primary Offense

- A. Production, publication, sale or financing child pornography (1 count) 1
- B. Possess child porn (1 count)..... 1
- C. Reproduce, transmit, sell, etc., child porn (1 count) 1
- D. Procure minor for obscene material by communications system (1 count)..... 1
- E. Procure minor for prostitution, sodomy, etc. by communications system (1 count) 1
- F. Propose sex act by communications system, child less than age 15 (1 count)..... 6
- G. Propose sex act by communications system, child less than age 15, offender 7+ years (1 count) 6
- H. Propose sex act by communications system, child age 15 or more, offender 7+ years (1 count) 2
- I. Propose sex act by communications system, child age 15 or more, offender 7+ years (2nd/subseq.) (1 count) 2

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 2 | 27 - 30 8 |
| | 8 - 11 3 | 31 - 34 9 |
| | 12 - 15 4 | 35 - 37 10 |
| | 16 - 19 5 | 38 - 41 11 |
| | 20 - 22 6 | 42 or more 12 |
| | 23 - 26 7 | |

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

- | | | |
|--------|---------------------|---------------------|
| Years: | Less than 1 0 | 23 - 26 7 |
| | 1 - 2 1 | 27 - 30 8 |
| | 3 - 7 2 | 31 - 34 9 |
| | 8 - 11 3 | 35 - 37 10 |
| | 12 - 15 4 | 38 - 41 11 |
| | 16 - 19 5 | 42 or more 12 |
| | 20 - 22 6 | |

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◆ Victim Less than Age 13 at Time of Offense

If YES, add 3 →

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 3 0 | |
| | 3 - 19 1 | |
| | 20 - 39 2 | |
| | 40 or more 3 | |

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◆ Prior Incarcerations / Commitments

If YES, add 1 →

0	
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SCORE THE FOLLOWING FACTOR ONLY IF PRIMARY OFFENSE IS D, E, F, G, H OR I: ELECTRONIC SOLICITATION (§18.2-374.3)

◆ Victim Injury

Threatened, emotional, physical or life threatening 5

0	0	
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Total Score

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

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Other Sexual Assault/Obscenity **Section C**

Prior Record Classification

Primary Offense

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

A. All attempted or conspired offenses of possess, reproduce, transmit etc. child porn 1 count	(24).....	(12)	(6)
B. All attempted or conspired offenses of electronic solicitation of minor 1 count	(24).....	(12)	(6)
C. Entice, etc., minor to perform in porn; take part in child porn Attempted, conspired or completed: 1 count	68.....	34	17
D. Produce child porn; finance child porn Attempted, conspired or completed: 1 count	100.....	50	25
2 counts.....	216.....	108	54
E. Possess child porn (1st Offense) 1 count	48.....	24	12
F. Possess child porn (2nd or subsequent) 1 count	76.....	38	19
G. Reproduce, transmit, sell, etc., child porn 1 count	100.....	50	25
H. Procure minor for obscene material by communications system 1 count	68.....	34	17
I. Procure minor for prostitution, sodomy, etc. by communications system 1 count	68.....	34	17
J. Propose sex act by communications system, child less than age 15 1 count	68.....	34	17
K. Propose sex act by communications system, child less than age 15, offender 7+ years 1 count	148.....	74	37
L. Propose sex act by communications system, child age 15 or more, offender 7+ years (2nd+) 1 count	68.....	34	17

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 5	5
(years) 10	10
20	19
30	29
40 or more	39

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Additional Offenses

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

Primary offense B, H, I, J, K, or L: Electronic Solicitation	
Years	Points
Less than 1	0
1	1
2	2
3	3
4	4
5	8
10	12
20	15
30	18
40 or more	22

Primary offense: All other offenses	
Years	Points
Less than 1	0
1	1
2	2
3	3
4	4
5	5
10	10
20	19
30	29
40 or more	39

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Weapon Used, Brandished, Feigned or Threatened

If YES, add 4

0	0	
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Victim Injury

Primary offense B, H, I, J, K, or L: Electronic Solicitation	
	Points
Threatened or emotional	14
Physical, serious or life threatening.....	15

Primary offense: All other offenses	
	Points
Threatened or emotional	6
Physical, serious or life threatening.....	9

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 2	0
(years) 2, 3, 4, 5	1
10	3
20	6
30	9
40 or more	12

0		
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Prior Felony Sexual Assault Convictions/Adjudications

Number of Counts: 1	8
2	15
3 or more	23

0		
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On Post-Incarceration Supervision

If YES, add 5

0	0	
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Total Score

See Other Sexual 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.				