

ASSAULT SENTENCING GUIDELINES

Offender : _____
Last Name First Middle

Date of birth: Social Security Number:

Jury trial: Bench trial: Total Jury Sentence Fixed At: years & months

Guilty plea:

Judicial circuit: City / County: _____ (FIPS code):

Judge: _____
Last name First

Worksheet preparer: _____ Title: _____
Last name

Commonwealth's attorney: _____
Last name

Defense attorney: _____
Last name

Pre-Sentence Investigation Report Prepared

OFFENSE	COUNTS	VCC CODE	OFFENSE DATE
1. Primary (most serious at conviction)*:			
Additional Offenses:			
2.			
3.			
4.			

* Primary Offense Code section: _____ Docket number: _____

SENTENCING RANGES

IF FORM "B" WAS COMPLETED

(check one):
 No incarceration: Jail:
 If jail, range: _____

IF FORM "C" WAS COMPLETED

Prison sentence range midpoint: _____ & _____
years months

Sentence range: _____ & _____ to _____ & _____
years months years months

Fill In This Section After Sentencing Has Been Completed

Check all that apply:

Fines/Restitution

Probation

Intensive Supervised Probation

Community Diversion Incentive

Electronic Monitoring ..

Boot Camp

Youthful Offender

Other (Please Specify)

FINAL DISPOSITION

Total Time Imposed Before Suspension: _____
years months days

Total Time to Serve (Effective): _____
years months days

Written plea agreement accepted: Oral sentence recommendation accepted:

Computer Use

JC _____
 DC1 _____
 DC2 _____
 DC3 _____
 EC _____

Restitution:

\$ _____

Fine:

\$ _____

DEPARTURE INFORMATION

Judge's Signature: _____ Sentencing date:

After sentencing, please send a copy to:

Virginia Criminal Sentencing Commission
 100 North 9th Street
 Richmond, VA 23219

Offense Prior to January 1, 1995

A

ASSAULT - PRISON IN/OUT DECISION

A

Type of primary offense: Add Score

- A. **any attempted or conspired unlawful injury**
(any number of counts) 0
- B. **unlawful injury to a law enforcement officer**
(any number of counts) 6
- C. **any other unlawful injury**
1 count 0
2 or more counts 2
- D. **any attempted or conspired malicious injury or aggravated malicious injury**
(any number of counts) 2
- E. **malicious injury to a law enforcement officer**
(any number of counts) 6
- F. **any other malicious injury**
(any number of counts) 6
- G. **aggravated malicious injury**
(any number of counts) 6

Additional offenses Add Score

- (including counts) at conviction, with maximum penalties totaling:**
- less than 2 0
 - 2 - 10 1
 - 11 - 17 2
 - 18 - 23 3
 - 24 - 31 4
 - 32 - 39 5
 - 40 or more 6

Type of weapon used: Add Score

- A. none 0
- B. simulated weapon or other than listed below 1
- C. firearm 2

Serious physical victim injury: If yes, Add 2

Prior adult convictions, Years Add Score

- with maximum penalties totaling:**
- less than 7 0
 - 7 - 23 1
 - 24 - 46 2
 - 47 or more 3

Prior adult incarcerations: If yes, Add 2

Prior juvenile record: If yes, Add 2

Legally restrained at time of offense: Add Score

- A. none 0
- B. other than parole 3
- C. parole 5

TOTAL SCORE =

*If total is 4 or less, go to work sheet "B."
If total is 5 or more, go to work sheet "C."*

ASSAULT - PROBATION/JAIL DECISION

Victim injury:	Add Score	<input style="width: 80px; height: 20px;" type="text"/>
A. emotional, threatened or physical	2	
B. serious physical	4	

Additional offenses	Add Score	<input style="width: 80px; height: 20px;" type="text"/>
(including counts) at conviction,	less than 5	1
with maximum penalties totaling:	5 or more	2

Weapon used or brandished:	If yes, Add 2	<input style="width: 80px; height: 20px;" type="text"/>
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Prior adult convictions,	Years	Add Score	<input style="width: 80px; height: 20px;" type="text"/>
with maximum penalties totaling:	less than 5	0	
	5 - 18	1	
	19 - 38	2	
	39 or more	3	

Prior juvenile record:	If yes, Add 3	<input style="width: 80px; height: 20px;" type="text"/>
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TOTAL SCORE =	<input style="width: 80px; height: 20px;" type="text"/>
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See ASSAULT PROBATION / JAIL TABLE to convert score to guidelines sentence.

Guidelines sentence (check one): No incarceration: Jail:

If jail, range: _____

C

ASSAULT - PRISON LENGTH DECISION

C

Type of primary offense: Add Score

- A. any attempted or conspired unlawful injury (any number of counts) 19
- B. any completed unlawful injury
 - 1 count 23
 - 2 or more counts 34
- C. any attempted or conspired malicious injury (any number of counts) 45
- D. any completed malicious injury
 - 1 count 53
 - 2 counts 114
 - 3 or more counts 239
- E. aggravated malicious injury (any number of counts) 343

Score the following if primary offense is any malicious or aggravated malicious injury:

Score the following if primary offense is any unlawful injury.

Additional offenses: (including counts) at conviction, Add Score

each having a maximum penalty of:

Years	score	Years	score
less than 1	0	5	13
1	3	10	26
2	5	20	53
3	8	30	79
4	11	40 or more	105

Years	score	Years	score
less than 1	0	5	7
1	1	10	15
2	3	20	30
3	4	30	45
4	6	40 or more	60

Type of weapon used: Add Score

- | | score |
|--|-------|
| A. simulated weapon or other than listed below | 0 |
| B. knife | 11 |
| C. firearm | 13 |

- | | score |
|--|-------|
| A. simulated weapon or other than listed below | 0 |
| B. knife | 0 |
| C. firearm | 6 |

Serious physical victim injury: Add Score

If yes, add 27

If yes, add 12

Prior adult convictions, Add Score

each having a maximum penalty of:

Years	score	Years	score
less than 2	0	20	6
2, 3, 4, 5	1	30	9
10	3	40 or more	11

Years	score	Years	score
less than 4	0	30	4
4, 5, 10	1	40 or more	6
20	3		

Prior adult felony convictions against person: Add Score

Number	score	Number	score
1	14	3 or more	43
2	28		

Do not score.

Legally restrained at time of offense: Add Score

- | | score |
|----------------------|-------|
| A. none | 0 |
| B. other than parole | 0 |
| C. parole | 52 |

- | | score |
|----------------------|-------|
| A. none | 0 |
| B. other than parole | 10 |
| C. parole | 16 |

TOTAL SCORE =

See ASSAULT PRISON LENGTH TABLE for guidelines sentence range.

GUIDELINES RANGE

Prison sentence range midpoint:

Sentence range:

_____ & _____
years months

_____ & _____ to _____ & _____
years months years months