

DRUG 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
 - First Offender (§18.2-251)....
 - 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:

A

DRUG - PRISON IN/OUT DECISION

A

Type of primary offense:	Add Score	
A. other than listed below (any number of counts)	0	<input type="text"/>
B. possess Schedule I or II		
1 count	0	
2 counts	2	
3 or more counts	7	
C. sell, etc., one-half ounce - 5 pounds of marijuana for profit; sell, etc., marijuana to inmate for accommodation		
1 count	2	
2 or more counts	7	
D. sell, etc., Schedule I or II for accommodation		
1 count	4	
2 or more counts	6	
E. manufacture marijuana not for personal use (any number of counts)	5	
F. sell, etc., more than 5 pounds of marijuana for profit (any number of counts)	11	
G. sell, etc., Schedule I or II for profit		
1 count	11	
2 counts	12	
3 counts	13	
4 or more counts	14	
H. sell, etc., Schedule I, II, III, IV or marijuana to minor at least 3 years younger than offender (any number of counts)	10	

Additional offenses (including counts) at conviction, with maximum penalties totaling:	Years	Add Score	
	less than 4	0	<input type="text"/>
	4 - 10	1	
	11 - 21	2	
	22 - 30	3	
	31 - 42	4	
	43 or more	5	

Prior adult convictions, with maximum penalties totaling:	Years	Add Score	
	less than 7	0	<input type="text"/>
	7 - 26	1	
	27 - 48	2	
	49 or more	3	

Prior adult incarcerations:	If yes, add	
	2	<input type="text"/>

Prior adult felony drug convictions:	Number	Add Score	
	1 - 2	1	<input type="text"/>
	3 - 4	2	
	5	3	
	6 or more	4	

Prior juvenile record:	If yes, add	
	1	<input type="text"/>

Knife or firearm in possession at time of offense:	If yes, add	
	2	<input type="text"/>

Legally restrained at time of offense:	Add Score	
A. none	0	<input type="text"/>
B. other than parole, supervised probation or CDI	1	
C. parole, supervised probation or CDI	4	

TOTAL SCORE	=	
		<input type="text"/>

*If total is 9 or less, go to work sheet "B."
 If total is 10 or more, go to work sheet "C."*

B

DRUG - PROBATION/JAIL DECISION

B

Type of primary offense:	Add Score
A. other than listed below (any number of counts)	0
B. possess Schedule I or II	
1 count	2
2 or more counts	5
C. sell, etc., one-half ounce - 5 pounds of marijuana for profit; sell, etc., marijuana to inmate for accommodation	
1 count	5
2 or more counts	8
D. sell, etc., Schedule I or II for accommodation	
1 count	7
2 or more counts	8

Additional offenses	Years	Add Score
(including counts) at conviction, with maximum penalties totaling:	less than 1	0
	1 - 9	2
	10 - 19	3
	20 - 28	4
	29 - 38	5
	39 or more	6

Firearm in possession at time of offense: If yes, add 2

Prior adult convictions, with maximum penalties totaling:	Years	Add Score
	less than 1	0
	1 - 22	1
	23 - 43	2
	44 or more	3

Prior adult incarcerations: If yes, add 1

Prior adult criminal misdemeanor convictions:	Number	Add Score
	1 - 4	1
	5 - 9	2
	10 or more	3

Prior juvenile record: If yes, add 1

Legally restrained at time of offense:	Add Score
A. none	0
B. other than parole, supervised probation or CDI	2
C. parole, supervised probation or CDI	3

TOTAL SCORE =

See DRUG PROBATION / JAIL TABLE to convert score to guidelines sentence.

Guidelines sentence (check one):	No incarceration: <input type="checkbox"/>	Jail: <input type="checkbox"/>
If jail, range: _____		

C

DRUG - PRISON LENGTH DECISION

C

Type of primary offense:

Add Score



A. other than listed below (any number of counts)	<u>Score</u>
.....	28
B. possess Schedule I or II	
1 count	16
2 counts	28
3 or more counts	47
C. sell, etc., one-half ounce - 5 pounds of marijuana for profit; sell, etc., marijuana to inmate for accommodation	
1 count	20
2 counts	38
3 or more counts	44
D. sell, etc., Schedule I or II for accommodation	
1 count	32
2 or more counts	51

E. sell, etc., more than 5 pounds of marijuana for profit	<u>Score</u>
(any number of counts)	79
F. sell, etc., Schedule I or II for profit	
1 count	58
2 counts	85
3 counts	100
4 or more counts	143
G. manufacture marijuana not for personal use (any number of counts)	42
H. sell, etc., Schedule I, II, III, IV or marijuana to minor at least 3 years younger than offender (any number of counts)	87

Additional offenses (including counts) at conviction,

Add Score



each having a maximum penalty of:

<u>Years</u>	<u>score</u>
less than 1	0
1	1
2	2
3	3
4	4

<u>Years</u>	<u>score</u>
5	5
10	9
20	19
30	28
40 or more	38

Firearm in possession at time of offense:

If yes, add 19



Prior adult convictions,

Years

Add Score



each having a maximum penalty of:

less than 3	0
3, 4, 5	1
10	2
20	4
30	6
40 or more	8

Prior adult felony drug convictions:

Add Score



<u>Number</u>	<u>score</u>
1	6
2	12
3	18

<u>Number</u>	<u>score</u>
4	24
5	30
6 or more	36

Prior adult felony convictions against person:

Add Score



<u>Number</u>	<u>score</u>
1	6
2	11

<u>Number</u>	<u>score</u>
3	17
4 or more	23

Prior adult felony property convictions:

Add Score



<u>Number</u>	<u>score</u>
1	1
2	3

<u>Number</u>	<u>score</u>
3	4
4 or more	6

Prior juvenile record:

If yes, add 3



Legally restrained at time of offense:

If yes, add 18



TOTAL SCORE =



See DRUG PRISON LENGTH TABLE for guidelines sentence range.

GUIDELINES RANGE

Prison sentence range midpoint: _____ & _____ Sentence range: _____ & _____ to _____ & _____
years months years months years months