

HOMICIDE 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: _____ **Pre-Sentence Investigation**
Last name

Defense attorney: _____ **Report Prepared**
Last name

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

Check if probation or jail:

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:**

A

HOMICIDE - PRISON IN/OUT DECISION

A

Type of primary offense:	Add Score	
A. first degree murder		
- attempted or conspired (any number of counts).....	7	
- completed (any number of counts)	8	
B. second degree murder or felony homicide		
- attempted or conspired (any number of counts).....	3	
- completed (any number of counts)	7	
C. voluntary manslaughter		
- attempted, conspired or completed (any number of counts).....	4	
D. involuntary manslaughter		
- attempted or conspired	0	
- completed		
1 count	0	
2 or more counts	2	

Additional offenses (including counts) at conviction, with maximum penalties totaling:	Years	Add Score	
	less than 1	0	
	1 - 7	4	
	8 - 17	5	
	18 - 27	6	
	28 - 37	7	
	38 or more	8	

Type of weapon used:	Add Score	
A. none	0	
B. simulated weapon or other than listed below	4	
C. knife or firearm	5	

Mandatory firearm conviction for current event:	If yes, add	3	

Prior adult convictions, with maximum penalties totaling:	Years	Add Score	
	less than 1	0	
	1 - 12	1	
	13 - 28	2	
	29 - 42	3	
	43 or more	4	

Prior criminal traffic misdemeanors (score this factor only if the primary offense at conviction is involuntary manslaughter <i>with a vehicle</i>):	Number	Add Score	
	1	2	
	2	4	
	3	5	
	4	6	
	5 or more	7	

TOTAL SCORE =		

***If total is 6 or less, the guidelines sentence is probation or a jail term.
(There is no work sheet 'B' for this offense.)
If total is 7 or more , go to work sheet 'C.'***

**There is no
work sheet "B"
for homicide.**

C HOMICIDE - PRISON LENGTH DECISION C

Type of primary offense: **Add Score**

- A. **first degree murder**
 - attempted or conspired (any number of counts) 64
 - completed
 - 1 count 485
 - 2 or more counts 841
- B. **second degree or felony homicide**
 - attempted or conspired (any number of counts) 64
 - completed (any number of counts) 179
- C. **voluntary manslaughter**
 - attempted, conspired or completed (any number of counts) 67
- D. **involuntary manslaughter**
 - attempted or conspired (any number of counts) 12
 - completed
 - 1 count 47
 - 2 or more counts 111

Score the following if the primary offense is completed first degree murder

Score the following if the primary offense is other than completed first degree murder

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

each having maximum penalties totaling:

<u>Years</u>	<u>score</u>	<u>Years</u>	<u>score</u>
less than 1	0	5	39
1	8	10	78
2	16	20	155
3	23	30	233
4	31	40 or more	310

<u>Years</u>	<u>score</u>	<u>Years</u>	<u>score</u>
less than 1	0	5	18
1	4	10	35
2	7	20	70
3	11	30	106
4	14	40 or more	141

Prior adult convictions, **Add Score**

each having a maximum penalty of:

<u>Years</u>	<u>score</u>	<u>Years</u>	<u>score</u>
less than 1	0	5	16
1	3	10	32
2	6	20	65
3	10	30	97
4	13	40 or more	129

<u>Years</u>	<u>score</u>
less than 2	0
2, 3	1
4, 5	2
10	4
20	9
30	13
40 or more	17

Weapon used, brandished, feigned or threatened: **Add Score**

If yes, add 132

Do not score.

Legally restrained at time of offense: **Add Score**

- A. none 0
- B. other than supervised probation or CDI 88
- C. supervised probation or CDI 88
- D. parole 224

- A. none 0
- B. other than supervised probation or CDI 1
- C. supervised probation or CDI 10
- D. parole 25

TOTAL SCORE =

See HOMICIDE PRISON LENGTH TABLE for guidelines sentence range.

GUIDELINES RANGE

Prison sentence range midpoint: _____ & _____
years months

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