



# Sentencing Guidelines Cover Sheet

Scheduled Sentencing Date:

\_\_\_\_/\_\_\_\_/\_\_\_\_

Complete this form ONLY for applicable felonies sentenced on or after July 1, 2021.

## ◆ 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 **Docket Details** page following **Section C**.

Primary Offense Code Section § \_\_\_\_\_ Docket Number \_\_\_\_\_

## ◆ METHOD OF ADJUDICATION

- Jury Trial  Sentence Set by Jury \_\_\_\_\_
- Sentence Set by Judge
- 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 \_\_\_\_\_

Sentence Range \_\_\_\_\_ TO \_\_\_\_\_

Recommendation Adjusted for **Mandatory Minimum**

No Recommendation Offense  
*(Primary offense does not yield a recommendation)*



# Final Disposition Fill In After Sentence Has Been Pronounced

## Modification of Recommendation Based on Substantial Assistance, Acceptance of Responsibility or Expression of Remorse

The decision to modify the guidelines recommendation must be made by the judge. If the recommended low end is 3 years or less, the low end is adjusted to no incarceration. If recommended low end is more than 3 years, the low end is reduced by 50%.

If accepted by the court the

Adjusted Range is: \_\_\_\_\_ TO \_\_\_\_\_  
Years Months Days Years Months Days

## SENTENCE

Total Time Imposed Before Suspension .....  Life Sentence + 

Years	Months	Days

 Sentenced to Time Served

Total Effective Time to Serve .....  Life Sentence + 

Years	Months	Days

Incarceration Sentence to Run Concurrently With Another Event

Restitution \$ \_\_\_\_\_  Fine \$ \_\_\_\_\_

## Post Release

Post Release Incarceration Term § 18.2-10 (suspended) ..... 

Years	Months	Days

  
(6 months to 3 years)

Post Release Supervision Period § 19.2-295.2(A) ..... 

Years	Months	Days

  
(6 months to 3 years)

## Probation (Sentenced to no time, probation up to statutory maximum; Sentenced to incarceration, probation up to 5 years )

Probation Period (Supervised) § 19.2-303 .....  Indefinite 

Years	Months	Days

## Good Behavior

Good Behavior Period (§ 19.2-306) \_\_\_\_\_ (Up to Statutory Maximum)  
Years Months Days

## Agreements and Other Details (check all that apply)

- 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

## Other Sentencing Programs (check all that apply)

- Day Reporting
- Electronic Monitoring
- Intensive Probation
- Substance Abuse Treatment
- § 18.2-251/§ 18.2-258.1
- § 19.2-298.02, § 19.2-303.6 (Deferred Disposition)
- Community-Based Program \_\_\_\_\_
- CCAP
- Drug Court
- Youthful Offender
- DJJ Commitment  Indeterminate  Determinate
- Other \_\_\_\_\_

<small>Office Use Only</small>					

## 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

Accepted Nonviolent Risk Assessment recommendation, no departure reason needed. 

<small>Office Use Only</small>					

## 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

<small>Office Use Only</small>					

# Miscellaneous/Other ❖ Section A

Offender Name: \_\_\_\_\_

◆ **Primary Offense** \_\_\_\_\_

A.	Perjury, falsely swear an oath (1 count).....	1
B.	Nonviolent sex offender, fail to register, etc., 2nd/subsequent (1 count) .....	2
C.	Violent sex offender, fail to register or provide false information (1 count) .....	2
D.	Violent sex offender, fail to register, etc., 2nd/subsequent (1 count) .....	2
E.	Failure to appear in court for felony offense	
	1 count .....	1
	2 counts .....	4
F.	Escape from correctional facility (1 count).....	7
G.	Possession or sale of Schedule III drug or marijuana by prisoner (1 count) .....	3
H.	Participation in offense by/for gang (1 count) .....	5
I.	Participation in offense by/for gang with juvenile member (1 count).....	6
J.	Provide wireless device to or possession of wireless device by prisoner (1count).....	2

**Score**  
▼  

0	
---	--

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

Years:	5 - 7.....	1
	8 - 18.....	2
	19 - 28.....	3
	29 - 38.....	4
	39 or more.....	5

0	
---	--

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

Years:	Less than 1 .....	0
	1 - 7.....	1
	8 - 18.....	2
	19 - 28.....	3
	29 - 38.....	4
	39 or more.....	5

0	
---	--

◆ **Victim Injury** \_\_\_\_\_

	Threatened, emotional, physical or serious physical .....	1
	Life threatening .....	2

0	
---	--

◆ **Conviction in Current Event Requiring Mandatory Minimum Term (6 mos or more) If YES, add 8** → 

0	
---	--

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

<p><b>Primary offense:</b> B, C, D or J: Sex offender registry violation or provide wireless device to or possession of wireless device by prisoner</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr><th>Years</th><th>Points</th></tr> </thead> <tbody> <tr><td>Less than 6 .....</td><td>0</td></tr> <tr><td>6-64 .....</td><td>1</td></tr> <tr><td>65 or more .....</td><td>2</td></tr> </tbody> </table>	Years	Points	Less than 6 .....	0	6-64 .....	1	65 or more .....	2	<p><b>Primary offense:</b> All other offenses</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr><th>Years</th><th>Points</th></tr> </thead> <tbody> <tr><td>Less than 2.....</td><td>0</td></tr> <tr><td>2-38 .....</td><td>1</td></tr> <tr><td>39 or more .....</td><td>2</td></tr> </tbody> </table>	Years	Points	Less than 2.....	0	2-38 .....	1	39 or more .....	2
Years	Points																
Less than 6 .....	0																
6-64 .....	1																
65 or more .....	2																
Years	Points																
Less than 2.....	0																
2-38 .....	1																
39 or more .....	2																

0	
---	--

◆ **Prior Incarcerations/Commitments** \_\_\_\_\_ If YES, add 4 → 

0	
---	--

◆ **Legally Restrained at Time of Offense** \_\_\_\_\_

<p><b>Primary offense:</b> B, C, D or J: Sex offender registry violation or provide wireless device to or possession of wireless device by prisoner</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr><th>Points</th></tr> </thead> <tbody> <tr><td>Any legal restraint.....</td><td>1</td></tr> </tbody> </table>	Points	Any legal restraint.....	1	<p><b>Primary offense:</b> All other offenses</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr><th>Points</th></tr> </thead> <tbody> <tr><td>None .....</td><td>0</td></tr> <tr><td>Other than post-incarceration supervision.....</td><td>2</td></tr> <tr><td>Post-incarceration supervision .....</td><td>5</td></tr> </tbody> </table>	Points	None .....	0	Other than post-incarceration supervision.....	2	Post-incarceration supervision .....	5
Points											
Any legal restraint.....	1										
Points											
None .....	0										
Other than post-incarceration supervision.....	2										
Post-incarceration supervision .....	5										

0	
---	--

**SCORE THE FOLLOWING FACTOR ONLY IF PRIMARY OFFENSE IS H OR I: GANG OFFENSE (§ 18.2-46.2)**

◆ **Type of Additional or Prior Record Convictions/Adjudications**  
Violent Additional or Prior Record Convictions/Adjudications \_\_\_\_\_ If YES, add 2 → 

0	
---	--

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

--	--

# Miscellaneous/Other Section B Offender Name: \_\_\_\_\_

## Primary Offense \_\_\_\_\_

- A. Perjury, falsely swear an oath (1 count).....7
- B. Nonviolent sex offender, fail to register, etc., 2nd/subsequent (1 count) .....7
- C. Violent sex offender, fail to register or provide false information (1 count) .....8
- D. Violent sex offender, fail to register, etc., 2nd/subsequent (1 count) .....9
- E. Failure to appear in court for felony offense (1 count).....10
- F. Escape from correctional facility (1 count).....10
- G. Possession or sale of Schedule III drug or marijuana by prisoner (1 count) .....7
- H. Participation in offense by/for gang (1 count) .....7
- I. Participation in offense by/for gang with juvenile member (1 count).....8
- J. Provide wireless device to or possession of wireless device by prisoner (1count).....8

**Score**

▼

--	--

## Primary Offense Remaining Counts Total the maximum penalties for counts of the primary not scored above \_\_\_\_\_

- Years: 5 - 9.....2
- 10 - 19.....3
- 20 - 29.....4
- 30 - 39.....5
- 40 or more.....6

0	
---	--

## 3 Additional Offenses Total the maximum penalties for additional offenses, including counts \_\_\_\_\_

- Years: Less than 1 .....0
- 1 - 9.....2
- 10 - 19.....3
- 20 - 29.....4
- 30 - 39.....5
- 40 or more.....6

0	
---	--

## Type of Additional Offense \_\_\_\_\_

**Primary offense:**  
H or I: Gang Offense (§ 18.2-46.2)

Points	
Additional Offense of Assault(Felony or Misdemeanor) . 1	

**Primary offense:**  
All other offenses

Do Not Score
--------------

0	
---	--

## 5 Victim Injury \_\_\_\_\_

- Threatened, emotional, physical or serious physical .....2
- Life threatening .....3

0	
---	--

## Prior Incarcerations/Commitments \_\_\_\_\_

**Primary offense:**  
B, C, or D: Sex offender registry violation or J: Provide wireless device to or possession of device by prisoner  
If YES, Add 1

Do Not Score
--------------

**Primary offense:**  
All other offenses

Do Not Score
--------------

0	
---	--

## 7 Type of Prior Convictions/Adjudications \_\_\_\_\_

- Score if Primary Offense B,C, or D: Sex Offender Registry Violations**
- 2 or more Prior Sex Offender Misdemeanors Registry Violations.....1
  - 1 or more Prior Sex Offender Felony Registry Violations .....2
- Score if Primary Offense: H or I: Gang Offense (§ 18.2-46.2)**
- Prior Juvenile Felony Person Adjudication .....1
- Score if Primary Offense: J: Provide Wireless Device**
- 0 to 1 Prior Felony Conviction/ Adjudication against a Person .....0
  - 2 or more Prior Felony Convictions/ Adjudication against a Person .....1

0	
---	--

## Legally Restrained at Time of Offense \_\_\_\_\_ If YES, add 1 →

0	
---	--

## **Total Score** \_\_\_\_\_ →

See Miscellaneous/Other Section B Recommendation Table to convert score to guidelines sentence.

--	--

# Miscellaneous/Other Section C Offender Name: \_\_\_\_\_

— Prior Record Classification —

◆ **Primary Offense** \_\_\_\_\_  Category I  Category II  Other

A. Perjury, falsely swear an oath (1 count).....	12.....	6.....	3
B. Nonviolent sex offender, fail to register, etc., 2nd/subsequent (1 count).....	8.....	4.....	2
C. Violent sex offender, fail to register or provide false info. (1 count).....	8.....	4.....	2
D. Violent sex offender, fail to register, etc., 2nd/subsequent (1 count).....	16.....	8.....	4
E. Failure to appear in court for felony offense (1 count).....	32.....	16.....	8
F. Escape from correctional facility (1 count).....	40.....	20.....	10
G. Possession or sale of Schedule III drug or marijuana by prisoner (1 count).....	32.....	16.....	8
H. Participation in offense by/for gang (1 count).....	84.....	42.....	21
I. Participation in offense by/for gang with juvenile member (1 count).....	104.....	52.....	26
J. Provide wireless device to or possession of wireless device by prisoner (1count).....	8.....	4.....	2

**Score**

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

Maximum Penalty: 5, 10 ..... 1  
(years)

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

Years:	Less than 5 .....	0
	5, 10 .....	1
	20 .....	2
	30 .....	3
	40 or more.....	5

◆ **Type of Additional Offense** (Violent Additional Offense (as defined in § 17.1-805))

<b>Primary offense:</b>	
H or I: Gang Offense (§ 18.2-46.2)	
Violent Additional Offense (as defined in § 17.1-805)	Points
And Primary is without a Juvenile (MOB1291F5).....	12
And Primary is with a Juvenile (MOB1292F4).....	16

<b>Primary offense:</b>
All other offenses
Do Not Score

0

◆ **Firearm Used or Brandished** \_\_\_\_\_ If YES, add 2 →

0 0

◆ **Victim Injury** \_\_\_\_\_

Threatened or emotional .....	2
Physical or serious.....	4
Life threatening .....	5

0 0

◆ **Prior Convictions/Adjudications** Assign points to the 5 most recent and serious prior record events and total the points ▼

Maximum Penalty: Less than 20 ..... 0  
(years) 20, 30, 40 or more..... 1

0 0

◆ **Prior Felony Convictions/Adjudications Against Person** \_\_\_\_\_

Number of Counts:	1 .....	1
	2 .....	2
	3 .....	3
	4 .....	4
	5 or more.....	5

0 0

◆ **Prior Felony Convictions/Adjudications with the Same VCC Prefix as Primary Offense** \_\_\_\_\_

Number of Counts:	1 .....	2
	2 .....	4
	3 .....	6
	4 .....	8
	5 or more.....	10

0 0

◆ **Legally Restrained at Time of Offense** \_\_\_\_\_ If YES, add 2 →

0 0

**Total Score** \_\_\_\_\_

See Miscellaneous Section C Recommendation Table for guidelines sentence range.



# 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.				