

# Rape Sentencing Guidelines Cover Sheet

Complete this form ONLY for applicable felonies sentenced on or after July 1, 2016.

Scheduled Sentencing Date:

 /  / 

## ◆ OFFENDER

First \_\_\_\_\_ Middle \_\_\_\_\_ Last \_\_\_\_\_ Suffix \_\_\_\_\_

Date of Birth:  /  /   
Month Day Year

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

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

Additional Offenses \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### Counts

### VCC

 -  -  -  -  -  - 

### Offense Date

 /  /   
Month Day Year /  /  /  / 

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 RECOMMENDATIONS

### Section C

Incarceration (Enter Midpoint and Range Below)

Life Sentence

Range Midpoint  Years  Months  Days

Sentence Range  Years  Months  Days

TO

Years  Months  Days

Recommendation Adjusted for Mandatory Minimum

### Modifications Based on Risk Assessment

The upper end of the sentencing range can be adjusted based on the risk assessment level.

Characteristics of the offender and the circumstances of the offense may have correlated with a significant risk of recidivism among other sex offenders. If so, the upper end of the recommended sentence range can be increased by:

Check one

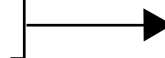
300% - Level 1

100% - Level 2

50% - Level 3

No Adjustment

### Adjusted High End

 Years  Months



# 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 Term § 18.2-10 ..... 

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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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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
- Diversion Center Incarceration
- Electronic Monitoring
- Unsupervised Probation/Good Behavior
- § 18.2-251/§ 18.2-258.1
- Substance Abuse Treatment
- Community-Based Program \_\_\_\_\_
- Detention Center Incarceration
- Drug Court
- Intensive Probation
- Youthful Offender
- Other \_\_\_\_\_

Office Use Only

Other	CBP

## REASON FOR DEPARTURE

Must be completed pursuant to § 19.2-298.01(B)

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## 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**

Office Use Only

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# Rape Section A

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

◆ **Offender's Age at Time of Offense** \_\_\_\_\_

Younger than 35 years .....	12	↓
35 to 46 years .....	4	
Older than 46 years .....	0	

◆ **Less than 9th Grade Education (by conviction date)** \_\_\_\_\_ If YES, add 4 → 0

◆ **Not Regularly Employed (during 2 years prior to arrest date)** \_\_\_\_\_ If YES, add 5 → 0

◆ **Offender's Relationship with Victim** \_\_\_\_\_

Victim Under Age 10	Relative .....	0	↓
	Known to victim (not relative or step-parent) .....	4	
	Stranger .....	4	
	Step-parent .....	9	
Victim Age 10 or more	Relative .....	2	
	Known to victim (not relative or step-parent) .....	3	0
	Stranger .....	8	
	Step-parent .....	2	

◆ **Location of Offense** \_\_\_\_\_

Place of employment .....	0	↓	
Shared victim/offender residence .....	3		
Outdoors .....	3		
Motor Vehicle .....	4		
Victim's residence (not offender's) .....	5		
Offender's residence or other residence .....	9		
Location other than listed .....	3		0

◆ **Prior Adult Felony/Misdemeanor Arrests for Crimes Against a Person** \_\_\_\_\_

Number: 0 Felonies	1 - 3 Misdemeanors .....	1	↓
	4+ Misdemeanors .....	8	
1 Felony	0 - 2 Misdemeanors .....	5	
	3+ Misdemeanors .....	8	
2+ Felonies	0 - 3 Misdemeanors .....	8	
	4+ Misdemeanors .....	15	

◆ **Prior Incarcerations/Commitments** \_\_\_\_\_ If YES, add 3 → 0

◆ **Prior Treatment** \_\_\_\_\_

Prior mental health commitment .....	0	↓
Prior mental health treatment .....	2	
Prior alcohol or drug treatment .....	3	
No prior treatment .....	4	

**Risk Score** \_\_\_\_\_ →

- Risk Level**  
(Risk Score)
- 44 or more ..... Level 1
  - 34 - 43 ..... Level 2
  - 28 - 33 ..... Level 3
  - up to 27 ..... No Adjustment

Go to **Section C**

# Rape Section C

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

**There is no Section B for this offense.**

## ◆ Primary Offense

— Prior Record Classification —  
 Category I     Category II     Other  
(scores for attempted/conspired offenses are in parentheses)

A. Attempted or conspired forcible rape, forcible sodomy or object sexual penetration		
1 count .....	(60)	(30) ..... (15)
B. Forcible rape or object sexual penetration, victim under age 13		
1 - 2 counts .....	312	208 ..... 117
3 counts .....	882	588 ..... 331
C. Forcible sodomy, victim under age 13		
1 - 2 counts .....	354	236 ..... 133
3 counts .....	882	588 ..... 331
D. Forcible rape or object sexual penetration, victim age 13 or older		
1 count .....	402	268 ..... 151
2 counts .....	882	588 ..... 331
E. Forcible sodomy, victim age 13 or older		
1 count .....	324	216 ..... 122
2 counts .....	882	588 ..... 331

**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: 10 .....	5
(years) Life .....	18

0		
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## ◆ Additional Offenses

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

Maximum Penalty: Less than 2 .....	0
(years) 2, 3 .....	1
4, 5 .....	2
10 .....	5
20 .....	9
30 .....	14
40 or more .....	18

0		
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## ◆ Weapon Used, Brandished, Feigned or Threatened

If YES, add 39

0		
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## ◆ Victim Injury

Threatened or emotional .....	3
Physical .....	20
Life threatening .....	76

0		
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## ◆ Prior Felony Sexual Assault Convictions/Adjudications

Number 1 .....	13
of Counts: 2 .....	26
3 or more .....	39

0		
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## Total Score

See **Rape Section C Recommendation Table** for guidelines sentence range.

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If necessary, on the cover sheet also enter the adjusted high end of the guidelines sentence range based on Risk Level:  1  2  3 or  n/a

Rape/Section C



# Additional Offenses Continuation Sheet

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

Offense	Counts	VCC	Offense Date		
			Month	Day	Year
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