



# Sentencing Guidelines Cover sheet

Scheduled Sentencing Date:

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

Complete this form ONLY for applicable felonies sentenced on or after July 1, 2017.

## ◆ 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	Counts	VCC	Offense Date
			<small>Month Day Year</small>
Primary Offense	____	____-____-____	____/____/____
Additional Offenses	____	____-____-____	____/____/____
_____	____	____-____-____	____/____/____

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 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 \_\_\_\_\_  
Years Months Days

Sentence Range \_\_\_\_\_ TO \_\_\_\_\_  
Years Months Days

Recommendation Adjusted for Mandatory Minimum

Non Guidelines Offense  
*(Primary offense is a non guidelines offense)*

# ◆ Final Disposition Fill In After Sentence Has Been Pronounced

## ◆ SENTENCE

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

Years		
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Months		
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Days		
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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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Good Behavior Period (§ 19.2-306) \_\_\_\_\_  
Years                      Months                      Days

*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)

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li><input type="checkbox"/> Day Reporting</li> <li><input type="checkbox"/> Detention Center Incarceration</li> <li><input type="checkbox"/> Diversion Center Incarceration</li> <li><input type="checkbox"/> Electronic Monitoring</li> <li><input type="checkbox"/> Intensive Probation</li> <li><input type="checkbox"/> § 18.2-251/§ 18.2-258.1</li> <li><input type="checkbox"/> Substance Abuse Treatment</li> </ul> | <ul style="list-style-type: none"> <li><input type="checkbox"/> Community-Based Program _____</li> <li><input type="checkbox"/> <b>CCAP</b> Detention/Diversion Center Incarceration, 22-28 weeks</li> <li><input type="checkbox"/> <b>CCAP</b> Detention/Diversion Center Incarceration, 42-48 weeks</li> <li><input type="checkbox"/> Drug Court</li> <li><input type="checkbox"/> Youthful Offender</li> <li><input type="checkbox"/> <b>DJJ</b> Commitment    <input type="checkbox"/> Indeterminate    <input type="checkbox"/> Determinate</li> <li><input type="checkbox"/> Other _____</li> </ul> |
|--|---|

Office Use Only

Other	CBP
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## ◆ 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

Office Use Only

Years	Months	Days
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\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## ◆ SENTENCING DATE

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Month
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Day
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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**

# Miscellaneous/Person & Property Section A

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

## Primary Offense

A. Burn unoccupied dwelling/church (1 count) .....	6
B. Burn occupied dwelling/church (1 count) .....	6
C. Burning of personal property, standing grain, etc., value \$200 or more	
1 count .....	2
2 counts .....	6
D. Threatening to bomb, burn or explode (1 count) .....	1
E. Threat by letter, communication or electronic message (1 count) .....	3
F. Child neglect/abuse, serious injury	
1 count .....	3
2 counts .....	7
G. Gross, reckless care of child (1 count) .....	1
H. Cruelty and injury to child (1 count) .....	2
I. Maliciously shoot, throw missile at train, car, etc. (1 count) .....	1
J. Damage/destroy any property or monument \$1,000 or more (1 count) .....	2

Score

0	
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## 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	
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## 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	
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## Victim Injury

Primary offense:

F, G, or H: Offenses with VCC prefix "FAM"		Points
Threatened, emotional, or physical .....	2	
Life threatening .....	5	

Primary offense:

All other offenses		Points
Threatened, emotional, or physical .....	1	
Life threatening .....	2	

0	
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## Conviction in Current Event Requiring Mandatory Minimum Term (6 mos or more) If YES, add 8

0	
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## Prior Convictions/Adjudications Total the maximum penalties for the 5 most recent and serious prior record events

Years: Less than 2 .....	0
2 - 38 .....	1
39 or more .....	2

0	
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## Prior Incarcerations/Commitments If YES, add 4

0	
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## Legally Restrained at Time of Offense

Primary offense:

J: Damage/Destroy property \$1,000 or more		Points
Any legal restraint .....	1	

Primary offense:

All other offenses		Points
None .....	0	
Other than post-incarceration supervision .....	2	
Post-incarceration supervision .....	5	

0	
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**SCORE THE FOLLOWING FACTOR ONLY IF PRIMARY OFFENSE IS J: DAMAGE/DESTROY TO PROPERTY \$1,000 OR MORE**

## Prior Vandalism Convictions/Adjudications

Misdemeanor vandalism .....	1
Felony vandalism .....	2
Both felony and misdemeanor vandalism .....	3

0	
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## Total Score

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

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# Miscellaneous/Person & Property ❖ Section B

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

## ◆ Primary Offense

- A. Burn unoccupied dwelling/church (1 count) ..... 6
- B. Burn occupied dwelling/church (1 count) ..... 7
- C. Burning of personal property, standing grain, etc., value \$200 or more (1 count) ..... 6
- D. Threatening to bomb, burn or explode (1 count) ..... 6
- E. Threat by letter, communication or electronic message (1 count) ..... 7
- F. Child neglect/abuse, serious injury (1 count) ..... 3
- G. Gross, reckless care of child (1 count) ..... 2
- H. Cruelty and injury to child (1 count) ..... 2
- I. Maliciously shoot, throw missile at train, car, etc. (1 count) ..... 7
- J. Damage/destroy any property or monument \$1,000 or more (1 count) ..... 8

Score

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

Primary offense:

J: Damage/Destroy property \$1,000 or more

Years	Points
5 - 9 .....	1
10 - 19 .....	2
20 - 29 .....	3
30 - 39 .....	4
40 or more .....	5

Primary offense:

All other offenses

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

0	
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## ◆ 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	
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## ◆ Victim Injury

Primary offense:

F, G or H: Offenses with VCC prefix "FAM"

	Points
Threatened, emotional, or physical .....	9
Life threatening .....	10

Primary offense:

All other offenses

	Points
Threatened, emotional, or physical .....	2
Life threatening .....	3

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## ◆ Legally Restrained at Time of Offense

If YES, add 1 →

0	
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**SCORE THE FOLLOWING FACTOR ONLY IF PRIMARY OFFENSE IS J: DAMAGE/DESTROY TO PROPERTY \$1,000 OR MORE**

## ◆ Prior Incarcerations/Commitments

If YES, add 1 →

0	
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## Total Score

See Miscellaneous/Person & Property Section B Recommendation Table to convert score to guidelines sentence.

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# Miscellaneous/Person & Property

## Section C

### Primary Offense

Prior Record Classification

Category I  Category II  Other

(scores for attempted/conspired offenses are in parentheses)

A. Burn unoccupied dwelling/church (1 count) .....	68	34	17
B. Burn occupied dwelling/church			
Completed: 1 count .....	108	54	27
2 counts .....	200	100	50
Attempted or conspired: 1 count .....	(68)	(34)	(17)
2 counts .....	(72)	(36)	(18)
C. Burning of personal property, standing grain, etc., value \$200 or more (1 count) .....	32	16	8
D. Threatening to burn, bomb or explode (1 count) .....	32	16	8
E. Threat by letter, communication or electronic message (1 count) .....	40	20	10
F. Child neglect/abuse, serious injury (1 count) .....	32	16	9
G. Gross, reckless care of child (1 count) .....	28	14	7
H. Cruelty and injury to child (1 count) .....	28	14	7
I. Maliciously shoot, throw missile at train, car, etc. (1 count) .....	32	16	8
J. Damage/destroy any property or monument \$1,000 or more (1 count) .....	32	16	8

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: 5, 10, 20, 30, 40 .....	1
(years) Life .....	5

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### Additional Offenses

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

Primary offense:

**B: Burn occupied dwelling/church**

Years	Points
Less than 5 .....	0
5, 10 .....	3
20 .....	6
30 .....	9
40 or more .....	12

Primary offense:

**All other offenses**

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

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### Firearm Used or Brandished

If YES, add 2

0	0	
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### Victim Injury

Primary offense:

**F, G, or H: Offenses with VCC prefix "FAM"**

	Points
Threatened or emotional .....	6
Physical .....	7
Life threatening .....	10

Primary offense:

**All other offenses**

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

0		
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### 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	
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### Prior Felony Convictions /Adjudications Against Person

Primary offense:

**B: Burn occupied dwelling/church**

Number of Counts	Points
1 .....	3
2 .....	4
3 .....	6
4 or more .....	8

Primary offense:

**All other offenses**

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

0	0	
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### Prior Felony Convictions/Adjudications with the Same VCC Prefix as Primary Offense

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

0		
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### Legally Restrained at Time of Offense

If YES, add 2

0	0	
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**SCORE THE FOLLOWING FACTOR ONLY IF PRIMARY OFFENSE IS B: BURN OCCUPIED DWELLING/CHURCH (§ 18.2-77(A,I))**

### Type of Additional Offense

Additional offense with VCC Prefix "MUR" ..... 133

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**Total Score**

See Miscellaneous Section C Recommendation Table for guidelines sentence range.

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