

# 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 YearSocial Security Number:  -  - CCRE:  V  A 

CORIS

Offender ID: PSI: 

## ◆ COURT

Judicial Circuit 

City/County \_\_\_\_\_

FIPS Code: 

Sentencing Judge's Name \_\_\_\_\_

  
For Office Use OnlyPreparer 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 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

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

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 |
|       |

|        |
|--------|
| Months |
|        |

|      |
|------|
| Days |
|      |

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

|       |
|-------|
| Years |
|       |

|        |
|--------|
| Months |
|        |

|      |
|------|
| Days |
|      |

Sentenced to Time Served

Post Release

Post Release Term § 18.2-10 ..... 

|       |
|-------|
| Years |
|       |

|        |
|--------|
| Months |
|        |

|      |
|------|
| Days |
|      |

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

|       |
|-------|
| Years |
|       |

|        |
|--------|
| Months |
|        |

|      |
|------|
| Days |
|      |

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

|       |
|-------|
| Years |
|       |

|        |
|--------|
| Months |
|        |

|      |
|------|
| Days |
|      |

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 |
|       |     |

## ◆ 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

|  |  |  |
|--|--|--|
|  |  |  |
|--|--|--|

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## ◆ 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**

# Traffic/Felony Section A

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

## ◆ Primary Offense

- A. DWI - Third conviction within 5 years (1 count) ..... 1
- B. DWI - Third conviction within 10 years (1 count) ..... 1
- C. DWI - Fourth or subsequent conviction within 10 years (1 count) ..... 9
- D. Habitual Offender: endangerment, second or subsequent, or DWI and declared habitual offender for DWI, involuntary manslaughter (1 count) ..... 9
- E. Drive on revoked license after DWI, involuntary manslaughter, or DWI victim permanently impaired (maiming) - endangerment (1 count) ..... 9
- F. Drive on revoked license after DWI, involuntary manslaughter, or DWI victim permanently impaired (maiming) and DWI, etc., violation (1 count) ..... 9
- G. Drive on revoked license after DWI, involuntary manslaughter, or DWI victim permanently impaired (maiming) - second or subsequent (1 count) ..... 9
- H. Hit and run, driver fails to stop and aid victim or hit and run, property damage \$1,000 or more  
1 count ..... 1  
2 counts ..... 4
- I. Disregard police command to stop, endangerment (1 count) ..... 5
- J. Driving after forfeiture of license, etc., 3rd offense within 10 Years (1 count) ..... 1

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 or physical ..... 1  
 Life Threatening ..... 2

|   |  |
|---|--|
| 0 |  |
|---|--|

## ◆ 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 |  |
|---|--|

## ◆ Prior Incarcerations/Commitments

Primary Offense: \_\_\_\_\_  
**J: Driving, after forfeiture of license**

| Number    | Score |
|-----------|-------|
| 1         | 1     |
| 2 or more | 4     |

Primary Offense: \_\_\_\_\_  
**All other offenses**

If YES, add 4

|   |  |
|---|--|
| 0 |  |
|---|--|

## ◆ Legally Restrained at Time of Offense

Primary Offense: \_\_\_\_\_  
**J: Driving, after forfeiture of license**

| Any legal restraint | Points |
|---------------------|--------|
| Any legal restraint | 4      |

Primary Offense: \_\_\_\_\_  
**All other offenses**

|                                           | Points |
|-------------------------------------------|--------|
| None                                      | 0      |
| Other than post-incarceration supervision | 2      |
| Post-incarceration supervision            | 5      |

|   |  |
|---|--|
| 0 |  |
|---|--|

**SCORE THE FOLLOWING FACTOR ONLY IF PRIMARY OFFENSE IS I: DISREGARD POLICE COMMAND TO STOP OR H: HIT AND RUN WITH PROPERTY DAMAGE \$1,000 OR MORE (§ 46.2-894, § 46.2-817 (B))**

## ◆ Prior Criminal Traffic Convictions/Adjudications

Primary Offense: \_\_\_\_\_  
**I: Disregard police command to stop**

Any prior felony traffic convictions/adjudications  
 If YES, add 8

Primary Offense: \_\_\_\_\_  
**H: Hit and run with property damage \$1,000 or more**

| Number                                            | Score |
|---------------------------------------------------|-------|
| 0-3 prior criminal misdemeanor traffic conv./adj. | 0     |
| 4+ prior criminal misdemeanor traffic conv./adj.  | 1     |
| 1+ prior felony traffic convictions/adjudications | 2     |

|   |  |
|---|--|
| 0 |  |
|---|--|

**Total Score**

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

|  |  |
|--|--|
|  |  |
|--|--|

# Traffic/Felony Section B

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

## ◆ Primary Offense

- A. DWI – Third conviction within 5 years (1 count) ..... 10
- B. DWI – Third conviction within 10 years (1 count) ..... 10
- C. Hit and run, driver fails to stop and aid victim (1 count) ..... 10
- D. Hit and run, property damage \$1,000 or more (1 count) ..... 8
- E. Disregard police command to stop, endangerment (1 count) ..... 9
- F. Driving after forfeiture of license, etc., 3rd offense within 10 Years (1 count) ..... 9

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 |  |
|---|--|

## ◆ 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 |  |
|---|--|

## ◆ Victim Injury

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

|   |  |
|---|--|
| 0 |  |
|---|--|

## ◆ Legally Restrained at Time of Offense

If YES, add 1 →

|   |  |
|---|--|
| 0 |  |
|---|--|

**SCORE THE FOLLOWING FACTOR ONLY IF PRIMARY OFFENSE IS C OR D: HIT AND RUN (§ 46.2-894)**

## ◆ Prior Criminal Traffic Convictions/Adjudications

- Number: 0 Felonies: 1 - 4 Misdemeanors ..... 1
- 5+ Misdemeanors ..... 2
- 1+ Felonies: 0 Misdemeanors ..... 1
- 1 - 4 Misdemeanors ..... 2
- 5+ Misdemeanors ..... 3

|   |  |
|---|--|
| 0 |  |
|---|--|

**SCORE THE FOLLOWING FACTOR ONLY IF PRIMARY OFFENSE IS F: DRIVING AFTER FORFEITURE OF LICENSE, ETC. - 3RD OFFENSE WITHIN 10 YEARS (§ 18.2-272(A))**

## ◆ Prior Incarcerations/Commitments

If YES, add 2 →

|   |  |
|---|--|
| 0 |  |
|---|--|

## Total Score

See Traffic Section B Recommendation Table to convert score to guidelines sentence.

|  |  |
|--|--|
|  |  |
|--|--|

# Traffic/Felony Section C

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

## ◆ Primary Offense — Prior Record Classification —

|                                                                                                                                        | <input type="checkbox"/> Category I | <input type="checkbox"/> Category II | <input type="checkbox"/> Other |
|----------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|--------------------------------------|--------------------------------|
| A. DWI - Third conviction within 5 years (1 count) .....                                                                               | 20                                  | 10                                   | 5                              |
| B. DWI - Third conviction within 10 years (1 count) .....                                                                              | 20                                  | 10                                   | 5                              |
| C. DWI - Fourth or subsequent conviction within 10 years                                                                               |                                     |                                      |                                |
| 1 count .....                                                                                                                          | 40                                  | 20                                   | 10                             |
| 2 counts .....                                                                                                                         | 48                                  | 24                                   | 12                             |
| 3 counts .....                                                                                                                         | 68                                  | 34                                   | 17                             |
| D. Habitual offender: endangerment, second or subsequent, or DWI and declared habitual offender for DWI, involuntary manslaughter      |                                     |                                      |                                |
| 1 count .....                                                                                                                          | 40                                  | 20                                   | 10                             |
| 2 counts .....                                                                                                                         | 48                                  | 24                                   | 12                             |
| 3 counts .....                                                                                                                         | 68                                  | 34                                   | 17                             |
| E. Drive on revoked license after DWI, involuntary manslaughter, or DWI victim permanently impaired (maiming) - endangerment           |                                     |                                      |                                |
| 1 count .....                                                                                                                          | 40                                  | 20                                   | 10                             |
| 2 counts .....                                                                                                                         | 48                                  | 24                                   | 12                             |
| 3 counts .....                                                                                                                         | 68                                  | 34                                   | 17                             |
| F. Drive on revoked license after DWI, involuntary manslaughter, or DWI victim permanently impaired (maiming) and DWI, etc., violation |                                     |                                      |                                |
| 1 count .....                                                                                                                          | 40                                  | 20                                   | 10                             |
| 2 counts .....                                                                                                                         | 48                                  | 24                                   | 12                             |
| 3 counts .....                                                                                                                         | 68                                  | 34                                   | 17                             |
| G. Drive on revoked license after DWI, involuntary manslaughter, or DWI victim permanently impaired (maiming) - second or subsequent   |                                     |                                      |                                |
| 1 count .....                                                                                                                          | 40                                  | 20                                   | 10                             |
| 2 counts .....                                                                                                                         | 48                                  | 24                                   | 12                             |
| 3 counts .....                                                                                                                         | 68                                  | 34                                   | 17                             |
| H. Hit and run, driver fails to stop and aid victim or hit and run, property damage \$1,000 or more (1 count) .....                    | 20                                  | 10                                   | 5                              |
| I. Disregard police command to stop, endangerment (1 count) .....                                                                      | 40                                  | 20                                   | 10                             |
| J. Driving after forfeiture of license, etc., 3rd offense within 10 yrs (1 count) .....                                                | 32                                  | 16                                   | 8                              |

**Score**

0

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

Maximum Penalty: 5, 10 ..... 1

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

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

## ◆ DWI Convictions for Current Event

Primary Offense: Habitual offender or Drive on a revoked license with DWI as additional offense ..... 11  
 DWI fourth offense, Driving after forfeiture of license, etc., 3rd offense within 10 yrs ..... 2  
 DWI third offense, Hit and run or Disregard command to stop (with DWI as additional offense) ..... 0

0

## ◆ Victim Injury

Threatened or emotional ..... 2  
 Physical ..... 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      4 ..... 4  
 2 ..... 2      5 or more ..... 5  
 3 ..... 3

0
0

## ◆ 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

## ◆ Legally Restrained at Time of Offense

Primary Offense: H: Hit and run (§ 46.2-894) Primary Offense: All other offenses  
 If YES, add 4 If YES, add 2

0
0

### SCORE THE FOLLOWING FACTOR ONLY IF PRIMARY OFFENSE IS H: HIT AND RUN (§ 46.2-894)

## ◆ Prior Criminal Traffic Convictions/Adjudications

Number: 0 Felonies: 1 - 4 Misdemeanors ..... 4  
 5+ Misdemeanors ..... 8  
 1+ Felonies: 0 Misdemeanors ..... 4  
 1 - 4 Misdemeanors ..... 8  
 5+ Misdemeanors ..... 12

**Total Score**

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