

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 Non Guidelines Offense
(Primary offense is a non guidelines offense) Recommendation Adjusted for **Mandatory Minimum**

◆ 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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Good Behavior Period _____
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"> <input type="checkbox"/> Day Reporting <input type="checkbox"/> Detention Center Incarceration <input type="checkbox"/> Diversion Center Incarceration <input type="checkbox"/> Electronic Monitoring <input type="checkbox"/> § 18.2-251/§ 18.2-258.1 <input type="checkbox"/> Substance Abuse Treatment <input type="checkbox"/> Intensive Probation | <ul style="list-style-type: none"> <input type="checkbox"/> Community-Based Program _____ <input type="checkbox"/> CCAP Detention/Diversion Center Incarceration, 22-28 weeks <input type="checkbox"/> CCAP Detention/Diversion Center Incarceration, 42-48 weeks <input type="checkbox"/> Drug Court <input type="checkbox"/> Youthful Offender <small>(Enter 4 yrs. to serve)</small> <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td></tr></table> <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td></tr></table>
<small>Office Use Only</small> <input type="checkbox"/> DJJ Commitment <input type="checkbox"/> Indeterminate <input type="checkbox"/> Determinate <input type="checkbox"/> Other _____ | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

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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

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◆ SENTENCING DATE

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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

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Weapon/Firearm Section A

Offender Name: _____

◆ Primary Offense

- A. Maliciously discharge firearm, etc., in/at occupied building (1 count).....2
- B. Discharge firearm from vehicle (1 count).....1
- C. Possess firearm on school property (1 count).....1
- D. Possession of sawed-off shotgun (1 count).....2
- E. Carry concealed weapon, 2nd or 3rd offense (1 count).....2
- F. False statement on firearm consent form (1 count).....1
- G. Possession of firearm, other weapon, explosives or ammunition by convicted felon
 - 1 count3
 - 2 counts4

Score

0

◆ Primary Offense Remaining Counts

Total the maximum penalties for counts of the primary not scored above

Primary offense:

A. Maliciously discharge firearm, etc., in/at occupied building	
Maximum Penalty (years)	Points
5 - 7	2
8 - 18	3
19 - 28	4
29 - 38	5
39 or more	6

Primary offense: All other offenses

Maximum Penalty (years)	Points
5 - 7	1
8 - 18	2
19 - 28	3
29 - 38	4
39 or more	5

◆ Additional Offenses

Total the maximum penalties for additional offenses, including counts

Primary offense:

A. Maliciously discharge firearm, etc., in/at occupied building	
Maximum Penalty (years)	Points
Less than 1	0
1 - 7	3
8 - 18	4
19 - 28	5
29 - 38	6
39 or more	7

Primary offense: All other offenses

Maximum Penalty (years)	Points
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 threatening2

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

- Years:
- Less than 20
 - 2 - 381
 - 39 or more2

0

◆ Prior Criminal Misdemeanor Convictions

Primary offense:

E. Carry concealed weapon, 2nd or 3rd offense	
Number of Counts	Points
1 - 6	1
7 or more	2

Primary offense: All other offenses

Do Not Score

0

◆ Prior Incarcerations/Commitments

If YES, add 4

0

◆ Legally Restrained at Time of Offense

Primary offense:

A. Maliciously discharge firearm, etc., in/at occupied building	
	Points
None	0
Other than post-incarceration supervision	3
Post-incarceration supervision (supervision after incarceration)	6

Primary offense: All other offenses

	Points
None	0
Other than post-incarceration supervision	2
Post-incarceration supervision (supervision after incarceration)	5

0

◆ Type of Additional Offense(s)

Primary offense:

A. Maliciously discharge firearm, etc., in/at occupied building	
Additional offense with VCC prefix of WPN or ASL	2

Primary offense: All other offenses

Do Not Score

0

SCORE THE FOLLOWING IF PRIMARY OFFENSE AT CONVICTION IS

F: FALSE STATEMENT ON A FIREARM CONSENT FORM (§ 18.2-308.2:2(K))

◆ Basis of False Statement on Consent Form (listed below)

If YES, add 3

Prior felony conviction/juvenile adjudication for crime against person, Other prior felony conviction/..... juvenile adjudication within 4 years of current offense, Prior domestic assault misdemeanor conviction or Subject to protective order at time of offense

0

Total Score

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

Weapon/Firearm Section B

Offender Name: _____

◆ Primary Offense

- A. Maliciously discharge firearm, etc., in/at occupied building (1 count).....7
- B. Discharge firearm from vehicle (1 count).....8
- C. Possess firearm on school property (1 count).....7
- D. Possession of sawed-off shotgun (1 count).....6
- E. Carry concealed weapon, 2nd or 3rd offense (1 count).....7
- F. False statement on firearm consent form (1 count).....1
- G. Possession of firearm, other weapon, explosives or ammunition by convicted felon (1 count).....7

Score

0	
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◆ 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	
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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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◆ Prior Criminal Misdemeanor Convictions

Primary offense E: Carry concealed weapon, 2nd/3rd offense	
Number of Counts	Points
1 - 2	1
3.....	2
4 or more.....	3

Primary offense: All other offenses	
Do Not Score	

0	
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◆ Victim Injury

Primary offense:	
A. Maliciously discharge firearm, etc., in/at occupied building	
	Points
Threatened, emotional or physical	3
Life threatening.....	4

Primary offense: All other offenses	
	Points
Threatened, emotional or physical	2
Life threatening.....	3

0	
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◆ Legally Restrained at Time of Offense

If YES, add 1 →

0	
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Total Score

See **Weapon/Firearm Section B Recommendation Table** to convert score to guidelines sentence.

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Weapon/Firearm Section C

Offender Name: _____

◆ Primary Offense

____ Prior Record Classification ____

Category I Category II Other
(scores for attempted/conspired offenses are in parentheses)

- A. Maliciously discharge firearm, etc. in/at occupied building
 - Attempted or conspired: 1 count.....(32).....(16).....(8)
 - Completed: 1 count.....60.....30.....15
- B. Discharge firearm from vehicle (1 count).....48.....24.....12
- C. Possess firearm on school property (1 count).....32.....16.....8
- D. Possession of sawed-off shotgun (1 count).....36.....18.....9
- E. Carry concealed weapon, 2nd or 3rd offense (1 count).....32.....16.....8
- F. False statement on consent form (1 count).....32.....16.....8
- G. Possession of firearm, other weapon, explosives or ammunition by convicted felon (1 count) 32.....16.....8

Score

0			
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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.....1

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◆ 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

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◆ Firearm Used or Brandished

If YES, add 2 →

0	0		
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◆ Victim Injury

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

0	0		
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◆ Prior Convictions/Adjudications Assign points to the 5 most recent and serious prior record events and total the points

Primary offense:

A. Maliciously discharge firearm, etc., in/at occupied building Maximum Penalty (years)	Points
Less than 20.....	0
20, 30, 40 or more.....	5

Primary offense: All other offenses

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

0			
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◆ Prior Felony Convictions/Adjudications Against Person

Primary offense:

A. Maliciously discharge firearm, etc., in/at occupied building Number of Counts	Points
1.....	5
2.....	6
3.....	7
4.....	8
5 or more.....	9

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
2.....4
3.....6
4.....8
5 or more.....10

0			
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◆ Legally Restrained at Time of Offense

If YES, add 2 →

0	0		
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Total Score

See Weapon/Firearm Section C Recommendation Table for guidelines sentence range.

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