



# Sentencing Guidelines Cover Sheet

Scheduled Sentencing Date:

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

Complete this form ONLY for applicable felonies sentenced on or after July 1, 2019.

## ◆ OFFENDER

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

Date of Birth: \_\_\_\_/\_\_\_\_/\_\_\_\_ Social Security Number: \_\_\_\_\_

CCRE:  V  A \_\_\_\_\_ CORIS Offender ID: \_\_\_\_\_

## ◆ 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
			Month Day Year
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 \_\_\_\_ Years \_\_\_\_ Months \_\_\_\_ Days TO \_\_\_\_ Years \_\_\_\_ Months \_\_\_\_ Days

Recommendation Adjusted for Mandatory Minimum

Non-Guidelines Offense

## ◆ NONVIOLENT RISK ASSESSMENT Section D of Drug, Fraud, and Larceny Worksheets

- Recommended for Alternative Punishment  Not Applicable (INELIGIBILITY CONDITIONS marked on Section D)
- NOT Recommended for Alternative Punishment  Not a DRUG, FRAUD or LARCENY Offense

# ◆ 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"> <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"/> § 18.2-251/§ 18.2-258.1</li> <li><input type="checkbox"/> Substance Abuse Treatment</li> <li><input type="checkbox"/> Intensive Probation</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 <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><br/><small>Office Use Only</small></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> |  |  |  |  |  |  |  |
|  |   |  |  |  |  |  |  |  |
|  |   |  |  |  |  |  |  |  |

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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

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**

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# Miscellaneous/Other ❖ Section A

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

◆ **Primary Offense** \_\_\_\_\_

A. Perjury, falsely swear an oath (1 count).....	1	Score ▼ <table border="1" style="width: 40px; height: 40px; text-align: center; border-collapse: collapse;"> <tr><td style="font-size: 24px;">0</td><td style="width: 20px;"></td></tr> </table>	0	
0				
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			

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

Years: 5 - 7 .....	1	<table border="1" style="width: 40px; height: 40px; text-align: center; border-collapse: collapse;"> <tr><td style="font-size: 24px;">0</td><td style="width: 20px;"></td></tr> </table>	0	
0				
8 - 18 .....	2			
19 - 28 .....	3			
29 - 38 .....	4			
39 or more.....	5			

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

Years: Less than 1 .....	0	<table border="1" style="width: 40px; height: 40px; text-align: center; border-collapse: collapse;"> <tr><td style="font-size: 24px;">0</td><td style="width: 20px;"></td></tr> </table>	0	
0				
1 - 7 .....	1			
8 - 18 .....	2			
19 - 28 .....	3			
29 - 38 .....	4			
39 or more.....	5			

◆ **Victim Injury** \_\_\_\_\_

Threatened, emotional, physical or serious physical .....	1	<table border="1" style="width: 40px; height: 40px; text-align: center; border-collapse: collapse;"> <tr><td style="font-size: 24px;">0</td><td style="width: 20px;"></td></tr> </table>	0	
0				
Life threatening .....	2			

◆ **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

<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 style="text-align: left;">Years</th> <th style="text-align: right;">Points</th> </tr> </thead> <tbody> <tr> <td>Less than 6 .....</td> <td style="text-align: right;">0</td> </tr> <tr> <td>6-64 .....</td> <td style="text-align: right;">1</td> </tr> <tr> <td>65 or more .....</td> <td style="text-align: right;">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 style="text-align: left;">Years</th> <th style="text-align: right;">Points</th> </tr> </thead> <tbody> <tr> <td>Less than 2 .....</td> <td style="text-align: right;">0</td> </tr> <tr> <td>2-38 .....</td> <td style="text-align: right;">1</td> </tr> <tr> <td>39 or more .....</td> <td style="text-align: right;">2</td> </tr> </tbody> </table>	Years	Points	Less than 2 .....	0	2-38 .....	1	39 or more .....	2	<table border="1" style="width: 40px; height: 40px; text-align: center; border-collapse: collapse;"> <tr><td style="font-size: 24px;">0</td><td style="width: 20px;"></td></tr> </table>	0	
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	
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◆ **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 style="text-align: left;">Any legal restraint.....</th> <th style="text-align: right;">Points</th> </tr> </thead> <tbody> <tr> <td>.....</td> <td style="text-align: right;">1</td> </tr> </tbody> </table>	Any legal restraint.....	Points	.....	1	<p><b>Primary offense:</b> All other offenses</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">None .....</th> <th style="text-align: right;">Points</th> </tr> </thead> <tbody> <tr> <td>.....</td> <td style="text-align: right;">0</td> </tr> <tr> <td>Other than post-incarceration supervision.....</td> <td style="text-align: right;">2</td> </tr> <tr> <td>Post-incarceration supervision .....</td> <td style="text-align: right;">5</td> </tr> </tbody> </table>	None .....	Points	.....	0	Other than post-incarceration supervision.....	2	Post-incarceration supervision .....	5	<table border="1" style="width: 40px; height: 40px; text-align: center; border-collapse: collapse;"> <tr><td style="font-size: 24px;">0</td><td style="width: 20px;"></td></tr> </table>	0	
Any legal restraint.....	Points															
.....	1															
None .....	Points															
.....	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** \_\_\_\_\_ If YES, add 2 → 

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/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

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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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## ◆ 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
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0	
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## ◆ Victim Injury \_\_\_\_\_

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

0	
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## ◆ 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
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**Primary offense:**  
All other offenses

Do Not Score
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0	
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## ◆ 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	
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## ◆ Legally Restrained at Time of Offense \_\_\_\_\_ If YES, add 1 →

0	
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## Total Score \_\_\_\_\_

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

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# 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))

<p><b>Primary offense:</b>  <b>H or I: Gang Offense (§ 18.2-46.2)</b>          Violent Additional Offense (as defined in § 17.1-805)      <b>Points</b>          And Primary is without a Juvenile (MOB1291F5)..... 12          And Primary is with a Juvenile (MOB1292F4)..... 16</p>	<p><b>Primary offense:</b>  <b>All other offenses</b>          Do Not Score</p>
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▼

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.