



# 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: \_\_\_\_/\_\_\_\_/\_\_\_\_  
Month Day Year

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  Non-Guidelines Offense
- 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

## ◆ 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 + 

--	--	--

--	--

--	--	--	--

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

--	--	--

--	--

--	--	--	--

Sentenced to Time Served

Post Release

Post Release Term § 18.2-10 ..... 

--	--	--

--	--

--	--	--	--

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

--	--	--

--	--

--	--	--	--

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

--	--	--

--	--

--	--	--	--

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> |  |  |  |  |  |  |  |
|  |   |  |  |  |  |  |  |  |
|  |   |  |  |  |  |  |  |  |

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**

Office Use Only

--	--	--

# Traffic/Felony Section A

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

## 1 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, or DWI after prior felony DWI (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	
---	--

## 2 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	
---	--

## 3 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	
---	--

## 4 Victim Injury

- Threatened, emotional, physical or serious ..... 1  
 Life threatening ..... 2

0	
---	--

## 5 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	
---	--

## 6 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	
---	--

## 7 Legally Restrained at Time of Offense

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

Any legal restraint	Points
.....	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))**

## 8 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, physical or serious.....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: \_\_\_\_\_

\_\_\_\_ Prior Record Classification \_\_\_\_

## 1 Primary Offense

Category I  Category II  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, DWI after prior felony DWI			
	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		
---	--	--

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

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

--	--	--

## 3 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

--	--	--

## 4 Type of Additional Offense is DWI (Score based on the primary offense)

Primary with Habitual offender or Drive on a revoked license with DWI as additional offense ..... 11  
 additional DWI DWI after prior felony DWI, manslaughter, maiming ..... 3  
 offense: 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		
---	--	--

## 5 Victim Injury

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

0	0	
---	---	--

## 6 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	
---	---	--

## 7 Prior Felony Convictions/Adjudications Against Person

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

0	0	
---	---	--

## 8 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		
---	--	--

## 9 Legally Restrained at Time of Offense

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

Primary Offense: All other offenses  
 If YES, add 2

0	0	
---	---	--

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

## 10 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.

--	--	--	--