



Final Disposition Fill In After Sentence Has Been Pronounced

☐ Modification of Recommendation Based on Substantial Assistance, Acceptance of Responsibility or Expression of Remorse

The decision to modify the guidelines recommendation must be made by the judge. If the recommended low end is 3 years or less, the low end is adjusted to no incarceration. If recommended low end is more than 3 years, the low end is reduced by 50%.

If accepted by the court the

Adjusted Range is: _____ TO _____
Years Months Days Years Months Days

◆ SENTENCE *(For All Offenses in the Event)*

☐ Taken under Advisement/Continued

Total Time Imposed Before Suspension ☐ Life Sentence +

Years			Months		Days		

☐ Sentenced to
Time Served

Total Effective Time to Serve ☐ Life Sentence +

Years			Months		Days		

☐ Incarceration Sentence to Run Concurrently With Another Event

☐ Restitution \$ _____ ☐ Fine \$ _____

Post Release

Post Release Incarceration Term § 18.2-10 (suspended)
(6 months to 3 years)

Years			Months		Days		

Probation Supervision Period § 19.2-295.2(A)
(6 months to 3 years)

Years			Months		Days		

Probation (Sentenced to no time, probation up to statutory maximum; Sentenced to incarceration, probation up to 5 years)

Probation Period (Supervised) ☐ Indeterminate Not to Exceed § 19.2-303

Years			Months		Days		

Good Behavior

☐ Good Behavior Period (sum or longest length imposed)(§ 19.2-306)

Years			Months		Days		

☐ Fixed at
Statutory
Maximum
§ 19.2-303.1

Agreements and Other Details *(check all that apply)*

☐ 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

Other Sentencing Programs *(check all that apply)*

☐ Day Reporting

☐ Electronic Monitoring

☐ Intensive Probation

☐ Substance Abuse Treatment

☐ § 18.2-251/§ 18.2-258.1

☐ Community-Based Program _____

☐ CCAP

☐ Drug Court

☐ Youthful Offender

☐ DJJ Commitment ☐ Indeterminate ☐ Determinate

☐ Other _____

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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

☐ Accepted Nonviolent Risk Assessment recommendation,
no departure reason needed.

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◆ 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**

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Rape ❖ Section A

Offender Name: _____

◆ **Offender's Age at Time of Offense** _____

Younger than 35 years	12
35 to 46 years	4
Older than 46 years.....	0

◆ **Less than 9th Grade Education** (by conviction date) _____ If YES, add 4 →

0

◆ **Not Regularly Employed** (during 2 years prior to arrest date) _____ If YES, add 5 →

0

◆ **Offender's Relationship with Victim** _____

Victim Under Age 10	Relative	0
	Known to victim (not relative or step-parent)	4
	Stranger	4
	Step-parent	9
Victim Age 10 or more	Relative	2
	Known to victim (not relative or step-parent)	3
	Stranger	8
	Step-parent	2

0

◆ **Location of Offense** _____

Place of employment	0
Shared victim/offender residence.....	3
Outdoors	3
Motor Vehicle	4
Victim's residence (not offender's).....	5
Offender's residence or other residence.....	9
Location other than listed	3

0

◆ **Prior Adult Felony/Misdemeanor Arrests for Crimes Against a Person** _____

Number: 0 Felonies	1 - 3 Misdemeanors	1
	4+ Misdemeanors	8
1 Felony	0 - 2 Misdemeanors	5
	3+ Misdemeanors	8
2+ Felonies	0 - 3 Misdemeanors	8
	4+ Misdemeanors	15

◆ **Prior Incarcerations/Commitments** _____ If YES, add 3 →

0

◆ **Prior Treatment** _____

Prior mental health commitment	0
Prior mental health treatment.....	2
Prior alcohol or drug treatment.....	3
No prior treatment	4

0

Risk Score _____ →

- Risk Level (Risk Score)
- ☐ 44 or more Level 1
 - ☐ 34 - 43 Level 2
 - ☐ 28 - 33 Level 3
 - ☐ up to 27 No Adjustment

Go to **Section C**

Rape/Section A

Rape ❖ Section C

Offender Name: _____

There is no Section B for this offense.

◆ Primary Offense _____

____ Prior Record Classification ____
☐ Category I ☐ Category II ☐ Other
(scores for attempted/conspired offenses are in parentheses)

- A. Attempted or conspired forcible rape, forcible sodomy or object sexual penetration
1 count (60) (30) (15)
- B. Forcible rape or object sexual penetration, victim under age 13
1 - 2 counts 312 208 117
3 counts 882 588 331
- C. Forcible sodomy, victim under age 13
1 - 2 counts 354 236 133
3 counts 882 588 331
- D. Forcible rape or object sexual penetration, victim age 13 or older
1 count 402 268 151
2 counts 882 588 331
- E. Forcible sodomy, victim age 13 or older
1 count 324 216 122
2 counts 882 588 331

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: 10 5
(years) Life 18

0		
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◆ Additional Offenses Assign points to each additional offense (including counts) and total the points

Maximum Penalty: Less than 2 0
(years) 2, 3 1
4, 5 2
10, 15 5
20 9
30 14
40, 50, Life 18

0		
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◆ Weapon Used, Brandished, Feigned or Threatened _____ If YES, add 39 →

0		
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◆ Victim Injury _____

Threatened or emotional 3
Physical or serious physical 20
Life threatening 76

0		
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◆ Prior Felony Sexual Assault Convictions/Adjudications _____

Number 1 13
of Counts: 2 26
3 or more 39

0		
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Total Score →

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

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If necessary, on the cover sheet also enter the adjusted high end of the guidelines sentence range based on Risk Level: ☐ 1 ☐ 2 ☐ 3 or ☐ n/a

Rape/Section C