

Sentencing Guidelines Cover Sheet

Scheduled Sentencing Date:

 / /

Complete this form ONLY for applicable felonies sentenced on or after July 1, 2012.

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 OfficerProsecuting Commonwealth's Attorney Defense Attorney

CONVICTIONS

Offense	Counts	VCC	Offense Date
Primary Offense	<input type="text"/>	<input type="text"/> <input type="text"/> <input type="text"/>	<input type="text"/> / <input type="text"/> / <input type="text"/> <small>Month Day Year</small>
Additional Offenses	<input type="text"/>	<input type="text"/> <input type="text"/> <input type="text"/>	<input type="text"/> / <input type="text"/> / <input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/> <input type="text"/> <input type="text"/>	<input type="text"/> / <input type="text"/> / <input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/> <input type="text"/> <input type="text"/>	<input type="text"/> / <input type="text"/> / <input type="text"/>

Primary Offense Code Section § Docket Number

Crime was Witnessed by or Committed in the Presence of a Child

☐ Please check box if any crime(s) in current event were witnessed by or committed in the presence of a minor child (age 17 or under).
A child is present if he or she is within sight or sound of the offense when it occurs. This information is for research purposes only.

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

 TO
Years Months Days 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 +

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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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Check all that apply

- ☐ Incarceration Sentence to Run Concurrently With Another Sentencing Event
- ☐ Written Plea Agreement Accepted
- ☐ Oral Sentence Recommendation Accepted
- ☐ Restitution \$ _____
- ☐ Fine \$ _____

Other Sentencing Programs (check all that apply)

- ☐ Day Reporting
- ☐ Diversion Center Incarceration
- ☐ Electronic Monitoring
- ☐ Unsupervised Probation/Good Behavior
- ☐ § 18.2-251/§ 18.2-258.1
- ☐ Substance Abuse Treatment
- ☐ Community-Based Program _____
- ☐ Detention Center Incarceration
- ☐ Drug Court
- ☐ Intensive Probation
- ☐ Youthful Offender
- ☐ Other _____

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OtherCBP



REASON FOR DEPARTURE

Must be completed pursuant to § 19.2-298.01(B)

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SENTENCING DATE

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MonthDayYear



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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Drug/Schedule I/II



Section A

Offender Name: _____

◆ Primary Offense

A. Possess Schedule I or II drug or First offender violation

1 count 1
2 counts 3
3 counts 8

B. Sell, Distribute, Possession with Intent, etc., Schedule I or II drug

1 count 12
2 counts 13
3 counts 14
4 counts 15

C. Manufacture Methamphetamine (1st or 2nd conviction)

1 count 12
2 counts 13
3 counts 14
4 counts 15

D. Sell, etc., Schedule I or II drug to minor (1 count) 11

E. Accommodation - Sell, Distribute, Possession with Intent Schedule I or II drug

1 count 5
2 counts 7

F. Sell, etc., imitation Schedule I or II drug (1 count) 4

Score

◆ Primary Offense Additional Counts

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

Years: 5 - 10 1 31 - 42 4
11 - 21 2 43 or more 5
22 - 30 3

◆ Additional Offenses

Total the maximum penalties for additional offenses, including counts

Years: Less than 4 0 22 - 30 3
4 - 10 1 31 - 42 4
11 - 21 2 43 or more 5

◆ Knife or Firearm in Possession at Time of Offense

If YES, add 2

◆ Conviction in Current Event Requiring Mandatory Minimum Term (6 mos or more) If YES, add 9

◆ Prior Convictions/Adjudications

Total the maximum penalties for the 5 most recent and serious prior record events

Years: Less than 7 0
7 - 26 1
27 - 48 2
49 or more 3

◆ Prior Incarcerations/Commitments

If YES, add 2

◆ Prior Felony Drug Convictions/Adjudications

Number of 1 - 2 1
Counts: 3 - 4 2
5 3
6 or more 4

◆ Prior Juvenile Record

If YES, add 1

◆ Legally Restrained at Time of Offense

None 0
Other than parole/post-release, supervised probation or CCCA 1
Parole/post-release, supervised probation or CCCA 4

SCORE THE FOLLOWING FACTOR ONLY IF PRIMARY OFFENSE IS POSSESSION OF SCHEDULE I/II DRUG (§ 18.2-250(A,a))

◆ Two or More Prior Felony Convictions/Adjudications

If YES, add 2

For Possession, Possession with Intent, Distribution, Manufacture or Sale of Schedule I or II Drug, etc.

Total Score

If total is 10 or less, go to **Section B**. If total is 11 or more, go to **Section C**.

Drug Schedule I or II/ Section A

Drug/Schedule I/II Section B

Offender Name:

◆ Primary Offense

A. Possess Schedule I or II drug or First offender violation

1 count 3
2 counts 6

B. Accommodation - Sell, distribute, possession with intent Schedule I or II drug

1 count 8
2 counts 9

C. Sell, etc., imitation Schedule I or II drug (1 count) 4

Score

0

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

Years: 5 - 9 2

10 - 19 3

20 - 28 4

29 - 38 5

39 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 - 28 4

29 - 38 5

39 or more 6

0

◆ Knife or Firearm in Possession at Time of Offense If YES, add 2

0

◆ Prior Convictions/Adjudications Total the maximum penalties for the 5 most recent and serious prior record events

Years: Less than 1 0

1 - 22 1

23 - 43 2

44 or more 3

0

◆ Prior Misdemeanor Convictions/Adjudications

Number of 1 - 4 1

Counts: 5 - 9 2

10 or more 3

0

◆ Prior Incarcerations/Commitments If YES, add 1

0

◆ Prior Juvenile Record If YES, add 1

0

◆ Legally Restrained at Time of Offense

None 0

Other than parole/post-release, supervised probation or CCCA 2

Parole/post-release, supervised probation or CCCA 3

0

SCORE THE FOLLOWING FACTOR ONLY IF PRIMARY OFFENSE IS POSSESSION OF SCHEDULE I/II DRUG (§18.2-250(A,a))

◆ Two or More Prior Felony Convictions/Adjudications If YES, add 2

0

For Possession, Possession with Intent, Distribution, Manufacture or Sale of Schedule I or II Drug, etc.

Total Score

See Drug/Schedule I/II Section B Recommendation Table to convert score to guidelines sentence.
Then, go to Section D Nonviolent Risk Assessment and follow the instructions.

Drug/Schedule I/II ❖ Section C

Offender Name:

◆ Primary Offense

	Prior Record Classification		
	<input type="checkbox"/> Category I	<input type="checkbox"/> Category II	<input type="checkbox"/> Other
<small>(scores for attempted/conspired offenses are in parentheses)</small>			
A. Possess Schedule I or II drug or First offender violation			
Attempted, conspired or completed:			
1 count	20	10	5
2 counts	28	14	7
3 counts	36	18	9
B. Sell, Distribute, Possession with intent, etc., Schedule I or II drug			
Completed (Attempted or Conspired):			
1 count	60 (48)	36 (24)	12 (12)
2 counts	80 (64)	48 (32)	16 (16)
3 counts	95 (76)	57 (38)	19 (19)
4 counts	130 (104)	78 (52)	26 (26)
C. Sell, etc., Schedule I or II drug, second offense			
Completed (Attempted or Conspired):			
1 count	110 (88)	66 (44)	22 (22)
2 counts	310 (248)	186 (124)	62 (62)
D. Sell, etc., Schedule I or II drug - third or subsequent offense			
Attempted, conspired or completed:			
1 count	175	105	35
2 counts	390	234	78
E. Manufacture Methamphetamine, first or second offense, § 18.2-248(C1)			
Attempted, conspired or completed:			
1 count	145	87	29
F. Sell, etc., Schedule I or II drug to minor			
Attempted, conspired or completed:			
1 count	60	30	15
G. Accommodation-Sell, etc., Schedule I or II drug			
Attempted, conspired or completed:			
1 count	32	16	8
2 counts	40	20	10
H. Sell, etc., imitation Schedule I or II drug			
Attempted, conspired or completed:			
1 count	12	6	3
2 counts	20	10	5

Score

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

Maximum Penalty (years) 5,10 1 40 or more 5

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

Primary offense Sell, etc., Sch. I/II 3rd or Subsequent

Years	Points
Less than 5	0
5, 10	2
20	4
30	6
40 or more	7

Primary offense OTHER THAN Sell, etc., Sch. I/II 3rd or Subseq.

Years	Points
Less than 5	0
5, 10	1
20	2
30	4
40 or more	5

◆ Mandatory Minimum for Weapon Conviction(s) in Current Event Assign points to each additional offense with a mandatory minimum and total the points

2 Year Mandatory Minimum 13

5 Year Mandatory Minimum 32

◆ Firearm in Possession at Time of Offense

If YES, add 5

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

Maximum Penalty:	Less than 5	0	30	3
(years)	5, 10	1	40 or more	4
	20	2		

◆ Prior Felony Drug Convictions/Adjudications

Primary offense Sell, etc., Sch. I/II 3rd or Subsequent

Number of Counts	Score
2	9
3	10
4	17
5 or more	20

Primary offense OTHER THAN Sell, etc., Sch. I/II 3rd or Subseq.

Number of Counts	Score
1	2
2	3
3	5
4	7
5	8
6 or more	10

◆ Prior Felony Convictions/Adjudications Against Person

Number of Counts:	1	3	3	9
	2	6	4 or more	12

◆ Prior Felony Property Convictions/Adjudications

Number of Counts:	1, 2	1	4 or more	3
	3	2		

◆ Prior Juvenile Record

If YES, add 1

◆ Legally Restrained at Time of Offense

If YES, add 3

◆ Manufacture of Methamphetamine (Score if primary offense is § 18.2-248 (C1))

Additional offense of child present during manufacture of methamphetamine If YES, add 14

◆ Sale/Quantity of Cocaine (Score if primary offense is § 18.2-248(C) or §18.2-255(A))

Quantity of Cocaine: Less than 28.35 grams 0 28.35 g to less than 226.8 grams 36 226.8 grams or more 60

Total Score

See Drug/Schedule I/II Section C Recommendation Table for guidelines sentence range.
Then go to Section D Nonviolent Risk Assessment and follow the instructions.

Nonviolent Risk Assessment Section D

Offender Name:

◆ Ineligibility Conditions

- A. Was the offender recommended for **Probation/No Incarceration** on Section B? ☐ Yes ☐ No
- B. Do any of the offenses at sentencing involve the sale, distribution, or possession with intent, etc. of cocaine of a combined quantity of 28.35 grams (1 ounce) or more? ☐ Yes ☐ No
- C. Are any prior record offenses violent (Category I/II listed in Table A of the Guidelines Manual)? ☐ Yes ☐ No
- D. Are any of the offenses at sentencing violent (Category I/II listed in Table A of the Guidelines Manual)? ☐ Yes ☐ No
- E. Do any of the offenses at sentencing require a mandatory term of incarceration? ☐ Yes ☐ No

☐

If answered YES to ANY, go to "Nonviolent Risk Assessment Recommendations" on cover sheet and check Not Applicable. If answered NO to ALL, complete remainder of Section D worksheet.

◆ Offense Type *Select the type of primary offense*

Drug 3

Fraud 3

Larceny 11

◆ Additional Offense(s)

If YES, add 5 →

◆ Offender *Score factors A to D and enter the total score*

- A. Offender is a male 8
- B. Offender's age at time of offense
- Younger than 30 years 13
- 30 - 40 years 8
- 41 - 46 years 1
- Older than 46 years 0
- C. Offender not regularly employed (during 2 years prior to arrest date) 9
- D. Offender age 26 or more and never married (at time of offense) 6

+

+

=

Enter
A to D
Total

☐ Information above not available (i.e., unable to interview defendant, defendant's lack of cooperation, etc.)

◆ Arrest or Confinement Within Past 18 Months *(prior to instant offenses)*

If YES, add 6 →

◆ Prior Felony Convictions and Adjudications *Select the combination of adult and juvenile felony convictions/adjudications that characterizes the offender's prior record.*

Adult felony convictions only 3

Juvenile felony convictions or adjudications only 6

Both adult and juvenile felony convictions/adjudications 9

◆ Prior Adult Incarcerations

Number: 1 - 2 3

3 - 4 6

5 or more 9

Total Score

38 or less, check Recommended for Alternative Punishment.

39 or more, check NOT Recommended for Alternative Punishment.

Go to **Cover Sheet** and fill out **Nonviolent Risk Assessment Recommendations**.

Drug Schedule I or II
Section D



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[illegible]