

# BURGLARY SENTENCING GUIDELINES

**Offender :** \_\_\_\_\_  
Last Name First Middle

**Date of birth:** [ ][ ] [ ][ ] [ ][ ]      **Social Security Number:** [ ][ ][ ][ ][ ][ ][ ][ ][ ]

**Jury trial:**       **Bench trial:**       **Total Jury Sentence Fixed At:** [ ][ ] years & [ ][ ] months

**Guilty plea:**

**Judicial circuit:** [ ][ ]      **City / County:** \_\_\_\_\_      **(FIPS code):** [ ][ ][ ]

**Judge:** \_\_\_\_\_  
Last name First

**Worksheet preparer:** \_\_\_\_\_      **Title:** \_\_\_\_\_  
Last name

**Commonwealth's attorney:** \_\_\_\_\_      **Pre-Sentence Investigation**  
Last name

**Defense attorney:** \_\_\_\_\_      **Report Prepared**   
Last name

OFFENSE	COUNTS	VCC CODE	OFFENSE DATE
1. Primary (most serious at conviction)*:			
Additional Offenses:			
2.			
3.			
4.			

\* Primary Offense Code section: \_\_\_\_\_      Docket number: \_\_\_\_\_

**SENTENCING RANGES**

**IF FORM "B" WAS COMPLETED**

(check one):  
 No incarceration:       Jail:   
 If jail, range: \_\_\_\_\_

**IF FORM "C" WAS COMPLETED**

Prison sentence range midpoint: \_\_\_\_\_ & \_\_\_\_\_  
years      months

Sentence range: \_\_\_\_\_ & \_\_\_\_\_ to \_\_\_\_\_ & \_\_\_\_\_  
years      months      years      months

**Fill In This Section After Sentencing Has Been Completed**

- Check all that apply:*
- Fines/Restitution .....
  - Probation .....
  - Intensive Supervised Probation .....
  - Community Diversion Incentive .....
  - Electronic Monitoring ..
  - Boot Camp .....
  - Youthful Offender .....
  - Other (Please Specify) .....

**FINAL DISPOSITION**

Total Time Imposed Before Suspension: \_\_\_\_\_  
years      months      days

Total Time to Serve (Effective): \_\_\_\_\_  
years      months      days

Written plea agreement accepted:       Oral sentence recommendation accepted:

Computer Use	
JC	_____
DC1	_____
DC2	_____
DC3	_____
EC	_____

**Restitution:**  
 \$ \_\_\_\_\_

**DEPARTURE INFORMATION**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Fine:**  
 \$ \_\_\_\_\_

**Judge's Signature:** \_\_\_\_\_      **Sentencing date:** [ ][ ] [ ][ ] [ ][ ]

**A**

# BURGLARY - PRISON IN/OUT DECISION

**A**

**Type of primary offense:** **Add Score**

- |  |   |
|--|---|
| <p>A. possession of burglarious tools<br/>(any number of counts) ..... 0</p> <p>B. occupied dwelling with intent to commit a misdemeanor without deadly weapon<br/>(any number of counts) ..... 0</p> <p>C. dwelling or other structure with intent to commit larceny etc. without deadly weapon; other structure with intent to commit larceny etc. with deadly weapon; dwelling at night without deadly weapon<br/>1 count ..... 2<br/>2 counts ..... 4<br/>3 or more counts ..... 6</p> | <p>D. dwelling at night with intent to commit larceny with deadly weapon<br/>(any number of counts) ..... 6</p> <p>E. dwelling with intent to commit larceny with deadly weapon<br/>(any number of counts) ..... 4</p> <p>F. occupied dwelling with intent to commit misdemeanor with deadly weapon; burglary of a bank<br/>(any number of counts) ..... 8</p> <p>G. dwelling or other structure with intent to murder, rape or rob with or without a deadly weapon<br/>(any number of counts) ..... 13</p> |
|--|---|

**Additional offenses: (including counts)**

**at conviction, with maximum penalties totaling:**

less than 5	0
5 - 14	1
15 - 27	2
28 - 43	3
44 or more	4

**Mandatory firearm conviction for current event:** **If yes, Add 3**

**Type of weapon used:** **Add Score**

A. none ..... 0	C. knife ..... 4
B. simulated weapon or other than listed below ..... 2	D. firearm ..... 8

**Prior adult convictions, with maximum penalties totaling:** **Years** **Add Score**

less than 2	0
2 - 8	1
9 - 19	2
20 - 31	3
32 - 41	4
42 or more	5

**Prior adult felony property convictions (felonies only):** **Number** **Add Score**

1	1
2 - 5	2
6 - 10	3
11 or more	4

**Prior adult misdemeanor convictions:** **Number** **Add Score**

1	1
2 - 4	2
5 - 6	3
7 - 9	4
10 or more	5

**Prior adult incarcerations:** **If yes, Add 3**

**Prior adult revocations of parole, supervised probation or CDI:** **If yes, Add 1**

**Prior juvenile record:** **If yes, Add 2**

**Prior juvenile property record:** **Number** **Add Score**

1 - 2	1
3 - 11	2
12 or more	3

**Legally restrained at time of offense:** **Add Score**

A. none ..... 0	C. parole, supervised probation or CDI ..... 7
B. other than parole, supervised probation or CDI ..... 3	

**TOTAL SCORE** =

***If total is 12 or less, go to work sheet "B."  
If total is 13 or more, go to work sheet "C."***

**B**

# BURGLARY - PROBATION/JAIL DECISION

**B**

**Type of primary offense:** Add Score

- A. dwelling or other structure with intent to commit larceny,  
dwelling at night with intent to commit larceny, etc.  
without deadly weapon  
(any number of counts) ..... 0
- B. other than listed above  
(any number of counts) ..... 3

Prior adult convictions,	Years	Add Score	<input type="text"/>
<b>with maximum penalties totaling:</b>			
	1 - 32 .....	1	
	33 or more .....	2	

Prior adult misdemeanor convictions:	Years	Add Score	<input type="text"/>
	1 - 2 .....	1	
	3 - 5 .....	2	
	6 - 8 .....	3	
	9 or more .....	4	

**Prior juvenile record:** If yes, Add 4

**Legally restrained at time of offense:** If yes, Add 3

**TOTAL SCORE =**

*See BURGLARY PROBATION / JAIL TABLE to convert score to guidelines sentence.*

Guidelines sentence (check one): No incarceration: <input type="checkbox"/> Jail: <input type="checkbox"/>  If jail, range: _____
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