

# SEXUAL ASSAULT 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: \_\_\_\_\_  
Last name

Defense attorney: \_\_\_\_\_  
Last name

Pre-Sentence Investigation Report Prepared

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

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

**DEPARTURE INFORMATION**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

**A**

# SEXUAL ASSAULT - PRISON IN/OUT DECISION

**A**

Type of primary offense:	Add Score	
A. other than listed below (any number of counts) .....	0	<input type="text"/>
B. non-forcible sodomy, parent/grandparent to child or grandchild age 13 to 17 (any number of counts) .....	6	
C. non-forcible sodomy, no parental relationship		
1 count .....	2	
2 counts .....	3	
3 or more counts .....	12	
D. indecent liberties with children		
1 - 2 counts .....	1	
3 or more counts .....	2	
E. non-forcible carnal knowledge of child age 13, 14 (statutory rape)		
1 count .....	1	
2 counts .....	7	
3 or more counts .....	11	
F. aggravated sexual battery		
1 count .....	2	
2 counts .....	5	
3 or more counts .....	8	
G. incest with own children/grandchildren (any number of counts) .....	2	
H. incest with own children/grandchildren age 13 to 17 (any number of counts) .....	1	
I. completed forcible rape or forcible sodomy		
1 - 2 counts .....	11	
3 or more counts .....	12	
J. attempted or conspired forcible rape or forcible sodomy (any number of counts) .....	10	

Additional offenses (including counts) at conviction, with maximum penalties totaling:	Years	Add Score	
	less than 1 .....	0	<input type="text"/>
	1 - 26 .....	1	
	27 - 52 .....	2	
	53 or more .....	3	

Victim injury:	Add Score	
A. emotional or threatened .....	2	<input type="text"/>
B. physical or serious physical .....	4	

Prior adult convictions, with maximum penalties totaling:	Years	Add Score	
	less than 3 .....	0	<input type="text"/>
	3 - 18 .....	1	
	19 - 31 .....	2	
	32 - 44 .....	3	
	45 or more .....	4	

Prior adult felony sexual assault convictions:	Number	Add Score	
	1 .....	1	<input type="text"/>
	2 .....	2	
	3 or more .....	3	

Prior adult incarcerations:	If yes, add	
	3	<input type="text"/>

Legally restrained at time of offense:	Add Score	
A. none .....	0	<input type="text"/>
B. other than parole, supervised probation or CDI .....	2	
C. parole, supervised probation or CDI .....	3	

TOTAL SCORE =	
	<input type="text"/>

***If total is 7 or less, go to work sheet "B."  
If total is 8 or more, go to work sheet "C."***

# B SEXUAL ASSAULT - PROBATION/JAIL DECISION B

Type of primary offense:	Add Score	EST
A. other than listed below (any number of counts) .....	0	
B. aggravated sexual battery		
1 count .....	1	
2 counts .....	3	
3 or more counts .....	5	

Additional offenses	Years	Add Score	EST
(including counts) at conviction, with maximum penalties totaling:	less than 1 .....	0	
	1 - 2 .....	1	
	3 - 7 .....	2	
	8 - 11 .....	3	
	12 - 15 .....	4	
	16 - 19 .....	5	
	20 - 22 .....	6	
	23 - 26 .....	7	
	27 - 30 .....	8	
	31 - 34 .....	9	
	35 - 37 .....	10	
	38 - 41 .....	11	
	42 or more .....	12	

Prior adult convictions, with maximum penalties totaling:	Years	Add Score	EST
	less than 3 .....	0	
	3 - 19 .....	1	
	20 - 39 .....	2	
	40 or more .....	3	

Prior adult incarcerations: If yes, add 1 EST

**TOTAL SCORE =** EST

*See SEXUAL ASSAULT 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: _____		

# C SEXUAL ASSAULT - PRISON LENGTH DECISION C

## Type of primary offense: Add Score

<p>A. any attempted sexual assault <span style="float: right;">score</span> (any number of counts) ..... 24</p> <p>B. any completed sexual assault other than listed below <span style="float: right;">score</span> (any number of counts) ..... 35</p> <p>C. non-forcible sodomy, no parental relationship <span style="float: right;">score</span> (any number of counts) ..... 35</p> <p>D. non-forcible sodomy, parent/grandparent to child/ grandchild age 13-17 <span style="float: right;">score</span> 1 count ..... 22 2 or more counts ..... 67</p> <p>E. indecent liberties with children <span style="float: right;">score</span> 1 count ..... 22 2 counts ..... 38 3 or more counts ..... 75</p> <p>F. non-forcible carnal knowledge of child, age 13, 14 (statutory rape) <span style="float: right;">score</span> 1 count ..... 35 2 or more counts ..... 58</p> <p>G. incest with own children/grandchildren <span style="float: right;">score</span> (any number of counts) ..... 46</p>	<p>H. incest with own children/grandchildren age 13 to 17 <span style="float: right;">score</span> (any number of counts) ..... 67</p> <p>I. aggravated sexual battery <span style="float: right;">score</span> 1 count ..... 46 2 counts ..... 63 3 or more counts ..... 83</p> <p>J. forcible rape, victim under age 13 <span style="float: right;">score</span> 1 count ..... 151 2 counts ..... 236 3 or more counts ..... 505</p> <p>K. forcible sodomy, victim under age 13 <span style="float: right;">score</span> 1 count ..... 114 2 counts ..... 155 3 or more counts ..... 259</p> <p>L. forcible rape, victim age 13 or older <span style="float: right;">score</span> 1 count ..... 119 2 or more counts ..... 372</p> <p>M. forcible sodomy, victim age 13 or older <span style="float: right;">score</span> 1 count ..... 125 2 counts ..... 280 3 or more counts ..... 311</p>
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<i>Score the following if primary offense is completed rape or forcible sodomy :</i>	<i>Score the following if primary offense is other than completed rape or forcible sodomy :</i>
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## Additional offenses: (including counts) at conviction, Add Score

<p><b>each having a maximum penalty of:</b></p> <table border="0" style="width: 100%;"> <tr> <th style="text-align: left;">Years</th> <th style="text-align: right;">score</th> <th style="text-align: left;">Years</th> <th style="text-align: right;">score</th> </tr> <tr> <td>less than 1</td> <td style="text-align: right;">2</td> <td>5</td> <td style="text-align: right;">20</td> </tr> <tr> <td>1</td> <td style="text-align: right;">4</td> <td>10</td> <td style="text-align: right;">39</td> </tr> <tr> <td>2</td> <td style="text-align: right;">8</td> <td>20</td> <td style="text-align: right;">79</td> </tr> <tr> <td>3</td> <td style="text-align: right;">12</td> <td>30</td> <td style="text-align: right;">118</td> </tr> <tr> <td>4</td> <td style="text-align: right;">16</td> <td>40 or more</td> <td style="text-align: right;">158</td> </tr> </table>	Years	score	Years	score	less than 1	2	5	20	1	4	10	39	2	8	20	79	3	12	30	118	4	16	40 or more	158	<table border="0" style="width: 100%;"> <tr> <th style="text-align: left;">Years</th> <th style="text-align: right;">score</th> <th style="text-align: left;">Years</th> <th style="text-align: right;">score</th> </tr> <tr> <td>less than 1</td> <td style="text-align: right;">1</td> <td>5</td> <td style="text-align: right;">12</td> </tr> <tr> <td>1</td> <td style="text-align: right;">2</td> <td>10</td> <td style="text-align: right;">24</td> </tr> <tr> <td>2</td> <td style="text-align: right;">5</td> <td>20</td> <td style="text-align: right;">48</td> </tr> <tr> <td>3</td> <td style="text-align: right;">7</td> <td>30</td> <td style="text-align: right;">73</td> </tr> <tr> <td>4</td> <td style="text-align: right;">10</td> <td>40 or more</td> <td style="text-align: right;">97</td> </tr> </table>	Years	score	Years	score	less than 1	1	5	12	1	2	10	24	2	5	20	48	3	7	30	73	4	10	40 or more	97
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4	10	40 or more	97																																														

## Weapon used, brandished, feigned or threatened: Add Score

If yes, add 178	If yes, add 32
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## Victim injury: Add Score

<p>A. physical ..... 68</p> <p>B. serious physical ..... 247</p>	Physical or serious physical: If yes, add 11
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## Prior juvenile property record: Add Score

<p>1 ..... 15</p> <p>2 ..... 30</p> <p>3 or more ..... 45</p>	Do not score.
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## Prior adult convictions, each having a maximum penalty of: Add Score

<table border="0" style="width: 100%;"> <tr> <th style="text-align: left;">Years</th> <th style="text-align: right;">score</th> <th style="text-align: left;">Years</th> <th style="text-align: right;">score</th> </tr> <tr> <td>less than 1</td> <td style="text-align: right;">0</td> <td>10</td> <td style="text-align: right;">8</td> </tr> <tr> <td>1</td> <td style="text-align: right;">1</td> <td>20</td> <td style="text-align: right;">17</td> </tr> <tr> <td>2, 3</td> <td style="text-align: right;">2</td> <td>30</td> <td style="text-align: right;">25</td> </tr> <tr> <td>4</td> <td style="text-align: right;">3</td> <td>40 or more</td> <td style="text-align: right;">33</td> </tr> <tr> <td>5</td> <td style="text-align: right;">4</td> <td></td> <td></td> </tr> </table>	Years	score	Years	score	less than 1	0	10	8	1	1	20	17	2, 3	2	30	25	4	3	40 or more	33	5	4			<table border="0" style="width: 100%;"> <tr> <th style="text-align: left;">Years</th> <th style="text-align: right;">score</th> <th style="text-align: left;">Years</th> <th style="text-align: right;">score</th> </tr> <tr> <td>less than 2</td> <td style="text-align: right;">0</td> <td>20</td> <td style="text-align: right;">5</td> </tr> <tr> <td>2, 3, 4, 5</td> <td style="text-align: right;">1</td> <td>30</td> <td style="text-align: right;">8</td> </tr> <tr> <td>10</td> <td style="text-align: right;">3</td> <td>40 or more</td> <td style="text-align: right;">11</td> </tr> </table>	Years	score	Years	score	less than 2	0	20	5	2, 3, 4, 5	1	30	8	10	3	40 or more	11
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## Prior adult felony sexual assault convictions: Add Score

<table border="0" style="width: 100%;"> <tr> <th style="text-align: left;">number</th> <th style="text-align: right;">score</th> </tr> <tr> <td>1</td> <td style="text-align: right;">82</td> </tr> <tr> <td>2</td> <td style="text-align: right;">164</td> </tr> <tr> <td>3 or more</td> <td style="text-align: right;">245</td> </tr> </table>	number	score	1	82	2	164	3 or more	245	<table border="0" style="width: 100%;"> <tr> <th style="text-align: left;">number</th> <th style="text-align: right;">score</th> </tr> <tr> <td>1</td> <td style="text-align: right;">15</td> </tr> <tr> <td>2</td> <td style="text-align: right;">30</td> </tr> <tr> <td>3 or more</td> <td style="text-align: right;">45</td> </tr> </table>	number	score	1	15	2	30	3 or more	45
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## On parole at time of offense: Add Score

If yes, add 82	If yes, add 26
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**TOTAL SCORE =**

*See SEXUAL ASSAULT PRISON LENGTH TABLE for guidelines sentence range.*

### GUIDELINES RANGE:

Prison sentence range midpoint:

\_\_\_\_\_ & \_\_\_\_\_  
years months

Sentence range:

\_\_\_\_\_ & \_\_\_\_\_ to \_\_\_\_\_ & \_\_\_\_\_  
years months years months