

# 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 Schedule I/II, Methamphetamine (1st/2nd) or Distribute Methamphetamine 10g or more	
1 count .....	12
2 counts .....	13
3 counts .....	14
4 counts .....	15
D. Accommodation - Sell, distribute, possession with intent Schedule I or II drug	
1 count .....	5
2 counts .....	7
E. Sell, etc., imitation Schedule I or II drug (1 count) .....	4
F. Possess precursors with intent to manufacture methamphetamine (1 count) .....	6
G. Sell, etc., Schedule I or II drug to minor (1 count) .....	11

Score

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## ◆ Primary Offense Remaining 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		

0	
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## ◆ 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

0	
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## ◆ Knife or Firearm in Possession at Time of Offense \_\_\_\_\_ If YES, add 2

0	
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## ◆ Conviction in Current Event Requiring Mandatory Minimum Term (6 mos or more) If YES, add 9

0	
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## ◆ 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

0	
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## ◆ Prior Incarcerations/Commitments \_\_\_\_\_ If YES, add 2

0	
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## ◆ Prior Felony Drug Convictions/Adjudications

Primary offense: F: Possession of Methamphetamine precursors	
Number of Counts	Points
1 .....	3
2 or more .....	6

Primary offense: All other offenses	
Number of Counts	Points
1 - 2 .....	1
3 - 4 .....	2
5 .....	3
6 or more .....	4

0	
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## ◆ Prior Juvenile Record \_\_\_\_\_ If YES, add 1

0	
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## ◆ 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

0	
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SCORE THE FOLLOWING FACTOR **ONLY** IF PRIMARY OFFENSE IS **A: 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.

0	
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**Total Score** \_\_\_\_\_

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

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# 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
- D. Possession of methamphetamine precursors (1 count).....6

Score

0	
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## ◆ Primary Offense Remaining 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	
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## ◆ Additional Offenses Total the maximum penalties for additional offenses, including counts

- Years: Less than 1 .....0
- (12 Months = 1 Year) 1 - 9 .....2
- 10 - 19 .....3
- 20 - 28 .....4
- 29 - 38 .....5
- 39 or more .....6

0	
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## ◆ Knife or Firearm in Possession at Time of Offense \_\_\_\_\_ If YES, add 2

0	
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## ◆ Prior Convictions/Adjudications Total the maximum penalties for the 5 most recent and serious prior record events

- Years: Less than 1 .....0
- (12 Months = 1 Year) 1 - 22 .....1
- 23 - 43 .....2
- 44 or more .....3

0	
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## ◆ Prior Misdemeanor Convictions/Adjudications (Excludes Traffic) \_\_\_\_\_

- Number of 1 - 4 .....1
- Counts: 5 - 9 .....2
- 10 or more .....3

0	
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## ◆ Prior Incarcerations/Commitments

**Primary offense:**  
**D. Possession of methamphetamine precursors**  
 If YES, add 2

**Primary offense:**  
**All other offenses**  
 If YES, add 1

0	
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## ◆ Prior Juvenile Record \_\_\_\_\_ If YES, add 1

0	
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## ◆ 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	
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SCORE THE FOLLOWING FACTOR **ONLY** IF PRIMARY OFFENSE IS **A: 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.

0	
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## 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.

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# 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 Schedule I/II, Methamphetamine (1st/2nd) or Distribute Methamphetamine 10g or more				
Attempted, conspired or completed:	1 count.....	130.....	78.....	26.....
F. Sell, etc., Schedule I or II drug to minor				
Attempted, conspired or completed:	1 count.....	60.....	30.....	15.....
G. Accomodation—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; Possession of methamphetamine precursors				
Attempted, conspired or completed:	1 count.....	12.....	6.....	3.....
	2 counts.....	20.....	10.....	5.....

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 (years)	5,10.....	1	40, 50, Life.....	5
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## ◆ Additional Offenses

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

Years	Points
Less than 5.....	0
5, 10, 15.....	2
20.....	4
30.....	6
40, 50, Life.....	7

Years	Points
Less than 5.....	0
5, 10, 15.....	1
20.....	2
30.....	4
40, 50, Life.....	5

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## ◆ Mandatory Minimum in Current Event

Assign points to each additional offense with a mandatory minimum and total the points

2 Year Mandatory Minimum.....	13	3 Year Mandatory Minimum.....	25	5 Years or More Mandatory Minimum.....	32
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0			
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## ◆ Firearm in Possession at Time of Offense

If YES, add 5

0	0		
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## ◆ 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, 15.....	1	40, 50, Life.....	4
	20.....	2		

0			
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## ◆ Prior Felony Drug Convictions/Adjudications

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

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

0			
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## ◆ Prior Felony Convictions/Adjudications Against Person

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

0			
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## ◆ Prior Felony Property Convictions/Adjudications

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

0	0		
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## ◆ Prior Juvenile Record

If YES, add 1

0	0		
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## ◆ Legally Restrained at Time of Offense

If YES, add 3

0	0		
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## ◆ Type of Additional Offense (Score if primary offense is E: Manufacture Methamphetamine § 18.2-248 (C1))

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

0			
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## ◆ Sale/Quantity of Cocaine (Score if primary offense is B, C, D, or F: § 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
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0			
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## 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.

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# Nonviolent Risk Assessment ~~❖~~ Drug/Schedule I/II 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 Appendix A of the Guidelines Manual)? .....  Yes  No
- D. Are any of the offenses at sentencing violent (Category I/II listed in Appendix A of the Guidelines Manual)? .....  Yes  No
- E. Do any of the offenses at sentencing require a mandatory term of incarceration? .....  Yes  No
- F. Did the offense occur while serving a state-responsible (prison) sentence? .....  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.**

## ◆ Offender Age at Time of Offense

- Younger than 21 years ..... 9
- 21 to 29 years ..... 6
- 30 to 43 years ..... 3
- Older than 43 years ..... 1
- |  |  |
|--|--|
|  |  |
|--|--|

## ◆ Gender

- Offender is Male ..... 2
- |   |  |
|---|--|
| 0 |  |
|---|--|

## ◆ Prior Juvenile Adjudication

- Female with prior juvenile adjudication ..... 1
- Male with prior juvenile adjudication ..... 7
- Juvenile record unknown
- |   |  |
|---|--|
| 0 |  |
|---|--|

## ◆ Prior Adult Felony Convictions

- Number of Counts: 0 ..... 0
- 1 - 2 ..... 1
- 3 ..... 5
- 4 or more ..... 15
- |  |  |
|--|--|
|  |  |
|--|--|

## ◆ Prior Adult Incarcerations

- Number: 0 ..... 0
- 1 - 3 ..... 1
- 4 or more ..... 8
- |   |  |
|---|--|
| 0 |  |
|---|--|

## ◆ Prior Arrest or Confinement Within Past 12 Months (Prior to Offense) — If YES, add 3 —>

0	
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## Total Score

- 15 or less, check Recommended for Alternative Punishment.
- 16 or more, check NOT Recommended for Alternative Punishment.

Drug/Schedule I or II Section D	

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