



Virginia Sentencing Guidelines

Preliminary

FY2016 Report

April 4, 2016

FY 2016 - Cases Coded and Keyed*

	2015	2016	Total
JAN		6	
FEB		7	
MAR		2	
APR		0	
MAY		0	
JUN		0	
JUL	1,939		
AUG	1,960		
SEP	1,843		
OCT	1,920		
NOV	1,465		
DEC	833		
TOTAL	9,960	15	9,975

*Keyed as of March 8, 2016 (Includes all forms received)

FY 2016 - Cases Received by County - FIPS

ACCOMACK	28	CHESTERFIELD	494	HANOVER	155	NEW KENT	13	SHENANDOAH	31
ALBEMARLE	66	CLARKE	18	HENRICO	501	NORTHAMPTON	18	SMYTH	68
ALLEGHANY	91	CRAIG	1	HENRY	62	NORTHUMBERLAND	13	SOUTHAMPTON	61
AMELIA	20	CULPEPER	85	HIGHLAND	3	NOTTOWAY	28	SPOTSYLVANIA	131
AMHERST	68	CUMBERLAND	13	ISLE OF WIGHT	32	ORANGE	35	STAFFORD	193
APPOMATTOX	8	DICKENSON	38	JAMES CITY	36	PAGE	52	SURRY	2
ARLINGTON	154	DINWIDDIE	50	KING & QUEEN	3	PATRICK	17	SUSSEX	13
AUGUSTA	106	ESSEX	17	KING GEORGE	35	PITTSYLVANIA	84	TAZEWELL	210
BATH	7	FAIRFAX COUNTY	357	KING WILLIAM	15	POWHATAN	26	WARREN	86
BEDFORD	72	FAUQUIER	110	LANCASTER	11	PRINCE EDWARD	52	WASHINGTON	100
BLAND	3	FLOYD	22	LEE	27	PRINCE GEORGE	34	WESTMORELAND	30
BOTETOURT	83	FLUVANNA	6	LOUDOUN	133	PRINCE WILLIAM	285	WISE	91
BRUNSWICK	5	FRANKLIN COUNTY	39	LOUISA	38	PULASKI	92	WYTHE	62
BUCHANAN	52	FREDERICK	139	LUNENBURG	10	RAPPAHANNOCK	6	YORK	49
BUCKINGHAM	15	GILES	8	MADISON	13	RICHMOND COUNTY	14		
CAMPBELL	82	GLOUCESTER	52	MATHEWS	8	ROANOKE COUNTY	99		
CAROLINE	48	GOOCHLAND	8	MECKLENBURG	87	ROCKBRIDGE	75		
CARROLL	25	GRAYSON	38	MIDDLESEX	17	ROCKINGHAM	162		
CHARLES CITY	5	GREENSVILLE	71	MONTGOMERY	115	RUSSELL	79		
CHARLOTTE	10	HALIFAX	66	NELSON	22	SCOTT	79		

FY 2016 - Cases Received by City - FIPS

ALEXANDRIA	68	NORFOLK	407
BRISTOL	109	NORTON	1
BUENA VISTA	14	PETERSBURG	3
CHARLOTTESVILLE	11	PORTSMOUTH	166
CHESAPEAKE	380	RADFORD	25
COLONIAL HEIGHTS	41	RICHMOND CITY	451
DANVILLE	73	ROANOKE CITY	168
FAIRFAX CITY	1	STAUNTON	67
FREDERICKSBURG	137	SUFFOLK	117
HAMPTON	158	VIRGINIA BEACH	543
HARRISONBURG	72	WAYNESBORO	77
HOPEWELL	26	WILLIAMSBURG	29
LEXINGTON	2	WINCHESTER	128
LYNCHBURG	144	MISSING	6
MARTINSVILLE	31		
NEWPORT NEWS	227		

Requesting approval to send list to Chief Judges, Circuit Court Clerks and Commonwealth's Attorneys in July.

**Preliminary FY2016 Report:
General Compliance**

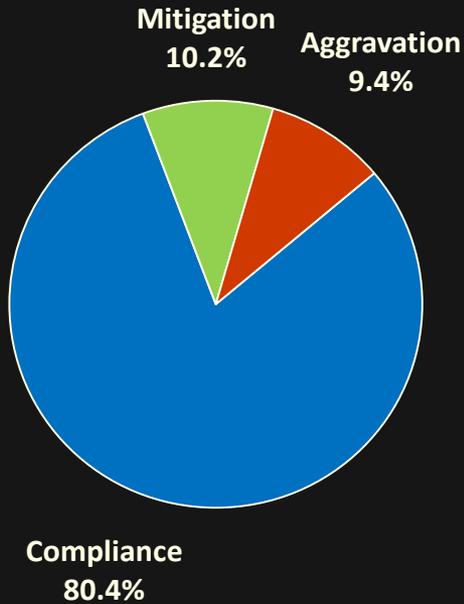


Preliminary FY2016 Report Judicial Agreement with Guideline Recommendations

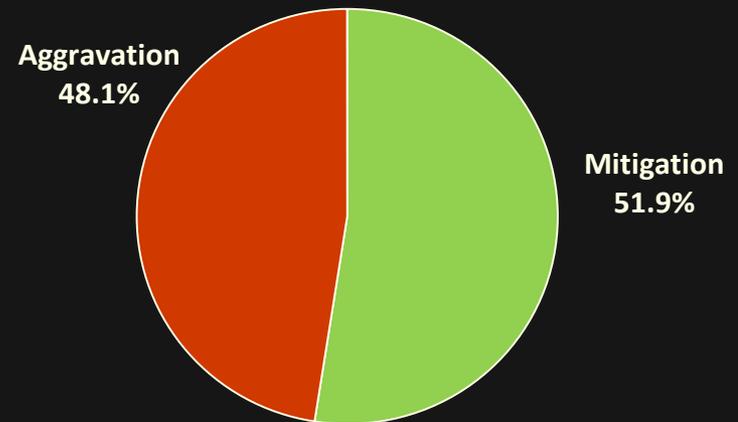
General Compliance:

The degree to which judges agree with the overall guidelines recommendation.

Overall Compliance Rate



Direction of Departures



N=9,687 (Excludes old worksheets, non-guidelines offenses and cases missing sentencing information or a guidelines recommendation)

Preliminary FY2016 Report Judicial Agreement with Type of Recommended Disposition

Dispositional Compliance:

The degree to which judges agree with the type of sanction recommended.

RECOMMENDED DISPOSITION	ACTUAL DISPOSITION		
	Probation/No Incarceration	Incarceration 6 months or less	Incarceration over 6 months
Probation/No Incarceration	74.2%	22.2%	3.6%
Incarceration 6 months or less	13.2%	78.0%	8.8%
Incarceration over 6 months	6.4%	7.1%	86.5%

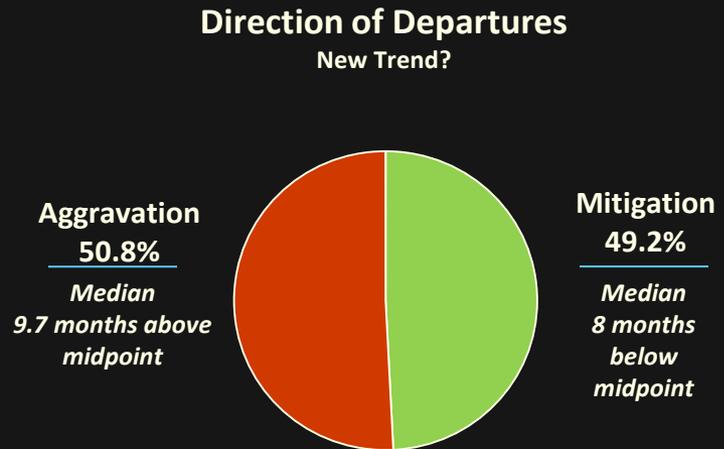
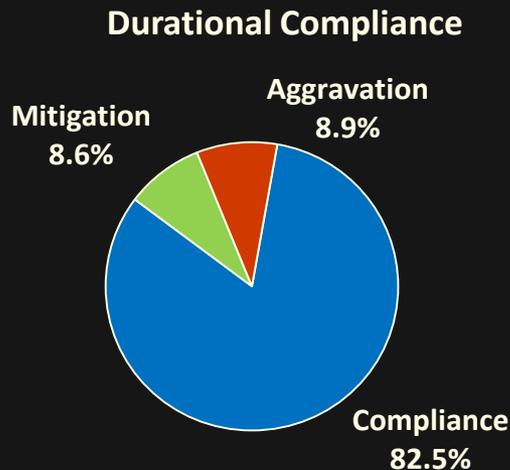
N=9,685 – Disposition missing in 2 cases

Preliminary FY2016 Report

Judicial Agreement with Sentence Length

Durational Compliance:

The degree to which judges agree with the sentence length in cases in which defendants are recommended for jail/prison and receive at least one day incarceration.



**Preliminary FY2016 Report:
Departure Reasons**



Preliminary FY2016 Report

Most Frequently Cited Departure Reasons

Mitigation (n=987)

- Plea agreement 331 (34%*)
- Sentenced to alternative 96 (10%*)
- Judicial discretion 93 (9%*)
- Cooperated with authorities 81 (8%*)
- Court proceedings 73 (7%*)
- No significant prior record 71 (7%*)
- Recommendation of CA 64 (7%*)
- Facts of the case 58 (6%*)
- Offender's health issues 52 (5%*)
- Victim's request 35 (4%*)

n=160 (12%) missing a departure reason

Aggravation (n=914)

- Plea agreement 217 (24%**)
- Flagrancy of offense/facts of case 155 (17%**)
- Severity/type of prior record 110 (12%**)
- Multiple counts involved in event 76 (8%**)
- Poor rehabilitation potential 52 (6%**)
- Recommendation of jury 51 (6%**)
- Degree of injury 44 (5%**)
- SG Recommendation too low 41 (5%**)
- Type of victim (child, etc.) 41 (5%**)

n=123 (10%) missing a departure reason

* Of mitigating cases requiring departure reason

** Of aggravating cases requiring departure reasons

**Preliminary FY2016 Report:
Compliance by Circuit**



Preliminary FY2016**Sorted By Circuit**

Circuit Name	Circuit	Compliance	Mitigation	Aggravation	No. of Cases
Chesapeake	1	81.7%	9.0%	9.3%	366
Virginia Beach	2	84.8%	7.8%	7.4%	580
Portsmouth	3	82.3%	14.0%	3.7%	164
Norfolk	4	80.8%	11.4%	7.8%	396
Suffolk Area	5	75.3%	8.6%	16.2%	198
Sussex Area	6	81.2%	8.1%	10.7%	149
Newport News	7	85.4%	6.6%	8.0%	226
Hampton	8	82.1%	13.5%	4.5%	156
Williamsburg Area	9	78.4%	9.5%	12.1%	199
South Boston Area	10	78.8%	8.9%	12.4%	259
Petersburg Area	11	81.7%	11.1%	7.1%	126
Chesterfield Area	12	83.5%	7.4%	9.1%	527
Richmond City	13	67.5%	27.1%	5.4%	443
Henrico	14	76.0%	10.3%	13.7%	496
Fredericksburg Area	15	75.1%	8.9%	16.0%	764
Charlottesville Area	16	85.1%	7.7%	7.3%	248
Arlington Area	17	83.8%	9.7%	6.5%	154
Alexandria	18	75.0%	10.3%	14.7%	68
Fairfax	19	78.7%	8.9%	12.4%	315
Loudoun Area	20	83.9%	5.2%	10.8%	249
Martinsville Area	21	80.9%	15.5%	3.6%	110
Danville Area	22	77.8%	9.3%	12.9%	194
Roanoke Area	23	79.2%	14.6%	6.2%	260
Lynchburg Area	24	81.8%	10.0%	8.2%	380
Staunton Area	25	75.8%	16.7%	7.5%	509
Harrisonburg Area	26	86.8%	7.0%	6.2%	676
Radford Area	27	85.1%	7.3%	7.6%	368
Bristol Area	28	89.2%	4.1%	6.7%	268
Buchanan Area	29	77.2%	9.1%	13.7%	364
Lee Area	30	78.9%	10.0%	11.1%	190
Prince William Area	31	81.4%	10.0%	8.6%	279

**Preliminary FY2016
Sorted By Compliance**

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Richmond City	13	67.5%	27.1%	5.4%	443



Highest aggravation:
-Circuit 5 (Suffolk Area)
16.2%

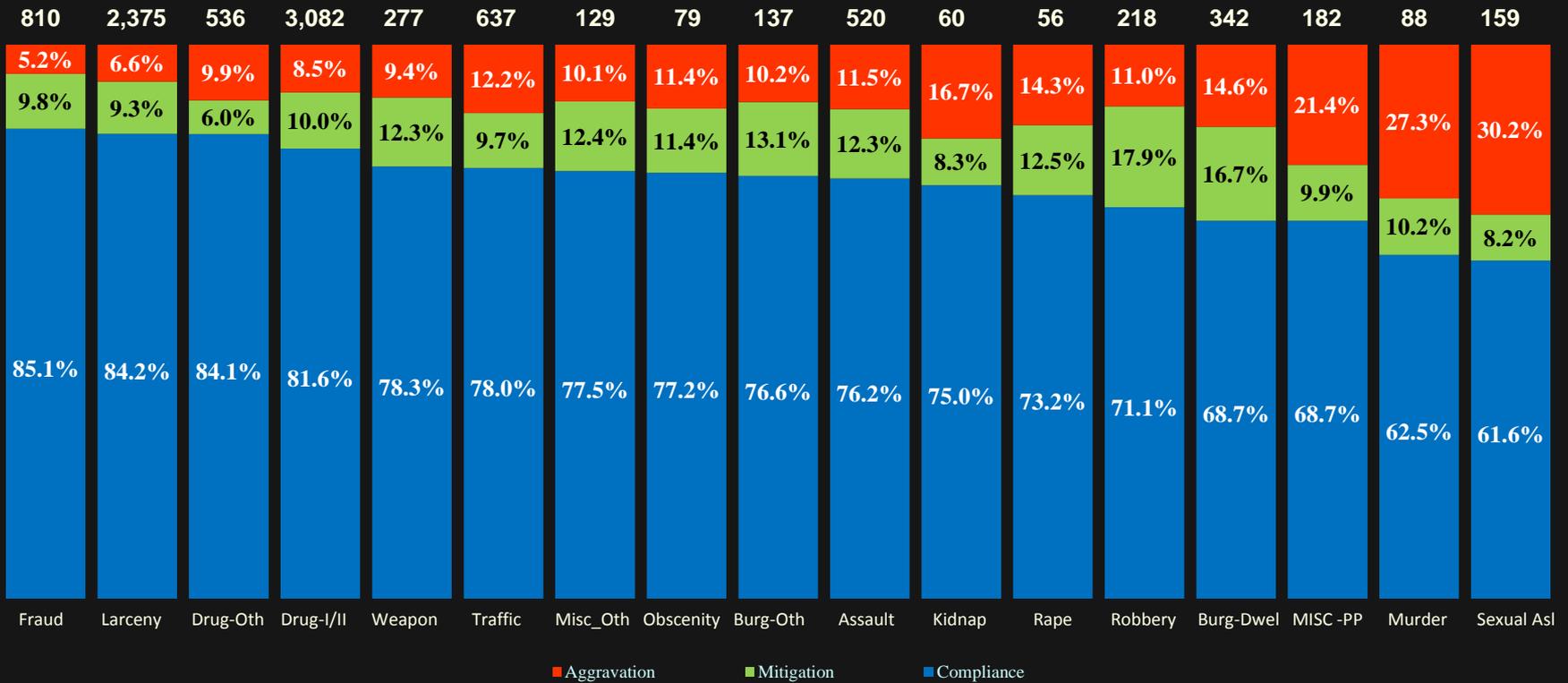
Highest mitigation:
-Circuit 13 (Richmond City)
27.1%

**Preliminary FY2016 Report:
Compliance by Offense Type**



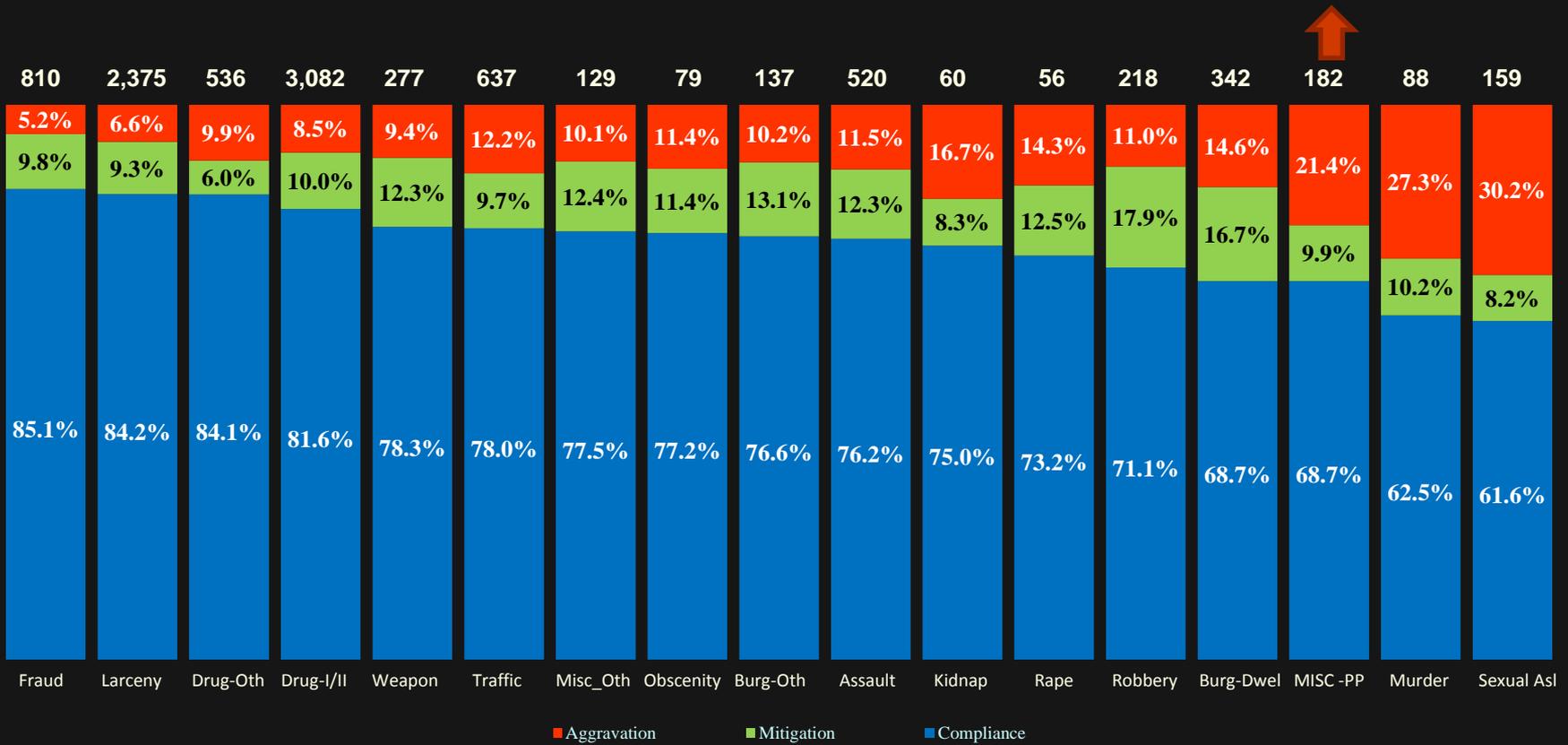
Preliminary FY2016 Report

Compliance by Type of Offense



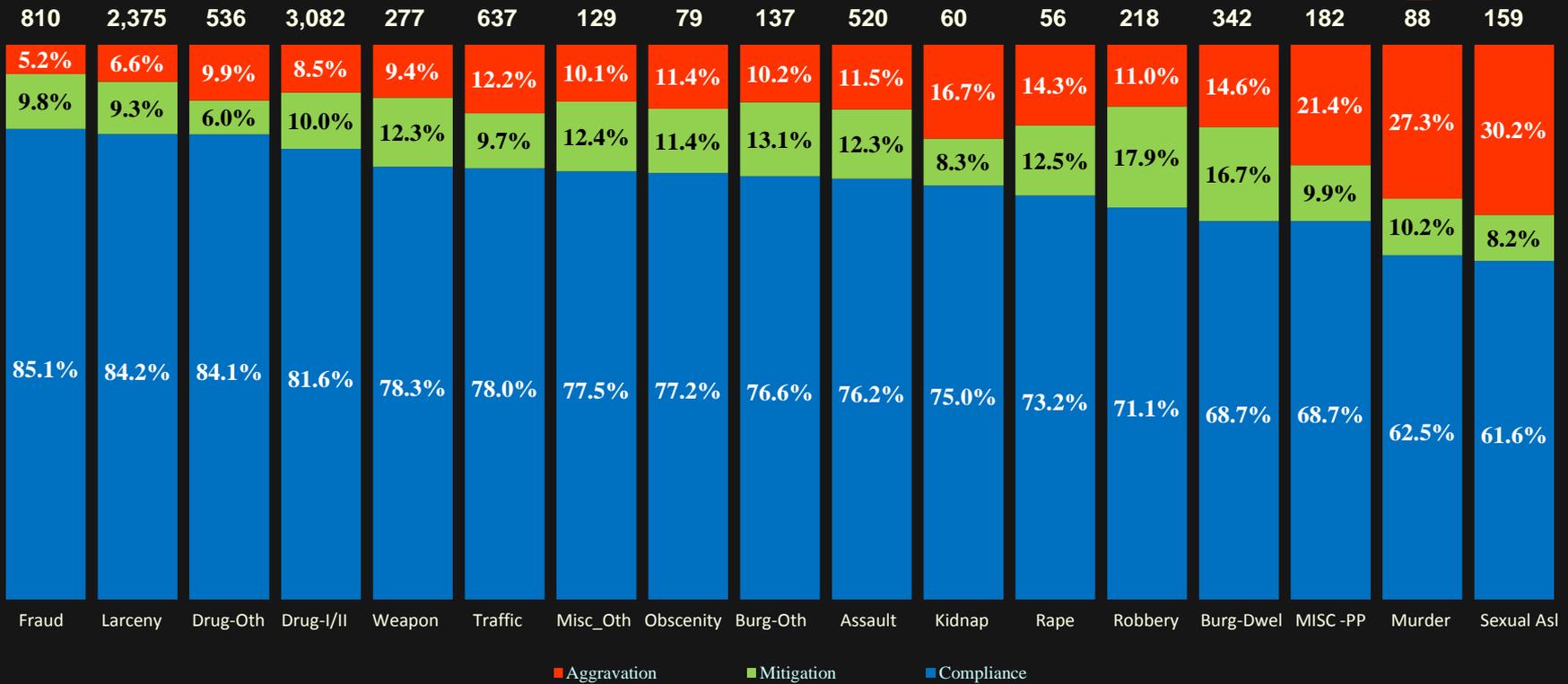
Preliminary FY2016 Report Compliance by Type of Offense

Offense	Aggravation Rate (Cases)	
Extortion	25%	(n=4)
Arson	17%-27%	(n=34)
Shoot/Vehicle	33%	(n=6)
Child Abuse		
Serious Inj.	57%	(n=21)
Endangerment	21%	(n=14)



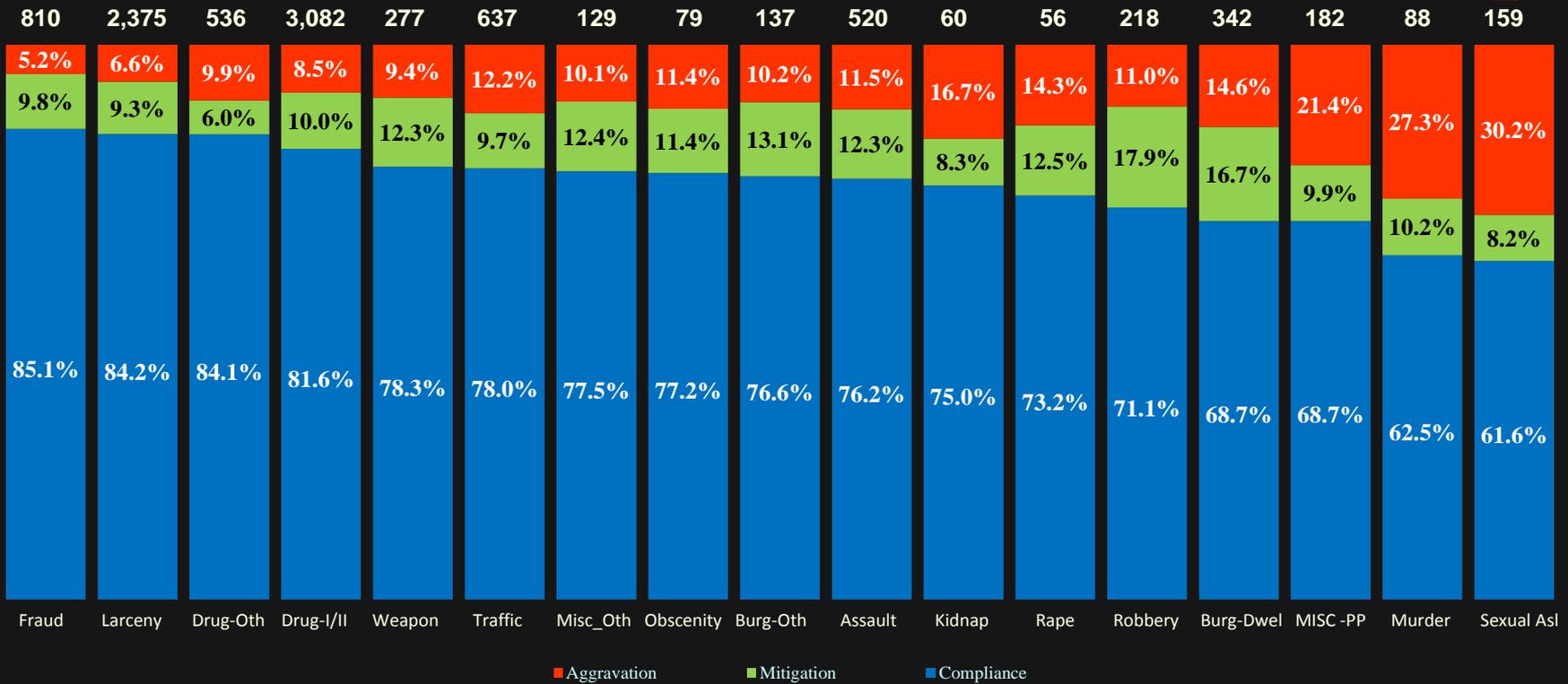
Preliminary FY2016 Report Compliance by Type of Offense

Offense	Aggravation Rate (Cases)	
Invol.		
Manslaughter	46%	(n=11)
Felony	100%	(n=1)
Vol.		
Manslaughter	56%	(n=9)
Vehicular Manslaughter	50%	(n=8)



Preliminary FY2016 Report Compliance by Type of Offense

Offense	Aggravation Rate (Cases)	
ASB 13,14	75%	(n=4)
Prostitution	63%	(n=8)
Liberties Cust.	44%	(n=16)
Sodomy-Parent	100%	(n=2)
Incest 13-17	100%	(n=2)
Liberties <15	30%	(n=20)



**Preliminary Report:
Impact of DJJ Sentences on Compliance**



Sentenced to Department of Juvenile Justice

Final Disposition Fill In After Sentence Has Been Pronounced

◆ **SENTENCE**

Total Time Imposed Before Suspension Life Sentence +

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Year

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Months

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Days

Total Effective Time to Serve Life Sentence +

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Year

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Months

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Days Sentenced to Time Served

Post Release

Post Release Term § 19.2-10

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Year

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Months

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Days

Post Release Supervision Period § 19.2-295.2(A)

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Year

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Months

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Days

Probation Period (Supervised) § 19.2-303 Indefinite

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Year

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Months

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Days

Check all that apply

- Incarceration Sentence to Run Concurrently With Another Sentencing Event
- 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
- 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

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Year

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Months

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Days
- Youthful Offender
- Other _____



◆ **REASON FOR DEPARTURE**
Must be completed pursuant to § 19.2-298.01(B)

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Year

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Months

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Days



◆ **SENTENCING DATE**

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Month

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Day

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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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Year

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Months

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Days

■ Judge identified DJJ as an alternative sentence on guidelines cover

■ Judge included DJJ sentence in the reason for departure

FY2015 – 35 Cases

FY2016 – 10 Cases *

Primary Offense

- Robbery 24
- Assault 8
- Sex Offense 4
- Murder 2
- Drugs 2
- Burglary 2
- Larceny 1
- Gang 1
- Child Porn 1

*Only includes cases received by December 15, 2015

Compliance Rates – FY 2015



■ *Impact of Offenders Sentenced in Circuit Court to the Department of Juvenile Justice*

Including DJJ Sentences

Compliance – 80.1%

Mitigation – 10.6%

Aggravation – 9.3%

n=24,092

Excluding DJJ Sentences

Compliance – 80.2%

Mitigation – 10.5%

Aggravation – 9.3%

n=24,057

FY 2015 Compliance Rates By Impacted Judges (Including & Excluding DJJ Sentences)

Judge	DJJ Included		DJJ Not Included	
	Compliance	Total	Compliance	Total
1	87.5%	48	89.4%	47
2	76.9%	147	77.4%	146
3	88.7%	309	88.9%	306
4	66.5%	155	66.9%	154
5	52.2%	23	54.5%	22
6	72.2%	126	72.8%	125
7	80.9%	89	81.8%	88
8	81.0%	211	81.4%	210
9	85.0%	80	84.8%	79
10	82.6%	224	82.9%	222
11	69.7%	33	71.9%	32
12	79.8%	198	80.2%	197
13	73.1%	156	73.5%	155
14	86.1%	273	86.7%	271
15	77.4%	106	77.1%	105
16	85.2%	317	85.4%	316
17	78.8%	189	79.3%	188
18	78.4%	153	78.3%	152
19	85.6%	167	86.1%	166
20	87.0%	131	87.7%	130
21	92.0%	163	92.6%	162
22	76.2%	42	78.0%	41
23	80.3%	152	80.8%	151
24	73.2%	157	73.7%	156
25	76.9%	173	76.7%	172
26	74.4%	117	75.7%	115
27	74.7%	146	74.3%	144
28	78.3%	138	78.8%	137
29	71.0%	107	70.8%	106

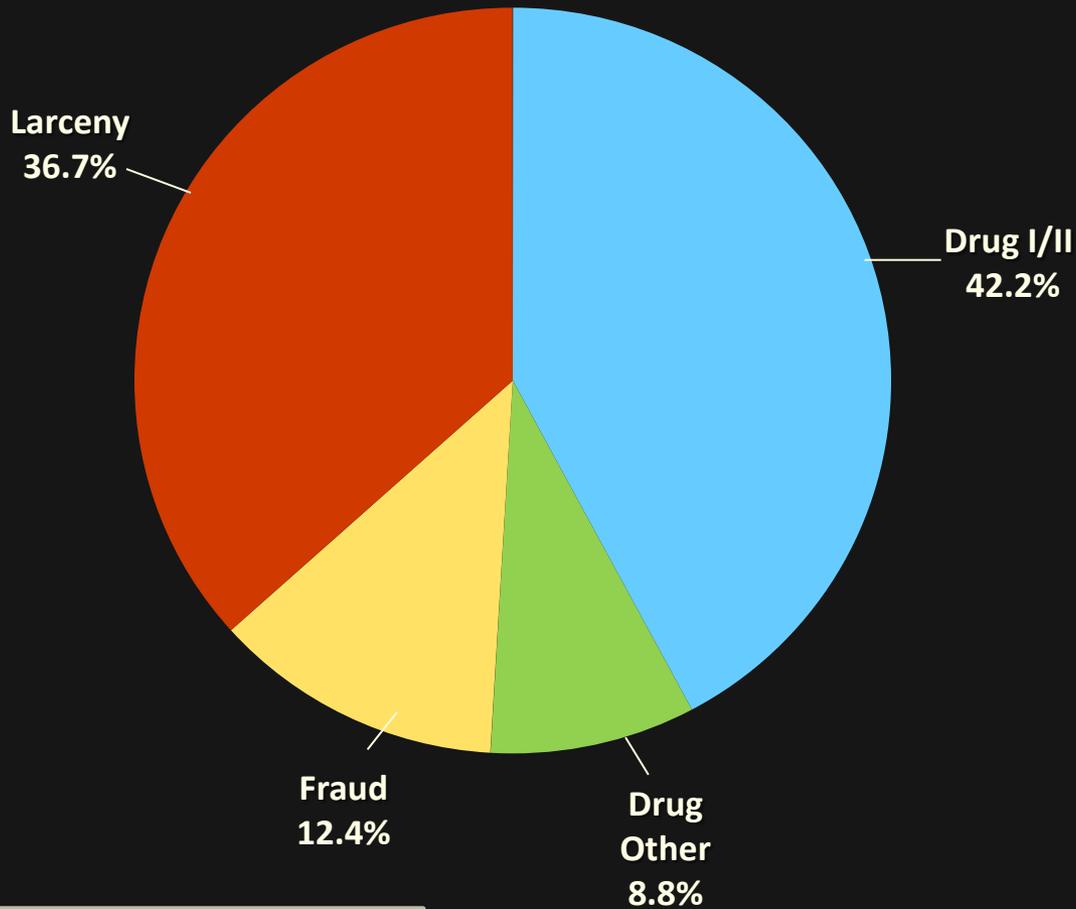
Identifying Offenders Sentenced in Circuit Court to DJJ on the Virginia Child Protection Accountability System

Sentencing Date	Victim's Age*	Offender's Age*	Relationship*	Concluded By*	SG Judge*	Total Imposed Time*	Effective Time*
Conviction Description*				Statute	Felony/Misdemeanor *	SG Compliance*	
FRANKLIN COUNTY							
<u>4/9/2015</u>	Age 9 or less	17	Known to Victim or Strang	Guilty Plea & Plea Agreement	Judge Clyde H. Perdue Jr.	12Y 0M 0D	2Y 0M 0D
Aggravated sexual battery - victim under age 13				18.2-67.3(A,1)	F	Within SG	
Departure Reason(s):							
NOTE: DEFENDANT WAS COMMITTED TO DJJ UNDER THE PROVISIONS OF § 16.2-285.1							
FREDERICK							
<u>7/10/2014</u>	Unknown	37	N/A*	Jury Trial	Judge Clifford L. Athey Jr.	3Y 0M 0D	3Y 0M 0D
Possess child porn (subsequent offense)				18.2-374.1:1(B)	F	Below SG	
Possess child porn (first offense)				18.2-374.1:1(A)	F		
SENTENCE RECOMMENDED BY A JURY. BY LAW, § 19.2-303, A JUDGE CANNOT INCREASE A SENTENCE FIXED BY THE JURY							
<u>7/17/2014</u>	Age 12 or less	23	Relative or Step-parent	Guilty Plea & Plea Agreement	Judge Benjamin N.A. Kendrick	61Y 0M 0D	17Y 0M 0D
Object sexual penetration victim under age 13				18.2-67.2(A,1)	F	Within SG	
Indecent liberties with child under age 15				18.2-370(A)	F		
<u>7/30/2014</u>	Age 13 or 14	22	Known to Victim	Guilty Plea & Plea Agreement	Judge Benjamin N.A. Kendrick	10Y 0M 0D	0Y 23M 0D
Carnal knowledge/Statutory Rape Age of victim 13, 14				18.2-63(A)	F	Within SG	
<u>12/18/2014</u>	Unknown	70	N/A* or Relative	Guilty Plea & Plea Agreement	Judge Clifford L. Athey Jr.	5Y 0M 0D	0Y 0M 0D & Time Served
Indecent liberties with child under age 15				18.2-370(A)	F	Within SG	
<u>1/15/2015</u>	Age 12 or less	20	Known to Victim	Guilty Plea & Plea Agreement	Judge Clifford L. Athey Jr.	20Y 0M 0D	2Y 3M 0D
Aggravated sexual battery - victim under age 13				18.2-67.3(A,1)	F	Within SG	
Indecent liberties with child under age 15				18.2-370(A)	F		
Penetrate w/tongue mouth of child under age 13				18.2-370.6	M		
Sexual battery				18.2-67.4(A,i)	M		

**Preliminary FY2016 Report:
Nonviolent Risk Assessment**
Effective July 1, 2013



Preliminary FY2016 Report
Nonviolent Offenders Eligible for Risk Assessment
by Type of Offense



6,789 Drug, Fraud & Larceny Cases
- 3,980 Excluded: Ineligible, Errors, 1994 Missing
2,809 Analyzed

Preliminary FY2016 Nonviolent Offenders Eligible for Risk Assessment

<u>Offense</u>	<u>Mitigation</u>	Compliance		<u>Aggravation</u>	<u>Number of Cases</u>
		<u>Alternative</u>			
			<u>Traditional</u>		
Drug	7%	29% →	87%	← 58%	1,431
Fraud	10%	32% →	86%	← 54%	347
Larceny	8%	7% →	88%	← 81%	1,031
All Risk Cases	8%	21% →	87%	← 66%	2,809

Preliminary FY2016
Nonviolent Offenders Eligible for Risk Assessment

Recommended for and Received an Alternative	21.3%	n= 597
Recommended and Incarcerated	27.8%	n= 782
Not Recommended and Received Alternative	12.9%	n= 361
Not Recommended and Incarcerated	38.1%	n= 1,069

**Of offenders recommended for alternative sanctions,
the proportion who received an alternative**

43%

**Of offenders recommended for alternative sanctions,
the proportion who received an alternative**

In cases without Plea Agreement 37% - In cases with Plea Agreement 50%

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	<table border="1"><tr><td> </td><td> </td></tr></table>			<table border="1"><tr><td> </td><td> </td></tr></table>			<table border="1"><tr><td> </td><td> </td><td> </td></tr></table>			
Post Release Supervision Period § 19.2-295.2(A)	<table border="1"><tr><td> </td><td> </td></tr></table>			<table border="1"><tr><td> </td><td> </td></tr></table>			<table border="1"><tr><td> </td><td> </td><td> </td></tr></table>			

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 (Rule 3A:8(c) (1) (A) or (C))
- Plea and Recommendation Accepted (Rule 3A:8 (c) (1) (B))
- Oral Sentence Recommendation Accepted
- Restitution \$ _____ Fine \$ _____

Other Sentencing Programs (check all that apply)

- | | | | |
|--|---|--|--|
| <ul style="list-style-type: none"> <input type="checkbox"/> Day Reporting <input type="checkbox"/> Diversion Center Incarceration <input type="checkbox"/> Electronic Monitoring <input type="checkbox"/> Unsupervised Probation/Good Behavior <input type="checkbox"/> § 18.2-251/§ 18.2-258.1 <input type="checkbox"/> Substance Abuse Treatment | <ul style="list-style-type: none"> <input type="checkbox"/> Community-Based Program _____ <input type="checkbox"/> Detention Center Incarceration <input type="checkbox"/> Drug Court <input type="checkbox"/> Intensive Probation <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td style="width: 20px; height: 20px;"> </td><td style="width: 20px; height: 20px;"> </td></tr></table> <input type="checkbox"/> Youthful Offender <input type="checkbox"/> Other _____ | | |
| | | | |

REASON FOR DEPARTURE

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

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SENTENCING DATE

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<small>Month</small>	<small>Day</small>	<small>Year</small>	<small>Judge's Signature</small>						

ATTACH COURT ORDER AND MAIL Pursuant to § 19.2-298.01(E)

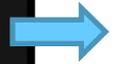
After sentencing, send to:

Virginia Criminal Sentencing Commission • 100 North Ninth Street • Fifth Floor • Richmond, Virginia 23219

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<small>Other</small>	<small>Other</small>	<small>Other</small>	<small>Other</small>						

Plea Agreement Includes:

- Written
- Recommendation
- Oral



Preliminary FY2016

Nonviolent Offenders Eligible for Risk Assessment

Recommended for and Received an Alternative	21.3%	n= 597
Recommended and Incarcerated	27.8%	n= 782
Not Recommended and Received Alternative	12.9%	n= 361
Not Recommended and Incarcerated	38.1%	n= 1,069

Next Slide Will Focus on Cases Recommended for and Received an Alternative

- By Offense Group
- By Plea Agreement

Preliminary FY2016
Nonviolent Offenders Eligible for Risk Assessment

Recommended for and Received an Alternative**

Offense Group	No Plea Agreement (Cases)	Plea Agreement* (Cases)	Total Recommended & Received (Cases)
Drug	24.1% (189)	35.2% (228)	29.1% (417)
Fraud	25.4% (51)	43.4% (61)	32.3% (112)
Larceny	5.0% (31)	9.1% (37)	6.6% (68)
Total	16.9% (271)	27.3% (326)	21.3% (597)

* Plea includes written, oral or recommendations

** n= 597 of the 2,809 cases eligible for risk assessment

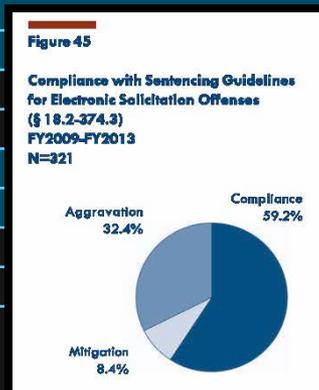
**Preliminary FY2016 Report:
Compliance for New Offenses Modified
July 1, 2014 and After**



Preliminary Compliance for Offenses Modified as of July 1, 2014

Sentenced as of December 1, 2015 (Includes FY2015 and FY2016 Data)

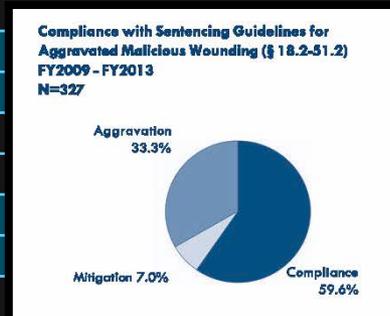
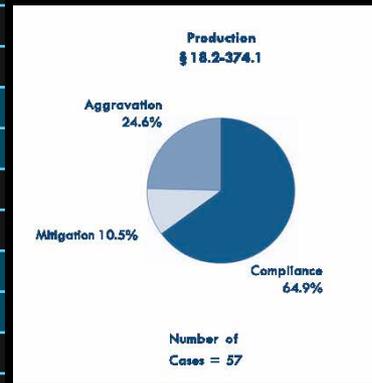
Offense (Statute)	Cases	Compliance	Mitigation	Aggravation
Procure minor for obscene material by communication system (§18.2-374.3(B))	14	85.7%	14.3%	0.0%
Propose sex act by communication system age < 15 (§18.2-374.3(C))	40	52.5%	12.5%	35.0%
Propose sex act by communication system age < 15, Offender 7+ (§18.2-374.3(C))	56	82.1%	1.8%	16.1%
Propose sex act by communication system age < 15, Offender 7+, 2nd (§18.2-374.3(C))	1	100.0%	0.0%	0.0%
Propose sex act by communication system age 15+ , Offender 7+ (§18.2-374.3(D))	6	50.0%	0.0%	50.0%
Propose sex act by communication system age 15+ , Offender 7+ 2 nd (§18.2-374.3(D))	2	100.0%	0.0%	0.0%
Procure minor for prostitution, etc., by communication system (§18.2-374.3(E))	4	75.0%	0.0%	25.0%
Finance Child porn (§ 18.2-374.1(B,4))	0	No Cases	-	-
Entice minor to perform in porn, age <15 (§ 18.2-374.1(B,1))	2	100.0%	0.0%	0.0%
Entice minor to perform in porn, age <15 , offender 7+ (§ 18.2-374.1(B,1))	3	0.0%	0.0%	100.0%
Entice minor to perform in porn, age <15 , offender 7+, 2nd (§ 18.2-374.1(B,1))	1	100.0%	0.0%	0.0%
Entice minor to perform in porn, age 15+ (§ 18.2-374.1(B,1))	1	100.0%	0.0%	0.0%
Entice minor to perform in porn, age 15+ , offender 7+ (§ 18.2-374.1(B,1))	3	100.0%	0.0%	0.0%
Entice minor to perform in porn, age <15+ , offender 7+, 2nd (§ 18.2-374.1(B,1))	0	No Cases	-	-



Preliminary Compliance for Offenses Modified as of July 1, 2014

Sentenced as of December 1, 2015 (Includes FY2015 and FY2016 Data)

Offense (Statute)	Cases	Compliance	Mitigation	Aggravation
Produce, make child porn <15 (§ 18.2-374.1(B,2))	2	100.0%	0.0%	0.0%
Produce, make child porn <15, offender 7+ (§ 18.2-374.1(B,2))	7	71.4%	0.0%	28.6%
Produce, make child porn <15, offender 7+, 2nd (§ 18.2-374.1(B,2))	0	No Cases		
Produce, make child porn 15+ (§ 18.2-374.1(B,2))	0	No Cases		
Produce, make child porn 15+, offender 7+ (§ 18.2-374.1(B,2))	3	66.7%	0.0%	33.3%
Produce, make child porn 15+, offender 7+, 2nd (§ 18.2-374.1(B,2))	0	No Cases	0.0%	0.0%
Take part, film child porn < 15 (§ 18.2-374.1(B,4))	0	No Cases	-	-
Take part, film child porn < 15, offender 7+ (§ 18.2-374.1(B,4))	0	No Cases	-	-
Take part, film child porn < 15, offender 7+, 2nd (§ 18.2-374.1(B,4))	0	No Cases	-	-
Take part, film child porn 15+ (§ 18.2-374.1(B,4))	1	100.0%	0.0%	0.0%
Take part, film child porn 15+, offender 7+ (§ 18.2-374.1(B,4))	2	100.0%	0.0%	0.0%
Take part, film child porn 15+, offender 7+, 2nd (§ 18.2-374.1(B,4))	0	No Cases	-	-
Aggravated Malicious Wounding (§ 18.2-51.2(A))	84	63.1%	4.8%	32.1%



Preliminary Compliance for Offenses Modified as of July 1, 2014

Sentenced as of December 1, 2015 (Includes FY2015 and FY2016 Data)

Offense (Statute)	Cases	Compliance	Mitigation	Aggravation
Burglary with additional offense of Aggravated Assault (§§ 18.2-89, 18.2-90, 18.2-91, 18.2-92, 18.2-93)	0	No Cases	-	-
Dwelling house with intent to commit larceny, A&B, etc. (§ 18.2-91)	1036	68.8%	15.6%	15.5%

**Actual versus Recommended Prison Sentences for
Daytime Burglary of a Dwelling without a Deadly Weapon
(§ 18.2-91)
FY2009 – FY2013**

	Compliance	Mitigation	Aggravation	Total
Current	65.9%	17.6%	16.5%	100%
Projected	66.7%	16.6%	16.7%	100%

Preliminary Compliance for Offenses Added July 1, 2015

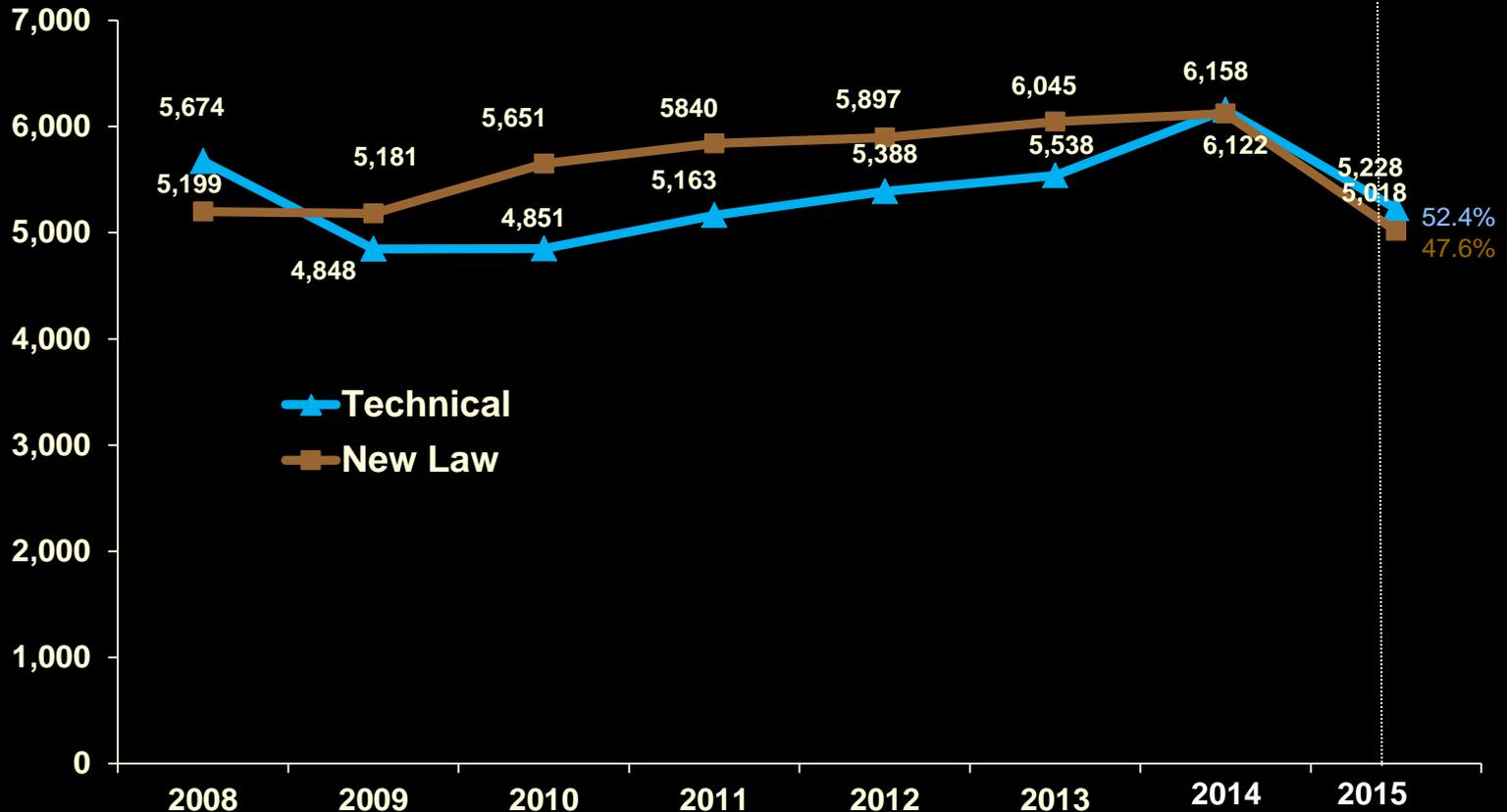
Sentenced as of December 2015

Offense (Statute)	Cases	Compliance	Mitigation	Aggravation
Sell Schedule IV Drug (§ 18.2-248(E2))	13	84.6%	15.4%	0.0%
Obtain identifying info with intent to defraud, etc., 2nd (§ 18.2-186.3)	11	81.8%	18.2%	0.0%
Receive stolen credit card/number (§ 18.2-192(1,b))	0	No cases		



Preliminary
**Sentencing Revocation Reports &
Probation Violation Guidelines (FY2016)**

Sentencing Revocation Reports Received for Technical and New Law Violations* Calendar Year 2008 - 2015

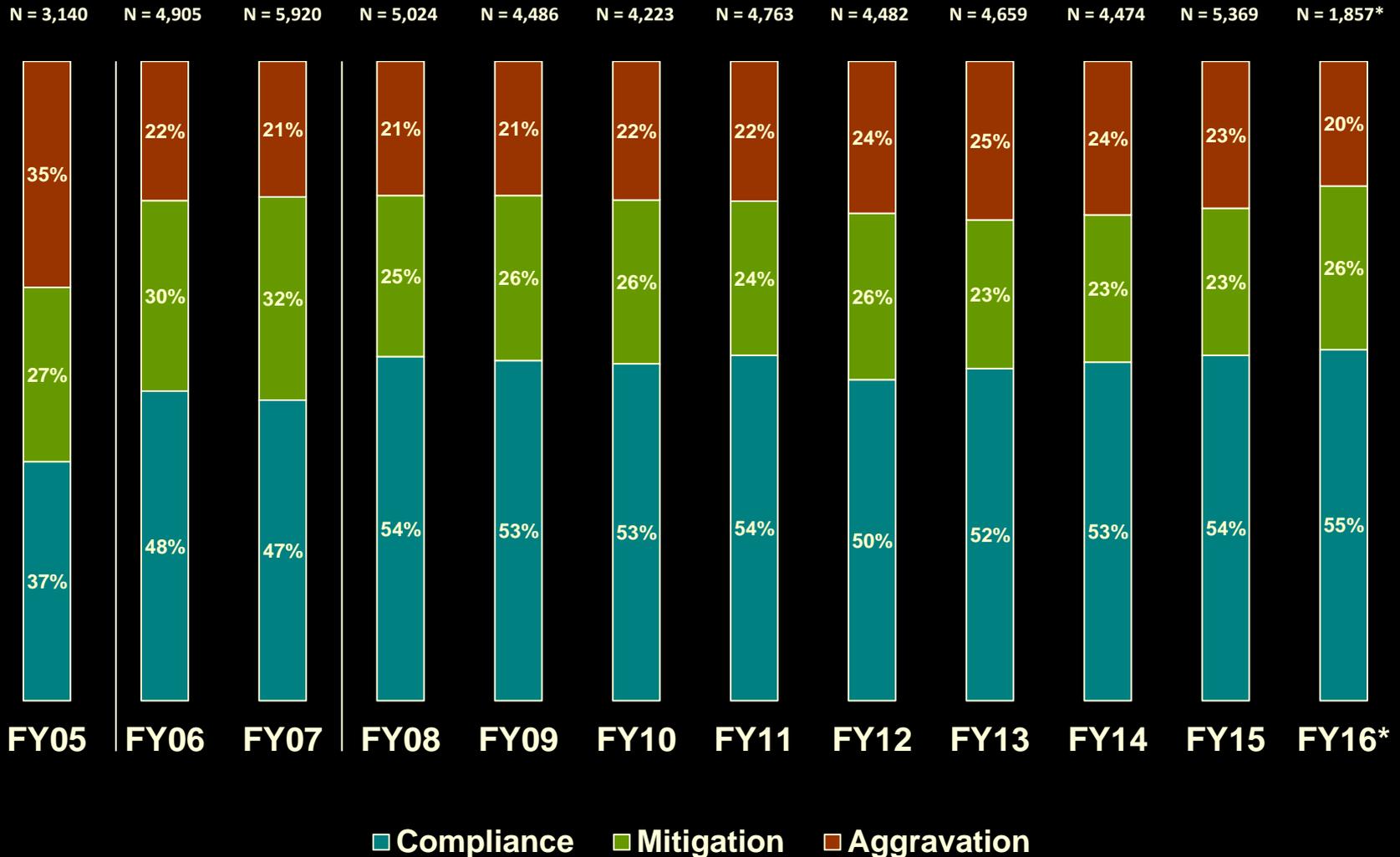


*Note: CY15 includes cases received by December 11, 2015 for cases found in violation with no missing conditions (Missing Most of November and December Cases)

Probation Violation Guidelines – “Technicals”

Compliance by Fiscal Year

FY2005 – FY2016 (Preliminary)



*Note: FY15 includes cases received by December 11, 2015 for cases found in violation with no missing conditions (Missing cases sentenced November and after)