

A bronze statue of Lady Justice, the personification of the goddess of justice. She is depicted from the waist up, wearing a classical-style dress with a sash. Her right arm is raised, holding a pair of scales of justice. Her left arm is extended downwards, holding a sword. The background is a clear, light blue sky. The statue is the central focus of the image, with a dark grey semi-transparent box overlaid on the lower left portion of the image containing text.

**HOUSE BILL 2456
2025 GENERAL ASSEMBLY -
VIOLENT OFFENSES § 17.1-805**

Virginia Criminal Sentencing Commission

March 24, 2025

House Bill 2456

2025 General Assembly



HB 2456

Discretionary sentencing guideline midpoints; violent felony offenses.

Introduced by: Mike A. Cherry

SUMMARY AS INTRODUCED:

Adds to and removes certain felony offenses from the list of violent felony offenses for discretionary sentencing guideline midpoints.

VCSC FISCAL IMPACT: \$50,000 (Cannot be determined)

HISTORY

01/31/2025 House: Courts Subcommittee recommends laying on the table (8-Y 0-N)

02/04/2025 House: Left in Courts of Justice

HB2456 would have added the following:

- § 18.2-47 - Abduction of a minor (Class 2 felony);
- § 18.2-51.7 - Genital mutilation (Class 2 felony);
- § 18.2-55.1 - Bodily injury caused by hazing (Class 1 misdemeanor);
- § 18.2-64.2 - Carnal knowledge by law enforcement officer, DOC staff, bondsman, etc. (Class 6 felony);
- § 18.2-144.1 - Killing or severely injuring law enforcement animal (Class 5 felony);
- § 18.2-308.5 - Manufacture, transfer, or possess plastic firearm (Class 5 felony); and
- § 18.2-308.5:1 - Manufacture, transfer, or possess trigger activator (Class 6 felony).

HB2456 would have removed the following:

- § 18.2-60.3 - Felony stalking, 2nd within 5 years (Class 6 felony);
- § 18.2-89 - Burglary at night while armed (Class 2 felony);
- § 18.2-92 - Burglary with intent to commit misd. (Class 6 felony);
- § 18.2-152.7 – Unlawfully using computer to cause physical injury (Class 6 felony);
- § 18.2-287.2 - Wearing body armor during crime (Class 4 felony);
- § 18.2-355 - Procurement for prostitution that does not involve the use of force, threat, or coercion (Class 3 and 4 felonies);
- § 18.2-366 - Incest between adults that does not involve force, threat, or coercion (Class 5 felony);
- § 18.2-474.1 - Delivery of drugs (Class 5 felony) or weapons (Class 3 felony) to prisoners;
- § 37.2-917 - Escape of sexually violent predator from civil commitment facility (Class 6 felony); and
- § 53.1-203 - Certain felonies by prisoners: escape, possession of unlawful chemicals/Schedule III drug or marijuana, damage to fire protection equipment (Class 5 and 6 felonies).

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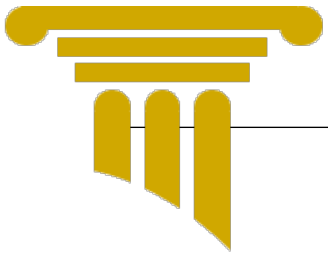
Delegate Cherry indicated he had discussed HB2456 with certain stakeholders.



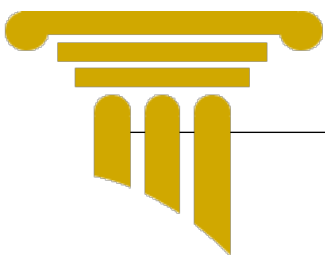
Members of the House Courts of Justice (HCOJ) Criminal Law Subcommittee suggested that it might be helpful to conduct a holistic review of § 17.1-805, the results of which could be used to refine the bill for the 2026 General Assembly.



Sentencing Commission Director spoke to Delegate Cherry and offered assistance.



The Sentencing Commission provides a number of documents and tools to assist policymakers and court stakeholders, including a list of all § 19.2-297.1 and § 17.1-805 offenses.



◆ VCCs §§ 17.1-805, 19.2-297.1 and 53.1-202.3 Offenses Listed by Statute
Earned Sentence Credit Level and Offenses Designated as Violent

Statute	Description	ESC 85% VCC	Penalty	17.1 SG -805	19.2 -297.1	MM
ANIMALS						
Abandonment or Cruelty						
§3.2-6570(F)	Torture/mutilate dog or cat causing death	√ ANM-3349-F6	1Y - 5Y	N		
§3.2-6570(F)	Torture/mutilate dog or cat causing death or serious injury	√ ANM-3349-F6	1Y - 5Y	N		
Fighting - In Combination with § 3.2-6571(A) Offense						
§3.2-6571(B,1)	Dogfighting activity	# ANM-3573-F6	1Y - 5Y	N		
§3.2-6571(B,2)	Device or substance used to enhance animal's ability to fight	# ANM-3574-F6	1Y - 5Y	N		
§3.2-6571(B,3)	Wager money, etc., on animal fighting	# ANM-3575-F6	1Y - 5Y	N		
§3.2-6571(B,4)	Pay or receive admission for animal fighting	# ANM-3576-F6	1Y - 5Y	N		
§3.2-6571(B,5)	Possess, etc., animal for fighting	# ANM-3577-F6	1Y - 5Y	N		
§3.2-6571(B,6)	Minor child allowed to attend or be involved in animal fighting	# ANM-3578-F6	1Y - 5Y	N		
PROTECTIVE ORDERS						
Juvenile & Domestic Court						
§16.1-253.2	Assault w/serious injury to person with protective order	√ PRT-5004-F6	1Y - 5Y	N	√	
§16.1-253.2	Enter home of person with protective order	√ PRT-5003-F6	1Y - 5Y	N	√	
§16.1-253.2	Violation of protective order (violence) 3rd w/in 20 yrs.	√ PRT-5002-F6	1Y - 5Y	N	√	6M
§16.1-253.2(A)	Violation of protective order (violence) 3rd w/in 20 yrs.	√ PRT-5002-F6	1Y - 5Y	N	√	6M
§16.1-253.2(B)	Armed with deadly weapon, violation of protective order while	√ PRT-5073-F6	1Y - 5Y	N	√	
§16.1-253.2(C)	Assault with injury to person with protective order	√ PRT-5004-F6	1Y - 5Y	N	√	
§16.1-253.2(C)	Enter home of person with protective order	√ PRT-5003-F6	1Y - 5Y	N	√	
§16.1-253.2(C)	Stalk person with protective order	√ PRT-5065-F6	1Y - 5Y	N	√	
SOLICITATION						
Solicitation to commit a murder						
§18.2-29	Solicitation to commit murder	√ SOL-7202-F9	5Y - 40Y	N	√	
MURDER						
Aggravated						
§18.2-31(1)	Abduction, in commission of	√ MUR-0913-F1	Life - Life	N	√	
Aggravated - Accessory Before the Fact / Principal 2nd Deg.						
§18.2-31(1)	Abduction, in commission of	MUR-0980-F2	20Y - Life	N	√	
Capital						
§18.2-31(1)	Abduction, in commission of	√ MUR-0913-F1	Life - Death	N	√	
Aggravated						
§18.2-31(2)	Killing for hire	√ MUR-0922-F1	Life - Life	N	√	

Review of § 17.1-805 Staff Proposal



Based on comments of the HCOJ Criminal Law Subcommittee, staff propose that the Commission convene a **Work Group** of non-Commission members to review § 17.1-805 and make recommendations for the 2026 General Assembly.

Suggested Work Group membership:

Retired circuit court judge (chair)
2 Commonwealth's attorneys
2 Defense attorneys
Attorney General representative
Criminal justice advocate
Delegate Mike Cherry

Commission staff
would provide data
and technical
assistance.

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