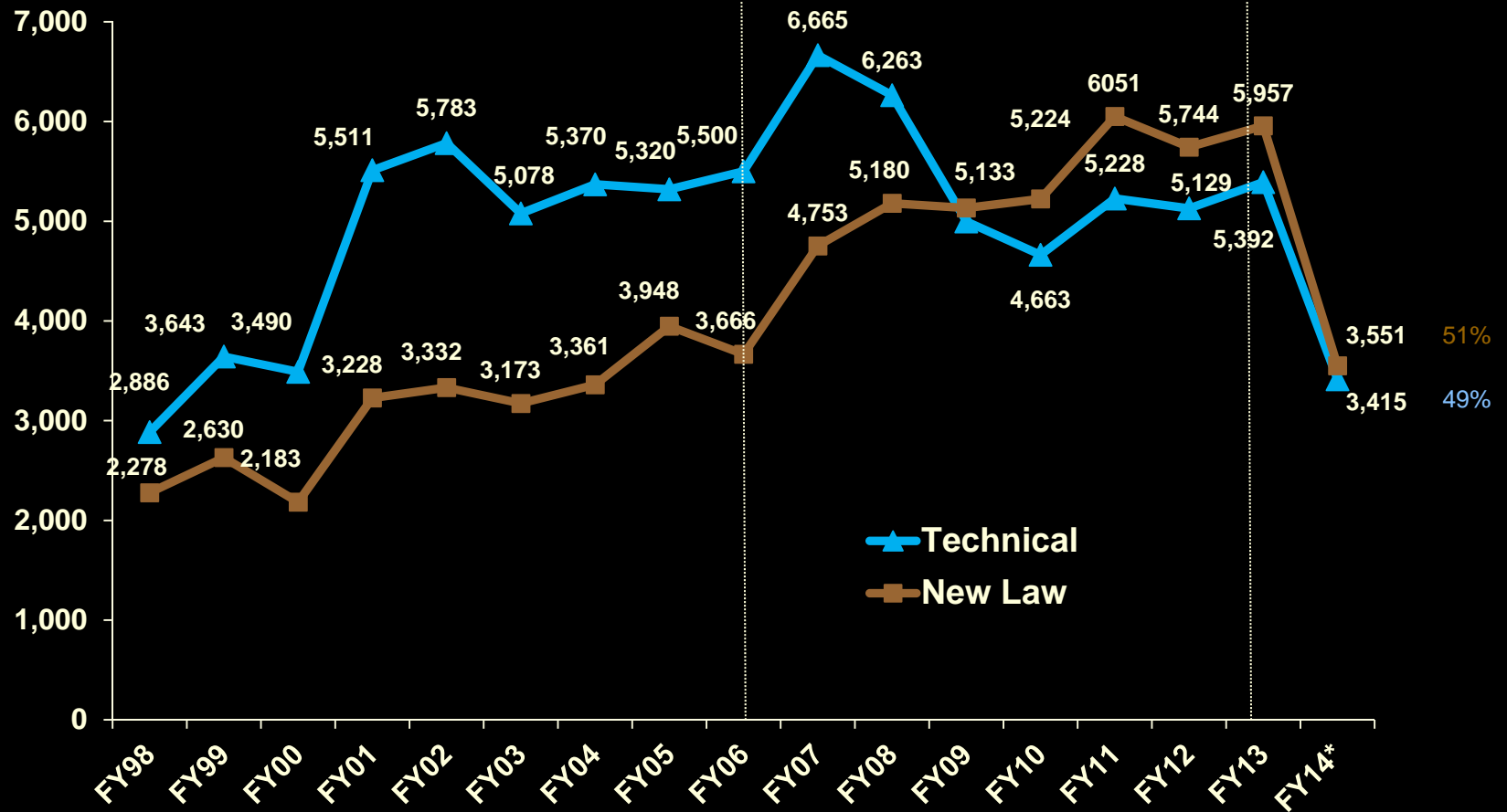




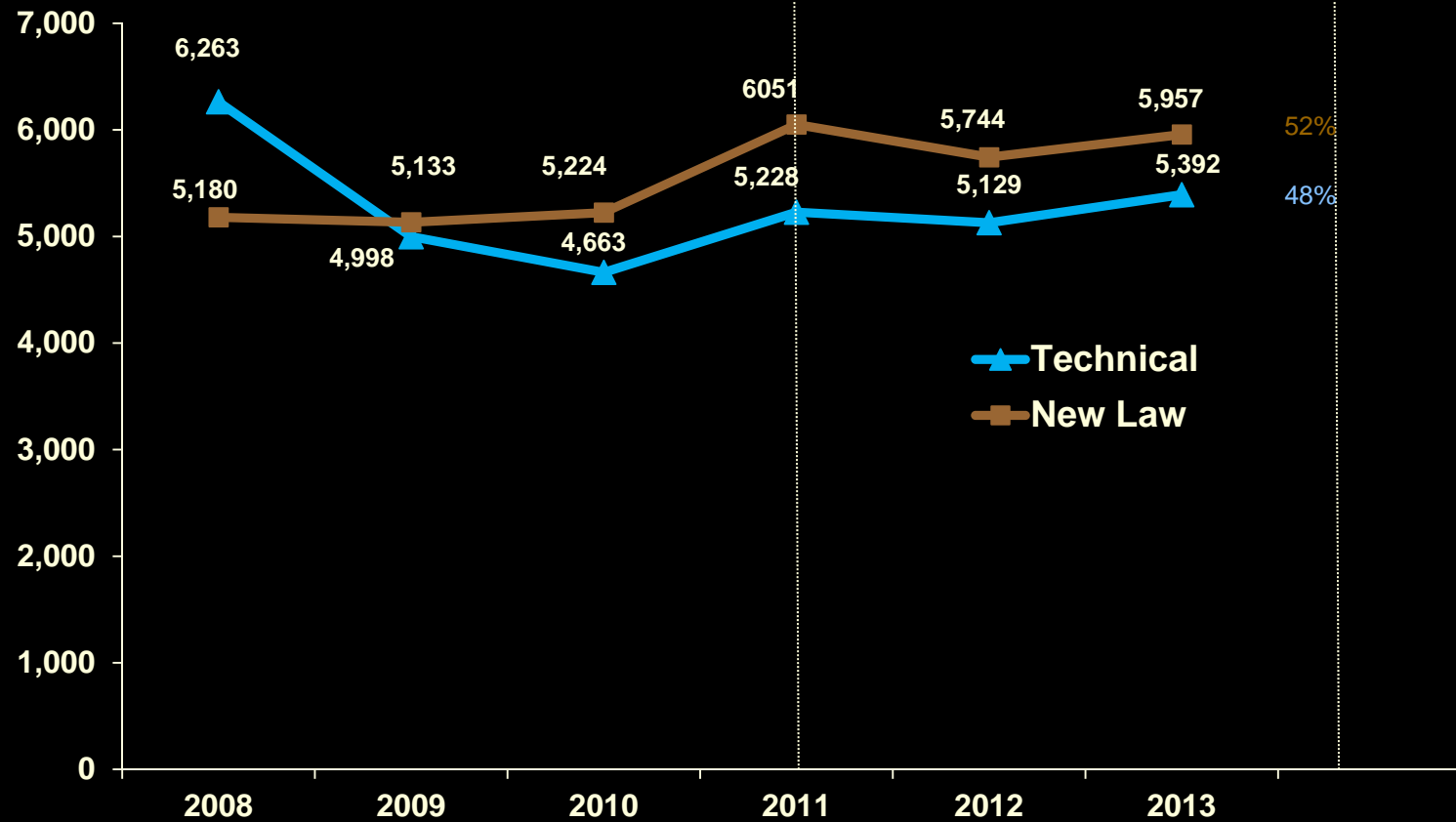
Sentencing Revocation Reports & Probation Violation Guidelines (FY2014)

Sentencing Revocation Reports Received for Technical and New Law Violations FY1998 - FY2014 (Preliminary)



Note: FY14 includes cases received by May 1, 2014 (March Sentencing Events)

Sentencing Revocation Reports Received for Technical and New Law Violations Calendar Year 2008 - 2013



Note: FY14 includes cases received by May 1, 2014 (March Sentencing Events)

Sentencing Revocation Reports Received by Judicial Circuit FY2014 (Preliminary)

Highest Number Received

- **Circuit 4 - Norfolk**
- **Circuit 29 - Buchanan Area**
- **Circuit 1 - Chesapeake**
- **Circuit 15 - Fredericksburg Area**

Circuit	Area	Number
1	Chesapeake	436
2	Virginia Beach	145
3	Portsmouth	221
4	Norfolk	500
5	Suffolk Area	203
6	Sussex Area	48
7	Newport News	150
8	Hampton	220
9	Williamsburg Area	182
10	South Boston Area	134
11	Petersburg Area	46
12	Chesterfield Area	139
13	Richmond City	204
14	Henrico	252
15	Fredericksburg Area	415
16	Charlottesville Area	137
17	Arlington	75
18	Alexandria	97
19	Fairfax	309
20	Loudoun Area	146
21	Martinsville Area	114
22	Danville Area	441
23	Roanoke Area	233
24	Lynchburg Area	280
25	Staunton Area	271
26	Harrisonburg Area	429
27	Radford Area	376
28	Bristol Area	199
29	Buchanan Area	475
30	Lee Area	103
31	Prince William Area	169
Total		7,149*

* Includes all forms received, including those found not in violation or missing information

Sentencing Revocation Reports Received Dispositions for Technical and New Law Violations FY2014 (Preliminary)

Actual Disposition Received

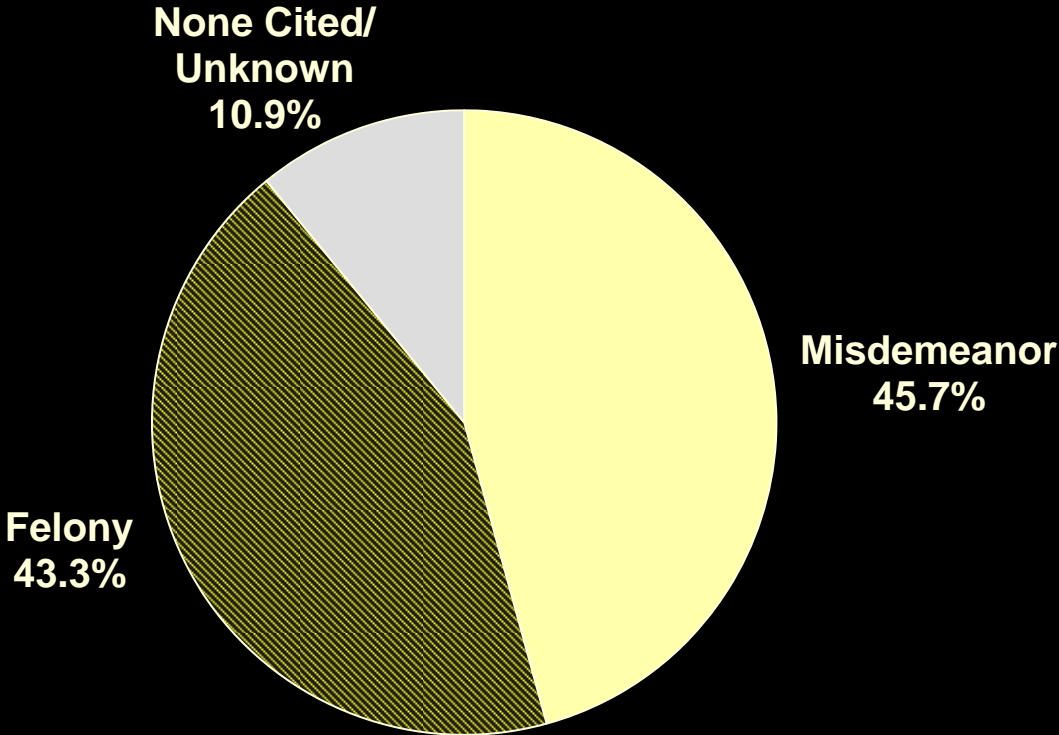
	Probation	Jail <= 12 mos.	Prison >= 1yr.
NEW LAW VIOLATOR	652 (19%)	1521 (44%)	1307 (38%)
TECHNICAL VIOLATOR	751 (22%)	1670 (50%)	927 (28%)
TOTAL*	1403 (21%)	3191 (47%)	2234 (33%)

* Sentencing information was missing in 138 cases

Other information missing in 72.

Not in violation 111 cases

**Sentencing Revocation Reports Received
New Law Violations by Type of New Crime
FY2014 (Preliminary)**

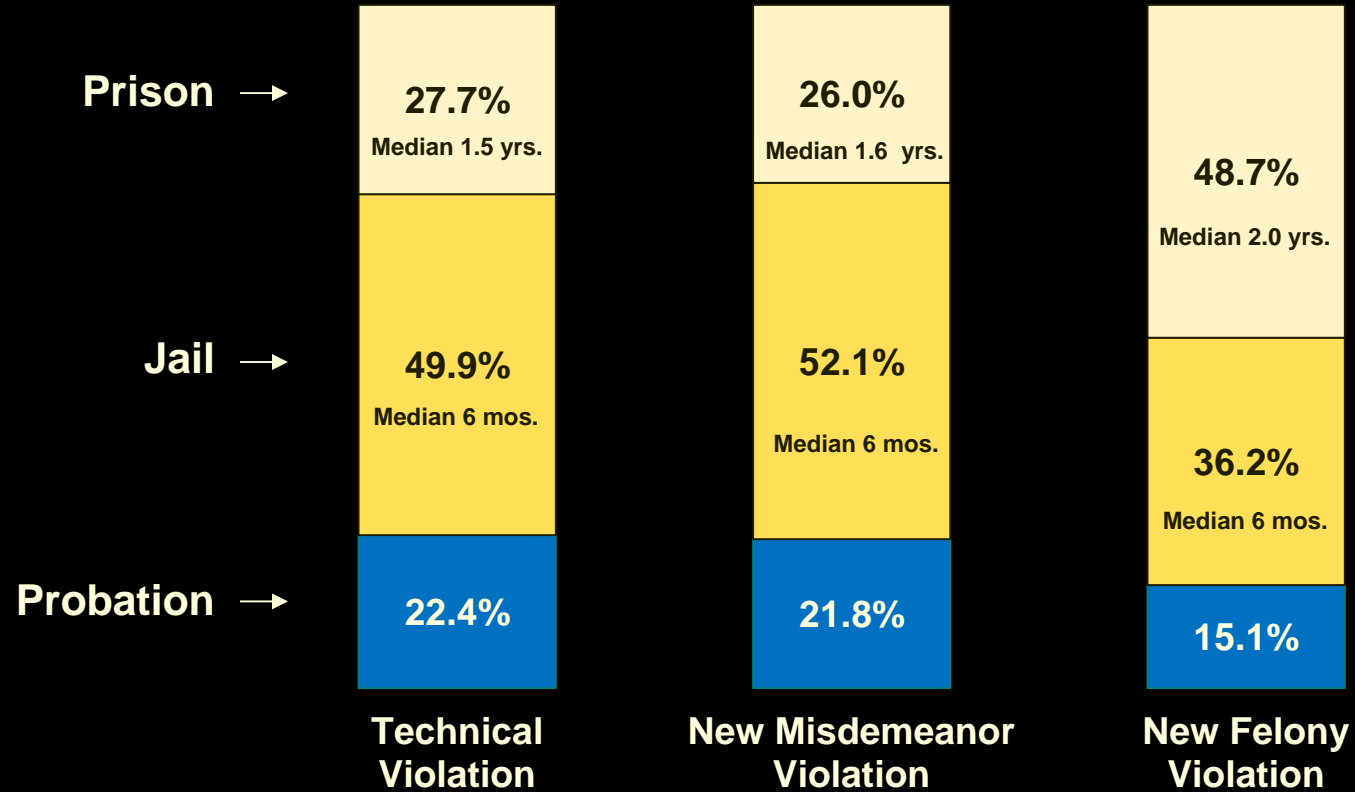


Cases = 3,551

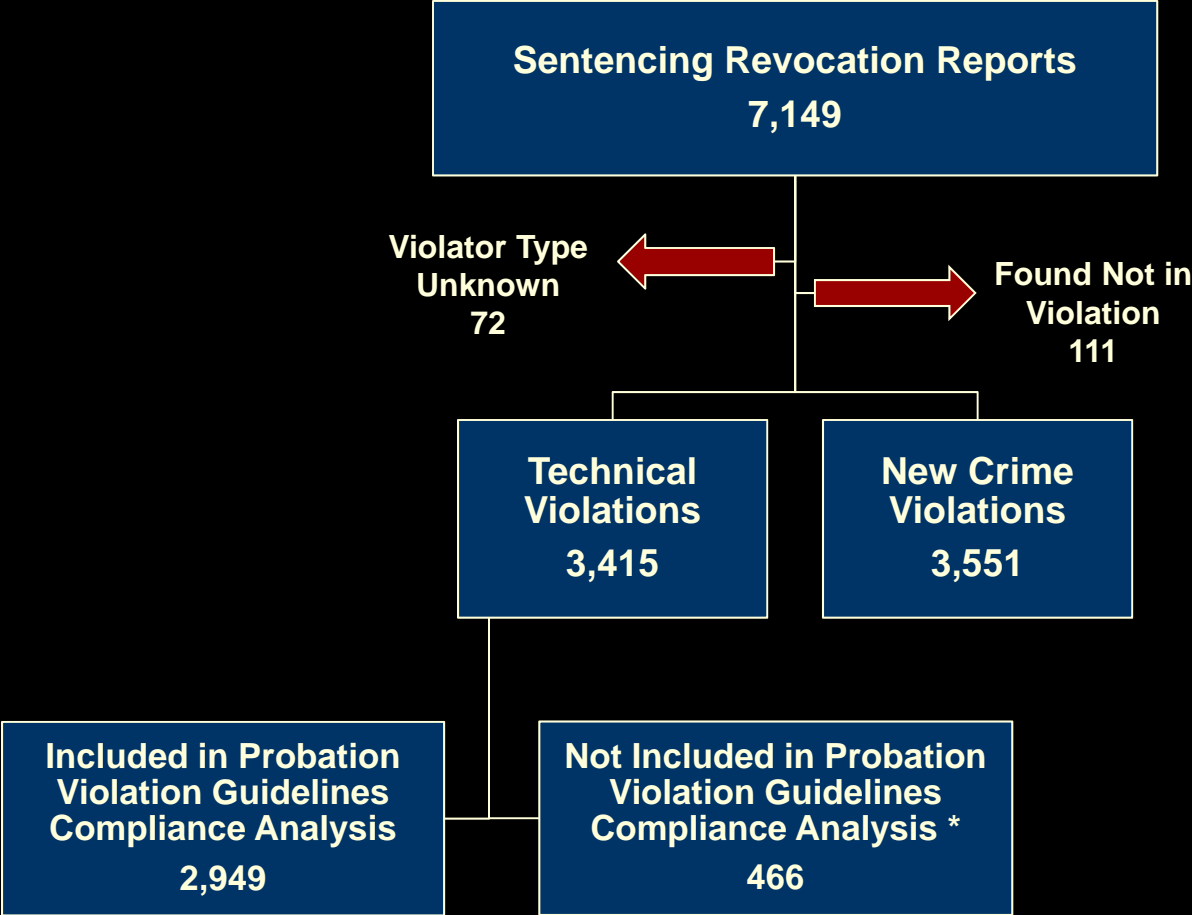
Sentencing Revocation Reports Received New Law Violations by Type of New Crime FY2014 (Preliminary)

	VCC ID	Frequency	Percent
	Missing	353	9.9
Felonies	A1	2	0.1
	A2	1	0
	A3	2	0.1
	A5	1	0
	A6	5	0.1
	A9	13	0.4
	C3	1	0
	C5	2	0.1
	C6	2	0.1
	C9	10	0.3
	F2	10	0.3
	F3	17	0.5
	F4	23	0.6
	F5	293	8.3
	F6	514	14.5
F9	643	18.1	
Traffic Infractions	I9	6	0.2
Misdemeanors	M1	1299	36.6
	M2	28	0.8
	M3	5	0.1
	M4	136	3.8
	M9	102	2.9
Type Not Clear	S9	83	2.3
	Total	3551	100

Sentencing Revocation Reports Received by Type of Violation and Sanction Received FY2014 (Preliminary)

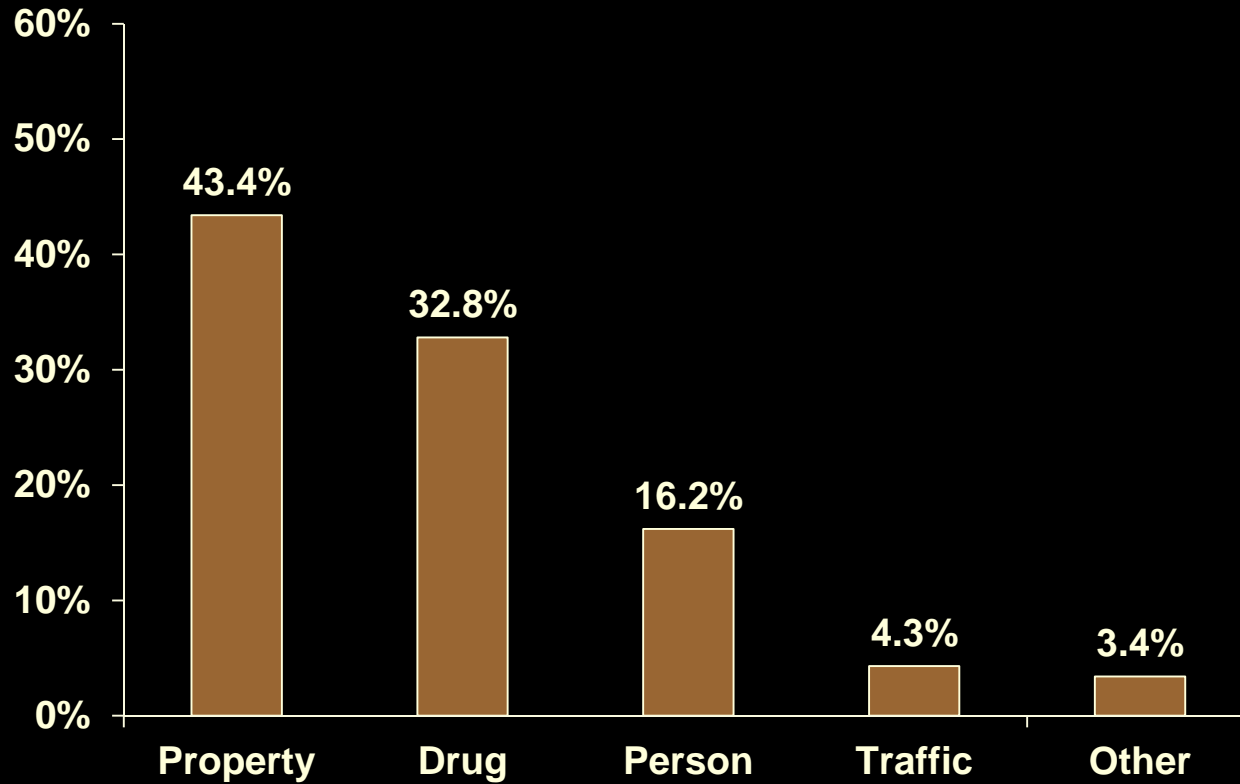


Sentencing Revocation Reports Received FY2014 (Preliminary)

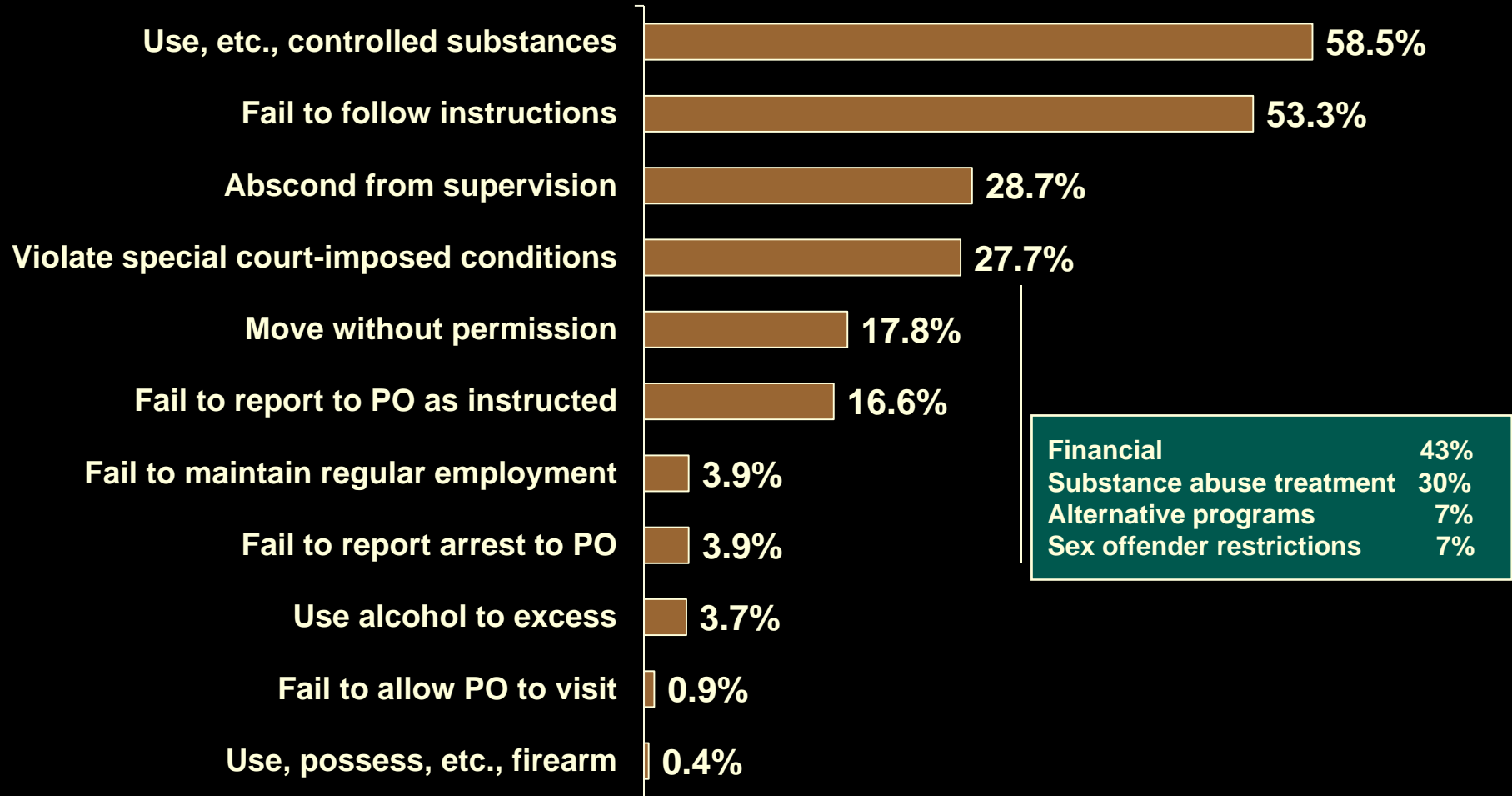


* Cases are not included in compliance analysis if the guidelines do not apply (the case involves a parole-eligible offense, first offender violation, misdemeanor original offense, or the offender was not on supervised probation), if the guidelines forms were incomplete, or if outdated forms were prepared.

**Probation Violation Guidelines Cases – “Technicals”
by Type of Original Offense
FY2014 (Preliminary)**



Types of Violations Cited in Probation Violation Guidelines Cases – “Technicals” FY2014 (Preliminary)



Percentages do not total 100% because there may be multiple violations cited for each defendant

FY2006-FY2007 Worksheet

FY2008-2014 Worksheet

Probation Violation Guidelines Section A Offender Name: _____

The Probation Violation Guidelines apply if, at the time of the capias, warrant or revocation request, the offender was charged with violating the conditions of supervision but was not cited for a new conviction during the current supervision period.
 Exception: Violation Guidelines do not apply if the probation/post-release violation will be sentenced at the same time as a new felony offense covered by the sentencing guidelines.

◆ **Original Felony Offense Type** *select the type of most serious original felony offense*

A. Drug	10	Score [] []
B. Person	14	
C. Traffic/Weapon	24	
D. Other	0	

◆ **Previous Capias/Revocation Requests**

Number: 1	7	[0] []
2 or more	9	

◆ **New Felony Arrests**

Number: 1 - 3	2	[] []
4 or more	16	

◆ **Never Reported to following Programs/Unsuccessful Discharge from:** — If YES, add 13 → [] []
 Community service, Day Reporting, Detention and/or Diversion Center, Boot Camp, Employment and/or Residential programs

◆ **Condition(s) Violated:** _____
 Score factors A to D and enter the total

A. Change residence or leave Commonwealth of Virginia without permission	0	[]	+ + + = Enter A to D Total
B. Use, possess, distribute controlled substances or paraphernalia	16	[]	
C. Abscond from supervision	17	[]	
D. Any other condition(s) (except new conviction)	1	[]	

◆ **Time Absconded**

Less than 6 months	0	[] []
6 months to 1 year	10	
More than 1 year	17	

Total Score → [] [] []
 If total is 30 or less, the recommendation is Probation/No Incarceration.
 If total is 31 or more, go to Section C Worksheet.

Probation Violation Guidelines Section A Offender Name: _____

◆ **Original Disposition was Incarceration** — If YES, add 1 → [] []

◆ **Original Felony Offense Type**

A. Drug	10	Score [] []
B. Person	14	
C. Traffic/Weapon	24	
D. Other	1	
E. Property	3	

◆ **Previous Adult Probation Revocation Events**

Number: 1- 2	7	[] []
3 or more	10	

◆ **New Felony Arrests**

Number: 1 - 3	2	[] []
4 or more	18	

◆ **Never Reported to /Unsuccessful Discharge from following Programs**

Community service, Day Reporting, Employment and/or Residential programs	15	[] []
Detention or Diversion Center	18	

◆ **Condition(s) Violated:** _____

3. Fail to maintain employment/report changes in employment	17	[] []
4. Fail to report as instructed	18	
5. Fail to allow probation officer to visit home or place of employment	17	
6. Fail to follow instructions and be truthful and cooperative	18	
7. Use alcoholic beverages to excess	17	
8. Use, possess, distribute controlled substances or paraphernalia	31	
9. Use, own, possess, transport or carry firearm	17	
10. Change of residence or leave Commonwealth of Virginia	1	
11. Abscond from supervision	34	
Fail to follow special conditions (sex offender)	19	
Fail to follow special conditions (other than sex offender conditions)	11	

◆ **Absconded 13 months or more** — If YES, add 5 → [] []

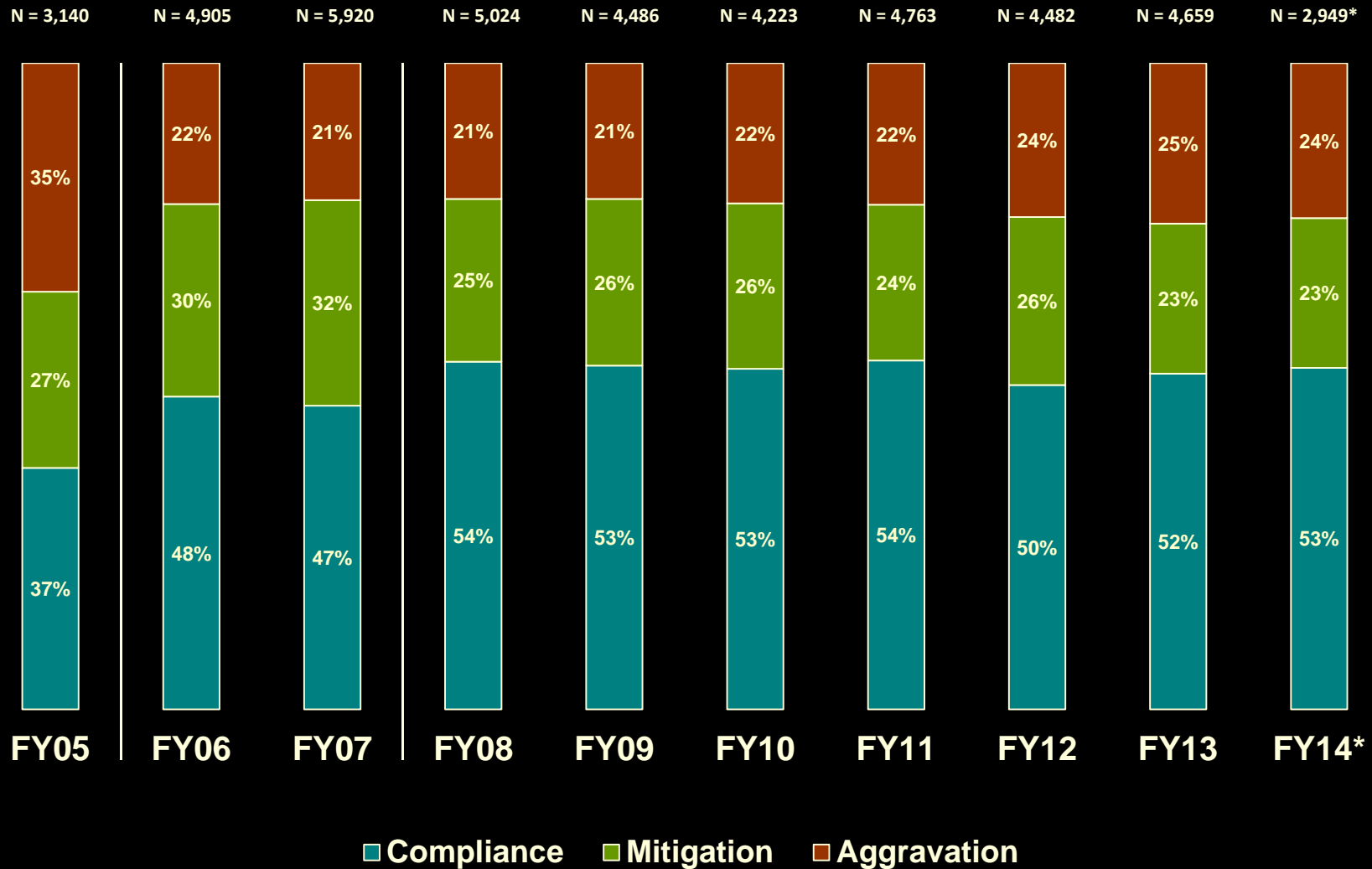
Total Score → [] [] []
 If total is 36 or less, the recommendation is Probation/No Incarceration.
 If total is 37 or more, go to Section C Worksheet.

New factors were added

Existing factors were adjusted

Point values were increased

Probation Violation Guidelines – “Technicals” Compliance and Direction of Departures FY2005 – FY2014 (Preliminary)



* FY14 includes cases received by May 1, 2014 (March Sentencing Events)

Probation Violation Guidelines

Dispositional Compliance and Direction of Departures

FY2014 (Preliminary)

RECOMMENDED DISPOSITION ↓	ACTUAL DISPOSITION		
	Probation	Jail up to 12 Months	Prison 1 Year or More
Probation	44.4%	43.9%	11.7%
Jail up to 12 Months	17.9%	67.3%	14.8%
Prison 1 Year or More	15.1%	31.6%	53.3%
		↓	↓
		Median Jail Sentence 6 months	Median Prison Sentence 1 yr. 10 mo.

Probation Violation Guidelines

Most Frequently Cited Departure Reasons - (Percent of Cases)

FY2014 (Preliminary)

Mitigation (23.2%)

■ Most frequently cited:

- No Reason (55.5%)
- Judicial Discretion (6.3%)
- Sentenced to Alternative (5.3%)
- Plea Agreement (5.3%)
- Offender's Health (5.3%)

Aggravation (24.0%)

■ Most frequently cited:

- No Reason (48.6%)
- Fail to follow instructions (7.6%)
- Absconded (5.2%)
- Needs Rehabilitation Thru Jail/Prison (5.2%)



**Sentencing Revocation Reports &
Probation Violation Guidelines (FY2014)**