

Traffic/Felony Section A

Offender Name: _____

1 Primary Offense

- A. DWI - Third conviction within 5 years (1 count) 1
- B. DWI - Third conviction within 10 years (1 count) 1
- C. DWI - Fourth or subsequent conviction within 10 years, or DWI after prior felony DWI (1 count) 9
- D. Drive on revoked license after DWI, involuntary manslaughter, or DWI victim permanently impaired (maiming) - endangerment (1 count) 9
- E. Drive on revoked license after DWI, involuntary manslaughter, or DWI victim permanently impaired (maiming) and DWI, etc., violation (1 count) 9
- F. Drive on revoked license after DWI, involuntary manslaughter, or DWI victim permanently impaired (maiming) - second or subsequent (1 count) 9
- G. Hit and run, driver fails to stop and aid victim or hit and run, property damage \$1,000 or more
1 count 1
2 counts 4
- H. Disregard police command to stop, endangerment (1 count) 5
- I. Driving after forfeiture of license, etc., 3rd offense within 10 Years (1 count) 1

Score

0	
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2 Primary Offense Remaining Counts Total the maximum penalties for counts of the primary not scored above

- Years: 5 - 7 1
8 - 18 2
19 - 28 3
29 - 38 4
39 or more 5

0	
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3 Additional Offenses Total the maximum penalties for additional offenses, including counts

- Years: Less than 1 0
(12 months = 1 year) 1 - 7 1
8 - 18 2
19 - 28 3
29 - 38 4
39 or more 5

0	
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4 Victim Injury

- Threatened, emotional, physical, or serious physical 1
Life threatening 2

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

- Years: Less than 2 0
2 - 38 1
39 or more 2

0	
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6 Prior Incarcerations/Commitments

Primary Offense:

I: Driving, after forfeiture of license

Number	Score
1.....	1
2 or more	4

Primary Offense:

All other offenses

If YES, add 4

0	
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7 Legally Restrained at Time of Offense

Primary Offense

I: Driving, after forfeiture of license

	Points
Any legal restraint.....	4

Primary Offense:

All other offenses

	Points
None.....	0
Other, supervised probation	2
Parole, post-release, supv. prob. after incarceration	5

0	
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SCORE THE FOLLOWING FACTOR **ONLY** IF PRIMARY OFFENSE IS **H: DISREGARD POLICE COMMAND TO STOP, OR G: HIT AND RUN WITH PROPERTY DAMAGE \$1,000 OR MORE (§ 46.2-894, § 46.2-817 (B))**

8 Prior Criminal Traffic Convictions/Adjudications

Primary Offense:

H: Disregard police command to stop, endangerment

Any prior felony traffic convictions/adjudications
If YES, add 8

Primary Offense:

G: Hit and run with property damage \$1,000 or more

Number	Score
0-3 prior criminal misdemeanor traffic conv./adj.	0
4+ prior criminal misdemeanor traffic conv./adj.	1
1+ prior felony traffic convictions/adjudications	2

0	
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Total Score

If total is 8 or less, go to **Section B**. If total is 9 or more, go to **Section C**.

Traffic/Felony Section B

Offender Name: _____

1 Primary Offense _____

- A. DWI – Third conviction within 5 years (1 count).....10
- B. DWI – Third conviction within 10 years (1 count).....10
- C. Hit and run, driver fails to stop and aid victim (1 count).....10
- D. Hit and run, property damage \$1,000 or more (1 count)8
- E. Disregard police command to stop, endangerment (1 count).....9
- F. Driving after forfeiture of license, etc., 3rd offense within 10 Years (1 count).....9

Score

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2 Primary Offense Remaining Counts Total the maximum penalties for counts of the primary not scored above

- Years: 5 - 9.....2
- 10 - 19.....3
- 20 - 29.....4
- 30 - 39.....5
- 40 or more.....6

0	
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3 Additional Offenses Total the maximum penalties for additional offenses, including counts _____

- Years: Less than 10
- (12 months = 1 year) 1 - 9.....2
- 10 - 19.....3
- 20 - 29.....4
- 30 - 39.....5
- 40 or more.....6

0	
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4 Victim Injury _____

- Threatened, emotional, physical, or serious physical.....2
- Life threatening.....3

0	
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5 Legally Restrained at Time of Offense _____

If YES, add 1 →

0	
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SCORE THE FOLLOWING FACTOR **ONLY** IF PRIMARY OFFENSE IS **C OR D: HIT AND RUN (§ 46.2-894)**

6 Prior Criminal Traffic Convictions/Adjudications _____

- Number: 0 Felonies: 1 - 4 Misdemeanors1
- 5+ Misdemeanors2
- 1+ Felonies: 0 Misdemeanors1
- 1 - 4 Misdemeanors2
- 5+ Misdemeanors3

0	
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SCORE THE FOLLOWING FACTOR **ONLY** IF PRIMARY OFFENSE IS
F: DRIVING AFTER FORFEITURE OF LICENSE, ETC. - 3RD OFFENSE WITHIN 10 YEARS (§ 18.2-272(A))

7 Prior Incarcerations/Commitments _____

If YES, add 2 →

0	
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Total Score _____

See **Traffic Section B Recommendation Table** to convert score to guidelines sentence.

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Traffic/Section B

Traffic/Felony Section C

Offender Name: _____

1 Primary Offense Prior Record Classification ☐ Category I ☐ Category II ☐ Other

A.	DWI - Third conviction within 5 years (1 count)	20	10	5
B.	DWI - Third conviction within 10 years (1 count)	20	10	5
C.	DWI - Fourth or subsequent conviction within 10 years, DWI after prior felony DWI			
	1 count	40	20	10
	2 counts	48	24	12
	3 counts	68	34	17
D.	Drive on revoked license after DWI, involuntary manslaughter, or DWI victim permanently impaired (maiming) - endangerment			
	1 count	40	20	10
	2 counts	48	24	12
	3 counts	68	34	17
E.	Drive on revoked license after DWI, involuntary manslaughter, or DWI victim permanently impaired (maiming) and DWI, etc., violation			
	1 count	40	20	10
	2 counts	48	24	12
	3 counts	68	34	17
F.	Drive on revoked license after DWI, involuntary manslaughter, or DWI victim permanently impaired (maiming) - second or subsequent			
	1 count	40	20	10
	2 counts	48	24	12
	3 counts	68	34	17
G.	Hit and run, driver fails to stop and aid victim or hit and run, property damage \$1,000 or more (1 count)	20	10	5
H.	Disregard police command to stop, endangerment (1 count)	40	20	10
I.	Driving after forfeiture of license, etc., 3rd offense within 10 yrs (1 count)	32	16	8

Score

0		
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2 Primary Offense Remaining Counts Assign points to each count of the primary not scored above and total the points

Maximum Penalty: 5, 10 1

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

Maximum Penalty: Less than 5 0
 (years) 5, 10, 15 1
 20 2
 30 3
 40, 50, Life 5

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4 Type of Additional Offense is DWI (Score based on the primary offense)

Primary with additional DWI offense: Habitual offender or Drive on a revoked license with DWI as additional offense 11
 DWI after prior felony DWI, manslaughter, maiming 3
 DWI fourth offense, Driving after forfeiture of license, etc., 3rd offense within 10 yrs 2
 DWI third offense, Hit and run or Disregard command to stop (with DWI as additional offense) 0

0		
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5 Victim Injury

Threatened or emotional 2
 Physical or serious physical 4
 Life threatening 5

0	0	
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6 Prior Convictions/Adjudications Assign points to the 5 most recent and serious prior record events and total the points

Maximum Penalty: Less than 20 0
 (years) 20, 30, 40, 50, Life 1

0	0	
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7 Prior Felony Convictions/Adjudications Against Person

Number of Counts: 1 1 4 4
 2 2 5 or more 5
 3 3

0	0	
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8 Prior Felony Convictions/Adjudications with the Same VCC Prefix as Primary Offense

Number of Counts: 1 2 4 8
 2 4 5 or more 10
 3 6

0		
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9 Legally Restrained at Time of Offense

Primary Offense: G: Hit and run (§ 46.2-894)
 If YES, add 4

Primary Offense: All other offenses
 If YES, add 2

0	0	
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SCORE THE FOLLOWING FACTOR **ONLY** IF PRIMARY OFFENSE IS **G: HIT AND RUN (§ 46.2-894)**

10 Prior Criminal Traffic Convictions/Adjudications

Number: 0 Felonies: 1 - 4 Misdemeanors 4
 5+ Misdemeanors 8
 1+ Felonies: 0 Misdemeanors 4
 1 - 4 Misdemeanors 8
 5+ Misdemeanors 12

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Total Score

See **Traffic Section C Recommendation Table** for guidelines sentence range.

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