

Traffic/Felony Section A

Offender Name: _____

◆ 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 (1 count) 9
- D. Habitual Offender: endangerment, second or subsequent, or DWI and declared habitual offender for DWI, involuntary manslaughter (1 count) 9
- E. Drive on revoked license after DWI, involuntary manslaughter, or DWI victim permanently impaired (maiming) - endangerment (1 count) 9
- F. Drive on revoked license after DWI, involuntary manslaughter, or DWI victim permanently impaired (maiming) and DWI, etc., violation (1 count) 9
- G. Drive on revoked license after DWI, involuntary manslaughter, or DWI victim permanently impaired (maiming) - second or subsequent (1 count) 9
- H. 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
- I. Disregard police command to stop, endangerment (1 count) 5
- J. Driving after forfeiture of license, etc., 3rd offense within 10 Years (1 count) 1

Score

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

- Years: Less than 1 0
- 1 - 7 1
- 8 - 18 2
- 19 - 28 3
- 29 - 38 4
- 39 or more 5

0	
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◆ Victim Injury

- Threatened, emotional or physical 1
- Serious physical 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 2 0
- 2 - 38 1
- 39 or more 2

0	
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◆ Prior Incarcerations/Commitments

Primary Offense	
Driving after forfeiture of license-3rd Offense	
Number	Score
1	1
2 or more	4

Primary Offense OTHER THAN
Driving after forfeiture of license-3rd Offense
 If YES, add 4

0	
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◆ Legally Restrained at Time of Offense

Primary Offense	
Driving after forfeiture of license-3rd Offense	
	Points
Any legal restraint	4

Primary Offense OTHER THAN	
Driving after forfeiture of license-3rd Offense	
	Points
None	0
Other than post-incarceration supervision	2
Post-incarceration supervision	5

0	
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SCORE THE FOLLOWING FACTOR ONLY IF PRIMARY OFFENSE IS DISREGARD POLICE COMMAND TO STOP OR HIT AND RUN WITH PROPERTY DAMAGE \$1,000 OR MORE

◆ Prior Criminal Traffic Convictions/Adjudications

Primary Offense Disregard police command to stop
 Any prior felony traffic convictions/adjudications
 If YES, add 8

Primary Offense 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**.

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Traffic/Felony Section B

Offender Name: _____

◆ 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

◆ Primary Offense Additional 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

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

- Years: Less than 1 0
- 1 - 9 2
- 10 - 19 3
- 20 - 29 4
- 30 - 39 5
- 40 or more 6

0

◆ Victim Injury

- Threatened, emotional, or physical 2
- Serious physical 3

0

◆ Legally Restrained at Time of Offense

If YES, add 1 →

0

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

◆ Prior Criminal Traffic Convictions/Adjudications

- Number: 0 Felonies: 1 - 4 Misdemeanors 1
- 5+ Misdemeanors 2
- 1+ Felonies: 0 Misdemeanors 1
- 1 - 4 Misdemeanors 2
- 5+ Misdemeanors 3

0

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

◆ Prior Incarcerations/Commitments

If YES, add 2 →

0

Total Score

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

Traffic/Felony Section C

Offender Name: _____

Primary Offense	Prior Record Classification		
	<input type="checkbox"/> Category I	<input type="checkbox"/> Category II	<input type="checkbox"/> 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			
1 count	40	20	10
2 counts	48	24	12
3 counts	68	34	17
D. Habitual offender: endangerment, second or subsequent, or DWI and declared habitual offender for DWI, involuntary manslaughter			
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) - endangerment			
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) and DWI, etc., violation			
1 count	40	20	10
2 counts	48	24	12
3 counts	68	34	17
G. 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
H. 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
I. Disregard police command to stop, endangerment (1 count)	40	20	10
J. Driving after forfeiture of license, etc., 3rd offense within 10 yrs (1 count)	32	16	8

Score

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0		
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◆ **Primary Offense Additional 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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◆ **Additional Offenses** Assign points to each additional offense (including counts) and total the points

Maximum Penalty: Less than 5 0
 (years) 5, 10 1
 20 2
 30 3
 40 or more 5

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◆ **DWI Convictions for Current Event**

Primary Offense: Habitual offender or Drive on a revoked license with DWI as additional offense 11
 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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◆ **Victim Injury**

Threatened or emotional 2
 Physical 4
 Serious physical 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 20 0
 (years) 20, 30, 40 or more 1

0	0	
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◆ **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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◆ **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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◆ **Legally Restrained at Time of Offense**

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

Primary Offense OTHER THAN Hit and run
 If YES, add 2

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

◆ **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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