

Offense Information of SR Inmates Serving Mandatory Minimum Sentences

VADOC Research – Statistical Analysis & Forecast Unit

December 2020

As of June 30, 2019, there were 34,719 inmates in the State Responsible (SR) Confined Population¹. Of those, 94% were serving a regular, calculated sentence (n=32,537) while the remaining 6% were serving one or more life sentences (n=2,145), death sentence (n=3), or three strikes sentence (n=34). Among the 32,537 SR inmates serving a calculated sentence, more than one-third (34%) had been sentenced for an offense that carries a mandatory minimum sentence of incarceration.

SR Inmate Population by Offense/Sentence Type (as of 6/30/2019)	# of Inmates	% of Total	% of Calculated Sentences
Only Non-Mandatory Minimum Sentences	21,547	62.1%	66.2%
Both Mandatory Minimum & Non-Mandatory Minimum Sentences	9,491	27.3%	29.2%
Only Mandatory Minimum Sentences	1,499	4.3%	4.6%
1+ Life Sentence, Death Sentence, or Three Strikes Sentence	2,182	6.3%	
Total SR Population	34,719		

More than one-half (56%) of the 21,547 SR inmates incarcerated for only offenses that do not have mandatory minimum sentences had a Violent Most Serious Offense (MSO), while 28% had a Property/Public Order MSO and 15% had a Drug MSO. The most prevalent MSOs for these inmates were: Larceny/Fraud (17%); Rape/Sexual Assault (15%); Robbery (12%); and Assault (11%).

SR Inmates with Only Non-Mandatory Minimum Sentences by Most Serious Offense Incarcerated on 6/30/2019

Most Serious Offense	# of Inmates	Col %
Capital Murder	56	0.3%
Homicide-1st	1,154	5.4%
Homicide-2nd	548	2.5%
Manslaughter	300	1.4%
Abduction	1,305	6.1%
Rape/Sexual Assault	3,205	14.9%
Robbery	2,548	11.8%
Assault	2,300	10.7%
Weapons	198	0.9%
Sex Offense	525	2.4%
Arson	118	0.5%
Burglary/B&E	2,049	9.5%
Larceny/Fraud	3,609	16.7%
Conspiracy	49	0.2%
DUI	7	0.0%
Habitual Offender	149	0.7%
Other Non-Violent	35	0.2%
Drug Sales	1,924	8.9%
Drug Possession	1,283	6.0%
Not Yet Reported	185	0.9%
Total	21,547	

¹ Includes SR inmates incarcerated in VADOC facilities or in local/regional jails on June 30, 2019 whose sentencing information has been received, verified, and entered into VirginiaCORIS; excludes SR inmates incarcerated in local/regional jails on June 30, 2019 whose sentencing information had not yet been received.

The 21,547 SR inmates incarcerated for **only** offenses that do **not** have mandatory minimum sentences had been sentenced for 229,829 offenses², of which, the ten most prevalent offenses accounted for 29%. These top ten offenses were led by LAR-2359-F9 (Grand Larceny: >=\$200 Not from a Person)³ at 6.7% and NAR-3022-F5 (Possession of Schedule I/II Drugs) at 4.2%.

Top Ten Offenses⁴ Committed by SR Inmates with Only Non-Mandatory Minimum Sentences Incarcerated on 6/30/2019

Rank	VCC	Description	# of Offenses	% of Offenses
1	LAR-2359-F9	Grand Larceny: >=\$200 Not From A Person	15,328	6.7%
2	NAR-3022-F5	Drugs: Possess Schedule I/II	9,589	4.2%
3	NCIC-2320	Larceny-Grand	6,583	2.9%
4	PRB-4850-F9	Probation: Violation On Felony Offense	6,445	2.8%
5	NCIC-1200	Robbery	6,249	2.7%
6	NCIC-5252	Use Of Firearm In Felony	5,878	2.6%
7	BUR-2213-F9	Burglary: Enter House To Commit Larceny/A&B/etc.	5,556	2.4%
8	FRD-2520-F5	Other Forgery Writing: Not In 18.2-168 & 18.2-170	4,033	1.8%
9	BUR-2216-F9	Burglary: Enter Structure To Commit Larceny/A&B/etc	3,881	1.7%
10	NCIC-2210	Statutory Burglary	3,507	1.5%
All Other Offenses			162,780	70.8%
Total Offenses			229,829	

More than two-thirds (67%) of the 9,491 SR inmates incarcerated for **both** offenses that have mandatory minimum sentences and offenses that do not have mandatory minimum sentences had a Violent Most Serious Offense (MSO), while 15% had a Property/Public Order MSO and 19% had a Drug MSO. The most prevalent MSOs for these inmates were: Robbery (25%); Assault (17%); Drug Sales (14%).

SR Inmates with Both Mandatory Minimum Sentences & Non-Mandatory Minimum Sentences by Most Serious Offense Incarcerated on 6/30/2019

Most Serious Offense	# of Inmates	Col %
Capital Murder	7	0.1%
Homicide-1st	527	5.6%
Homicide-2nd	302	3.2%
Manslaughter	161	1.7%
Abduction	613	6.5%
Rape/Sexual Assault	272	2.9%
Robbery	2,408	25.4%
Assault	1,629	17.2%
Weapons	264	2.8%
Sex Offense	145	1.5%
Arson	13	0.1%
Burglary/B&E	486	5.1%
Larceny/Fraud	679	7.2%
Conspiracy	10	0.1%
DUI	139	1.5%
Habitual Offender	73	0.8%
Other Non-Violent	3	0.0%
Drug Sales	1,322	13.9%
Drug Possession	438	4.6%
Total	9,491	

The 9,491 SR inmates incarcerated for **both** offenses that have mandatory minimum sentences and offenses that do not have mandatory minimum sentences had been sentenced for 102,837 offenses, of which, the ten most prevalent

² Please note that any offense code beginning with "NCIC" are for sentencing records that pre-date VADOC's ability to record VCC information with the implementation of the sentencing module in VirginiaCORIS in 2006; NCIC offense codes were often more generalized than VCC offense codes and there was not a one-for-one match of VCC to NCIC.

³ The threshold for grand larceny increased to \$500 on July 1, 2018 and increased to \$1,000 on July 1, 2020.

⁴ As inmates can be convicted of multiple, differing offenses, the offenses listed in this table may or may not be the most serious offense for these inmates

offenses accounted for 27%. The top ten offenses were led by: ASL-1319-F9 (Firearm: Use In Commission Of Felony, 1st Offense) at 6.4%; LAR-2359-F9 (Grand Larceny: >=\$200 Not from a Person) at 3.9%; and NAR-3022-F5 (Possession of Schedule I/II Drugs) at 3.7%.

Top Ten Offenses⁵ Committed by SR Inmates with Both Mandatory Minimum Sentences & Non-Mandatory Minimum Sentences Incarcerated on 6/30/2019

Rank	VCC	Description	# of Offenses	% of Offenses
1	ASL-1319-F9	Firearm: Use In Commission Of Felony, 1 st Offense	6,602	6.4%
2	LAR-2359-F9	Grand Larceny: >=\$200 Not From A Person	4,051	3.9%
3	NAR-3022-F5	Drugs: Possess Schedule I/II	3,779	3.7%
4	NAR-3043-F9	Drugs: Possess with Intent To Manufacture/Sell Schedule I/II	2,480	2.4%
5	PRB-4850-F9	Probation: Violation On Felony Offense	2,334	2.3%
6	ASL-1342-F6	Assault: On Law Enforcement/Judge/DOC/Fire/EMS	1,905	1.9%
7	BUR-2213-F9	Burglary: Enter House To Commit Larceny/A&B/etc.	1,847	1.8%
8	ROB-1214-F9	Robbery: On Or Near Street	1,563	1.5%
9	NCIC-2320	Larceny-Grand	1,549	1.5%
10	WPN-5297-F6	Firearm: Possess By Felon Nonviolent within 10 Years	1,542	1.5%
All Other Offenses			75,185	73.1%
Total Offenses			102,837	

One-half (50%) of the 1,499 SR inmates incarcerated for **only** offenses that have mandatory minimum sentences had a Violent Most Serious Offense (MSO), while 17% had a Property/Public Order MSO and 32% had a Drug MSO. The most prevalent MSOs for these inmates were: Weapons (31%); Drug Sales (31%); and DUI (12%).

SR Inmates with Only Mandatory Minimum Sentences by Most Serious Offense Incarcerated on 6/30/2019

Most Serious Offense	# of Inmates	Col %
Capital Murder	0	0.0%
Homicide-1st	0	0.0%
Homicide-2nd	0	0.0%
Manslaughter	33	2.2%
Abduction	0	0.0%
Rape/Sexual Assault	9	0.6%
Robbery	0	0.0%
Assault	102	6.8%
Weapons	462	30.8%
Sex Offense	148	9.9%
Arson	0	0.0%
Burglary/B&E	0	0.0%
Larceny/Fraud	0	0.0%
Conspiracy	0	0.0%
DUI	192	12.8%
Habitual Offender	74	4.9%
Other Non-Violent	1	0.1%
Drug Sales	457	30.5%
Drug Possession	21	1.4%
Total	1,499	

The 1,499 SR inmates incarcerated for **only** offenses that have mandatory minimum sentences had been sentenced for 4,001 offenses, of which, the ten most prevalent offenses accounted for 35%. The top ten offenses were led by: NAR-3038-F9 (Manufacture/Distribute Schedule I/II Drugs, 2nd Offense) at 12.2%; LIC-6834-F9 (License Revoked: Habitual Offender Drive without License, 2nd or subsequent Offense) at 9.6%; and WPN-5297-F6 (Firearm: Possession by Nonviolent Felon within 10 years) at 7.4%.

⁵ As inmates can be convicted of multiple, differing offenses, the offenses listed in this table may or may not be the most serious offense for these inmates
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**Top Ten Offenses⁶ Committed by SR Inmates with Only Mandatory Minimum Sentences
Incarcerated on 6/30/2019**

Rank	VCC	Description	# of Offenses	% of Offenses
1	NAR-3038-F9	Drugs: Manufacture/Distribute Schedule I/II, 2 nd Offense	489	12.2%
2	LIC-6834-F9	License Revoked: Habitual Off Drive without License, 2+ Offense	384	9.6%
3	WPN-5297-F6	Firearm: Possess By Felon Nonviolent within 10 Years	298	7.4%
4	ASL-1319-F9	Firearm: Use In Commission Of Felony, 1st Offense	271	6.8%
5	ASL-1342-F6	Assault: On Law Enforcement/Judge/DOC/Fire/EMS	269	6.7%
6	NAR-3087-F9	Drugs: Manufacture/Distribute Schedule I/II, 3+ Offenses	250	6.2%
7	DWI-5449-F6	DWI: 3 rd Offense within 5-10 years	201	5.0%
8	WPN-5296-F6	Firearm: Possess/Transport By Felon w/ Violent Offense	166	4.1%
9	OBS-3702-F9	Propose Sex By Computer Etc. <15y, Offender 7+ Years Older	158	3.9%
10	DWI-5450-F6	DWI: 3 rd Offense within 5 Years	117	2.9%
All Other Offenses			1,398	34.9%
Total Offenses			4,001	

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