
VIRGINIA STATE BUDGET

2003 Session

Budget Bill - SB700 (Introduced)

Bill Order » Judicial Department » Item 40

Virginia Criminal Sentencing Commission

Item 40

First Year - FY2003

Second Year - FY2004

Adjudicatory Research, Planning, and Coordination (32400)	\$857,340	\$858,817
Adjudicatory Research and Planning (32403)	\$857,340	\$858,817
Fund Sources:		
General	\$822,340	\$823,817
Special	\$35,000	\$35,000

Authority: Title 17.1, Chapter 8, Code of Virginia.

A. The Virginia Criminal Sentencing Commission shall utilize the non-violent risk assessment instrument developed pursuant to § 17.1-803 (5), Code of Virginia, to identify offenders who are not currently recommended for alternative punishment options by the assessment instrument and who pose no significant risk to public safety. The Commission shall determine, on the basis of such risk assessment and with due regard for public safety, the feasibility of adjusting the assessment instrument to recommend low risk non-violent offenders for appropriate punishment options. Adjustments in the risk assessment instrument recommendations should be considered only for offenders who do not pose a significant recidivism risk. If the Commission so determines that this goal is feasible, it shall incorporate the appropriate adjustments into the discretionary sentencing guidelines in a timely manner, as it seems appropriate. The Virginia Criminal Sentencing Commission shall provide its findings on this matter to the 2004 Session of the General Assembly.

B. The Virginia Criminal Sentencing Commission shall develop, with due regard for public safety, discretionary sentencing guidelines for application to felony offenders who are determined by the court to be in technical violation of probation or post release supervision. In determining these sentencing guidelines, the Commission shall examine historical judicial sanctioning patterns in revocation hearings where offenders have been found to be in technical violation of their supervisory conditions. The Commission shall also determine recidivism rates and patterns for these offenders and evaluate the feasibility of integrating a risk assessment instrument into these discretionary sentencing guidelines. The Virginia Criminal Sentencing Commission shall provide its findings on this matter to the 2004 Session of the General Assembly.