

The **88 Consequences** of a Virginia DWI/DUI Conviction

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1. DWI/ DUI Convictions in Virginia are **FOREVER** - (can't be removed from record and a conviction will NOT "age" off). You take it to the GRAVE.
2. Mandatory probation which will be at least one year with VASAP for first offense.
3. Jail - up to 12 months on misdemeanor offenses; up to 5 years for felony offenses.
4. Fine - Misdemeanors - up to \$2,500.00 with mandatory minimums; Felony upon to \$2,500.00 with \$1,000.00 mandatory minimum.
http://www.bobkeefelaw.com/library/DUI_Chart.pdf
5. Major rental car companies will not rent vehicles to anyone with DWI/ DUI conviction (length of time varies from 3 to 6 years).
6. Mandatory VASAP course - can never obtain Virginia license unless and until VASAP requirements met.
7. Ignition Interlock device installation will be required on all repeat offenses, all DWI/ DUIs with BAC of .15 or more, and (with some judges) even for a "first" offense under VA law.
8. Creates a prior offense to be used to future sentencing offenses. Virginia has "mandatory minimum" sentencing.
9. DWI/ DUI is the **only** motor vehicle offense that shows up on NCIC database (national crime information center, Quantico, VA). This is kept by the FBI.
10. 2nd within 5 years carries a mandatory 1 year **no** restricted license; 3rd or more within 5 or 10 years carries indefinite revocation.
11. Persons convicted of DUI while transporting juveniles shall receive an additional \$500 to \$1,000 fine and a mandatory minimum period of incarceration for five days.

12. Administrative License Revocation - Upon arrest for DUI, not conviction, a driver's license will be immediately suspended for seven days if the driver refuses to take the breath test or the results of the breath test indicate a BAC equal to or greater than .08 (greater than or equal to .02 if the driver is under 21 years of age). If the driver is charged with a second offense, the suspension is for 60 days or until time of trial (whichever is less). If the driver is charged with a third or subsequent offense, the suspension is until time of trial.

Driver's License Consequences

13. License suspension (length varies, depending on prior DUI convictions and dates of those convictions).

14. SR-22 (assigned risk insurance, at higher rates) for 3 years to maintain driving privileges once they are reinstated.

15. Commercial driver's license will be suspended for 1 year (first offender) or (for **any second** lifetime DUI conviction) **CDL license is revoked for life.**

16. If caught driving on a suspended license, car is impounded and you will face new criminal case with mandatory jail time if convicted.

17. If driving on "work permit" (issued for DUI convictions in most cases) outside the approved hours and locations permit revoked and new misdemeanor offense with mandatory jail time, if convicted.

18. Under the Administrative License Suspension (ALS) law, your plastic driver's license is confiscated at time of DUI arrest and a temporary permit is issued, so you may be deprived of the physical "license" until your case is either dismissed, reduced or acquitted.

Insurance Consequences

19. Increased insurance costs on auto, life, and possibly health insurance.

20. SR-22 (assigned risk) required for 3 years (or only eligible for substandard rate policy).

21. Life Insurance companies will typically deny policy issuance or raise rates (you won't qualify for best "preferred risk" rates).

22. Health insurance (individual policy) rates can be increased or policy denied.

23. If lose all driving privileges, car may remain uninsured for over 6 months. This will boost your rates upon reinstatement.

24. If in accident that would be covered by worker's compensation law, claim could be denied if proof of DUI (an illegal act) causing your injuries is proven such that your benefits can be denied.

Travel and Immigration Consequences

25. Total denial of ability to immigrate to some countries (e.g., Canada).

26. Business or personal trips to some foreign countries, such as Canada, blocked or extremely difficult to obtain.

27. Denial of naturalization (**not allowed to become U.S. citizen**) for 5 years after DUI case is closed out.

28. Possible deportation from U.S. to country of origin, if not a U.S. citizen.

29. "Green" card renewal or work visa renewal can be denied or delayed.

30. If no proper proof of legal residency in U.S.A., you may be detained by a county sheriff or municipal detention office for I.N.S. (federal immigration) pickup.

31. Travel from U.S.A. and back to the U.S.A. can be delayed at customs, or even prohibited altogether.

32. Restriction on being able to ship a hunting rifle to some countries for sporting or recreational purposes, if DUI conviction on record.

33. **Second LIFETIME DUI** triggers provisions of "The Interstate Compact" – see www.interstatecompact.org Sections 2.105 and the dozen or so subsequent provisions - you may not be allowed to move to new state while on probation.

Employment Consequences

34. Automotive franchisees have a "morals" clause in their agreements with manufacturers, so DUI may cause loss of multi-million dollar contract for dealership.

35. If licensed as a broker under federal or state securities laws, can lose ability to be a broker (series 7, series 63).

36. Job applications - must always check the box "yes" when asked about convictions.

37. Professional license applications - any of the "licensed professions" can withhold or delay licensure or initiate revocation proceedings (e.g., State Bar, Medical Board).

38. Employee manual from job may require disclosure to Human Resources department. Then, company official decides on termination.
39. Loss of company vehicle with associated loss of the financial savings from not having to own and maintain another vehicle.
40. Loss of company insurance for company-issued vehicle.
41. Company has contract with Avis or Hertz, but license check on computer shows DUI. Rental companies deny access to vehicles, so cannot perform job duties.
42. Commercial driver's license may be lost (which can lead to loss of employment.)
43. Concealed weapons permits may be denied (which can lead to loss of employment).
44. Some industries/employers will terminate immediately upon conviction, (e.g., any pharmaceutical sales company, State Farm Insurance employee, companies with a preferred "group" rate with major insurance that is conditioned on having **NO EMPLOYEES** with a DUI conviction.)
45. Security clearance will be denied or revoked at military bases or similar businesses that "contract" with the U.S. Government on high security clearance (e.g., nuclear power plants).
46. Military superior officers may sanction any service member by denying privileges on the base, and impose other restrictions on duties.
47. Military career may be over or future advancement denied, based on DUI conviction.
48. Personnel in military who are about to be deployed to combat duty (Iraq or Afghanistan) can be pulled out of deployment and may be discharged from military service, possibly by general discharge or even dishonorable discharge.
49. Denial of admission to many professional schools, (e.g., law school, medical school, nursing, physical therapy certification).
50. Pilot's license can be revoked or withheld for any administrative driver's license suspension or DUI conviction. Failure to make timely report to FAA can revoke pilot's license.
51. Teacher can lose job, in certain schools and counties, both private and public.

52. All branches of military will delay your enlistment until all probation is terminated, so delay can affect plans.

53. Doctors or dentists can be suspended from practice until “rehabilitated” for alcohol dependency or drug dependency. DEA permit to dispense medications such as anesthesia or hydrocodone can be withdrawn permanently or for period of time, to be later reconsidered.

54. “Pouring” license to serve alcohol (bartender) can be denied if you have DUI or are on probation for DUI.

55. Union contracts often call for and require reporting of any DUI convictions. Failure to report can cause loss of union membership.

56. CPAs with larger firms are required to report a DUI conviction under the full financial disclosure rules of the federal Sarbarnes-Oxley Act.

57. Cosmetologist license can be suspended for repeat DUI offenders.

58. College sports athlete can lose scholarship for repeated alcohol-related offenses.

59. Pro athlete with repeated DUI offenses can be banned from League unless and until rehabilitated.

Financial Consequences

60. Civil judgment, including punitive damages, if accident related to DUI;

61. Alcohol and drug dependency screening may indicate that treatment is needed, and cost thousands or tens of thousands of dollars to complete.

62. Interest rates for loans, including home loans, may be higher or with high-risk loan company.

63. Inability to rent an apartment in “trendy” area, because tenant considered “higher risk.”

64. **Credit score can be negatively affected by a DUI conviction being reported.**

65. Cannot buy new car without FULL plastic license in your possession (Homeland Security Act).

66. Restitution -You can be court-ordered to repay DUI-accident related property damages or medical bills to an injured third party - part of probation.

67. VASAP will charge a **minimum** of \$400.00 for educational and probation services. VASAP may require additional counseling for which you will be financially responsible.

68. You will also be responsible for the installation and monthly costs for the ignition interlock device.

Unrelated Legal Consequences

69. Child custody (where divorce pending or already in place) where other spouse uses DUI as “leverage” to obtain or change.

70. Concealed weapons permit may be denied or not renewed.

71. Accident caused by DUI where others are injured or killed, can lead to the person injury claim becoming NON-DISCHARGEABLE in federal bankruptcy courts. This means that your wages can be garnished indefinitely, until full debt is paid in full. See 11 U.S.C.A. Section 523(a) (9).

72. No “first offender” status available on DUI - prohibited by statute in Virginia.

73. No “youthful offender” statute available under Virginia DUI laws.

74. If repeat offender a, new appearance bond may require meeting certain conditions for you pending the disposition of new DUI, such as installing an ignition interlock system on any vehicle that you drive.

75. If felony DUI conviction, cannot possess any firearms or ammunition. 18 U.S.C.A. Section 922.

Education

76. A college or university may sanction you --- separate from criminal cases --- for using alcohol illegally (either DUI or possession of alcohol) any time offense occurs on campus property. Some colleges go beyond this to include any reported arrest or conviction. Typical sanction is suspension for a semester or quarter, plus possible alcohol or drug treatment classes

77. If recipient of H.O.P.E. scholarship, if for a drug-related crime, results in loss of scholarship, if convicted (DUI or other drug-related criminal offenses) of the drug-related charge (including DUI-drugs).

Inconvenience

78. Can't rent a car for work or travel; and must pay for cabs or other transit options out of pocket. Expense account will not cover anything but the "contract" rental car vehicle.

79. Pilot's license revoked or restricted for a period of time, so hobby is embargoed.

80. Internet access to criminal arrests accessible from several websites, including your court's "docket."

81. Court records available online (e.g., Google search) so you can be "Googled."

82. Police blotters in weekly neighborhood newspapers can start neighbors' gossiping.

83. Having to use a U.S. Passport to cash a check (instead of driver's license) can create stigma with grocer or other regular service providers.

84. Can be "turned away" from airport at "port of entry" in foreign country (i.e., Toronto) due to DUI showing on record.

85. If you apply to your religious organization for a volunteer position (e.g., Sunday school teacher) expect to sign release forms for a background check. Some churches will reject any person with a DUI.

86. Traveling through airports, where some form of official (state-issued or federal-issued) identification is needed. A passport can take two months to obtain, especially if you do not have your driver's license as part of your proof of identity in seeking the passport. The immediate confiscation of driver's license creates a "problem" getting through security, at least in the short term.

87. If called for jury duty, one common question asked of the panel is about "prior criminal convictions, including DUI."

88. For a "refusal", this results in a 12 months "hard" suspension, meaning no restricted license—NO DRIVING AT ALL for one full year. However, "winning" your case (by dismissal, reduction of charges or acquittal) will reinstate your driving privileges and VA license.

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