



MEMORANDUM OF LEGISLATIVE PROPOSAL

TO: Office of the Senator, Commonwealth of Virginia

FROM: The Family of Patrick LeDoux & Live Like Patrick Foundation

DATE: May 27, 2026

SUBJECT: Comprehensive Reforms to Aggravated DUI Manslaughter Sentencing, Victim Transparency, Ignition Interlock Requirements, and Prevention/Recovery Collaborations

I. Executive Summary

This proposal addresses severe gaps in Virginia’s criminal justice and traffic safety frameworks. It honors the memory of Patrick LeDoux, a young Virginian who courageously overcame addiction to build a better life, only to be killed by an impaired driver operating at nearly triple the legal limit (BAC 0.22–0.24) traveling the wrong way on I-95. Despite a 26-year sentence (with 10 years suspended), the offender will serve only roughly 10 years due to Enhanced Earned Sentence Credits (ESC). **This automatic reduction is being granted to an individual who showed no remorse throughout the legal process and actively deflected blame for his actions at sentencing.** This proposal outlines five pillars of reform: closing the felony sentence credit loophole, mandating absolute sentence transparency for victims, establishing universal ignition interlock mandates, and leveraging Patrick’s legacy to fund collegiate recovery programs.

II. Proposed Legislative Reforms

1. Sentencing Reform: Closing the Enhanced Earned Sentence Credit Loophole

- **The Problem:** Under [Virginia Code § 53.1-202.3](#), certain felony offenders qualify for enhanced credits, serving only roughly 65% of their active sentences. Aggravated DUI Manslaughter is currently not explicitly excluded from these enhanced credits, meaning individuals who show zero accountability can quietly have years removed from their time behind closed doors.
- **The Solution:** Amend Virginia law to add **Aggravated Involuntary Manslaughter (§ 18.2-36.1(B))** to the list of offenses strictly bound to the **Truth-in-Sentencing 85% rule**. This ensures offenders convicted of fatal, high-BAC crimes serve their true sentences.

2. Scaling Mandatory Minimums for Extreme Intoxication (BAC ≥ 0.20)

- **The Problem:** Current law mandates a 1-year mandatory minimum for Aggravated DUI Manslaughter. A driver at a 0.22–0.24 BAC driving the wrong way on an



interstate is operating with an extreme degree of negligence, transforming a vehicle into a deadly weapon.

- **The Solution:** Amend § 18.2-36.1 to state that if a defendant is convicted of Aggravated DUI Manslaughter and their BAC is proven to be **0.20 or higher**, the statutory mandatory minimum sentence automatically elevates to an un-suspendable **5-year day-for-day baseline**.

3. Victim Transparency: The "No-Surprises" Truth-in-Sentencing Notification Act

- **The Problem:** Victims' families often leave the courtroom believing the sentence announced by the judge is the time the offender will serve. Discovering months later via a corrections portal that the timeline has been drastically reduced by "earned sentence credits" inflicts secondary trauma on grieving families.
- **The Solution:** Amend the Virginia Crime Victims and Witnesses Rights Act (§ 19.2-11.01) to mandate that:
 1. **At Sentencing:** The Commonwealth's Attorney must provide the victim's family with a written, calculated estimate of the *actual* minimum time to be served based on current credit tiers before the final order is entered.
 2. **During Incarceration:** The Virginia Department of Corrections (VDOC) must provide an automated, quarterly dashboard update to registered victims detailing the offender's accrued earned sentence credits, current behavior tier, and real-time projected release eligibility date.

4. Traffic Safety: Universal Mandatory Ignition Interlock Devices (IID)

- **The Problem:** Under current Virginia Code § 18.2-270.1, a first-time DUI offender is only required to install an interlock device if they request restricted driving privileges. If an offender chooses to sit out their suspension without driving, they can completely bypass the interlock requirement, leaving the public unprotected when they eventually regain their full license.
- **The Solution:** Amend § 18.2-270.1 to mandate that **every individual convicted of a DUI (including a first offense) must install a functioning ignition interlock system for a minimum of 6 consecutive months as an absolute prerequisite for license reinstatement**, regardless of whether they drove during their suspension period.

5. Prevention: Youth Driver Education and Impaired Driving Awareness Reform

- **The Problem:** Current youth driver education requirements in Virginia offer a broad, generalized overview of substance use. They fail to deliver the rigorous, impactful curriculum necessary to deter teenagers from future high-BAC operations. Virginia



ranks above the national average for underage DUI fatalities, necessitating an explicit intervention before young drivers secure their initial licensing privileges.

- **The Solution:** Amend Virginia driver education curriculum requirements managed by the Department of Education (VDOE) and the Department of Motor Vehicles (DMV). This reform mandates an expanded, dedicated "**Impaired Driving and Victim Impact**" module for all license applicants under the age of 18. This curriculum must explicitly incorporate high-BAC case studies, legal and financial consequences, and mandatory interactive instruction regarding the lifelong trauma inflicted on victims' families.

6. Prevention & Recovery: "The Patrick LeDoux Collegiate Recovery Initiative"

- **The Problem:** Traditional DUI advocacy focuses strictly on punitive measures after a tragedy. It fails to support upstream recovery ecosystems for young adults fighting substance use disorders.
- **The Solution:** Establish a state-funded grant program managed by the Virginia Department of Behavioral Health and Developmental Services (DBHDS). This initiative will provide seed funding to Virginia public universities to build and sustain **Collegiate Recovery Communities (CRCs)**, supporting safe, sober campus housing and peer-to-peer accountability.