Other Sexual Assault — Section A (Part I)

Offender’s Age at Time of Offense

- Younger than 35 years
- 35 to 46 years
- Older than 46 years

Less than 9th Grade Education (by conviction date)

Not Regularly Employed (during 2 years prior to arrest date)

Offender’s Relationship with Victim

- Victim Under Age 10
- Victim Age 10 or more

Aggravated Sexual Battery (Primary Offense §18.2-67.3)

Location of Offense

- Place of employment
- Shared victim/offender residence
- Outdoors
- Motor Vehicle
- Victim’s residence (not offender’s)
- Offender’s residence or other residence
- Location other than listed

Prior Adult Felony/Misdemeanor Arrests for Crimes Against Person

- Number: 0 Felonies
- 1 Felony
- 2+ Felonies

Prior Incarcerations/Commitments

Prior Treatment

Risk Score

Risk Level

Go to Section A (Part II)
**Other Sexual Assault — Section A (Part II)**

**Offender Name:**

<table>
<thead>
<tr>
<th>Primary Offense</th>
<th>Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Other than listed below; all attempted or conspired offenses (1 count)</td>
<td>1</td>
</tr>
<tr>
<td>B. Non-forcible sodomy, parent/grandparent to child or grandchild age 13 to 17 (1 count)</td>
<td>7</td>
</tr>
<tr>
<td>C. Indecent liberties with child under age 15</td>
<td>3 counts: 8</td>
</tr>
<tr>
<td>D. Indecent liberties by custodian</td>
<td>2 counts: 6</td>
</tr>
<tr>
<td>E. Non-forcible carnal knowledge of child age 13, 14 (statutory rape)</td>
<td>1 count: 2, 2 counts: 8, 3 counts: 12</td>
</tr>
<tr>
<td>F. Aggravated sexual battery</td>
<td>1 count: 3, 2 counts: 6, 3 counts: 9</td>
</tr>
<tr>
<td>G. Aggravated sexual battery, victim age 13 or 14 or parent/grandparent to child/grandchild age 13 to 17</td>
<td>1 count: 6, 2 counts: 8, 3 counts: 10</td>
</tr>
<tr>
<td>H. Incest with own child/grandchild (1 count)</td>
<td>1 count: 3</td>
</tr>
<tr>
<td>I. Incest with own child/grandchild age 13 to 17 (1 count)</td>
<td>1 count: 2</td>
</tr>
</tbody>
</table>

**Primary Offense Remaining Counts**

- **Total the maximum penalties for counts of the primary not scored above**
  - Years: 5 - 26 | 1
  - 27 - 52 | 2
  - 53 or more | 3

**Additional Offenses**

- **Total the maximum penalties for additional offenses, including counts**
  - Years: Less than 1 | 0
  - 1 - 26 | 1
  - 27 - 52 | 2
  - 53 or more | 3

**Victim Less than Age 13 at Time of Offense**

- If YES, add 5 → 0

**Victim Injury**

- Threatened or emotional | 2
- Physical, serious or life threatening | 4

**Prior Convictions/Adjudications**

- **Total maximum penalties for the 5 most recent and serious prior record events**
  - Years: Less than 3 | 0
  - 3 - 18 | 1
  - 19 - 31 | 2
  - 32 - 44 | 3
  - 45 or more | 4

**Prior Felony Sexual Assault Convictions/Adjudications**

- Number of Counts: 1 | 1
- 2 | 2
- 3 or more | 3

**Prior Incarcerations/Commitments**

- If YES, add 3 → 0

**Legally Restrained at Time of Offense**

- None | 0
- Other than parole/post-release, supervised probation or CCCA | 0
- Parole/post-release, supervised probation or CCCA | 2

**Risk Assessment Score (From Section A Part I)**

- Less than 28 | 0
- 28 or more (Level 1, 2, or 3) | 8

**Total Score**

- If total is 8 or less, go to Section B. If total is 9 or more, go to Section C.
**Primary Offense**

A. Other than listed below (1 count) ................................................................. 1

B. Aggravated sexual battery
   1 count ........................................................................................................... 2
   2 counts .......................................................................................................... 4
   3 counts .......................................................................................................... 6

**Primary Offense Remaining Counts** Total the maximum penalties for counts of the primary not scored above

Years:  
5 - 7 ......................................................... 2  
8 - 11 ......................................................... 3  
12 - 15 ....................................................... 4  
16 - 19 ....................................................... 5  
20 - 22 ....................................................... 6  
23 - 26 ....................................................... 7

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

Years:  
Less than 1 ................................................................. 0  
1 - 2 ................................................................. 1  
3 - 7 ................................................................. 2  
8 - 11 ............................................................... 3  
12 - 15 ............................................................ 4  
16 - 19 ............................................................ 5  
20 - 22 ............................................................ 6

**Victim Less than Age 13 at Time of Offense** If YES, add 3

**Prior Convictions / Adjudications** Total the maximum penalties for the 5 most recent and serious prior record events

Years:  
Less than 3 ................................................................. 0  
3 - 19 ............................................................... 1  
20 - 39 ............................................................. 2  
40 or more ............................................................. 3

**Prior Incarcerations / Commitments** If YES, add 1

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**Score the Following Factor Only If Primary Offense at Conviction is INDECENT LIBERTIES BY CUSTODIAN (§ 18.2-370.1(A))**

**Victim Injury**

Threatened or emotional ...................................................................................... 3
Physical or life threatening.................................................................................. 4

**Total Score**

See Other Sexual Assault Section B Recommendation Table to convert score to guidelines sentence.
### Other Sexual Assault → Section C

#### Primary Offense

<table>
<thead>
<tr>
<th>Description</th>
<th>Category I</th>
<th>Category II</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. All attempted or conspired sexual assault (1 count)</td>
<td>(24)</td>
<td>(12)</td>
<td>(6)</td>
</tr>
<tr>
<td>B. Completed sexual assault other than listed below (1 count)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C. Non-forcible sodomy, parent/grandparent to child/grandchild age 13 - 17</td>
<td>36</td>
<td>18</td>
<td>9</td>
</tr>
<tr>
<td>D. Indecent liberties with child</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 count</td>
<td>24</td>
<td>12</td>
<td>6</td>
</tr>
<tr>
<td>2 counts</td>
<td>40</td>
<td>20</td>
<td>10</td>
</tr>
<tr>
<td>3 counts</td>
<td>104</td>
<td>52</td>
<td>26</td>
</tr>
<tr>
<td>E. Non-forcible carnal knowledge of child age 13 - 14 (statutory rape)</td>
<td>36</td>
<td>18</td>
<td>9</td>
</tr>
<tr>
<td>F. Incest with own child/grandchild (1 count)</td>
<td>104</td>
<td>52</td>
<td>26</td>
</tr>
<tr>
<td>G. Incest with own child/grandchild age 13 - 17 (1 count)</td>
<td>104</td>
<td>52</td>
<td>26</td>
</tr>
<tr>
<td>H. Aggravated sexual battery</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 count</td>
<td>90</td>
<td>60</td>
<td>34</td>
</tr>
<tr>
<td>2 counts</td>
<td>132</td>
<td>88</td>
<td>50</td>
</tr>
<tr>
<td>3 counts</td>
<td>288</td>
<td>192</td>
<td>108</td>
</tr>
<tr>
<td>I. Aggravated sexual battery, parent/grandparent to child/grandchild age 13-17</td>
<td>84</td>
<td>56</td>
<td>32</td>
</tr>
<tr>
<td>2 counts</td>
<td>90</td>
<td>60</td>
<td>34</td>
</tr>
<tr>
<td>3 counts</td>
<td>180</td>
<td>120</td>
<td>68</td>
</tr>
</tbody>
</table>

#### Primary Offense Remaining Counts

Assign points to each count of the primary not scored above and total the points

- Maximum Penalty 5 years: 5 points
- 10 years: 10 points
- 20 years: 19 points
- 30 years: 29 points
- 40 or more: 39 points

#### Additional Offenses

Assign points to each additional offense (including counts) and total the points

- Maximum Penalty Less than 1 year: 0 points
- 1 year: 1 point
- 2 years: 2 points
- 3 years: 3 points
- 4 years: 4 points
- 5 years: 5 points
- 10 years: 10 points
- 20 years: 19 points
- 30 years: 29 points
- 40 or more: 39 points

#### Weapon Used, Brandished, Feigned or Threatened

If YES, add 4 points

#### Victim Injury

- Threatened or emotional: 6 points
- Physical, serious or life threatening: 9 points

#### Prior Convictions/Adjudications

Assign points to the 5 most recent and serious prior record events and total the points

- Maximum Penalty Less than 2 years: 0 points
- 2, 3, 4, 5 years: 1 point
- 10 years: 3 points
- 20 years: 6 points
- 30 years: 9 points
- 40 or more: 12 points

#### Prior Felony Sexual Assault Convictions/Adjudications

Assign points for each count of the 3 most serious prior felony sexual assault convictions/adjudications. Total the points

- Number of Counts: 1 point
- 2 points
- 3 or more points

#### On Post-Incarceration Supervision

If YES, add 5 points

#### Total Score

See Other Sexual Assault Section C Recommendation Table for guidelines sentence range.

- If necessary, on the cover sheet also enter the adjusted high end of the guidelines sentence range based on Risk Level: □ 1 □ 2 □ 3 or □ n/a