

Other Sexual Assault Section A (Part I)

Offender Name: _____

◆ **Offenses Not Applicable for Risk Assessment:**
 Risk Assessment is **NOT APPLICABLE** if the primary offense is bestiality, bigamy, aggravated sexual battery-parent to child age 13-17, or prostitution.
 (Go to Section A (Part II))

◆ **Offender's Age at Time of Offense** _____

Younger than 35 years	12	
35 to 46 years	4	
Older than 46 years.....	0	

◆ **Less than 9th Grade Education (by conviction date)** _____ If YES, add 4 →

0

◆ **Not Regularly Employed (during 2 years prior to arrest date)** _____ If YES, add 5 →

0

◆ **Offender's Relationship with Victim** _____

Victim Under Age 10	Relative	0
	Known to victim (not relative or step-parent)	4
	Stranger	4
	Step-parent	9
Victim Age 10 or more	Relative	2
	Known to victim (not relative or step-parent)	3
	Stranger	8
	Step-parent	2

0

◆ **Aggravated Sexual Battery (Primary Offense §18.2-67.3)** _____

No penetration, no attempted penetration	0	
Penetration or attempted penetration	4	

0

◆ **Location of Offense** _____

Place of employment	0	
Shared victim/offender residence.....	3	
Outdoors	3	
Motor Vehicle	4	
Victim's residence (not offender's)	5	
Offender's residence or other residence	9	
Location other than listed	3	

0

◆ **Prior Adult Felony/Misdemeanor Arrests for Crimes Against Person** _____

Number: 0 Felonies	1 - 3 Misdemeanors	1
	4+ Misdemeanors	8
1 Felony	0 - 2 Misdemeanors	5
	3+ Misdemeanors	8
2+ Felonies	0 - 3 Misdemeanors	8
	4+ Misdemeanors	15

◆ **Prior Incarcerations/Commitments** _____ If YES, add 3 →

0

◆ **Prior Treatment** _____

Prior mental health commitment	0	
Prior mental health treatment.....	2	
Prior alcohol or drug treatment.....	3	
No prior treatment	4	

0

Risk Score _____ →

- ◆ **Risk Level** (Risk Score)
- 44 or more Level 1
 - 34 - 43 Level 2
 - 28 - 33 Level 3
 - up to 27 No Adjustment

Go to **Section A (Part II)**

Other Sexual Assault ❖ Section A (Part II)

Offender Name: _____

◆ Primary Offense

- A. Other than listed below; all attempted or conspired offenses (1 count) 1
- B. Non-forcible sodomy, parent/grandparent to child or grandchild age 13 to 17 (1 count)..... 7
- C. Indecent liberties with child under age 15
 - 1 count 3
 - 2 counts 8
 - 3 counts 10
- D. Indecent liberties by custodian
 - 1 count 4
 - 2 counts 6
 - 3 counts 7
- E. Non-forcible carnal knowledge of child age 13, 14 (statutory rape)
 - 1 count 2
 - 2 counts 8
 - 3 counts 12
- F. Aggravated sexual battery
 - 1 count 3
 - 2 counts 6
 - 3 counts 9
- G. Aggravated sexual battery, victim age 13 or 14 or parent/grandparent to child/grandchild age 13 to 17
 - 1 count 6
 - 2 counts 8
 - 3 counts 10
- H. Incest with own child/grandchild (1 count)..... 3
- I. Incest with own child/grandchild age 13 to 17 (1 count)..... 2

Score

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◆ 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

0	
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◆ 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

0	
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◆ Victim Less than Age 13 at Time of Offense _____ If YES, add 5 →

0	
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◆ Victim Injury

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

0	
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◆ 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

0	
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◆ Prior Felony Sexual Assault Convictions/Adjudications

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

0	
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◆ Prior Incarcerations/Commitments _____ If YES, add 3 →

0	
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◆ Legally Restrained at Time of Offense

- None 0
- Other than parole/post-release, supervised probation or CCCA 2
- Parole/post-release, supervised probation or CCCA 3

0	
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◆ Risk Assessment Score (From Section A Part I)

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

0	
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Total Score

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

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Other Sexual Assault ~~❖~~ Section B

Offender Name: _____

◆ Primary Offense

- A. Other than listed below (1 count) 1
- B. Aggravated sexual battery
 - 1 count 2
 - 2 counts 4
 - 3 counts 6

Score

0	
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◆ Primary Offense Remaining Counts Total the maximum penalties for counts of the primary not scored above

- Years: 5 - 7 2 27 - 30 8
- 8 - 11 3 31 - 34 9
- 12 - 15 4 35 - 37 10
- 16 - 19 5 38 - 41 11
- 20 - 22 6 42 or more 12
- 23 - 26 7

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

- Years: Less than 1 0 23 - 26 7
- 1 - 2 1 27 - 30 8
- 3 - 7 2 31 - 34 9
- 8 - 11 3 35 - 37 10
- 12 - 15 4 38 - 41 11
- 16 - 19 5 42 or more 12
- 20 - 22 6

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◆ Victim Less than Age 13 at Time of Offense _____ If YES, add 3 →

0	
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◆ 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

0	
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◆ Prior Incarcerations / Commitments _____ If YES, add 1 →

0	
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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

0	
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Total Score

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

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Other Sexual Assault ❖ Section C

◆ Primary Offense

— Prior Record Classification —

Category I Category II Other
(scores for attempted/conspired offenses are in parentheses)

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

Score

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◆ Primary Offense Remaining Counts Assign points to each count of the primary not scored above and total the points

Maximum Penalty 5	5
(years) 10	10
20	19
30	29
40 or more	39

0		
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◆ Additional Offenses Assign points to each additional offense (including counts) and total the points

Maximum Penalty Less than 1.....	0
(years) 1	1
2	2
3	3
4	4
5	5
10	10
20	19
30	29
40 or more	39

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◆ Weapon Used, Brandished, Feigned or Threatened

If YES, add 4 →

0	0	
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◆ Victim Injury

Threatened or emotional	6
Physical, serious or life threatening	9

0	0	
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◆ Prior Convictions/Adjudications Assign points to the 5 most recent and serious prior record events and total the points

Maximum Penalty Less than 2.....	0
(years) 2, 3, 4, 5	1
10	3
20	6
30	9
40 or more	12

0		
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◆ Prior Felony Sexual Assault Convictions/Adjudications

Number of Counts: 1	8
2	15
3 or more	23

0		
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◆ On Post-Incarceration Supervision

If YES, add 5 →

0	0	
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Total Score

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

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◆ 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