

Assault Section A

Offender Name: _____

◆ Primary Offense _____ (scores for attempted/conspired offenses are in parentheses)

- A. Assault and battery against a family member, third or subsequent conviction (1 count).....2
- B. Assault and battery against a law enforcement officer, fire or medical services, etc. (1 count)6
- C. Any attempted or conspired assault and battery, unlawful injury or strangulation (1 count)(1)
- D. Unlawful injury to law enforcement officer, fire/rescue personnel services, etc. (1 count).....7
- E. Any other unlawful injury
 - 1 count 1
 - 2 counts.....3
- F. Any attempted or conspired malicious injury (1 count).....(3)
- G. Any attempted, conspired or completed aggravated malicious injury (1 count).....7
- H. Malicious injury to a law enforcement officer, fire or medical services, etc. (1 count).....7
- I. Any other malicious injury (1 count)7
- J. Use of firearm in the commission of a felony (1 count)4
- K. DWI with reckless disregard, victim permanently impaired
 - 1 count 1
 - 2 counts.....3
- L. Strangulation (1 count).....3

Score

▼

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

- | | | |
|--------|-----------------|--------------------|
| Years: | 3 - 10 1 | 24 - 31 4 |
| | 11 - 17 2 | 32 - 39 5 |
| | 18 - 23 3 | 40 or more 6 |

0	
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◆ Additional Offenses Total the maximum penalties for additional offenses, including counts _____

<p>Primary offense: K: DWI with Reckless Disregard</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Years</th> <th style="text-align: right;">Points</th> </tr> </thead> <tbody> <tr><td>Less than 2.....</td><td style="text-align: right;">0</td></tr> <tr><td>2 - 17.....</td><td style="text-align: right;">2</td></tr> <tr><td>18 - 23.....</td><td style="text-align: right;">3</td></tr> <tr><td>24 - 31.....</td><td style="text-align: right;">4</td></tr> <tr><td>32 - 39.....</td><td style="text-align: right;">5</td></tr> <tr><td>40 or more.....</td><td style="text-align: right;">6</td></tr> </tbody> </table>	Years	Points	Less than 2.....	0	2 - 17.....	2	18 - 23.....	3	24 - 31.....	4	32 - 39.....	5	40 or more.....	6	<p>Primary offense: All other offenses</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Years</th> <th style="text-align: right;">Points</th> </tr> </thead> <tbody> <tr><td>Less than 2.....</td><td style="text-align: right;">0</td></tr> <tr><td>2 - 10.....</td><td style="text-align: right;">1</td></tr> <tr><td>11 - 17.....</td><td style="text-align: right;">2</td></tr> <tr><td>18 - 23.....</td><td style="text-align: right;">3</td></tr> <tr><td>24 - 31.....</td><td style="text-align: right;">4</td></tr> <tr><td>32 - 39.....</td><td style="text-align: right;">5</td></tr> <tr><td>40 or more.....</td><td style="text-align: right;">6</td></tr> </tbody> </table>	Years	Points	Less than 2.....	0	2 - 10.....	1	11 - 17.....	2	18 - 23.....	3	24 - 31.....	4	32 - 39.....	5	40 or more.....	6
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32 - 39.....	5																														
40 or more.....	6																														

0	
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◆ Weapon Used _____

- None.....0
- Automobile, simulated weapon or other than firearm.....1
- Firearm.....2

0	
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◆ Life Threatening Injury _____ If YES, add 2 →

0	
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◆ Prior Convictions/Adjudications Total the maximum penalties for the 5 most recent and serious prior record events

<p>Primary offense: K: DWI with Reckless Disregard</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Years</th> <th style="text-align: right;">Points</th> </tr> </thead> <tbody> <tr><td>Less than 1.....</td><td style="text-align: right;">0</td></tr> <tr><td>1 - 46.....</td><td style="text-align: right;">2</td></tr> <tr><td>47 or more.....</td><td style="text-align: right;">3</td></tr> </tbody> </table>	Years	Points	Less than 1.....	0	1 - 46.....	2	47 or more.....	3	<p>Primary offense: All other offenses</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Years</th> <th style="text-align: right;">Points</th> </tr> </thead> <tbody> <tr><td>Less than 7.....</td><td style="text-align: right;">0</td></tr> <tr><td>7 - 23.....</td><td style="text-align: right;">1</td></tr> <tr><td>24 - 46.....</td><td style="text-align: right;">2</td></tr> <tr><td>47 or more.....</td><td style="text-align: right;">3</td></tr> </tbody> </table>	Years	Points	Less than 7.....	0	7 - 23.....	1	24 - 46.....	2	47 or more.....	3
Years	Points																		
Less than 1.....	0																		
1 - 46.....	2																		
47 or more.....	3																		
Years	Points																		
Less than 7.....	0																		
7 - 23.....	1																		
24 - 46.....	2																		
47 or more.....	3																		

0	
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◆ Prior Incarcerations/Commitments _____ If YES, add 2 →

0	
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◆ Prior Juvenile Record _____ If YES, add 2 →

0	
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◆ Legally Restrained at Time of Offense _____

- None.....0
- Other than post-incarceration supervision3
- Post-incarceration supervision (supervision after active incarceration)5

0	
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**SCORE THE FOLLOWING FACTOR ONLY IF PRIMARY OFFENSE AT CONVICTION IS A:
ASSAULT & BATTERY AGAINST A FAMILY MEMBER - § 18.2-57.2(B)**

◆ Type of Prior Felony Person Convictions/Adjudications _____

- None.....0
- Assault and battery against a family member, third or subsequent (§18.2-57.2(B)).....3
- Other person felony.....4

0	
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Total Score _____

If total is 5 or less, go to **Section B**. If total is 6 or more, go to **Section C**.

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Assault Section B

Offender Name: _____

◆ Victim Injury

Threatened, emotional, or physical 2
 Life Threatening 4

Score

0	
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◆ Additional Offenses Total the maximum penalties for additional offenses, including counts

Primary offense: Strangulation (§ 18.2-51.6)	
Maximum Penalty (years)	Points
Less than 5	5
5 or more	6

Primary offense: All other offenses	
Maximum Penalty (years)	Points
Less than 5	1
5 or more	2

0	
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◆ Weapon Used or Brandished

If YES, add 2

0	
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◆ Prior Convictions/Adjudications Total the maximum penalties for the 5 most recent and serious prior record events

Primary offense: Strangulation (§ 18.2-51.6)	
Maximum Penalty (years)	Points
Less than 5	0
5 - 18	3
19 - 38	4
39 or more	5

Primary offense: All other offenses	
Maximum Penalty (years)	Points
Less than 5	0
5 - 18	1
19 - 38	2
39 or more	3

0	
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◆ Prior Juvenile Record

If YES, add 3

0	
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**SCORE THE FOLLOWING FACTORS ONLY IF PRIMARY OFFENSE AT CONVICTION IS
 ASSAULT & BATTERY AGAINST A FAMILY MEMBER (§ 18.2-57.2(B))
 OR STRANGULATION (§ 18.2-51.6)**

◆ Prior Incarcerations/Commitments

Number: 1 1
 2 3
 3 or more 5

0	
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◆ Prior Misdemeanor Convictions/Adjudications (Excludes Traffic)

Number of Counts: 1 - 2 0
 3 - 5 1
 6 - 8 2
 9 or more 3

0	
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Total Score

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

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Assault/ Section B

Assault Section C

Offender Name: _____
 _____ Prior Record Classification _____

◆ **Primary Offense** _____ **Category I** **Category II** **Other**
(scores for attempted/conspired offenses are in parentheses)

A. Assault and battery against a family member, third or subsequent conviction or Strangulation (1 count)	28	14	7
B. Assault and battery against a law enforcement officer, fire or medical services, etc. (1 count)	32	16	8
C. Unlawful injury (1 count)	32	16	8
D. Any attempted or conspired malicious injury (1 count)	(68)	(34)	(17)
E. Any completed malicious injury			
1 count	102	68	34
2 counts	120	80	40
3 counts	204	136	68
F. Aggravated malicious injury (1 count)	321	214	107
G. Use of firearm in the commission of a felony - first offense (1 count)	32	32	32
H. Use of firearm in the commission of a felony - subsequent offense (1 count)	56	56	56
I. DWI with reckless disregard, Victim permanently impaired (1 count)	48	24	12

Score

▼

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

Primary offense:

D, E, F, G, or H: All malicious wounding or use of a firearm

Maximum Penalty (years)	Points
3	2
5	3
10	6
20	13
30	19
Life	26

Primary offense:

A, B, C, or I: Unlawful injury, any A & B, DWI or strangulation

Maximum Penalty (years)	Points
5	3
10	5

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

Primary offense:

D, E, F, G, or H: All malicious wounding or use of a firearm

Maximum Penalty (years)	Points
Less than 1	0
1,2	1
3	2
4,5	3
10	6
20	13
30	19
40 or more	26

Primary offense:

A, B, C, or I: Unlawful injury, any A & B, DWI or strangulation

Maximum Penalty (years)	Points
Less than 1	0
1,2	1
3,4	2
5	3
10	5
20	11
30	16
40 or more	22

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◆ **Weapon Used**

Primary offense:

D, E, F, G, or H: All malicious wounding or use of a firearm

Simulated weapon or other than listed below	0
Knife or firearm	4

Primary offense:

A, B, C, or I: Unlawful injury, any A & B, DWI or strangulation

Simulated weapon or other than listed below	0
Knife	2
Firearm	3

▼

0	0	
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◆ **Number of Victims Receiving Life Threatening Injury**

Primary offense:

D, E, F, G, or H: All malicious wounding or use of a firearm

Number	Score
1	14
2	70
3 or more	85

Primary offense:

A, B, C, or I: Unlawful injury, any A & B, DWI or strangulation

Number	Score
1 or more	3

▼

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

Primary offense:

D, E, F, G, or H: All malicious wounding or use of a firearm

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

Primary offense:

A, B, C, or I: Unlawful injury, any A & B, DWI or strangulation

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

▼

0		
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◆ **Prior Felony Convictions/Adjudications Against Person**

Primary offense:

D, E, F, G, or H: All malicious wounding or use of a firearm

Number	Score
1	6
2	12
3 or more	18

Primary offense:

A, B, C, or I: Unlawful injury, any A & B, DWI or strangulation

Do Not Score

▼

0		
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◆ **Legally Restrained at Time of Offense**

Primary offense:

D, E, F, G, or H: All malicious wounding or use of a firearm

If YES, add 6

Primary offense:

A, B, C, or I: Unlawful injury, any A & B, DWI or strangulation

If YES, add 2

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0	0	
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Total Score _____

See Assault Section C Recommendation Table for guidelines sentence range.

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