

Other Sexual Assault/Obscenity **Section A** Offender Name: _____

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

- A. All attempted or conspired offenses (1 count).....(1)
- B. Production, publication, sale or financing child pornography (1 count).....6
- C. Possess child porn (1st Offense) (1 count).....5
- D. Possess child porn (2nd or subsequent) (1 count).....9
- E. Reproduce, transmit, sell, etc., child porn (1 count).....5
- F. Procure minor for obscene material by communications system (1 count).....6
- G. Procure minor for prostitution, sodomy, pornography by communications system (1 count).....6
- H. Propose sex act by communications system, child less than age 15 (1 count).....8
- I. Propose sex act by communications system, child less than age 15, offender 7+ years older (1 count).....9
- J. Propose sex act by communications system, child age 15 or more, offender 7+ years older (1 count).....6
- K. Propose sex act by communications system, child age 15 or more, offender 7+ yrs old (2nd/subseq.) (1 count).....9

Score

0

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

| Primary offense B, C or D: Production or Possession of Child Porn | |
|---|--------|
| Years | Points |
| 5 - 26 | 2 |
| 27 - 52 | 3 |
| 53 or more | 4 |

| Primary offense: All other offenses | |
|-------------------------------------|--------|
| Years | Points |
| 5 - 26 | 1 |
| 27 - 52 | 2 |
| 53 or more | 3 |

0

◆ 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

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

0

◆ Victim Injury _____

- Threatened or emotional2
- Physical or life threatening.....4

0

◆ 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

◆ Prior Felony Sexual Assault Convictions/Adjudications _____

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

0

◆ 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.....2
- Parole/post-release, supervised probation or CCCA.....3

0

Total Score _____

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

Other Sexual Assault/Obscenity ❖ Section B

Offender Name: _____

◆ Primary Offense

- A. Production, publication, sale or financing child pornography (1 count) 1
- B. Possess child porn (1 count) 1
- C. Reproduce, transmit, sell, etc., child porn (1 count) 1
- D. Procure minor for obscene material by communications system (1 count) 1
- E. Procure minor for prostitution, sodomy, etc. by communications system (1 count) 1
- F. Propose sex act by communications system, child less than age 15 (1 count) 6
- G. Propose sex act by communications system, child less than age 15, offender 7+ years (1 count) 6
- H. Propose sex act by communications system, child age 15 or more, offender 7+ years (1 count) 2
- I. Propose sex act by communications system, child age 15 or more, offender 7+ years (2nd/subseq.) (1 count) 2

Score

▼

| | |
|---|--|
| 0 | |
|---|--|

◆ 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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|--|--|
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|--|--|

◆ Victim Less than Age 13 at Time of Offense

If YES, add 3 →

| | |
|---|--|
| 0 | |
|---|--|

◆ 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 | |
|---|--|

◆ Prior Incarcerations / Commitments

If YES, add 1 →

| | |
|---|--|
| 0 | |
|---|--|

SCORE THE FOLLOWING FACTOR **ONLY** IF PRIMARY OFFENSE IS **D, E, F, G, H OR I: ELECTRONIC SOLICITATION** (§18.2-374.3)

◆ Victim Injury

- Threatened, emotional, physical or life threatening 5

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| | | |
|---|---|--|
| 0 | 0 | |
|---|---|--|

Total Score

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

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Other Sexual Assault/Obscenity **Section C** Offender Name: _____

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

| | | | | | |
|----|--|------------------------------------|----------------|------|----------|
| A. | All attempted or conspired offenses of possess, reproduce, transmit etc. child porn | 1 count |(24)..... | (12) |(6) |
| B. | All attempted or conspired offenses of electronic solicitation of minor | 1 count |(24)..... | (12) |(6) |
| C. | Entice, etc., minor to perform in porn; take part in child porn | 1 count |68..... | 34 |17 |
| D. | Produce child porn; finance child porn | Attempted, conspired or completed: | | | |
| | | 1 count |100..... | 50 |25 |
| | | 2 counts |216..... | 108 |54 |
| E. | Possess child porn (1st Offense) | 1 count |48..... | 24 |12 |
| F. | Possess child porn (2nd or subsequent) | 1 count |76..... | 38 |19 |
| G. | Reproduce, transmit, sell, etc., child porn | 1 count |100..... | 50 |25 |
| H. | Procure minor for obscene material by communications system | 1 count |68..... | 34 |17 |
| I. | Procure minor for prostitution, sodomy, etc. by communications system | 1 count |68..... | 34 |17 |
| J. | Propose sex act by communications system, child less than age 15 | 1 count |68..... | 34 |17 |
| K. | Propose sex act by communications system, child less than age 15, offender 7+ years | 1 count |148..... | 74 |37 |
| L. | Propose sex act by communications system, child age 15 or more, offender 7+ years (2nd+) | 1 count |68..... | 34 |17 |

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 | | |
|---|--|--|

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

| Primary offense B, H, I, J, K, or L: Electronic Solicitation | |
|--|--------|
| Years | Points |
| Less than 1 | 0 |
| 1 | 1 |
| 2 | 2 |
| 3 | 3 |
| 4 | 4 |
| 5 | 8 |
| 10 | 12 |
| 20 | 15 |
| 30 | 18 |
| 40 or more | 22 |

| Primary offense: All other offenses | |
|-------------------------------------|--------|
| Years | Points |
| Less than 1 | 0 |
| 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 | |
|---|---|--|

◆ **Victim Injury** _____

| Primary offense B, H, I, J, K, or L: Electronic Solicitation | |
|--|--------|
| | Points |
| Threatened or emotional | 14 |
| Physical or life threatening | 15 |

| Primary offense: All other offenses | |
|-------------------------------------|--------|
| | Points |
| Threatened or emotional | 6 |
| Physical or life threatening | 9 |

| | | |
|---|--|--|
| 0 | | |
|---|--|--|

◆ **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 | | |
|---|--|--|

◆ **Prior Felony Sexual Assault Convictions/Adjudications** _____

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

| | | |
|---|--|--|
| 0 | | |
|---|--|--|

◆ **On Post-Incarceration Supervision** _____ If YES, add 5 →

| | | |
|---|---|--|
| 0 | 0 | |
|---|---|--|

Total Score _____ →

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

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