

# Other Sexual Assault/Obscenity **Section A** Offender Name: \_\_\_\_\_

◆ **Primary Offense** \_\_\_\_\_

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).....	9
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**  
▼

◆ **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 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
(12 months = 1 year) 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 emotional .....	2
Physical, serious 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** \_\_\_\_\_ **0**

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	
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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     |
| (12 months = 1 year) | 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 IS **D, E, F, G, H OR I: ELECTRONIC SOLICITATION** (§18.2-374.3)

## ◆ Victim Injury

- Threatened, emotional, physical or life threatening ..... 5

0	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/Obscenity **Section C**

Prior Record Classification

## ◆ 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 Attempted, conspired or completed: 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 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, 15 .....	10
20 .....	19
30 .....	29
40, 50, Life .....	39

0		
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## ◆ 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 (12 months = 1 year)	Points
Less than 1 .....	0
1 .....	1
2 .....	2
3 .....	3
4 .....	4
5 .....	8
10, 15 .....	12
20 .....	15
30 .....	18
40, 50, Life .....	22

Primary offense: All other offenses	
Years (12 months = 1 year)	Points
Less than 1 .....	0
1 .....	1
2 .....	2
3 .....	3
4 .....	4
5 .....	5
10, 15 .....	10
20 .....	19
30 .....	29
40, 50, Life .....	39

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## ◆ Weapon Used, Brandished, Feigned or Threatened

If YES, add 4

0	0	
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## ◆ Victim Injury

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

Primary offense: All other offenses	
	Points
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, 15 .....	3
20 .....	6
30 .....	9
40, 50, Life .....	12

0		
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## ◆ Prior Felony Sexual Assault Convictions/Adjudications

Number 1 .....	8
of Counts: 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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