

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

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◆ 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	
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◆ 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	
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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 physical, 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	1	1
of Counts:	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, supervised probation	2
Parole, post-release, supervised probation after incarceration	3

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/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, serious 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 (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, 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 physical, or life threatening.....	15

Primary offense: All other offenses

	Points
Threatened or emotional	6
Physical, serious physical, 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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Other Sexual Assault/Section C