

Other Sexual Assault/Obscenity ❖ Section A

Offender Name: _____

1 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

--	--

2 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	
---	--

3 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	
---	--

4 Victim Less than Age 13 at Time of Offense

If YES, add 5 →

0	
---	--

5 Victim Injury

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

0	
---	--

6 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	
---	--

7 Prior Felony Sexual Assault Convictions/Adjudications

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

0	
---	--

8 Prior Incarcerations/Commitments

If YES, add 3 →

0	
---	--

9 Legally Restrained at Time of Offense

None	0
Other	2
Parole, post-release, supervised probation, or supervised probation after incarceration	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 17

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 | |

--	--

❖ 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 | |

--	--

❖ 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, serious physical, or life threatening 5

0	0	
---	---	--

Total Score _____

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

--	--

Other Sexual Assault/Obscenity/Section B

Other Sexual Assault/Obscenity Section C

Prior Record Classification

1 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

--	--	--

2 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

--	--	--

3 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

--	--	--

4 Weapon Used, Brandished, Feigned, or Threatened

If YES, add 4

0	0	
---	---	--

5 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	
---	---	--

6 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		
---	--	--

7 Prior Felony Sexual Assault Convictions/Adjudications

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

0		
---	--	--

8 On Post-Incarceration Supervision

If YES, add 5

0	0	
---	---	--

Total Score

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

--	--	--	--