



## Earned Sentence Credit - § 53.1-202.3 (Effective July 1, 2023) - Preliminary List

- Beginning July 1, 2022, many felony defendants may earn up to a maximum of 15 days per 30 days served (a minimum time served of 65%)
- For offenses listed, felony defendants are limited to 4.5 days per 30 days served (a minimum time served of 85%).
- The 85% rule only applies when the conviction is a second or subsequent conviction for some offenses and for the first offense in other cases.  
**1 or √ = 85% applies to all convictions.      2 or # = 85% applies only to second or subsequent convictions.**

<u>Description</u>	<u>VCC</u>	<u>Statute</u>	<u>Penalty (Category)</u>	<u>85%</u>
<b>ANIMALS</b>				
<b>Abandonment or Cruelty</b>				
Torture/mutilate dog or cat causing death or serious injury	ANM-3349-F6	§3.2-6570(F)	1Y-5Y	1
<b>Fighting - In Combination with § 3.2-6571(A) Offense</b>				
Device or substance used to enhance animal's ability to fight	ANM-3574-F6	§3.2-6571(B,2)	1Y-5Y	2
Dogfighting activity	ANM-3573-F6	§3.2-6571(B,1)	1Y-5Y	2
Minor child allowed to attend or be involved in animal fighting	ANM-3578-F6	§3.2-6571(B,6)	1Y-5Y	2
Pay or receive admission for animal fighting	ANM-3576-F6	§3.2-6571(B,4)	1Y-5Y	2
Possess, etc., animal for fighting	ANM-3577-F6	§3.2-6571(B,5)	1Y-5Y	2
Wager money, etc., on animal fighting	ANM-3575-F6	§3.2-6571(B,3)	1Y-5Y	2
<b>ARSON, EXPLOSIVES, BOMBS</b>				
<b>Building, Dwelling Place/Church</b>				
Occupied dwelling/church, aid or procure burning	ARS-2004-F9	§18.2-77(A,ii)	5Y-Life (I)	2
Occupied dwelling/church, burn	ARS-2003-F9	§18.2-77(A,i)	5Y-Life (I)	2
<b>Building, Public</b>				
Occupied	ARS-2008-F3	§18.2-79	5Y-20Y (II)	2
<b>ASSAULT</b>				
<b>Biological Substances and Radiological Agents</b>				
Malicious injury by means of infectious biological/radiological agents	ASL-1344-F9	§18.2-52.1(C)	5Y-30Y (II)	1
<b>Caustic Substance</b>				
Malicious injury by caustic substance or fire	ASL-1327-F9	§18.2-52	5Y-30Y (II)	1
<b>Genital Mutilation</b>				
Circumcision, etc., of minor's labia majora, etc.	ASL-1348-F2	§18.2-51.7(A)	20Y-Life	1
Parent, etc., consents to minor's labia majora circumcision, etc.	ASL-1349-F2	§18.2-51.7(B)	20Y-Life	1
Parent, etc., takes minor from state, labia majora circumcision, etc.	ASL-1350-F2	§18.2-51.7(C)	20Y-Life	1
<b>Law Enforcement, Court, Fire, Medical Services, Etc.</b>				
Malicious bodily injury to law enforcement, fire or EMS	ASL-1326-F9	§18.2-51.1	5Y-30Y (II)	1
Non-malicious injury to law enforcement, fire/EMS personnel, etc.	ASL-1330-F6	§18.2-51.1	1Y-5Y (II)	2
<b>Malicious Wounding</b>				
Pregnant victim perm. impaired or pregnancy terminated	ASL-1340-F2	§18.2-51.2(B)	20Y-Life (I)	1
Stab, cut, wound w/malicious intent victim perm. impaired	ASL-1336-F2	§18.2-51.2(A)	20Y-Life (I)	1
Stab, cut, wound with malicious intent	ASL-1334-F3	§18.2-51	5Y-20Y (II)	1
<b>Mob</b>				
Shoot, cut, stab, maliciously or unlawfully	ASL-1328-F3	§18.2-41	5Y-20Y (II)	2
<b>Poisoning</b>				
Adulteration of food, drug, etc., w/intent to injure or kill	ASL-1317-F3	§18.2-54.2	5Y-20Y (II)	2
Poison food, drugs, water, drinks w/intent to injure or kill	ASL-1332-F3	§18.2-54.1	5Y-20Y (II)	2
Attempt to poison, change "F" to "A" only if under § 18.2-26		§18.2-54.1		2
<b>Simple Assault - Family</b>				

<u>Description</u>	<u>VCC</u>	<u>Statute</u>	<u>Penalty (Category)</u>	<u>85%</u>
<b>ASSAULT</b>				
<b>Simple Assault - Family</b>				
Simple assault, against family member, 3rd/subsequent	ASL-1316-F6	§18.2-57.2(B)	1Y-5Y (II)	1
<b>Strangulation</b>				
Strangulation resulting in wounding or bodily injury	ASL-1347-F6	§18.2-51.6(A)	1Y-5Y (II)	1
<b>Suffocation</b>				
Suffocation resulting in wounding or bodily injury	ASL-1351-F6	§18.2-51.6(B)	1Y-5Y(II)	1
<b>Unlawful Injury</b>				
Stab, cut, wound without malicious intent	ASL-1335-F6	§18.2-51	1Y-5Y (II)	2
<b>BURGLARY</b>				
<b>Breaking &amp; Entering - Other Misdemeanors</b>				
Occupied dwelling, enter, intent to commit misd.	BUR-2219-F6	§18.2-92	1Y-5Y (II)	2
Occupied dwelling, enter, intent to commit misd. - deadly weapon	BUR-2220-F2	§18.2-92	20Y-Life (I)	2
<b>Common Law - Larceny, Other Felony/Night</b>				
Dwelling at night w/intent to commit felony or larceny	BUR-2221-F3	§18.2-89	5Y-20Y (II)	2
Dwelling at night w/intent to commit felony/larceny - deadly weapon	BUR-2222-F2	§18.2-89	20Y-Life (I)	2
<b>Statutory - Murder, Rape, Rob, Arson</b>				
Dwelling house with intent to commit murder, rape, rob, arson	BUR-2211-F3	§18.2-90	5Y-20Y (II)	1
Dwelling house with intent to murder, etc. - deadly weapon	BUR-2212-F2	§18.2-90	20Y-Life (I)	1
Other structure with intent to commit murder, rape, rob, arson	BUR-2218-F3	§18.2-90	5Y-20Y (II)	1
Other structure with intent to murder, etc. - deadly weapon	BUR-2215-F2	§18.2-90	20Y-Life (I)	1
<b>ENTICE</b>				
<b>Type</b>				
Entice etc. into dwelling w/intent to commit a specific felony	ENT-1099-F6	§18.2-50.3	1Y-5Y	1
<b>FAMILY OFFENSE</b>				
<b>Adult Abuse and Neglect</b>				
Vulnerable adult, abuse or neglect, subsequent offense	FAM-3804-F6	§18.2-369(A)	1Y-5Y	1
Vulnerable adult, abuse or neglect, serious injury/disease	FAM-3802-F4	§18.2-369(B)	2Y-10Y (II)	1
Vulnerable adult, abuse or neglect, results in death	FAM-3776-F3	§18.2-369(B)	5Y-20Y	1
<b>Child Abuse and Neglect</b>				
Child abuse and neglect, serious injury	FAM-3806-F4	§18.2-371.1(A)	2Y-10Y (II)	1
<b>KIDNAPPING</b>				
<b>Assist</b>				
Assist or threaten	KID-1011-F5	§18.2-49	1Y-10Y (II)	1
<b>Defile</b>				
Abduction of person with intent to defile	KID-1004-F2	§18.2-48(ii)	20Y-Life (I)	1
<b>Force, Deception or Intimidation</b>				
Abduct by force without justification	KID-1010-F5	§18.2-47(A)	1Y-10Y (II)	1
Forced labor or service	KID-1021-F5	§18.2-47(B)	1Y-10Y (II)	1
<b>Minor</b>				
Abduction of minor	KID-1024-F2	§18.2-47(C)	20Y-Life	1
<b>Parent</b>				
Kidnapping by parent, etc., removing from state	KID-1015-F6	§18.2-47(D)	1Y-5Y	1
<b>Pecuniary Benefit</b>				
Extortion, abduct with intent to gain pecuniary benefit	KID-1012-F2	§18.2-48(i)	20Y-Life (I)	1
<b>Pornography</b>				
Abduct minor for the purpose of manufacturing child pornography	KID-1022-F2	§18.2-48(v)	20Y-Life (I)	1

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(\$ 17.1-805)				
<b>KIDNAPPING</b>				
<b>Prisoner</b>				
Abduction by prisoner or confined person	KID-1016-F3	§18.2-48.1	5Y-20Y (II)	1
<b>Prostitution</b>				
Abduct child under 16 yrs. of age for concubinage or prostitution	KID-1003-F2	§18.2-48(iii)	20Y-Life (I)	1
Abduct for the purpose of prostitution	KID-1023-F2	§18.2-48(iv)	20Y-Life (I)	1
<b>Violation, Court Order</b>				
Child held outside VA, in violation of custody/visitation order	KID-1017-F6	§18.2-49.1(A)	1Y-5Y	1
<b>LABOR</b>				
<b>Child Abuse And Neglect</b>				
Endangerment, cruelty or injuries to children	FAM-3810-F6	§40.1-103	1Y-5Y	1
<b>Minor</b>				
Permit person under 18 to perform, etc., in sexually explicit material	LAB-7489-F6	§40.1-100.2	1Y-5Y	1
<b>Procurement</b>				
Receive money, etc., for procuring < age 18 for forced labor/services	LAB-7485-F3	§18.2-356(ii)	5Y-20Y(II)	1
Receive money, etc., for procuring person for forced labor/services	LAB-7482-F4	§18.2-356(ii)	2Y-10Y(II)	1
<b>Wages</b>				
Withhold wages with intent to defraud, \$10,000 or more	LAB-7469-F6	§40.1-29	1Y-5Y	2
Withhold wages with intent to defraud, 2nd or subsequent	LAB-7468-F6	§40.1-29	1Y-5Y	2
<b>LYNCHING</b>				
<b>Refer To</b>				
Murder		§18.2-40	Varies (I / II)	1
<b>MENTAL HEALTH</b>				
<b>Civil Commitment</b>				
Sexually violent predator - Escape from facility	HEA-5530-F6	§37.2-917	1Y-5Y (II)	1
Sexually violent predator - Fail to return; on conditional release	HEA-5524-F6	§37.2-918	1Y-5Y	1
Sexually violent predator - Leave state while on conditional release	HEA-5531-F6	§37.2-918	1Y-5Y	1
<b>MOB</b>				
<b>Acts of Violence by Mob</b>				
See specific act		§18.2-42.1	Varies (I/II)	2
<b>MURDER</b>				
<b>Aggravated</b>				
Abduction, in commission of	MUR-0913-F1	§18.2-31(1)	Life-Life (I)	1
Continuing criminal drug enterprise, by person engaged in a	MUR-0926-F1	§18.2-31(10)	Life-Life (I)	1
Drug distribution involv. Sch. I or II, in furtherance of	MUR-0921-F1	§18.2-31(9)	Life-Life (I)	1
Judge	MUR-0990-F1	§18.2-31(14)	Life-Life (I)	1
Killing for hire	MUR-0922-F1	§18.2-31(2)	Life-Life (I)	1
Killing in the commission of terroristic act	MUR-0911-F1	§18.2-31(13)	Life-Life (I)	1
Killing person under age 14 by person 21 or older	MUR-0927-F1	§18.2-31(12)	Life-Life (I)	1
Law enforcement officer	MUR-0923-F1	§18.2-31(6)	Life-Life (I)	1
More than one person	MUR-0924-F1	§18.2-31(7)	Life-Life (I)	1
More than one person in a 3 year period	MUR-0961-F1	§18.2-31(8)	Life-Life (I)	1
Pregnant victim	MUR-0920-F1	§18.2-31(11)	Life-Life (I)	1
Prisoner	MUR-0932-F1	§18.2-31(3)	Life-Life (I)	1
Rape, sodomy, object penetration or attempt, during	MUR-0914-F1	§18.2-31(5)	Life-Life (I)	1
Robbery or attempted robbery, during	MUR-0933-F1	§18.2-31(4)	Life-Life (I)	1

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<b>MURDER</b>				
<b>Aggravated</b>				
Witness	MUR-0992-F1	§18.2-31(15)	Life-Life (I)	1
<b>Aggravated - Accessory Before the Fact / Principal 2nd Deg.</b>				
Continuing criminal drug enterprise, by person engaged in a	MUR-0908-F1	§18.2-31(10)	Life-Life (I)	1
Killing for hire	MUR-0909-F1	§18.2-31(2)	Life-Life (I)	1
Killing in the commission of terroristic act	MUR-0910-F1	§18.2-31(13)	Life-Life (I)	1
<b>Manslaughter</b>				
Voluntary manslaughter	MUR-0944-F5	§18.2-35	1Y-10Y (II)	2
<b>Non Aggravated Murder</b>				
First degree	MUR-0925-F2	§18.2-32	20Y-Life (I)	1
Second degree	MUR-0935-F9	§18.2-32	5Y-40Y (I)	1
Felony	MUR-0934-F9	§18.2-33	5Y-40Y (I)	1
Fetus of another, kill with premeditation	MUR-0937-F2	§18.2-32.2(A)	20Y-Life (I)	1
Fetus of another, unlawfully and maliciously kill	MUR-0938-F9	§18.2-32.2(B)	5Y-40Y (I)	1
Pregnant victim, without premeditation	MUR-0936-F9	§18.2-32.1	10Y-40Y (I)	1
<b>OBSCENITY</b>				
<b>Advertising</b>				
Advertisement of obscene items (subsequent)	OBS-3709-F6	§18.2-376	1Y-5Y	1
Obscene advertising, placards, bills, etc. (subsequent)	OBS-3723-F6	§18.2-377	1Y-5Y	1
<b>Coercing</b>				
Coercing acceptance of obscene publication (subsequent)	OBS-3711-F6	§18.2-378	1Y-5Y	1
<b>Computer</b>				
Sell obscene pictures/performances by computer (subsequent)	OBS-3739-F6	§18.2-376.1	1Y-5Y	1
<b>Minors</b>				
Permit minors in obscene performances (subsequent)	OBS-3720-F6	§18.2-379	1Y-5Y (II)	1
Unlawful creation of videographic/still image of a minor	OBS-3705-F6	§18.2-386.1	1Y-5Y	1
<b>Performances</b>				
Obscene exhibitions and performances (subsequent)	OBS-3725-F6	§18.2-375	1Y-5Y	1
<b>Pictures, Etc.</b>				
Production or possession for sale (subsequent offense)	OBS-3729-F6	§18.2-374	1Y-5Y	1
Unlawful creation of videographic/still image of another, 3rd/subsq.	OBS-3704-F6	§18.2-386.1	1Y-5Y	1
<b>Procurement</b>				
Receive money, etc., procuring < age 18 - manufacture obscene material	OBS-3694-F3	§18.2-356(ii)	5Y-20Y(II)	1
Receive money, etc., procuring person - manufacture obscene material	OBS-3696-F4	§18.2-356(ii)	2Y-10Y(II)	1
<b>Subsequent Offense</b>				
Subsequent pornography conviction under §§18.2-374 thru 18.2-379	OBS-3734-F6	§18.2-381	1Y-5Y (II)	1
<b>OBSCENITY - CHILD GROOMING</b>				
<b>Video</b>				
Display child porn or grooming video to child under age 13	OBS-3679-F6	§18.2-374.4	1Y-5Y (II)	1
<b>OBSCENITY - CHILD PORN</b>				
<b>Possession, Distribution, Reproduction</b>				
Possess child porn (first offense)	OBS-3731-F6	§18.2-374.1:1(A)	1Y-5Y (II)	2
Possess child porn (subsequent offense)	OBS-3732-F5	§18.2-374.1:1(B)	1Y-10Y (II)	1
Reproduce, transmit, sell, etc., child porn	OBS-3680-F9	§18.2-374.1:1(C,i)	5Y-20Y (II)	1
Reproduce, transmit, sell, etc., child porn, subsequent	OBS-3681-F9	§18.2-374.1:1(C,i)	5Y-20Y (II)	1
Solicitation of child porn to gain entry to group	OBS-3677-F9	§18.2-374.1:1(C,ii)	5Y-20Y (II)	1

4 Currently the 85% rule applies to all felony convictions

<u>Description</u>	<u>VCC</u>	<u>Statute</u>	<u>Penalty (Category)</u>	<u>85%</u>
<b>OBSCENITY - CHILD PORN</b>				
<b>Possession, Distribution, Reproduction</b>				
Solicitation of child porn to gain entry to group, subsequent	OBS-3678-F9	§18.2-374.1:1(C,ii)	5Y-20Y (II)	1
<b>Procurement</b>				
Receive money, etc., procuring < age 18 - manufacture child porn	OBS-3697-F3	§18.2-356(ii)	5Y-20Y(II)	1
Receive money, etc., procuring person - manufacture child porn	OBS-3695-F4	§18.2-356(ii)	2Y-10Y(II)	1
<b>Production, Publication, Sale, Financing</b>				
Entice minor to perform in porn, age <15	OBS-3741-F9	§18.2-374.1(B,1)	5Y-30Y (II)	1
Entice minor to perform in porn, age <15, offender 7+ yrs.	OBS-3742-F9	§18.2-374.1(B,1)	5Y-30Y (II)	1
Entice minor to perform in porn, age <15, offender 7+ yrs., 2nd/Subsq.	OBS-3743-F9	§18.2-374.1(B,1)	15Y-40Y (I)	1
Entice minor to perform in porn, age 15+	OBS-3744-F9	§18.2-374.1(B,1)	1Y-20Y (II)	1
Entice minor to perform in porn, age 15+, offender 7+ yrs.	OBS-3745-F9	§18.2-374.1(B,1)	3Y-30Y (II)	1
Entice minor to perform in porn, age 15+, offender 7+ yrs., 2nd/Subsq.	OBS-3746-F9	§18.2-374.1(B,1)	10Y-30Y (II)	1
Finance child porn, age < 15	OBS-3682-F9	§18.2-374.1(B,4)	5Y-30Y (II)	1
Finance child porn, age < 15, offender 7+ yrs.	OBS-3683-F9	§18.2-374.1(B,4)	5Y-30Y (II)	1
Finance child porn, age < 15, offender 7+ yrs., 2nd/Subsq.	OBS-3684-F9	§18.2-374.1(B,4)	15Y-40Y (I)	1
Finance child porn, age 15+	OBS-3685-F9	§18.2-374.1(B,4)	1Y-20Y (II)	1
Finance child porn, age 15+, offender 7+ yrs.	OBS-3686-F9	§18.2-374.1(B,4)	3Y-30Y (II)	1
Finance child porn, age 15+, offender 7+ yrs., 2nd/Subsq.	OBS-3687-F9	§18.2-374.1(B,4)	10Y-30Y (II)	1
Produce, make child porn, age <15	OBS-3747-F9	§18.2-374.1(B,2)	5Y-30Y (II)	1
Produce, make child porn, age <15, offender 7+ yrs.	OBS-3748-F9	§18.2-374.1(B,2)	5Y-30Y (II)	1
Produce, make child porn, age <15, offender 7+ yrs., 2nd/Subsq.	OBS-3749-F9	§18.2-374.1(B,2)	15Y-40Y (I)	1
Produce, make child porn, age 15+	OBS-3750-F9	§18.2-374.1(B,2)	1Y-20Y (II)	1
Produce, make child porn, age 15+, offender 7+ yrs.	OBS-3751-F9	§18.2-374.1(B,2)	3Y-30Y (II)	1
Produce, make child porn, age 15+, offender 7+ yrs., 2nd/Subsq.	OBS-3752-F9	§18.2-374.1(B,2)	10Y-30Y (II)	1
Take part, film child porn, age < 15	OBS-3753-F9	§18.2-374.1(B,3)	5Y-30Y (II)	1
Take part, film child porn, age < 15, offender 7+ yrs.	OBS-3754-F9	§18.2-374.1(B,3)	5Y-30Y (II)	1
Take part, film child porn, age < 15, offender 7+ yrs., 2nd/Subsq.	OBS-3755-F9	§18.2-374.1(B,3)	15Y-40Y (I)	1
Take part, film child porn, age 15+	OBS-3756-F9	§18.2-374.1(B,3)	1Y-20Y (II)	1
Take part, film child porn, age 15+, offender 7+ yrs.	OBS-3757-F9	§18.2-374.1(B,3)	3Y-30Y (II)	1
Take part, film child porn, age 15+, offender 7+ yrs., 2nd/Subsq.	OBS-3760-F9	§18.2-374.1(B,3)	10Y-30Y (II)	1
Use appropriate VCC for child less than age 15		§18.2-374.1(C1)		1
Use appropriate VCC for child age 15 or more		§18.2-374.1(C2)		1
<b>Website</b>				
Operate website; access to sexually explicit material for payment	OBS-3740-F4	§18.2-374.1:1(D)	2Y-10Y (II)	1
<b>OBSCENITY - CHILD SOLICITATION</b>				
<b>Communications System</b>				
Procure minor for obscene material by communications system	OBS-3730-F6	§18.2-374.3(B)	1Y-5Y (II)	1
Procure minor for prostitution, sodomy, porn by communications system	OBS-3689-F5	§18.2-374.3(E)	1Y-10Y (II)	1
Propose sex act by communications sys. age <15	OBS-3701-F5	§18.2-374.3(C)	1Y-10Y (II)	1
Propose sex act by communications sys. age <15, offender 7+ yr	OBS-3702-F9	§18.2-374.3(C)	5Y-30Y (II)	1
Propose sex act by communications sys. age <15, offender 7+ yr, 2nd+	OBS-3703-F9	§18.2-374.3(C)	10Y-40Y (I)	1
Propose sex act by communications sys. age 15+, offender 7+ yr	OBS-3690-F5	§18.2-374.3(D)	1Y-10Y (II)	1
Propose sex act by communications sys. age 15+, offender 7+ yr, 2nd+	OBS-3691-F9	§18.2-374.3(D)	1Y-20Y (II)	1

**PROTECTIVE ORDERS**

<u>Description</u>	<u>VCC</u>	<u>Statute</u>	<u>Penalty (Category)</u>	<u>85%</u>
<b>PROTECTIVE ORDERS</b>				
<b>Juvenile &amp; Domestic Court</b>				
Armed with deadly weapon, violation of protective order while	PRT-5073-F6	§16.1-253.2(B)	1Y-5Y (II)	1
Assault with injury to person with protective order	PRT-5004-F6	§16.1-253.2(C)	1Y-5Y (II)	1
Enter home of person with protective order	PRT-5003-F6	§16.1-253.2(C)	1Y-5Y (II)	1
Stalk person with protective order	PRT-5065-F6	§16.1-253.2(C)	1Y-5Y (II)	1
Violation of protective order (violence) 3rd w/in 20 yrs.	PRT-5002-F6	§16.1-253.2(A)	1Y-5Y (II)	1
<b>Other</b>				
Armed with deadly weapon, violation of protective order while	PRT-5074-F6	§18.2-60.4(B)	1Y-5Y (II)	1
Assault with injury to person with protective order	PRT-5063-F6	§18.2-60.4(C)	1Y-5Y (II)	1
Enter home of person with protective order	PRT-5064-F6	§18.2-60.4(C)	1Y-5Y (II)	1
Stalk person with protective order	PRT-5075-F6	§18.2-60.4(C)	1Y-5Y (II)	1
Violation of protective order (violence) 3rd w/in 20 yrs.	PRT-5067-F6	§18.2-60.4(A)	1Y-5Y (II)	1
<b>ROBBERY</b>				
<b>Carjacking</b>				
Carjacking	ROB-1217-F9	§18.2-58.1(A)	15Y-Life (I)	1
Carjacking with use of gun or simulated gun	ROB-1224-F9	§18.2-58.1(A)	15Y-Life (I)	1
<b>Death</b>				
Robbery causes death	ROB-1230-F2	§18.2-58(1)	20Y-Life(I)	1
<b>Firearm</b>				
Robbery by using firearm or displaying a firearm	ROB-1232-F3	§18.2-58(2)	5Y-20Y(II)	1
<b>Injury, No Serious</b>				
Robbery by using physical force, no serious bodily injury	ROB-1233-F5	§18.2-58(3)	1Y-10Y(II)	1
<b>Injury, Serious</b>				
Robbery causes serious bodily injury	ROB-1231-F2	§18.2-58(1)	20Y-Life(I)	1
<b>Threat</b>				
Robbery by threat etc., no deadly weapon	ROB-1239-F6	§18.2-58(4)	1Y-5Y(II)	1
<b>Weapon, Other Deadly</b>				
Robbery by using or displaying other deadly weapon (not firearm)	ROB-1234-F5	§18.2-58(3)	1Y-10Y(II)	1
<b>SEX OFFENSES</b>				
<b>Bestiality</b>				
Bestiality, carnally know any brute animal	SEX-3606-F6	§18.2-361(A)	1Y-5Y	1
<b>Commercial Sex Trafficking</b>				
Sex trafficking	SEX-3662-F5	§18.2-357.1(A)	1Y-10Y (II)	1
Sex trafficking by force, etc.	SEX-3663-F4	§18.2-357.1(B)	2Y-10Y (II)	1
Sex trafficking of person less than age 18	SEX-3664-F3	§18.2-357.1(C)	5Y-20Y (II)	1
<b>Concubinage</b>				
Receive money, etc., for procuring < age 18 to engage in concubinage	SEX-3698-F3	§18.2-356(ii)	5Y-20Y(II)	1
Receive money, etc., for procuring person to engage in concubinage	SEX-3647-F4	§18.2-356(ii)	2Y-10Y(II)	1
<b>Incest, Forbidden to Marry</b>				
W/own or step child/grandchild age 13 to 17 (incest)	SEX-3642-F3	§18.2-366(B)	5Y-20Y (II)	1
With own or step child or grandchild, father, mother, etc. (incest)	SEX-3616-F5	§18.2-366(B)	1Y-10Y (II)	1
<b>Indecent Liberties</b>				
Child under age 15	SEX-3643-F5	§18.2-370(A)	1Y-10Y (II)	1
Parent/grandparent, etc., child age less than 15	SEX-3645-F4	§18.2-370(D,ii)	2Y-10Y (II)	1
Parent/grandparent, etc., child age of 15 to 17	SEX-3644-F5	§18.2-370(D,i)	1Y-10Y (II)	1
Receive money, allowing minor subject of sexual material	SEX-3669-F5	§18.2-370(B)	1Y-10Y (II)	1

6 Currently the 85% rule applies to all felony convictions

<u>Description</u>	<u>VCC</u>	<u>Statute</u>	<u>Penalty (Category)</u>	<u>85%</u>
(§ 17.1-805)				
<b>SEX OFFENSES</b>				
<b>Indecent Liberties</b>				
Receive money, allowing minor subject of sexual material, subsq.	SEX-3670-F4	§18.2-370(C)	2Y-10Y (II)	1
Take indecent liberties with child - 2nd or Subsequent	SEX-3666-F4	§18.2-370(C)	2Y-10Y (II)	1
Take indecent liberties with child - custodian	SEX-3635-F6	§18.2-370.1(A)	1Y-5Y (II)	1
Take indecent liberties with child - custodian, 2nd/subsq.	SEX-3668-F5	§18.2-370.1(B)	1Y-10Y (II)	1
<b>Prostitution</b>				
Aiding/assisting in procurement of person <18	SEX-3611-F6	§18.2-348	1Y-5Y(II)	1
Compel to marry by force or threats	SEX-3624-F4	§18.2-355(2)	2Y-10Y (II)	1
Enticement, procurement	SEX-3626-F4	§18.2-355(1)	2Y-10Y(II)	1
Minor, take etc., for prostitution, pandering	SEX-3607-F3	§18.2-355(4)	5Y-20Y(II)	1
Pander, pimp, or receive money from person < age 18	SEX-3648-F3	§18.2-357	5Y-20Y(II)	1
Pander, pimp, or receive money from prostitute	SEX-3628-F4	§18.2-357	2Y-10Y(II)	1
Parent permitting child	SEX-3629-F4	§18.2-355(3)	2Y-10Y (II)	1
Place or leave wife for prostitution (pandering)	SEX-3630-F4	§18.2-368	2Y-10Y (II)	1
Receive money, etc., for procuring < age 18 to engage in prostitution	SEX-3699-F3	§18.2-356(ii)	5Y-20Y(II)	1
Receive money, etc., for procuring person to engage in prostitution	SEX-3646-F4	§18.2-356(ii)	2Y-10Y(II)	1
Receive money, etc., for procuring/placing < age 18 to engage in sex	SEX-3692-F3	§18.2-356(i)	5Y-20Y(II)	1
Receive money, etc., for procuring/placing person to engage in sex act	SEX-3631-F4	§18.2-356(i)	2Y-10Y(II)	1
Solicitation of prostitution from minor age 16 or older	SEX-3650-F6	§18.2-346.01(i)	1Y-5Y(II)	1
Solicitation of prostitution from minor less than age 16	SEX-3651-F5	§18.2-346.01(ii)	1Y-10Y(II)	1
Using vehicle to promote prostitution of person <18	SEX-3612-F6	§18.2-349	1Y-5Y(II)	1
<b>Schools, Day Care, Playgrounds, Etc.</b>				
Enter school property, etc., after Tier III sex offense conviction	SEX-3673-F6	§18.2-370.5	1Y-5Y	1
Loitering at school after conv. prohibits proximity to children	SEX-3667-F6	§18.2-370.2(B)	1Y-5Y	1
Loitering at school, contact at playground etc., after conviction	SEX-3693-F6	§18.2-370.2	1Y-5Y	1
Near playground etc., after conviction prohibits proximity to children	SEX-3675-F6	§18.2-370.2(C)	1Y-5Y	1
Reside near park after conviction prohibits proximity to children	SEX-3676-F6	§18.2-370.3(C)	1Y-5Y	1
Reside near school after conviction prohibits proximity to children	SEX-3671-F6	§18.2-370.3(A)	1Y-5Y	1
Work, etc., at school after conviction prohibits proximity to children	SEX-3672-F6	§18.2-370.4	1Y-5Y	1
<b>Sodomy</b>				
Family member to family member	SEX-3641-F5	§18.2-361(B)	1Y-10Y (II)	1
Parent/grandparent to child/grandchild age 13 to 17	SEX-3640-F3	§18.2-361(B)	5Y-20Y (II)	1
<b>SEXUAL ASSAULT</b>				
<b>Aggravated Sexual Battery</b>				
Battery as treatment, not recognized in the profession	RAP-1116-F9	§18.2-67.3(A,5)	1Y-20Y (II)	1
Force, threat, intimidation of victim age 13 or 14	RAP-1145-F9	§18.2-67.3(A,4,a)	1Y-20Y (II)	1
Force, threat, intimidation with serious injury	RAP-1146-F9	§18.2-67.3(A,4,b)	1Y-20Y (II)	1
Force, threat, intimidation with threat of weapon	RAP-1147-F9	§18.2-67.3(A,4,c)	1Y-20Y (II)	1
Mental incapacity or helplessness, through the use of	RAP-1144-F9	§18.2-67.3(A,2)	1Y-20Y (II)	1
Parent/grandparent, etc., with child age 13 to 17	RAP-1148-F9	§18.2-67.3(A,3)	1Y-20Y (II)	1
Victim under age 13	RAP-1121-F9	§18.2-67.3(A,1)	1Y-20Y (II)	1
Aggravated Sexual Battery - Type not clear from record	RAP-1159-F9	§18.2-67.3	1Y-20Y (II)	1
<b>Attempts, Felony</b>				
Use VCC for actual crime & change "F" to "A" in code		§18.2-67.5	Varies (II)	1
<b>Battery, Infected Sexual</b>				

<u>Description</u>	<u>VCC</u>	<u>Statute</u>	<u>Penalty (Category)</u>	<u>85%</u>
<b>SEXUAL ASSAULT</b>				
<b>Battery, Infected Sexual</b>				
Sexual behavior with intent to transmit and transmits infection	RAP-1174-F6	§18.2-67.4:1(A)	1Y-5Y (II)	1
<b>Carnal Knowledge/Statutory Rape No Force</b>				
Age of victim 13, 14	RAP-1124-F4	§18.2-63(A)	2Y-10Y (II)	1
Carnal knowledge by employee of bail bond company	RAP-1117-F6	§18.2-64.2	1Y-5Y	1
Consenting victim age 13,14 - accused minor 3+ yrs. older	RAP-1123-F6	§18.2-63(B)	1Y-5Y	1
Carnal knowledge of person detained etc., by DOC, DJJ staff or LEO	RAP-1118-F6	§18.2-64.2	1Y-5Y	1
Person providing service under purview of court, corrections	RAP-1125-F6	§18.2-64.1	1Y-5Y (II)	1
<b>Object Sexual Penetration</b>				
By force, threat, intim. or via mental incap/helpless of victim	RAP-1135-F9	§18.2-67.2(A,2)	5Y-Life (I)	1
Spouse by force, threat, etc.	RAP-1143-F9	§18.2-67.2(A)	5Y-Life (I)	1
Victim under age 13	RAP-1136-F9	§18.2-67.2(A,1)	5Y-Life (I)	1
Victim under age 13 (indicted as an adult)	RAP-1154-F9	§18.2-67.2(A,1)	Life-Life (I)	1
Victim under age 13, w/kidnapping, burglary, wounding	RAP-1152-F9	§18.2-67.2(A,1)	25Y-Life (I)	1
Object Sexual Penetration - Type not clear from record	RAP-1166-F9	§18.2-67.2		1
<b>Rape, Forcible</b>				
Intercourse w/victim thru mental incapacity/helplessness	RAP-1128-F9	§18.2-61(A,ii)	5Y-Life (I)	1
Intercourse with victim by force, threat or intimidation	RAP-1129-F9	§18.2-61(A,i)	5Y-Life (I)	1
Intercourse with victim under age 13	RAP-1130-F9	§18.2-61(A,iii)	5Y-Life (I)	1
Intercourse with victim under age 13 (indicted as an adult)	RAP-1131-F9	§18.2-61(A,iii)	Life-Life (I)	1
Intercourse with victim under age 13, w/kidnapping, burglary, wounding	RAP-1150-F9	§18.2-61(A,iii)	25Y-Life (I)	1
Spouse by force, threat, etc.	RAP-1141-F9	§18.2-61(A)	5Y-Life (I)	1
Rape, Forcible - Type not clear from record	RAP-1162-F9	§18.2-61		1
<b>Sodomy, Forcible</b>				
By force, threat, mental incap/helplessness of victim age 13+	RAP-1132-F9	§18.2-67.1(A,2)	5Y-Life (I)	1
Spouse by force, threat, etc.	RAP-1142-F9	§18.2-67.1(A)	5Y-Life (I)	1
Victim under age 13	RAP-1133-F9	§18.2-67.1(A,1)	5Y-Life (I)	1
Victim under age 13 (indicted as an adult)	RAP-1153-F9	§18.2-67.1(A,1)	Life-Life (I)	1
Victim under age 13, w/kidnapping, burglary, wounding	RAP-1151-F9	§18.2-67.1(A,1)	25Y-Life (I)	1
Sodomy, Forcible - Type not clear from record	RAP-1165-F9	§18.2-67.1		1
<b>Subsequent Violent Felony</b>				
Use VCC for offense & change position 8 of VCC to "X"		§18.2-67.5:2	Max. (II)	1
Use VCC for offense & change position 8 of VCC to "X"		§18.2-67.5:3	Max. (I/II)	1
<b>Third Conviction, Sexual Abuse</b>				
3rd conviction, consensual intercourse, sodomy, with a child	RAP-1139-F6	§18.2-67.5:1	1Y-5Y	1
3rd conviction, indecent exposure	RAP-1140-F6	§18.2-67.5:1	1Y-5Y	1
3rd conviction, peeping	RAP-1149-F6	§18.2-67.5:1	1Y-5Y	1
3rd conviction, sexual battery	RAP-1137-F6	§18.2-67.5:1	1Y-5Y (II)	1
3rd conviction, sexual battery, attempted	RAP-1138-F6	§18.2-67.5:1	1Y-5Y (II)	1
<b>SOLICITATION</b>				
<b>Solicitation to commit a murder</b>				
Solicitation to commit murder	SOL-7202-F9	§18.2-29	5Y-40Y (I)	1
<b>STALKING</b>				
<b>Type</b>				
Stalking with intent to cause fear, etc., 2nd offense w/in 5 years	STK-2116-F6	§18.2-60.3(B)	1Y-5Y (II)	1



<u>Description</u>	<u>VCC</u>	<u>Statute</u>	<u>Penalty (Category)</u>	<u>85%</u>
<b>TERRORISM</b>				
<b>Act</b>				
Act of terrorism - base offense 20 years or more	TER-8000-F2	§18.2-46.5(A)	20Y-Life (I)	1
Act of terrorism - base offense less than 20 years	TER-8001-F3	§18.2-46.5(B)	5Y-20Y (II)	2
<b>Biological</b>				
Malicious biological destruction of crops/animals value \$2500 or more	TER-8005-F3	§18.2-46.7	5Y-20Y (II)	2
<b>Material Support</b>				
Provide material support to terrorist	TER-8008-F3	§18.2-46.5(D)	5Y-20Y (II)	2
Provide material support to terrorist, results in death	TER-8009-F2	§18.2-46.5(D)	20Y-Life (I)	1
<b>Solicit</b>				
Solicit, recruit, etc., another for act of terrorism	TER-8006-F4	§18.2-46.5(C)	2Y-10Y (II)	2
<b>Weapon</b>				
Possess, etc., weapon of terrorism w/intent to terrorize	TER-8002-F2	§18.2-46.6(A)	20Y-Life (I)	1
<b>TREASON</b>				
<b>Type</b>				
Levying war against national or state government	TRE-0111-F2	§18.2-481	20Y-Life (I)	1
<b>TRESPASS</b>				
<b>School Property</b>				
Intent to abduct from school property/bus, (not parent)	TRS-5707-F6	§18.2-128(B)	1Y-5Y	1
<b>VIOLENT ACTIVITIES</b>				
<b>Type</b>				
Burn object on highway/public place w/intent to intimidate	VIO-5333-F6	§18.2-423.01(B)	1Y-5Y (II)	2
Burn object on private property w/intent to intimidate	VIO-5332-F6	§18.2-423.01(A)	1Y-5Y (II)	2
Cross, burn to intimidate	VIO-5328-F6	§18.2-423	1Y-5Y (II)	2
Noose, display in public place to intimidate	VIO-5339-F6	§18.2-423.2	1Y-5Y (II)	2
Noose, display on private property to intimidate	VIO-5338-F6	§18.2-423.2	1Y-5Y (II)	2
Paramilitary activity to cause disorder, teach, assemble for	VIO-5331-F5	§18.2-433.2	1Y-10Y (II)	2
Swastika, placement on building to intimidate	VIO-5329-F6	§18.2-423.1	1Y-5Y (II)	2
<b>WEAPONS</b>				
<b>Machine Guns</b>				
Possession in perpetration of crime	WPN-5227-F2	§18.2-289	20Y-Life (I)	1
<b>Sawed-off Shotguns</b>				
Possession in perpetration of violent crime	WPN-5261-F2	§18.2-300(A)	20Y-Life (I)	1