

Assault Section A

Offender Name: _____

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

- A. Assault and battery against a family member, third or subsequent conviction (1 count).....2
- B. Assault and battery against a law enforcement officer, fire or medical services, etc. (1 count)6
- C. Any attempted or conspired assault and battery, unlawful injury or strangulation (1 count)(1)
- D. Unlawful injury to law enforcement officer, fire/rescue personnel services, etc. (1 count).....7
- E. Any other unlawful injury
 - 1 count1
 - 2 counts.....3
- F. Any attempted or conspired malicious injury (1 count).....(3)
- G. Any attempted, conspired or completed aggravated malicious injury (1 count).....7
- H. Malicious injury to a law enforcement officer, fire/rescue personnel, etc. (1 count).....7
- I. Any other malicious injury or assault by mob (1 count).....7
- J. Use of firearm in the commission of a felony (1 count)4
- K. DWI with reckless disregard, victim permanently impaired
 - 1 count1
 - 2 counts.....3
- L. Strangulation (1 count).....3

Score

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

- | | | | |
|---------------------|---|------------------|---|
| Years: 3 - 10 | 1 | 24 - 31 | 4 |
| 11 - 17 | 2 | 32 - 39 | 5 |
| 18 - 23 | 3 | 40 or more | 6 |

0	
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3 Additional Offenses Total the maximum penalties for additional offenses, including counts

<p>Primary offense: K: DWI with Reckless Disregard</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Years</th> <th style="text-align: right;">Points</th> </tr> </thead> <tbody> <tr><td>Less than 2</td><td style="text-align: right;">0</td></tr> <tr><td>2 - 17</td><td style="text-align: right;">2</td></tr> <tr><td>18 - 23</td><td style="text-align: right;">3</td></tr> <tr><td>24 - 31</td><td style="text-align: right;">4</td></tr> <tr><td>32 - 39</td><td style="text-align: right;">5</td></tr> <tr><td>40 or more</td><td style="text-align: right;">6</td></tr> </tbody> </table>	Years	Points	Less than 2	0	2 - 17	2	18 - 23	3	24 - 31	4	32 - 39	5	40 or more	6	<p>Primary offense: All other offenses</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Years</th> <th style="text-align: right;">Points</th> </tr> </thead> <tbody> <tr><td>Less than 2</td><td style="text-align: right;">0</td></tr> <tr><td>2 - 10</td><td style="text-align: right;">1</td></tr> <tr><td>11 - 17</td><td style="text-align: right;">2</td></tr> <tr><td>18 - 23</td><td style="text-align: right;">3</td></tr> <tr><td>24 - 31</td><td style="text-align: right;">4</td></tr> <tr><td>32 - 39</td><td style="text-align: right;">5</td></tr> <tr><td>40 or more</td><td style="text-align: right;">6</td></tr> </tbody> </table>	Years	Points	Less than 2	0	2 - 10	1	11 - 17	2	18 - 23	3	24 - 31	4	32 - 39	5	40 or more	6
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40 or more	6																														

0	
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4 Weapon Used _____

- None.....0
- Automobile, simulated weapon, or other than firearm.....1
- Firearm.....2

0	
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5 Life Threatening Injury _____ If YES, add 2

0	
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6 Prior Convictions/Adjudications Total the maximum penalties for the 5 most recent and serious prior record events

<p>Primary offense: K: DWI with Reckless Disregard</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Years (12 months = 1 year)</th> <th style="text-align: right;">Points</th> </tr> </thead> <tbody> <tr><td>Less than 1</td><td style="text-align: right;">0</td></tr> <tr><td>1 - 46</td><td style="text-align: right;">2</td></tr> <tr><td>47 or more</td><td style="text-align: right;">3</td></tr> </tbody> </table>	Years (12 months = 1 year)	Points	Less than 1	0	1 - 46	2	47 or more	3	<p>Primary offense: All other offenses</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Years</th> <th style="text-align: right;">Points</th> </tr> </thead> <tbody> <tr><td>Less than 7</td><td style="text-align: right;">0</td></tr> <tr><td>7 - 23</td><td style="text-align: right;">1</td></tr> <tr><td>24 - 46</td><td style="text-align: right;">2</td></tr> <tr><td>47 or more</td><td style="text-align: right;">3</td></tr> </tbody> </table>	Years	Points	Less than 7	0	7 - 23	1	24 - 46	2	47 or more	3
Years (12 months = 1 year)	Points																		
Less than 1	0																		
1 - 46	2																		
47 or more	3																		
Years	Points																		
Less than 7	0																		
7 - 23	1																		
24 - 46	2																		
47 or more	3																		

0	
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7 Prior Incarcerations/Commitments _____ If YES, add 2

0	
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8 Prior Juvenile Record _____ If YES, add 2

0	
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9 Legally Restrained at Time of Offense _____

- None.....0
- Other, supervised probation.....3
- Parole, post-release, supervised probation after incarceration.....5

0	
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**SCORE THE FOLLOWING FACTOR ONLY IF PRIMARY OFFENSE AT CONVICTION IS A:
ASSAULT & BATTERY AGAINST A FAMILY MEMBER - § 18.2-57.2(B)**

10 Type of Prior Felony Person Convictions/Adjudications _____

- None.....0
- Assault and battery against a family member, third or subsequent (§18.2-57.2(B)).....3
- Other person felony.....4

0	
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Total Score _____

If total is 5 or less, go to **Section B**. If total is 6 or more, go to **Section C**.

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Assault Section B

Offender Name: _____

1 Primary Offense _____

Any felony assault 1

Score
▼

0	
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2 Victim Injury _____

Threatened, emotional, physical, or serious physical 2

Life Threatening 4

Score
▼

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3 Additional Offenses Total the maximum penalties for additional offenses, including counts

Primary offense: Strangulation (§ 18.2-51.6)		Primary offense: All other offenses	
Maximum Penalty (years)	Points	Maximum Penalty (years)	Points
Less than 5	5	Less than 5	1
5 or more	6	5 or more	2

Score
▼

0	
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4 Weapon Used or Brandished _____ If YES, add 2 →

0	
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5 Prior Convictions/Adjudications Total the maximum penalties for the 5 most recent and serious prior record events

Primary offense: Attempted, Conspired or Completed Strangulation (§ 18.2-51.6)		Primary offense: All other offenses	
Maximum Penalty (years)	Points	Maximum Penalty (years)	Points
Less than 5	0	Less than 5	0
5 - 18	3	5 - 18	1
19 - 38	4	19 - 38	2
39 or more	5	39 or more	3

Score
▼

0	
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6 Prior Juvenile Record _____ If YES, add 3 →

0	
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SCORE THE FOLLOWING FACTORS ONLY IF PRIMARY OFFENSE AT CONVICTION IS ASSAULT & BATTERY AGAINST A FAMILY MEMBER (§ 18.2-57.2(B)) OR STRANGULATION (§ 18.2-51.6)

7 Prior Incarcerations/Commitments _____

Number: 1 1

2 3

3 or more 5

Score
▼

0	
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8 Prior Misdemeanor Convictions/Adjudications (Excludes Traffic) _____

Number of Counts: 1 - 2 0

3 - 5 1

6 - 8 2

9 or more 3

Score
▼

0	
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Total Score _____ →

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

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Assault/ Section B

Assault Section C

Offender Name: _____

Prior Record Classification _____

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

A. Assault and battery against a family member, third or subsequent conviction or strangulation (1 count)	28	14	7
B. Assault and battery against a law enforcement officer, fire or medical services, etc. (1 count)	32	16	8
C. Unlawful injury (1 count)	32	16	8
D. Any attempted or conspired malicious injury (1 count)	(68)	(34)	(17)
E. Any completed malicious injury or assault by mob			
1 count	102	68	34
2 counts	120	80	40
3 counts	204	136	68
F. Aggravated malicious injury (1 count)	321	214	107
G. Use of firearm in the commission of a felony - first offense (1 count)	32	32	32
H. Use of firearm in the commission of a felony - subsequent offense (1 count)	56	56	56
I. DWI with reckless disregard, victim permanently impaired (1 count)	48	24	12

Score

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2 Primary Offense Remaining Counts Assign points to each count of the primary not scored above and total the points

Primary offense: D, E, F, G, or H: All malicious wounding or use of a firearm	Primary offense: A, B, C, or I: Unlawful injury, any assault and battery, or DWI																				
<table border="0"> <tr> <th>Maximum Penalty (years)</th> <th>Points</th> </tr> <tr> <td>3</td> <td>2</td> </tr> <tr> <td>5</td> <td>3</td> </tr> <tr> <td>10</td> <td>6</td> </tr> <tr> <td>20</td> <td>13</td> </tr> <tr> <td>30</td> <td>19</td> </tr> <tr> <td>Life</td> <td>26</td> </tr> </table>	Maximum Penalty (years)	Points	3	2	5	3	10	6	20	13	30	19	Life	26	<table border="0"> <tr> <th>Maximum Penalty (years)</th> <th>Points</th> </tr> <tr> <td>5</td> <td>3</td> </tr> <tr> <td>10</td> <td>5</td> </tr> </table>	Maximum Penalty (years)	Points	5	3	10	5
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3 Additional Offenses Assign points to each additional offense (including counts) and total the points

Primary offense: D, E, F, G, or H: All malicious wounding or use of a firearm	Primary offense: A, B, C, or I: Unlawful injury, any assault and battery, or DWI																																				
<table border="0"> <tr> <th>Maximum Penalty (years) (12 months = 1 year)</th> <th>Points</th> </tr> <tr> <td>Less than 1</td> <td>0</td> </tr> <tr> <td>1, 2</td> <td>1</td> </tr> <tr> <td>3</td> <td>2</td> </tr> <tr> <td>4, 5</td> <td>3</td> </tr> <tr> <td>10, 15</td> <td>6</td> </tr> <tr> <td>20</td> <td>13</td> </tr> <tr> <td>30</td> <td>19</td> </tr> <tr> <td>40, 50, Life</td> <td>26</td> </tr> </table>	Maximum Penalty (years) (12 months = 1 year)	Points	Less than 1	0	1, 2	1	3	2	4, 5	3	10, 15	6	20	13	30	19	40, 50, Life	26	<table border="0"> <tr> <th>Maximum Penalty (years) (12 months = 1 year)</th> <th>Points</th> </tr> <tr> <td>Less than 1</td> <td>0</td> </tr> <tr> <td>1, 2</td> <td>1</td> </tr> <tr> <td>3, 4</td> <td>2</td> </tr> <tr> <td>5</td> <td>3</td> </tr> <tr> <td>10, 15</td> <td>5</td> </tr> <tr> <td>20</td> <td>11</td> </tr> <tr> <td>30</td> <td>16</td> </tr> <tr> <td>40, 50, Life</td> <td>22</td> </tr> </table>	Maximum Penalty (years) (12 months = 1 year)	Points	Less than 1	0	1, 2	1	3, 4	2	5	3	10, 15	5	20	11	30	16	40, 50, Life	22
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4 Weapon Used

Primary offense: D, E, F, G, or H: All malicious wounding or use of a firearm	Primary offense: A, B, C, or I: Unlawful injury, any assault and battery, or DWI										
<table border="0"> <tr> <td>Simulated weapon or other than listed below</td> <td>0</td> </tr> <tr> <td>Knife or firearm</td> <td>4</td> </tr> </table>	Simulated weapon or other than listed below	0	Knife or firearm	4	<table border="0"> <tr> <td>Simulated weapon or other than listed below</td> <td>0</td> </tr> <tr> <td>Knife</td> <td>2</td> </tr> <tr> <td>Firearm</td> <td>3</td> </tr> </table>	Simulated weapon or other than listed below	0	Knife	2	Firearm	3
Simulated weapon or other than listed below	0										
Knife or firearm	4										
Simulated weapon or other than listed below	0										
Knife	2										
Firearm	3										

0	0	
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5 Number of Victims Receiving Life Threatening Injury

Primary offense: D, E, F, G, or H: All malicious wounding or use of a firearm	Primary offense: A, B, C, or I: Unlawful injury, any assault and battery, or DWI												
<table border="0"> <tr> <th>Number</th> <th>Score</th> </tr> <tr> <td>1</td> <td>14</td> </tr> <tr> <td>2</td> <td>70</td> </tr> <tr> <td>3 or more</td> <td>85</td> </tr> </table>	Number	Score	1	14	2	70	3 or more	85	<table border="0"> <tr> <th>Number</th> <th>Score</th> </tr> <tr> <td>1 or more</td> <td>3</td> </tr> </table>	Number	Score	1 or more	3
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2	70												
3 or more	85												
Number	Score												
1 or more	3												

0		
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6 Prior Convictions/Adjudications Assign points to the 5 most recent and serious prior record events and total the points

Primary offense: D, E, F, G, or H: All malicious wounding or use of a firearm	Primary offense: A, B, C, or I: Unlawful injury, any assault and battery, or DWI																								
<table border="0"> <tr> <th>Maximum Penalty (years)</th> <th>Points</th> </tr> <tr> <td>Less than 5</td> <td>0</td> </tr> <tr> <td>5, 10, 15</td> <td>1</td> </tr> <tr> <td>20</td> <td>2</td> </tr> <tr> <td>30</td> <td>3</td> </tr> <tr> <td>40, 50, Life</td> <td>4</td> </tr> </table>	Maximum Penalty (years)	Points	Less than 5	0	5, 10, 15	1	20	2	30	3	40, 50, Life	4	<table border="0"> <tr> <th>Maximum Penalty (years)</th> <th>Points</th> </tr> <tr> <td>Less than 4</td> <td>0</td> </tr> <tr> <td>4, 5, 10, 15</td> <td>1</td> </tr> <tr> <td>20</td> <td>3</td> </tr> <tr> <td>30</td> <td>4</td> </tr> <tr> <td>40, 50, Life</td> <td>6</td> </tr> </table>	Maximum Penalty (years)	Points	Less than 4	0	4, 5, 10, 15	1	20	3	30	4	40, 50, Life	6
Maximum Penalty (years)	Points																								
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0		
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7 Prior Felony Convictions/Adjudications Against Person

Primary offense: D, E, F, G, or H: All malicious wounding or use of a firearm	Primary offense: A, B, C, or I: Unlawful injury, any assault and battery, or DWI								
<table border="0"> <tr> <th>Number</th> <th>Score</th> </tr> <tr> <td>1</td> <td>6</td> </tr> <tr> <td>2</td> <td>12</td> </tr> <tr> <td>3 or more</td> <td>18</td> </tr> </table>	Number	Score	1	6	2	12	3 or more	18	<p style="text-align: center;">Do Not Score</p>
Number	Score								
1	6								
2	12								
3 or more	18								

0		
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8 Legally Restrained at Time of Offense

Primary offense: D, E, F, G, or H: All malicious wounding or use of a firearm	Primary offense: A, B, C, or I: Unlawful injury, any assault and battery, or DWI
If YES, add 6	If YES, add 2

0	0	
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Total Score _____

See Assault Section C Recommendation Table for guidelines sentence range.

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