

Penalties for Sex Offenses in Virginia

Description	VCC	Statute	Penalty	MM
SEX OFFENSES				
Adultery and Fornication				
Adultery - generally	SEX-3613-M4	§18.2-365	Fine	
By persons forbidden to marry	SEX-3614-M1	§18.2-366(A)	0-12M	
Fornication, unmarried	SEX-3619-M4	§18.2-344	Fine	
W/own child/grandchild age 13 to 17 (incest)	SEX-3642-F3	§18.2-366(B)	5Y-20Y (II)	
With own child or grandchild, father, mother, etc. (incest)	SEX-3616-F5	§18.2-366(B)	1Y-10Y (II)	
Bestiality				
Bestiality, carnally know any brute animal	SEX-3606-F6	§18.2-361(A)	1Y-5Y	
Bigamy				
Bigamy	SEX-3618-F4	§18.2-362	2Y-10Y	
Concubinage				
Receive money, etc., for procuring person to engage in concubinage	SEX-3647-F4	§18.2-356(ii)	2Y-10Y	
Consensual Intercourse				
See Family Offense/Minors or Sexual Assault/Carnal Knowledge				
Indecent Exposure				
See Obscenity				
Indecent Liberties				
Accused minor >13, indecent liberties w/child 5 yrs his junior	SEX-3665-M1	§18.2-370.01(A)	0-12M	
Child under age 15	SEX-3643-F5	§18.2-370(A)	1Y-10Y (II)	
Parent/grandparent etc., child age 15 to 17, use §18.2-370(D)		§18.2-370.1		
Parent/grandparent etc., child age less than 15, use §18.2-370(D)		§18.2-370.1		
Parent/grandparent, etc., child age less than 15	SEX-3645-F4	§18.2-370(D,ii)	2Y-10Y (II)	
Parent/grandparent, etc., child age of 15 to 17	SEX-3644-F5	§18.2-370(D,i)	1Y-10Y (II)	
Receive money, allowing minor subject of sexual material	SEX-3669-F5	§18.2-370(B)	1Y-10Y (II)	
Receive money, allowing minor subject of sexual material, subseq.	SEX-3670-F4	§18.2-370(C)	2Y-10Y (II)	
Take indecent liberties with child - 2nd or Subsequent	SEX-3666-F4	§18.2-370(C)	2Y-10Y (II)	
Take indecent liberties with child - custodian	SEX-3635-F6	§18.2-370.1(A)	1Y-5Y (II)	
Take indecent liberties with child - custodian, 2nd/subseq.	SEX-3668-F5	§18.2-370.1(B)	1Y-10Y (II)	
Kissing				
Penetrate with tongue, mouth of a child under age 13	SEX-3674-M1	§18.2-370.6	0-12M	
Obscenity				
See Obscenity				
Peeping				
See Trespass				
Pornography				
Also see Pornography Registry, Obscenity or Computer Crimes				
Prostitution				
Also see Labor and Obscenity				
Aiding/assisting in procurement	SEX-3623-M1	§18.2-348	0-12M	

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SEX OFFENSES				
Prostitution				
Compel to marry by force or threats	SEX-3624-F4	§18.2-355(2)	2Y-10Y (II)	
Enticement, procurement	SEX-3626-F4	§18.2-355(1)	2Y-10Y	
Maintain or frequent bawdy place	SEX-3627-M1	§18.2-347	0-12M	
Pander, pimp, or receive money from prostitute	SEX-3628-F4	§18.2-357	2Y-10Y	
Parent permitting child	SEX-3629-F4	§18.2-355(3)	2Y-10Y (II)	
Place or leave wife for prostitution (pandering)	SEX-3630-F4	§18.2-368	2Y-10Y (II)	
Prostitution, adultery or fornication for money, etc.	SEX-3622-M1	§18.2-346(A)	0-12M	
Receive money, etc., for procuring person to engage in prostitution	SEX-3646-F4	§18.2-356(ii)	2Y-10Y	
Receive money, etc., for procuring/placing person to engage in sex act	SEX-3631-F4	§18.2-356(i)	2Y-10Y	
Solicitation of prostitution (offering money, etc., for sexual act)	SEX-3637-M1	§18.2-346(B)	0-12M	
Solicitation of prostitution from minor age 16 or older	SEX-3650-F6	§18.2-346(B,i)	1Y-5Y	
Solicitation of prostitution from minor less than age 16	SEX-3651-F5	§18.2-346(B,ii)	1Y-10Y	
Using vehicle to promote	SEX-3632-M1	§18.2-349	0-12M	
Schools, Day Care, Playgrounds, Etc.				
Enter school property, etc., after sexually violent offense conviction	SEX-3673-F6	§18.2-370.5	1Y-5Y	
Loitering at school after conv. prohibits proximity to children	SEX-3667-F6	§18.2-370.2(B)	1Y-5Y	
Near playground etc., after conviction prohibits proximity to children	SEX-3675-F6	§18.2-370.2(C)	1Y-5Y	
Reside near park after conviction prohibits proximity to children	SEX-3676-F6	§18.2-370.3(C)	1Y-5Y	
Reside near school after conviction prohibits proximity to children	SEX-3671-F6	§18.2-370.3(A)	1Y-5Y	
Work, etc., at school after conviction prohibits proximity to children	SEX-3672-F6	§18.2-370.4	1Y-5Y	
Sodomy				
Family member to family member	SEX-3641-F5	§18.2-361(B)	1Y-10Y (II)	
Non-Forcible	SEX-3652-F6	§18.2-361(A)	1Y-5Y	
Parent/grandparent to child/grandchild age 13 to 17	SEX-3640-F3	§18.2-361(B)	5Y-20Y (II)	
Type Not Clear				
Sex Offense - Type not clear from record	SEX-3653-S9			
SEXUAL ASSAULT.				
Aggravated Sexual Battery				
Force, threat, intimidation of victim age 13 or 14	RAP-1145-F9	§18.2-67.3(A,4,a)	1Y-20Y (II)	
Force, threat, intimidation with serious injury	RAP-1146-F9	§18.2-67.3(A,4,b)	1Y-20Y (II)	
Force, threat, intimidation with threat of weapon	RAP-1147-F9	§18.2-67.3(A,4,c)	1Y-20Y (II)	
Mental incapacity or helplessness, through the use of	RAP-1144-F9	§18.2-67.3(A,2)	1Y-20Y (II)	
Parent/grandparent, etc., with child age 13 to 17	RAP-1148-F9	§18.2-67.3(A,3)	1Y-20Y (II)	
Victim under age 13	RAP-1121-F9	§18.2-67.3(A,1)	1Y-20Y (II)	
Aggravated Sexual Battery - Type not clear from record	RAP-1159-F9	§18.2-67.3	1Y-20Y (II)	
Attempts				
Battery, attempted sexual - 3rd conviction; See §18.2-67.5:1				
Use VCC for actual crime & change "F" to "A" in code		§18.2-67.5	Varies (II)	
Battery				
Battery, sexual	RAP-1122-M1	§18.2-67.4(A,i)	0-12M	
Battery, sexual - 3rd conviction; See §18.2-67.5:1				
Battery, sexual of inmate, etc., by DOC/jail, etc., employee	RAP-1175-M1	§18.2-67.4(A,ii)	0-12M	
Battery, sexual of probationer, parolee, pretrial, etc., by employee	RAP-1177-M1	§18.2-67.4(A,iii)	0-12M	

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SEXUAL ASSAULT				
Battery, Infected Sexual				
Sexual intercourse, etc., with intent to transmit infection	RAP-1176-F6	§18.2-67.4:1(A)	1Y-5Y (II)	
Sexual intercourse, etc., without disclosing infection	RAP-1178-M1	§18.2-67.4:1(B)	0-12M	
Carnal Knowledge/Statutory Rape No Force				
Age of victim 13, 14	RAP-1124-F4	§18.2-63(A)	2Y-10Y (II)	
Carnal knowledge by employee of bail bond company	RAP-1117-M1	§18.2-64.2	0-12M	
Consenting victim age 13,14 - accused minor 3+ yrs. older	RAP-1123-F6	§18.2-63(B)	1Y-5Y	
Consenting victim age 13,14 - accused minor < 3 yrs. older	RAP-1119-M4	§18.2-63(B)	Fine	
Carnal knowledge of probationer/inmate by DOC/DJJ, jail, etc. employee	RAP-1118-F6	§18.2-64.2	1Y-5Y	
Person providing service under purview of court, corrections	RAP-1125-F6	§18.2-64.1	1Y-5Y (II)	
Statutory Rape/Carnal Knowldg. - Type not clear from record	RAP-1164-F9			
Civil Commitment				
See §37.1-70.18; Mental Health				
Firearm Use During Rape				
See Assault (§18.2-53.1)				
Object Sexual Penetration				
By force, threat, intim. or via mental incap/helpless of victim	RAP-1135-F9	§18.2-67.2(A,2)	5Y-Life (I)	
Spouse by force, threat, etc.	RAP-1143-F9	§18.2-67.2(A)	5Y-Life (I)	
Victim under age 13	RAP-1136-F9	§18.2-67.2(A,1)	5Y-Life (I)	
Victim under age 13 (indicted as an adult)	RAP-1154-F9	§18.2-67.2(A,1)	Life-Life (I)	Life
Victim under age 13, w/kidnapping, burglary, wounding	RAP-1152-F9	§18.2-67.2(A,1)	25Y-Life (I)	25Y
Object Sexual Penetration - Type not clear from record	RAP-1166-F9	§18.2-67.2		
Rape, Forcible				
Intercourse w/victim thru mental incapacity/helplessness	RAP-1128-F9	§18.2-61(A,ii)	5Y-Life (I)	
Intercourse with victim by force, threat or intimidation	RAP-1129-F9	§18.2-61(A,i)	5Y-Life (I)	
Intercourse with victim under age 13	RAP-1130-F9	§18.2-61(A,iii)	5Y-Life (I)	
Intercourse with victim under age 13 (indicted as an adult)	RAP-1131-F9	§18.2-61(A,iii)	Life-Life (I)	Life
Intercourse with victim under age 13, w/kidnapping, burglary, wounding	RAP-1150-F9	§18.2-61(A,iii)	25Y-Life (I)	25Y
Spouse by force, threat, etc.	RAP-1141-F9	§18.2-61(A)	5Y-Life (I)	
Rape, Forcible - Type not clear from record	RAP-1162-F9	§18.2-61		
Sexual Abuse				
Sexual abuse of child age 13, 14	RAP-1179-M1	§18.2-67.4:2	0-12M	
Sodomy, Forcible				
By force, threat, mental incap/helplessness of victim age 13+	RAP-1132-F9	§18.2-67.1(A,2)	5Y-Life (I)	
Spouse by force, threat, etc.	RAP-1142-F9	§18.2-67.1(A)	5Y-Life (I)	
Victim under age 13	RAP-1133-F9	§18.2-67.1(A,1)	5Y-Life (I)	
Victim under age 13 (indicted as an adult)	RAP-1153-F9	§18.2-67.1(A,1)	Life-Life (I)	Life
Victim under age 13, w/kidnapping, burglary, wounding	RAP-1151-F9	§18.2-67.1(A,1)	25Y-Life (I)	25Y
Sodomy, Forcible - Type not clear from record	RAP-1165-F9	§18.2-67.1		
Statutory Rape				
See Carnal Knowledge/Statutory Rape No Force				
Subsequent Violent Felony				
Use VCC for offense & change position 8 of VCC to "X"		§18.2-67.5:2	Max.	5-20Y
Use VCC for offense & change position 8 of VCC to "X"		§18.2-67.5:3	Max.	10Y-Life
Third Conviction, Sexual Abuse				
3rd conviction, consensual intercourse with a child	RAP-1139-F6	§18.2-67.5:1	1Y-5Y	

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SEXUAL ASSAULT				
Third Conviction, Sexual Abuse				
3rd conviction, indecent exposure	RAP-1140-F6	§18.2-67.5:1	1Y-5Y	
3rd conviction, peeping	RAP-1149-F6	§18.2-67.5:1	1Y-5Y	
3rd conviction, sexual battery	RAP-1137-F6	§18.2-67.5:1	1Y-5Y (II)	
3rd conviction, sexual battery, attempted	RAP-1138-F6	§18.2-67.5:1	1Y-5Y (II)	
Type Not Clear				
Sexual Assault - Type not clear from record	RAP-1163-F9			
SHOPLIFTING				
See Larceny, Petit, or Concealing Merchandise				
SMOKE BOMBS				
See Arson (§18.2-87.1)				
SMOKING				
See Miscellaneous Crime				
See Traffic - Smoking				
SNAKES, HANDLING TO ENDANGER				
See Dangerous Conduct (§18.2-313)				
SOIL CONSERVATION				
Drainage Projects / Soil Conservation				
Fail to pay interest/principal for drainage project bonds	SLC-5549-M1	§21-388	0-12M	
Improvement, etc., that damages a constructed waterway, etc.	SLC-5550-M9	§21-364	Fine	
SOLICITATION				
Also see Sex Offenses - Prostitution				
Solicitation to commit misdemeanor (common law)	SOL-7203-M1	§1-200	0-12M	
Solicitation to commit murder	SOL-7202-F9	§18.2-29	5Y-40Y (I)	
Solicitation to commit a felony				
Use VCC for actual offense change "F" to "T"		§18.2-29	1Y-5Y	
Solicitation to commit felony - adult solicits juvenile				
Use VCC for actual offense change "F" to "V"		§18.2-29	1Y-10Y	
Type Not Clear				
Solicitation to commit a felony	SOL-7200-F6	§18.2-29	1Y-5Y	
Solicitation to commit felony - adult solicits juvenile	SOL-7201-F5	§18.2-29	1Y-10Y	
SOLICITATION OF CONTRIBUTIONS				
Charitable org., fail to file/refile registration statement	SCA-5752-M9	§57-49	0-6M	
Charitable org., fail to file/refile registration statement, 2nd/subsq	SCA-5753-M9	§57-49	0-12M	
Give false/incorrect information to Commissioner	SCA-5750-M9	§57-59	0-6M	
Give false/incorrect information to Commissioner, 2nd/subsq.	SCA-5751-M9	§57-59	0-12M	
SORING HORSES				
See Animals (§18.2-393)				
SPITTING, ON PUBLIC SURFACE				
See Dangerous Conduct (§18.2-322)				