

# **Exhibit L**

## VIRGINIA CRIMES THAT MAY BE APPLICABLE TO COMMON LAW FELONIES IN 1870:

## REQUIRES INDIVIDUAL EVALUATION

No.	Statute	Name	Description
1.	18.2-108.1(1)	Larceny of firearm	Larceny of firearm, not from person
2.	18.2-23(B)	Conspire to commit larceny >= \$500	Conspire with another to commit or assist in the performance of larceny where the value of goods is over \$200
3.	18.2-23(B)	Conspiracy to commit larceny >= \$1000	Conspire with another to commit or assist in the performance of larceny where the value of goods is \$1000 or more
4.	18.2-23(B)	Conspire to commit larceny with value >= \$500	Conspire to commit/assist in larceny, aggregate >= \$500
5.	18.2-279	Discharging firearms or missiles within or at building or dwelling house	Unlawfully discharge firearm, missile in/at occupied building
6.	18.2-279	Discharging firearms or missiles within or at building or dwelling house	Maliciously discharge firearm, missile in/at occupied building
7.	18.2-279	Discharging firearms or missiles within or at building or dwelling house	Discharge firearm, within or at occupied school
8.	18.2-280(A)	Willfully discharging firearms in public places	Discharge firearm in public place, results in injury
9.	18.2-346(B,i)	Prostitution, commercial sexual conduct	Solicitation of prostitution from minor age 16 or older
10.	18.2-346(B,ii)	Prostitution, commercial sexual conduct	Solicitation of prostitution from minor less than age 16
11.	18.2-346.01(i)	Prostitution; solicitation; commercial exploitation of a minor	Solicitation of prostitution from minor age 16 or older
12.	18.2-346.01(ii)	Prostitution; solicitation; commercial exploitation of a minor	Solicitation of prostitution from minor less than age 16
13.	18.2-355	Taking, detaining, etc., person for prostitution, etc. or consenting thereto, human trafficking	Minor, take, etc. for prostitution
14.	18.2-355(1)	Taking, detaining, etc., person for prostitution, etc., or consenting thereto; human	Prostitution – enticement, procurement
15.	18.2-355(3)	Taking, detaining, etc., person for prostitution, etc., or consenting thereto; human trafficking	Parent consents for child to be taken for prostitution, etc.
16.	18.2-355(4)	Taking, detaining, etc., person for prostitution, etc., or consenting thereto; Human trafficking	Pandering a minor

17.	18.2-370	Taking indecent liberties with children	Take indecent liberties with child (2 <sup>nd</sup> or subsequent)
18.	18.2-370	Taking indecent liberties with children	Take indecent liberties with child
19.	18.2-370(A)	Taking indecent liberties with children	Indecent liberties with child under age 15
20.	18.2-370(A)	Taking indecent liberties with children	Take indecent liberties with child w/ child under age 14
21.	18.2-370(C)	Taking indecent liberties with children	Take indecent liberties with child (2 <sup>nd</sup> or subsequent)
22.	18.2-370(D,i)	Taking indecent liberties with children	Indecent liberties, parent/grandparent, etc., child age 15-17
23.	18.2-371.1(A)	Abuse and neglect of children	Child abuse and neglect, serious injury
24.	18.2-374.1(B,1)	Production, publication, sale, financing, etc. of child pornography	Entice minor to perform porn, age 15+, offender 7+ years
25.	18.2-374.1(B,1)	Production, publication, sale, financing, etc. of child pornography	Accost/entice minor to perform in sexually explicit material
26.	18.2-374.1(B,1)	Production, publication, sale, financing, etc., of child pornography	Entice minor to perform porn, age 15+, offender 7+ years, 2 <sup>nd</sup>
27.	18.2-374.1(B,1)	Production, publication, sale, financing, etc., of child pornography	Entire minor to perform porn
28.	18.2-374.1(B,1)	Production, publication, sale, financing, etc., of child pornography	Entice minor to perform porn age
29.	18.2-374.1(B,1)	Production, publication, sale, financing, etc., of child pornography	Entire minor to perform in porn, age <15
30.	18.2-374.1(B,2)	Production, publication, sale, financing, etc., of child pornography	Produce obscene material involving minor
31.	18.2-374.1(B,2)	Production, publication, sale, financing, etc., of child pornography	Produce obscene materials involving minor
32.	18.2-374.1(B,2)	Production, publication, sale, financing, etc., of child pornography	Produce, making child porn, age 15+, offender 7+ yrs, 2 <sup>nd</sup>
33.	18.2-374.1(B,2)	Production, publication, sale, financing, etc., of child pornography	Produce, make child porn, age 15+, offender 7+ yrs
34.	18.2-374.1	Production, publication, sale, financing, etc., of child pornography	Produce, make child porn, age 15+
35.	18.2-374.1(B,2)	Production, publication, sale financing, etc., of child pornography	Produce, making child porn, age
36.	18.2-374.1(B,2)	Production, publication, sale, financing, etc., of child pornography	Produce, making child porn, age <15

37.	18.2-374.1(B,3)	Production, publication, sale, financing, etc., of child pornography	Take part, film child porn, age <15
38.	18.2-374.1(B,3)	Production, publication, sale, financing, etc., of child pornography	Take part, film child porn, age 15+
39.	18.2-374.1(B,3)	Production, publication, sale, financing, etc., of child pornography	Take part, film child porn, age <15, offender 7+ years
40.	18.2-374.1(B,3)	Production, publication, sale, financing, etc., of child pornography	Take part, film child porn, age <15, offender 7+ years, 2 <sup>nd</sup>
41.	18.2-374.1(B,3)	Production, publication, sale, financing, etc., of child pornography	Take part, film child porn, age 15+, offender 7+ yrs
42.	18.2-374.1(B,3)	Production, publication, sale, financing, etc., of child pornography	Take part, film child porn, age 15+, offender 7+ yrs, 2 <sup>nd</sup>
43.	18.2-374.1(B,3)	Production, publication, sale, financing, et of child pornography	Filming etc. of minors in sexually explicit material
44.	18.2-374.1(B,4)	Production, publication, sale, financing, etc., of child pornography	Finance child porn, age 15+
45.	18.2-374.1(B,4)	Production, publication, sale, financing, etc., of child pornography	Finance child porn, age 15+, offender 7+ years
46.	18.2-374.1(B,4)	Production, publication, sale, financing, etc., of child pornography	Finance child porn, age 15+, offender 7+ years, 2 <sup>nd</sup> offense
47.	18.2-374.1(B,3)	Production, publication, sale, financing, etc. of child pornography	Filming etc. of minors in sexually explicit material
48.	18.2-374.1(B,4)	Production, publication, sale, financing, etc. of child pornography	Finance child porn, age 15+
49.	18.2-374.1(B,4)	Production, publication, sale, financing, etc. of child pornography	Finance child porn, age 15+, offender 7+ yrs
50.	18.2-374.1(B,4)	Production, publication, sale, financing, etc. of child pornography	Finance child porn, age <15, offender 7+ yrs, 2 <sup>nd</sup>
51.	18.2-374.1(B,4)	Production, publication, sale, financing, etc., of child pornography	Finance child porn, age <15, offender 7+ yrs
52.	18.2-374.1(B,4)	Production, publication, sale, financing, etc., of child pornography	Finance child porn, age <15
53.	18.2-374.1(B,4)	Production, publication, sale, financing, etc., of child pornography	Sell, etc., sexually explicit material to minor

54.	18.2-374.1(B,4)	Production, publication, sale, financing, etc. of child pornography	Finance child porn, age 15+, offender 7+ yrs, 2 <sup>nd</sup>
55.	18.2-374.1(C)	Production, publication, sale, financing, etc., of child pornography	Finance sexually explicit visual material using minor
56.	18.2-374.3(A)	Use of communications systems to facilitate certain offenses involving children	Electronic means for procuring minors for obscene material
57.	18.2-374.3	Use of communication systems to facilitate certain offenses involving children	Procure minor for obscene material by communication systems
58.	18.2-374.3(B)	Use of communications systems to facilitate certain offenses involving children	Electronic means to solicit minors for prostitution, etc.
59.	18.2-379	Employing or permitting minor to assist in offense under article	Permit minors to obscene performances (subsequent offense)
60.	18.2-381	Punishment for subsequent offenses	Subsequent child pornography conviction §18.2-374 -18.2-379
61.	18.2-414	Injury to person or property while rioting	Injury to another, damage to property (unlawful assembly)
62.	18.2-46.2(A)(ii)	Street gang participation on certain property, predicate violent	Gang member participates in criminal act for benefit of gang, predicate criminal act as an act of violence on school property, school bus, public property within 1000 feet of school property or public community center property
63.	18.2-46.2(A)(ii)	Street gang participation, predicate violent	Gang member participates in criminal act for benefit of gang, predicate criminal act is an act of violence
64.	18.2-46.5(A)	Act of terrorism, base offense >= 20 years	Commit or conspire to commit, or aid and abet the commission of an act of terrorism, base offense of act is punishable by not less than 20 years of incarceration
65.	18.2-46.5(B)	Act of terrorism, base offense less than 20 years	Commit or conspire to commit or aid and abet the commission of an act of terrorism, base offense of act is punishable by less than 20 years of incarceration
66.	18.2-473	Aid prisoner in escaping	Aid charged/convicted felon or juvenile in successful escape
67.	18.2-473.2(C)	Covering or damaging a security camera in jail to hide felony	Security camera covered, made inoperable, etc., hide felony
68.	18.2-477	Post-conviction escape by force	Escape by force or violence from jail
69.	18.2-477.2	Conspiracy to violate §53.1-203 by person	Juvenile prisoner – conspire to commit act found in §53.1-203

		committed to DJJ and confined in juvenile facility	
70.	18.2-478	Preconviction escape from custody by force	Not convicted, escape from custody by force or violence
71.	18.2-479(B)	Escape without force	Convicted or not – felony, escape w/out force, violence, fire
72.	18.2-54.1	Poison or attempt to poison	Poison or attempt to poison food, drugs, water, drinks with intent injure or kill
73.	18.2-54.2	Adulteration with intent to injure or kill	Adulterates any food, drink, prescription or over the counter medicine, cosmetic or other substance with the intent to kill or injure any individual who ingests, inhales or uses such substance
74.	18.2-60.4	Assault w/ serious injury	Assault w/ serious injury to person with protective order
75.	18.2-67.2	Object sexual penetration	Object sexual penetration – Type not clear from record
76.	18.2-67.2(1)	Object sexual penetration	Inanimate object sexual penetration victim under age 13
77.	18.2-67.2(2)	Object sexual penetration	Inanimate object sexual penetration by force, etc.
78.	18.2-67.2(A)	Object sexual penetration	Object sexual penetration of spouse by force, etc.
79.	18.2-67.2(A,1)	Object sexual penetration	Object sexual penetration victim <age 13, indicated adult
80.	18.2-67.2(A,1)	Object sexual penetration	Object penetration victim
81.	18.2-67.2(A,1)	Object sexual penetration	Object sexual penetration victim under age 13
82.	18.2-67.2(A,2)	Object sexual penetration	Object sexual penetration by force, threat, etc.
83.	18.2-77	Arson	Arson of building or dwelling place during the day
84.	18.2-77	Arson	Arson of unoccupied building or dwelling place at night
85.	18.2-77	Arson	Arson of occupied dwelling place at night
86.	18.2-77(A,i)	Arson	Arson of occupied dwelling place or church
87.	18.2-77(A,ii)	Arson	Aid or procure burning of occupied dwelling or church
88.	18.2-77(B)	Arson	Arson of unoccupied dwelling place or church
89.	24.2-1009	Stealing or tampering with ballot box, equipment, software	Stealing or tampering with ballot box, equipment, software
90.	40.1-103	Endangerment, cruelty or injuries to children	Endangerment, cruelty or injuries to children
91.	46.2-105.2(A)	Obtain/possess documents from DMV when not entitled	Obtain/possess documents from DMV when not entitled

92.	46.2-817	Disregard police command to stop, bodily injury results	Disregard police command to stop, bodily injury results
93.	46.2-817(C)	Law enforcement officer killed as result of pursuit	Law-enforcement officer killed as result of pursuit
94.	46.2-865.1(A,1)	Serious bodily injury caused by racing/exhibition driving	Serious bodily injury caused by racing/exhibition driving
95.	46.2-894	Hit and run – victim killed or injured	Hit and run – driver failed to stop/report/etc. (vic injured)
96.	52-48	Disseminate criminal/terrorism intelligence resulting in death/injury	Disseminate criminal/terrorism intelligence – death/injury
97.	53.1-131	Jail prisoner in work/education program, leaves Commonwealth	Jail prisoner in work/education program, eaves commonwealth
98.	53.1-203(1)	Escape from a correctional facility	Escape from a correctional facility
99.	53.1-213	Escape while in custody on detainer	Escape while in custody on detainer
100.	53.1-60	Escape from work or education area, vehicle etc.	Escape from work or education area, vehicle etc.
101.	54.1-2989	Conceal etc., do not resuscitate order – death hastened	Conceal etc., do not resuscitate order – death hastened
102.	54.1-2989	Falsify etc. revocation do not resuscitate – death hastened	Falsify do not resuscitate order – death hastened
103.	54.1-2989	Conceal revocation do not resuscitate order – death hastened	Conceal revocation do not resuscitate order – death hastened