

**THE CODE OF CRIMINAL PROCEDURE (EXCERPT)**  
**Act 175 of 1927**

**777.38 Victim asportation or captivity.**

Sec. 38.

(1) Offense variable 8 is victim asportation or captivity. Score offense variable 8 by determining which of the following apply and by assigning the number of points attributable to the one that has the highest number of points:

- |  |              |
|--|--------------|
| (a) A victim was asported to another place of greater danger or to a situation of greater danger or was held captive beyond the time necessary to commit the offense | 15<br>points |
| (b) No victim was asported or held captive   | 0<br>points  |

(2) All of the following apply to scoring offense variable 8:

- (a) Count each person who was placed in danger of injury or loss of life as a victim.
- (b) Score 0 points if the sentencing offense is kidnapping.

**History:** Add. 1998, Act 317, Eff. Dec. 15, 1998