

STATUTE OF LIMITATIONS – ORS 131.125
FEB 2016

Previous: 6 years
Current: 12 years
Proposed: Eliminate

GROUP A – Statute of Limitations Extended to 12 years by Legislative Action on 2015

ORS	Key Offense Traits	Class Felony – Crime Seriousness - Sentence	While extremely serious, unwanted sexual contact (1 st Degree Sexual Abuse) does not present these extreme health risks to the victim associated with the other crimes listed: -Internal Injury -Pregnancy -HIV/AIDS -STI's
Rape in the first Degree – 163.375	<ul style="list-style-type: none"> Forcible sexual intercourse. and/or victim under age 12. 	<p>A – Cat 10/9</p> <p>M11 8yr 4 mos., or 25 yrs (Jessica’s Law)</p>	
Unlawful sexual penetration in the first degree – 163.411	<ul style="list-style-type: none"> Penetration of the vagina, anus or penis with object. Forcible compulsion and/or victim under age 12. 	<p>A – Cat 10/9</p> <p>M11 8 yrs 4 mos., or 25 yrs (Jessica’s Law)</p>	
Sodomy in the first Degree – 163.405	<ul style="list-style-type: none"> Deviate Sexual Intercourse Forcible compulsion and/or victim under age 12. 	<p>A – Cat 10/9</p> <p>M11 8 yrs 4 mos, or 25 yrs (Jessica’s Law)</p>	
Sexual Abuse in the first Degree – 163.427	<ul style="list-style-type: none"> Sexual contact (<i>e.g. touching intimate area – under or over clothing</i>) – Forcible compulsion and/or Victim under age 14. 	<p>B – Cat 8</p> <p>M11 6 yrs 3 mos</p>	

Statute of Limitations: 6 Years

Previous Legislative enactments clearly place 1st Degree Sexual Abuse seriousness in line with the below:

GROUP B – Unchanged By 2015 Legislation

ORS	Key Offense Traits	Class Felony – Crime Seriousness - Sentence
Rape in the second degree – 163.375	<ul style="list-style-type: none"> Sexual intercourse – victim age 12 to 14. 	<p>B – Cat 8</p> <p>M11 6 yrs 3 mos</p>
Sodomy in the second degree – 163.395	<ul style="list-style-type: none"> Deviate Sexual intercourse - victim age 12 to 14. 	<p>B – Cat 8</p> <p>M11 6 yrs 3 mos</p>
Unlawful sexual penetration in the second degree – 163.411	<ul style="list-style-type: none"> Penetration of the vagina, anus or penis with object. - age 12 to 14. 	<p>B – Cat 8</p> <p>M11 6 yrs 3 mos</p>

1st DEGREE SEXUAL ABUSE, While Serious - is *not* the same as the other First Degree Sexual Crimes.

The level of action required to have enacted this crime is by statutory language *far less* than Class A felonies. In the case of juveniles, it is often exhibited as part of a lack of boundaries associated with youth, exploration, and failure to understand the ramifications of their actions. It is not sound policy to expose young persons to potential prosecution many decades later for a youthful indiscretion.

Under the proposed legislation, an individual committing an act of rape (non-forcible) against a 12-14 year old retains the 6-year statute of limitations, while (non-forcible) touch of an area considered intimate of the same could be prosecuted for life – and with far less evidence.