

# ELEMENTS OF CRIMES: SEXUAL ASSAULTS

MAGISTRATES BASIC SCHOOL

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## ROADMAP

- I. Introduction
- II. Rape & Sexual Offense
  - A. “Forcible” Offenses
  - B. Statutory (Age-Based) Offenses
- III. Other Sex Crimes
  - A. Sexual Battery
  - B. Indecent Liberties
  - C. The Crime Against Nature

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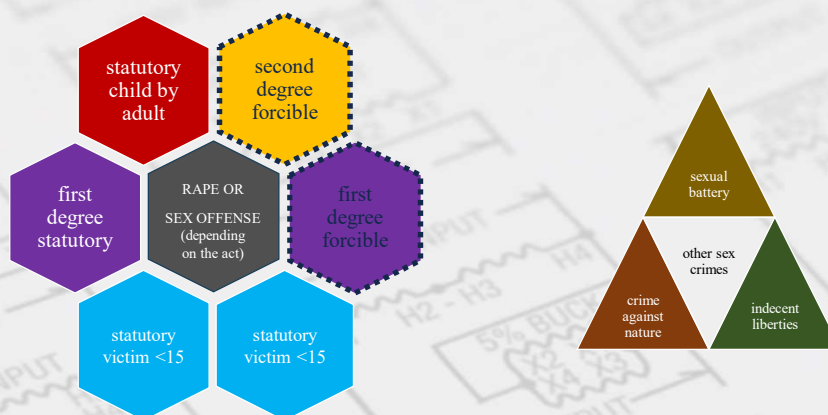
## OFFENSES COVERED BY THIS SESSION:

1. First-degree forcible rape
2. Second-degree forcible rape
3. Statutory rape of a child by an adult
4. First-degree statutory rape
5. Statutory rape of a person who is 15 years of age or younger (Class B1 felony)
6. Statutory rape of a person who is 15 years of age or younger (Class C felony)
7. First-degree forcible sexual offense
8. Second-degree forcible sexual offense
9. Statutory sexual offense of child by adult
10. First-degree statutory sexual offense
11. Statutory sexual offense with a person 15 years of age or younger (Class B1 felony)
12. Statutory sexual offense with a person 15 years of age or younger (Class C felony)
13. Sexual battery
14. Indecent liberties
15. The crime against nature

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## RAPE AND OTHER SEX OFFENSES



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# GENERAL FRAMEWORK

## WHAT WAS THE ACT?

- Vaginal intercourse
- “Sexual act”
- “Sexual contact”
- Indecent liberties

## WAS IT FORCIBLE OR STATUTORY (AGE BASED)?

- Actual force
- Constructive force
- Age of Defendant
- Age of Victim
- Age Differential

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	First-degree FORCIBLE	Second-degree FORCIBLE	First-degree STATUTORY	STATUTORY— of a Child by an Adult	STATUTORY— Victim 15 or younger (Defendant at least 6 years older than Victim)	STATUTORY— Victim 15 or younger (Defendant more than 4 but less than 6 years older than Victim)
<b>RAPE</b>	Rape that is: _____ + at least one of the following: 1. _____ 2. _____ 3. _____ 4. _____ Class: _____	Rape that is: 1. _____ or 2. With a person who is: a. _____ b. _____ c. _____ Class: _____	D at least: _____ V under: _____ Age differential: _____ Class: _____	D at least: _____ V under: _____ Age differential: _____ Class: _____ • _____ • _____	D at least: _____ V under: _____ Age differential: _____ Class: _____	D at least: _____ V under: _____ Age differential: _____ Class: _____ Note: _____
<b>SEXUAL OFFENSE</b>	Sexual offense that is: _____ + at least one of the following: 1. _____ 2. _____ 3. _____ 4. _____ Class: _____	Sexual offense that is: 1. _____ or 2. With a person who is: a. _____ b. _____ c. _____ Class: _____	D at least: _____ V under: _____ Age differential: _____ Class: _____	D at least: _____ V under: _____ Age differential: _____ Class: _____ • _____ • _____	D at least: _____ V under: _____ Age differential: _____ Class: _____	D at least: _____ V under: _____ Age differential: _____ Class: _____ Note: _____

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# I. RAPE & SEXUAL OFFENSE

Crimes Book p. 217 Supp. p. 75

For every Rape crime there is a corresponding Sexual Offense crime with:

- the same elements,
- the same classification, and
- the same punishment.

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## GENERAL FRAMEWORK

WHAT WAS THE ACT?

- Vaginal intercourse
- “Sexual act”
- “Sexual contact”
- Indecent liberties

WAS IT FORCIBLE OR STATUTORY (AGE BASED)?

- Actual force
- Constructive force
- Age of Defendant
- Age of Victim
- Age Differential

SECTION LOOKING EAST

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# WHAT WAS THE ACT?

## RAPE

- Requires vaginal intercourse

## SEX OFFENSE

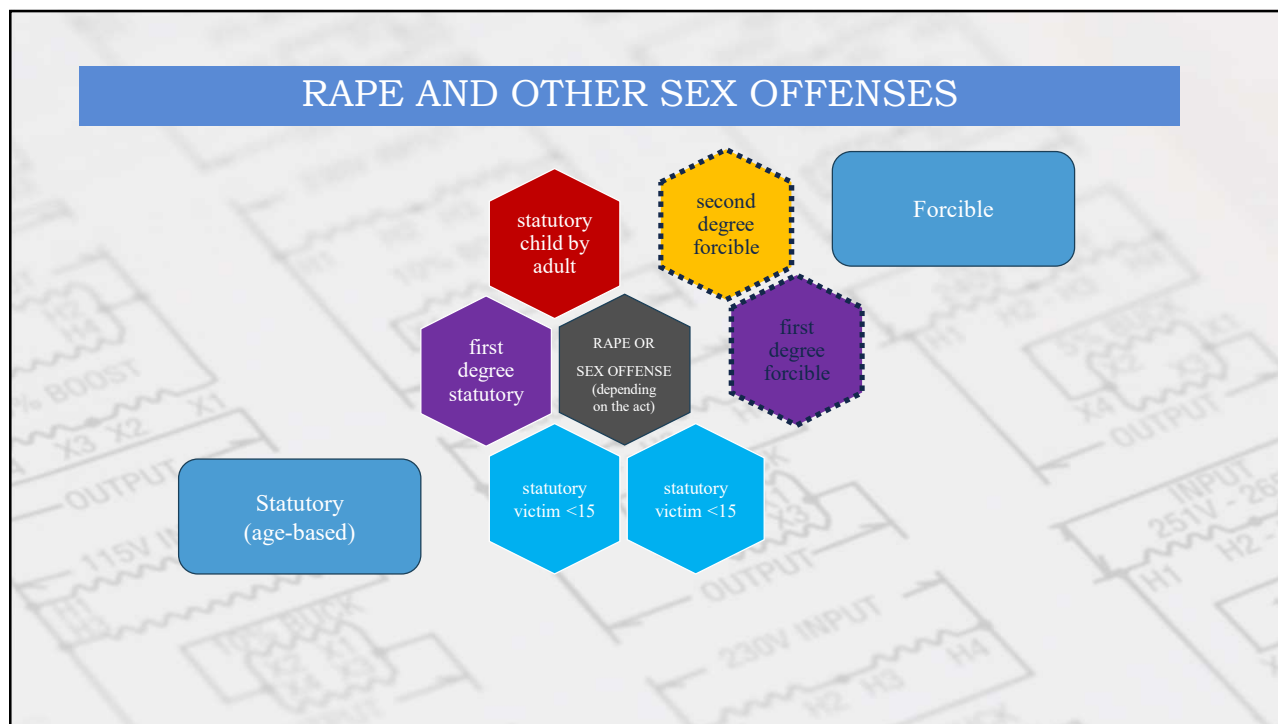
- Requires a “sexual act” (Crimes Book p. 232):
  1. Anal intercourse
  2. Cunnilingus (mouth or lips to woman’s genitalia)
  3. Analingus (mouth or lips to anal opening)
  4. Fellatio (mouth or lips to penis)
  5. Penetration by any object into the genital or anal opening of another.

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	First-degree FORCIBLE	Second-degree FORCIBLE	First-degree STATUTORY	STATUTORY— of a Child by an Adult	STATUTORY— Victim 15 or younger (Defendant at least 6 years older than Victim)	STATUTORY— Victim 15 or younger (Defendant more than 4 but less than 6 years older than Victim)
<b>RAPE</b>	Rape that is: _____ + at least one of the following:	Rape that is: _____ 1. _____ or 2. With a person who is: _____ a. _____ b. _____ c. _____	D at least: _____ V under: _____ Age differential: _____	D at least: _____ V under: _____ Age differential: _____ Class: _____ • _____ • _____	D at least: _____ V under: _____ Age differential: _____ Class: _____ Note: _____	D at least: _____ V under: _____ Age differential: _____ Class: _____ Note: _____
<b>SEXUAL OFFENSE</b>	Sexual offense that is: _____ + at least one of the following:	Sexual offense that is: _____ 1. _____ or 2. With a person who is: _____ a. _____ b. _____ c. _____	D at least: _____ V under: _____ Age differential: _____	D at least: _____ V under: _____ Age differential: _____ Class: _____ • _____ • _____	D at least: _____ V under: _____ Age differential: _____ Class: _____ Note: _____	D at least: _____ V under: _____ Age differential: _____ Class: _____ Note: _____
1. <u>Vaginal intercourse</u>						
1. <u>Anal intercourse</u>						
2. <u>Cunnilingus</u>						
3. <u>Analingus</u>						
4. <u>Fellatio</u>						
5. <u>Object inserted into genitals or anus</u>						

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## A. “Forcible” Offenses

- Statutorily defined as “by force and against the will”
- Actual force is not required
- Characterized by lack of consent

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## RAPE AND OTHER SEX OFFENSES

Forcible

RAPE OR  
SEX OFFENSE

first  
degree  
forcible

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### **First-degree Forcible Rape** (Crimes Book p. 217; Supp. p. 75) **First-degree Forcible Sexual Offense** (CB p. 231; Supp. p. 83)

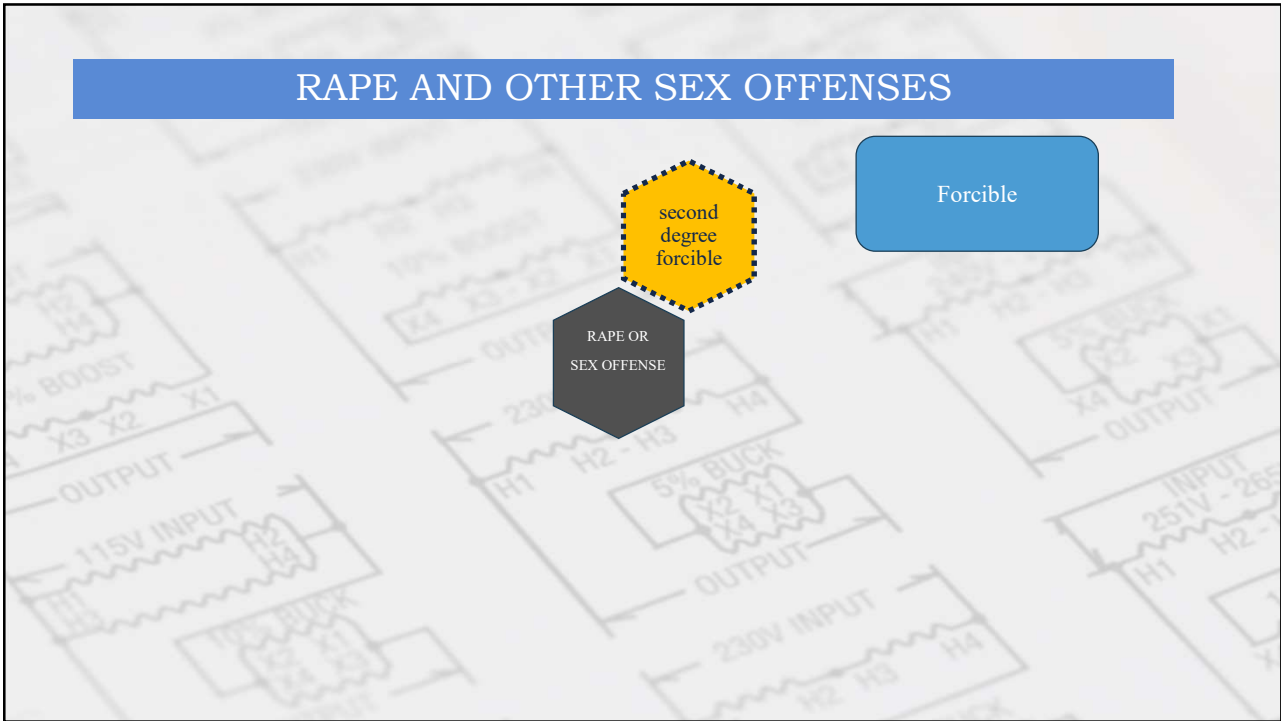
1. Vaginal intercourse / Sexual act
  2. With another person
  3. By force and against the will of the other person
  4. AND the defendant:
    - a. Uses, threatens to use, or displays a dangerous or deadly weapon
    - b. Inflicts serious personal injury on the victim
    - c. Inflicts serious personal injury on another person, *or*
    - d. Is aided and abetted by one or more other persons
- This offense is a Class B1 felony.

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	First-degree FORCIBLE	Second-degree FORCIBLE	First-degree STATUTORY	STATUTORY— of a Child by an Adult	STATUTORY— Victim 15 or younger (Defendant at least 6 years older than Victim)	STATUTORY— Victim 15 or younger (Defendant more than 4 but less than 6 years older than Victim)
<b>RAPE</b>	Rape that is: <u>Forcible</u>	Rape that is:	D at least: ____ V under: ____	D at least: ____ V under: ____	D at least: ____ V under: ____	D at least: ____ V under: ____
1. <u>Vaginal intercourse</u>	+ at least one of the following: 1. <u>Dangerous/deadly weapon</u> 2. <u>Serious pers. injury / victim</u> 3. <u>Serious personal injury on another person</u> 4. <u>Aided/abetted by 1+ person</u> Class: <u>B1</u>	1. ____ or 2. With a person who is: a. ____ b. ____ c. ____ Class: ____	Age differential: ____ Class: ____	Age differential: ____ Class: ____ • ____ • ____	Age differential: ____ Class: ____	Age differential: ____ Class: ____ Note: ____
<b>SEXUAL OFFENSE</b>	Sexual offense that is: <u>Forcible</u>	Sexual offense that is:	D at least: ____ V under: ____	D at least: ____ V under: ____	D at least: ____ V under: ____	D at least: ____ V under: ____
1. <u>Anal intercourse</u> 2. <u>Cunnilingus</u> 3. <u>Analingus</u> 4. <u>Fellatio</u> 5. <u>Object inserted into genitals or anus</u>	+ at least one of following: 1. <u>Dangerous/deadly weapon</u> 2. <u>Serious pers. injury / victim</u> 3. <u>Serious personal injury on another person</u> 4. <u>Aided/abetted by 1+ person</u> Class: <u>B1</u>	1. ____ or 2. With a person who is: a. ____ b. ____ c. ____ Class: ____	Age differential: ____ Class: ____	Age differential: ____ Class: ____ • ____ • ____	Age differential: ____ Class: ____	Age differential: ____ Class: ____ Note: ____

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**Second-degree Forcible Rape** (Crimes Book p. 223; supp. p. 79)  
**Second-degree Forcible Sexual Offense** (CB p. 234; supp. p. 84)

1. Vaginal intercourse / Sexual act
  2. With another person
  3. Either:
    - a. By force and against the person's will, or
    - b. With someone who is:
      - i. mentally disabled
      - ii. mentally incapacitated, or
      - iii. physically helpless, andthe defendant knew or should have known about the disability
- This offense is a Class C felony.

Low intelligence; inability to  
appraise conduct or resist

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**Second-degree Forcible Rape** (Crimes Book p. 223; supp. p. 79)  
**Second-degree Forcible Sexual Offense** (CB p. 234; supp. p. 84)

1. Vaginal intercourse / Sexual act
  2. With another person
  3. Either:
    - a. By force and against the person's will, or
    - b. With someone who is:
      - i. mentally disabled
      - ii. mentally incapacitated, or
      - iii. physically helpless, andthe defendant knew or should have known about the disability
- This offense is a Class C felony.

Not voluntary  
intoxication

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## Second-degree Forcible Rape (Crimes Book p. 223; supp. p. 79)

## Second-degree Forcible Sexual Offense (CB p. 234; supp. p. 84)

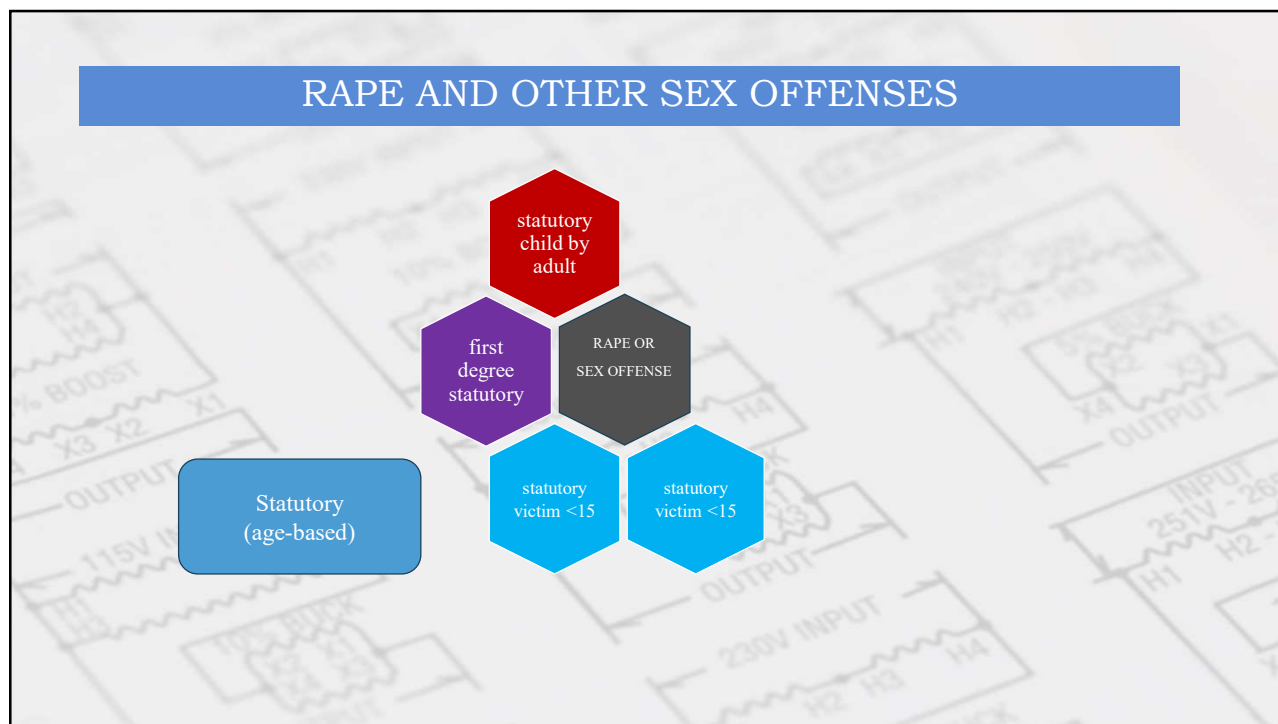
1. Vaginal intercourse / Sexual act
  2. With another person
  3. Either:
    - a. By force and against the person's will, or
    - b. With someone who is:
      - i. mentally disabled
      - ii. mentally incapacitated, or
      - iii. physically helpless, and Sleeping; unconscious
- the defendant knew or should have known about the disability
- This offense is a Class C felony.

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	First-degree FORCIBLE	Second-degree FORCIBLE	First-degree STATUTORY	STATUTORY— of a Child by an Adult	STATUTORY— Victim 15 or younger (Defendant at least 6 years older than Victim)	STATUTORY— Victim 15 or younger (Defendant more than 4 but less than 6 years older than Victim)
<b>RAPE</b>	Rape that is: <u>Forcible</u> + at least one of the following: 1. <u>Dangerous/deadly weapon</u> 2. <u>Serious pers. injury / victim</u> 3. <u>Serious personal injury on</u> <u>another person</u> 4. <u>Aided/abetted by 1+ person</u> Class: <u>B1</u>	Rape that is: 1. <u>Forcible</u> or 2. With a person who is: a. <u>Mentally disabled</u> b. <u>Mentally incapac.</u> c. <u>Phys. helpless</u> Class: <u>C</u>	D at least: ____ V under: ____ Age differential: ____ Class: ____	D at least: ____ V under: ____ Class: ____ • ____ • ____	D at least: ____ V under: ____ Age differential: ____ Class: ____	D at least: ____ V under: ____ Age differential: ____ Class: ____ Note: ____
<b>SEXUAL OFFENSE</b>	Sexual offense that is: <u>Forcible</u> + at least one of the following: 1. <u>Dangerous/deadly weapon</u> 2. <u>Serious pers. injury / victim</u> 3. <u>Serious personal injury on</u> <u>another person</u> 4. <u>Aided/abetted by 1+ person</u> Class: <u>B1</u>	Sexual offense that is: 1. <u>Forcible</u> or 2. With a person who is: a. <u>Mentally disabled</u> b. <u>Mentally incapac.</u> c. <u>Phys. helpless</u> Class: <u>C</u>	D at least: ____ V under: ____ Age differential: ____ Class: ____	D at least: ____ V under: ____ Class: ____ • ____ • ____	D at least: ____ V under: ____ Age differential: ____ Class: ____	D at least: ____ V under: ____ Age differential: ____ Class: ____ Note: ____
1. <u>Vaginal intercourse</u>						
2. <u>Anal intercourse</u>						
3. <u>Cunnilingus</u>						
4. <u>Analingus</u>						
5. <u>Fellatio</u>						
6. <u>Object inserted into</u> <u>genitals or anus</u>						

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## B. Statutory (Age-Based) Offenses

- Consent is no defense
- Mistake of age is no defense
- Relevant ages are measured based on birthdate



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## RAPE AND OTHER SEX OFFENSES

first  
degree  
statutory

RAPE OR  
SEX OFFENSE

Statutory  
(age-based)

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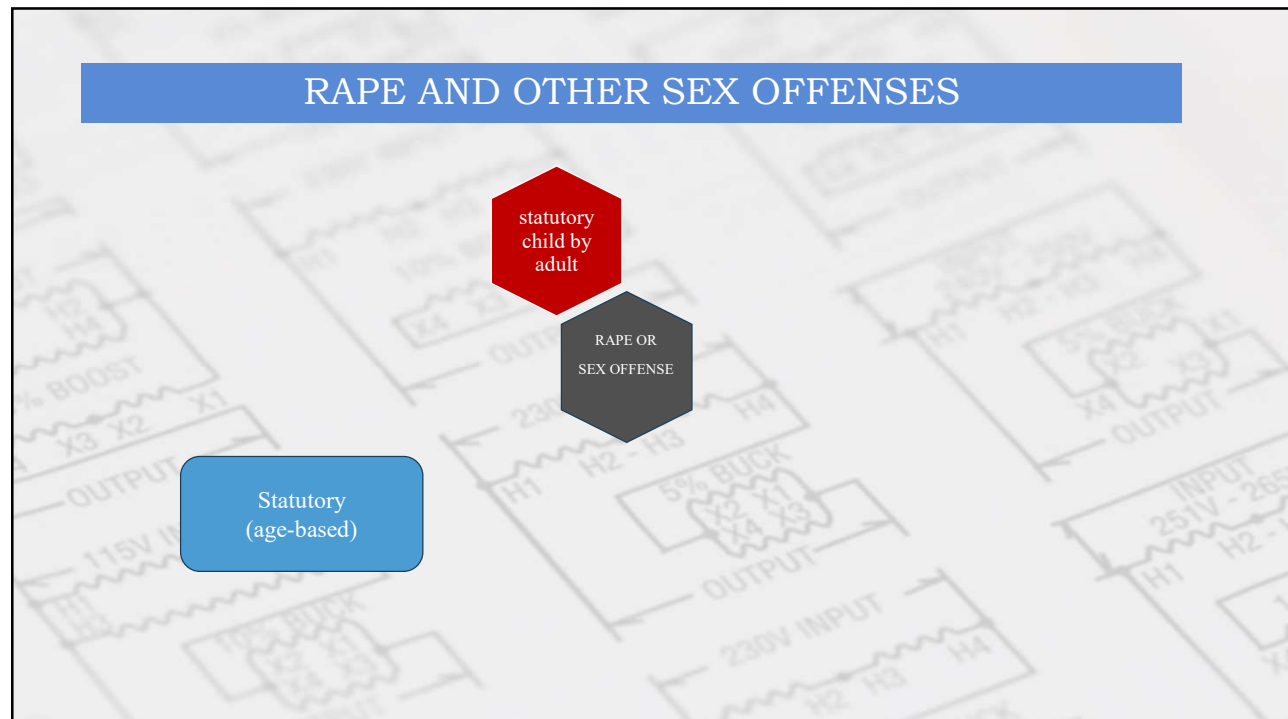
### **First-degree Statutory Rape** (Crimes Book p. 225; supp. p. 80) **First-degree Statutory Sexual Offense** (CB p. 235; supp. p. 85)

1. Vaginal intercourse / Sexual act
  2. With a child under the age of 13 years
  3. By a defendant who is at least 12, and at least four years older than the victim
- This offense is a Class B1 felony.

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	First-degree FORCIBLE	Second-degree FORCIBLE	First-degree STATUTORY	STATUTORY— of a Child by an Adult	STATUTORY— Victim 15 or younger (Defendant at least 6 years older than Victim)	STATUTORY— Victim 15 or younger (Defendant more than 4 but less than 6 years older than Victim)
<b>RAPE</b>	Rape that is: <u>Forcible</u> + at least one of the following: 1. <u>Dangerous/deadly weapon</u> 2. <u>Serious pers. injury / victim</u> 3. <u>Serious personal injury on another person</u> 4. <u>Aided/abetted by 1+ person</u> Class: <u>B1</u>	Rape that is: 1. <u>Forcible</u> or 2. With a person who is: a. <u>Mentally disabled</u> b. <u>Mentally incapac.</u> c. <u>Phys. helpless</u> Class: <u>C</u>	D at least: <u>12</u> V under: <u>13</u> Age differential: <u>4+</u> Class: <u>B1</u>	D at least: _____ V under: _____ Age differential: _____ Class: _____ • _____ • _____	D at least: _____ V under: _____ Age differential: _____ Class: _____ Note: _____ Class: _____	D at least: _____ V under: _____ Age differential: _____ Class: _____ Note: _____ Class: _____
<b>SEXUAL OFFENSE</b>	Sexual offense that is: <u>Forcible</u> + at least one of following: 1. <u>Dangerous/deadly weapon</u> 2. <u>Serious pers. injury / victim</u> 3. <u>Serious personal injury on another person</u> 4. <u>Aided/abetted by 1+ person</u> Class: <u>B1</u>	Sexual offense that is: 1. <u>Forcible</u> or 2. With a person who is: a. <u>Mentally disabled</u> b. <u>Mentally incapac.</u> c. <u>Phys. helpless</u> Class: <u>C</u>	D at least: <u>12</u> V under: <u>13</u> Age differential: <u>4+</u> Class: <u>B1</u>	D at least: _____ V under: _____ Age differential: _____ Class: _____ • _____ • _____	D at least: _____ V under: _____ Age differential: _____ Class: _____ Note: _____ Class: _____	D at least: _____ V under: _____ Age differential: _____ Class: _____ Note: _____ Class: _____
1. <u>Vaginal intercourse</u>						
1. <u>Anal intercourse</u>						
2. <u>Cunnilingus</u>						
3. <u>Analingus</u>						
4. <u>Fellatio</u>						
5. <u>Object inserted into genitals or anus</u>						

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## Statutory Rape by an Adult (Crimes Book p. 227; supp. p. 81)

## Statutory Sexual Offense by an Adult (CB p. 236; supp. P. 85)

1. Vaginal intercourse / Sexual act
2. With a child under the age of 13 years
3. By a defendant who is at least 18 years old

**Class B1 felony+**  
**300-month min. sentence**  
**10-Year SBM**

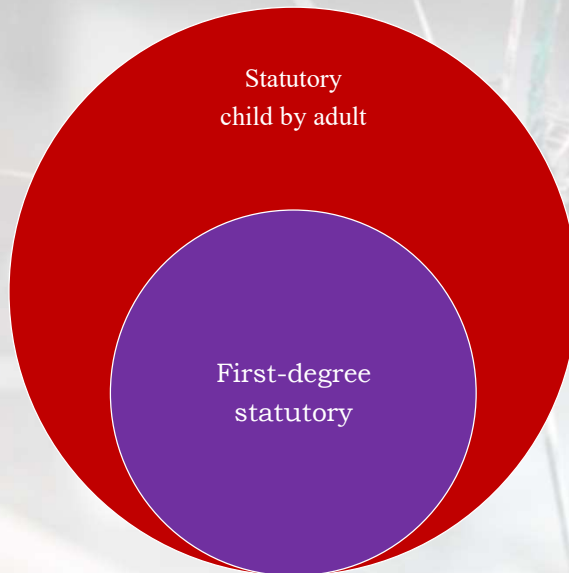
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	First-degree FORCIBLE	Second-degree FORCIBLE	First-degree STATUTORY	STATUTORY— of a Child by an Adult	STATUTORY— Victim 15 or younger (Defendant at least 6 years older than Victim)	STATUTORY— Victim 15 or younger (Defendant more than 4 but less than 6 years older than Victim)
<b>RAPE</b>	Rape that is: <u>Forcible</u> + at least one of the following: 1. <u>Dangerous/deadly weapon</u> 2. <u>Serious pers. injury / victim</u> 3. <u>Serious personal injury on</u> <u>another person</u> 4. <u>Aided/abetted by 1+ person</u> Class: <u>B1</u>	Rape that is: 1. <u>Forcible</u> or 2. With a person who is: a. <u>Mentally disabled</u> b. <u>Mentally incapac.</u> c. <u>Phys. helpless</u> Class: <u>C</u>	D at least: <u>12</u> V under: <u>13</u> Age differential: <u>4+</u> Class: <u>B1</u>	D at least: <u>18</u> V under: <u>13</u> Class: <u>B1+</u> • 300 mos. • SBM	D at least: _____ V under: _____ Age differential: _____ Class: _____	D at least: _____ V under: _____ Age differential: _____ Note: _____ Class: _____
<b>SEXUAL OFFENSE</b>	Sexual offense that is: <u>Forcible</u> + at least one of the following: 1. <u>Dangerous/deadly weapon</u> 2. <u>Serious pers. injury / victim</u> 3. <u>Serious personal injury on</u> <u>another person</u> 4. <u>Aided/abetted by 1+ person</u> Class: <u>B1</u>	Sexual offense that is: 1. <u>Forcible</u> or 2. With a person who is: a. <u>Mentally disabled</u> b. <u>Mentally incapac.</u> c. <u>Phys. helpless</u> Class: <u>C</u>	D at least: <u>12</u> V under: <u>13</u> Age differential: <u>4+</u> Class: <u>B1</u>	D at least: <u>18</u> V under: <u>13</u> Class: <u>B1+</u> • 300 mos. • SBM	D at least: _____ V under: _____ Age differential: _____ Class: _____	D at least: _____ V under: _____ Age differential: _____ Note: _____ Class: _____

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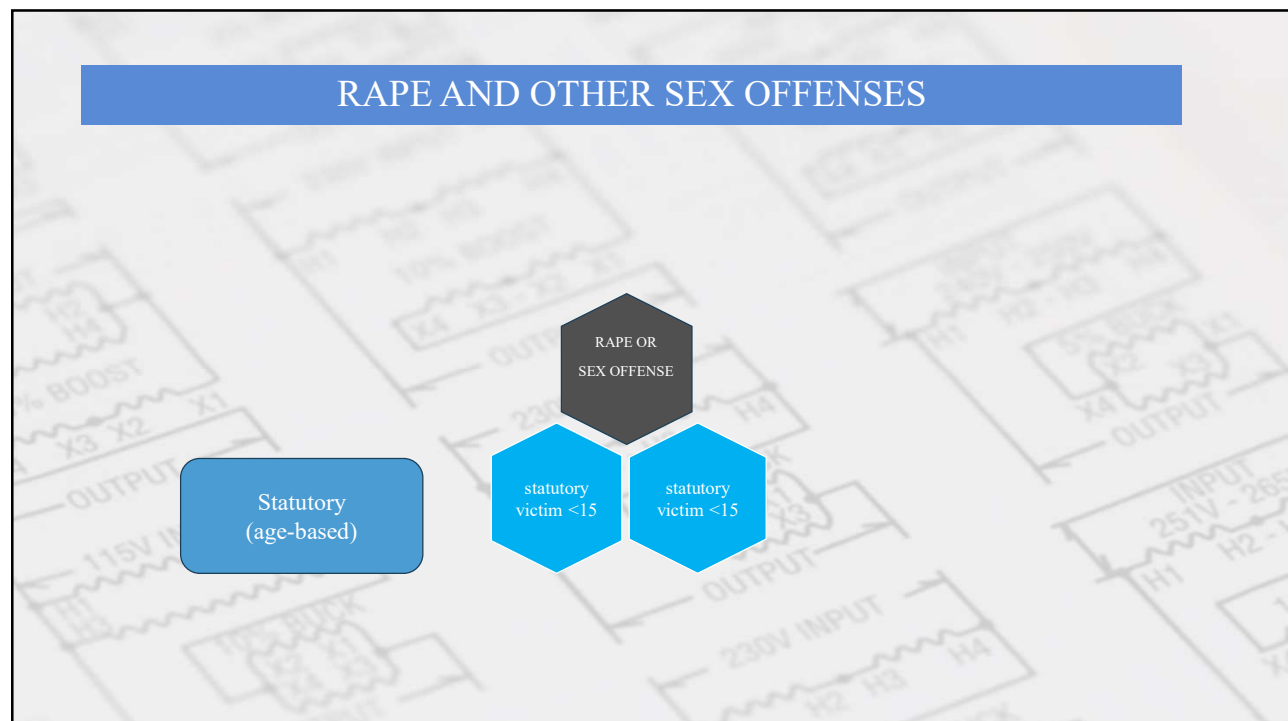
## LESSER INCLUDED OFFENSE



First-degree statutory rape/sex offense is a **lesser included offense** of statutory rape/sex offense of a child by an adult.

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## RAPE AND OTHER SEX OFFENSES



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# Statutory Rape / Sexual Offense of a Person 15 or Younger

(crimes book pp. 229, 238; supp. pp. 81, 86 )

1. Vaginal intercourse / Sexual act
2. With a victim who is 15 years of age or younger
3. And:
  1. By a defendant who is at least 12 years old, and 6 years older than the victim (Class B1 felony); or
  2. By a defendant who is at least 12 years old, and more than 4 but less than 6 years older than the victim (Class C felony).

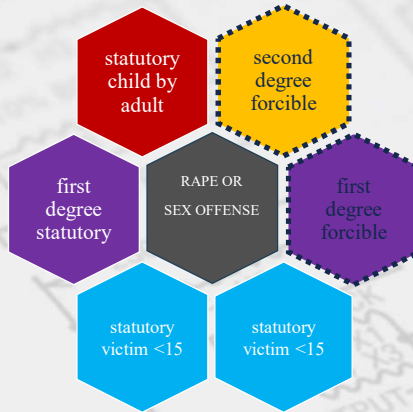
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	First-degree FORCIBLE	Second-degree FORCIBLE	First-degree STATUTORY	STATUTORY— of a Child by an Adult	STATUTORY— Victim 15 or younger (Defendant at least 6 years older than Victim)	STATUTORY— Victim 15 or younger (Defendant more than 4 but less than 6 years older than Victim)
<b>RAPE</b>	Rape that is: <u>Forcible</u> + at least one of the following: 1. <u>Dangerous/deadly weapon</u> 2. <u>Serious pers. injury / victim</u> 3. <u>Serious personal injury on</u> <u>another person</u> 4. <u>Aided/abetted by 1+ person</u> Class: <u>B1</u>	Rape that is: 1. <u>Forcible</u> or 2. With a person who is: a. <u>Mentally disabled</u> b. <u>Mentally incapac.</u> c. <u>Phys. helpless</u> Class: <u>C</u>	D at least: <u>12</u> V under: <u>13</u>  Age differential: <u>4+</u>  Class: <u>B1</u>	D at least: <u>18</u> V under: <u>13</u>  Class: <u>B1+</u> • 300 mos. • <u>SBM</u>	D at least: <u>12</u> V under: <u>16</u>  Age differential: <u>6+</u>  Class: <u>B1</u>	D at least: <u>12</u> V under: <u>16</u>  Age differential: <u>More than 4</u> <u>Less than 6</u>  Note: No registration Class: <u>C</u>
<b>SEXUAL OFFENSE</b>	Sexual offense that is: <u>Forcible</u> + at least one of the following: 1. <u>Dangerous/deadly weapon</u> 2. <u>Serious pers. injury / victim</u> 3. <u>Serious personal injury on</u> <u>another person</u> 4. <u>Aided/abetted by 1+ person</u> Class: <u>B1</u>	Sexual offense that is: 1. <u>Forcible</u> or 2. With a person who is: a. <u>Mentally disabled</u> b. <u>Mentally incapac.</u> c. <u>Phys. helpless</u> Class: <u>C</u>	D at least: <u>12</u> V under: <u>13</u>  Age differential: <u>4+</u>  Class: <u>B1</u>	D at least: <u>18</u> V under: <u>13</u>  Class: <u>B1+</u> • 300 mos. • <u>SBM</u>	D at least: <u>12</u> V under: <u>16</u>  Age differential: <u>6+</u>  Class: <u>B1</u>	D at least: <u>12</u> V under: <u>16</u>  Age differential: <u>More than 4</u> <u>Less than 6</u>  Note: No registration Class: <u>C</u>

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## RAPE AND OTHER SEX OFFENSES



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## III. OTHER SEX CRIMES

**Crimes Book pp. 246, 254, 281;  
Supp. pp. 90, 92, 105**

INDECENT LIBERTIES, SEXUAL BATTERY, AND THE CRIME AGAINST NATURE

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## RAPE AND OTHER SEX OFFENSES



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## GENERAL FRAMEWORK

### WHAT WAS THE ACT?

- Vaginal intercourse
- “Sexual act”
- “Sexual contact”
- Indecent liberties

Sexual contact includes any of the following:

- a. Touching the sexual organ, anus, breast, groin, or buttocks of any person.
- b. A person touching another person with their own sexual organ, anus, breast, groin, or buttocks.
- c. A person ejaculating, emitting, or placing semen, urine, or feces upon any part of another person.

### WAS IT FORCIBLE OR STATUTORY (AGE BASED)?

- Actual force
- Constructive force
- Age of Defendant
- Age of Victim
- Age Differential

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## A. Sexual Battery (Crimes Book p. 254; Supp. p. 92)

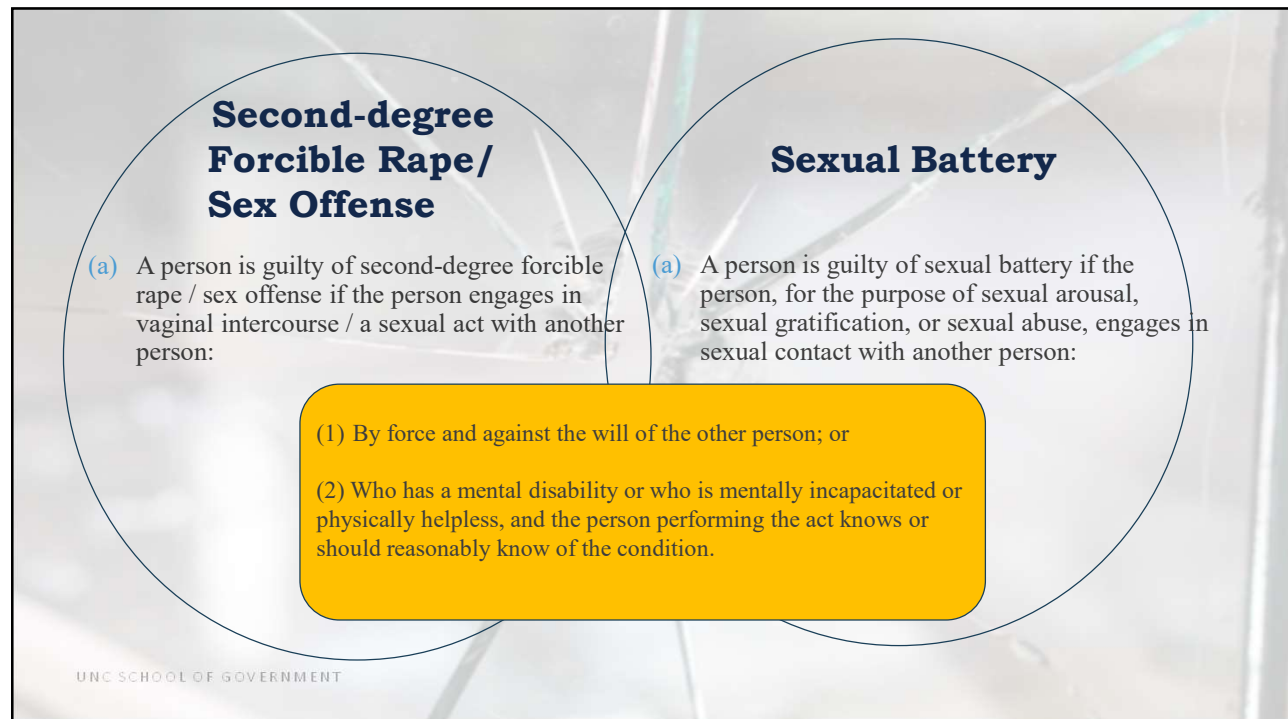
A person is guilty of sexual battery if:

1. For the purpose of sexual arousal, gratification, or abuse
2. The person engages in “sexual contact” with another person
3. Either:
  - a. By force and against the will of the other person; or
  - b. Who is mentally disabled, mentally incapacitated, or physically helpless, and the defendant knows or should reasonably know of the condition.

- This offense is Class A1 misdemeanor and requires sex offender registration

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# GENERAL FRAMEWORK

## WHAT WAS THE ACT?

- Vaginal intercourse
- “Sexual act”
- “Sexual contact”
- Indecent liberties

## WAS IT FORCIBLE OR STATUTORY (AGE BASED)?

- Actual force
- Constructive force
- Age of Defendant
- Age of Victim
- Age Differential

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## B. Taking Indecent Liberties with Children

(Crimes Book p. 246; Supp. p. 90)

A person is guilty of taking indecent liberties if he:

1. Takes or attempts to take indecent liberties for the purpose of arousing or gratifying sexual desire, *or*
2. Commits or attempts to commit any lewd or lascivious act upon or with the body of a child

With a victim of either sex under the age of 16

By a defendant who is 16 years of age or more and at least five years older than the victim

- This offense is a Class F felony.

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## GENERAL FRAMEWORK

### WHAT WAS THE ACT?

- Vaginal intercourse
- “Sexual act”
- “Sexual contact”
- Indecent liberties

### WAS IT FORCIBLE OR STATUTORY (AGE BASED)?

- Actual force
- Constructive force
- Age of Defendant
- Age of Victim
- Age Differential

**MAYBE**

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## C. The Crime Against Nature

(Crimes book p. 281; Supp. p. 105)

Statute enacted in 1837:

Crime against nature, felony. 6. Any person who shall commit the abominable and detestable crime against nature, not to be named among christians, with either man or beast, shall be adjudged guilty of felony, and shall suffer death without benefit of clergy.

Current Statute:

If any person shall commit the crime against nature, with mankind or beast, he shall be punished as a Class I felon.

- Prohibited activity now includes anal intercourse, fellatio, cunnilingus, analingus, and object penetration.
- Since at least 2003, excludes consenting adults acting in private.

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**INDECENT LIBERTIES WITH CHILDREN (p. 246)**

- Takes or attempts to take an indecent liberty with a child for the purpose of arousing or gratifying sexual desire, or
- Willfully commits or attempts to commit any lewd or lascivious act upon or with the body of a child

D at least: 16  
V under: 16  
Age differential: 5+  
Class: F

**SEXUAL BATTERY (p. 254)**

- Sexual contact, defined as:
    - Touching the sexual organ, anus, breast, groin, or buttocks of any person;
    - Touching another person with one's own sexual organ, anus, breast, groin, or buttocks; or
    - Ejaculating, emitting, or placing semen, urine, or feces on another person
  - For a sexual purpose
  - Either
    - By force and against the will of a victim, or
    - With a person who is mentally disabled, mentally incapacitated, or physically helpless.
- A1 misd.

Class:

**CRIME AGAINST NATURE (p. 281)**

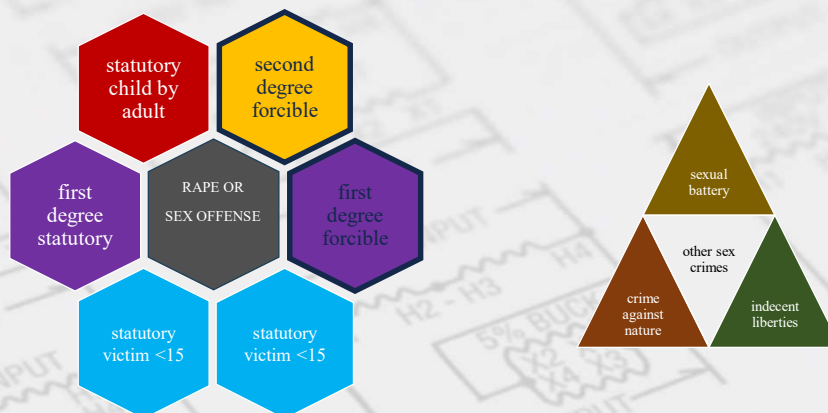
- Sex acts other than vaginal intercourse.
  - Constitutional limitation: Does not apply to adults engaged in consensual acts in private. *Lawrence v. Texas*, 539 U.S. 558 (2003).
- I Felony

Class:

Note: No sex offender registration required

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## RAPE AND OTHER SEX OFFENSES



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