

COLORADO

SEXUAL OFFENSE STATUTES	STATUTE OF LIMITATIONS	DNA EXCEPTION
<p>COLO. REV. STAT. § 18-3-402 Sexual assault</p> <p>Class 1 misdemeanor if, at the time of commission of the act, victim is at least fifteen years of age but less than seventeen years of age and actor is at least ten years older than victim and not the spouse of the victim</p> <p>Class 3 felony if victim was physically helpless and actor knows the victim was physically helpless and victim has not consented</p> <p>Class 3 felony if</p> <ul style="list-style-type: none"> • Actor causes submission of victim through the actual application of physical force or physical violence • Actor causes submission of victim by threat of imminent death, serious bodily injury, extreme pain, or kidnapping, to be inflicted on anyone, and victim believes that actor has the present ability to execute these threats • Actor causes submission of victim by threatening to retaliate in the future against victim or any other person, and victim reasonably believes that actor will execute this threat • Actor has substantially impaired victim's 	<p>COLO. REV. STAT. § 16-5-401 Limitation for commencing criminal proceedings</p> <p>(1) (a) No limit for any sex offense against a child under 15, or any attempt, conspiracy, or solicitation to commit a sex offense against a child under 15</p> <p>(6) The period of time during which an adult person or juvenile may be prosecuted shall be extended for an additional 7 years as to any offense charged under (§ 18-3-402) sexual assault, (§ 18-6-403) sexual exploitation of children, or charged as criminal attempt, conspiracy, or solicitation to commit any of the acts specified in said sections</p> <p>(8) (a) For all sexual assault violations (§ 18-3-402), (§ 18-6-403) sexual exploitation of children violations, felony violations of unlawful sexual contact (§ 18-3-404) or all criminal attempt, conspiracy or solicitation charges of any of the foregoing, within ten years after commission of the offense</p> <p>(8) (a.3) For all sexual assault violations (§ 18-3-402), (§ 18-6-403) Sexual exploitation of children violations or all criminal attempt, conspiracy or solicitation charges of any of</p>	<p>COLO. REV. STAT. § 16-5-401 Limitation for commencing criminal proceedings</p> <p>(8) (a.5) For the offense of sexual assault violations (§ 18-3-402), (§ 18-6-403) sexual exploitation of children violations or all criminal attempt, conspiracy or solicitation charges of any of the foregoing, if the identity of the defendant is determined, in whole or in part, by patterned chemical structure of genetic information, and the offense has been reported to a law enforcement agency within ten years after its commission, there is no time limit on the prosecution of the offense</p>

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<p>power to appraise or control victim’s conduct by employing, without victim’s consent, any drug, intoxicant, or other means for the purpose of causing submission</p> <p>Class 2 felony if</p> <ul style="list-style-type: none"> • Actor is physically aided or abetted by one or more other persons • Victim suffers seriously bodily injury • Actor is armed with a deadly weapon or an article used or fashioned in a manner to cause a person to reasonably believe that the article is a deadly weapon, or represents verbally or otherwise that the actor is armed with a deadly weapon and uses the deadly weapon, article, or representation to cause submission of the victim <p>Otherwise, sexual assault is a class 4 felony</p> <p>COLO. REV. STAT. § 18-3-404 Unlawful sexual contact</p> <p>Class 4 felony if (i) offender compels victim to submit by use of force, intimidation, or threat (ii) offender engages in treatment or examination of a victim for other than bona fide medical purposes or (iii) offender with or without sexual contact, induces or coerces a child to expose intimate parts or to engage in any sexual contact, intrusion or penetration with another person for the purpose of the actor’s own sexual</p>	<p>the foregoing, if victim was under 18 at the time of commission of the offense, within ten years after such victim reaches the age of 18</p> <p>(9) For a misdemeanor charge of unlawful sexual contact (§ 18-3-404) or criminal attempt, conspiracy or solicitation charges under the same, within five years after commission of the offense</p> <p>(1) (a) For all other felonies, within three years after commission of the offense</p> <p>(1) (a) For all other misdemeanors, within eighteen months after commission of the offense</p> <p>COLO. REV. STAT. §18-3-411. Sex offenses against children--“unlawful sexual offense” defined-- limitation for commencing proceedings-- evidence--statutory privilege</p> <p>(2) For a misdemeanor offense specified in (§ 18-3-402) sexual assault or (§ 18-3-404) unlawful sexual contact, within five years after the commission of the offense</p> <p>People v. Lowry, 160 P.3d 396, 397 (Colo. App. 2007)</p> <p>Defendant’s request for jury instructions on a lesser non-included offense waives any statute of limitations defects with respect to such lesser offense.</p>	
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<p>gratification Otherwise, class 1 misdemeanor</p> <p>COLO. REV. STAT. § 18-3-405 Sexual assault on a child Class 3 felony if</p> <ul style="list-style-type: none"> • Actor applies force against victim in order to accomplish or facilitate sexual contact • Actor, in order to accomplish or facilitate sexual contact, threatens imminent death, serious bodily injury, extreme pain, or kidnapping against victim or another person, and victim believes that the actor has the present ability to execute the threat • Actor, in order to accomplish or facilitate sexual contact, threatens retaliation by causing in the future the death or serious bodily injury, extreme pain, or kidnapping against victim or another person, and victim believes that actor will execute the threat • Actor commits offense as part of a pattern of sexual abuse <p>Otherwise, class 4 felony</p> <p>COLO. REV. STAT. § 18-3-405.3 Sexual assault on a child by one in a position of trust Class 3 felony if</p> <ul style="list-style-type: none"> • Victim is under 15 • Offender commits the offense as part of a pattern of sexual abuse 		
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Otherwise, class 4 felony		
COLO. REV. STAT. § 18-3-405.5 Sexual assault on a client by a psychotherapist Class 1 misdemeanor		
COLO. REV. STAT. § 18-6-301 Incest Class 4 felony		
COLO. REV. STAT. § 18-6-302 Aggravated incest Class 3 felony		

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