

NEW JERSEY

SEXUAL OFFENSE STATUTES	STATUTE OF LIMITATIONS	DNA EXCEPTION
<p>N.J. STAT. § 2C:14-2 Aggravated sexual assault; sexual assault Aggravated sexual assault is a crime of the first degree Sexual assault is a crime of the second degree</p> <p>N.J. STAT. § 2C:14-3 Aggravated criminal sexual contact; criminal sexual contact Aggravated criminal sexual contact is a crime of the third degree Criminal sexual contact is a crime of the fourth degree</p> <p>N.J. STAT. § 2C:14-4 Lewdness Disorderly persons offense if offender does any flagrantly lewd and offensive act which he knows or reasonably expects is likely to be observed by other non-consenting persons who would be affronted or alarmed Crime of the fourth degree if offender exposes his intimate parts for the purpose of arousing or gratifying the sexual desire of the actor or of any other person under circumstances where offender knows or reasonably expects he is likely to be observed by:</p> <ul style="list-style-type: none"> • A child under 13, and offender is at least four years older than child • A person who because of mental disease or defect is unable to understand the sexual 	<p>N.J. STAT. § 2C:1-6 Time limitations</p> <p>(a) No limit for:</p> <ul style="list-style-type: none"> • Sexual assault or aggravated sexual assault (§ 2C:14-2) <p>(b) (1) For a crime, within five years after commission of the offense</p> <p>(b) (2) For a disorderly persons offense, within one year after commission of the offense</p> <p>(b) (4) For the following offenses when victim was under 18 at the time of commission of the offense, within five years after victim reaches the age of 18 or within two years after discovery of the offense by the victim, whichever occurs later:</p> <ul style="list-style-type: none"> • Criminal Sexual contact or aggravated criminal sexual contact (§ 2C:14-3) • Endangering welfare of children (§ 2C:24-4) <p>(e) The period of limitation does not run during any time when a prosecution against the accused for the same conduct is pending in this State.</p> <p>(f) The limitations in this section shall not apply to any person fleeing from justice.</p> <p>State v. Nagle, 545 A.2d 182 (N.J. Super. Ct. App. Div. 1988) Extended statute of limitations may</p>	<p>N.J. STAT. § 2C:1-6 Time limitations</p> <p>(c) When the prosecution is supported by physical evidence that identifies the offender by means of a DNA or fingerprint analysis, time begins to run when the State is in possession of both the physical evidence and the DNA or fingerprint evidence necessary to establish the identification of the offender</p>

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<p>nature of offender's conduct</p> <p>N.J. STAT. § 2C:24-4 Endangering welfare of children</p> <p>Crime of the second degree when offender, who has a legal duty or has assumed responsibility to care for a child under age of 16, engages in sexual conduct with child (Crime of the third degree if offender is any other person not under legal duty to care for child)</p> <p>Crime of the second degree if offender causes child to engage in sexual act that will be photographed, filmed etc. (crime of the first degree if offender has legal duty to care for child)</p> <p>Crime of the second degree if offender photographs, receives, distributes, sells etc. photography, film, reproduction etc. of child engaging in sexual act (crime of the fourth degree if offender views or possesses such material)</p>	<p>constitutionally apply to a crime occurring before its effective date, if that date is before the expiration of the period provided by the prior statute of limitations.</p>	
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