



NORTH DAKOTA

SEXUAL OFFENSE STATUTES	STATUTE OF LIMITATIONS	DNA EXCEPTION
<p>N.D. CENT. CODE § 12.1-20-03 Gross sexual imposition Class AA felony if:</p> <ul style="list-style-type: none"> Offender inflicts serious bodily injury upon victim Offender compels victim to submit to a sexual act by force or threat of force or by threat of imminent death, serious bodily injury, or kidnapping, to be inflicted on any human being Offender engages in a sexual act with a victim under 15, and offender is at least 22 years of age As a result of injuries sustained during the course of an offense under this section, victim dies <p>Otherwise, class A felony</p> <p>N.D. CENT. CODE § 12.1-20-03.1 Continuous sexual abuse of a child Class AA felony if offender engaged in three or more sexual acts or sexual contact with a victim under 15 during a period of three or more months, and offender is at least 22 years of age Otherwise, class A felony</p>	<p>N.D. CENT. CODE § 29-04-02 Prosecution for felony other than murder For any felony other than murder, within three years after commission of the offense</p> <p>N.D. CENT. CODE § 29-04-02.1 Prosecution for gross sexual imposition For subdivision a of subsection 1 of gross sexual imposition (§ 12.1-20-03), if offender compels the victim to submit by force or by threat of imminent death, serious bodily injury, or kidnapping, to be inflicted on any human being, within seven years after commission of the offense</p> <p>N.D. CENT. CODE § 29-04-03 Prosecution for misdemeanor For any misdemeanor, within two years after commission of the offense</p> <p>N.D. CENT. CODE § 29-04-03.1 Prosecution for sexual abuse of minors For the following offenses, if victim was under 18 at the time of commission of the offense, within seven years after commission of the offense or, if victim failed to report the</p>	

Information compiled by RAINN and last updated December 2009. For more information, visit rainn.org. © RAINN 2009.

©2009. For reprint permission, please contact RAINN at info@rainn.org. Last updated: December 2009.

RAINN (Rape Abuse and Incest National Network) provides general information that is intended, but not guaranteed, to be correct and up-to-date. The information is not presented as a source of legal advice. You should not rely, for legal advice, on statements or representations made by RAINN. If you need legal advice upon which you intend to rely in the course of your legal affairs, consult a competent, independent attorney. RAINN does not assume any responsibility for actions or non-actions taken by people who have used this information, and no one shall be entitled to a claim for detrimental reliance on any information provided or expressed. RAINN does not endorse, guarantee or warranty the accuracy, reliability or thoroughness of any referenced information, product or service.



<p>N.D. CENT. CODE § 12.1-20-04 Sexual imposition Class B felony</p> <p>N.D. CENT. CODE § 12.1-20-06 Sexual abuse of wards Class C felony</p> <p>N.D. CENT. CODE § 12.1-20-06.1 Sexual exploitation by therapist Class C felony</p> <p>N.D. CENT. CODE § 12.1-20-07 Sexual assault Class C felony if offender knowingly has sexual contact with victim or causes another person to have sexual contact with victim, and:</p> <ul style="list-style-type: none"> • Offender knows or has reasonable cause to believe that victim suffers from a mental disease or defect which renders victim incapable of understanding the nature of that other person's conduct • Offender or someone else, with offender's knowledge, has substantially impaired the victim's power to appraise or control victim's conduct, by administering or employing without victim's knowledge intoxicants, a controlled substance, or other means for the purpose of preventing resistance • Victims is detained in a hospital, prison, or other institution and offender has supervisory or disciplinary authority over victim 	<p>offense within this limitation period, within three years after offense was reported to law enforcement authorities:</p> <ul style="list-style-type: none"> • Gross sexual imposition (§ 12.1-20-03) • Continuous sexual abuse of a child (§ 12.1-20-03.1) • Sexual imposition (§ 12.1-20-04) • Sexual abuse of wards (§ 12.1-20-06) • Sexual exploitation by therapist (§ 12.1-20-06.1) • Sexual assault (§ 12.1-20-07) • Incest (§ 12.1-20-11) <p>N.D. CENT. CODE § 29-04-03.2 Statute of limitations as to child victim For any violation of Chapter 12.1-20, if victim was under 15 at the time of commission of the offense, the applicable period of limitation does not begin to run until victim reaches the age of 15</p> <p>N.D. CENT. CODE § 29-04-04. Time of defendant's absence not part of limitation If the defendant is out of the state, or if the defendant is within the state and subsequently leaves the state, the information may be filed, or the indictment found, within the time herein limited, after the defendant's return to the state. No time during which the defendant is not an inhabitant of, or usually resident within, this state is part of the limitation.</p>	
---	---	--

Information compiled by RAINN and last updated December 2009. For more information, visit rainn.org. © RAINN 2009.

©2009. For reprint permission, please contact RAINN at info@rainn.org. Last updated: December 2009.

RAINN (Rape Abuse and Incest National Network) provides general information that is intended, but not guaranteed, to be correct and up-to-date. The information is not presented as a source of legal advice. You should not rely, for legal advice, on statements or representations made by RAINN. If you need legal advice upon which you intend to rely in the course of your legal affairs, consult a competent, independent attorney. RAINN does not assume any responsibility for actions or non-actions taken by people who have used this information, and no one shall be entitled to a claim for detrimental reliance on any information provided or expressed. RAINN does not endorse, guarantee or warranty the accuracy, reliability or thoroughness of any referenced information, product or service.



<ul style="list-style-type: none"> Victim is a minor 15 or above, and offender is victim's parent or guardian, or is otherwise responsible for general supervision of victim's welfare Victim is a minor 15 or above, and offender is at least 22 <p>Class A misdemeanor if offender knowingly has sexual contact with victim or causes another person to have sexual contact with victim, and victim is a minor 15 or above, and offender is at least 18 but under 22</p> <p>Class B misdemeanor if offender knowingly has sexual contact with victim or causes another person to have sexual contact with victim, and offender knows or has reasonable cause to believe that the contact is offensive to victim</p> <p>N.D. CENT. CODE § 12.1-20-11 Incest Class C felony</p> <p>N.D. CENT. CODE § 12.1-20-12 Deviate sexual act Class A misdemeanor</p>	<p>State v. Goebel, 725 N.W.2d 578 (N.D. 2007) § 29-04-03.1 and § 29-04-03.2 when read together, if the victim is under 15 at the time of the offense, the statute of limitations does not begin to run until the victim reaches the age of 15, which extends the initial seven-year period until the victim is 22, but if the victim does not report the offense to law enforcement, the limitations periods runs for 3 years after the offense is reported.</p> <p>Amendments extending statute of limitations apply retroactively for existing offenses for which the statute of limitations had not expired under prior law.</p>	
--	--	--

Information compiled by RAINN and last updated December 2009. For more information, visit rainn.org. © RAINN 2009.

©2009. For reprint permission, please contact RAINN at info@rainn.org. Last updated: December 2009.

RAINN (Rape Abuse and Incest National Network) provides general information that is intended, but not guaranteed, to be correct and up-to-date. The information is not presented as a source of legal advice. You should not rely, for legal advice, on statements or representations made by RAINN. If you need legal advice upon which you intend to rely in the course of your legal affairs, consult a competent, independent attorney. RAINN does not assume any responsibility for actions or non-actions taken by people who have used this information, and no one shall be entitled to a claim for detrimental reliance on any information provided or expressed. RAINN does not endorse, guarantee or warranty the accuracy, reliability or thoroughness of any referenced information, product or service.