

OKLAHOMA

SEXUAL OFFENSE STATUTES	STATUTE OF LIMITATIONS	DNA EXCEPTION
<p>OKLA. STAT. tit. 21, § 885 Incest Felony</p> <p>OKLA. STAT. tit. 21, § 888 Forcible sodomy Felony</p> <p>OKLA. STAT. tit. 21, § 1114 Rape in first degree; rape in second degree Rape in the first degree occurs when:</p> <ul style="list-style-type: none"> • Offender is over 18 and victim is under 14, or • Victim is incapable because of mental illness or any unsoundness of mind of giving legal consent, or • Rape is accomplished because victim is intoxicated as a means of forcing victim to submit or the victim is unconscious and this fact is known to offender • Offender uses force, violence, threats of force or violence accompanied by apparent power of execution, or • Offender commits rape by instrumentation that results in bodily harm, or • Offender commits rape by instrumentation, and victim is under 14 <p>Otherwise, rape is in the second degree</p>	<p>OKLA. STAT. tit. 22, § 152 Limitations in general</p> <p>(C) (1) Within 12 years after discovery of the offense for the following offenses:</p> <ul style="list-style-type: none"> • Rape (tit. 21, § 1114) • Forcible sodomy (tit. 21, § 888) • Lewd or indecent proposals or acts against children (tit. 21, § 1123) <p>(H) For all other offenses, within three years after commission of the offense</p> <p>(J) “Discovery” means the date that a sexually related crime involving a victim under 18 is reported to a law enforcement agency, up to an including one year after the victim turns 18</p> <p>State v. Cox, 152 P.3d 244 (Okla. Crim. App. 2006) Amendments extending statute of limitations will not apply retroactively to crimes committed prior to the amendment date unless amendment expressly indicates as such.</p>	<p>OKLA. STAT. tit. 22, § 152 Limitations in general</p> <p>(C) (2) Prosecution may be commenced at any time after commission of the offense if victim notified law enforcement within 12 years after discovery of the offense, physical evidence was collected and preserved that is capable of being tested to obtain a DNA profile, and the identity of offender is subsequently established through the use of a DNA profile using that evidence; however, a prosecution must be commenced within three years after the date on which the identity of the offender is established through DNA testing; applies for the following offenses:</p> <ul style="list-style-type: none"> • Rape (tit. 21, § 1114) • Forcible sodomy (tit. 21, § 888) • Lewd or indecent proposals or acts against children (tit. 21, § 1123)

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>OKLA. STAT. tit. 21, § 1123 Lewd or indecent proposals or acts upon a child under 16 or person believed to be under 16; sexual battery Lewd or indecent proposals or acts upon a child under 16 is a felony Sexual battery is a felony</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.