

LOUISIANA

SEXUAL OFFENSE STATUTES	STATUTE OF LIMITATIONS	DNA EXCEPTION
<p>LA. REV. STAT. § 14:42 Aggravated rape Punishable by life imprisonment at hard labor without benefit of parole, probation, or suspension of sentence Kennedy v. Louisiana, 128 S.Ct. 2641, 2008 WL 2511282 (June 25, 2008). (R.S. 14:42(D)(2) held unconstitutional as Eighth Amendment prohibits the death penalty for the rape of a child where the crime did not result, and was not intended to result, in death of the victim.)</p> <p>LA. REV. STAT. § 14:42.1 Forcible rape Punishable by imprisonment at hard labor for not less than 5 nor more than 40 years</p> <p>LA. REV. STAT. § 14:43 Simple rape Punishable by imprisonment with or without hard labor, without benefit of parole, probation, or suspension of sentence, for not more than 25 years</p> <p>LA. REV. STAT. § 14:43.1 Sexual battery Punishable by imprisonment with or without hard labor, without benefit of parole, probation, or suspension of sentence, for not more than 10 years</p>	<p>LA. CODE CRIM. PROC. art. 571 Crimes for which there is no time limitation No time limit for any crime for which the punishment may be death or life imprisonment, or for forcible rape (§ 14:42.1)</p> <p>LA. CODE CRIM. PROC. art. 571.1 Time limitation for certain sex offenses For the following offenses committed against a victim under 17, 30-year time limit which begins to run when victim attains the age of 18:</p> <ul style="list-style-type: none"> • Sexual battery (§ 14:43.1) • Second degree sexual battery (§ 14:43.2) • Oral sexual battery (§ 14:43.3) • Felony carnal knowledge of a juvenile (§ 14:80) • Indecent behavior with juveniles (§ 14:81) • Molestation of a juvenile (§ 14:81.2) • Crime against nature (§ 14:89) • Aggravated crime against nature (§ 14:89.1) • Incest (§ 14:78) 	<p>LA. CODE CRIM. PROC. art. 572 Limitation of prosecution of noncapital offenses (B) (2) Prosecutions for any sex offense otherwise barred may be commenced within three years after the date on which the identity of the suspect is established by a DNA testing</p>

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<p>If victim was under 13 and offender was 17 or over, punishable by imprisonment at hard labor for not less than 25 nor more than 99 years.</p> <p>LA. REV. STAT. § 14:43.2 Sexual battery, second degree Punishable by imprisonment with or without hard labor, without benefit of parole, probation, or suspension of sentence, for not more than 15 years If victim was under 13 and offender was 17 or over, punishable by imprisonment at hard labor for not less than 25 nor more than 99 years.</p> <p>LA. REV. STAT. § 14:43.3 Oral sexual battery Punishable by imprisonment, with or without hard labor, without benefit of parole, probation, or suspension of sentence, for not more than 10 years If victim was under 13 and offender was over 17, punishable by imprisonment at hard labor for not less than 25 nor more than 99 years.</p> <p>LA. REV. STAT. § 14:43.5 Intentional exposure to AIDS virus Punishable by fine of not more than \$5000, and/or by imprisonment with or without hard labor for not more than 10 years If victim was a police officer, punishable by fine of not more than \$6000, and/or by imprisonment with or without hard labor for not more than 11 years</p>	<ul style="list-style-type: none"> Aggravated incest (§ 14:78.1) <p>LA. CODE CRIM. PROC. art. 572 Limitation of prosecution of noncapital offenses</p> <p>(A) (1) For a felony necessarily punishable by imprisonment at hard labor, within six years after commission of the offense</p> <p>(A) (2) For a felony not necessarily punishable by hard labor, within four years after commission of the offense</p> <p>(A) (3) For a misdemeanor punishable by a fine, or imprisonment, or both, within two years after commission of the offense</p> <p>(A) (4) For a misdemeanor punishable only by a fine or forfeiture, within six months after commission of the offense</p>	
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<p>LA. REV. STAT. § 14:78 Incest If between ascendant and descendant, or between brother and sister, punishable by imprisonment at hard labor for not more than 15 years If between uncle and niece, or between aunt and nephew, punishable by fine of not more than \$1000, and/or by imprisonment with or without hard labor for not more than 5 years</p> <p>LA. REV. STAT. § 14:78.1 Aggravated incest Punishable by fine of not more than \$50,000, and/or by imprisonment with or without hard labor, for not less than 5 years nor more than 20 years If victim is under 13 and offender is at least 17, punishable by imprisonment at hard labor for not less than 25 years nor more than 99 years</p> <p>LA. REV. STAT. § 14:80 Felony carnal knowledge of a juvenile Punishable by fine not more than \$5000 and/or by imprisonment with or without hard labor, for not more than 10 years</p> <p>LA. REV. STAT. § 14:80.1 Misdemeanor carnal knowledge of a juvenile Punishable by fine not more than \$1000, and/or by imprisonment for not more than 6 months</p> <p>LA. REV. STAT. § 14:81 Indecent behavior with juveniles</p>		
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<p>Punishable by fine not more than \$5000 and/or by imprisonment with or without hard labor for not more than seven years</p> <p>If victim is under 13 and offender is at least 17, punishable by imprisonment at hard labor for not less than 2 nor more than 25 years.</p> <p>LA. REV. STAT. § 14:81.2 Molestation of a juvenile</p> <p>Punishable by fine not more than \$5000 and/or by imprisonment with or without hard labor, for not less than 5 nor more than 10 years</p> <p>If offender has control or supervision over juvenile, punishable by fine not more than \$10000 and/or by imprisonment with or without hard labor, for not less than 5 nor more than 20 years</p> <p>If offender commits incidents of molestation that recur during a period of time more than 1 year, punishable by fine of not more than \$10000 and/or by imprisonment, with or without hard labor, for not less than 5 nor more than 40 years</p> <p>If victim is under 13, punishable by imprisonment at hard labor for not less than 25 nor more than 99 years</p> <p>If offender is educator of the juvenile, punishable by fine not more than \$10000 and/or by imprisonment with or without hard labor, for not less than 5 nor more than 40 years</p> <p>LA. REV. STAT. § 14:81.4 Prohibited sexual conduct between educator and student</p> <p>Punishable by fine of not more than \$1000,</p>		
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<p>and/or by imprisonment for not more than 6 months</p> <p>If second or subsequent offense, punishable by fine of not more than \$5000 and by imprisonment with or without hard labor, for not less than 1 nor more than 5 years</p> <p>LA. REV. STAT. § 14:89 Crime against nature Unnatural carnal copulation by a human being with an animal (Louisiana Electorate of Gays and Lesbians, Inc. v. Connick, App. 5 Cir.2005, 902 So.2d 1090, 04-1468 (La.App. 5 Cir. 4/26/05), held unconstitutional portions of statute relating to "unnatural carnal copulation" between human beings) Punishable by fine of not more than \$2000, and/or imprisonment, with or without hard labor, for not more than 5 years</p> <p>LA. REV. STAT. § 14:89.1 Aggravated crime against nature Punishable by imprisonment at hard labor without benefit of suspension of sentence, probation or parole, for not less than 3 nor more than 15 years</p>		
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