



CALIFORNIA

SEXUAL OFFENSE STATUTES	STATUTE OF LIMITATIONS	DNA EXCEPTION
<p>CAL. PENAL CODE § 261 Rape</p> <p>CAL. PENAL CODE § 261.5 Unlawful sexual intercourse with a minor Misdemeanor if victim is not more than three years older or three years younger than offender Misdemeanor or felony if victim is more than three years younger than offender; punishable by imprisonment in a county jail not exceeding one year, or by imprisonment in the state prison Misdemeanor or felony if offender is at least 21 and victim is under 16; punishable by imprisonment in a county jail not exceeding one year, or by imprisonment in the state prison for two, three, or four years</p> <p>CAL. PENAL CODE § 262 Spousal rape</p> <p>CAL. PENAL CODE § 264 Punishment for rape Rape, as defined in § 261 and § 262, is punishable by imprisonment in the state prison for three, six, or eight years</p> <p>CAL. PENAL CODE § 269 Aggravated sexual assault of child Felony, punishable by imprisonment in the state prison for 15 years to life</p>	<p>CAL. PENAL CODE § 799 No limit for offenses punishable by death or life imprisonment without parole</p> <p>CAL. PENAL CODE § 800 For offenses punishable by imprisonment for eight years or more, within six years after commission of the offense</p> <p>CAL. PENAL CODE § 801 For offenses punishable by imprisonment in state prison, within three years after commission of the offense</p> <p>CAL. PENAL CODE § 801.1 (a) For the following offenses, if the victim was under 18 at the time of commission of the offense, anytime before victim's 28th birthday: <ul style="list-style-type: none"> • Rape (§ 261) • Sodomy (§ 286) • Lewd or lascivious acts involving children (§ 288) • Continuous sexual abuse of a child (§ 288.5) • Penetration by foreign object (§ 289) (b) For the following offenses, within 10 years after commission of the offense: <ul style="list-style-type: none"> • Rape (§ 261) </p>	<p>CAL. PENAL CODE § 803 (g) (g) Notwithstanding the limitations described in section 799-801.1 of the Cal. Penal Code, criminal complaints for the following offenses may be filed within one year after the identity of the suspect is conclusively established by DNA testing:</p> <ul style="list-style-type: none"> • Rape (§ 261) • Aggravated sexual assault of child (§ 269) • Incest (§ 285) • Sodomy (§ 286) • Lewd or lascivious acts involving children (§ 288) • Continuous sexual abuse of child (§ 288.5) • Sexual acts with child 10 or younger (§ 288.7) • Penetration by foreign object (§ 289) <p>This DNA exemption is available if, for offenses committed prior to January 1, 2001, the biological evidence has been analyzed for DNA type no later than January 1, 2004, and for offenses committed on or after January 1, 2001, the biological evidence is analyzed for DNA type within two years after commission of the offense:</p>

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<p>CAL. PENAL CODE § 285 Incest Punishable by imprisonment in the state prison</p> <p>CAL. PENAL CODE § 286 Sodomy Punishable by imprisonment in the state prison</p> <p>CAL. PENAL CODE § 288 Lewd or lascivious acts involving children Punishable by imprisonment in the state prison</p> <p>CAL. PENAL CODE § 288.5 Continuous sexual abuse of child Requires three or more acts of substantial sexual conduct with a child under 14 Punishable by imprisonment in the state prison</p> <p>CAL. PENAL CODE § 288.7 Sexual acts with child 10 or younger Felony, punishable by imprisonment in the state prison</p> <p>CAL. PENAL CODE § 289 Penetration by foreign object Punishable by imprisonment in the state prison</p>	<ul style="list-style-type: none"> • Aggravated sexual assault of child (§ 269) • Incest (§ 285) • Sodomy (§ 286) • Lewd or lascivious acts involving children (§ 288) • Continuous sexual abuse of child (§ 288.5) • Sexual acts with child 10 or younger (§ 288.7) • Penetration by foreign object (§ 289) 	
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