



**MISSISSIPPI**

<b>SEXUAL OFFENSE STATUTES</b>	<b>STATUTE OF LIMITATIONS</b>	<b>DNA EXCEPTION</b>
<p>MISS. CODE § 97-3-65 Statutory rape  Applies when offender at least 17 has sexual intercourse with a child at least 14 but under 16, and offender is at least 3 years older than victim  Applies when victim is under 14 and offender is at least two years older than victim</p> <p>MISS. CODE § 97-3-71 Assault with intent to ravish</p> <p>MISS. CODE § 97-3-95 Sexual battery</p> <p>MISS. CODE § 97-3-104 Sexual activity between law enforcement or correctional personnel and prisoners</p> <p>MISS. CODE § 97-5-23 Touching or handling a child or mentally defective, incapacitated, or physically helpless person</p> <p>MISS. CODE § 97-5-24 Sexual involvement of school employee with student</p> <p>MISS. CODE § 97-5-41 Carnal knowledge of step or adopted child; carnal knowledge of child by cohabiting partner  Applies when child is over 14 but under 18</p> <p>MISS. CODE § 97-29-27 Incest</p>	<p>MISS. CODE § 99-1-5 Time limitation on prosecutions  No limit for sexual battery of a child (§ 97-3-95 (1) (c), (1) (d), and (2)):</p> <ul style="list-style-type: none"> <li>• Victim is at least 14 but under 16 and offender is at least three years older than victim</li> <li>• Victim is under 14 and offender is at least two years older than victim, or</li> <li>• Victim is under 18 and offender is in a position of trust or authority over the child</li> </ul> <p>No limit for touching or handling a child for lustful purposes (§ 97-5-23)  For all other offenses, within two years after commission of the offense</p> <p>This provision also provides that there is no statute of limitations for the offense of rape, which used to be § 97-3-67, but has since been repealed</p> <p>Crawford v. State, 754 So. 2d 1211 (Miss. 2000)  Held that the term “rape” as used in § 99-1-5 is not unconstitutionally vague—the statute clearly excludes rape from a statute of limitations whether it is defined as rape or capital rape</p>	

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