

MISSISSIPPI

SEXUAL OFFENSE STATUTES	STATUTE OF LIMITATIONS	DNA EXCEPTION
<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 § 97-29-59 Unnatural intercourse</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"> • Victim is at least 14 but under 16 and offender is at least three years older than victim • Victim is under 14 and offender is at least two years older than victim, or • Victim is under 18 and offender is in a position of trust or authority over the child <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that there is no statute of limitations for the offense of rape, which used to be § 97-3-67, but has since been repealed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>	

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.



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.