

SEX ACTS: CRIMES BASED ON AGE

	Offender 17 and younger	18	19 and older
Victim 11 and younger	2 nd degree sexual abuse (709.3) For offenders 16 or 17 years old: Indecent contact with a child (709.12) For offenders 16 or older: Lascivious acts with a child (709.8)	2 nd degree sexual abuse (709.3) Lascivious acts with a child (709.8) Indecent contact with a child (709.12) Lascivious conduct with a minor (709.14)*	2 nd degree sexual abuse (709.3) Lascivious acts with a child (709.8) Indecent contact with a child (709.12) Lascivious conduct with a minor (709.14)*
12	3rd degree sexual abuse (709.4) For offenders 17 years old: Indecent contact with a child (709.12) For offenders 16 or older: Lascivious acts with a child (709.8)	3rd degree sexual abuse (709.4) Lascivious acts with a child (709.8) Indecent contact with a child (709.12) Lascivious conduct with a minor (709.14)*	3rd degree sexual abuse (709.4) Lascivious acts with a child (709.8) Indecent contact with a child (709.12) Lascivious conduct with a minor (709.14)*
13	3rd degree sexual abuse (709.4) For offenders 16 or older: Lascivious acts with a child (709.8)	3rd degree sexual abuse (709.4) Lascivious acts with a child (709.8) Indecent contact with a child (709.12) Lascivious conduct with a minor (709.14)*	3rd degree sexual abuse (709.4) Lascivious acts with a child (709.8) Lascivious conduct with a minor (709.14)*
14	3rd degree sexual abuse (709.4)**	3rd degree sexual abuse (709.4) Lascivious conduct with a minor (709.14)*	3rd degree sexual abuse (709.4) Lascivious conduct with a minor (709.14)*
15	3rd degree sexual abuse (709.4)**	Lascivious conduct with a minor (709.14)*	3rd degree sexual abuse (709.4) Lascivious conduct with a minor (709.14)*
16		Lascivious conduct with a minor (709.14)*	Lascivious conduct with a minor (709.14)*
17		Lascivious conduct with a minor (709.14)*	Lascivious conduct with a minor (709.14)*
18 and older			

* Only if the offender is in a position of authority over the victim.

** Only if the offender is a member of the same household as the victim, related to the victim by blood or affinity in the fourth degree, or is in a position of authority over the victim and uses that authority to coerce the victim to submit.

Note: This table only addresses sex crimes based on age, without the use of force or threats of force. It is meant to demonstrate instances in which otherwise “consensual” sex can be a crime based on the victim’s age. Obviously, sex acts involving persons of ANY age may be crimes when threats, violence, and certain types of incapacitation are involved.