

State	Statute	Classification	Penalty	No Means No
Alabama {Ala. Code § 13A-6-60 (2002)} *See 13A-5-9 for classification of repeat offenses: Second felony offense: Class C reclassified as B; Class B reclassified as A; Class A: 15-99 years Third felony offense: Class C reclassified as A; Class B: 15-99; Class A: life/99 year minimum *See 13A-5-6 & 7 for felony sentences to include hard labor for state or county 13A-6-70 specifically addresses consent	Rape—1 st degree	Class A felony	Life or 10-99 years; not less than 20 year sentence if deadly weapon used	NO
	Rape—2 nd degree	Class B felony	2-20 year sentence; not less than 10 years if deadly weapon used	NO
	Sodomy—1 st degree	Class A felony	2-20 years; 10 year minimum if deadly weapon used	NO
	Sodomy—2 nd degree	Class B felony	Not more than 1 year	NO
	Sexual Misconduct	Class A misdemeanor	1 year/1 day to 10 year sentence; not less than 10 if deadly weapon used	NO
	Sexual Abuse—1 st degree	Class C felony	Not more than 1 year	YES
	Sexual Abuse—2 nd degree	Class A misdemeanor; if subsequent offense is committed within one year, Class C felony		YES
Alaska {Alaska Stat. § 11.41.470 (2002)} *See 12.55.155 (2002) for aggravating and mitigating factors which may affect sentencing	Sexual Assault—1 st degree	Unclassified felony	Not more than 30 years	NO
	Sexual Assault—2 nd degree	Class B felony	Not more than 10 years; presumptive term of 4 years for 2 nd felony, 6 years for 3 rd	NO
	Sexual Assault—3 rd degree	Class C felony	Not more than 5 years; presumptive term of 2 years for 2 nd , felony, 3 years for 3 rd	NO
	Sexual Assault—4 th degree	Class A misdemeanor	Not more than 1 year	NO

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	Sexual Abuse of a minor—1 st degree	Unclassified felony	Not more than 30 years	NO
	Sexual Abuse of a minor—2 nd degree	Class B felony	Not more than 10 years	NO
	Sexual Abuse of a minor—3 rd degree	Class C felony	Not more than 5 years	NO
Arizona { Ariz. Rev. Stat. Ann. § 13-1401 (2002) } *See 13-604 for repeat offenders Force or threat of force against person or property = without consent	Sexual Assault	Class 2 felony	First offense-5.25 to 14 years Prior felony-7-21 years Two+ felonies-14-28 years (A.R.S. 13-1406) If victim under 12, life in prison (13-604.1)	NO
	Violent Sexual Assault	Class 2 felony	Natural life sentence (A.R.S. 13-1423)	NO
	Sexual Abuse	Class 5 felony; Class 3 felony if victim under 15	1.5 years; (13-604 for repeat offender sentencing)	NO
	Sexual Assault of spouse	Class 6 felony for first offense; subsequent offense is Class 2 felony	Class 1 misdemeanor w/ mandatory counseling for first offense based on judicial discretion; subsequent offense: 5 years (13-70)	NO
	Sexual conduct w/ a minor	Class 2 felony if victim under 15 or offender is guardian; Class 6 felony if victim 15+	If victim under 12, life in prison w/o probation until 35 years served	NO
Arkansas { Ark. Stat. Ann. § 5-14-101 (2002) } *See A.C.A. 5-3-203 (2002) for attempted crimes being prosecuted: Class A if Class Y attempted; Class B if Class A attempted, Class C if Class B attempted; Class D if Class C attempted; Class A	Rape	Class Y felony	Life or 10-40 years; possible fine and restitution	NO
	Sexual Assault—1 st degree	Class A felony	6-30 years; up to \$15,000 fine	NO
	Sexual Assault—2 nd degree	Class B felony	5-20 years; up to \$15,000 fine	NO

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misdemeanor if Class D felony attempted; Class B misdemeanor if Class A misdemeanor attempted	Sexual Assault—3 rd degree	Class C felony	3-10 years; up to \$10,000 fine	NO
	Sexual Assault—4 th degree	Class A misdemeanor	Not more than 1 year; up to \$1,000 fine	NO
	Indecent Exposure	Class A misdemeanor; subsequent offense where victim is 11-15 years old is Class D felony unless actor is under 18		NO
California {Cal. Penal Code § 261 (2003)} * See <i>CA Penal Code 264</i> for AIDS education fine information * See <i>CA Penal Code 264.1</i> for punishment for aiding or abetting a rape, a spousal rape, or a penetration by a foreign object is 5, 7, or 9 years * See <i>Cal Pen Code § 667.61</i> for “specified sex offenses subject to punishment by incarceration for life.” "Consent - positive cooperation in act or attitude, act and free will	Rape	Felony	Rape punishable by state prison sentence of 3, 6, or 8 years (<i>CA Penal Code 264</i>)	
	Unlawful Sexual Intercourse w/ a minor	Misdemeanor or felony if actor is three+ years older than victim Misdemeanor or felony if agent is over 21 and victim is under 16	State prison or county jail for 1 year; fine State prison for 2-4 years or county jail for up to 1 year; fine	NO NO
	Assault w/ intent to commit specified sex offenses		State prison for 2, 4, or 6, year	NO
	Oral copulation		Not more than 1 year if victim under 18 (<i>288a</i>)	YES
	Penetration by foreign object	Felony if victim under 16 and offender is 21+	3, 6, or 8 years, or if victim and offender are under 18, not more than 1 year	YES
	Aggravated Sexual Assault of a child	Felony	15 years to life	NO
	Spousal Rape		See <i>CA Penal Code 262(e)</i>	YES
	Sodomy	Felony if committed by force (See <i>Cal Pen Code § 286</i>)	3, 6, or 8 years if committed by force See <i>Cal Pen Code § 286</i> for other factors in sentencing such as age of victim/offender	YES

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Colorado {Colo. Rev. Stat. § 18-3-401 (2002)} *See <i>C.R.S. 18-1.3-801</i> for habitual offenders *See <i>C.R.S. 18-1.3-406</i> for violent offenders Consent = cooperation in act or attitude	Sexual Assault	Class 1 misdemeanor if victim is 15-17 and actor is not spouse & 10+ years older Class 2 felony if aided or abetted by 1+ persons; deadly weapon used; seriously bodily injury caused Class 3 felony if victim is physically helpless and has not consented; actor used violence, actor threatened violence, death, injury, pain, or kidnapping and victim believed threats could be carried out; actor threatened retaliation; actor impaired victim's mental capacity w/o consent Class 4 felony	6-18 month sentence; \$500-5,000 fine 8-20 years; 5 years mandatory parole; \$5,000-one million dollar fine 4-16 years; 5 years mandatory parole: \$3,000-\$750,000 fine 2-8 years; 3 years mandatory parole; \$2,000-\$500,000 fine	NO
	Unlawful sexual contact	Class 1 misdemeanor; if force, intimidation, or threat used, then Class 4 felony	6-18 month sentence; \$500-5,000 fine	YES
	Sexual Assault on a child	Class 4 felony; Class 3 felony if force or believable threat used or pattern of abuse exists	2-8 years; 3 years mandatory parole; \$2,000-\$500,000 fine	NO

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	Sexual Assault on a child; in position of trust	Class 3 felony if victim under 15 or pattern of abuse exists; Class 4 if victim 15-18 and no pattern exists	4-16 years; 5 years mandatory parole: \$3,000-\$750,000 fine	NO
Connecticut {Conn. Gen. Stat. Ann. § 53a-65 (West 2000)} * See Conn. Gen. Stat. § 53a-40d; Conn. Gen. Stat. § 53a-40 for persistent offenders	Sexual Assault—1 st degree	Class B felony	1-20 years; up to \$20,000 fine; two years of sentence is mandatory; if victim under age 10, 10 years of sentence mandatory	NO
	Sexual Assault—2 nd degree	Class C felony	1-10 years; up to \$10,000 fine; 9 months of sentence is mandatory	NO
	Sexual Assault—3 rd degree	Class D felony	1-5 years; up to \$5,000 fine	NO
	Sexual Assault—3 rd degree with a firearm	Class C felony	1-10 years; up to \$10,000 fine; two years of sentence are mandatory followed by “period of special parole” which constitutes a total of 10 years	NO
	Sexual Assault—4 th degree	Class A misdemeanor; or Class D felony	Not more than 1 year or 1-5 years for class D felony	NO
	Aggravated Sexual Assault 1st degree	Class B felony	1-20 years; up to \$15,000 fine; five years of sentence is mandatory, followed by “period of special parole” which together constitutes period of 20 years	NO
	Sexual Assault in spousal or cohabitating relationship	Class B felony	1-20 years if gun used <i>(Conn. Gen. Stat. § 53a-35a)</i>	NO

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Delaware {Del. Code Ann. tit. 11, § 761 (2002)} Without consent no force required. Only need to resist to extent necessary to make refusal known *See 11 Del. C. § 4214 for life imprisonment sentencing of habitual offenders	Rape—1 st degree	Class A felony	Life in prison w/o probation or parole if: victim under 16 and is seriously injured; “serious or prolonged disfigurement;” convicted of rape against 3 separate victims; or previously convicted of some sex offenses (<i>11 Del. Code 773</i>)	YES
	Rape—2 nd degree	Class B felony	10 years minimum sentence	YES
	Rape—3 rd degree	Class B felony	2-20 years	YES
	Rape—4 th degree	Class C felony	Up to 10 years	YES
	Unlawful Sexual Contact—1 st degree	Class F felony	Up to 3 years	NO
	Unlawful Sexual Contact—2 nd degree	Class G felony	Up to 2 years	NO
	Unlawful Sexual Contact—3 rd degree	Class A misdemeanor	Up to one year; up to \$2,300 fine	YES
District of Columbia {D.C. Code Ann. § 22-3001 (2002)} * For aggravating circumstances in sentencing, see <i>D.C. Code 22-3020</i> . Consent - words or overt actions indicating freely given agreement	Sexual Abuse—1 st degree	Class A felony	Any term of years up to life; fine of up to \$250,000	NO
	Sexual Abuse—2 nd degree	Felony	Up to 20 years in prison; fine of up to \$200,000	NO
	Sexual Abuse—3 rd degree	Felony	Up to 10 years in prison; fine of up to \$100,000	NO
	Sexual Abuse—4 th degree	Felony	Up to 5 years in prison; fine of up to \$50,000	NO
	Misdemeanor Sexual Abuse	Misdemeanor	Up to 180 days; fine of up to \$1,000	YES
	Child Sexual Abuse—1 st degree	Class A felony	Any term of years or life	NO
	Child Sexual Abuse—2 nd degree		Up to 10 years in prison; fine of up to \$100,000	NO

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	Assault w/ intent to...commit 1 st or 2 nd degree Sexual Abuse or Child Sexual Abuse		2-15 years	NO
	Attempt to commit Sex Offenses		Up to 15 years; not more than half the maximum sentence for offense	NO
Florida Stat. § 794.011 (2002)} * For reclassification of offenses committed by multiple perpetrators, see <i>Fla Stat. 794.023</i> . * For mandatory minimum sentences for certain reoffenders, see <i>Fla Stat. 775.082</i> . * For felony reclassification for possession or use of a weapon, see <i>Fla. Stat. 775.087</i> . * For enhanced prison terms for habitual felony offenders, see <i>Fla. Stat. 775.084</i> .	{Fla. Sexual Battery	Capital felony if person over 18 sexually batters person under 12	Death	NO
		Life Felony if under 18 offender batters victim under 12	Sentence not to exceed life	NO
		Life felony if batterer uses deadly weapon on person over 12	Sentence not to exceed life	YES
		1 st degree felony when victim is helpless to resist; threat of violence reasonably believed; mental incapacitation w/o consent; victim is mentally defective or physically incapacitated; or offender is officer of law	Up to 30 years	YES
		2 nd degree felony: victim is over 12 and force unlikely to cause serious injury; 1 st degree felony for multiple perpetrators	Up to 15 years	YES
	3 rd degree felony when persons of authority (familial or custodial) solicit act	Up to 5 years	NO	

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Georgia {Ga. Code Ann. § 16-6-1 (2002)} * See <i>O.C.G.A. § 17-10-6.1</i> for serious violent offenders * See <i>O.C.G.A. § 17-10-7</i> for repeat offenders	Rape		Death, life in prison w/ or w/o parole, or 10-20 years in prison; (<i>17-10-6.1, 17-10-7</i>)	NO
	Statutory Rape	Misdemeanor if victim is 14-15, offender is no more than three years older than victim	1-20 years in prison; if offender is 21+, then 10-20 years in prison	NO
	Sexual battery	Misdemeanor of high and aggravated nature	Up to 12 months; \$5,000 fine	NO
	Aggravated sexual battery	Felony	10-20 years in prison	NO
	Sodomy	Felony	1-20 years; 10-30 if aggravated	NO
Hawaii {Haw. Rev. Stat. § 707-700 (2002)} Compulsion language that states lack of consent, but doesn't define consent * See <i>HRS § 706-662, HRS § 706-661</i> for sentence extensions * See <i>HRS § 706-660.1</i> for felonies committed w/ a firearm * See <i>HRS § 706-606.5</i> for repeat offender sentencing	Sexual assault—1 st degree	Class A felony	Up to 20 years	NO
	Sexual assault—2 nd degree	Class B felony	Up to 10 years	NO
	Sexual assault—3 rd degree	Class C felony	Up to 5 years	NO
	Sexual assault—4 th degree	Misdemeanor	Up to 1 year	NO
Idaho {Idaho Code § 18-6101 (2002)} Resistance language, but unclear if physical, verbal, or both	Rape	Felony	1 year to life based on judicial discretion	NO
	Lewd conduct w/ a minor child under 16	Felony	Up to life in prison	NO
	Sexual Battery of a minor child 16-17	Felony	Up to 15 years; if act is lewd, up to life	NO
	Male Rape	Felony	1 year to life	NO
Illinois {Ill. Crim. Code 720 ILCS 5/12-13 (2002)}	Criminal Sexual Assault	Class 1 felony	4-15 years subsequent offense: Class X felony of 30-60 years in prison; subsequent offense after aggravated sexual assault is Class X felony of life in prison	NO

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	Aggravated Criminal Sexual Assault	Class X felony	6-30 years; presence of gun adds ten years to sentence; firing of gun adds 25. Subsequent offense gets life	NO
	Criminal Sexual Abuse	Class A misdemeanor Class 4 felony if force/threat of force used or abuser knew victim could not give consent Subsequent offense is Class 2 felony	Less than one year 1-3 years 3-7 years	NO
	Aggravated Criminal Sexual Abuse	Class 2 felony	3-7 years	NO
Indiana {Ind. Code Ann. § 35-42-4-1 (2002)}	Rape	Class A felony if committed by using or threatening deadly force; committed while armed with deadly weapon; results in serious bodily injury; or victim is incapacitated w/o consent Class B felony if threat of force used; victim is unaware that intercourse is occurring; or victim is mentally disabled or deficient	30 year sentence; up to \$10,000 fine 10 year sentence; up to \$10,000 fine	NO
	Criminal Deviate Conduct	Class A or B felony; see requirements for Rape class distinctions		NO
	Sexual Battery	Class D felony if compelled to submit by force or imminent threat of force; or mental disability of victim	1.5 year sentence; up to \$10,000 fine	NO

* See § 35-50-2-14 and § 35-50-2-8 for repeat and violent offenders

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		Class C felony if committed by use or threat of deadly force or w/ deadly weapon; or victim is incapacitated without consent	4 year sentence; up to \$10,000 fine	
	Vicarious Sexual Gratification	Class C felony if committed by use or threat of deadly force or w/ deadly weapon; or victim is incapacitated without consent Class A if serious bodily injury results Class B if deadly force or threat used Class C if victim under 14 Class D felony	4 year sentence; up to \$10,000 fine Class A: 30 year sentence Class B: 10 year sentence Class C: 4 year sentence Class D: 1.5 year sentence	NO
Iowa	{Iowa			
Code § 702.17 (2002)	Sexual Abuse—1 st degree	Class A felony	Life in prison	NO
* See <i>Iowa Code</i> § 902.8 for habitual offenders	Sexual Abuse—2 nd degree	Class B felony	Up to 25 years	NO
* See <i>Iowa Code</i> § 902.12 for mandatory sentencing guidelines	Sexual Abuse—3 rd degree	Class C felony	Up to 10 years	NO
* See <i>Iowa Code</i> § 901A.2 for enhanced sentencing factors	Sexual exploit. of minor	Class C felony	Up to 10 years	NO
"Against the will" language"	Abuse of a corpse	Class D felony	Up to 5 years	
	Sexual exploit. by counselor/therapist	Class D felony if pattern of conduct exists Agg. Misd. if limited physical contact (709.15)	Up to 5 years Up to 1 year	NO
	Sexual misconduct with offenders/ juveniles	Aggravated Misdemeanor	Up to 1 year	NO

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	Assault w/ intent-Sexual Abuse	Class C felony if “serious injury” is caused Class D felony if “bodily injury” results Aggravated misdemeanor if no injury results	Up to 10 years Up to 5 years	NO
Kansas {Kan. Stat. Ann. § 21-3501 (2001)}	Rape	Severity Level 1, “person felony” if victim overcome by force or fear, or is unconscious or physically powerless, or is incapable of consenting b/c of mental deficiency, incapacitation was known to offender, or victim was under 14 Severity Level 2 “person felony” if consent obtained through knowing misrepresentation of necessity (medical, therapeutical, or legal)		NO
	Criminal Sodomy	Class B nonperson misdemeanor if w/ same sex persons over 16 or with an animal Severity Level 3 person felony if victim is child between 14-16	Up to 6 months	NO
	Aggravated Criminal Sodomy	Severity 2, person felony		NO
	Sexual Battery	Class A person misdemeanor	Up to one year	NO
	Aggravated Sexual Battery	Severity 5, person felony		NO

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Kentucky {Ky. Rev. Stat. Ann. § 510-010 (Michie-Bobbs-Merrill 2002)} * See <i>KRS § 506.010</i> for attempted crime reclassification: B felony when A is attempted C felony when B is attempted A misdemeanor when C or D felony is attempted * See <i>KRS § 532.080</i> for persistent felony offenders	Rape—1 st degree	Class A victim under 12 or seriously injured Class B felony	Class A: 20-5- years Class B: 10-20 years	NO
	Rape—2 nd degree	Class C felony	5-10 years	NO
	Rape—3 rd degree	Class D felony	1-5 years	NO
	Sodomy—1 st degree	Class A felony when victim is under 12 or experiences “serious” physical injury” Class B felony	20-50 years 10-20 years	NO
	Sodomy—2 nd degree	Class C felony	5-10 years	NO
	Sexual Abuse—1 st degree	Class D felony	1-5 years	NO
	Sexual Abuse—2 nd degree	Class A misdemeanor	Up to 12 months	NO
	Sexual Abuse—3 rd degree	Class B misdemeanor	Up to 90 days	NO
	Sexual Misconduct	Class A misdemeanor	Up to 12 months	NO
Louisiana {La. Rev. Stat. Ann. § 14:41 (2003)} * See <i>L.A. R.S. 15: 529.1</i> for second and subsequent offenses "Without person's lawful consent" doesn't clarify	Aggravated Rape		Life in prison w/o parole; if victim under 12, death or life imprisonment	NO
	Forcible Rape		5-40 years in prison with hard labor; 2 year minimum without probation/parole/suspension	NO
	Simple Rape		Up to 25 years in prison (w/o hard labor) w/o probation/parole/ suspension	NO
	Sexual Battery		Up to 10 years in prison (w/ or w/o hard labor) w/o probation/parole/ suspension	NO
	Aggravated Sexual Battery		Up to 15 years in prison (w/ or w/o hard labor) w/o probation/parole/ suspension	NO

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	Oral Sexual Battery		Up to 10 years in prison (w/ or w/o hard labor) w/o probation/parole/ suspension	NO
Maine {Me. Rev. Stat. Ann. Tit. 17-A, § 251 * See Section 4 of 17-A M.R.S. § 253 for factors involved in the commission of certain sexual offenses for which defendants may be sentenced to any term of years * See Section 4 of 17-A M.R.S. § 253 for factors involved in the commission of certain sexual offenses for which defendants may be sentenced to any term of years * See 17-A M.R.S. § 257 for factors aiding in predicting high-risk sex offenders for sentencing purposes * See 17-A M.R.S. § 1231 for supervised period of release information	Gross Sexual Assault	Class A, B or C (See 17-A M.R.S. § 253)	<i>FOR ALL CRIMES, CLASS A THROUGH E, SENTENCES ARE</i>	NO
	Sexual Abuse of minors	Class B if penetration involved	<i>AS FOLLOWS:</i> A: up to 40 years; B: up to 10 years; C: up to 5 years; D: up to 1 year; E: up to 6 months. 17-AM.R.S. 1252 (2003)	NO
		Class C if penetration involved; incestual; or actor is 10 years older than victim or responsible for welfare of victim		
		Class D crime if victim is 14-15 and actor is five years older; or if under 18 and actor is school employee		
Unlawful sexual contact	Class E crime if 16-17 year old victim assaulted by 21+ school employee. Class D crime if contact is incestual or actor is 10 years older	Class E crime if 16-17 year old victim assaulted by 21+ school employee. Class D crime if contact is incestual or actor is 10 years older Class D crime if consent has not been expressly or impliedly acquiesced in sexual contact; Class C if this involves penetration	YES	
	Class E crime if 16-17 year old victim assaulted by 21+ school employee. Class D crime if contact is incestual or actor is 10 years older		NO	
	Class D crime if consent has not been expressly or impliedly acquiesced in sexual contact; Class C if this involves penetration		NO	

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		Class D if victim is unconscious or physically incapable of resisting and did not consent to sexual acts; Class C if penetration		NO	
		Class C if victim is younger than 14 and actor is 3 years older; Class B if penetration		NO	
		Class D if victim has mental disability known to actor; Class C if penetration		NO	
		Class D if victim is in custody of law enforcement at time. Class C if penetration		NO	
		Class C crime if victim submits as result of compulsion; Class B if sexual act includes penetration		NO	
	Sexual Misconduct w/ child under 14	Class D crime		NO	
Maryland {Md. Crim. Law Code Ann. § 3-301 (2002)}	Rape—1 st degree	Felony	Sentence not to exceed life; if victim is under 16 or defendant has prior offenses, then sentence not to exceed life w/o parole	NO	
	* If defendant found guilty of 2 nd degree	Rape—2 nd degree	Felony	20 years maximum sentence	NO
	rape, 2nd degree sexual offense, 3rd degree sexual offense, 2nd degree attempted rape, or 2nd degree attempted sexual offense after	Sexual Offense—1 st degree	Felony	Sentence not to exceed life; if victim under 16 or prior offenses, life/ w/o parole	NO

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being found guilty on a separate occasion of 1st degree rape, 2nd degree rape, 1st degree sexual offense, or 2nd degree sexual offense, then defendant is sentenced to imprisonment not exceeding life	Sexual Offense—2 nd degree	Felony	20 years maximum sentence	NO
	Sexual Offense—3 rd degree	Felony	10 years maximum sentence	NO
	Sexual Offense—4 th degree	Misdemeanor	1 year prison sentence, fine up to \$1,000, or both	NO
	Attempted rape—1 st degree	Felony	Sentence not to exceed life	NO
	Attempted rape—2 nd degree	Felony	20 years maximum sentence	NO
	Attempted Sexual offense (1 st and 2 nd degrees)	Felony	1 st degree: up to life; 2 nd degree: maximum 20 yrs	NO
Massachusetts {Mass. Ann. Laws ch. 265, § 22 (2003)} Any resistance is enough	Rape		State prison sentence of life or any term of years if committed by force or threat and results in serious injury, is committed by a joint enterprise, or occurs during commission of another crime State prison sentence no to exceed 20 years when committed by force or threat (lesser included offense); second offense punishable w/ life/any term If committed with firearm, 10 year minimum sentence; second offense: 15 years-life	YES

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	Rape of child under 16		Up to life in prison when force or threat used; 5 years-life if offender is over 18 and commits subsequent offense; 10 years-life if committed w/ firearm, subsequent offense w/ firearm when over 18 sentenced to 20 years-life	YES
	Assault w/ intent to rape		State prison for not more than 20 years or jail time/corrections house for not more than 2.5 years; second offense punished by state prison sentence of up to life; if committed w/ firearm, 5 year minimum state prison sentence; second offense w/ firearm: 20 years to life	NO
Michigan {Mich. Comp. Laws § 750.520a (2002)} *If convicted of subsequent 1 st , 2 nd , or 3 rd degree criminal sexual conduct, mandatory minimum sentence of 5 years	Criminal sexual conduct— 1st degree	Felony	Up to life in state prison	NO
	Criminal sexual conduct—2 nd degree	Felony	Sentence not to exceed 15 years	NO
	Criminal sexual conduct— 3rd degree	Felony	Sentence not to exceed 15 years	NO
	Criminal sexual conduct— 4th degree	Misdemeanor	Maximum of 2 years in prison, maximum fine of \$500, or both	NO
	Assault to commit conduct involving penetration	Felony	1 st degree: sentence not to exceed 10 years; 2 nd degree: up to 5 years	NO
Minnesota {Minn. Stat. § 609.341 (2002)} * See Minn. Stat. 609-342 (2002) for criminal sexual conduct in the 1 st -4 th degrees, the court may stay the imposition or	Criminal Sexual Conduct—1 st degree		Sentence of 144 months to 30 years, or fine up to \$40,000, or both	NO
	Criminal Sexual Contact—2 nd degree		Sentence of 90 months to 25 years, or fine up to \$35,000, or both	NO

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execution of a sentence if such action is in the "best interest of the complainant or the family unit; and a professional assessment indicates that the offender has been accepted to and can respond to a treatment program." Consent - words or overt actions	Criminal Sexual Contact— 3rd degree		Sentence of not more than 15 years or fine up to \$30,000, or both	NO
	Criminal Sexual Contact— 4th degree		Sentence of not more than 10 years or fine up to \$20,000 or both	NO
	Criminal Sexual Contact— 5th degree		Sentence of not more than 1 year, fine up to \$3,000, or both; subsequent offense sentencing: five year maximum sentence, or up to \$10,000 fine, or both	NO
Mississippi {Miss. Code Ann. § 97-3-71 (2002)} Only get life if victim was "chaste" prior to rape! 97-3-71	Rape; Assault w/ intent to ravish		Up to life sentence	NO
	Sexual Battery		Up to 30 years in when committed w/o consent, victim is mentally defective/ incapacitated or physically helpless, or victim is under 18 w/ actor as authority; subsequent offense is up to 40 years	NO
			If victim is 14-16, and actor is 18-21, sentence of not more than 5 years, fine up to \$5,000, or both; if actor is 21+, sentence not more than 30 years, fined up to \$10,000, or both; up to 40 years for subsequent offense	
			If victim is under 14 and actor is 18+, then sentence of 20 years-life; if actor is 13-18, court determines sentence	
Statutory Rape		5-30 years based on age of defendant (<i>Miss. Code Ann. § 97-3-65</i>)	NO	
Missouri {Mo. Rev. Stat. § 566.010 (2002)} * See § 558.018 R.S. Mo. for repeat offender sentencing guidelines	Forcible Rape and Attempted Forcible Rape	Felony	5 years-life; if serious physical injury results or a deadly weapon is used or multiple persons take part, then 10 years-life	NO
	Statutory Rape—1 st degree	Felony	5 years-life; if injury, weapon used, multiple actors, or victim younger than 12, 10 years to life	NO
	Statutory Rape—2 nd degree	Class C felony	Up to 7 years	NO

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	Sexual Assault	Class C felony	Up to 7 years	"without consent"
	Forcible Sodomy	Felony	5 years-life; if injury, weapon, or multiple actors are involved, 10 years-life	NO
	Statutory Sodomy—1 st degree	Felony	5 years-life; if injury, weapon, multiple actors, or victim under 12 are involved, then 10 years-life	NO
	Statutory Sodomy—2 nd degree	Class C felony	Up to 7 years	NO
	Deviate Sexual Assault	Class C felony	Up to 7 years	"without consent"
	Sexual Misconduct—1st degree	Class A misdemeanor Class D felony if subsequent offense or committed w/ deadly weapon or as ritual	Up to 1 year Up to 5 years	NO
	Sexual Misconduct—2 nd degree	Class B misdemeanor	Up to 6 months	NO
	Sexual Abuse	Class C felony Class B felony if injury, weapon, multiple actors, or victim under 12	Up to 7 years 5-15 years	NO
Montana {Mont. Code Ann. § 45-2-101 (2002)} * In addition to penalties imposed for sexual intercourse w/o consent, the offender, if able, is required to pay victim's "reasonable medical and counseling costs" that result from victimization	Sexual Assault		County jail sentence not to exceed 6 months, fine up to \$500, or both If victim is less than 16 and actor is 3+ years older or bodily injury results, then 2-100 years and fine of up to \$50,000	"without consent"

State	Statute	Classification	Penalty	No Means No
<p>* See <i>Mont. Code 45-5-512</i> for offenders who may be required to undergo “medically safe medroxyprogesterone acetate treatment” to reduce sexual fantasies, drive, etc.</p> <p>* See <i>46-18-303, 46-18-501, 46-18-502</i> for multiple convictions of sexual assault listed as an aggravating circumstance for death penalty considerations</p>	Sexual intercourse w/o consent		<p>2-100 years and fine of up to \$50,000; if victim is under 16 and actor is 3+ yrs older or bodily injury results, then sentence is 4-100 years and fine of up to \$50,000*</p> <p>When multiple perpetrators involved, sentence is 5-100 years and fine up to \$50,000*</p> <p>For subsequent offenses where serious bodily injury results, sentence is death if actor was 18+ at time of offense or as provided by <i>46-18-219</i></p> <p>If victim was incarcerated at time of offense, offender is sentenced to no more than 5 years, or fined up to \$50,000, or both</p>	"without consent"
<p>Nebraska {Neb. Rev. Stat. § 28-318 (2002)</p> <p>* See <i>R.R.S. Neb. § 29-2221</i> for habitual offenders</p> <p>Without consent: Victim expressed a lack of consent through words</p>	Deviate Sexual Conduct		State prison for up to 10 years, up to \$50,000 fine, or both	
	Sexual Assault—1 st degree	Class 2 Felony	3-50 years based on personal injury; 3 year mandatory minimum; second offense: minimum sentence of 25 years w/o parole	YES
	Sexual Assault—2 nd degree	Class 3 Felony	1-20 years; \$25,000 fine	YES
	Sexual Assault—3 rd degree	Class 1 Misdemeanor	Up to one year; \$1,000 fine	YES
	Sexual Assault of a child	Class 3A felony for first offense Class 1C felony for subsequent offenses	1-5 years; \$10,000 fine 20-50 years	NO

State	Statute	Classification	Penalty	No Means No
Nevada {Nev. Rev. Stat. Ann. § 200.364 (Michie 2002)}	Sexual Assault	Category A felony	If substantial bodily injury results: life w/o parole, life w/ chance for parole after 15 years, or term of 40 years w/ chance for parole after 15 years. If no substantial bodily injury results: life w/ chance for parole after 10 years, or term of 25 years w/ parole chance after 10 yrs If victim is under 16 serious bodily injury results: sentence is life w/o parole. If no serious bodily injury results, sentence is life w/ chance for parole after serving 20 years, or a term of 20 years w/ chance for parole after 5 years If victim is under 14 and no serious bodily harm results, sentence is life w/ chance for parole after 20 years	"Against the will" language
	Statutory Sexual Seduction	Category C felony if actor is 21 Gross Misdemeanor if under 21	Punished according to <i>NRS 193.130</i> , or <i>NRS 201.540</i> when gives harsher penalty	
New Hampshire {N.H. Rev. Stat. Ann. § 632-A:1 (2002)}	Aggravated Felonious Sexual Assault	Felony	First time offense: 10-20 years Second offense: 20-40 years Two or more convictions: life w/o parole May be sentenced to lifetime supervision to be lifted only on petition	YES
	Felonious Sexual Assault	Class B felony	Up to 7 years	NO
	Sexual Assault	Misdemeanor	Up to 1 year	
New Jersey {N.J. Rev. Stat. § 2C:14-1 (2002)} * See <i>N.J. Stat 2C: 14-7</i> unless sentenced according to 2C: 43-7, subsequent offenses receive fixed minimum sentences of not less than 5 years w/o parole	Sexual Assault	Crime of 1 st degree: aggravated Crime of 2 nd degree: no sustained injury	10-20 years 5-10 years	NO
	Criminal Sexual Contact	Crime of 3 rd degree: aggravated Crime of 4 th degree: no sustained injury	3-5 years Up to 18 months	NO

State	Statute	Classification	Penalty	No Means No
New Mexico {N.M. Stat. Ann. § 30-9-10 (2002)} * See <i>N.M. Stat 31-18-25</i> for cases where defendants have committed two violent sexual crimes (the second in New Mexico), the defendant is sentenced to life in prison w/ parole (but w/o parole if victim under 13), in addition to sentence imposed for a second violent sexual crime	Criminal Sexual Penetration—1 st degree	1 st degree felony	18 years	NO
	Criminal Sexual Penetration—2 nd degree	2 nd degree felony	9 years	NO
	Criminal Sexual Penetration—3 rd degree	3 rd degree felony	3 years	NO
	Criminal Sexual Penetration—4 th degree	4 th degree felony	18 months	NO
	Criminal Sexual Contact of a Minor—3 rd degree	3 rd degree felony	3 years	NO
	Criminal Sexual contact of a Minor—4 th degree	4 th degree felony	Up to 18 months	NO
	Aggravated Indecent Exposure	4 th degree felony	Up to 18 months and professional counseling at defendant's expense	NO
New York {N.Y. Penal Law § 130.00 (McKinney 2002)} * See <i>NY CLS Penal § 70.02</i> for rape in the 1st degree and course of conduct against a child being sentenced separately * See <i>NY CLS Penal § 70.06</i> for second and persistent offenders * <i>NY CLS Penal § 70.10</i>	Rape—1 st degree	Class B felony	5-25 years	NO
	Rape—2 nd degree	Class D felony	Up to 7 years	NO
	Rape—3 rd degree	Class E felony	Up to 4 years	YES
	Sexual Abuse—1 st degree	Class D felony	Up to 7 years	NO
	Sexual Abuse—2 nd degree	Class A misdemeanor	Up to 1 year	NO
	Sexual Abuse—3 rd degree	Class B misdemeanor	Up to 3 months	NO



State	Statute	Classification	Penalty	No Means No
	Aggravated Sexual Abuse—3 rd degree	Class D felony	Up to 7 years	NO
	Sexual Misconduct	Class A misdemeanor	Up to 1 year	YES
	Course of sexual conduct against a child	1 st degree: Class B felony 2 nd degree: Class D felony	5-25 years 2-7 years	NO
North Carolina {N.C. Gen. Stat. § 14-27.1 (2002)} *Case law - against the will = without consent <i>State v. Thomas</i> 329 N.C. 423	Rape—1 st degree	Class B1 felony	<i>All felonies are sentenced based on mitigating circumstances, prior record of the defendant, and class of felony (N.C. Gen. Stat. § 15A-1340.17 (2003))</i>	"Against the will" language
	Rape—2 nd degree	Class C felony	For B1 felonies, defendant is give life w/o parole if victim under 12 or if defendant has prior B1 conviction (<i>N.C. Gen. Stat. § 15A-1340.16B</i>)	
	Sexual Offense—1 st degree	Class B1 felony		
	Sexual Offense—2 nd degree	Class C felony		
	Statutory rape/sexual offense of 13-15 year old	Class B1 felony if actor is 6 years older than victim Class C felony if actor is 4-6 years older than victim		
North Dakota {N.D. Cent. Code § 12.1-20-02 (2002)} * See <i>N.D. Cent. Code</i> , § 12.1-32-09 for habitual offenders	Gross sexual imposition	Class A felony if actor inflicts serious bodily injury; otherwise Class B felony	<i>For all felonies, sentences are as follows:</i> <i>Class A: up to 20 years; \$10,000 fine</i> <i>Class B: up to 10 years; \$10,000 fine</i> <i>Class C: up to 5 years; \$5,000 fine</i> <i>Class A misdemeanor: 1 year; \$2,000 fine</i> <i>Class B misdemeanor: 30 days; \$1,000 fine (N.D. Cent. Code, 12.1-32-01)</i>	NO
	Sexual imposition	Class B felony if actor if uses threats to compel victim or acts as part of a ritual		NO

State	Statute	Classification	Penalty	No Means No
	Corruption or solicitation of minors	Class A misdemeanor if victim is over 15; Class C felony if under 15		NO
	Sexual Assault	Class C felony if actor knew or should have known of mental defect, or if actor substantially impaired victim w/ controlled substance, or if victim was in custody, or if the actor is responsible for the welfare of victim, or if the actor is 22 and the victim is 15-18 Class A misdemeanor if actor is 18-22 and victim is minor over 15 Class B misdemeanor if actor knows or should know conduct is offensive		NO
Ohio {Ohio Rev. Code Ann. § 2907.01 {Anderson 2002}}	Rape	1 st degree felony	If victim compelled through force, threat, or controlled substance, not less than 5 years If victim under 10, life in prison; subsequent offenses: life w/ or w/o parole	NO, but victim need not prove physical resist to prosecute
	Sexual Battery	3 rd degree felony	1-5 years	NO
	Unlawful sexual conduct with a minor	Misdemeanor if actor is under 4 years older 2 nd degree felony if previous convictions 3 rd degree felony if actor is 10+ years older	Not more than 6 months 2-8 years 1-5 years	NO

State	Statute	Classification	Penalty	No Means No
		4 th degree felony; exceptions: 1 st degree	6-18 months	
	Gross Sexual Imposition	3 rd degree felony if controlled substances substantially impair judgment or victim is under 13 4 th degree felony	3 rd degree 1-5 years 4 th degree 6-18 months	NO, but victim need not prove physical resist to prosecute
	Sexual Imposition	1 st degree misdemeanor for subsequent offenses 3 rd degree misdemeanor	Up to 6 months for 1 st degree Up to 60 days for 3 rd degree	NO
Oklahoma Stat. tit. 21, § 1111 (2003) *See Okla.. St. 51.1a (2003) for defendants already convicted of 1 st degree rape, forcible sodomy, lewd molestation or sexual abuse of a child who are again convicted of any of these listed crimes, are sentenced to life without parole	{Okla. Rape—1 st degree	Felony	Punishable by death or state prison sentence of not less than five years	NO
	Rape—2 nd degree	Felony	Sentence of 1-15 years	NO
	Lewd or Indecent Proposals or Acts as to child under 16	Felony	Provided that actor is 3+ years older than victim, sentence of 1-20 years; subsequent convictions given life or life w/o parole	NO
	Sexual Battery	Felony	Prison for not more than 5 years	YES, without consent
Oregon Rev. Stat. § 163.305 (2001) *Force needed for No Means No	{Or. Rape—1 st degree	Class A felony	Up to 20 years; \$300,000 fine	NO
	Rape—2 nd degree	Class B felony	Up to 10 years; \$200,000 fine	NO
	Rape—3 rd degree	Class C felony	Up to 5 years; \$100,000 fine	NO
	Unlawful sexual penetration—1 st degree	Class A felony	Up to 20 years; \$300,000 fine	NO
	Unlawful sexual penetration—2 nd degree	Class B felony	Up to 10 years; \$200,000 fine	NO

State	Statute	Classification	Penalty	No Means No
	Sexual Abuse—1 st degree	Class B felony	Up to 10 years; \$200,000 fine	NO
	Sexual Abuse—2 nd degree	Class C felony	Up to 5 years; \$100,000 fine	"Victim does not consent thereto"
	Sexual Abuse—3 rd degree	Class A misdemeanor	Up to 1 year; \$5,000 fine	"does not consent"
	Contributing to sexual delinquency of a minor	Class A misdemeanor	Up to 1 year; \$5,000 fine	NO
	Sexual misconduct	Class C misdemeanor	30 days; \$1,000 fine	NO
Pennsylvania {Pa. Cons. Stat. § 3101 (2002)} <i>* See 42 Pa. C.S. § 9714 (2002) for second and subsequent offenders</i>	Rape	1 st degree felony	Up to 20 years; additional sentencing option of 10 years and a fine up to \$100,000 for administering controlled substances to victim w/o consent	NO
	Statutory Sexual Assault	2 nd degree felony	Up to 10 years	NO
	Involuntary deviate sexual intercourse	1 st degree felony	Up to 20 years	NO
	Sexual Assault	2 nd degree felony	Up to 10 years	without consent
	Aggravated indecent assault	2 nd degree felony	Up to 10 years	without consent
	Indecent assault	1 st degree misdemeanor if victim is under 13	Up to 5 years	without consent
		2 nd degree misdemeanor	Up to 2 years	
Rhode Island {R.I. Gen. Laws § 11037-1 (2002)} <i>* See R.I. Gen. Laws 11-37-10 (2002) for persons convicted of subsequent offenses are given no less than the number of years involved in the minimum sentence for the</i>	Sexual assault—1 st degree		Sentence of 10 years-life for assault w/ intent to commit, sentence of 3-20 years	NO
	Sexual assault—2 nd degree		Sentence of 3-15 years	NO
	Sexual assault—3 rd degree		Sentence no more than 5 years	NO

State	Statute	Classification	Penalty	No Means No
most recent crime	Child molestation-Sexual Assault—1 st degree		Sentence of 20 years-life	NO
	Child molestation-Sexual Assault—2 nd degree		Sentence of 6-30 years	NO
South Carolina {S.C. Code Ann. § 16-3-651(Law. Co-op, 2002)}	Criminal Sexual Conduct—1 st degree	Felony	Maximum sentence of 30 years	NO
	Criminal Sexual Conduct—2 nd degree	Felony	Maximum sentence of 20 years	NO
	Criminal Sexual Conduct—3 rd degree	Felony	Maximum sentence of 10 years	NO
	Criminal Sexual Conduct With Minors	Class A felony	Maximum sentence of 30 years	NO NO
	Assault w/ intent to commit criminal sexual conduct	Class A felony	Punishable as though crime were completed	NO
	Spousal Sexual Battery	Felony	Maximum sentence of 10 years	NO
	South Dakota {S.D. Codified Laws Ann. § 22-22-30 (2002)} * See S.D. Codified Laws § 22-7-7 (2002) for enhanced sentences for prior felony convictions	Rape—1 st degree	Class 1 felony: victim under 10	10 years for first offense; 20 for subsequent offenses
Rape—2 nd degree		Class 2 felony: force or coercion used Physical/mental incapacity, or intoxication	25 years; \$25,000 fine	NO

State	Statute	Classification	Penalty	No Means No
		Class 3 felony: if victim is between 10-16 and actor is 3+ years older; if incest occurs; if victim is 10-18 and stepchild of actor	15 years; \$15,000 fine	
	Sexual contact w/ child under 16	Class 3 felony; Class 1 misdemeanor if actor is less than 3 years older than victim	15 years; \$15,000 fine	NO
	Criminal Pedophilia	Class 1 felony	Minimum 25 years for 1 st offense; life w/o parole for subsequent offenses	NO
Tennessee {Tenn. Code Ann. § 39-13-502 (2002)} * See Tenn. Code Ann. § 40-35-114 for Rape (of a child)/Sexual Battery, using a substance to cause the victim mental/physical helplessness is factor in sentence *Defendants w/ more than one conviction are required to serve entire sentence	Aggravated Rape	Class A felony	15-25 years	NO
	Rape	Class B felony	8-12 years	YES, without consent
	Aggravated Sexual Battery	Class B felony	8-12 years	NO
	Sexual Battery	Class E felony	1-2 years	YES, without consent
	Statutory Rape	Class E felony	1-2 years	NO
	Rape of a child	Class A felony	15-25 years	NO
Texas {Tex. Penal Code Ann. § 21.01(Vernon 2002)} * See <i>Tex. Penal Code § 12.42</i> for repeat offenders	Sexual Assault	2 nd degree felony	2-20 years; \$10,000 fine	YES, without consent
	Aggravated Sexual Assault	1 st degree felony	5-99 years; \$10,000 fine	YES, without consent
	Indecency with a child	2 nd degree felony if sexual contact occurs; 3 rd degree felony if intention is to arouse	2-2- years; \$10,000 fine	NO
Utah {Utah Code Ann. § 76-5-406 (2003)} * See Utah Code 76-3-203.1 for offenses committed with two or more persons where	Rape	1 st degree felony	5 years-life	YES
	Forcible Sexual Abuse	2 nd degree felony	1-15 years	YES

State	Statute	Classification	Penalty	No Means No
penalties are enhanced: class B misdemeanors become class A; class A misdemeanors become 3rd degree felonies; 3rd degree felonies become 2nd degree; 2nd degree felonies become 1st degree; 1st degree felonies enhanced to 9 years-life * See <i>Utah Code 76-3-407</i> for 3 years may be added to sentence for each prior conviction in addition to new sentence * See <i>Code 76-3-408</i> for 3 rd conviction defendant sentenced to life w/o parole *See <i>Utah Code Ann. § 76-3-203.5</i> for habitual violent offender guidelines * See <i>Utah Code 76.3.203</i> for increase in sentence for use of a dangerous weapon *§ 76-5-406 - No Means No Statute that applies to all categories	Object Rape	1 st degree felony	5 years to life	YES
	Unlawful Sexual Conduct w/ 16-17 year old	3 rd degree felony	Up to 5 years	YES
	Sexual Abuse of a minor	Class A misdemeanor	Up to 1 year	YES
	Sexual Abuse of a child	2 nd degree felony	1-15 years	YES
	Aggravated sexual abuse of a child	1 st degree felony	Mandatory prison sentence of 5 years to life	YES
	Rape of a child	1 st degree felony	Mandatory prison sentence of 6, 10, or 15 years or life	YES
	Object rape of a child	1 st degree felony	Mandatory prison sentence of 6, 10, or 15 years or life	YES
	Lewdness	Class B misdemeanor		NO
	Sexual Battery	Class A misdemeanor		NO
	Unlawful sexual activity with a minor	3 rd degree felony; class B misdemeanor if actor is w/ in 4 years of victim's age		YES
	Aggravated Sexual Assault	1 st degree felony	Mandatory prison sentence of 6, 10, or 15 years or life	YES
	Sodomy; forcible sodomy	Class B misdemeanor; 1 st degree felony if committed by force		YES
Sodomy on a child	1 st degree felony	not less than 6, 10, or 15 years or life	YES	
Vermont Stat. Ann. tit. 13, § 3251 (2002)}	{Vt. Sexual Assault		Sentence of not more than 20 years or up to \$10,000 fine, or both; if victim under 16 and responsible for victim's welfare, sentence is not more than 35 years or fine up to \$25,000, or both	YES, without consent
	Aggravated Sexual Assault		Maximum sentence of life in prison, fine of up to \$50,000, or both	YES, non-consensual sexual acts

State	Statute	Classification	Penalty	No Means No
Virginia {Va. Code Ann. § 18.2-67.10 (2002)} * See Va Code 18.2-67.5:3 (2002) for subsequent convictions for rape, forcible sodomy, object sexual penetration, or conspiracy to commit these acts result in life in prison * See Va Code 18.2-67.5:2 for conviction for carnal knowledge of a child age 13-15, aggravated sexual battery, or conspiracy to commit results in maximum sentence * See Va. Code 18.2-67.5:1 for 3 rd conviction of (attempted) sexual battery, defendant is guilty of class 6 felony	Rape		5 years-life (rape of spouse convictions may be suspended upon completion of counseling)	YES, "against will"
	Marital Sexual Assault		1-20 years or jail time of no more than 12 months; or up to \$1,000 fine; or both	YES, "against will"
	Aggravated Sexual Battery	Felony	1-20 years; fine up to \$100,000; or both	YES, "against will"
	Sexual Battery	Class 1 misdemeanor	1 year; \$1,000 fine	YES, "against will"
	Forcible Sodomy	Felony	5 years-life	
	Attempted rape, forcible sodomy, object sexual penetration, aggravated sexual battery	Class 4 felony Class 6 felony: attempted aggravated sexual battery Class 1 misdemeanor: attempted sexual battery	2-10 years; up to \$2,500 fine 1-5 years; up to \$2,500 fine	NO
	Carnal knowledge of child between 13-15	Class 4 felony (Va. Code 18.2-63, exceptions)	2-10 years; up to \$2,500 fine	under 13 = no consent (automatic)
	Object sexual penetration	Felony	Sentence of 5 years-life; may be suspended upon completion of counseling	against will
Washington {Wash. Rev. Code § 9A.44.010 (2002)}	Rape—1 st degree	Class A felony	<i>Felonies where a sentence is not specifically stated within the statute are assumed to be punishable by up to 10 years in prison and up to a \$20,000 fine</i> (Rev. Code Wash. (ARCW) § 9.92.010)	NO
	Rape—2 nd degree	Class A felony		NO
	Rape—3 rd degree	Class C felony		YES
	Rape of a child—1 st degree	Class A felony		NO
	Rape of a child—2 nd degree	Class A felony		NO
	Rape of a child—3 rd degree	Class C felony		NO

State	Statute	Classification	Penalty	No Means No
	Sexual misconduct w/ a minor—1 st degree	Class C felony		NO
	Sexual misconduct w/ a minor—2 nd degree	Gross misdemeanor	Up to 1 year; \$5,000 fine	NO
	Indecent liberties	Class B felony; if forcible compulsion involved, Class A felony	Up to 10 years	NO
West Virginia {W. Va. Code § 61-8B-1 (2003)} *Lack of consent defined § 61-8B-2 (applies to all categories)	Sexual Assault—1 st degree	Felony	Prison 15-30 years, fine of \$1,000-\$10,000	YES
	Sexual Assault—2 nd degree	Felony	Prison 10-25 years, fine of \$1,000-\$10,000	YES, without consent
	Sexual Abuse—1 st degree	Felony	Prison 1-5 years, fine up to \$10,000	YES, without consent
	Sexual Abuse—2 nd degree	Misdemeanor	Jail for up to 12 months; fined up to \$500	YES
	Sexual Abuse—3 rd degree	Misdemeanor	County jail for up to 90 days; or fined up to \$500; or both	YES, without consent
Wisconsin {Wis. Stat. § 939.22 (2002)}	Sexual Assault—1 st degree	Class B felony		YES, without consent
	Sexual Assault—2 nd degree	Class C felony		YES, without consent
	Sexual Assault of a child—1 st degree	Class B felony (<i>Wis. Stat. 948.025 (2002)</i>)		NO
	Sexual Assault of a child—2 nd degree	Class C felony		NO

State	Statute	Classification	Penalty	No Means No
Wyoming Stat. § 6-2-301 (2002)} * See Wyo. Stat. 6-2-306 (2002) for a person convicted of 2 of more 1 st /2 nd degree sexual assaults, sentenced to 5 years to life; 3rd degree assault up to 20 years; life w/o parole for 3 convictions	{Wyo. Sexual Assault—1 st degree	Felony	5-50 years	YES, victim has not consented
	Sexual Assault—2 nd degree	Felony	Up to 20 years	NO
	Sexual Assault—3 rd degree	Felony	Up to 15 years	NO
	Sexual Battery	Misdemeanor	Not more than 1 year; fine up to \$1,000; or both	NO