

Illinois Criminal Sexual Assault Act
Illinois Criminal Code, 720 ILCS 5/12-12, et seq.

Criminal Sexual Assault Section 12-13	Aggravated Criminal Sexual Assault Section 12-14	Predatory Criminal Sexual Assault Section 12-14.1	Criminal Sexual Abuse Section 12-15	Aggravated Criminal Sexual Abuse Section 12-16
<p align="center">Sexual Penetration plus 1 of 4 circumstances:</p> <ol style="list-style-type: none"> Force or threat of force Victim unable to understand nature of act or give knowing consent Victim under 18 years and accused is a family member Victim at least 13 years but under 18 years and accused was 17 years or over and held position of trust, authority, or supervision in relation to the victim 	<p align="center">Criminal Sexual Assault plus 1 of the following aggravating factors:</p> <ol style="list-style-type: none"> Dangerous weapon Bodily harm Threatening life of victim or other Commission of other felony Victim 60 or over Victim physically handicapped Accused delivered any controlled substance to the victim Accused was armed with a firearm Accused discharged a firearm Accused discharged firearm during offense that caused great bodily harm or death to another person 	<p align="center">Sexual Penetration plus</p> <ol style="list-style-type: none"> Accused = 17 years or over Victim = 12 years or under <p>Class X Felony: 6-30 years mandatory incarceration</p>	<p>A.</p> <p align="center">Sexual Conduct plus 1 of 2 circumstances:</p> <ol style="list-style-type: none"> Force or threat of force Victim unable to understand nature of act or give knowing consent 	<p align="center">Criminal Sexual Abuse (Type A) plus any of the following aggravating factors:</p> <ol style="list-style-type: none"> Dangerous weapon Bodily harm Victim 60 years or over Victim physically handicapped Threatening life of victim or other Commission of other felony Accused delivered any controlled substance to the victim
<p>First conviction: Class 1 Felony: 4-15 years mandatory incarceration Second or subsequent conviction: Class X Felony: 6-30, 30-60 years or natural life mandatory incarceration</p>	<p align="center">OR</p> <p align="center">Sexual Penetration plus 1 of 3 circumstances:</p> <ol style="list-style-type: none"> Victim = 8 or under Accused = under 17 years Victim = 9 thru 12, if force or threat of force Accused = under 17 years Victim = Severely or profoundly mentally retarded Accused = any age 	<p align="center">OR</p> <p align="center">Sexual Penetration plus</p> <ol style="list-style-type: none"> Accused = 17 years or over Victim = 12 years or under and the accused <ol style="list-style-type: none"> carried firearm discharged firearm caused great bodily harm to the victim that: <ol style="list-style-type: none"> resulted in permanent disability; or was life threatening delivered any controlled substance to victim 	<p>First conviction: Class 4 Felony: 1-3 years incarceration Second or subsequent convictions: Class 2 Felony: 3-7 years incarceration, probationable</p>	<p align="center">OR</p> <p align="center">Sexual Conduct plus 1 of 8 circumstances:</p> <ol style="list-style-type: none"> Victim = 17 or under Accused = family member* Victim = 12 or under Accused = 17 years or over Victim = 13 thru 16, if force or threat of force Accused = 17 years or over Victim = 8 or under Accused = under 17 years Victim = 9 thru 16 Accused = under 17 years and force or threat of force Victim = Severely or profoundly mentally retarded Accused = any age Victim = 13 thru 17 Accused = 17 years or over and held position of trust, authority, or supervision in relation to victim Or sexual penetration, victim=13-17, and Accused = at least 5 years older <p>Special Defense: Accused = reasonably believed victim 17 years or over</p>
<p>First conviction: Class X Felony: 6-30 years mandatory incarceration, possible extended terms of 10, 15, 20, 25 years or natural life. Second or subsequent conviction: Class X Felony: natural life</p>	<p>First conviction: Class X Felony: 6-60 years mandatory incarceration, possible extended terms of 15, 20, 50, 50-60 years or natural life</p> <p>Second or subsequent conviction: Class X Felony: natural life</p>	<p>First conviction: Class X Felony: 6-60 years mandatory incarceration, possible extended terms of 15, 20, 50, 50-60 years or natural life</p> <p>Second or subsequent conviction: Class X Felony: natural life</p>	<p>B.</p> <p align="center">OR</p> <p align="center">Sexual Conduct or Penetration plus 1 of 2 circumstances:</p> <ol style="list-style-type: none"> Victim = 9 thru 16 Accused = under 17 years Victim = 13 thru 16 Accused = less than 5 years older 	<p>Class 2 Felony: 3-7 years incarceration, probationable</p>
<p>Defenses:</p> <ol style="list-style-type: none"> Denial of Act Consent - if force is element 	<p>Statute of Limitations (Unless otherwise provided) Felony = 3 years Misdemeanor = 18 months <u>Adult victim extension</u> Felony = 10 years if reported within 3 years <u>Minor victim extension</u> Felony = until age 38 Misdemeanor = until age 28</p>	<p>Special Sentencing Option for Family Member:</p> <p>Family Member = parent, grandparent, step-parent, step-grandparent, child, step-child, aunt, uncle, great-aunt, great-uncle, or live-in of 6 months with child under 18</p>	<p>* Special Sentencing Option for Family Member:</p> <p>Family Member = parent, grandparent, step-parent, step-grandparent, child, step-child, aunt, uncle, great-aunt, great-uncle, or live-in of 6 months with child under 18</p>	<p>* Special Sentencing Option for Family Member:</p> <p>Family Member = parent, grandparent, step-parent, step-grandparent, child, step-child, aunt, uncle, great-aunt, great-uncle, or live-in of 6 months with child under 18</p>