

Michigan Sex Crimes

Being charged with a sex crime is a frightening matter. Even the mere allegation can change someone's life. The consequences of being convicted of a sex crime life altering and devastating that can haunt you for the rest of your life such as jail, prison, and sex offender registration. This is an area of the law where outcomes are effected by false allegations, discrepancies, and emotionalism-- especially with cases involving minors. If you have been charged with or under investigation for a sex crime, you need an experienced sex crimes attorney on your side.

The most common sex crime charge in Michigan is criminal sexual conduct (CSC) which is essentially what Michigan calls their rape statutes. There are separated into four degrees with first and third degree CSC involving penetration while second and fourth degree CSC involves sexual contact or touching. Punishment ranges from two years to life in prison. In one instance there is a 25-year minimum. They also require compliance with the sex offender registration act (SORA). The length and frequency of the reporting requirements depend on what crime you are convicted of.

[First Degree CSC MCL 750.520b](#)

This involves a sex act with penetration and any of the following:

- victim is less than 13 years old
- victim is 13-15 years old, and a blood relative, lives in defendant's home, or defendant is an authority position to the victim
- multiple actors and force or coercion is used
- weapon involved
- victim suffers personal injury and force or coercion is used
- victim suffers personal injury and victim is incapacitated
- defendant was in the process of committing another felony
- victim is 16 or 17 years old and a student at a public or private school and the defendant is a teacher, substitute teacher, coach, or administrator
- defendant is a person of authority over the victim

This is a felony punishable by any term of years up to life in prison.

Second Degree CSC MCL 750.520c

This involves sexual contact with the genital area, groin, inner thigh, buttocks, or breasts and any of the instances listed in CSC 1st.

This is a felony punishable by up to 15 years in prison.

Third Degree CSC MCL 750.520d

This involves sexual penetration and any of the following:

- victim is between 13-15 years old
- force or coercion is used
- victim is incapacitated
- victim is 16 or 17 years old and a student at a public or private school and the defendant is a teacher, substitute teacher, coach, or administrator

This is a felony punishable by up to 15 years in prison

Fourth Degree CSC MCL 750.520e

This involves sexual contact and any of the following:

- force or coercion is used
- victim is incapacitated
- defendant works for the Michigan Department of Corrections (MDOC) and the victim is an inmate
- contact is through concealment or element of surprise
- victim is 16 or 17 years old and a student at a public or private school and the defendant is a teacher, substitute teacher, coach, or administrator
- defendant uses unethical conduct while treating the victim during a medical exam

This is a high court misdemeanor (serious misdemeanor, procedurally treated like a felony) punishable by up to two years in prison

Corroboration of an Allegation is Not Necessary

A common misconception in CSC cases is that there must be independent evidence to support the allegation other than the victim's testimony such as a medical report. Sadly, that is not the case. Juries are instructed that corroboration is not necessary and that they can convict based on testimony alone. Prosecutors will play on juries emotions and sympathy for the "victim," especially in weak cases and in cases involving minors.

What do I do if Accused of a Sex Crime?

- Do **not** under any circumstances speak to the police.
- Do not believe any promises the police make you.
- Do not agree to take any polygraphs or lie detector tests
- Be polite and courteous to the police when invoking your right to silence
- Do not consent or agree to any searches
- Do not physically resist or fight with the police as that will only add to resisting and obstructing charges. If you believe a search is improper, fight it in court
- Do not talk to anyone about the facts of the case including friends, relatives or inmates, especially on jail phones.

Romeo and Juliet Laws

Certain amendments to SORA known as the [Romeo and Juliet laws](#) took effect in July, 2011.

In certain circumstances you can avoid compliance with SORA or PSORA despite being found guilty of a listed offense. If found guilty of statutory rape of minor, a defendant is exempted from public sex offender registry requirements if the following exist:

- victim is between 13-16 years old
- no more than a four year age difference exists between victim and defendant
- the act was consensual

If you have been charged with criminal sexual conduct call Austin Legal Services, PLC today to speak to our sex crimes lawyer at (517) 614-1983.

Defending sex crimes throughout Michigan in the counties of: Ingham, Eaton, Clinton, Shiawassee, Livingston, Barry, Jackson, Washtenaw, Kent, in the cities of: Lansing, Charlotte, Jackson, St. Johns, Bath, Brighton, Howell, Ann Arbor, East Lansing, Mason, Haslett, Grand Rapids.