



STATUTE OF LIMITATIONS FOR PROSECUTIONS

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ISSUE

Describe the statutes that limit the time period for bringing a prosecution against someone for committing a crime, i.e. a "statute of limitations."

SUMMARY

A statute of limitation is a law that limits the time period within which a state's attorney can begin a prosecution against someone for committing a crime. In Connecticut, there is no time limit on prosecuting someone for certain serious crimes, such as murder and other class A felonies. For other felonies, prosecutors must begin a prosecution within five years of the date the crime was committed. They must begin a prosecution for a misdemeanor within one year. But the law provides longer periods under certain circumstances, such as when the victim of sexual abuse is a minor or DNA evidence establishes the identity of someone who committed certain sexual assault crimes.

Below we describe the limitations periods in more detail.

NO STATUTE OF LIMITATION (CGS §§ 54-193 AND -193B)

By law, there is no statute of limitation for prosecuting the crimes listed in Table 1.

Table 1: Crimes with No Statute of Limitation

Class A felonies: <ul style="list-style-type: none"> • Murder with special circumstances • Murder • Felony murder • Aggravated sexual assault of a minor • Assault of a pregnant woman resulting in termination of pregnancy • Sexual assault 1st degree (when force is used or threatened and the victim is under age 16 or the victim is under age 13 and the actor more than 	Capital felony committed before April 25, 2012 (the date of the death penalty statute's repeal)(formerly CGS § 53a-54b)
	Arson murder (CGS § 53a-54d)
	1 st degree escape (CGS § 53a-169)
	Perjury (when committed in a proceeding that resulted in the conviction of someone who was later determined actually innocent of the crime)(CGS § 53a-156)

Table 1 (continued)

<p>two years older)</p> <ul style="list-style-type: none"> • Aggravated sexual assault 1st degree (when the victim is under age 16) • Kidnapping 1st degree • Kidnapping 1st degree with a firearm • Home invasion • Arson 1st degree • Employing a minor in an obscene performance 	<p>1st or 2nd degree hindering prosecution (when assisted someone who committed a capital felony, class A felony, arson murder, or 1st degree escape)(CGS §§ 53a-165aa or -166)</p> <p>Motor vehicle violations or crimes resulting in another's death when they involve the crime of evading responsibility in an accident causing death (CGS § 14-224(a))</p> <p>The following crimes if the (1) victim reports the crime within five years of the date it is committed and (2) offender's identity is established through DNA evidence collected at the time of the offense:</p> <ul style="list-style-type: none"> • 1st, 2nd, or 3rd degree sexual assault • aggravated 1st degree sexual assault • sexual assault in a spousal or cohabiting relationship • 3rd degree sexual assault with a firearm
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LIMITATIONS PERIOD FOR CRIMES INVOLVING SEX ABUSE OF A MINOR (CGS § 54-193A)

For crimes involving sex abuse, sexual exploitation, or sexual assault of a minor, other than class A felonies (which have no statute of limitation as described above), the statute of limitation is the earlier of:

1. 30 years from the date the victim attains age 18 or
2. five years from the date the victim notifies police or a prosecutor of the offense.

If the crime is 2nd degree sexual assault involving sexual intercourse between a victim age 13 to 15 and an actor at least three years older, the law requires the victim to notify a police officer or prosecutor within five years after the crime is committed. Thus, the statute of limitations for this crime is five years from the date of notification.

OTHER FELONIES AND MISDEMEANORS (CGS § 54-193)

For felonies not specified above, the statute of limitations is five years.

For misdemeanors, the statute of limitations is one year.

The statute of limitation is tolled (suspended) during any period the offender flees and resides outside the state.

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