

Sex Crimes: Definitions and Penalties

Arizona

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Sexual Assault

Question	Answer
How is it defined?	A person commits sexual assault by intentionally or knowingly engaging in sexual intercourse or oral sexual contact with any person without consent of such person.
What are the punishments for this crime?	<p>Sexual assault is a class 2 felony. The penalties for committing sexual assault vary based on the offender's criminal history, the age of the victim, and whether or not the offender knowingly inflicted physical harm.</p> <ul style="list-style-type: none"> • The incarceration term ranges from 5.25 to 14 years for first offenders, 7 to 21 years for offenders with one prior felony conviction, and 14 to 28 years for offenders with two prior felony convictions. • If the sexual assault involved the intentional or knowing infliction of serious physical injury, the offender may be sentenced to life imprisonment. • If the sexual assault involved the intentional or knowing administration of flunitrazepam, GHB or ketamine hydrochloride without the victim's knowledge, the presumptive, minimum and maximum sentence shall be increased by three years. • If the sexual assault involved a victim under 12 years old, and the offender was at least 18, the offender may also be sentenced to life imprisonment. <p>Note: Arizona has detailed sentencing standards for felonies and convicted persons may face longer terms of imprisonment if convicted multiple times, if the crime was a "dangerous crime against children," if the crime was a "dangerous offense," or if multiple aggravating factors apply (beyond a reasonable doubt).</p> <p>(See §§ 13-105 (definitions), 13-702 (first felony offense), 13-703 (repetitive offenders), 13-704 (dangerous offenders), 13-705 (dangerous crimes against children), 13-706 (serious, violent, or aggravated offenders), 13-1423(violent sexual assault))</p>
Anything else I should know?	<p>The following definitions are relevant, and apply, to this crime:</p> <ul style="list-style-type: none"> • Dangerous crime against children: any of the following that is committed against a minor who is under 15 years of age: (a) second degree murder; (b) aggravated assault resulting in serious physical injury or involving the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument; (c) sexual assault; (d) molestation of a child; (e) sexual conduct with a minor; (f) commercial sexual exploitation of a minor; (g) sexual exploitation of a minor; (h) child abuse; (i) kidnapping; (j) sexual abuse; (k) taking a child for the purpose of prostitution; (l) child sex trafficking; (m) involving or using minors in drug offenses; (n) continuous sexual abuse of a child; (o) attempted first degree murder; (p) sex trafficking; (q) manufacturing methamphetamine under circumstances that cause physical injury to a minor; (r)

	<p>bestiality; (s) luring a minor for sexual exploitation; (t) aggravated luring a minor for sexual exploitation; (u) unlawful age misrepresentation; (v) unlawful mutilation; and (w) sexual extortion.</p> <ul style="list-style-type: none"> • Dangerous offense: an offense involving the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument or the intentional or knowing infliction of serious physical injury on another person. • Sexual contact: any direct or indirect touching, fondling or manipulating of any part of the genitals, anus or female breast by any part of the body or by any object or causing a person to engage in such contact. Does not include direct or indirect touching or manipulating during caretaking responsibilities, or interactions with a minor or vulnerable adult that an objective, reasonable person would recognize as normal and reasonable under the circumstances. • Sexual intercourse: penetration into the penis, vulva or anus by any part of the body or by any object or masturbatory contact with the penis or vulva. • Oral sexual contact: oral contact with the penis, vulva or anus. • Without consent: includes when the victim is (a) coerced by the immediate use or threatened use of force against a person or property; (b) incapable of consent by reason of mental disorder, mental defect (<i>i.e.</i>, the victim is unable to comprehend the distinctively sexual nature of the conduct or is incapable of understanding or exercising the right to refuse to engage in the conduct with another), drugs, alcohol, sleep or any other similar impairment of cognition and such condition is known or should have reasonably been known to the offender; (c) intentionally deceived as to the nature of the act; or (d) intentionally deceived to erroneously believe that the person is the victim's spouse.
Statutory citation(s)	Ariz. Rev. Stat. Ann. §§ 13-1401 (definitions, factors), 13-1406 (sexual assault), 13-702–706, 13-1423 (violent sexual assault).

Sexual Abuse

Question	Answer
How is it defined?	<p>A person commits sexual abuse by intentionally or knowingly engaging in sexual contact:</p> <ul style="list-style-type: none"> • With any person who is 15 or more years of age without consent of that person; or • With any person who is under 15 years of age if the sexual contact involves only the female breast. <p>If the victim was 15, 16, or 17 years old and the offender was in a position of trust, consent is not a defense to prosecution.</p>

<p>What are the punishments for this crime?</p>	<p>Sexual abuse of a victim over 15 is a class 5 felony. A class 5 felony carries a sentence for first time offenders of between 0.5 years and 2.5 years, depending on the presence of aggravating and mitigating factors.</p> <p>Sexual abuse of a victim under 15 years old is a class 3 felony. If the victim is under the age of 15 years old, the sexual is punishable by 2.5 to 7.5 years' imprisonment for first time offenders; however, continuous sexual abuse of a child is punishable by 13 to 27 years' imprisonment.</p> <p>Note: Arizona has detailed sentencing standards for felonies and convicted persons may face longer terms of imprisonment if convicted multiple times, if the crime was a "dangerous crime against children," if the crime was a "dangerous offense," or if multiple aggravating factors apply (beyond a reasonable doubt).</p> <p>An offender may be also subject to a judicially-determined fine, in an amount not exceeding \$150,000.</p> <p>(See §§ 13-702, 13-703, 13-704, 13-705, 13-706, 13-801, 13-1423).</p>
<p>Anything else I should know?</p>	<p>The following definitions are relevant, and apply, to this crime:</p> <ul style="list-style-type: none"> • Dangerous crime against children: any of the following that is committed against a minor who is under 15 years of age: (a) second degree murder; (b) aggravated assault resulting in serious physical injury or involving the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument; (c) sexual assault; (d) molestation of a child; (e) sexual conduct with a minor; (f) commercial sexual exploitation of a minor; (g) sexual exploitation of a minor; (h) child abuse; (i) kidnapping; (j) sexual abuse; (k) taking a child for the purpose of prostitution; (l) child sex trafficking; (m) involving or using minors in drug offenses; (n) continuous sexual abuse of a child; (o) attempted first degree murder; (p) sex trafficking; (q) manufacturing methamphetamine under circumstances that cause physical injury to a minor; (r) bestiality; (s) luring a minor for sexual exploitation; (t) aggravated luring a minor for sexual exploitation; (u) unlawful age misrepresentation; (v) unlawful mutilation; and (w) sexual extortion. • Dangerous offense: an offense involving the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument or the intentional or knowing infliction of serious physical injury on another person. • Sexual contact: any direct or indirect touching, fondling or manipulating of any part of the genitals, anus or female breast by any part of the body or by any object or causing a person to engage in such contact. Does not include direct or indirect touching or manipulating during caretaking responsibilities, or interactions with a minor or vulnerable adult that an objective, reasonable person would recognize as normal and reasonable under the circumstances. • Without consent: includes when the victim is (a) coerced by the immediate use or threatened use of force against a person or property; (b) incapable of consent by reason of mental disorder, mental defect (<i>i.e.</i>, the victim is unable to comprehend the distinctively sexual nature of the conduct or is incapable of understanding or exercising the right to refuse to engage in the conduct with another), drugs, alcohol, sleep or any other similar impairment of cognition and such condition is known or should have reasonably been known to the offender; (c) intentionally deceived as to the nature of the act; or (d) intentionally deceived to erroneously believe that the person is the victim's spouse. • Position of trust: means a person who is or was any of the following: (a) a minor's parent, stepparent, grandparent adoptive parent, legal guardian, aunt, uncle, or foster parent; (b) the minor's teacher or any

	<p>school employee or volunteer at the minor’s school 18 or older; (c) the minor’s coach or instructor; (d) the minor’s clergyman or priest or any person who is at least 18 years of age and who worked or volunteered for a religious organization that hosted events or activities where the minor was in attendance; (e) engaged in a sexual or romantic relationship with the minor’s parent, adoptive parent, grandparent, aunt, uncle, legal guardian, foster parent, stepparent, step-grandparent, or sibling; (f) related to the minor by blood or marriage within the third degree and is at least 10 years older than the minor; (g) The minor’s employer; or (h) an employee of a group home or residential treatment facility where the minor resides or has previously resided. For the purpose of this subdivision, “group home” means a child welfare agency that receives for care and maintenance a child who has been adjudicated dependent or a community residential setting as defined §n36-551.</p>
Statutory citation(s)	<p>Ariz. Rev. Stat. Ann. §§ 13-1401(definitions, factors), 13-1404 (sexual abuse), 13-702–706 (sentencing), 13-801 (fines), 13-1423 (violent sexual assault).</p>

Unlawful Sexual Conduct; Adult Probation Department Employees; Juvenile Court Employees

Question	Answer
How is it defined?	<p>Unlawful sexual conduct by an adult probation department employee or juvenile court employee occurs if the employee knowingly coerces the victim to engage in sexual contact, oral sexual contact, or sexual intercourse by either:</p> <ul style="list-style-type: none"> • Threatening to negatively influence the victim’s supervision or release status; or • Offering to positively influence the victim’s supervision or release status. <p>For the purposes of this law, a victim is defined as either (a) subject to conditions of release or supervision by a court or (b) a minor who was referred to the juvenile court.</p>
What are the punishments for this crime?	<p>If the victim is under 15 years of age, the crime is punishable as a class 2 felony punishable by 3 years to 12.5 years’ imprisonment for first time offenders.</p> <p>If the victim is at least 15 years of age and under 18 years of age, the crime is a class 3 felony punishable by 2 to 8.75 years’ imprisonment for first time offenders.</p> <p>All other unlawful sexual contact is a class 5 felony punishable by 0.5 to 2.5 years imprisonment for first time offenders.</p> <p>Note: Arizona has detailed sentencing standards for felonies and convicted persons may face longer terms of imprisonment if convicted multiple times, if the crime was a “dangerous crime against children,” if the crime was a “dangerous offense,” or if multiple aggravating factors apply (beyond a reasonable doubt).</p>

	<p>An offender may be also subject to a judicially-determined fine, in an amount not exceeding \$150,000. (See §§ 13-702, 13-703, 13-704, 13-705, 13-706, 13-801, 13-1423)</p>
<p>Anything else I should know?</p>	<p>The following definitions are relevant, and apply, to this crime:</p> <ul style="list-style-type: none"> • Adult probation department employee or juvenile court employee: an employee of an adult probation department or the juvenile court who either: (a) Through the course of employment, directly provides treatment, care, control or supervision to a victim or (b) Provides presentence or predisposition reports directly to a court regarding the victim. • Dangerous crime against children: any of the following that is committed against a minor who is under 15 years of age: (a) second degree murder; (b) aggravated assault resulting in serious physical injury or involving the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument; (c) sexual assault; (d) molestation of a child; (e) sexual conduct with a minor; (f) commercial sexual exploitation of a minor; (g) sexual exploitation of a minor; (h) child abuse; (i) kidnapping; (j) sexual abuse; (k) taking a child for the purpose of prostitution; (l) child sex trafficking; (m) involving or using minors in drug offenses; (n) continuous sexual abuse of a child; (o) attempted first degree murder; (p) sex trafficking; (q) manufacturing methamphetamine under circumstances that cause physical injury to a minor; (r) bestiality; (s) luring a minor for sexual exploitation; (t) aggravated luring a minor for sexual exploitation; (u) unlawful age misrepresentation; (v) unlawful mutilation; and (w) sexual extortion. • Dangerous offense: an offense involving the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument or the intentional or knowing infliction of serious physical injury on another person. • Oral sexual contact: oral contact with the penis, vulva or anus. • Sexual contact: any direct or indirect touching, fondling or manipulating of any part of the genitals, anus or female breast by any part of the body or by any object or causing a person to engage in such contact. Does not include direct or indirect touching or manipulating during caretaking responsibilities, or interactions with a minor or vulnerable adult that an objective, reasonable person would recognize as normal and reasonable under the circumstances. • Sexual intercourse: penetration into the penis, vulva or anus by any part of the body or by any object or masturbatory contact with the penis or vulva. • Victim: a person who is subject to conditions of release or supervision by a court or a minor who has been referred to the juvenile court.
<p>Statutory citation(s)</p>	<p>Ariz. Rev. Stat. Ann. §§ 13-1401 (definitions, factors), 13-1409 (unlawful sexual conduct probation and juvenile court employees), 13-702–706 (sentencing), 13-801 (fines), 13-1423 (violent sexual assault).</p>

Unlawful sexual conduct; peace officers

Question	Answer
How is it defined?	<p>A peace officer commits unlawful sexual conduct by knowingly engaging in sexual contact, oral sexual contact or sexual intercourse with any person who is either:</p> <ul style="list-style-type: none"> • In the officer's custody; or • A person who the officer knows or has reason to know is the subject of an investigation. <p>This does apply to either: (1) direct or indirect touching or manipulating of the genitals, anus, or female breast that occurs during a lawful search; or (2) an officer who is married to or in a romantic or sexual relationship with the person at the time of the arrest or investigation. The following factors may be considered in determining whether the relationship between the victim and the defendant is currently a romantic or sexual relationship: (a) the type of relationship; (b) the length of the relationship; (c) the frequency of the interaction between the victim and the defendant; and (d) if the relationship has terminated, the length of time since the termination.</p>
What are the punishments for this crime?	<p>If the victim is under 15 years of age, the crime is punishable as a class 2 felony punishable by 3 years to 12.5 years' imprisonment for first time offenders.</p> <p>If the victim is at least 15 years of age and under 18 years of age, the crime is a class 3 felony punishable by 2 to 8.75 years' imprisonment for first time offenders.</p> <p>All other unlawful sexual contact is a class 5 felony punishable by 0.5 to 2.5 years' imprisonment for first time offenders.</p> <p>Note: Arizona has detailed sentencing standards for felonies and convicted persons may face longer terms of imprisonment if convicted multiple times, if the crime was a "dangerous crime against children," if the crime was a "dangerous offense," or if multiple aggravating factors apply (beyond a reasonable doubt).</p> <p>An offender may be also subject to a judicially-determined fine, in an amount not exceeding \$150,000.</p> <p>(See §§ 13-105, 13-702, 13-703, 13-704, 13-705, 13-706, 13-801, 13-1423)</p>
Anything else I should know?	<p>The following definitions are relevant, and apply, to this crime:</p> <ul style="list-style-type: none"> • Custody: includes the imposition of actual or constructive restraint pursuant to an on-site arrest, a court order or any contact in which a reasonable person would not feel free to leave. Custody does not include detention in a correctional facility, a juvenile detention facility or a state hospital. • Dangerous crime against children: any of the following that is committed against a minor who is under 15 years of age: (a) second degree murder; (b) aggravated assault resulting in serious physical injury or involving the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument; (c) sexual assault; (d) molestation of a child; (e) sexual conduct with a minor; (f) commercial sexual exploitation of a minor; (g) sexual exploitation of a minor; (h) child abuse; (i) kidnapping; (j) sexual abuse; (k) taking a child for the purpose of prostitution; (l) child sex trafficking; (m) involving or using minors in drug offenses; (n) continuous sexual abuse of a child; (o) attempted first degree murder; (p) sex trafficking; (q) manufacturing methamphetamine under circumstances that cause physical injury to a minor; (r) bestiality; (s) luring a minor for sexual exploitation; (t) aggravated luring a minor for sexual exploitation;

	<p>(u) unlawful age misrepresentation; (v) unlawful mutilation; and (w) sexual extortion.</p> <ul style="list-style-type: none"> • Dangerous offense: an offense involving the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument or the intentional or knowing infliction of serious physical injury on another person. • Peace officer: means sheriffs of counties, constables, marshals, policemen of cities and towns, commissioned personnel of the department of public safety, peace officers who are appointed by a multicounty water conservation district and who have received a certificate from the Arizona peace officer standards and training board, police officers who are appointed by community college district governing boards and who have received a certificate from the Arizona peace officer standards and training board, police officers who are appointed by the Arizona board of regents and who have received a certificate from the Arizona peace officer standards and training board, police officers who are appointed by the governing body of a public airport and who have received a certificate from the Arizona peace officer standards and training board, peace officers who are appointed by a private postsecondary institution and who have received a certificate from the Arizona peace officer standards and training board and special agents from the office of the attorney general, or of a county attorney, and who have received a certificate from the Arizona peace officer standards and training board. Does not include adult or juvenile corrections or detention officers. • Oral sexual contact: oral contact with the penis, vulva or anus. • Sexual contact: any direct or indirect touching, fondling or manipulating of any part of the genitals, anus or female breast by any part of the body or by any object or causing a person to engage in such contact. Does not include direct or indirect touching or manipulating during caretaking responsibilities, or interactions with a minor or vulnerable adult that an objective, reasonable person would recognize as normal and reasonable under the circumstances. • Sexual intercourse: penetration into the penis, vulva or anus by any part of the body or by any object or masturbatory contact with the penis or vulva.
Statutory Citation(s)	Ariz. Rev. Stat. Ann. §§ 13-105 (definitions), 13-1401 (definitions, factors), 13-1412 (unlawful sexual conduct, peace officers), 1-215 (definitions), 13-702–706 (sentencing), 13-801 (fines), 13-1423 (violent sexual assault).

Unlawful sexual conduct; correctional facilities

Question	Answer
How is it defined?	<p>A person commits unlawful sexual conduct by intentionally or knowingly engaging in any act of a sexual nature with a prisoner or offender on release status who is:</p> <ul style="list-style-type: none"> • In the custody of the state department of corrections, the department of juvenile corrections, a private prison facility, a juvenile detention facility or a city or county jail; or • Under the supervision of either department or a city or county.

	<p>However, the sexual contact is not unlawful under this section if the person was lawfully married to the prisoner or offender on release status before the prisoner or offender was sentenced to the state department of corrections or was incarcerated in a city or county jail.</p>
<p>What are the punishments for this crime?</p>	<p>If the victim is under 15 years of age, the crime is a class 2 felony punishable by 3 to 12.5 years' imprisonment for first time offenders.</p> <p>If the victim is at least 15 years of age and under 17 years of age, the crime is a class 3 felony punishable by 2 to 8.75 years' imprisonment for first time offenders.</p> <p>All other unlawful sexual contact is a class 5 felony punishable by 0.5 to 2.5 years' imprisonment for first time offenders.</p> <p>Note: Arizona has detailed sentencing standards for felonies and convicted persons may face longer terms of imprisonment if convicted multiple times, if the crime was a "dangerous crime against children," if the crime was a "dangerous offense," or if multiple aggravating factors apply (beyond a reasonable doubt).</p> <p>An offender may be also subject to a judicially-determined fine, in an amount not exceeding \$150,000.</p> <p>(See §§ 13-702, 13-703, 13-704, 13-705, 13-706, 13-801 13-1423)</p>
<p>Anything else I should know?</p>	<p>The following definitions are relevant, and apply, to this crime:</p> <ul style="list-style-type: none"> • Dangerous crime against children: any of the following that is committed against a minor who is under 15 years of age: (a) second degree murder; (b) aggravated assault resulting in serious physical injury or involving the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument; (c) sexual assault; (d) molestation of a child; (e) sexual conduct with a minor; (f) commercial sexual exploitation of a minor; (g) sexual exploitation of a minor; (h) child abuse; (i) kidnapping; (j) sexual abuse; (k) taking a child for the purpose of prostitution; (l) child sex trafficking; (m) involving or using minors in drug offenses; (n) continuous sexual abuse of a child; (o) attempted first degree murder; (p) sex trafficking; (q) manufacturing methamphetamine under circumstances that cause physical injury to a minor; (r) bestiality; (s) luring a minor for sexual exploitation; (t) aggravated luring a minor for sexual exploitation; (u) unlawful age misrepresentation; (v) unlawful mutilation; and (w) sexual extortion. • Dangerous offense: an offense involving the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument or the intentional or knowing infliction of serious physical injury on another person. • Person (i.e., the defendant): means anyone who is either (1) employed by the state department of corrections or juvenile corrections; (2) employed by a private prison facility, juvenile detention facility, or city or county jail; (3) contracted to provide services with the departments of corrections or juvenile corrections, or any private prison facilities; or (4) an official visitor, volunteer, or agency representative for any of the aforementioned entities. • Any act of a sexual nature: includes the following: (a) any completed, attempted, threatened or requested touching of the genitalia, anus, groin, breast, inner thigh, pubic area or buttocks with the intent to arouse or gratify sexual desire; (b) any act of exposing the genitalia, anus, groin, breast, inner thigh, pubic area or

	<p>buttocks with the intent to arouse or gratify sexual desire; and (c) any act of photographing, videotaping, filming, digitally recording or otherwise viewing, with or without a device, a prisoner or offender with the intent to arouse or gratify sexual desire, either: (i) while the prisoner or offender is in a state of undress or partial dress; or (ii) while the prisoner or offender is urinating or defecating. It does not include an act done pursuant to a bona fide medical exam or lawful internal search.</p>
Statutory Citation(s)	<p>Ariz. Rev. Stat. Ann. §§ 13-1401 (definitions, factors), 13-1419 (unlawful sexual conduct, correctional facilities), 13-702–706 (sentencing), 13-801 (fines), 13-1423 (violent sexual assault).</p>

Molestation of a Child

Question	Answer
How is it defined?	<p>A person commits molestation of a child by intentionally or knowingly engaging in or causing a person to engage in sexual contact, (except sexual contact with the female breast) with a child who is under 15 years of age.</p>
What are the punishments for this crime?	<p>Molestation of a child is a class 2 felony and is classified as a “Dangerous Crime Against Children,” punishable by 10 to 24 years’ imprisonment for first time offenders.</p> <p>Note: Arizona has detailed sentencing standards for felonies and convicted persons may face longer terms of imprisonment if convicted multiple times, if the crime was a “dangerous crime against children,” if the crime was a “dangerous offense,” or if multiple aggravating factors apply (beyond a reasonable doubt).</p> <p>An offender may be also subject to a judicially-determined fine, in an amount not exceeding \$150,000.</p> <p>(See §§ 13-702, 13-703, 13-704, 13-705, 13-706, 13-801, 13-1423)</p>
Anything else I should know?	<p>The following definitions are relevant, and apply, to this crime:</p> <ul style="list-style-type: none"> • Dangerous crime against children: any of the following that is committed against a minor who is under 15 years of age: (a) second degree murder; (b) aggravated assault resulting in serious physical injury or involving the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument; (c) sexual assault; (d) molestation of a child; (e) sexual conduct with a minor; (f) commercial sexual exploitation of a minor; (g) sexual exploitation of a minor; (h) child abuse; (i) kidnapping; (j) sexual abuse; (k) taking a child for the purpose of prostitution; (l) child sex trafficking; (m) involving or using minors in drug offenses; (n) continuous sexual abuse of a child; (o) attempted first degree murder; (p) sex trafficking; (q) manufacturing methamphetamine under circumstances that cause physical injury to a minor; (r) bestiality; (s) luring a minor for sexual exploitation; (t) aggravated luring a minor for sexual exploitation; (u) unlawful age misrepresentation; (v) unlawful mutilation; and (w) sexual extortion. • Dangerous offense: an offense involving the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument or the intentional or knowing infliction of serious physical injury on another

	<p>person.</p> <ul style="list-style-type: none"> • Sexual contact: (a) any direct or indirect touching, fondling or manipulating of any part of the genitals, anus or female breast by any part of the body or by any object or causing a person to engage in such contact; (b) does not include direct or indirect touching or manipulating during caretaking responsibilities, or interactions with a minor or vulnerable adult that an objective, reasonable person would recognize as normal and reasonable under the circumstances.
Statutory citation(s)	Ariz. Rev. Stat. Ann. §§ 13-1401 (definitions, factors), 13-1410 (molestation of a child), 13-702–706 (sentencing), 13-1423 (violent sexual assault).

Statutory Rape

Question	Answer
How is it defined?	<p>"Statutory rape" is commonly used to refer to sexual penetration that is illegal because it involves a youth and consent is immaterial. While Arizona does not expressly penalize "statutory rape," the offense of "sexual conduct with a minor" targets this conduct.</p> <p>A person commits "sexual conduct with a minor" by intentionally or knowingly engaging in sexual intercourse or oral sexual contact with any person who is under the age of 18.</p> <p>Valid defenses:</p> <ul style="list-style-type: none"> • If the victim is 15, 16 or 17 years old, an offender may defend himself or herself by showing that he or she did not know and could not reasonable have known the age of the victim. • If the victim is 15, 16, or 17 years old, an offender may defend himself or herself if he or she is under 19 years old or is attending high school, is no more than 24 months older than the victim, and the conduct was consensual.
What are the punishments for this crime?	<p>If the victim is between 12 and 15 years of age, the crime is a Class 2 felony and a "Dangerous Crime Against Children," punishable by 13 years and 27 years' imprisonment for first time offenders. If the victim is 12 years of age or younger, the offender may be subject to life imprisonment.</p> <p>If the victim is at least 15 years of age, the crime is a Class 6 felony punishable by .33 to 2 years' imprisonment for first time offenders.</p> <p>If the victim is at least 15 years of age and the offender is or was in a position of trust (and is not otherwise eligible for a reduction or suspension of the sentence), the crime is a Class 2 felony punishable by 3 years and 12.5 years' imprisonment for first time offenders.</p> <p>Note: Arizona has detailed sentencing standards for felonies and convicted persons may face longer terms of</p>

	<p>imprisonment if convicted multiple times, if the crime was a “dangerous crime against children” or if the crime was a “dangerous offense,” or if multiple aggravating factors apply (beyond a reasonable doubt).</p> <p>An offender may be also subject to a judicially-determined fine, in an amount not exceeding \$150,000.</p> <p>(See §§ 13-702, 13-703, 13-704, 13-705, 13-706, 13-801, 13-1423)</p>
<p>Anything else I should know?</p>	<p>The following definitions are relevant, and apply, to this crime:</p> <ul style="list-style-type: none"> • Dangerous crime against children: any of the following that is committed against a minor who is under 15 years of age: (a) second degree murder; (b) aggravated assault resulting in serious physical injury or involving the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument; (c) sexual assault; (d) molestation of a child; (e) sexual conduct with a minor; (f) commercial sexual exploitation of a minor; (g) sexual exploitation of a minor; (h) child abuse; (i) kidnapping; (j) sexual abuse; (k) taking a child for the purpose of prostitution; (l) child sex trafficking; (m) involving or using minors in drug offenses; (n) continuous sexual abuse of a child; (o) attempted first degree murder; (p) sex trafficking; (q) manufacturing methamphetamine under circumstances that cause physical injury to a minor; (r) bestiality; (s) luring a minor for sexual exploitation; (t) aggravated luring a minor for sexual exploitation; (u) unlawful age misrepresentation; (v) unlawful mutilation; and (w) sexual extortion. • Dangerous offense: an offense involving the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument or the intentional or knowing infliction of serious physical injury on another person. • Oral sexual contact: oral contact with the penis, vulva or anus. • Sexual contact: any direct or indirect touching, fondling or manipulating of any part of the genitals, anus or female breast by any part of the body or by any object or causing a person to engage in such contact. Does not include direct or indirect touching or manipulating during caretaking responsibilities, or interactions with a minor or vulnerable adult that an objective, reasonable person would recognize as normal and reasonable under the circumstances. • Sexual intercourse: penetration into the penis, vulva or anus by any part of the body or by any object or masturbatory contact with the penis or vulva. • Position of trust: means a person who is or was any of the following: (a) a minor’s parent, stepparent, adoptive parent, legal guardian, or foster parent; (b) the minor’s teacher; (c) the minor’s coach or instructor; (d) the minor’s clergyman or priest; or (e) engaged in a sexual or romantic relationship with the minor’s parent, adoptive parent, legal guardian, foster parent, or stepparent.
<p>Statutory citation(s)</p>	<p>Ariz. Rev. Stat. Ann. §§ §§ 13-1401 (definitions), 13-1405 (sexual conduct with a minor), 13-1407 (defenses), 13-702–706 (sentencing), 13-801 (fines), 13-1423 (violent sexual assault).</p>

Sodomy

Question	Answer
How is it defined?	<ul style="list-style-type: none"> • Alaska does not outright prohibit sodomy. • Any state laws that outright prohibit sodomy are unconstitutional under <i>Lawrence v. Texas</i>, 539 U.S. 588 (2003).
How is it defined?	<ul style="list-style-type: none"> • Arizona does not appear to criminalize sodomy. • Any state laws that outright prohibit sodomy are unconstitutional under <i>Lawrence v. Texas</i>, 539 U.S. 588 (2003).
What are the punishments for this crime?	N/A
What are the punishments for this crime?	N/A
Anything else I should know?	N/A
Anything else I should know?	N/A
Statutory citation(s):	N/A
Statutory Citation(s):	N/A