

Sex Crimes: Definitions and Penalties Connecticut

Last Updated: April 2023

Sexual Assault in the First Degree

Question	Answer
How is it defined?	<p>A person commits sexual assault in the first degree when such person:</p> <ul style="list-style-type: none"> • Compels another person to engage in sexual intercourse by the use of force against such other person or a third person, or by the threat of use of force against such other person or against a third person which reasonably causes such person to fear physical injury to such person or a third person (if the victim is under 16 this is a class A felony subject to a sentencing enhancement); • Engages in sexual intercourse with another person and such other person is under 13 years of age and the actor is more than two years older than such person (class A felony subject to a sentencing enhancement); • Commits sexual assault in the second degree (§ 53a-71) and in the commission of such offense is aided by two or more other persons actually present; or • Engages in sexual intercourse with another person and such other person is mentally incapacitated to the extent that such other person is unable to consent to such intercourse.
What are the punishments for this crime?	<ul style="list-style-type: none"> • Except as noted above, sexual assault in the first degree is a class B felony punishable by at least 10 years imprisonment. <ul style="list-style-type: none"> • Two years of the sentence imposed may not be suspended or reduced by the court. • If the victim of the offense is under 10 years of age, 10 years of the sentence imposed may not be suspended or reduced by the court. • Note: § 53a-70 details aggravating factors such as engaging in sexual intercourse by the use of force where the victim is under 16 years of age, or engaging in sexual intercourse where the victim is under 13 years of age and the actor is two years older that can lead to more severe sentences. There are also additional sentencing enhancements in the Connecticut criminal code. • Any person found guilty under this section shall be sentenced to a term of imprisonment of at least 10 years, a portion of which may be suspended (except as provided above) or a term of imprisonment and a period of special parole pursuant to subsection (b) of § 53a-28 which together constitute a sentence of at least 10 years.
Anything else I should know?	<p>The following definitions are relevant, and apply, to this crime,</p> <ul style="list-style-type: none"> • Actor: a person accused of sexual assault. • Sexual intercourse: vaginal intercourse, anal intercourse, fellatio or cunnilingus between persons regardless of sex. Penetration, however slight, is sufficient to complete vaginal intercourse, anal

	<p>intercourse or fellatio and does not require emission of semen. Penetration may be committed by an object manipulated by the actor into the genital or anal opening of the victim's body.</p> <ul style="list-style-type: none"> • Mentally incapacitated: a person is rendered temporarily incapable of appraising or controlling such person's conduct owing to the influence of a drug or intoxicating substance administered to such person without such person's consent, or owing to any other act committed upon such person without such person's consent. • Use of force: use of a dangerous instrument; or use of actual physical force or violence or superior physical strength against the victim. • Note: In addition to any fine, fee, or cost that may be imposed pursuant to any provision of the general statutes, the court shall impose a fine of \$151 on any person who, on or after July 1, 2004, is convicted of or pleads guilty or nolo contendere to a violation of subdivision (2) of subsection (a) of § 53-21, or §§ 53a-70a, 53a-71, 53a-72a, 53a-72b, or 53a-73a. Fines collected under this section shall be deposited in the sexual assault victims account established under section 19a-112d.
Statutory citation(s):	Conn. Gen. Stat. Ann. §§ 53a-65, 53a-70, and 53a-35a

Aggravated Sexual Assault in the First Degree

Question	Answer
How is it defined?	<ul style="list-style-type: none"> • A person is guilty of aggravated sexual assault in the first degree when such person commits sexual assault in the first degree (§ 53a-70), and in the commission of such offense: <ul style="list-style-type: none"> • Uses or is armed with and threatens the use of or displays or represents by such person's words or conduct that such person possesses a deadly weapon; • With intent to disfigure the victim seriously or permanently, or to destroy, amputate or disable permanently a member or organ of the victim's body, such person causes such injury to such victim; • Under circumstances evincing an extreme indifference to human life such person recklessly engages in conduct which creates a risk of death to the victim, and thereby causes serious physical injury to such victim; or • Such person is aided by two or more other persons actually present.
What are the punishments for this crime?	<ul style="list-style-type: none"> • Except as provided below, aggravated sexual assault in the first degree is a class B felony. <ul style="list-style-type: none"> • Any person found guilty under this section of a class B felony shall be sentenced to a term of imprisonment of at least 10 years, 5 years of which may not be suspended or reduced by the court. • If the victim of the offense is under 16 years of age, the offense is a class A felony. <ul style="list-style-type: none"> • Any person found guilty under this section of a class A felony shall be sentenced to a term of imprisonment of which 10 years of the sentence imposed may not be suspended or reduced by the court, except that, if such person committed sexual assault in the first degree by violating §

	<p>53a-70(a)(1) (sexual assault in the first degree involving the use of force or threat of use of force), and the victim of the offense is under 16 years of age, 20 years of the sentence imposed may not be suspended or reduced by the court.</p> <ul style="list-style-type: none"> • Except as otherwise provided, a court may suspend a portion of a sentence imposed under this subdivision and impose a period of probation pursuant to § 53a-29(f), or may impose a term of imprisonment and a period of special parole pursuant to § 53a-28(b). • Note: No person shall be convicted of sexual assault in the first degree and aggravated sexual assault in the first degree upon the same transaction but such person may be charged and prosecuted for both such offenses upon the same information.
Anything else I should know?	<p>The following definitions are relevant, and apply, to this crime:</p> <ul style="list-style-type: none"> • Sexual intercourse: vaginal intercourse, anal intercourse, fellatio or cunnilingus between persons regardless of sex. Penetration, however slight, is sufficient to complete vaginal intercourse, anal intercourse or fellatio and does not require emission of semen. Penetration may be committed by an object manipulated by the actor into the genital or anal opening of the victim's body. • Mentally incapacitated: a person is rendered temporarily incapable of appraising or controlling such person's conduct owing to the influence of a drug or intoxicating substance administered to such person without such person's consent, or owing to any other act committed upon such person without such person's consent. • Use of force: use of a dangerous instrument; or use of actual physical force or violence or superior physical strength against the victim. • Note: In addition to any fine, fee, or cost that may be imposed pursuant to any provision of the general statutes, the court shall impose a fine of \$151 on any person who, on or after July 1, 2004, is convicted of or pleads guilty or nolo contendere to a violation of subdivision (2) of subsection (a) of § 53-21, or §§ 53a-70a, 53a-71, 53a-72a, 53a-72b, or 53a-73a. Fines collected under this section shall be deposited in the sexual assault victims account established under § 19a-112d.
Statutory citation(s):	Conn. Gen. Stat. Ann. §§53a-65, 53a-70a

Aggravated Sexual Assault of a Minor

Question	Answer
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How is it defined?	<p>A person is guilty of aggravated sexual assault of a minor when such person commits a violation of subdivision (2) of subsection (a) of § 53-21 or §§ 53a-70, 53a-70a, 53a-71, 53a-86, 53a-87 or 53a-196a and the victim of such offense is under 13 years of age, and any of the following:</p> <ol style="list-style-type: none"> (1) such person kidnapped or illegally restrained the victim, (2) such person stalked the victim, (3) such person used violence to commit such offense against the victim, (4) such person caused serious physical injury to or disfigurement of the victim, (5) there was more than one victim of such offense under 13 years of age, (6) such person was not known to the victim, or (7) such person has previously been convicted of a violent sexual assault.
What are the punishments for this crime?	<p>Aggravated sexual assault of a minor is a class A felony and any person found guilty under this section shall, for a first offense, be sentenced to a term of imprisonment, 25 years of which may not be suspended or reduced by the court and, for any subsequent offense, be sentenced to a term of imprisonment of 50 years which may not be suspended or reduced by the court.</p>
Anything else I should know?	N/A
Statutory citation(s):	Conn. Gen. Stat. Ann. § 53a-70c

Sexual Assault in the Second Degree

Question	Answer
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<p>How is it defined?</p>	<p>A person commits sexual assault in the second degree when such person engages in sexual intercourse with another person and:</p> <ul style="list-style-type: none"> • Such other person is 13 years of age or older but under 16 years of age and the actor is more than three years older than such other person; • Such other person is impaired because of mental disability or disease to the extent that such other person is unable to consent to such sexual intercourse; • Such other person is physically helpless; • Such other person is less than 18 years old and the actor is such person's guardian or otherwise responsible for the general supervision of such person's welfare; • Such other person is in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over such other person; • The actor is a psychotherapist and the victim is a patient or former patient and the act occurs during a psychotherapy session, while the patient is emotionally dependent on the actor, or by means of therapeutic deception; • The actor accomplishes the sexual intercourse by means of false representation that the sexual intercourse is for a bona fide medical purpose by a healthcare professional; • The actor is a school employee and the victim is a student enrolled in a school in which the actor works or a school under in the jurisdiction of the local or regional board of education which employs the actor; • The actor is a coach in an athletic activity or a person who provides intensive, ongoing instruction and such other person is the recipient of such coaching or instruction and is either a secondary school student who receives such coaching or instruction at school, or is under 18 years of age; • The actor is 20 years of age or older and stands in a position of power, authority or supervision over such other person who by virtue of the actor's professional, legal, occupational, or volunteer status and such other person's participation in a program or activity, and such other person is under 18 years of age; or • Such other person is placed or receiving services under the direction of the Commissioner of Developmental Services in any public or private facility or program and the actor has supervisory or disciplinary authority over such other person.
<p>What are the punishments for this crime?</p>	<ul style="list-style-type: none"> • Sexual assault in the second degree is a class C felony punishable by 1-10 years of imprisonment. <ul style="list-style-type: none"> • If the victim is under 16 years of age, a violation of §53a-71 is a class B felony punishable by 1-20 years imprisonment • For any person found guilty under this section, nine months of the sentence imposed may not be suspended or reduced by the court.
<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"> • Sexual intercourse: vaginal intercourse, anal intercourse, fellatio or cunnilingus between persons regardless of sex. Penetration, however slight, is sufficient to complete vaginal intercourse, anal intercourse or fellatio and does not require emission of semen. Penetration may be committed by an object manipulated by the actor into the genital or anal opening of the victim's body. • Impaired because of mental disability or disease: a person suffers from a mental disability or disease which renders such person incapable of appraising the nature of such person's conduct.

	<ul style="list-style-type: none"> • Physically helpless: that a person is unconscious or for any other reason is physically unable to communicate unwillingness to an act. • Psychotherapist: a physician, psychologist, nurse, substance abuse counselor, social worker, clergyman, marital and family therapist, mental health service provider, hypnotist or other person, whether or not licensed or certified by the state, who performs or purports to perform psychotherapy. • Psychotherapy: the professional treatment, assessment or counseling of a mental or emotional illness, symptom or condition. • Emotionally dependent: that the nature of the patient's or former patient's emotional condition and the nature of the treatment provided by the psychotherapist are such that the psychotherapist knows or has reason to know that the patient or former patient is unable to withhold consent to sexual contact by or sexual intercourse with the psychotherapist. • Therapeutic deception: a representation by a psychotherapist that sexual contact by or sexual intercourse with the psychotherapist is consistent with or part of the patient's treatment. • School employee: (A) A teacher, substitute teacher, school administrator, school superintendent, guidance counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by a local or regional board of education or a private elementary, middle or high school or working in a public or private elementary, middle or high school; or (B) any other person who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in (i) a public elementary, middle or high school, pursuant to a contract with the local or regional board of education, or (ii) a private elementary, middle or high school, pursuant to a contract with the supervisory agent of such private school. • Note: In addition to any fine, fee, or cost that may be imposed pursuant to any provision of the general statutes, the court shall impose a fine of \$151 on any person who, on or after July 1, 2004, is convicted of or pleads guilty or nolo contendere to a violation of subdivision (2) of subsection (a) of § 53-21, or §§ 53a-70a, 53a-71, 53a-72a, 53a-72b, or 53a-73a. Fines collected under this section shall be deposited in the sexual assault victims account established under § 19a-112d.
Statutory citation(s):	Conn. Gen. Stat. Ann. §§53a-65, 53a-71, and 53a-35a

Sexual Assault in the Third Degree

Question	Answer
How is it defined?	<p>A person commits sexual assault in the third degree when such person:</p> <ul style="list-style-type: none"> • Compels another person to submit to sexual contact: (1) by the use of force against the other person or a third person, or (2) by the threat of use of force against such other person or against a third person which reasonably causes such other person to fear physical injury to him or herself or a third person; or

	<ul style="list-style-type: none"> Engages in sexual intercourse with another person whom the actor knows to be the actor's parent, grandparent, child, grandchild, sibling, parent's sibling, sibling's child, stepparent, or stepchild.
<p>What are the punishments for this crime?</p>	<ul style="list-style-type: none"> Sexual assault in the third degree is a class D felony punishable by 1-5 years of imprisonment. <ul style="list-style-type: none"> If the victim of the offense is under 16 years of age it is a class C felony punishable by 1-10 years imprisonment Sexual assault in the third degree with a firearm under § 53a-72b: a person who commits sexual assault in the third degree is subject to enhanced sentencing if, in the commission of the offense, such person uses or is armed with and threatens the use of or displays or represents by such person's words or conduct that such person possesses a pistol, revolver, machine gun, rifle, shotgun, or other firearm. <ul style="list-style-type: none"> Sexual assault in the third degree with a firearm is a class C felony punishable by 1-10 years imprisonment. If the victim of the offense is under 16 years of age, sexual assault in the third degree with a firearm is a class B felony punishable by 1-20 years imprisonment. For any person found guilty of sexual assault in the third degree with a firearm, two years of the sentence imposed may not be suspended or reduced by the court and a special parole period will be applied under § 53a-28(b), which together constitute a sentence of 10 years.
<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"> Sexual intercourse: vaginal intercourse, anal intercourse, fellatio or cunnilingus between persons regardless of sex. Penetration, however slight, is sufficient to complete vaginal intercourse, anal intercourse or fellatio and does not require emission of semen. Penetration may be committed by an object manipulated by the actor into the genital or anal opening of the victim's body. Sexual contact: any contact with the intimate parts of a person not married to the actor for the purpose of sexual gratification of the actor or for the purpose of degrading or humiliating such person. Impaired because of mental disability or disease: a person suffers from a mental disability or disease which renders such person incapable of appraising the nature of such person's conduct. Use of force: use of a dangerous instrument; or use of actual physical force or violence or superior physical strength against the victim. Note: In addition to any fine, fee, or cost that may be imposed pursuant to any provision of the general statutes, the court shall impose a fine of \$151 on any person who, on or after July 1, 2004, is convicted of or pleads guilty or nolo contendere to a violation of subdivision (2) of subsection (a) of § 53-21, or §§ 53a-70a, 53a-71, 53a-72a, 53a-72b, or 53a-73a. Fines collected under this section shall be deposited in the sexual assault victims account established under section 19a-112d.
<p>Statutory citation(s):</p>	<p>Conn. Gen. Stat. Ann. §§ 53a-65, 53a-72a, 53a-72b, and 53a-35a</p>

Sexual Assault in the Fourth Degree

Question	Answer
How is it defined?	<ul style="list-style-type: none">• A person (the actor) commits sexual assault in the fourth degree when<ul style="list-style-type: none">• the actor subjects another person to sexual contact who is<ul style="list-style-type: none">• (1) under 13 years of age and the actor is more than two years older than such other person; or• (2) 13 years of age or older but under 15 years of age and the actor is more than three years older than such other person; or• (3) mentally incapacitated or impaired because of mental disability or disease to the extent that such other person is unable to consent to such sexual contact; or• (4) physically helpless; or• (5) less than 18 years old and the actor is the victim's guardian or otherwise responsible for the general supervision of the victim's welfare; or• (6) in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over such other person.• The actor subjects the victim to sexual contact without such other person's consent;• The actor engages in sexual contact with an animal or dead body;• The actor is a psychotherapist and subjects the victim to sexual contact and the victim is:<ul style="list-style-type: none">• a patient of the actor and the sexual contact occurs during the psychotherapy session;• a patient or former patient of the actor and is emotionally dependent upon the actor; or• a patient or former patient of the actor and the sexual contact occurs by means of therapeutic deception.• The actor subjects the victim to sexual contact and accomplishes the sexual contact by means of false representation that the sexual contact is for a bona fide medical purpose by a healthcare professional;• The actor is a school employee and subjects the victim to sexual contact and the victim is a student enrolled in the school in which the actor works or a school under the jurisdiction of the local or regional board of education which employs the actor;• The actor is a coach in an athletic activity or a person who provides intensive, ongoing instruction and subjects the victim to sexual contact who is a recipient of coaching or instruction from the actor and the victim: (1) is a secondary school student and receives such coaching or instruction at school, or (2) is under 18 years of age;• The actor subjects the victim to sexual contact where the victim is under 18 years of age and the actor is over 20 years of age and is in a position of power, authority or supervision over the victim by virtue of the actor's professional, legal, occupational or volunteer status and the victim's participation in a program or activity; or• The actor subjects the victim to sexual contact and the victim is placed or receiving services under the direction of the Commissioner of Developmental Services in any public or private facility or program and the actor has supervisory or disciplinary authority over the victim.

<p>What are the punishments for this crime?</p>	<p>Sexual assault in the fourth degree is a class A misdemeanor punishable by less than 1 year of imprisonment.</p> <ul style="list-style-type: none"> • If the victim of the offense is under 16 years of age, a violation of §53a-73a is a class D felony punishable by 1-5 years imprisonment.
<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"> • Sexual contact: any contact with the intimate parts of a person not married to the actor for the purpose of sexual gratification of the actor or for the purpose of degrading or humiliating such person or any contact of the intimate parts of the actor with a person not married to the actor for the purpose of sexual gratification of the actor or for the purpose of degrading or humiliating such person. • Impaired because of mental disability or disease: a person suffers from a mental disability or disease which renders such person incapable of appraising the nature of such person's conduct. • Physically helpless: that a person is unconscious or for any other reason is physically unable to communicate unwillingness to an act. • Psychotherapist: a physician, psychologist, nurse, substance abuse counselor, social worker, clergyman, marital and family therapist, mental health service provider, hypnotist or other person, whether or not licensed or certified by the state, who performs or purports to perform psychotherapy. • Psychotherapy: the professional treatment, assessment or counseling of a mental or emotional illness, symptom or condition. • Emotionally dependent: that the nature of the patient's or former patient's emotional condition and the nature of the treatment provided by the psychotherapist are such that the psychotherapist knows or has reason to know that the patient or former patient is unable to withhold consent to sexual contact by or sexual intercourse with the psychotherapist. • Therapeutic deception: a representation by a psychotherapist that sexual contact by or sexual intercourse with the psychotherapist is consistent with or part of the patient's treatment. • School employee: (A) A teacher, substitute teacher, school administrator, school superintendent, guidance counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by a local or regional board of education or a private elementary, middle or high school or working in a public or private elementary, middle or high school; or (B) any other person who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in (i) a public elementary, middle or high school, pursuant to a contract with the local or regional board of education, or (ii) a private elementary, middle or high school, pursuant to a contract with the supervisory agent of such private school. • Note: In addition to any fine, fee, or cost that may be imposed pursuant to any provision of the general statutes, the court shall impose a fine of \$151 on any person who, on or after July 1, 2004, is convicted of or pleads guilty or nolo contendere to a violation of subdivision (2) of subsection (a) of § 53-21, or §§ 53a-70a, 53a-71, 53a-72a, 53a-72b, or 53a-73a. Fines collected under this section shall be deposited in the sexual assault victims account established under § 19a-112d.
<p>Statutory citation(s):</p>	<p>Conn. Gen. Stat. Ann. §§ 53a-65, §53a-72a, 53a-73a, 53a-35a, and 53a-26</p>

Statutory Rape

Question	Answer
How is it defined?	<ul style="list-style-type: none"> • Sexual assault in the first degree: A person violates §53a-70 by engaging in sexual intercourse with another person (victim) and victim is under 13 years of age and the actor is more than two years older than such person. (A class A felony subject to a sentencing enhancement.) • Sexual assault in the second degree: A person violates §53a-71 by engaging in sexual intercourse with another person (victim) where the victim is 13 years of age or older but under 16 years of age and the actor is more than three years older than such other person. (A class B felony punishable by 1-20 years imprisonment.) • Sexual assault in the third degree: A person violates §53a-72a by intentionally subjecting another person (victim) to sexual contact where: (1) the victim is under 13 years of age and the actor is more than two years older than such other person; or (2) the victim is 13 years of age or older but under 15 years of age and the actor is more than three years older than the victim. (A class D felony punishable by 1-5 years imprisonment.)
What are the punishments for this crime?	<ul style="list-style-type: none"> • Sexual assault in the first degree: A class A felony punishable by 10-25 years imprisonment or 25-50 years imprisonment if aggravated sexual assault. • Sexual assault in the second degree: A class B felony punishable by 1-20 years imprisonment. • Sexual assault in the third degree: A class D felony punishable by 1-5 years imprisonment.
Anything else I should know?	<p>The following definitions are relevant, and apply, to this crime:</p> <ul style="list-style-type: none"> • Sexual intercourse: vaginal intercourse, anal intercourse, fellatio or cunnilingus between persons regardless of sex. Penetration, however slight, is sufficient to complete vaginal intercourse, anal intercourse or fellatio and does not require emission of semen. Penetration may be committed by an object manipulated by the actor into the genital or anal opening of the victim's body. • Sexual contact: any contact with the intimate parts of a person not married to the actor for the purpose of sexual gratification of the actor or for the purpose of degrading or humiliating such person.
Statutory citation(s):	Conn. Gen. Stat. Ann. §§ 53a-65, 53a-70, 53a-71, 53a-73a, 53a-35a

Sodomy

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