

# Criminal Statutes of Limitations

## Maine

*Last Updated: March 2020*

### Gross sexual assault

| Question   | Answer   |
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| What is the statute of limitations for this crime? | Gross sexual assault is a Class A, B, or C crime depending upon the circumstances.<br><ol style="list-style-type: none"><li>1. There is no time limit to commence legal proceedings against the perpetrator for this crime when the victim was under the age of sixteen (16) at the time of the commission of the offense; or</li><li>2. If the victim was aged sixteen (16) or older at the time the offense was committed, prosecution must be commenced within twenty (20) years after the offense was committed.</li></ol> |
| Statutory citation(s):                             | <ol style="list-style-type: none"><li>1. Citation for the crime: Me. Rev. Stat. tit. 17-A, § 253. This statute was amended by 2017 Me. Legis. Serv. Ch. 300 (S.P. 216) (L.D. 654) (WEST) effective as of November 1, 2017. The amendment does not affect the information provided here. This crime was formerly called "gross sexual misconduct."</li><li>2. Citation for the statute of limitations: Me. Rev. Stat. tit. 17-A, § 8.</li></ol>   |

### Sexual abuse of minors

| Question   | Answer  |
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| What is the statute of limitations for this crime? | Sexual abuse of minors is a Class C, D, or E crime depending upon the circumstances.<br><ol style="list-style-type: none"><li>1. If the victim was under age sixteen (16) at the time of the commission of the offense, there is no time limit to commence legal proceedings against the perpetrator for this crime; or</li><li>2. If the victim was aged sixteen (16) or older at the time of the commission of the offense: For Class A, B, or C crimes, a prosecution must commence within six (6) years after the commission of the offense; or for Class D and E crimes, a prosecution must commence within three (3) years after the commission of the offense.</li></ol> |
| Statutory citation(s):                             | <ol style="list-style-type: none"><li>1. Citation for the crime: Me. Rev. Stat. tit. 17-A, § 254.</li><li>2. Citation for the statute of limitations: Me. Rev. Stat. tit. 17-A, § 8.</li></ol>  |

## Unlawful sexual contact

| Question   | Answer   |
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| What is the statute of limitations for this crime? | Unlawful sexual contact is a Class A, B, C, or D crime depending upon the circumstances.<br><ol style="list-style-type: none"><li>1. There is no time limit to commence legal proceedings against the perpetrator for this crime when victim was under the age of sixteen (16) at the time of commission of the offense; or</li><li>2. For a Class A, B, or C crime involving unlawful sexual contact, legal proceedings must be commenced within twenty (20) years after the commission of the offense; or</li><li>3. For Class D crimes, legal proceedings must be commenced within three (3) years after the commission of the offense.</li></ol> |
| Statutory citation(s):                             | <ol style="list-style-type: none"><li>1. Citation for the crime: Me. Rev. Stat. tit. 17-A, § 255-A.</li><li>2. Citation for the statute of limitations: Me. Rev. Stat. tit. 17-A, § 8.</li></ol>   |

## Unlawful sexual touching

| Question   | Answer   |
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| What is the statute of limitations for this crime? | Unlawful sexual touching is a Class D or E crime, depending upon the circumstances.<br>Legal proceedings against the perpetrator must commence within three (3) years after the commission of the offense. |
| Statutory citation(s):                             | <ol style="list-style-type: none"><li>1. Citation for the crime: Me. Rev. Stat. tit. 17-A, § 260.</li><li>2. Citation for the statute of limitations: Me. Rev. Stat. tit. 17-A, § 8.</li></ol>             |

## Sexual exploitation of minor

| Question | Answer |
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|--|---|
| What is the statute of limitations for this crime? | Sexual exploitation of a minor is a Class A or B crime, depending upon the circumstances.<br><br>1. Legal proceedings against the perpetrator must commence within six (6) years after the commission of the offense. |
| Statutory citation(s):                             | 1. Citation for the crime: Me. Rev. Stat. tit. 17-A, § 282.<br>2. Citation for the statute of limitations: Me. Rev. Stat. tit. 17-A, § 8.   |

## Incest

| Question   | Answer   |
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| What is the statute of limitations for this crime? | Incest is a Class C or D crime, depending upon the circumstances.<br><br>1. There is no time limit to commence legal proceedings against the perpetrator for this crime when victim was under the age of sixteen (16) at the time of commission of the offense; or<br>2. If the victim was aged sixteen (16) or older at the time of the commission of the offense: Prosecution must commence within six (6) years after the commission of the offense if a Class C crime; or within three (3) years after the commission of the offense if a Class D crime. |
| Statutory citation(s):                             | 1. Citation for the crime: Me. Rev. Stat. tit. 17-A, § 556.<br>2. Citation for the statute of limitations: Me. Rev. Stat. tit. 17-A, § 8.  |

## Indecent Conduct

| Question   | Answer   |
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| What is the statute of limitations for this crime? | Indecent Conduct is a Class D or E crime, depending upon the circumstances.<br><br>Legal proceedings against the perpetrator must commence within three (3) years after the commission of the offense. |
| Statutory citation(s):                             | 1. Citation for the crime: Me. Rev. Stat. tit. 17-A, § 854.<br>2. Citation for the statute of limitations: Me. Rev. Stat. tit. 17-A, § 8.  |

## Sexual misconduct with a child under 14

| Question  | Answer  |
|---|---|
| <p>What is the statute of limitations for this crime?</p> | <p>This crime is classified as a:</p> <ul style="list-style-type: none"> <li>• Class C crime if offender is at least eighteen (18) years of age, victim is under age twelve (12), and the offender knowingly displays any sexually explicit materials to victim with the intent to encourage victim to engage in a sexual act or sexual conduct; or</li> <li>• Class D crime if offender is at least eighteen (18) years of age, victim is under age fourteen (14), and the offender knowingly displays any sexually explicit materials to victim with the intent to encourage victim to engage in a sexual act or sexual conduct.</li> </ul> <p>The statute of limitations for this crime depends on the classification above.</p> <ol style="list-style-type: none"> <li>1. Legal proceedings against the perpetrator must commence within six (6) years after the commission of the offense if a Class C crime; or</li> <li>2. Within three (3) years after the commission of the offense if a Class D crime.</li> </ol> |
| <p>Statutory citation(s):</p>                             | <ol style="list-style-type: none"> <li>1. Citation for the crime: Me. Rev. Stat. tit. 17-A, § 258.</li> <li>2. Citation for the statute of limitations: Me. Rev. Stat. tit. 17-A, § 8.</li> </ol>   |

## Are there any exceptions to the statute of limitations laws?

| Question          | Answer  |
|-------------------|---|
| <p>Exceptions</p> | <ul style="list-style-type: none"> <li>• The periods of limitations shall not run: <ul style="list-style-type: none"> <li>• During any time when the accused is absent from the State, but in no event shall this provision extend the period of limitation otherwise applicable by more than 5 years;</li> <li>• During any time when a prosecution against the accused for the same crime based on the same conduct is pending in this State; or</li> <li>• During any time when a prosecution against the accused for the corresponding juvenile crime based on the same conduct is pending in the Juvenile Court. For purposes of this section, pending includes any appeal period and, if an appeal is taken, any period pending its final disposition.</li> </ul> </li> </ul> |

If a timely complaint, information or indictment is dismissed for any error, defect, insufficiency or irregularity, a new prosecution for the same crime based on the same conduct may be commenced within 6 months after the dismissal, or during the next session of the grand jury, whichever occurs later, even though the periods of limitations have expired at the time of such dismissal or will expire within such period of time. Me. Rev. Stat. tit. 17-A, § 8 (3)-(4).

## Anything else I should know?

| Question                     | Answer  |
|------------------------------|---|
| Anything else I should know? | <ul style="list-style-type: none"><li>• A crime is committed when every element thereof has occurred, or if the crime consists of a continuing course of conduct, at the time when the course of conduct or the defendant's complicity therein is terminated. Me. Rev. Stat. tit. 17-A, § 8(6).</li><li>• A prosecution is commenced whenever one of the following occurs: (1) A criminal complaint is filed; (2) An indictment is returned; or (3) Following waiver of an indictment, an information is filed. Me. Rev. Stat. tit. 17-A, § 8(6).</li></ul> |