

Criminal Statutes of Limitations Oklahoma

Last Updated: March 2020

Incest

Question	Answer
What is the statute of limitations for this crime?	1. Prosecution against the perpetrator of this crime must commence within three years after commission of the offense (when the victim is over 16 years of age).
Statutory citation(s):	1. Citation for the crime: Okla. Stat. tit. 21, § 885. 2. Citation for the statute of limitations: Okla. Stat. tit. 22, § 152.

Crime Against Nature

Question	Answer
What is the statute of limitations for this crime?	1. Prosecution against the perpetrator of this crime must commence by the 45 th birthday of the alleged victim. Prosecutions for such crimes committed against victims 18 years of age or older shall be commenced within 12 years after discovery of the offense.
Statutory citation(s):	1. Citation for the crime: Okla. Stat. tit. 21, § 886. 2. Citation for the statute of limitations: Okla. Stat. tit. 22, § 152.

Forcible sodomy

Question	Answer
What is the statute of limitations for this crime?	1. Prosecution against the perpetrator of this crime must commence by the 45 th birthday of the alleged victim. Prosecutions for such crimes committed against victims 18 years of age or older shall be commenced within 12 years after discovery of the offense.

Statutory citation(s):	<ol style="list-style-type: none"> 1. Citation for the crime: Okla. Stat. tit. 21, § 888. 2. Citation for the statute of limitations: Okla. Stat. tit. 22, § 152.
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Indecent Exposure-Indecent Exhibitions-Obscene Material or Child Pornography-Solicitation of Minors

Question	Answer
What is the statute of limitations for this crime?	1. Prosecution against the perpetrator of this crime must commence within three years after commission of the offense.
Statutory citation(s):	<ol style="list-style-type: none"> 1. Citation for the crime: Okla. Stat. tit. 21, § 1021. 2. Citation for the statute of limitations: Okla. Stat. tit. 22, § 152.

Rape by Instrumentation

Question	Answer
What is the statute of limitations for this crime?	1. Prosecution against the perpetrator of this crime must commence by the 45 th birthday of the alleged victim. Prosecutions for such crimes committed against victims 18 years of age or older shall be commenced within 12 years after discovery of the offense.
Statutory citation(s):	<ol style="list-style-type: none"> 1. Citation for the crime: Okla. Stat. tit. 21, § 1111.1. 2. Citation for the statute of limitations: Okla. Stat. tit. 22, § 152.

Rape in first degree -- second degree

Question	Answer
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What is the statute of limitations for this crime?	1. Prosecution against the perpetrator of this crime must commence by the 45 th birthday of the alleged victim. Prosecutions for such crimes committed against victims 18 years of age or older shall be commenced within 12 years after discovery of the offense.
Statutory citation(s):	1. Citation for the crime: Okla. Stat. tit. 21, § 1114. 2. Citation for the statute of limitations: Okla. Stat. tit. 22, § 152.

Lewd or indecent proposals or acts as to a child under 16 or person believed to be under 16; sexual battery

Question	Answer
What is the statute of limitations for this crime?	1. Prosecution against the perpetrator of this crime must commence by the 45 th birthday of the alleged victim. Prosecutions for such crimes committed against victims 18 years of age or older shall be commenced within 12 years after discovery of the offense.
Statutory citation(s):	1. Citation for the crime: Okla. Stat. tit. 21, § 1123. 2. Citation for the statute of limitations: Okla. Stat. tit. 22, § 152.

Are there any exceptions to the statute of limitations laws?

Question	Answer
Exceptions	<ul style="list-style-type: none"> • Okla. Stat. tit. 22, § 152 Statute of limitations: <ul style="list-style-type: none"> • (C)(2) Prosecution may be commenced at any time after commission of the offense if physical evidence was collected and preserved that is capable of being tested to obtain a DNA profile and the identity of offender is subsequently established through the use of a DNA profile using that evidence; however, a prosecution under this exception must be commenced within three years after the date on which the identity of the offender is established through DNA testing; applies for the following offenses: <ul style="list-style-type: none"> • Crime against nature (tit. 21, § 886); • Forcible sodomy (tit. 21, § 888); • Sodomy; • Rape by instrumentation (tit. 21, § 1111.1); • Rape (tit. 21, § 1114); • Lewd or indecent proposals or acts against children (tit. 21, § 1123).

Anything else I should know?

Question	Answer
Anything else I should know?	<ul style="list-style-type: none">• Okla. Stat. tit. 22, § 152 Statute of limitations:<ul style="list-style-type: none">• (L) No prosecution under subsection C of tit. 22, § 152, shall be based upon the memory of the victim that has been recovered through psychotherapy unless there is some evidence independent of such repressed memory. Any person who knowingly and willfully makes a false claim pursuant to subsection C, or makes a claim that the person knows lacks factual foundation may be reported to local law enforcement for criminal investigation and, upon conviction, shall be guilty of a felony.• (M) “Discovery” of the offense, as used in subsection C of tit. 22, § 152 above, means the date that a physical or sexually related crime involving a victim 18 years of age or older is reported to a law enforcement agency.• Okla. Stat. tit. 22, § 153. Absence from state, limitation does not run:<ul style="list-style-type: none">• If when the offense is committed the defendant is out of the state, the prosecution may be commenced within the term herein limited after his coming within the state, and no time during which the defendant is not an inhabitant of or usually resident within the state, is part of the limitation.