

# Criminal Statutes of Limitations

## Puerto Rico

*Last Updated: April 2023*

### Sexual Assault

Question	Answer
What is the statute of limitations for this crime?	This crime is a felony. <ol style="list-style-type: none"><li>1. Prosecution against the perpetrator of this crime must commence within 20 years after the commission of the offense.</li><li>2. No statute of limitations if the victim is under 18 years of age and the perpetrator is over the age of 18.</li><li>3. In all other cases, if the victim has not yet turned 18 years old, the statute of limitations will not begin to run until the victim turns 18 years old.</li></ol>
Statutory citation(s):	<ol style="list-style-type: none"><li>1. Citation for the crime: Puerto Rico Penal Code 2012-Article 130 (33 L.P.R.A. § 5191).</li><li>2. Citation for the statute of limitations: Puerto Rico Penal Code 2012 - Articles 87, 88 and 89 (33 L.P.R.A. § 5132, § 5133 and § 5134).</li></ol>

### Incest

Question	Answer
What is the statute of limitations for this crime?	This crime is a felony. <ol style="list-style-type: none"><li>1. Prosecution against the perpetrator of this crime must commence within 20 years after the commission of the offense.</li><li>2. No statute of limitations if the victim is under 18 years of age and the perpetrator is over the age of 18.</li><li>3. In all other cases, if the victim has not yet turned 18 years old, the statute of limitations will not begin to run until the victim turns 18 years old.</li></ol>
Statutory citation(s):	<ol style="list-style-type: none"><li>1. Citation for the crime: Puerto Rico Penal Code 2012-Article 131 (33 L.P.R.A. § 5192).</li><li>2. Citation for the statute of limitations: Puerto Rico Penal Code 2012 - Articles 87, 88 and 89 (33 L.P.R.A. § 5132, § 5133 and § 5134).</li></ol>

## Lewd Acts

Question	Answer
What is the statute of limitations for this crime?	This crime is a felony. <ol style="list-style-type: none"><li>1. Prosecution against the perpetrator of this crime must commence within 20 years after the commission of the offense.</li><li>2. No statute of limitations if the victim is under 18 years of age and the perpetrator is over the age of 18.</li><li>3. In all other cases, if the victim has not yet turned 18 years old, the statute of limitations will not begin to run until the victim turns 18 years old.</li></ol>
Statutory citation(s):	<ol style="list-style-type: none"><li>1. Citation for the crime: Puerto Rico Penal Code 2012-Article 133 (33 L.P.R.A. § 5194).</li><li>2. Citation for the statute of limitations: Puerto Rico Penal Code 2012 - Articles 87, 88 and 89 (33 L.P.R.A. § 5132, § 5133 and § 5134).</li></ol>

## Bestiality

Question	Answer
What is the statute of limitations for this crime?	This crime is a felony. <ol style="list-style-type: none"><li>1. Prosecution against the perpetrator of this crime must commence within 5 years after the commission of the offense.</li></ol>
Statutory citation(s):	<ol style="list-style-type: none"><li>1. Citation for the crime: Puerto Rico Penal Code 2012-Article 134 (33 L.P.R.A. § 5195).</li><li>2. Citation for the statute of limitations: Puerto Rico Penal Code 2012 - Articles 87 (33 L.P.R.A. § 5132).</li></ol>

## Sexual Harassment

Question	Answer
What is the statute of limitations for this crime?	<p>This crime is a felony.</p> <ol style="list-style-type: none"> <li>1. Prosecution against the perpetrator of this crime must commence within 5 years after the commission of the offense.</li> <li>2. If the victim has not yet turned 18 years old, the statute of limitations will not begin to run until the victim turns 18 years old.</li> </ol>
Statutory citation(s):	<ol style="list-style-type: none"> <li>1. Citation for the crime: Puerto Rico Penal Code 2012-Article 135 (33 L.P.R.A. § 5196).</li> <li>2. Citation for the statute of limitations: Puerto Rico Penal Code 2012 - Articles 87 and 89 (33 L.P.R.A. § 5132 and § 5134).</li> </ol>

### **Seduction of Minors Through the Internet or Electronic Means**

Question	Answer
What is the statute of limitations for this crime?	<p>This crime is a felony.</p> <ol style="list-style-type: none"> <li>1. Prosecution against the perpetrator of this crime must commence within 5 years after the commission of the offense.</li> <li>2. If the victim has not yet turned 18 years old, the statute of limitations will not begin to run until the victim turns 18 years old.</li> </ol>
Statutory citation(s):	<ol style="list-style-type: none"> <li>1. Citation for the crime: Puerto Rico Penal Code 2012-Article 124 (33 L.P.R.A. § 5183).</li> <li>2. Citation for the statute of limitations: Puerto Rico Penal Code 2012 - Articles 87 and 89 (33 L.P.R.A. § 5132 and § 5134).</li> </ol>

### **Use of a minor for child pornography**

Question	Answer
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What is the statute of limitations for this crime?	<p>This crime is a felony.</p> <ol style="list-style-type: none"> <li>1. Prosecution against the perpetrator of this crime must commence within 5 years after the commission of the offense.</li> <li>2. No statute of limitations if the victim is under 18 years of age and the perpetrator is over the age of 18.</li> <li>3. In all other cases, if the victim has not yet turned 18 years old, the statute of limitations will not begin to run until the victim turns 18 years old.</li> </ol>
Statutory citation(s):	<ol style="list-style-type: none"> <li>1. Citation for the crime: Puerto Rico Penal Code 2012-Article 148 (33 L.P.R.A. § 5209).</li> <li>2. Citation for the statute of limitations: Puerto Rico Penal Code 2012 - Articles 87, 88 and 89 (33 L.P.R.A. § 5132, § 5133, § 5134).</li> </ol>

### Anything else I should know?

Question	Answer
Anything else I should know?	<ul style="list-style-type: none"> <li>• Puerto Rico Penal Code 2012 - Article 89 (33 L.P.R.A. § 5134). Calculation of statute of limitations: <ul style="list-style-type: none"> <li>• The time period for calculation of the statute of limitations will run from the day that the crime was committed until the day that probable cause is determined for the arrest or the citation. In the cases of felonies where the victim has not yet turned 18 years old, the statute of limitations will not begin to run until the victim turns 18 years old.</li> </ul> </li> <li>• <i>El Pueblo de Puerto Rico v. Trinidad Narváez</i>, No. KLCE-2021-00524, 2021 WL 4205724 (P.R. Ct. App. Aug. 23, 2021) <ul style="list-style-type: none"> <li>• In Puerto Rico, the statute of limitations for sexual assault, incest, and lewd acts is 20 years after the commission of the offense. If the victim has not yet turned 18 years old, then the statute of limitations will not begin to run until the victim turns 18 years old.</li> </ul> </li> </ul>