

# Criminal Statutes of Limitations

## Puerto Rico

*Last Updated: March 2020*

### Sexual Assault

Question	Answer
What is the statute of limitations for this crime?	This crime is a felony.  1. Prosecution against the perpetrator of this crime must commence within 20 years after the commission of the offense. 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.
Statutory citation(s):	1. Citation for the crime: Puerto Rico Penal Code 2012-Article 130 (33 L.P.R.A. § 5191). 2. Citation for the statute of limitations: Puerto Rico Penal Code 2012 - Articles 87 and 89 (33 L.P.R.A. § 5132 and § 5134).

### Incest

Question	Answer
What is the statute of limitations for this crime?	This crime is a felony.  1. Prosecution against the perpetrator of this crime must commence within 20 years after the commission of the offense. 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.
Statutory citation(s):	1. Citation for the crime: Puerto Rico Penal Code 2012-Article 131 (33 L.P.R.A. § 5192). 2. Citation for the statute of limitations: Puerto Rico Penal Code 2012 - Articles 87 and 89 (33 L.P.R.A. § 5132 and § 5134).

## Lewd Acts

Question	Answer
What is the statute of limitations for this crime?	This crime is a felony.  1. Prosecution against the perpetrator of this crime must commence within 20 years after the commission of the offense. 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.
Statutory citation(s):	1. Citation for the crime: Puerto Rico Penal Code 2012-Article 133 (33 L.P.R.A. § 5194). 2. Citation for the statute of limitations: Puerto Rico Penal Code 2012 - Articles 87 and 89 (33 L.P.R.A. § 5132 and § 5134).

## Bestiality

Question	Answer
What is the statute of limitations for this crime?	This crime is a felony.  1. Prosecution against the perpetrator of this crime must commence within 5 years after the commission of the offense.
Statutory citation(s):	1. Citation for the crime: Puerto Rico Penal Code 2012-Article 134 (33 L.P.R.A. § 5195). 2. Citation for the statute of limitations: Puerto Rico Penal Code 2012 - Articles 87 and 89 (33 L.P.R.A. § 5132 and § 5134).

## Sexual Harassment

Question	Answer
What is the statute of limitations for this crime?	This crime is a misdemeanor.  1. Prosecution against the perpetrator of this crime must commence within 1 year after the commission of the offense, but if the crime was committed by a public officer or public employee during the course of his/her public duties, then prosecution against the perpetrator of this crime must commence

	<p>within 5 years after the commission of the offense.</p> <p>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.</p>
Statutory citation(s):	<p>1. Citation for the crime: Puerto Rico Penal Code 2012-Article 135 (33 L.P.R.A. § 5196).</p> <p>2. Citation for the statute of limitations: Puerto Rico Penal Code 2012 - Articles 87 and 89 (33 L.P.R.A. § 5132 and § 5134).</p>

## 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):	<p>1. Citation for the crime: Puerto Rico Penal Code 2012-Article 124 (33 L.P.R.A. § 5183).</p> <p>2. Citation for the statute of limitations: Puerto Rico Penal Code 2012 - Articles 87 and 89 (33 L.P.R.A. § 5132 and § 5134).</p>

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

Question	Answer
Exceptions	<ul style="list-style-type: none"> <li>• Rule 5, Puerto Rico Rules for Criminal Procedure (34 L.P.R.A. Ap. II, R. 5): <ul style="list-style-type: none"> <li>• Where the defendant's name is unknown, but there is DNA evidence of that defendant obtained at the scene of the crime, the prosecution may use a fictitious name for the defendant (i.e. John Doe) on the indictment. In those instances, the applicable statute of limitations will not begin to run until such time as the DNA evidence identifies the accused, the indictment is amended to identify the accused with his/her name, and probable cause for the arrest or citation is determined.</li> </ul> </li> </ul>

Anything else I should know?

- Puerto Rico Penal Code 2012 - Article 89 (33 L.P.R.A. § 5134). Calculation of statute of limitations:
  - 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.