

Criminal Statutes of Limitations

Washington

Last Updated: March 2020

Rape, first degree

Question	Answer
What is the statute of limitations for this crime?	<ol style="list-style-type: none">1. The time limit is within twenty years after commission of the offense; or2. If the victim is under the age of sixteen, there is no time limit.
Statutory citation(s):	<ol style="list-style-type: none">1. Citation for the crime: Wash. Rev. Code § 9A.44.0402. Citation for the statute of limitations: Wash. Rev. Code § 9A.04.080.

Rape, second degree

Question	Answer
What is the statute of limitations for this crime?	<ol style="list-style-type: none">1. The time limit is within twenty years after commission of the offense; or2. If the victim is under the age of sixteen, there is no time limit.
Statutory citation(s):	<ol style="list-style-type: none">1. Citation for the crime: Wash. Rev. Code § 9A.44.050.2. Citation for the statute of limitations: Wash. Rev. Code § 9A.04.080.

Rape, third degree

Question	Answer
What is the statute of limitations for this crime?	<ol style="list-style-type: none">1. The time limit is within ten years after commission of the offense.
Statutory citation(s):	<ol style="list-style-type: none">1. Citation for the crime: Wash. Rev. Code § 9A.44.060.2. Citation for the statute of limitations: Wash. Rev. Code § 9A.04.080.

Rape of a child, first degree

Question	Answer
What is the statute of limitations for this crime?	1. There is no time limit for this crime.
Statutory citation(s):	1. Citation for the crime: Wash. Rev. Code § 9A.44.073. 2. Citation for the statute of limitations: Wash. Rev. Code § 9A.04.080.

Rape of a child, second degree

Question	Answer
What is the statute of limitations for this crime?	1. There is no time limit for this crime.
Statutory citation(s):	1. Citation for the crime: Wash. Rev. Code § 9A.44.076. 2. Citation for the statute of limitations: Wash. Rev. Code § 9A.04.080.

Rape of a child, third degree

Question	Answer
What is the statute of limitations for this crime?	1. There is no time limit for this crime.
Statutory citation(s):	1. Citation for the crime: Wash. Rev. Code § 9A.44.079. 2. Citation for the statute of limitations: Wash. Rev. Code § 9A.04.080.

Child molestation, first degree

Question	Answer
What is the statute of limitations for this crime?	1. There is no time limit for this crime.
Statutory citation(s):	1. Citation for the crime: Wash. Rev. Code § 9A.44.083. 2. Citation for the statute of limitations: Wash. Rev. Code § 9A.04.080.

Child molestation, second degree

Question	Answer
What is the statute of limitations for this crime?	1. There is no time limit for this crime.
Statutory citation(s):	1. Citation for the crime: Wash. Rev. Code § 9A.44.086. 2. Citation for the statute of limitations: Wash. Rev. Code § 9A.04.080.

Child molestation, third degree

Question	Answer
What is the statute of limitations for this crime?	1. There is no time limit for this crime.
Statutory citation(s):	1. Citation for the crime: Wash. Rev. Code § 9A.44.089. 2. Citation for the statute of limitations: Wash. Rev. Code § 9A.04.080.

Sexual misconduct with a minor, first degree

Question	Answer
What is the statute of limitations for this crime?	1. There is no time limit for this crime.

Statutory citation(s):	<ol style="list-style-type: none"> 1. Citation for the crime: Wash. Rev. Code § 9A.44.093. 2. Citation for the statute of limitations: Wash. Rev. Code § 9A.04.080.
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Sexual misconduct with a minor, second degree

Question	Answer
What is the statute of limitations for this crime?	1. The time limit is within three years after commission of the offense.
Statutory citation(s):	<ol style="list-style-type: none"> 1. Citation for the crime: Wash. Rev. Code § 9A.44.096. 2. Citation for the statute of limitations: Wash. Rev. Code § 9A.04.080.

Indecent liberties

Question	Answer
What is the statute of limitations for this crime?	1. The time limit is within twenty years after commission of the offense.
Statutory citation(s):	<ol style="list-style-type: none"> 1. Citation for the crime: Wash. Rev. Code § 9A.44.100. 2. Citation for the statute of limitations: Wash. Rev. Code § 9A.04.080.

Custodial sexual misconduct, first degree

Question	Answer
What is the statute of limitations for this crime?	1. There is no time limit for this crime.
Statutory citation(s):	<ol style="list-style-type: none"> 1. Citation for the crime: Wash. Rev. Code § 9A.44.160. 2. Citation for the statute of limitations: Wash. Rev. Code § 9A.04.080.

Custodial sexual misconduct, second degree

Question	Answer
What is the statute of limitations for this crime?	1. The time limit is within three years after commission of the offense.
Statutory citation(s):	1. Citation for the crime: Wash. Rev. Code § 9A.44.170. 2. Citation for the statute of limitations: Wash. Rev. Code § 9A.04.080.

Incest

Question	Answer
What is the statute of limitations for this crime?	1. The time limit is within ten years after commission of the offense; or 2. If the offense is committed against a victim under the age of 18, it may be prosecuted up to the day the victim turns 30, whichever is later.
Statutory citation(s):	1. Citation for the crime: Wash. Rev. Code § 9A.64.020. 2. Citation for the statute of limitations: Wash. Rev. Code § 9A.04.080.

Are there any exceptions to the statute of limitations laws?

Question	Answer
Exceptions	<ul style="list-style-type: none">• Wash. Rev. Code § 9A.04.080 Limitations of actions:<ul style="list-style-type: none">• The limitations periods does not run during any time when the person is not usually and publicly a resident within the state.• If during a limitations period an indictment has been found or a complaint or information has been filed, and then any of these are set aside, then the limitations period is extended by a period equal to the length of the time from the finding or filing to the setting aside.• For any sex offense enumerated in § 9.94A.030, the periods of limitation prescribed in subsection (1) of §

9A.04.080 run from the date of commission or two years from the date on which the identity of the suspect is conclusively established by deoxyribonucleic acid testing or by photograph as defined in RCW 9.68A.011, whichever is later.

- *State v. McConnell* 178 Wash. App. 592 (2013).

- (1) Identity of suspect not “conclusively established” until DNA testing matches the DNA profile of an unknown suspect to the DNA profile of a known suspect;
- (2) state’s 13-year delay in filing rape charges did not violate defendant’s due process rights.

Anything else I should know?

Question	Answer
Anything else I should know?	• Not specified.