



Michigan Coalition to End Domestic & Sexual Violence

Michigan Statutes of Limitations for Crimes Involving Domestic & Sexual Violence

This guide is not legal advice. It is meant to provide survivors of certain crimes with information about the statutes of limitations under Michigan law.

Statutes of limitations exist to ensure that charges do not come out so long after an offense that an accused person cannot defend themselves. If a statute of limitations has passed on a particular crime, then a prosecutor may not bring a charge for that crime. If a statute of limitations has not passed, then a prosecutor can prosecute, but whether or not they decide to do so is up to the individual prosecutor. If a survivor reports a crime for which the statute of limitations has passed, their report may be helpful if the perpetrator has committed other, similar crimes.

If at any time an individual is considering making a report to police about a crime, particularly one that occurred long ago, they may be well served to seek advocacy services from one of [MCEDSV's member programs](#).

- **Criminal Sexual Conduct in the First Degree (“CSC-1”): Charges can be brought at any time**, that is, there is no statute of limitations.
 - CSC-1 is the most extreme charge for sexual misconduct. It may include, but is not limited to, *sexual penetration of a minor, sexual penetration of someone that is physically or mentally impaired, and sexual penetration with the threat of a weapon*. It may not include other forms of sexual assault that did not result in sexual penetration.
 - "Sexual penetration" includes sexual intercourse, cunnilingus (mouth/tongue on female genitalia), fellatio (mouth/tongue on male genitalia), anal intercourse, **or any other intrusion**, however slight, of **any part** of a person's body or of any object into the genital or anal openings of another person's body, but emission of semen is not required.
 - **Minors**: CSC-1 includes any sexual penetration of a person who is either
 - under 13; or
 - 13–16 and a member of the household or a relative of the perpetrator, or where the perpetrator is in a position of power, like a school employee or foster parent (see statute for specifics).
 - **Persons with physical or mental disabilities**: CSC-1 also occurs in many circumstances when the victim mentally or physically disabled (see statute for specifics).

- **Medical treatment or examination:** CSC-1 also occurs when the perpetrator conducts the examination or treatment in a manner or for purposes that are not medically recognized (see statute for specifics).
 - CSC-1 also occurs when sexual penetration happens using force, coercion, or threats (see statute for specifics).
- Link to MCL 767.24(1), setting forth the statute of limitations:
[http://www.legislature.mi.gov/\(S\(hffaogiciyyceaqy4emjr0h4\)\)/mileg.aspx?page=getobject&objectname=mcl-767-24](http://www.legislature.mi.gov/(S(hffaogiciyyceaqy4emjr0h4))/mileg.aspx?page=getobject&objectname=mcl-767-24)
- Link to MCL 750.520B, describing CSC-1:
<http://legislature.mi.gov/doc.aspx?mcl-750-520B>
- **Criminal Sexual Conduct in the Second–Third Degree (“CSC-2, CSC-3”)** If the victim was under 18 at the time the offense occurred, then charges can be brought 15 YEARS after the offense is committed or by the alleged VICTIM’S 28TH BIRTHDAY, whichever is later.
 - If DNA evidence is obtained from an unidentified individual, an indictment of that individual may be found and filed at any time after the offense is committed. However, after the individual is identified, the indictment may be found and filed within 15 YEARS after the individual is identified or by the alleged VICTIM’S 28TH BIRTHDAY, whichever is later.
 - If the victim of CSC-2 or -3 is an adult at the time the offense occurs (i.e., over 18) then the general statute of limitations, or 6 years, applies.
 - These offenses include sexual contact, which occurs when the perpetrator touches a victim’s breasts or genitalia but does not penetrate. They also include some sexual penetration under circumstances are unlawful but are not described in CSC-1, above. See the respective statutes, linked below, for details.
- Link to MCL 767.24(4), setting forth the statute of limitations for CSC-2 and CSC-3 against minors
[http://www.legislature.mi.gov/\(S\(hf4i535ekv0bpukmokr10a3f\)\)/mileg.aspx?page=getobject&objectname=mcl-767-24](http://www.legislature.mi.gov/(S(hf4i535ekv0bpukmokr10a3f))/mileg.aspx?page=getobject&objectname=mcl-767-24)
- Link to MCL 750.520c, describing CSC-2
[http://www.legislature.mi.gov/\(S\(hikefsm14ciu2l2h05z3b0w2\)\)/mileg.aspx?page=getObject&objectName=mcl-750-520c](http://www.legislature.mi.gov/(S(hikefsm14ciu2l2h05z3b0w2))/mileg.aspx?page=getObject&objectName=mcl-750-520c)
- Link to MCL 750.520d, describing CSC-3
[http://www.legislature.mi.gov/\(S\(hikefsm14ciu2l2h05z3b0w2\)\)/mileg.aspx?page=getObject&objectName=mcl-750-520d](http://www.legislature.mi.gov/(S(hikefsm14ciu2l2h05z3b0w2))/mileg.aspx?page=getObject&objectName=mcl-750-520d)