

# Plea Bargaining a Child Sex Abuse Charge to a Lower Charge of Sexual Battery

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Someone who has been charged with a [sexual abuse](#) involving a child may wish to receive a plea bargain. In exchange for a guilty plea, the defendant may be offered and agree to a lesser charge of sexual battery. In the state of Utah, sexual battery is not a registerable offense. This means that the person would not have to register as a sexual offender in the state of Utah. This is an attractive option for both sides because the defendant receives a lesser punishment and the victim does not have to go through the pain of a trial. ***Considering that the ramifications are enormous and the odds are immediately stacked against you, working with a qualified Salt Lake City criminal defense attorney is of paramount importance.*** Call Wasatch Defense Lawyers today at 801.980.9965 for a case review at no charge.

## Penalties for Sexual Abuse of a Child in Utah

The penalties for sexual abuse of a child is severe.

- **Statute:** [Sexual Abuse of a Child is Utah Code § 76-5-404](#)
- **Classification:** Sexual abuse of a child is a second-degree felony. Aggravated sexual abuse of a child is a first-degree felony.
- **Description:** The statute classifies sexual abuse of a child as any action that is not rape but involves touching the anus or genitalia of any child or the breast of a female child. This includes forcing the child to engage in a sexual act with anyone with the intent of sexual gratification on the part of the defendant.

The offense is categorized as aggravated sexual abuse if the offense was committed using a dangerous weapon, if the accused used pornography, or if the offense caused severe physical injury or psychological harm to the defendant.

- **Sentence:** The criminal sentence for a second-degree felony, such as sexual abuse of a child, can include a prison sentence of up to 15 years and a fine of up to \$10,000. The person may be required to pay for treatment for the victim.

The criminal sentence for a first-degree felony, such as aggravated [sexual assault](#), includes a mandatory prison sentence of at least 5 years and up to life in prison. The fine is up to \$10,000 and the defendant may be ordered to pay for treatment for the victim.

## Penalties for Sexual Battery in Utah

The punishment for a sexual battery conviction is less severe.

- **Statute:** [Utah Sexual Battery is code § 76-9-702.1](#)
- **Classification:** Sexual battery is classified as a Class A misdemeanor
- **Description:** Someone commits sexual battery if they intentionally touch the anus, buttocks, or genitals of any person or the breasts of a female person.
- **Sentence:** The sentence for this crime is much less severe. There is no prison time, no [sex offender registry](#), and a prison sentence of a maximum of one year. The fine is up to \$2,500.

## Contact a Criminal Defense Attorney if Charged with a Sex Crime in Utah

Clearly, there are enormous penalties and long odds when it comes to fighting a [sex crime charge in Utah](#). Working with a qualified Salt Lake City criminal defense attorney is vital to maximizing the chances of a successful outcome. This could include a plea bargain to a lesser charge with a lighter punishment, or even having the charges dismissed. Wasatch Defense Lawyers have years of experience with [felony](#) and misdemeanor offenses. To set up a free legal consultation with a Utah defense attorney, call 801-980-9665 or complete the contact form online.

## Help for Sexual Assault Survivors

Anyone who has been a victim of sexual assault should contact [Rape, Abuse & Incest National Network \(RAINN\)](#) for online help and local resources.